

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, FEBRUARY 7, 2008, 8:00 a.m.

1. **THE CHAIR CALLED THE MEETING TO ORDER AT 8:07 a.m.**

2. **CLOSED MEETING 8:07 a.m.**

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

Absent: Councillors Chandler and Coleman.

Staff Present: R. Woodland - Corporate Administrator; P. Ballantyne – City Manager; M. McCliggott – Assistant City Manager; S. Schopp – Manager, Legislative and Regulatory Services; E. Garner – Bylaw Officer; S. Simmonds, Supervisor, Bylaw; J. Hawkins - Recording Secretary.

Action: Councillor Thornton-Joe 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 08/103

2.1 Legal – Business Licence Hearings Deliberations

Committee members deliberated on a Legal – Business Licence Hearing matter.

This discussion and motion were recorded and kept confidential.

(Closed Resolution # 08/102)

3. **ADJOURNMENT OF CLOSED MEETING**

Action: Councillor Hughes moved that the Closed Committee of the Whole be adjourned at 9:09 a.m.

CARRIED 08/101

4. **THE CHAIR CALLED THE OPEN MEETING TO ORDER AT 9:13 a.m.**

Committee Members Present: Mayor Lowe in the Chair, Councillors Chandler,

Coleman, Fortin, Holland, Hughes, Madoff, Thornton-Joe and Young.

Staff Present:

P. Ballantyne – City Manager; 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; B. Naughton – Interim Police Chief; S. Seivewright – Controller, Victoria Police Department; A. Hudson – Senior Planner; A. Meyer – Manager, Development Services; M. Lam – Senior Urban Design Planner; S. Schopp – Manager, Development and Regulatory Services; S. Simmonds – Supervisor, Bylaw; W. Zink – Manager, Social Planning & Housing; S. Masters – Manager, Administration & Protocol; S. Barber – Senior Heritage Planner; M. Mayhew – Executive Assistant; K. Josephson – Manager, Communications.

5. APPROVAL OF THE AGENDA

The Chair outlined the following changes to the February 7, 2008, Committee of the Whole agenda:

- New Item # 14A – Notice of Motion
- Closed Item # 17 – Amendments
- New Closed Item # 19 – Legal, Master Development Agreement
- New Closed Item # 20 – Land – Licence Agreement
- Councillor Inquiries / Information Sharing:
 1. Councillor Chandler – two inquiries
 2. Councillor Fortin – one inquiry

Action: Councillor Hughes moved that the Agenda of the February 7, 2008 Committee of the Whole meeting be approved as amended.

CARRIED 08/100

6. ADOPTION OF MINUTES

6.1 January 24, 2008 Committee of the Whole Minutes

Councillor Coleman advised that for item 12.4 on page 21, the motion put was intended to be #2 only, as follows:

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.

Councillor Young advised that on the January 24, 2008 meeting, Item # 9.5, Development Variance Permit # 00043 for 1977 Fairfield Road, he voted against this motion. Councillor Young advised Committee that he would like to reconsider his vote. The Chair advised that this item will be brought forward to the next Committee of the Whole meeting.

Action: Councillor Holland moved that the minutes of the January 24, 2008 Committee of the Whole meeting be adopted as corrected.

CARRIED 08/099

6.2 January 22, 2008 Special Committee of the Whole Minutes

Action: Councillor Holland moved that the minutes from the Special Committee of the Whole meeting held January 22, 2008 be adopted.

CARRIED 08/098

7. DELEGATION

7.1 Community Social Services

Committee received a presentation from Karen Wickham, a Community Social Service (CSS) worker, outlining for Committee how the services that CSS provides helps the community with housing, crime, social services and violence that affects the community. March 2008 is being proclaimed as Community Social Services month to shine a light on CSS and build support amongst policy makers. The three goals for CSS are:

1. Increase awareness about the value of CSS in our community;
2. To expand and change perception and build greater public support;
3. Every person is a valuable person in their community; support people with these challenges.

Marilyn Rust, who works in a group home with developmentally delayed adults, spoke to Committee about the difficulties in recruiting people to a career in CSS due to the low wages. Staff are committed to serve the people in the homes in any capacity necessary, which in turn allows them to go out into the community.

Committee members commented on the following:

- The 'unsung' heroes that work in this field, successfully helping those in need integrate into the community.
- Council experiences the consequences of inadequate funding for these programs on a daily basis.
- The police are dealing with mental health and social issues; this is the way a municipal government can respond.
- Often hear about the 'triple bottom line' and the social aspect of this is often under funded and rarely discussed.

