

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING**  
**HELD THURSDAY, JANUARY 11, 2007, 8:00 a.m.**

**Committee Members Present:** Mayor Lowe in the Chair, Councillors Chandler, Coleman, Fortin, Holland, Hughes, Madoff, Thornton-Joe and Young.

**Staff Present:** R. Woodland - Corporate Administrator; M. McCliggott – Acting City Manager; C. Havelka - Recording Secretary;

**Staff Present for a Portion of the Meeting:** S. Schopp – Manager, Regulatory & Development Services; N. Taylor - Project Manager, Victoria Agreement; K. Ramsay – Community Development Planner; C. Carter – Bylaw Enforcement Officer; S. Barber – Senior Heritage Planner; M. Lam – Senior Urban Design Planner; D. Koch – Manager, Development Services; A. Meyer – Senior Planner; T. Phillips – Manager, Revenue; A. Hudson – Senior Planner; N. Pointon – Communications; C. Ho – Executive Assistant; J. Jenkyns – Acting General Manager, Conference Centre; W. Zink – Manager, Social Planning & Housing.

**1. CLOSED MEETING CALLED TO ORDER BY THE CHAIR AT 8:08 a.m.**

**Action:** Councillor Fortin 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 07/034

**1.1 Land – Legal Matter**

Committee received a report from Development Services with respect to a legal matter related to land development.

The discussion was recorded and kept confidential.

**1.2 Private Property Maintenance Committee**

**Action:** Councillor Thornton–Joe moved that it be recommended to Council that City Council appoint Councillors Holland, Thornton-Joe and Young, as Council members to the Private Property Maintenance Committee for the term January 11, 2007 to December 31, 2007.

CARRIED 07/034

### 1.3 Legal – Litigation

Committee received a report from the Corporate Administrator with respect to settling a litigation matter.

**Action:** Councillor Holland moved that Council authorize the City's legal counsel to file a consent dismissal order with the Court as outlined in the letter dated December 18, 2006.

CARRIED 07/033

*Councillor Young withdrew from the Council Chamber at 8:11 a.m. as Discovery Economic Consulting has a business relationship with the plaintiff's legal representative's law firm, which may constitute a non-pecuniary conflict of interest.*

### 1.4 Legal – Litigation

Committee received a report from the Corporate Administrator regarding a legal matter.

The discussion was recorded and kept confidential.

**Action:** Councillor Fortin moved that Council authorize staff to proceed as outlined in the letter from the City Solicitor dated December 05, 2006.

CARRIED 07/032

*Councillor Young returned to the meeting at 8:16 a.m.*

### 1.5 Land – Lease

Committee received a report from the Victoria Agreement Project Manager with respect to a land matter. Staff advised that they are meeting with stakeholders to discuss the matter further and will report back to Committee.

*Councillor Chandler withdrew from Council Chambers at 8:50 a.m. as she has a decommissioned secondary suite, which creates a direct pecuniary interest with the following item.*

### 1.6 Land – Legal

Committee received a report from Bylaw Enforcement with respect to a legal matter.

**Action:** Councillor Young moved that Council approve the recommendations in the report from staff dated December 07, 2006.

CARRIED 07/031

## 2. ADJOURNMENT OF CLOSED MEETING AT 9:10 a.m.

**3. OPEN MEETING CALLED TO ORDER BY THE CHAIR AT 9:11 a.m.**

**4. APPROVAL OF AGENDA**

The Mayor outlined the following changes to the January 11, 2007 Committee of the Whole agenda:

- Addition of Delegation – Victoria Conference Centre Expansion
- Items # 3 & # 5 deferred
- Councillor Inquiries / Information Sharing:
  - a) Councillor Fortin – Notice of Motion – Item # 23
  - b) Councillor Young – Commuter Rail Service – E&N Line- Item # 23A.
  - c) Councillor Madoff – Information Sharing
  - d) Councillor Hughes - Inquiry
  - e) Councillor Chandler - One inquiry and one Information Sharing
  - f) Councillor Coleman - One inquiry and one Information Sharing

**Action:** Councillor Hughes moved that the Agenda of the January 11, 2007 Committee of the Whole meeting be approved as amended.

CARRIED 07/030

**5. ADOPTION OF MINUTES**

**5.1 December 07, 2006 Minutes**

Councillor Fortin advised that the motion to reappoint him to the Regional Housing Trust Fund Commission was not recorded in the December 07, 2006 minutes.

