

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, FEBRUARY 21, 2008, 9:00 a.m.

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

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

Staff Present for a Portion of the Meeting: M. McCliggott – Assistant City Manager; B. Naughton – Interim Police Chief; J. Ducker – Deputy Chief, Police; S. Seivewright – Controller, Police; D. Day – Director of Planning & Development; G. Price-Douglas - Community Planner; K. Friars – Director of Parks, Recreation and Community Development; A. Meyer – Manager, Development Services; L. Baryluk – Planner; S. Barber – Senior Heritage Planner; K. Ramsay Cline – Planner; L. Strathdee – Development Services Coordinator; C. O’Regan – Manager, Facilities and Operations; S. Hortsing – Manager, Facilities; C. Whipp – Building Project Manager; J. Jenkyns - Acting General Manager, Conference Centre; S. Masters – Manager, Administration and Protocol; M. Mayhew – Executive Assistant.

1. MEETING CALLED TO ORDER BY THE CHAIR AT 9:01 a.m.

2. APPROVAL OF THE AGENDA

The Chair outlined the following changes to the February 21, 2008, Committee of the Whole agenda:

- Item # 3 – addition of Minutes from the Special Committee of the Whole meeting held February 12, 2008.
- Item # 4A – new item, Spirit Square in Centennial Square.
- Item # 7 – Additional Correspondence.
- Item # 9A – new item, Development Permit for 362 Harbour Road.
- Item # 14 – moved to Closed
- Item # 15 – Transfer of location of Liquor Licence – report
- Item # 17 – Additional Proclamation
- Item # 17A – new item, Equitable Police Funding.
- Item # 18A – new item – Notice of Motion, Joint ADP / HAC Committee.

Closed:

- Item # 19 – addition of the Closed Minutes from the Special Committee of the Whole meeting held on February 5, 2008.
- Item # 20A – addition of the Closed Minutes from the Special Closed Committee of the Whole minutes held February 14, 2008.
- Item # 22 – Legal – New Governance Model – report
- Item # 23 – Advisory Committee Appointments – amendments.
- Item # 25 – Municipal Award – Khabarovsk Public Art Project
- Item # 26 – Municipal Award – Khabarovsk Performing Arts Project
- Item # 27 – Legal.

- Councillor Inquiries / Information Sharing:
 1. Councillor Thornton-Joe – one sharing
 2. Councillor Fortin – two inquiries – one sharing in closed meeting
 3. Councillor Hughes – one sharing

Action: Councillor Coleman moved that the Agenda of the February 21, 2008 Committee of the Whole meeting be approved as amended.

CARRIED 08/149

3. ADOPTION OF MINUTES

3.1 February 5, 2008 Special Committee of the Whole Minutes

Action: Councillor Hughes moved that the minutes of the February 5, 2008 Special Committee of the Whole meeting be adopted.

CARRIED 08/148

3.2 February 7, 2008 Committee of the Whole Minutes

Action: Councillor Hughes moved that the minutes from the Committee of the Whole meeting held February 7, 2008 be adopted.

CARRIED 08/147

3.3 February 12, 2008 Special Committee of the Whole Minutes

Action: Councillor Hughes moved that the minutes from the Special Committee of the Whole meeting held February 12, 2008 be adopted.

CARRIED 08/146

4. PRESENTATION

4.1 Community Development – Selected Designs for the Spirit Poles

Committee received a report dated February 15, 2008 from Community Development to inform Council that on February 15, 2008 the Spirit Poles Advisory

Committee reviewed the designs presented by Master Carver Clarence (Butch) Dick and his sons for two 18 foot Spirit Poles. They will be installed in the Spirit Square by the August long weekend.

At the committee meeting, the carvers elaborated on their Spirit Pole designs, describing the symbolism and legends captured in each one and the “stories” that they told. The Committee made their selection based on the following criteria:

- Their visual and aesthetic appeal.
- Their stories, symbolism and legends.
- The significance of the designs to the Songhees/Esquimalt people.

It was acknowledged that the Spirit Square is on traditional Coast Salish lands. The final two designs meet the selection criteria and reflect the intention of the Spirit Poles project, and will provide a significant and lasting First Nations legacy from the Coast Salish people. The Spirit Poles by Butch Dick will be an inspiring addition to the Spirit Square.

Mr. Dick spoke regarding the honour of presenting the design selections to Committee today and the recognition and awareness of Coast Salish art and that this will help raise awareness about Aboriginal art in Victoria.

Committee received a presentation from Mr. Dick regarding the stories behind the designs of the two spirit poles and how he is honoured to speak about Coast Salish art to Committee and how it will raise awareness about Aboriginal art in Victoria. He also advised Committee that a log for the second spirit pole has been found in Jordan River and will be delivered by next Wednesday.

A Committee member inquired if there will be an accompanying plaque describing the stories to make it more meaningful, and was advised this is anticipated. The Committee member who participated in the design selection noted the privilege of hearing the stories behind the designs and the opportunity to consider art for Centennial Square.

Action: Councillor Madoff moved that City Council ratify the two designs for the Spirit Poles selected by the Spirit Poles Project Advisory Committee for the Spirit Square.

CARRIED 08/145

4.2 Spirit Square in Centennial Square

Committee received a report revised February 13, 2008 from Parks, Recreation and Community Development with respect to Spirit Square in Centennial Square. The purpose of this report is to recommend a planning process for a Spirit Square to be located in Centennial Square.

