

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING**  
**HELD THURSDAY, AUGUST 28, 2008, 8:00 a.m.**

1. **THE CHAIR CALLED THE MEETING TO ORDER AT 8:04 a.m.**
2. **CLOSED MEETING 8:04 a.m.**

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

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

**Staff Present:** M. McCliggott – Acting City Manager; R.  
Woodland - Corporate Administrator; D.  
Schaffer – Manager, Legislative Services; D.  
Day – Director of Planning & Development; P.  
Sparanese – Director of Engineering; A.  
Meyer – Manager, Development Services; P.  
Johnson – Staples McDannold Stewart; C.  
Havelka – Recording Secretary.

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

CARRIED 08/499

**2.2 Land – Legal - Dockside Master Development Agreement**

Committee received a power point presentation from staff and a report from a  
consultant regarding the Dockside Master Development Agreement.

The discussion was recorded and kept confidential.

**Action:** Councillor Fortin moved that Committee receive the Coriolis report  
dated July 21, 2008 for information and rise and report on the Coriolis  
report “Proposed Increase of Development Potential at the Dockside  
Project”.

CARRIED 08/498

**3. ADJOURNMENT OF CLOSED MEETING**

**Action:** Councillor Coleman moved that the Closed Committee of the Whole  
meeting be adjourned at 9:04 a.m.

CARRIED 08/497

#### 4. THE CHAIR CALLED THE OPEN MEETING TO ORDER AT 9:08 a.m.

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

**Absent:** Mayor Lowe.

**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. Meyer – Manager, Development Services; A. Hudson – Senior Urban Design Planner; L. Strathdee – Development Services Coordinator; J. Matanowitsch – Senior Planner; L. Baryluk – Planner; P. Sparanese – Director of Engineering; M. Lai – Assistant Director of Transportation and Parking Services; B. Dellebuur – Transportation Planner; B. Kerr – Project Coordinator; S. Stern – Senior Land Development Technician; P. Bruce – Deputy Fire Chief.

#### 5. APPROVAL OF THE AGENDA

The Chair outlined the following changes to the August 28, 2008, Committee of the Whole agenda:

**Open Meeting:**

- Item # 3 – Annual Report for Council
- Item # 4 – 391 Harbour Road - Colour Site plans for Council

**Closed Meeting:**

- Item # 15 – Legal – Terrace Avenue Remedial Action Requirement
- Item # 16 – Legal – Litigation
- Item # 17 – Personnel – Appointment
- Item # 18 – Legal – Mediation Update

**Councillor Inquiries / Information Sharing:**

- Councillor Chandler – two inquiries
- Councillor Thornton-Joe – one inquiry and two closed inquiries
- Councillor Fortin – one inquiry

**Action:** Councillor Coleman moved that the Agenda of the August 28, 2008, Committee of the Whole meeting be approved as amended.

CARRIED 08/496

## 6. ADOPTION OF MINUTES

### 6.1 August 14, 2008 Committee of the Whole Minutes

**Action:** Councillor Hughes moved that the minutes from the Committee of the Whole meeting held August 14, 2008, be adopted.

CARRIED 08/495

## 7. DELEGATION

### 7.1 Victoria Heritage Foundation

Committee received correspondence dated August 13, 2008, and a presentation from the Victoria Heritage Foundation. Jennifer Barr, Executive Director and Andrew Rushforth, Chair, outlined for Committee the 2007 Annual Report and the Victoria Heritage Foundation's latest publication, the *Fairfield Walking Tour Brochure*. This brochure was published with funding provided by the City and further funding is being requested for printing. This tour follows the architectural history as outlined in the "This Old House". Ms. Barr outlined for Committee the success of "This Old House" publications, with one thousand copies of volume 3 sold to date. The final volume for Fairfield, Gonzales and Jubilee neighbourhood will be out next September.

Committee members expressed their thanks for the work of the Victoria Heritage Foundation and its volunteers on this substantial achievement that is enthusiastically supported though-out the City.

