



## MINUTES - COMMITTEE OF THE WHOLE

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**

**PRESENT:** Mayor Helps in the Chair, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts (arrived at 9:17 a.m.), Councillor Thornton-Joe, Councillor Dubow, Councillor Young

**STAFF PRESENT:** J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, P. Bruce - Fire Chief, T. Zworski - City Solicitor, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhower - Head of Engagement, J. Jensen - Head of Human Resources, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, A. Hudson - Acting Director of Sustainable Planning & Community Development, C. Havelka - Deputy City Clerk, J. O'Connor - Deputy Director of Finance, C. Mycroft - Manager of Executive Operations, M. Sandhu - Head of Service Innovation & Improvement, R. Morhart - Manager, Permits & Inspections, J. O'Reilly - Senior Heritage Planner, P. Angelblazer - Committee Secretary

**GUESTS:** C. Umland - Executive Director - Victoria Civic Heritage Trust, C. Townley - Chair - Victoria Civic Heritage Trust, J. Milne - President & CEO - GMC Projects Inc.,

### **A. APPROVAL OF AGENDA**

**Moved By** Councillor Alto  
**Seconded By** Councillor Dubow

That the agenda be approved.

**CARRIED UNANIMOUSLY**

### **B. CONSENT AGENDA**

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

That the following items be approved without further debate.

**CARRIED UNANIMOUSLY**

**G.5 Council Meeting Schedule Amendment**

Council received a report dated January 9th, 2020 from the City Clerk presenting Council with a recommendation to amend the current meeting schedule.

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

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.

**CARRIED UNANIMOUSLY**

**G.6 Proclamation - International Day of Zero Tolerance for Female Genital Mutilation**

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

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.

**CARRIED UNANIMOUSLY**

**I.1 Council Member Motion - Attendance at the Crab Fest, Port Angeles, October 12th, 2019**

Council received a report dated January 8, 2020 from Councillor Loveday regarding a retroactive request for attendance at the Crab Fest, Port Angeles, October 12th, 2019.

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

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.

**CARRIED UNANIMOUSLY**

**I.2 Council Member Motion - Attendance at Ottawa Ministerial Meetings**

Council received a report dated January 10th, 2020 from the Mayor regarding a request for attendance for meetings with Ministers in Ottawa.

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That Council authorize the attendance and associated costs for Mayor Lisa Helps to travel to Ottawa for meetings with Federal Ministers.

**CARRIED UNANIMOUSLY**

**D. PRESENTATIONS**

**D.1 Downtown Heritage Buildings**

**D.1.1 Victoria Civic Heritage Trust**

Council received a presentation from the president of the VCHT regarding a capital funding increase request which provided an overview of the organization and its activities, as well as planned activities moving forward.

*Committee discussed the following:*

- *Community support for the Victoria Civic Heritage Trust.*
- *Importance of preserving and maintaining heritage in response to possible earthquakes.*

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Loveday

That Council receive this presentation for information.

**CARRIED UNANIMOUSLY**

**D.1.2 Downtown Heritage Buildings Seismic Upgrade Fund**

Council received a report dated January 2nd, 2020 from the Director of Sustainable Planning and Community Development presenting Council with recommendations for using the \$150,411.00 in density bonus contributions accrued in the Downtown Heritage Seismic Upgrade Fund and a pending contribution of \$67,668.94 from the rezoning of 930 Fort Street, which is due prior to the Building Permit being issued.

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Isitt

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.

**CARRIED UNANIMOUSLY**

**E. UNFINISHED BUSINESS**

**E.1 Council Member Motion - Advocacy to Increase Tipping Fees for International Solid Waste to Preserve Capacity of the Hartland Landfill**

Committee received a Council Member Motion dated January 7, 2020 from Councillor Isitt regarding the proposed request that the CRD amend the Hartland Landfill Tipping Fee and Regulation Bylaw to introduce a differential tipping fee for international solid waste from the cruise ship sector.

