



REVISED AGENDA - COMMITTEE OF THE WHOLE

Thursday, January 16, 2020, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

The City of Victoria is located on the homelands of the Songhees and Esquimalt People

Pages

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B. CONSENT AGENDA

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- G.6 - Proclamation - International Day of Zero Tolerance for Female Genital Mutilation
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- I.2 - Council Member Motion - Attendance at Ottawa Ministerial Meetings

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*D.1.a Victoria Civic Heritage Trust

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Addendum: New Item

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Addendum: Report, Attachment, and Presentation

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Addendum: Appendix A

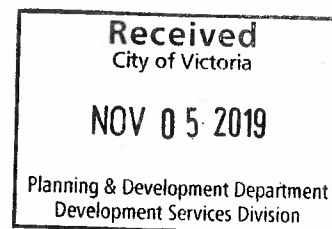
A Council Member Motion regarding a request for attendance at Ottawa Ministerial Meetings.

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE



Victoria
CIVIC
HERITAGE
TRUST

Mayor and Council
City of Victoria
1 Centennial Square
Victoria BC V8W 1P6



1 November 2019

**Victoria Civic Heritage Trust
2020 Expenditure Budget
2020 Capital and Operating Direct-Award Funding Requests**

Dear Mayor Helps and Council Members:

As requested by the department of Sustainable Planning and Community Development, the Victoria Civic Heritage Trust (VCHT) respectfully submits our **2020 Expenditure Budget**, approved by our Board of Directors on 23 October 2019. The 2020 Operating request is the same as 2019 plus a 2% cost of living increase. The 2020 Capital request is increased from \$420,000.00 to \$1,000,000.00, as explained below.

The VCHT Board of Directors was very pleased to welcome and to work with Councillors Jeremy Loveday and Charlayne Thornton-Joe, both starting a two-year term in 2019.

In 2019 the VCHT saw continued demand for application requests under the Building Incentive Program (BIP), with some applications submitted in 2019 and a number of others expected in 2020. Projects approved in 2019 were located in the downtown, Rock Bay, Fernwood, Burnside, and North Jubilee neighbourhoods. Projects expected in 2020 include significant heritage buildings inside and outside of the downtown core. We are excited to continue working with several Chinese Associations on heritage conservation projects in Chinatown.

The VCHT continues to emphasize the seismic upgrading of heritage buildings. The Seismic Parapet Incentive Program (PIP) introduced in 2015 generates sustained interest and a number of projects are in the works for 2020. This initiative operates through BIP using existing resources and is the first of its kind in Canada.

CAPITAL REQUEST INCREASE: Aligning Incentives with Increased Construction Costs 1990-2019

In July 2019 the VCHT Board approved an increase in the maximum Building Incentive Program (BIP) and Seismic Parapet Incentive Program (PIP) funding from \$50,000.00 to \$100,000.00, effective immediately. These increased maximum incentive amounts are reflected in the increased 2020 Capital request of \$1,000,000.00 based on applications expected in 2020, as confirmed with the City's Senior Heritage Planner.

The maximum BIP funding amount of \$50,000.00 remained unchanged since 1990 to 2019, while local construction costs increased by 94% in the same period. Simply put, the value of \$50,000.00 in 1990 is equivalent to approximately \$100,000.00 in 2019. The decision to increase the BIP funding maximum was based on documented increases in historic local construction costs. See the attached VCHT report "Board Policy Discussion: BIP + PIP Maximum Funding" and letter from Advicas Group Consultants Inc, 11 July 2019.

In October 2019 the VCHT Board also approved more modest increases in the maximum funding for BIP Design Assistance Grants from \$2,000.00 to \$3,000.00, and PIP-Design Assistance Grants from \$3,000.00 to \$4,500.00. These increases were approved to align the incentives to engage professional consultants based on the mid-range majority of actual historic consultant costs. See the history and breakdown of costs in the attached VCHT report "Board Policy Discussion: DAG + PIP-DAG Maximum Funding."

PLAN FOR 2020: Research and Report back to Council for 2021 Budget Submission

In July 2019 the VCHT Board also approved the preparation of a comprehensive report to Council for the 2021 budget submission, including engagement of a cost consultant to prepare an analysis of costs and the value of incentives applied against increasing construction costs, particularly costs related to the 2018 BC Building Code for seismic upgrading and other issues directly affecting heritage buildings in Victoria.

Further research is expected to be done in 2020 on incentives in other jurisdictions. For example, in 2019 the City of Vancouver introduced a new suite of heritage incentive programs. One of its incentive programs provides up to \$4 million per heritage building (based on \$100/sq ft to a maximum of 50% of eligible costs) with 6-8 applications anticipated annually through a Heritage Conservation Reserve Fund, funded by community amenity contributions collected from city-wide re-zonings. This significant incentive aims to encourage exterior and interior heritage conservation including seismic and other code upgrading.

Please note that with the increased BIP and PIP maximum funding amount of \$100,000.00, that amount in 2019 dollars only keeps pace with the equivalent value of a \$50,000.00 BIP incentive in 1990. It has, however, a large potential impact on the projected budgets for 2020, 2021 and beyond, with the VCHT's BIP reserve being depleted in 2020. Recommendations on distribution of incentives will be made in the report.

CITY'S SEISMIC UPGRADE FUND: Subject to Council Approval, \$150,000.00 to VCHT for PIP
The City of Victoria Downtown Core Area Plan (2011) identified the implementation of a **Downtown Heritage Resource Seismic Upgrade Fund** in chapter 7 Heritage to support seismic upgrading costs for protected downtown heritage buildings – see attached excerpts.

It is understood that **\$150,000.00** in funds have accumulated since the Downtown Core Area Plan was adopted which, subject to Council approval, may be allocated to the VCHT toward the **Seismic Parapet Incentive Program** to assist owners with voluntary seismic upgrading of parapets, building fronts, and seismic falling hazards on their protected downtown heritage buildings.

The allocation of **\$150,000.00** from the City's Seismic Upgrade Fund is shown in the 2020 Expenditure Budget, but it is separate from and in addition to the VCHT's annual direct-award Capital request of **\$1,000,000.00**.

PROJECTED APPLICATIONS: 2020 and 2021

To date in 2019, approved applications include **nine Building Incentive Program** and **one Design Assistance Grant** totaling **\$301,746.46**, and **four BIP** extensions plus **four** site visits and payouts. **Two PIP-DAG** funding awards under the **Parapet Incentive Program** were approved in 2019 totaling **\$6,000.00**. City and VCHT staff also met with a number of **Tax Incentive Program** applicants, with many planning to submit in 2020 or 2021.

Potential projects for 2020 and 2021 based on current applications are listed on pages 2-3 of the attached 2020 Expenditure Budget. This list includes heritage buildings located in various neighbourhoods in the city.

We anticipate very strong demand in 2020 and 2021. Based on enquiries for the rest of 2019 and for 2020, the VCHT projects the potential for **twenty to twenty-five BIP** plus **thirteen DAG** applications, as well as **nine PIP** and **six PIP-DAG** applications, in the amount of **\$427,500.00** in 2019 plus **\$2,158,455.10** in 2020. In 2021 the VCHT projects the potential for **eighteen to twenty BIP** plus **twelve DAG** applications, as well as **three PIP** and **three PIP-DAG** applications, in the amount of **\$2,089,500.00** in 2021.

2020 CAPITAL REQUEST

We respectfully submit our **2020 Capital** direct-award funding request of **\$1,000,000.00** for the purposes of Building Incentive Program funds and assisting with the City of Victoria's Heritage Tax Incentive Program, plus a separate allocation of **\$150,000.00** to be approved by Council from the City's Seismic Upgrade Fund to the VCHT toward the Seismic Parapet Incentive Program. The direct-award funding request reflects a significant increase in the Capital request from \$420,000.00 since 2008 to 2019 in recognition of increases in construction costs in recent years. The list of potential applications in 2019-2020 translates to a deficit of **-\$4,503.00** in the BIP fund by 31 December 2020 if all projects are approved, which substantiates the 2020 capital request of \$1,000,000.00.

2020 OPERATING REQUEST

We respectfully submit our **2020 Operating** direct-award funding request of **\$116,500.00**, which is the amount received in 2019 plus a 2% cost of living adjustment, as per last year. Please note that with the amount requested, the VCHT will continue to operate on a deficit basis as it has for a number of years.

BACKGROUND

The VCHT was established by the City of Victoria in 1989 as a civic vehicle to administer Building Incentive Program funding, and subsequently to assist with the City's Tax Incentive Program, for the conservation and rehabilitation of downtown heritage buildings and to preserve Victoria's community heritage. Modeled on Civic Trusts in Britain that are financially supported by the local municipality, the VCHT is a widely recognized organization that has produced impressive results for the City of Victoria that would not otherwise have been achieved without these programs. To date some of these accomplishments include:

- **\$161.62 million** in private investment in **153 eligible heritage buildings** through **\$6,540,295.00** in **299 Building Incentive Program** awards through City Capital funding;
- Average factor of **\$24.71 private investment** for every **\$1** in BIP funds awarded;
- **82 Heritage Designations** directly related to funding applications, resulting in significantly increased protection of heritage buildings and an improved downtown environment;
- Numerous awards including: **Pinnacle Award** to the City of Victoria and VCHT by the International Downtown Association for the Tax Incentive Program; **Gold CARE Award** to the City of Victoria and VCHT by the Canadian Home Builders' Association for the Tax Incentive Program; **Prince of Wales Prize** to the City of Victoria for its heritage conservation programs; **Outstanding Achievement Award** from Heritage BC and **Communication Award** from the Hallmark Society for **Test of Time**; **BCBIA "Best in the West" Award** and \$125,000.00 funding from the Canada – BC Infrastructure Works Program for the Downtown Heritage Building Lighting Program; **Outstanding Achievement Award** and \$300,000 HARP funding from the BC Heritage Trust for the Broad & Yates Street area.

The VCHT is very proud of our strong relationship with the City of Victoria and our long record of distinguished service on behalf of the City and its residents. We look forward to continuing to work with the City of Victoria to further its strategic goals through incentive programs operated by the VCHT which successfully deal with significant community issues on multiple levels using highly cost-effective resources.

On behalf of our Board of Directors, I'd like to thank the City of Victoria for its ongoing financial commitment to Victoria's exceptional heritage programs. It is because of Council's foresight and consistent support that the City of Victoria is widely recognized as a leader in municipal heritage conservation in Canada.

More detailed program information will be available for 2019/2020 following the calendar year end.

The VCHT Board appreciates that the 2020 Capital request represents a significant increase, however we believe it is justified and overdue. We would be pleased to discuss our request with Council at any time.

Yours truly,



Clive Townley
President

attachments

**2020 EXPENDITURE BUDGET
VICTORIA CIVIC HERITAGE TRUST**

Submitted to City of Victoria
23 October 2019

EXPENDITURES				REVENUE	
BUDGET ITEM	EXPENDITURE BUDGET			CITY OF VICTORIA	
	Priority / Explanatory Notes	APPROVED 2019 BUDGET	2020 BUDGET	OPERATING FUNDS 2% COL Increase	CAPITAL FUNDS
TOTAL BREAKDOWN		735,985.00	1,590,785.00	116,500.00	1,150,000.00
CORE OPERATIONS					
Core Management Contract (60%)	Contract	54,800.00	55,900.00	51,030.00	
Office & Equipment Rent	Contract	11,675.00	11,900.00	11,900.00	
Office Expenses	Contract	5,100.00	4,500.00	4,500.00	
Telephone / Internet	Core	725.00	840.00	840.00	
Computer / Communications	Core	1,200.00	1,200.00		
Catering & Meeting Costs	Core	3,400.00	4,000.00	4,000.00	
Travel	Core	500.00	500.00	0.00	
Miscellaneous Costs	Core	500.00	500.00		
Insurance	Core	2,050.00	2,100.00	2,100.00	
Audit Fees	Core	5,600.00	5,900.00	5,900.00	
Reserve for Projects	Core	6,000.00	6,000.00		
Bank Charges	Core	150.00	30.00	30.00	
Interest Earned	Core	-20,000.00	-20,000.00		
5% GST Cost Estimated	Core	7,500.00	7,500.00		
50% GST Rebate Estimated	Core	-3,750.00	-3,750.00		
ARCHITECTURAL CONSERVATION					
ACC Committee (40%)	Contract	36,535.00	37,165.00	35,700.00	
PROJECT MANAGEMENT					
INTERPRETATION PROJECTS					
Interpretation Committee	2	0.00	0.00		
Heritage Directory Website	2	500.00	500.00	500.00	
OTHER PROJECTS					
Special Projects/Events/as approved by Board	2		1,000.00		
Cost Consultant Study/as approved by Board	2	3,500.00	5,000.00		
Total Core Operating & Projects		115,985.00	120,785.00	116,500.00	
CAPITAL INCENTIVE PROGRAMS					
Projected BIP Project Balance 31 Dec 2019	1,043,952.15				
2020 City Capital Contribution for BIP	1,000,000.00				
2020 Seismic Upgrade Fund Contribution*	150,000.00				
<i>*Subject to Council approval</i>					
2020 Potential BIP Project Applications**	-2,158,455.10				
<i>**See attached list on page 2</i>					
2020 Program Expenses See below	-40,000.00				
Projected BIP DEFICIT 31 Dec 2020	-4,502.95				
BUILDING INCENTIVE PROGRAM					
2020 Building Incentive Program Funds	Core	400,000.00	960,000.00		960,000.00
BIP Brochure / Banners	Core	4,000.00	4,000.00		4,000.00
2020 Seismic Upgrade Fund Contribution*			150,000.00		150,000.00
<i>*Subject to Council approval</i>					
2020 Seismic PIP Budget = \$470,000	Core				
PIP & PIP-DAG Applications	Core	185,000.00	320,000.00		
Program Management / Expenses	Core	15,000.00	16,000.00		16,000.00
Seismic/Downtn Promotion/Communications	Core	8,047.94	8,047.94		
Donation for Seismic/DT Promotion/Comm		-8,047.94	-8,047.94		
TAX INCENTIVE PROGRAM	Core	12,000.00	16,000.00		16,000.00
BIP/TIP Promotion / Communications	Core	4,000.00	4,000.00		4,000.00
TOTAL Capital Incentive Programs		620,000.00	1,470,000.00	116,500.00	1,150,000.00
GRAND TOTALS		735,985.00	1,590,785.00	116,500.00	1,150,000.00
CITY DIRECT-AWARD REQUEST				1,266,500.00	4

BIP CASH PROJECTION: 2020 and 2021

BIP PROJECT BALANCE 30 Sept 2019	1,495,120.15		
532 Herald St Wilson Brothers Warehouse	-18,368.00	BIP	CoV Capital Request
536-538 Herald St Wilson Building	-5,300.00	BIP	2008-2019
649 Gorge Rd Centennial United Church	-20,000.00	BIP	\$420,000.00
2006-2010 Fernwood Rd Rennie & Taylor Apts	-3,000.00	DAG	CoV Capital Request
2006-2010 Fernwood Rd Rennie & Taylor Apts	-4,500.00	PIP-DAG	2020
1300 Government St Adelphi Building	-100,000.00	BIP	BIP \$1,000,000.00
1300 Government St Adelphi Building	-100,000.00	PIP	SUF (PIP) \$150,000.00
1306 Government St Palace Cigar Store	-100,000.00	BIP	\$1,150,000.00
1306 Government St Palace Cigar Store	-100,000.00	PIP	
PROJECTED BIP BALANCE 31 Dec 2019	1,043,952.15		

2020 PROJECTED BIP PROJECTS

2621 Douglas St Times Colonist Building	-103,000.00	BIP+TIP
1314-1324 Douglas/645-651 Johnson St Morgan Blk	-103,000.00	BIP+TIP
1314-1324 Douglas/645-651 Johnson St Morgan Blk	-103,000.00	BIP+TIP
1314-1322 Broad St Duck Block	-103,000.00	BIP+TIP
1058 Pandora Ave Wellburns	-103,000.00	BIP+TIP
1400 Vancouver / 952 Johnson St McCall's Funeral	-103,000.00	BIP+TIP
2659 Douglas St Scott Building	-103,000.00	BIP+TIP
550-554 Johnson St Strand Hotel	-100,000.00	PIP
626 Blanshard St Church of Our Lord	-75,000.00	BIP
1308-1312 Douglas St Lang Block / Victoria House	-80,000.00	DAG+BIP
159 Cook St Hampton Court	-3,000.00	DAG
159 Cook St Hampton Court	-81,562.50	BIP
923 Burdett St Mt St Angela	-50,000.00	BIP
539 1/2-545 Fisgard St	-103,000.00	BIP
539 1/2-545 Fisgard St	-104,500.00	PIP or TIP
6-10 Fan Tan Alley	-103,000.00	BIP
6-10 Fan Tan Alley	-104,500.00	PIP or TIP
1244-1252 Wharf St Yates Block	-103,000.00	BIP
1244-1252 Wharf St Yates Block	-104,500.00	PIP or TIP
554-562 Fisgard St CCBA Building	-75,000.00	BIP
1600-1602 Quadra St Palladian / Nelson's Music	-50,000.00	BIP
2006-2010 Fernwood Rd Rennie & Taylor Apts	-5,000.00	BIP
2006-2010 Fernwood Rd Rennie & Taylor Apts	-30,000.00	PIP
612 1/2 Fisgard St Shon Yee Benevolent Assoc	-30,000.00	BIP+PIP
1005-1009 Broad St Counting House	-35,392.60	BIP
Unknown Applicants	-200,000.00	BIP
Subtotal	-2,158,455.10	

2021 POTENTIAL BIP PROJECTS

1829-1831 Fern St Victoria Friends Meeting House	-5,000.00	BIP
823-825 Broughton St Mellor Building	-15,000.00	BIP
1314 Wharf St Caire & Gracini Whs/Northern Junk	-100,000.00	BIP+TIP
1316-18 Wharf St Fraser Whs/Northern Junk	-100,000.00	BIP+TIP
1316-28 Government / 589 Johnson St	-103,000.00	BIP+TIP
546 Pandora Ave Macdonald Building	-103,000.00	BIP
546 Pandora Ave Macdonald Building	-104,500.00	PIP or TIP
3 Fan Tan Alley Lim Ging Building	-103,000.00	BIP
3 Fan Tan Alley Lim Ging Building	-104,500.00	PIP or TIP
1713 Government St Yen Wo Society Building	-103,000.00	BIP
1713 Government St Yen Wo Society Building	-104,500.00	PIP
710 Fort St Ritz Hotel	-103,000.00	BIP+TIP
535 Yates St Pither & Leiser Building	-100,000.00	BIP

2021 POTENTIAL BIP PROJECTS *continued*

251-253 Esquimalt Rd	Roundhouse	-103,000.00	BIP+TIP
251-253 Esquimalt Rd	Car Shop	-103,000.00	BIP+TIP
251-253 Esquimalt Rd	Stores Building	-103,000.00	BIP+TIP
251-253 Esquimalt Rd	Backshop Building	-103,000.00	BIP+TIP
251-253 Esquimalt Rd	Turntable	-103,000.00	BIP+TIP
614 Fisgard St	Lee's Benevolent Assoc Building	-103,000.00	BIP+TIP
1618-1628 Govt / 565 Fisgard St	Lee Block	-103,000.00	BIP+TIP
557-561 Fisgard St	Lee Woy & Co	-20,000.00	BIP
Unknown Applicants		-200,000.00	
Subtotal		-2,089,500.00	



Committee of the Whole Report For the Meeting of January 16, 2020

To: Committee of the Whole **Date:** January 2, 2020
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: **Downtown Heritage Buildings Seismic Upgrade Fund**

RECOMMENDATION

That Council authorize a grant from the Downtown Heritage Seismic Upgrade Fund to the Victoria Civic Heritage Trust (VCHT) equal to the current and pending amounts in the fund to support its Seismic Parapet Incentive Program subject to the VCHT entering into a grant agreement on the terms acceptable to the Director of Finance and in the form acceptable to the City Solicitor.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with recommendations for using the \$150,411.00 in density bonus contributions accrued in the Downtown Heritage Seismic Upgrade Fund (the "Seismic Fund") and a pending contribution of \$67,668.94 from the re-zoning of 930 Fort Street, which is due prior to the Building Permit being issued. The *Downtown Core Area Plan* (DCAP, 2011) created the Seismic Fund as part of a density bonus system in which developers could acquire additional buildable area for their projects in exchange for a financial contribution for public amenities split between the Downtown Core Area Public Realm Improvement Fund (75%) and the Seismic Fund (25%).

To date, four rezoning applications have contributed to the fund, with one further contribution pending. The Seismic Fund has never been used due to the slow accumulation of funds over the past 9 years and the existence of more well-known financial grants from the Victoria Civic Heritage Trust (VCHT) that incentivize the same types of work. In order to most effectively use the money in the Seismic Fund, Staff recommend that Council authorize a grant equal to the current and pending amounts in the fund to the VCHT to support its Seismic Parapet Incentive Program (PIP), its purpose is consistent with the purpose of the Seismic Fund. VCHT is a non-profit society that the City established in 1989 to administer financial grant programs to incentivize the restoration and seismic upgrading of heritage buildings. Specifically, the PIP funds up to 75% of the cost of voluntary seismic upgrades to parapets, building fronts and other seismic falling hazards on downtown heritage buildings, to a maximum grant amount of \$100,000. The additional funding would also assist the VCHT to address a potential funding shortfall in 2020. The 2020 funding shortfall is driven by the high demand for grants and the 94% increase in construction costs since 1990, when the VCHT was created.

BACKGROUND

In September 2019, City Council received a report on the 2018 Official Community Plan Annual Review, which updated Council on the City's progress towards its Official Community Plan targets, and on money accrued in the Downtown Core Area Public Realm Improvement Fund and the Seismic Fund. The report recommended that Council direct staff to report back with recommendations on how to use the accrued funds. The Seismic Fund was created under the Downtown Core Area Plan's (DCAP) density bonus system for the downtown area. The density bonus system enabled developers to acquire additional building floor area for their projects in exchange for a financial contribution to public amenities in the surrounding area. Eligible public amenities included parks, streetscape improvements, plazas and the heritage conservation in the form of seismic upgrades. The contribution was to be split between the Downtown Core Area Public Realm Improvement Fund (75%) and the Seismic Fund (25%). In the nine years it received contributions, the Seismic Fund grew slowly and accrued only \$150,411.00. The *Downtown Core Area Plan* included conditions for heritage buildings accessing the fund, however it was never used, possibly due to the small amount in the fund and the existence of very similar incentives from the VCHT. Unlike the more well established VCHT incentive programs, the DCAP did not specify maximum funding amounts, how applicants could apply to the fund or which types of seismic upgrades were eligible.

Contributions to the Seismic Fund

Below is a table of applications that have contributed to the Seismic Fund:

Contributions to the Heritage Seismic Upgrade Fund			
Year	Address	Application	Amount
2013	615-635 Fort Street	REZ00393- An application to construct a 4-storey office and retail building in Old Town with a density increased from 3:1 to 3:38:1	\$19,124.44
2015	836 Broughton Street	REZ00425- An application to permit an 11-storey, mixed use building with a density increased from 2:1 to 5:1	\$2,500.00
2016	960 and 962 Yates Street	REZ00463- An application to permit an 18-storey mixed-use building with a density increased from 3:1 to 5.5:1	\$65,437.50
2018	701 Belleville Street	REZ00513- An application for a 15-storey mixed-use building with a density increased from 1.2:0 to 4:1	\$59,321.32
<i>Interest Accrued 2014-2018</i>			\$4,028.00
TOTAL			\$150,411.26

Interest from 2019 has not yet been calculated and entered into the fund, however this will add to the amount. There is also a pending contribution which is not yet part of the fund because the City has not received it. The pending contribution relates to the re-zoning of 930 Fort Street. According to the rezoning report the developer is to contribute \$67,668.94 prior to the Building Permit being issued.

Victoria Civic Heritage Trust

Established by the City in 1989, the VCHT is a non-profit society that receives municipal funding to develop, administer and financially support programs that preserve, promote, interpret and enhance the cultural and natural heritage resources of the City of Victoria. It was originally established to administer the Building Incentive Program, with initial capital funding of \$704,160.00, which the City had received from the sale of Broad Street to Cadillac Fairview Corporation for the Bay Centre Development. The organization reviews and makes recommendations to City Council on applications to the City's Tax Incentive Program and administers the following financial grant and incentive programs to subsidize the rehabilitation of heritage designated commercial buildings across the City:

Building Incentive Program

The Building Incentive Program (BIP) was the first incentive program set up for the VCHT to administer in 1989. It is the most popular grant program and funds up to 50% of the cost of eligible heritage conservation work on designated commercial, industrial, institutional and apartment buildings across the City to a maximum of \$100,000. The amount was increased to \$100,000 in July 2019 to reflect the 94% increase in construction costs since 1990, when the maximum grant amount was \$50,000. In addition to funding conservation work, applicants can also apply for a Design Assistance Grant under the program to offset the cost of architectural and engineering services for the planned conservation work. Building improvement program design assistance grants can fund 50% of required consulting services up to a maximum of \$3,000.

Since its creation, 153 heritage buildings in Victoria have received \$6,245,995.00 in total grants, with corresponding private investment of \$155.50 million for a contribution factor of \$24.90 in private investment for every \$1 in public funding. Eligible heritage conservation work under the BIP include:

- architectural and engineering services
- cost estimates
- preparation of drawings
- approved cleaning of original building features
- appropriate painting
- restoration of significant architectural details
- removal of stucco or other inappropriate materials
- structural stabilization/roof repair/foundations
- building code improvements including mechanical or electrical systems
- energy efficiency upgrades like insulation or rehabilitation of windows.

Seismic Parapet Incentive Program

The Parapet Incentive Program (PIP) was created in 2015 under the umbrella of the BIP, to incentivize voluntary seismic upgrades to parapets, cornices and building facades on designated downtown heritage buildings. Building parapets on historic buildings often project several feet above the roofline of the building and are not secured to the building structure. In an earthquake, unsecured parapets are susceptible to collapse onto adjacent sidewalks. \$500,000 in BIP funds were initially set aside for PIP in 2015, of which \$325,041.96 currently remains.

PIP funds up to 75% of the cost of seismic upgrading work to a maximum of \$100,000. Similar to the BIP, applicants can also apply for a design assistance grant under PIP to fund up to 75% of the cost of preliminary engineering or architectural work to a maximum of \$4500.

ANALYSIS

Official Community Plan

The proposal to re-allocate the funds is consistent with the Official Community Plan (OCP), which states in Section 18: Emergency Management, “there is a 32% likelihood of a damaging earthquake event in the City before 2054”. Such a disaster is likely to require the demolition and extensive reconstruction of buildings and structures. As such, the OCP contains many policies urging the City’s decision makers to prepare for such an event and incentivize the seismic upgrading of existing buildings, including policies under Section 6: Land Management and Development:

6.10 Maintain and implement a detailed local area plan that supports the development of the Downtown Core Area, generally including those lands east and south of Victoria Harbour designated Urban Core on Map 2, as an economically vital, socially vibrant, and attractive mixed-use urban centre for the Capital Region by:

6.10.6 Introducing additional financial incentives to support and encourage the seismic upgrading of heritage buildings within the Downtown;

6.11 Maintain density bonus provisions to ensure that as the Downtown Core Area develops, public amenities are secured in the development process through either in-kind or monetary contributions to City funds with a focus on public realm improvements in the Downtown Core Area or the conservation and seismic upgrading of heritage properties.

It is consistent with policies under Section 14: Economy of the Official Community Plan including the following:

14.33 Continue to invest in the heritage character of the Downtown and other neighbourhoods through incentives for rehabilitation and seismic upgrades.

The recommended option is consistent with Section 18: Emergency Management of the Official Community Plan, including:

18.16 Continue incentives for seismic upgrades to owners of designated heritage property, and consider incentives for non-heritage properties.

Downtown Core Area Plan

The recommended option is consistent with the Downtown Core Area Plan (DCAP, 2011), which contains numerous policies encouraging the rehabilitation and seismic upgrading of historic buildings in the downtown. Transferring the Seismic Fund to the VCHT furthers this goal because it makes the money immediately available for use in a well known existing grant program aimed specifically at seismically upgrading the most publicly visible and vulnerable components of historic buildings, within the downtown. The DCAP contains the following policies related to the Seismic Fund:

4.24. Maintain the Downtown Heritage Buildings Seismic Upgrade Fund to assist in funding a portion of the cost of seismic upgrading as part of the re-use, retrofit and conservation of eligible heritage buildings within the Downtown Neighbourhood.

4.25. The City will allocate 25 percent of all density bonus monetary contributions that are received to the Downtown Heritage Buildings Seismic Upgrade Fund.

4.26. *Eligible heritage buildings must adhere to the following conditions:*

- 4.26.1. *Be located within the Downtown Neighbourhood and identified on the City of Victoria Heritage Register.*
- 4.26.2. *Complete the physical rehabilitation and seismic upgrading as stipulated within a Heritage Revitalization Agreement.*
- 4.26.3. *Agree to be designated by a Municipal Heritage Designation Bylaw, if not already.*
- 4.26.4. *Demonstrate the full and complete use of all other City of Victoria heritage financial incentives and programs.*

4.27. *The Downtown Heritage Buildings Seismic Upgrade Fund must not be used to replace other existing financial incentive programs for heritage property. Rather, this Fund should function as a supplement to other existing financial incentives, which together serve to improve the financial viability of undertaking the physical rehabilitation and seismic upgrading of remaining heritage building.*

The inclusionary housing policy approved in July 2019 replaced the density bonus system from the DCAP and the Seismic Fund will no longer receive any money from density bonuses in the downtown.

Consistency of PIP and Seismic Fund Objectives

According to the Finance Policies and Procedures for Reserve Funds, all reserve funds must be used for the specified purpose mandated by the policy. The Heritage Buildings Seismic Upgrades Fund has the following purpose:

“...to assist in funding a portion of the cost of seismic upgrading as part of the re-use, retrofit and conservation of eligible heritage building within the Downtown Neighbourhood”

In staff’s opinion, providing a grant to the VCHT for use in the PIP is consistent with the purpose of the Seismic Fund. Just like the Seismic Fund, the PIP funds a portion of the cost of seismic upgrading of designated heritage buildings in the downtown as part of their re-use, retrofit and conservation. The PIP funds up to 75% of the cost of seismic upgrades to parapets, cornices and building facades, to a maximum amount of \$100,000.

2019-2022 Strategic Plan

The recommended option supports Action #20 (ongoing) of Strategic Objective 8 under the Strategic Plan:

20. Emergency preparedness/heritage buildings/enrich the heritage seismic upgrade program.

Impacts to Financial Plan

Money in the Seismic Fund was acquired through bonus density contributions from private development rather than tax revenues and is only available for the specific purpose that the reserve fund was set up for, which is to subsidize seismic upgrades to downtown heritage buildings. Re-allocating the money to the VCHT’s Parapet Incentive Program would be consistent

with the purpose of the reserve fund and enable the money to be effectively spent as intended under an existing grant program with a nearly identical purpose to the Seismic Fund. While the allocation would zero out a reserve fund, which appears as a line item in the City Budget, the money is not drawn from tax revenues.

CONCLUSIONS

The inclusionary housing policy approved in July 2019 replaced the density bonus system from the DCAP and the Seismic Fund will no longer receive any proceeds from density bonus contributions in the downtown. Prior to the changes, the Seismic Fund was underutilized due to its slow growth and its purpose overlapping with City-funded grant programs administered by the VCHT. Providing a grant to the VCHT equal to the current and pending amounts in the Seismic Fund to support its Seismic Parapet Incentive Program will make the funds immediately available for use in a more well established grant program aimed specifically at seismically upgrading the most publically visible and vulnerable components of downtown historic buildings. In staff's opinion, this is consistent with the purpose of the Seismic Fund and will advance policies and actions under the Official Community Plan, DCAP and the City's 2019-2022 Strategic Plan.

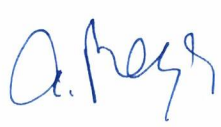
ALTERNATE MOTION

That Council direct staff to explore alternatives for re-allocating the fund.

Respectfully submitted,



John O'Reilly
Senior Heritage Planner
Sustainable Planning and Community
Development Department



Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: Jan 13, 2020

List of Attachments

- Attachment A: Department of Finance Policies and Procedures for Reserve Funds

Department of Finance Policies and Procedures	
Reserve Funds	
Authorized by: City Council	Date of issue: September 30, 2004
	Revised: July 2015

Purpose

The purpose of the Reserve Fund Policy is to provide guidance with respect to the development, maintenance, and use of City Reserve Funds.

Guiding Principles

All Reserves Funds must be established, maintained and used for a specified purpose mandated by this policy, statute, or City by-law.

Annual operating surpluses are to be transferred to the Equipment and Infrastructure Reserve or the appropriate Financial Stability Reserve in each fund and used in accordance with the priorities outlined in this policy.

The City shall strive to develop appropriate reserves to meet future financial obligations with respect to City equipment and infrastructure, fiscal needs and employee benefit obligations.

Primary Objectives

Reserves shall be established and expended to:

1. Ensure Stable & Predictable Levies

The City recognizes that unstable and unpredictable tax levies can adversely affect residents and businesses in Victoria. In order to maintain stable and predictable levies, the City will maintain sufficient reserves to buffer the impact of unusual or unplanned cost increases and revenue reductions over multiple budget cycles.

2. Provide for Operating Emergencies

The City is exposed to unusual operating emergencies resulting from inclement weather, catastrophic events, law enforcement issues, environmental hazards and so on. It may not be feasible, or cost-effective, to absorb the costs of such emergencies during one budget cycle. The City will maintain adequate reserves to avoid such emergencies, extensive service interruptions, and prevent risks to infrastructure and public safety.

3. Finance New Capital Assets

Use of Reserves for financing new capital assets is an effective means of matching one-time funds to one-time capital projects. In addition, the City requires financial resources to quickly respond to opportunities that could provide capital infrastructure through private sector partnerships, and other alternative service delivery methods.

4. Safeguard and Maximize Existing Assets

The City has an inventory of specialized machinery, equipment and technology systems necessary for the efficient delivery of services to the public, which needs to be replaced on well-defined lifecycle standards. The City also has a need to provide insurance against unforeseen losses of these and other assets and claims against its assets where it is found legally liable.

General Criteria

Reserves shall be established, maintained and used in accordance with the following General Criteria.

1. Least Cost to Taxpayers

Reserves should support the least cost alternative in the long-term for delivering standards of service adopted by Council. This means they will be used to:

- Buffer the effects of large cost increases and revenue reductions and allow time to adjust City service costs or revenue generation to avoid unnecessary tax increases, and
- Provide internal capital financing which is more cost-effective than external borrowing or leasing.

2. Fairness & Equity to Taxpayers

Reserves should serve to balance the impact of the operating costs and capital costs, on both current and future taxpayers by:

- Applying Reserves derived from one-time revenue sources to one-time capital or operating projects.
- Applying Reserve Funds and current revenues in a ratio, which recognizes the appropriate sharing of savings from current taxpayers with contributions from future taxpayers (this will likely require repayment of all, or a portion of, Reserves from future rates or user fees).

3. Meets Statutory and Legal Requirements

Reserves must meet the requirements of the Community Charter, Federal statutes, City By-Laws or any other contract or judgment enforceable by law.

4. Meets Accounting Standards

Reserves must meet generally accepted accounting principles (GAAP) and accounting standards applicable to local governments (PSAB).

Policy Administration

The Director of Finance shall be responsible to:

- Ensure the Reserve Funds are established and maintained in compliance with this Policy.
- Conduct an annual review of the Reserve Funds and report the results to City Council.
- On an "as required basis", recommend revisions or amendments to this Policy, due to changes in applicable statutes, accounting standards, or economy.

Administrative Criteria

1. Unique Corporate Purpose

Reserves must have a unique and specific corporate purpose. Every effort must be made to:

- Reduce complexity by combining amounts with similar purposes
- Eliminating those with redundant or outdated purposes, and
- Re-focus departmental reserves to corporate purposes and strategic plans.

2. Interest and Calculation Method

All Reserves Funds will earn interest each year. Interest will be calculated based on the audited fund balance at the end of the prior year. The interest rate used will be the determined on an annual basis.

3. Minimum and Maximum Balances

A minimum and maximum balance shall be established for each Reserve Fund. A minimum balance will ensure that each fund is not depleted to the degree that it is no longer able to serve its intended purpose. A maximum balance ensures that it does not grow beyond its intended purpose.

4. Repayment Period

If funding is borrowed from a reserve, a time period shall be specified for the repayment or replenishment to its specified minimum or maximum balance.

5. Business Case Requirements

A business case shall be provided specifying the purpose, benefits and method of repayment for each proposed Departmental use of a reserve fund, except as provided by statute, City by-law or Council policy. A business case will be subject to the applicable budget, ranking or other prioritization process, and Council approval.

Reserve Funds

City of Victoria Reserve Funds are established under the authority of the Community Charter and are each supported by a bylaw that outlines the purpose and use of each fund.

A description of each of the different types of Reserve Funds covered by this policy is outlined below:

Financial Stability Reserves

Description

Financial Stability Reserves are required to ensure the ongoing financial stability and fiscal health, of all City Entities. Each reserve is funded from the year-end surplus from the appropriate entity (i.e. Operating Fund, Police Department). For the Water, Sewer and Stormwater Utilities, 50% of each utility's surplus are to be applied to the respective financial stability reserve until they reach target balances and the remainder to the respective equipment and infrastructure reserve.

- **Debt Reduction** – This reserve was established to provide a source of funds to finance internal borrowings, local improvements and paying down the City's outstanding debt. It is currently being funded from the City's share of surpluses identified in MFA Sinking Funds and payment holidays on debt issues.
- **Reserve for Insurance Claims** – This reserve was established to provide a source of funds for liability claims not covered under our Insurance Policies.

Guidelines for Using Funds

A Council Resolution or an Adopted Financial Plan Bylaw is required for all appropriations from the Financial Stability Reserve Funds.

All appropriations from Financial Stability Reserves are to be considered in accordance with the following priorities.

1. Operating and Environmental Emergencies

- These appropriations are the highest priority and are based on public safety and demand nature of the expenditure.

2. Revenue Stabilization and Operating Contingency

- These appropriations are intended to stabilize the impacts of cyclical revenue downturns and operating cost increases that are largely temporary and not within the City's ability to adjust in the short-term.

3. Innovation Fund

- As an incentive to encourage creativity and innovation, appropriations may be made to fund departments and/or workgroups that would like to explore innovative and creative solutions directed towards making the Corporation more efficient and effective.
- Business cases requesting use of these funds require that the replenishment methods be specified. These would include future departmental cost or service level adjustments or additional revenue generation necessary to "top up" the accounts over a three-year period.

Equipment and Infrastructure

Description

Equipment and Infrastructure Reserves are established to create a funding source for buildings and infrastructure capital projects, new equipment purchases and capital equipment replacement programs. Currently, the city has established equipment and infrastructure reserve funds for the following purposes:

- **Police Vehicles, Equipment and Infrastructure** – This reserve is to fund the replacement and purchase of Police vehicles and equipment. This reserve is funded by annual budget contributions included in the Police operating budget.
- **Police Emergency Response Team Vehicles and Equipment** – This reserve is to fund the replacement and purchase of equipment for the Regional Emergency Response Team. The reserve is funded by the annual surplus from the ERT Program.
- **Victoria Conference Centre Equipment and Infrastructure** – This reserve was established to provide a source of funds to properly maintain the Conference Centre building and furnishings. This reserve is also used to fund equipment replacements and new equipment purchases. The reserve is funded by the annual surplus from the Conference Centre.
- **City Equipment** - This reserve is to fund the replacement and purchase of City equipment. This includes equipment replacement programs, computer equipment and software, office furniture, etc. This reserve is funded by annual budget contributions included in the City operating budget.
- **City Vehicles and Heavy Equipment** – This reserve is to fund the purchase and replacement of City vehicles and heavy equipment. This reserve is funded by annual budget contributions included in the City operating budget.
- **City Buildings and Infrastructure** – This reserve was established to provide a source of funds to properly maintain City Buildings and Infrastructure. This reserve is funded by annual budget contributions that are increasing by \$500,000 per year until the reserve attains an adequate funding level. This increase is subject to annual Council approval.
- **Parking Services Equipment and Infrastructure** – This reserve was established to provide a source of funds to properly maintain the City parkades. The reserve is also used to fund Parking Services equipment replacement and new equipment purchases. This reserve is funded from annual budget contributions included in the City's operating budget.
- **Multipurpose Equipment and Infrastructure** – This reserve was established to provide funding for equipment replacement and maintaining the Multipurpose Facility. This reserve is funded by annual budget contributions from the City's operating budget and RG Properties.
- **Recreation Facilities Equipment and Infrastructure** – This reserve was established to provide a source of funds to properly maintain City Recreation Facilities. The reserve is also used to fund equipment replacement and new equipment purchases for City Recreation Facilities. This reserve is funded from user fees assessed on tickets to events and facility rentals.
- **Archives Equipment** – This reserve is to fund the purchase and replacement of Archives material and equipment. The funding for this reserve comes from grants and donations.
- **Artificial Turf Field** - This reserve was established to provide a source of funds for replacement of the Finlayson field carpet and amenities and for

future development of artificial turf fields. This reserve is funded from the fees collected from the rental of the Finlayson field.

