

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING**  
**HELD THURSDAY, AUGUST 14, 2008, 9:00 a.m.**

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

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

**Absent:** Councillor Young.

**Staff Present:** M. McCliggott – Acting City Manager; R. Woodland – Corporate Administrator; D. Schaffer – Manager, Legislative Services; C. Havelka - Recording Secretary.

**Staff Present for a Portion of the Meeting:** D. Day – Director of Planning & Development; A. Hudson – Senior Planner, Urban Design; J. Matanowitsch – Senior Planner; B. Sikstrom – Senior Planner; S. Barber – Senior Heritage Planner; L. Baryluk – Planner; M. Lam – Senior Urban Design Planner; W. Zink – Manager, Social Planning and Housing; K. Friars – Director of Parks, Recreation & Community Development; C. O’Regan – Manager, Facilities & Operations; G. Darrah – Manager of Park Development; P. Sparanese – Director of Engineering; S. Hortsing – Manager, Facilities; B. Warner – Director of Finance; S. Thompson – Comptroller; M. Hornell – Manager, Community Planning.

**2. APPROVAL OF THE AGENDA**

The Chair outlined the following changes to the August 14, 2008, Committee of the Whole agenda:

**Open Meeting:**

- Item # 5 – Additional Correspondence.
- Item # 7 – Additional Correspondence.
- Item # 13 – Addition of Report.

**Closed Meeting:**

- Item # 25 – Correspondence.
- Item # 27 – New Item – Litigation Update.

**Councillor Inquiries / Information Sharing:**

- Councillor Thornton-Joe – one sharing.
- Councillor Hughes – one sharing.

**Action:** Councillor Hughes moved that the Agenda of the August 14, 2008, Committee of the Whole meeting be approved as amended.

CARRIED 08/474

### 3. ADOPTION OF MINUTES

#### 3.1 July 17, 2008 Committee of the Whole Minutes

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

CARRIED 08/473

### 4. DELEGATION

#### 4.1 Tourism Victoria – Destination Marketing Commission 2008 Funding

Committee received correspondence dated August 6, 2008 and a verbal presentation from Deirdre Campbell and Rob Gialloreto from Tourism Victoria with respect to Destination Marketing Commission (DMC) 2008 Funding. Also present from Tourism Victoria were Helen Welch, Tamra McQuitty, Arlo Peck, Janet Lewis and Erin Schaff. A copy of Tourism Victoria's 2007 Auditors' Report on Summarized Financial Statements for the Greater Victoria Visitors & Convention Bureau DMC was handed out to Committee.

Committee received an outline of highlights from Tourism Victoria's approved 2008 Marking plan. Committee then discussed the following with Tourism Victoria staff:

- Focusing on sustainability, including printed material and community efforts towards sustainability; an open house on Aug. 25 will focus on sustainable tourism.
- The impact of the Olympics; that is a priority with Tourism Victoria.
- Comparing tourism dollars spent in Victoria to other cities in Canada and on the west coast of North America; those figures are available for review.
- Presenting Victoria as a gateway to Vancouver Island.
- Working with other municipalities to contribute hotel tax dollars towards marketing the entire destination.
- Working with Nanaimo and other mid-Island cities to leverage, enhance and differentiate the Victoria market.

**Action:** Councillor Thornton-Joe moved that Council approve Tourism Victoria's request for proceeds of the 2008 2% Hotel Tax be used for external marketing of the destination, with the distribution as follows:

- \$526,492 (based on the estimated inflation adjustment) to the Victoria Conference Centre for marketing and promotion of the Victoria Conference Centre.
- Balance of the 2% Hotel Tax to the Destination Marketing Commission for executing the 2008 Marking Plan.

CARRIED 08/472

*Councillor Fortin left the meeting at 9:23 a.m. as he is the Executive Director of the Burnside Gorge Community Association and has a direct pecuniary interest in the following item.*

## **5. DEVELOPMENT SERVICES**

### **5.1 Development Permit # 000134 for 525, 535, 545 Ellice Street**

Committee received a report dated August 6, 2008, from Development Services with respect to Development Permit # 000134 for 525, 535, 545 Ellice Street. The application is to permit a five-storey shelter and transitional housing facility that would include 82 shelter beds for men and women, 2 family shelter units and 23 transitional housing units. The building is intended to be designed to meet LEED Gold standard.

The Development Permit application was considered by the Advisory Design Panel at the meeting of July 24, 2008. The Panel recommended that the application be approved and that the applicant enhance the residential character (yet continue to acknowledge the industrial context) for a more user-friendly approach. The applicant has refined the design to address this by providing a more welcoming shelter entrance through an arch design, the addition of post and beam details for the second floor canopy to acknowledge the new entrance arch, stronger signage to further emphasize the public lobby off Ellice Street, residential-style windows at upper levels to differentiate the upper-level residential use from the ground-level office use, and the addition of windows along the west elevation transitional units to break up what was formerly a blank facade.

There are no variances proposed as part of this Development Permit application, therefore, the application was not referred to CALUC and no public hearing is required.

