

**MINUTES OF THE
GOVERNANCE & PRIORITIES COMMITTEE MEETING
HELD THURSDAY, MAY 7, 2015, 9:00 A.M.**

1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:00 A.M.

Committee Members Present: Mayor Helps in the Chair; Councillors Alto, Coleman, Isitt, Lucas, Madoff, Thornton-Joe and Young.

Absent: Councillor Loveday

Staff Present: J. Johnson – City Manager; R. Woodland – Director of Legislative & Regulatory Services; J. Appleby – Recording Secretary.

Staff Present for a Portion of the Meeting: P. Bruce – Fire Chief; J. Jenkyns – General Manager, Victoria Conference Centre; J. MacDougall – Acting Director of Parks & Recreation; S. Thompson – Director of Finance; B. Dellebuur – Acting Assistant Director of Transportation & Parking Services; A. Hudson – Acting Director, Sustainable Planning & Community Development; M. Hayden – Manager of Bylaw & Licensing Services; S. Craig – Policy Analyst; J. Day – Community Recreation Coordinator.

Guests: Dr. Miriam Korn, Island Health; Inspector S. McGregor – Victoria Police Department

2. APPROVAL OF THE AGENDA

Action: It was moved by Councillor Isitt, seconded by Councillor Coleman, that the Agenda of the May 7, 2015, Governance & Priorities Committee meeting be approved.

Committee considered the following amendment to the agenda:

- Item #13 – Legal / Potential Litigation - Withdrawn from the agenda

3. CONSENT AGENDA

Mayor Helps proposed approving the following items in one motion:

- Item # 8 – Motion –FCM Election to Board of Directors

- Item # 9 – FCM Conference – Attendance for Councillors Coleman, Isitt and Loveday

4. APPROVAL OF THE AGENDA

Action: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Agenda of the May 7, 2015, Governance & Priorities Committee meeting be approved as amended.
CARRIED UNANIMOUSLY 15/GPC

5.1 Minutes from the meeting held April 2, 2015

Action: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Minutes from the meeting held April 2, 2015, be adopted.
CARRIED UNANIMOUSLY 15/GPC

6.1 Motion – FCM Election to Board of Directors

Councillors Alto and Thornton-Joe provided Committee with a request that Victoria City Council endorse Councillor Coleman to stand for election on the FCM's Board of Directors for the 2015-2016 year.

Action: It was moved by Councillor Coleman, seconded by Councillor Alto, that Committee recommend that Council endorse the following motion:

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction; and

WHEREAS FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government; and

WHEREAS FCM's 78th Annual Conference and Trade Show will take place from June 5 to June 8th, 2015, during which time the Annual General Meeting will be held and followed by the election of FCM's Board of Directors.

BE IT RESOLVED that Council of the City of Victoria endorse Councillor Chris Coleman to stand for election on FCM's Board of Directors for the 2015-2016 year; and

BE IT FURTHER RESOLVED that Council assume all reasonable costs associated with Councillor Chris Coleman attending FCM's Board of Directors meetings.

CARRIED UNANIMOUSLY 15/GPC

6.2 Conference Attendance Requests

Committee received requests from Councillors Coleman, Isitt and Loveday to attend the FCM Conference being held June 5-8, 2015, in Edmonton, Alberta.

Action: It was moved by Councillor Coleman, seconded by Councillor Alto, that Committee recommends that Council approve Councillors Coleman, Isitt and Loveday's attendance at the FCM Conference being held June 5-8, 2015, in Edmonton, Alberta, and the associated travel and accommodation costs.

CARRIED UNANIMOUSLY 15/GPC

5. MINUTES

5.2 Minutes from the meeting held April 23, 2015

Councillor Thornton-Joe noted the following correction:

On Page 11, regarding better neighbour agreements, including those applicable to liquor licences should read "excluding those applicable to liquor licences."

On Page 5, regarding tax ratios, the minutes should include the following comment "A Committee member expressed a desire to wait for the recommendations from the Economic Development Task Force."

Action: It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that the Minutes from the meeting held April 23, 2015, be adopted, as corrected.

CARRIED UNANIMOUSLY 15/GPC

7. DELEGATION

7.1 Mental Health Awareness Week

Committee received a presentation from Dr. Miriam Korn of Island Health, regarding the Living Well workbook which aims to provide basic, accessible information about creating a healthy lifestyle.

Committee discussed the following:

- Many of the themes are tied into the City's Strategic Plan.
- The importance of connecting to your culture in a spiritual way.

Committee thanked Dr. Korn for her presentation.

8. PRESENTATION

8.1 Johnson Street Bridge – Quarterly Update

Committee received a report dated May 1, 2015 from J. Huggett (Project Director) that provided the second quarterly report for 2015, with the next report scheduled to be presented in August.

