

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING**  
**HELD THURSDAY, SEPTEMBER 20, 2007, 8:30 a.m.**

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

**On Leave:** Councillor Chandler.

**Absent:** Mayor Lowe, Councillors Holland and Madoff.

**Staff Present:** P. Ballantyne – City Manager; S. Masters – Acting 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; K. Josephson – Manager, Corporate Communications; J. Jenkyns – Acting General Manager, Conference Centre; M. Hornell – Manager, Community Planning; A. Hudson – Senior Planner; S. Barber – Senior Heritage Planner; H. Cain – Heritage Planner; W. Zink – Manager, Social Planning and Housing.

**1. CLOSED MEETING CALLED TO ORDER BY THE CHAIR AT 8:52 a.m.**

**Action:** Councillor Coleman moved that Committee of the Whole convene a Closed meeting that excludes the public under Section 11(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Section 11(3) and/or (4) of the Council Bylaw.

CARRIED 07/499

**1.1 Appeal Hearing – Chief’s Permit**

Committee convened a hearing regarding the appeal of the Police Chief’s decision to withdraw a Chief’s Permit.

The discussion and decision was recorded and kept confidential.

(Closed Resolution 07/498)

**1.2 Appeal Hearing – Chief’s Permit**

Committee convened a hearing regarding the appeal of the Police Chief’s decision to refuse a Chief’s Permit.

The discussion and decision was recorded and kept confidential.

(Closed resolution 07/497)

**2. ADJOURNMENT OF CLOSED MEETING AT 10:22 a.m.**

**3. OPEN MEETING CALLED TO ORDER BY THE CHAIR AT 10:24 a.m.**

**4. APPROVAL OF AGENDA**

The Chair outlined the following changes to the September 20, 2007, Committee of the Whole agenda:

- Item # 5, Additional Correspondence.
- Item # 8, Additional Proclamation.
- Item # 8A, New Item, UBCM Climate Action Charter.

Councillor Sharing or Inquiry:

1. Councillor Fortin – one inquiry.
2. Councillor Coleman – one inquiry.

**Action:** Councillor Thornton-Joe moved that the Agenda of the September 20, 2007 Committee of the Whole meeting be approved as amended.

CARRIED 07/496

**5. ADOPTION OF MINUTES**

**5.1 September 6, 2007 Committee of the Whole Minutes**

**Action:** Councillor Coleman moved that the minutes of the Committee of the Whole meeting held September 6, 2007 be adopted.

CARRIED 07/495

Councillor Young questioned item # 10.1 Permissive Property Tax Exemptions and whether he made the motion. Councillor Coleman advised he recalled Councillor Young making the motion to initiate discussion on this subject.

**6. DELEGATIONS**

**6.1 Victoria Heritage Foundation**

Committee received a presentation from J. Barr, Executive Director and T. Lobmeier, Treasurer of the Victoria Heritage Foundation (VHF) with respect to their 2006 Annual Report. They also distributed the latest publication of *This Old House, Victoria's Heritage Neighbourhoods, Volume 3: Rockland, Burnside, Harris Green, Hillside-Quadra, North Park & Oaklands*, and the recently rewritten and printed *James Bay Heritage Walking Tour Brochure*.

Ms. Barr thanked the City for the increase in funding which has allowed the VHF to respond to an increase in applications for funding for heritage homes. Funding

also helped with the latest publication of *This Old House* and the rewritten walking brochure.

Ms. Barr advised that new designated houses are posted on their website and can be printed off and inserted into *This Old House* book.

Some Committee members commented on the idea of heritage precincts for entire blocks in neighbourhoods, such as Rockland and Rock Bay. Also requested was that the walking tour brochures are handed out to tourists via pedicab and horse carriage tour providers.

Ms. Barr advised that on October 3, 2007 a talk will take place on the Arts and Craft movement at Alix Goolden Hall, 907 Pandora Ave.

## **7. COMMUNITY PLANNING**

### **7.1 Downtown Bonus Density – Interim Policy and Directions for Downtown Plan Update**

Committee received a report dated September 12, 2007 from Community Planning with respect to the Downtown Bonus Density— Interim Policy and Directions for Downtown Plan Update. The purpose of this report is to present a recommendation for an interim bonus density policy for Downtown Victoria, and general principles for the development of an updated bonus density policy through the Downtown Victoria Plan Update (DVPU), following direction received at the June 28, 2007 Special Committee of the Whole meeting.

This report addresses four issues:

1. Determining a fair exchange of value between amenities contributed by developers for density conferred by the City at rezoning.
2. Reducing distortion in the Downtown land market.
3. Increasing the competitiveness of office uses compared to residential uses.
4. Confirming general directions for a new bonus density policy through the DVPU.

The report discusses two options for determining the net increase in land value attributable to an increase in density (the Land Lift), and four options regarding an appropriate interim cap for the amount of density eligible as a bonus for the provision of general residential and office uses.

The benefits of a fair and transparent density bonus system affect the City, the community and developers. For the City and the community, the density bonus system must deliver greater certainty that the suite of amenities needed to ensure Downtown liveability are achieved. For developers, the density bonus system must provide clarity regarding the City's expectations that can be factored into land prices and project pro-formas.

For all parties to this city-building and place-making partnership, the bonus density system must represent a fair exchange of value and produce high quality development outcomes.

The following combination would offer the best approach:

- A schedule-based bonus density zoning system for general projects;
- Case by case negotiation supported by;
- Land Lift analysis to underpin large and complex projects.

In the interim, the following proposal is consistent with practice in other BC municipalities and is generally acceptable practice to the industry:

- The City continuing to negotiate with proponents on a case by case basis;
- Employing a quantitative financial analysis to determine the net value of density conferred; and
- The value of any amenity contributions offered by the proponent.

To increase the competitiveness of office use, it is necessary that bonus office use is brought to a level at least equal to that of residential use. Staff support option (ii), where the City would provide a bonus no greater than 1.5 FSR above the general base FSR of 3.0. This is a reasonable compromise between current market assumptions regarding de facto build-out potential of Downtown sites and the City's need to ensure that new development contributes a fair share towards public amenities.

Staff also concluded that exempting this bonused density (i.e. up to 1.5 FSR) from the (determined) net value conferred on a project by additional density bonused, would be consistent with this conclusion.

Staff advised Committee that recent discussions with the Urban Development Institute (UDI) respecting the proposed methodology found that the pro forma analysis the most accurate.

Committee members discussed the following:

- Balancing the return on investment with public amenities.
- Establishing a downtown amenity fund.
- Capping the amount of density at the zoning phase for additional amenities.
- More rental units in new buildings to address housing for service industry.
- Not rushing this financial calculation but balancing the incentive program to recognize office space.

Staff advised Committee that on October 18<sup>th</sup> and 20<sup>th</sup> a Public Forum will be held relating to the Downtown Plan and specific components of the bonus density interim report can be available for comment.

Committee members expressed concerns about moving too quickly with the interim policy for bonus density and requested more consultation with industry groups, such as UDI, the Real Estate Board as well as absent Committee members. Staff advised they are targeting October 18<sup>th</sup> Committee of the Whole meeting to bring forward the results from these discussions.

**Action:** Councillor Thornton-Joe moved that Council postpone a decision on the report on Downtown Bonus Density – Interim Policy and Directions for Downtown Plan Update pending further discussion with Council, the Downtown Residents' Association, Urban Development Institute and other selected stakeholder groups.

CARRIED 07/494

## **8. LEGISLATIVE AND REGULATORY SERVICES**

### **8.1 Renaming of Maynard Court to 'Millie's Lane'**

Committee received a report dated September 10, 2007 from Legislative and Regulatory Services regarding a request to rename the titled parcel of land located in the 700 block of Yates Street (PID 023-372-087) to Millie's Lane.

At the July 12, 2007 Council meeting, Council received a petition to rededicate the alley in honour of Millie Hawkes. Three hundred forty-three signatures were received including support from neighbouring businesses and the owner of the remaining portion of the alley, Mr. Pierre Gautier.

The location is unofficially known as Maynard Court or Odeon Alley and is a titled city lot extending from Yates Street north to the mid-block. The Johnson Street section of the passage is via an easement through private property.

The petition is the neighbours' wish to remember the spirit and strength of Millie Hawkes; a woman who worked in the neighbourhood in her family owned shoe repair business, Manton Shoe Repair, for over thirty years. Millie Hawkes is described as an 'unsung hero' who not only "repaired soles but souls" as well. The current owner of the shoe store and petitioner, Kevin Amell states naming the alley 'Millie's Lane' is a symbol of community pride and neighbourhood revitalization. It is a way for business associates and customers to honour a cherished citizen and neighbour.

The petitioners plan to place a plaque at the entrance of Yates Street officially naming the location.

Council has the authority to officially name the city owned land through resolution and a bylaw.

Committee members expressed their support for this community supported initiative though one Committee member expressed concern at the possibility of the alley having two names due to the City's part ownership of the property.

**Action:** Councillor Thornton-Joe moved that Council officially name the titled parcel of land located at 748 Yates Street 'Millie's Lane' and that notification be sent to adjacent owners informing them of Council's decision.

CARRIED 07/493

## 9. ADMINISTRATIVE MATTERS

### 9.1 Disposition of Communications dated September 12, 2007

**Action:** Councillor Coleman moved that the Disposition of Communications dated September 12, 2007 from the Manager, Administration, be received for information and filed.

CARRIED 07/492

### 9.2 Proclamations – “Stroke Recovery Month” October, 2007

**Action:** Councillor Thornton-Joe moved that October, 2007 be proclaimed as “*Stroke Recovery Month*”, in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 07/491

### 9.3 Proclamations – “Fire Prevention Week” October 7<sup>th</sup> – 13<sup>th</sup>, 2007

**Action:** Councillor Thornton-Joe moved that the week of October 7<sup>th</sup> – 13<sup>th</sup>, 2007 be proclaimed as “*Fire Prevention Week*”, in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 07/490

### 9.4 UBCM Climate Action Charter

Committee received a report dated September 18, 2007 from the City Manager outlining for Council’s consideration the UBCM Climate Action Charter and the opportunity for Victoria City Council to become a signatory to this Charter.

**Action:** Councillor Fortin moved that Victoria City Council considers becoming a signatory to The British Columbia Climate Action Charter between Province of British Columbia, The Union of British Columbia Municipalities and the City of Victoria.

CARRIED 07/489

**Action:** Councillor Thornton-Joe moved that this item be forwarded to the Council meeting of September 20, 2007 for approval.

CARRIED 07/488

## 10. COUNCILLOR SHARING AND INQUIRIES

### 10.1 Councillor Coleman – 2010 Olympics Opportunities

Councillor Coleman inquired regarding the 2010 Olympics and opportunities for the City to make available their community facilities for training. The Para Olympics also present opportunities for cultural recognition for disabled artists. The Olympics offer a broad range of opportunities which the City could be involved in.

## **10.2 Councillor Fortin – Development and Good Neighbour Protocol**

Councillor Fortin inquired about preparing a 'Good Neighbour' protocol to reduce the impact of new developments on adjacent businesses. Advance notification would help them prepare for upcoming disruptions. Noted was a recent BC Hydro outage that affected neighbouring businesses. Councillor Young noted that residential neighbourhoods should also be reviewed for issues related to construction.

## **11. CLOSED MEETING at 12:15 p.m.**

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

**On Leave:** Councillor Chandler.

**Absent:** Mayor Lowe, Councillors Holland and Madoff.

**Staff Present:** P. Ballantyne – City Manager; S. Masters – Acting Corporate Administrator; P. Sparanese – Director of Engineering; T. Galavan – Manager, Transportation; A. Dolan – Bylaw Officer; S. Schopp – Manager, Legislative and Regulatory Services; B. Wiffen – Property Manager; K. Josephson – Manager, Communications; B. Jordan – Staples, McDannold, Stewart; J. Jenkyns – Acting General Manager, Victoria Conference Centre; C. Havelka - Recording Secretary.

**Action:** Councillor Coleman moved that Committee of the Whole convene a Closed meeting that excludes the public under Section 11(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Section 11(3) and/or (4) of the Council Bylaw.

CARRIED 07/487

*Committee recessed for lunch at 12:15 p.m.*

*The meeting was reconvened at 12:25 p.m.*

### **11.1 Minutes of the Closed Portion of the Committee of the Whole Meeting held September 6, 2007**

**Action:** Councillor Coleman moved that the Closed Minutes from the Committee of the Whole Meeting held September 6, 2007 be adopted.

CARRIED 07/486

### **11.2 Land – Illegal Use**

Committee received a report dated August 29, 2007 from Bylaw with respect to Illegal Use of Land at 419 Chester Street.

**Action:** Councillor Fortin moved that Council grant authorization for the City's Solicitor to proceed with Supreme Court injunctive action in order to terminate the illegal use at 419 Chester Street.

CARRIED 07/485

### **11.3 Land – New Lease**

Committee received a report dated September 6, 2007 from Legislative and Regulatory Services with respect to a New Lease for Unit 9, Victoria Conference Centre (VCC).

**Action:** Councillor Fortin moved that Council:

1. Approve a new 3 year lease with Budget Rent A Car for Unit 9 at the VCC subject to:
  - a) Term: December 1, 2007 to November 30, 2012.
  - b) Rent: \$16,250.00 per year plus operating costs and gst (estimated to be \$800.00 per month)
2. Consent to the termination of the existing lease with Calforex for Unit 9 subject to:
  - a) Calforex paying full rent until November 30, 2007.
  - b) Calforex making one lump sum payment of \$3,645.80 as a lease cancellation fee.

CARRIED 07/484

The Acting General Manager of the Victoria Conference Centre advised Committee that there are now only two retail vacancies at the VCC.

### **11.4 Legal – Traffic Incident Update**

Committee received an update from Engineering with respect to a Traffic Incident.

This information was recorded and kept confidential.

(Closed Resolution 07/483)

### **11.5 Land – Legal**

The Acting General Manager of the Victoria Conference Centre updated Committee on a land - legal issue related to the Provincial Capital Commission.

### **11.6 Appointment – Advisory Committee**

Committee received a report dated September 18, 2007 from Legislative and Regulatory Services with respect to an Appointment to an Advisory Committee.

**Action:** Councillor Thornton-Joe moved that it be recommended to Council that City Council appoint Christian Kittleson to the Advisory Planning Commission for the remainder of the term ending December 31, 2007.

CARRIED 07/482

## **12. ADJOURNMENT**

**Action:** Councillor Thornton-Joe moved that the Committee of the Whole meeting of September 20, 2007 be adjourned at 1:25 p.m.

CARRIED 07/481

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Acting Mayor Hughes, Chair