- Assisting people to become self-sustaining; in March the youth hospitality training centre will open. Value and inspiration from all those engaged in this work.

Proclamation – “Community Social Services”

Action: Councillor Fortin moved that the month of March 2008 be proclaimed as “Community Social Services” month in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/097

8. PRESENTATION

8.1 Police Budget Presentation

Committee received a presentation from the B. Naughton, Interim Police Chief and S. Seivewright, Controller, Police Department, regarding the 2008 budget for providing police services to the Township of Esquimalt and the City of Victoria. The total budget request for 2008 is \$36,072,000. Based on converted tax assessments, the allocation is \$5,115,370 to Esquimalt and \$30,956,630 to Victoria. This represents an increase of \$3,938,000 from the 2007 budget (increase of \$588,011 for Esquimalt and \$3,349,989 Victoria). The increase is required for:

Negotiated wage settlements	\$1,518,000
19 additional police officers	2,280,000
Other	<u>140,000</u>
Total Increase	\$3,938,000

Committee members discussed with Chief Naughton the following:

- Esquimalt Council and their response to the budget;
- The issues police are responding to on an emergency basis; directing budget to those issues;
- Sustainability of hiring new officers over the next three years;
- Police budget impact on general budget; struggling community programs;
- Looking at harm reduction in the upcoming years;
- Police officer issues include: high call load; ‘burn-out’ resulting in officers leaving; CREST communications.
- Harm reduction is one of the ‘legs’ of police work.
- The deployment of police officers is carefully analysed;
- Traffic concerns in neighbourhoods; focus on downtown affects communities;
- Police partnering with social agencies;
- City carrying the burden for social issues; relaying this hardship to upper levels of government;
- Community Court – a pilot program on the mainland only;
- Amalgamation and the political will to bring this to fruition;

Interim Chief Naughton noted that this budget increase is to maintain significant gains made by the downtown action plan with respect to safety and security. He also noted that the increasing complexities of criminal investigations, technological demands and time spent increasingly in court are the main impacts on police time. Open drug dealing, bar closures and an emerging gang culture are areas that the police are proactively targeting.

The Mayor advised Committee that the Victoria Police budget will be reviewed with the entire budget on February 12, 2008. Also noted was the increase in traffic fine revenue.

9. DEVELOPMENT SERVICES

9.1 Rezoning Application # 00100 and Development Permit Application #00091 for 923 Burdett Avenue

Committee received a report dated February 7, 2008 from Development Services with respect to Rezoning Application # 00100 and Development Permit Application # 00091 for 923 Burdett Avenue. A second Public Hearing respecting this rezoning application was held on January 17, 2008. Council closed the Public Hearing, granted third reading of the bylaws, postponed consideration of adoption of the bylaws and referred the application back to staff to discuss site options with the applicant.

The applicant has advised that a fundamental redesign of the project will not be pursued. However, a minor modification to site planning has been made in response to concerns raised at the Public Hearing. The applicant proposes to relocate two surface parking stalls that were originally proposed in the front yard of the Temple residence into the underground parkade in consideration of appearance along Burdett Avenue. The parking revision doesn't not result in a change in land use, increase in density, nor does it affect the parking regulations set forth within Zoning Regulation Bylaw No. 07-057. Therefore, under legislative requirements a third Public Hearing would not be necessary.

Committee members discussed with staff the zoning for this lot with respect to the original intent of the Humboldt Valley Plan and adjacent zoning.

The Corporate Administrator provided clarity with respect to procedure, noting that there are no changes to the bylaws and that the Development Permit can move forward as presented. The opportunity for public input is closed.

Some Committee members noted that the applicant has addressed most of the concerns raised at the Public Hearings.

A Committee member noted that concerns remain with respect to responding to the Humboldt Valley Plan.

A Committee member noted that the solution presented with the two McClure buildings is not supportable.

Councillor Chandler withdrew from Council Chambers at 11:34 a.m.

Some Committee members felt that the architectural approach presented on McClure Street would be more acceptable with a 'friendlier' approach. A Committee member requested that the motion be separated to allow changes to the Development Permit application.

Councillor Chandler returned to Council Chambers at 11:36 a.m.

Staff advised that the Development Permit changes depend on how deeply the design concerns are to be addressed. It could be deferred to the Building Permit stage.

