

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, AUGUST 23, 2007, 9:00 a.m.

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

On Leave: Councillor Chandler.

Absent: Councillor Hughes.

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

Staff Present for a Portion of the Meeting: D. Day – Director of Planning & Development; P. Sparanese – Director of Engineering; M. Mayhew – Executive Assistant; S. Masters, Manager – Administration and Protocol; M. Lam – Head, Urban Design; A. Hudson – Senior Planner; B. Sikstrom – Senior Planner; L. Baryluk – Planner; E. Robertson – Manager, Water & Environment; S. Hortsing – Manager, Facilities; A. Colantonio – Manager, Streets Engineering; S. Schopp – Manager, Development and Regulatory Services; H. Furtado – Manager, Streets Division; G. Price-Douglas – Community Development Planner; J. Jenkyns – Acting General Manager, Conference Centre; K. Hennessey – Senior Buyer; C. Carter – Bylaw Enforcement Officer.

1. CALL TO ORDER

The Chair called the meeting to order at 9:00 a.m.

2. APPROVAL OF AGENDA

The Chair outlined the following changes to the August 23, 2007, Committee of the Whole agenda:

- Item # 7 – Additional Correspondence.
- Item # 12 – Withdrawn.
- Item # 21A – New Report, Community Development.

Councillor Sharing or Inquiry:

- a) Councillor Madoff – one sharing.
- b) Councillor Coleman – one sharing.
- c) Councillor Hughes – one closed and one open sharing.
- d) Councillor Fortin – one closed sharing

Action: Councillor Coleman moved that the Agenda of the August 23, 2007 Committee of the Whole meeting be approved as amended.

CARRIED 07/456

Councillor Hughes joined the meeting at 9:07 a.m.

3. ADOPTION OF MINUTES

3.1 August 13, 2007 Special Committee of the Whole Minutes

Action: Councillor Holland moved that the minutes of the Special Committee of the Whole meeting held August 13, 2007 be adopted.

CARRIED 07/455

Councillor Young asked that it be confirmed that Councillor Chandler is officially on Leave.

4. REQUEST TO BRING FORWARD

Mayor Lowe canvassed Council, which approved bringing forward the following reports for approval:

- Rezoning Application # 000104 for 649 – 675 Superior Street.
- Development Permit # 000083 for 412 Quebec Street.
- Heritage Designation for 1414 Pembroke Street.
- Heritage Alteration Permit # 00062 for 530 – 534 Broughton Street / 1005 Langley Street.
- Corrections to Assessment Rolls.
- Tax Sale
- 707 Douglas Street – Folio 01030025 Crystal Garden Partners Inc.
- Tender # 07-055 – Parkade Security
- Proposed Amendments to *Property Maintenance Bylaw No. 04-65*
- Disposition of Communications dated July 20, August 3 and August 15, 2007
- Proclamations
- Councillor Inquiry – 2007 Union of BC Municipalities Conference
- Councillor Inquiry – 2007 Canadian Capital Cities Conference

4.1 Rezoning Application # 00104 for 649 – 675 Superior Street

Committee received a report dated August 10, 2007 with respect to Rezoning Application # 00104 for 649 – 675 Superior Street. The properties occupied by the Shamrock Motel and the adjacent Robert Porter House were rezoned by City Council on May 24, 2007 to permit the construction of 21 townhouses and six bed and breakfast bedrooms. Prior to the rezoning application, City Council approved the waiving of the *Clean Hands Policy* to permit the continuance of the illegal transient use on the properties with a commitment to end this use.

The registered covenant requires the applicant to end the transient use of the motel building no later than one month after the receipt of a building permit or

August 31, 2007, whichever is earlier. The applicant is requesting the date be extended to December 31, 2007.

The request is reasonable as the applicant is preparing plans for a building permit application and the time extension will eliminate or minimize the time the motel building is vacant before construction begins.

Action: Councillor Coleman moved that Council direct staff not to enforce the restrictive covenant until January 1, 2008, provided the applicant continues to make all reasonable efforts to submit a building permit application and provided no complaints relating to the operation of the motel are received.

CARRIED 07/454

4.2 Development Permit # 000083 for 412 Quebec Street

Committee received a report dated August 23, 2007 from Development Services with respect to Development Permit #000083 for 412 Quebec Street. This application is to construct a single-storey sunroom addition 28.4m² in size, on the outdoor seating area to the west of the hotel entrance lobby facing Quebec Street. The addition serves as an expansion to the existing breakfast room on the ground floor of the hotel.

It is noted that this development permit application does not include variances; therefore it is not subject to notification or hearing requirements. However, the parallel rezoning application for this proposal will require a public hearing.

Action: Councillor Coleman moved:

1. That Council consider the Development Permit resolution at the same meeting for which a Public Hearing is held for the Zoning Bylaw Amendment for 412 Quebec Street, and subject to Council's adoption of that Zoning Bylaw Amendment.
2. That Council authorize the issuance of a Development Permit in accordance with:
 - a) Plans stamped "Development Permit #000083" dated July 9, 2007.
 - b) Development meeting all bylaw requirements.
 - c) Final plans to be in accordance with plans identified above to the satisfaction of the Director of Planning & Development Department.

CARRIED 07/453

4.3 Owner Request for Heritage Designation for 1414 Pembroke Street

Committee received a report dated July 24, 2007 from Development Services with respect to an Owner Request for Heritage Designation for 1414 Pembroke Street. This is an owner request to designate an existing Edwardian, vernacular Arts and Crafts-style house and garage in the Fernwood neighbourhood as a municipal heritage site.

Action: Councillor Coleman moved that, whereas the house at 1414 Pembroke Street is of heritage significance, City Council designate it, and the garage, as a municipal heritage site.

CARRIED 07/452

4.4 Heritage Alteration Permit # 00062 for 530 – 534 Broughton Street / 1005 Langley Street

Committee received a report dated July 27, 2007 from Development Services with respect to Heritage Alteration Permit # 00062 for 530-534 Broughton Street. City Council, at its meeting of May 10, 2007, approved Heritage Alteration Permit #00054 to permit a one-storey roof-top addition and other exterior alterations, in conjunction with the rehabilitation of the Heritage Registry building at the corner of Broughton and Langley Streets in Old Town. The applicant has requested a variance to allow an additional .58 metres (1'10") in height for the roof of the fourth floor addition. This will allow the applicant to reuse the existing wood roof structure, and result in a substantial cost saving for the project. There will be no change to the visual appearance of the addition since the increase in height will be screened by the roof parapet, as previously approved. A copy of the application was forwarded to the Community Association Land Use Committee on June 28, 2007. A response was not received. A Public Hearing is required.

Action: Councillor Coleman moved that City Council authorize the issuance of Heritage Alteration Permit #00062, an amendment to previously issued Heritage Alteration Permit #00054. in accordance with:

1. Plans dated June 14, 2007.
2. Development meeting all bylaw requirements.
3. Final plans to be in accordance with plans identified above, except for:

Section 6.7.6(1) — Height relaxed to 15.58 metres.

CARRIED 07/451

4.5 Corrections to Assessment Rolls

Committee received a report dated July 18, 2007 from Finance with respect to Corrections to Assessment Rolls. The City has received Supplementary Rolls #16 for 2005, #13, #14, #15 for 2006, and #1, #2, #3 for 2007 prepared under the provisions of the Assessment Act. Section 434 of the *Local Government Act* requires that "... *the Collector shall report the facts to Council which shall authorize the necessary adjustment*".

Analysis:

The various agencies affected are as follows:

School	- Commercial	\$ 135,568.93
	- Residential	(1,251.07)
General Municipal		114,188.11
General Police		70,690.38

General Debt	20,150.38
Capital Regional District	23,983.47
Capital Regional Hospital District	7,838.74
BC Assessment Authority	3,876.60
Municipal Finance Authority	1.22
Regional Transit	12,283.33
Local Services	<u>8,777.07</u>
	\$ 396,107.16

The 2007 budgeted amount for taxes uncollectible is \$250,000.00. The amount spent to June 30, 2007 is \$ 239,515.31.

Action: Councillor Coleman moved that the adjustments to taxes based on the revised assessments, be approved as outlined in the report dated July 18, 2007.

CARRIED 07/450

4.6 Tax Sale

Committee received a report dated August 8, 2007 from Finance with respect to Tax Sale. On September 24th, 2007 the Collector must conduct the annual tax sale by offering for sale by public auction each parcel of real property on which taxes are delinquent.

In 2006 the interest rate paid to the purchaser upon redemption was 9%, as prescribed by the Province of B.C. and is expected to be equal to that rate or higher for 2007. This has created a very lucrative short-term cash investment opportunity for some individuals. Under section 406 of the *Local Government Act* "A person authorized by the council may bid for the municipality at the tax sale up to maximum amount set by the council"

As the intention of the tax sale is to recover the municipality's taxes, not to provide an investment opportunity, the City has bid on properties for the past few years, avoiding unnecessary paperwork and recovering interest over and above the normal rates paid by conventional investments. This benefits the municipality as a whole rather than an individual.

In 2006, the Revenue Division was able to contact and collect taxes on all those properties in a delinquent status and no tax sale was necessary.

Action: Councillor Coleman moved that Council authorize the Director of Finance or designate to bid at the tax sale up to 75% of the property's assessed value on behalf of the City of Victoria.

CARRIED 07/449

4.7 707 Douglas Street – Folio 01030025 Crystal Garden Partners Inc.

Committee received a report dated August 2, 2007 from Finance, with respect to 707 Douglas Street, Folio 01030025 Crystal Garden Partners Inc. In 2006, the business leasing the property at 707 Douglas Street, Crystal Garden Partners Inc. declared bankruptcy. At a meeting of the creditors in October 2006, the trustee indicated that there would not be funds available for debts from the proceeds of the assets.

The unpaid property tax levy for 2006 is \$33,393.53, the municipal portion being \$18,183.28. This is a Crown property and is not subject to tax sale. The City has no recourse for collection.

Under the *Local Government Act*, Section 315.3, the City can request approval from the Ministry of Community Services to write off the uncollectible taxes. This may provide the City the opportunity to recover the levies made on behalf of other agencies.

Action: Councillor Coleman moved that Council direct staff to apply to the Inspector of Municipalities for approval to write off the 2006 property taxes for 707 Douglas, Folio 01030025.

CARRIED 07/448

4.8 Tender # 07-055 – Parkade Security

Committee received a report dated July 31, 2007 from Finance with respect to Tender # 07-055, Parkade Security. An advertisement was placed in the July 7th, 2007 edition of the Times Colonist Newspaper and on the City's Web Page. Seventeen packages were issued, generating four tender responses.

As a result of the City's newly adopted Parkade Strategy, the security requirements on this tender has been increased to 24 hours, 7 days a week security at all five City parkades.

Current City policy states that all expenditures in excess of \$500,000 require the approval of City Council. The funds are available for this award.

Action: Councillor Coleman moved that Tender #07-055 - Parkade Security be awarded to **Royal Victoria Security** for the period ending March 31, 2009, on the basis of being the overall lowest bidder at an estimated annual cost of **\$555,166.00**. This tender has 3 – 1 year extension options, allowing for a maximum of 5 year award.

CARRIED 07/447

4.9 Proposed Amendment to Property Maintenance Bylaw No. 04-65

Committee received a report dated July 9, 2007 from Corporate and Regulatory Services with respect to minor housekeeping changes to the *Property Maintenance Bylaw No. 04-65*. The *Property Maintenance Bylaw* provides for the health, safety and welfare of the citizens of Victoria by regulating and governing the condition

and maintenance of property, to eliminate or prevent unsafe, unhealthy, unsanitary or substandard conditions.

Staff has identified improvements to increase the clarity and effectiveness of the bylaw by proposing three new “definitions” under section 2 of the *Property Maintenance Bylaw*. The new definitions include “real property”, “refuse” and “unsightly”. The addition of the definitions will reduce uncertainty with respect to legal interpretation and will align the City’s definitions with those in other jurisdictions.

The proposed recommendations are administrative and do not change the intent of the bylaw.

Action: Councillor Coleman moved that Council instructs the Corporate Administrator to amend the *Property Maintenance Bylaw* as attached to this report dated July 9, 2007.
CARRIED 07/446

4.10 Disposition of Communications dated July 20, August 3 and August 15, 2007

Action: Councillor Coleman moved that the Disposition of Communications dated July 29, August 3 and August 15, 2007 from the Manager, Administration, be received for information and filed.
CARRIED 07/445

4.11 Proclamations – “Global Forgiveness Day” August 27th, 2007

Action: Councillor Coleman moved that August 27th 2007 be proclaimed as “*Global Forgiveness Day*”, in the City of Victoria, Capital City of the Province of British Columbia.
CARRIED 07/444

4.12 Proclamations – “Taoist Tai Chi Awareness Day” September 15th, 2007

Action: Councillor Coleman moved that September 15th, 2007 be proclaimed as “*Taoist Tai Chi Awareness Day*”, in the City of Victoria, Capital City of the Province of British Columbia.
CARRIED 07/443

4.13 Proclamations – “Islamic History Month” – October 2007

Action: Councillor Coleman moved that October 2007 be proclaimed as “*Islamic History Month*”, in the City of Victoria, Capital City of the Province of British Columbia.
CARRIED 07/442

4.14 Proclamations – “Suicide Awareness Week” September 9th – September 15th, 2007

Action: Councillor Coleman moved that September 9th – September 15th, 2007 be proclaimed as “*Suicide Awareness Week*”, in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 07/441

4.15 Councillor Inquiries – UBCM Conference

Committee received a report dated August 3, 2007 from the Office of the Mayor with respect to the Union of British Columbia Municipalities Conference (UBCM) being held in Vancouver from September 24th – 28th, 2007. Mayor Lowe and Councillor Coleman have expressed an interest in attending. The approximate costs for doing so are as follows (per person):

Registration fees:	\$400
Accommodation (4 nights at \$250)	\$1,000
Travel	\$150
Total	\$1,550 per person

Action: Councillor Coleman moved that Council approves the attendance of Mayor Lowe and Councillor Coleman at the 2007 Union of British Columbia Municipalities Conference.

CARRIED 07/440

4.16 Councillor Inquiries – 2007 Canadian Capital Cities Conference

Committee received a report dated August 17, 2007 from the Office of the Mayor with respect to the 2007 Canadian Capital Cities Conference being held from September 18th to September 21st 2007 in Regina, Saskatchewan. Mayor Lowe has been asked to be a part of the “Mayor’s Dialogue” session and he has expressed a desire in attending. The approximate costs for doing so are as follows (per person):

Registration fees:	\$212.00
Accommodation (4 nights at \$250)	\$432.84
Travel	\$260.00
Total	\$1014.84

Action: Councillor Coleman moved:

1. That Council approves the attendance of Mayor Lowe to the 2007 Canadian Capital Cities Conference.
2. That Council approves funding of approximately \$1014.84 to cover related expenses.

CARRIED 07/439

4.17 Councillor Sharing – Anniversary of First Council Meeting

Councillor Madoff shared with Committee the upcoming anniversary of the First Council meeting which occurred 145 years ago on August 25, 1862.

5. DELEGATIONS

5.1 Downtown Victoria Business Association 2008 Budget

Committee received a presentation from Ken Kelly, General Manager of the Downtown Victoria Business Association (DVBA) with respect to their proposed budget for January 1 — December 31 2008. In accordance with the City's BIA bylaw and DVBA's bylaws, the Board of the DVBA unanimously approved the following budget for January 1 — December 31 2008 and the membership subsequently approved the budget at the AGM on June 26.

PROPOSED BUDGET - January 1 to December 31, 2008

Income:

BIA Levy \$842,699 (100%)

Expenses:

Administration \$278,090.67 (33%)

Clean & Safe & Beautification \$227,528.73 (27%)

Marketing & Events \$303,371.64 (36%)

Networking & Partnerships \$33,707.96 (4%)

TOTAL EXPENSE \$842,699.00 (100%)

The DVBA presentation also outlined their work as effective advocates for downtown; also noting that 2765 graffiti tags removed in 2006.

Action: Councillor Thornton-Joe moved that Council approve the Downtown Victoria Business Association's 2008 Budget as presented.

CARRIED 07/438

Action: Councillor Fortin moved that this item be forwarded to the Council meeting of August 23, 2007 for approval.

CARRIED 07/437

5.2 Khabarovsk Twin City Trip Review

Committee received a presentation from Victoria – Khabarovsk Twin City Association members Pam Copley, President, Maureen Applewhaite, and Sheryl Masters, Manager of Administration and Protocol. The Official Visit to Khabarovsk, Russia, occurred on May 30 – June 3, 2007 with the above members and Mayor Lowe attending.

The purpose of this journey was to strengthen the City of Victoria's relationship with Khabarovsk. Mayor Lowe and the Deputy Vice Mayor, Valery P. Kazachenko,

during formal and informal meetings, discussed the economic position and strengths of Victoria and Khabarovsk in the world economy. They also compared governance structures and strategic planning initiatives as well as current civic issues for both cities and potential collaborations.

The visit to Khabarovsk, Russia involved a layover in Seoul, Korea where Mayor Lowe and Sheryl Masters met with City Officials and the President of Sejong University. Also noted was recent correspondence from the Province regarding their mandate to promote Twin City collaboration as a part of economic development.

6. DEVELOPMENT SERVICES

6.1 Rezoning Application # 00126 for 2918 and 2924 Shelbourne Street

Committee received a report dated August 23, 2007 from Development Services regarding Rezoning Application #00126 for 2918 and 2924 Shelbourne Street. This application is to rezone two lots on the west side of Shelbourne Street, between Myrtle Avenue and Pearl Street, from the Single Family Dwelling District to the Shelbourne Townhouse District. The rezoning, if approved, will allow the construction of seven townhouses.

The land use and density meet the policies within the *Oaklands Neighbourhood Plan*. The property is included in Development Permit Area 18 – Shelbourne, and, for approval, will require a development permit that will regulate form and character (but not exterior finishes or landscaping). The applicant is requesting three variances that can be addressed in more detail through the development permit process.

The application was presented to Committee of the Whole on April 5, 2007. Staff recommended design changes to create a stronger visual presence along Shelbourne Street and Council requested the applicant address the developmental impact on the adjacent Scott Street properties. The architect has provided changes to address these considerations as outlined in the letter attached to the report.

A Committee member expressed concerns regarding the rear yard setback impacting the houses on the street behind. Staff noted that the frontage on Shelbourne Street allows little latitude due to boulevard trees.

A Committee member expressed concerns with respect to proposing seven units for the two lots and if it was appropriate density.

Action:

Councillor Holland moved:

1. That the application be forwarded for consideration at a Public Hearing, and that the City's Solicitor be instructed to prepare the necessary *Zoning Bylaw* amendments to rezone the subject properties from RI-B, Single Family Dwelling District, to the RK-3, Shelbourne Townhouse District.
2. That the concurrent Development Permit application be reviewed by the Advisory Design Panel, with special attention to

form and character and consideration of three variances as follows:

- a) Section 2.3.3 - number of dwelling units in an attached dwelling relaxed from four units maximum to seven units.
- b) Section 2.3.11 - stacked parking stalls relaxed from 33% to 100% (seven parking stalls).
- c) Section 2.53.3 - number of storeys relaxed from 2.5 maximum to three storeys.

3. And that prior to Public Hearing, the applicant provide:

- a) A Tree Preservation Plan to protect the boulevard London Plane trees in compliance with the Arborist's report and the *Tree Presentation Bylaw*.
- b) An engineer's report to the satisfaction of the City Engineer on the underground easements and rights of way, and a sanitary sewer impact assessment study.
- c) A 7.0 m easement along Shelbourne Street to achieve a secondary arterial street standard of 25 m.

CARRIED 07/436

Councillor Young voted against this motion

6.2 Rezoning Application # 00137 for 2566 / 2570 / 2580 Fifth Street

Committee received a report dated August 23, 2007 from Development Services with respect to Rezoning Application #00137 for 2566/2570/2580 Fifth Street. This is an application to rezone three lots, located on the west side of Fifth Street, south of Kings Road, from the Two Family Dwelling District to a site-specific new zone. The rezoning, if approved, will allow the construction of a 39-unit apartment building.

The density is in excess of what is envisioned within the *Hillside Quadra Neighbourhood Plan* and the *Official Community Plan*. The justification provided by the applicant for this increased density is the offer of rental housing below market rate for a ten-year period. There is detailed material provided by the applicant to support this land use change. In addition, the applicant has indicated that financial relief from certain municipal charges and fees are required to make this project viable.

Committee members discussed the need for rental housing versus the need to adhere to community plans. Some Committee members expressed approval for the project citing the strong need for below market rate rental housing. Other Committee members expressed disapproval for the proposal which disregards district zoning and can destabilize neighbourhoods.

Action:

Councillor Holland moved:

1. That the application be forwarded for consideration at a Public Hearing and the City's Solicitor be instructed to prepare the necessary *Official Community Plan* amendment and inclusion

- into a development permit area for multi-family developments and Zoning Bylaw amendments, based on project details contained in the Project Information Table.
2. That, with respect to an amendment to the *Official Community Plan*, Council, having given consideration to the requirements of Section 879 and other sections of the Local Government Act:
 - a) Authorizes staff to prepare the necessary amendment bylaw to the *Official Community Plan*;
 - b) Does not require consultation with the CRD Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board, or the federal and provincial governments and their agencies because none of these agencies are considered to be affected by this application.
 3. That, prior to Public Hearing the following conditions be satisfied:
 - a) Preparation of a Housing Agreement to secure rental units, rental fees for the proposed term, as well as the adaptable units.
 - b) Securing of car-share participation (explore membership for each unit, purchase of car- share vehicle and car-share parking space on site)
 - c) Applicant providing a sanitary sewer impact assessment study to the satisfaction of the City Engineer.
 - d) Advisory Design Panel review.
 - e) Compliance with the Tree Preservation Bylaw.

CARRIED 07/435

Mayor Lowe, Councillors Madoff and Young voted against this motion

6.3 Rezoning Application # 00108 for 1114 Dallas Road

Committee received a report dated August 23, 2007 from Development Services with respect to Rezoning Application # 00108 for 1114 Dallas Road. This is an application to rezone a lot (652.7 m in size) to permit the construction of a side-by-side duplex to replace an existing single family dwelling. The following points were considered in assessing this application:

- The proposal is in keeping with the policies of *Fairfield (Suburban Neighbourhoods)* and the “General Residential” policies of the *Official Community Plan*.
- The proposed land use and density add to the variety of housing in the neighbourhood. The proposal complies with the *Neighbourliness Guidelines for Duplexes* as an “interior site” and a “transitional lot” and fits in with neighbouring single family homes.
- The existing single family dwelling is in poor condition and in need of repair.
- No variances are requested for the proposed design.
- The application is consistent with the *Tree Preservation Bylaw*. No protected trees or boulevard trees have been affected by this application.

- The applicant has consulted with the Planning & Zoning Committee of the Fairfield Community Association and neighbours.
- The lot will be included in Intensive Residential Development Permit Area #26 regulating the siting, form, exterior design, finish and landscaping.

Note: The proposal will be referred to the Engineering Department, Land Development Section for standard strata titling and subdivision approvals.

Committee members expressed disapproval for this project, outlining the need to preserve existing housing stock on what Committee members felt was not a transitional area.

The applicant, Mr. Koren, spoke to Committee about creating a suitable development for the area and asked for an opportunity for the community to respond to this proposal at a Public Hearing.

- Action:** Councillor Holland moved:
1. That Council forward the application for consideration at a Public Hearing and that the proposed resolution noted below be considered at the same meeting for which a Public Hearing is held for the Zoning Bylaw Amendment for 1114 Dallas Road.
 2. Subject to Council's adoption of that Zoning Bylaw Amendment, that Council authorize the issuance of the Development Permit to allow construction in accordance with the plans date stamped May 22, 2007.

DEFEATED 07/434

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

A Committee member asked for an update on the heritage registry work related to this section of Dallas Road. Also suggested was a comparison on this undeveloped section compared to four blocks that have been redeveloped.

6.4 Rezoning Application # 00124 for 452 Moss Street

Committee received a report dated August 23, 2007 from Development Services with respect to Rezoning Application #00124 for 452 Moss Street. This application is to rezone 452 Moss Street from the R1-B Zone, Single Family Dwelling District to the R1-S2 Zone, Restricted Small Lot (Two Storey) District to permit subdivision and the construction of a new single family dwelling on the newly created lot.

The following points were considered while reviewing this application:

- The *Official Community Plan* designates the area as "General Residential" which predominantly comprises detached, small structures on relatively small lots. Density is low and building height is low in profile.

- The *Fairfield (Suburban Neighbourhoods)* policies state that small lot applications may be considered where infill development or redevelopment is appropriate.
- The application is generally consistent with the *Small Lot House Rezoning Policy* including meeting minimum requirements of the neighbourhood petition process and is consistent with the *Small Lot House Design Guidelines*.
- Variances are required for side yard setbacks for the new lot and minor variances to reduce the lot width and the south side yard setback are required for the existing house. The rationale for these variances is outlined in the analysis section of this report.
- The applicant is required by the Parks Division to remove and replace an existing boulevard tree as per City specifications, and submit landscape plans as part of the building permit process.
- The Planning & Zoning Committee of the Fairfield Community Association has been consulted.
- Both lots will automatically be included in Intensive Residential Development Permit Area #26 regulating siting, form, exterior design, finish of buildings and landscaping.

Committee members discussed the practicality of a narrow side yard variance.

Action:

Councillor Holland moved:

1. That Council forward the application for consideration at a Public Hearing and that the proposed resolution noted below be considered at the same meeting for which a Public Hearing is held for the Zoning Bylaw Amendment for 452 Moss Street.
2. Subject to Council's adoption of that Zoning Bylaw Amendment, that Council authorize the issuance of the Development Permit to allow construction in accordance with the plans date stamped May 15, 2007 subject to the following relaxations to the Zoning Bylaw, Part 1.23:
 - A. Section 8(c), for Lot A by reducing the north side yard setback from 2.4 m to 1.5 m and by reducing the south side yard setback from 2.4 m to 1.59 m; and
 - B. Section 3 and Section 8(c), for Lot B by reducing the lot width from 10 m to 9.81 m and the south side yard setback from 1.5 m to 0.76 m.

CARRIED 07/433

Councillor Fortin withdrew from the Council Chambers at 10:34 a.m. as he is the Executive Director of the Burnside Gorge Community Association and has a direct pecuniary interest with the following item.

6.5 Development Permit # 000098 for 375 Tyee Road (Phase R3, Stage 1) – Building 6C

Committee received a report August 13, 2007 from Development Services with respect to Development Permit #000098 for 375 Tyee Road (Phase R3, Stage 1) –

Building 6C. This application is for a Development Permit to construct Building 6C, a ten storey 88-unit residential building located at 375 Tyee Road on the Dockside Green Lands. The site is within Development Area DA-A, directly south of Phase R2, currently under construction.

This proposal for Building 6C is the first instalment of the Phase R3 residential development and represents the continuous but staged implementation of the overall Dockside Green development. The proposal for Building 6B (Phase R3, Stage 2) to its south is also submitted in a separate application for Council's consideration. While the building towers are individually placed, the underground parkades are linked structurally and functionally.

The proposal complies with zoning. It is consistent with the overall objective and aspiration of the *Design Guidelines for the Dockside Area* with two specific improvements that result in changes from the non-mandatory guidance in the Design Guidelines document. The changes include taller building towers as a result of the reduction in their number within the overall development of Phase R3. These changes were proposed in pursuit of more generous areas between buildings to provide wider open spaces and views, and in response to the applicant's consultations with the Victoria West Community Association Land Use Committee. The benefit of these improvements outweighs the impact of the additional height for Building SC (44.8m geodetic) when compared to the lower suggested height of 38.28m as identified in the respective building areas in the Design Guidelines diagram.

As this Development Permit application does not include any variances, there are no requirements for notification, sign posting, and a hearing.

Councillor Coleman withdrew from Council Chambers at 10:34 a.m.

The Mayor was advised by staff that the smaller buildings will be removed to allow for wider spaces between buildings and more green space.

Councillor Coleman returned to Council Chambers at 10:36 a.m.

- Action:** Councillor Holland moved that Council authorize the issuance of a Development Permit in accordance with:
1. Plans stamped "Development Permit #000098" dated August 8, 2007.
 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 & Development Department.

CARRIED 07/432

Councillor Fortin returned to Council Chambers at 10:37 a.m.

Councillor Fortin withdrew from Councillor Chambers at 10:37 a.m. due to a non-pecuniary interest in the following item

6.6 Development Variance Permit # 00040 for 1422 Fairfield Road

Committee received a report dated August 23, 2007 Development Variance Permit # 00040 for 1422 Fairfield Road. This Development Variance Permit application is to request a relaxation to the *Zoning Regulation Bylaw* to allow parking in the front yard of a single family lot at 1422 Fairfield Road.

The City's parking regulations require a parking space to be located behind the front wall of the building.

The applicant's rationale for the variance is as follows:

- the current front yard parking has been in place for approximately nine years;
- six trees would need to be removed to be in compliance with the *Zoning Regulation Bylaw*;
- the current front yard parking was created prior to the applicant's purchase of the property. It was discovered seven months following purchase of the property that the parking space and an illegal suite were created without permit. The applicant decommissioned the illegal suite;
- a permeable surface treatment has been used for the current parking space;
- letters of support have been provided.

The City's *Clean Hands Policy for Planning Approvals* has been followed for the unlawful parking and former illegal suite.

The proposed variance was reviewed by the Planning & Zoning Committee of the Fairfield Community Association.

This application is subject to sign posting, notification and a public hearing.

Action: Councillor Holland moved that this application proceed to a Public Hearing, and following the Hearing, that Council considers authorizing the issuance of a Development Variance Permit in accordance with:

1. Plans stamped 'Development Variance Permit 00040' dated December 21, 2006.
2. Development meeting all bylaw requirements, with the following variances:

Schedule C, Part 3—relax location of parking from behind the front wall of the building to allow parking in the front yard.

CARRIED 07/431

Councillor Fortin returned to Council Chambers at 10:39 a.m.

6.7 Development Variance Permit # 00042 for 2721 Graham Street

Committee received a report dated August 23, 2007 from Development Services regarding Development Variance Permit Application # 00042 for 2721 Graham Street. This application is to vary the *Zoning Regulation Bylaw* by allowing relaxation of the parking requirements to accommodate the construction of a new Sikh temple and removal of the existing temple on Graham Street. Parking will be provided on-site during the construction of the new temple with access from an adjacent lot, with other alternative parking arrangements. However, the final parking layout will not be created until after the demolition of the existing temple. The proponents intend to keep the temple operative for the duration of the construction, thus generating a demand for parking, in addition to construction traffic.

The Hillside-Quadra Neighbourhood Association discussed this application at its meeting of June 4, 2007. The comments from that meeting are included with this report.

This Development Variance Permit requires sign posting, notification and a Public Hearing.

A Committee member asked the applicant if the one month requirement for the construction of parking would be sufficient. The applicant agreed that two months would be more desirable.

- Action:** Councillor Holland moved that Council authorize the issuance of a Development Variance Permit in accordance with:
1. Plans stamped 'Development Permit # 00042, dated April 23, 2007.
 2. Development meeting all *Zoning Regulation Bylaw* requirements (including bicycle parking, landscaping and screening) with the following variance:
Schedule C, Section 2 - Relaxation to permit the required parking to be constructed two months after the occupancy of the new temple.
 3. An easement being registered against 2716 Prior Street to guarantee access to the parking area on-site to the satisfaction of the City Engineering Department. Prior to the Public Hearing the applicant provide detailed civil engineering drawings to confirm this access can be constructed to the satisfaction of the City Engineer.
 4. The Development Variance Permit be issued for a one-year term only valid from the date of the issuance of the building permit.
 5. Prior to issuance of a building permit, the applicant provide a restrictive covenant registered in favour of the City requiring demolition of the old temple and completion of the parking and landscaping prior to issuance of an occupancy permit for the new temple to the satisfaction of the Director of Planning & Development.
 6. Final plans to be in accordance with the conditions and plans identified above to the satisfaction of the Director of Planning & Development.

Councillor Fortin withdrew from the Council Chambers at 10:43 a.m. as he has a non-pecuniary interest with the following item.

7. SOCIAL PLANNING AND HOUSING

7.1 Grant Request – Pacifica Housing Advisory Association for the ‘Stepping Stones’ Family Housing and Support Continuum Project

Committee received a report dated August 23, 2007 from Social Planning and Housing with respect to a Grant Request from Pacifica Housing Advisory Association for the ‘Stepping Stones’ Family Housing and Support Continuum Project. Pacifica Housing Advisory Association, representing a coalition of family housing and service providers has submitted a grant request to the City of Victoria for \$5,000 —10,000. The coalition wishes to undertake a feasibility study and prepare a community action plan for a family shelter and housing continuum and support services project.

The coalition has secured funding from the United Way’s Community Innovation grant for \$25,000 which is contingent on it securing matching funds by August 31, 2007. Pacifica Housing has also requested funding support of \$25,000 for this project from BC Housing, and is awaiting word on its application.

This proposal from Pacifica Housing, on behalf of the coalition, is aligned with the stated priorities of the Victoria Steering Committee to Address Homelessness (VSCAH) June 13, 2007. It responds well to housing and service needs documented by Burnside Gorge Community Association through its work with homeless and near homeless families, and corroborated in the results of the 2007 Homeless Survey.

Results of the feasibility study, upon its completion, would further substantiate the need for a family shelter which has been advanced by the City to the Premier’s Task Force on Homelessness, Mental Health & Addictions and BC Housing.

Funds exist in the Miscellaneous Grant budget if Council decides to support the grant request.

Committee members discussed the requirements for this grant with respect to matching grants and the August 31 deadline. Committee also discussed the need to move forward with housing, indicating that more research on this subject is not necessary.

Action: Councillor Hughes moved that this application be declined.

Councillor Fortin returned to Council Chambers at 10:49 a.m.

8. ENGINEERING

8.1 Government Street – Closure Proposal

Committee received a report dated July 23, 2007 from Engineering with respect to Government Street Closure Proposal. At its meeting on June 19, 2007, the Advisory Transportation Committee (ATC) discussed the presentation made by Michael Hill, City of Victoria Downtown Coordinator, on closing Government Street to vehicle traffic during summer months. This presentation, originally made to the Downtown Victoria Business Association (DVBA), described a concept where Government Street would be closed to motorists on Friday and Saturday evenings from 6:00 pm — 10:00 pm during the cruise ship season.

After discussing the issue, ATC members made the following motion:

Council support the principle of a temporary pedestrian mall (road closure) on Government Street during the cruise ship season.

Carried

Committee members were advised by staff that work on this issue continues and that a report and presentation will be forthcoming. Some Committee members were opposed to any closure of Government Street though indicated an interest in pedestrian malls in other areas.

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

CARRIED 07/428

8.2 Ministry of Transportation Regional Projects – Municipal Input

Committee received a report dated July 23, 2007 from Engineering with respect to the Ministry of Transportation Regional Projects - Municipal Input. At its meeting on June 19, 2007, the Advisory Transportation Committee (ATC) discussed support for a Regional Transportation Authority; concerns regarding regional highway development and how the Ministry of Transportation decisions may affect the City of Victoria's transportation network.

After discussing the issue, ATC members made the following motion:

Given the closely interrelated nature of travel mode choices in the region, ATC recommends Council request that the Ministry of Transportation refer proposed expansion of specific provincial highway facilities in the Region to all municipal Councils for comment, because the projects may work against the regional objective (as expressed in the TravelChoices document) of reducing reliance on automobile travel.

Carried

Action: Councillor Young moved that Council forward this request to the Ministry of Transportation for consideration.

CARRIED 07/427

8.3 View and Vancouver Streets Intersection Upgrade & Beautification

Committee received a report dated August 15, 2007 from Engineering with respect to View and Vancouver Streets Intersection Upgrade and Beautification and the need to reallocate Capital Budget to support the implementation of the project.

The Committee of the Whole report dated March 25, 2007 recommended the following:

1. *That staff proceeds with the implementation of the core project based on the results of the Public Open House and Information meetings as described in the report.*
2. *That Council proceeds with the optional streetscape beautification project through Council initiative, and instructs the Corporate Administrator to prepare a Local Service Area Bylaw for this purpose.*

Since that report, City staff and the Consultant (UMA Engineering) proceeded to complete the detail design and construction documents in order to tender the project for construction. As part of the detail design review, City staff increased the scope of work for the underground services (water, sewer, and storm drains) due to the poor condition and the desire to complete this work all at once. This was deemed an appropriate and cost effective strategy for managing underground works.

The reasons for the cost increase are as follows:

1. Desire to increase the scope of work for the underground utilities.
2. Increased cost of construction - including labour, equipment and materials.
3. Need to accommodate businesses during construction to maintain access and traffic flows.
4. Complexity of the project, liability, risk and the poor soil conditions.

In order to address the funding issue, the following strategy is recommended:

Proposed Funding Strategy

Funds Available	\$ 2,991,300.00
Budget Shortfall	\$ 1,079,700.00
Funding Reallocation Strategy	\$ 1,080,000.00
Total Budget	\$ 4,080,000.00

Any projects postponed as part of this proposed funding strategy will be given high priority for next year's Capital Plan.

As part of the award of the project, the Engineering Department will also work with the contractor to reduce costs in accordance with the General Conditions of the Master Municipal Construction Document (MMCD).

Councillor Holland withdrew from Council Chambers at 11:02 a.m.

Committee members discussed concerns related to the high cost of the upgrade and inquired about the possibility of redesigning the intersection to reduce costs. Also noted were the turn-around issues for semi-trailers accessing the shopping centre. A Committee member noted an artist's rendering of bridging the intersection; though staff advised the costs for such a proposal would be higher.

Councillor Holland returned to Council Chambers at 11:05 a.m.

Staff advised that some underground utilities are in critical condition and require immediate attention. Staff also confirmed that reducing the scope of the costs will be explored once the tender is awarded.

- Action:** Councillor Fortin moved that Council approves:
1. The proposed funding strategy to reallocate funds to View and Vancouver Streets Intersection Upgrade and Beautification Project, along with the consulting services.
 2. To identify additional funds, including contingencies, for the project to be in the 2008 Capital Budget.
 3. That the recommendations in this report be referred to City Council's meeting on August 23, 2007 for approval.

CARRIED 07/426

8.4 Tender No. 07-045 – View and Vancouver Street Rehabilitation

Committee received a report dated August 13, 2007 from Finance with respect to Tender No. 07-045 for View and Vancouver Street Rehabilitation. A pre-qualification was advertised in the June 9th edition of the Times-Colonist newspaper and on the City's web page. As a result, eight firms were pre-qualified. The tender for the work was issued to the pre-qualified firms and three of the firms submitted tenders.

Tender Results (GST is not included in these prices):

- Pedre Contractors Ltd. \$3,670,000.00
- Chew Construction Ltd. \$3,833,549.00
- JJM Construction Ltd. \$4,224,380.00

Pedre Contractors Ltd. has previously completed civil contract work for the City and the City has been satisfied with their performance.

In 2001, UMA Engineering was the successful bidder for the design rehabilitation strategies phase of this project. In January of 2007, UMA was engaged to do the design drawings, construction drawings and tendering phase, based on the work they completed during the design rehabilitation strategies phase. To ensure continuation of the consulting services, the recommendation is to single source UMA for the remaining construction phase.

- Action:** Councillor Holland moved:

1. That Tender No. 07-45 — View and Vancouver Street Rehabilitation, be awarded to **Pedre Contractors Ltd.** for a total cost of **\$3,670,000.00** (excluding GST) based on being the overall lowest tender.
2. That the consulting services for the construction phase be awarded to UMA Engineering, at a cost of \$175,000.
3. That the recommendations in this report be referred to City Council's meeting, on August 23, 2007, for approval.

CARRIED 07/425

8.5 Civic Facilities: Green Buildings Policy

Committee received a report dated August 15, 2007 from Engineering with respect to Civic Facilities: Green Buildings Policy. The purpose of this report is to implement a Green Buildings Policy for civic facilities owned and operated by the City of Victoria. The development of such a policy is consistent with the City of Victoria's vision to be the most liveable city in Canada. The Corporate Strategic Plan (2007 to 2009) has as one of its objectives: "The environment is sustained and enhanced through sound leadership and stewardship of natural resources."

As a consequence of the wide variety of buildings and program activities across the organization, a number of specific issues need to be addressed to ensure that a green building policy is effective and encompasses all aspects of City facility construction and building operations, including custodial practices. The analysis demonstrates that a municipal Green Buildings Policy governing new civic capital construction projects and renovations, as well as operations of existing civic buildings are subject to the policy, and that the policy should be implemented in two phases. The first phase would include all the City's new facility construction projects and the second would expand to include existing civic facilities. Further, the analysis suggests that the widely recognized Leadership in Energy and Environmental Design™ (LEED™) Green Building Rating System be adopted as the verifiable standard for measuring the implementation of green building practices.

Committee members commended this proactive step that provides substantive returns; is an incentive to the private sector and addresses concerns regarding climate change. Staff has developed a communications plan on this policy.

A Committee member requested that this communication be forwarded to UBCM and submitted to the Premier's challenge for climate change initiatives.

Action:

- Councillor Fortin moved that
1. That City Council endorse a Green Buildings Policy for municipal facilities that would meet the minimum requirement of LEED™ – NC Silver, with a goal of Gold, including, where appropriate, full registration and certification under the Canada Green Building Council for all new construction and additions larger than 500 square meters; and

2. That City Council direct staff to prepare an implementation plan outlining the issues, strategies and costs associated with incorporating green building operating practices into municipal facilities of all sizes that are owned and managed by the City, utilizing LEED™ - EB, or any other verifiable third party standard, and report back to Council.

CARRIED 07/424

9. COMMUNITY DEVELOPMENT

9.1 Indemnification for the Lifelong Learning Festival at The Bay

Committee received a report August 17, 2007 from Community Development with respect to Indemnification for the Lifelong Learning Festival at The Bay Centre. The 2nd Annual Lifelong Learning Festival is occurring on September 8, 2007 at the Bay Centre downtown and is sponsored by the City of Victoria. The purpose of the Lifelong Learning Festival is to celebrate and raise awareness of the City as a "Learning City" populated by educated learners. It is an opportunity for Victoria businesses, organizations, agencies, and individuals to come together in support of the wide variety of learning opportunities available to the residents of Victoria. The Bay Centre licence agreement requires the City of Victoria to indemnify The Bay Centre against any and all claims arising from the City's use of The Bay Centre for the Festival. Victoria City Council must give its consent to an indemnity of a third party. Given the nature of the event and the liability insurance policy in place for this event, City staff recommends Council agree to the indemnity provision outlined in the attached agreement.

A Committee member advised that this date was chosen because it is International Literary Day.

Action: Councillor Hughes moved that Victoria City Council consents to the indemnification clause of The Bay Centre licence agreement for the Lifelong Learning Festival on Saturday, September 8, 2007.

CARRIED 07/423

Action: Councillor Hughes moved that this item be forwarded to the Council meeting of August 23, 2007 for approval.

CARRIED 07/422

10. CORPORATE AND REGULATORY SERVICES

10.1 813 Douglas Street – Sign Development Variance Application SI # 07-02

Committee received a report July 23, 2007 from Corporate and Regulatory Services with respect to 813 Douglas Street - Sign Development Variance Application SI #07-02. The applicant is applying for a variance to retain already installed hoarding at "The Falls" construction site at 813 Douglas Street. The vinyl

hoarding which covers the street faces of the Atco trailer units was put up without a sign permit shortly before May 14, 2007.

A sign permit application was submitted in June, however, it had to be rejected as the square footage and size of the signage was far greater than what the City *Sign Bylaw* permitted. The next course of action was this variance application.

The applicant has applied for 2,320 square feet of fascia signage on the Douglas Street frontage and 1,310 square feet of fascia signage on the Burdett Avenue frontage.

The applicant is requesting a variance of Section 4.1(e) and Section 9.2(2) (b) of the *Sign Bylaw*.

Initially staff was not in support of this variance request; however the view of the back of the construction trailers is not aesthetically pleasing and would benefit by being covered up by signage.

This application requires notification of the owner and occupant as a Public Hearing is required.

Committee members expressed concerns related to the size of the signage and the amount of advertising. Committee members discussed the limitations of the *Sign Bylaw* which doesn't address temporary hoarding.

Committee members explored the idea of using historical photos or youth art work as a part of hoarding signage. The Corporate Administrator advised that a workshop regarding the *Sign Bylaw* is being considered for fall 2007.

Action: Councillor Holland moved that this application be postponed for further consideration by the applicant in response to Council's concerns regarding the size and amount of advertising on the signage

CARRIED 07/421

11. COUNCILLOR SHARING AND INQUIRIES

11.1 Councillor Hughes – Affordable Housing Coordinator

Councillor Hughes outlined a job posting dated August 22, 2007 for Richmond, BC for an Affordable Housing Coordinator which reflects the types of duties the City of Victoria needs. The Advisory Housing Committee brought forward a recommendation that a housing coordinator be hired to assist applicants through the steps towards completing a housing project. Councillor Fortin noted that 1200 units are needed a year for several years to achieve the core housing needs in the City.

11.2 Councillor Coleman – Victoria News Reporter

Councillor Coleman shared with Committee his meeting with Brendan Clark, former reporter with Victoria News, who asked Councillor Coleman to relate to Committee his enjoyment of working with them during his tenure as reporter of City Council news.

12. CLOSED MEETING at 12:05 p.m.

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

On Leave: Councillor Chandler.

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

Staff Present for a Portion of the Meeting: D. Day – Director of Planning and Development; A. Hudson – Senior Planner; P. Sparanese – Director of Engineering; J. Jenkyns – Acting General Manager, Conference Centre; S. Hortsing – Manager, Facilities; K. Hennessey – Senior Buyer; K. Josephson – Manager, Corporate Communications; B. Wiffen – Property Manager; L. Staples – Staples McDannold Stewart.

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 07/420

12.1 Minutes of the Closed Special Committee of the Whole Meeting held August 9, 2007

Action: Councillor Holland moved that the Closed Minutes from the Special Committee of the Whole Meeting held August 9, 2007 be adopted.

CARRIED 07/419

12.2 Legal Advice – Public Hearing Procedure

Committee received advice from staff with respect to rezoning and public hearing procedures concerning the August 23, 2007 Council meeting.

12.2 Land – Illegal Use

Committee received a report dated July 18, 2007 from Corporate and Regulatory Services with respect to the Illegal Use of land at 27 Erie Street.

Action: Councillor Thornton-Joe moved that Council:

1. Grant authorization for the City's Solicitor to seek an injunction in the Supreme Court of British Columbia in order to bring the property at 27 Erie Street into compliance with the bylaws of the City of Victoria.

CARRIED 07/418

12.3 Proposed Municipal Service – Grant

Committee received information from the Acting General Manager of the Victoria Conference Centre and the Assistant City Manager with respect to a grant.

12.4 Personnel – Appointment

Committee received a report dated August 14, 2007 from Engineering with respect to a personnel appointment.

Action: Councillor Holland moved that Council appoint Mr. Jeff Mitton as the Deputy Subdivision Approving Officer for the City of Victoria pursuant to the Land Title Act.

CARRIED 07/417

12.5 Land – New Lease

Committee received a report dated August 9, 2007 from Corporate and Regulatory Services with respect to a New Lease for 2516 Pleasant Street.

A Committee member inquired as to the long term plan for the waterfront and Committee agreed to add a termination clause on 2 years notice.

Action: Councillor Madoff moved that Council approve a new Lease with C & F Equipment Rentals Ltd. as follows:

1. Lands to be leased: Lots 1 and 2 and Lot A, Block G, Section 4, Victoria District, Plan 16.
2. Consideration for Years 1-5: \$80,000/yr plus GST and property taxes; Years 6-10: fair market value.

3. Termination clause for Lot 4, exercisable by the City with 12 months notice for reason of construction/maintenance.
4. Termination clause for all leasehold areas on 24 months notice by the City.
5. Subject to advertisement of the proposed disposition as per sec 26 of Charter.

CARRIED 07/416

12.6 Land – Assignment of Lease

Committee received a report dated August 16, 2007 from Corporate and Regulatory Services with respect to an Assignment of Lease for # 14 Centennial Square.

Action: Councillor Holland moved that Council consent to the assignment of the Lease dated February 4, 2005 as follows:

1. Assignee – Bakez Development Ltd., of 4004 Gordon Head Road, Victoria, B.C.
2. Effective Date – September 1, 2007.
3. All other terms of the existing Lease are unchanged, including Rent.

CARRIED 07/415

Action: Councillor Hughes moved that this item be forwarded to the Council meeting of August 23, 2007 for approval.

CARRIED 07/414

12.7 Legal - Litigation

Committee received information from the Corporate Administrator with respect to three legal actions.

This discussion was recorded and kept confidential

12.8 Councillor Sharing – Councillor Hughes

Committee received information from Councillor Hughes with respect to a proposal by the Greater Victoria Library Board.

12.9 Councillor Sharing – Councillor Fortin

Committee members received an update with respect to issues regarding the CREST communications system and the Members Agreement.

13. ADJOURNMENT

Action: Councillor Coleman moved that the Committee of the Whole meeting of August 23, 2007 be adjourned at 1:42 p.m.

CARRIED 07/413

Mayor Lowe, Chair