*Committee discussed the following:*

- *Utility of revisiting the current fee in response to higher fees in other jurisdictions.*
- *Economic incentives as a result of the current fee structure.*
- *CRD's engagement with waste management.*
- *Reception of the motion from the cruise ship industry.*

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

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.

FOR (7): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Dubow

OPPOSED (1): Councillor Young

**CARRIED (7 to 1)**

**E.2 Proposed Adjustments to the 2020 Financial Plan - On-Going Funding for TNB2S+ Community Liaison Role**

**Moved By** Mayor Helps

**Seconded By** Councillor Isitt

That discussion on the item be moved until after item G.3.

**CARRIED UNANIMOUSLY**

**F. LAND USE MATTERS**

**F.1 Application for a New Liquor Primary Licence Kwench Culture Club at 2031 Store Street**

Council received a report dated December 10, 2019 from the Acting Director of Sustainable Planning and Community Development seeking 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.

*Committee discussed the following:*

- *Concerns that should the application be approved, and Kwench Culture Club eventually vacates the premises that the next tenant could convert the building into a club.*
- *Clustering of liquor establishments in the City.*

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

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.

**CARRIED UNANIMOUSLY**

## **G. STAFF REPORTS**

Committee of the Whole Minutes

January 16<sup>th</sup>, 2020

### **G.1 Setback Regulation for Retaining Walls and Other Structures on Waterfront Properties**

Council received a report dated January 2nd, 2020 from the Director of Sustainable Planning and Community Development presenting 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 including associated risks and implications.

*Committee discussed the following:*

- *Preservation of ecosystems.*
- *Freedom to roam, access to waterfront.*
- *Waterfront signage.*
- *Soil deposition concerns.*
- *Delegation of Development Permits with Variance.*

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

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.

**CARRIED UNANIMOUSLY**

*Committee recessed at 10:38 a.m., and reconvened at 10:46 a.m.*

### **G.2 Topaz Park Improvement Plan Construction Funding**

Council received a report dated January 3, 2020 from the Director of Parks, Recreation and Facilities providing information to support the allocation of funding to complete the skate and bike parks, and the artificial turf field replacement at Topaz Park.

*Committee discussed the following:*

- *Public support for the project.*
- *Concerns about the high cost of the skate park.*
- *Lighting for the skate park.*
- *Health and environmental impacts of the plastic and natural turf fields.*

- *The Climate Emergency in relation to City operations.*
- *Safety issues with current field.*
- *Concerns around displacement of existing users if a switch is made to natural turf.*

**Moved By** Councillor Loveday

**Seconded By** Mayor Helps

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.

**Amendment:**

**Moved By** Councillor Isitt

That this matter be referred to staff to undertake value engineering and report back to cost estimates for the project.

**Failed to proceed due to no seconder**

**Amendment:**

**Moved By** Councillor Loveday

**Seconded By** Councillor Isitt

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

1. Allocate **up to** \$3.25 million from the Building Infrastructure Reserve Fund to complete the construction of a skateboard park, bike park, and related supporting infrastructure **and direct staff to undertake value engineering as a part of the process.**

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

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

1. Allocate up to \$3.25 million from the Building Infrastructure Reserve Fund to complete the construction of a skateboard park, bike park, and related supporting infrastructure and direct staff to undertake value engineering as a part of the process.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Young  
**Seconded By** Councillor Thornton-Joe

1. 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.

**Motion to refer:**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Dubow

That the motion be referred to staff, to develop alternate recommendations including funding recommendations to rehabilitate the following sports field in the city using natural materials:

1. The field in the north-west corner of Topaz Park;
2. The fields in the south-west corner of Beacon Hill Park.

*Mayor Helps ruled that the inclusion of Beacon Hill Park in the motion was out of order.*

*Councillor Isitt appealed the ruling of the chair.*

*Mayor Helps put the question as to whether the chair is to be sustained*

FOR (5): Councillor Alto, Councillor Young, Councillor Potts, Councillor Thornton-Joe, and Councillor Dubow

OPPOSED (2): Councillor Loveday, Councillor Isitt

*The ruling of the chair was sustained.*

**Motion to refer:**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Dubow

That the motion be referred to staff, to develop alternate recommendations including funding recommendations to rehabilitate the following sports field in the city using natural materials:

1. The field in the north-west corner of Topaz Park;

**Amendment:**

**Moved By** Councillor Alto



**Seconded By** Councillor Dubow

That the motion be referred to staff, to develop alternate recommendations including **an environmental analysis and lifecycle costs of the pros and cons of the artificial and natural turf and** funding recommendations to rehabilitate the following sports field in the city using natural materials:

1. The field in the north-west corner of Topaz Park;

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Young

**Seconded By** Councillor Alto

That the motion be referred to staff, to develop alternate recommendations including an environmental **and equity lens** analysis and lifecycle costs of the pros and cons of the artificial and natural turf and funding recommendations to rehabilitate the following sports field in the city using natural materials:

1. The field in the north-west corner of Topaz Park;

**CARRIED UNANIMOUSLY**

**On the motion to refer as amended:**

That the motion be referred to staff, to develop alternate recommendations including an environmental and equity lens analysis and lifecycle costs of the pros and cons of the artificial and natural turf and funding recommendations to rehabilitate the following sports field in the city using natural materials:

1. The field in the north-west corner of Topaz Park;

FOR (4): Councillor Alto, Councillor Isitt, Councillor Potts, and Councillor Dubow

OPPOSED (4): Mayor Helps, Councillor Young, Councillor Thornton-Joe, and Councillor Loveday

**DEFEATED (4 to 4)**

*Committee recessed from 12:39 p.m. and reconvened at 12:56 p.m.*

**Motion to postpone:**

**Moved By** Mayor Helps

**Seconded By** Councillor Isitt

That discussion on the item be postponed until the following Committee of the Whole meeting.

**CARRIED UNANIMOUSLY**

**G.3 Community Equity Lens - Scope Options and Next Steps**

Council received a report dated January 10, 2019 from the Head of Service Innovation and Improvement providing 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.

*Committee discussed the following:*

- *Ways to reduce costs while maintaining the proposed outcome.*
- *Scope of the Social Planner role.*
- *Appropriate venues for discussing budget considerations.*

**Moved By** Councillor Isitt

**Seconded By** Councillor Young

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.

**Motion to refer:**

**Moved By** Mayor Helps

**Seconded By** Councillor Alto

That this matter be referred to the January 17th, 2020 budget meeting.

**CARRIED UNANIMOUSLY**

**E.2 Proposed Adjustments to the 2020 Financial Plan - On-Going Funding for TNB2S+ Community Liaison Role**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

That this matter be referred to the January 17th, 2020 budget meeting.

**CARRIED UNANIMOUSLY**

**G.4 By-election**

Council received a report dated January 8, 2020 from the City Clerk presenting Council with recommendations for the upcoming by-election including appointments to be filled, a budget, and a by-election date of April 4th, 2020.

*Committee discussed the following:*

- *Accessibility of voting stations for voters with disabilities.*

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

That the meeting time be extended until 2:45 p.m.

**CARRIED UNANIMOUSLY**

**Moved By** Mayor Helps

**Seconded By** Councillor Isitt

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. Direct the Chief Election Officer to advise the Minister of Municipal Affairs and Housing of the by-election date of April 4, 2020.
4. Authorize forwarding the above motions to the daytime Council meeting of January 16, 2020.

**CARRIED UNANIMOUSLY**

#### **G.7 Animal Control Services Contract**

Council received a report dated January 10th, 2020 from the Manager of Bylaw and Licensing seeking 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.

*Committee discussed the following:*

- *Avenues to reduce the cost of the unanticipated expenditure.*
- *Other clients to Victoria Animal Control Services.*

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That this matter be referred to the January 17th, 2020 Special Committee of the Whole.

**CARRIED UNANIMOUSLY**

J. **ADJOURNMENT OF THE COMMITTEE OF THE WHOLE**

**Moved By** Councillor Alto

**Seconded By** Councillor Dubow

That the Committee of the Whole Meeting be adjourned at 2:28 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR