

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, SEPTEMBER 4, 2008, 8:30 a.m.

1. **THE CHAIR CALLED THE MEETING TO ORDER AT 8:30 a.m.**
2. **CLOSED MEETING 8:30 a.m.**

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

Absent: Councillor Chandler.

Absent for a portion of the meeting: Councillor Hughes.

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; C. Havelka – Recording Secretary.

Guest: Paul Rollo, G.P. Rollo and Associates.

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 08/520

2.2 Land - Dockside Master Development Agreement

Committee received a report from Planning and Development Department dated September 2, 2008, with respect to the Dockside Master Development Agreement.

Councillor Hughes joined the meeting at 8:33 a.m.

The discussion was recorded and kept confidential.

3. ADJOURNMENT OF CLOSED MEETING

Action: Councillor Hughes moved that the Closed Committee of the Whole meeting be adjourned at 9:08 a.m.

CARRIED 08/519

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

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

Absent: Councillor Chandler.

Staff Present: 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; P. Sparanese – Director of Engineering; T. Phillips – Manager, Revenue; B. Warner – Director, Finance; S. Masters – Manager, Administration & Protocol; L. Strathdee – Development Services Coordinator; K. Friars – Director of Parks, Recreation & Community Development.

5. APPROVAL OF THE AGENDA

The Chair outlined the following changes to the September 4, 2008, Committee of the Whole agenda:

Open Meeting:

- Item # 4 – Cridge Park Site Update – this item should be in the closed meeting.
- Item # 5 – Report included
- Item # 7A – Elections 2008 – Voter Notification
- Item # 9A – New Business - Motion

Closed Meeting:

- Item # 1 – Report included
- Item # 12 – Additional Correspondence
- Item # 13A – Advisory Committees – New Appointment

Councillor Inquiries / Information Sharing:

- Councillor Hughes – one sharing and one inquiry.
- Councillor Coleman – one sharing.
- Councillor Thornton-Joe – one closed inquiry.

A Committee member noted that members of the public attended to hear the discussion on the Cridge Park Site. Staff advised that a short presentation could occur in the open session.

Action: Councillor Hughes moved that the Agenda of the September 4, 2008, Committee of the Whole meeting be approved as amended.

CARRIED 08/518

6. ADOPTION OF MINUTES

6.1 August 28, 2008 Committee of the Whole Minutes

Action: Councillor Coleman moved that the minutes from the Committee of the Whole meeting held August 28, 2008, be adopted.

CARRIED 08/517

7. DELEGATION

7.1 2009 Scotties Tournament of Hearts

Committee received correspondence dated September 4, 2008, and a presentation from Chris Atchison, Chair of the 2009 Scotties Tournament of Hearts. Mr. Atchison outlined for Committee information regarding this annual event, considered the greatest winter women's sport, that will be coming to Victoria February 21, 2009. Also described was the economic impact this event will have on Victoria, which is expected to fill the Save-On-Foods Memorial Centre over 9 days during the low tourist season. The promotion of such a prestigious championship has enormous economic potential for the City. The Chair of the 2009 Scotties Tournament of Hearts requested a cash contribution from the City of Victoria of \$100,000 to assist in the operating budget and in-kind assistance.

Staff advised that this was not considered in the 2008 budget and the event starts before the 2009 budget will be endorsed. Committee expressed approval for this event and requested that staff investigate opportunities to support this request. Mr. Atchison noted that an economic impact study had been carried out to justify this event. Also noted was that the City is providing an in-kind donation which is an office in the Save-On-Food Memorial Centre.

Action: Councillor Madoff moved that Council refer the 2009 Scotties Tournament of Hearts request for funding of \$100,000 to the Finance Committee for their consideration and that staff report back to Committee with those results.

CARRIED 08/516

8. PRESENTATION

8.1 Crystal Lands Development Potential

Committee received a presentation from staff regarding the Crystal Lands Development Potential. Staff outlined the Steps to Date, Direction Given to Staff, the consultant Terms of Reference, the Canadian Pacific Lawn Bowling Club, Financial Implications, Scenarios 1 & 2 and Next Steps to create a cultural precinct.