**Action:** Councillor Fortin moved that the minutes of the Committee of the Whole meeting held December 07, 2006 be corrected to include the following In Camera item # 29 motion:

*Action: Councillor Fortin moved that Council reappoint Councillor Fortin to the Regional Housing Trust Fund for the year 2007.*

CARRIED

CARRIED 07/029

**5.2 Minutes of the Committee of the Whole meeting held December 14, 2006.**

Councillor Thornton-Joe inquired about page 6 regarding the Advisory Planning Commission, and recording an abstention. Committee was advised that staff would follow up on this matter.

**Action:** Councillor Hughes moved that the Minutes of the Committee of the Whole meeting held December 14, 2006 be adopted.

## 6. DELEGATION

### 6.1 Victoria Conference Centre Expansion

Committee received a presentation from Rod Cameron of Criterion Consulting, with respect to expansion of the Victoria Conference Centre (VCC). The proposal is to use the Crystal Gardens as extended space for the VCC which would enhance revenue, product development and meet required upgrades. To meet current market expectations, the following elements are required:

- Space efficiency
- Space uniqueness
- Unique delegate experience
- Size of events
- Distinctive function spaces

Currently, the VCC has limited capabilities to meet these market demands and the Crystal Gardens offers a distinctive and prestigious space. This would increase revenue potential and more importantly greatly increase the delegate days which economically impacts the city.

Significant upgrades have been done to the Crystal Gardens but some reconfigurations with respect to service access and storage will be necessary. The facility will also require secure pedestrian crossing and enhanced street access.

Staff advised Committee that this undertaking is economically feasible but first the lease must be secured. Committee was advised that the bank is the only secured creditor for the Crystal Gardens until January 31, 2007 and have hired Colliers to handle the assets. The Provincial Capital Commission reviews and approves transfer of the lease, but can not unreasonably withhold transfer of a lease.

Committee members expressed approval of the project and learned that the Advisory Committee did unanimously approve this expansion. This will reposition Victoria in the convention market, and represents stable on-going use.

**Action:** Councillor Madoff moved that staff perform due diligence and pursue the lease by submitting a bid and reporting back to Committee at a subsequent Committee of the Whole meeting.

CARRIED 07/027

### 6.2 City of Victoria Youth Council

Committee received a report dated January 11, 2007 from Social Planning and Housing and a youth delegation presented Committee with information resulting from a youth survey. This survey is in response to the approved Terms of Reference which included mandate and objectives approved by Council. The survey of approximately 180 youth in November 2005 yielded 122 respondents. The new City of Victoria Youth Council completed the final report, titled "Strengthening Community: A Vision By Youth".

Five priority issues were identified through the survey:

- Increase access to affordable housing;

- Set up safe injection/usage sites for drug use and /or have detox program for youth using crystal meth, cocaine or other drugs;
- Increase youth representation in government, e.g. via the Youth Council;
- Revise and strengthen environmentally friendly bylaws and policies;
- Increase job and training opportunities for youth.

Other issues the Youth Delegation commented on were democratic representation, political advocacy, boredom, prejudice, and environmental planning.

Committee members expressed hope and approval with regards to the Youth Council and suggested utilizing existing facilities and engaging more fully in the community with its existing resources. A future survey should also look at the methodology used in the survey.

Committee members also asked that this report be distributed to all the Advisory Committees and relevant staff.

**Action:** Councillor Fortin moved that this report be received for information and further reporting.

CARRIED 07/026

### **6.3 Victoria – Khabarovsk Association – Sister City Trip Proposal**

Committee received a presentation from the Victoria – Khabarovsk Association regarding a proposal for the City of Victoria's involvement in a projected May 2007 visit to our sister city in Russia. This proposed visit would increase awareness between Victoria and Khabarovsk; enhance its cultural and educational exchange; encourage potential business opportunities and enhance the link between Victoria's growing Russian community and the Khabarovsk region. The proposed five day tour would coincide with Khabarovsk's yearly cultural celebrations honouring the city's founding. As a part of this event, the Victoria Khabarovsk Association in partnership with the Peace Mural society intends to present a fabric Mural as a gift from the City of Victoria to the citizens of Khabarovsk. An itinerary of the proposed visit as well as projected costs were presented to Committee.