- **Gas Tax** - The Governments of Canada, British Columbia and the UBCM entered into the Gas Tax Agreement on September 19, 2005. The Agreement is focused on achieving three environmental sustainability outcomes: reduced greenhouse gas emissions, cleaner water and cleaner air. The Community Works Fund provides annual contributions into this reserve.
- **Water Utility Equipment and Infrastructure** - This reserve was established to provide a source of funds to properly maintain the Water Utility Infrastructure. The reserve is also used to fund Water Utility equipment replacement and new equipment purchases. The reserve is funded by annual budget contributions from the Water Utility and 50% of the Water Utility's surplus until the target balance has been met within the Water Utility Financial Stability Reserve. Once the target balance is achieved, 100% of the surplus will be allocated to the Water Utility Equipment and Infrastructure Reserve.
- **Sewer Utility Equipment and Infrastructure** - This reserve was established to provide a source of funds to properly maintain the Sewer Utility Infrastructure. The reserve is also used to fund Sewer Utility equipment replacement and new equipment purchases. The reserve is funded by annual budget contributions from the Sewer Utility and 50% of the Sewer Utility's surplus until the target balance has been met within the Sewer Utility Financial Stability Reserve. Once the target balance is achieved, 100% of the surplus will be allocated to the Sewer Utility Equipment and Infrastructure Reserve.
- **Stormwater Utility Equipment and Infrastructure** - This reserve was established to provide a source of funds to properly maintain the Stormwater Utility Infrastructure. The reserve is also used to fund Stormwater Utility equipment replacement and new equipment purchases. The reserve is by annual budget contributions from the Stormwater Utility and 50% of the Stormwater Utility's surplus until the target balance has been met within the Stormwater Utility Financial Stability Reserve. Once the target balance is achieved, 100% of the surplus will be allocated to the Stormwater Utility Equipment and Infrastructure Reserve.

Guidelines for Using Funds

Use of equipment and infrastructure reserves is restricted to the following types of purchases:

- Major construction, acquisition, or renovation activities as defined in the Capital Asset Policy that add value to the municipal physical assets or significantly increase their useful life. Some examples include:
 - Renovation and construction projects pertaining to new or existing city buildings,
 - Renewal, replacement, enhancement or construction of city infrastructure, sewers, storm drains, water distribution systems, buildings, roads, sidewalks, traffic systems, parks, etc.
- Vehicles and heavy equipment, individual pieces of equipment and ongoing annual equipment replacement programs as defined in the Capital Asset Policy.

Note: A Council resolution or an adopted Financial Plan Bylaw is required for all appropriations from the Reserve Funds. Further, a Council Resolution is required to create additional reserve fund categories, delete categories or shift funds between categories.

Employee Benefit Obligations

Description

Reserves for employee benefit obligations will be established where the City is incurring a retirement benefit liability or other employee related liability, which the City is obligated to pay at some future date. Current reserves established include:

- **Police Retirement Benefits** – This reserve is to fund retirement benefits (one months pay and vested sick leave) accrued to retiring Police officers. This reserve is funded by annual contributions included in the Police operating budget.
- **Police Employee Pension Buybacks** – Police employees are entitled to purchase additional pension service time related to their probation period, provided they were not covered by pension. The City is obligated to pay 50% of the cost once the employee retires or reaches 55 years of age. This reserve was established to fund the City's share of costs for employees purchasing pension service for probation periods. This reserve is funded by annual contributions included in the Police operating budget.
- **Police Pension Corporation Over Contributions** – This reserve was established to accumulate the City's share of Police pension over contributions. These amounts are payable to the employee upon retirement. This reserve is funded from pension contributions refunded to the City by the BC Pension Corporation.
- **City Retirement Benefits** – This reserve has been established to help fund retirement benefits (one months pay and vested sick leave) accrued to retiring City Employees. This reserve is funded by annual contributions included in the City's operating budget.
- **City Employee Pension Buybacks** – City employees are entitled to purchase additional pension service time related to their probation period provided they were not covered by pension. The City is obligated to pay 50% of the cost once the employee retires or reaches 55 years of age. This reserve was established to fund the City's share of costs for employees purchasing pension service for probation periods. This reserve is funded by annual contributions included in the City's operating budget.
- **City Pension Corporation Over Contributions** – This reserve was established to accumulate the City's share of Firefighter pension over contributions. These amounts are payable to the employee upon retirement. This reserve is funded from pension contributions refunded to the City by the BC Pension Corporation.

Guidelines for Using Funds

Use of funds is restricted to the purpose for which each fund was established. Funds may only be accessed to supplement funding a retirement payout.

Note: *A Council resolution or an adopted Financial Plan Bylaw is required for all appropriations from these Reserve Funds. Further, a Council resolution is required to create additional reserve fund categories, delete categories or shift funds between categories.*

Development Cost Charges

Description

This reserve is required by the Community Charter to account for the proceeds from development cost charges levied against new developments. The reserve is funded from the proceeds of development cost charges levied.

Guidelines for Using Funds

Use of these funds is governed by the Development Cost Charge Bylaw and restricted to the funding approved projects as allowed by that bylaw.

Note: *An adopted Financial Plan Bylaw is required for all appropriations from this Reserve Fund. Further, an amendment to the Development Cost Charge Bylaw is required to create additional reserve fund categories, delete categories or shift funds between categories.*

Tax Sale Lands

Description

The Tax Sale Lands Reserve was established to account for proceeds from any sales of City land and buildings. This reserve is funded from all sales of City land and buildings.

Guidelines for Using Funds

These funds are available for building and land purchases and improvements, and capital expenditures required for preparing City properties to sell (i.e. remediation, servicing, etc.)

Note: *A Council resolution or an adopted Financial Plan Bylaw is required for all appropriations from this Reserve Fund. Further, a Council resolution is required to create additional reserve fund categories, delete categories or shift funds between categories.*

Parks and Greenways Acquisition

Description

This reserve was established to provide a source of funds for purchasing Park Lands. It is currently funded from 10% of the proceeds of any City land sale.

Guidelines for Using Funds

These funds are available for purchasing park lands or lands to be developed into a park.

Note: *A Council Resolution or an adopted Financial Plan Bylaw is required for all appropriations from this Reserve Fund. Further, a Council resolution is required to create additional reserve fund categories, delete categories or shift funds between categories.*

Local Amenities

Description

This reserve tracks and accounts for monies received from a developer, for public amenities related to specific developments (i.e. pathways, parks, docks, etc.). This reserve is funded from contributions by developers.

Guidelines for Using Funds

Use of these funds is restricted to the purpose for which each contribution was based on.

Note: *A Council resolution or an adopted Financial Plan Bylaw is required for all appropriations from this Reserve Fund. Further, a Council resolution is required to create additional reserve fund categories, delete categories or shift funds between categories.*

Victoria Housing

Description

This reserve has been established to provide a source of funds to help fund housing projects including projects that fall under the Secondary Suite Incentive Program. The reserve is funded by annual contributions included in the City's Operating Budget.

Guidelines for Using Funds

Use of these funds is restricted to the funding of housing projects including those that fall under the Secondary Suite Incentive Program.

Note: *A Council resolution or an adopted Financial Plan Bylaw is required for all appropriations from this Reserve Fund. Further, a Council resolution is required to create additional reserve fund categories, delete categories or shift funds between categories.*

Dockside Affordable Housing

Description

This is a reserve that has been established to provide a source of funds to help fund affordable housing projects in Dockside. The Dockside Master Development Agreement outlines certain requirements around affordable housing that the developer has to meet. There is an option to provide cash instead of the affordable housing requirements. Those funds would be put into this reserve. In addition, the reserve is funded by 20% of the building permit fees applicable to the Dockside development.

Guidelines for Using Funds

Use of these funds is restricted to the funding of affordable housing projects in Dockside.

Note: *A Council resolution or an adopted Financial Plan Bylaw is required for all appropriations from this Reserve Fund. Further, a Council Resolution is required to create additional reserve fund categories, delete categories or shift funds between categories.*

Climate Action

Description

This reserve has been established to provide a source of funds for funding climate mitigation and adaptation strategies that target energy and GHG reductions associated with facilities or transportation of either City-owned assets or community public lands and services. This reserve is funded by the Climate Action Revenue Incentive Program (CARIP) grants.

Guidelines for Using Funds

Use of these funds is restricted to the funding of climate change initiatives.

Note: A Council resolution or an adopted Financial Plan Bylaw is required for all appropriations from this Reserve Fund. Further, a Council resolution is required to create additional reserve fund categories, delete categories or shift funds between categories.

Art in Public Places

Description

This reserve has been established to provide a source of funds for art in public spaces and expand opportunities for artists and members of the public to participate in the process. The Arts in Public Places policy outlines the funding formula for this reserve.

Guidelines for Using Funds

Use of these funds is restricted to the funding of art in public places initiatives.

Note: A Council resolution or an adopted Financial Plan Bylaw is required for all appropriations from this Reserve Fund. Further, a Council resolution is required to create additional reserve fund categories, delete categories or shift funds between categories.

Downtown Core Area Public Realm Improvements

Description

This reserve has been established to assist in funding improvements that tangibly and visibly improve the physical condition, appearance and function of the public realm within the Downtown Core Area and provide a public benefit to the overall surrounding area.

This reserve is funded by monetary contributions provided to the City of Victoria as part of the Density Bonus System described in the *Downtown Core Area Plan*. The *Downtown Core Area Plan* outlines the funding formula for this reserve.

Guidelines for Using Funds

Use of these funds is restricted to the funding of public realm improvements that support the objectives and policies of the *Downtown Core Area Plan*.

Note: A Council resolution or an adopted Financial Plan Bylaw is required for all appropriations from this Reserve Fund. Further, a Council resolution is required to create additional reserve fund categories, delete categories or shift funds between categories.

Heritage Buildings Seismic Upgrades

Description

This reserve has been established to assist in funding a portion of the cost of seismic upgrading as part of the re-use, retrofit and conservation of eligible heritage buildings within the Downtown Neighbourhood.

This reserve is funded by monetary contributions provided to the City of Victoria as part of the Density Bonus System described in the *Downtown Core Area Plan*. The *Downtown Core Area Plan* outlines the funding formula for this reserve.

Guidelines for Using Funds

Use of these funds is restricted to funding a portion of the cost of seismic upgrading of eligible heritage buildings as described in the *Downtown Core Area Plan*.

Note: *A Council resolution or an adopted Financial Plan Bylaw is required for all appropriations from this Reserve Fund. Further, a Council resolution is required to create additional reserve fund categories, delete categories or shift funds between categories.*

Downtown Heritage Buildings Seismic Upgrade Fund

Report Purpose

To recommend the most effective use for contributions to the Downtown Heritage Seismic Upgrade Fund from downtown developments



Origin of the Downtown Seismic Upgrade Fund

Established under the 2011 *Downtown Core Area Plan* and described in detail under Chapter 4

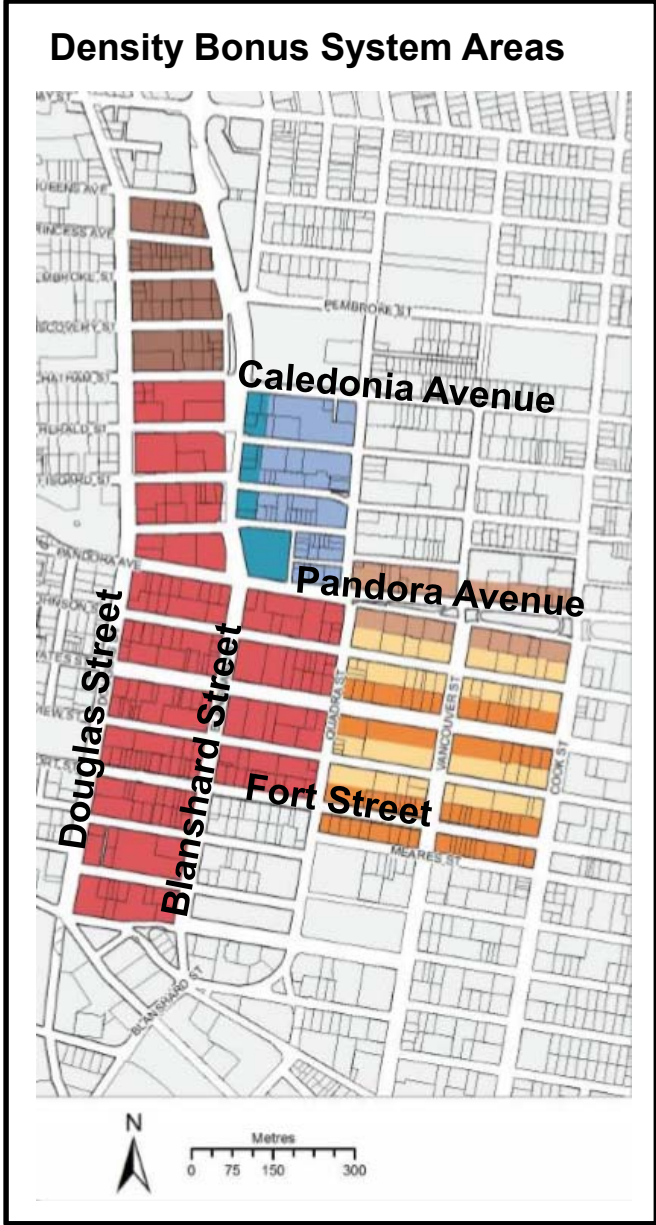


Downtown Core Area Plan

SEPTEMBER 2011



DCAP Density Bonus System



Downtown Heritage Building Seismic Upgrade Fund

Existing and pending contributions- \$218,080.20



615-635 Fort Street- \$19,124



836 Broughton Street- \$2,500



930 Fort Street-
\$67,668 (*Pending*)



960 & 962 Yates Street-
\$65,437



701 Belleville Street-
\$59,321

Victoria Civic Heritage Trust

- Parapet Incentive Program (PIP) created in 2015 to incentivize voluntary seismic upgrades to parapets, cornices and building facades on designated downtown heritage buildings.
- Only downtown buildings are eligible



Staff Recommendation

That Council authorize a grant from the Downtown Heritage Seismic Upgrade Fund to the Victoria Civic Heritage Trust (VCHT) equal to the current and pending amounts in the fund to support its Seismic Parapet Incentive Program subject to the VCHT entering into a grant agreement on the terms acceptable to the Director of Finance and in the form acceptable to the City Solicitor.





**Council Member Motion
For the Committee of the Whole Meeting of January 9, 2020**

Date: January 7, 2020
From: Councillor Ben Isitt
Subject: Advocacy to Increase Tipping Fees for International Solid Waste to Preserve Capacity of the Hartland Landfill – Updated Report

Background:

Council has directed staff to work with the Capital Regional District to explore mechanisms to limit the volume of international solid waste being offloaded from cruise ships at Ogden Point and transported to the CRD-operated Hartland Landfill.

An analysis of best practices in other jurisdictions reveals regulations to limit impacts of international solid waste on local communities, including provisions in the City of Prince Rupert's Solid Waste Management Bylaw providing a clear definition of "cruise ship international garbage" and imposing a tipping fee of \$205 / tonne on this form of waste (see the fee for non-residential waste in the attached bylaw). In contrast, the Capital Regional District currently levies a tipping fee of \$157 / tonne on international solid waste from cruise ships.

To inform the CRD's Solid Waste Management Plan and considerations regarding capacity of the Hartland Landfill, including potential quarrying of the easterly slope of Mount Work to expand landfill capacity (with corresponding loss of biological diversity, mature forest canopy and recreational opportunities), it is recommended that Council request that the CRD amend the Hartland Landfill Tipping Fee and Regulation Bylaw to increase the tipping fee for disposal of international solid waste from cruise ships and other sources.

Recommendations:

That Council:

1. Requests that the Capital Regional District amend the Hartland Landfill Tipping Fee and Regulation Bylaw to increase the tipping fee for disposal of international solid waste from cruise ships and other sources.
2. Directs staff to engage the CRD on this potential bylaw amendment.
3. Requests that the Mayor write to the CRD Board, copying Mayors and Councils of municipalities in the region, requesting favourable consideration of this request.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Ben Isitt".

Councillor Isitt

Attachment: City of Prince Rupert Solid Waste Management Bylaw, No. 3405

CITY OF PRINCE RUPERT

SOLID WASTE MANAGEMENT BYLAW NO. 3405, 2016

A BYLAW REGULATING THE COLLECTION AND DISPOSAL OF SOLID WASTES AND THE CHARGES, METHODS AND REQUIREMENTS TO OPERATE AND MAINTAIN A SOLID WASTE DISPOSAL SITE.

WHEREAS the *Community Charter*, SBC 2003, Chapter 26, provides that Council may by bylaw establish, maintain and operate grounds for disposal of solid wastes and of noxious, offensive or unwholesome substances and to establish and maintain a system to collect, remove and dispose of such solid wastes, substances and discarded matter and to compel persons to make use of such a system and prescribe the terms and conditions for the use thereof; and

WHEREAS the Council deems it necessary to provide and continue such a system in the City of Prince Rupert;

NOW THEREFORE the Council of the City of Prince Rupert in an open meeting assembled, enacts as follows:

PART 1 DEFINITIONS AND INTERPRETATION

Title:

1.1 This Bylaw may be cited as “**Solid Waste Management Bylaw No. 3405, 2016.**”

Definitions:

1.2 In this **Bylaw**:

“**active face**” means the area of the *disposal site* that is currently being filled with *solid waste*;

“**add-a-day system**” means the scheduling system in which the day for collection of *solid waste* advances by one day following any holiday recognized by the *City*;

“**approved disposal site**” means a site for the deposit and disposal of *solid waste*, recyclable materials, or both, which is either owned or operated by the *City* or is authorized by the *City* as a disposal site;

“**Asset Management Reserve Fee**” means a surcharge collected to repair and replace the service infrastructure assets for present and future needs of users.

“**attendant**” means the *person* authorized to perform the duty of directing and controlling access to the *Landfill Site*;

“**attractant**” means any *waste* which could reasonably be expected to attract *wildlife* or does attract *wildlife* including but not limited to kitchen waste, food products, pet food, bird feed, compost, grease, fruit, honey, salt, or chemical products;

“**City**” means City of Prince Rupert;

“**Commercial Collection Service**” means any *trade* or *institutional* premise using City Collection Services.

“**container**” means a container used to hold *waste*;

“**contaminated water waste**” means water which contains more than a minor trace, as determined by the *Director of Operations*, of a petroleum/grease product and includes wastewater from facilities where maintenance or lubrication of vehicle/equipment components are washed or where solvents are used for removal of paint, grease or oils. It will be the determination of the *Director of Operations* as to what level of contamination is deemed to be minor and therefore acceptable at the *Landfill Site* or what level of contamination is more than minor and unacceptable at the *Landfill Site*, but under no circumstance is it to include the classification of ‘Special Waste’ under the Waste Management Act;

“**controlled waste**” means certain *waste* which is approved for disposal at the disposal site but which, because of its inherent nature or quantity, requires special handling and disposal techniques to avoid creating health hazards, nuisances, or environmental pollution, and shall include those wastes outlined in the schedule attached hereto as Schedule “C”;

“**cover**” means material that is of a gravel/soil type nature, is compactable, and does not contain large pieces of debris;

“**creosote**” means a dark brown oil, distilled from coal tar, used as a wood preservative;

“**cruise ship international garbage**” means low risk and high risk garbage offloaded from foreign vessels which has written approval from the Canadian Food Inspection Agency in the form of a “Certificate for Disposal of *Low Risk International Garbage*”;

“**curbside collection service**” means the system established under this Bylaw by the City for the collection and removal of solid waste solid waste;

“**Director of Operations**” means the person holding the title of “Director of Operations” at the City of Prince Rupert, or his/her designate;

“**Disposal Site**” means that area of the *Landfill Site* which accepts certain *solid wastes, controlled wastes, cover, and low risk international garbage*;

“**dwelling unit**” means any building, or one or more rooms connected together within a building, for residential occupancy as a single housekeeping unit with facilities for cooking, eating, living, sleeping, and sanitary facilities and having a separate entrance, but does not include any building containing a store, or a *multiple family premises*;

“**insecure load**” means a load of *solid waste* that has not been secured to, or confined within, a vehicle in such a manner that it cannot fall from or blow out of the vehicle while the vehicle is in transit;

“**Landfill Site**” means the *City Landfill Site* and describes an area of land located off Ridley Island Road that includes a “*Disposal Site*” and a “*Recyclable Site*”;

“**multiple family premises**” means a building or part thereof which is, or is intended to be, for residential occupancy, usually with facilities for cooking, eating, living, sleeping, and sanitary facilities, and having a common entrance to four or more such *dwelling units*, and shall include apartment buildings, hotels, motels, tenement houses, lodging houses, rooming houses, boarding houses, or any business block which is, or is intended to be occupied by four or more *persons* in individual rooms or *dwelling units*;

“**non-compliance notice**” means a notice of violation issued in accordance with this Bylaw;

“**non-profit organization**” means an incorporated organization or society which exists for educational, recreational or charitable reasons and from which shareholders or trustees do not benefit financially;

“**non-resident**” means an *owner* of lands and *premises* situated outside of the geographical boundaries of the City;

“**person**” means and includes natural persons of either sex, associations, co-partnerships and corporations, whether acting by themselves or by a servant, agent or employee;

“**owner**” means the registered owner of any lands and *premises* situated within the *City* and includes the agent, heir, executor, or administrator of the owner, or the lessee or occupier of the lands and *premises*;

“**premises**” means land composed of one or more parcels along with any building or group of buildings which may be located thereon and includes buildings located on land under common ownership or management,

“**prohibited waste**” means *solid waste* that is not acceptable at the *Landfill Site* and shall include those *wastes* outlined in Schedule “B” attached to and forming part of this Bylaw;

"**recyclable material**" means reusable or marketable materials such as those items described in Schedule "D" attached to and forming part of this Bylaw;

"**Recyclable Site**" means that area of the *Landfill Site* which accepts *recyclable material*;

"**service period**" means the period of time associated with scheduled *solid waste* collection services;

"**solid waste**" means any *waste* that originates from residential, commercial, industrial, institutional, demolition, land clearing, or construction sources or activities, or any other source, but excludes liquid waste or effluent;

"**soot**" means black carbonaceous residue of wood, coal, oil, and all other fossil fuels originating in open fires, chimney linings, boilers, furnaces, and other burners;

"**sorted building debris**" means construction or building demolition materials that have been manually or mechanically separated into products of clean wood, metals, and masonry materials, with no amounts of other mixed contaminants (i.e. very small pieces of drywall, gypsum, tar paper, wiring, etc.).

"**sterilized biomedical waste**" means non-anatomical *waste* which is generated by, but not limited to, the following: hospitals, laboratories, doctors' offices, clinics, veterinarians and which has been sterilized, and clearly identified as being sterilized, in a 'Certified Sterilization Facility' and as defined in the CCME Draft Code of Practice for the Management of Biomedical Waste in Canada (June 1991);

"**tag**" means the sticker sold by the City of Prince Rupert which is to be affixed to garbage bags in excess of the 2 bag limit for residential properties.

"**temporary worker residence**" means residences, including related facilities and infrastructure, used for workers' temporary accommodation for a defined period to support projects within and outside the geographical boundaries of the City;

"**trade premises**" means any commercial *premises* including a shop, café, restaurant, eating house, club, drive-in lunch counter, wholesale or retail business place, or office block, or any building other than an industrial operation, a *dwelling unit* or a multiple *family premises*;

"**trade waste**" means *waste* resulting from the operation of a trade *premises*;

"**unacceptable waste**" means those materials listed in Schedule "A" attached to and forming part of this Bylaw;

"**uncovered load**" means a load of *solid waste* of such a nature that it can fall from or blow out of the vehicle if it is not covered while in transit;

“**unserviceable property**” means:

- a) any *premises* to which access from a street is inadequate for collection service as determined by the *Director of Operations*; or
- b) any *premises* which by its lack of proximity to other *premises* being provided collection service would result in excessively high costs or time being allocated to service as determined by the *Director of Operations*;
- c) any *premises* the *Director of Operations* determines is unsafe to service;

“**waste**” means discarded, rejected or abandoned materials, substances or objects;

“**white goods**” means metal appliances such as refrigerators, freezers, washing machines, dishwashers, clothes dryers, ranges, stoves, furnaces, air conditioners and hot water tanks;

“**wildlife**” means any mammal not normally domesticated, including but not limited to bears, cougars, coyotes, wolves, foxes, raccoons and skunks; and

“**wire rope**” means metal in the form of a flexible thread or slender rod and/or a rope formed wholly or chiefly of wires.

- 1.3 Wherever the singular or masculine is used in the Bylaw the names shall be deemed to include the plural or the feminine or the body politic or corporate, and also their respective heirs, executors, administrators, successors and assigns.

PART 2 PROHIBITIONS

2.1 No person shall:

- a) dispose of any type of *waste*, except in accordance with this Bylaw, and all other applicable municipal, provincial and federal laws;
- b) cause, allow or permit any *waste* to collect, accumulate or remain on *premises*, unless it is securely contained in a *container* meeting the specifications of this Bylaw;
- c) deliver, place, bury or dump, or cause or allow to be delivered, placed, buried or dumped, any *waste* anywhere in the *City* other than at the *Landfill Site* or an *approved disposal site*;
- d) place *solid waste* on or in front of another person's *premises* without the permission of that person;
- e) place *solid waste* in another person's *container* or in a container used by private contractors without the permission of that person or private contractor, as the case may be;
- f) cause, allow or permit any *container* to be filled above the top of the container, or any plastic bag, in such a way that the lid or cover cannot be closely fitted, the plastic bag cannot be securely fastened;
- g) deposit or leave any *waste* or other discarded material on any highway, public place

- or *premises* other than the *premises* on which the *solid waste* was generated, and no person shall remove *solid waste* from a *premises* except for the purpose of disposal in accordance with this Bylaw;
- h) transport any *waste* without securing the materials in an enclosure, under a cover or such other methods to ensure that all of the materials will reach the *Disposal Site* without spillage;
 - i) place any *unacceptable waste* at curbside for collection by the City;
 - j) cause, allow or permit *recyclable materials* to be discarded as *waste*;
 - k) remove, take, salvage or convert for their own purpose, any *solid waste* placed at any curbside collection location as part of the *curbside collection service* unless the person is:
 - l) the person who initially placed the material at curbside for collection by the City; or
 - m) an employee or agent of the City authorized to provide the *curbside collection service*;
 - n) interfere with, threaten or in any way obstruct any employee or agent of the City engaged in the provision of a *curbside collection service*;
 - o) cause, allow or permit any *attractant* to be deposited or kept outdoors on any *premises* in a manner that makes the *attractant* accessible to *wildlife*;
 - p) place wet *waste* in any *container* unless it is drained of excess moisture and wrapped in waterproof material;
 - q) allow to run into, accumulate in or place into a *container*, liquid, rainwater or other free water;
 - r) throw, sweep, or place any waste onto any *premises*, street, lane, walkway, sidewalk, or other public place in the *City*;
 - s) deposit or dispose in the *Landfill Site* any of the materials outlined on Schedule “B” (*prohibited wastes*), attached to and forming part of this Bylaw;
 - t) allow refuse of any kind to drop from or be blown from any vehicle or premises onto any other *premises*, street, lane, walkway, sidewalk, or other public place in the *City*; and,
 - u) dispose of *waste* if the vehicle used to transport the *waste* exceeds the weight restrictions of the weigh scale. Split-weighing will not be permitted.

PART 3 CURBSIDE WASTE COLLECTION SERVICE

City Collection:

- 3.1 It shall be lawful for the *City* to establish, regulate, continue, maintain and operate a *curbside collection service* within the *City* under the control and direction of the *Director of Operations* as follows:
- a) collection of certain residential *solid waste* from any dwelling unit; and
 - b) collection of commercial solid waste from any *trade premises* or *institutional premises* comprising of two (2) or less *containers* with a maximum of four garbage

bags in total per collection day,

At the frequency set out under this Bylaw.

3.2 The City shall not be required to collect *solid waste* from:

- a) a *multiple family premises*;
- b) a *trade premises* that has placed more than two (2) *containers* for collection;
- c) an industrial *premises*; and
- d) an *unserviceable property*.

General Conditions of Service:

3.3 The *City's* not to be liable for any damages suffered or costs incurred by any person by reason of the failure of the *City* to supply *curbside collection service*.

3.4 No *person* will be relieved of the obligation to observe the requirements of all applicable municipal, provincial and federal laws by reason of the services provided by the *City*.

3.5 The *City* shall not be responsible for the replacement of any *container* or lids damaged or lost for any reason whatsoever.

3.6 The *City* will not be responsible for the accidental collection of goods not intended to be placed for collection in the event that such goods are left in garbage bags.

Right to Refuse Waste:

3.7 The *City* reserves the right to refuse to collect all waste which is not acceptable at the *Landfill Site* or which does not comply with the provisions of this Bylaw or any other material as deemed by the *Director of Operations* to be unacceptable.

PART 4 DUTIES OF OWNERS

Duty to Remove Waste:

4.1 Every *owner* of *premises* shall, at least once each *service period*, dispose of any *waste* produced on such *premises* through any of the following means:

- a) by the *City's curbside collection service*;
- b) by a private *waste* collection service approved and licensed by the *City*;
- c) by otherwise removing or arranging for the removal of the *waste* to an *approved disposal site* for the *waste* being deposited.

- 4.2 Only *waste* generated within the geographical boundaries of the City is eligible for collection under the *curbside collection service* unless otherwise permitted under this Bylaw.
- 4.3 The *City* will not provide for the collection and disposal by means of the *curbside collection service* of any wastes other than *solid waste*. Every *owner* of a *premises* must provide for the legal collection and disposal of all other waste products not eligible for collection under the *curbside collection service*.
- 4.4 No person shall deposit *solid waste* from a residential property, *trade premises* or *institutional premises* into a *City* garbage receptacle located in public areas.

Noxious Waste:

- 4.5 An *owner* of *premises* shall immediately remove any noxious, offensive, or unwholesome *waste*, odour, matter or substance upon their *premises* to the *Landfill Site*, or other *approved disposal site*, and shall not permit such waste, matter or substance to be left upon the *premises* for collection through the *curbside collection service*.
- 4.6 If an *owner* fails to comply with Section 4.5, the *Director of Operations* may provide the *owner* written notice to remove the noxious, offensive, or unwholesome *waste*, odour, matter or substance and/or to wash and clean the *container* to eliminate the odour, within such time as the *Director of Operations* deems reasonable and, if the owner fails to have the noxious, offensive, or unwholesome *waste*, odour, matter or substance removed from the *premises* within the stipulated time, the *City* may, by its workmen or others enter at all reasonable times upon the *premises* and remove the noxious, offensive, or unwholesome *waste*, odour, matter or substance, in a reasonable manner at the expense of the *owner* who shall be charged at cost, with a minimum charge of \$150.00 and a maximum of actual cost to the *City*.
- 4.7 Any charges incurred by the *City* pursuant to Section 4.6 shall be due and payable upon receipt of notice from the *City* and any such charges remaining unpaid at December 31 of that year shall be added to and form part of the taxes payable on the *premises* as taxes in arrears.

Mandatory Service:

- 4.8 Every *owner* of *premises* shall pay for the collection of *solid waste* from their *premises* as herein provided and shall also pay for the use of the *approved disposal sites* as may be available from time to time except as otherwise permitted in this Bylaw.

Authority Not Exclusive – Others:

- 4.9 Any *person* may collect *solid waste*, and collect recyclable material, provided that they obtain the necessary licenses and comply with all applicable municipal, provincial and

federal laws and do not interfere with the *City waste collection service* or the recycling system operated by the North Coast Regional District.

- 4.10 *Owners* of *premises* listed in Section 3.2 shall, at their cost, make arrangements for *waste* collection by a private waste collection service provider approved and licensed by the *City* that disposes of *waste* at an *approved disposal site*.

Unacceptable Materials:

- 4.11 An *owner* of any *solid waste* that cannot be placed in a *container* or that may cause harm to the collector must make arrangements to have the *solid waste* disposed of at the *Landfill Site* in designated locations, or as directed by the *attendant*, and upon payment of the designated disposal fee.

PART 5 CONTAINERS

General Specifications:

- 5.1 *Owners* are responsible for providing all *containers* required for their premises conforming to the following specifications:
- a) galvanized iron or plastic container specifically manufactured for the containment of waste;
 - b) equipped with a close-fitting watertight lid or cover that is animal, bird and insect proof;
 - c) having rigid handles which permit ease in handling; and
 - d) having a capacity of not more than 0.16 cubic meters (6 cubic feet).
- 5.2 *Solid waste* to be collected under the *curbside collection service* must be contained within durable plastic garbage bags that are a minimum of 76 cm x 80 cm and a maximum of 90 cm x 127 cm and have a maximum capacity of 17 kilograms in weight, properly fastened and closed and placed within a *container* that is loaded to a height not greater than 5 centimeters (2") from the top rim.
- 5.3 Every *owner* shall provide and maintain in sanitary condition and in good order of repair, containers sufficient in number to, at all times, contain all *solid waste* for collection.
- 5.4 All *solid waste* put out for collection which does not comply with the requirements of this Bylaw will not be collected and may be marked with a *non-compliance notice* setting out the reason which it was not collected.

Number of Bags:

- 5.5 Basic residential collection charges are for two (2) garbage bags only per collection day.

- 5.6 An *owner* may have in excess of two (2) garbage bags by purchasing and affixing a *tag* to each additional garbage bag, for the fee specified in this Bylaw.
- 5.7 When a *trade* or *institutional* premise has an excess of four (4) garbage bags per collection day, as per Section 3.1 b, they will be charged for each additional garbage bag at the fee specified in this Bylaw.

Placement of Containers:

- 5.8 *Containers* must be stored in a location that does not encroach upon or project over any highway or other public place except during times that the *containers* are put out for collection in accordance with this Bylaw.
- 5.9 The placement of containers for *City* collection shall be as follows:
- a) where premises are serviced by street collection, *containers* shall be set out, on the scheduled day for collection, not more than 1.2 metres (4 feet) back from the curb or traveled portion, whichever is applicable, of the collection roadway in a location clearly visible to collection workers.
 - b) where premises are served by a lane collection, garbage containers must be easily accessible at the lane.
 - c) *containers* are not to be placed with the garbage of others or on the inside of a fence, hedge, etc., on collection day.
 - d) *containers* shall not be placed so as to obstruct vehicles or pedestrians.
- 5.10 In the event there is more than one possible collection roadway for *solid waste collection*, the *Director of Operations* shall determine the location of collection.

Storage Sheds:

- 5.11 All facilities such as stands, sheds or other structures that are to be used to disguise or store containers awaiting collection shall meet with the approval of the *Director of Operations*.

Frequency of Curbside Collection Services:

- 5.12 Unless otherwise approved by the *Director of Operations* and scheduled accordingly, residential *solid waste* shall be collected once each service period on the same day of each week according to the *add-a-day system*.
- 5.13 Under the *add-a-day system* where a collection day falls on a holiday recognized by the *City*, the schedule for residential collection advances one day for each such holiday.

- 5.14 Unless otherwise approved by the *Director of Operations* and scheduled accordingly, commercial *solid waste* shall be collected on Mondays and Thursdays (other than after a holiday recognized by the City).

Collection Time:

- 5.15 Every *owner* of a *dwelling unit* served by City collection services shall, on the regular collection day for that *dwelling unit*, ensure that all *solid waste* is placed at curbside for collection by 8:00 am. All emptied *containers* shall be removed from the curb within 16 hours of collection.
- 5.16 Every *owner* of *trade premises* served by City collection services shall, on the regular collection day for that *premises*, ensure that all *solid waste* is placed at curbside for collection by 9:00 am. All emptied *containers* shall be removed from the curb within 15 hours of collection.
- 5.17 *City* collectors **will not return** for *solid waste* that was not placed at curbside for collection at the times designated in Sections 5.15 and 5.16.

Safe Collection Area:

- 5.18 Every *owner* of premises shall on the regular collection day for that *premises* ensure that pathways are cleared of all snow, ice, and other hazards.
- 5.19 *City* collectors will not collect *solid waste* that is not accessible by a safe, cleared pathway.

Suspension of Service:

- 5.20 The *City* may suspend *curbside collection service* from any *premises* where the provisions of this Bylaw are not met, including but not limited to, bagging of wastes, number of bags, lack of standard *containers*, location or design of collection facilities, or the condition of *wastes*, but such suspension shall not waive any requirement, or abate or waive any charges or rates, under the provisions of this Bylaw.

PART 6 PRIVATE WASTE COLLECTION SERVICE

Private Collection:

- 6.1 Every *owner* of a *premises* not eligible or opts out of the *City's curbside collection services*, shall arrange to rent receptacles from a private *waste* collection firm and shall, on the regular collection day for that *premises*, cause to be removed all wastes from all *premises* of the *owner*.

Private Containers:

- 6.2 Every *person* who has entered into a contract with a licensed contractor for the removal of *solid waste* shall:
- a) use only those containers supplied or specified by the contractor; and,
 - b) keep the container(s) and the area around them in a condition not noxious, offensive, objectionable, or dangerous to the public or to public health.

Responsibilities of Private Contractors:

- 6.3 All private contractors operating within the *City* must comply with the following regulations:
- a) Containers must at all times be:
 - i. kept in good repair; and
 - ii. designed and maintained so as to prevent the intrusion of rain water or wildlife into the container and so as to contain any and all liquids comprising part of, or which escape from, the *solid waste*; and,
 - iii. approved by the *Director of Operations*.
 - b) All vehicles used for the collection of *solid waste* that is liable to rot or putrefy must be of a closed metal type, suitably designed to contain the liquid by-products of any rotting or putrefaction.
 - c) Subject to the provisions of the City's Noise Control Bylaw, the hours of operation in and adjacent to residential areas are limited to the period between 7:00 a.m. and 9:00 p.m.
 - d) All collecting, transporting, processing, converting or salvaging of any *solid waste*, must be carried out so as not to be offensive or objectionable.
 - e) Any *solid waste* that will not immediately be processed, converted or salvaged, must be removed as directly as possible on the day of collection to an *approved disposal site*.
 - f) All containers used by private contractors or their customers must, unless approved by the *Director of Operations* to occupy a street, lane, walkway, sidewalk, or other public place, be kept on private *premises* at all times.
 - g) Ensure that customers are equipped with suitable, and a sufficient number of, containers so that the containers themselves, and the area around the containers, remains in a condition not noxious, offensive, objectionable, or dangerous to the public or to public health.
 - h) Every private contractor must keep areas around containers clean of all *solid waste* deposited outside of the container, whether the container is used by the private contractor or its customers.

PART 7 BUILDING OPERATIONS

- 7.1 No *person* carrying out building construction, maintenance, renovation, or demolition within the *City* shall:
- a) place or dump the *waste* accumulating from such construction or other operations on any lane, street, walkway, sidewalk or any public place; or
 - b) accumulate such *waste* on the *premises* where such construction or operations are being carried out without disposing of the waste at an *approved disposal site* within such time as the *Director of Operations* by written notice may deem reasonable.

Construction Clean-up Costs:

- 7.2 If the *owner* fails to comply with Section 7.1a) or b), the *City* may, by its workmen or others enter at all reasonable times upon the *premises* and remove the *waste* at the expense of the person carrying out the building construction, maintenance, renovation, or demolition at cost, with a minimum charge of \$150.00 and a maximum of actual cost to the *City*.
- 7.3 Any charges incurred by the *City* pursuant to Section 7.2 shall be due and payable upon receipt of notice from the *City* and any such charges remaining unpaid at December 31 of that year shall be added to and form part of the taxes payable on the *premises* as taxes in arrears.

PART 8 LANDFILL SITE REGULATIONS

Prohibited and Controlled Waste:

- 8.1 The *City* reserves the right to ban, refuse, or otherwise control the type and nature of waste which is to be deposited at the *Landfill Site*, and the *attendant* on duty or the *Director of Operations* may refuse any waste material he considers unacceptable.
- 8.2 If any *prohibited wastes* are deposited at the *Landfill Site*, they shall be removed immediately by the *person* depositing them.
- 8.3 In addition to requiring the removal of any *prohibited wastes* deposited at the *Landfill Site*, the *person* depositing such *prohibited wastes* shall also be required to pay any fees specified by bylaw for such unauthorized disposal.
- 8.4 No *person* shall deposit or dispose of any of the controlled materials set out in Schedule "C" (*controlled wastes*), attached to and forming part of this Bylaw, contrary to the special handling and/or disposal techniques determined to be in effect for that *controlled waste* by the *attendant* at the *Landfill Site* or by the *Director of Operations*.

- 8.5 Any *person* depositing or disposing of any *controlled waste* contrary to the special handling and/or disposal techniques determined to be in effect for that *controlled waste* by the *attendant* at the *Landfill Site* or by the *Director of Operations* without the prior written authorization of the *attendant* shall, in addition to any other penalties imposed or actions taken for such unauthorized disposal, pay any fee specified by bylaw for such unauthorized disposal.

General Disposal Regulations:

- 8.6 No *person* shall, in disposing *solid waste* at the *Landfill Site*:
- a) deposit *solid waste* without first having it weighed on the scales at the *Landfill Site*;
 - b) drive a vehicle anywhere on the *Landfill Site* except on roads provided by the *City* for that purpose unless otherwise instructed;
 - c) act in a manner contrary to the posted *Landfill Site* regulations;
 - d) having deposited *solid waste*, fail to pay the applicable disposal fee prescribed by this Bylaw;
 - e) deposit any *solid waste* at the *Landfill Site* until any outstanding disposal fees and/or scale use charges and interest owing thereon have been paid in full;
 - f) enter the *Landfill Site* in a vehicle if the vehicle's load exceeds the permitted weight limits set out in the regulations passed pursuant to the Motor Vehicle Act, or the Commercial Transport Act;
 - g) exceed the posted speed limits;
 - h) enter the *Landfill Site* with an *insecure load*;
 - i) enter the *Landfill Site* with an *uncovered load* (applicable to Commercial Vehicles only);
 - j) deposit *waste* in any place or manner other than as directed by the *attendant* or *Landfill Site* staff;
 - k) remove *waste* from the *Landfill Site* except with prior written approval of the *Director of Operations*;
 - l) loiter on the *Landfill Site*. All vehicles must proceed directly to the designated dumping area and leave the *Landfill Site* as soon as possible after unloading;
 - m) use the wash down facility to wash out the interior of truck boxes unless they have been granted access to deposit waste at the *active face*; or
 - n) smoke within the *Landfill Site*.

Wash Down Facility:

- 8.7 When operational, the tires and undercarriages of vehicles permitted access to the *active face* for the disposal of waste must be washed down at the wash down facility prior to leaving the *Landfill Site*. The wash down facility is not available during the winter season.

Recyclable Site:

- 8.8 The *City* may accept *recyclable material* into the *Recyclable Site*.
- 8.9 Building debris/demolition material must be sorted in order to be accepted at the *Recyclable Site* as defined under “*sorted building debris*”. No large pieces or amounts of unacceptable waste shall be permitted. Acceptance of the “*sorted building debris*” shall be at the discretion of the Scale Attendant.
- 8.10 All loads for the *Recyclable Site*, intended to be delivered on Saturday, must have prior written approval from the *Director of Operations* before being accepted.

