

**MINUTES OF THE
COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, FEBRUARY 8, 2018, 9:00 A.M.**

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

Committee Members Present: Councillor Madoff (Chair); Councillors Coleman, Isitt, Loveday, Lucas, Thornton-Joe, and Young

Absent: Mayor Helps and Councillors Alto

Staff Present: J. Jenkyns – Acting City Manager; C. Coates – City Clerk; C. Havelka – Deputy City Clerk; P. Bruce – Fire Chief; S. Thompson – Director of Finance; J. Tinney – Director of Sustainable Planning & Community Development; B. Eisenhower – Head of Engagement; T. Zworski – City Solicitor; F. Work – Director of Engineering & Public Works; J. Paul – Assistant Director of Engineering; A. Meyer – Assistant Director of Development Services; L. Taylor – Senior Planner; R. Bateman – Senior Process Planner; B. Czypyha – Stormwater Management Specialist; A. M. Ferguson – Recording Secretary

2. APPROVAL OF AGENDA

Motion: It was moved by Councillor Isitt, seconded by Councillor Coleman, that the Agenda of the February 8, 2018, Committee of the Whole meeting be approved.

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Councillor Isitt, seconded by Councillor Young, that the following items be added to the consent agenda of the February 8, 2018, Committee of the Whole Agenda:

Consent Agenda:

Item No. 1 - Minutes from the meeting held October 12, 2017

Item No. 2 - Minutes from the meeting held December 14, 2017

Item No. 7 - Proclamation – “International Development Week”

Item No. 8 - Proclamation – “Chamber of Commerce Week”

Item No. 11 - Resolution: Advocacy for Review of Board of Variance Process

Item No. 13 - AVICC Motion re: Gender-based Violence Strategy for Youth

CARRIED UNANIMOUSLY 18/COTW

Councillor Lucas withdrew from the meeting at 9:03 a.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a retail store that supplies plastic bags to its customers.

Motion: It was moved by Councillor Isitt, seconded by Councillor Coleman, that the following item be included on the consent agenda of the February 8, 2018, Committee of the Whole Agenda:

Consent Agenda:

Item No. 9 - Resolution: Uniform Business Regulations for Disposable Plastic Packaging

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Councillor Young, seconded by Councillor Isitt, that the Agenda of the February 8, 2018, Committee of the Whole meeting be amended to include all the above items on the amended agenda.

CARRIED UNANIMOUSLY 18/COTW

3. CONSENT AGENDA

Motion: It was moved by Councillor Madoff, seconded by Councillor Lucas, that the following items be approved without further debate:

3.1 Minutes from the meeting held October 12, 2017

Motion: It was moved by Councillor Madoff, seconded by Councillor Lucas, that the Minutes of the meeting held October 12, 2017, be adopted.

CARRIED UNANIMOUSLY 18/COTW

3.2 Minutes from the meeting held December 14, 2017

Motion: It was moved by Councillor Madoff, seconded by Councillor Lucas, that the Minutes of the meeting held December 14, 2017, be adopted.

CARRIED UNANIMOUSLY 18/COTW

3.3 Proclamation – “International Development Week”

Committee received a report dated January 30, 2018, from the City Clerk regarding a proclamation for “International Development Week” on February 4-10, 2018.

Motion: It was moved by Councillor Madoff, seconded by Councillor Lucas, that the *International Development Week Proclamation* be forwarded to February 8, 2018 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY 17/COTW

3.4 Proclamation – “Chamber of Commerce Week”

Committee received a report dated January 30, 2018, from the City Clerk regarding a proclamation for “Chamber of Commerce Week” on February 19-23, 2018.

Motion: It was moved by Councillor Madoff, seconded by Councillor Lucas, that the *Chamber of Commerce Week Proclamation* be forwarded to February 8, 2018 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY 17/COTW

3.5 Resolution: Uniform Business Regulations for Disposable Plastic Packaging

Committee received a Council member motion dated February 2, 2018, from Councillors Isitt and Loveday regarding recommendations for a proposed motion regarding uniform business regulations for disposable plastic packaging for consideration by the Association of Vancouver Island Coastal Communities (AVICC), the Union of British Columbia Municipalities (UBCM), and the Federation of Canadian Municipalities.

Motion: It was moved by Councillor Madoff, seconded by Councillor Lucas, that Council endorse the following resolution for consideration at the 2018 annual meetings of the Association of Vancouver Island and Coastal Communities (AVICC) and the Union of BC Municipalities (UBCM), and direct staff to forward electronic copies of the resolution to local governments belonging to the AVICC and UBCM, requesting favourable consideration and resolutions of support:

Resolution: Uniform Business Regulations for Disposable Plastic Packaging

WHEREAS uniform regulations of businesses provide predictability, certainty and efficiency for consumers and business operators;

AND WHEREAS unrestricted use of disposable plastic packaging is inconsistent with values of British Columbia residents and imposes costs on local governments in British Columbia, prompting communities to examine options for business regulations limiting disposable plastic packaging in order to contain costs and manage solid waste streams responsibly;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia work with local governments and retailers to introduce uniform, province-wide business regulations in relation to disposable plastic packaging, to substantially reduce the volume of disposable plastic packaging in local solid waste streams.