- Action:** Councillor Holland moved that Council adopt:
- a) Official Community Plan Bylaw, Amendment Bylaw (No.77) – No. 07-058
 - b) Zoning Regulation Bylaw, Amendment Bylaw (No. 811) – 07-057
 - c) Heritage Designation (923 Burdett Avenue) Bylaw, Amendment Bylaw (No.558) – No. 07-055
 - d) Heritage Designation (924 McClure Street) Bylaw, Amendment Bylaw (No.559) – No. 07-056
 - e) Heritage Revitalization Agreement (923 & 929 Burdett Avenue and 924 McClure Street) Bylaw No. 07-061
 - f) Housing Agreement (923 & 929 Burdett Avenue and 924 McClure Street) Bylaw No. 07-062

CARRIED 08/096

Mayor Lowe and Councillor Madoff voted against this motion.

- Action:** Councillor Holland moved that Council authorize the issuance of a Development Permit in accordance with:
- a) Plans stamped "Development Permit 000091", dated November 20, 2007 with parking revision noted on plans dated January 28, 2008.
 - b) Development meeting all Zoning Bylaw requirements.
 - c) **Consideration be given to the possibility of a street friendly design for the McClure Street elevations.**
 - d) Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Planning and Development.

CARRIED 08/095

Mayor Lowe and Councillor Madoff voted against this motion.

9.2 Development Permit # 000113 for 680 Montreal Street

Committee received a report dated February 7, 2008 from Development Services with respect to Development Permit # 000113 for 680 Montreal Street. This is a

Development Permit application to amend the Land Use Contract for the property at 680 Montreal Street to improve the bar of the lounge area and the outdoor deck at the Laurel Point Inn.

The proposed improvement is consistent with the goals and objectives of the *Victoria Harbour Plan* and the *Building Signs and Awnings Advisory Design Guidelines* to reinforce the design and character of the existing hotel.

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

- Action:** Councillor Holland moved that Council authorize the issuance of a Development Permit in accordance with:
1. Plans stamped "Development Permit # 000113" dated January 21, 2008
 2. Development meeting all Zoning Bylaw requirements
 3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Planning and Development.

CARRIED 08/094

Councillor Fortin withdrew from the Council Chambers at 11:43 a.m. as he is the Executive Director of the Burnside Gorge Community Association and has a direct pecuniary interest with the following item.

9.3 Development Permit # 000097 for 384 Harbour Road Building R4

Committee received a report dated January 29, 2008 from Development Services with respect to Development Permit # 000097 for 384 Harbour Road Building R4. This application is for a Development Permit to construct a three-storey residential building at 384 Harbour Road. The site is located within Development Area DA-D, south of the Waste Water Treatment Plant proposal that was approved by Council in April 2007. The proposed residential building is paired with the light industrial and commercial building to the east and shares a common vehicular laneway between the two buildings.

The proposal is consistent with the overall objectives of the Design Guidelines for the Docks area. The main living functions of the seven units are located on the second floor and above, with the living room and main walk-in entrance oriented towards the central greenway. Allowing residential use on the ground floor requires a variance, however, it is occupied mainly by the garage and flexspace that can relate comfortably with the activities in the shared vehicular laneway and is therefore supportable. Prior to issuance of a Building Permit, additional treatments for this building face (east) and its windows should be provided for increased privacy.

Since a new property line, which runs parallel to Harbour Road, is being created, a variance is also needed to allow the placement of a building within 18 m of the easterly property line. The intent of this regulation is to ensure that residential

uses are kept 18 m away from Harbour Road. This is intent is met so the variance is supportable.

As this Development Permit application includes variances, there is a requirement for notification, sign posting and a hearing.

- Action:** Councillor Holland moved that Council authorize the issuance of a Development Permit, subject to receipt of comments from the Victoria West Community Association Land Use Committee, in accordance with:
1. Plans stamped "Development Permit # 000097" dated January 18, 2008
 2. Development meeting all bylaw requirements except:
Section 12.9.11.1(a) – this shall be varied to allow attached dwellings, excluding habitable rooms, on the ground floor and within 18 m of the easterly property line and no part of any unit can face the easterly property line, except bay windows on the north elevation that protrude 0.5 m or less, unless there is a buffer of another building of equal or greater height between **the attached dwellings and Harbour Road.**
 3. Final plans to be in accordance with plans identified above with the incorporation of responses to staff's comments prior to Building Permit stage to the satisfaction of the Director of Planning and Development.

CARRIED 08/093

Councillor Fortin returned to Council Chambers at 11:44 a.m.

A Committee member requested that report materials not be duplicated in regards to the colour copies, where possible.

