

**Minutes of the Committee of the Whole Meeting of the City of Victoria
held Thursday, October 28, 2004**

Committee Present: Mayor Lowe, in the Chair; and Councillors Coleman, Fleming, Fortin, Holland, Hughes, Madoff, 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 – City Solicitor/Director of Planning and Development; T. Galavan – Manager, Transportation; D. Koch – Manager, Planning Division; M. Leskiw – Manager, Parks Division; S. Masters – Manager, Administration; M. Mayhew – Executive Assistant to the Mayor; P. O'Reilly – Director of Engineering; B. Sikstrom – Senior Planner; B. Wiffen – Property Manager; R. Woodland – Corporate Administrator; and W. Zink – Manager, Community Development

1. CALL TO ORDER

The Mayor called the meeting to order at 9:03 a.m.

**2. ADOPTION OF MINUTES -
COMMITTEE OF THE WHOLE, OCTOBER 21, 2004**

Action: Councillor Hughes moved that the minutes of the Committee of the Whole meeting held October 21, 2004, be adopted, with the following corrections:

- Page 7, replace Item No. 6.1 – "Neighbourhood Transportation Plan" with the following:
"Transportation Demand Management Plan – Royal Jubilee Hospital
Councillor Savoie asked for an update on the Transportation Demand Management Plan for Royal Jubilee Hospital, relative to the loss of greenspace for parking lots."; and
- Page 7, replace Item No. 6.2 – "CREST Levy" with the following:
"Councillor Savoie expressed concern over the governance of the CREST Board, noting that it appears to operate like a private company and therefore not accountable to the public. Councillor Fortin, as the City's representative to the CREST Board, was asked to discuss the issue of "transparency" at the next CREST Board meeting."

CARRIED. 04/717

3. DELEGATIONS

3.1 Northeast Trunk/East Coast Interceptor Sewer Upgrade Options Study

Igor Zahynacz, CRD Manager of Environment Services, reviewed the history of the regional sewer system including construction of the Northeast Trunk-Clover Point Outfall dating back to 1894. Noting design flows are based on the Regional Growth Strategy projected to 2045, he reviewed Provincial regulations requiring upgrades to the system to prevent overflows. Postponement of the upgrades may cause the collapse of the sewer system. Reviewing identification of options, he advised Option Two, estimated at \$61.4m, to be the best option due to low capital costs, minimal upgrades, ability to phase the project over a 40-year period, and the opportunity to develop greenways and improve habitat.

Responding to questions from members of the Committee Mr. Zahynacz advised:

- upgrades will allow future sewage treatment possibilities;
- the Capital Regional District is working with the individual municipalities to ensure a dual system is being built; and
- cost sharing is based on volume capacity.

Councillor Coleman left the meeting at 10:00 a.m. during discussion of the following item.

3.2 Victoria 2020 Working Group Report – Improving Downtown Transportation

Todd Litman, Chair of the Victoria 2020 Working Group (Transportation), reviewed the report entitled “Improving Downtown Transportation,” focusing on five key objectives:

1. An effective structure for transportation planning and program funding;
2. Increasing the portion of downtown trips made by walking, cycling, ride-sharing, public transit and telework, so total motor vehicle traffic volumes downtown remain at 2004 levels or less;
3. Transit services to and within downtown continue to improve, making transit an attractive and affordable option for residents of all incomes and abilities;
4. Parking management increases convenience for motorists and results in more efficient use of available parking facilities; and
5. Walking and cycling improvements provide convenient, comfortable and safe travel for non-motorized modes.

Members of the Committee discussed the need:

- to improve transportation downtown through regional planning;
- for funding; and
- to encourage people to use public transit.

3.3 Reducing the Cosmetic Use of Pesticides in the Capital Region

Paul West, Chair of the Capital Regional District Roundtable on the Environment – Pesticide Reduction Subcommittee, addressed the Committee regarding the need to reduce, and ultimately eliminate, the cosmetic use of pesticides in the capital region to ensure the region’s residents and environment are protected from potential risks. The subcommittee has undertaken a multi-faceted approach to achieve this objective including:

- the development of a model municipal pesticide management policy; and
- the promotion of pesticide alternatives and public consultation leading to the potential development of a model pesticide use bylaw for adoption by individual municipalities.