## 8. DEVELOPMENT SERVICES

### 8.1 Rezoning Application # 00169 for 391 Harbour Road

Committee received a report dated August 20, 2008, from Development Services with respect to Rezoning Application #00169 for 391 Harbour Road. The purpose of this report is to provide Council with an update on the following aspects of the Dockside Rezoning Application:

- design refinements to the building heights and site plan.
- economic analysis.

#### Design Refinements

The applicant has refined the rezoning application to incorporate the proposed additional 4,645 m<sup>2</sup> (50,000 square feet) of floor area into the southern portion of Development Area A along Tyee Road, instead of placing it in Development Area B adjacent to the harbour.

Staff have reviewed this proposal and feel that the applicant's plans of accommodating the additional floor area within a number of new at-grade townhouses, as well as increasing the height of the R8-2 Tower from 45.13 metres to 66 metres and the R3-4 Tower from 50.25 metres (permitted by variance) to 57.25 metres is acceptable.

These changes provide adequate stepping up and away from the Harbour and respect the principles of locating the tallest buildings on higher points of land. The applicant has provided a series of view analyses which illustrate the impact on the long and short views of the site and a shadow study.

#### Economic Analysis

As per Council's direction, an independent economic analysis regarding the proposed community amenities, in relation to the proposed density, has been commissioned.

A Committee member noted that staff is working on providing Council with significant information that will guide their decision making. Also noted was the ongoing dialogue and commitment shown by the developer and that that all conditions of the Master Development Agreement are being met.

**Action:** Councillor Holland moved that Council postpone consideration of this application pending further information from staff regarding the proposed amenity package.

Committee members noted that there are two parts to this proposal; the urban form and the amenity package. Committee members discussed the height proposal for this site and how the density is being distributed. Staff advised that the policy is to step height up and away from the harbour's edge. There is some impact of long and short views but not as dramatic as coming straight up from the harbour. The proposed height would be shorter than the approved buildings for the Roundhouse site. Staff also advised that locating height on the south end of the site is preferable over the north end.

Committee members agreed that the proposal was acceptable in terms of urban planning but further analysis of the amenities is needed.

On the Motion:

CARRIED 08/494

## **8.2 Dockside Deferral of Amenities Required in Master Development Agreement**

Committee received a report dated August 20, 2008, from Development Services with respect to Dockside Deferral of Amenities Required in Master Development Agreement (MDA). In a letter dated June 20, 2008 Dockside Green Limited (DGL) has requested permission to delay provision of the following amenities:

<b>Amenity</b>	<b>Required Date of Completion</b>	<b>Proposed Date of Completion</b>	<b>Percent of Total Amenities</b>
Biomass Facility	October 2007	February 2009	8% with ½ completed
Greenway	October 2008	January 2009	18.6% with ½ completed
Main Plaza	October 2008	December 2014	12.7%

Section 8.7 of the MDA slates that, “The Developer and the City, both acting reasonably, may agree to extend the time for completion of a Public Amenity, or a portion of a Public Amenity, where such extension is reasonably required to facilitate access to a portion of the Dockside Lands for development and construction purposes.” For the amenities under discussion, the delays are not required to allow access for construction as each site can still be reached via Esquimalt, Tye and/or Harbour Roads; however, completion of the amenities could interfere with construction activities for the adjoining buildings.

Committee members discussed with staff and the applicant:

- The time extension for the main plaza; construction delays.
- Ensure the usability of the site by allowing public passage in the interim period; it is in the developer’s best interest to provide a functional walkway.

A Committee member requested that details on the fencing and any proposed enhancements to fencing, such as park banners, be included in the next stage of reporting.

**Action:** Councillor Holland moved that Council direct staff to amend the Master Development Agreement in order to accommodate the revised schedule of amenity completion.

