

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, MARCH 15, 2007, 9:00 a.m.

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

Absent: Councillor Holland.

Staff Present: R. Woodland - Corporate Administrator; C. Havelka - Recording Secretary.

Staff Present for a Portion of the Meeting: P. O'Reilly – Director of Engineering; D. Day – Director of Planning & Development; D. Atkinson – Director of Parks, Recreation and Community Development; P. Sparanese – Deputy Director of Engineering; V. Van den Boomen, Manager, Parking Services; A. Hudson – Senior Planner; D. Koch – Manager, Development Services; S. Barber – Senior Heritage Planner; R. Linzey – Heritage Planner; H. Furtado – Manager, Streets; C. Ho – Communications; W. Zink – Manager, Social Planning & Housing; N. Taylor – Victoria Agreement, Project Manager; S. McKay – Community Recreation Development Coordinator; L. Baryluk, Planner; C. O'Regan – Manager, Facilities & Operations; K. Stratford – Research Analyst; I. Husu – Acting Manager, Parking Services; C. O'Regan – Manager, Facilities & Operations.

1. CALL TO ORDER

The Mayor called the meeting to order at 9:01 a.m.

2. APPROVAL OF AGENDA

The Mayor outlined the following changes to the March 15, 2007 Committee of the Whole agenda:

- Withdrawn - Item # 3, Rezoning Application for 427 Government Street.
- Addition of Item # 10 A.
- Additional Correspondence for Item # 2.
- Councillor Inquiries / Information Sharing:
 - a) Councillor Hughes – One inquiry – Notice of Motion.
 - b) Councillor Chandler – One inquiry – Notice of Motion.
 - b) Councillor Madoff – One sharing.
 - c) Councillor Coleman – Two inquiries.
 - d) Councillor Fortin – Three inquiries and one sharing.

Action: Councillor Hughes moved that the Agenda of the March 15, 2007 Committee of the Whole meeting be approved as amended.

CARRIED 07/161

3. ADOPTION OF MINUTES

3.1 March 1, 2007 Committee of the Whole Minutes

Councillor Young requested a correction to the minutes to more fully meet the intent of his comments for item # 2.3, as follows:

“A Committee member expressed concerns about whether the existing long waiting times for membership in the association meet the public-use intent of the lease and asked that staff review this issue with the Clover Point Anglers Association.”

Councillor Coleman noted that the Proclamations were omitted from the Minutes, as follows:

14.2 Proclamations – “Tibet Day”

Action: *Councillor Hughes moved that March 10, 2007 be proclaimed as “Tibet Day”, in the City of Victoria, Capital City of the Province of British Columbia.*

CARRIED 07/119

14.3 Proclamations – “Colon Cancer Awareness Month”

Action: *Councillor Hughes moved that March 2007 be proclaimed as “Colon Cancer Awareness Month”, in the City of Victoria, Capital City of the Province of British Columbia.*

CARRIED 07/118

Action: Councillor Hughes moved that the minutes of the Committee of the Whole meeting held March 1, 2007 be adopted as corrected.

CARRIED 07/160

4. DEVELOPMENT SERVICES

4.1 Rezoning Application # 00116 for 734 - 736 Broughton Street

Committee received a report from Development Services dated March 5, 2007 with respect to Rezoning Application # 00116 for 734-736 Broughton Street. The applicant proposes a fourth floor addition to an existing building at 736 Broughton Street. The proposed addition would be on the portion of the building fronting Broughton Street and would comprise 292 m² of additional office space for an existing tenant. The rear section of the building is currently four storeys. The

proposed addition would incorporate roof gardens as private outdoor space for tenants. Rezoning is required to permit a density increase from 3.0:1 to 3.3:1 floor space ratio. Off-street parking is not a zoning requirement, however, the applicant is proposing on-site bicycle storage for 17 bicycles.

The proposal is consistent with the policies of the *Official Community Plan* and *Downtown Victoria Plan*. In particular, bonus density may be considered if the project results in the creation of active, usable public open space and extension of shop frontage into areas shown as desirable. A mid-block walkway already adjoins this property, however, the applicant is proposing to introduce a coffee shop and glazed storefront thereby providing activity along the existing mid-block walkway, which is identified within the *Downtown Plan* as a location for desirable shop frontage.

