

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, JUNE 21, 2007, 9:00 a.m.

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

Staff Present: P. Ballantyne – City Manager; R. Woodland - Corporate Administrator; C. Havelka - Recording Secretary.

Staff Present for a Portion of the Meeting: P. Sparanese – Director of Engineering; D. Koch – Manager, Development Services; D. Day – Director of Planning & Development ; K. Ramsay – Community Development Planner; M. Hornell – Manager of Community Planning; C. Gower – Senior Planner, Urban Design; Chief Angrove – Fire Department; M. Anderson – Chief Fire Prevention Officer; G. Price-Douglas – Community Development Planner; D. Atkinson – Director of Parks, Recreation & Community Development; T. Stewardson – Community Recreation Coordinator; M. Mayhew – Executive Assistant; T. Phillips – Manager, Revenue; W. Zink – Manager, Social Planning & Housing; M. Lam – Head, Urban Design.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

The Chair outlined the following changes to the June 21, 2007 Committee of the Whole agenda:

- Addition of report for item # 2
- Additional correspondence for item # 3
- Addition of item # 18A – Councillor Inquiry with correspondence
- Addition of Closed item # 21A – Land/Legal
- Addition of Closed item # 21B – Legal – CREST Agreement
- Addition of correspondence for item # 23
- Councillor Inquiries / Information Sharing:
 - a) Councillor Coleman – one sharing.
 - b) Councillor Chandler – one sharing.

Action: Councillor Hughes moved that the Agenda of the June 21, 2007 Committee of the Whole meeting be approved as amended.

CARRIED 07/352

3. ADOPTION OF MINUTES

3.1 June 7, 2007 Committee of the Whole Minutes

Action: Councillor Fortin moved that the minutes of the Committee of the Whole meeting held June 7, 2007 be adopted.

CARRIED 07/351

4. DELEGATION

4.1 City of Victoria Youth Council

Committee received a report dated June 21, 2007 from the City of Victoria Youth Council (CVYC) in response to a Council request from the January 11, 2007 meeting for a review of the CVYC structure and governance model for clarity.

Recommendations were requested in the four following areas:

- Appropriate Models of Structure
- Decision-Making Model Plans for Sustainability of the CVYC
- Plans for Sustainability
- Membership criteria

The Youth Council spoke on these topics and noted that they are financially stable until February 2008. The CVYC will return to Committee in September 2007 with a financial sustainability action plan.

Mayor Lowe suggested that membership criteria include a maximum term and recommended the six year policy other advisory committees follow.

*Mayor Lowe withdrew from Council Chambers at 9:21 a.m.
Councillor Hughes assumed the Chair*

5. DEVELOPMENT SERVICES

5.1 Development Variance Permit # 00045 for 1222 Yukon Street

Committee received a report dated June 12, 2007 from Development Services with respect to Development Variance Permit # 00045 for 1222 Yukon Street. The application is to build a three-storey, six-unit rental housing building on a vacant lot between Haegert Park on the west and the Central Care Lodge building on the east. The site fronts onto Grant Street on the north and Yukon Street on the south. Two separate surface parking areas are accessed from either one or the other street. The applicant has requested variances for the street setbacks, lot area, and number and setback of parking stalls.

The proposal is consistent with the key objectives of the Fernwood Neighbourhood Plan. The massing of the proposal fits in with the existing surrounding buildings. The traditional residential character confirms the integrity of the heritage cluster on Yukon Street.

It was noted that the Building Inspections Division has determined that the proposal would require to be designed, signed and sealed by a registered architect or a professional engineer at Building Permit stage according to the City's Building Bylaw. While an attempt has been made to secure an architect to review the plans which were provided by a design/drafting firm, the applicant wishes to move the application forward to Committee of the Whole and Council for consideration immediately.

Committee members expressed support for this project, the need for an architect and the need for rental housing. Some Committee noted that impartiality needs to be observed throughout the approval process even though Committee members want to see this project move forward.

Staff advised that another report will not be coming to Committee of the Whole before the Council meeting. Time constraints won't allow this proposal to go to the Advisory Design Panel. Staff will ensure that the restrictive conditions are met to their satisfaction and the final drawings will be available before the Council meeting.

Action:

Councillor Holland moved that Council authorize the issuance of a Development Permit in accordance with:

1. Plans stamped "Development Variance Permit # 00045" dated May 22, 2007.
2. Development meeting all bylaw requirements, with the following variances:
 - a) Section 3.3.9 – Minimum lot area relaxed from 920 sq m to 511 sq m.
 - b) Section 3.3.10 - Front yard setback (Yukon) relaxed from 9.0m to 4.4m.
 - c) Section 3.3.12 – Side yard setback (East) relaxed from 4.45m to 2.5m.
 - d) Section 3.3.14 – Surface parking location from street (Yukon) relaxed from 9.0m to 4.4m.
 - e) Section 3.3.15 – Surface parking separation from dwelling units relaxed from 6.0m to 1.15m.
 - f) Section 3.3.18 – Street setback fro multiple dwelling buildings on parallel streets relaxed from 7.5m to 4.4m (Yukon Street) and 5.49m (Grant Street).
 - g) Section 3.3.19 – Apartments between parallel streets relaxed from 7.5m to street centre line to 4.65m (Yukon Street) and 3.0m (Grant Street).
 - h) Schedule "C" Section 11(b) – Parking requirements relaxed from 1.3 parking stalls per unit (8 parking stalls) to 0.6 parking stalls per unit (4 parking stalls).
- 3) The applicant to amend the proposal to the satisfaction of the Director of Planning & Development Department prior to Council's hearing to reflect the following improvements:
 - a) Relocation of the driveway and surface parking area to the east side of the site between the proposed building and the Central Care Lodge building.