**Action:** Councillor Holland moved that Council authorize the issuance of a Development Permit in accordance with:

1. Plans stamped 'Development Permit #000134', dated August 6, 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 08/471

Councillor Madoff voted against this motion

*Councillor Fortin returned to the meeting at 9:30 a.m.*

### **5.2 Development Permit # 000131 for 819 Yates Street**

Committee received a report dated August 5, 2008, from Development Services with respect to Development Permit # 000131 for 819 Yates Street. The

application proposes two residential buildings of varying heights separated by an internal courtyard, underground parking and a mid-block walkway connecting Yates and View Streets. The building facing Yates Street is proposed at 17 storeys in height and will include ground-level commercial use, and the building facing View Street is proposed at 12 storeys in height with live-work units at street level. Townhomes are proposed within the internal courtyard as well as a large water feature that would be visible to the public passing through the mid-block walkway.

The subject property was rezoned in 2007 to a new CA-62 Zone. Following Council approval of the rezoning application, the property was sold. The current property owner has submitted a new Development Permit application that maintains the fundamental urban design concept that was envisioned during the rezoning process, but of a different architectural solution. Staff supports the proposed urban design approach. This approach also ensures that the height is placed outside of the height-sensitive zone that is identified within a 90-metre radius of the St. Andrew's Cathedral spire, thereby lessening any visual impacts to the landmark.

The applicant proposes a contemporary design that acknowledges the surrounding context through placement of height, podium proportion and accenting materials. To ensure consistency with applicable design guidelines, staff recommend refinements to the west elevations given the prominent visibility along Blanshard Street, that architectural treatments to bedroom windows facing side parcel lines be applied and that transparency of the storefront treatment along Yates Street is realized. It is recommended that these refinements be addressed at the building permit stage.

Committee discussed the following:

- The rationale for the proposed setback on Yates Street and the possibility of pulling it out to create a uniform street front, though consideration of the existing zone is required.
- Accentuating the mid-block walkway to provide a more welcoming entrance.
- Details regarding the visual screen that is proposed for the street wall with the applicant, Martin Nielsen, providing information regarding its composition, transparency and use.

**Action:** Councillor Holland moved that Council authorize the issuance of a Development Permit in accordance with:

1. Plans stamped 'Development Permit #000131', dated May 27, 2008.
2. Development meeting all Zoning Bylaw requirements.
3. Refinement of west elevations to acknowledge prominent visibility from Blanshard Street, application of architectural treatment to habitable windows facing side parcel lines and ensure transparency of storefront treatment along Yates Street at Building Permit stage.
4. Consideration be given to decrease the Yates Street setback and increase the courtyard space and to accentuate and increase the visibility to the entrance of the mid-block walkway at Building Permit stage.
5. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Planning and Development.

CARRIED 08/470

Councillor Madoff voted against this motion

*Mayor Lowe withdrew from the meeting at 9:49 a.m. Councillor Thornton-Joe assumed the Chair*

### **5.3 Rezoning Application # 00131 for 701 Belleville Street**

Committee received a report dated August 6, 2008, from Development Services with respect to Rezoning Application # 00131 for 701 Belleville Street. At the meeting of July 14, 2008, Committee of the Whole recommended that consideration of this Rezoning Application be postponed. At that time, Committee directed the applicant to refine the proposal, with guidance from staff, to ensure a pedestrian-friendly street relationship; that important public views from the Inner Harbour be preserved; and ensure a positive relationship to the immediate and broader context of Downtown and James Bay. Committee also directed the applicant to consider the City's planning policy framework in guiding any design refinements.

*Mayor Lowe returned to the meeting at 9:51 a.m. and assumed the Chair*

The applicant's proposed revisions have resulted in a positive improvement to the pedestrian experience at street level and represent a transition between the urban form of adjacent Downtown and of the characteristics of the James Bay neighbourhood tourist precinct. The applicant is also proposing a landscape design that includes a double row of cherry trees along Belleville Street. However, Park staff are reviewing this proposal to determine if it follows their policy for trees on the boulevard. The applicant has also indicated that the amenity package proposed under the previous scheme continues to be offered.

The changes do begin to move the building towards a design that is intended not to overshadow the iconic Empress Hotel and BC Legislature. However, the proposed height remains the major issue that continues to impact these buildings. The application, particularly the height as proposed, remains inconsistent with the City's planning policy, which embodies the public values of protection and sensitivity to the historic Inner Harbour precinct.

Staff advised Committee that the applicant has further reduced the height to just over 43 meters and a movie that detailed the latest proposed streetscape was shown. Staff advised that height was the remaining issue to be resolved.

A Committee member expressed concerns with respect to the height and density requests in an area that is adjacent to downtown but in the James Bay neighbourhood. Also noted was the careful planning given to other projects in this unique precinct. The amenity financial package should also be scrutinized to determine if it meets public accounting practice. Staff advised that they will investigate and report back on this matter.

Committee members discussed the following:

- The height of the urban forest assists in delineating the higher building and the lower commercial building is less of an impact on Queen Victoria Inn.

- If this is the right proposal for this site; further reconsideration of height.
- The interim guidelines for height and images showing the allowable height.
- The importance of private views versus public views.

Staff advised Committee of the existing tension between addressing the height issue and dealing with private views and that further direction from Committee on this matter would be welcomed.