The subject property is within Development Permit Area 15, therefore, Council approval of exterior design, finishes and landscaping will be required following this rezoning application. The design of the fourth floor addition will be dealt with in detail during a subsequent Development Permit Application to assess any potential liveability issues related to proximity.

Staff responded to Committee questions regarding distances between this building and the adjacent building. Security with respect to access from rooftop to rooftop and other CPTED concerns will be looked into by staff.

The mid-block walkway is already at two levels and does pose a concern to those in wheelchairs. The outdoor café will have to keep clear the access to the Lindholm building.

Action: Councillor Thornton-Joe moved that the application be forwarded for consideration at a Public Hearing and that the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendment, based on the attached draft Zone in Section 4.a(1) of the staff report.

CARRIED 07/159

4.2 Development Permit # 000072 for 755 Caledonia Avenue ('The Radius')

Committee received a report dated March 5, 2007 from Development Services with respect to Development Permit # 000072 for 755 Caledonia Avenue ("The Radius"). The purpose of this report is to provide information on the status of the concurrent Rezoning and Development Permit Applications respecting 755 Caledonia Avenue and to seek Committee of the Whole direction respecting the proposed design concept.

Council considered the Rezoning Application and passed a motion that the application proceed to a public hearing following fulfilment of conditions, one being review of the proposed design by Advisory Design Panel. Following this, the applicant submitted a Development Permit Application which contained some modification to proposed uses and a height variance. The proposed design was reviewed by the Advisory Design Panel which recommended the Development Permit Application be declined, revised and brought back for further review.

The applicant's design concept is based on concentrating the density along Caledonia Avenue by shifting some of the density from the east residential tower to the west residential tower, resulting in height above the 43 m height limit. It has not resulted in refinement and widening of the pedestrian connections along Caledonia Avenue. It does, however, provide a more diverse streetscape of varying heights. A fundamental design issue that has not yet been addressed is the significant grade change throughout the public realm which may discourage use by pedestrians.

The proposed land uses and density are consistent with the policies of the *Official Community Plan* and *Downtown Victoria Plan*. Council recommended that the application proceed to a public hearing, subject to conditions that include design review. Planning staff and the Advisory Design Panel concur that the design needs further refinement to better address the issues raised. Design revisions and referral back to Advisory Design Panel has timing implications for the applicant. If the applicant is able to provide a revised design for consideration by the Advisory Design Panel at their meeting of April 4, 2007, staff are requesting to update Committee of the Whole verbally at the meeting of April 5, 2007 given the applicant's time sensitivity.

Committee members expressed concerns with respect to the access and grade levels of the plaza and the need to keep it inviting and accessible for the public. Committee was advised that the Advisory Design Panel will be reviewing the design and confirmed a verbal report will be presented on April 5, 2007.

Action: Councillor Thornton-Joe moved that Council approves staff recommendations as follows:

1. That the massing concept be supported conditional on the applicant revising the design to provide a better resolution of the public realm at grade or with minimal gradual grade changes, including refinement of the arcade at the corner of Blanshard Street and Caledonia Avenue.
2. That the revised design be referred to the Advisory Design Panel.

CARRIED 07/158

4.3 Heritage Alteration Permit # 00055 for 1007 Johnson Street

Committee received a report from Development Services dated March 2, 2007 with respect to Heritage Alteration Permit # 00055 for 1007 Johnson Street. The application is to revise the Heritage Alteration Permit # 00041 approved by Council on December 14, 2006. This application to rehabilitate the Bossi House at 1007 Johnson Street and to construct a 3 storey addition on the rear, requires some changes due to rising construction costs. The street elevations and elevations facing the neighbours will be maintained so the intent of the original proposal is maintained. The proposed changes do not alter liveability impacts on neighbouring properties. Staff have reviewed the requested amendments and support this application. The changes are described in the letter dated February 19, 2007 from

the applicant. The applicant has met with the Downtown Residents' Association to review the changes.