CARRIED 08/493

### **8.3 Rezoning Application # 00184 for 555 – 575 Pembroke Street**

Committee received a report dated August 28, 2008, from Development Services with respect to Rezoning Application # 00184 for 555 – 575 Pembroke Street. The proposal is to rezone the lands from the M-3 Zone (Heavy Industrial District) to a new zone to permit a mix of retail, office and residential land uses. The applicant is proposing to revitalize the two existing buildings on the property. The property has two civic addresses; however, it is legally one lot.

The following points were considered in assessing this application:

- The proposed mixed use development is generally consistent with the *Official Community Plan*, the *Burnside Neighbourhood Plan* and current downtown planning initiatives.
- The proposed development will result in the revitalization and reuse of two existing buildings on the site.
- The project does not meet the City’s off-street parking requirements in terms of the number of commercial spaces provided. The applicant has submitted a parking study, which provides rationale for the reduced parking. Since the project is within close proximity to the downtown, parking demand mitigation measures are proposed and the project will result in the preservation of existing

buildings with some heritage value, the proposed parking reduction is considered supportable.

- The subject lands are not within a development permit area. To enable Council to regulate building design, the applicant is willing to have a covenant registered on the property's title, ensuring that the building will be generally constructed in accordance with the approved plans.
- The Burnside Gorge Community Association has been consulted and has provided comments on this application.

Staff confirmed that the residential component of this proposal will be for rental accommodation.

Committee discussed:

- Appreciation for the rehabilitation of this building to gold LEED standard.
- The heritage component of this building; the heritage planner has been involved in this application.
- Policy requiring onsite bicycle racks. Engineering does have a policy for implementing bike parking at new developments.

**Action:** Councillor Holland moved that Council advance the rezoning application for consideration at a public hearing subject to:

1. The applicant registering a Section 219 Covenant on title, ensuring that the building will be constructed generally in accordance with the final approved plans, to the satisfaction of the Director of Development and Planning;
2. The applicant obtaining a "Certificate of Compliance" from the Ministry of Environment, ensuring that the property has been remediated.

CARRIED 08/492

#### **8.4 Development Variance Permit # 00057 for 1520 Edgeware Road**

Committee received a report dated August 20, 2008, from Development Services with respect to Development Variance Permit Application #00057 for 1520 Edgeware Road. This is a Development Variance Permit application requesting a relaxation to the Zoning Regulation Bylaw to allow for one parking space on the existing driveway in the front yard of the single family dwelling located at 1520 Edgeware Road. The City's parking regulations require one parking space for a single family dwelling to be located on the parcel and the parking be located behind the front wall of the building.

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

- The front yard parking has been in place for a number of years.
- Creating a parking stall on the side of the house is not a practical resolution due to the maturity and placement of the landscaping and the width of the side yard setback.
- Rear yard parking is not a desired option as it would interfere with the outdoor private space and existing landscaping.

- The applicant has conducted a petition and met with the Oaklands Community Association, and, as such, has exceeded the public consultation requirements for a variance application.
- The applicant provided further rationale for this variance in the letter attached to the report.

The Development Variance Permit application requires notification, sign posting and hearing.

A Committee member questioned whether the back lane had been considered for parking. Staff advised that the lane is narrow with little turning radius and not practical for parking.

**Action:** Councillor Holland moved that Council authorize the issuance of Development Variance Permit #00057 in accordance with:

1. Plans stamped "Development Variance Permit 00057" dated July 21, 2008.
2. Development meeting all Zoning Bylaw requirements with the following variance:
  - Schedule "C" Section 3, Relaxation to permit 1 parking stall to be located in the front yard
3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Planning and Development.

CARRIED 08/491

### **8.5 Development Permit Application # 000136 for 777 Douglas Street**

Committee received a report dated August 19, 2008, from Development Services with respect to Development Permit Application # 000136 for 777 Douglas Street. The application is to permit enclosure of an existing patio restaurant ancillary to the Executive House Hotel. The existing patio is 60.5 m<sup>2</sup> (651 ft<sup>2</sup>) in size and is currently covered by a red fabric awning supported by steel columns. The applicant proposes a new glass canopy enclosure intended to allow year-round use and provide natural daylight. The proposed changes, with extensive amounts of glazing, would provide active windows to animate Burden Avenue, Humboldt and Douglas Streets, providing pedestrian interest.

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

A Committee member discussed with staff the north and south windows of the proposed patio enclosure and asked if all the windows open. Staff advised that the south windows open but would have to confirm about the north windows.

A Committee member noted that this application does not have variances so there was not a requirement to present it to CALUC or the Downtown Advisory Committee.

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

1. Plans stamped "Development Permit #000136", dated July 3, 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 08/490

## 9. ENGINEERING

### 9.1 Update – Appeal to Accept an Application for Strata Conversion of a 6 Unit Residential Building at 1026 Pemberton Street

Committee received a report dated August 20, 2008, from Engineering with respect to an Update – Appeal to Accept an Application for Strata Conversion of a 6 Unit Residential Building at 1026 Pembroke Street. This is also to advise Council of a further reduction on the CMHC (Canadian Mortgage Housing Corporation) Vacancy Rate to 0.3% (Spring 2008) from the previous reported vacancy rate of 0.5% (October 2007).

The current City of Victoria policy on strata conversion of existing residential buildings states that applications to convert existing residential rental buildings containing more than four units will not be accepted when the CHMC apartment vacancy rate for Metro Victoria falls below 4%.

The following motion was presented and carried:

*"That consideration of this application be postponed and that Council direct staff to ensure, through a housing agreement, that the existing character of the dwelling is maintained."*

Staff has sought legal advice from the City's Solicitor in response to Council's request. Staff have been advised that a housing agreement may not be the appropriate mechanism to ensure the character of the building is maintained since this form of agreement is typically intended to address rental accommodation. The City's Solicitor advises that a Section 219 Covenant (Land Title Act) can be used to secure the offering from the applicant to maintain the character of the building within the new construction subject to review and approval from the Senior Heritage Planner. A Section 219 Covenant could be registered on title prior to preliminary approval issued by the Approving Officer. This would be consistent with the applicant's letter of commitment to maintain the building's character.

The Senior Heritage Planner has reviewed the subject property and has advised that heritage protection designation is not a recommended option given that the applicant will not be able to secure home warranty insurance. The applicant has indicated that he is committed to maintaining the character of the property and the streetscape.

In addition, the applicant wishes to clarify the Tenant Plan previously submitted on May 1, 2008, to reflect the following changes, which formed the basis of the alternate recommendation in the previous report:

1. To enter into a Housing Agreement, to be registered on title, securing a single - one bedroom unit as rental (at market value) for a period of 10 years, and to not restrict rentals of the other units within the strata bylaws.
2. **A revised Tenant Plan updated from the May 1, 2008**, which includes all the following:
  - a. \$5,000.00 towards the purchase of one of the new strata units and,
  - b. \$1,000.00 in moving expenses and,
  - c. one month's free rent.

It should be noted that the original Tenant Plan offered either (a) or (b) and (c). Given the offerings from the applicant, staff brought to Council's attention, as stated in the May 1, 2008, report, that a recent appeal to Council for 417 Vancouver Street was declined on October 4, 2007.

Staff are currently dealing with a number of inquiries regarding the policy for strata conversions for residential dwellings containing more than 4 units. Staff will continue to respond to appeals to the policy in a manner consistent with this report. Staff will recommend Council decline this appeal but will provide an alternate recommendation to respond to the applicant's proposal.

If Council chooses to approve this appeal, staff believe that it will be viewed as a precedent by the development community.

A Committee member noted that there are three issues to be considered:

- Having an agreement to ensure existing character of dwelling is maintained;
- Having a housing agreement to secure a unit for rental at market value;
- Setting a precedent if allow strata titling.

It would be helpful to have these issues answered separately. With respect to the impact on the housing market, declining this application would be a disincentive for developers to have tenants because it restricts what can be done with a building.

A Committee member noted this policy helps retain rental housing and staff's recommendation should be supported. Most landlords are responsible and maintain their housing units and the message to developers' inquiries regarding conversions should be clear.

Committee members discussed:

- The homeowner protection plan for insurance results in little of the original building being protected.
- Conversions with more than four units reviewed by Council; those that Council don't see.
- The current rents are \$600.00 to \$800.00; an affordability that should be protected.
- One rental unit being offered by the applicant due to economics; market rent would be offered for that unit.
- Tenant plan not encouraging to renters.
- Preserving rental stock and a business model to do that.

**Action:** Councillor Hughes moved that Council postpone further consideration of this application and that staff work with the applicant to investigate further opportunities for this building to encourage more rental along with upgrades.

Committee members discussed:

- Challenges with respect to heritage protection and insurance.
- Standing behind strata conversion policy.
- Clarity to others considering similar conversions.
- Further information with respect to preserving the building.

On the Motion:

DEFEATED 08/489

Acting Mayor Thornton-Joe, and Councillors Chandler, Coleman, Fortin, Holland and Madoff voted against this motion

**Action:** Councillor Madoff moved that the original appeal as submitted by Mr. Harry Newton and Mr. Michael Sweet to strata title 1026 Pemberton Street be declined.

Committee asked the applicant to speak to the motion to decline.

The applicant advised that the building is in distress and has been cleaned up, though it is beyond repair. They understand the need to maintain housing stock and have developed their plan with this in mind and request that Council base their decision on the merits of this proposal.

On the Motion

CARRIED 08/488

Councillors Coleman and Young voted against this motion

A Committee member requested that staff investigate other mechanisms to protect rental housing through the strata conversion bylaw and report back to Committee.

## **9.2 Steel Work Main Rehabilitation Strategy**

Committee received a report dated August 20, 2008, from Engineering with respect to Steel Water Main Rehabilitation Strategy. The purpose of this report is to apprise Council of the Steel Water Main Rehabilitation Strategy, including the scope of the entire project, but specifically the first phase work, scheduling, costs, implementation strategy, and communications plan for information purposes.

The City of Victoria's water distribution system contains approximately 8.4 kilometres of large-diameter steel water main, ranging in size from 500mm (20") to 600mm (24"). These water mains were installed in 1927 and have now reached the end of their lifespan and need to be replaced and/or rehabilitated.

The consultant's report recommends utilizing a "close-fit line" trenchless technology for this project. Trenchless technology is an innovative way of rehabilitating aging water mains. This technology significantly minimizes the need for traditional, open-cut excavation. The use of traditional methods would require major road excavation to remove and replace the water pipes. Some areas of the project will still require using the traditional 'open cut' method due to constructability and/or capacity issues.

The development of a communication strategy will be necessary to ensure that communications are timely and with sufficient frequency to keep the public and fronting property owners informed of the progress of the project. Staff will liaise with the community throughout the project for continuity. Public meetings or open houses will be held as required.

**Action:** Councillor Young moved that Council:

1. Receive this report for information purposes,
2. Direct Staff to undertake a communication strategy to advise the public regarding this important project.

CARRIED 08/487

### **9.3 Pedestrian Master Plan – Final Report**

Committee received a report dated August 6, 2008, from Engineering with respect to Pedestrian Master Plan – Final Report. The purpose of this report is to outline the recommended improvements to City of Victoria pedestrian-related design standards, policies, and maintenance practices contained in the Pedestrian Master Plan Final Report prepared by OpusHamilton Consultants Ltd.

In 2007, the City of Victoria retained OpusHamilton Consultants Ltd. to develop a Pedestrian Master Plan. The consultant was retained to gather and analyze the City's existing pedestrian-related design standards, policies, and maintenance practices, compare them to what is being done by other agencies, and make recommendations to improve pedestrian infrastructure.

Public consultation for the Pedestrian Master Plan occurred over several months in 2007. The consultant met with the Advisory Transportation Committee to discuss various pedestrian issues and policy options, conducted an online survey that solicited 550 responses on pedestrian issues and concerns in the City of Victoria, and held a Public Open House in November 2007 that was attended by over 300 residents.

The consultant made a number of policy recommendations designed to improve conditions for pedestrians in the city. However, the consultant also noted that the City currently has many good practices already in place.

To complete 100% of the sidewalk network proposed in this plan, the total cost of the 67km is estimated at \$28.8 million (2007 dollars). The cost to complete Priority 1 and Priority 2 projects (28 km) identified in the Plan is approximately

\$14,000,000 over the next 20 years; an annual expenditure of approximately \$740,000 would be required.

Committee discussed with staff:

- In-board versus out-board boulevards; it depends on the location: sidewalks adjacent to the curb help preserve the boulevard in high traffic areas.
- Encouraging opportunities to increase pedestrian infrastructure; the current infrastructure deficit and the capital program is being reviewed to determine how to support other modes of travel.
- Removal of snow and ice and private maintenance of hedges encroaching on sidewalks; shouldn't be depending on complaints.
- Design standards; the balance between pedestrian convenience, lane width and turning radius.

## 10. ADJOURNMENT

**Action:** Councillor Hughes moved that the Committee of the Whole meeting dated August 28, 2008 be adjourned at 11:11 a.m. to convene a Special Council Meeting.

CARRIED 08/486

## 11. RECOVENE

Committee of the Whole reconvened at 11:13 p.m.

## 12. ENGINEERING

### 12.1 Pedestrian Master Plan – Final Report - Continued

Committee continued to discuss with staff the report dated August 6, 2008, from Engineering with respect to Pedestrian Master Plan – Final Report.

Committee discussed with staff:

- Considering a pedestrian mall along a portion of Government Street; public consultation is in favour of this initiative.
- A study and discussion of this initiative because North American pedestrian malls do not show the success of European towns; Government Street is successful as is.
- Ensuring areas under construction provide pedestrian access to all demographics.
- Benches and public washrooms along pedestrian routes.

**Action:** Councillor Young moved that Council adopt in principle the Pedestrian Master Plan developed by OpusHamilton Consultants Ltd. and direct staff to consider the implementation of the Plan in the development of the next long-term Financial Plan for the City.

CARRIED 08/485

## **13. FIRE**

### **13.1 Technical High Angle Rescue Services**

Committee received a report dated August 18, 2008, from the Fire Department with respect to Technical High Angle Rescue Services. Victoria Fire Department, in partnership with Saanich Fire Department, has been providing a “regional” Tower Crane Rescue capability to the Victoria, Saanich, Esquimalt, Oak Bay and Sidney. The City of Colwood and the Town of View Royal have now requested inclusion as recipients for response capabilities to tower crane sites in their municipalities.

The Victoria Fire Department is seeking Council's approval to provide tower crane rescue services to construction sites within the City of Colwood and the Town of View Royal, as part of an integrated tower crane rescue service with the Corporation of the District of Saanich. Saanich Council has already signed the agreement and Victoria Fire Department is seeking Council approval for the agreement attached to this report.

Staff advised that there is an indemnity provision in this agreement that requires Council's approval.

A Committee member expressed concerns with respect to the City's benefit in this mutual agreement, with another Committee member noting that this integrated service is a step forward.

A Committee member requested that the Fire Chief provide a brief report updating Committee on the integration of dispatch services.

**Action:** Councillor Holland moved that Council authorize an agreement between Saanich, Victoria, Colwood and View Royal to provide tower crane rescue to construction sites within the City of Colwood and the Town of View Royal.

CARRIED 08/484

## **14. ADMINISTRATIVE MATTERS**

### **14.1 Disposition of Communications dated August 19, 2008**

**Action:** Councillor Coleman moved that the Disposition of Communications dated August 19, 2008 from the Manager, Administration, be received for information and filed.

CARRIED 08/483

## **15. COUNCILLOR INFORMATION SHARING AND INQUIRIES**

### **15.1 Councillor Chandler – Sustainability Framework and Notification**

Councillor Chandler outlined for Committee community interest in the work towards a Sustainability Framework and the idea that residents could sign up for a 'list serve' on the City's website. This would provide residents with automatic updates, via e-mail, regarding the latest developments on this or other developing issues.

Committee members noted the move towards electronic notification for public hearings will be the future particularly since the public feel they are not kept up-to-date.

Staff advised that the City's website is being reviewed and Communications staff will investigate this initiative and report back to Committee.

### **15.2 Councillor Chandler – Cleaning Products**

Councillor Chandler shared with Committee and staff the issue of soaps and cleaning products used by the City for maintenance and that there are many affordable alternatives available. Though aware that the sustainability framework would encompass this issue, she requested that staff provide a brief report back on any possible work in progress on this issue and expected time frames.

### **15.3 Councillor Fortin - Bottle Depot**

Councillor Fortin outlined for Committee concerns related to the downtown Bottle Depot and that this business has a place in the downtown community as a legitimate means of revenue for the homeless. A Committee member noted that residents in the area are calling regarding the noise associated with the business and the concern that the depot is in a residential area. Staff advised that land owners have been in contact and will be meeting with bylaw enforcement. Committee will be informed before any action occurs on this issue.

### **15.4 Councillor Thornton-Joe – Busker Licence – Chalk Artists**

Councillor Thornton-Joe outlined for Committee the issue of busker licences and chalk artists. A concern has arisen regarding materials used by the artists and if they are within CRD regulations as they wash into the pipes. She requested that staff review what is currently in the bylaw and what materials can be used. A Committee member noted that restrictions don't allow signage such as 'donations welcome' and if that could be reviewed as well.

A Committee member wished Carolyn Heiman, Times Colonist reporter, all the best in her new job as this week is her last with the paper.

## **16. CLOSED MEETING at 11:41 a.m.**

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

**Absent:** Mayor Lowe

**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:** P. Johnson – Staples McDannold Stewart; M. McLean – Executive Assistant.

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

CARRIED 08/482

### **16.1 Minutes from the Closed Portion of the Committee of the Whole Meeting held August 14, 2008**

The Corporate Administrator noted that concerns related to the minutes from the closed portion of the Committee of the Whole Meeting held August 14, 2008, were voiced at the last Council meeting. Committee discussed with staff these concerns which resulted in a correction to the minutes.

The discussion and motion were recorded and kept confidential.

(Closed Resolution # 08/481)

### **16.2 Legal – Terrace Avenue Remedial Action Requirement**

Committee received correspondence dated July 29, 2008 from the City's Solicitor regarding Terrace Avenue Remedial Action Requirement.

The discussion and motion were discussed and kept confidential.

(Closed Resolution # 08/480)

### **16.3 Legal – Litigation**

Committee received a verbal report from the Director of Legislative and Regulatory Services with respect to Litigation.

The discussion and motion were discussed and kept confidential.

(Closed Resolution # 08/479)

#### **16.4 Personnel – Appointment**

**Action:** Councillor Fortin moved, that, pursuant to Section 41(1) of the Local Government Act Mr. Don Schaffer is appointed Deputy Chief Election Officer for the 2008 general local government election.

CARRIED 08/478

#### **16.5 Legal – Mediation Update**

Committee received a verbal report from the Director of Legislative and Regulatory Services with respect to a Mediation Update.

The discussion and motion were discussed and kept confidential.

(Closed Resolution # 08/477)

#### **16.6 Councillor Thornton-Joe – Rental Housing Opportunity**

Councillor Thornton-Joe outlined for Committee an opportunity to acquire Rental Housing.

The discussion and motion were discussed and kept confidential.

(Closed Resolution # 08/476)

#### **16.7 Councillor Thornton-Joe – Downtown Policing**

Councillor Thornton-Joe outlined for Committee issues regarding Downtown Policing.

The discussion was recorded and kept confidential.

### **17. ADJOURNMENT**

**Action:** Councillor Coleman moved that the Committee of the Whole meeting of August 28, 2008 be adjourned at 12:44 p.m.

CARRIED 08/475

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Acting Mayor Thornton-Joe , Chair