

**Minutes of the Committee of the Whole Meeting of the City of Victoria
held Thursday, November 25, 2004**

Committee Present: Mayor Lowe, in the Chair; and Councillors 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; S. Barber – Heritage Planner; J. Basey – City Solicitor/Director of Planning and Development; J. Daly – Manager, Research, Planning and Design; K. Dowdall – Director of Finance; K. Fowler – Manager, Regulatory and Development Services; M. Leskiw – Manager, Parks Division; M. Hill – Downtown Community Development Co-ordinator; K. Ramsay – Community Development Planner; D. Scoones – Bylaw Enforcement Officer; 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

2.1 Committee of the Whole, November 18, 2004

Action: Councillor Hughes moved that the minutes of the Committee of the Whole meeting held November 18, 2004, be adopted.

CARRIED. 04/776

3. DELEGATIONS

3.1 Victoria International Flower and Garden Festival 2005 – Request for Partnership

Michael Moore, Jennifer Almeida and Lisa Koorbatoff, representing the Vancouver Island Flower and Garden Festival Society, provided an overview of the Victoria International Flower and Garden Festival 2005, to be held from July 28 - August 1, 2005. The theme for 2005 is the "History of Gardens".

Requesting a partnership with the City, the Society would like to hold the core festival at Topaz Park, with many satellite locations hosting events and celebrations associated with the festival at Abkhazi Gardens; The Art Gallery of Greater Victoria; Mayfair Shopping Centre; Market Square; S.J. Willis School; Government House; The Horticulture Centre of the Pacific; Butchart Gardens; and Fairmont Empress Hotel. An expected 25,000 to 30,000 garden enthusiasts will visit the festival that will

include six competition categories; gardening demonstrations, and many other promotional and marketing activities.

Two members of the Committee advised of their attendance at past festivals, and expressed their support.

Action: Councillor Hughes moved that the request from the Vancouver Island Flower and Garden Festival Society, to partner with the City of Victoria for the use of Topaz Park for the Victoria International Flower and Garden Festival 2005, July 28, - August 1, 2005, be referred to Parks staff for a report.

CARRIED. 04/775

3.2 Women's Housing Action Team (WHAT) – Goals and Objectives

Colleen Casting and Carolyn Fast, representing the Women's Housing Action Team (WHAT), advised of the Team's mandate to create affordable, safe, innovative housing options for women 40 years of age and older, and for ensuring that housing policies include women. Noting that Victoria's housing costs are the highest in Canada, they requested support for the provision of affordable housing and related services for women in the Capital Regional District.

4. PARKS, RECREATION AND COMMUNITY DEVELOPMENT

4.1 Ross Bay Cemetery

The Manager - Research, Planning and Design, Parks Division, reviewed his report dated November 19, 2004, regarding Council's approval to issue Heritage Alteration Permit No. 134, at its October 14, 2004 meeting. A draft proposal for the realignment of Memorial Crescent was not part of the official design, and therefore the works were not included in Heritage Alteration Permit No. 134. The Transportation Division advised that it would view the proposed streetworks as a community requested beautification project, but not allocate staff time or the capital budget towards this issue.

Action: Councillor Madoff moved that Council authorize staff to proceed with the preparation of working drawings and construction related to the perimeter of the southwest quadrant of Ross Bay Cemetery, based on the design dated June 29, 2004, prepared by Pechet and Robb, and subject to:

1. Approval by the Heritage Advisory Committee of prototypes and final design details; and
2. Availability of funding from the sale of plots in Ross Bay Cemetery.

CARRIED. 04/774

Councillor Fortin declared an indirect pecuniary conflict of interest with the following item, and was excused from the meeting at 9:33 a.m.

4.2 Special Projects Grants - Fall 2004 Intake Funding Recommendations

The Community Development Planner reviewed her report dated November 18, 2004, summarizing Special Project Grant applications for the Fall 2004 Intake, and outlining funding recommendations.

Members of the Committee discussed specific applications and asked for clarification as to the assessment criteria used by staff. Noting the merits of the various projects, it was requested that the \$750.00 grant to the YM-YWCA of Greater Victoria Outreach Services for its "Bridging the Gap" program (to educate youth about crystal methamphetamine and encourage prevention and intervention) be increased to \$2,350.00.

Staff was asked to consider involving local community groups in the future review of grant monies, and how they should be distributed.

