



## REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, July 16, 2020

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

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

Due to the COVID-19 Pandemic, public access to City Hall is not permitted. This meeting may be viewed on the City's webcast at [www.victoria.ca](http://www.victoria.ca)

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**G. BYLAWS**

**G.1 Bylaw for Land Use Procedures Bylaw Amendment**

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- **Consideration of adoption of:**
  - Land Use Procedures Bylaw, Amendment Bylaw (No. 12) No. 20-076

The purpose of the bylaw is to amend the *Land Use Procedures Bylaw* to permit an alternate process to in-person, pre-application community meetings during emergencies or extraordinary circumstances.

**G.2 Bylaw for Council Procedures Bylaw Amendment Bylaw**

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A report recommending:

- **1st, 2nd, and 3rd readings of:**
  - Council Procedures Bylaw Amendment (No. 2) Bylaw No. 20-083

The purpose of this bylaw is to amend the procedures to be followed by Council and Council committees.

**\*H. CLOSED MEETING**

**MOTION TO CLOSE THE JULY 16, 2020 COUNCIL MEETING TO THE PUBLIC**

That Council convene a closed meeting that excludes the public under Section 90 of the Community Charter for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the Community Charter, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- Section 90(1)(c) labour relations or other employee relations;
- Section 90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- Section 90(1)(g) litigation or potential litigation affecting the municipality.

**I. APPROVAL OF CLOSED AGENDA**

J. READING OF CLOSED MINUTES

K. UNFINISHED BUSINESS

L. CORRESPONDENCE

M. NEW BUSINESS

\*M.1 Law Enforcement/Litigation - Community Charter Section 90(1)(f) and 90(1)(g)

*Addendum: New Item*

M.2 Employee Relations - Community Charter Section 90(1)(c)

N. CONSIDERATION TO RISE & REPORT

O. ADJOURNMENT



## MINUTES - VICTORIA CITY COUNCIL

June 25, 2020, 6:30 P.M.  
Council Chambers, City Hall, 1 Centennial Square

**The City of Victoria is located on the homelands of the Songhees and Esquimalt People Due to the COVID-19 Pandemic, public access to City Hall is not permitted. This meeting may be viewed on the City's webcast at [www.victoria.ca](http://www.victoria.ca).**

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Dubow, Councillor Isitt (joined the meeting at 6:36 p.m.), Councillor Potts, Councillor Thornton-Joe, and Councillor Young

PRESENT ELECTRONICALLY: Councillor Loveday

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, L. Taylor - Senior Planner, P. Bellefontaine - Acting Director, Transportation, P. Martin - Council Secretary

### A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

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

That the agenda be approved as amended.

**CARRIED UNANIMOUSLY**

### C. REQUESTS TO ADDRESS COUNCIL

**Moved By** Councillor Dubow  
**Seconded By** Councillor Potts

That the following speakers be permitted to address Council.

**CARRIED UNANIMOUSLY**

**C.2 Natasha Webb: Daytime Sheltering in Parks**

Outlined by telephone why Council should extend the daytime sheltering timeline to continue to allow daytime sheltering in public parks.

*Councillor Isitt joined the meeting at 6:36 pm.*

**C.3 Carina Di Menna: Laundry Initiative and Sheltering in Parks**

Outlined by telephone why Council should maintain non-enforcement of prohibition against daytime sheltering in parks.

**C.4 Douglas King: Camping in Beacon Hill Park (Bylaw Enforcement), and the Motion for an Alternative Response Team**

Outlined by telephone why Council should create an alternate response team and to continue to suspend bylaw enforcement in response to camping in Beacon Hill Park.

**C.5 Amanda (Mands) Burnette: Tenants rights to refuse 76 child daycare inside our building**

Outlined by telephone why Council should have the daycare's outdoor play areas removed from the common areas within her residential building.

**C.6 Marq Gardiner: Sheltering in Beacon Hill Park**

Outlined by telephone why Council should not permit camping in Beacon Hill Park.

**E. PUBLIC AND STATUTORY HEARINGS**

**E.1 11 Chown Place: Development Permit with Variances Application No. 00132**

Development Permit with Variances Application No. 00132 for 11 Chown Place

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 11 Chown Place in Development Permit Area 16: General Form and Character, for purposes of approving the exterior design and finishes of the proposed four-storey, multi-unit residential building as well as landscaping.