3.4 Victoria – Khabarovsk Association (VKA) – 2004 Delegation to Russia

Pam Copley, Chair of the 2004 Victoria-Khabarovsk Delegation, highlighted the VKA's visit to Victoria's sister city in Russia from August 18 to September 2, 2004. She presented a book to Mayor and Council from the City of Khabarovsk. A slide show will be held in the Ante Chamber, Victoria City Hall, on Tuesday, November 16, 2004, at 7:30 p.m. Members of Council, staff, and the public are invited to attend. Donations will be used to support a Khabarovsk children's home.

4. PARKS, RECREATION AND COMMUNITY DEVELOPMENT

4.1 Pioneer Square Park (Cemetery)

In a report dated October 22, 2004, the Manager, Parks Division, reviewed a request by the Victoria Police Department to amend the Parks Regulation Bylaw to prohibit the use of Pioneer Square Park at night. This request is prompted by numerous complaints from business owners and residents regarding an increase of drug activity and discarded drug paraphernalia, abandoned and stolen items, overnight camping, and vandalism to markers and headstones.

Members of the Committee expressed concerns that displacing campers from the park will not resolve the related ongoing social issues. Noting the lack of Provincial funding to help deal with issues such as drug use and the need for affordable housing, Mayor Lowe agreed to raise the Committee's concerns at the next meeting of the Premier's Task Force on Homelessness, Mental Health and Addictions.

Action: Councillor Savoie moved that Council direct the City Solicitor to prepare an amendment to the Parks Regulation Bylaw restricting the use of Pioneer Square Park from one hour after dusk to one hour before dawn.

CARRIED. 04/716

5. PLANNING AND DEVELOPMENT

5.1 Land Acquisition Policy

The Property Manager reviewed his report dated October 22, 2004, identifying the need to acquire certain parcels of land throughout the City to achieve its objectives as described in documents such as the Harbour Plan, Greenways Plan, and various Neighbourhood Plans. The current procedure for obtaining Council approval before making an Offer to Purchase often results in the property being optioned or sold, and opportunities to secure properties are lost.

Action: Councillor Savoie moved that when a "property of interest" is identified and brought to the Property Manager's attention, Council authorize the

Property Manager to present to the registered owner of the subject parcel, an Offer to Purchase or Lease the land on the City's behalf, in the following circumstances:

1. the land is identified in the Official Community Plan, the Harbour Plan, or other planning or policy documents approved by Council, as land the City is interested in acquiring;
2. the offer is presented as being subject to the approval of Council;
3. the offer is presented as being subject to the availability of funds or financing, including any necessary amendment to the City's financial plan or to the electoral approval, all to the satisfaction of Council;
4. the offer is presented as being subject to satisfactory environmental screening.

CARRIED. 04/715

Councillor Thornton-Joe left the meeting at 10:46 a.m., during discussion of the following item.

5.2 Rezoning Application No. 04-28 – 1961 Fairfield Place

In a report dated October 14, 2004 outlining an application to amend the existing zoning to allow an additional six bedrooms and 164m² of floor area to Hart House Seniors Intermediate Care Home located at 1961 Fairfield Place. Although the site consists of two separate lots, the application is for the rezoning of the lot occupied by the heritage-designated house.

At its October 21, 2004 meeting, Committee of the Whole postponed consideration of this item pending further consultation with the area residents and the Fairfield Community Association with respect to the applicant's revised proposal which does not include consolidation of the two lots, and the potential for future construction of a single family dwelling on the adjacent lot. Committee also requested a revised project information table to show the proposed R1-F standards excluding the lot at 1590 Fairfield Road.

Action: Councillor Madoff moved that:

1. the report dated October 25, 2004, from the Senior Planner, presenting a revised Project Information Table for 1961 Fairfield Place, be received for information; and
2. further consideration of the report from the Senior Planner dated October 14, 2004, be tabled.

CARRIED. 04/714

Councillors Coleman and Thornton-Joe rejoined the meeting at 10:48 a.m.

5.3 Reconsideration of Density Bonus Policy Outside Downtown – Recommendation

In a report dated September 9, 2004, the Manager, Planning Division, proposed a replacement for the 1995 Density Bonus Policy, applicable outside Downtown, based on the review of City practice since 1995, surveys of other local government practices, and comments from public workshops and key civic advisory committees.