Committee members discussed with staff the following:

- Concerns related to the RFP; the consultant should review the entire site to determine what area would be best for cultural site.
- Previous meetings focused on the Cridge site and lawn bowling site for a cultural precinct.
- Possible heritage value of lawn bowling buildings.
- A value judgment when considering Apex site and devoting a public open space to a cultural precinct.
- Changes to the framework for the consultant; the terms of reference can be expanded.
- The apex site; commercial site identified in previous discussion but all options to be considered.
- The south site to be considered for cultural use, however, the potential financial value of that site needs to be considered.
- The Cridge site is not a designated park.
- A decision from the 1990s bringing a different standard to a park that's not designated; formalizing the designation of parks.
- The importance of community consultation; options arising from the consultant's report open to public consultation.

Councillor Madoff declared a notice of motion to designate and reserve all functioning parks as parks.

Staff advised that consideration of cultural uses, form fitting onto the site, operational and programming needs and fiscal values will form future reporting to Committee. Those options can then be considered by Committee as they weigh green space values to other objectives.

Action: Councillor Holland moved that Committee receive this report for information.

CARRIED 08/515

9. DEVELOPMENT SERVICES

9.1 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. Consideration of this report was postponed at the last Committee of the Whole meeting, pending further information from staff. 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 m² (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.

The Director of Planning & Development advised Committee that the question is whether the requested land lift of 50,000 square feet is balanced with the offered amenity package. Committee discussed:

- Questions the applicant raised on the methodology used by the consultant.
- Green initiatives as a public amenity; restrict discussion of amenities to ones available to the public such as open space and affordable housing.
- Features that earned LEED points; these were not double counted but went above what is needed to achieve LEED platinum rating.
- Greater energy efficiency is in the public interest.
- Fundamental question is the appropriateness of the urban form; amenities are a secondary issue.
- Absence of a green building policy that would award pioneering developments.
- The locations for the additional 50,000 square feet; staff can craft a bylaw to create specific placement of the additional density.
- Concerns related to environmental amenities that are enclosed in a building.
- Wanting to encourage green buildings; not including environmental principles as amenities may send the wrong message.

Committee requested that the applicant speak to Committee with respect to this proposal. The applicant, Mr. Van Belleghem, advised Committee that he feels the amount the consultant valued the additional floor area was too high. He agreed that taxes and DCCs should not be considered as amenities. However, Council may consider awarding Dockside Green as leaders in green initiatives and achieving more than the points necessary for LEEDs rating. They are offering a very comprehensive package and would appreciate direction from Council if they intend on negotiating further on these amenities.

Action: Councillor Holland moved that Council advance Rezoning Application #00169 for consideration at a public hearing:

1. Subject to continued discussion with applicant with consideration of comments made at the Committee of the Whole Meeting of September 4, 2008, regarding the amenity contribution;

2. Subject to finalization of the amenity contribution prior to setting a public hearing date.

CARRIED 08/514

10. FINANCE

10.1 Tax Sale

Committee received a report dated August 15, 2008, from Finance with respect to the Tax Sale. Each September, the Collector must conduct the annual tax sale by offering for sale by public auction each parcel of real property on which taxes are delinquent. The starting point for each bid is equal to the upset price of each property which includes unpaid delinquent, arrears and current taxes plus all penalties, interest and registration charges. There is a one-year redemption period during which the registered owner can reclaim the property. If the property is reclaimed, the successful bidder receives a refund in full together with interest.

Interest rates paid to the purchaser upon redemption of the property has created a lucrative short-term cash investment opportunity for some individuals. As the intention of the tax sale is to collect outstanding property taxes and not to provide an investment opportunity, the City has bid on the properties for the past few years. This creates administrative efficiency and the interest paid benefits the municipality as a whole rather than an individual.

Each year the authorization from Council to bid has been requested and approved under section 406 of the *Local Government Act* and it would be a further efficiency if authorization is given for the Director of Finance to bid at tax sale each year in the future. For the past two years, the Revenue Division was able to contact and collect on all those properties in a delinquent status and no tax sale was necessary.

A Committee member inquired if a property could be acquired if it had greenway space. Staff advised that high property values mean that no properties have changed hands due to tax sale in many years.

Action: Councillor Young moved that Council authorizes the Director of Finance or designate to annually bid at the tax sale up to 75% of the property's assessed value on behalf of the City of Victoria.

CARRIED 08/513

11. LEGISLATIVE AND REGULATORY SERVICES

11.1 Green Power Facility Tax Exemption Program – Dockside Green

Committee received a report dated August 28, 2008, from Legislative and Regulatory Services, regarding Green Power Facility Tax Exemption Program – Dockside Green. The purpose of this report is to propose a Green Power Facility Tax Exemption Program; the impetus for this program is a request from Dockside

Green to have its Biomass Facility exempted from the payment of City property taxes.

In October 2007, Council resolved to consider the use of a revitalization tax exemption program in response to Dockside Green's property tax exemption request for its Biomass Facility.

Staff noted that the Ministry of Community Development advised that the revitalization tax exemption scheme under the *Community Charter* provides an avenue for municipalities to implement incentives for more environmentally sustainable development. A revitalization tax exemption scheme for the Biomass Facility would support Council's strategic plan objective to sustain and enhance the environment through sound leadership and stewardship of natural resources.

To enable a Green Power Facility Tax Exemption Program Council must:

1. Establish a revitalization program bylaw;
2. Create an exemption agreement for eligible properties; and
3. Create an exemption certificate issued to each property that qualifies under the program.

Dockside Green is a pioneer of new technology and has demonstrated the financial need for the City property tax exemption. It is therefore recommended that the Green Power Facility Tax Exemption Program be initiated and applied to this site. Further applications under the program would be considered on a case by case basis in accordance with the program guidelines.

Action: Councillor Young moved that Council instructs the Corporate Administrator to:

1. Draft a Green Power Facility Revitalization Tax Exemption Program Bylaw consistent with the principles outlined in *Schedule A* to this report dated August 28, 2008.
2. Create a form of exemption agreement for the program; and
3. Create a form of exemption certificate for the program.

CARRIED 08/512

11.2 Elections 2008 – Voter Notification

Committee received a report dated September 3, 2008, from Legislative and Regulatory Services with respect to Elections 2008 – Voter Notification. Voter turnout for the 2005 Victoria Civic Election was 26.43%. Following the election, Council voiced a desire for the Chief Election Officer to establish objectives for the 2008 elections to increase voter turnout.

Research indicates that municipal elections tend to be lower than provincial and federal elections. 40% or lower is cited as the expected voting turnout at the municipal level. Factors that influence the municipal vote include:

- The size of the municipality, the smaller the municipality the higher the voter turnout;
- Demographic and socio-economic factors;
- The number of incumbents seeking re-election;

- The number of candidates on the ballot (the higher number of candidates on the ballot, the more complicated the choice is for voters).

One objective for meeting our goal of increasing voter turnout is to educate voters about the upcoming election by ensuring they are aware of voter eligibility requirements, valid identity documents, the dates for voting, including advance voting days and the November 15, 2008, election day, the locations of the twelve voting places, and the times for voting.

The CEO recommends a direct mail communiqué to registered voters with the information outlined above. The plan is to escalate the use of this tool in future years to enable voting divisions and for automated voting place registration. As in federal and provincial elections, a municipal voter card could, in subsequent elections, be used to channel voters to specific voting places and to check in voters at the voting place with a bar code system.

Two quotes have been received by companies for a targeted mail-out to registered voters to provide basic City of Victoria voting information. Both quotes have turned out to be approximately the same with the companies offering slight variations on the same service.

Committee members discussed with staff the following:

- Internet voting; legislative doesn't allow this though there is a pilot program testing the efficacy of this method of voting.
- Concerns related to the mail-out, e-mail communications would be more effective; the mail-out will be cards addressed to registered voters.
- Having information available to those whose first language is not English; awareness notification can be forwarded to agencies that help those people.

Action: Councillor Holland moved that Council approve an increase to the Elections Budget by \$36,000 in order to conduct a targeted mail-out to each registered City of Victoria elector with the goal of increasing voter turnout.

CARRIED 08/511

Councillor Young voted against this motion

12. ADMINISTRATIVE MATTERS

12.1 Disposition of Communications dated August 29, 2008

Action: Councillor Coleman moved that the Disposition of Communications dated August 29, 2008 from the Manager, Administration, be received for information and filed.