- b) Provisions of landscaping and screening in the front and rear setback areas in order to minimize the problem of overlooking from the public sidewalks for the lower floor residential units.
 - c) Simplification of design above main entrance and provision of additional cover with a true canopy.
 - 4) The receipt of comments from the Fernwood Community Association (if offered by the association) prior to Council's hearing.
 - 5) Final plans to be in accordance with plans identified above to the satisfaction of the Director of Planning & Development Department.
- * Note: In the case that the proposed driveway/parking area is relocated to the east side of the site, then the east side yard variance will be replaced by:
Section 3.3.12 – Side yard setback (West) relaxed from 4.45m to 2.5m.

CARRIED 07/350

Mayor Lowe returned to Council Chambers at 10:03 a.m. and assumed the Chair

5.2 Basement Heights & Roof-top Structures in the R1-A, Rockland Single Family Dwelling District Zone – Our File # 10-07

Committee received a report dated June 21, 2007 from Development Services with respect to Basement Heights & Roof-top Structures in the R1-A, Rockland Single Family Dwelling District Zone – Our # 10-07. The Rockland Neighbourhood Association, in a letter to Mayor and Council dated April 12, 2007, outlined a general concern with the fit of new development with the existing development and character of the neighbourhood. The letter also cited specific concerns regarding basement heights and roof-top structures in the R1-A, Single Family Dwelling District zone which covers most of the neighbourhood.

To address the general concern of fit and the more specific concern of building height and roof-top structures, a neighbourhood plan review and / or a more specific review of R1-A zoning regulations would be required. The approach to preparing neighbourhood plans is currently under way.

The basement definition concern cited by the Rockland Neighbourhood Association can be quickly addressed by amending the R1-A zoning regulations to require basements to be at least 1.2 metres below grade. Staff supports this amendment as it will preclude basements that are only marginally below ground and could result in reduced building heights. It will also bring the R1-A definition of basement into line with the definition of basement in the R1-B and R1-G zones.

With respect to roof-top structures, the current restrictions and approval processes appear to meet with the Rockland Neighbourhood Association's request for variance and neighbour consultation when these are above 11 metres. For buildings below 11 metres, no variance may be required.

*Councillor Chandler withdrew from Council Chambers at 10:05 a.m.
Councillor Chandler returned to Council Chambers at 10:08 a.m.*

A Committee member questioned the measurement from grade when a building is sited on a slope. Staff advised this issue could be part of a later review. Committee members requested more information and illustrating on massing, particularly in relation to ceiling heights. Staff advised that they will prepare this information and bring forward to Council.

Action:

Councillor Holland moved:

1. That the *Zoning Regulation Bylaw* is amended in the R1-A, Rockland Single Family Dwelling District zone to re-define the first storey to be the same as the R1-B Single Family Dwelling District zone and that the bylaw is forwarded to City Council for consideration at a Public Hearing.

Note: The effect of this amendment will be to require a "basement" to be at least 1.2m (4 feet) below grade.

2. That roof-top structures such as decks and solariums be included in any future study of building height undertaken as part of a neighbourhood plan review or a comprehensive review of R1-A zoning regulations.

CARRIED 07/349

6. COMMUNITY PLANNING

6.1 Downtown Victoria – Interim Building Height Policy

Committee received a report dated June 13, 2007 from Community Planning with respect to Downtown Victoria Interim Building Height Policy. On January 18, 2007 Council directed staff to prepare options for an interim building height policy as a fast-tracked initiative of the Downtown Plan Update. An interim policy will provide guidance for the review of current development applications, until the recommendations of the Downtown Plan Update confirm a more comprehensive height policy for Victoria's Downtown.

This report considers the following: Victoria's long-standing policies on height limitations, the recent accelerated demand for new office space and residential uses, the height context of existing and recently approved projects, and the prospect of future demands on downtown.

Consideration of Building Height overlaps two closely related but distinct urban design subjects – View Corridors and Skyline Composition. All three topics come into play in this report, but the focus of these interim recommendations is on Building Height. All three subjects and their interdependence will receive fuller examination in the course of the Downtown Plan Update. Analysis with the technical assistance of a 3D computer model of Victoria's core will play a part in the preparation of the Update.

The report notes that key concerns are: to protect the height-sensitive, historic precincts of Downtown; to foster healthy streets; to maintain high quality in the built environment; and to continue to accommodate residential and employment growth.

This report concludes; that there are more height-sensitive, and relatively less height-sensitive areas of Downtown; that Douglas Street as Victoria's formal "Main Street" requires specific treatment as a corridor; and that on an interim basis, height increases in the range of 25% to 35% above the existing 43.5 metre policy limit can be considered for the least height-sensitive sector of Downtown.

Staff responded to Committee members' questions as follows:

- The Douglas Street bus transit project is an important feature and a consideration in the downtown plan.
- The 25-35% increase is not an automatic increase but a height cap on variances in that sector of downtown.
- A comprehensive e-mail list, the City's website and a communication plan will keep all organizations and associations informed on this interim policy.

Committee members requested a change in the wording of the motion to better reflect the intent of the policy.

Action: Councillor Holland moved that Council approve the following recommendations as an interim Downtown building height policy:

1. That height **variances** be permitted to a maximum of a range of 25% to 35% above the existing 43.5 metre maximum building height (54.4m – 58.7m), only for the city blocks bounded by Douglas Street east to the current eastern Downtown boundary, and from the mid-block between View Street and Fort Street north to the current northern Downtown boundary. Within this area, the current 43.5 metres maximum height continues to apply to properties with Heritage designation or Registration, and within a 90 metre (300 feet) radius of landmark buildings as indicated in the attached plans.
2. That the heights of building faces along the east side of Douglas Street be limited to a maximum of 15 metres to maintain a typically varying two-to five-storey street-wall frontage, with new higher building massing set-back at least 1 metre per 5 metres of height above the street-wall frontage.
3. That the Downtown Residents' Association be forwarded the *Downtown Victoria – Interim Building Height Policy* report for review.