10. LEGISLATIVE AND REGULATORY SERVICES

10.1 Early Morning Garbage Collection

Committee received a report dated January 30, 2008 from Legislative and Regulatory Services with respect to Early Morning Garbage Collection. This report recommends minor amendments to the *Noise Bylaw* and *Ticket Bylaw*. Bylaw officers are responding to an increasing volume of complaints regarding morning garbage collection. Acting on complaints, staff have found collections are taking place as early as 4:30 a.m. on weekdays.

In the past haulers would reschedule their routes, at the request of staff, to prevent complaints. However, over the past year, complaints have continued despite request for compliance. To improve the City's position, staff recommend two minor housekeeping amendments to the *Ticket Bylaw* and *Noise Bylaw*:

1. Weekday collection times under section 13(g) are somewhat restrictive. Staff recommend a minor amendment to the *Noise Bylaw* to permit haulers to collect a half hour earlier on weekdays (6:30 a.m. instead of 7:00 a.m.)
2. The *Ticket Bylaw* also requires the addition of a corresponding fine since no fine was specified when the *Noise Bylaw* was implemented on March 25, 2004.

Administration of these complaints is costly since staff are frequently required to work unscheduled overtime and outside regular hours. These administrative costs may be recovered through an appropriate fine. \$500.00 is the recommended fine which will off-set investigative costs.

Committee members discussed with staff the fine amount and the possibility of introducing a graduated rate for fine amounts. Staff has talked to haulers in the past, but felt that compliance would be forthcoming with the ability to ticket.

Committee members requested that staff consider the option of introducing a graduated system of fining at a later date.

Action: Councillor Thornton-Joe moved that Council instructs the Corporate Administrator to amend the *Ticket Bylaw* and *Noise bylaw* as outlined on Schedule C and defined in Option A of the report dated January 30, 2008.

CARRIED 08/092

11. ADMINISTRATIVE MATTERS

11.1 Delegation - Twin City of Khabarovsk, Russia, 150th Anniversary Celebrations

The Manager of Administration and Protocol reviewed for Committee the 150th anniversary celebrations in the Twin City of Khabarovsk, Russia in May 2008, which Councillors Chandler and Young would like to attend. The budget for this trip has been discussed and staff will bring back information for discussion related to the sculpture that the City will be presenting to the Twin City of Khabarovsk.

Action: Councillor Coleman moved that Council approve sending Councillors Chandler and Young to Khabarovsk, Russia in May 2008 for the 150th anniversary celebrations.

CARRIED 08/091

11.2 Seatrade Cruise Shipping Convention – March 10-13, 2008 and meeting in Orlando to discuss Victoria Gardens

The Seatrade Cruise Shipping Convention Annual Conference is being held from Monday, March 10 to Thursday, March 13, 2008, at the Miami Beach Convention Centre in Miami Beach, Florida, USA. The Greater Victoria Harbour Authority and local Seatrade partners have invited Mayor Lowe to attend the conference and assist in promoting the City of Victoria.

Action: Councillor Holland moved:

1. That Council approves the attendance of Mayor Alan Lowe to the Seatrade Cruise Shipping Convention 2008 and attending a meeting in Orlando to discuss the Victoria Gardens at the Canada Pavilion.
2. That Council approve funding of approximately \$2670.00 to cover related expenses.

CARRIED 08/090

11.3 Disposition of Communications dated February 1, 2008

Action: Councillor Coleman moved that the Disposition of Communications dated February 1, 2008 from the Manager, Administration, be received for information and filed.

CARRIED 08/089

11.4 Proclamation – “Kidney Month”

Action: Councillor Madoff moved that the month of March, 2008 be proclaimed as “Kidney Month” in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/088

11.5 Proclamation – “Spirit of BC 2008”

Action: Councillor Madoff moved that the week of February 8th – 16th, 2008, be proclaimed as “Spirit of BC 2008” in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/087

11.6 FCM – Quebec

The Federation of Canadian Municipalities Conference is being held in Quebec City from May 30 to June 3, 2008. Councillors Coleman, Thornton-Joe and Madoff would like to attend.

Action: Councillor Holland moved:

1. That Council approves the attendance of Councillors Coleman, Thornton-Joe and Madoff at the 2008 FCM Conference;
2. That Council approve funding of approximately \$2700.00 to cover related expenses.

CARRIED 08/087

12. COUNCILLOR INFORMATION SHARING AND INQUIRIES

12.1 Councillor Chandler – Food Matters Forum

Councillor Chandler advised Committee that a Lifecycles Food Matters Forum regarding food security is scheduled for March 14, 2008 from 1:30 p.m. to 7:30 p.m. Last year this forum took place in City Hall, and Councillor Chandler asks that Council support this event again.