Material Ownership:

- 8.11 All materials accepted by the *City* at the *Recyclable Site*, unless unlawfully deposited, shall become the property of the *City*, and may be sold or otherwise disposed of at the *City's* discretion.

Buildings, Mobile Homes, Boats & Trailer Demolitions:

- 8.12 Residential House, Mobile Home, Boats & Trailer demolitions will be accepted at the *Landfill Site* under the following conditions:
- a) all loads will be screened;
 - b) no *prohibited waste* will be permitted;
 - c) asphalt roofing is to be separated, weighed at the scale house, and staff will give directions for unloading at the *Disposal Site* and the regular disposal fees for general waste at the *Disposal Site* shall apply;
 - d) *sorted building debris* remaining after separation of asphalt roofing is to be weighed at the scale house, and staff will give directions for unloading at the *Recyclable Site*, and the disposal fees for *sorted building debris* at the *Recyclable Site* shall apply;
 - e) If large pieces and/or amounts of asphalt roofing is seen in a mixed load of *sorted building debris*, then the regular disposal fees for general waste at the *Disposal Site* shall apply; and,
 - f) wood or metal roofing materials are to be separated, and transported to the *Recyclable Site* and the disposal fees for the *Recyclable Site* shall apply.
 - g) mobile homes, boats or trailers must be demolished before crossing the scale, they will not be accepted as a whole unit;
 - h) steel trailer frames must be separated and taken to the *Recyclable Site*;
 - i) tires must be removed from rims and are not accepted at the *Landfill Site*; and,
 - j) boats must be stripped of fuel tanks, engines, oils and fluids.

Disposal by Non-profit Organizations:

- 8.13 *Non-profit organizations*, in order to benefit from the “non-profit organization” disposal rate, must have prior written approval from the *Director of Operations* before depositing their wastes at the *Landfill Site*.

PART 9 FEES AND CHARGES

- 9.1 For *City* residential and commercial collection services and for general disposal of solid wastes at the *Landfill Site*, the collection and disposal rates set out in Schedule “E” are hereby imposed and levied by the *City* and are due and payable to the *City* by the parties liable under this Bylaw for provision of *curbside collection services* or for disposal of such *solid waste*.

Residential Collection Charges Discontinued:

- 9.2 The rates set out in Schedule “E” for residential collection services are due and payable by the *owner* whether or not:

- a) the *dwelling units* are occupied
- b) the *owner* makes use of the service, or
- c) the service is interrupted or altered in any manner.

unless any of the circumstances in Section 9.3 apply and the prior arrangements referred to in Section 9.3 have been made.

- 9.3 Charges for residential *solid waste* collection will only be discontinued in respect of a *dwelling unit* if the owner has provided prior written notice to the *City* that:

- a) the *dwelling unit* is temporarily rendered uninhabitable because of fire or other similar disaster; or
- b) the *dwelling unit* is serviced by an approved alternate service and the *owner* has provided the name of the collection service to be used and the date private collection service will start; or
- c) the *dwelling unit* will not require such service for any period of time not less than three consecutive months; and
- d) the *dwelling unit* not receiving the service is unoccupied for the entire duration of the cessation of service; and
- e) the *owner* has either arranged for the Building Inspector to verify that the *dwelling unit* is empty and has paid the charge for this service in accordance with the general “Inspection Fees” under Bylaw 2420, 1982, Fee Schedule "A" and any amendments thereto, or the *owner* will obtain a water disconnect permit from the *City*, in which case charges will resume when water service is reconnected; and

- f) the *owner* enters into an agreement with the Finance Department regarding the discontinuation of collection service to the *dwelling unit* and his responsibility to notify the City if the *dwelling unit* is to be occupied at any time, in the future, and in such event the charge or rate shall be abated or reduced pro rata as the case may be.
- 9.4 Should the *City* become aware that the *dwelling unit* has been occupied without notification, or that the private collection service has been terminated without reinstating *curbside collection service*, the City shall back charge the owner to the date of discontinuation of the collection service fee and charge the ten (10%) percent late payment penalty.

PART 10 PAYMENT OF ACCOUNTS

10.1 Payment of Accounts:

- a) Residential Accounts under Section 9.1 and in accordance with Schedule “E” shall be paid on an annual basis. Instalment payments can be made for any amount at any time. Interest shall be paid on these payments at the discretion of the Financial Administrator.
- b) **Commercial Accounts** under Section 9.1 and in accordance with Schedule “E” shall be rendered monthly or quarterly and shall be due and payable at the designated *City* Collection Office on or before the last working day of the month or quarter. Quarter means any three-month period ending on the last day of March, June, September, or December.
- c) **Landfill Site Disposal Charges** will be rendered monthly for those *persons* with an established credit account and shall be due and payable on or before the 30th day after the invoice date. Where a *person* liable to a disposal fee under Section 9.1 and in accordance with Schedule “E” does not have an established credit account, the fee payment must be made in cash to the *Landfill Site* staff prior to leaving the *Landfill Site*.

- 10.2 Failure to receive mail will not be recognized as valid excuse for failure to pay rates when due.

Outstanding Fees and Charges Added to Taxes:

- 10.3 Pursuant to the provisions of *Community Charter*, SBC 2003, Chapter 26 as amended, the fees and charges payable by the *owner* of any *premises* subject to the conditions and terms of this Bylaw, if remaining unpaid after the thirty-first day of December in any year, shall be deemed to be taxes in arrears in respect to that *premises* and such sums shall be recovered with interest, in the same manner as ordinary municipal taxes upon premises in accordance with the applicable provisions of the *Community Charter*.

PART 11 CUSTOMER SERVICE

11.1 The *Director of Operations* will seek to ensure customer service and satisfaction in the provision of *solid waste* collection and disposal services to the local consumer. It will be his right and obligation to take such action as is deemed equitable and necessary in terms of service delivery, customer charges, and the long-term interest of the utility. Consumer relations, including advertising and marketing may also be done at the discretion of the *Director of Operations*.

PART 12 OFFENCES AND PENALTIES

Bylaw Contravention:

- 12.1 Any *person* who contravenes any provision of this Bylaw for which a specific penalty has not otherwise been specified commits an offence of this Bylaw.
- 12.2 Every person who commits an offence punishable on summary conviction shall be liable to a fine of not more than \$10,000 or the imprisonment for not more than six months, or both, or such other maximum penalties as set out in the *Community Charter SBC 2003*, Chapter 25, as may be amended or replaced from time to time.
- 12.3 This Bylaw may be enforced under the *Offence Act*, R.S.B.C. 1996, chapter 338, or the City of Prince Rupert Ticket Information Bylaw No. 2783, 1992, as may be amended or replaced from time to time.
- 12.4 Where an offence under this Bylaw is of a continuing nature, each day that the offence continues or is permitted to exist shall constitute a separate offence.

Specific Penalties:

- 12.5 The *City* reserves the right to suspend collection services, or to charge a fee of \$30.00 per incident, to the *owner of premises* when:
- a) *approved containers* are not used,
 - b) *containers are overfilled* and the lid is not secured.
- 12.6 When a violation of Section 12.2 results in solid waste spills or is spread by animals, birds or wind onto *City* property, *solid waste* collectors will clean up *solid waste* and the *owner* will be invoiced for the cost of such clean up, with a minimum charge of \$150.00 and a maximum of actual cost to the *City*.

Right of Entry:

12.7 For the purpose of collection, removal and disposal of *solid wastes*, and other noxious, offensive, unwholesome and discarded substance or matter, and ascertaining whether the provisions of this Bylaw are observed, authorized *solid waste* collectors and employees

of the City shall have the right to enter upon any *premises* in the *City* during reasonable daylight hours on any day of the week.

Other Remedies:

12.8 Nothing in this section affects any other right or remedy of the *City* in respect of any violation of any provision of this Bylaw.

PART 13 SEVERABILITY

Severability:

13.1 If any section, subsection, clause, sub clause, phrase or any other part, of this Bylaw is for any reason held to be invalid, void or ineffective by the decision of any court of competent jurisdiction, the part in question is to be severed from the rest of this Bylaw and that does not affect the validity of the remainder of this Bylaw, which is to be interpreted and applied as if this Bylaw had been enacted without the severed part.

PART 14 ADOPTION AND REPEAL

Adoption:

14.1 This Bylaw shall come into full force and effect upon its final passage and adoption, except Schedule “E” which shall come into force on January 1, 2017.

Repeal:

14.2 “Solid Waste Management Bylaw No. 3358, 2014”, and its amendments are hereby repealed except Schedule “E” which will be repealed on the effective date of the substitute Schedule in this Bylaw .

Read a First time this 12th day of December, 2016.

Read a Second time this 12th day of December, 2016.

Read a Third time this 12th day of December, 2016.

Final Consideration and Adopted this 14th day of December, 2016

Mayor

Corporate Administrator

**SCHEDULE “A” to
Solid Waste Management Bylaw No. 3405, 2016**

UNACCEPTABLE WASTES FOR CITY COLLECTION SERVICE

The following waste materials will not be collected by City collection forces and shall not be placed by any person in any container or other location for collection by the City:

1. any prohibited wastes described in Schedule “B”.
2. any controlled wastes described in Schedule “C”.
3. trade waste to be collected from residential premises.
4. industrial wastes.
5. dead animals.
6. oversized items of any kind.
7. demolition or construction waste.
8. wood or wood waste.
9. garden waste, grass and leaves.
10. trees.
11. hedge clippings.
12. rocks.
13. discarded furniture.
14. metal scraps.
15. cardboard.
16. Any other waste material determined by the Director of Operations to be unacceptable.

**SCHEDULE “B” to
Solid Waste Management Bylaw No. 3405, 2016**

PROHIBITED WASTES

The following wastes are prohibited from disposal at the Landfill Site:

1. hazardous (including pathogenic and radioactive) wastes.
2. “Hazardous Wastes” as defined by the *Environmental Management Act* (BC).
3. Any substance prescribed as "waste" by regulation under the *Environmental Management Act* (BC).
4. non-sterilized biomedical waste.
5. explosive substances.
6. chemicals or other materials which may create hazardous working conditions.
7. inflammable materials.
8. ashes or other materials hot enough to start combustion.
9. waste oil, petroleum by-products, used oil filters or equipment lubricant filters.
10. contaminated water waste.
11. all forms of excrement excluding minor amounts of domestic pet waste.
12. tanks, barrels, drums, pails, and other large liquid containers that are not empty, unless authorized by the Director of Operations.
13. creosote painted/pressure treated material.
14. contaminated soils unacceptable to the Director of Operations.
15. tires.
16. commercial loads of dry cell batteries.
17. corrugated cardboard from commercial sources.
18. white goods.
19. any other material deemed by the Director of Operations or the Medical Health Officer as hazardous, unacceptable, or unsuitable for disposal at the Landfill Site.
20. some prohibited materials may be accepted in small quantities for recycling.
21. Wire rope.

**SCHEDULE “C” to
Solid Waste Management Bylaw No. 3405, 2016**

CONTROLLED WASTES

The following *waste* materials may be accepted at the *Landfill Site* upon approval from the *Director of Operations*, but because of their inherent nature or quantity may be subject to special handling and disposal techniques to avoid creating health hazards, nuisances, or environmental pollution:

1. asbestos.
2. liquid wastes and sludges including sewage.
3. dead animals and animal parts (including bones, feathers, skin, hair, nails and teeth).
4. contaminated soils acceptable to the Director of Operations.
5. non-contaminated water waste acceptable to the Director of Operations.
6. soot.
7. mobile homes.
8. automobile bodies, automobile parts, or boat hulls.
9. tanks, barrels, drums, pails and other large liquid containers, that are empty.
10. gypsum.
11. lumber, timber, logs, etc., longer than 3.6 metres (12 ft).
12. cruise Ship International Garbage (low and high risk).
13. grain.
14. sandblast sand.
15. non-processed Fish Waste (salmon, crab, sea urchins, etc.)

**SCHEDULE “D” to
Solid Waste Management Bylaw No. 3405, 2016**

WASTES ACCEPTED AT THE RECYCLABLE SITE

The following *waste* materials only are accepted for disposal at *Recyclable Site*:

1. muskeg, berm material, and overburden, (including grass and branches).
2. cement products (including protruding rebar).
3. metal products (no allowable contamination).
4. approved *sorted building debris* such as clean wood, but excluding drywall or gypsum.
5. clean wood (pallet boards, etc.). No treated wood products.
6. steel frames from mobile homes.
7. tin, steel and aluminum.

The foregoing accepted materials exclude any leachable material or any loose material that can be wind swept.

**SCHEDULE “E”
Solid Waste Management Bylaw No. 3405, 2016**

FEES AND CHARGES

	2017	2018	2019	2020	
CITY COLLECTION FEES					
Residential Collection Service					
Per dwelling unit, charge per month for two (2) bags of garbage per week.	\$33.00	\$34.00	\$35.00	\$36.00	
Asset Management Reserve Fee – 2%	\$0.66	\$0.68	\$0.70	\$0.72	
Total Residential House per dwelling	\$33.66	\$34.68	\$35.70	\$36.72	
Commercial Collection Service					
Minimum charge per month for two (2) cans picked up twice per week.	\$66.00	\$81.00	\$96.00	\$111.00	
Asset Management Reserve Fee – 2%	\$1.32	\$1.62	\$1.92	\$2.22	
Total Commercial Collection	\$67.32	\$82.62	\$97.92	\$113.22	
Extra Bag Tags					
Residential Extra Bag Tags	\$4.25	\$4.50	\$4.75	\$5.00	
Commercial for each additional garbage bag above four (4)	\$9.75	\$10.00	\$10.25	\$10.50	
The above City Collection Fees will be subject to a 2% Asset Management Reserve Fee.					
USE OF DISPOSAL SITE – CASH RATES					
Fees for disposing of waste at the Disposal Site is measured by weight (tonne) on the scale provided at the site unless otherwise stated. Cash rates include debit and credit cards.					
General Waste Disposal					
Regular Tipping Fees	Resident	\$134.00	\$138.00	\$142.00	\$146.00
	Minimum	\$3.00	\$3.00	\$3.00	\$3.00
	Non-Res	\$187.00	\$193.00	\$199.00	\$205.00
	Minimum	\$4.00	\$4.00	\$4.00	\$4.00
Temporary Worker’s Residence (upon approval).	Resident	\$341.00	\$351.00	\$362.00	\$373.00
	Non-Res	\$477.00	\$491.00	\$506.00	\$521.00
The above General Waste Disposal fees will be subject to a 2% Asset Management Reserve Fee.					

		2017	2018	2019	2020
Controlled Waste Weekdays					
Non-processed fish waste	Resident	\$449.00	\$462.00	\$476.00	\$490.00
	Non-Res	\$629.00	\$648.00	\$667.00	\$687.00
Non-contaminated Water Waste (upon approval)	Resident	\$169.00	\$174.00	\$179.00	\$184.00
	Non-Res	\$236.00	\$243.00	\$250.00	\$258.00
Liquid Waste and Sludge includes sewage	Resident	\$8.40	\$8.70	\$9.00	\$9.30
	Non-Res	\$11.80	\$12.20	\$12.60	\$13.00
Waste that requires immediate burial	Resident	\$316.00	\$325.00	\$335.00	\$345.00
	Non-Res	\$442.00	\$455.00	\$469.00	\$483.00
Controlled Waste Weekends/Holidays					
Regular tipping fees plus additional charge of:	Resident	\$328.00	\$338.00	\$348.00	\$358.00
	Non-Res	\$459.00	\$473.00	\$487.00	\$502.00
Any Controlled Waste without a specified disposal charge shall be charged the general disposal rate for the particular site (General or Recycle) that is directed to by staff.					
The above Controlled Waste fees will be subject to a 2% Asset Management Reserve Fee.					
Non Operational Scale Fees					
In the event that the Landfill Site scales provided are not operational, all solid waste delivered to the Landfill Site shall be subject to the following charges, according to the type of vehicle delivering the waste and without taking into consideration the volume or weight of the waste contained in the vehicle.					
Standard size garbage bags up to 6 bags	Resident	\$6.20	\$6.40	\$6.60	\$6.80
	Non-Res	\$8.70	\$9.00	\$9.30	\$9.60
Automobiles including cars, vans, suv's, small trucks and single axle trailer with tire inner diameter of less than 10" (25 cm)	Resident	\$9.80	\$10.10	\$10.40	\$10.70
	Non-Res	\$13.70	\$14.10	\$14.50	\$14.90
Small truck overloaded, ½ or ¾ ton truck and single axle trailer with tire inner diameter of more than 10" (25 cm)	Resident	\$13.40	\$13.80	\$14.20	\$14.60
	Non-Res	\$18.70	\$19.30	\$19.90	\$20.50
Overloaded ½ or ¾ ton truck and tandem trailer with sides less than 1 metre (3 ft)	Resident	\$21.60	\$22.20	\$22.90	\$23.60
	Non-Res	\$30.30	\$31.20	\$32.10	\$33.10

		2017	2018	2019	2020
Non-Operational Scale Fees Continued					
Tandem trailer with sides more than 1 metre (3 ft)	Resident	\$27.80	\$28.60	\$29.50	\$30.40
	Non-Res	\$39.00	\$40.00	\$41.00	\$42.00
One (1) ton units	Resident	\$30.00	\$31.00	\$32.00	\$33.00
	Non-Res	\$42.00	\$43.00	\$44.00	\$45.00
Single axle dump truck	Resident	\$365.00	\$376.00	\$387.00	\$399.00
	Non-Res	\$511.00	\$526.00	\$542.00	\$558.00
Tandem dump truck	Resident	\$598.00	\$616.00	\$634.00	\$653.00
	Non-Res	\$838.00	\$863.00	\$889.00	\$916.00
Single axle side load 20 yd Refuse Truck (low compaction)	Resident	\$641.00	\$660.00	\$680.00	\$700.00
	Non-Res	\$898.00	\$925.00	\$953.00	\$982.00
Single axle side load 20 yd Refuse Truck (mid-high compaction)	Resident	\$1,031.00	\$1,062.00	\$1,094.00	\$1,127.00
	Non-Res	\$1,443.00	\$1,486.00	\$1,531.00	\$1,577.00
Tandem side load 30 yd Refuse Truck (mid-high compaction)	Resident	\$1,284.00	\$1,323.00	\$1,363.00	\$1,404.00
	Non-Res	\$1,797.00	\$1,851.00	\$1,907.00	\$1,964.00
Front load Refuse Truck	Resident	\$1,093.00	\$1,126.00	\$1,160.00	\$1,195.00
	Non-Res	\$1,530.00	\$1,576.00	\$1,623.00	\$1,672.00
Roll on/off Tandem with open container	Resident	\$749.00	\$771.00	\$794.00	\$818.00
	Non-Res	\$1,049.00	\$1,080.00	\$1,112.00	\$1,145.00
Roll on/off Tandem with compactor style container	Resident	\$1,179.00	\$1,214.00	\$1,250.00	\$1,288.00
	Non-Res	\$1,650.00	\$1,700.00	\$1,751.00	\$1,804.00
The above Non-operational scale fees will be subject to a 2% Asset Management Reserve Fee.					
USE OF RECYCLABLE SITE – CASH RATES					
Recycling under one tonne – minimum charge	Resident	\$3.00	\$3.00	\$3.00	\$3.00
	Non-Res	\$4.00	\$4.00	\$4.00	\$4.00
Recycling above one tonne	Resident	\$13.00	\$13.40	\$13.80	\$14.20
	Non-Res	\$18.00	\$18.50	\$19.10	\$19.70
Automobiles for recycling as authorized	Resident	\$42.00	\$43.30	\$44.60	\$45.90
	Non-Res	\$58.00	\$59.70	\$61.50	\$63.30
The above Recycling fees will be subject to a 2% Asset Management Reserve Fee.					

		2017	2018	2019	2020
OTHER LANDFILL SITE CHARGES – CASH RATES					
Use of Scale	Resident	\$23.00	\$24.00	\$25.00	\$26.00
	Non-Res	\$32.00	\$33.00	\$34.00	\$35.00
Clean Cover Material (grain & sand) per load	Resident	\$23.00	\$24.00	\$25.00	\$26.00
	Non-Res	\$32.00	\$33.00	\$34.00	\$35.00
Disposal of Controlled Waste or Prohibited Waste without prior approval (per item). This fee will be added to the general tipping fees.	Resident	\$550.00	\$550.00	\$550.00	\$550.00
	Non-Res	\$770.00	\$770.00	\$770.00	\$770.00
The above fees will be subject to a 2% Asset Management Reserve Fee.					
UNCOVERED OR INSECURE LOADS					
General Waste Disposal fees will be doubled when Commercial Vehicles attend the disposal site with an uncovered or an insecure load.					
NON-PROFIT ORGANIZATIONS FEE					
Non-profit groups may apply to have a 50% reduction in their landfill tipping fees to a maximum of \$3,000 annually when authorized by the <i>Director of Operations</i> or his designate. This approval must be granted prior to attending the disposal site. Any other requests for financial assistance must be directed to City Council.					
INVOICE RATES – LANDFILL SITE					
Invoice rates will be 12% higher than the cash rate identified in this Schedule.					
BILLING AND EARLY PAYMENT REWARD					
Accounts paid in full by the due date on the Billing Statement may be entitled to receive a ten percent (10%) reduction. Any payments received after the close of business day at Prince Rupert City Hall on the due date are not eligible for the discount. Payments made at a Financial Institution must be received by the City on or before the application due dates in order for the customer to qualify for the discount. Non receipt of the utility bill will not be recognized as a valid excuse for failure to pay the rates when due.					
UNPAID FEES AND CHARGES					
Any amounts imposed under this Schedule remaining unpaid on the thirty-first (31 st) day of December in any year shall be deemed to be taxes in arrears in respect of the parcels of land concerned and such sums shall be recovered with interest, in the same manner as ordinary municipal taxes upon land in accordance with the applicable provisions of the Community Charter and Local Government Act. Furthermore, these accounts will also be subject to a late fee of ten percent (10%).					

TRANSGENDER, NON-BINARY AND TWO SPIRIT INCLUSION ACTION PLAN:

On September 5, Council approved the following:

1. *That Council approve the Transgender, Non-Binary and Two Spirit Inclusion Action plan; and direct staff to report back on resource implications through the 2020 and future financial planning process.*
2. *That Council direct staff to report back on implementation on an annual basis.*

Background:

The Transgender, Non-Binary and Two Spirit Inclusion (TNB2S+) Action Plan, developed through extensive community engagement, fulfills a Council Strategic Plan objective. The plan identifies direct actions for the City to support TNB2S+ inclusion over time, as well as future collaborative actions with community. The plan also identifies key enablers for successful implementation, and guidance regarding the sequencing of individual plan actions relative to each other over time. Some of the direct actions for the City relate to work which is already planned or underway.

Financial and Human Resource Implications:

The Plan actions include the creation of “a dedicated Diversity and Inclusion Recreation role and evaluate further staffing needs over time.” Staff recommend creating an Accessibility and Inclusion Recreation Coordinator (1.0 FTE) to lead a new Accessibility and Inclusion section in the Recreation division, which requires ongoing additional funding of \$52,000. The creation of this section will allow for Accessibility, Leisure Access and TNB2S+ goals to be actioned in parallel to each other consistent with the guiding direction in the Action Plan to “address the ways in which multiple identities impact on lived experience, including indigenous people, people with disabilities and other marginalized communities”.

The Plan actions include the creation of a TNB2S+ Community Liaison role to nurture partners, scope projects and generally support a community-led and peer-informed approach to implementing plan actions. Staff recommend creating the Liaison role (1.0 FTE) in 2020 requiring ongoing additional funding of \$113,000.

The Plan actions include providing gender diversity training for all staff, including Senior Management, Mayor, and Council. Phase 1 launch in 2020 will target Senior Management, Mayor and Council and key customer service roles at an estimated cost of \$28,000.

Revised APPENDIX A - Updated to Include Appendix B Items Related to 2020 Budget

Supplemental Requests	January 14, 2020 Agenda	October 17, 2019 Financial Plan Report		December 5, 2019 Report Appendix B	FTE	On-going	One-Time	Climate Action Reserve	Short Term Rental Revenue	Development Application Fee Revenue	Building & Infrastructure Reserve
		Appendix	Page	Page							
Green text indicates approved January 10th / Highlighted text indicates the item is under consideration for the January 16th COTW											
Accessibility and Inclusion											
Accessibility and Inclusion Recreation Role - 1 FTE	D1. Appendix C, Page 7, D1. Appendix D, Page 31	C, D	7, 31		1	52,000					
TNB25+ Community Liaison Role - 1 FTE	D1. Appendix C, Page 7, D1. Appendix D, Page 31	C, D	7, 31		1	107,900					
Gender Diversity Training for All Staff	D1. Appendix C, Page 7, D1. Appendix D, Page 31	C, D	7, 31				28,000				
Accessibility Framework Training	D1. Appendix C, Page 7	C	7				25,000				
Welcoming City Strategy	D1. Appendix C, Page 9, D1. Attachment 1 Dec 12 link	C	9				50,000				
Accessible Shoreline Access Design	D2. Appendix B, Pages 39-40			39-40			15,000				
Housing											
Housing Ambassador - 1 FTE	D1. Appendix C, Page 4 D2. Appendix B, Page 42	C	4	42	1	107,900					
Tenant Housing Ambassador - 1 FTE	D1. Appendix C, Page 4	C	4		1	107,900					
Housing and Development Summit	D1. Appendix C, Page 5	C	5			15,000					
Planner for Garden Suites - 1 FTE	D1. Appendix D, Page 42	D	42		1	115,600					
Housing Reserve Fund *Note 8	D2. Appendix B, Page 4			4		500,000	250,000				
Social Planner - 1 FTE	D2. Appendix B, Page 7			7	1	125,111					
Arts and Culture											
Canada Day Special Duty Policing	D1. Appendix D, Pages 2-3	D	2-3			107,000					
Festival Investment Grant Program 3-4 extra festivals	D1. Appendix D, Pages 2-3	D	2-3			25,000					
Special Duty Policing - Cost for First Three Police Officers	D1. Appendix D, Pages 2-3	D	2-3			53,000					
Artist in Residence Program Artist Fee	D1. Appendix D, Page 4	D	4			72,000					
Artist in Residence Program Administration Costs	D1. Appendix D, Page 4	D	4			3,000					
Murals in Public Space - My Great Neighbourhood Grant Stream	D1. Appendix D, Page 6	D	6			50,000					
Murals in Public Space - Public Art Reserve Increase	D1. Appendix D, Page 6	D	6			65,000					
Create Victoria - Cultural Infrastructure Grant Program	D1. Appendix C, Page 5	C	5				100,000				
Create Victoria - Cultural Spaces Roadmap	D1. Appendix C, Page 5	C	5				25,000				
Pop-Up Businesses and Art Exhibits	D1. Appendix C, Page 5	C	5			50,000					
Mural Festival *Note 12	D2. Appendix B, Pages 47-48			47-48		60,000					
Special Events - In Kind Services	D2. Appendix B, Page 50			50		19,000					
Asset Management											
Asset Management Position - 1 FTE	D1. Appendix B, Page 5	B	5		1	89,000					
Banfield Park to Selkirk Bike Route											
Banfield Park to Selkirk Bike Route - Capital Costs	D1. Appendix D, Page 22	D	22				415,000				
Banfield Park to Selkirk Bike Route - Project Mgt Staff - .25 FTE	D1. Appendix D, Page 22	D	22		0.25		22,000				
Childminding											
Childminding - Committees	D1. Appendix D, Page 39	D	39				1,800				
Climate and Environment											
Climate Leadership Plan - Oil to Heat Pump Incentive Program	D1. Attachment 1 Oct 21-Nov 15 link	C	10				400,000				
Climate Leadership Plan - Climate Action Program Investments	D1. Attachment 1 Oct 21-Nov 15 link	C	10				165,000	460,000			
Community Energy and Emissions Specialist - 1 FTE	D1. Attachment 1 Oct 21-Nov 15 link	C	10		1	108,000					
Fleet and Energy Emissions Specialist -1 FTE	D1. Attachment 1 Oct 21-Nov 15 link	C	10		1	108,000					
Building Energy and Emissions Specialist - 1 FTE	D1. Attachment 1 Oct 21-Nov 15 link	C	10		1	108,000					

Revised APPENDIX A - Updated to Include Appendix B Items Related to 2020 Budget

Supplemental Requests	January 14, 2020 Agenda	October 17, 2019 Financial Plan Report	December 5, 2019 Report Appendix B		FTE	On-going	One-Time	Climate Action Reserve	Short Term Rental Revenue	Development Application Fee Revenue	Building & Infrastructure Reserve
		Appendix	Page	Page							
Green text indicates approved January 10th											
Training and Development for Staff	D1. Attachment 1 Oct 21-Nov 15 link	C	10			10,000					
Fleet Renewal *Note 1	D1. Appendix D, Page 23	D	23			TBD	TBD				
Climate Champion Program	D1. Attachment 1 Dec 5 link	C	11				50,000				
Inflow and Infiltration on Private Property *Note 2	D1. Appendix C, Page 10 D1. Appendix D, Page 24	C, D	10, 24			TBD	TBD				
Zero Waste Strategy - 1 FTE	D1. Attachment 1 Oct 21-Nov 15 link	C	10		1	100,000					
Zero Waste Strategy	D1. Attachment 1 Oct 21-Nov 15 link	C	10				200,000				
Daylighting Streams											
Daylighting Streams *Note 3	D1. Appendix D, Page 37	D	37			TBD	TBD				
Grants											
Restorative Justice Increase	D1. Appendix D, Page 29	D	29			TBD	5,880				
South Island Prosperity							220,000				
Neighbourhood Grants *Note 11	D2. Appendix B, Pages 26-33			26-33		28,116					
Health and Safety											
Health and Safety Position - 1 FTE	D1. Appendix B, Page 7	B	7		1	108,000					
Heritage											
Heritage Position - .5 FTE	D1. Appendix B, Page 11	B	11		0.5	50,000					
Managing Growth and New Development											
Secretary - Planning - 1 FTE	D1. Appendix B, Page 2	B	2		1	72,500					
Secretary - Legislative Services - 1 FTE	D1. Appendix B, Page 2	B	2		1	80,500					
Planner - Development Services - 1 FTE *Note 9	D1. Appendix B, Page 2, D2. Appendix B, Pages 5-6	B	2	5-6	1					113,500	
Planner - Parks - 1 FTE - *Note 9	D1. Appendix B, Page 2, D2. Appendix B, Pages 5-6	B	2	5-6	1					113,500	
Development Services - 1 FTE	D1. Appendix C, Page 2	C	2		1	142,500					
Managing Public Spaces											
Overnight Sheltering - Support & Clean Up	D1. Appendix B, Page 6	B	6				362,000				
Centennial Square Clean Up	D1. Appendix B, Page 6	B	6				35,000				
Bylaw Position - 1 FTE (funded for a two year term)	D1. Appendix B, Page 6	B	6		1		189,000				
Pandora Task Force											
Pandora Task Force - Art in Public Place *Note 4	D1. Appendix D, Pages 7-12	D	7				300,000				
Pandora Task Force - Washrooms *Note 5	D1. Appendix D, Pages 7-12	D	7				300,000				
Greater Victoria Coalition to End Homelessness											
Coordinated Implementation of Pandora Task Force	D2. Appendix B, Pages 52-53			52-53			50,000				
Capital Project Implementation - Consultant Fee *Note 13	D2. Appendix B, Pages 54-55			54-55			50,000				
Pedestrian Upgrades/Routes											
Sidewalk Upgrades *Note 6	D1. Appendix D, Page 25	D	25			TBD	TBD				
Sidewalk Upgrades and Crossing - Beacon Hill *Note 7	D1. Appendix D, Pages 26-27	D	26-27			TBD	TBD				
Controlled Stop Light - Cook and Princess	D2. Appendix B, Page 35			35			300,000				
Pedestrian Improvements - Sidewalk on Topaz Road	D2. Appendix B, Page 36			36			250,000				
Placemaking											
Place-Making - Engagement Costs	D1. Appendix C, Page 13	C	13				8,000				
Protocol											
Protocol	D1. Appendix B, Page 10	B	10				60,000				
Public Realm											
Downtown Public Realm - Government Street Phase 1	D1. Appendix C, Page 13 D1. Appendix D, Page 43	C, D	13, 43				17,000				

Revised APPENDIX A - Updated to Include Appendix B Items Related to 2020 Budget

Supplemental Requests	January 14, 2020 Agenda	October 17, 2019 Financial Plan Report		December 5, 2019 Report Appendix B	FTE	On-going	One-Time	Climate Action Reserve	Short Term Rental Revenue	Development Application Fee Revenue	Building & Infrastructure Reserve
		Appendix	Page	Page							
Green text indicates approved January 10th											
Government Street Project Management - .5 FTE	D1. Appendix C, Page 13 D1. Appendix D, Page 43	C, D	13, 43		0.5		56,700				
Reconciliation and Indigenous Relations											
Reconciliation Training	D1. Appendix C, Page 3	C	3				136,900				
Truth and Reconciliation Dialogues	D1. Appendix C, Page 3	C	3				80,000				
Indigenous Relations Function	D1. Appendix C, Page 3	C	3				75,000				
Witness Reconciliation Program	D2. Appendix B, Page 20			20		30,000					
Service Delivery Improvement Including Equity Lens											
Performance Measurement - 1 FTE	D1. Appendix C, Page 1 D1. Appendix D, Pages 45-46	C, D	1, 45-46		1	107,900					
Performance Measurement - Survey Support	D1. Appendix C, Page 1 D1. Appendix D, Pages 45-46	C, D	1, 45-46				100,000				
Service Delivery Improvement Including Equity Lens - 2 FTE	D1. Appendix C, Page 2 D1. Appendix D, Pages 45-46	C, D	2, 45-46		2	264,200					
Short Term Rentals											
Short Term Rental Bylaw Position - 1 FTE	D1. Appendix B, Page 4	B	4		1				73,000		
Short Term Rental Bylaw Position - 1 FTE	D1. Appendix B, Page 4	B	4		1				93,500		
Strategic Plan Support Services											
Legal Services	D1. Appendix B, Page 3	B	3				84,500				
Engagement	D1. Appendix B, Page 3	B	3				75,000				
Sustainability Mobility Strategy											
Bylaw Services - 1 FTE	D1. Attachment 1 Oct 21-Nov 15 link	C	12		1	93,200					
Bylaw Services - 1 FTE	D1. Attachment 1 Oct 21-Nov 15 link	C	12		1	93,200					
Parking Services - 1 FTE	D1. Attachment 1 Oct 21-Nov 15 link	C	12		1	114,000					
Information Technology - 1 FTE	D1. Attachment 1 Oct 21-Nov 15 link	C	12		1	114,000					
Transportation - 1 FTE	D1. Attachment 1 Oct 21-Nov 15 link	C	12		1	142,600					
Transportation - 1 FTE	D1. Attachment 1 Oct 21-Nov 15 link	C	12		1	98,000					
Public Secure Bike Parking *Note 10	D2. Appendix B, Pages 12-13			12-13		TBD	500,000				
Tree Care											
Tree Planting	D1. Appendix B, Page 9	B	9				140,000				
Urban Agriculture											
Urban Agriculture - Volunteer Coordinator Grant	D1. Appendix C, Page 8	C	8			50,000					
Urban Agriculture - Start Up Grants	D1. Appendix C, Page 8	C	8			30,000					
Pilot - City sponsored spring distributions of gardening materials in partnerships with community organizations	D1. Appendix C, Page 8	C	8				8,000				
Youth Initiatives											
Youth Program Implementation	D1. Appendix B, Page 8	B	8				30,000				
NeighbourHub - 709/711 Douglas Street	D1. Attachment 1 Dec 5 link			8		11,460					
By-election											
Seniors and Community Wellness Task Force Support	D2. Appendix B, Page 2			2	1	91,400					
Victoria Conference Centre Parkade	D2. Appendix B, Page 9			9		TBD					
Electrical Kiosk Beautification Program	D2. Appendix B, Page 10			10		17,000					
Banfield Park Swimming Dock Study	D2. Appendix B, Page 11			11			15,000				
Property Tax Penalty	D2. Appendix B, Page 23			23		201,500	1,000				
Capital Projects - Countercyclical Spending	D2. Appendix B, Page 41			41			50,000				

Revised APPENDIX A - Updated to Include Appendix B Items Related to 2020 Budget

Supplemental Requests	January 14, 2020 Agenda	October 17, 2019 Financial Plan Report	December 5, 2019 Report Appendix B		FTE	On-going	One-Time	Climate Action Reserve	Short Term Rental Revenue	Development Application Fee Revenue	Building & Infrastructure Reserve
		Appendix	Page	Page							
Green text indicates approved January 10th											
<u>Parks Acquisition Strategy - Council Workshop</u>	D2. Appendix B, Page 46			46			10,000				
<u>Victoria Civic Heritage Trust Additional Grant Request</u>	D2. Appendix C					582,250					
<u>Victoria Heritage Foundation Additional Grant Request</u>	D2. Appendix D					5,962					
<u>Douglas Street Washroom</u>											250,000
Total Supplemental Requests					31.25	\$ 4,688,499	\$ 5,253,980	\$ 460,000	\$ 166,500	\$ 227,000	\$ 250,000

Estimated Amount Available to Allocate	\$ 2,523,000	\$ 3,000,000
Allocated January 10th	\$ 2,088,511.00	\$ 2,576,400.00
Unallocated Funds	\$ 434,489.00	\$ 423,600.00

Notes

- Resource estimates part of the Climate Leadership discussion
- Report to be presented to Council in 2020
- Resource implications to be brought forward upon completion of the Daylight Feasibility Study
- Cost estimate for Art in Public Space is between \$250,000 - \$300,000
- Cost estimate for Washrooms is between \$260,000 - \$300,000
- Resource estimates part of the Sustainable Mobility discussion
- Due to complexity of this, additional staff resources would be required to scope the project and report back to Council
- If Council should choose to fund on an on-going basis, the funding source would be new tax revenue from new development
- If Council should choose to fund these positions, the funding source could be increased revenue from Development Application Fees
- Cost estimate for the capital is between \$350,000 - \$500,000
- Increase to base grant funding for the 5 Neighbourhoods not serviced by city funded community centres
- The \$60,000 funding is comprised of \$10,000 for artist honorariums and \$50,000 for a grant program
- The capital items included in this line are: installation of water bottle refill Station, 24 hour accessible restrooms and collaborative space making pilot.
If Council approves this funding, the proposed Douglas Street Public Washroom project would be have to be deferred due to limited staff capacity.



Committee of the Whole Report For the Meeting of January 16, 2020

To: Committee of the Whole **Date:** December 10, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Application for a New Liquor Primary Licence for Kwench Culture Club at 2031 Store Street

RECOMMENDATION

That Council direct staff to provide the following response to the Liquor Licensing Agency:

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Kwench Culture Club located at 2031 Store Street having hours of operation from 9:00 am to 11:00 pm daily with a total occupant load of 265 people.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community near the establishment was considered in relation to the request and noise impacts are expected to be proportional to existing licence capacity and associated noise levels in the vicinity. Kwench Culture Club's primary business focus is not the service of alcohol. The primary business focus is to provide a one-stop, multi-service work club that provides office space, fitness facilities, creative studio space and food services. Approval of the licence is not expected to result in unacceptable levels of noise in due to the primary focus of business and hours of operation.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan to provide a unique interpretation of large-scale office facilities available to small businesses oriented to towards this model of office environment.
- c. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received two letters in response to the notification that went to 56 owners and occupants. One letter stated opposition and the other was from the Burnside Gorge Residents Association, and they have no objection to the application.
- d. Council recommends the license be approved.

EXECUTIVE SUMMARY

The purpose of this report is to seek a Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act*, regarding an application by Kwench Culture Club. The application is for a new Liquor Primary licence having hours of operation from 9:00 am to 11:00 pm daily with a total occupant load of 265 people. Kwench Culture Club's application was reviewed by City staff including Planning, Engineering, Business and Community Relations, Bylaw, and Police. In addition, a public notification process was conducted, as required by the Liquor Licence Policy, to invite public comments through written correspondence. The application was evaluated using City policy, comments provided by City staff, and comments received through the public notification process. The proposal has also been considered in the context of the local vicinity and the City as a whole, all of which are reflected in this report and the resulting recommendation.

Kwench Culture Club's application is consistent with the City's Liquor License Policy and concerns brought forward through the initial staff review of the application have been addressed. Staff had concern regarding hours and occupant load initially proposed as they were not seen to be consistent with the primary focus of the business. In response to staff concerns, the applicant adjusted their proposed closing time from 12:00 am to 11:00 pm daily. This adjustment to the closing time has addressed the City's concerns brought forward by staff and therefore, staff recommend that the revised application be supported.

PURPOSE

The purpose of this report is to seek a Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act* (the Act), regarding an application by Kwench Culture Club for a Liquor Primary licence.

BACKGROUND

The Liquor and Cannabis Regulations Branch (LCRB) issues liquor licences under the authority of the *Liquor Control and Licensing Act* and regulations. LCRB determines the category of licence appropriate or acceptable for the business based on submitted details. In the case of Kwench Culture Club, the operator is seeking a liquor primary licence. Liquor primary licences allow for a greater level of operational flexibility where a focus on food service is not a condition of operation or the primary focus of the business.

This application is for a liquor primary license for Kwench Culture Club and a letter of intent has been provided with information about the business model and is included as Appendix A.

Kwench Culture Club is seeking approval for hours of licensed service from 9:00 am to 11:00 pm daily with an occupant load of 265 people. The LCRB is requesting a resolution from the City of Victoria regarding:

1. The impact of noise on nearby residents.
2. Impact on the community if the application is approved.

A map of the subject property and the immediate area is attached to this report (Appendix B) and illustrates the 100m public notification area targeted for comment.

ISSUES & ANALYSIS

The following sections identify key issues and provide analysis for Council's consideration:

Zoning

Zoning for the establishment is MD-1, which permits the uses of "office" and "clubs" and imposes no restriction on hours or occupant loads. Compliance would be demonstrated through application for a building permit and the resulting construction verified for compliance through the City inspection process related to an issued building permit.