**Action:** Councillor Holland moved:

1. That Council direct the applicant to further reconsider height and any associated refinements.
2. That the applicant provide a financial analysis of the proposed amenity contribution.
3. That staff provide further analysis of the interim height policy rationale and report back to Committee of the Whole.

CARRIED 08/469

Councillors Fortin and Madoff voted against this motion

*Mayor Lowe left the meeting at 10:44 a.m. Councillor Thornton-Joe assumed the Chair*

#### **5.4 Rezoning Application # 00186 and Development Permit for 1460 Brooke Street**

Committee received a report dated August 14, 2008, from Development Services with respect to Rezoning Application # 00186 and Related Development Permit for 1460 Brooke Street. The subject lands are located in the Fairfield Neighbourhood, on the north side of Brooke Street. The proposal is to rezone the property from the R1-B Zone, Single Family Dwelling District to the R-2 Zone, Two Family Dwelling District to allow for the construction of a side-by-side duplex. The existing single family dwelling would be demolished to accommodate the duplex.

The following points were considered in assessing this application:

- The proposed development is consistent with the *Official Community Plan* and the *Consolidated Land Use Policies and Guidelines for the Fairfield Neighbourhood*, as duplexes are considered an appropriate land use in this area.
- The residential neighbourhood contains a mix of single family dwellings and duplexes. The proposed development is consistent with the surrounding land use pattern.
- In accordance with the *Official Community Plan*, if Council approves the Rezoning application, the subject lands will be placed in Development Permit Area 26.
- The proposal complies with the *Neighbourliness Guidelines for Duplexes*. The applicant has gone through several design revisions to improve the overall character of the proposed duplex.
- The proposed duplex is consistent with the proposed R-2 Zone, Two Family Dwelling District, and no variances are requested.

- The applicant met with the Fairfield Community Association and the Association has provided comments on this application.

A Committee member noted a public hearing will be useful to articulate community concerns and, in the interim, the developer can resolve some of these issues.

**Action:** Councillor Holland moved:

1. That Council advance Rezoning Application #00186 for consideration at a public hearing.
2. Subject to Council's approval of the Zoning Bylaw Amendment, that Council authorize the issuance of a Development Permit to allow construction in accordance with the plans date stamped July 7, 2008.

CARRIED 08/468

### 5.5 Development Permit # 000130 for 1121 Fort Street

Committee received a report dated August 6, 2008, from Development Services with respect to Development Permit application # 000130 for 1121 Fort Street. This application is to permit the development of a four-storey commercial-residential building, consisting of two ground-floor commercial units and 23 residential apartments. The proposed residential units range in size from 34.6 m<sup>2</sup> to 46 m<sup>2</sup>. The property fronts onto Fort Street and has rear access from Meares Street.

The following points were considered in assessing this application:

- The proposed development is consistent with the *Official Community Plan* and the *Consolidated Land Use Policies and Guidelines for the Fairfield Neighbourhood*, as the property is designated for "Apartment Residential".
- The subject lands are within *Development Permit Area 11 (Heritage Conservation), Upper Fort Street*. The purpose of this designation is to preserve and enhance the heritage character of the area. The proposed development has responded to the heritage character of the area through a stepped design along the east side, attempting to provide a transition between the heritage character to the east and the character of development in the downtown to the west.
- The proposed commercial-residential building is consistent with the *Advisory Design Guidelines for Buildings, Signs and Awnings*.
- The proposed development conforms to all of the regulations of the existing CA-2 Zone (Fort Street Special Commercial District).

Committee members discussed with staff the following:

- The demo of the building and reuse of building materials; the applicant is looking into relocating the building.
- The details on Meares Street; windows will be placed on the lower elevation.
- A different design approach to enhance and preserve the heritage qualities on the street.
- Articulating the sustainability features that are proposed in this project.

**Action:** Councillor Holland moved that Council authorize the issuance of a Development Permit in accordance with:

1. Plans stamped 'Development Permit 000130', dated July 9, 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 & Development.

**Action:** Councillor Madoff moved that Council postpone this application and direct staff to work with the applicant to reconsider the design and to include a transitional approach from the old building to the new proposal.

CARRIED 08/467

Councillor Holland voted against this motion

## 5.6 Rezoning Application # 00192 for 1515 Clawthorpe Avenue

Committee received a report dated August 6, 2008, from Development Services with respect to Rezoning Application # 00192 for 1515 Clawthorpe Avenue. This proposal is to rezone and subdivide a portion of this property from the R1-B Zone, Single Family Dwelling District, to the RI-S2, Restricted Small Lot (Two Storey) District. The rezoning will facilitate the construction of a new single family dwelling on the newly created lot.

The following points were considered in assessing this application:

- The project is consistent with the relevant land use policies applicable to the area.
- The application is generally consistent with the *Small Lot House Design Guidelines*.
- The variances requested are supportable and are required mainly to accommodate window placements.
- The applicant has conducted the Neighbourhood Petition and indicated 85% support.
- The applicant has met the CALUC procedures for community consultation. Two meetings were hosted by Oaklands Community Association, and as a result of the input, the applicant modified the proposal.
- The new small lot will be included in the Intensive Residential Development Permit Area 26, regulating the exterior design, finish and landscaping.

