

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING**  
**HELD THURSDAY, JANUARY 24, 2008 8:30 a.m.**

1. **THE CHAIR CALLED THE MEETING TO ORDER AT 8:40 a.m.**
2. **CLOSED MEETING 8:40 a.m.**

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

**Committee Member Present for a Portion of the Meeting:** Mayor Lowe.

**Absent:** Councillor Chandler

**Staff Present:** R. Woodland - Corporate Administrator; P. Ballantyne – City Manager; M. McCliggott – Assistant City Manager; K. Friars – Director of Parks, Recreation and Community Services; C. Havelka - Recording Secretary.

**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 08/078

### **2.1 GVLRA - Labour Relations Update**

Committee received an update on a Labour Relations issue from Councillor Holland.

The discussion was recorded and kept confidential.

*Mayor Lowe joined the meeting at 8:41 a.m.*

### **2.2 Private Property Maintenance Committee**

Committee discussed the Private Property Maintenance Committee appointments and Councillor Chandler's request for a Council member to take her place.

**Action:** Councillor Fortin moved that it be recommended to Council that City Council appoint Councillor Young as alternate Council member to the Private Property Maintenance Committee for the term January 1, 2008 to December 3, 2008.

CARRIED 08/077

### **2.3 Proposed City Service**

Councillor Hughes updated Committee on a Proposed City Service.

The discussion was recorded and kept confidential.

### **2.4 Legal – Spirit Poles Contract**

Committee received reports dated January 17, 2008 and January 21, 2008 from Community Development with respect to the Artist Contract for Carving of the Spirit Poles.

The discussion and motion were recorded and kept confidential.

(Closed resolution 08/076)

## **3. ADJOURNMENT OF CLOSED MEETING**

**Action:** Councillor Hughes moved that the Closed Committee of the Whole be adjourned at 9:17 a.m.

CARRIED 08/075

## **4. THE CHAIR CALLED THE OPEN MEETING TO ORDER AT 9:19 a.m.**

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

**Absent:** Councillor Chandler.

**Staff Present:** P. Ballantyne – 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; M. Hill – Downtown Coordinator; A. Hudson – Senior Planner; K. Ramsay Cline – Planner; B. Sikstrom – Senior Planner; K. Friars – Director of Parks, Recreation and Community Services; T. Phillips – Manager, Revenue; W. Zink – Manager, Social Planning & Housing; B. Warner – Director, Finance; S. Masters – Manager, Administration & Protocol; A. Dolan – Bylaw Officer; S. Schopp – Manager,

Regulatory and Development Services; S. Barber – Senior Heritage Planner; S. Simmonds – Supervisor, Bylaw Enforcement.

## 5. APPROVAL OF THE AGENDA

The Chair outlined the following changes to the January 24, 2008, Committee of the Whole agenda:

- Item #9 – revised report
- New item #12A - Sign Development Variance Permit
- Item # 17 – clarification of report
- Closed – Legal – Spirit Poles Contract

Councillor Sharing or Inquiry:

1. Councillor Hughes – closed inquiry

**Action:** Councillor Coleman moved that the Agenda of the January 24, 2008 Committee of the Whole meeting be approved as amended.

CARRIED 08/074

## 6. ADOPTION OF MINUTES

### 6.1 January 10, 2008 Committee of the Whole Minutes

**Action:** Councillor Holland moved that the minutes of the January 10, 2008 Committee of the Whole meeting be adopted.

CARRIED 08/073

### 6.2 January 17, 2008 Special Committee of the Whole Minutes

**Action:** Councillor Hughes moved that the minutes from the Special Committee of the Whole meeting held January 17, 2008 be adopted.

CARRIED 08/072

## 7. PRESENTATIONS

### 7.1 Canadian Award for Financial Reporting Excellence

The City of Victoria has been awarded the Government Finance Officer's Association Canadian Award for Financial Reporting which the Mayor presented to Mike McCliggott, Assistant City Manager, and former Director of Finance; as well as Troy Restell, Manager of Accounting; and Katie Josephson, Manager of Communications. This is the third consecutive year that the City of Victoria has won this award. When a Canadian Award for Financial Reporting is awarded to a government, a *Canadian Award for Financial Reporting Achievement* is also presented to the individuals primarily responsible for development of the award

winning report. Mr. McCliggott, Ms. Josephson and Mr. Restell, as well as the many staff involved throughout the organization, were thanked for their hard work.

## **7.2 United Way Campaign Award**

Gina Pecorelli of the United Way outlined for Committee the accomplishments of the 2007 United Way campaign which raised over six million dollars. On January 23, 2008 the United Way held an awards night where the City of Victoria was awarded the prestigious *Naden Band Spirit of Excellence Award*, in recognition of long-term achievement in running a model workplace campaign. Ms. Pecorelli thanked Soki Kaur for leadership as the campaign organizer for the City and all those who contributed. The City raised over \$96,000 to go back into the community, with Mayor and Council alone raising \$8,600. Ms. Pecorelli presented the Mayor with the *Gold Five Year Award* for the City of Victoria Council.

Councillor Thornton-Joe noted the profound impact the United Way has on Victoria's population with 1 in 3 Victorians helped by this organization.

## **8. DELEGATION**

### **8.1 Greater Victoria Development Agency**

Committee received a presentation from Sasha Angus, Economic Development Officer of the Greater Victoria Development Agency (GVDA), John Juricic, Chair of the GVDA, and Bruce Carter who is the CEO of the Greater Victoria Chamber of Commerce. Mr. Juricic spoke on behalf of the board of the Greater Victoria Development Agency (GVDA), and thanked the City for their support and their three-year commitment which has provided tremendous leadership, allowing the agency to grow and diversify the region's economy.

In its first six months of operations the agency has been very active supporting the growth of local businesses, as well as working to address the challenges and opportunities that the region faces. It has supported the growth of 157 local businesses, and 22 new companies looking to locate to the Greater Victoria region. In addition, the agency has provided leadership in addressing labour force issues as well as the creation of a sustainable development industry cluster for the region. In addition, the GVDA has been very successful accessing funds from the provincial and federal governments for projects, leveraging the City's contribution by an additional \$100,000.

Committee members questioned Mr. Juricic and Mr. Angus regarding other municipalities and their involvement. Mr. Angus informed Committee that Oak Bay has been given this presentation and responses are encouraging. Saanich donated \$20,000 to the agency last year, with Victoria contributing \$50,000 the last three years. The Chamber of Commerce contributed \$70,000 this year. Other funding comes from industry contributions and the federal government. Committee members would like an update on involvement as other municipalities come on board.

Mr. Angus outlined the regional effort to work hand in hand with other economic organizations with cost sharing providing a more robust service. A Committee member noted the first six months of the GVDA's has been quite successful and have shown a great start towards economic sustainability.

## **9. DEVELOPMENT SERVICES**

### **9.1 Rezoning Application # 00139 for 15 – 21 Gorge Road East**

Committee received a report dated January 24, 2008 from Development Services with respect to rezoning Application #00139 for 15-21 Gorge Road East to permit a 44-suite apartment building with underground parking which will replace the Capri Motel and the adjacent single family dwelling. The proposed floor space ratio (FSR) is 1.6:1. A total of 60 underground parking spaces are proposed. The proposal incorporates six two-storey townhouses at ground level along Gorge Road.

The following points were considered in reviewing this application:

- The proposal generally complies with the City's land use and density policies for redevelopment of motel sites along Gorge Road.
- The provision of six ground-oriented townhouse units is a positive feature adding to the pedestrian friendliness of the building.
- While the requested variances are supportable, a review by the Advisory Design Panel with particular attention to mitigating impacts on adjacent single family dwellings should be required.
- The inclusion of the single family dwelling in the development site is supportable given it enables ground-oriented townhouses as part of the development.
- The provision of a tenant relocation plan as well as the securing of adaptable units and the option of future rentals should also be a condition of approval for this development.

The Burnside-Gorge Neighbourhood Association and neighbours have been consulted. The applicant's letter outlining the proposal and its rationale is attached to the report.

Committee members expressed concerns regarding future plans for single family dwellings (sfd) along Gorge Road with staff advising the intent is to retain them. This application is an exception to that policy. Also of concern is the density and the setbacks for the sfd lot and the impact on adjacent single family houses.

Committee members inquired about the tenants being relocated which staff advised is the responsibility of the Engineering Department. An inquiry regarding site planning for the boulevard is also Engineering's responsibility and Planning staff will confer with them on these inquiries.

Committee members noted that this project will provide forty-four entry level homes which is needed in the community. Also noted was the many police calls to the motel and a redevelopment would be beneficial.

**Action:** Councillor Holland moved that that the application be forwarded to a public hearing and that the City's Solicitor prepare the necessary Zoning Bylaw amendments subject to:

1. Concurrent with consideration of the rezoning, amending *the Official Community Plan* to include the site in Development Permit Area 37, Gorge Road.
2. Council considers consultation under 879 (2) of the Local Government Act and determines that no referrals are necessary with the CRD Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board, and the federal government and its agencies because the amendment affects two properties and is in keeping with approved neighbourhood plan policies.
3. Amending the *Official Community Plan* to change the land use designation covering the site to "Apartment Residential (Established)" from "General Residential".
4. Consideration of a Development Permit for this proposal concurrent with the rezoning application with the following relaxations:

Building Height:	relaxed from 12m to 14.13m
Site Coverage:	relaxed from 40% to 42%
Front (Gorge Road) Setback:	relaxed from 10.5m to 8.0m
Side Yard Setbacks (east and west):	relaxed from 6.75m to 6.0m
Rear Setback:	relaxed from 6.75m to 6.2m
Parking:	relaxed from 62 spaces to 60 spaces

Further, that prior to a Public Hearing the following conditions be satisfied:

5. Advisory Design Panel review with particular attention to **significantly mitigating the adjacency scale as well as adjustments in density** with respect to impacts on adjacent single family dwellings.
6. Provision of a 4.92 m statutory right-of-way (SRW) or dedication for the Gorge Road frontage to the satisfaction of the Director of Engineering.
7. Applicant providing a sanitary sewer impact assessment study to the satisfaction of the Director of Engineering.
8. Compliance with the Tree Preservation Bylaw.
9. Gorge Road Streetscape treatment and landscaping to the satisfaction of the Manager, Parks Division.
10. Preparation of a Housing Agreement to secure rental units as well as adaptable units.
11. Provision of a tenant relocation plan.

CARRIED 08/071

*Councillors Madoff and Young voted against this motion.*

Councillor Fortin requested that staff prepare a report on the number of police attendances on this property in 2007.

## **9.2 Rezoning Application # 00110 for 221 Quebec Street and 506 – 508 Pendray Street**

Committee received a report dated January 24, 2008 from Development Services with respect to Rezoning Application #00110 for 221 Quebec Street and 506-508 Pendray Street to permit three transient accommodation units in a heritage designated house at 221 Quebec Street and four townhouses on a separate lot at 506-508 Pendray Street. At its meeting on April 5, 2007, City Council requested this application be postponed and that the applicant reassess the design and site plan of the proposed townhouses to more fully meet the Heritage Revitalization Agreement and planning principles.

The proposal is to rehabilitate a heritage-designated house located at 221 Quebec Street and construct four townhouses on vacant property located on the corner of Pendray and Kingston. The applicant has decreased the number of proposed townhouse units from six and improved the overall design from the original proposal. Staff is now in support of this application provided that, along with approval of the new zone, a Heritage Revitalization Agreement is entered into to ensure rehabilitation of the heritage house.

A Committee member noted that the Community Association is meeting on February 12, 2008 and should be apprised of the changes.

Committee members applauded the dramatic change of the plan that is in character with other buildings in that block.

**Action:** Councillor Holland moved that the rezoning application be forwarded for consideration at a Public Hearing and that the City's Solicitor be instructed to prepare the necessary zoning bylaw amendments, development permit and Heritage Revitalization Agreement based on the project details as provided.

CARRIED 08/070

## **9.3 Rezoning Application # 00134 for 2405 – 2409 Vancouver Street**

Committee received a report dated January 24, 2008 from Development Services with respect to Rezoning Application #00134 for 2405 - 2409 Vancouver Street to permit two additional suites to an existing triplex. The proposal is to raise the existing legal non-conforming triplex and add two suites below, to create a two-storey building.

The points considered in assessing this application include the following:

- The proposal is consistent with the North Park Local Plan and the City of Victoria's Official Community Plan.

- The North Park Local Plan requires that all rezoned sites automatically be placed in Development Permit Area #8 (Heritage Conservation), Harris Green and North Park, to control exterior design, finish of buildings and landscaping.
- Variances from the standard R3-L Zone are required for front and rear yard setbacks, parking and for lot width. The rationale for these variances is outlined in the analysis section of this report.
- The applicant has agreed to register a Housing Agreement on title to secure rental tenure for a period of 10 years.
- The North Park Neighbourhood Association and neighbours have been consulted.

Committee members discussed the amount of parking spaces in this proposal and increasing the greenspace. The Director of Planning & Development advised Committee on the process required to relax parking.

**Action:** Councillor Holland moved:

1. That Council forward the application for consideration at a Public Hearing and the City's Solicitor be instructed to prepare the necessary Zoning Regulation Bylaw and *Official Community Plan* amendments to place this site within Development Permit Area #8, subject to:
  - a) The Development Permit application to be processed concurrently with the rezoning in accordance with plans date stamped May 31, 2007 and site plan date stamped August 9, 2007;
  - b) Creation of a new zone based on the R3-L Zone, Low Density Multiple Dwelling District, with all of the uses and regulations outlined in Part 3.2, R3-L Zone, with the following changes:
    - i. Section 8 (a)(i) - shall be sited not less than an average of 3.73 m from the front lot line;
    - ii. Section 8 (a)(iv) — shall be sited not less than 1.5 m from a rear lot line;
    - iii. Section 8 (c) - shall be sited on a lot having a width of not less than 17.6 m;
    - iv. Schedule C, Section 7.2 b) - Off-street parking shall be provided in an area which shall not be closer than 0.18 m from a street.
2. That the following conditions be secured in a form satisfactory to the Director of Planning & Development:
  - a) Housing Agreement registered on title and secured by Bylaw.

CARRIED 08/069

#### **9.4 Rezoning Application # 00172 for 801 Langham Court**

Committee received a report dated January 24, 2008 from Development Services with respect to Rezoning Application #00172 for 801 Langham Court. The application is to permit and legalize the enclosure of three balconies in a three-suite strata conversion. A rezoning is required as the enclosure of the balconies creates additional floor area. The applicant has requested that City Council waive its "clean hands" policy.

The following points were considered in assessing this application:

- This application is minor in nature with minimal impacts on neighbouring properties
- The enclosures on this house are relatively modest in size (the largest is 25 m<sup>2</sup>) and located on the east façade, which is largely hidden from Langham Court. As well, they are over 18 m from the nearest property to the south and screened by landscaping.
- The house is not heritage designated or on the Heritage Registry.
- The proposal requires no variances.
- The Rockland Neighbourhood Association has been consulted.

Staff advised Committee that the enclosures have been in place for eighteen years. Staff also advised that the zoning for this property allows the proposal to move forward which was cited as one of the differences between this property and a similar one in the Stadacona area. Committee members noted that the addition is not visible but the architectural resolution could be reviewed as it is not appealing.

**Action:** Councillor Holland moved:

1. That Council waive its “Clean Hands” Policy given the minor nature of this application and the particular circumstances of this house and property.
2. 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 amendment based on the draft zone outline in Section 4.c. of this report.

CARRIED 08/068

*Councillor Madoff voted against this motion.*

## **9.5 Development Permit # 000108 for 2918 / 2924 Shelbourne Street**

Committee received a report dated January 24, 2008 from Development Services with respect to Development Permit #000108 for 2918 / 2924 Shelbourne Street. This is a Development Permit application for two lots on the west side of Shelbourne Street, between Myrtle Avenue and Pearl Street, to allow development of seven townhouses. The purpose of this application is for Council consideration of proposed form and character, as well as a request for three variances to the Zoning Bylaw. There is a concurrent Rezoning application in process to rezone the properties from the Single Family Dwelling District to the Shelbourne Townhouse District.

This Development Permit application was first considered by Committee of the Whole on November 15, 2007. At that meeting, staff identified two concerns with respect to form and massing of the building:

1. transition from townhouse massing to surrounding lower density single-family dwellings; and
2. provision of architectural detailing to visually mitigate the long building form in its north and south elevations.

These issues were identified in accordance with applicable planning policies which encourage proposed building forms that fit in with established context and provide a transition in the scale and massing between a proposed development and its neighbours.

In response to concerns expressed by staff and Council, the applicant has modified the proposal as noted in the letter dated January 15, 2008 attached to the report. To visually reduce some massing in order to provide an improved transition in scale, the applicant eliminated a large dormer on the west elevation. To visually break up the long building form, the applicant has refined the roof into three segments of pitched gables, added bay windows along the second floor for façade modulation and introduced roof elements over each bay window to interrupt the strong horizontal lines along the north and south elevations.

Committee members discussed changes to the rear yard setbacks and noted that the community had remaining concerns on this issue and hadn't received notification of the changes. Staff and the applicant, Mr. Levin, confirmed that the proposal couldn't be brought forward towards Shelbourne Street without jeopardizing the root structure of the London Plane trees that line the street.

A Committee member outlined past practices with respect to expanding rights of way, a philosophy no longer necessary for major traffic streets due to improved housing construction. A Committee member noted that rights of way are also for boulevards and greenspace.

**Action:** Councillor Holland moved:

1. That the proposed resolution in the report be considered at the same public meeting for which a Public Hearing is held for the Zoning Bylaw Amendment for 2918 / 2924 Shelbourne Street, and subject to Council's adoption of the Zoning Bylaw Amendment.
2. That Council authorize the issuance of a Development Permit in accordance with:
  - a) Plans stamped "Development Permit 000108", dated December 7, 2007.
  - b) Development meeting all Zoning Bylaw requirements, with the following variances:
    - Section 2.3.3 - number of dwelling units in an attached dwelling relaxed from 4 units maximum to 7 units
    - Section 2.3.11 - stacked parking stalls relaxed from 33% to 100% (7 parking stalls)
    - Section 2.53.3 - number of storeys relaxed from 2.5 maximum to 3 storeys
3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Planning and Development.

CARRIED 08/067

*Councillors Madoff and Young voted against this motion.*

A Committee member inquired of Committee if there was an interest in requesting staff to report on a policy on rear yard set backs mixing with multi family properties.

Staff advised that considerable staff time may be required to fully assess this comprehensive question. It was suggested that a consultant could be hired to evaluate this policy request.

### **9.5 Development Variance Permit # 00043 for 1977 Fairfield Road**

Committee received a report dated January 15, 2007 from Development Services with respect to Development Variance Permit # 00043 for 1977 Fairfield Road. The applicant proposes to subdivide an existing panhandle lot at 1977 Fairfield Road into two bare land strata lots with common property in the form of driveway access. The existing lot is occupied by a large house which the applicant proposes for heritage designation. The proposed subdivision requires variances to site coverage and setbacks for the existing house. The applicant has provided a rationale for the requested variances in the letter dated November 5, 2007 attached to the report.

While the applicant has not prepared plans for the proposed new house, a restrictive covenant on the proposed strata lot is proposed in order for the City to review and approve its design. It should be noted that design approval for the new house may only be possible through conditional registration of a statutory building scheme.

The requested variances relate to the setbacks and site coverage of the existing house resulting from the proposed subdivision. The variance for the south setback is the most significant as existing windows and windows on the proposed new house could raise privacy concerns. While the existing house is not on the Heritage Registry and was not included in the recent review of possible heritage houses in Fairfield, staff views the house as one worthy of heritage designation.

The retention of large lots and landscape features are policies of the *Gonzales Neighbourhood Community Plan* policy for this area. Both the proposed lots are larger than the minimum lot size. The proposal would result in the loss of five Garry oaks which the applicant proposes to replace with at least twice as many as well as a donation to the Garry Oak Preservation Society.

The proposal is supportable based on the heritage designation of the existing house and securing the review and approval of the proposed new house by City Council before a building permit is issued. The landscape concept plan and proposed contribution to the Garry Oak Preservation Society are also supportable. The applicant has consulted with neighbours as well as the Fairfield Community Association and the letter is attached to the report.

The application would be subject to notification, sign posting and a public hearing.

Committee members and staff discussed the following:

- Concerns that the new house will not create privacy issues;
- The covenant will give Council authority to approve the new house;
- Concerns that the proposal is too open-ended; need more information and would like feedback from the neighbours;

- How much development one site should take and the loss of garry oaks;
- Extending the driveway and screening for the adjacent property.

*Councillor Fortin withdrew from Council Chambers at 11:15 a.m.*

The applicant, Mr. Miller, spoke to Committee regarding the proposal, with respect to impact on the neighbours and advised Committee that he has consulted with the neighbours and found there are few privacy issues. The tennis court, the site of the proposed new building, is on fill which would be removed, significantly cutting down the height.

*Councillor Fortin returned to Council Chambers at 11:17 a.m.*

Some Committee members expressed concerns regarding the entitlement for this property, while others noted that the applicant's description of the surrounding houses made it worthy of going forward to public hearing.

- Action:** Councillor Holland moved that Council, following the Public Hearing, authorize the issuance of a Development Variance Permit in accordance with:
1. Subdivision meeting all bylaw requirements with the following variances for Strata Lot 1 (existing house):
    - Section 1.6.9 Site coverage relaxed from 30% maximum to 32.4%
    - Section 1.6.10 Front yard setback (west) relaxed from 7.5m to 2.75m
    - Section 1.6.11 Rear yard setback (east) relaxed from 9.1m to 6.65m
    - Section 1.6.14(a) Side yard setback (south) relaxed from 4.42m to 3.3m to building and 1.2 m to stairs.
  2. Registration of a restrictive covenant or building scheme (appropriate legal mechanism determined through legal opinion) to ensure:
    - a) privacy impacts are mitigated;
    - b) the property is developed in accordance with the proposed landscape concept plan dated January 11, 2008; and
    - c) a \$5000 donation is made to the Garry Oak Preservation Society.
  3. Heritage designation of the existing house
  4. Final subdivision plans to the satisfaction of the Director of Engineering

DEFEATED 08/066

*Mayor Lowe and Councillors Fortin, Madoff and Young voted against this motion.*

## **9.6 Centennial Square Fountain – Heritage Advisory Committee Motion**

Committee received a report dated January 17, 2008 from Development Services with respect to the Centennial Square Fountain. The Heritage Advisory Committee at its meetings of December 11, 2007 and January 8, 2008 discussed the issue of the Centennial Square Fountain and passed the following motion:

*Councillor Holland withdrew from Council Chambers at 11:21 a.m.*

*“That the Heritage Advisory Committee recommends to City Council that staff prepare a Statement of Significance for the*

*Centennial Square Fountain, and further, that a condition survey of the fountain be carried out”.*

*Councillor Holland returned to Council Chambers at 11:23 a.m.*

Committee members noted that determining the condition of the fountain will provide a framework for making an informed decision about moving it.

A Committee member noted that this proposal is premature and that the upcoming Centennial Square workshop will provide better direction.

**Action:** Councillor Thornton-Joe moved that City Council support the Heritage Advisory Committee’s recommendation that a Statement of Significance be prepared with respect to the Centennial Square Fountain and that a condition survey of the fountain be carried out.

DEFEATED 08/065

*Mayor Lowe and Councillors Holland, Hughes and Young voted against this motion.*

## **10. LEGISLATIVE AND REGULATORY SERVICES**

### **10.1 Sign Development Variance Permit for 655 Tyee Road**

Committee received a report dated December 17, 2007 from Legislative and Regulatory Services with respect to Sign Development Variance Permit for 655 Tyee Road. The application has been submitted by ‘Permit World’ of Waterloo, Ontario on behalf of ‘TransGlobe Property Management Services.’ The applicant proposes to erect; two (2) free-standing signs, three (3) illuminated fascia signs, and three (3) projecting banner signs on the newly constructed building located at 655 Tyee Road in Victoria West. The building is located within the ‘Dockside Sign Zone’ as detailed in the City of Victoria’s Sign Bylaw.

Staff has reviewed this application and determined that the banner signs are approvable, however, the fascia signs would only be approvable if the applicant removed the backlighting. The free-standing signs with backlighting are not approvable in this zone.

**Action:** Councillor Madoff moved that Council:

1. Reject the application for a variance of the Sign Bylaw; and
2. Request applicant review the provisions of the ‘Dockside Sign Zone’ and amend application as required.

CARRIED 08/064

## **11. SOCIAL PLANNING AND HOUSING**

### **11.1 Review of North Park Neighbourhood Association Community Bulletin Board Project Application**

Committee received a report dated January 24, 2008 from Social Planning and Housing with respect to a Review of North Park Neighbourhood Association Community Bulletin Board Project Application. The purpose of this report is to provide the findings of staff's further review of North Park Neighbourhood Association's application for a \$5,000 Fall 2007 Special Project Grant for a North Park Community Bulletin Board project.

On December 6, 2007, Council approved the recommended 2007 Fall Special Project Grant allocations as presented in the Summary Chart, excluding item #6, North Park Neighbourhood Association (NPNA). Council requested that NPNA's application be referred back to staff for further review and information about:

- City funding opportunities for the project
- Any prior obligations to install community signage at Save-On Foods Memorial Arena

In preparing this report, staff examined the NPNA project's suitability for both the Special Project Grant and Neighbourhood Enhancement Matching Grant programs. Staff also researched whether the project might be supported through a pre-existing obligation to provide community signage as part of the Save-On Foods Memorial Arena construction, and concluded that no record of such obligation can be found. Engineering staff estimate the cost for the City Public Works to construct the bulletin board will be approximately \$11,000, and not \$5,000 as NPNA originally projected.

Staff support NPNA's project and believe that it will be an important neighbourhood development tool in North Park. The project is well-suited to the 2008 Neighbourhood Enhancement Matching Grant program. Staff recommend that NPNA be encouraged to apply for a Neighbourhood Enhancement Matching Grant in 2008 to support the project.

Staff have spoken with a NPNA representative and the association is amenable to this recommendation.

Committee members discussed options for providing a bulletin board for the NPNA, including purchasing from the market and mounting it on a wall at the Crystal Pool so that it is not free-standing.

**Action:** Councillor Fortin moved that this item be postponed for further consideration by staff to investigate options to provide the North Park Community Association with a bulletin board.

CARRIED 08/063

## **11.2 City of Victoria Youth Council – Evaluation and 2008 Funding Recommendations**

Committee received a report dated January 24, 2008 from Social Planning and Housing with respect to funding recommendations for 2008 for the City of Victoria Youth Council (CVYC).

This report considered the following items:

1. Background on the CVYC and its 2006/2007 activities, its plans for 2008 and an analysis of the work of the Supervisory and Evaluation Committee (SEC).
2. Key components of the June 21, 2007 CVYC report on models of structure and governance, decision-making, membership criteria and plans for sustainability are summarized and analyzed; and
3. Recommendations for CVYC funding for 2008 and changes to reporting arrangements.