Since the last update, the project schedule has been revised to reflect delays in the delivery of the structural steel and now identifies January 2017 as the target date that the new bridge will be open for public use, with a project completion date of June 2017.

Mr. Huggett provided the following updates:

Steel Fabrication: Fabrication resumed in March 2015 and regular inspections are being done by the fabricator and the quality control consultants. The Project Director, along with representatives from PCL and MMM, visited the steel fabrication plant to review the onsite steel quality oversight.

Seismic Design: On March 12, 2015, a presentation was made to Council to explain the performance of the seismic design of the new bridge. It has been designed as a “Critical Bridge” and will allow the bridge to be available to all traffic after a large subduction earthquake.

Financial Impacts: The revised project schedule will have an increased impact on the budget specifically in the areas of insurance, additional city costs, professional consulting services, legal costs for mediation and unallocated contingency to completion. On March 26, 2015, a \$1.5 Million budget increase was granted.

Grant Funding: Transport Canada has approved an extension of the funding for the Project until March 2018. A request to the UBCM for an extension to the General Strategic Priorities Fund Grant has been requested and it is anticipated that the request will be granted.

Fendering: The design of the fendering on the south side is complete. The fendering design on the north side of the bridge is being further investigated. It is a critical design element and it is important to know what tolerances can be withstood. Once the designs have been completed, they will come back to Council for final approval.

Committee discussed the following:

- Concerns that Council is aware what the finished bridge will look like, including the public realm.
- The challenges of shipping the steel from China to Victoria.
- Concern that the approach from the east side has not been improved for cycling traffic and the need to slow traffic and provide treatments to improve

- safety for pedestrians and cyclists.
- The possibility of a workshop being held to inform Council and stakeholders on materials (lighting, paint colour, handrails etc.) and the public realm.
- Why the fendering on the north side is not finalized.
 - The fendering for the north side was not included in the initial design as it was unclear at that time what type of marine users would be using the approach. MMM will provide the design and PCL will advise what is constructible.
- Concern that the downtown residents will not have enough time to provide input to the design of the public realm features.

Action: It was moved by Councillor Isitt, seconded by Councillor Coleman, that Committee recommends that Council receive the report for information and direct staff to proceed with public engagement on the public realm and approaches on the west side and east side of the Johnson Street Bridge, with particular engagement of the Victoria West Community Association and Downtown Residents Association.

Committee discussed the motion:

- The importance for staff to engage the downtown residents to find out how much green space they would like to see and other designs of the public realm and advise the City how feasible it will be to implement.
 - Staff can engage the public but it's important to note that a contract has been let and any changes to road lanes or the City's right-of-way could incur a change order and a subsequent increase in costs. There are certain aspects of the public realm that could be changed and it is important to know which ones are open to change and which are committed contractually.

CARRIED UNANIMOUSLY 15/GPC

Committee recessed at 10:25 a.m.

Committee reconvened at 10:30 a.m.

9. DECISION REQUESTS

9.1 Medical Marihuana

Committee received a report dated May 1, 2015, from Legislative & Regulatory Services, regarding the regulation of medical marihuana-related businesses. The number of medical marihuana-related businesses has increased significantly over the past year and many of the businesses are having an impact on the community, resulting in complaints to both the VicPD and the City's Bylaw and Licensing Services Division such as:

- Increased foot traffic to surrounding businesses
- Nuisances to other nearby businesses, potentially impacting their customers
- Odour, food safety and other health issues
- Exposure of young persons to the sale of marihuana

The current approach towards enforcement of business licencing requirements for this sector does not address many of the concerns currently being raised, with many businesses continuing to operate without a license. The City has a responsibility to ensure that its regulatory and licensing requirements are applied consistently throughout the city and across all business sectors.

Committee discussed:

- Inconsistency with licensing: many businesses such as restaurants and day cares require approval from other levels of government.
- Whether enforcement is a viable option and the possibility of success.
- Apart from the conflict with federal regulations these business can create nuisances from their conduct. For example, Council would not allow a liquor store in a professional office, but it would be appropriate in other locations. Marihuana shops should be treated in the same way.
- These types of businesses create traffic and controlling where they are located is a land use issue.
- Many people are concerned that compassion clubs may go out of business. For those using marihuana for medical purposes keeping costs low is imperative.
- If the City has the staff and resources to implement bylaw amendments.

Action:

It was moved by Councillor Isitt, seconded by Councillor Thornton-Joe, that Committee recommends that Council direct staff to bring forward for Council's consideration:

1. Proposed bylaw amendments aimed at mitigating community impacts and concerns associated with the operation of medical marihuana-related businesses; and
2. A proposed compliance and enforcement strategy consistent with the proposed new regulations.