Action: Councillor Hughes moved that Council approve:

1. The recommended Special Project Grant allocations as follows:

Organization/Project	Amount Requested	Amount Approved
Community Development		
Bread and Roses Collective/ Victoria Street Newz Initiative	\$5,000.00	\$500.00
Burnside Gorge Community Association/ Community Safety Strategy	\$5,000.00	\$2,500.00
C.A.R.T.S. Outreach / C.A.R.T.S. Outreach	\$3,000.00	Nil
Canadian National Institute for the Blind/The Conversion Instruction, Tutoring and Support Program	\$5,000.00	\$1,000.00
Regional Addictions Advocacy Society/Injection Drug Use in Victoria: What We Already Know	\$5,000.00	\$2,000.00
Societe Radio Communautaire Victoria/ Special Event Low Power FM Broadcast Station	\$5,000.00	Nil
Victoria Cool Aid Society / Homeless Count	\$5,000.00	\$5,000.00
Victoria Disability Resource Centre/Promoting Accessibility at Victoria Events (PAVE)	\$5,000.00	\$2,500.00
Victoria Police Dept. and Vancouver Island Health Authority / Integrated Crisis Response Service	\$5,000.00	\$2,100.00
YM-YWCA of Greater Victoria , Outreach Services / Bridging the Gap	\$5,000.00	\$2,350.00
Economic Vitality		
Victoria Chinese Commerce Association/ VCCA Night Market Initiative	\$5,000.00	\$2,500.00
Wear 2 Start Society/Wear 2 Start Society	\$5,000.00	\$500.00
Environment		
Capital Bike and Walk Society / Bicycle and Pedestrian Audit and Review	\$5,000.00	\$750.00

Organization/Project	Amount Requested	Amount Approved
Sierra Club of Canada, Victoria Group / The Greening Special Events Project	\$5,000.00	\$2,000.00
Heritage, Arts and Culture		
Association Des Ecrivains Francophones de la Colombia-Britannique / Salon Du Livre et Des Arts	\$4,800.00	Nil
Compassion in Action c/o James Bay Community Project/Compassion in Action Week	\$3,000.00	Nil
First Metropolitan United Church / Open Doors Community Music Program	\$3,790.00	\$1,000.00
Solid Roofs and Autonomous Roots Housing Co-operative (Roots and Roofs) / At Home	\$4,850.00	\$500.00
Victoria-Morioka Friendship Society / The Inazo Mitobe Memorial Garden	\$5,000.00	\$5,000.00
Tourism Victoria/City of Victoria Online Self Guided Informative Walking Tours	\$5,000.00	\$2,000.00
Victoria Choral Society 70 th Anniversary Concert	\$5,000.00	Nil
Project Awareness		
The Alano Club of Victoria / Workshops to Enhance	\$2,575.00	Nil
TOTALS:	\$102,015.00	\$32,200.00

- Amending the Special Project Grant Policy and Guidelines to consolidate the number of annual intakes to one intake in March and allow projects to occur over a 12-month period rather than during the current calendar year.

CARRIED. 04/773

Councillor Fortin rejoined the meeting at 10:00 a.m.

5. **FINANCE**

5.1 **Reserve Fund Policy**

The Committee reviewed a report dated November 11, 2004 from the Comptroller reviewing provisions under the *Community Charter* making it easier for municipalities to establish and use Reserve Funds, i.e., reserve fund expenditures can now be by Council resolution rather than an expenditure bylaw. To help manage the change, a comprehensive review of the City's reserve funds was completed, and a Reserve Fund Policy was developed to provide guidance with respect to the development, maintenance and use of City reserve funds. Development Cost Charges (DCCs) will still require a bylaw.

Action: Councillor Fleming moved that Council:

- Approve the Reserve Fund Policy and attached schedules with the following changes:

- (a) Page 2 of 11, Primary Objectives, (3) Finance New Capital Assets, - delete the following words: “through private sector partnerships, and other alternative service delivery methods”; and
 - (b) Schedule A, Summary of City Reserves – amend heading to read “Minimum Balance Targeted”
2. Introduce and give three readings to the Reserve Fund Bylaw at the December 2, 2004 Council meeting.

CARRIED. 04/772

6. ENGINEERING

6.1 Traffic Orders

In a report dated October 28, 2004, the Transportation Division reviewed 11 Traffic Orders for consideration by the Committee. Staff conducted onsite investigations for each.

Action: Councillor Holland moved that the Traffic Orders attached to the report dated October 28, 2004, from the Transportation Division, be approved.

CARRIED. 04/771

7. ADMINISTRATIVE MATTERS

7.1 Disposition of Communications

Committee reviewed a report dated November 19, 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 Fleming moved that the Disposition of Communications dated November 19, 2004 from the Manager, Administration, be received for information and filed.

CARRIED. 04/770

Staff was asked to take the following actions on items identified in the Disposition of Communications dated November 19, 2004:

1. Item No. 5, “Code of Practice for Gasoline Service Stations”
 - (a) refer this item to the Capital Regional District; and
 - (b) refer to Planning staff to determine if there is a existing City bylaw regulating this issue.
2. Refer Item No. 7, “inclusion of specific language related to bicycle lanes in Official Community Plans”, to the Cycling Advisory Committee to prepare a recommendation to Council.

8. COUNCILLOR INQUIRIES / INFORMATION SHARING

8.1 Victoria Conservatory of Music / Open Door

Councillor Savoie expressed neighbourhood concerns over the Open Door, and its proximity to the Victoria Conservatory of Music, especially given the number of impressionable young children attending the Conservatory. Responding to a request for a meeting between the operators of the properties to discuss short-term solutions, Councillor Thornton-Joe advised she suggested to the Conservatory staff that they work with Reverend Tysick of the Open Door to review concerns, prior to a meeting with the neighbours.