Staff advised Committee that the original intent of the design has been maintained; the changes are primarily in the materials. The Mayor requested that future changes in plans have before and after slides to clarify those changes.

A public hearing is not required.

Action: Councillor Thornton-Joe moved that, pursuant to Heritage Designation Bylaw No. 544, City Council authorize the issuance of Heritage Alteration Permit # 00055 in accordance with:

1. Plans dated February 16, 2007; and elevations dated March 5 and 6, 2007.
2. Development meeting all bylaw requirements.
3. Retention and upgrading of existing window assemblies.
4. Detailing of new windows to match the details of existing windows.
5. Submission of details for the widow's walk, the standing-seam metal roof, the porch, including the balcony, columns and steps, and the front garden wall, to the satisfaction of the Senior Heritage Planner prior to submission of a Building Permit application.
6. Final plans to be in accordance with plans identified above, and conditions noted.

CARRIED 07/157

4.4 Owner Request for Heritage Designation for 1271 Faithful Street

Committee received a report from Development Services dated March 6, 2007 with respect to an Owner Request for Heritage Designation for 1271 Faithful Street. This is an owner request to expand the terms of protection of Heritage Designation Bylaw # 98-41 to protect the original features of the stairway and second floor of the interior and the existing garage. Expanding this protection will result in the preservation of a complete, intact, excellent example of Arts and Crafts/Craftsman residential architecture, including the original interior and garage.

Action: Councillor Thornton-Joe moved that, whereas the features of the interior stairway and second floor, (excluding the bathroom), and the existing garage are of heritage significance, City Council designate these as a municipal heritage site.

CARRIED 07/156

4.5 Fairfield Heritage Registry Update

Committee received a report from Development Services dated March 15, 2007 with respect to Fairfield Heritage Registry Update. The purpose of this report is to inform Council on the progress of the Fairfield Heritage Registry Update. The update takes the form of a heritage review that responds to the passage of time and changing attitudes to what constitutes cultural heritage. In addition, it provides

a policy framework to tackle existing and emerging threats to the cultural value of the neighbourhood.

Municipalities have the power to create and maintain Community Heritage Registers in accordance with section 954 of the *Local Government Act*. A Community Heritage Register (CHR) is an official list of historic places, specific to a community, which have been identified by the local government as having heritage value or heritage character. Among other things, a CHR enables a local government to understand and identify the significance of a community's historic places, to monitor significant properties and places for proposed changes, and to integrate heritage conservation activities into other local government community planning processes.

Committee members expressed their thanks for this informative report. Some Committee members noted that this registry is part of the strategy that manages change and should be incorporated with other resources. Staff noted that this is a tool that empowers the City to alert home owners of the available grants.

Action: Councillor Thornton-Joe moved that:

1. This report and attached paper be received for information.
2. Staff develop a finalized list of properties proposed for addition to the Heritage Registry and commence a consultation process with the affected property owners.

CARRIED 07/155

Councillor Fortin withdrew from the meeting at 9:40 a.m. as he is the Executive Director of the Burnside Gorge Community Association and has a direct pecuniary interest with the following item

4.6 Dockside Green Ltd. – Biomass Facility

Committee received a report from Development Services dated March 15, 2007 with respect to Dockside Green Ltd., Biomass Facility. Dockside Green Ltd. (DGL) is proposing a shift in their choice of technology to provide heat and electrical power for the development. The original proposal, as outlined in the Master Development Agreement, has been to provide a co-generation plant that provides heat and electricity for the development. The original intention to include this technology was for Dockside Green to be the first community in North America to be greenhouse gas (GHG) neutral.

The current proposal is to use hydronic technology (water-based) which will provide heat but no electricity required for the development. As outlined in the submission from Dockside Green, this choice has been made by the proponents, in consultation with BC Hydro. The developer states that the new proposal will continue to meet the original intention of being a GHG Neutral development and may exceed the stated goal and become a GHG Positive development. With regards to the LEED™ Platinum rating system, the developer has indicated that the project will obtain the same credits as the co-generation plant.

In order to allow the proposed shift in technology, the Master Development Agreement would need to be amended to reflect the change from a co-generation

facility to a biomass facility. The determination of the location of the proposed facility will be dealt with separately, as will any further regulatory decisions related to rezoning and/or development permits.