Committee discussed the motion:

- There are a number of issues to be worked out but there is a need to show the community Council is moving forward on this issue. Imposing bylaws will send a signal that the appearance and location of the establishments are important and must be compliant with the law. Operating responsibly is important as is the need to avoid criminal elements. Bringing this under regulation could also help increase taxation in the form of business licences.

Amendment: It was moved by Councillor Madoff, seconded by Councillor Isitt, to amend the motion as follows:

1. Proposed bylaw amendments aimed at mitigating community impacts and concerns associated with the operation of medical marihuana-related businesses at a **town hall meeting prior to Council's consideration of the proposed bylaw amendments.**
2. A proposed compliance and enforcement strategy consistent with the proposed new regulations.

On the amendment:

CARRIED UNANIMOUSLY 15/GPC

- By supporting regulation, the City can say who goes in to the marihuana shops and who can work there.
- If the City should be targeting all non-compliant businesses and not singling out one.
- Concern if there are enough resources to deal with all non-compliant businesses.
- This motion will help address many of the problems. With the amount of shops opening the City needs to think of what processes need to be put into place.

On the main motion as amended:

CARRIED 15/GPC

For: Mayor Helps; Councillors Alto, Coleman, Isitt, Lucas, Madoff and Thornton-Joe
Against: Councillor Young

9.2 Parklet Trial – 700 Block of Fort Street

Committee received a report dated April 23, 2015, regarding a request by businesses on the 700 block of Fort Street to install a temporary “parklet” in two parking spaces on their block. The trial will be for one year, after which an evaluation will be conducted to determine if the parklet should remain.

Action: It was moved by Councillor Thornton-Joe, seconded by Councillor Alto that Committee recommends:

1. That Council endorse the Fabulous Fort Pilot Parklet project proposed by the 700 block Fort Street Business Association and the Downtown Victoria Business Association.
2. That Council waive the street occupancy fees for the trial.
3. That Council direct staff to report back to Council in one year’s time on the pilot project, no later than July 2016.

Committee discussed:

- If there was a site selection process and if other sites have been identified.
 - Staff have had casual conversations with the North Park businesses but they were not interested at this time. Staff wish to see how the trial proceeds and then come back to Council with a more formal process for moving forward.
- If the lost revenue could be replaced by a fee.
- The parklett is for public use and not only for the neighbouring businesses. It is a pilot program that had a lot of buy-in at the beginning from the neighbouring businesses.

CARRIED UNANIMOUSLY 15/GPC

9.3 Request for Funding for Snowbirds

Committee received a report dated April 21, 2015, regarding a request from Randy Wright of Harbour Air seeking in-kind support from the City for the proposed August 12, 2015, Snowbirds performance benefitting the C.H.I.L.D. Foundation.

Based on previous shows, staff have estimated the costs of the in-kind support to be approximately \$12,000. It is proposed that the remaining 2015 Festival Investment Grant of \$6,000 could be directed to support this event.

Councillor Isitt withdrew from the meeting at 12:03 p.m. and returned at 12:04 p.m.

Committee discussed the following:

- If the money requested will need to be increased when the final bill is received.
 - The estimate is based on a similar project.
- If the neighbours have been consulted.
 - The permit process will approach the neighbourhood associations and then neighbours regarding traffic during the event. Feedback will not be received prior to the permit application.
- If there are alternate ways of managing traffic.

Action: It was moved by Councillor Young, seconded by Councillor Coleman, that Committee recommends that Council receive the report for information and direct that the excess 2015 Festival Investment Grant funds of \$6,000 be provided to support this event.

Mayor Helps withdrew from the meeting at 12:20 p.m. and returned at 12:21 p.m.

- Concern for the residents who live in the area and the impact on their quality of life.

CARRIED 15/GPC

For: Mayor Helps; Councillors Alto, Coleman, Lucas, Madoff and Thornton-Joe and Young

Against: Councillor Isitt

10. NEW BUSINESS

10.1 Motion – Douglas Street Improvements

Mayor Helps and Councillor Lucas provided Committee with a request regarding an improvement to Douglas Street. In the capital budget Council designated \$60,000 to be matched by \$60,000 from the Downtown Victoria Business Association (DVBA) and the Downtown Victoria 2020 (DV2020) Society. The DVBA's Douglas Street Plan has identified a number of short-term improvements that could be made this year.

Action: It was moved by Councillor Lucas, seconded by Mayor Helps, that Committee recommends that Council direct staff to work with the Downtown Victoria Business Association (DVBA) and the Downtown Victoria 2020 (DV2020) Society and the neighbourhood associations to design and implement an improvement on Douglas Street in 2015 using the funding of \$180,000 put forward by the City and the two organizations.

Committee discussed the following:

- The \$60,000 is part of the downtown beautification funds that have been allocated from the annual budget to provide an improvement on Douglas Street.
- The budget is modest but expectations are high.
- Concern that this is the first step of the Douglas Street charrette, but Council will not have input into what is implemented.