The presentation included details of the Victoria / Khabarovsk Association's involvement in the community and reciprocal trips between Khabarovsk and Victoria associations. The key to sustaining good relationships is to ensure goodwill flows both ways. Two years ago Committee committed to sending a delegation and as the budget is under discussion now, this proposal can be added. Committee members were advised that the City will pay the travel costs of two members and once in Khabarovsk, all expenses are paid. Committee members discussed complementing the delegation with members of the Chamber of Commerce and Tourism Victoria. Committee was advised that up to five delegates are sponsored on a protocol trip.

**Action:** Councillor Chandler moved that Council approve in principle sending a delegation to Khabarovsk and requests that staff provide budget information and report back to Committee.

## 7. PRESENTATION

### 7.1 Homelessness in Victoria – Observations on the Street

Committee received a report from Victoria Police Department outlining observations on the street regarding homelessness in Victoria. During the period of September 1<sup>st</sup> to October 15<sup>th</sup> 2006, the Victoria Police department in partnership with the City of Victoria, the Victoria Cool Aid Society (Street Link), and The Church of St John the Divine, opened a temporary emergency shelter (Project Divine) to help reduce the numbers of homeless that were sleeping on the streets of Victoria.

In January 2005 a Homeless Count, conducted by the Cool-Aid Society, reported the following:

- 696 people were identified who had no permanent housing;
- 400 of these were located in shelter space. This number was high as the extreme weather shelter protocol was in effect at that time, and;
- Only 68 were located sleeping outside.

As a result of this 2005 homeless count the media has often reported that there are over 700 homeless who are now living on the streets of Victoria.

During the operation of Project Divine, the Victoria Police Department (VPD) conducted a homeless count to ascertain the numbers of “visible” and “semi-visible” homeless that were living outside on the streets, in our parks and other public or private spaces. During the 45 day operation of Project Divine, the following numbers were observed:

- Approximately 315 people were identified as homeless;
- Approximately 152 of the 315 were located in shelter space (Streetlink, Divine, Salvation Army, and Sandy Merriman);
- Ages ranged from 14 to 71 years of age;
- Approximately 30% of 315 come from outside the Capital Regional District (CRD);
- 20 of the 315 were identified as youth under the age of 18yrs;
- 45 of the 315 were identified as intensive intra-venous (I.V.) drug users.

It should be noted that the VPD count **DID NOT** include:

- those who were living in hotels day to day;
- those living in their vehicles, (we did however locate 8 people in this category);
- those couch surfing, or;
- sex trade workers who were staying with dates night to night.

Although the VPD count was empirically conducted and differs in method from the 2005 Homeless count, the police approach was intended to identify specifically those who were living on the streets night to night and who therefore represented the greatest focus for police resources. If one was to factor in the persons who were not included in this count, both the 2005 Homeless Count and the 2006 VPD count would appear to be consistent.

Committee members discussed the following issues and concerns:

- Hard core drug users are most problematic, with some habits costing over \$1000 per day, money attained through criminal activity.
- Homeless people do move around the region but ultimately migrate to the city core.
- Inspector Ducker advised that increasing shelters might attract more homeless to the city core, however it is a necessary service that could be used all year round.
- More shelters and affordable housing are needed, but one shouldn't be sacrificed for the other.
- The underlying causes of homelessness, such as mental health and drug addiction need to be addressed and require the support of other services.
- Solutions being considered are safe consumption sites, continuing care and having social workers available.
- Inspector Ducker advises that helping the hard core drug users (40 – 50 individuals) off the street would greatly alleviate police concerns.

**Action:** Councillor Fortin moved that Committee agree to meet to discuss the information contained in this report.

CARRIED 07/024

## 8. DEVELOPMENT SERVICES

### 8.1 Rezoning # 00101 for 1701 Douglas Street (The Hudson) – Progress Report

Committee received a report from Development Services dated January 03, 2007 regarding a progress report for rezoning application # 00101 for Douglas Street (The Hudson). The applicant has requested a Public Hearing on January 25, 2007. Staff advised all the preconditions were not met:

- The City Solicitor has drafted the necessary Zoning Bylaw amendments.
- The Advisory Design Panel considered Council's urban design concerns and approved the application at its meeting of November 22, 2006.

The Design Guidelines for the phased development are in final draft and will form part of the *Official Community Plan*. The City Solicitor has drafted the necessary *Official Community Plan* amendment bylaw.

The Heritage Advisory Committee has considered Council's heritage conservation concerns and approved the application at its meeting of November 14, 2006. Heritage conservation of the Hudson's Bay building will be secured by heritage designation bylaw concurrent with the rezoning and *Official Community Plan* amendment.