A Committee member noted that there are concerns related to this proposal and a public hearing will allow the community voice their opinion.

**Action:** Councillor Holland moved that Council forward Rezoning Application #000192 for consideration at a public hearing and that the proposed resolution noted below be considered at the same meeting for which a public hearing is held for 1515 Clawthorpe Avenue:

Subject to Council's adoption of that Zoning Bylaw Amendment that Council authorize the issuance of the Development Permit to allow construction in accordance with the plans dated July 7, 2008 and with the following relaxation to the Zoning Bylaw, Part 1.23 for the small lot (Lot A -1 on the site plan):

- a. Section 8(c) - Side yard setbacks (east and west) relaxed from 2.4 meters to 1.5 meters for windows to habitable rooms.  
Subject to Council's adoption of that Zoning Bylaw Amendment that Council authorize the issuance of the Development Variance Permit for the existing dwelling (Lot A - 2 on the site plan) for the following relaxations to the Zoning Bylaw, Part 1.2:
  - a. Section 13 - Side yard setback (habitable room) (west) relaxed from 2.4 meters to 1.5 meters
  - b. Section 14(1) - Lot Width relaxed from 15 meters (minimum) to 14.4 meters
  - c. Section 3(1)(iv) - Relaxation to permit exterior change to street facade for secondary suite inclusion.

CARRIED 08/466

### 5.7 Development Permit # 000132 for 376 Harbour Road

Committee received a report dated August 6, 2008, from Development Services with respect to Development Permit # 000132 for 376 Harbour Road. The proposal is to construct Building CI-3 (Evolution), a three-storey light industrial and commercial office building. It is located south of Building CI-2 (Prosperity) and the Farmer building, both of which were approved by Council recently.

The following points were taken into consideration in reviewing the proposal:

- The proposed Building CI-3 is the fourth light industrial and commercial building to be developed in DA-D along the Harbour Road frontage. It shares a common vehicular laneway with a future paired residential Building R5 on its west.
- The proposal is consistent with the overall objectives of the *Design Guidelines for the Dockside Area (2005)* while the established level of energy efficiency is maintained.
- Additional refinements on the western portion of the building could bring the building expression even closer to that objective, providing a softer building elevation facing the future residential building R5.
- Given the comprehensive transportation strategies employed, the requested variance for the number of parking spaces is supported.
- Locating the required bicycle storage on the adjacent property is also supported subject to confirmation of the arrangement by covenant on the titles.

As this Development Permit application includes variances, there is 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 # 0000132' dated July 30, 2008.
2. Development meeting all bylaw requirements except:  
Section 12.9.7(i) - Parking requirement for office relaxed from 20 to 17 spaces.
3. Covenant to be registered on the titles of the subject and adjoining properties to secure the bicycle storage, garbage and recycling kiosk at 370 Harbour Road (R5) to the west.

4. 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 & Development Department.

CARRIED 08/465

### **5.8 City Regulation of Needle Exchanges (Study Case # 7-07)**

Committee received a report dated August 14, 2008, from Development Services with respect to City Regulation of Needle Exchanges (Study Case # 7-07). On March 13, 2008, City Council asked staff to report on possible approaches to studying the regulating of needle exchanges.

Separate from the question of regulation, the service model and related locational considerations for needle exchange activities pertain as follows:

- Establishing and agreeing upon the preferred operational model for needle exchanges is a critical first step, which is currently underway. The use of "best practices" in operations with assured and sufficient funding is essential to meet the challenge of minimizing barriers to harm reduction for drug users while at the same time minimizing any potential negative impacts on adjacent businesses, residents and property owners.
- The operational model, be it dispersed, centralized or some combination of the two, will affect the nature and content of any locational guideline, consultation protocol or template for good neighbour agreements that are developed. Therefore, consultation and cooperation with Vancouver Island Health Authority (VIHA), AIDS Vancouver Island (AVI) and other stakeholders should occur irrespective of whether zoning changes are made. VIHA has established such a committee (Needle Exchange Community Advisory Committee) to advise the Medical Officer of Health about issues related to the provision of needle exchange services. It is chaired by the Director of Public Health and is comprised of representatives from neighbourhoods, businesses, faith community, Victoria Police Department and the City (Manager of Social Planning and Housing).

The potential to use land use regulations to further guide the location and operation of needle exchanges would require careful study to ensure that the needed uses can be provided. The current zoning approach allows needle exchanges to be located where medical and similar services are generally allowed. If further investigation were to be pursued, at least two avenues might be studied further with the following preliminary observations:

- Should Council decide to change the zoning regulations for needle exchanges, the most effective approach may be to require that they be co-located as an accessory use to medical clinics, hospitals, and other similar services, i.e. not standing alone. Any negative impacts would be lessened by being a part of a facility with other uses and services.
- Should Council wish to require that needle exchanges be located away from schools and childcare facilities, either as primary "stand alone" or accessory uses, site-specific rezoning applications could be considered on a case by case

basis. This could be supplemented with locational guidelines and would be akin to the approach Council uses for liquor retail stores.