The BC Spirit Square grant allows planned investment in the revitalization of Centennial Square, focusing on the open space and its functionality and recognizes the longer term and major investments related to underground parking and potential redevelopment of the northern and eastern portions of the block will

take greater time and resources. The site for the Spirit Square, in Centennial Square, is outlined in Appendix A.

A Committee member requested that the charrette participants include a landscape architect and heritage advisory committee member, and consider the original designers of the square, as a starting point for participants. Staff advised that they can be included.

A Committee member advised that he is more comfortable with the space being considered for the spirit poles, but would like to postpone this element until further discussions regarding development of the square as a whole have taken place.

Action: Councillor Madoff moved that Council:

1. Direct staff to organize a one day charrette to guide the development of a vision and conceptual design for a Spirit Square in Centennial Square.
2. Include additional participants in the selection for Charrette participants: a landscape architect, a heritage advisory committee member and consider the original designers of Centennial Square.

CARRIED 08/144

Councillor Young voted against this motion.

4.3 2008 Police Budget

The Chair reviewed for Committee the last budget meeting where Council supported the City portion of 2008 budget, noting that the 2008 Police budget is still under consideration. Bill Naughton, the Interim Police Chief, Deputy Chief John Ducker and Scott Seivewright, Controller were present to respond to Council's questions regarding the 2008 Police budget.

Committee members and police staff discussed the following:

- Some issues police respond to in the downtown core give rise to budget requests; establish a link between the business and police calls so they can be billed and informed that there is a concern.
- Over-service in liquor establishments; the police are committed to work towards a solution for this issue. A coordinated approach with Liquor Licensing.
- Residents and businesses downtown and potential conflict; a challenge to find a balance.
- Concept of sustainability with respect to future requests for additional officers; looking at other solutions. Police have been working with VIHA and other agencies for leverage.
- Incident record keeping with respect to the ACT teams will help with decisions.
- Focusing on getting police back to base line, not the amount of officers.
- Police are dealing with social work higher levels of government should be funding; the message this sends.
- Partnering with the business community to look at preventative work.
- Recommend a continuing dialogue with the Police Board.
- Effective communication plan.
- A sustainable plan; funding a system that isn't functioning at an optimal level.
- Investigating alternate models to support police work.

Action: Councillor Coleman moved that City Council approve in principle the 2008 Police Budget recommendations as presented.

- Esquimalt's decision on the budget and the potential impact on Victoria's budget.
- Request a meeting with the Solicitor General regarding the political constraints inherent in these budget deliberations; continued amalgamation.

Action: Councillor Chandler moved that Council postpone consideration of the 2008 Police Budget pending further discussions with associated parties.

DEFEATED 08/143

Mayor Lowe and Councillors Coleman, Hughes, Holland and Thornton-Joe voted against this motion.

ON THE MAIN MOTION:

CARRIED 08/142

Councillor Chandler voted against this motion.

Committee members discussed traffic fine revenues and their intent which is to reduce police budgets.

5. DEVELOPMENT SERVICES

5.1 Rezoning Application # 00155 for 327 – 329 Masters Road

Committee received a report dated February 21, 2008 from Development Services with respect to Rezoning Application # 00155 for 327 – 329 Masters Road. This application is to amend the R-14 Zone, Masters Road Multiple Dwelling District to permit the addition of a fourth dwelling unit in an existing triplex on Masters Road, located east of Windermere Place. The property is currently in a site-specific zone which allows three units. A fourth, illegal unit was added. Council waived a portion of the *Clean Hands Policy for Planning Approvals* on June 28, 2007 which would have required that the illegal occupancy be vacated.

The points considered in assessing this application include the following:

- The proposal is consistent with the *Fairfield Plan* and the City of Victoria's *Official Community Plan*.
- Changes to the standard R-14 Zone are required for permitted use, density, unit size in relation to lot area, total floor area, rear setback, maximum number of storeys and front yard parking. The proposed changes are supportable as they reflect an existing situation.
- The applicant has agreed to register a Housing Agreement on title to allow rental in the strata bylaws.

- The applicant is applying to strata title the proposed units. The applicant has submitted a Tenant Plan as part of the *Residential Strata Titling Policy*. Staff from Engineering, Land Development and the Manager, Social Planning & Housing has reviewed the Tenant Plan as submitted and have no objections, subject to approval by Council.
- The Fairfield Community Association and neighbours have been consulted.

Councillor Chandler left Council Chambers at 10:35 a.m.

A Committee member expressed concerns over the loss of rental housing which Council shouldn't be encouraging.

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

Staff advised that the strata conversion and rezoning were brought forward concurrently to show the full intent of the proposal.

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 amendments consistent with the data table subject to a Housing Agreement registered on title and secured by Bylaw to the satisfaction of the Director of Planning & Development.
2. That Council approve the Tenant Plan.

CARRIED 08/141

Mayor Lowe and Councillors Fortin and Madoff voted against this motion.

5.2 Rezoning Application # 00167 for 36 Philippa Place

Committee received a report dated February 12, 2008 from Development Services respecting Rezoning Application # 00167 for 36 Philippa Place to permit subdivision and construction of a new small lot single family dwelling. This rezoning will facilitate the construction of a new small lot single family dwelling on the newly created lot. The existing house will remain in the R1-B Zone.