The Advisory Planning Commission has considered Council's land use and density concerns and approved the application at its meeting of October 05, 2006.

A Master Development Agreement is being drafted to address streetscaping, easements for private parking under the public sidewalk, construction, structural and curb alignment details, sewer and traffic impact measures. It will also secure public pedestrian access to the mid-block carriageway, govern development phases, public art, adaptable and rental housing provisions/Housing Agreement.

The applicants have confirmed Telus has no objections to the development in relation to its telecommunications network.

Committee members discussed financial aspects of this development including the value of the extra height.

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

CARRIED 07/023

## **8.2 Development Permit # 000025 for 813 – 843 Douglas Street – Review at Building Permit Stage**

Committee received a report from Development Services dated January 03, 2007 with regards to reviewing at building permit stage Development Permit # 000025 for 813 – 843 Douglas Street. In response to the conditions as set out under Council's approval on July 27, 2006, the applicant has, by letter and plans dated January 03, 2007, described the changes at building permit stage for Council's review.

The main modification is to transfer one storey from the south tower (lower at 14 storeys) to the north tower (higher at 17 storeys) resulting in a pair of 13-storey and 18 storey towers respectively. The applicant has also demonstrated to the satisfaction of the Director of Planning & Development, the following:

- Reduced height of three architectural lantern features
- Shorter plantings for the rooftop landscaping
- Treatment of parkade wall, size reduction of unit balconies and additional planting to improve visual aspects along the east boundary.

**Action:** Councillor Holland moved that Council:

1. approve the adjustments of the proposal at building permit stage as shown on plans dated January 03, 2007 in regard to the one-storey massing transfer.
2. that this report be received for information.

CARRIED 07/022

## **8.3 Owner Request for Heritage Designation for 2733 Blackwood Street**

Committee received a report dated January 02, 2007 from Development Services with regards to an owner's request for Heritage Designation for 2733 Blackwood Street. This is for an unusual 1913 craftsman style house built of moulded concrete block, of which there are fewer than 12 in the Victoria area. It is located in the Hillside-Quadra neighbourhood. The request includes designation of selected interior features, and the garage.

**Action:** Councillor Thornton-Joe moved that, whereas the house at 2733 Blackwood Street is of heritage significance, City Council designate it as a municipal heritage site, including the interior of the living room, dining room and front hall, and the existing garage.

CARRIED 07/021

#### **8.4 Owner Request for Heritage Designation for 1324 Balmoral Road**

Committee received a report dated January 02, 2007 from Development Services with regards to an owner's request for Heritage Designation for 1324 Balmoral Road. This is to designate an existing 1910 house in the Fernwood neighbourhood as a municipal heritage site.

**Action:** Councillor Thornton-Joe moved that, whereas the existing house at 1324 Balmoral Road is of heritage significance, City Council designate it as a municipal site.

CARRIED 07/020

#### **8.5 Owner Request for Heritage Designation for 33 Government Street**

Committee received a report dated January 02, 2007 with respect to an owner's request for Heritage Designation for 33 Government Street. This is to designate an existing house in the James Bay neighbourhood as a municipal heritage site.

**Action:** Councillor Thornton-Joe moved that, whereas the house at 33 Government Street is of heritage significance, City Council designate it as a municipal heritage site.

CARRIED 07/019

#### **8.6 Heritage Designation Bylaw for 649 Superior Street**

Committee received a report dated January 03, 2007 from Development Services with respect to Heritage Designation Bylaw for 649 Superior Street. City Council, at its meeting of November 2, 2006 approved a motion to forward rezoning application # 000104 to a public hearing subject to the heritage designation of the Robert Porter House at 649 Superior Street. This report describes the heritage value of the house and is prepared to fulfil the requirements of Section 968 of the Local Government Act.

**Action:** Councillor Thornton-Joe moved that this report be received for information.

CARRIED 07/018

#### **8.7 Heritage Alteration Permit # 00049 for 1002 Wharf Street**

Committee received a report dated January 02, 2007 from Development Services with respect to Heritage Alteration Permit # 00049 for 1002 Wharf Street. This application is for a Heritage Application Permit to install new, tempered glass frameless doors at the front entrance to the Heritage Designated building at 1002 Wharf Street.