Committee members discussed:

- Conditional zoning which can be problematic and needs to be reviewed from a legal perspective.
- Engaging the public by providing operational models for review and receiving suggestions at the front end of the process.
- A public discussion on the broader subject of harm reduction to demonstrate a leadership role as advocates for health services.
- A letter of intent between VIHA and the City to demonstrate a committed relationship.
- Sufficient funding is the key to the success of a needle exchange.

**Action:** Councillor Holland moved that:

1. The City remain engaged in the effective consultation and cooperation led by VIHA with other stakeholders to establish an understanding and an agreement on the operational model for needle exchanges. This process may yield appropriate locational guidelines, consultation protocols and content for good neighbour agreements that will assist the operators and the general public when the location of a needle exchange is being considered for the region.
2. A letter be written by the City to VIHA, the lead agency, expressing support for the concept of a needle exchange and confirming the relationship of consultation, understanding and engagement between the two parties.
3. Request that VIHA consider a supportive or lead role in providing an information session for the community on harm reduction.
4. That work on a number of other projects already in the Planning and Development Department 2008/9 work program be deferred pending completion of the above Zoning Regulation Bylaw amendments.

CARRIED 08/464

*Councillor Holland and Hughes withdrew from the meeting at 11:35 a.m.*

## 6. COMMUNITY PLANNING

### 6.1 Heritage Alteration Permit # 00085 for 713 – 715 Johnson Street

Committee received a report dated August 14, 2008, from Community Planning with respect to Heritage Alteration Permit # 000855 for 713 - 715 Johnson Street. The application is for exterior alterations, including a new wood and glass ground-floor storefront for the Heritage Registry Building at 713 - 715 Johnson Street which is being rehabilitated for a health clinic and dental clinic operated by the Victoria Cool Aid Society and offices for AIDS Vancouver Island. The application includes rehabilitation of the existing wood windows, repair of the existing pressed metal cornice and infill of existing window openings on the east (side) elevation as required by the seismic upgrading. A public hearing is not required.

Committee discussed with staff the faded signage that was painted on the building with staff advising that the signage shows the patina of the ancient building and therefore it will be retained.

**Action:** Councillor Madoff moved that City Council authorize the issuance of Heritage Alteration Permit #00085 in accordance with:

1. Plans dated June 23, 2008.
2. Development meeting all bylaw requirements.
3. Masonry repointing and cleaning specifications to be submitted prior to building permit.
4. Existing painted signage on east wall to be retained in existing condition.
5. Window details to be reviewed with the Senior Heritage Planner prior to building permit.
6. Final plans to be in accordance with plans identified above.

CARRIED 08/463

## **6.2 Heritage Alteration Permit # 00084 for 1116 Catherine Street**

Committee received a report dated August 14, 2008, from Community Planning with respect to Heritage Alteration Permit # 00084 for 1116 Catherine Street. The application is to construct a new porch and stairway on the rear elevation of the existing Heritage Designated house at 1116 Catherine Street. An existing rear deck constructed without permits is being removed. The application requires a variance for the rear yard set back requirement from 9.4m to 5.54m. This application requires a public hearing.

**Action:** Councillor Madoff moved that pursuant to Heritage Designation Bylaw No. 370, City Council authorize the issuance of Heritage Alteration Permit #00084 in accordance with:

1. Plans dated June 17, 2008.
2. Development meeting all bylaw requirements except for:  
Section 1.2.9 - rear yard setback (west) relaxed from  
9.14m to 5.54m.
3. Final plans to be in accordance with plans identified above.

CARRIED 08/462

## **6.3 Federal Rehabilitation Tax Incentives for Heritage Properties in Canada**

Committee received a report dated August 13, 2008, from Community Planning regarding Federal Rehabilitation Tax Incentives for Heritage Properties in Canada. The Federal Standing Committee on Finance will be holding public hearings in October, 2008, as part of its pre-budget consultations. The Heritage Canada Foundation has requested heritage organizations and municipalities to submit briefs in support of its efforts to promote the adoption of Federal Rehabilitation Tax Incentives for heritage properties in Canada.

Victoria City Council adopted resolutions in support of this concept on October 12, 2000, and on March 8, 2007. It is recommended that City Council endorse the brief attached to this report for submission to the Federal Standing Committee of Finance. The deadline for submission is August 12, 2008.

*Councillor Chandler withdrew from the meeting at 11:37 a.m.*

*Councillor Holland and Hughes returned to the meeting at 11:37 a.m.*

**Action:** Councillor Madoff moved that City Council endorse the brief attached to the report dated August 13, 2008, recommending the Government of Canada establish Federal Rehabilitation Tax Incentives for heritage properties in Canada.

CARRIED 08/461

## 7. PARKS

### 7.1 Fernwood Community Well Project Funding Request

Committee received a report dated July 30, 2008, from Parks with respect to Fernwood Community Well Project Funding Request. The purpose of this report is to recommend that Council endorse the Fernwood Community Associations (FCA) Community Well Project and provide funding support.

The total project budget, provided by the FCA to complete the Fernwood Community Well project is estimated at \$10,950. This includes \$7560 for pump components/installation, \$2200 for Hydrologist Expenses and \$1190 for the dedication ceremony. Annual maintenance costs and responsibilities should be shared; the City for water testing and the FCA for pump maintenance.