The following points were considered in reviewing this application:

- The *Suburban Neighbourhoods Plan*, as it relates to Fairfield policies, states that small lot applications may be considered when infill development or redevelopment is appropriate.
- The application is generally consistent with the *Small Lot Rezoning Policy*. Variances are not required, however, the existing house was built in 1958 and due to its placement on the lot has existing non-conforming siting.
- The applicant has conducted the Neighbourhood petition which is required in the *Small Lot House Rezoning Policy* and the results show general support, however, the petition area is more extensive than the distance specified in the Policy.

- The Planning and Zoning Committee of the Fairfield Community Association has been consulted.
- The new small lot will be included within the Intensive Residential Development Permit Area 26, regulating the exterior design, finish and landscaping.

Councillor Fortin withdrew from Council Chambers at 10:40 a.m.

Staff advised that further consultation with neighbours resulted in moving the building 1.5 meters closer to Philippa Place. Committee members discussed small lot rezoning and expressed concerns regarding the additional mass created by the basement. A review of the policy on small lot rezoning may be worthwhile. Staff noted that secondary suites are not allowed on small lots.

The applicant, Mr. Dewhurst, noted that moving the building forward 1.5 meters resulted in the support of the neighbour originally opposed to the development.

Councillor Fortin returned to Council Chambers at 10:47 a.m.

- Action:** Councillor Holland moved that Council forward the application for consideration at Public Hearing and that the proposed resolution noted below be considered at the same meeting for which a Public Hearing is held for the Zoning Regulation Bylaw Amendment for 36 Philippa Place:
1. Subject to Council's adoption of that Zoning Regulation Bylaw Amendment, that Council authorize the issuance of the Development Permit to allow construction in accordance with the plans date stamped November 27, 2007 (as amended on February 21, 2008) with the following relaxation to the Zoning Bylaw, Section 8, Part 1.23 for the new lot:
 - a) Front yard setback reduced from 6.0 m to 4.5 m.

CARRIED 08/140

Councillors Chandler and Young voted against this motion.

5.3 Rezoning Application # 00144 for 1033 Pakington Street

Committee received a report dated February 12, 2008 from Development Services with respect to Rezoning Application # 00144 for 1033 Pakington Street to permit construction of a triplex.

The following points were taken into consideration in evaluating this application:

- The proposal is generally consistent with the *Official Community Plan* and the *Suburban Neighbourhoods Plan* policies.
- The existing zoning allows for townhouse residential development (attached dwelling), however, the site area is below the requirement to construct three units.
- The applicant has responded to density concerns and has reduced the number of units from four to three.
- The existing house will be demolished. The applicant has provided an engineer's report outlining the condition of the building to support the demolition.

- A number of siting variances are required. Improvements to the design and siting may be realized through a review by the Advisory Design Panel.
- The proposed housing design reflects the character of the homes in the neighbourhood; the housing design, siting and landscaping can be secured with a covenant.
- The application was considered by the Fairfield Neighbourhood Association (the letter dated July 16, 2007 attached to the report applies to the application for four units). The application was reduced to three units and the neighbours have been advised of these changes.

Councillor Coleman withdrew from the meeting at 10:49 a.m.

Some Committee members expressed concerns about the height of the proposal, siting letters from neighbours. The size of the units was also noted as a concern. Staff advised that the size has been reduced and the Advisory Design Panel has been asked to offer suggestions for further refinements.

Councillor Coleman returned to the meeting at 10:51 a.m.

The applicant, Paula Samra, noted that 1900 sq feet is more appropriate for a family unit and neighbours were happier with reduction to three units. Ms Samra also noted that they've tried to keep the design consistent with the neighbourhood and will work to preserve the birch tree.

- Action:** Councillor Holland moved that Council forward the application for consideration at a Public Hearing and the City's Solicitor be instructed to prepare the necessary Zoning Bylaw amendment subject to:
1. Provision of an arborist's report regarding the retention of the birch tree located in the boulevard consistent with the *Tree Preservation Bylaw*.
 2. Review by the Advisory Design Panel and final design to the satisfaction of the Director of Planning and Development.
 3. Registration of a covenant to ensure the project is built in accordance with the approved plans to the satisfaction of the Director of Planning and Development.
 4. The Corporate Administrator placing a Notice on Title with respect to illegal construction.

CARRIED 08/139

Councillors Chandler, Fortin and Madoff voted against this motion.

5.4 Development Variance Permit # 00051 for 1952 Bay Street

Committee received a report dated February 21, 2008 from Development Services with respect to Development Variance Permit # 00051 for 1952 Bay Street. The purpose of this report is to present Council with a Development Variance Permit application which would allow a temporary gravel parking lot at the Royal Jubilee Hospital. The proposed parking lot would be located at the corner of Bay Street and Richmond Road, in the location where the Patient Care Centre (PCC) will be built.

This temporary parking area is part of the staging and reorganization of the site which is necessary to prepare for the eventual construction of the PCC. The applicant has stated that the parking will be removed from this location when the construction of the PCC begins. In the event that the PCC development does not proceed, within 12 months, Section 6.0 of the Master Development Agreement for the Royal Jubilee Hospital, regarding Interim Landscaping, would require that proper surface treatment and landscaping be installed. Additionally, a covenant limiting the Development Variance Permit's validity to 12 months would be registered on title.