- Action:** Councillor Thornton-Joe moved that, pursuant to Heritage Designation Bylaw No. 6, City Council authorize the issuance of Heritage Alteration Permit # 00049 in accordance with:
1. Plans dated November 24, 2006
  2. Development meeting all bylaw requirements
  3. Final plans to be in accordance with plans identified above to the satisfaction of the Director of Planning and Development

CARRIED 07/017

### **8.8 Proposed Amendments to Development Cost Charge Bylaw No. 06-65**

At its meeting of December 14, 2006 Committee received a report dated December 07, 2006 from Planning & Development with respect to proposed amendments to Development Cost Charge Bylaw No. 06-65. Committee raised concerns about timelines and the need to consider legal advice provided regarding Development Cost Charges and postponed consideration of this matter until January 11, 2007 Committee of the Whole meeting.

The purpose of this report is to recommend amendments to the Development Cost Charge (DCC) Bylaw, currently at third reading, and the related *Transition Policy*, to reflect more recent advice on current practices with respect to implementation. Since Council gave three readings to the Bylaw on August 31, 2006, staff has received more information from the consultants regarding the approaches being considered in other municipalities and Provincial preferred practice. On this basis, staff recommends that Council consider amending the Bylaw to set an effective date of October 1, 2007 for the updated DCC Bylaw and make changes to the *Transition Policy* to instead provide *Implementation Guidelines*. The revised approach would still meet the intent of the previous recommendations to try to address concerns raised by the development industry as well as the Provincial preferred practices.

**Action:** Councillor Holland moved that Council:

1. Rescind third reading of Bylaw No. 06-65 and give third reading to Bylaw No. 06-65, amended by deleting section 6, including its heading, and substituting the following:  
***“Effective Date***  
6. *This Bylaw comes into force and effect on October 1, 2007.”*
2. Replace the draft Transition Policy approved on August 31, 2006 and approve the *DCC Implementation Guidelines* in Attachment 1.
3. Direct staff to prepare the related amendments to the Building Bylaw to operationalize this approach for Council’s consideration.

CARRIED 07/016

### **8.9 Harbour Road Waterfront Design Guidelines Update Policy File #1-07**

Committee received a report dated January 07, 2007 from Development Services with respect to Harbour Road Waterfront Design Guidelines Update Policy file # 1 – 07. At its meeting of December 07, 2006, Committee of the Whole tabled Development Permit Application DP # 000068 (345 Harbour Road) pending site plan information regarding this location.

Currently, the Point Hope site lies within Development Permit Area 4 (Songhees and Lime Point). It gives the City the authority to regulate only form and character. In order for the City to have the authority to control exterior design, finishes and landscaping, new design guidelines would need to be created and an *Official Community Plan* amendment would be required. The new design guidelines should be crafted through a consultation process with consideration of the Dockside Green Development to the west in order to ensure the views, access and site planning are consistent across the two sites.

To create the new design guidelines (including a site plan with related planning regulation requirements) a consultant would be tasked to consult with a variety of stakeholders including:

- Victoria West Community Association Land Use Committee.
- The general community and neighbours (Dockside and others), established business owners and operators and residents.
- Staff and other government agencies.

Committee members discussed the need for new design guidelines and were advised that existing guidelines must be followed at present.

**Action:** Councillor Holland moved that Council include this project as a work plan item of the Planning & Development Department in 2007.

CARRIED 07/015

#### **8.10 City Owned Land and Park at the Roundhouse Site (SC# 11-06)**

Committee received a report dated January 04, 2007 from Development Services with respect to City owned land and park at the Roundhouse Site (SC # 11-06).

The City of Victoria has received a request to purchase a parcel of City-owned land and to move an undeveloped park situated at the corner of Kimta and Sitkum Roads to another location within the Roundhouse site. (A letter and map was attached with the report). The request comes from a developer who is preparing a proposal and rezoning application for the Roundhouse site.

##### City-Owned Land

A rezoning application may not be made without the consent of all the property owners, therefore the developer requires permission from the City to submit the application. As shown on the map, the City owned land is a land locked parcel created when Lime Bay was filled several decades ago. The lot would need to be consolidated with the adjoining property, at the applicant's expense. The recommendation is that Council give permission for the developer to make a rezoning application, for the City land, but that the final sale be subject to obtaining OCP and zoning amendments, as well as establishing design guidelines and

development agreements to regulate future development. The purchase price of the lot shall be market value, as rezoned.

#### Park at Corner of Kimta Road and Sitkum Road

The park is owned by the Provincial Government. Verbal consent has been given for the developer to proceed with a rezoning application. The *Official Community Plan (OCP)*, *Policy Plan and design Guidelines for the Songhees Area of Victoria West* and the *Victoria West Plan* all designate this site as park and public open space. These plans would need to be amended and a public hearing would be required to facilitate changes to the *Official Community Plan*. The recommendation is to direct staff to work with the developer during the site planning phase to integrate the park and public open spaces with the new development and surrounding community.