At its September 9, 2004 meeting, Committee of the Whole recommended that the revised Density Bonus Policy be forwarded to a non-statutory Public Hearing for final review, and an Amenity Reserve Fund be established for Density Bonus cash contributions. However, when the Committee's recommendation was considered by Council, it was recommended that this matter be referred to Committee of the Whole for further discussion.

Discussion ensued over a wide variety of outstanding issues including:

- whether disbursement of amenity reserve funds should be governed by one central policy, an annual corporate strategic budget review, or on an individual rezoning basis;
- the adequacy of the process for amenities identification;
- where in the City density bonus should be allowed/prohibited;
- whether affordable housing be required in situations for each density bonus application; and
- whether a wider list of potential amenities should be included.

Committee members generally agreed that there needed to be further interactive consultation with neighbourhoods, Land Use Committee Chairs, and developers before the Density Bonus Policy could proceed to a non-statutory Public Hearing.

Action: Councillor Savoie moved that the revised Density Bonus Policy attached to the report dated September 9, 2004, from the Manager, Planning Division, be postponed, pending further consultation with neighbourhoods, Land Use Committee Chairs, and developers.

CARRIED. 04/713

6. ADMINISTRATIVE MATTERS

6.1 Dispositions of Communications

Committee reviewed a report dated October 25, 2004, from the Manager, Administration, reporting that certain communications received in the Legislative Services Division were dealt with on the date and in the manner indicated.

Action: Councillor Hughes moved that the Disposition of Communications dated October 25, 2004 from the Manager, Administration, be received for information and filed.

CARRIED. 04/712

Members of the Committee discussed Item No. 14 on the Disposition of Communications dated October 25, 2004, suggesting pit bulls be banned from British Columbia.

Action: Councillor Fleming moved that a letter be sent to the President of the Union of British Columbia Municipalities requesting that the Solicitor General consider legislation, similar to Ontario's recent legislation, banning pit bulls in British Columbia.

CARRIED. 04/711

6.2 Proclamations

Action: Councillor Coleman moved that the following proclamations be approved and forwarded to the appropriate Council meeting:

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|---------------------------------------|--------------------------------|
| <i>Foster Family Month</i> | <i>October 2004</i> |
| <i>National Philanthropy Day/Week</i> | <i>November 15/15-20, 2004</i> |
| <i>Years of Remembrance 2004/2005</i> | <i>2004/2005</i> |
| <i>MADD Month</i> | <i>November 2004</i> |
| <i>Pedestrian Safety Month</i> | <i>November 2004</i> |

CARRIED. 04/710

6.3 Western Canadian Summit on Methamphetamine – November 15-17, 2004

Action: Councillor Madoff moved that Council approve:

1. the attendance of Mayor Lowe, and Councillors Hughes and Fortin at the Western Canadian Summit on Methamphetamine; and
2. funding of approximately \$2,706.00 to cover related expenses.

CARRIED. 04/709

7. COUNCILLOR INQUIRIES / INFORMATION SHARING

7.1 Provincial Capital Commission - Policy

Councillor Madoff discussed the Provincial Capital Commission's (PCC) policy that does not permit members to discuss decisions made by the PCC. Those opposed to any of the PCC's policies or actions are directed to write to Minister Coell. Mayor Lowe agreed to request a meeting with Minister Coell to discuss this matter.

7.2 Save-On-Foods Memorial Centre – Proposed Sign (DVP Application SI 04-46)

Councillor Savoie requested a report from the Victoria Police Department outlining safety concerns relative to the LED sign proposed for the Save-On-Foods Memorial Centre site, 1925 Blanshard Street.

7.3 Royal Canadian Legion

Councillor Coleman noted that the Royal Canadian Legion has applied to the City for a permissive tax exemption, and requested that this matter be referred back to the Finance Committee for further review.

7.4 Notice of Motion – CREST

Councillor Fortin served Notice of Motion, to discuss:

1. the revised blended CREST levy proposal at the next Regular Committee of the Whole meeting; and
2. the CREST Members' Agreement at the next Closed Committee of the Whole meeting.