CARRIED UNANIMOUSLY 18/COTW

3.6 Resolution: Advocacy for Review of Board of Variance Process

Committee received a Council member motion dated February 6, 2018, from Councillors Isitt and Madoff regarding recommendations for a proposed motion regarding a review of the Board of Variance Process to be considered by the AVICC and UBCM.

Motion: It was moved by Councillor Madoff, seconded by Councillor Lucas, that Council endorse the following resolution for consideration at the 2018 annual meetings of the Association of Vancouver Island and Coastal Communities (AVICC) and the Union of BC Municipalities (UBCM), and direct staff to forward electronic copies of the resolution to local governments belonging to the AVICC and UBCM, requesting favourable consideration and resolutions of support:

Resolution: Advocacy for Review of Board of Variance Process

WHEREAS the *Local Government Act* requires local governments to appoint Boards of Variance that are empowered to consider minor variances where a person alleges that complying with a bylaw respecting the siting, size or dimensions of a building would cause them hardship;

AND WHEREAS deliberations of local Boards of Variance provide minimal opportunities for public comment on the requested variances, and provide no role for comment from the elected council of a municipality or the board of a regional district in unincorporated areas;

THEREFORE BE IT RESOLVED THAT the provincial government review the current provisions in the *Local Government Act* relating to Boards of Variance and consider amendments to ensure that the interests of public accountability, transparency, and local democracy are upheld.

CARRIED UNANIMOUSLY 18/COTW

3.7 AVICC Motion re: Gender-based Violence Strategy for Youth

Committee received a Council member motion dated February 6, 2018, from Councillor Loveday regarding recommendations for a proposed motion regarding a gender-based violence strategy for youth to be considered by the AVICC and UBCM.

Motion: It was moved by Councillor Madoff, seconded by Councillor Lucas, that Council approve the following motion:

AVICC Motion re: Gender-based Violence Strategy for Youth

WHEREAS children and youth who have been impacted by violence experience devastating and long-ranging mental health, physical health, social and educational impacts.

AND WHEREAS the #metoo campaign has recently highlighted gender-based violence as one of the most pervasive forms of violence, taking various forms (e.g. cyber, physical, sexual, psychological, emotional, and economic).

AND WHEREAS according to Statistics Canada, young women aged 15 to 17 report the highest rate of gender-based violence amongst all age groups

(2,710 per 100,000), and Indigenous, LGBTQ2, and disabled girls experience even higher rates of violence.

AND WHEREAS in 2017 the Government of Canada launched It's Time: Canada's Strategy to Prevent and Address Gender-Based Violence identifying three priority areas: prevention, engaging men and boys, and support for survivors. To support the strategy, the federal government has committed \$100.9 million over five years, and an additional \$20.7 million per year going forward. While the BC government recently announced \$5 million to assist organizations working to prevent and respond to gender-based violence, there is currently no cohesive provincial strategy in place

AND WHEREAS in order to combat gender-based violence among youth in BC and support healthy relationships, healthy families and healthy communities, a provincial strategy is needed. Drawing on the expertise of all relevant Ministries, and building on the resources and strategies identified in the federal strategy, a comprehensive provincial strategy can be a catalyst for positive cultural change.

THEREFORE BE IT RESOLVED THAT the AVICC call on the Ministry of Education, the Ministry of Child and Family Development, the Ministry of Public Safety, and the Ministry of Mental Health to work together to develop a Gender-Based Violence Prevention Strategy for Youth.

AND BE IT FURTHER RESOLVED THAT AVICC forward this motion on to UBCM for consideration.

CARRIED UNANIMOUSLY 18/COTW

4. LAND USE MATTERS

4.1 Update on Rezoning Application No. 00562 and Official Community Plan Amendment for 3025 Douglas Street

Committee received a report dated January 25, 2018, from the Director of Sustainable Planning and Community Development regarding an application to convert the existing building from a motel to a multiple dwelling consisting of approximately 48 market rental units, and existing commercial storage area in the lower level.

Committee discussed:

- Conferring additional entitlements and additional economic benefits.