**Action:** Councillor Holland moved that Council:

1. Grant permission for the developer to submit a rezoning application for that land locked parcel of City owned land described as "Part East Half Section 31, Esquimalt District" with Parcel Identifier 010-218-769.
2. Enter into an agreement of purchase and sale for the above noted property, at fair market value, once the OCP and zoning amendments are complete and necessary development controls have been established.
3. Direct staff to work with the developer and recommend for Council approval, the location, size and design for the public park which best integrates the new development with the surrounding community, subject to receiving written confirmation from the Provincial Government that the park may be relocated and rezoned.

CARRIED 07/014

## **7. CORPORATE AND REGULATORY SERVICES**

### **7.1 Sign Development Variance Permit**

Committee received a report dated January 03, 2007 from Corporate & Regulatory Services with respect to sign development variance permit for 838 Humboldt. A Sign Development Variance Permit application was heard by Committee of the Whole on September 28, 2006 regarding the mesh advertising the Aviawest wished to place on the construction barrier fencing at their site at 838 Humboldt Street.

The application was tabled at that time and was forwarded to Committee of the Whole again on November 02, 2006 with changes to the original application to bring it more inline with what Council felt appropriate. The application was again tabled in order to come up with a guideline, Aviawest have again changed the application in an attempt to bring it to a standard that is more acceptable to Council.

The signage that the applicant is applying for is 400 feet in length and 6 feet in height which equals approximately 2,400 square feet of signage. The signage is a mesh fabric material that will be attached to the construction fencing surrounding

three sides of the excavated site. This will in theory serve three purposes. It will promote the sale of the new condominium units, make the construction site view much more pleasing to those either passing by or living in view of the site. It will also help keep the amount of dust generated during the construction phase more in control.

The location of this site falls within the Downtown Buffer Sign Zone. The rules governing signage in this zone are the same as the Old town Sign Zone which are very restrictive. The signage being applied for has been categorized as a temporary fascia sign that would remain in place during the construction process which is expected to be approximately one year.

Section 11.2(2)(a) of the Sign Bylaw states: "A fascia sign in the Old Town Sign Zone and Downtown Buffer Sign Zone shall not have a total display area exceeding 4.5 square meters (48.44 square feet).

Staff have reviewed this most recent proposal and are in support of it. This application requires notification of the owner and occupant as a Council hearing is required.

Committee members were advised by the applicant that 75 % of the advertising copy was removed from the original submission. The remainder is factual information and 50 % pure visual images.

Some Committee members expressed disapproval with the advertising nature of the signs.

- Action:** Councillor Young moved that Council authorize the issuance of a Sign Development Variance Permit in accordance with:
1. Plans dated August 30, 2006 and January 03, 2007 stamped Sign Development Variance SI # 06-03
  2. Development meeting all bylaw requirements with the following variance: Sign Bylaw 11.2(2)(a). A fascia sign in the Old Town and Downtown Buffer Sign Zones shall not have a display area exceeding 4.5 square meters.  
Be relaxed to permit the erecting of the mesh fabric mural and advertising fascia signage on the three sides of the site.
  3. Final plans to be accordance with the plans identified above.

CARRIED 07/013

*Councillors Chandler, Fortin and Madoff voted against this motion.*

## **7.2 Capital Regional District Bylaw No. 3407**

Committee received correspondence from the Capital Regional District with respect to *CRD Bylaw No. 3407, Capital Regional District Service of Emergency Communications Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 1, 2006*. The CRD advised that this bylaw is at third reading and requests that Council give consent to the adoption of Bylaw No. 3401, in accordance with Section 801.4 of the *Local Government Act*.

The purpose of Bylaw No. 3407 is to amend Bylaw No. 2891, *Capital Regional District Service of Emergency Communications Service Establishment Bylaw No. 1, 2001*, provided with the correspondence, to change the voting at the CRD Board so that only Electoral Area Directors will vote on CREST (Capital Regional Emergency Service Telecommunications) matters that effect Electoral Area requisitions. The report to the CRD Board, dated December 06, 2006, provides background information.

**Action:** Councillor Fortin moved that Council give consent to the adoption of *Capital Regional District Bylaw No. 3407, Capital Regional District Service of Emergency Communications Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 1, 2006*, as requested in the letter from the CRD dated December 14, 2006.