The FCA has set a date and confirmed delegates for the Symbolic Dedication Ceremony on September 27, 2008 in advance of the well water quality testing. However, a certified Hydrologist hired by the association has been working closely with VIHA regarding testing and approval criteria as an emergency water source.

The emergency pump will not be used until all criteria and certification is finalized.

**Action:** Councillor Madoff moved that:

1. Council allow a hand pump to be installed at the Fernwood Community Well in William Stevenson Memorial Park.
2. Council provide \$5000, from the Miscellaneous Grant budget, to the Fernwood Community Association (FCA) for the components/installation of the pump.
3. That the FCA ensures that the City of Victoria receives public recognition of its role as sponsor.
4. The City of Victoria enter into an operating agreement with the FCA which indicates the City is the owner of the pump, however, the FCA is responsible for the long term maintenance of the pump.

5. That staff continue to work with the Fernwood Community Association and the Vancouver Island Health Authority to explore the use of the water from the Fernwood Community well for emergency purposes.

CARRIED 08/460

*Councillor Chandler returned to the meeting at 11:39 a.m.*

## **7.2 Victoria Harbour Pathway Plan**

Committee received a report dated August 5, 2008, from Parks with respect to Victoria Harbour Pathway Plan. The Harbour Pathway was identified as the first priority of the Greenways Plan adopted by Council in 2003. The principle goal of the pathway is to create a major public amenity for the entire city that will provide continuous public access to the harbour waterfront between Ogden Point and Rock Bay, a distance of more than 5km. Existing sections of pathway will be incorporated into the overall plan and upgraded to the new design standard as required to create an overall sense of identity and unified way for pedestrians and cyclists to access the inner harbour shoreline.

A consulting team lead by Hotson Bakker Boniface Haden Architects worked closely with city staff to develop the long range plan and to ensure that it had widespread public support. Extensive public and stakeholder consultation took place between May, 2007 and April, 2008 with the result that the Victoria Harbour Pathway enjoys widespread public support.

The vision of the harbour pathway project is consistent with other strategic plans and policies including the Greenways Plan (2003), Victoria Harbour Plan (2001), Bicycle Master Plan (1995), and the soon to be completed Downtown Plan Update. This project is also consistent with broader objectives of the Corporate Strategic Plan and will contribute greatly to the goal of making Victoria Canada's most liveable city.

Staff introduced to Committee the consulting team of Norm Hotson, Chris Phillips, Jennifer Kay and Lance Berelowitz, who outlined the key issues of land acquisition, high capital costs and the build-out period of this complex project. Committee thanked the team for their work which provides guiding principles that encompasses a variety of experiences around the harbour. Committee also expressed appreciation for the identification of priority phases and the community pride this engenders in residents.

Staff advised that the Victoria Harbour Pathway Plan will be on the City's website and final copies will be distributed to Directors, Advisory Committees and all key stakeholders.

**Action:** Councillor Madoff moved that City Council endorse the Victoria Harbour Pathway plan attached to the report dated August 5, 2008, and direct staff to report back with more information about:

1. A preferred implementation governance model.
2. A detailed implementation and funding program.
3. The preferred section of pathway for implementation in phase one.

## 8. ENGINEERING

### 8.1 City Hall: Accessibility Update

Committee received a report dated August 7, 2008, regarding City Hall: Accessibility Update. The purpose of this report is to seek Council approval for the installation of a temporary elevating device to enhance accessibility to Council Chambers until such time as the project to provide full accessibility to all floors of City Hall is initiated and completed.

Making Victoria's historic City Hall accessible to all its citizens is consistent with the City of Victoria's vision to be the most liveable city in Canada. On December 14, 2006 City Council approved Borrowing Bylaw 06-083 in order to install a fully accessible elevator in City Hall that would provide access to all levels of the building. Subsequent to that approval, it was decided that the project would be temporarily delayed until further investigation of civic needs in relation to potential development in Centennial Square. This investigative work is ongoing and expected to be completed later this year.

City staff and consultants have investigated several options to temporarily enhance accessibility to Council Chambers and Committee rooms, including upgrading the existing stair lifts. The improvements to the stair lifts were rejected due to a number of factors. Two options for installation of a temporary elevating device have been identified as structurally, aesthetically and fiscally possible and could be located in the lobby of the 1962 annex. The project team recommends Option No.1 with an estimated budget of \$256,000.

If approved, City staff would prioritize the project such that completion would be achieved by the end of the year. Funding for construction of a temporary elevating device was included in the FY2008 Engineering budget.

Committee discussed with staff the following:

- The ramp was a construction option that is not recommended.
- This elevator will solve most of the issues related to four wheeled scooters; the long range plan will solve all issues.
- Option # 2 involves a significant structural issue with additional costs.

**Action:** Councillor Holland moved that City Council endorse Option No. 1 for installation of a temporary elevating device in the City Hall lobby, and expedite the project such that completion can be achieved by December 31, 2008.

## 9. FINANCE

### 9.1 June 30, 2008 Budget Status Report

Committee received a report dated July 31, 2008, from Finance with respect to the June 30, 2008, Budget Status Report. A budget review is undertaken periodically each year in order to highlight any variances and recommend necessary adjustments. Depending on the variance identified, the contingency account would be adjusted to reflect the net difference. The contingency account is currently \$2,057,625 which is higher than normal as it includes a provision for salary increases.