- Motion:** It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas:
1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the *Local Government Act* by *removing* the property located at 3025 Douglas Street from the *General Employment* Urban Place Designation and adding it to the *Town Centre* Urban Place Designation; as well as, the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street, that first and second reading of the Zoning Regulation Bylaw

Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- i. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - a. Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity.
 - ii. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; and posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
 - iii. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - iv. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
 - v. That Council give first reading to the Official Community Plan Amendment Bylaw.
 - vi. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2018-2020 Draft Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
 - vii. That Council give second reading to the Official Community Plan Amendment Bylaw.
 - viii. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
2. That Council instruct staff to change the land use designation of the property located at 3025 Douglas Street from General Employment to Town Centre in the *Burnside Gorge Neighbourhood Plan*.

CARRIED UNANIMOUSLY 18/COTW

4.2 Development Permit with Variances Application No. 00054 for 1800 Quadra Street

Committee received a report dated January 26, 2018, from the Director of Sustainable Planning and Community Development regarding an application for a 60 square meter addition to the existing church.

Committee discussed:

- Heritage significance of the building.

Motion: It was moved by Councillor Thornton-Joe, seconded by Councillor Isitt, that Council direct staff to work with the applicant to reduce the prominence of the proposed addition and reduce its impacts on the public street, and to bring the revised proposal back to a future Committee of the Whole meeting.

Committee discussed:

- Working with the applicant to address the staff's concerns.
- Responding to the heritage qualities while achieving the applicant's needs.

Amendment: It was moved by Councillor Isitt, seconded by Councillor Loveday, that the motion be amended as follows:
That Council direct staff to work with the applicant to reduce the prominence of the proposed addition and reduce its impacts on the public street, and to bring the revised proposal back to a future Committee of the Whole meeting **and request that the applicant provide any information they have on the older portion of the building.**

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

Amendment: It was moved by Councillor Isitt, seconded by Councillor Loveday, that the motion be amended as follows:
That Council direct staff to:

1. work with the applicant to reduce the prominence of the proposed addition and reduce its impacts on the public street, and to bring the revised proposal back to a future Committee of the Whole meeting;
2. request that the applicant provide any information they have on the older portion of the building;
3. **request the applicant to engage the CALUC on the proposed design.**

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

Main motion as amended:

- That Council direct staff to:
1. work with the applicant to reduce the prominence of the proposed addition and reduce its impacts on the public street, and to bring the revised proposal back to a future Committee of the Whole meeting;

2. request that the applicant provide any information they have on the older portion of the building;
3. request the applicant to engage the CALUC on the proposed design.

On the main motion as amended:
CARRIED UNANIMOUSLY 18/COTW

Councillor Lucas withdrew from the meeting at 9:34 a.m. and returned at 9:36 a.m.

5. STAFF REPORTS

5.1 Update on Archives Digitization Project

Committee received a report dated January 26, 2018, from the City Clerk regarding an update on the archives digitization project.

Motion: It was moved by Councillor Isitt, seconded by Councillor Madoff, that Council receive this report for information.

Committee discussed:

- The heritage value in the community and budget considerations to ensure a high quality digital archives.
- Incorporating First Nation's history and accessibility considerations.

CARRIED UNANIMOUSLY 18/COTW

5.2 Storm Water Utility and Rainwater Rewards Update

Committee received a report dated February 2, 2018, from the Director of Engineering and Public Works regarding an update on the Stormwater Utility and the Rainwater Rewards Credit and Rebate program.

Motion: It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council directs staff to:

1. Extend the Rainwater Rewards rebate pilot program and report back with a review and recommendations in June 2018.
2. Amend the Sanitary Sewer and Stormwater Utilities Bylaw No. 14-071, *Section 30 Multiple Occupancy (Strata Property Act) Premises* to reflect the practices for imposing fees and charges with respect to strata lot premises.

Committee discussed:

- Fee structures and street cleaning.

Amendment: It was moved by Councillor Isitt, seconded by Councillor Young, that the motion be amended to include the following point:

3. **Remove the street cleaning fee from the utility revenue and return it to general revenue as soon as practicable.**

The Director of Finance: Advised that properties exempt from taxes would be exempt from the fee if the amendment were to pass as the revenue would come from property taxes.

Committee discussed:

- Consideration of linking the fee to land area.

Amendment to the amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Isitt, that the amendment be amended as follows:

3. **Report back on the implications of Remove the street cleaning fee being removed from the utility revenue and being returned it to general revenue as soon as practicable.**

Committee discussed:

- The appropriate source of cost recovery for street cleaning services.