CARRIED 08/510

12.2 Proclamation – “Sea Otter Awareness Week”

Action: Councillor Thornton-Joe moved that September 21st – 27th, 2008, be proclaimed as “Sea Otter Awareness Week” in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/509

12.3 Proclamation – “Breast Cancer Awareness Month”

Action: Councillor Thornton-Joe moved that the October 1st – 31st, 2008, be proclaimed as “Breast Cancer Awareness Month” in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/508

12.4 Proclamation – “Times Colonist Raise a Reader Day”

Action: Councillor Thornton-Joe moved that September 24, 2008, be proclaimed as “Times Colonist Raise a Reader Day” in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/507

12.5 Proclamation – “Learn @ Work Week”

Action: Councillor Thornton-Joe moved that September 22nd - 26th, 2008, be proclaimed as “Learn @ Work Week” in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 08/506

13. COUNCILLOR INFORMATION SHARING AND INQUIRIES

13.1 Councillor Hughes – Festival of Learning

Councillor Hughes shared with Committee the upcoming Festival of Learning which runs Saturday, September 6 until Friday, September 12, 2008. The Lieutenant Governor and the Mayor will be at the Festival launch at 11:00 a.m. The Festival of Learning brings organizations from Victoria and area together from different sectors of the community to celebrate and promote learning in its many forms.

13.2 Councillor Coleman – Greater Victoria Development Agency

Councillor Coleman shared with Committee information regarding funding the Greater Victoria Development Agency (GVDA) received from the federal government. On Tuesday, September 2, Minister Gary Lunn announced \$225,000 in funding to the GVDA, which will support the maintenance and growth of the region’s economic base. This support underlines the importance in attracting business and investment to the Greater Victoria region.

14. CLOSED MEETING at 10:59a.m.

- Committee Members Present:** Mayor Lowe in the Chair, Councillors Coleman, Fortin, Holland, Hughes, Madoff, Thornton-Joe and Young.
- Absent:** Councillor Chandler.
- 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:** K. Josephson – Manager, Communications; K. Friars – Director, Parks, Recreation and Community Development; P. Sparanese – Director of Engineering; S. Hortsing – Facilities Manager; D. Day – Director of Planning and Development; M. McLean – Executive Assistant; M. Lai – Assistant Director of Transportation and Parking Services; J. Sturdy – Assistant Director of Underground and Facilities; J. Pearce – Victoria City Police; D. Laur – Victoria City Police.
- Guests:** Rev. Al Tysick – Executive Director, Our Place; K. Preston – Director of Finance and Administration, Our Place.
- Action:** Councillor Thornton-Joe moved that Committee of the Whole convene a Closed meeting that excludes the public under Section 11(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Section 11(3) and/or (4) of the Council Bylaw.

CARRIED 08/505

14.1 Minutes from the Closed Portion of the Committee of the Whole Meeting held August 28, 2008

- Action:** Councillor Coleman moved that the Closed Portion of the Committee of the Whole meeting held August 28, 2008 be adopted.

CARRIED 08/504

14.2 Law Enforcement – Downtown Policing

Committee received a verbal report from staff regarding Law Enforcement – Downtown Policing.

This discussion was recorded and kept confidential.

14.3 Land – Security of City Properties

Committee requested that the report dated August 6, 2008, on Security of City Properties be postponed to the next meeting of Committee of the Whole.

Mayor Lowe left the meeting 1:12 p.m. Councillor Hughes assumed the Chair

14.4 Personnel – Recruitment

Committee requested that the Personnel - Recruitment item be presented to Committee alone and excused staff from this discussion.

14.5 Lease Renewal

Committee received correspondence dated August 26, 2008, regarding a Lease Renewal.

The discussion and motion were recorded and kept confidential.

(Closed Resolution # 08/503)

14.6 Advisory Board – New Appointment

Committee received a report dated September 3, 2008 from Legislative Services with respect to a New Appointment.

Committee expressed concerns regarding the number of applications received for this vacancy.

Action: Councillor Madoff moved that Council direct staff to re-post the request for applicants to sit on the Victoria Police Board.

CARRIED 08/502

14.7 Land - Dockside Master Development Agreement

Committee continued to discuss the report from the Planning and Development Department, dated September 2, 2008, with respect to the Dockside Master Development Agreement.

The discussion and report were recorded and kept confidential.

(Closed Resolution # 08/500 and # 08/501)

14.8 Councillor Thornton-Joe – Late Night Eateries

Councillor Thornton-Joe requested that staff provide an update on the Late Night Eateries issue. Staff advised that a report will be coming to Committee of the Whole on September 18, 2008.

15. ADJOURNMENT

Action: Councillor Thornton-Joe moved that the Committee of the Whole meeting of September 4, 2008 be adjourned at 2:02 p.m.

CARRIED 08/499

Mayor Lowe, Chair