8.2 Orcas in the City

Councillor Thornton-Joe announced the success of the Orcas in the City project, noting that over \$700,000.00 was raised, including \$385,052.00 from the auction of the Victoria orcas. Proceeds support the Easter Seal House and Camp Shawnigan.

8.3 Capital Regional District – Sludge Management Advisory Committee

Councillor Fortin reported on the concern arising from the Sludge Management Advisory Committee (SMAC) regarding the direction for the Capital Regional District (CRD) Directors to include three new sites in with those selected by the SMAC. The three CRD Board sites were not identified as appropriate biosolid processing sites based on the criteria developed by the SMAC.

Mayor Lowe left the meeting at 10:35 a.m., and Councillor Fortin assumed the Chair.

9. CLOSED MEETING - 10:35 A.M.

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

Staff Present: D. Atkinson – Director, Parks, Recreation and Community Development; J. Basey – City Solicitor/Director of Planning and Development; C. Bloedorn – Dockside Project Manager; D. Carlsen – Economic Development Division; K. Dowdall – Director of Finance; K. Fowler – Manager, Regulatory and Development Services; M.B. MacKenzie – Committee Secretary; J. Martignago – City Manager; G. Oberg – Manager, Supply Management Services; D. Scoones – Bylaw Enforcement Officer; B. Wiffen – Property Manager; R. Woodland – Corporate Administrator; and W. Zink – Manager, Community Development

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. 04/769

Guy McDannold, Staples McDannold Stewart, joined the meeting at 10:35 a.m.

Mayor Lowe rejoined the meeting at 10:45 a.m., during discussion of the following item.

9.1 Legal – Pacific National Investments Ltd. v. City of Victoria

Action: Councillor Fortin moved that the Committee rise and report on the correspondence dated November 22, 2004 from Staples McDannold Stewart, regarding Pacific National Investments Ltd. V. City of Victoria, Supreme Court of Canada Decision No. 29759.

CARRIED. 04/768

Action: Councillor Holland moved that:

1. The City work with the Union of British Columbia Municipalities (UBCM) to seek an amendment to Section 914 of the *Local Government Act*, to specify that damages or other actions for compensation are not payable if a zoning bylaw is validly enacted and remains in effect; and
2. Staples McDannold Stewart provide Council with background information regarding this issue and a proposed resolution in support of this proposed legislative amendment.

CARRIED. 04/767

Guy McDannold left the meeting at 11:03 a.m.

9.2 Legal/Bylaw Enforcement – Recovering Extraordinary Enforcement Costs

Action: Councillor Fortin moved that the report dated November 17, 2004, from the Senior Bylaw Officer, be postponed to the December 2, 2004 Committee of the Whole meeting, pending receipt of staff recommendations regarding a budget and communications plan.

CARRIED. 04/766

9.3 Land/Dockside Lands – RFP Evaluation

Action: Councillor Madoff moved that the report dated November 22, 2004, from the Manager, Regulatory and Development Services, regarding the Dockside Request for Proposal Evaluation, be received, and:

1. The proposals be posted on the City's web page, along with a public feedback form; and
2. Westbank Projects Corporation and Windmill Developments/Van City Enterprises be invited to present their proposals at a public presentation on December 6, 2004, from 4:30 – to 8:30 p.m.

CARRIED. 04/765

9.4 Land/Lease – Point Hope Shipyard

Staff was asked to invite Mr. Maxwell, Point Hope Shipyard to the December 2, 2004 Committee of the Whole meeting to answer questions regarding his long term business plan for the site.

9.5 Land/Licence of Occupation – 743 View Street

Action: Councillor Madoff moved that the recommendations in the report dated November 19, 2004, from the Property Manager, be approved.

CARRIED. 04/764

9.6 Land/Lease – Hallmark Society

Action: Councillor Savoie moved that the recommendations in the report from the Property Manager dated November 18, 2004, be approved.

CARRIED. 04/763

9.7 Land/Offer to Purchase – 757 Douglas Street

Action: Councillor Madoff moved that consideration of the recommendations in the report from the Property Manager dated November 18, 2004, be postponed, and staff provide further information to Committee regarding the massing, height and view lines of any building to be constructed on this lot.

CARRIED. 04/762

9.8 Legal – CREST Members' Agreement

The Committee discussed the CREST Members' Agreement.

9.9 Councillor Information Sharing – Proposed Nursery Site Approved

Councillor Savoie advised that the Capital Regional District Board has approved the proposed nursery site in Bear Hill Regional Park.

10. WORKSHOP

10.1 Boulevard Maintenance Program

The Boulevard Maintenance Program workshop was deferred to the December 2, 2004 Committee of the Whole meeting.

11. **ADJOURNMENT**

The meeting adjourned at 1:25 p.m.

Mayor Lowe, Chair