CARRIED 07/012

### **7.3 Vacant and Derelict Property Regulation**

Committee received a report dated December 14, 2006 from Corporate & Regulatory Services with respect to vacant and derelict property regulation.

The purpose of this report is to provide:

1. Information regarding Council's authority to regulate and impose conditions on owners of vacant and/or derelict properties; and
2. Recommendations to improve the City's ability to regulate and impose conditions on owners of property and buildings that are vacant, derelict and unutilized.

The scope of the problem with vacant and derelict buildings in the City of Victoria is limited so the City's policy response should be proportionate to the scope of the problem. Public discussion on the City's regulation of vacant and derelict buildings has focused on the need for an approach similar to the City of Winnipeg. Powers conferred under the *City of Winnipeg Charter* are significantly different from those provided by British Columbia's Community Charter, and would require new Provincial legislation. Since the scope of Victoria's problem does not warrant adoption of the Winnipeg model at this time other approaches are suggested.

The City should adopt a mix of strategies to address vacant and derelict buildings, which includes direct action under current regulations and a request for additional authority from the Province. Since the aesthetic condition of vacant and derelict properties appears to be of primary concern, specific municipal authority to regulate for this community purpose is recommended.

A Committee member discussed preparing a bylaw pending provincial authority. Staff advised such a bylaw would be speculative and that Option C may serve the same purpose. This would demonstrate to the community that the City is considering the serious nature of this issue.

A Committee member discussed taxation levels for land versus buildings, and that changes would require provincial legislation.

Staff advised Committee that an independent appraisal of the Janion building revealed that the B.C. Assessment Authority's assessment is correct. Also, other buildings similar to the subject property sold for less than assessed value.

Committee discussed other tools to deal with this issue, including the City cleaning up a property and charging costs incurred to the owner. Voluntary compliance and persuasion are also options. Staff advised that Inspectors and Bylaw Officers attending nuisance properties are a municipal function paid for by taxes. Adopting Option D outlined in the report would involve a higher degree of state intervention and the Corporate Administrator's suggestion for Option C is more likely to be supported by the Province. Option C would allow the City to deal with improving the appearance of derelict buildings.

The Manager, Corporate and Regulatory Services advised he will seek advice from the City Solicitor with respect to mandating a building to have a business licence if there exists the potential to conduct business.

The Manager, Corporate and Regulatory Services advised he will attend to the graffiti on the food Country building in the Cook Street Village. Staff advised that the owners of Morley Soda Co. in Waddington alley with the damaged roof have been unresponsive to attempts to contact them, and further City action will be taken.

**Action:** Councillor Thornton-Joe moved that Council instructs staff to proceed with Option A and C outlined on page 6 and 7 of the report, and refer this information to the Downtown Advisory Committee.

CARRIED 07/011

**Action:** Councillor Thornton-Joe moved that staff prepare a resolution on land taxation and report back to Committee.

CARRIED 07/010

## **8. ADMINISTRATIVE MATTERS**

### **8.1 Disposition of Communications dated December 11, 2006**

**Action:** Councillor Hughes moved that the Disposition of Communications dated December 11, 2006 from the Manager, Administration, be received for information and filed.

CARRIED 07/009

### **8.2 Disposition of Communications dated December 22, 2006**

**Action:** Councillor Hughes moved that the Disposition of Communications dated December 22, 2006 from the Manager, Administration, be received for information and filed.

CARRIED 07/008

### 8.3 Proclamations – “*Oldtimer’s Hockey Week*”

**Action:** Councillor Coleman moved that January 15<sup>th</sup> – 21<sup>st</sup>, 2007 be proclaimed as “*Oldtimer’s Hockey Week*”, in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 07/007

### 8.4 Proclamations – “*Heart Month February 2007*”

**Action:** Councillor Coleman moved that the month of February 2007 be proclaimed as “*Heart Month February 2007*”, in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 07/006

### 8.5 Proclamations – “*Crime Stoppers Month January 2007*”

**Action:** Councillor Coleman moved that the month of January 2007 be proclaimed as “*Crime Stoppers Month January 2007*”, in the City of Victoria, Capital City of the Province of British Columbia.