In accordance with Council's policy for processing variance applications, this proposal has been referred to the North Jubilee Neighbourhood Association (NJNA). Under this policy, the NJNA would have 30 days to comment prior to the application advancing to Committee of the Whole. However, since this application is related to the provision of a public medical facility, staff have accelerated the application so that the PCC's construction schedule is not impacted.

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

Councillor Hughes withdrew from the meeting at 11:03 a.m.

A Committee member inquired about the process to allow the community to comment on this proposal. Staff advised that there are competing policies because this project is a hospital, noting that the notification process for the community is underway.

A Committee member inquired regarding the temporary gravel lot. Staff advised that a covenant will be registered on title so that the temporary lot will not remain more than twelve months.

- Action:** Councillor Holland moved that Council authorize the issuance of a Development Variance Permit for Development Area One of the Royal Jubilee Hospital site, subject to registration of a covenant on the property's title, limiting the Development Variance Permit to a period of 12 months, and in accordance with:
1. Plans stamped "Development Variance Permit # 00051", dated February 1, 2008.
 2. Development meeting all Zoning Bylaw requirements, with the following variance:
Schedule "C" Section 7.2 (d) - Relaxation to permit gravel surface treatment for a temporary time period.
 3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Planning and Development.

CARRIED 08/138

Councillor Fortin withdrew from the meeting at 11:04 a.m. as he is the Executive Director of the Burnside Gorge Community Association and has a direct pecuniary interest with the following item.

5.5 Development Permit # 000120 for 362 Harbour Road – Subdivision

Committee received a report dated February 18, 2008 from Development Services with respect to Development Permit # 000120 for 362 Harbour Road – Subdivision. This application is to subdivide the lots shown on the subdivision plan attached to the report: Lots 1 through 12, in Dockside Green. The sites shown are located between Tyee Road and Harbour Road.

The Master Development Agreement requires subdivision approval through a Development Permit. This is a slight revision from the subdivision plan approved by Council on October 19, 2007 and is consistent with *Dockside Development Agreement* approved October 5, 2005.

- Action:** Councillor Holland moved that Council authorize the issuance of a Development Permit in accordance with:
1. Plans stamped "Development Permit # 000120" dated February 11, 2008.
 2. Applicant must obtain approval of the Approving Officer and must comply with all applicable enactments and bylaws in connection with the subdivision.
 3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Planning and Development.

CARRIED 08/137

Councillor Hughes returned to the meeting at 11:06 a.m.

5.6 Heritage Alteration Permit # 00073 for 563 Superior Street

Committee received a report dated February 13, 2008 from Development Services with respect to Heritage Alteration Permit # 00073 for 563 Superior Street. Proposed exterior alterations to a Heritage Registry building. The application is to remove and replace the stucco parging on the west wall of the Queen's Printer building at 563 Superior Street, a Heritage Registry building owned by the province of British Columbia. As this property is located within Development Permit #20, a Heritage Alteration Permit is required for exterior alterations.

It was further suggested by the Heritage Advisory Committee at its meeting of February 12, 2008 that the owner consider installing the stucco on one column with no contraction joints and monitor it visually to determine whether cracking will occur.

- Action:** Councillor Thornton-Joe moved that City Council authorize the issuance of Heritage Alteration Permit #00073 in accordance with:
1. Plans dated January 24, 2008.
 2. Development meeting all bylaw requirements.
 3. Use of low shrinkage stucco.
 4. Use of PRO SO CO BMC paint or a similar vapour permeable coating.
 5. Use of the narrowest possible, or least visually intrusive contraction joint.

6. Final plans to be in accordance with plans identified above.

CARRIED 08/136

6. RECREATION SERVICES

6.1 Pre-Budget Approval for Community and Senior Centre Funding

Committee received a report dated February 21, 2008 from Recreation Services regarding Pre-budget approval for Community and Senior Centre Funding for March 1st, 2008. Community and Senior Centre recreation staff grant funding is approved on an annual basis. This allows centres to operate and expend funds in that calendar year and to account for as having been spent in that calendar year. In past years City Council has given pre-budget approval for March 1 payment of one third of the provisional budget for grants to Community and Seniors Associations. The balance of the approved budget for these grants is to be paid July 1. With City budget approval in May and our payments to the Associations on approximately May 15, this pre-budget approval alleviated critical funding shortages some associations faced when required to find alternate funding for the first 4 1/2 months of operation.

A Committee member inquired regarding the last increase of funding for the Community and Senior Centre with staff advising that it was approximately four to five years ago.

Action: Councillor Madoff moved that Council authorize:

1. Pre-budget approval be given for payment of one third of the 2008 provisional budget for community recreation staff grants to Community and Senior Associations on March 1, 2008.
2. The balance of the approved 2008 annual budgets for these grants be paid July 1, 2008.

CARRIED 08/135

Councillor Fortin returned to Council Chambers at 11:08 a.m.

6.2 Save-On-Foods Memorial Centre Dry Floor Rental Rates Review

Committee received a report dated February 4, 2008 from Recreation Services with respect to Save-On-Foods Memorial Centre Dry Floor Rental Rates Review. The purpose of this report is to recommend an amendment to the City of Victoria's Recreation Fees Bylaw for dry floor rental rates at the Save-On-Foods Memorial Centre (SOFMC). This report provides analysis and recommendation for the revision of dry floor rental rates.