Social Planning & Housing staff, as a member of the SEC, developed an evaluation checklist to guide the CVYC's work, organize its activity reports and provide an evaluation framework for this report. SEC used the checklist and criteria as a guide to evaluate the CVYC's effectiveness, accountability, representation, transparency and sustainability. Generally, the CVYC met the criteria and in some cases exceeded the criteria. SEC made recommendations for improvement in several areas.

Staff's analysis of SEC's recommendations and the June 21, 2007 CVYC Report suggest that the models of structure and governance, decision-making and membership criteria are generally working. In relation to governance, the coordinator in collaboration with the CVYC have developed a methodology to select CAC members this year and it is recommended in this report that its membership proportion/composition be clarified. CVYC has taken the initiative to develop a Policy and Procedure Manual in 2008 that will outline CVYC governance structure and operations and enhance accountability.

SEC determined that expenditures over the term were in alignment with the CVYC budget though improvements in financial reporting by the host organization would assist operations. CVYC funds will fully be expended by January 31, 2008. CVYC, with the CAC's assistance, aims to create a three-year sustainability plan this summer to present to Council and has applied to other funding sources for 2008. The CVYC Coordinator has requested a salary review in 2008. It is recommended that at the Supervisory and Evaluation Committee (SEC) evaluate this request along with hours and report back to Council with recommendations and impacts.

As the CVYC has demonstrated fiscal responsibility and accountability, it is recommended that the City grant \$20,000.00 in funding for the CVYC for 2008 with 10% being allocated to the host organization for enhanced financial administration. As it is unlikely that Coast Capital Savings Credit Union will be providing core funding in 2008, it is important that financial support be stabilized. It is recommended an operating grant be allocated to CVYC in 2008 with funds be released immediately upon approval by Council and that CVYC funding be included in the City's regular Program Grant process for 2009. This process will include annual application and reporting requirements for approval by City of Victoria Council.

A Committee member expressed concerns regarding the level of value attached to this program and the funding commitment.

A Committee member noted that youth programming has changed from recreationally based to an engagement of youth.

- Action:** Councillor Coleman moved that Council approve the following recommendations related to the City of Victoria Youth Council:
1. That \$20,000.00 in funding for the CVYC be allocated for 2008 immediately upon approval by City Council with **up to** 10% of this funding allocated to the host organization for enhanced financial administration and the balance allocated for the Coordinator's wages and project expenses.
  2. That the CVYC be included in the City's regular Program Grant process for 2009 requiring it to complete an application for operating funding.
  3. That the Supervisory and Evaluation Committee (SEC) evaluate the CVYC Coordinator's request for a review of the coordinator's salary along with hours and report back to Council with recommendations and impacts.
  4. Recommend the CVYC operations be modified as follows:
    - a. Bi-monthly activity reporting to Mayor, Council, management and staff changed to semi-annual reporting including consolidating summary notes from community events.
    - b. Supervisory and Evaluation Committee meetings be changed to annual as the CVYC is stabilized and the Community Advisory Committee (CAC) is now in place,
    - c. To ensure plans for financial sustainability, outreach and partnership goals are met, the majority of the Community Advisory Committee be experienced members of the community and past members or coordinators be in the minority and that this be outlined in the upcoming Policy and Procedures Manual.

CARRIED 08/062

*Councillor Young voted against this motion.*

### **11.3 Bastion Square and Government Street Markets**

Committee received a report dated January 24, 2008 Social Planning and Housing with respect to Bastion Square and Government Street Markets. The report is to request that Council renew the agreements for the use of public space for the Bastion Square and Government Street Markets for the two year period of 2008-2009, subject to certain conditions, including expectations that an economic and operational review and evaluation will be conducted and reported on prior to consideration of further agreements.

Bastion Square has been operated by the Bastion Square Revitalization Association (BSRA) since 1993. Its purpose was to increase the vitality of the Square as well as raise funds for improvements to the area. 2007 was a transitional year for the BSRA with a new Board and market manager and a desire to make improvements with the market. Communication and consultation between the vendors and the BSRA was initially problematic prior to the opening of the market, though these issues have generally been resolved. A revised agreement

with the City will entrench changes requested by the BSRA, while ensuring that the City's interest in the sound management of the public space is addressed.

The Government Street Market's purpose was primarily to improve vitality in the north end of the Downtown. This Market has been run through a simple agreement with an individual operator. There have been issues raised by adjacent merchants from time to time, though these have been subsequently addressed. Improvements to the appearance of the Market have been suggested and options for doing so are being discussed with the operator.

To allow for flexibility in responding to the changing context and directions of the Markets, it is proposed that the agreements for the Markets be approved for an initial one year term for 2008 with a further one year renewal for 2009, if authorized by the Director of Planning & Development. Agreements have been modified to reflect the recommendations discussed and will be reviewed by legal services prior to being finalized. Prior to Council's consideration of further agreements related to these markets in public spaces beyond this timeframe, it is recommended that an economic and operational review and evaluation be conducted.

**Action:** Councillor Thornton-Joe moved that Council:

1. Approve continuation of the Bastion Square and Government Street Markets for 2008 through 2009 with the recommended changes to both agreements and that the Director of Planning & Development be authorized to approve the annual renewal of the Market agreements over the next two years, on the condition there are no significant changes in operation and performance each year.
2. That staff be directed to undertake an economic and operational review and evaluation in 2009 and that a report be brought forward to Council prior to consideration of further agreements.