The applicant advised that this change is more desirable economically and environmentally and the move from baseboard heating to hydronics is also a benefit. Semi-trailers will most likely be used to truck in the wood waste, with twice a week deliveries. Alpine Group collects 900 tons of clean wood waste a month, 50 % more than the plant can use. The wood waste will be delivered directly into the plant. The proposed height of the plant is 40 feet, but will appear less high due to the slope on which it's to be situated. The exterior will have an industrial look and though half of the land will be taken up by the plant, in 15-20 years, it is hoped a gasifier will be added. The Vic West Community Association will be consulted with respect to the design of the plant.

Action: Councillor Madoff moved that Council:

1. Accepts the proposed shift in technology, based on the Dockside Green Ltd. submissions.
2. Instruct the City Solicitor to prepare an amendment to the Master Development Agreement to reflect the proposed change in technology, to the satisfaction of the Director of Planning and Development, and register a Modification Agreement on the property titles.

CARRIED 07/154

Councillor Fortin returned to the meeting at 10:04 a.m.

5. ENGINEERING

5.1 National Public Works Week, Garbally Yard Open House

Committee received a report from Engineering dated March 6, 2007 with respect to National Public Works Week, Garbally Yard Open House. May 20 to May 26, 2007 is being celebrated across Canada and the United States as National Public Works Week. For the eighth time the City of Victoria will be participating in this event by hosting a Public Works Open House at the Garbally Yard on May 23, 2007..

This year's national theme is "Public Works - Moving Life Forward". City staff will display twenty exhibits reflecting this year's theme to approximately eight hundred students from the grades four, five and six classes from the Greater Victoria School District, and fifteen young adults from Transition Youth Employment Services.

Councillor Hughes withdrew from Council Chambers at 10:05 a.m.

The previous seven years were a great success, very popular with the visitors, generating enthusiasm and pride with City Staff. The activities will provide an opportunity to experience and gain an understanding into the many functions of the Engineering sections.

Mayor and Council are invited to join the activities on Wednesday, May 23, 2007, from 11:00 a.m. to 1:30 p.m., at the Garbally Yard at 417 Garbally Road. Lunch will be provided.

Action: Councillor Coleman moved that Mayor and Council attend this wonderful event.

CARRIED 07/153

Councillor Hughes returned to the meeting at 10:07 a.m.

5.2 Green Buildings – CAEE Partnership Agreement

Committee received a report dated February 21, 2007 from Engineering with respect to Green Building – CAEE Partnership Agreement. As part of the Green Building program, the City of Victoria was awarded a \$10,000 grant from the Community Action on Energy Efficiency (CAEE). The CAEE provides financial and research support to BC local governments to advance energy efficiency through local government policy instruments. A requirement of the grant is for the City to indicate which targets it wishes to endorse. Possible targets are obtained from the Ministry of Energy, Mines and Petroleum resources guide “Energy Efficient Buildings: A Plan for BC”. It is proposed at this time that the endorsement of targets (targets provided in the background report) refer to City owned and operated buildings only.

A Committee member noted and staff concurred that green requirements should be balanced with heritage initiatives to meet energy efficiency targets. Staff advised this agreement will be adopted into the green buildings policy. A Committee member requested that this information be referred to the Environment & Shoreline Advisory Committee.

Action: Councillor Chandler moved that Council endorse the energy efficient targets from the Ministry of Energy, Mines and Petroleum Resources guide “Energy Efficient Buildings: A Plan for BC”, specifically those targets identified as numbers 5 and 6, for City owned and operated buildings.

CARRIED 07/152

5.3 Centennial Square Parkade Rehabilitation

Committee received a report dated March 8, 2007 from Engineering with respect to Centennial Square Parkade Rehabilitation. The purpose of this report is to provide City Council with some options regarding the required repairs to the Centennial Square Parkade.

In November 2006, City Council received a report regarding a condition survey of City Parkades. At the request of Council, staff investigated the minimum repairs needed at the Parkade to ensure operations could continue for the short term, approximately 18 to 24 months.

Several options are recommended by Levelton Consultants Ltd.:

- Option 1: Repair the Parkade, with costs estimated at \$300,000; the parkade can remain in full operation for a minimum of two years, before further works are required. This work should be done within three months. (Recommended).
- Option 2: Partial Closure of the Upper level of the Parkade, with costs estimated at \$175,000; a portion of the roof level of the parkade would be closed until such time as repairs were undertaken at a later date. Repairs would be undertaken to the lower level ramp slabs. Monthly monitoring at a cost of \$2,000 would be required for a total cost of \$48,000 for the next two years. This option would result in the loss of 56 parking spaces. This work should be done within three months. (Not Recommended).
- Option 3: Close the Parkade. This would result in the loss of 200 parking spaces. (Not Recommended).

Options 1 and 2 would allow for some time for the City to complete its review for the future revitalization of Centennial Square.

Action: Councillor Young moved that Council authorizes staff to proceed with Option 1 that involves the repair of the Centennial Parkade within three months, with costs estimated at \$300,000 and that the project is funded from the Parking Reserves until such time as the long-term borrowing bylaw has been approved.

CARRIED 07/151

6. PARKS, RECREATION AND COMMUNITY DEVELOPMENT

6.1 Victoria International Arts Symposium Society 2007 Grant Request

Committee received a report dated March 6, 2007 from Parks, Recreation and Community Development with respect to the Victoria International Arts Symposium Society 2007 Grant Request. The purpose of this report is to bring forward for Council's consideration a grant request by the newly formed Victoria International Arts Symposium Society to assist them with the planning and co-ordination in 2007 towards an "Un-Symposium" fundraiser and the second International Arts Symposium to be held in Victoria in October 2008.

An international arts symposium in Victoria was one of the City's 2005 Cultural Capital of Canada legacy projects. The first symposium, presented by the City in partnership with the Royal and McPherson Theatres Society, was held in October 2006.

A new society, the Victoria International Arts Symposium Society, is in the process of their incorporation and is eager and prepared to take on the responsibility of planning, organizing and presenting the second symposium along with the associated risks.

City seed funding in this non symposium year will allow the Society to hire professional staff, fundraise, plan and leverage other funding towards their operation, host a one day "Un-Symposium" fundraiser on October 27, 2007 and plan for 2008.

2007 funds for this grant request are included in the core budget of the Department.

A Committee member questioned the revenue potential of such arts organizations and the continued level of subsidization required by the City, particularly when in context with the entire arts program. Some Committee members commented on the diversity of the art offered in the last symposium and hoped to see the program expanded to include non-traditional artists. It was noted that this event is unique because it covers a broad range of disciplines. A Committee member noted that a pragmatic tool could be a requirement from the arts groups to report on the economic impact of their event.

Action: Councillor Madoff moved that City Council:

1. a) Approves a 2007 grant of \$25,000 to the Victoria International Arts Symposium Society conditional on the completion of their incorporation as a non profit society in BC.
- b) Approves an early release of funds for 50% of the approved grant.
2. That the Victoria International Arts Symposium Society:
 - a) Ensures that the City of Victoria receives public recognition of its role as a financial supporter.
 - b) Submits a report at year end providing a synopsis of the year's activities, financial statement, a 2008 business plan and budget.

CARRIED 07/150

7. ADMINISTRATIVE MATTERS

7.1 Disposition of Communications dated March 2, 2007.

Action: Councillor Coleman moved that the Disposition of Communications dated March 2, 2007 from the Manager, Administration, be received for information and filed.

CARRIED 07/149

7.2 CRD Regional Housing Affordability Strategy

Committee received a report from the CRD from a meeting dated February 28, 2007 with respect to CRD Regional Housing Affordability Strategy. The Regional Housing Affordability Strategy (RHAS) was prepared as a component of the Regional Growth Strategy with the participation of Regional Planning, Health Facilities Planning, the Capital Region Health Authority (now VIHA), the Capital Regional Housing Corporation (CRHC), BC Housing, and Canada Mortgage and Housing Corporation (CMHC).

The RHAS was developed as a component of the Regional Growth Strategy to respond both to the provincial legislative requirements and to respond to the serious problems of housing unaffordability and homelessness. Since the start of

the RHAS development, many jurisdictions have developed housing related strategies and programs. In particular, the Federation of Canadian Municipalities (FCM) has called for a National Affordable Housing Strategy which would include the active involvement of federal, provincial and local jurisdictions.

The intent of the RHAS delivery framework is to provide better linkages among the myriad of agencies, governments and advocates working on housing affordability and homelessness issues within the regional district. The objective of both the RHAS and the proposed delivery framework is to strengthen the voice of local government on housing affordability issues so that it can attract a reasonable level of resourcing and senior government funding to start solving these problems at the community level.

The RHAS also identified the need to expand the scope of the Victoria Homelessness Community Plan to make it a broader, regional plan, which will necessitate a change to the existing task force and reporting relationships.

The Mayor referred this report to Committee for information. Councillor Chandler noted that members of the homeless community should be engaged in discussions in order to reach a successful outcome.

8. COUNCILLOR INQUIRIES AND SHARING

8.1 Councillor Hughes - Advisory Housing Committee – Notice of Motion

Councillor Hughes advised that as a result of discussions of the Advisory Housing Committee over the last two months regarding its focus for 2007, the following Committee recommendations are presented for Council's approval.

An Advisory Housing Committee member expressed frustration because they feel they are underutilized. Also expressed was the value of having a dedicated staff person to deal with the affordable housing issue to bring issues directly to the Advisory Housing Committee.

Committee members noted that housing and homelessness are high priorities for the City, though Mayor Lowe noted that next year's budget doesn't provide for a staff member dedicated to affordable housing. Committee members noted that Advisory Housing Committee members would benefit from meeting with CRD Housing Leaders.

Council Hughes requested Committee's support in sending two Advisory Housing Commission members and Councillor Hughes to *Building Partnerships for Affordable Housing Forum* on March 29, 2007 with a registration fee of \$65.00 per person.

Committee members requested that this report be referred to Planning & Development staff for a staff report.

Action: Councillor Hughes moved that:

Whereas the City of Victoria Advisory Housing Committee agrees with Victoria Council that housing is a top priority for the City, and;

Whereas the Advisory Housing Committee is a valuable resource to the City of Victoria in achieving positive results in the realization of that top priority, but is presently curtailed in its activities by what it believes to be a lack of focus and staff at City Hall, and;

Whereas, the City of Victoria Advisory Housing Committee believes that a dedicated housing resource would expedite more housing options and solutions city-wide;

Therefore, the Advisory Housing Committee recommends to Victoria City Council that an Affordable Housing Staff position be established and funded in the 2007 budget year to work under the direction of the Planning and Development Department with a significant liaison role with the Advisory Housing Committee so that the Committee can contribute to the maximum of its potential.

CARRIED 07/148

8.2 Councillor Chandler – Urban Agriculture – Motion

Councillor Chandler requested that Committee consider a resolution submitted on March 15, 2007 with respect to supporting urban agriculture within the City of Victoria.

Action: Councillor Chandler moved that:

BE IT RESOLVED that the City of Victoria supports in principle the concept of urban agriculture as a valuable community resource and will work to collaborate with the community, neighbouring municipalities and Capital Region District to support and encourage Urban Agriculture where possible.

ALSO LET IT BE RESOLVED to refer this motion to the Environment and Shoreline Committee, Advisory Planning Committee, Social Advisory Committee, Parks and Recreation Advisory Committee, Parks Master Plan Steering Committee and the Downtown Advisory Committee and all other Community Associations for their consideration and comment.

CARRIED 07/147

8.3 Councillor Coleman – Victoria Native Friendship Centre

Councillor Coleman shared with Committee that the \$300,000 the City has committed through the Affordable Housing Trust Fund towards the Victoria Native Friendship Centre has a deadline of March 31, 2007. The funds are being released to complete the deal on the land. The Supporting Community Partnership Initiatives (SCPI) Task Force is contributing \$400,000 to the project and the CRD is contributing \$300,000.