**E.1.a Opportunity for Public Comment & Consideration of Approval**

Leanne Taylor (Senior Planner): *Advised that the application is for a new four storey multi-unit residential building.*

*Mayor Helps opened the opportunity for public comment at 7:05 p.m.*

Deane Strongitharm (Applicant): Provided information regarding the application.

Sybil Turnbull and Sandy Rempel (Chown Place) (Video): Expressed concerns with the application due to the size and massing, as well as the loss of green space and a garden.

Rae Bilash (Chown Place) (Video): Expressed concerns with the application due to the loss of green space.

*Council recessed from 7:29 p.m. until 7:34 p.m.*

Ryan Scott (Harriett Road) (Telephone): Expressed concerns with the application due to the possible increased traffic in the neighbourhood.

Wendy (Chown Place) (Telephone): Expressed concerns with the application due to the proposed units.

*Council discussed the following:*

- *How the building might affect neighbouring properties as noted in the sun study.*
- *The relocation of the urban garden.*

Alison Boston: Expressed concerns with the application due to the loss of the urban garden space.

*Council discussed the following:*

- *How the proposed building may affect traffic in the neighbourhood.*
- *The applicant's rationale for developing this particular site.*

*Mayor Helps closed the opportunity for public comment at 7:57 p.m.*

**Moved By** Councillor Potts

**Seconded By** Councillor Alto

That Council authorize the issuance of Development Permit with Variance Application No. 00132 for 11 Chown Place, in accordance with:

1. Plans date stamped December 20, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. increase the building height from 11 m to 12.57m;
  - ii. increase the number of storeys from 2 to 4;
  - iii. reduce the horizontal distance between existing Building J and the proposed multi-unit residential building from 12.19m to 9.66m;
  - iv. reduce the horizontal distance between existing Building K and the proposed multi-unit residential building from 12.19m to 8.64m;
  - v. reduce the horizontal distance between existing Building L and the proposed multi-unit residential building from 12.19m to 10.34m;
  - vi. reduce the horizontal distance between the proposed multi-unit residential building and proposed cistern from 12.19m to 0.69m;
  - vii. reduce the horizontal distance between the west side of the proposed multi-unit residential building and surface parking spaces from 6m to 2.40m;
  - viii. reduce the horizontal distance between the east side of the proposed multi-unit residential building and surface parking spaces from 6m to 3.29m;

- ix. reduce the horizontal distance between the north side of the proposed multi-unit residential building and surface parking spaces from 6m to 3.14m.
3. Discharge existing Section 219 Covenant (Registration No. L3326) from title, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

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

That the following bylaw **be adopted**:

1. Housing Agreement (11 Chown Place) Bylaw (2020) No. 20-038

**CARRIED UNANIMOUSLY**

**E.2 1009 Southgate Street: Heritage Designation Application No. 000190**

Heritage Designation Application No. 000190 for 1009 Southgate Street

Under the provisions of the *Local Government Act*, the City of Victoria intends to designate the building located at 1009 Southgate Street.

**E.2.a Public Hearing & Consideration of Approval:**

Leanne Taylor (Senior Planner): *Advised that the application is to designate the exterior of the property as a Municipal Heritage Site.*

*Mayor Helps opened the public hearing at 8:07 p.m.*

*Council recessed from 8:09 p.m. until 8:14 p.m.*

*There were no persons present to speak to the proposed bylaw.*

*Mayor Helps closed the public hearing at 8:15 p.m.*

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That the following bylaw **be given third reading**:

1. Heritage Designation (1009 Southgate Street) Bylaw No. 20-073

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That the following bylaw **be adopted**:

1. Heritage Designation (1009 Southgate Street) Bylaw No. 20-073

**CARRIED UNANIMOUSLY**

**E.3 582 St. Charles Street: Heritage Alteration Permit with Variances  
Application No. 00020**

Heritage Alteration Permit with Variance Application No. 00020:

The City of Victoria will be considering the issuance of a Heritage Alteration Permit with a variance for the land known as 582 St. Charles Street and varying the Zoning Regulation Bylaw.