CARRIED 08/061

## 12. FINANCE

### 12.1 Corrections to Assessment Rolls

Committee received a report dated January 10, 2008 from Finance with respect to Corrections to Assessment Rolls. The City has received Supplementary Rolls #19 for 2005, #17 and #18 for 2006, and #6, #8, #9, #10, and #11 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.*"

The 2007 budgeted amount for taxes uncollectible is \$250,000.00. This amount has been spent; however, an allowance has been set up to cover the excess adjustments.

**Action:** Councillor Young moved that the adjustments to taxes based on the revised assessments, be approved. The various agencies are affected as follows:

School	Commercial	\$ 241,813.53
	Residential	1,984.69
General Municipal		220,023.28
General Police		134,193.75
General Debt		38,118.16
Capital Regional District		47,192.51
Capital Regional Hospital District		15,199.52
BC Assessment Authority		6,942.69
Municipal Finance Authority		3.17
Regional Transit		23,352.15
Local Services		<u>10,687.87</u>
		\$ 739,511.32

CARRIED 08/060

## 12.2 Proposed Tax Incentive #00009 for 1701 Douglas Street

Committee received reports dated January 8, 2008 and January 21, 2008 from Finance with respect to a Proposed Tax Incentive #00009 for 1701 Douglas Street. On Dec 13, 2007 Council requested a report outlining the impact the tax incentive proposal for the Hudson would have on the City of Victoria's property tax revenue - i.e. *"to exempt a portion of commercial assessments in the entire development as opposed to the commercial and residential assessments in the heritage building only"*.

Under the Community Charter section 225(2)(b), Council may exempt eligible heritage properties from taxation. In conjunction with the School Act, section 131(5), the property will be exempt for all taxes including municipal, school, hospital and regional district levies for the portion outlined in the bylaw.

As outlined in the Committee of the Whole report submitted by Steve Barber, Senior Heritage Planner, the proposed tax exemption would apply to the ground floor commercial space in the Heritage Designated Hudson's Bay company building, and to a portion of the commercial floor space on the entire site. The portion of commercial assessment eligible for exemption will be calculated so that the value of the tax exemption is equal to what it would have been if the tax incentive was applied to the commercial and residential assessments in the heritage building only.

The estimated value of the taxes for the rehabilitated heritage building, based on figures provided by BC Assessment and 2007 tax rates are:

Commercial Assessment	\$2,061,500	Taxes \$ 49,418
Residential Assessment	\$45,810,000	<u>Taxes \$288,076</u>
		Total \$337,494

By exempting only a portion of the total commercial assessment, the exemption on commercial would be approximately:

Commercial Assessment      \$ 14,078,733

Taxes \$337,494

**Summary:**

The amount of tax that the City will receive from the “non-exempt” portion of this development if the tax exemption is applied as outlined in Mr. Barber’s report, will equate to the amount the City would receive if the tax exemption was applied to the heritage building only. If the proposed tax exemption on the Hudson is approved the **total** taxes received by the City will not change.

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

CARRIED 08/059

**Action:** Councillor Young moved that the request from Townline Properties for a tax exemption to apply to the ground floor commercial space in the heritage designated Hudson’s Bay Company building, and to a portion of the new commercial floor space (equal to the value of the tax exemption for the designated heritage building) be approved in principle, subject to:

1. Confirmation by the City’s Solicitor of the appropriate legal mechanism to achieve this goal.
2. Submission of a formal application (including seismic upgrading cost estimates certified by a structural engineer) and its review by the Victoria Civic Heritage Trust.
3. Instructions to staff to prepare the required Tax Exemption Bylaw for consideration by Council.

CARRIED 08/058

### **12.3 Tourism Victoria – Interim Financing**

Committee received a report dated January 18, 2008 from Finance with respect to Tourism Victoria - Interim Financing. A letter is attached to the report from Tourism Victoria requesting that Council approve their request for interim funding in the amount of \$1,382,089, which will be paid from the 2008 2% Hotel Tax proceeds.

This has no impact on city finances as it is merely granting them authority to arrange interim financing through their bank to help finance operations for January through April.

**Action:**      Councillor Fortin moved that City Council approve Tourism Victoria’s request for interim financing in the amount of \$1,382,089 from the 2008 Hotel Tax Revenue.

CARRIED 08/057

## 12.4 Secondary Suite Micro-Credit Program

Committee received a report dated January 8, 2008 from Finance and Social Planning and Housing with respect to a proposed Secondary Suite Micro-Credit program. At the meeting of September 13, 2007, Council accepted Finance Committee meeting minutes of August 15, 2007, requesting staff report back to Council on the possibility of providing interest free loans to homeowners wanting to develop secondary suites. The loans were to be funded by the Victoria Housing Trust Fund. Staff have investigated the feasibility of implementing such a municipal lending program at the City of Victoria and sought legal advice as this report was finalized for Council's consideration.

Council could choose to create a municipal lending service to provide interest-free loans to assist in the creation of affordable secondary suites. This type of assistance would require a partnering agreement between each property owner receiving the assistance and the City of Victoria. For each owner granted assistance in this manner, public notice would be required in accordance with Section 94 of the Community Charter and a mortgage be registered against the owner's property. Implementing such a municipal lending program would require additional staff resources to develop, implement and administer the program. Additional resources would be required to cover associated legal costs.

Council could also choose to implement a revitalization tax exemption program, which allows for exemption from the municipal portion of property taxes. The City has previous experience with permissive and heritage exemptions. The goals and objectives are to be set out in the program bylaw and Council must consider whether they are in conjunction with the City of Victoria's Financial Plan. This would require ongoing audit of exemption certificates to ensure the objectives and goals of the bylaw were being met.