Noise Bylaw

The City's Noise Bylaw sets forth limits on four key areas within the City, which are the Quiet District, Intermediate District, Harbour Intermediate and Activity District. Kwench Culture Club is within the Activity Noise District and limited to 70dBA at the point of reception during daytime hours, which end at 10:00 pm. During nighttime hours, noise at the point of reception received is limited to 55dBA in Quiet districts, 60dBA in the Harbour Intermediate and Intermediate districts and 70dBA in the Activity district. 55dBA is comparable to rainfall, light traffic or a refrigerator and 60dBA is comparable to conversational speech or an air conditioner. Where issues of non-compliance exist, Bylaw Officers and Police have authority to order compliance.

The City of Victoria Noise District Map is included for reference (Appendix C).

Vicinity and Municipal Impacts

Predictability of noise related issues or other community impacts, negative or positive in effect, is challenging due to several variable factors. The business model, target clientele, quality of owner/operator, existing density of licenced capacity in the area, hours of service, demographics, and fluctuating populations due to tourism factor into predicting the likelihood of noise related issues and impacts on the community.

Consideration of those factors can assist a municipality to predict negative aspects associated with licenced establishments. The factors considered in conjunction with any application approval at time of consideration change over the life of a licenced establishment, and when they do change, and unanticipated issues arise, the fallback to re-establish compliance related to noise and other aspects is to use tools of enforcement. These tools include LCRB enforcement, which ensure responsible and appropriate service as required by the terms of the licence with LCRB. The Noise Bylaw can be enforced to bring an establishment into compliance, and police have additional authority to bring an establishment back into compliance where issues are more complex.

Kwench Culture Club has been considered regarding the impact it would have on the community and its potential to generate noise related issues. The establishment proposes licencing under a liquor primary licence and has been compared in terms of existing capacity in the vicinity and citywide, for comparison and understanding of likely impact. The establishment's primary business focus is not the service of alcohol, but in the event the business is unsuccessful, there would be a residual liquor primary licence, and an adjustment to the primary business focus may not involve referral to local government. For this reason, staff expressed concern for hours of operation more closely aligned with an establishment that has an emphasis on service of alcohol. This concern was addressed by the applicant reducing hours to 11:00 pm daily.

If approved, the licenced capacity of 265 people is a 44% increase in licenced capacity in the vicinity. This is not seen as significant where the primary business focus is an office and this focus

is maintained by closing hours of 11:00 pm daily. Conversion to something more impactful would likely include an adjustment to hours associated with drinking establishments and the adjustment to hours would result in referral to local government where the application could again be considered in terms of impacts. Vicinity information is attached as Appendix D.

City Liquor Licensing Policy

The City's Liquor Licensing Policy directs staff to consider applications for liquor licences having hours of operation not later than 2:00 am. The applicable Council policy is attached to this report (Appendix E). The hours of licensed service proposed in this application are within the parameters of the policy.

City Referrals

An inter-departmental review of the project was undertaken and included circulation to Planning, Engineering, Community and Business Relations, Bylaw, and Police. That review resulted in the following feedback

Planning

- The application is supportable as the establishment is zoned appropriately for use as an office or club.

Engineering

- Transportation related noise impacts or general community impact are not anticipated.

Community and Business Relations

- Community and Business Relations supports the establishment having closing hours of 11:00 pm daily aligned with the primary business focus to minimize current impacts and potential for future impacts.

Bylaw

- Bylaw does not have concern where the closing time is 11:00 pm daily.

Police

- Police do not have concern where the closing time is 11:00 pm daily. Full police comments are available in Appendix F.

The original application proposed a closing time of 12:00 pm daily and, more closely aligned with hours associated with an establishment focused on the service of alcohol. In appreciation of the concern, the applicant adjusted hours to 11:00 pm daily reflective of the primary business focus as an office.

Community Consultation

In accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy, all property owners and occupiers within 100 metres of the applicant's location were solicited by a mailed notice to provide input regarding this application. In addition, Kwench Culture Club displayed a notice poster at the entrance for 30 days, which invited input to the City with respect to this application.

Two letters were received in response, one was opposed, and the other from the Burnside Gorge Residents Association did not express concern. Letters were sent to 56 owners and occupants within 100 metres of the establishment, and response letters are available in Appendix G.

Applicant Response

As is standard practice as a part of the liquor licence process, after City staff gives input, the applicant has a chance to review the information (and this report) and respond prior to the report being forwarded to Council. The applicant was notified of concerns associated with the proposed closing hours of 12:00 pm daily. Appreciative of concerns, the applicant reduced hours to 9:00 am to 11:00 pm daily. These hours are seen to be more closely associated with the business' primary focus of the business as an office.

Following public notification, the applicant was again given opportunity to review this report including community feedback and the applicant chose to provide additional correspondence. The applicant has no objection to the recommendation and has chosen to provide additional correspondence to reinforce and outline their commitment to the community.

This correspondence is available in Appendix H.

IMPACTS

Accessibility Impact Statement

The establishment is accessible at ground level and meets accessibility requirements of the BC Building Code.

Strategic Plan 2019 – 2022

The recommendation to support the application is likely to increase the viability of the business as a local employer, which is consistent with Strategic Objective #4 – *Prosperity and Economic Inclusion*.

Impacts to Financial Plan

None

Official Community Plan

The proposed license is consistent with the *Official Community Plan* objectives for this neighbourhood as the property is located within the Core Employment District which permits industrial, high tech, commercial office and complimentary retail.

CONCLUSIONS

The application for a new liquor primary licence is supportable where hours of operation are from 9:00 am to 11:00 pm daily with a total occupant load of 265 people. The site is appropriately zoned for the use, is consistent with current City policy, and staff recommend for Council's consideration that a resolution be made supporting the hours of operation from 9:00 am to 11:00 am for Kwench Culture Club.

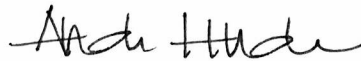
ALTERNATE MOTIONS

1. Council could also support the application of Kwench Culture Clubs initially requested hours of 9:00 am to 12:00 am daily, and an occupant load of 265 people.
2. That Council, after conducting a review with respect to noise and community impacts regarding the application of Kwench Culture Club, at 2031 Store Street, does not support the application.

Respectfully submitted,



Ryan Morhart
Manager, Permits & Inspections



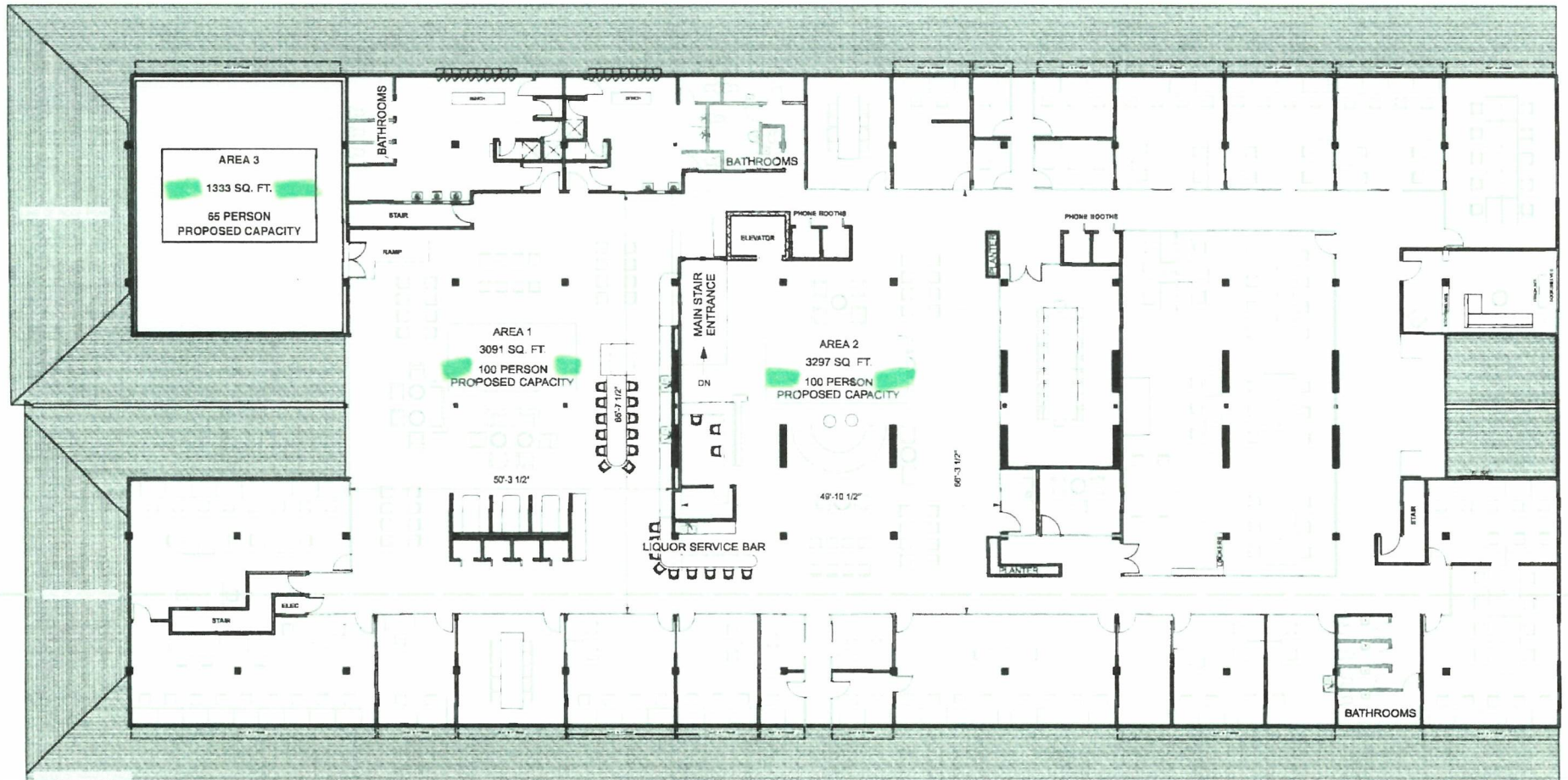
Andrea Hudson, Acting Director
Sustainable Planning & Community Dev.

Report accepted and recommended by the City Manager:


Date: Jul 7, 2020

List of Attachments

- Appendix A: Rationale Letter
- Appendix B: Site Map
- Appendix C: Noise District Map
- Appendix D: Vicinity Map
- Appendix E: Council Policy
- Appendix F: Police Comments
- Appendix G: Public Response from 30 day posting
- Appendix H: Applicants Comments
- Appendix I: Provincial Liquor License Types



August 8, 2019

Letter of Intent

Delivered via Email

Re: Application for Liquor Primary License
Proposed Establishment Name: KWENCH Culture Club
Proposed Licensee: KWENCH Enterprises Inc.
Proposed Address: 2031 Store Street, Victoria B.C.

Primary Focus

The applicant is seeking a Liquor Primary License within their establishment. KWENCH is a one-stop multi-service, for profit, work club that provides individuals and businesses with office space, fitness facilities, creative studio space, and food, all under one roof. KWENCH is a membership-based coworking culture club that encourages a balanced lifestyle and provides its members with a facility to live their best life.

The purpose of the application for a Liquor Primary License is to allow guests to engage in a social activity with other members and their guests. Liquor service is not the core focus of the business and is very much an ancillary use that guests expect of their private club. The space is not open to the general public. If a member wishes to bring in a guest, they are permitted to do so. All guests are signed in at the front desk prior to being permitted to continue up to the second-floor social area.

The applicant is seeking to license three specific areas of the business as noted on the floor plan. Two of the areas are for everyday use, while the third area is intended to be event driven and not for everyday use. It is for these reasons that the applicant will see a temp use authorization for the multi-purpose area.

Hours of Operation

Proposed hours of operation for the main business are: 8 am – 12 am 7 days per week.

Proposed Liquor Service Hours are: 9 am – midnight 7 days a week.

The core business model is that of a working space and would never shift to a liquor focused venue. The liquor services are to be an amenity for KWENCH clients.

KWENCH

coworking + culture club

Entertainment

It is not the applicant's intent to offer entertainment within the liquor service area. There will be TVs on site and some background music to enhance atmosphere; however, live music or patron participation (such as a dance floor) will not be offered. It should be noted that KWENCH, within other areas of the facility, may from time to time host events or speaker series at varying times.

Multi-Purpose Room: Event driven items such as private pre-booked guest functions, weddings or special occasion temp use.

Food Services

KWENCH clients will have food accessible to them by way of the adjacent restaurant located on the first floor (street-level). Menus will be on all tables in the social area and guests will be invited to place their order with a server, who would then place the order, and the food would be delivered to the table. The full service on-site restaurant will offer an array of hot and cold appetizers and entrees, including dessert, that guests may select from. Guests are permitted to order an array of coffee, teas, and other non-alcoholic beverages direct from the KWENCH bar.

Capacity

There are three areas proposed to be licensed.

Area 1: 100 persons

Area 2: 100 persons

Area 3 (TUAE): 100 persons

Composition of Neighbourhood

KWENCH is located at 2031 Store Street, within the City of Victoria just outside the downtown core of Victoria. The Property is zoned MD-1 Discovery Light Industrial District. The neighborhood is primarily industrial as defined by its Zoning District; however, It is located on the same block as Capital Iron, Phillips Brewing & Malting, Victoria Gymnastics, and The Duke Saloon. We are a block away from Victoria's design district as well as Chinatown.

Noise / Disturbances

KWENCH is a work/social club that operates quietly within itself, so the potential for noise and other types of disturbance travelling to neighbouring establishments is not expected. Our members are courteous, creative, and community-focused professionals.

Additionally, the Liquor Primary is proposed to be on the second floor of the business. This combined with KWENCH's location within an industrial-type area of Victoria, that has no surrounding residences, further supports KWENCH's expectation that there would be little to zero impact of noise to the surrounding community.

KWENCH

coworking + culture club

Additional Measures

Even though noise is not expected to impact the surrounding neighbourhood, KWENCH requires a quiet working environment for its guests and has therefore taken additional steps to generate Policies and Procedures for the business that will be implemented by the KWENCH operational team to ensure noise is not an issue. Specifically, the KWENCH team will enforce noise levels that are conducive to a workspace and ensure all social events are kept to designated areas of the building and are only occur at particular times. It is imperative that any social events organized do not impact those working who need a quieter work environment.

Licensing Options / Endorsements

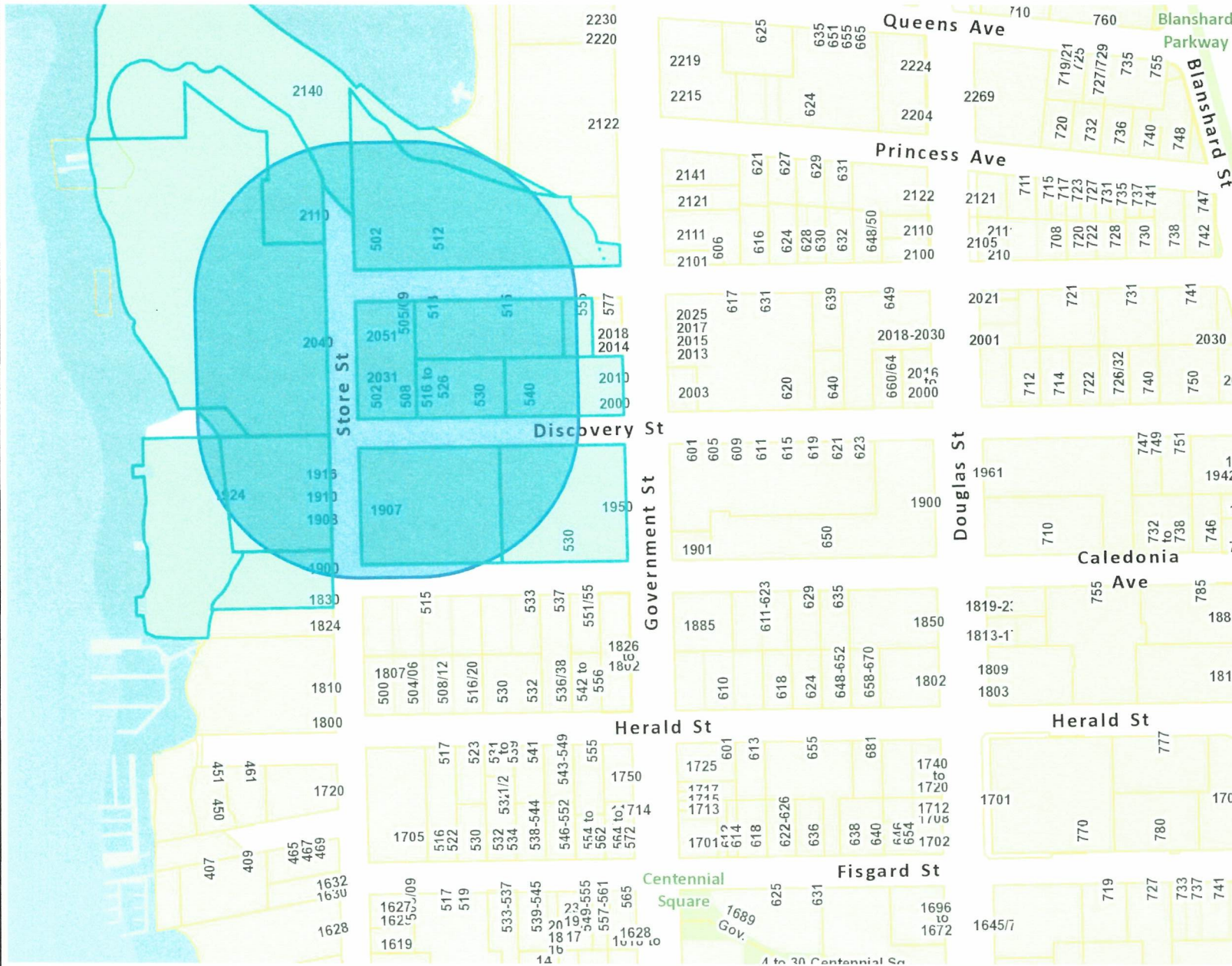
KWENCH will be seeking a minor's endorsement for the location. The KWENCH facility is used by business professionals, many of who have families. It would be expected from time to time that the members would bring family members who may wish to stay and eat. All minors would be accompanied by a parent or guardian should they be within the social area(s).

The applicant is also seeking a temp use to be applied to Area 3 as denoted on the floor plan. From time to time, members can book this space for their private events.

There are no other endorsements that KWENCH will be seeking.

Additional Information

KWENCH is currently under construction and expected to open at its new facility in September 2019. They do understand that liquor services will not be available to them during their open time frame, but are diligently working towards receiving their license.



Legend
 Victoria Parcels

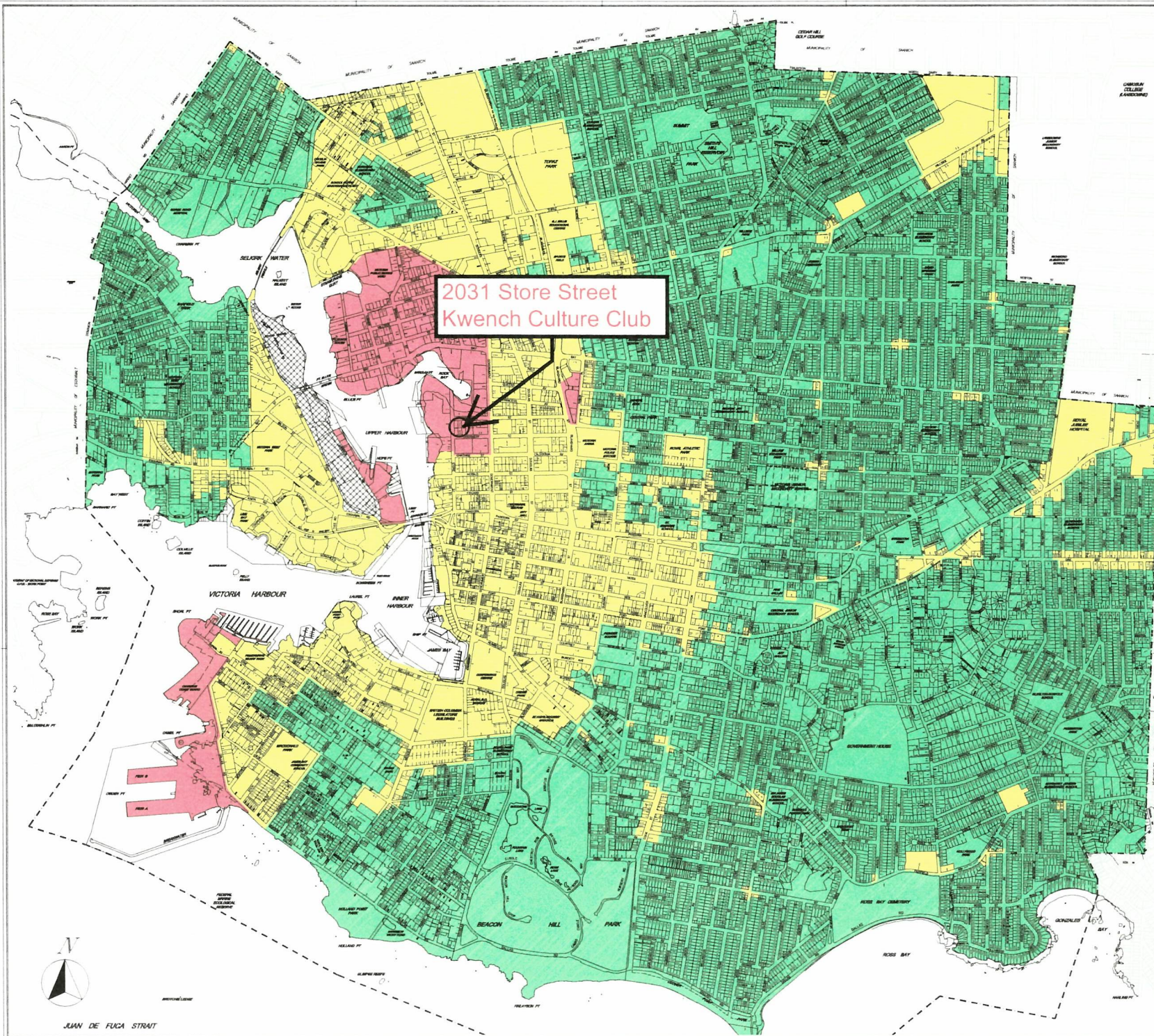
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Notes
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NAD_1983_CSRS_UTM_Zone_10N
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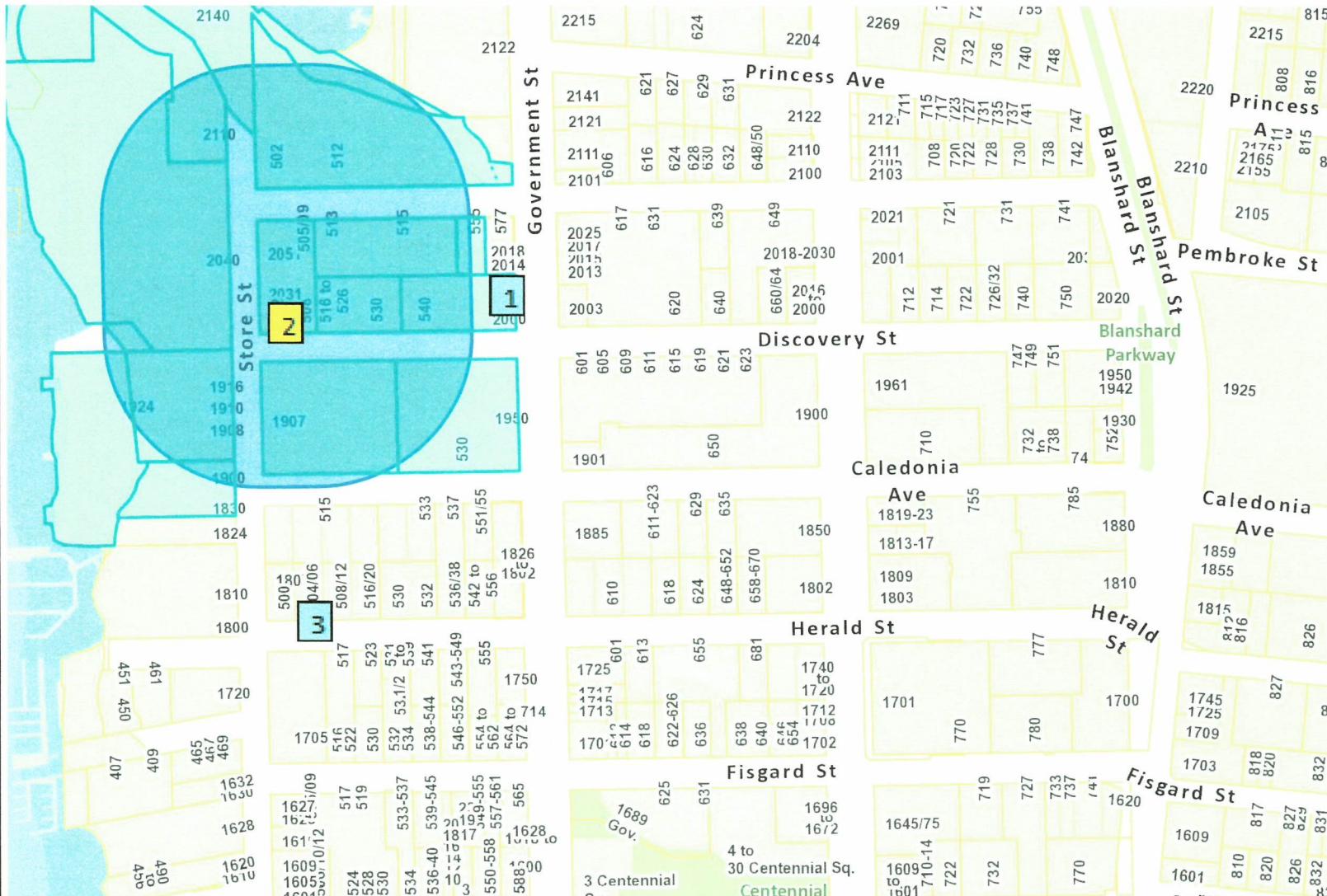
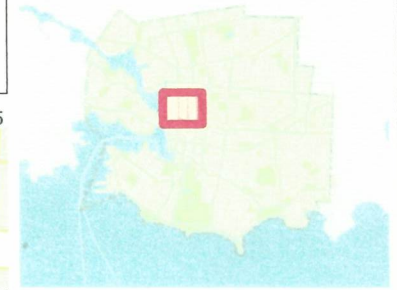
2031 Store Street
Kwench Culture Club

City of Victoria Noise District Map

- LEGEND**
- Quiet District
 - Intermediate District
 - Harbour Intermediate District
 - Activity District

Date: February 17, 2004
Scale: Not to Scale



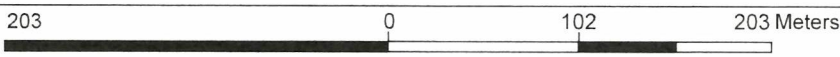


Legend

- Victoria Parcels

1: 4,000

LICENCE TYPE	ESTABLISHMENT NAME	ADDRESS	OCC LOAD	FRI OPEN	FRI CLOSE	SUN OPEN	SUN CLOSE
Manufacturer	Phillips Brewing Company	2010 Government Street	134	11:00 AM	11:00 PM	11:00 AM	11:00 PM
Liquor Primary	The Duke Saloon	502 Discovery Street	293	12:00 PM	2:00 AM	12:00 PM	2:00 AM
Manufacturer	Herald Street Brew Works	506 Herald Street	178	9:00 AM	1:00 AM	9:00 AM	12:00 AM



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Notes

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Ryan Morhart

From: DoNotReply@escribemeetings.com on behalf of eSCRIBE Notification
<DoNotReply@escribemeetings.com>
Sent: Monday, June 18, 2018 3:15 PM
To: Ryan Morhart
Subject: eSCRIBE Task Alert: Motion Arising from the Motion to Postpone to the June 14, 2018 Committee of the Whole meeting the 1199 Government Street - Application for a Permanent Change to Hours of Service for a Food Primary License (0302087) Earl's Resturan...

This is an automated task reminder from eScribe.

A Task has been assigned to you does not have a due date.

Meeting: **VCC_Jun14_2018**

Agenda Item: **Motion Arising from the Motion to Postpone to the June 14, 2018 Committee of the Whole meeting the 1199 Government Street - Application for a Permanent Change to Hours of Service for a Food Primary License (0302087) Earl's Restaurant (Downtown)**


Due Date: **None**

Task Description:

That Council direct staff that all future liquor licence applications include a letter from the Police Department attached to the report.

To view the task, please [click here](#).

Please complete the task as soon as possible. Thank you.

	Liquor Licencing Policy	
	Page 1 of 2	
SUBJECT:	Liquor Licencing Policy	
PREPARED BY:	Sustainable Planning and Community Development	
AUTHORIZED BY:	City Council	
EFFECTIVE DATE:	October 12, 2017	
REVIEW FREQUENCY:	Every three years	REVISION DATE:

A. PURPOSE

The purpose of the City of Victoria's Liquor Licensing Policy is to provide direction to the following parties:

1. Liquor licence applicants on the process and fees associated with City of Victoria review of applications;
2. Liquor Control and Licencing Board (LCBC) on the types of applications that the City will opt-out of providing comment on; and
3. City staff on application review and public notification criteria for those types of liquor licence applications that require review by Council and opportunity for the public to comment.

B. POLICY STATEMENTS

1. This policy applies to liquor license applications in the City of Victoria.:
2. The city will opt out of the review and comment requirements for the following types of applications;
 - a. Liquor Primary with licensed service up to 10:00 pm and having an occupant load less than 31 persons.
 - b. Manufacturer with Lounge Endorsement, Special Event Area, or Picnic Area with licensed service up to 10:00 pm and having an occupant load less than 31 persons.
 - c. A temporary extension to hours of licensed service for all licence types up to 3:00 am on New Year's Eve.
 - d. The addition of an Entertainment Endorsement to any Food Primary with licensed service up to 12:00 am.
3. The City of Victoria generally does not approve the extension of liquor service past 2:00 am, with the exception of New Year's Eve, which allows for service up to 3:00 am. In extraordinary cases, the City may consider short term or one time provisions for allowing liquor service between 2:00 am and 9:00 am to accommodate international sporting or significant cultural events.

C. PROCEDURES

A business engaging in the manufacture, sale or service of liquor must have a City of Victoria Business License to lawfully conduct its businesses.

The provincial government, through the Liquor Control and Licencing Branch, is the first and last point of contact for businesses interested in applying for a liquor licence.

The application process and related fees will be made available to any business or member of the public through the internet or by request.

For any liquor applications where the City of Victoria has not opted out of providing comment, the following provisions apply:

1. Public notification for comment will be placed at the site for a period no less than 30 days.
2. The City will provide public notification through mailed notice to all residents and businesses within a 100 metre radius.
3. The City will provide notification to the applicable community association.
4. When providing comment on an application, the City will include comments on those aspects within the parameters set by LCLB which currently include:
 - a. Noise impacts in the immediate vicinity of the establishment;
 - b. Impact on the community if approved (including the location of the establishment and person capacity and hour of liquor service of the establishment)
 - c. Confirm that the establishment is being operated in a manner that is consistent with its primary purpose (only for food primary)

D. ENFORCEMENT POLICY

Businesses that have a history of non-compliance with local and provincial government bylaws and legislation or re-occurring nuisance issues may be subject to a Good Neighbour Agreement that will be reviewed along with the annual renewal of a business licence. Lack of adherence to this agreement may result in a business licence being revoked. This will be assessed by staff on a case by case basis.

E. REFERENCES

Business License Bylaw (89-071)
Land Use Procedures Bylaw (16-028)
Noise Bylaw (03-012)
Liquor Licensing Fee Bylaw (01-06)

F. REVISION HISTORY

None

Ryan Morhart

From: Watson, Cliff [REDACTED]
Sent: September 10, 2019 5:13 PM
To: Michael Hill; Ryan Morhart; Barrie Cockle; Thom Pebernat; Philip Bellefontaine; Miko Betanzo
Cc: Andrea Hudson; Alison Meyer
Subject: RE: LL000306 Kwench Culture Club | 2031 Store Street

I attempted a site visit earlier today, but it was not in suitable condition for a walk-through. I was trying to think of any similar operations in Victoria – but none came to mind.

This application is for a 300 seat liquor primary premise. I notice that the application speaks to 3 “areas”. I’m not sure how this translates into the licence application – if that is 3 different licences, or how that works.

We have already received 2 “Special Event Permit” for special liquor events for Kwench. This process commonly bridges the time gap between occupancy and liquor licence approval. (We’ve seen this at the Victoria International Marina, and at Dobosala on Pandora Ave)

The neighbourhood is largely light industrial or commercial – however, the residential component is expanding and densifying in that area. (the development at Store/Chatham for example) So our initial thought would be that there would be minimal effects on nearby residents. I think that should involve some further consideration based on any other planned residential or mixed-use developments underway in the neighbourhood. (the former BC Hydro property at Government/Pembroke?)

Our biggest concern here is how the licence would (or could) evolve if permitted. Does this ‘working private club’ evolve into something else entirely if the original business model fails? I don’t know the answer to that. My fear is that it could become a fairly high capacity liquor primary premise that could realize some piggy back benefits being next door to the Duke Saloon.

The hours for this application seem reasonable given the stated purpose and intent of the business. I just wouldn’t want to see an influx of “special event permits” asking for additional liquor use of the premise contrary to its original purpose/use. (Like we have seen with other non-liquor business locations in the City)

VicPD is not in a position to ‘endorse’ this application. Our staffing is such that we cannot manage any further alcohol-related calls for service in the City.

We would comment that if the application and business model proceeds as planned and as advertised, the effects should be minimal.



Sgt Cliff Watson
 Operational Planning
 Victoria Police Department
 850 Caledonia Ave
 Victoria BC, V8T 5J8
 Office. 250-995-7218



From: LUC Chair <lucchair@burnsidegorge.ca>
Sent: December 10, 2019 12:44 PM
To: Ryan Morhart
Subject: Re: 2031 Store Street - Kwench

Hi Ryan,

The Burnside Gorge Community Association has no objections to this application.

Regards,
Avery Stetski
BGLUC Chair

On Tue, Dec 10, 2019 at 12:02 PM Ryan Morhart <RMorhart@victoria.ca> wrote:

Good morning,

The 30 Day Public Notification period and opportunity to comment has ended on December 6th. I did not receive comments from the Burnside Gorge Community Association regarding the application and will not this in the report to Committee of the Whole. If you require an extension for comment, please let me know.

Thanks,

Ryan

Ryan Morhart

Manager & Chief Building Official

Permits & Inspections
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0241 F 250.361.1128



From: Nicole McKay <NMckay@victoria.ca>

Sent: November 4, 2019 4:26 PM

To: landuse@burnsidegorge.ca

Cc: Ryan Morhart <RMorhart@victoria.ca>

Subject: 2031 Store Street - Kwench

Hello,

Please find attached the Notice of new liquor license for the above-mentioned establishment.

Thank you

Nicole

Ryan Morhart

From: Shiko Mungai [REDACTED]
Sent: November 23, 2019 11:06 AM
To: Ryan Morhart
Subject: Kwench Culture Club at 2031 Store street

Hi,

I am writing regarding call for comments regarding the application for a liquor primary license by Kwench Culture Club located at 2031 Store Street Victoria BC.

I object to the issuance of a license that permits the service and sale of liquor and or Cannabis at the location between 9 am to 11pm daily. Next door to Kwench is Victoria Gymnastics which primarily serves minors including young children. Sale and consumption of alcohol and the resulting noise and possible misconduct and pollution from the venue is unacceptable.

Minors should not be exposed to that. It's likely that patrons will be smoking outside which will expose minors to second hand pollution.

You have my permission to publish my name but not my contact information.

Please let me know if you need further input.

Concerned parent,

Shiko Mungai

December 21, 2019

City of Victoria
1 Centennial Square
Victoria BC V6W 1P6

Re: Liquor Primary Application for KWENCH Culture Club 2031 Store Street, Victoria, BC

Please accept this letter as our written response with respect to the Committee on the Whole Report dated December 10, 2019 and to be reviewed for the meeting on January 16, 2020.

KWENCH Culture Club confirms that the application is for a new Liquor Primary license having hours of operation from 9:00 am to 11:00 pm daily with a total occupant load of 265 persons.

It is noted within the report, there is some concern with respect to noise within the community as well as possible consumption outside of designated areas. KWENCH Culture Club is committed to be a respectful neighbour to its surrounding community. An in-house policy has been developed by ownership and there is a zero-tolerance policy in place. Team members monitor all areas to ensure public safety and nuisance behaviour is mitigated. KWENCH and its members do not condone drinking or smoking outside of the Club. There are written policies and building signage that communicate the policies to all guests. In addition to this, both provincial and municipal bylaws prohibit consumption outside of legally licensed areas; therefore, KWENCH is bound by its terms and conditions with respect to its liquor license upon approval.

Operating as a work club, members use the Club as their office and professional space. Noise levels are minimal. Members of KWENCH are professional individuals who have been prescreened and carefully curated by Club operators. KWENCH can confidently state its members will be considerate to the neighbouring communities regarding noise level impact.

Operating as a membership-based club, KWENCH Culture Club seeks the opportunity to provide patrons an assortment of alcoholic and non-alcoholic beverages. The intent is to offer amenities to members where they can enjoy a comfortable work/life balance. The Club has no intention of opening facility to the general public. Due to the proposed liquor service being an added amenity, it is not the core focus of the business, and is therefore not expected to be a negative impact to the community.

As an active community member, KWENCH Culture Club appreciates the value of community, and continues to remain readily available and receptive to feedback in order to maintain its respectful relationships with neighbours and community members.

Margo Jones
Members & Culture
KWENCH Culture Club

Types of Liquor Licences Issued in the Province of British Columbia

Last updated: October 5, 2017

The Liquor Control and Licensing Branch (LCLB) supervises over 10,200 licensed establishments and over 25,000 temporary special events per year in B.C.

The purpose of this document is to give a broad understanding of the types of liquor licences issued in B.C. Visit the LCLB's website at www.gov.bc.ca/liquorregulationandlicensing and the hyperlinks below for the most up to date information.

Licences:

[Agent](#) – for independent liquor agents who market products from liquor manufacturers outside of B.C.

[Catering](#) – for catering companies who wish to serve liquor in addition to food, with food service as the primary purpose.

[Food Primary](#) – for businesses where the primary purpose is to serve food (such as restaurants).

A Patron Participation Endorsement is an additional term and condition on a food primary licence that permits the active involvement of patrons in entertainment or results in patrons leaving their seats, such as dancing or karaoke. An application for this endorsement requires additional considerations beyond the routine assessment of an initial application. To ensure that community concerns about noise, nuisance and other impacts are considered, input from local government or First Nation authorities is required before patron participation entertainment will be approved for a food primary establishment.

[Liquor Primary](#) – for businesses where the primary purpose is to sell liquor (such as bars, pubs, and nightclubs, as well as stadiums, theatres, aircraft, etc.). Liquor primary licences are also for businesses that wish to serve liquor as an additional service to their primary business (such as spas, salons, art galleries, etc.)

Liquor Primary Club – a sub-class of the liquor primary licence for private clubs. To be eligible to apply, the club must be a society registered under the provincial Societies Act or a non-profit or veterans organization incorporated by special act of parliament. LP Clubs must have at least 50 members who pay annual fees. The service area of an LP Club is restricted to members and guests only.

[Manufacturer](#) – for businesses making wine, cider, beer (this includes brew pubs), or spirits (known as wineries, breweries, and distilleries). Manufacturers can also apply to add a lounge, special event area, and/or picnic area endorsement to their manufacturer licence.

[UBrew/UVin \(Ferment-on-Premises\)](#) – for businesses that sell ingredients, equipment and provide advice for customers to make their own beer, wine, cider or coolers.

[Licensee Retail Store*](#) – for selling liquor by the bottle at retail stores (often called private liquor stores).

[Wine Store*](#) – for wine stores including winery-operated stores, independent wine stores, VQA stores and tourist wine stores.

[Special Wine Store](#) – available to eligible grocery stores only, the special wine store licence permits the sale of 100% BC wine on grocery store shelves.

**No new licences are available at this time.*

Permits:

[Special Event Permit](#) – for individuals and groups holding special events (such as community celebrations, weddings or banquets).

[Ethyl Alcohol Purchase Permit](#) – for purchasing ethyl alcohol for commercial and industrial use.

[Charitable Auction Permit](#) – for registered charities and non-profit organizations that wish to hold liquor auctions to raise funds for a charitable purpose.

What is the difference between a food primary and a liquor primary licence?

A food primary licence is issued when the primary purpose of the business is the service of food (such as restaurants and cafes). A liquor primary licence is issued when the primary purpose of the business is the service of liquor, hospitality or entertainment (such as bars, pubs, spas, and art galleries).

The approval process is different for both types of licences, with the process for liquor primaries being more involved. Minors are generally prohibited from liquor primary establishments, unless the licence specifically allows them.

Additional Resources:

[Forms](#) – access to all LCLB forms, including application forms and licence change forms.

[Frequently Asked Questions](#) – answers to common liquor-related questions.

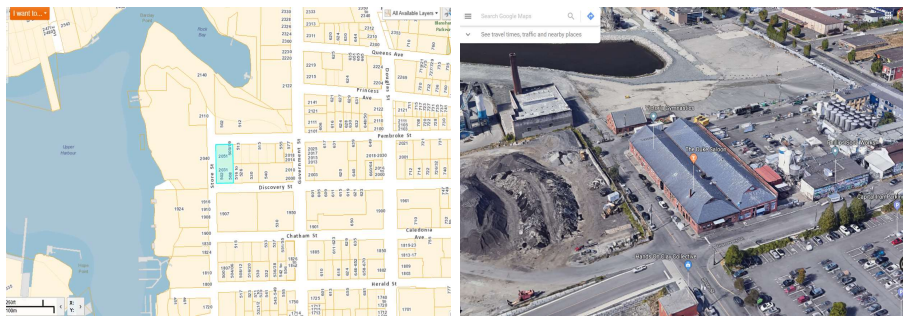
[Licensed Establishment Locations](#) – a list of all licensed establishments in B.C.