The Community Use Dry Floor rates have been in place at the SOFMC since the facility opened in March 2005, and are currently contained in Schedule A of Bylaw 06-056. During 2005, dry floor saw a very high level of usage; however, over the last two seasons there has been a decline in the number of community hours booked for dry floor activities.

Staff compared the SOFMC Community Use Dry Floor time to four facilities across the Greater Victoria Region. The comparison facilities are municipally operated, provide similar amenities and services and have public or municipal staff administer the community's use.

Staff are focused on the goal of maximizing usage of recreation facilities and patrons have indicated that a decrease in Community Use Dry Floor Rental Rates at the SOFMC will reduce financial barriers allowing for increased recreational opportunities for current users and emerging activities.

Based on the analysis and patron feedback it is recommended that Dry Floor Rental Rates for Community Use time at the SOFMC be amended to align with similar facilities.

A Committee member inquired regarding reducing the youth rates more, with staff advising that youth rates could be reviewed, noting the goal was to attract adult users. A Committee member also suggested exploring strategies to attract new users.

Action: Councillor Madoff moved that:

1. Council amend Schedule "A" of *Recreation Fees Bylaw no. 06-056* to reflect Adult Organization Dry Floor Rental Rates of Sixty-Five dollars (\$65.00) per hour and Minor Organization Dry Floor Rental Rates of Forty-Five (\$45.00) per hour.

CARRIED 08/134

7. CONFERENCE CENTRE

7.1 Crystal Gardens Renovation Budget

Committee received a report dated February 13, 2008 the Assistant City Manager regarding the Crystal Gardens Renovation Budget. This report is to advise Council of the current status of the Crystal Gardens renovation budget and seek approval of the funding Strategy.

The original budget estimate for the renovation of the Provincial Capital Commission's Crystal Garden building was estimated to be \$8,627,600 back in June 2007. In November 2007 the City awarded the Design Services and the Construction Management RFP's. Both awards were significantly less than our budget of \$1,030,000 for Design Services and \$1,040,000 for Construction Management as estimated by TBKG. Based on this we revised our budget estimates to reflect these awards and were working with a revised budget of \$7,374,538. The renovation design has now been completed and a final budget has now been established in the amount of \$8,440,015. These design changes are directly related to maximizing the functionality of food services for the expansion, thereby making the highest revenue model more achievable.

We are proposing to fund the renovation budget as follows:

- BC Infrastructure Grant \$2,000,000

• City Economic Development Reserve	\$3,000,000
• Long Term Debt	<u>\$3,440,015</u>
	\$8,440,015

It is proposed that the long term debt of \$3,440,015 would be amortized over 15 years and the principle and interest payments of approximately \$331,759 based on today's interest rates would be funded from additional revenues resulting from the Conference Centre Expansion.

A Committee member discussed with staff the Economic Development Reserve and funding from the VCC surplus. Staff noted that 100% occupancy is predicted and highly achievable. Also discussed was the reason for borrowing the funds and keeping the reserves intact, noting that the interest is being paid for by the VCC.

- Action:** Councillor Hughes moved:
1. That City Council approve the updated project budget and funding strategy.
 2. That City Council authorize the Finance Director to proceed with an Alternate Approval Process and long-term borrowing bylaw authorization for \$3,440,015.

CARRIED 08/133

8. LEGISLATIVE SERVICES

8.1 Application for a Transfer of Location – Liquor Primary Licence #050182

Committee received a report dated February 14, 2008 from Legislative Services with respect to an Application for a Transfer of Location – Liquor Primary Licence # 0850182. The purpose of this report is to provide background information in order to provide a Council resolution to the Liquor Control and Licensing Branch regarding an application before Council from the Bard & Banker Pub Company Ltd. for a transfer of location of liquor primary license # 050182 from 1208 Wharf Street to 1022 Government Street. 1208 Wharf Street was the location of the Boom Boom Room nightclub which is now closed.

The proposed licensed person capacity (occupant load), which includes staff and patrons is 320 persons, including interior and patios. The proposed hours are seven days a week, 11:00h - 01:00h, with patio hours of 11:00h - 23:00h. The proposed new site is located in a heritage building, which was the original Bank of BC building and then the Canadian Imperial Bank, since 1885. The operating name, "The Bard & Banker" has been chosen to remember one of Canada's most prolific and well known poets who worked at the bank in the early 1900's, Robert Service.

- Action:** Councillor Thornton-Joe moved that Council convenes a Public Hearing and invite residents and property owners to provide comments regarding the application from the Bard & Banker Pub Company Ltd. for a transfer of liquor primary licence #050182 from 1208 Wharf Street to 1022 Government Street, with hours of service seven days a week,

11:00h - 01:00h, patio hours, 11:00 h - 23:00h, with a seating capacity of 320 persons.

CARRIED 08/132

9. ADMINISTRATIVE MATTERS

9.1 Disposition of Communications dated February 7 & 15, 2008

Councillor Coleman noted that the first letter in the disposition has an error where it should read "their new office in Victoria" instead of "Vancouver".

Action: Councillor Coleman moved that the Disposition of Communications dated February 7 & 15, 2008 from the Manager, Administration, be received for information and filed.