Amendment: It was moved by Councillor Madoff, seconded by Councillor Coleman, that Committee amend the motion as follows:

That Council direct staff to work with the Downtown Victoria Business Association (DVBA) and the Downtown Victoria 2020 (DV2020) Society and the neighbourhood associations to design and implement an improvement on Douglas Street in 2015 using the funding of \$180,000 put forward by the City and the two organizations **and that it come back to the Council for final approval.**

- Council's role is to approve appropriate expenditures for projects, so a final sign off is appropriate to steward these funds.
- Council should empower staff and businesses to work together and demonstrate confidence that an appropriate product can be delivered without further oversight.

On the amendment:
DEFEATED 15/GPC

For: Councillors Coleman, Madoff, Isitt, Young

Against: Mayor Helps; Councillors Alto, Lucas and Thornton-Joe

- To delegate what happens in the City's right-of-way is a concern. It is the public's money and Council should ultimately have the final approval.

Amendment: It was moved by Councillor Madoff, seconded by Councillor Alto, that Committee amend the motion as follows:

That Council direct staff to work with the Downtown Victoria Business Association (DVBA) and the Downtown Victoria 2020 (DV2020) Society and the neighbourhood associations to design and implement an improvement on Douglas Street in 2015 using the funding of \$180,000 put forward by the City and the two organizations **and to direct that the money be used toward the one to two year improvements as**

directed in the charrette, precluding any improvements to Centennial Park.

Committee discussed the amendment:

- Concern that Council does not have control of the final product and the desire that the money will be spent on the boldest intervention to maximize the benefit.

On the amendment:

CARRIED 15/GPC

For: Mayor Helps, Councillors Alto, Coleman, Lucas, Madoff, Thornton-Joe and Young

Against: Councillor Isitt

On the main motion as amended:

CARRIED 15/GPC

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Lucas, Thornton-Joe and Young

Against: Councillor Madoff

Action: It was moved by Councillor Coleman, seconded by Councillor Lucas, that the Governance & Priorities Committee convene a Closed meeting that excludes the public under Section 12(6) of the *Council Bylaw* for the reason that the following agenda items deal with matters specified in Sections 12(3) and/or (4) of the Council Bylaw, namely:
Section 12 (3)(c) Labour relations or employee relations.
Section 12 (3)(e) The acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure might reasonably be expected to harm the interests of the City.

CARRIED UNANIMOUSLY 15/GPC

11. CLOSED MEETING AT 12:47 P.M.

Committee Members Present: Mayor Helps in the Chair; Councillors Alto, Coleman, Isitt, Lucas, Madoff, Thornton-Joe and Young.

Absent: Councillor Loveday

Staff Present: J. Johnson – City Manager; J. Jenkyns – General Manager, Victoria Conference Centre, B. Dellebuur – Acting Assistant Director of Transportation & Parking Services, J. Paul – Acting Assistant Director, Underground Utilities and Facilities; R. Woodland – Director of Legislative & Regulatory Services; J. Appleby – Recording Secretary.

12. APPROVAL OF CLOSED AGENDA

Action: It was moved by Councillor Isitt, seconded by Councillor Coleman, that the Closed Agenda of the Governance and Priorities Committee meeting of May 7, 2015, be approved as amended.

CARRIED UNANIMOUSLY 15/GPC

13. CONSENT AGENDA

Mayor Helps canvassed members of Council, who approved bringing forward the following items for approval.

- Item # 10 – Minutes from the Special Closed Meeting held April 16, 2015
- Item # 11 – Minutes from the Closed Meeting held April 23, 2015

13.1 Minutes from the Special Meeting held April 16, 2015

Action: It was moved by Councillor Isitt, seconded by Councillor Coleman, that the Minutes of the Special Closed Meeting held April 16, 2015, be adopted.

CARRIED UNANIMOUSLY 15/GPC

13.2 Minutes from the Meeting held April 23, 2015

Action: It was moved by Councillor Isitt, seconded by Councillor Coleman, that the Minutes of the Closed Meeting held April 23, 2015, be adopted.

CARRIED UNANIMOUSLY 15/GPC

14. REPORTS FOR INFORMATION

14.1 Acquisition / Disposition of Land

Committee received a verbal report from Mayor Helps.

The discussion and motion were recorded and kept confidential.

14.2 Employee Relations

All staff except the City Manager and General Manager of the Conference Centre were excused from the meeting at 1:10 p.m.

15. ADJOURNMENT

Action: It was moved by Councillor Madoff, seconded by Councillor Coleman, that the Governance & Priorities Committee meeting of May 7, 2015, be adjourned at 2:00 p.m.

CARRIED UNANIMOUSLY 15/GPC

Mayor Helps, Chair