This report doesn't recommend any changes that will affect the balance in the contingency account or require changes to the Financial Plan Bylaw.

**Action:** Councillor Coleman moved that Council received this report for information.

CARRIED 08/457

### 9.2 Building Canada Infrastructure Grant

Committee received a report dated August 14, 2008, from Finance with respect to Building Canada Infrastructure Grant. On March 20, 2008, the Province of British Columbia and the Government of Canada signed an agreement for the Canada-British Columbia Building Canada Fund - Communities Component, in which the provincial and federal governments will each allocate \$136 million to support local government infrastructure projects in communities with a population of less than 100,000 people.

The funding will provide communities with support in addressing their infrastructure pressures and serve as a complementary instrument to Gas Tax Funding for community projects. The first round of application intakes is due on September 5, 2008, and will focus on the following categories of projects:

- Drinking Water
- Wastewater
- Local Roads
- Shortline Railways
- Short Sea Shipping
- Tourism (*Convention centres or exhibition hall-type facilities only*)
- Disaster Mitigation (*Only projects relating to flood mitigation will be considered during this intake*)

Municipalities may only submit one application for funding. Additional project categories and intake periods will be announced at later dates. Any application submitted by a municipality must be approved by the municipal council.

Staff reviewed the 20-year Capital Plan and identified one project it felt met the above criteria and was likely to get serious consideration during the infrastructure evaluation process.

<b>Project Description</b>	<b>Type</b>	<b>Estimated Cost</b>	<b>Grant Request</b>
Victoria Harbour Marine Protection	Green	\$3,600,000	\$2,400,000

**Action:** Councillor Holland moved that Council approve the Victoria Harbour Marine Protection project and instruct staff to submit the appropriate infrastructure application forms prior to the September 5, 2008 deadline.

CARRIED 08/456

### **9.3 Permissive Property Tax Exemptions – 2009**

*Acting Mayor Thornton-Joe withdrew from the meeting at 12:23 p.m. due to her membership with the Victoria Chinatown Lioness Club which creates a non-pecuniary conflict of interest in the following item. Councillor Hughes assumed the Chair.*

Committee received a report dated July 14, 2008, from Finance with respect to Permissive Property Tax Exemptions – 2009. The Community Charter requires that Council must pass a bylaw before October 31<sup>st</sup> specifying which properties they wish to exempt from property taxes for the following year.

The 2009 applications were reviewed by Finance Committee on June 24, 2008 with the following recommendations for approval. There have been additional requests received for Glenlyon-Norfolk School that were not reviewed by Finance Committee and the recommendation follows the policy.

**Action:** Councillor Coleman moved:

1. That Council approve the unchanged applications in the attached schedule, pages 1 through 10.
2. That Council approve the following new applicants for exemption:

Help Fill A Dream Foundation of Canada	902 Hillside	25%
Vancouver Island Addiction Recovery Society	512 Cecilia	100%
Victoria Cool Aid	2317 Dowler	100%
Glenlyon-Norfolk School	Richmond 755/771/781 Richmond	50%
3. That Council approve the following changes to exemptions:

Victoria Cool Aid	749 Pandora	100% Residential	50% Business
Vancouver Island Health Authority	941 Pandora	50%	
4. That Council direct staff to prepare a permissive tax exemption bylaw for 2009 incorporating the exemptions recommended in the schedule attached to the report dated July 14, 2008.

*Councillor Chandler withdrew from the meeting at 12:24 p.m. due to a direct pecuniary conflict arising from her employment as a community nurse with the James Bay Health & Community Services Society, which has applied for a tax exemption.*

**Action:** Councillor Fortin moved that Council rescind the previous motion.

CARRIED 08/455

**Action:** Councillor Coleman moved:

1. That Council approve the unchanged applications in the schedule attached to the report dated July 14, 2008, pages 1 through 10.
2. That Council approve the following new applicants for exemption:

Help Fill A Dream Foundation of Canada	902 Hillside	25%
Vancouver Island Addiction Recovery Society	512 Cecilia	100%
Victoria Cool Aid	2317 Dowler	100%
Glenlyon-Norfolk School	Richmond	755/771/781 Richmond 50%
3. That Council approve the following changes to exemptions:

Victoria Cool Aid	749 Pandora	100% Residential	50% Business
Vancouver Island Health Authority	941 Pandora	50%	
4. That Council direct staff to prepare a permissive tax exemption bylaw for 2009 incorporating the exemptions recommended in the schedule attached to the report dated July 14, 2008.

CARRIED 08/454

*Councillors Chandler and Thornton-Joe returned to the meeting at 12:24 p.m.*

## 10. RECESS

**Action:** Councillor Hughes moved that Committee recess at 12:25 p.m.

CARRIED 08/453

Committee reconvened at 12:35 p.m.

## 11. CITY MANAGER'S OFFICE

### 11.1 Civic Sustainability Framework Initiative

Committee received a presentation and verbal report from the Manager of Community Planning with respect to Civic Sustainability Framework Initiative.

Sustainability is a high level goal in the Corporate Strategic Plan, Official Community Plan and the Regional Growth Strategy. The purpose of this initiative is to define a strategic vision, principles and priorities to guide the City's corporate and community activities towards long-term sustainability. The scope of work includes:

- Inventory current City initiatives & practices and undertake gap analysis.
- Best practice review of sustainability frameworks.
- Identify priority issues, opportunities, tradeoffs.
- Engage with corporate and external stakeholders and the wider community.
- Articulate and confirm a sustainability vision and principles.
- Identify strategic directions, priorities and best practices.
- Develop a monitoring framework and identify baselines and targets.

Committee discussed with staff the engagement strategy for this initiative which will involve a series of targeted events which stakeholders can attend. A sustainability framework will provide a high level vision that will guide operational practices over time. It is the public process for the Civic Sustainability Framework that will provide front end guidance to the development of an OCP with a more deliberate sustainability focus.

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

CARRIED 08/452

## **12. ADMINISTRATIVE MATTERS**

### **12.1 Disposition of Communications dated July 30 & August 7, 2008**

**Action:** Councillor Hughes moved that the Disposition of Communications dated July 30 & August 7, 2008 from the Manager, Legislative Services, be received for information and filed.

CARRIED 08/451

### **12.2 Proclamation – “Global Forgiveness Day”**

**Action:** Councillor Coleman moved that August 27<sup>th</sup>, 2008, be proclaimed as “Global Forgiveness Day” in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/450

### **12.3 Proclamation – “Arthritis Awareness Month”**

**Action:** Councillor Coleman moved that the month of September, 2008, be proclaimed as “Arthritis Awareness Month” in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/449

### **12.4 Proclamation – “Taoist Tai Chi Awareness Day”**

**Action:** Councillor Coleman moved that September 6<sup>th</sup>, 2008, be proclaimed as “Taoist Tai Chi Awareness Day” in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/448

### **12.5 Proclamation – “National Family Dinner Night”**

**Action:** Councillor Coleman moved that the night of September 18<sup>th</sup>, 2008, be proclaimed as “National Family Dinner Night” in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/447

### **12.6 Proclamation – “International Day of Peace”**

**Action:** Councillor Coleman moved that September 21<sup>st</sup>, 2008, be proclaimed as “International Day of Peace” in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/446

### 13. COUNCILLOR INFORMATION SHARING AND INQUIRIES

#### 13.1 Councillor Hughes – Artist Relocation

Councillor Hughes outlined for Committee a concern regarding the building which houses the X-Changes art studio and is now listed for sale. The landlord has agreed to a six month notice during which time the artists need to find an affordable business location. Committee discussed requesting staff’s help to locate possible rental locations with staff advising that outlying areas may be more affordable. Also suggested was a media advisory, possible through Robert Amos or the Downtown Victoria Business Association, to communicate the needs of this group.

Committee discussed rent controlled artist studios and the vibrancy which results from the interplay of artists located in downtown Victoria.

#### 13.2 Acting Mayor Thornton-Joe – Dogs in Cars

Acting Mayor Thornton-Joe shared with Committee her appreciation for the staff report regarding dogs in cars and how she tested SPCA protocol for responding to dogs left in cars in hot weather. She also noted that if a dog is seen to be in critical shape the police should be called.

### 14. CLOSED MEETING at 1:01 p.m.

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

**Absent:** Mayor Lowe and Councillor Young.

**Staff Present:** M. McCliggott – Acting City Manager; R. Woodland – Corporate Administrator; D. Schaffer – Manager, Legislative Services; K. Friars – Director of Parks, Recreation & Community Development; P. Sparanese – Director of Engineering; D. Day – Director of Planning & Development; 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 08/445

#### **14.1 Minutes from the Closed Portion of the Committee of the Whole Meeting held July 17, 2008**

**Action:** Councillor Holland moved that the Closed Portion of the Committee of the Whole meeting held July 17, 2008 be adopted.

CARRIED 08/444

#### **14.2 Legal – Regulatory Authority**

Committee received a report dated August 14, 2008, from Legislative Services with respect to Regulatory Authority.

*Councillor Holland withdrew from the meeting at 1:27 p.m.*

*Councillor Holland returned to the meeting at 1:30 p.m.*

The discussion and motion were recorded and kept confidential.

(Closed Resolution # 08/443)

*Councillor Coleman withdrew from the meeting at 1:37 p.m.*

*Councillor Coleman returned to the meeting at 1:39 p.m.*

#### **14.3 Land – Lease Expiration**

Committee received a verbal report from the Director of Parks, Recreation and Community Development regarding Lease Expiration.

The discussion and motion were recorded and kept confidential.

Closed Resolution # 08/442)

#### **14.5 Legal – Litigation Update**

Committee received an update regarding litigation from the Director of Legislative and Regulatory Services.

The discussion was recorded and kept confidential.

#### **14.4 Land – Security of City Properties**

Committee postponed discussion of this report until the September 4, 2008, Committee of the Whole meeting.

15. **ADJOURNMENT**

**Action:** Councillor Hughes moved that the Committee of the Whole meeting of August 14, 2008, be adjourned at 2:03 p.m.

CARRIED 08/441

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Mayor Lowe, Chair