CARRIED 08/131

9.2 Proclamation – "10 by 10 Challenge"

Action: Councillor Hughes moved that February 28th, 2008 be proclaimed as "10 by 10 Challenge" day in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/130

9.3 Proclamation – "Tibet Day"

Action: Councillor Hughes moved that March 10th, 2008 be proclaimed as "Tibet Day" in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/129

9.4 Equitable Police Funding

Action: Councillor Thornton-Joe moved that:

WHEREAS on Thursday, February 21, 2008 the City of Victoria unanimously endorsed a motion calling upon the provincial government to address the issue of equitable police funding for all British Columbia municipalities.

WHEREAS the City of Victoria strongly supports the Province of British Columbia in its position that traditional cost sharing formulas from the Federal government need to be updated to reflect the ever-increasing complexity and challenges of police work.

AND WHEREAS with federal and provincial fiscal position greatly improved, it would be appropriate to reconsider this approach.

AND WHEREAS compared to growing provincial and federal surpluses, municipalities across Canada are struggling and changes in social safety nets and senior government funding have placed an ever-growing strain on police forces

throughout British Columbia to deal with issues related to gangs, organized crime, addiction, mental health, domestic violence, and a host of other challenges.

AND WHEREAS where senior levels of governments are able to reduce taxes, the burden on municipal taxpayers is growing as municipalities take on increasing responsibilities in social housing, child care, arts and culture, social services, transportation and regional policing.

AND WHEREAS to meet these increased service demands and growing infrastructure deficit, municipalities have been left with little choice but to increase property and business taxes and user fees.

AND WHEREAS other revenue sources available to municipalities cannot fill the gap between growing costs to service our citizens and a sustainable level of property taxation, and municipal revenues have not kept up with federal and provincial growth.

AND WHEREAS at the same time, payments from the provincial and federal Governments now comprise a smaller portion of the overall revenues of many municipalities; this decline is in contrast to the rate of federal transfer payments to British Columbia.

AND WHEREAS since 2001, our province has been benefited from billions of dollars of increases in federal transfer payments (CHST and Equalization entitlements) and in 2008-09, the federal payments to British Columbia are likely to increase even more.

AND WHEREAS for over 50 years, a serious and unjustifiable inequity has existed in many British Columbia communities related to the funding of police resources.

AND WHEREAS the existing Federal/Provincial Agreement entitled "Provincial Police Services Agreement" provides RCMP services to most small towns and rural areas, as well as offering many larger municipalities RCMP policing through the "Municipal Policing Agreement". These agreements provide communities a contribution of federal funds of between 10%-30% depending on the size of the municipality towards policing costs.

AND WHEREAS 12 municipalities in the Province which collectively are home to over 1.2 million British Columbia residents, local policing is provided by a municipal police force instead of the RCMP. This results in the entire cost of local policing falling to the local taxpayer with no funding subsidy. For these communities, policing costs are without exception the single largest annual cost to the local taxpayer.

AND WHEREAS the City of Victoria believes there must be a level playing field for cost sharing of police services between the Federal/Provincial Governments and all British Columbia communities.

AND WHEREAS the City of Victoria believes that the senior levels of government should contribute to adequate resources for the higher costs of policing all international points of entry to British Columbia, including airports, borders, and

coastlines.

AND WHEREAS the City of Victoria believes that all provincially mandated systems, including PRIME, should be fully funded by senior government.

AND WHEREAS the City of Victoria believes that all British Columbia communities, be they RCMP or municipal forces, will benefit from standardized performance measurements and accountabilities. The City believes that all Union of British Columbia Municipalities should be consulted on the development of these important measurements and that a single Provincial set of standards be developed for all police services.

AND WHEREAS the City of Victoria believes that Federal/Provincial cost sharing formulas for the creation, upgrading, and expansion of all police facilities must be developed for all communities in British Columbia.

THEREFORE BE IT RESOLVED THAT the City of Victoria request the Federal Government, Province of British Columbia and Union of British Columbia Municipalities to urgently address the issue of equitable police funding by developing an equitable funding program for all British Columbia municipalities; and

BE IT FURTHER RESOLVED THAT a copy of this motion, and a copy of the report called "Equitable Police Funding", be distributed to all municipalities, police departments, police boards and police associations policed by a municipal police force along with a request to endorse this call for equitable police funding."

CARRIED 08/128

9.5 "Streetohome" Proposal

Committee received a memo dated February 11, 2008 from the Mayor with respect to "Streetohome" Proposal. On January 23, 2008 the Mayor attended a portion of the Big City Mayors Forum in Vancouver, co-hosted by Mayor Sam Sullivan and Mayor Anne Marie DeCicco-Best. The theme of the session was affordable housing. A key component of the discussions was a presentation by Mr. Ken Dobell on his "streetohome" Proposal. At the conclusion of the Forum a resolution of support was endorsed by participating mayors.

The proposal is based on a two-pronged approach to combating homelessness and creating supportive housing units by establishing a:

- 1) Foundation; and
- 2) Limited Partnership Funding Model.

Specifically, the report's authors are seeking changes to Federal tax regulations to permit the donation of units of a limited partnership that has been certified by a province as creating supportive housing and eliminating capital gains taxation on that donation. This change would mirror recent changes that have been implemented to eliminate capital gains taxation from the donation of publicly traded securities to charities and foundations.