7.5 Condé Nast Traveler Readers' Choice Awards

Councillor Thornton-Joe announced that Condé Nast Traveler magazine ranked Vancouver Island as Top North American Island and Victoria as Number Two Top City in the Americas. Victoria was narrowly edged out by Vancouver in the Top Cities in the Americas category with 81.9 points for Vancouver and 81.6 points for Victoria.

7.6 National Awards for Tourism Excellence – Butchart Family Honoured

Councillor Thornton-Joe announced that the Butchart family won the Lifetime Achievement Award at the National Awards for Tourism Excellence held at Canada's Tourism Leadership Summit in Whitehorse on October 25, 2004. Butchart Gardens has attained status as a world-class attraction and has helped build Victoria's renown as a premium tourism destination.

7.7 Orcas in the City - Orca Auction and Gala Dinner

Councillor Thornton-Joe extended an invitation for everyone to attend the Orca Auction & Gala Dinner, a major gala black tie event to take place at the Victoria Conference Centre on November 9, 2004. Proceeds from the event will benefit The Lions Society's Easter Seals operations on Vancouver Island.

7.8 2004 CMHC Housing Awards – Best Practices in Affordable Housing - Pacifica Housing Advisory Association

Councillor Holland announced that Pacifica Housing Advisory Association, Victoria, won the Supported Independent Housing Community Award for Medewiwin Apartments. Medewiwin is a supported independent housing community for people hardest to house. Pacifica Housing converted a 1950 motel to develop a 10-unit addition including a complete refurbishing of common areas and enhanced outdoor spaces, demonstrating a mix of reusing an existing structure and new construction to create an innovative solution to affordable housing.

8. CLOSED MEETING - 11:58 A.M.

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

Staff Present: D. Atkinson – Director, Parks, Recreation & Community Development; J. Basey – City Solicitor/Director, Planning and Development; M. Leskiw – Manager, Parks Division; M.B. MacKenzie - Committee Secretary; J. Martignago – City Manager; M. Mayhew – Executive Assistant to Mayor; M. McCliggott – Comptroller; B. Sikstrom – Senior Planner; and R. Woodland – Corporate Administrator

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. 04/708

8.1 Legal

The Committee received legal advice regarding a current rezoning application.

9. RECESS

The Committee recessed at 12:15 p.m.

**10. RECONVENE - MOTION TO OPEN
OCTOBER 28, 2004 COMMITTEE OF THE WHOLE MEETING**

The meeting reconvened at 12:30 p.m.

Action: Councillor Thornton-Joe moved that Committee of the Whole convene an open meeting.

CARRIED. 04/707

11. PLANNING AND DEVELOPMENT

11.1 Rezoning Application No. 04-28 – 1961 Fairfield Place

Action: Councillor Coleman moved that Rezoning Application No. 04-28, be lifted from the table.

CARRIED. 04/706

Action: Councillor Madoff moved that the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments, as set out in Table 3.1 of the report dated October 14, 2004, from the Senior Planner, and that the application be forwarded for consideration at a Public Hearing subject to:

1. Review by the Heritage Advisory Committee;
2. Concurrent consideration of a Heritage Alteration Permit for the proposed additions to the existing house; and
3. Prior to the Public Hearing, registration of a restrictive covenant outlining design, height, size and siting restrictions for future buildings

on the adjacent property located at 1959 Fairfield Road, to the satisfaction of the Director of Planning and Development.

CARRIED. 04/705

12. CLOSED MEETING - 12:36 P.M.

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

Staff Present: D. Atkinson – Director, Parks, Recreation & Community Development; J. Basey – City Solicitor/Director, Planning and Development; M. Leskiw – Manager, Parks Division; M.B. MacKenzie - Committee Secretary; J. Martignago – City Manager; M. Mayhew – Executive Assistant to Mayor; M. McCloggott – Comptroller; B. Sikstrom – Senior Planner; and R. Woodland – Corporate Administrator

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. 04/704

Councillor Fortin left the meeting at 12:52 p.m., during discussion of the following item.

12.1 Land

The Comptroller reviewed his report dated October 28, 2004, relative to a land issue in the City.

12.2 Bylaw Enforcement

The City Solicitor provided an update on a current bylaw enforcement issue.

13. ADJOURNMENT

The meeting adjourned at 1:50 p.m.

Mayor Lowe, Chair