[Publications & Resources](#) – access to the licensee terms and conditions handbooks, public consultations, and the Local Government/First Nations Guide page and more.

LCRB Application

New – Liquor Primary

Kwench Culture Club, 2031 Store Street



Liquor and Cannabis Regulation Branch (LCRB)

- Restaurants
- Bars
- Pubs Retailers
- Manufacturers and
- Special Events.



LCRB Approvals

- Criminal Background Checks
- Local Government
 - Municipal Input : potential for noise
 - Public Input : potential for impact on the community, and
- Occupant Load Approvals



Local Government

Staff Review:

- Police, Bylaw, Planning, Business and Community Relations and Engineering
- Zoning regulation, liquor policy and the Liquor Licencing Fee Bylaw

Public Notification and Comment:

- Notice Posted at entrance to establishment
- Mailed Notice to within 100m of establishment
- 30 days to provide comment

Local Government provides a resolution with comment on:

- Potential for Noise
- Potential for Impact on the Community, and



LCRB Application

LICENCE TYPE	
PROPOSED	New Liquor Primary Licence
OCCUPANT LOAD – PROPOSED	
PROPOSED	265 People
LICENSED HOURS OF OPERATION - PROPOSED	
PROPOSED	9:00 am to 11:00 pm daily



Staff Review and Public Comment

Staff Review:

- 2031 Store Street
- 11:00 pm closing time is consistent with proposed business model.

Public Comment:

- Letters were sent to 56 owners and occupants
- 2 letters were received: one was opposed and the other from the Burnside Gorge Resident Association had no objection.



Recommendation

That Council direct staff to notify the Liquor and Cannabis Regulation Branch that Council supports the application for a new liquor primary licence for Kwench Culture Club having a 265-person occupant load with hours of 9:00 am to 11:00 pm daily.





Committee of the Whole Report For the Meeting of January 16, 2020

To: Committee of the Whole **Date:** January 2, 2020
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: Setback Regulation for Retaining Walls and Other Structures on Waterfront Properties

RECOMMENDATION

1. That staff bring forward, for first and second readings, the attached Zoning Regulation Bylaw Amendment Bylaw No. 20-002 to add a regulation that applies building setbacks to garden suites, accessory buildings, outdoor features and retaining walls on waterfront properties with residential development.
2. That, subject to Council approving the related 2020 Supplemental Budget request, Council direct staff to undertake a second phase of this work, including initiating work on the creation of an environmental protection Development Permit Area for residential shoreline properties, delegating authority for staff to review and approve Development Permit Applications that are consistent with design guidelines, as well as small variances within this area, and begin work on incorporating provisions of the *Fence Bylaw* into the *Zoning Regulation Bylaw*.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures; the density of the use of the land, building and other structures; the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding a Council directed amendment to the *Zoning Regulation Bylaw* which adds a regulation that applies building setbacks to retaining walls and other structures on waterfront properties with residential development. The report also discusses the potential risks and implications associated with the proposed setback regulation.

BACKGROUND

On September 5, 2019, Council made the following motions:

That Council direct staff to amend the Zoning Regulation Bylaw to apply building setback regulations to retaining walls and other structures on all waterfront properties with residential development.

That Council direct staff to report back with implications of setback regulations for other structures on all waterfront properties.

This report responds to the above motions.

PROPOSED ZONING REGULATION BYLAW AMENDMENT

In response to the Council motion directing staff to amend the *Zoning Regulation Bylaw* to apply building setback regulations to retaining walls and other structures on all waterfront properties with residential development, staff have prepared a Bylaw amendment that would add the following general regulation to the Bylaw:

Notwithstanding Sections 40 and 41, on waterfront lots occupied by residential uses, setback regulations that apply to principal buildings also apply to garden suites, accessory buildings, outdoor features and retaining walls that are located between the principal building and the property boundary with the waterfront.

The proposed *Zoning Regulation Bylaw* amendment is attached to this report (Attachment A). If adopted, this regulation would prohibit garden suites, accessory buildings, outdoor features and retaining walls proposed on waterfront lots from being located within a prescribed setback that exists between the principal building on a lot and the boundary with the waterfront unless a variance from the *Zoning Regulation Bylaw* is granted. The setbacks from the waterfront that would normally apply to a building do not currently apply to outdoor features not exceeding 0.6m in height, garden suites and accessory buildings, hence these have been specifically included in the proposed regulation.

The Bylaw amendment also involves creating a new definition for “waterfront lots.” These would be defined as follows to differentiate properties fronting a tidal water body:

“Waterfront Lot” means a lot that abuts a tidal water body along any portion of the lot’s boundary.

The proposed regulation would apply to all properties sharing a property boundary with the waterfront that accommodate one or more residential dwelling units. The properties that would be affected by the Bylaw amendment are identified on the attached map (see Attachment B) and are predominantly concentrated along the Victoria Arm and on Hollywood Crescent and Crescent Road in the Gonzales neighbourhood.

IMPLEMENTATION

If adopted, the new regulation would apply to all garden suites, accessory buildings, outdoor features and retaining walls located within the setback prescribed between the principal building on a lot and the property boundary with the waterfront. For information, outdoor feature is defined in the *Zoning Regulation Bylaw* as follows:

“Outdoor Feature” means any structure constructed or placed on a lot, whether attached or detached from a building, including but not limited to swimming pools, patio, decks and stairs, and excluding:

- a) buildings;
- b) raised gardens bed;
- c) docks;
- d) wharfs;
- e) piers;

- f) *cistern;*
- g) *stormwater retention and water quality facility;*
- h) *retaining walls;*
- i) *fences.*

The *Zoning Regulation Bylaw* currently excludes outdoor features from required building setbacks where the feature projects no more than 0.6m above natural or finished grade. Strict application of the proposed Bylaw amendment would mean that patios, decks, swimming pools and stairs would be subject to applicable setbacks, with no height exemption for any features. In other words, a patio constructed with pavers at natural grade would require a variance if it was located in the required setback between the principal building and the waterfront.

Should Council wish to allow for structures of a modest height within the setback from the waterfront, consistent with the current exemptions for outdoor features, then staff would recommend the following alternate motion:

Notwithstanding Sections 40 and 41, on waterfront lots occupied by residential uses, setback regulations that apply to principal buildings also apply to garden suites, accessory buildings, outdoor features and retaining walls that:

(a) are located between the principal building and the property boundary with the waterfront; and,

(b) for outdoor features only, are above 0.6m in height from natural grade or finished grade, whichever is lower.

The risk of adopting the above alternate motion is that it would generally allow property owners to build an unlimited number of outdoor features, including swimming pools, with unlimited site coverage, within the setback from the waterfront, as long as those features did not exceed 0.6m in height, which could create the perception of a large retaining wall or similarly hardened foreshore.

Transition Provisions

If adopted by Council, the setback regulation would come into effect immediately. Property owners proposing garden suites, accessory buildings, outdoor features and retaining walls within the setback prescribed between the principal building on a lot and the property boundary with the waterfront would then require a variance if they had not yet submitted a Building Permit for such work. Should Council wish to include a transition provision, which would delay the date the new regulation comes into force, then Council may wish to direct staff to revise the Zoning Regulation Bylaw amendment accordingly. If Council considers adding such a provision, staff recommend that an effective date no longer than one month from the date of adoption should be considered.

ISSUES AND ANALYSIS

Exclusions (Old Town District)

Staff recommend that the proposed general regulation be added to *Zoning Regulation Bylaw No. 80-159* but not to *Zoning Bylaw 18-072*, which covers Old Town and the Central Business District. The reasons for this are as follows:

- the regulation would only apply to a limited number of properties between Pandora Avenue and Herald Street that are regulated by *Zoning Bylaw 18-072*. This includes The Janion, the adjacent parking lot (which has an approved Development Permit for a residential development) and two undeveloped lots situated between Mermaid Wharf, the Canoe Club and the Inner Harbour

- there are no setback requirements from the waterfront specified in the site zoning for the properties potentially affected by the proposed regulation
- the Harbour pathway is envisaged to be located along the edge of these properties adjacent to the waterfront and, to facilitate this, the construction of retaining walls and similar features may be required (it is also noted that these are not uncommon features in this part of the harbour)
- Design Guidelines exist and are applied in the review of applications for waterfront development in this area.

It is noted that there are two properties regulated by *Zoning Regulation Bylaw 80-159* and located to the south of the Johnson Street Bridge that will likely be affected by the proposed Bylaw amendment. Firstly, the City is in receipt of Rezoning and Development Permit Applications for the Northern Junk buildings located at 1314 & 1318 Wharf Street. These applications are still under review and the plans do indicate a number of features, including patios, between the principal buildings and the waterfront. If these features are deemed supportable by Council, then the Zoning Regulation Bylaw amendment associated with this Rezoning Application could likely be written in a way to allow such features at this specific location (or alternatively, they could be considered as a variance as part of the Development Permit Application).

It is understood that the Regent Hotel, located at 1234 Wharf Street, accommodates a number of permanent residential units; therefore, the proposed regulation would apply to this site. The property is currently zoned IHR Zone – Inner Harbour Regent District, which requires a minimum building setback from the high water mark. The existing building already appears to be legally non-conforming (it is closer to the high water mark than 7.5m) and the adoption of the proposed regulation may result in additional legal non-compliance if retaining walls or outdoor features are located between the existing building and the property boundary with the waterfront. While additional non-conformity would not immediately impact the property, it would mean that any new retaining walls or outdoor features (or work to such existing structures) would likely require approvals.

Other Exclusions

The proposed regulation would not apply to:

- residential development on waterfront properties where there are no rear setback requirements specified in the current site zoning (note that the majority of affected properties do have applicable setback requirements)
- properties that do not have a boundary with the waterfront (for example, where the Songhees Walkway is located between residential developments and the waterfront)

Land Use Contracts

There are several waterfront properties accommodating residential uses that are currently regulated by Land Use Contracts. Land Use Contracts were legislated as a regulatory tool in place of zoning in the 1970s. The LUCs addressed development issues that zoning could not, and in these cases Zoning was rendered inapplicable.

On May 29, 2014, the Province adopted Bill 17, *Miscellaneous Statutes Amendment Act*, which amended the *Local Government Act* to automatically terminate Land Use Contracts on June 30, 2024. Prior to termination, municipalities are required to have underlying zoning in place on any affected properties by June 30, 2022. The City has the underlying zoning in place for all of the waterfront properties impacted by the proposed setback regulation; however, the regulation would not come into effect on properties regulated by Land Use Contracts until these Contracts are

terminated (i.e. by June 30, 2024, unless Council direct staff to discharge these earlier).

Fences

The proposed *Zoning Regulation Bylaw* amendment would not prevent the construction of a fence on a waterfront lot. Fences are regulated by the City's *Fence Bylaw*, not the *Zoning Regulation Bylaw*, and this would allow the construction of a fence up to 1.83m tall on a residential boundary along the waterfront.

Should Council wish to address this issue, Council could consider one of the following options:

- amend the *Fence Bylaw* to prohibit fences, or fences of a certain height, along a residential property boundary with the waterfront;
- refine the regulations contained in the *Fence Bylaw*, addressing the height of fences on the waterfront, and transfer the regulations to the *Zoning Regulation Bylaw* and *Zoning Bylaw 2018* (rescinding the *Fence Bylaw* in the process); and/or
- amend the OCP by creating a new environmental Development Permit Area (see below) along specific parts of the waterfront and prohibiting certain types of fences in this area.

An amendment to the *Fence Bylaw* would be the most expedient response; however, this Bylaw currently presents staff and property owners with a number of interpretation issues, including:

- the Bylaw does not define a fence (unclear whether this include walls, railings, gates, retaining walls where they support a fence etc.)
- the Bylaw does not clarify how the height of a fence is measured (is it from the side of the fence with the lowest grade or from the side with the highest grade, is it measured to the tallest part of the fence or just the panels etc.).

Given the above, staff would recommend that, in the long term, Council ultimately direct staff to amend the *Zoning Regulation Bylaw* to include updated regulations relating to fences and subsequently rescind the *Fence Bylaw*. However, this would be a more substantive work item as staff would be effectively creating new regulations relating to fences which would require some research and analysis, and ultimately a *Zoning Regulation Bylaw* amendment, which would require Council approval following a Public Hearing. Should Council wish to pursue this then appropriate wording is included in Part 2 of the staff recommendation.

Soil Removal and Grade Manipulation

The proposed setback regulation would not prevent property owners from removing soil from their rear yards or from manipulating grades through removing, importing or moving soil, as long as retaining walls were not being proposed to stabilize the affected land (it should be noted that the proposed regulation would not prevent the installation of rip-rap or piling of rock/boulders along the shoreline, however, this could be addressed through the creation of a DPA). Such work could potentially have significant impacts on the appearance of residential yards. The City does not currently have a Bylaw to specifically control such work and, if Council did wish to have some control, then staff would recommend the creation of a Soil Removal and Deposit Bylaw. Other municipalities (for example, Langford, City of Kelowna, City of Surrey) have such Bylaws in place and these typically specify the amount of soil or rock that can be removed from a site or deposited on a site without requiring a Permit from the municipality.

Board of Variance

Should a property owner wish to seek a variance to the proposed setback regulation, then they may

be entitled to apply for a relaxation to the Board of Variance (BoV). The Board deals with requests for minor relaxations to the *Zoning Regulation Bylaw* and may grant a variance where it is persuaded that the present zoning creates an undue hardship unique to the property in question. It is up to the BoV to determine whether such a hardship exists and what constitutes a minor relaxation. The Board may deny the variance request if, amongst other things, it feels that the proposed variance would substantially affect the use and enjoyment of a neighbouring property, harm the natural environment or defeat the purpose of the *Zoning Regulation Bylaw*.

Should Council wish to have greater control over residential development located adjacent to the waterfront then this could be achieved by establishing a new DPA for the purposes of protection of the natural environment, the ecosystems and biological diversity (see below). A new DPA would identify works that would require a Development Permit and the BoV does not have the authority to deal with such applications.

Development Permit Area

The *Official Community Plan* (OCP, 2012) identifies an area of land covered by water, shoreline and uplands within 7m from the high water mark as Development Permit Area (DPA) 8: Victoria Arm – Gorge Waterway (see Attachment C). Notwithstanding the proposed setback regulation, this requires Development Permits for buildings, structures and other features within the designated DPA with only limited exemptions (such as 1m wide path to the shoreline, fences perpendicular to the shoreline and repairs to existing lawful structures). This means that, if Council adopted the proposed general regulation, then accessory buildings, outdoor features and retaining walls would likely require a Development Permit with Variance if located within this DPA.

It should be noted that Development Permit Applications in DPA 8 are delegated to staff under the *Land Use Procedures Bylaw* where the applicant satisfactorily demonstrates that the proposal is consistent with the applicable Guidelines outlined in the OCP. Variances triggered by the proposed regulation would not be delegated to staff. As such, if Council adopts the proposed Zoning Regulation Bylaw amendment, Council may wish to consider directing staff to amend the *Land Use Procedures Bylaw* to delegate variances to the proposed setback regulation to staff where the proposal is demonstrated to be consistent with the relevant Guidelines and the variance is relatively minor.

As per Part 2 of the staff recommendation, pending the approval of the 2020 financial planning process and allocation of an additional FTE, staff recommend that Council consider directing staff to undertake a second phase of this work, including initiating work on the creation of an environmental protection DPA for residential shoreline properties and delegating authority to staff to review and approve applications and small variances within this area. This is consistent with the *Strategic Plan* which identifies the following as a 2020 action item:

Increase protection for shoreline areas and Garry Oak ecosystem including the shoreline between Gonzales Bay and Ross Bay and the shoreline along Gorge Waterway

Furthermore, it is consistent with the *Climate Leadership Plan* which identifies the following action item:

Explore the creation of Environmental Development Permit Areas or other mechanisms to protect and enhance shoreline and marine habitats.

Implications for Applicants

In the event that Council adopts the proposed *Zoning Regulation Bylaw* amendment, affected property owners would need to seek a variance for any garden suites, accessory buildings, outdoor features or retaining walls located within the setback prescribed between the principal building on a lot and the property boundary with the waterfront. Such an application would likely take a minimum of 3-4 months to process and an application fee would apply. Council would make the final decision to approve or decline an application following an Opportunity for Public Comment.

It is likely that the applicant would need to submit a grading plan (completed by a land surveyor) and have the work further surveyed upon completion (to ensure that the work does not exceed the height requirements specified in the new regulation). These costs (application fees and consultant fees) would apply regardless of the scope of work (i.e. they would apply to a patio built at grade).

Some of the impacts on applicants outlined above could be reduced by delegating some or all of these variances to staff, whereby the application fee and application processing time would be reduced. This would require an OCP Amendment to establish a Development Permit Area as well as an amendment to the *Land Use Procedures Bylaw*.

CONSULTATION

In this instance, given the specific Council direction on this matter staff recommend that, consistent with the *Local Government Act* and City's *Land Use Procedures Bylaw*, notice of the Public Hearing is advertised in the local newspaper and on the City website. On-site sign posting is not required where ten or more properties are affected by a City initiated Zoning Regulation Bylaw amendment. Information will also be posted and made available in the City's Development Centre so that land owners and developers are aware of the new regulation.

OPTIONS AND IMPACTS

2019-2022 Strategic Plan

The proposed Zoning Regulation Bylaw amendment and creation of an environmental protection DPA is consistent with the 2020 action item which seeks to increase protection for shoreline areas.

Impacts to Financial Plan

The proposed amendments to the *Zoning Regulation Bylaw* will not impact the *Financial Plan*; however, the second phase of work, which would involve an OCP Amendment to establish a shoreline protection DPA and improvements to the Fence Bylaws, would require an additional position in the Development Services Division, which has been included in the 2020 Supplemental Budget Requests.

Official Community Plan Consistency Statement

The proposed amendments to the *Zoning Regulation Bylaw* is consistent with the OCP, which supports the role of the Bylaw to help implement plan objectives, land uses, built forms and densities.

CONCLUSIONS

The proposed amendment to the *Zoning Regulation Bylaw* responds to the September 5, 2019, Council motion and, if adopted, would prohibit garden suites, accessory buildings, outdoor features

and retaining walls proposed on waterfront lots from being located within a prescribed setback that exists between the principal building on a lot and the boundary with the waterfront unless a variance from the *Zoning Regulation Bylaw* is granted.


Staff are also recommending that, pending the approval of the 2020 financial planning process and allocation of an additional FTE, Council consider directing staff to initiate work on the creation of an environmental protection Development Permit Area for residential shoreline properties, delegating authority for staff to review and approve Development Permit Applications that are consistent with design guidelines, as well as small variances within this area, and begin work on incorporating provisions of the *Fence Bylaw* into the *Zoning Regulation Bylaw*.

Respectfully submitted,


Jim Handy
Senior Planner – Development Agreements
Development Services


Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: Jan 10, 2020

List of Attachments

- Attachment A: Proposed Zoning Regulation Bylaw amendment
- Attachment B: Map showing affected properties
- Attachment C: Development Permit Area 8: Victoria Arm – Gorge Waterway map.

NO. 20-002

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by adding a new definition in Schedule A – Definitions and amending the General Regulations by adding a new regulation that applies principal building setback regulations to retaining walls, outdoor features, accessory buildings and garden suites on all waterfront properties occupied by residential uses.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1211)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended as follows:
 - (a) Schedule A – Definitions is amended:
 - (i) by adding the following definition immediately after the definition of “**Unobstructed Access**”:

““**Waterfront Lot**” means a lot that abuts a tidal water body along any portion of the lot’s boundary.”
 - (b) Introduction and General Regulations is amended:
 - (i) by adding the following immediately after section 45:

“46. Notwithstanding Sections 40 and 41, on waterfront lots occupied by residential uses, setback regulations that apply to principal buildings also apply to garden suites, accessory buildings, outdoor features and retaining walls that are located between the principal building and the property boundary with the waterfront.”

Effective Date

3 This Bylaw comes into force on adoption.

READ A FIRST TIME the	day of	2020.
READ A SECOND TIME the	day of	2020.
Public hearing held on the	day of	2020.
READ A THIRD TIME the	day of	2020.
ADOPTED on the	day of	2020.

CITY CLERK

MAYOR



Attachment B (Part 1 of 3)



Affected Lots



Affected Lots LUC

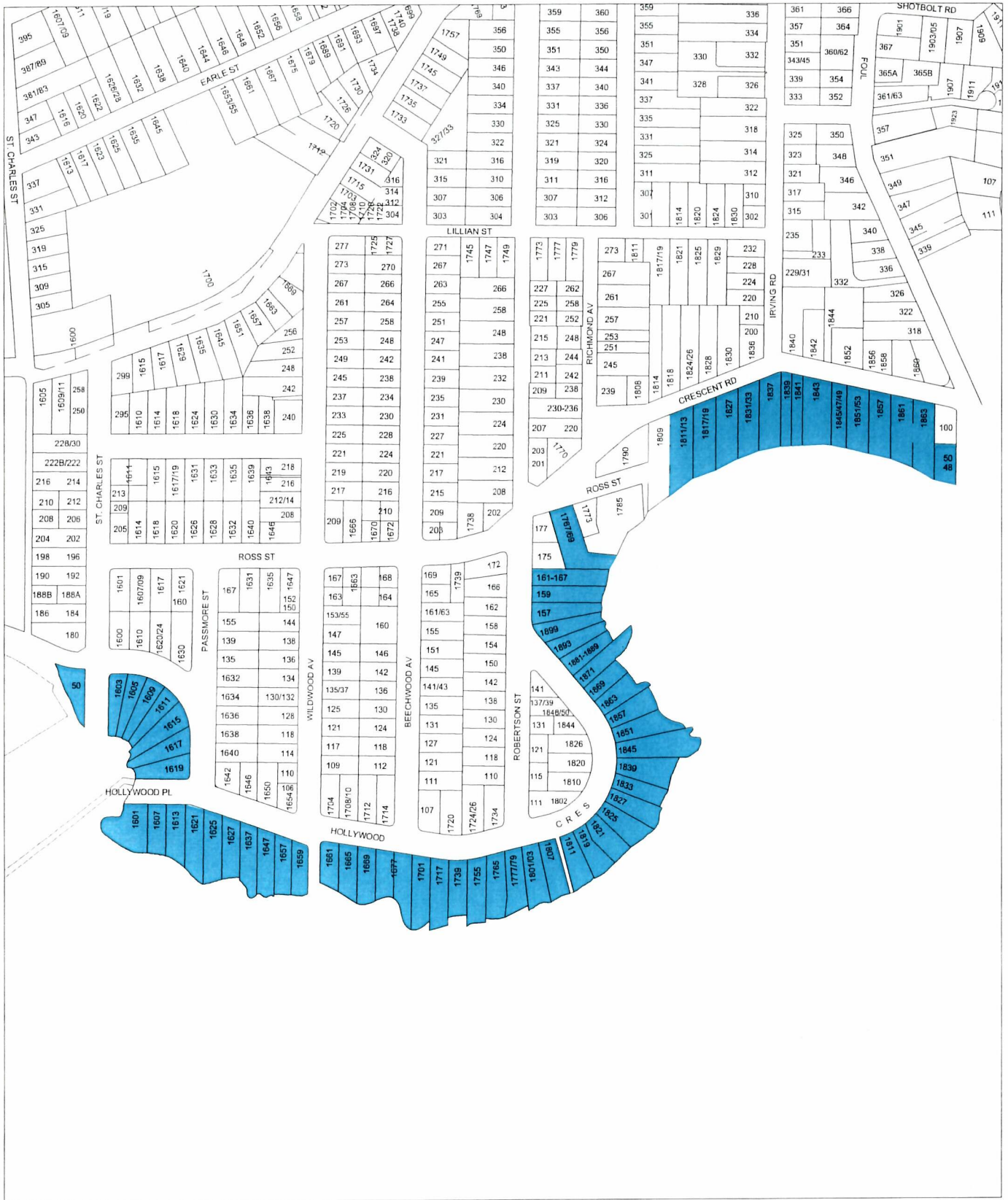




Attachment B (Part 2 of 3)

 Affected Lots





Attachment B (Part 3 of 3)

Affected Lots



Map 58: DPA 8: Victoria Arm – Gorge Waterway



Proposed Amendment to the Zoning Regulation Bylaw:

Setback Regulation for Retaining Walls and Other Structures on Waterfront Properties

Council Motion, September 5, 2019:

- *That Council direct staff to amend the Zoning Regulation Bylaw to apply building setback regulations to retaining walls and other structures on all waterfront properties with residential development.*
- *That Council direct staff to report back with implications of setback regulations for other structures on all waterfront properties.*

PROPOSED ZONING REGULATION BYLAW AMENDMENT

New General Regulation:

Notwithstanding Sections 40 and 41, on waterfront lots occupied by residential uses, setback regulations that apply to principal buildings also apply to garden suites, accessory buildings, outdoor features and retaining walls that are located between the principal building and the property boundary with the waterfront.

New Definition:

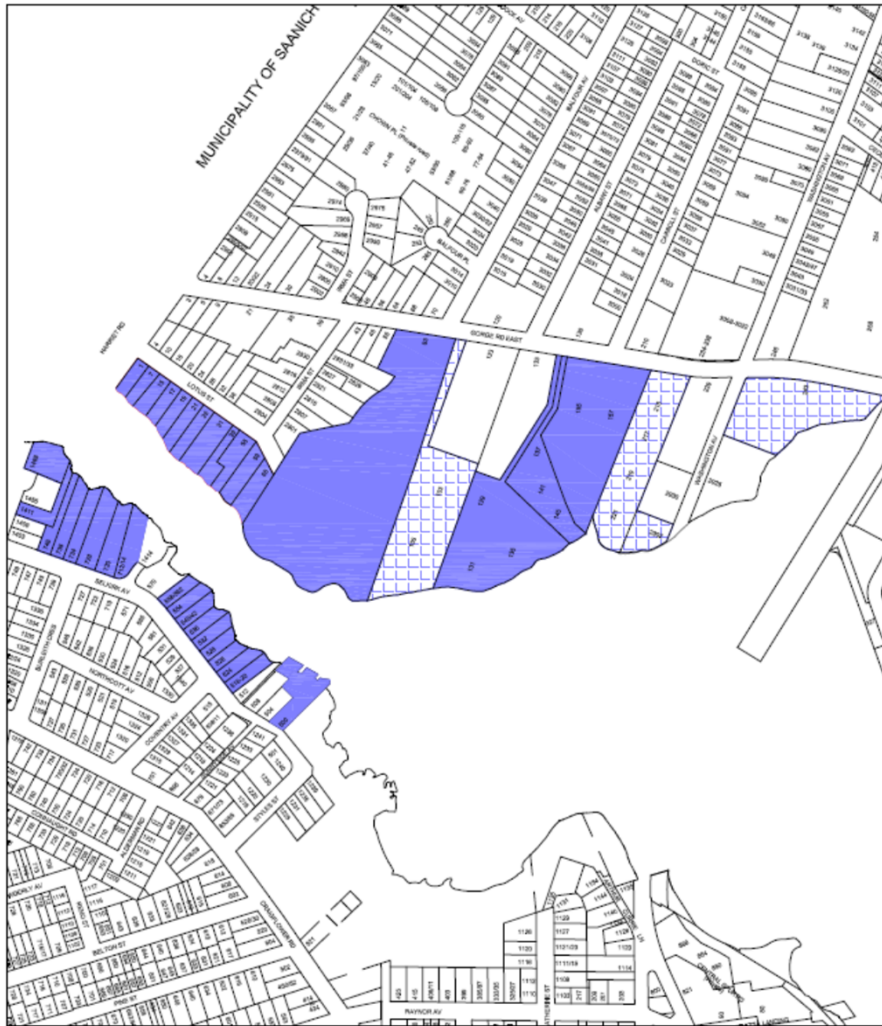
“Waterfront Lot” means a lot that abuts a tidal water body along any portion of the lot’s boundary.

Implications

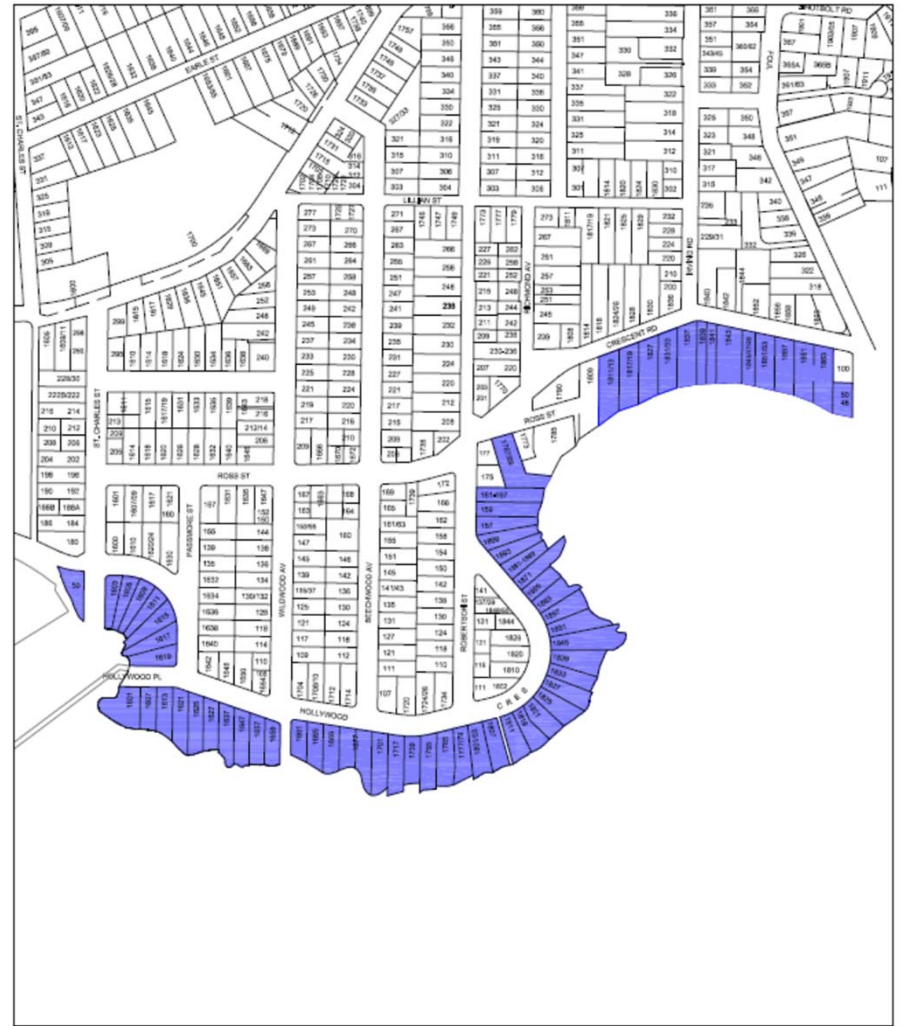
The new regulation would apply to:

- retaining walls
- garden suites
- accessory buildings; and
- outdoor features (includes swimming pools, patios, decks and stairs).

} “Other Structures”



Victoria Arm / Gorge Waterway



Gonzales Waterfront

Properties Subject to New Regulation





Properties Subject to New Regulation

Implications cont.

The new regulation would not apply to:

- land subject to Zoning Bylaw 2018 (i.e. parts of Old Town and the Central Business District)
- properties that don't have a shared boundary with the waterfront
- properties governed by Land Use Contracts
- fences
- soil and grade manipulation.

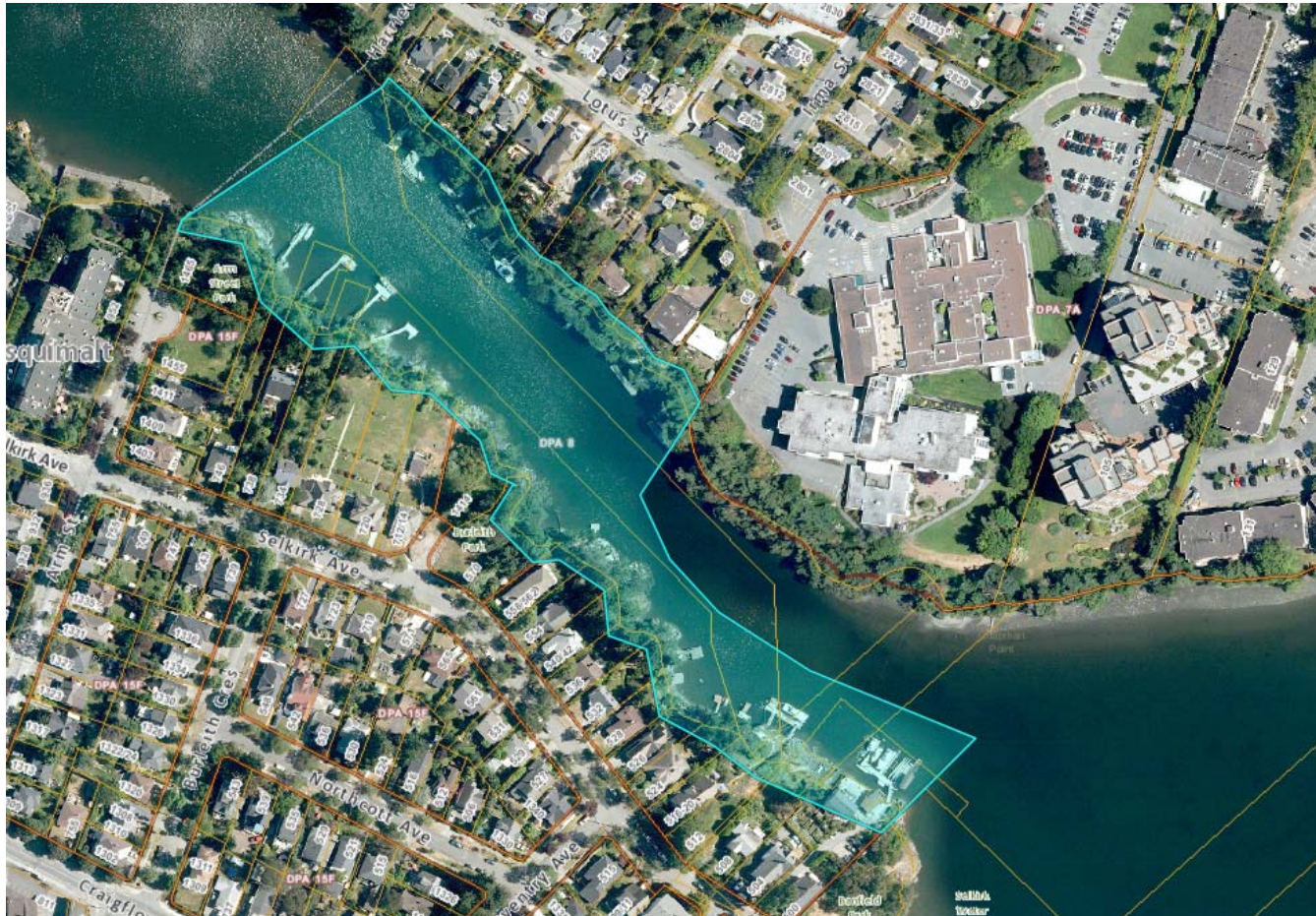
Implications cont.

- property owners would need to seek a variance to construct retaining walls and other structures in the prescribed setback (resulting in cost and time implications)
- a property owner may be entitled to apply for a relaxation to the Board of Variance
- the proposed regulation would come into force upon adoption (unless Council direct staff to include Transition Provisions).

Consultation

- the proposed Zoning Regulation Bylaw amendment requires a Public Hearing
- notice of the Public Hearing would be advertised on the City website and in a local newspaper
- information would be posted and made available in the Development Centre
- on-site sign posting is not required nor recommended
- mailing letters to affected properties not required nor proposed.

Development Permit Area 8 – Victoria Arm – Gorge Waterway



Strategic Plan:

Increase protection for shoreline areas and Garry Oak ecosystem including the shoreline between Gonzales Bay and Ross Bay and the shoreline along Gorge Waterway

Climate Leadership Plan:

Explore the creation of Environmental Development Permit Areas or other mechanisms to protect and enhance shoreline and marine habitats.

Recommended Phase 2 (subject to Budget):

- create additional Development Permit Areas and carry out necessary consultation
- consistent with direction outlined in the Strategic plan and Climate Leadership Plan
- consider delegation of DP Applications and Variances to staff
- refine and incorporate certain elements of the Fence Bylaw into the Zoning Regulation Bylaw

Questions



Committee of the Whole Report

For the Meeting of January 16, 2020

To: Committee of the Whole **Date:** January 3, 2020
From: Thomas Soulliere, Director of Parks, Recreation and Facilities
Subject: Topaz Park Improvement Plan Construction Funding

RECOMMENDATION

That Council approve the following investments for Topaz Park, in the 2020 Financial Plan;

1. Allocate \$3.25 million from the Building Infrastructure Reserve Fund to complete the construction of a skateboard park, bike park, and related supporting infrastructure; and,
2. Allocate \$3.02 million from the Building Infrastructure Reserve Fund, and \$1.2 million from the Artificial Turf Field Reserve Fund, to complete the construction of the artificial turf field replacement project.

EXECUTIVE SUMMARY

The purpose of this report is to provide information to support the allocation of funding to complete the skateboard/all-wheels park and bike skills park (skate park and bike park), and the artificial turf field replacement at Topaz Park.

In June 2018, Council approved a long-term renewal plan for Topaz Park, which was developed through extensive engagement with the community. One of the City's largest parks, Topaz Park is a destination for sport and recreation activities, and contains several amenities, many of which are nearing the end of their service life. The improvements proposed for Topaz Park will increase the range of activities of at the park, improve accessibility and enhance the park's capacity to support broad community use.

To bring the vision to reality, staff proposed a phased implementation process, which was the focus of Council deliberations during the development of the Strategic Plan and 2019-2023 Financial Plan. In 2019, Council approved funding for the preliminary design work necessary to confirm the construction cost and schedule of the artificial turf field replacement in the north area of the park, and for the design of the various improvements planned for the south portion of the park.

The design and associated technical analysis have been completed for the replacement of the artificial turf field. The project team has developed a concept (Attachment E), which includes a new field of approximately the same size as the current facility and provides the space necessary for a future additional field per Council's previous direction.

Following an unsuccessful Request for Proposal (RFP) for the south park enhancements in 2019, staff developed a new approach for the implementation of the skate park and bike park, which utilizes a design-build procurement method. This approach is expected to deliver the detailed design, stakeholder engagement and construction of the project, in an efficient manner.

Approval of the requested funding will provide for the replacement of the City's lone artificial sport turf field, which is at the end of its functional service life, and the delivery of the new skate park and bike park facilities, within the next two years.

PURPOSE

The purpose of this report is to provide information to support the allocation of funding to complete the skate and bike parks, and the artificial turf field replacement at Topaz Park.

BACKGROUND

Topaz Park is Victoria's third largest park (10ha/24.85ac). Located in the Hillside-Quadra neighbourhood, it is the main active recreation park in the city. The park is home to the City's only artificial turf sport field and numerous other amenities, including grass sport fields, a lacrosse box, leash-optional dog area, fitness equipment and a playground. It is also a popular outdoor special event venue, hosting a range of festivals, sports tournaments, and other events each year.

Topaz Park is bordered by Blanshard Street to the west, Topaz Avenue to the south, Finlayson Street to the north, and Glasgow Street to the east. The park lies approximately 350m from the municipal border with Saanich to the north and serves as a destination for residents of both municipalities.

Previous Council Direction

In June 2018, Council approved a long-term renewal plan for Topaz Park, which was developed through extensive engagement with the community. The concept diagram in the Topaz Park Improvement Plan illustrates the proposed layout of future park amenities, including two artificial turf fields in the north area of the park and a skate park and bike park in the south area of the park (Attachment A). To bring the vision to reality, staff proposed a phased implementation process, which was the focus of Council deliberations during the development of the Strategic Plan and 2019-2023 Financial Plan.

On June 6, 2019, Council approved an amendment to the Topaz Park Improvement Plan, to replace the existing artificial turf field with a new similar size field, and an allocation of capital funding (\$430,000) previously approved for the Topaz Park artificial turf field expansion, to detailed design work for the replacement of the Topaz Park field and the Victoria High School sport field project. The updated diagram illustrates the new orientation of the field (Attachment B). In the same meeting, Council directed staff to take a "zero-waste approach" when purchasing, replacing, or disposing of artificial turf.

In 2019, the City issued an RFP seeking qualified consultants for the design, construction cost estimating, and construction support services for the south park enhancements, which consist of removal of a sand-based natural turf sport field and design of new sport courts, skate park, bike park, sport hub, outdoor fitness area and associated support infrastructure. Although three submissions were received, the structure of this delivery model increased the project complexity, and unfortunately none of the proposals were suitable for award.

ISSUES & ANALYSIS

Skateboard/All-Wheels Park and Bike Skills Park Project

Following the unsuccessful RFP for the design of the long list of enhancements planned for the south area of the park, staff determined that a phased approach may be more effective, starting first with the skate park and bike park.

The Topaz Park Improvement Plan illustrates the approximate locations of the skate park and bike park. Design guidelines for these elements are also provided. The exact size, configuration, features and design for each facility will be determined through this project. The project also includes the design and construction of a pedestrian area located between the two facilities. Located in the southern portion of Topaz Park, the total project area is approximately 9,000 square metres (2.22 acres) in size.

The skate park will be approximately 3,000 square metres (0.75 acres) in size, similar to the existing Victoria West Youth Park. The facility will be designed in consultation with citizens and is likely to provide a different type of skating experience compared to the Victoria West Youth Park. A hybrid park that includes elements for both street/plaza style and transition/bowl style skateboarding has been suggested in previous public engagement, but the final design will be determined as part of the collaborative design process with citizens. The goal is to create a welcoming, inclusive, exciting and flexible space that fosters youth culture, self-development and creative expression.

The bike park will be approximately 6,000 square metres (1.5 acres) in size. The area will include an undulating paved pathway with rollers and berms and is intended to provide a fun and challenging riding experience for all skill levels, and create an all-ages social hub for the cycling community. The bike park will be located in a treed area of the park, and therefore arboriculture and landscape architecture expertise are required to develop a design and construction methodology that will protect the existing trees.