On the amendment to the amendment:
CARRIED UNANIMOUSLY 18/COTW

Amendment to the amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the amendment be amended as follows:

3. **Report back on the implications of the removing the street cleaning fee being removed from the utility revenue and being be returned to general revenue as soon as practicable.**

On the amendment to the amendment:
CARRIED UNANIMOUSLY 18/COTW

Amendment to the amendment:

It was moved by Councillor Isitt, seconded by Councillor Young, that the amendment be amended to include the following point:

4. **Provide advice on other options for removing the inequity for owners and occupiers on corner lots**

On the amendment to the amendment:
CARRIED 18/COTW

For: Councillors Isitt, Loveday, Thornton-Joe, and Young
Against: Councillors Coleman, Madoff, and Lucas

Amendment to the amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the motion be amended to include the following point:

5. **Provide advice on other options for adjusting the formula for this component of the program.**

On the amendment to the amendment:
CARRIED UNANIMOUSLY 18/COTW

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

Main motion as amended:

That Council direct staff to:

1. Extend the Rainwater Rewards rebate pilot program and report back with a review and recommendations in June 2018.
2. Amend the Sanitary Sewer and Stormwater Utilities Bylaw No. 14-071, *Section 30 Multiple Occupancy (Strata Property Act) Premises* to reflect the practices for imposing fees and charges with respect to strata lot premises.
3. Report back on the implications of removing the street cleaning fee from the utility and be returned to general revenue as soon as practical
4. Provide advice on other options for removing the inequity for owners and occupiers on corner lots;
5. Provide advice on other options for adjusting the formula for this component of the program.

On the main motion as amended:
CARRIED UNANIMOUSLY 18/COTW

5.3 Association of Vancouver Island Coastal Communities (AVICC) Motion re: Climate Accountability for Fossil Fuel Companies

Committee received a Council member motion dated February 6, 2018, from Mayor Helps, and Councillors Isitt and Loveday regarding recommendations for a proposed motion regarding climate accountability for fossil fuel companies to be considered by the AVICC.

Motion: It was moved by Councillor Loveday, seconded by Councillor Isitt, that Council approve the following motion:

AVICC Motion re: Climate Accountability for Fossil Fuel Companies

WHEREAS communities in British Columbia face a range of impacts from climate change, including sea-level rise, increased coastal erosion, prolonged summer drought, and increased winter precipitation;

AND WHEREAS communities are required to consider these impacts in infrastructure planning, construction and maintenance, as well as to mitigate the financial impacts of these costs on residents and businesses given the limits of local government revenue raising to property taxes and utilities;

AND WHEREAS while the precise amount of increased costs due to the increase in work on infrastructure due to climate change is not yet quantified, local governments in British Columbia are almost certainly already paying significantly increased costs and those amounts will only increase;

AND WHEREAS fossil fuel companies have played a major role in the creation of climate change, making hundreds of billions of dollars in selling products which cause climate change with the 20 largest fossil fuel

companies having contributed – through their operations and products – to approximately 29.3% of greenhouse gases in the global atmosphere today;

THEREFORE BE IT RESOLVED that the AVICC write a Climate Accountability Letter to the 20 fossil fuel companies outlining the types of costs that communities are incurring and expected to incur due to climate change, and requesting that the companies pay their fair share of those impacts.

CARRIED 18/COTW

For: Councillors Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe
Against: Councillor Young

5.4 Resolution: Protecting Coastal Communities and Waterways from Oil Spills

Committee received a Council member motion dated February 6, 2018, from Councillors Isitt and Loveday regarding recommendations for a proposed motion regarding protecting coastal communities and waterways from oil spills to be considered by the AVICC.

Motion: It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council endorse the following resolution for consideration at the 2018 annual meeting of the Association of Vancouver Island and Coastal Communities (AVICC) and direct staff to forward electronic copies of the resolution to local governments belonging to the AVICC, requesting favourable consideration and resolutions of support:

Resolution: Protecting Coastal Communities and Waterways from Oil Spills

WHEREAS the Province of British Columbia is pursuing regulations to restrict the transport of diluted bitumen until such time as adequate safeguards are in place to protect coastal communities and waterways from the harm caused by oil spills;

AND WHEREAS the impacts of oil spills on local communities are severe, including: costs relating to emergency response, clean-up and recovery; damage and loss of enjoyment of shoreline areas; damage to biological diversity of plant and animal species; reduced property values; public health impacts; and economic losses in tourism, fishing and other sectors;

THEREFORE BE IT RESOLVED that the Association of Vancouver Island and Coastal Communities endorses the efforts of the Province of British Columbia to introduce regulations that will safeguard coastal communities and waterways from harm caused by oil spills and that staff be directed to forward the resolution to the Premier of BC the Minister of Environment and Members of the Legislative Assembly representing the constituents of Vancouver Island.

CARRIED UNANIMOUSLY 18/COTW

6. ADJOURNMENT

Motion: It was moved by Councillor Coleman, seconded by Councillor Isitt, that the Committee of the Whole meeting of February 8, 2018, be adjourned at 10:46 p.m.

CARRIED UNANIMOUSLY 18/COTW

CERTIFIED CORRECT:

CITY CLERK

MAYOR