The Canada Mortgage and Housing Corporation (CMHC) currently offers and administers a Rental Residential Assistance Program (RRAP) which provides forgivable loans which would include the development of secondary self-contained units. This program meets and exceeds any program that the City of Victoria could develop and provide. CMHC has the requisite administrative infrastructure and financial resources in place to provide this loan service. CMHC staff are amenable to partnering with the City of Victoria to promote the program locally and raise its profile. Staff has already initiated discussions with CMHC about how the City can assist CMHC in promoting this program to Victoria citizens as directed by Council through approval of the Victoria Comprehensive Housing Strategy (June 21, 2007). In view of this, staff recommend that the City of Victoria not duplicate an existing federal government loan program designed to assist in the creation of affordable secondary self contained dwelling units. Instead, staff will direct efforts towards working with CMHC to promote and make information available to the public regarding RRAP.

The Manager of Social Planning and Housing advised Committee that the January 23, 2008 Secondary Suite workshop was well attended and two more workshops will take place. Committee discussed incentives to aid home owners, financially and administratively, with the creation of legal secondary suites.

Mr. King of CMHC spoke to Committee about their program which offers financial assistance for the creation of a secondary suite for a low-income senior or adults with a disability. In response to a Committee member's inquiry, he advised that the definition of 'disabled' is broad. He also noted that when that person has vacated, the suite would be available to any renter. He noted that mortgage insurers also recognize legal secondary suites. A Committee member noted the value of working with CMHC and other similar agencies, to help secondary suite applicants. Mr. King noted that CMHC has had discussions with the Real Estate Board regarding secondary suites being a selling point for realtors.

A Committee member noted that at the Secondary Suite workshop some homeowners with non-conforming suites had concerns with respect to income and Revenue Canada. A Committee member noted that renovation costs associated with a secondary suite can be written off against rental income.

**Action:** Councillor Coleman moved that the City of Victoria pursue greater partnership with the Canada Mortgage and Housing Corporation and other similar agencies to promote and educate the public in the development of secondary suites.

CARRIED 08/056

### **13. ADMINISTRATIVE MATTERS**

#### **13.1 Twin City of Khabarovsk, Russia, 150<sup>th</sup> Anniversary Celebrations**

The Manager of Administration and Protocol outlined for Committee the proposed trip to the Twin City of Khabarovsk, Russia in May 2008 for the 150<sup>th</sup> anniversary celebrations. Members of Council have been polled with regards to those interested in attending these celebrations. The Mayor and Councillors Chandler, Fortin and Young have shown an interest in attending, however, confirmed attendance is expected in two weeks time.

Committee members discussed the economic development opportunities with the City's twin cities. A Committee member noted that the Greater Victoria Development Agency has been targeting twin cities.

#### **13.1 Disposition of Communications dated January 17, 2008**

**Action:** Councillor Coleman moved that the Disposition of Communications dated January 17, 2008 from the Manager, Administration, be received for information and filed.

CARRIED 08/055

#### **13.2 Proclamation – “Darwin Day”**

**Action:** Councillor Coleman moved that the day of February 12<sup>th</sup>, 2008 be proclaimed as “Darwin Day” in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/054

**13.3 Proclamation – “Psychosis and Schizophrenia Awareness Week”**

**Action:** Councillor Coleman moved that the week of February 11<sup>th</sup> – 18<sup>th</sup>, 2008, be proclaimed as “Psychosis and Schizophrenia Awareness Week” in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/053

**14. CLOSED MEETING at 12:15 p.m.**

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

**Absent:** Councillor Chandler.

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

**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 08/052

**14.1 Minutes of the Closed Portion of the Committee of the Whole Meeting held January 10, 2008**

**Action:** Councillor Holland moved that the Closed Minutes from the Committee of the Whole Meeting held January 10, 2008 be adopted.

CARRIED 08/051

The City Manager updated Committee on item # 1.1 - 913 Government Street from the January 10, 2008 Closed Minutes.

**14.2 Land – New Lease**

Committee received a report dated January 16, 2008 from Legislative and Regulatory Services with respect to a New Lease at # 12 Centennial Square for the Greater Victoria Cycling Coalition Association and the Victoria Car Share Cooperative (the tenants).

**Action:** Councillor Fortin moved that Council approve a new Lease with the Tenants as follows:

1. Term: one year commencing Feb. 1, 2008 with a one year extension clause.
2. Rent: \$9,000.00 per year plus gst, inclusive of heat and water only
3. Premises: # 12 Centennial Square.

CARRIED 08/050

#### **14.3 Legal – Litigation**

Committee received correspondence dated January 17, 2008 from Staples McDannold Stewart with respect to a Litigation.

**Action:** Councillor Fortin moved that Council approve the recommendation from the City's Solicitor to settle a litigation with respect to *Owners, Strata Plan No. VIS3380 v. City of Victoria et al*, as outlined in the letter dated January 17, 2008.

CARRIED 08/049

#### **14.4 Appointment – CRD Arts Committee**

**Action:** Councillor Holland moved that City Council appoint Councillor Madoff to the Capital Regional District Arts Committee for the term ending December 31, 2008.

CARRIED 08/048

#### **14.5 Councillor Inquiry – Hearing Procedure**

Councillor Hughes requested information regarding the procedure for an upcoming hearing. Staff provided Committee with an update on this issue.

### **15. ADJOURNMENT**

**Action:** Councillor Hughes moved that the Committee of the Whole meeting of January 24, 2008 be adjourned at 1:03 p.m.

CARRIED 08/047

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Mayor Lowe, Chair