The project will also include the design and construction of a pedestrian area located between the new park amenities. This space will complement the sport facilities by providing opportunities to socialize and spectate and will also create connections to other areas within Topaz Park to the north. The provision of services (water, sewer, hydro, etc.) to support future phases of park enhancements will also be included.

The engagement component of the project will include design consultation with stakeholders and community groups, with a focus on youth culture, and those who have interests in the specific amenities being developed. An open house will be held as part of the concept design stage to solicit feedback that will be used to inform the detailed design process.

Staff recommend a design-build approach for delivery of the skate park and bike park. This model is commonly used for developing these types of facilities as they require a close integration of the specialized skills required for their design and their construction. As this is a common approach for such projects, there are numerous design-build firms available to compete for this work. Due to the nature of the design-build procurement and the contracts associated with it, the City must agree to a stipulated price prior to development of a detailed design for the project.

The proposed budget for the project has been developed using precedents from previously completed projects in the region and in consultation with specialists in these fields. The successful design-build team will be required to design and construct the facilities within the available construction budget, as is typical for the design-build project delivery approach. A detailed breakdown of the project budget is shown below.

Budget - Skateboard/All-Wheels Park and Bike Skills Park Project

Project Component	Proposed Budget
Design	\$250,000
Skate Park Construction	\$2,300,000
Bike Park Construction	\$500,000
Site Servicing	\$150,000
Contingency	\$600,000
Total	\$3,800,000

Subject to Council's approval of the funding request outlined below, staff will post an RFP and onboard a design-build team in the first quarter of 2020. The design process is anticipated to proceed through the remainder of 2020, with construction occurring between early 2021 and fall 2021. Council will receive progress updates quarterly for the duration of the project.

Artificial Turf Field Replacement Project

A risk assessment of the existing artificial turf field at Topaz Park completed in 2018 revealed that continued use of the field would soon result in conditions that may require the City to limit the frequency and types of uses in order to ensure user safety. Meanwhile the City is planning the construction of a new skate park in the southern area of the park that will displace an existing natural turf field and add pressure on the artificial turf field to accommodate existing demand. Staff recommend that the artificial turf field replacement occur in tandem with the development of the skate park in order to maintain service.

In the second half of 2019, the Topaz Park Artificial Turf Field Development Study was completed to assess artificial turf field design options, feasibility and costing to construct the replacement field as well as an option for a smaller second artificial turf facility at Topaz Park with the provision for future field expansion. To inform decision-making and budgeting, the various artificial turf infill options currently on the market have been identified, and compared with the existing crumb rubber infill, including the estimated cost, advantages and disadvantages of each option (Attachment C). The study also highlights the end of life options for artificial turf systems including recycling, re-use, re-purposing and disposal (Attachment D). Staff recommend the infill material be determined through the detailed design process which includes site-specific analysis and stakeholder consultation.

As per the recommended concept shown in the report, the artificial turf sport field replacement includes a full-size soccer pitch, softball field, field lighting, and additional sideline amenities such as dugouts, player shelters and a backstop. The softball field will replace one that will be displaced by construction of the new skate park. Through concept development it was determined that an additional mini field can be provided for approximately the same cost as reinstating a natural turf field by simply retaining and resurfacing the portion of the existing field falling outside the footprint of the new field (Attachment E).

The project scope will also include the design and construction of an enhanced accessible pedestrian circulation network and landscape treatments to blend the new facility into the surrounding park areas. Design guidance for the layout of pedestrian pathways and provision of amenities for this facility is provided in the Topaz Park Improvement Plan. The development of the artificial turf field proposed at Victoria High School will occur on a separate timeline, as it is subject to the considerations and schedule of School District 61.

The development and implementation of environmental protection measures will be a primary focus of the project. The project team will follow leading practices in the design to prevent the migration

of materials into the surrounding environment through the drainage system or other means. Environmental and health concerns will also be considerations in determining the type of infill used for the new facility. The design consultant, in collaboration with staff as well as health and environmental professionals, will build on the comparison of infill types provided in the development study to determine the most appropriate infill material.

Public engagement for the remaining phases of this project will focus on consultation with stakeholders and user groups with specialized knowledge and interest in the project.

The proposed budget for the artificial turf field replacement project was developed based on the cost estimate included in the development study. A detailed breakdown of the project budget is shown below.

Budget - Artificial Turf Field Replacement Project

Project Component	Proposed Budget
Design	\$300,000
Construction	\$3,050,000
Contingency	\$500,000
Allowance for alternative infill pending final design	\$500,000
Total	\$4,350,000

Subject to Council’s approval of the budget request outlined below, the project team will progress the remaining design work, expected to be completed by the summer of 2020. It is anticipated that the project will be tendered for construction in the fall of 2020, with construction being complete by the summer of 2021. Council will receive progress updates quarterly for the duration of the project.

OPTIONS & IMPACTS

Staff recommend that Council approve the respective funding allocation for the two projects outlined within this report.

These two projects (Attachment F) are substantial investments in recreation amenities based on the Improvement Plan, which has received strong support from the community and will extend and expand the quality of sport and recreation opportunities for citizens. Funding approval will allow for the timely implementation of these key elements over the next two years.

Impacts to Financial Plan

Council has approved funding for the detailed design for the artificial turf project and for the improvements in the south area of the park. Staff recommend approval of the allocations necessary to complete the design and construction of these park amenities as shown in the tables below.

Skateboard/All-Wheels Park and Bike Park Project Funding Proposal	
Proposed Total Budget	\$3,800,000
Remaining Previously Approved Funding	- \$550,000
Total New Funding Requested	\$3,250,000
<i>Recommended Allocation - Building Infrastructure Reserve Fund</i>	<i>\$3,250,000</i>

Artificial Turf Field Replacement Project Funding Proposal	
Proposed Total Budget	\$4,350,000
Remaining Previously Approved Funding	- \$130,000
Total New Funding Requested	\$4,220,000
<i>Recommended Allocation - Artificial Turf Field Reserve Fund</i>	<i>\$1,200,000</i>
<i>Recommended Allocation - Building Infrastructure Reserve Fund</i>	<i>\$3,020,000</i>

Funding requirements for the remaining components of the south park enhancements (i.e. sport courts, outdoor fitness, sport hub, etc.) will be presented to Council for consideration at a later date.

2019 – 2022 Strategic Plan

The proposed park improvements support Strategic Plan Objective #5: Health, Well-Being and a Welcoming City.

Official Community Plan Consistency Statement

The Official Community Plan contains the following objectives with respect to parks and open spaces, access to services and facilities, and facilities planning:

(9.1.2) Recognize and balance the multiple purposes and uses of parks, such as cultural events, recreation, sports, ecosystem services, commemoration and aesthetic enjoyment;

(9.14) Enhance child- and youth-friendly parks and recreational facilities, services, and programs in the City, to promote a healthy community and to help attract and retain households with children.

(9.18) Seek opportunities to integrate green infrastructure in park and recreational facilities during new construction and major upgrades

Accessibility Impact Statement

Accessibility will be a primary consideration of the detailed design exercise for both projects. During the design process, the project team will engage with stakeholders such as the Accessibility Working Group (AWG), and others who have experience living with disabilities, along with design experts.

The concept plan for the artificial turf field replacement project incorporates features designed to improve the accessibility of this facility including low-slope pedestrian connections between the proposed field and the adjacent parking area and sidewalk. Accessible routes from the nearby parking area to the skateboard park and bike park will also be provided. Consideration of lower-allergen plantings will also be taken account during the design process.

CONCLUSIONS

The Topaz Park Improvement Plan is based on public engagement, assessment of community needs, direction from other City plans and priorities, technical analysis, and financial considerations. Approval of the requested funding will provide for the completion of park amenities that will meet the needs of the growing community, expand park use and functionality, and meet key strategic priorities.

Respectfully submitted,




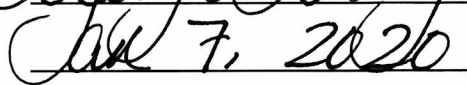
Derrick Newman
Assistant Director
Facilities and Construction Management



Thomas Soulliere
Director
Parks, Recreation and Facilities

Report accepted and recommended by the City Manager:

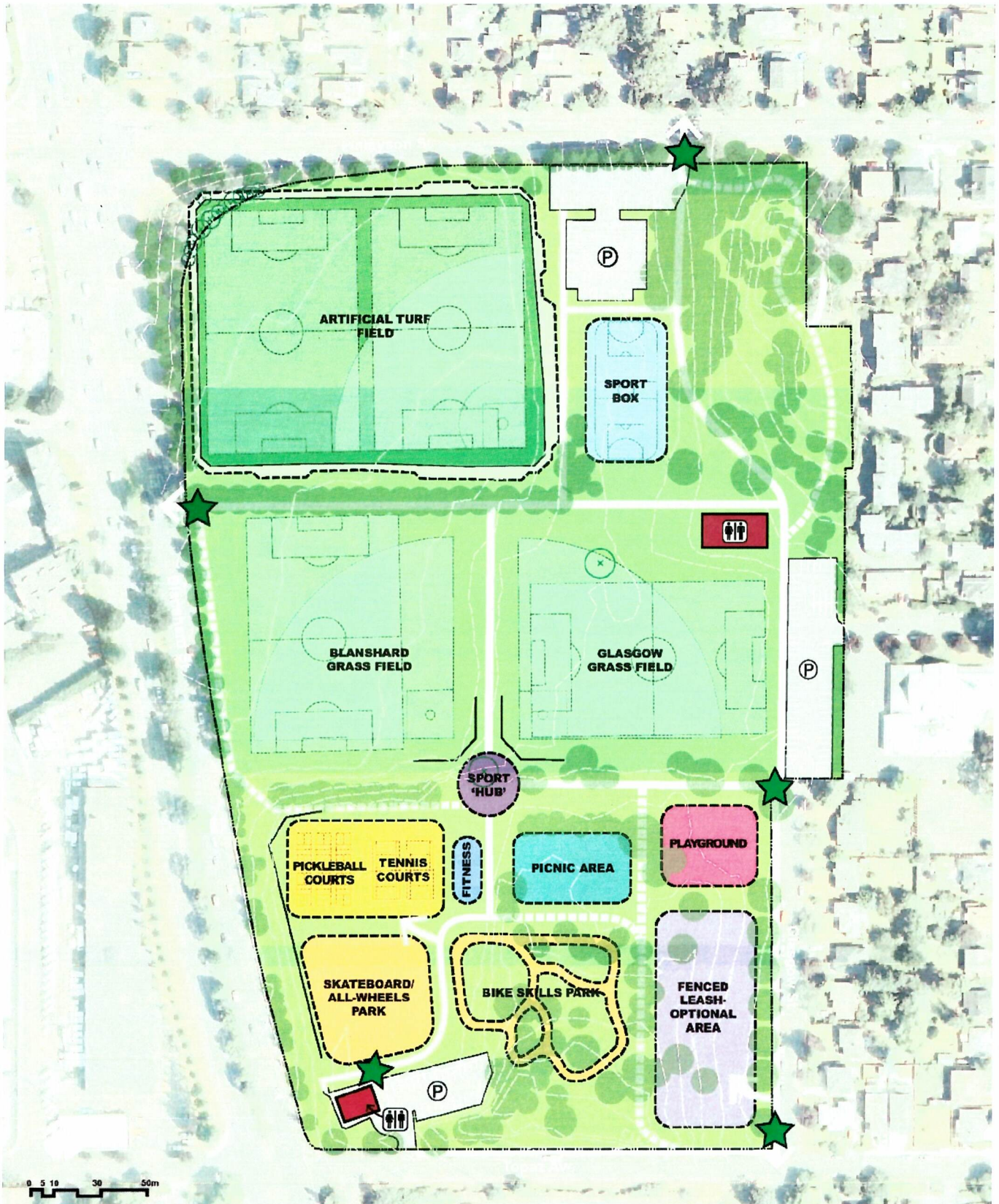
Date:

List of Attachments:

- Attachment A: Topaz Park Improvement Plan Concept Diagram, 2018
- Attachment B: Topaz Park Artificial Turf Field Phasing, June 2019
- Attachment C: Alternative Artificial Turf In-Fill Options, December 2019
- Attachment D: End of Life Options for Artificial Turf Systems, December 2019
- Attachment E: Topaz Park Phase 1 Artificial Turf Field Facility Components and Concept Plan, December 2019
- Attachment F: Topaz Park Proposed Project Areas 2020 – 2021, December 2019

Attachment A: Topaz Park Improvement Plan Concept Diagram



Topaz Park Improvement Plan Concept Diagram, June 2018

Attachment B: Topaz Park Artificial Turf Field Phasing

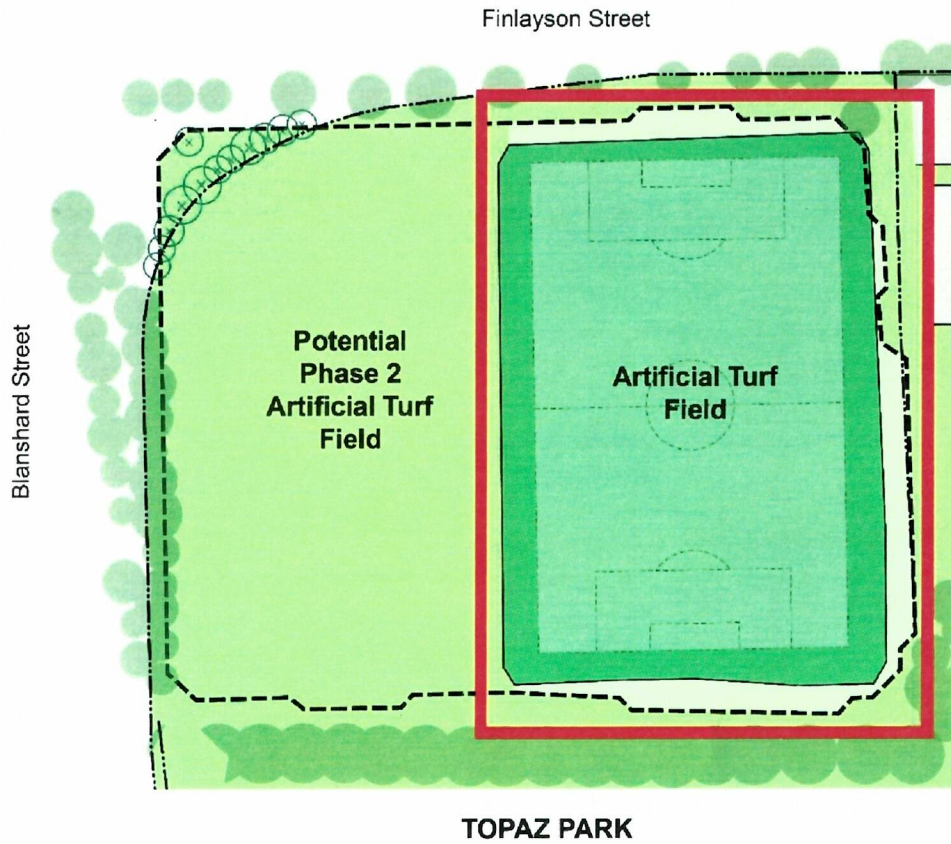


Fig 1: Updated diagram of artificial turf field facilities in Topaz Park illustrating the new orientation of field and phase 1 implementation outlined in red (June 2019)

ATTACHMENT C
ALTERNATIVE ARTIFICIAL TURF IN-FILL OPTIONS

ALTERNATIVE ARTIFICIAL TURF IN-FILL

Crumb Rubber (SBR) is the most common type of artificial turf infill, often mixed with sand to provide ballast. It is derived predominantly from used tires which are recycled by shredding or cryogenic (freezing) process.

As a recycled product, crumb rubber is readily available (often locally) and offers the advantage of reducing the volume of used tires sent to landfills. It also has a smaller carbon footprint than producing virgin products for the same use. A key disadvantages of crumb rubber is its effect on field surface temperature. Artificial turf fields with crumb rubber infill produce higher surface temperatures than natural grass or organic infills. Another often cited disadvantage is the initial odour produced as the material off-gasses. These odours as well as reports in the media that crumb rubber may pose health concerns have fueled negative public perceptions of the product and artificial turf systems in general. While clinical research conducted to date does not link crumb rubber with elevated risk to human health or environmental safety¹, some field owners and operators have opted to utilize alternative infill products in their artificial turf field options.



The following table provides the cost premium over and above standard crumb rubber as well as some of the pros and cons for each of the available alternate infill options.

Infill	Description	*Price Increase	Advantages	Disadvantages
Crumb Rubber (SBR)	Ground-up car and truck tires.	\$0	<ul style="list-style-type: none"> • Sports Performance - Highly resilient with excellent shock absorption • Low cost • Post-consumer recycled product removes tires from waste stream 	<ul style="list-style-type: none"> • Post-consumer recycled product—material sources are variable • Contributes to hotter surface temperatures. • Negative public perception • Has new tire odor
Coated Crumb Rubber (SBR coated)	Ground-up car and truck tires encapsulated with a cross linkable, UV resistant coating	70/30 Coated SBR / Sand +\$147,200 \$11.50 sq./m	<ul style="list-style-type: none"> • Sports Performance - Highly resilient with excellent shock absorption • Low cost • Post-consumer recycled product removes tires from waste stream • Light colour selections absorbs less visible light to reduce surface temperature 	<ul style="list-style-type: none"> • Post-consumer recycled product—material sources are variable • Negative public perception • Has new tire odor
TPE (Thermoplastic Elastomer)	A group of rubber type block copolymers having	70/30 TPE / Sand +\$486,400	<ul style="list-style-type: none"> • Sports Performance - Can have high resiliency– good shock absorption 	<ul style="list-style-type: none"> • High cost; limited availability results in high transportation costs

¹ Synthetic Turf Council News Release titled. "Synthetic Turf Council Releases Guidelines for Testing Infill in Synthetic Turf Fields", August 17, 2015.

Infill	Description	*Price Increase	Advantages	Disadvantages
	physical cross-links between soft and hard segments. <i>(used at BC Place Stadium)</i>	\$38.00 sq./m	<ul style="list-style-type: none"> • Virgin material–raw materials can be controlled – contains no PAH’s or heavy metals • Less fine particles = less “spray” <i>(particles dislodged from turf fibers)</i> • No odour • Can be melted so they can be recycled after use • Can be re-used • Can be colored: <ul style="list-style-type: none"> ▪ Match to turf application ▪ Potential reduction in turf surface temperature 	<ul style="list-style-type: none"> • Extruded particles: <ul style="list-style-type: none"> ▪ All particles are the same size, so they remain loose and more mobile ▪ Round particles can create slipping problems on sidewalks or tracks ▪ Improper formulation can lead to premature aging issues – Important to select proven proprietary products.
EPDM (Ethylene Propylene Diene Monomer)	A copolymer of ethylene and propylene having diene linkages that can be crosslinked with peroxides or sulfur.	70/30 EPDM / Sand + \$492,800 \$38.50 sq./m	<ul style="list-style-type: none"> • Sports Performance - High to medium resiliency depending on filler level • Virgin material–control of raw materials • No odour • Crumb form (angular granules)–settles like crumb rubber. <i>(more likely to stay in place)</i> • Less fine particles = less “spray” <i>(particles dislodged from turf fibers)</i> • Can be colored 	<ul style="list-style-type: none"> • High cost • Limited availability results in high transportation costs • High filler level results in chalking, degradation of materials • Improper crosslinking can lead to premature aging • Cannot be re-used
Rounded Silica Sand	Large particle-sized, highly rounded sand can provide a synthetic turf infill that does not compact in the way the smaller, more angular sand tends to compact.	100% EnviroSand + \$428,800 \$33.50 sq./m	<ul style="list-style-type: none"> • Relatively low cost (per lbs.) • Inorganic material–can be cleaned to have low impurities • Can be coated to give it color 	<ul style="list-style-type: none"> • No resiliency–low shock absorption • Requires a pad • High transportation costs due to weight • High number of pounds required to infill the system (high cost)
Organic (Coconut Husks)	Primarily coconut husk and coconut peat. <i>(Bowen Island has a coconut fiber/ cork infill field.)</i>	83/17 Organic/Sand + \$326,400 \$25.50 sq./m	<ul style="list-style-type: none"> • Natural product–not chemically produced • Provides playing characteristics similar to natural turf • Light color absorbs less visible light to reduce surface temperature 	<ul style="list-style-type: none"> • Higher costs than SBR crumb rubber • Requires more maintenance and refreshing than crumb rubber fields • Limited Sports Performance - requires a pad for adequate elasticity



Infill	Description	*Price Increase	Advantages	Disadvantages
			<ul style="list-style-type: none"> Retains water for evaporative cooling 	<ul style="list-style-type: none"> Requires a watering system to prevent infill from "caking". (<i>hardening when dry</i>) during summer months. Susceptible to freezing due to low water permeability – limits cold weather use.
Organic (Cork)	Ground-up bark from the cork tree. (<i>Port Coquitlam has a Cork infill field</i>)	83/17 Organic/Sand + \$224,000 \$17.50 sq./m	<ul style="list-style-type: none"> Natural product–not chemically produced Light color absorbs less visible light to reduce surface temperature Low density decreases the weight needed to fill the turf UV resistant 	<ul style="list-style-type: none"> Limited Sports Performance - requires a pad for adequate elasticity Low density allows material to float, cling to fibers with static charge May require watering system to remove static charges Susceptible to freezing due to low water permeability– limits cold weather use. Limited availability
Organic (Walnut Shells)	Ground-up walnut shells.	83/17 Organic/Sand + N/A	<ul style="list-style-type: none"> Cool infill during summer No concern with floating/ice Used in New York Very slow to bio-degrade 	<ul style="list-style-type: none"> Brand new 2017 technology Limited Sports Performance - requires a pad for adequate elasticity Slightly more abrasive Limited availability
Nike Grind	Ground-up soles from athletic shoes.	70/30 Nike Grind / Sand + \$217,600 Unknown control over source of supply \$17.00 sq./m	<ul style="list-style-type: none"> Sports Performance - Has good resilience and shock absorption Has improved public perception vs crumb rubber (SBR) Post-consumer recycled material 	<ul style="list-style-type: none"> Limited supply Non-natural color Unknown control over source of supply

Table is adapted from an alternative Infill Comparison by Shaw Sport Turf.

*Costs are based on estimates and will vary by geographic region. Costs shown are the estimated increase over standard crumb rubber infill for a 12,800 m² field (*as per Topaz Park Phase 1 recommended Concept*) consisting of a turf system of 50mm fiber with a 70/30 rubber sand mix.



ATTACHMENT D
END OF LIFE OPTIONS FOR ARTIFICIAL TURF SYSTEMS

1 INTRODUCTION

Published data suggests artificial turf systems have a lifespan of 8-10 years¹ however informal surveys of Lower Mainland operations staff indicate most fields are replaced 10-12 years after installation. After that, the end of life options for artificial turf and infill materials is an ongoing discussion for municipal park operators. The emerging trend in British Columbia is to remove the infill for re-use and ship the turf to a recycling facility in Asia. The facility is certified by the Geneva, Switzerland-based International Organisation for Standardization (ISO), and meets the US Environmental Protection Act's Resource Conservation and Recovery Act with regards to waste. At the facility, the turf fibres are separated from the backing materials and are processed into small pellets or beads and incorporated into other manufactured products including plastic lumber, irrigation pipe, various household products, and other materials. A third-party certification is provided at the conclusion of this process. A new turf recycling facility is scheduled to open in California in 2020, thus eliminating the need to ship the material overseas. The infill material is either re-used in the replacement field or reclaimed – the end use is dependent on infill type. This appendix aims to provide an overview of what is currently done in the industry worldwide and discusses benefits and challenges associated with end of life options for ATF systems. Understanding these options can help guide the design process for Artificial Turf Fields (ATF) toward a more sustainable product.

2 OVERVIEW

The average turf field is approximately 106m x 71m and weighs around 36kg per m².² The total weight can be up to 400 000 lbs. of infill and 40 000 lbs. of turf.³ This is a significant amount of potential waste and highlights the importance of understanding the end of life options for these materials.

One way to reduce the potential end of life waste is to use a shock pad as less infill is needed. While only 39% of fields globally have a shock pad⁴, over the last 5 years the majority of fields installed in South Western British Columbia included a shock pad.

What is the turf made of? A report by Eunomia Research and Consulting Ltd. explains "The turf pile itself is usually made from polyethylene (PE) with a primary backing material of polypropylene (PP) that provides the structure and spacing that the pile is woven into. A secondary backing of a liquid polyurethane (PU) or latex is applied and allowed to set in order to bind the pile to the backing." The fact that it is comprised of many different plastics makes it difficult to recycle and this results in it being used for lower grade applications.⁵

Currently, artificial turf follows an open loop recycling system where the next use is a different one.⁶ Ideally, a closed loop system is better (which means turf can be used to make more turf). But the turf fibers are made of so many types of plastic and no current technology exists that can separate it perfectly. FIFA states that more support from manufacturers is needed for closed loop recycling to be a

¹ P5 - Synthetic Turf Council. "A Guideline to Recycle, Reuse, Repurpose and Remove Synthetic Turf Systems." October 2017

² P8 – Eunomia Research and Consulting Ltd. for FIFA "Environmental Impact Study on Artificial Football Turf", March 2017

³ P3 - Synthetic Turf Council. "A Guideline to Recycle, Reuse, Repurpose and Remove Synthetic Turf Systems." October 2017

⁴ P9 – Eunomia Research and Consulting Ltd. for FIFA "Environmental Impact Study on Artificial Football Turf", March 2017

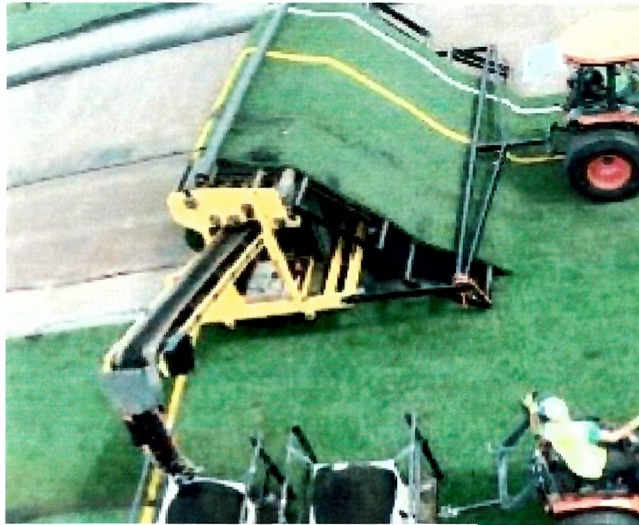
⁵ P15 – Eunomia Research and Consulting Ltd. for FIFA "Environmental Impact Study on Artificial Football Turf", March 2017

⁶ P15 – Eunomia Research and Consulting Ltd. for FIFA "Environmental Impact Study on Artificial Football Turf", March 2017

viable option. Some innovation has happened on the turf backing material – the ‘hot melt’ process binds the fibers and may be melted away when recycling; but this hasn’t been done in practice yet.

When it comes to removal, there are machines that can cut the turf, roll it up and remove infill at the same time.

Issues that arise when removing infill include the sand and rubber particles being difficult to separate from each other, even with machines.⁷ It may be hard to find industries that could use the mixture. There can also be contamination issues with debris.



Turf removal & infill harvesting machine

3 WHAT ARE THE END-OF-LIFE OPTIONS FOR ARTIFICIAL TURF SYSTEMS?

- Recycling (Processed into material that is used in new products)
- Re-use (Used again, for the same function)
- Disposal at a landfill

E-layers are not currently being recycled or re-used but this may be a possibility in the future.⁸ Not having any former experience or examples to refer to is a potential barrier.

3.1 What influences the selection of an option?

- Total cost of that option
- Testing
- Logistics (i.e. storage, handling of material)
- Distance to facility and shipping costs
- Time required for that option
- Local laws (i.e. How strict the rules are for disposing of waste)
- Available technology for recycling
- Finding a buyer for the end material
- Common practices/cultural acceptance
- Carbon footprint

⁷ P14 – Eunomia Research and Consulting Ltd. for FIFA “Environmental Impact Study on Artificial Football Turf”, March 2017

⁸ P11 - Synthetic Turf Council. “A Guideline to Recycle, Reuse, Repurpose and Remove Synthetic Turf Systems.” October 2017.

3.2 Descriptions, Pros and Cons of each option:

3.2.1 Recycling

- Artificial turf is currently shipped overseas and turned into plastic pellets that are used by various industries (such as plastic bags, road cones and rubber tiles)⁹
- Recycling requires a certain volume of turf to happen efficiently; the volume of turf sent overseas for recycling from British Columbia on an annual basis is small so there is no economy gained in combining shipments

Pros

- More cultural acceptable to recycle
- Reduces the total GHG emission attributable to an ATF over its lifecycle (GHG emissions to ship to an Asian recycling facility have not been calculated)

Cons

- No local (none in North America) recycling facilities so shipping costs are high
- Shipping turf to Asia increases GHG emissions and offsets reductions attributed to recycling

3.2.2 Re-Use

- ATF surfaces are very rarely re-used for their original purpose due to the difficulty in harvesting the carpet without any damage and limited interest in a degraded surface.
- In rare cases portions of a used ATF surface are re-used in alternative applications. ATF re-use may be feasible when the demand for a used ATF coincides with a turf replacement project.
- FIFA recommends leaving the shock pad in place for re-use when new turf is installed¹⁰. Shock pads are usually capable of being directly reused at least twice.¹¹

Pros

- More culturally acceptable than disposal or recycling
- May reduce the total GHG emission attributable to an ATF over its lifecycle
- Provides a less costly artificial turf option for end users who cannot afford a new product

Cons

- If the turf would have otherwise been sent to a land fill re-use will increase the turf removal cost as it must be done with specialized equipment
- Re-use is dependent on finding a new user group which is not assured as 'second life' options for worn turf are limited
- When turf is re-used it is more likely to end up in the landfill after its second use.¹²

⁹ P6 - Synthetic Turf Council. "A Guideline to Recycle, Reuse, Repurpose and Remove Synthetic Turf Systems." October 2017.

¹⁰ P2 - Synthetic Turf Council. "A Guideline to Recycle, Reuse, Repurpose and Remove Synthetic Turf Systems." October 2017.

¹¹ P11 - Synthetic Turf Council. "A Guideline to Recycle, Reuse, Repurpose and Remove Synthetic Turf Systems." October 2017.

¹² P15 - Synthetic Turf Council. "A Guideline to Recycle, Reuse, Repurpose and Remove Synthetic Turf Systems." October 2017.

3.2.3 Disposal

- Disposal of artificial turf, infill and shock pad at a landfill maybe an end-of-life option however, some local landfills may not accept an ATF so this option requires some investigation to be a consideration.
- Illegal dumping is an issue, and nothing can compete with it as it's very low cost. Education (of both the ATF owners and contractors) is the best way to lower the amount of illegal dumping. Contracts should include instructions for proper disposal.

Pros

- Least costly end-of-life option

Cons

- Not culturally acceptable in many municipalities
- Increases the GHG emissions attributable to an ATF over its lifecycle as compared to other end-of-life options
- Not a sustainable solution
- Can encourage illegal dumping particularly when there are no local options

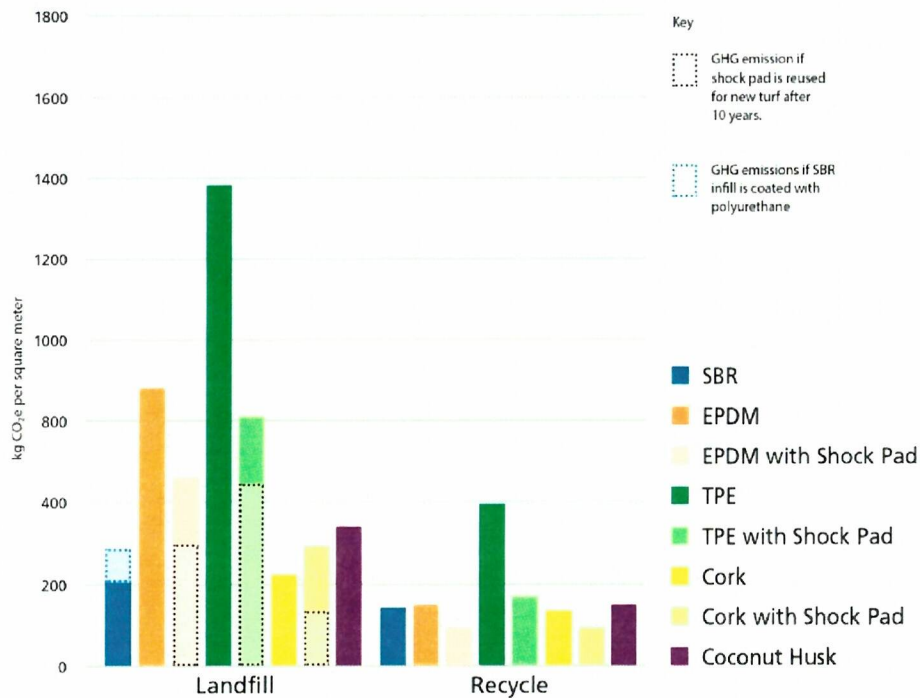
4 END OF LIFE CONSIDERATIONS FOR INFILL TYPES

Turf carpet products generally have similar properties, so none offer significant reductions in environmental impact over another. By contrast, turf infill products are manufactured from a variety of materials so the product that is selected can have a significant impact on the total greenhouse gas (GHG) emissions attributable to an ATF over its lifecycle. When selecting an infill product there are **two factors that influence the total GHG emissions of an ATF system; what it's made of and what the end of life options are for the product.** With these factors in mind an organic infill such as cork or walnut would intuitively be the low GHG choice. However, it cannot be re-used when the turf is replaced so a polymer infill such as TPE (with a shock pad) may have comparable GHG emissions when considering an ATF's full lifecycle because it can be re-used. The following are the key considerations in selecting an infill type.

4.1 Key considerations

- Virgin polymer infills have a larger environmental impact than (recycled) crumb rubber.
- Including a shock pad in the ATF surfacing system greatly reduces the lifecycle GHG emissions for virgin polymer infill materials because less infill material is required, and the shock pad can be re-used when the turf is replaced.
- Markets for recycled SBR rubber remain theoretical. If SBR rubber is not re-used in a replacement ATF it is likely to end up in a landfill.

- It is estimated that 1-4% of plastic infill is lost and replaced each year.¹³ Effective controls can limit what leaves the facility to become microplastic pollution but some will still leave on clothing or field equipment, therefore selecting an organic infill is the only way to guarantee there is no microplastic pollution due to infill migration.
- SBR rubber and EPDM are thermoset plastic that cannot be melted into other products which limits recycling options compared to TPE which is a thermoplastic that can be melted and re-melted as needed¹⁴.
- Organic infills have a smaller environmental impact than polymers however the gap is greatly reduced when polymer infills are re-used in the replacement field.
- For all infill types except for coconut husk and cork, recycling is the option with the lowest CO₂ emissions. (These are the greenhouse gas emissions over the life of each product per square meter installed, including raw materials, manufacturing, transport and maintenance). The graph below shows a comparison between the different infill types, from page 10 of the *Environmental Impact Study on Artificial Football Turf*.



GHG Emission Comparison for Turf System with Different Infill Materials

The graph indicates that organic infills represent a significant reduction in lifecycle GHG emissions compared to polymer infill when the ATF is sent to a landfill. However, if the ATF is recycled at the end of its life the environmental impact will be similar regardless of the type of infill when a shock pad is used.

¹³ P13 – Eunomia Research and Consulting Ltd. for FIFA “Environmental Impact Study on Artificial Football Turf”, March 2017

¹⁴ P9 – Eunomia Research and Consulting Ltd. for FIFA “Environmental Impact Study on Artificial Football Turf”, March 2017

5 CONCLUSION

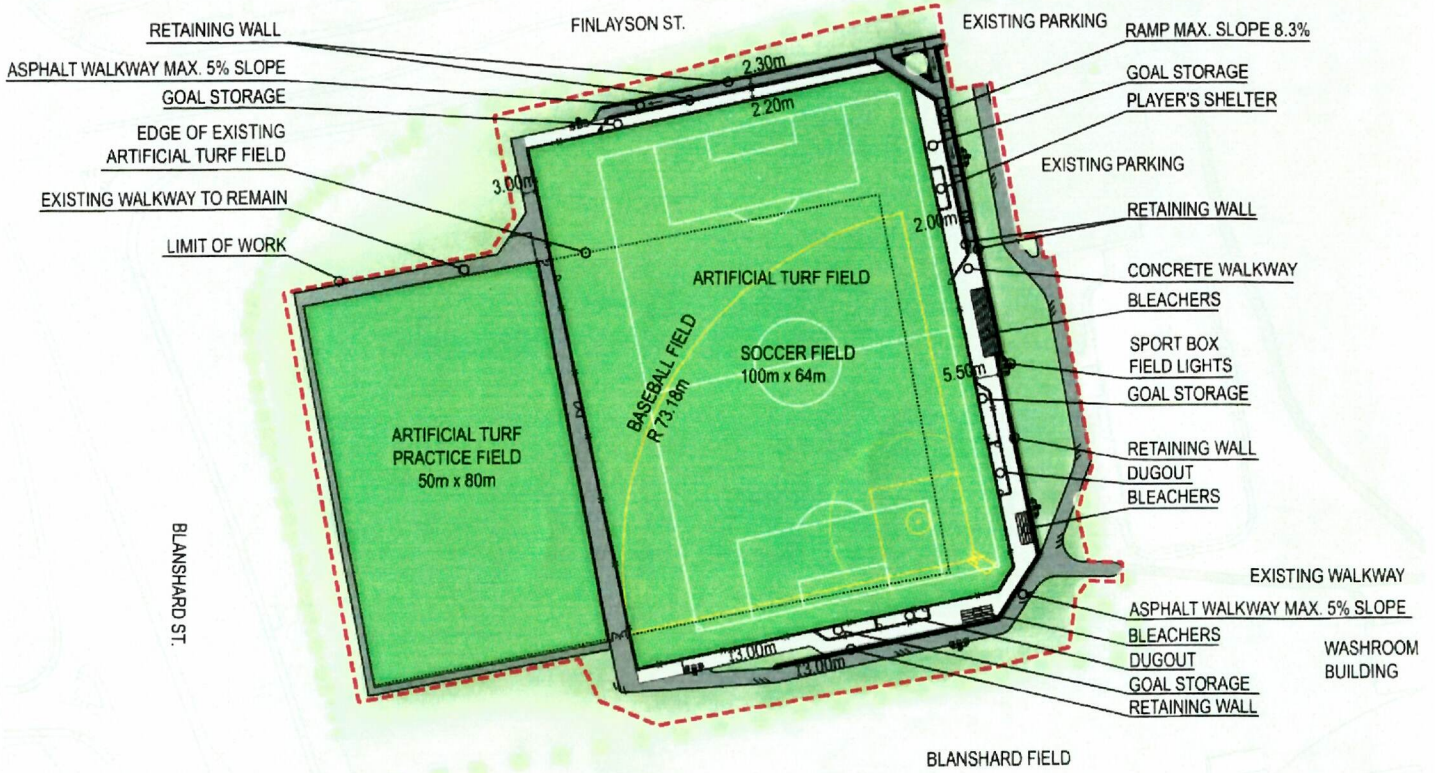
- **Specify a Shock Pad:** A shock pad is recommended regardless of the turf system as it reduces the quantity of infill that is required and when left in place for the replacement turf it further reduces the environmental impact of the ATF.
- **Recycle Turf:** While re-use of artificial turf would appear to offer the lowest environmental impact there is a lack of evidence that it occurs in any significant way. When turf is re-used it generally gets cut up and distributed for use in different applications. Once the turf reaches the end of its “second life” it is likely to end up in landfills due to cost and convenience. Therefore, it can be argued that in most cases recycling turf has a lower environmental impact and as such, is the recommended end-of-life option.
- **Re-Use Infill:** In a single use application organic infill options offer the lowest environmental impact. However, organic infills cannot be re-used and require more maintenance inputs than polymer infills. Therefore, a polymer infill which can be re-used represents similar lifecycle GHG emissions. With this in mind, re-usable polymer infills will be the practical choice for most ATF systems as their proven characteristics tip the scale in their favor.

Attachment E: Topaz Park Phase 1 Artificial Turf Field Facility Components and Concept Plan

DESIGN RECOMMENDATIONS

Phase 1 Facility Components

- Field located as close to the Finlayson Street property line as possible to provide adequate separation from existing Cottonwood Trees.
- One (1) Full size soccer field dimensions: 64 x 100m
- Two (2) Small size fields overlain on the full-size soccer field
- One (1) Multi-use ball diamond with a 250' outfield overlain on the full-size soccer field including a full-size backstop and dugouts
- 50m x 80m Mini Field (Practice Field) created by resurfacing the remaining portion of the existing Artificial Turf Field. The existing field drainage would remain.
- Off-field goal storage for 2 full size soccer goals and 4 mini soccer goals (min.)
- Covered and rainscreen protected players shelters (3)
- Spectator bleachers (3)
- Accessible pedestrian connections between the artificial turf field facility and the Finlayson Street pedestrian entrance, the adjacent park parking lot on the east side, and the existing park walkway to the south east. The grade change will necessitate incorporating ramps as part of the pedestrian pathway system.
- Include adequate ball control fencing to prevent balls from leaving the playing fields
- Includes new field drainage and storm sewer connection designed to accommodate the future expansion of the ATF to two full size soccer fields
- LED sports field lighting system to IES RP-6 Class III standard (min.) including pre-ducting for future expansion of the lighting system
- Protection for adjacent row of Cottonwood Trees by installing root barrier and protecting the Critical Root Zone during field construction
- Park amenities related to the sports fields including water bottle dispenser and bicycle racks
- Sustainable demolition, reuse and disposal for the existing artificial turf field. Refer to Appendix E for End-of-Life options and recommendations for the existing ATF.



Attachment F: Topaz Park Proposed Project Areas 2020-2021



Topaz Park Improvement Plan Construction Funding

Committee of the Whole
January 16, 2020



Purpose

To provide information to support the allocation of funding to complete the skate and bike parks, and the artificial turf field replacement at Topaz Park.