The Vancouver Board of Trade and the City of Vancouver have both endorsed this proposal, with the City of Vancouver committing sites and tax/fee exemptions equalling \$50 million. The Provincial Government has also signalled its support for the required tax changes. Of note, Vancouver philanthropists have pledged \$75 million to date contingent on securing the necessary tax changes. Discussions with the Federal Government are ongoing with the objective of including the recommended tax changes in the 2008/09 budget. Municipal submissions are being sought to lend support to the request for Federal consideration.

Action: Councillor Hughes moved that the City Council supports the 'streetohome' Proposal and endorses the statement/letter of support attached to the memo dated February 11, 2008.

CARRIED 08/127

10. COUNCILLOR INFORMATION SHARING AND INQUIRIES

10.1 Councillor Young – Reconsideration of Development Variance Permit # 00043 for 1977 Fairfield Road

Action: Councillor Young moved that the motion regarding Development Variance Permit # 00043 for 1977 Fairfield Road be reconsidered.

CARRIED 08/126

Action: Councillor Young moved that the original motion regarding Development Variance Permit # 00043 for 1977 Fairfield Road be postponed pending further consideration by the applicant and staff.

CARRIED 08/125

Mayor Lowe and Councillors Fortin and Madoff voted against this motion.

10.2 Councillor Madoff – Joint ADP / HAC Committee

Councillor Madoff outlined for Committee the Joint Advisory Design Panel and Heritage Advisory Committee which was created in October 2006 to review new development in Old Town. No applications came forward during that one year period. In order to allow that process to continue for another year, Councillor Madoff has brought this motion before Committee. A Committee member noted that it is advisable to have the expertise of the joint committee but questioned whether applications currently in process are subject to review by the joint committee. Applications in process will not have to be put through this committee.

Action: Councillor Madoff moved that Victoria City Council support the joint Committee of the Advisory Design Panel and Heritage Advisory Committee to continue to review applications for the Old Town for one year.

CARRIED 08/124

10.3 Councillor Thornton-Joe – Johnson Street Bridge Lighting

Councillor Thornton-Joe outlined for Committee the proposal from a private citizen to light the Johnson Street Bridge. Councillor Thornton-Joe requested feedback from Councillors with respect to their support for this project. She requested a report from staff on the technical feasibility and illumination options for the bridge, in consultation with the applicant.

Staff advised that they will bring forward a report on lighting the Johnson Street Bridge in consultation with the applicant and the Downtown Victoria Business Association and will seek advice from staff with respect to needed repairs and cosmetic improvements.

10.4 Councillor Fortin – Business Licence Fee Increase

Councillor Fortin requested that the Finance Committee investigate the possibility of increasing Business Licence fees from \$100.00 per year. A Committee member noted that the business community is not in favour of such increases.

The City Manager advised that recommendations on how increases in Business Licences could be utilized will be brought forward in the next budget process. The budget process will be started earlier next year, noting that business licence renewal notices go out in fall of 2008.

10.5 Councillor Fortin – All Weather Soccer Field

Councillor Fortin inquired as to the status of All Weather Soccer Field at Victoria High School. Staff advised that they will bring back a report to update Council on this project.

10.6 Councillor Hughes – Community Learning

Councillor Hughes advised Committee of two upcoming events regarding Community Learning on February 26 and February 27, 2008. They are being presented by Dr. Paul Cappon, President and CEO of the Canadian Council on Learning. The February 27 session taking place at City Hall from 10:00 a.m. to noon.

Councillor Thornton-Joe noted the success of the bingo night Councillor Hughes organized as a fund-raiser for the youth training program taking place in the former Taj Mahal restaurant.

Committee recessed at 11:41 a.m.

Committee reconvened at 11:51 a.m.

11. CLOSED MEETING at 11:51 a.m.

Committee Members Present: Acting Mayor Fortin in the Chair, Councillors Chandler, Coleman, Holland, Hughes,

Absent for a portion of the meeting:

Madoff, Thornton-Joe and Young.

Mayor Lowe.

Staff Present:

R. Woodland - Corporate Administrator; P. Ballantyne – City Manager; M. McCliggott – Assistant City Manager; C. Havelka – Recording Secretary.

Staff Present for a Portion of the Meeting:

L. Staples – Staples McDannold Stewart; A. Dolan – Bylaw Officer; S. Simmonds – Supervisor, Bylaw; J. Jenkyns – Acting General Manager, VCC; S. Master – Manager, Administration and Protocol; M. Mayhew – Executive Assistant.

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 08/123

11.1 Minutes of the Closed Portion of the Special Committee of the Whole Meeting held February 5, 2008

Action: Councillor Hughes moved that the Closed Portion of the Minutes from the Special Committee of the Whole Meeting held February 5, 2008 be adopted.

CARRIED 08/122

11.2 Minutes from the Closed Portion of the Committee of the Whole Meeting held February 7, 2008

Action: Councillor Hughes moved that the Closed Portion of the Committee of the Whole meeting held February 7, 2008 be adopted.

CARRIED 08/121

11.3 Minutes from the Special Closed Committee of the Whole Meeting held February 14, 2008

Action: Councillor Hughes moved that the Special Closed Committee of the Whole meeting held February 14, 2008 be adopted.