## 9. COUNCILLOR INQUIRIES AND SHARING

### 9.1 Density & Height – Notice of Motion

Committee discussed the notice of motion proposed by Councillor Fortin with respect to density and height. The proposed motion was to consider a requirement for the developer to provide a summary of Projected Costs and Projected Project Profit to Council for review by an Independent Consultant retained by Council. This is in response to the substantial increase in density and height beyond that permitted by current zoning. Committee members discussed the following issues and concerns with regards to this proposed motion:

- this would add an enormous additional step to rezoning.
- difficult to predict how much final project would cost
- the need to weigh proposed benefit against value of the development
- need a complete planning review to give bonus density its due

Committee expressed the need for more information from the Planning and Development Department.

**Action:** Councillor Fortin moved that this proposed motion be referred to staff for consideration and that staff report back to Committee with more information on this issue.

CARRIED 07/005

*Councillor Young voted against this motion*

## **9.2 Victoria/Langford Commuter Rail Service – E&N Line**

This request is for Council to consider contributing funds towards a study of the feasibility of establishing a commuter rail link between Victoria and Langford on the E&N rail corridor. Other municipalities along the corridor have indicated that they will likely be contributing. Bill McElroy, formerly with the Island Corridor Foundation, who volunteers his time endeavouring to establish a rail link between Victoria and Langford, has provided the background information.

**Action:** Councillor Young moved that Council approve funding of up to \$5,000 towards a market assessment for a commuter rail link between Victoria and Langford, subject to specific requests by the Island Corridor commuter rail working group.

CARRIED 07/004

## **10. COUNCILLOR INQUIRIES AND SHARING**

### **10.1 Trade Fair for the Homeless**

Councillor Hughes asked Council to consider supporting a trade fair for the Homeless, similar to one that had been held in San Francisco. This would be an opportunity for service providers and those involved with projects related to homeless to share resources. It was suggested that this project be referred to the Downtown Service Providers for comment.

### **10.2 Environmental Shoreline Committee – Sierra Club report**

Councillor Chandler asked Council to support her request to refer the Sierra Club report with the map of the rising shoreline to the Environment and Shoreline Advisory Committee.

### **10.3 Changing Hydrology and the Environment**

Councillor Coleman asked Council to consider requesting a report regarding the changing hydrology in response to the recent flooding in the area. An assessment of the changing hydrology would help mitigate flood damage and change the way the City responds to the effects resulting from severe weather. The Acting City Manager advised that he will respond to this request.

### **10.4 Homeless Forum – January 18, 2007**

Councillor Madoff shared with Council that Focus magazine is hosting a Homeless Forum at the Alix Goolden Hall, 907 Pandora Avenue on January 18, 2007 at 7:30 p.m. Councillor Madoff encouraged everyone to attend to help address issues on homelessness.

### **10.5 Anti-Idling Bylaw**

Councillor Chandler shared with Council that 10 seconds idling a car costs more than starting a car. Councillor Chandler also shared information regarding the

City's use of biodiesel vehicles and that CO2 emissions were greatly reduced during 2005-2006. With regards to environmental and community involvement, Vancouver has a website [www.onedayvancouver.ca](http://www.onedayvancouver.ca) which describes how to make Vancouver a great city in this respect.

## **10.6 Governor General's Caring Canadian Award**

Councillor Coleman shared with Council the presentation of the Governor General's Caring Canadian Award, noting that 8 awards went to B.C. residents, two on Vancouver Island and one in our community. Kim Dixon, a Victoria resident, "has made service to others her watchword." She has spent a lifetime serving others on various boards and committees.

### **CLOSED MEETING at 12:35 p.m.**

**Committee Members Present:** Councillor Coleman in the Chair, Councillors Chandler, Fortin, Holland, Hughes, Madoff and Thornton-Joe .

**Committee Members Absent:** Mayor Lowe

**Staff Present:** R. Woodland – Corporate Administrator; M. McCliggott – Acting City Manager; C. Havelka - Recording Secretary.

**Staff Present for a Portion of the Meeting:** D. Koch – Manager, Planning Division; S. Barber – Senior Heritage Planner; M. Lam - Senior Urban Design Planner.

**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 007/003

## **1. Land – Legal Matter**

### **1.1 Land – Legal**

Committee received information from Peter Johnson of Staples, McDannold, Stewart, and was provided with further advice regarding a legal matter related to land development. The discussion was recorded and kept confidential.

*Mayor Lowe returned to the meeting at 1:00 p.m.*

## **11. ADJOURNMENT**

**Action:** Councillor Fortin moved that the Committee of the Whole meeting of January 11, 2007 be adjourned at 1:30 p.m.

CARRIED 07/002

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Mayor Lowe, Chair