CARRIED 07/348

7. SOCIAL PLANNING & HOUSING

7.1 Special Project Grants: 2007 Intake Funding Recommendations

Action: Councillor Hughes moved that Council consider Special Project Grant # 2 – Burnside Gorge Community Association separately from the other recommendations.

CARRIED 07/347

Councillor Fortin withdrew from the Council Chambers at 10:42 a.m. as he is the Executive Director of the Burnside Gorge Community Association and has a direct pecuniary interest with the following item.

Special Project Grant # 2 – Burnside Gorge Community Association

Committee received a report dated June 21, 2007 from Social Planning & Housing with respect to Special Project Grants: 2007 Intake Funding Recommendations. Committee members discussed the Burnside Gorge Community Association application and Paul Gerrard spoke to Committee on this request. Discussed was the need for partners and the process for applying appropriately for grant funds.

Action: Councillor Hughes moved that Council approve the recommended 2007 Special Project Grant allocation for Burnside Gorge Community Association for \$3,750.00 with the following standard grant conditions:

- a) The City of Victoria's support be acknowledged in all print and publicity materials;
- b) A final report be submitted upon completion of the project.

Organization/Name or Project Title	Requested Amount	Recommended Amount
Burnside Gorge Community Assc. / Rock Bay Sex Trade Response Plan	\$5,000.00	\$3,750.00

CARRIED 07/346

Councillor Fortin returned to the meeting at 10:56 a.m.

Special Project Grants – 2007 Intake Funding Recommendations

This report provides a summary of the Special Project Grant applications for the 2007 Intake and outlines funding recommendations for consideration by Council.

The total amount requested in this intake is \$69,543.81. The Special Projects grant budget for 2007 is \$85,200. There were eighteen applications received in this intake, compared to twenty-three in 2006 and thirty-four in 2005. Of the eighteen applications, eight were for seed funding and ten were for demonstration funding.

The Summary Sheet attached to the report provides a summary of the applications and the Social Planning & Housing Division's recommendations to Council for the

2007 Intake of Special Project Grants. Staff recommends allocating \$57,212.50 in Special Project Grants leaving \$27,987.50 in unallocated funds.

Staff identified two key issues with respect to this year's Special Project Grants: 1) a pattern of declining numbers of grant applications and, 2) unallocated funds. The report presents a range of options to address these issues. Staff propose that a focused meeting with past grant applications be convened this summer to explore the issue of declining applications and report back to Council on possible revisions to the Special Project Grants Policy and Guidelines. Staff recommends that a second intake for 2007 be held in October, to expend unallocated funds in the Special Project Grants budget fairly and equitably. The communications strategy will follow current procedures plus incorporate recommendations from the focused meeting with grant applicants. The second intake is proposed to close October 15, 2007.

Committee members discussed the criteria for applying for grants and the outcome for events that occurred prior to funding approval. The City Manager proposed that Council consider reviewing the criteria for grant applications with respect to policy issues.

Action:

Councillor Hughes moved:

1. That Council approve the recommended 2007 Special Project Grant allocations as presented, except for the Burnside Gorge Community Associations request, totalling (\$53,462.50) with the following standard grant conditions:
 - a) The City of Victoria's support be acknowledged in all print and publicity materials;
 - b) A final report be submitted upon completion of the project.

Organization/Name or Project Title	Requested Amount	Recommended Amount
African Heritage Assc. of Vancouver Island / Afro-Carib Carnival	\$5,000.00	\$3,750.00
Community Arts Council of Greater Victoria / Phantom Galleries	\$5,000.00	\$3,750.00
Downtown Blanshard Advisory Committee / Quadra Village Day, A Community Celebration	\$3,740.00	\$2,812.50
North Park Neighbourhood Assc / Cook St Community Placemaking Workshop	\$5,000.00	\$3,750.00
Pandora Arts Collective Society / Pandora arts Collective Society	\$5,000.00	\$3,750.00
Victoria Integrative Health Co-op / (VIHC)	\$3,000	0.00 decline
Women's Sexual Assault Ctr / Walk a Mile in Her Shoes.	\$900.00	\$900.00
Island Corridor Foundation (ICF)	\$903.81	0.00 decline
Fairfield Community Assc. / Victoria	\$5,000.00	\$5,000.00

Bio-Blitz Series		
Sierra Club of BC Foundation / Accountable Together: Enabling Citizen Action on Climate Change	\$5,000.00	\$5,000.00
Today's Stewards for Tomorrow (Leadership Victoria) Project Urban Rain Garden	\$5,000.00	\$5,000.00
Veins of Life Watershed Society / Engaging the Community in Stewardship of the Gorge Waterway & Portage Inlet	\$5,000.00	\$3,750.00
James Bay Community School Society / Art Walk Project	\$5,000.00	\$5,000.00
MediaNet / Dance for the Camera	\$3,000.00	\$3,000.00
South Park Family School / The History of South Park School 1894- 2006	\$5,000.00	\$5,000.00
The Octa Collective Society / artsReach Project	\$2,500.00	\$2,500.00
Vancouver Island Centennial Patrol	\$00.00	\$500.00
Total:		\$53,462.50

2. That a second intake be coordinated for Fall 2007, closing October 15, 2007, to expend the \$27,987.50 in unallocated funds in the Special Project Grants budget.

CARRIED 07/345

7.2 City of Victoria Comprehensive Housing Strategy

Committee received a report dated June 13, 2007 from Social Planning & Housing with respect to City of Victoria Comprehensive Housing Strategy. The purpose of this report is to request Council approval of a comprehensive Housing Strategy for the City of Victoria. The strategy is aligned with the recently adopted Regional Housing Affordability Strategy (RHAS).

This strategy not only documents City's accomplishments and highlights the current situation in Victoria; it also proposes strategies and tactics to advance housing affordability policy and programs in the City. As Victoria's blueprint for action, this dynamic strategy is fully aligned with the RHAS. It provides a logical alignment for corporate work programs, particularly with respect to the work of the Planning & Development Department.

The City of Victoria has a lengthy tradition of responding to the housing needs of its citizens. Recently, the Mayor has established a Task Force to support Victoria in breaking the cycle of mental health, addictions and homelessness in the community. The City's role in addressing housing issues cannot be done in isolation. It has many partners – the Capital Regional District (CRD), the pertinent provincial and federal ministries responsible for housing, the economy and health

and social supports, and the non-profit and private housing sectors. Alignment with the RHAS is important in achieving equitable and equal access to housing thereby making this community affordable and sustainable. Results will be optimized through collaborative efforts.

The Director of Planning & Development reviewed five housing strategy goals:

- Secure more funding for non-market and low end of market, housing.
- Establish and enhance pro-affordability local government policies and regulation across the region.
- Facilitate community based affordability partnerships and initiatives.
- Build neighbourhood level support for housing affordability.
- Expand the scope of the Victoria homelessness community action plan to the region as a whole.

Councillor Young withdrew from the meeting at 11:37 a.m.

Committee members commented on the following:

- The retention of existing rental units and the tenant conversion plan; fewer of these applications have been forthcoming.
- The type of units proposed in the housing strategy; for families, SRO, etc.
- Affordable Housing to be constructed in smaller groupings.
- Budget allocations – dedicating a housing person on staff.
- Compiling a list of senior housing and groups housing as a resource.
- Secondary suites provide creative housing opportunities.

Councillor Young returned to the meeting at 11:39 a.m.

Staff advised the term “comprehensive housing” was used to address housing for all citizens, on the market and non market side.

Action:

Councillor Hughes moved:

1. That City Council approve and endorse the Victoria Comprehensive Housing Strategy, including the priorities and timelines, which will serve as a framework to structure and advance the City’s housing objectives.
2. That the Victoria Comprehensive Housing Strategy be referred to Council’s Housing and Social Planning Advisory Committees as well as the Advisory Planning Commission for any further comments before Council’s consideration of the Strategy at the July 2007 Council meeting.
3. That the Victoria Comprehensive Housing Strategy be distributed, when finalized, in accordance with the noted communication plan.

CARRIED 07/344

Mayor Lowe asked Committee to defer the Workshop on the Downtown Plan Update. The City Manager advised she will canvass staff to determine an available date within two weeks.

8. ENGINEERING

8.1 Idling Control Bylaw

Committee received a report dated June 14, 2007 from Engineering with respect to the Idling Control Bylaw. Staff is recommending Council create a new Idling Control Bylaw that prohibits unnecessary vehicle idling as part of the City's commitment contained in the Corporate Strategic Plan. A new Idling Control Bylaw will support the City's goal of environmental sustainability, and help to protect and enhance our natural environment.

The new Bylaw will include the prohibition that no person shall cause or permit a vehicle engine to idle for more than three (3) minutes in a 60-minute period. This is consistent with most municipalities which allow idling anywhere between three to five minutes. There are also a number of exemptions to the Bylaw and they are noted in the draft Bylaw.

Following enactment of this new Bylaw, enforcement is recommended to be a phased implementation as follows:

- First six (6) months, no fines would be levied, with an emphasis on educational opportunities.
- Next six (6) months, no fines would be levied, but verbal and written warnings would be issued.
- One year after adoption, fines would be levied, \$200.00 for trucks and buses, and \$50.00 for vehicles.

No additional staff resources are required for this Bylaw. Parking Officers are anticipated to undertake the majority of the workload. This will be added to their new contract as part of the new Parking Strategy. Parking Officers will have a more pro-active enforcement mandate than general Bylaw Enforcement Officers.

Committee members discussed the importance of signage, education and addressing other emissions; such as those from lawnmowers. Staff advised that idling a vehicle for ten seconds is the policy with thirty seconds allowed in the winter. This bylaw is for public and private property and would apply to drive-thru restaurants.

Action:

Councillor Chandler moved that:

1. Council instructs the Corporate Administrator to prepare an "Idling Control Bylaw" for Council's consideration of the proposed Bylaw.
2. Council approve the phased Bylaw enforcement implementation noted above.
3. Staff initiate a community and corporate awareness and communication plan.
4. Council instructs staff to review the Reserve Fund Policy to investigate the opportunity to create an "Environmental Reserve" to fund continued education, awareness and other related projects.

Councillor Fortin withdrew from the Council Chambers at 12:15 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. COMMUNITY DEVELOPMENT

9.1 Neighbourhood Development Program Grants

Committee received a report dated June 1, 2007 from Community Development with respect to making funding recommendations for the 2007-2008 Neighbourhood Development Program Grants. These grants operationalize the Neighbourhood Development Policy, adopted by Council in 1994, and provides funding support to the City's Community and Neighbourhood Associations. The grants ensure that each association can provide basic programs and services that are needed in each community in accordance with policy guidelines. For 2007-2008, the budget for the entire grant program is \$109,000.00 including Base, Enhancement Matching and Greenways Matching Grants.

Requests for Base Funding received from Community Associations total \$58,135.00. In addition, an insurance policy for Commercial General Liability for six Community Associations (Rockland, North & South Jubilee, North Park, Downtown/Harris green and Victoria West) is being recommended from the base Funding at a cost of \$5,000.00. This ensures that those community associations without staff are covered for bodily injury and property damage. As well, the Community Associations Network (C.A.N.) has submitted a Grant request of \$1625.00 for funding to cover the administrative support for the network. The total recommended for the Base Funding, including the insurance and C.A.N. support is \$52,405.00.

Neighbourhood Enhancement and Greenways Matching Grants were received from five organizations totalling \$19,800.00.

The Neighbourhood Development Grant Program for 2007 will ensure the continued provision of projects and services needed by the Community Associations to provide quality of life and neighbourhood enhancement in the City's neighbourhoods.

A Committee member expressed concerns that the neighbourhood is represented by two organizations, both of which receive funding.

A staff member noted an error in the North Park Neighbourhood Association matching grant numbers. The approved amount was \$4,800, not \$4,480.

Action: Councillor Hughes moved that City Council approve the 2007-2008 funding allocations of \$52,405.00 for Base Grants, \$19,800.00 for Enhancement Matching Grants, for a total of \$72,205, as follows:

NEIGHBOURHOOD DEVELOPMENT PROGRAM
2007 – 2008 BASE GRANTS

Neighbourhood	Amount Requested	Amount Recommended
BURNSIDE/GORGE COMMUNITY ASSOCIATION	\$3,090	\$3,090
DOWNTOWN RESIDENTS' ASSOCIATION (including *Harris Green)	\$1,765	1,765
FAIRFIELD COMMUNITY ASSOCIATION	\$9,220	\$9,220
FERNWOOD COMMUNITY ASSOCIATION	\$5,730	\$5,090 (Historical Allocation Recommended)
FERNWOOD NEIGHBOURHOOD RESOURCE GROUP	\$5,730	\$640.00 (Historical Allocation Recommended, for Fernfest only)
HILLSIDE/QUADRA (BLANSHARD)	\$4,470	\$4,470
JAMES BAY COMMUNITY SCHOOL SOCIETY	6,940	\$6,940
NORTH JUBILEE	\$1,950	\$1,950
NORTH PARK NEIGHBOURHOOD ASSOC.	\$1,910	\$1,910
OAKLANDS COMMUNITY ASSOCIATION	\$4,080	\$4,080
ROCKLAND COMMUNITY ASSOCIATION	\$2,230	\$2,230
SOUTH JUBILEE	\$925	\$925
VICTORIA WEST COMMUNITY ASSOCIATION	\$3,470	\$3,470
FAIRFIELD COMMUNITY ASSOCIATION	\$6,625	\$6,625
SUBTOTAL	<u>\$58,135</u>	<u>\$52,405</u>

NEIGHBOURHOOD DEVELOPMENT PROGRAM
2007-2008 ENHANCEMENT MATCHING GRANTS

Neighbourhood	Amount Requested	Amount Recommended
BURNSIDE/GORGE COMMUNITY ASSOCIATION	\$5,000	\$5,000
FAIRFIELD COMMUNITY ASSOCIATION	\$5,000	\$5,000
NORTH PARK NEIGHBOURHOOD ASSOCIATION	\$4,800	\$4,800
OAKLANDS COMMUNITY ASSOCIATION	\$5,000	\$5,000
ROCKLAND COMMUNITY ASSOCIATION	\$1,000	\$0 - Decline Overlaps with Corporate G.I.S. Initiative which is proposing a web-based digital map interface. This will provide the solution that Rockland requires.
TOTAL REQUESTED TOTAL RECOMMENDED	<u>\$20,480</u>	<u>\$19,800</u>
GRAND TOTAL		\$72,205.00

CARRIED 07/342

Councillor Young voted against this motion

Councillor Fortin returned to the meeting at 12:21 p.m.

10. FINANCE

10.1 Loan Authorization Bylaw – City Hall Accessibility

Committee received a report dated June 21, 2007 from Finance with respect to Loan Authorization Bylaw for City Hall Accessibility. City Council recently adopted a loan authorization bylaw in the amount of \$2,250,000 to fund the accessibility improvements to City Hall. A successful counter petition has been completed and now the Certificate of Approval from the Inspector of Municipalities has been received.

The next step in the process is to obtain a resolution from Council authorizing the Finance Department to proceed with borrowing the funds.

Action: Councillor Young moved that Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of their

2007 Fall issue, \$2,250,000 as authorized through Loan Authorization Bylaw No. 06-083 (City Hall) and that the Capital Regional District be requested to consent to our borrowing over a 15 year term and include the borrowing in their security issuing bylaw.

CARRIED 07/341

10.2 Loan Authorization Bylaw – Burnside / Gorge Community Association

Committee received a report dated June 21, 2007 from Finance with respect to Loan Authorization Bylaw for Burnside/Gorge Community Association. City Council recently adopted a loan authorization bylaw in the amount of \$2,259,000 to fund the construction of the Burnside/Gorge Community Association. A successful counter petition has been completed and now the Certificate of Approval from the Inspector of Municipalities has been received.

The next step in the process is to obtain a resolution from Council authorizing the Finance Department to proceed with borrowing the funds.

Action: Councillor Young moved that Council approved borrowing from the Municipal Finance Authority of British Columbia, as part of their 2007 Fall issue, \$2,259,000 as authorized through Loan Authorization Bylaw No. 06-073 (Burnside Gorge Community Centre) and that the Capital Regional District be requested to consent to our borrowing over a 15 year term and include the borrowing in their security issuing bylaw.

CARRIED 07/340

Councillor Coleman withdrew from Council Chambers at 12:22 p.m. as he works in a food primary business, which creates a direct pecuniary interest in the following items.

11. CORPORATE AND REGULATORY SERVICES

11.1 Application for Permanent Change to a Liquor Licence – Jelly Fish Lounge Food-Primary Licence # 129084

Committee received a report dated June 11, 2007 from Corporate and Regulatory Services with respect to an Application for Permanent Change to a Liquor Licence for Jelly Fish Lounge Food-Primary Licence # 129084. The purpose of this report is to provide a Council resolution to the Liquor Control and Licensing Branch regarding an application before Council for a Permanent Change to a Liquor Licence to change the hours of sale of a currently existing food-primary licence.

The Jelly Fish Lounge is a new restaurant that is being opened in the lower level of the Bedford Regency Hotel, 1140 Government Street. The current occupant load is 213. The requested hours of the liquor licence are from 11:00h to 01:00h seven days a week from the currently approved hours of 10:00h to 24:00h seven days a week.

In response to a Committee member's request, staff advised that a food-primary establishment is regulated on the basis of the percentage of food to liquor sales.

A Committee member requested a trial period to evaluate the impact of this application on downtown. Staff suggested this location would be subject to complaints from hotel guests and hotel management if nuisance issues arose.

Action: Councillor Hughes moved that Victoria City Council supports the Food-Primary liquor licence for the Jelly Fish Lounge, 1140 Government Street, Victoria B.C., with hours of sale of 11:00h to 01:00h Friday and Saturday and 10:00h to 24:00h Sunday to Thursday.

1. Victoria City Council accepts the attached staff report of June 11, 2007 in support of these recommendations.
2. Victoria City Council comments on the prescribed considerations are as follows:
 - (a) The location along a busy commercial street, with no residential within 100 metres, makes this business compatible with the neighbouring land uses. It is expected there will be some increase in noise in the Bastion Square area.
 - (b) The addition of a 213 person capacity food-primary establishment will result in a mixed impact to the community. The opening of the restaurant is expected to add vibrancy to Langley Street with some increase in nuisance on Friday and Saturday nights as the patrons mix with pub patrons who are exiting into the streets;
 - (c) The maximum person capacity of 213 persons with operating hours of 11:00h – 01:00h Friday and Saturday and 10:00 to 24:00h Sunday to Thursday is supportable based on the recently approved Food-Primary Extension of Hours resolution passed by Council. The recommended hours are designed to disperse patrons from this establishment before adjacent Liquor-Primary establishments close at 02:00h in order to reduce street congestion, noise and nuisance. The Jelly Fish Lounge's business plan and the condition of a Food-Primary licence require food service established by a set menu during all hours of operation. Food service is to be the primary focus of the establishment which will be ensured by limiting hours.
 - (d) The views of the residents were solicited through public notice and notification letter sent to surrounding residents and property owners as described in the staff report of June 11, 2007 to which Council received three letters of opposition, five letters of support and one letter suggesting Council wait to make a decision.

CARRIED 07/339

11.2 Application for Permanent Change to a Liquor Licence – Earl’s Restaurant & Bar Food-Primary Licence # 302087

Committee received a report dated June 12, 2007 from Corporate and Regulatory Services with respect to an Application for Permanent Change to a Liquor Licence for Earl’s Restaurant & Bar Food-Primary Licence # 302087. The purpose of this report is to provide a Council resolution to the Liquor Control and Licensing Branch regarding an application before Council for a Permanent Change to a Liquor Licence to change the hours of sale of a currently existing food-primary licence.

Earl’s Restaurant & Bar is a restaurant that has recently relocated to Government Street, in Bay Centre, across the street from the Bedford Hotel and the Irish Times Pub. The current occupant load is 171 including 40 lounge seats. The requested hours of the liquor licence are from 09:00h to 01:00h seven days a week from the currently approved hours of 09:00h to 24:00h seven days a week.

Action: Councillor Thornton-Joe moved that Victoria City Council supports the Food-Primary liquor licence for Earl’s Restaurant & Bar, Unit 100 1150 Douglas Street Victoria B.C., with hours of sale of 09:00h to 01:00h Friday and Saturday and 09:00h to 24:00h Sunday to Thursday.

1. Victoria City Council accepts the attached staff report of June 12, 2007 in support of these recommendations.
2. Victoria City Council comments on the prescribed considerations are as follows:
 - (a) The location along a busy commercial street, with no residential within 100 metres, makes this business compatible with the neighbouring land uses. It is expected there will be some increase in noise in the Bastion Square area.
 - (b) The extension of hours of a 171 person capacity food-primary establishment will result in a mixed impact to the community. The restaurant has added vibrancy to Government Street. Some increase in noise and nuisance is expected on Friday and Saturday nights as the patrons mix with pub patrons and other late night restaurant patrons who are exiting into the streets at the same time;
 - (c) The maximum person capacity of 171 persons with operating hours of 09:00h – 01:00h Friday and Saturday and 09:00 to 24:00h Sunday to Thursday is supportable based on the recently approved Food-Primary Extension of Hours resolution passed by Council. The recommended hours are designed to disperse the patrons from this establishment before adjacent Liquor-Primary establishments close at 02:00h in order to reduce street congestion, noise and nuisance. The condition of a Food-Primary licence requires food service established by a set menu during all hours of operation. Food service is to be the primary focus of the establishment which will be ensured by limiting hours. This operation does have 40 lounge, liquor primary seats.
 - (d) The views of the residents were solicited through public notice and notification letter sent to surrounding residents and property owners as described in the staff

report of June 12, 2007 to which Council received two letters of opposition and one letter of support.

CARRIED 07/338

11.3 Application for Permanent Change to a Liquor Licence – Topos Ristorante Food-Primary Licence # 302140

Committee received a report dated June 12, 2007 from Corporate and Regulatory Services with respect to an Application for Permanent Change to a Liquor Licence for Topos Ristorante Food-Primary Licence # 302140. The purpose of this report is to provide a Council resolution to the Liquor Control and Licensing Branch regarding an application before Council for a Permanent Change to a Liquor Licence to change the hours of sale and add a patron participation endorsement to a currently existing food-primary licence.

Topo's Ristorante is located at 1218 Wharf Street. The current occupant load is 100 persons. The requested hours of the liquor licence are from 11:00h to 01:00h seven days a week from the currently approved hours of 11:00h to 24:00h seven days a week. Included in this application is a request for patron participation to allow music and dancing.

Staff noted that an Entertainment Endorsement application for this location, also applied for, was not supportable. Committee members expressed concerns about extending hours at this location noting that a residential unit is above this establishment.

Action: Councillor Hughes moved that Victoria City Council supports the Food-Primary liquor licence for Topo's Ristorante, 1218 Wharf Street Victoria B.C., with hours of sale of 11:00h to 01:00h Friday and Saturday and 11:00h to 24:00h Sunday to Thursday.

1. Victoria City Council accepts the attached staff report of June 12, 2007 in support of these recommendations.
2. Victoria City Council comments on the prescribed considerations are as follows:
 - (a)
 - i. the location along a busy commercial street but bordered on two sides with a residential condominium makes this business compatible with the neighbouring land uses however not compatible for the requested hour's extension past 24:00, seven days a week. It is expected there will be some increase in noise in the area with the one hour extension on Friday and Saturday nights.
 - ii. the application for a patron participation entertainment fundamentally changes the nature of the business. The resulting noise impact is not conducive to this location.

(b) The extension of hours of a 100 person capacity food-primary establishment will result in a mixed impact to the community. The restaurant has added vibrancy

to Government Street. Some increase in noise and nuisance is expected on Friday and Saturday nights as the patrons mix with pub patrons and other late night restaurant patrons who are exiting into the streets at the same time;

(c) The maximum person capacity of 100 persons with operating hours of 11:00h – 01:00h Friday and Saturday and 11:00 to 24:00h Sunday to Thursday is supportable based on the recently approved Food-Primary Extension of Hours resolution passed by Council. The recommended hours are designed to disperse the patrons from this establishment before adjacent Liquor-Primary establishments close at 02:00h in order to reduce street congestion, noise and nuisance. The condition of a Food-Primary licence requires food service established by a set menu during all hours of operation. Food service is to be the primary focus of the establishment which will be ensured by limiting hours.

(d) The views of the residents were solicited through public notice and notification letter sent to surrounding residents and property owners as described in the staff report of June 12, 2007 to which Council received 21 letters and e-mails of opposition and one letter providing qualified support to the application for extended hours to 01:00h seven days a week and patron participation.

DEFEATED 07/337

Mayor Lowe and Councillors Chandler, Fortin, Holland, Hughes, Madoff, Thornton-Joe and Young voted against this motion

Committee requested that staff prepare an alternative resolution for Council's consideration at their June 28, 2007 meeting.

Councillor Coleman returned to Council Chambers at 12:31 p.m.

12. FIRE

12.1 Draft Bylaw No. 07-049 Fuel Equipment and Storage Bylaw

Committee received a report dated May 28, 2007 from the Fire Department with respect to Draft Bylaw No. 07-049 – Fuel Equipment and Storage Bylaw. The purpose of this report is to establish and implement a bylaw to address oil burning equipment and fuel storage tanks located on all properties, which pertains mainly to residential properties.

Oil burning equipment and fuel storage tanks were addressed in previous editions of the BC Fire Code. The 2006 edition of the BC Fire Code has repealed much of the scope regarding this equipment, which is now covered under a national standard; CAN/CSA B 139 – Code for Oil Burning Equipment. As a result, there are no controls or regulations regarding the inspection of newly installed equipment or the removal from service of underground storage tanks on residential property.

This removed any control, by the City of Victoria, over the inspection and administration of much of this equipment currently in use and for future installations.

Action: Councillor Thornton-Joe moved that Council approve staff recommendations that the City of Victoria implement the attached Bylaw 07-049. The implementation of this Bylaw will give the City of Victoria authority to inspect and administer all fuel burning equipment and storage tanks not currently covered by the scope of the BC Fire Code.

CARRIED 07/336

12.2 Revisions to Fireworks Regulations

Committee received a report dated June 14, 2007 from the Fire Department with respect to Revisions to Fireworks Regulations. City Council and the Victoria Police and Fire Departments have received numerous complaints and concerns regarding the use of family fireworks within the City of Victoria. As a result of these concerns, Council has asked that the Fire Chief prepare a report for Council with the recommendations on reducing the impact of family fireworks to City residents.

The discharge of family fireworks impact the community in two distinct areas; noise and public safety. The workload of the Police and Fire Departments continues to climb in response to fireworks related complaints and incidents. The Police Department has experienced the largest increase in fireworks related complaints increasing from 77 in 2004 to 141 in 2006. The Fire Department has not experienced the same percentage increase in the number of fireworks related fires but in 2005 there were no fires classified as caused by fireworks and in 2006 there were five fires caused by fireworks.

Other communities in the region have adopted bylaws restricting the sale of family fireworks but still permitting the use, subject to training and obtaining a permit. The City of Victoria is unique in the region in that it has a densely developed downtown business core and well established small lot residential areas.

A Committee member expressed concerns with this proposed bylaw with respect to being overly restrictive.

Action: Councillor Thornton-Joe moved that Council direct the Fire Chief to prepare a bylaw that bans the sale and use of family fireworks within the City of Victoria and that the Bylaw contain language authorizing the Fire Chief the authority to issue a Special Permit for the use of display fireworks for "Community or Culturally Significant" event or displays.

CARRIED 07/335

Councillor Chandler voted against this motion

13. ADMINISTRATIVE MATTERS

13.1 Disposition of Communications dated June 7 and June 14, 2007

Action: Councillor Thornton-Joe moved that the Disposition of Communications dated June 7 and June 14, 2007 from the Manager, Administration, be received for information and filed.

CARRIED 07/334

Councillor Young commented on the letter from the Victoria Airport Authority respecting performance review and noted that the reviewing group is closely associated with the Airport Authority.

Action: Councillor Young moved that a letter be forwarded to the Victoria Airport Authority advising them of Victoria City Council's suggestion that the reviewing body be selected by the same group that selects members for the Airport Authority Board, and that this letter be copied to other board representatives.

CARRIED 07/333

14. RECREATION SERVICES

14.1 School Community Connections Grant Program

Committee received a report dated June 5, 2007 from Recreation Services with respect to approval of application to the School Community Connections Program (SCCP) as an additional funding source for a field facility rejuvenation project.

Staff is conducting preliminary planning for a field facility rejuvenation project based on Council's approval of the project concept at Council's meeting of January 11, 2007 in relation to our Canada/British Columbia Municipal Rural Infrastructure Fund application for \$2 million.

Staff has been working with Greater Victoria School District (GVSD) representatives to analyze field sites within the City where a field facility rejuvenation would be beneficial. In cooperation with the GVSD representatives, staff has determined an additional funding source available for the project.

The School Community Connections Program (SCCP) provides \$10 million to school boards and local government partners. The SCCP provides this funding in order to make greater utilization of school facilities for broader community purposes.

The field facility rejuvenation project has been recognized by the SCCP, and we have been awarded the first funding step in the amount of \$5,000. Subsequent funding steps include \$40,000 for planning purposes, and \$125,000 for start-up costs associated with the implementation of the project.

Access to the second step of funding from the SCCP requires a motion from Council approving the application and accepting the terms outlined in Schedule B of the SCCP Program and Application Guide.

Action: Councillor Madoff moved that Council approves the application to the School Community Connections Program, including accepting the terms outlined in Schedule B.

CARRIED 07/332

The Director of Parks, Recreation and Community Development advised Committee that Centennial Square will be busy with events for the entire summer and brochures have gone out to the press and community.

15. COUNCILLOR INQUIRIES / SHARING

15.1 Councillor Chandler – Leave Request

Action: Councillor Madoff moved that Council approve Councillor Chandler's request for maternity leave starting July 1st, 2007 to September 30th, 2007.

CARRIED 07/331

15.2 Councillor Coleman – FCM Meeting

Councillor Coleman shared with Committee the FCM meeting that is occurring in Calgary this year and in Whistler in 2009. There are discussions underway of Victoria being a site for the FCM meeting in 2014. There will also be a trade show in Quebec and is an opportunity to promote Victoria as a place to visit in 2009.

15.3 Councillor Thornton-Joe – Murals in Chinatown

Councillor Thornton-Joe invited Committee to attend the unveiling of Chinatown Heritage Vignettes on Thursday, June 28, 2007 at 11:00 am at Lee Mong Kow Way.

16. CLOSED MEETING at 12:53 p.m.

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

Staff Present: P. Ballantyne – City Manager; R. Woodland – Corporate Administrator; C. Havelka - Recording Secretary.

Staff Present for a Portion of the Meeting: D. Angrove – Fire Chief; M. Anderson – Chief Fire Prevention Officer; D. Day – Director of Planning & Development; A. Dolan – Bylaw Officer; A. Hudson – Senior Planner; L. Carvello – Staples, McDannold,

Stewart; T. Scott – Acting Director of Human Resources; D. Koch – Manager of Development Services; M. Mayhew – Executive Assistant.

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 07/330

16.1 Minutes of the Special Closed Committee of the Whole Meeting held June 11, 2007

Mayor Lowe noted that the minutes be corrected on page 2, to reflect the correct organization that funded the study.

Action: Councillor Thornton-Joe moved that the Closed Minutes of the Special Committee of the Whole meeting held June 11, 2007 be adopted as corrected.

CARRIED 07/329

16.2 Land – Illegal Use

Committee received a report dated June 7, 2007 from Bylaw Enforcement with respect to illegal use on a property.

Action: Councillor Thornton-Joe moved that Council:

1. Grant authorization for the City's Solicitor to proceed with Supreme Court injunctive action in order to terminate the illegal use, and;
2. Grant authorization for the application of an Inspection Order to allow the Fire Department and Bylaw Staff to inspect each of the three remises with respect to fire safety, zoning, and building issues.

CARRIED 07/328

16.3 City Advisory Committee, Commission & Boards – Vacancies

Committee agreed to defer appointing citizen members pending forthcoming information.

16.4 Land – Legal

Committee received a report dated June 21, 2007 from Development Services with respect to a legal matter on a property.

The discussion and resolution were recorded and kept confidential.

(Closed resolution 07/327)

16.5 Legal – CREST Agreement

Committee received information with respect to recommended changes to the CREST Agreement.

- Action:** Councillor Holland moved that City Council:
1. Appoint Councillor Fortin as the City representative to the CREST Board for their Annual General Meeting.
 2. Support the resolutions outlined in Schedule B and Schedule C regarding amendments to the CREST Members Agreement and the CREST Articles of Incorporation as outlined in the CREST Annual General Meeting agenda.

CARRIED 07/326

17. ADJOURNMENT

- Action:** Councillor Hughes moved that the Committee of the Whole meeting of June 21, 2007 be adjourned at 2:00 p.m.

CARRIED 07/325

Mayor Lowe, Chair