CARRIED 08/120

Mayor Lowe returned to the meeting at 11:53 a.m. and assumed the Chair

11.4 Bylaw Enforcement – Nuisance Property

Committee received a report dated February 11, 2008 from Bylaw Enforcement with respect to Bylaw Enforcement – Nuisance Property at 350 Richmond Avenue.

Action: Councillor Thornton-Joe moved that City Council:

1. Declare the property and building at 350 Richmond Avenue a nuisance on account of the accumulated rubbish and rat infestation within the building, and the health hazard posed to adjacent properties.
2. Issue a Remedial Action Requirement as outlined in Schedule A attached to the report dated February 11, 2008.

CARRIED 08/119

11.5 Legal – Victoria Conference Centre (VCC) Governance

Committee received a report dated February 21, 2008 from M. McCliggott, Assistant City Manager, M. Mayhew, Executive Assistant and J. Jenkyns, Acting General Manager, VCC, with respect to the VCC Governance.

The discussion and resolution were recorded and kept confidential.

(Closed Resolution # 08/118)

Councillor Coleman withdrew from the meeting at 12:52 p.m.

Councillor Coleman returned to the meeting at 12:53 p.m.

11.6 Advisory Committee Appointments

Mayor Lowe withdrew from the meeting at 12:55 p.m. Councillor Fortin assumed the Chair

Committee received information regarding the 2008 Advisory Committees and Commissions regarding new appointments. The City Manager outlined for Committee in a hand-out dated February 20, 2008 the amount of staff time required to support the Advisory Committees. Staff intends to report back to Committee on a review process. Committee members discussed the Committees and agreed to appoint new members for the Advisory Design Panel, Advisory Planning Commission and the Heritage Advisory Committee.

Action: Councillor Holland moved that Committee recommend to City Council that Council approve the following appointments to the Advisory Design Panel and Advisory Planning Commission:

Advisory Design Panel - All positions are filled			
	Surname	First Name	Position
1.	Cloghesy	Michelle	
2.	Bearham	Gary E.	
3.	Gauer	James	

Advisory Design Panel - All positions are filled			
	Surname	First Name	Position
4.	Hunt	Ray	
5.	James	Antoni M.(Tony)	
6.	Miles	Curtis	
7.	Morris	James Richard (Jim)	
8.	Smart	Caroline	Landscape Architect Alternate
9.	Deniger	Luc	Landscape Architect Alternate
10.	Thornton-Joe	Charlayne	Councillor Alternate

Advisory Planning Commission - All positions are filled			
	Surname	First Name	Position
1.	Gammon	Justin	
2.	Hartwig	Gerald	
3.	Tinney	Roger	
4.	Dewhurst	Stacey	
5.	Samson	John	
6.	Segger	Cara	
7.	Nielsen	Eric	
8.	Welch	Aaron	
9.	Parikh	Margie	
10.	Kelly	Robin	
11.	Martin	Cathy	

CARRIED 08/117

Mayor Lowe returned to the meeting at 12:58 p.m.

Action: Councillor Thornton-Joe moved that Committee recommend to City Council that Council approve the following appointments to the Heritage Advisory Committee:

Heritage Advisory Committee – One position vacant			
	Surname	First Name	Position
1.	Adams	John	
2.	Collier	Richard	

Heritage Advisory Committee – One position vacant			
	Surname	First Name	Position
3.	Johnson	Ken	
4.	Jonker	Berdine	
5.	Mort-Putland	Lisa	
6.	Stiven	Jim	
7.	Thomas	Keith	
8.	Evans-Hatch	Gail	
9.	Patterson	Samantha	
10.	McKenzie	Murray	

CARRIED 08/116

Mayor Lowe assumed the Chair at 1:11 p.m.

Councillor Chandler withdrew from the meeting at 12:06 p.m. due to a direct pecuniary interest in the following item.

11.7 Khabarovsk Public Art Project and Performing Arts Project

Committee recessed at 12:13 p.m.

Committee reconvened at 12:22 p.m.

Committee received a report dated February 20, 2008 from the Manager of Administration and Protocol with respect to the Khabarovsk Public Art Project and Performing Arts Project.

The discussion and resolutions were recorded and kept confidential.

(Closed Resolutions # 08/114 and # 08/115)

Councillor Chandler returned to the meeting at 12:29 p.m.

11.8 Protocol and Twin City Week

The Manager of Administration and Protocol advised Committee that Protocol, Twin City week is schedule for the end of March as in past years, but advised that this year the format is for a reception prior to the March 27, 2008 Council meeting. The associations would be invited and have an opportunity to outline their accomplishments.

11.9 Councillor Fortin – CREST Agreement

Councillor Fortin outlined for Committee recent developments in the CREST communications agreement.

This discussion was recorded and kept confidential.

11.10 Inter-municipal Correspondence

The Mayor informed Committee with respect to correspondence received from the City of Langford and advised that the Acting Mayor will be responding to this letter.

Councillor Chandler left the meeting at 1:10 p.m.

11.11 Legal

Committee received correspondence dated February 20, 2008 from the City's Solicitor with respect to a legal opinion.

This discussion was recorded and kept confidential.

12. ADJOURNMENT

Action: Councillor Hughes moved that the Committee of the Whole meeting of February 21, 2008 be adjourned at 2:05 p.m.

CARRIED 08/113

Mayor Lowe, Chair