The Chair requested that this matter be referred to staff to review space availability and costs for this event.

Mayor Lowe withdrew from Council Chambers at 11:58 a.m. due to a direct pecuniary interest in the following item as his is doing business at Bear Mountain located in the District of Highlands, and Councillor Fortin assumed the Chair.

12.2 Councillor Chandler – Local Service Area and the City of Langford

Councillor Chandler expressed her concerns to Committee related to the City of Langford's proposal regarding the Spencer Road highway interchange and whether the Local Service Area process circumvents the normal process for approval. Councillor Chandler requested that Committee support her proposal to write a letter to the Inspector of Municipalities regarding this process. Councillor Young noted that a letter had been sent to the Minister of Transportation regarding major transportation issues because they affect all municipalities.

The Corporate Administrator advised that the use of the Local Service Area allows a municipality to assign a specific area and charge a fronting rate to the properties in those areas for some or all the costs of a proposed work.

Councillor Coleman withdrew from Council Chambers at 12:10 p.m.

The City Manager suggested a two-fold approach of contacting the City of Langford followed by a letter to the Inspector of Municipalities to help understand the mechanism of the Local Service Area and its intended use and reporting back to Committee.

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

Mayor Lowe returned to Council Chambers at 12:14 p.m. and assumed the Chair.

12.3 Notice of Motion – 2008 Municipal Election Resolution

Councillor Chandler proposed a motion with respect to the 2008 Municipal Election. She advised Committee that an election strategy would encourage voter turn-out with voting information on the internet, in print and on the radio.

Councillor Holland withdrew from Council Chambers at 12:17 p.m.

Committee members raised concerns about cost and staff time for this. Also profiling candidates and the nomination fee were discussed.

Councillor Madoff left the meeting at 12:18 p.m.

Councillor Chandler requested a brief report outlining the communication strategies planned for the 2008 Municipal Election.

Councillor Holland returned to Council Chambers at 12:20 p.m.

12.4 Councillor Fortin – Administrative Support for Council letters

Councillor Fortin raised an inquiry regarding administrative support for Councillors, specifically for a letter to Child Care Providers as a follow-up to a forum. A Committee member also noted the value in Council members having their own letterhead. Committee members discussed with staff Council decisions that automatically generate correspondence. The City Manager noted that the recommendation on Council remuneration supports the need for more clerical help, that staff would be happy to help on the occasional basis, and the lack of support in this instance was due to a miscommunication.

13. CLOSED MEETING at 12:35 p.m.

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

Absent: Councillor Madoff

Staff Present: P. Ballantyne – City Manager; R. Woodland – Corporate Administrator; D. Day – Director, Planning & Development; P. Johnson – Staples McDannold Stewart; 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 08/086

13.1 Minutes of the Closed Portion of the Committee of the Whole Meeting held January 24, 2008

Action: Councillor Coleman moved that the Closed Minutes from the Committee of the Whole Meeting held January 24, 2008 be adopted.

CARRIED 08/085

13.2 Minutes from the Closed Portion of the Special Committee of the Whole Meeting held January 22, 2008

Action: Councillor Coleman moved that the Closed Portion of the Special Committee of the Whole meeting held January 22, 2008 be adopted.

CARRIED 08/084

13.3 Advisory Committee Appointments

Committee members agreed to postpone consideration of the Advisory Committee Appointments to a time when all Committee members are present.

13.4 GVLRA – Labour Relations Update

Committee members received information from R. Brunsdon of the GVLRA with respect to a Labour Relations Update.

This discussion was recorded and kept confidential.

Councillor Fortin left the meeting at 12:52 p.m.

13.5 Legal – Master Development Agreement

Committee members received information from the Director of Planning & Development and P. Johnson of Staples McDannold Stewart with respect to a legal matter on a Master Development Agreement.

This discussion was recorded and kept confidential.

13.6 Legal – Business Licence Hearing Deliberation – Information

Committee members discussed the Business Licence Hearing Deliberations with staff advising on the process to rise and report on the outcome of this deliberation.

Councillor Coleman left the meeting at 1:11 p.m.

13.7 Land – Licence Agreement

Committee received a report dated February 6, 2008 from Legislative and Regulatory Services with respect to a New Licence of Use with the Provincial Capital Commission.

The discussion and resolution were recorded and kept confidential.

(Closed Resolution #083)

14. ADJOURNMENT

Action: Councillor Thornton-Joe moved that the Committee of the Whole meeting of February 7, 2008 be adjourned at 1:16 p.m.

CARRIED 08/082

Mayor Lowe, Chair