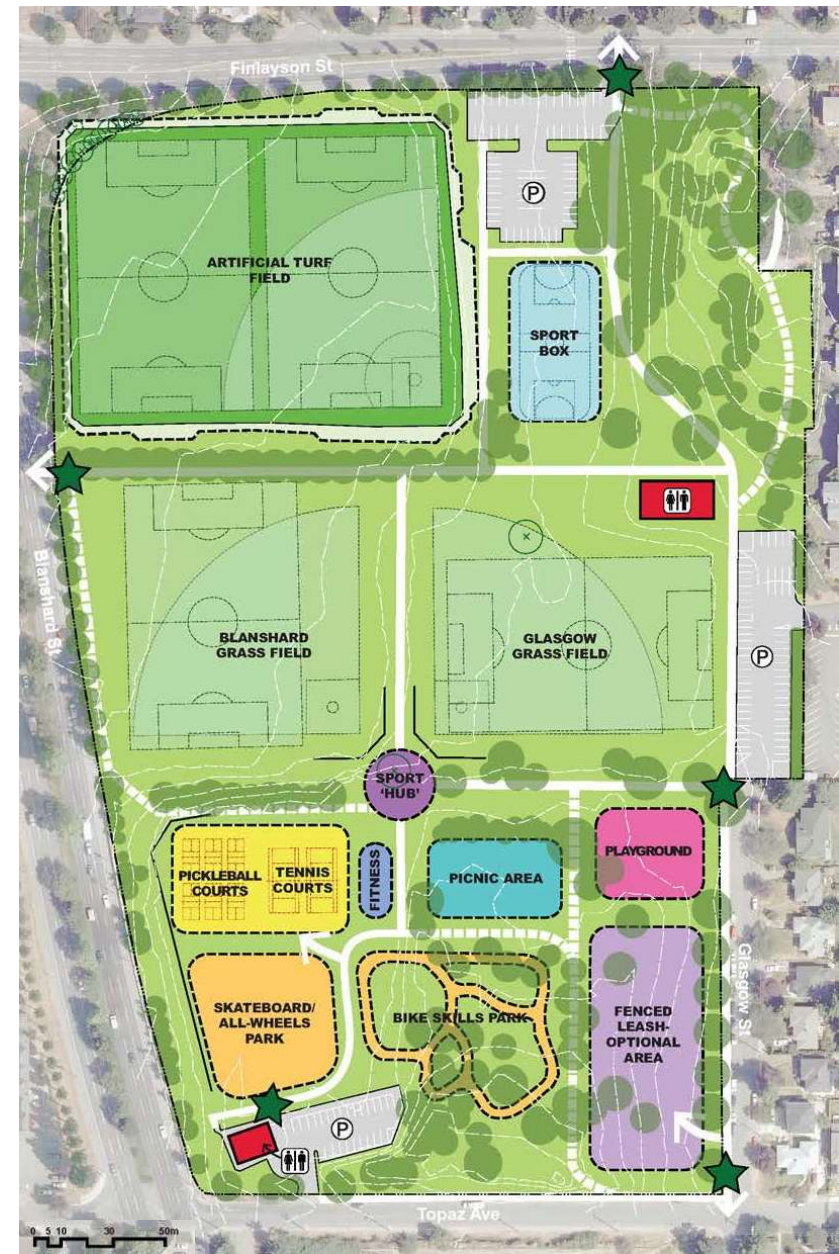
Background

2018

- Topaz Park Improvement Plan approved

2019

- Funding approved for design
- Topaz Park South RFP
 - Cancelled
- Artificial Turf Field Development Study
 - Completed Q4/2019



Proposed Implementation

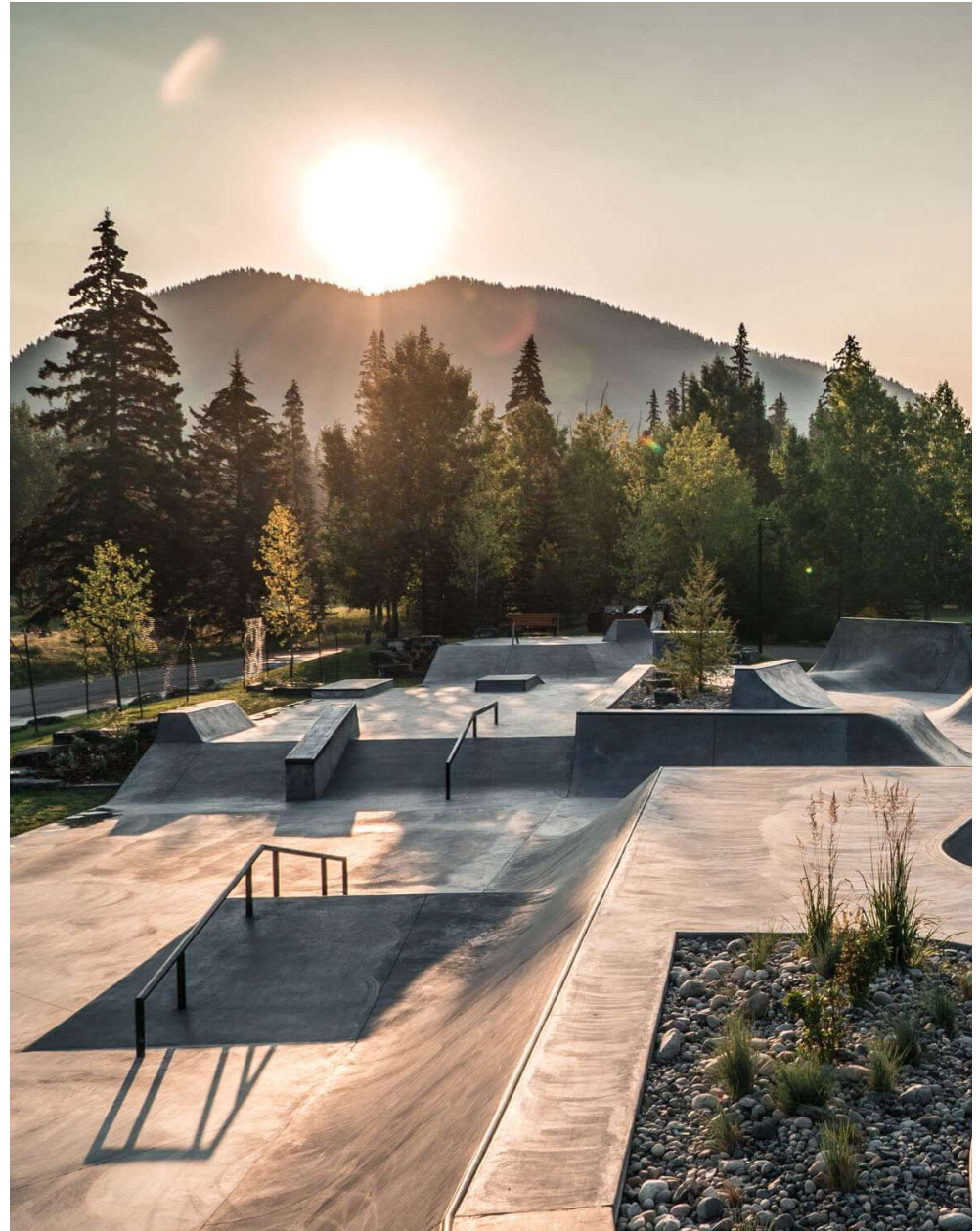
Phase 1 (2019-21)

- Skate and Bike Parks
- Artificial Turf Field Replacement



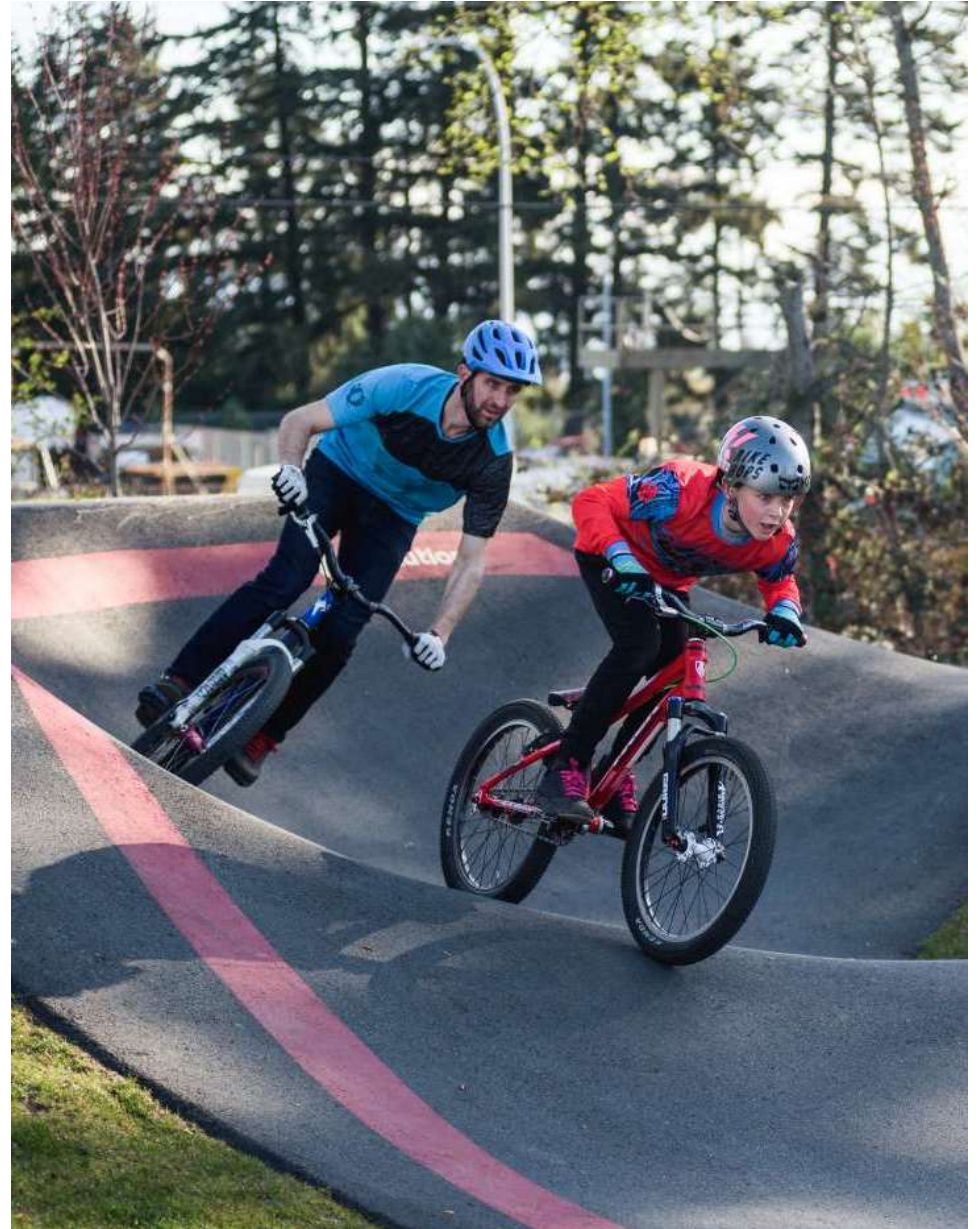
Skate Park

- ~0.75 acres
- Concrete terrain
- Spectator area
- Lighting
- Site services

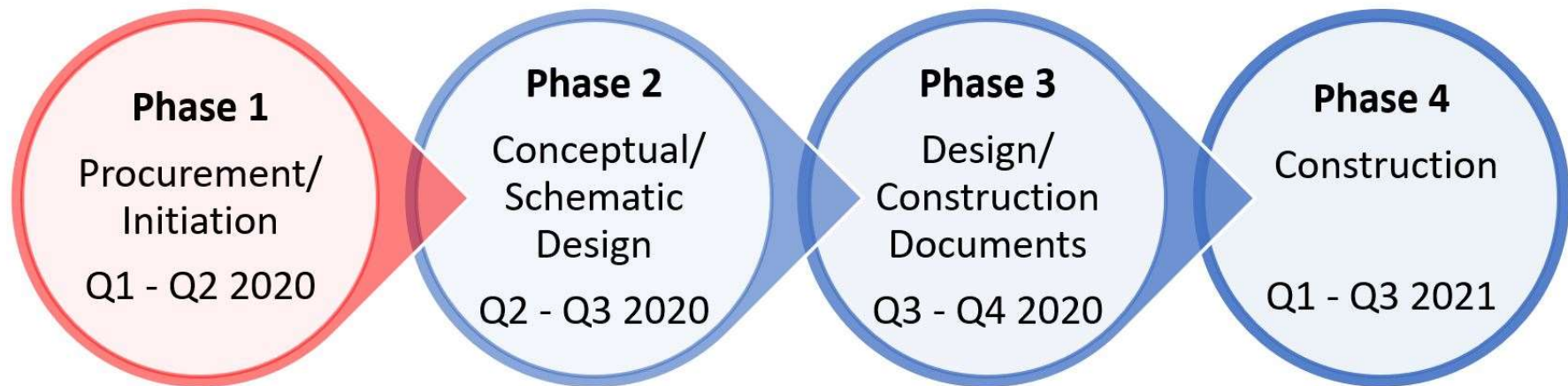


Bike Park

- ~1.5 Acres
- Dirt terrain
- Paved circuit/pump track
- Repair station
- Tree preservation



Schedule Skate/Bike Parks



Proposed Budget Skate/Bike Parks

Project Component	Budget
Design	\$250,000
Skate Park Construction	\$2,300,000
Bike Park Construction	\$500,000
Site Servicing	\$150,000
Contingency	\$600,000
Total	\$3,800,000

Proposed Funding Skate/Bike Parks

Total Budget	\$3,800,000
Remaining Previously Approved Funding	- \$550,000
Total New Funding	\$3,250,000
<i>Recommended Allocation - Building Infrastructure Reserve</i>	<i>\$3,250,000</i>

Artificial Turf Field Replacement

- Multi-purpose field
 - Soccer
 - Softball/Baseball
- Spectator area
- Mini Field
- Sport lighting



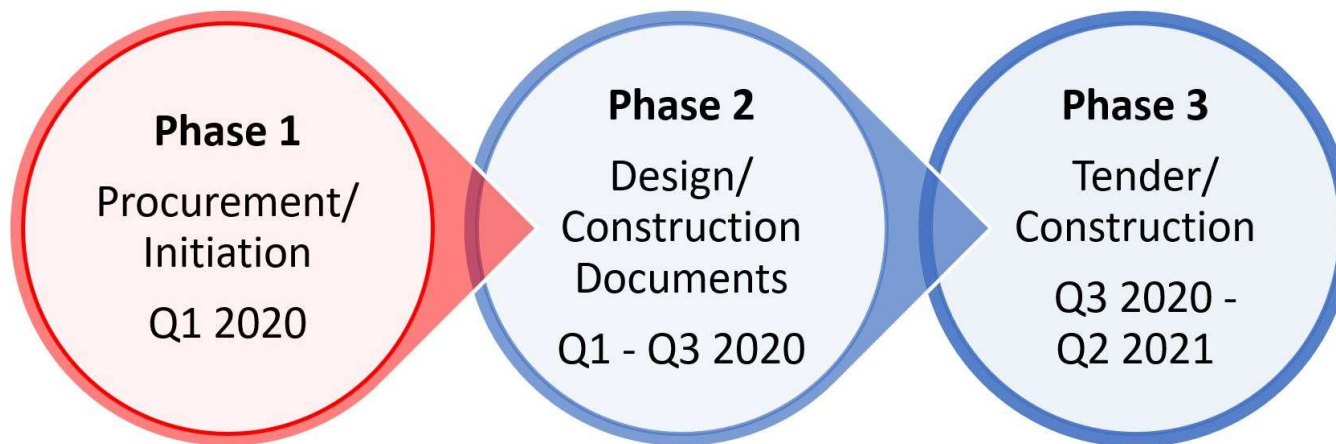
Concept Plan

Artificial Turf Field Replacement



Schedule

Artificial Turf Field Replacement



Proposed Budget

Artificial Turf Field Replacement

Project Component	Budget
Design	\$300,000
Construction	\$3,050,000
Contingency	\$500,000
Allowance for alternative infill	\$500,000
Total	\$4,350,000

Proposed Funding

Artificial Turf Field Replacement

Total Budget	\$4,350,000
Remaining Previously Approved Funding	- \$130,000
Total New Funding	\$4,220,000
<i>Recommended Allocation – Artificial Turf Field Reserve</i>	<i>\$1,200,000</i>
<i>Recommended Allocation – Building Infrastructure Reserve</i>	<i>\$3,020,000</i>

Recommendation

That Council approve the following investments for Topaz Park, in the 2020 Financial Plan;

1. Allocate \$3.25 million from the Building Infrastructure Reserve Fund to complete the construction of a skateboard park, bike park, and related supporting infrastructure; and,
2. Allocate \$3.02 million from the Building Infrastructure Reserve Fund, and \$1.2 million from the Artificial Turf Field Reserve Fund, to complete the construction of the artificial turf field replacement project.



Committee of the Whole Report For the Meeting of January 16, 2020

To: Committee of the Whole **Date:** January 10, 2019
From: Mandi Sandhu, Head of Service Innovation and Improvement
Subject: Community Equity Lens – Scope Options and Next Steps

RECOMMENDATION

That Council:

1. Direct staff to use the Council feedback from the equity workshop on equity values, guiding principles for framework development, equity considerations, and implementation considerations as a foundation for developing an equity lens along with further community input for the City of Victoria (Appendix A).
2. Approve Option #2 - Develop the equity framework within resources requested through the 2020 draft Financial Plan and supplemented with \$75,000 one-time funding to retain external expertise to address short-term capacity gaps.

EXECUTIVE SUMMARY

In June 2019, Council directed staff to “*Embed distributional, procedural, structural and inter-generational equity into the City’s corporate policies guiding hiring, staff training and professional development, procurement and civic engagement*”, as well as lead a workshop with Council on equity values.

In October 2019, Council provided staff with feedback on values related adopting an equity lens, as well as guiding principles for development and implementation of an equity framework for the City of Victoria. Core values articulated by Council included taking a social justice perspective to remove barriers, intersectionality (reflect multiple lived experiences), quality of life (health, happiness and satisfaction), and building a resilient and prosperous community that is inclusive and accessible for all. In addition, taking an intersectional approach will require consideration of a number of equity factors including:

- Ability - persons with disabilities
- Age - children, youth and seniors
- Citizenship Status - immigrants and refugees
- Education - level achieved
- Ethnic Origin and Race - includes Indigenous people and visible minorities
- Gender - male, female, transgender, non-binary, or gender-nonconforming
- Housing Security - tenure and precarity
- Income - absolute and relative level, living wage, wealth

- Religion - faith, belief systems, customs
- Sexual Orientation - lesbian, gay, bisexual, transgender, queer, intersex, and two-spirit

In addition to the feedback from Council, staff have investigated options and requirements to undertake new work related to the design, implementation and evaluation of adopting an equity lens and framework. Through the 2020 financial planning process, staff have requested three positions to support service improvement and performance measurement to support implementation of the as outlined in the Strategic Plan. These positions are integral to the development, implementation and evaluation of an equity framework, including training and working with staff across the organization. Given these are new positions that will take time to recruit, staff have also identified an additional one-time request of \$75,000 to retain short term external consulting support to move this initiative forward while the staffing capacity gap is addressed.

In the short term, staff have identified an opportunity for application of an equity lens to the 2021 budget process for new or enhanced programs and services (including user fee changes); efficiencies (changes that produce savings and maintain or improve service levels) and service level reductions.

This report also provides information on the initial direction from Council related to work that is progressing to advance equity considerations in hiring, staff training and professional development, procurement and civic engagement.

PURPOSE

The purpose of this report is to provide a summary of the outcomes of the October 17, 2019 Council workshop on adopting a community equity lens and seek direction on options for scope and pace to further this work in 2020, including financial implications.

BACKGROUND

On March 14, 2019, Council adopted the 2019-2022 Strategic Plan. The Plan includes a Declaration of Principles and Values Statement for “*Welcoming diversity and fostering a spirit of inclusion and equity in everything we do*”. At that time, staff did not receive direction to undertake specific actions related to advancing specific equity considerations in policy, programs and decision-making processes.

In June 2019, Council directed staff to “*Embed distributional, procedural, structural and inter-generational equity into the City's corporate policies guiding hiring, staff training and professional development, procurement and civic engagement*” and to “*direct the City Manager to imbed these 4 principles ii, iii, iv, v for the city's emerging equity policies*”. Exploring application of equity concepts was also not included as part of the original staff work plan for 2019. Staff re-aligned existing work priorities in August of 2019 to focus on equity and shifted a number of work plan items to 2020.

As outlined in a staff report to the Committee of the Whole on October 17, 2019 regarding service delivery improvement and measurement resources contained in the 2020 Financial Plan as requested by Council, furthering basic work on formally adopting an equity approach in 2020 could be supported by these resources (3.0 FTE), if approved by Council.

On October 17, 2019, Council also participated in a workshop, led by staff and external consultants, to review equity definitions, concepts, approaches, and case studies, as well as provide feedback to staff on values and priorities around equity. Based on this workshop, Council approved the following motion on October 27, 2019:

1. Direct staff to report back in early 2020 with a summary of Council input, as well as a plan to further the equity lens discussions with equity-seeking groups and the community as a whole in early 2020.
2. Direct staff to bring forward financial costs associated with development and implementation of an equity lens as part of the 2020 Financial Plan.
3. Direct that the report from Councillor Dubow along with the other feedback from Council be referred to staff to inform the report back as noted in #1.

Recommendations from the memo from C. Dubow are contained in Attachment B and all concepts are implicitly addressed throughout this report.

ISSUES & ANALYSIS

The following section of this report provided a high-level summary of the feedback from the Council Workshop on equity, alignment of an equity within the Strategic Plan, as well as follow-up from previous Council direction received in June 2019.

Definition

The workshop in October 2019 was a valuable first step to introduce baseline equity concepts and approaches, as well as gain an understanding of the collective and individual views of members of Council related to equity priorities as summarized in Attachment A. Based on the discussion with Council and a review of practices in other local governments, the following 'working' definition of equity, which is founded in a social justice perspective, is proposed to be used to inform the development of an Equity Framework for the City of Victoria:

Equity is treating everyone fairly by acknowledging their unique situation and addressing systemic barriers. The aim of equity is to ensure that everyone has access to equal benefits and outcomes.

Two areas of Council feedback from the October workshop of note are related to terminology and organizational design. On terminology, "class" and "socio-economic status" have not been included in the equity considerations in the summary table in Attachment A for simplicity as these are generally a combination of multiple factors or variables such as experience, education level and income, but exclude other factors. To avoid overlapping concepts in the equity considerations, experiences of multiple conditions will be addressed through an intersectional approach which will look beyond class and status.

The second area of note during the Council workshop and also not summarized in Attachment A is related to organizational and reporting structure for staff involved with development, implementation and monitoring/reporting of an equity framework, as well as the potential 'clustering' of related positions, such as the recently approved position to support implementation of Accessibility priorities. Staff have investigated the various models such as Halifax, Lethbridge, Toronto and Vancouver as cited by individual Council members during the workshop, among others. Once resources are known through 2020 budget decision making process, the City Manager will make decisions on organizational structure, direct and functional reporting lines and position titles with a view to establishing how these positions can effectively achieve objectives related to equity, diversity and inclusion to meet Council objectives within City operations.

Alignment with Other Strategic Plan Initiatives

Through the analysis of the feedback provided by Council, staff have noted a number of areas where the development and implementation of an equity lens may impact other initiatives or recommended by staff to be considered through the development of an equity lens:

Equity Considerations Related to the Strategic Plan

The current Strategic Plan does not provide specific direction for staff to develop an equity lens or framework, but instead identifies a number of potential equity-seeking groups as areas of focus for 2019-2022. These include, but are not limited to, children, youth, seniors, renters, immigrants and refugees, and people with disabilities. The feedback from Council during the equity workshop reflected more broad considerations as outlined in Attachment A, and, as assessed by staff, is more reflective of the broad scope of considerations that may be included in an equity framework given learnings from other jurisdictions.

Strategic Plan projects and initiatives that are that are currently underway such as the development of an Accessibility Framework, Reconciliation Dialogues, Seniors' Strategy and the Youth Strategy will continue during the development of an equity framework in 2020, with a view to ensuring alignment among numerous streams of work.

Planned Capital Projects

There are a handful of action items related to major capital projects in the current Strategic Plan related to a new facility or upgraded amenities where general location has been pre-determined (eg. new central library, Quadra Village Community Centre). Staff are proceeding with implementing the Strategic Plan and under the assumption that these decisions regarding locations will not be revisited or delayed with the introduction of an equity lens, as was directed for the Crystal Pool and Wellness Centre Replacement Project, and noted in the equity implementation considerations from Council as to not have development of an equity policy and framework delay other planned work in Attachment A.

Neighbourhood Boundaries

The Strategic Plan has an action item to "resolve anomalies in neighbourhood boundaries" in 2020, which will be initiated through a Council workshop. This action is not expected to impact work related to the equity framework across the City which will look at distributional equity rather than neighbourhood boundaries, with a focus on the proximity of assets, programs and services, consistent with the approach taken in the Official Community Plan. Local area planning will continue to focus on areas of the city that are place-based (villages and transportation corridors that all people experience), rather than limited to neighbourhood boundaries.

Governance Review

Through the Council equity workshop, there was a common interest expressed in taking an intersectional approach to development of an equity lens, which is reflected in many of the case study examples as emerging practice. At the same time, the City currently has four Advisory Committees or Working Groups focused on Renters, Accessibility and Active Transportation, as well as plans that are either underway or will shortly be underway to establish a number of task forces, including, but not limited to community wellness, seniors, LGBTQi2S, welcoming task force (newcomers and people getting a new start in our community), among many others.

An area of caution noted by staff is that as these focused groups become established, the governance of applying an intersectional equity lens on programs and services may become unnecessarily complex and counter-productive to an overall community equity lens and objectives. With the upcoming Governance Review that is to start in 2021 staff are recommending that the

scope of new task forces be focused on specific actions in the short term (through 2021), and that a larger lens on the roles and responsibilities of Advisory Committees be addressed as part of this governance review, if desired by Council.

Beyond the current Advisory Committee structures, there may also be opportunities to formulate new mechanisms that the City may want to explore for specific policy decisions such as a peer review of staff equity impact statements related to budget changes, or new programs and initiatives that would benefit from additional assessment beyond a single factor or strategy being implemented that is targeted to one of many equity-seeking groups.

Council Reporting

Currently the report template for Committee of the Whole includes an Accessibility Impact Statement, as well as a more recently proposed 'Climate Lens Impact Statement' from staff in the fall of 2019. The current approach to specifically identify impacts to individual equity factors on a one-off basis may become problematic and could better be aligned with a broad intersectional approach to equity considerations. Options on an expansion of assessment of equity impacts to include other factors such as gender, age, income etc. through regular Council reporting will be further investigated by staff. This would include the trade-offs as part of decision making options.

Initiated Actions for Previous Direction

The following section of this report provides further analysis of the original direction received from Council in June 2019 to advance equity considerations in four areas of corporate policies guiding (1) hiring, (2) staff training and professional development, (3) procurement and (4) civic engagement. Based on this direction, the City Manager will issue a corporate policy as to how these items will be addressed as directed by Council to "*direct the City Manager to imbed these 4 principles...for the city's emerging equity policies*" in early 2020, with a view to a Corporate [Council] Policy once an Equity Framework has been adopted by the City.

1. Hiring

Employee Engagement Survey

The Employee Engagement Survey that will be launched in Q1 of 2020 through BC Stats will capture a snapshot of employee demographic information. Participation in the survey overall, as well as answering specific demographic questions by employees, is voluntary. The baseline data on the current profile of the City's workforce could be used to better understand how the current workforce reflects the community and further discussions on internal and external strategies. These will be developed later in 2020 once the baseline information and employee perceptions have been assessed.

Other strategies that could be employed that may impact hiring and are under consideration operationally (examples of procedural equity) include:

- Targeted recruitment and outreach to under-represented groups
- Training for managers and supervisors on inclusive hiring and onboarding
- Human resources Inclusion Lens checklist to identify and eliminate possible barriers in recruitment, hiring, promotion and retention of diverse staff
- Diversity and Inclusion training as "core" required training under the City's Corporate Learning Program
- Increase leadership knowledge of equity and diversity
- Establish a senior leadership committee responsible for oversight and implementation of diversity and inclusion strategies
- Measure and report on diversity demographics of workforce at regular intervals

2. Staff Training and Professional Development

Gender-Based Analysis Plus (GBA+) Training

Fundamental to introducing an equity lens is to ensure that staff at all levels of the organization undergo sensitivity training to understand the objectives of an equity approach. Gender-based Analysis Plus (GBA+) is an analytical process used to assess how diverse groups of women, men and non-binary people may experience policies, programs and initiatives. The “plus” in GBA+ acknowledges that GBA+ goes beyond biological (sex) and socio-cultural (gender) differences. The tool acknowledges that people all have multiple identity factors that intersect to make us who we are; GBA+ also considers many other identity factors, such as race, ethnicity, religion, age, and mental or physical disability; it is an intersectional analytical process for examining how various intersecting identity factors impact the effectiveness of government initiatives.

This no cost interactive web-based certification training through the federal government is a common first step in training staff in a number of municipalities as broad sensitivity training to understand how equity plays a role in the design and implementation of government policies, plans and programs that can impact different individuals with different experiences. Starting in late Q1, an initial cohort of staff will be identified to complete the training, with additional cohorts to be added through the year.

In addition to GBA+, training and professional development related to Indigenous Cultural Safety Training is continuing through 2020.

Canadian Centre for Diversity and Inclusion

The City of Victoria recently become an Employer Partner with the Canadian Centre for Diversity and Inclusion (CCDI) which provides a number of benefits that will support City staff on our diversity journey. Benefits include a monthly newsletter that provides information about CCDI events and research; an e-library with over 1,000 documents containing Canadian-specific and international diversity and inclusion research, reports, toolkits and news; participation in educational webinars four times per month for all employees; and in-person events, including best-practice forums and Community of Practice events in 18 cities across Canada twice per year. Additionally, City staff are actively participating in a network with a number of major Canadian municipalities that participate in quarterly information sharing teleconferences related to Equity, Diversity and Inclusion.

3. Social Procurement

Work towards adopting and imbedding social procurement in the City through the Coastal Communities Social Procurement Initiative (CCSPI) is continuing. In November 2019, a workshop was held for City staff to highlight how day-to-day purchases from regular operations can support local businesses with business practices aligned with the City's goals for social procurement, sustainable waste management and climate leadership. This supports the City's Social Procurement pilot project to encourage staff to incorporate social procurement into day-to-day purchasing decisions. An update report on the CCSPI initiative will be brought to Council in February and will also seek direction on changes to the Purchasing Policy to add social procurement considerations.

4. Community Engagement

The current Strategic Plan includes direction to hold an annual Neighbourhoods Summit to consider best practices in placemaking, planning and engagement. An Engagement Summit has also been held annually since 2017 to continue to advance the City's work to address civic issues through an inclusive approach that harnesses the intelligence, energy and goodwill of the community. Given the high level of interest from some community groups and Council on adoption of an equity lens, a combined 2020 Neighbourhood and Engagement Summit is planned to take place in Q1 2020. Initial planning for the summit includes workshops and presentations on Victoria's equity make up, guest speaker(s) from other communities breaking new ground on equity in engagement and a community dialogue on how the City's Engagement Framework can be strengthened to build on inclusion, diversity and strategies to allow all residents to engage more fully on matters that affect their own lives and their community.

IMPACTS

Advancing work related to hiring, training, procurement and engagement [Summit] is proceeding in 2020. Pending budget decisions related to positions that have been proposed to support the development, implementation and monitoring of an equity framework, among other priority corporate service improvement and performance measurement initiatives, there is a spectrum of options available regarding the scope and pace at which new work can be undertaken to address equity. If these resources are not approved, approximately 0.2 FTE is currently allocated to this initiative through the delay of planned work to coordinate the advancement of the equity initiative in 2020.

The following section of this report outlines an initial anticipated scope for the design, development and implementation of an Equity Lens for the City of Victoria in 2020.

1. *Equity, Inclusion and Diversity Framework*

This scope of work includes common definitions, purpose, vision and values, goals, activities, roles and responsibilities, implementation plan, evaluation in the short, medium and long terms. Also included in this work is a staff guide over and above GBA+ Training on how to assess programs and services they deliver as well as assess proposed new or expanded services to include equity considerations.

2. *Equity, Inclusion and Diversity application to 2021 Financial Plan Process (Pilot on equity responsive budgeting)*

The 2021 financial planning process will begin in Q2 2020. Staff have identified the budget process as an opportunity to introduce "Equity Responsive Budgeting" which is based on the City of Toronto's recent approach to focus on equity impact analysis of changes in the operating budget to inform decision making. This impact analysis would be applied to programs and initiatives where there are:

- New or enhanced programs and services (including user fee changes)
- Efficiencies (changes that produce savings and maintain or improve service levels)
- Service level reductions

The focus of the impact analysis is anticipated to be outward (citizen-facing) focused and includes new policy or program areas directed by Council through the Strategic Plan. It is anticipated that internal-facing services (such as supplementary requests for administrative staff to maintain service levels) would be excluded. For the City of Victoria, staff are recommending that the threshold to undertake an assessment of the budget proposal be for initiatives with

budget requests over \$200,000. The outcome of this analysis would be provided to Council and the public as part of the Draft 2021 Financial Plan. Staff are considering the option of assembling a one-time community based “intersectional committee” to validate the initial staff equity assessment that would represent a diverse range of equity considerations.

3. *Equity, Inclusion and Diversity application 2022 Program Budget Process (Pilot with a limited scope in 2022)*

Staff have looked at other practices in terms of applying an equity lens to the on-going budget process development processes. Once staff in pre-identified program areas have common training and tools to understand and assess equity considerations the following program areas have been identified where an application of equity lens could be applied to program planning starting in 2021 with a pilot in 2-3 program areas for the 2022 Financial Plan.

As directed by Council through the October 2019 Equity Workshop to focus application of the equity considerations, below is an initial listing of potential areas where an equity lens could be applied. Considerations in developing this initial listing is that many program areas are based on safety, risk and condition assessment such as underground infrastructure and are therefore not included.

<u>Operating</u>	<u>Capital</u>	<u>Street Infrastructure</u>
- Engagement	<i>Transportation</i>	- Seasonal Animation
- Public Art Installations	- Bus Shelter	- Countdown Signals and Audible Pedestrian Signal Installation
- Placemaking and Public Realm improvements	-	- Surface Infrastructure Program
- My Great Neighbourhood Grant Program	<i>Parks</i>	<i>Facilities</i>
- Recreation Programs	- New Parks	- Community Centre and Public Washroom Improvements
- Tennis Court and Sport Field Bookings	- Park Improvements and Maintenance	
- Youth Services and LIT Program	- Sport Court and Playground Improvements	
- Human Resources	- Urban Forest Master Plan	

OPTIONS

The following options are proposed to Council as part of the 2020 Financial Plan deliberations. These options have slight variations in scope, pace and cost for the following short-term actions in 2020 and further described below:

Option Description	Deliverables	Risks	Additional Cost
Option 1: Develop Equity Framework with Staff Resources Requested in Financial Plan	This option is consistent with the original staff report on service improvement and measurement resources that were requested as part of the 2020 draft Financial Plan, whereby the three staff resources identified would have a portion of their	The main risk of this approach is around timelines required to hire into new positions which require the development of job descriptions, job evaluation to determine salary assignment, a 30 day review period by CUPE, advertising,	None

Option Description	Deliverables	Risks	Additional Cost
	annual workplans dedicated to supporting advancement of equity, diversity and inclusion across City departments.	recruitment and on-boarding, which is expected to take at least 4-6 months.	
Option 2: Develop Equity Framework with Resources Requested, Supplemented with Additional One-Time External Expertise to Address Short Term Gaps to Expedite Work (RECOMMENDED)	Given the anticipated time that will be required to retain in-house staff to undertake work related the City's emerging equity agenda, the allocation of one-time funding to retain additional external expertise to develop the equity framework would result in the draft Framework to be developed sooner than Option 1 (September versus December).	This option assumes that external consulting firms are responsive to a Request for Proposals and available to undertake work in an expedited timeframe. It also will require staff time to develop the RFP, evaluate proposals, and on-board the contractors.	This option supplements Option 1 with allocation of \$75,000 (one-time) for 2020.
Option 3: Develop Equity Framework with Resources Requested, Supplemented with Additional External Expertise to Address Short Term Gaps, as well as one new additional full-time position fully dedicated to Equity, Diversity and Inclusion.	This option further expands on option two and adds an additional position that would be dedicated to the development, implementation and monitoring/evaluation of the equity program.	The impact of an additional position dedicated to this initiative may not result in a significant difference in deliverables in 2020 given the time required to hire staff, but rather strengthen internal capacity in future years by having in-house expertise.	This option would require both the \$75,000 one-time identified in option #2, as well as \$107,900 on-going for an additional Diversity and Inclusion Specialist (over and above the three staff resources already requested).

Accessibility Impact Statement

Accessibility is one of several equity considerations that will be included in the overall development of an equity policy framework. As noted above, this is an inclusionary approach rather than specific equity based.

2019 – 2022 Strategic Plan

Strategic Plan includes a Declaration of Principles and Values Statement for “Welcoming diversity and fostering a spirit of inclusion and equity in everything we do”. The current 2019-2022 Strategic Plan does not identify development of an equity lens or framework as an action item. An amendment to the Strategic Plan would be appropriate given the current and anticipated future work on this initiative.

Impacts to Financial Plan

Depending on the option chosen by Council, there are different staffing and expenditure considerations as outlined in the options above for the 2020 Financial Plan. Impacts to the 2021 Budget will be brought forward by staff in the fall of 2020 pending Council direction.

Official Community Plan Consistency Statement

Social equity is explicitly addressed in the City of Victoria’s Official Community Plan (OCP) under ‘Community Well-Being’ to encourage a fair distribution of community services, social services, and facilities across the city, to support all parts of the population. The OCP also has equity principles,

goals and objectives embedded within a number of other areas such as Land Management and Development, Transportation and Mobility, Economy, Parks and Recreation, Arts and Culture as well as Housing and Homelessness.

CONCLUSIONS

Based on Council direction, staff will begin to retain the necessary internal and external resources and overall workplan to further develop a community equity lens for the City of Victoria.

Respectfully submitted,




Mandi Sandhu
Head, Service Innovation & Improvement



Susanne Thompson
Deputy City Manager/Chief Financial Officer

Report accepted and recommended by the City Manager:


Date: Jan 10, 2020

List of Attachments

- A. Summary of Council Feedback
- B. Previous Council Direction

Attachment A: Summary of Council Feedback (October 17, 2019)

Subject	Council Feedback
Values	<ul style="list-style-type: none"> • Social Justice - remove systemic barriers • Intersectionality - reflect multiple lived experiences • Quality of Life - health, happiness and satisfaction • Resilience and Prosperous Community - inclusion and access
Guiding Principles for Framework Development	<ul style="list-style-type: none"> • Practical (scalable to initiative size) • Achievable (pragmatic in terms of implementing in desired time frames) • Transparent (simple and understandable) • Measurable (moving the bar)
Equity Considerations*	<ul style="list-style-type: none"> • Ability - persons with disabilities • Age - children, youth and seniors • Citizenship Status - immigrants and refugees • Education - level achieved • Ethnic Origin and Race - includes Indigenous people and visible minorities • Gender - male, female, transgender, non-binary, or gender-nonconforming • Housing Security - tenure and precarity • Income - absolute and relative level, living wage, wealth • Religion - faith, belief systems, customs • Sexual Orientation - lesbian, gay, bisexual, transgender, queer, intersex, and two-spirit
Implementation Considerations	<ul style="list-style-type: none"> • Focus on end goal of removal of barriers so all current and future members of our community can participate in society and prosper • Sensitivity to stigma related to mental health and self-identification as part of a particular populations to be avoided • Target civic engagement to ensure equity seeking groups are part of the process (not just representative individuals), including potential assistance to under-represented groups to participate • Ensure training for a broad scope of staff • Develop an equity tool to assist decision making for Council • Equity lens development not to delay existing work • Initial application to include the 2021 Financial Plan and budget development • Various comments on where to start implementation – infrastructure (limited scope), programs, training, etc.

* Alphabetical listing and not prioritized

Attachment B: Previous Council Direction

On June 13, 2019, Council approved the following Motion:

That Victoria City Council direct staff to develop a plan to revisit the objectives, scope and schedule of activities for the Crystal Pool project that aligns with the new Strategic Plan, including application of the evaluative tools described in section i, ii, iii, iv below, for Council consideration:

- i. Ensure no net loss of green space in the neighbouring area.*
- ii. Apply an equity lens to siting, design, amenity selection, engagement, procurement, and evaluation, to inform decisions about and investment in community*
- iii. Apply an affordability lens to assess total cost of ownership, siting, amenity selection, operating costs, costs to taxpayers and users*
- iv. Invite potential partners and neighbourhood representatives to collaborate to align and help achieve these equity, accessibility and affordability objectives*
- v. Embed distributional, procedural, structural and inter-generational equity into the City's corporate policies guiding hiring, staff training and professional development, procurement and civic engagement*
- vi. Report back to Council on potential locations in the North Park and Hillside / Quadra neighbourhoods.*

Motion Arising:

That Council direct the City Manager to imbed these 4 principles ii, iii, iv, v for the city's emerging equity policies.

On October 17, 2019, Councillor Dubow provided the following memo during the Committee of the Whole meeting for staff to consider to inform Staff report back:

- 1. That staff in each city department be directed to select a diversity of two (2) representatives to sit on an internal equity, inclusion, and diversity task-force in order to prepare a draft memo on the steps that would be required to initiate internal and external work to understand and address institutional inequity in their departments; as well as the City as a whole by understanding socio-racial and institutional disparities in more intentional ways.*
- 2. That, the City Manager, in collaboration with staff on the internal equity, inclusion, and diversity task-force draft a report within six (6) months of the decision of this motion. The report is to be based on feedback and other Council considerations from the departmental memos, as direction for the creation of a request for qualifications (RFQ). The RFQ will be used to engage consulting firms during the request for proposals stage (RFP) with deep expertise in assisting organizations to develop and apply a critical understanding and final report with key calls to action that address how race, class, gender, sex, sexual orientation, ethnic origin, religion, disability, family status, age, housing tenureship and housing precarity, and socio-economic status intersect and contribute to internal and external inequities within our City.*
- 3. That the staff report and presentation regarding corporate equity, developed to support existing work by staff, be reviewed, edited and revised as required following consultations with internal and external stakeholders and consultants and made available as a resource to City staff and the community;*
- 4. That the City Manager, in partnership with the various Volunteer Advisory Committees representing equity seeking groups, be directed to plan and execute an Equity, Diversity and Inclusion Summit through which members of Council and the public can review hear directly from subject matter experts and the community on equity practices and how an equity, diversity and inclusion lens could be integrated and incorporated into public policy and service delivery;*
- 5. That as part of ongoing efforts to develop and advance the equity, diversity and inclusion analysis, staff participate in relevant, provincial and federal equity, diversity and inclusion related initiatives.*
- 6. That staff to bring forward financial costs associated with developments and implementation of an equity lens as part of 2020 Financial Plan.*

Community Equity Lens Scope Options and Next Steps

PRESENTATION TO THE COMMITTEE OF THE WHOLE

JANUARY 16, 2020



Purpose of Today's Report

- Provide summary of Council direction to-date
- Provide update on actions underway related to previous direction
- Seek Council approval of the working definition, values and guiding principles for developing an equity lens
- Seek Council direction on options for developing an equity lens and framework



Background

March 2019 – Strategic Plan Adoption

- Statement of Principles
- Service Improvement and Measurement Direction

June 2019 - Initial Direction Equity

- Crystal Pool and Wellness Centre
- City operations (training, procurement, hiring, engagement)

October 2019 - Workshop

- Council Workshop on Equity Values
- Service Improvement Report (re-engineered positions)
- Memo from C. Dubow



Community Equity Lens – Scope Options and Next Steps

Progress on June Direction

Staff Training and Professional Development

- Gender-Based Analysis Plus (GBA+)
- Canadian Centre for Diversity and Inclusion (CCDI)

Social Procurement

- Coastal Communities Social Procurement Initiative (CCSPI)
- Procurement Policy Update

Hiring

- Employee Engagement Survey
- Procedural Strategies

Engagement

- Summit (Q1 2020)



Community Equity Lens – Scope Options and Next Steps

Equity Workshop Feedback (Att. A)

Working Definition

- Equity is treating everyone fairly by acknowledging their unique situation and addressing systemic barriers. The aim of equity is to ensure that everyone has access to equal benefits and outcomes.

Values

- Social Justice - remove systemic barriers
- Intersectionality - reflect multiple lived experiences
- Quality of Life - health, happiness and satisfaction
- Resilience and Prosperous Community - inclusion and access

Guiding Principles

- Practical - scalable to initiative size
- Achievable - pragmatic in terms of implementing in desired time frames
- Transparent - simple and understandable
- Measurable - moving the bar



Community Equity Lens – Scope Options and Next Steps

Equity Workshop Feedback (Att. A)

Considerations

- **Ability** - persons with disabilities
- **Age** - children, youth and seniors
- **Citizenship Status** - immigrants and refugees
- **Education** - level achieved
- **Ethnic Origin and Race** - includes Indigenous people and visible minorities
- **Gender** - male, female, transgender, non-binary, or gender-nonconforming
- **Housing Security** - tenure and precarity
- **Income** - absolute and relative level, living wage, wealth
- **Religion** - faith, belief systems, customs
- **Sexual Orientation** - lesbian, gay, bisexual, transgender, queer, intersex, and two-spirit

Socio-Economic Status and Class are not included in the listing above as these are generally a combination of specific factors, such as experience, education level, and income, but exclude others.



Community Equity Lens – Scope Options and Next Steps

Alignment to Strategic Plan

- Action items related to Equity Framework
- New Policy and Strategy Development Underway
- Planned Capital Projects
- Neighbourhood Boundary Review
- Governance Review
- Council Reports



Community Equity Lens – Scope Options and Next Steps

Examples of Success

- **Government of Canada** – simple approach, widespread application across all service areas and staff training (GBA+)
- **City of Edmonton** – focus on diversity and inclusion framework and implementation plan; includes performance measures from employee and community surveys
- **City of Ottawa** – Toolkit for staff assessing policies, programs and services (also had strong non-profit leadership and federal funding)
- **City of Toronto** – adopted equity responsive budgeting with validation by an external community committee (one-time).



Community Equity Lens – Scope Options and Next Steps

Equity Framework Elements

Pending confirmation of staff resources and budget:

- Common Definitions
- Purpose
- Vision and values
- Goals
- Activities
- Roles and Responsibilities,
- Implementation Plan
- Evaluation



Community Equity Lens – Scope Options and Next Steps

Financial Plan 2021

Opportunity to introduce equity impact assessments and statements for the following as part of the draft 2021 Financial Plan:

- New or enhanced programs and services (including user fee changes)
- Efficiencies (changes that produce savings and maintain or improve service levels)
- Service level reductions



Community Equity Lens – Scope Options and Next Steps

Equity Lens Application (Future)

Operating

- Engagement
- Public Art Installations
- Placemaking and Public Realm improvements
- My Great Neighbourhood Grant Program
- Recreation Programs
- Tennis Court and Sport Field Bookings
- Youth Services and LIT Program
- Human Resources

Capital

Transportation

- Bus Shelter Installations

Parks

- New Parks
- Park Improvements and Maintenance
- Sport Court and Playground Improvements
- Urban Forest Master Plan

Street Infrastructure

- Seasonal Animation
- Countdown Signals and Audible Pedestrian Signal Installation
- Surface Infrastructure Program

Facilities

- Community Centre and Public Washroom Improvements



Resource Requirements

Previously Requested:

- Service Improvement Advisors (2) – \$264,200
- Performance Measurement Analyst – \$107,900
- Survey - \$100,000 (one-time)

New Request (short term external equity consultants):

- \$75,000 (one-time)



Recommendations

1. Direct staff to use the Council feedback from the equity workshop on equity values, guiding principles for framework development, equity considerations, and implementation considerations as a foundation for developing an equity lens along with further community input for the City of Victoria (Appendix A).
2. Approve Option #2 - Develop the equity framework within resources requested through the 2020 draft Financial Plan and supplemented with \$75,000 one-time funding to retain external expertise to address short-term capacity gaps.





CITY OF
VICTORIA

Committee of the Whole Report For the Meeting of January 16, 2020

To: Committee of the Whole
From: Chris Coates, City Clerk
Subject: By-election

Date: January 8, 2020

RECOMMENDATION

That Council:

1. Appoint Chris Coates as Chief Election Officer.
2. Appoint Christine Havelka, Monika Fedyczkowska, and Sonia Santarossa as Deputy Chief Election Officers.
3. Confirm an addition to the Financial Plan for 2020 of a total budget for the by-election of \$170,000 from Surplus.
4. Direct the Chief Election Officer to advise the Minister of Municipal Affairs and Housing of the by-election date of April 4, 2020.
5. Authorize forwarding the above motions to the daytime Council meeting of January 16, 2020.

EXECUTIVE SUMMARY

At the December 12, 2019 Committee of the Whole meeting, Council received the staff report attached as Appendix A in connection with holding a by-election to fill a vacant Councillor position resulting from the resignation of Councillor Laurel Collins. At the December 12, 2019 Council meeting the following motion was passed:

That Council direct staff to proceed with Option 1 a modified by-election process and report back on final timing, cost estimates and appointment of a Chief Election Officer in January 2020.

The legislative requirements require general voting day to occur on a Saturday no more than 80-days after the appointment of a Chief Election Officer. Should the appointment of the Chief Election Officer be confirmed on January 16th, general voting day would be Saturday, April 4, 2020.

The City's Election Procedures Bylaw delegates authority to the Chief Election Officer to undertake the arrangements for conducting the voting. The December staff report sought input from Council to formulate the approach which would consist of a modified approach from full elections in recent times, recognizing that one seat on Council is being elected.

Upon closer analysis, five voting locations (an increase of one from the recommended four) will be utilized and selected on the basis of population distribution, geography, accessibility, and availability, in addition to up to eight advance voting opportunities at City Hall before general voting day. Appendix B, attached, indicates the 12 locations used during the 2018 general election and the locations being selected for the by-election, subject to final confirmation of availability, for general voting day for the by-election.

A number of other features resulting from Council's input in December will be incorporated including the use of an accessible voting machine, the candidate guide hosting, cost efficient bulk mail resident notification and specific outreach to care facilities that had special voting opportunities in 2018, advising of the mail ballot option available for the by-election.

In terms of the budget to conduct the by-election, \$170,000 from Surplus is estimated as the total cost based on the approach that Council consented to on December 12. In order to maintain the workflow in the Legislative Services department and to meet core service obligations, additional resources would be engaged for the by-election, which were contemplated initially, and are reflected in the projected costs.

Accessibility Impact Statement

Election processes are not yet barrier free. Council's direction to employ an accessible voting machine along with the standard practices of mail ballot voting and curbside voting add to the statutory requirement to permit assistance in ballot marking to occur, and provide a way to accommodate different accessibility considerations to enable most citizens who wish to vote the ability to do so.

2018 – 2022 Strategic Plan

The election process is a statutory function and as such is not specifically represented in Council's Strategic Plan. Elements of public engagement, good governance, accessibility are woven through the City's process in addition to the legislated requirements.

Impacts to Financial Plan

Funding for the by-election requires a 2020 allocation of \$170,000 from Surplus.

Official Community Plan Consistency Statement

Election procedures are established in the *Election Procedures Bylaw* and are not referenced in the Official Community Plan.

CONCLUSIONS

Legislative requirements necessitate moving a by-election forward as soon as practicable. With that in mind, staff have developed the planning for the by-election in as expedited a manner as time permits and have received direction, reviewed the process requirements, and taken the necessary steps to enable appointment of election officials and move the process forward for an April 4, 2020 general voting day for the by-election.

Respectfully submitted,



Chris Coates
City Clerk



Mandi Sandhu
Head of Service Innovation and Improvement


Susanne Thompson
Deputy City Manager

Report accepted and recommended by the City Manager:


Date: Jan 9, 2020

List of Attachments:

Attachment A – December 12, 2019, Staff Report

Attachment B – Voting Locations Map



Committee of the Whole Report For the Meeting of December 12, 2019

To: Committee of the Whole
From: Chris Coates, City Clerk
Subject: 2020 By-election

Date: December 4, 2019

RECOMMENDATION

That Council direct staff to proceed with Option 1 a modified by-election process and report back on final timing, cost estimates and appointment of a Chief Election Officer in January 2020.

EXECUTIVE SUMMARY

The resignation of Councillor Laurel Collins was received on November 4, 2019. At the November 7, 2019 daytime Council meeting, Council received a brief staff report, attached as Appendix A, noting that a further report would be coming forward in connection with issues and process for moving forward to fill the vacant position.

The purpose of this report is to review the election process to determine the level of both voting opportunities and communications appropriate to the circumstances of a by-election for one seat on City Council.

The general election was a significant undertaking in 2018. The total costs exceeded \$360,000. One-third of the total cost of the election was shared by School District 61. A significant component of these costs were related to staffing. There were 12 general voting day locations; significant community engagement including mailed voting cards to each household; remote advance voting locations and special voting opportunities at Care Homes with populations of over 50 residents.

A full analysis of the 2018 General Election was provided in a Lessons Learned Report attached as Appendix B.

Typically, by-elections tend to attract a lesser number of voters. A recent comparison is the 2017 Saanich by-election for a single council position that resulted in an approximately 17% voter turnout compared to 34% in the 2018 general election in Saanich. The voter turnout in the 2018 general election in the City was more than 43%.

Staff are recommending a modified approach to the by-election:

- Maximizing advance voting opportunities during normal business hours.
- Providing 4 geographically strategic locations for general voting day.
- Limiting special voting opportunities to mail ballot voting.
- Utilizing existing communication channels.

Council gave direction at the September 19th Council meeting to make an accessible voting machine available for the next municipal election or by-election on polling day and that it be located at City Hall or another equally central polling location and to widely publicize these accessibility options well in advance of polling day. This direction at minimum, will be part of the by-election process.

Pre-planning for a general local election commences many months before general voting day to arrange for the staffing, facilities and infrastructure necessary to fulfill the process requirements. The City makes a concerted effort to increase voter awareness through a proactive communications campaign. Once Council appoints a Chief Election Officer (CEO), general voting day must occur within 80 days of that appointment. Once the specifics of the voting are confirmed, staff can report back on the appointment of a CEO.

The recommendations in this report are intended to seek a balance, ensuring that statutory obligations are met and that an appropriate level of voting opportunities and communications are provided while seeking to limit the impacts on the core service delivery, Council's strategic priorities, and City financial resources.

Regardless of the direction on the scope and timing provided by Council, a number of strategic initiatives and operational service delivery items will require schedule re-adjustments for 2020 to accommodate this unplanned project.

PURPOSE

The purpose of this report is to seek direction for conducting the by-election for the recently vacated position on Council, resulting from the resignation of Councillor Laurel Collins.

BACKGROUND

Councillor Laurel Collins officially resigned effective November 4, 2019. At the November 7, 2019 daytime Council meeting, the staff report attached as Appendix A was received by Council.

The Local Government Act provides that when a position becomes vacant Council must appoint a Chief Election Officer as soon as practicable and notify the Minister of Municipal Affairs and Housing of the election. Once a Chief election Officer is appointed, general voting day must occur within 80 days of the appointment. The *Local Government Act* prescribes the majority of conditions for conducting elections and others that may be included in the Election Procedures Bylaw, which is attached as Appendix C.

City elections are complex and involve a significant amount of pre-planning to address logistical considerations, staffing and infrastructure necessary to conduct the election process and undertake additional communications to raise awareness of the election for the voting public. For these reasons, the appointment of the Chief Election Officer should only occur after due regard for these considerations has occurred and the necessary pre-planning undertaken. The scale of the voting locations, special voting opportunities and engagement significantly impact the costs and time required to plan.

In addition, with an ambitious Strategic Plan and core service delivery responsibilities, staff in Legislative Services, Corporate Initiatives, and Engagement Departments are operating at capacity. With this in mind, careful consideration of ways in which to scale the election to minimize impacts on existing commitments are being presented for Council to consider. Understandably this approach also lessens the cost for undertaking the by-election.

Over the past ten years, the City has held three general elections (2011, 2014 and 2018), and one by-election in 2010. The by-election was unique in that it also included a referendum question on the Johnson Street Bridge. Given the referendum, a decision was made at that time to heavily promote public participation to vote on this large municipal expenditure, which resulted in a scope of work similar to that of a regular General Election

ISSUES & ANALYSIS

A detailed overview of the 2018 election process and associated data contained in the Lessons Learned report attached as Appendix B. Decision points for the by-election are:

Advance Voting

There are two required, 12 hour advance voting opportunities for any election. Increasing advanced voting can lessen the impact on voting places on general voting day and provide voters with multiple dates and times to vote. Conducting these at City Hall can lessen the burden both in terms of financial implications, as well as resource implications. In addition to the two required advance voting opportunities held at City Hall in past elections, external locations at UVIC, Camosun Interurban Campus and Our Place were other locations for advance voting in 2018. There were five in total during the 2018 election, and 7% (4791 people) cast ballots at advance voting opportunities with the vast majority at the City Hall opportunities.

Staff are recommending holding up to eight advance voting opportunities all of which would be located at City Hall.

Special Voting Opportunities

Special voting opportunities are costly, labour intensive and produce limited results in terms of increasing voter turnout. Limiting special voting opportunities to mail ballots, available to any eligible voter wishing to use that method is an effective and inclusive way to vote without attending a voting place. This is helpful to persons who prefer not to, or have challenges attending a voting place. Despite being labour intensive mail ballot voting is less so than the other alternatives such as attending care homes with mobile teams that occurred in 2018. In 2018 mail ballot voting was utilized by 0.3% of voters (197 people). Mobile voting at the 14 Care Homes visited was utilized by 0.6% of voters (403 people)

Staff are recommending conducting Mail Ballot voting as the special voting opportunity.

General Voting

The last by-election in the City was in 2010 and involved the Johnson Street Bridge borrowing referendum, and council vacancy. Because of the significance of the referendum the more standard election process including 12 general voting day locations were used.

In a 2017 by-election in Saanich, four voting day locations were used. Saanich had a 17% voter turnout in that by-election compared to 34% voter turnout at the 2018 general election. The staffing requirements are high and recruiting staff for that many locations on general voting day is a significant exercise.

Lessons Learned from the 2018 election process also suggested that more than one voting machine at each voting location would speed up the process. It is intended that each voting location would

have at minimum, two voting machines. Additionally, it is likely that a single-sided ballot would be used which would further reduce the time needed to process ballots at the voting places.

Staff are recommending four general voting day locations, spread out geographically, to cover the City and a minimum of two voting machines be located at each voting place.

Non- statutory Advertising/Communication

The *Local Government Act* prescribes required advertising for:

- being added to the list of electors
- notice of nomination period
- notice of election by voting

In addition to this, the City has been proactive in terms of reaching out to eligible voters as follows during general elections as follows with a suite of Communications activities, noted in the Lessons learned Report (Appendix B):

OPTIONS AND IMPACTS

The planning, coordination and execution of a by-election will have a number of impacts beyond financial considerations, particularly on staff time to deliver on strategic initiatives and maintain regular operations in select areas of the City. Over the past two months, in addition to regular Committee of the Whole Meeting and Council meetings, there have been four Special Meetings to deliberate the draft 2020 Financial Plan, and an evening Budget Town Hall. Looking forward to 2020, there are ten scheduled Committee and Council meetings through the month of January, as well as minimally four additional meetings to further deliberate on the 2020 budget and Strategic Plan amendments. The impacts of additional staff time spent preparing agendas and attending these meetings, along with the need to produce minutes which will be delayed throughout Q1 as a backlog is expected given the volume of new work.

Other impacts beyond the day to day Council meeting management are outlined in the two options below.

Option 1 – Modified Election Process (*Recommended*)

Details

General Voting Day Locations – 4 Stations
City Hall Advance Voting Opportunities – 8 Stations
Mail Ballot Voting

Utilize existing communications channels like:

- Election information posted on Victoria.ca
- Connect Newsletter
- E-Newsletter
- Social Media to compliment statutory advertising
- Media Alerts

Resource Implications

The modified election process could be undertaken with impacts on existing projects consisting of delaying by three months:

- The Noise Bylaw Review

- Fencing Regulations for Deer Management
- Rise and Report Policy
- Lobbyist Registry
- Open Government Strategy
- Website Accessibility Improvements
- General ability to review and compile Committee and Council minutes in a timely manner through Q1 and Q2 2019

Probable Cost Range

\$140,000 – 170,000

Option 2 – Standard Election Process (Not Recommended)

Details

General Voting Day Locations – 12 Stations

City Hall Advance Voting opportunities – 5 Stations

Mail Ballot Voting

Special Voting Opportunities at Care Homes - 14

- Advertising (non-statutory) in both traditional and online media
- Times Colonist front page wrap, in coordination with other core municipalities
- Voter card mail-out to each household in the City
Promotion through social media, parking pay station signage, digital signage, E-Newsletter and Connect Newsletter
- Post information on Victoria.ca, including Candidate Profile Guide
- Voting day encouragements, including the “I Voted” stickers
- Election app to receive quick access to all relevant election information
- Posters and rack cards

Resource Implications

The more standard election process could be undertaken with impacts on existing projects consisting of delaying by three months items identified for Q1 of 2020:

- Fencing Regulations for Deer Management
- Rise and Report Policy
- Website Accessibility Improvements

Delaying further Q1 and Q2 items:

- Lobbyist Registry
- Video Submissions to Public Hearings and Request to Address Council
- Noise Control Bylaw Review
- Open Government Strategy
- General ability to review and compile Committee and Council minutes in a timely manner through Q1 and Q2 2019

In addition, departments would be impacted, most notably Human Resources for recruitment election staffing, Payroll for compensation for election staffing. Legislative Services staff would have minimal capacity to support other departments requiring policy advice and assistance.

Probable Cost Range

\$320,000 – 360,000

Timing for General Voting Day

As noted above, once Council appoints a CEO, general voting day must be held (on a Saturday) within 80 days of the appointment. Any suggestion of reducing from the 80 days exacerbates the impacts on workload.

In relation to the options for conducting the voting presented in this report, there likely 4 additional weeks, needed to undertake Option 2 compared to the reduced process suggested in Option 1. Spring Break begins March 16th and finishes March 27th. The Easter holidays are April 10 and 13. It is a best practice to avoid voting or critical advertising during these times. Based on Council's direction, staff would report back with final timing. At this point estimates put Option 1 at March 14th and Option 2 at April 18th.

Accessibility Impact Statement

Election processes are not yet barrier free. However, Council's direction to employ an accessible voting machine, mail ballot voting, curbside voting add to the statutory requirement to permit assistance in ballot marking to occur, provide a way to accommodate different accessibility considerations to enable most citizens who wish to vote the ability to do so.

Council gave direction at the September 19th Council meeting to:

1. Make an accessible voting machine available for the next municipal election or by-election on polling day and that it be located at City Hall or another equally central polling location;
2. Widely publicize these accessibility options well in advance of polling day.

2018 – 2022 Strategic Plan

The election process is a statutory function and as such is not specifically represented in Council's Strategic Plan. Elements of public engagement, good governance, accessibility are woven through the City's process in addition to the legislated requirements.

Impacts to Financial Plan

Funding for the by-election is not currently included in the Financial Plan. Funding, potentially from one-time surplus will be required.

Official Community Plan Consistency Statement

Election procedures are established in the Election Procedures Bylaw and are not referenced in the Official Community Plan.

CONCLUSIONS

The City's election process is complex, and the number of voting locations and staff requirements is a significant impact not only on the costs of the election but also on existing city staff resources. The City has been a leader in the region to supplement the required advertising with electronic and social media-based initiatives with the goal of continuing to increase voter turnout. The growth in voter turnout over the last two elections has been significant and highlights that infrastructure to support the process should be reviewed to ensure that service levels are where Council would like them to be, and that voter experience is positive which leads to greater turnout with each election. A by-election is likely to attract a reduced number of voters and as such, Council may wish to

consider a modified process that will reduce human and financial resource implications from that of a general election while still achieving a variety of voting methods and opportunities as well as proactive engagement that uses existing processes already available.

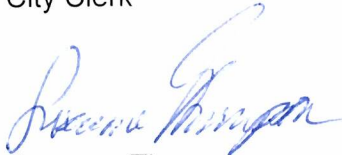
Respectfully submitted,



Chris Coates
City Clerk



Mandi Sandhu
Head of Service Innovation and Improvement



Susanne Thompson
Deputy City Manager

Report accepted and recommended by the City Manager:



Date:

Dec 6, 2019

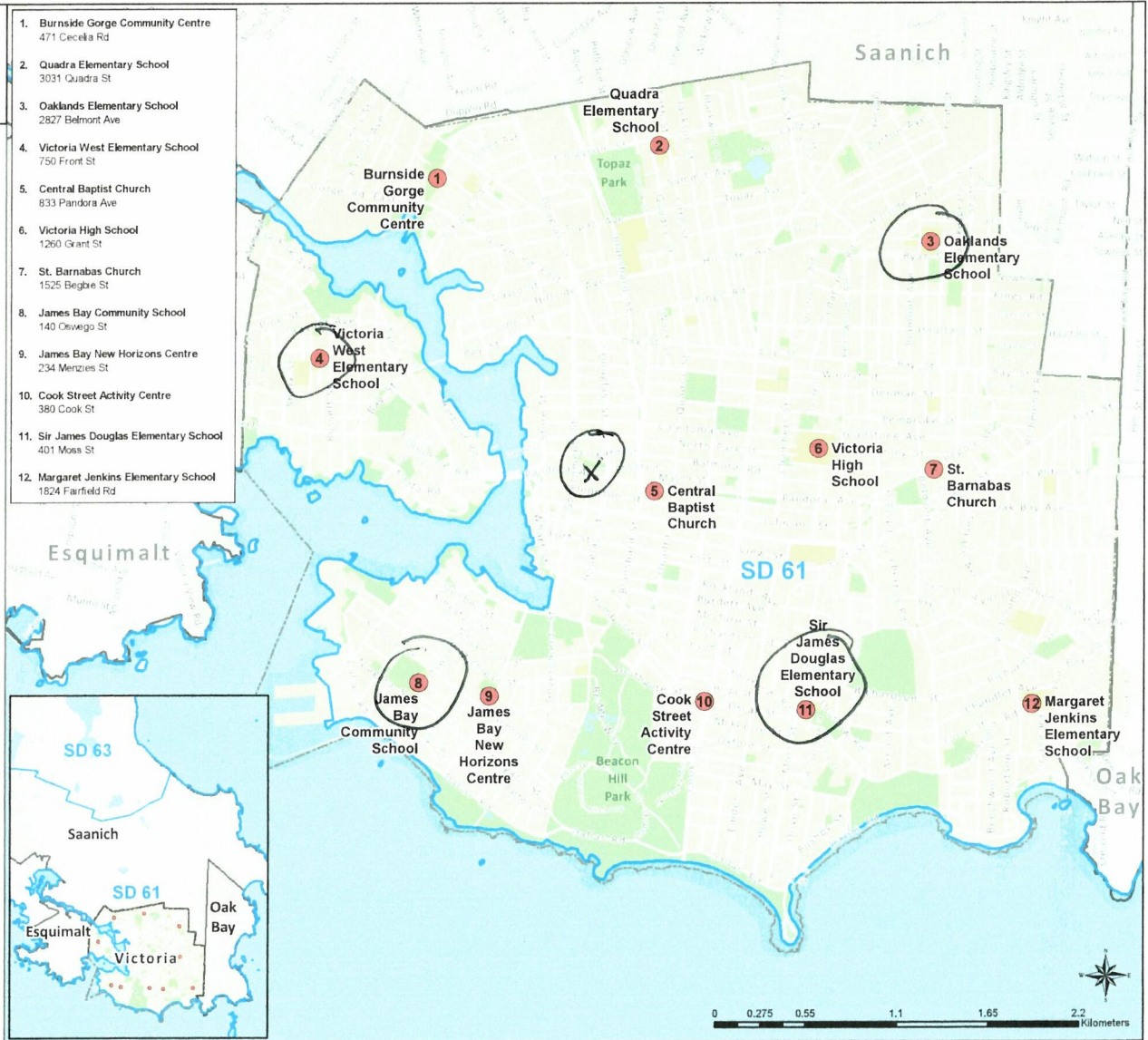
List of Attachments:

- Attachment A – November 5, 2019 Staff Report
- Attachment B – February 25, 2019 Lessons Learned Report
- Attachment C – Election Procedures Bylaw



City of Victoria 2018 Municipal Election Polling Stations

1. Burnside Gorge Community Centre
471 Cecelia Rd
2. Quadra Elementary School
3031 Quadra St
3. Oaklands Elementary School
2827 Belmont Ave
4. Victoria West Elementary School
750 Front St
5. Central Baptist Church
833 Pandora Ave
6. Victoria High School
1260 Grant St
7. St. Barnabas Church
1525 Begbie St
8. James Bay Community School
140 Clewigo St
9. James Bay New Horizons Centre
234 Menzies St
10. Cook Street Activity Centre
380 Cook St
11. Sir James Douglas Elementary School
401 Moss St
12. Margaret Jenkins Elementary School
1824 Fairfield Rd





CITY OF
VICTORIA

**Committee of the Whole Report
For the Meeting of January 16, 2020**

To: Committee of the Whole

Date: January 9, 2020

From: Chris Coates, City Clerk

Subject: Council Meeting Schedule Amendment

RECOMMENDATION

That the meeting schedule be amended to reschedule the February 20, 2020 Town Hall meeting to February 4, 2020 to be held in the afternoon.

EXECUTIVE SUMMARY

Council adopted a meeting schedule for 2020 that included scheduled dates for Town Hall meetings as Special Committee of the Whole meetings.

The first Town Hall is scheduled for February 20th. As discussions have evolved for this Town Hall meeting focused on Seniors issues, a date and time change have resulted to better suit the nature of that session. An afternoon session in Council Chambers on February 4, 2020 has now been identified to replace the February 20th date.

As Council approves the meeting schedule formally, a motion to make this change would be appropriate.

Respectfully submitted,

Chris Coates
City Clerk

Susanne Thompson
Deputy City Manager/CFO

Report accepted and recommended by the City Manager:

Date: Jan 9, 2020



Committee of the Whole Report For the Meeting of January 16, 2020

To: Committee of the Whole **Date:** January 7, 2020
From: Chris Coates, City Clerk
Subject: International Day of Zero Tolerance for Female Genital Mutilation – February 6th, 2020

RECOMMENDATION

That the *International Day of Zero Tolerance for Female Genital Mutilation* Proclamation be forwarded to the January 23, 2020 Council meeting for Council's consideration.

EXECUTIVE SUMMARY

Attached as Appendix A is the requested *International Day of Zero Tolerance for Female Genital Mutilation* Proclamation. Council has established a policy addressing Proclamation requests. The policy provides for:

- A staff report to Committee of the Whole.
- Each Proclamation request requiring a motion approved at Committee of the Whole prior to forwarding it to Council for their consideration.
- Staff providing Council with a list of Proclamations made in the previous year.
- Council voting on each Proclamation individually.
- Council's consideration of Proclamations is to fulfil a request rather than taking a position.

A list of 2019 Proclamations is provided as Appendix B in accordance with the policy. Consistent with City Policy, Proclamations issued are established as fulfilling a request and does not represent an endorsement of the content of the Proclamation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Coates".

Chris Coates
City Clerk

List of Attachments

- Appendix A: Proclamation "International Day of Zero Tolerance for Female Genital Mutilation"
- Appendix B: List of Previously Approved Proclamations

**“INTERNATIONAL DAY OF ZERO TOLERANCE
FOR FEMALE GENITAL MUTILATION”**

- WHEREAS** *International Day of Zero Tolerance for Female Genital Mutilation (FGM) is observed around the world and provides an opportunity to honour those women, girls, boys and men who are actively and courageously working towards an end to this harmful practice.; and*
- WHEREAS** *this day invites us to reflect on the fact that 3.9 million girls are still at risk of mutilation each year, including girls in Canada.; and*
- WHEREAS** *on this day, we acknowledge that female genital mutilation is an issue on every continent except Antarctica, and that there are 200 million FGM/C survivors in the world, including thousands in Canada; and*
- WHEREAS** *we acknowledge that FGM has no basis in any religious text and is recognized by the United Nations and other world bodies as child abuse and an abuse of a girl’s fundamental human rights; and*
- WHEREAS** *we acknowledge that FGM/C has no benefits and causes only harm, including death, difficulties with urination, menstruation, sexual intimacy, post-traumatic stress disorder and increased maternal and child mortality; and*
- WHEREAS** *on this International Day of Zero Tolerance For FGM, we acknowledge and celebrate all national and international efforts being made, especially at the grass roots level, to achieve United Nations Sustainable Millennium Development Goal #5, which calls for the elimination of FGM and other harmful traditional practices by 2030; and*
- WHEREAS** *on this Day of Zero Tolerance, we call for increased, concerted global and Canadian action to end female genital mutilation, and ask all governments-international, national, and local- to fully uphold the human rights of women and girls so they can live a life free from the violence that is female genital mutilation; and*

NOW, THEREFORE I do hereby proclaim Thursday, February 6th, 2020 as **“INTERNATIONAL DAY OF ZERO TOLERANCE FOR FEMALE GENITAL MUTILATION”** on the HOMELANDS of the Lekwungen speaking **SONGHEES AND ESQUIMALT PEOPLE** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE** of **BRITISH COLUMBIA**.

IN WITNESS WHEREOF, I hereunto set my hand this January 23rd, Two Thousand and Twenty.

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Stephanie Sinitzin
End FGM/C Canada Network

Appendix B
Proclamations

Council Meetings	
17-Jan-19	BC Aware Days 2019: Be Secure, Be Aware Days - Jan 28 - February 5
31-Jan-19	Eating Disorder Awareness Week - February 1 to 7, 2019 International Development Week - February 3 to 9, 2019
14-Feb-19	Heritage Week 2019 - February 18 to 24, 2019 Rare Disease Day - February 28, 2019
28-Feb-19	Tibet Day - March 10, 2019
14-Mar-19	Purple Day - March 26, 2019 World Kidney Day - March 14, 2019 World Tuberculosis Day - March 26, 2019
28-Mar-19	Sikh Heritage Day - April 14, 2019 Global Meetings Industry Day - April 4, 2019
11-Apr-19	National Organ and Tissue Donation Awareness Week - April 21 to 27, 2019 Human Values Day 2019 - April 24, 2019 Global Love Day - May 1, 2019 National Dental Hygienists Week - April 6 to 12, 2019
25-Apr-19	Child Abuse Prevention Month - April 2019 St. George Day - April 23, 2019 Huntington Disease Awareness Month - May 2019 Falun Dafa Day - May 13, 2019
09-May-19	Apraxia Awareness Day - May 14, 2019 North American Safe Boating Awareness Week - May 18 to 24, 2019 Phones Away Day - May 23, 2019 International Internal Audit Awareness Month - May 2019
23-May-19	Brain Injury Awareness Month - June 2019 Orca Action Month - June 2019 Orca Awareness Month - Southern and Northern Residents - June 2019 Intergenerational Day Canada - June 1, 2019 Pollinator Week - June 17 to 23, 2019 ALS Awareness Month - June 2019 Myalgic Encephalomyelitis Awareness Day - May 12, 2019 Built Green Day - June 5, 2019
13-Jun-19	Small Business Month - June 2019 International Medical Marijuana Day - June 11, 2019 World Refugee Day - June 20, 2019
27-Jun-19	Pride Week - June 30 - July 7, 2019 Parachute National Injury Prevention Day - July 5, 2019
11-Jul-19	Mexican Heritage Week - July 9 to 14, 2019
25-Jul-19	Clover Point Parkrun Day - August 10, 2019
08-Aug-19	National Polycystic Kidney Disease Awareness Day - September 4, 2019
05-Sep-19	Mitochondrial Disease Awareness Week - September 15 to 21, 2019 Project Serve Day- September 14, 2019 One Day Together - September 7, 2019
12-Sep-19	Manufacturing Month - October, 2019
19-Sep-19	Fire Prevention Week - October 6 to 12, 2019 Small Business Month - October 2019 Performance and Learning Month - September 2019 British Home Child Day - September 28, 2019 World Cerebral Palsy Day - September 19, 2019
10-Oct-19	Waste Reduction Week - October 21 to 27, 2019 Pregnancy and Infant Loss Awareness Day - October 15, 2019 Fair Employment Week - October 7 to 11, 2019
24-Oct-19	National Diabetes Awareness Month and World Diabetes Day - November 2019 and November 14, 2019
14-Nov-19	Adoption Awareness Month - November 2019 Cities for Life / Cities Against the Death Penalty Day - November 30, 2019 Think Local Week - November 18 to 24, 2019
12-Dec-19	National Homeless Persons' Memorial Day - December 21, 2019 South Asian Women in Canada Day - December 24, 2019



Committee of the Whole Report **For the Meeting of January 16, 2020**

To: Committee of the Whole **Date:** January 10, 2020
From: Shannon Perkins, Manager Bylaw and Licensing
Subject: Animal Control and Pound Services

RECOMMENDATION

That Council:

1. Approve an on-going increase of \$134,771 to the 2020 Financial Plan for animal control and pound services funded from the new property tax revenue from new development.

EXECUTIVE SUMMARY

In September, staff issued a Request for Proposal (RFP) for animal control and pound services which closed on October 16, 2019. One bid was submitted in the amount of \$654,771, which exceeds the 2020 budget allocation for this service of \$520,000 by \$134,771. In accordance with the City's Purchasing Policy, the competition cannot be awarded as the bid price exceeds the allocated budget.

There are several reasons why the bid exceeded the budget including increased service demands, pound facility fee increases due to increased length of stays, complexity of animal issues, animal behaviouralist fees, as well as an increase in lease rates for the pound facility. Staff have evaluated the proposal and do not recommend conducting another competition as it is unlikely to yield a different result. Past RFP's for this service have yielded only one other submission. Also, to our knowledge, there are no other suitably qualified firms providing this service in the Victoria area which meet the detailed requirements of the City. In the RFP, the City noted that it may give preference to pound facilities located within the City's boundaries or in close proximity. Also, the City stipulated that the pound is to be open for service to the public a minimum of 8 hours per day on all regular business days, including Saturdays.

PURPOSE

The purpose of this report is to seek Council approval to increase the 2020 Financial Plan by \$134,771 funded from new property tax revenue from new development for animal control and pound services.

BACKGROUND

The City has outsourced animal control and pound services for many years, since 2004. The current agreement and the extension to the five-year agreement granted in 2018 expired December 31, 2019.

This is a full spectrum service involving inspection and enforcement of the Animal Responsibility Bylaw, as well as animal related provisions of the Parks and Noise Regulation Bylaws. A key component of the service is the Pound and Adoption Facility to safely contain and adopt out when possible, animals that are abandoned, orphaned, or otherwise impounded and not claimed by the owner. Services also include administration and canvassing of dog licenses, provisions for compensation for veterinary services, patrol and response for 70 hours each week in neighbourhoods and downtown, as well as 35 hours in city parks. The core services have fixed costs and rates for overtime and additional services are incorporated into the contract.

RFP #19-095 – Animal Control and Pound Services was advertised on BC Bid and on the City's web page. Only one firm submitted a proposal response. An evaluation process was completed with a recommendation to award the contract to the single bidder. In accordance with the City's Purchasing Policy, the contract cannot be awarded as the bid submission exceeds budget by \$134,771. The budget allocated for this service is \$520,000 and the submitted bid price is \$654,771. The term of the agreement is for a three-year period commencing upon award, with the possibility of two one-year extensions.

ISSUES & ANALYSIS

The current contract ended on December 31, 2019 and is now on a month to month basis until the new contract is awarded.

Staff have reviewed the change in the current bid proposal against the last awarded proposal from 2013 and identified that the key cost drivers are a result of increased service demands, pound facility increases due to increased length of stays, complexity of animal issues and animal behaviouralist fees which are considered reasonable.

Option 1 – Approve an on-going increase to the 2020 Financial Plan by \$134,771 from the new property tax revenue from new development. (Recommended)

This option would enable the City to continue to provide Animal Control and Pound Services to the citizens of Victoria.

Option 2 – Commence another competition for the Animal Control and Pound Services

This option would involve further process and is anticipated not to be successful or result in a change in outcome.

CONCLUSIONS

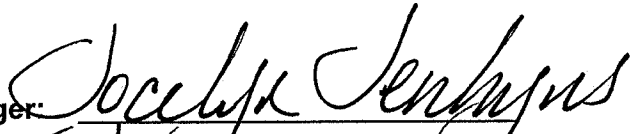
The long-standing use of contracted service for animal and pound services in the City has been a successful undertaking. A thorough review of the Victoria Animal Control Services proposal appear reasonable and staff do not recommend going out for another competition.

Respectfully submitted,



Shannon Perkins
Manager, Bylaw and Licensing Services

Report accepted and recommended by the City Manager:


Date: Jan 13, 2020



**Council Member Motion
For the Committee of the Whole Meeting of January 16th, 2020**

To: Committee of the Whole **Date:** 08 Jan 2020
From: Councillor Loveday
Subject: Attendance at the Crab Fest, Port Angeles, October 12th, 2019

BACKGROUND

Councillor Loveday had been invited and attended as Acting Mayor by Mayor Dexter of Port Angeles to celebrate Crab Fest, lunch and a tour of the City.

Transportation (ferry)	\$ 174.82
Accommodation	\$ 187.81
Incidentals (food)	\$ 25.24
Total:	\$ 387.87

RECOMMENDATION

That Council retroactively authorize the attendance and associated costs for Councillor Loveday who attended Crab Fest, lunch and a tour of the City with Mayor Dexter held in Port Angeles, October 12th, 2019.

ferry

Respectfully submitted,

Councillor Jeremy Loveday



**Council Member Motion
For the Committee of the Whole Meeting of January 16th, 2020**

To: Committee of the Whole **Date:** January 10th, 2020
From: Mayor Helps
Subject: Ottawa Ministerial Meetings

BACKGROUND

The formation of a new federal cabinet is an ideal opportunity to build relationships with the federal government and promote Victoria’s interest in Ottawa. After sending introductory letters, Mayor Helps and the City Manager have booked meetings with Ministers to discuss Victoria’s priorities and areas of collaboration.

The approximate costs associated with Mayor Helps' trip are as follows:

Transportation	\$ 1059.26
Accommodation	\$ 444.23
Incidentals (taxi/meals)	\$ 350.00
Carbon Offset Fee	\$ 190.50
Approximate total:	\$ 2043.99

RECOMMENDATION

That Council authorize the attendance and associated costs for Mayor Lisa Helps to travel to Ottawa for meetings with Federal Ministers.

Respectfully submitted,



Mayor Lisa Helps

Council Conference Attendance - Approved & Pending Requests 2020	Budget	Mayor / Council Motions	Total Requests / Actuals
Mayor Budget 2000.4116 (Conferences/Travel)	\$ 15,000		
<u>Pending Requests:</u>			
Mayor Helps - Ottawa Ministerial Meetings held in Ottawa, ON from January 26-28, 2020		\$ 2,044	\$ 2,044
Total Requests/Actuals	\$ 15,000	\$ -	\$ -
Remaining			\$ 15,000
Council Budget 2000.4116 (Conferences/Travel)	\$ 35,000		
<u>Pending Requests:</u>			
Councillor Alto - Canadian Capital Cities Organization annual Board Meeting in Ottawa, ON from January 29–31, 2020		\$ 1,801	\$ 1,801
<u>Miscellaneous Conferences and Expenditures</u>			
Total Requests/Actuals	\$ 35,000	\$ 1,801	\$ 1,801
Remaining			\$ 33,199