8.4 Councillor Madoff – Theatre Event in Council Chambers

Councillor Madoff shared with Committee that the presentation of *Meth: Iron Fist Forum Theatre* is taking place in Victoria City Hall, Council Chambers on March 15, 2007 at 7:00 p.m.

8.5 Councillor Fortin – North Park Community Association / Pesticide Bylaw / Secondary Suites / CREST – Technical Information

Councillor Fortin shared with Committee that the North Park Community Association has requested that the issue of affordable housing be dealt with.

Councillor Fortin requested an update on the Pesticide Bylaw and the status of outcomes from the Secondary Suite workshop.

Councillor Fortin also inquired about crafting a bylaw to address the issue of degradation of the CREST radio system arising from high rise buildings.

Action: Councillor Fortin moved that CREST provide the City of Victoria with sufficient technical information to enable the development of bylaw regulations to address radio system signal degradation arising from high rise buildings.

CARRIED 07/146

9. CLOSED MEETING at 11:16 a.m.

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

Committee Members Absent: Councillor Holland.

Staff Present: R. Woodland – Corporate Administrator; C. Havelka - Recording Secretary.

Staff Present for a Portion of the Meeting: D. Day – Director of Planning & Development; W. Zink – Manager of Social Planning and Housing; B. Wiffen – Property Manager; D. Koch – Manager, Development Services.

Action: Councillor Coleman 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 07/145

9.1 March 1, 2007 Committee of the Whole In Camera Minutes

Action: Councillor Thornton-Joe moved that the In Camera Minutes of the Committee of the Whole meeting held March 1, 2007 be adopted.

CARRIED 07/144

9.2 Land – New Licence of Use

Committee received a report dated February 28, 2007 from Corporate and Regulatory Services with respect to a New Licence of Use for Rockland's Community Garden. The purpose is to obtain Council's approval of a new Licence of Use for Rockland Community Garden on City land at Joan Crescent and Craigdarroch Road. The Licence has expired and the Rockland's Neighbourhood Association has applied for a new agreement.

Action: Councillor Fortin moved that Council approves a new Licence of Use agreement with the Rockland's Neighbourhood Association (RNA) as follows:

1. Term: April 1, 2007 through March 31, 2012.
2. Consideration: \$1 per annum.
3. Use: community garden for native species.
4. Maintenance: RNA responsible for all costs including but not limited to water, hydro, snow removal.
5. RNA to maintain sufficient liability insurance and indemnify City against claims arising from RNA's use of land.
6. Termination: City may terminate agreement if RNA fails to maintain land at a standard equal to the surrounding neighbourhood.

CARRIED 07/143

9.3 Councillor Fortin – Legal - CREST Members Agreement

Councillor Fortin provided Committee with an update with respect to issues regarding the CREST communications system and the Members Agreement.

9.4 Councillor Coleman – Legal Opinion

Councillor Coleman requested that the City's Solicitor provide a legal brief of a legal opinion that could be provided to the public regarding the transfer of development rights. Councillor Fortin requested that the City's Solicitor provide a legal brief of a legal opinion that could be provided to the public regarding the City's authority to expropriate vacant buildings and convert these buildings to affordable housing.

9.5 Land - Legal

The Mayor provided Committee with an update on the status of planning with respect to a regional sewage facility.

9.6 Legal – Contracts

The Mayor provided Committee with an update with respect to contracts for City Festivals.

Councillor Fortin withdrew from the meeting at 12:00 p.m. as he is the Executive Director of the Burnside Gorge Community Association and has a direct pecuniary interest with the following item.

9.7 Offer to Lease – Dockside Green Ltd. Biomass Facility

Councillor Young withdrew from Council Chambers at 12:19 p.m.

Councillor Young returned to Council Chambers at 12:21 p.m.

Committee received a report dated March 8, 2007 from Corporate and Regulatory Services with respect to an Offer to Lease - Dockside Green Ltd., Biomass Facility.

This discussion was recorded and kept confidential.

10. ADJOURNMENT

Action: Councillor Thornton-Joe moved that the Committee of the Whole meeting of March 15, 2007 be adjourned at 12:51 p.m.

CARRIED 07/142

Mayor Lowe, Chair