**E.3.a Opportunity for Public Comment & Consideration of Approval**

Leanne Taylor (Senior Planner): *Advised that the application is to permit a fire escape and a variance for an existing balcony (roof deck).*

*Mayor Helps opened the opportunity for public comment at 8:19 p.m.*

*Council recessed from 8:20 p.m. until 8:25 p.m.*

*There were no persons present to speak to the proposed application.*

*Mayor Helps closed the opportunity for public comment at 8:25 p.m.*

**Moved By** Councillor Young

**Seconded By** Councillor Thornton-Joe

That Council authorize the issuance of Heritage Alteration Permit with Variance Application No. 00020 for 582 St. Charles Street, in accordance with:

1. Plans, date stamped January 28, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
  - o to permit a roof deck.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development.
4. Heritage Alteration Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

**F. REQUESTS TO ADDRESS COUNCIL**

**Moved By** Councillor Alto

**Seconded By** Councillor Dubow

That the following speakers be permitted to address Council.

**CARRIED UNANIMOUSLY**



- F.1 Chrissy Brett: Follow CDC Recommendation Re: Beacon Hill Villages and Don't Displace Encampments**  
Outlined by telephone why Council should consider allowing Indigenous and peer led, and government supported intentional villages in Beacon Hill Park.
- F.2 Bernie Pauly: Motion Re: Camping 7-7**  
Outlined by telephone why Council should extend the suspension of camping hours.
- F.3 Bruce Livingstone: Homeless Sheltering in Beacon Hill Park, Appropriate Response**  
Outlined by telephone why Council should allow for reasonable sheltering for homeless in a City park during the two concurrent health emergencies, COVID-19 and the opioid overdose.
- F.4 Roberta Prilusky: Denial Short-Term Rental Licence - Request pending and appeal and decision**  
Outlined by telephone why Council should appeal the decision that denied her short-term rental licence.

**N. ADJOURNMENT**

**Moved By** Councillor Alto  
**Seconded By** Councillor Potts

That the Council meeting adjourn.  
TIME: 8:44 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR



## MINUTES - SPECIAL VICTORIA CITY COUNCIL

July 6, 2020, 8:00 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, Councillor Alto, Councillor Loveday, Councillor Thornton-Joe, Councillor Dubow, Councillor Potts
- PRESENT ELECTRONICALLY: Councillor Isitt, Councillor Young
- STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, T. Zworski - City Solicitor, S. Perkins - Manager - Bylaw Services, M. Heiser - Committee Secretary

A. **CONVENE COUNCIL MEETING**

B. **APPROVAL OF AGENDA**

H. **CLOSED MEETING**

**Moved By** Councillor Potts  
**Seconded By** Councillor Loveday

MOTION TO CLOSE THE JULY 6, 2020 COUNCIL MEETING TO THE PUBLIC  
That Council convene a closed meeting that excludes the public under Section 90 of the Community Charter for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the Community Charter, namely:  
Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- *Section 90(1)(g) litigation or potential litigation affecting the municipality;*
- *Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

**CARRIED UNANIMOUSLY**

J. **NEW BUSINESS**

J.1 **Legal Advice/Litigation - Community Charter Section 90(1)(g) and 90(1)(i)**

Council discussed a legal/litigation matter.

The motion was recorded and kept confidential.

**K. ADJOURNMENT**

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

That the Closed Council Meeting be adjourned at 9:19 a.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR

DRAFT

**COMMITTEE OF THE WHOLE REPORT**  
**FROM THE MEETING HELD JULY 9, 2020**

For the Council meeting of July 16, 2020, the Committee recommends the following:

**H.1 2920 Prior Street: Rezoning Application No. 00708, Development Permit with Variances Applications No. 00147 & No. 00151, and Development Variance Permit No. 00245 (Hillside/Quadra)**

Rezoning Application No. 00708

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00708 for 2920 Prior Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variance Application No. 00147, Development Permit with Variance Application No. 00151 and Development Variance Permit No. 00245

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00708, if it is approved, consider the following motions:

“That Council authorize the issuance of Development Permit with Variance Application No. 00147 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance to R1-S2, Restricted Small Lot (Two Storey) Dwelling:
  - i. Decrease the side yard setback for habitable room window from 2.40m to 1.5m.
3. The Development Permit lapsing two years from the date of this resolution.

And that Council authorize the issuance of Development Permit with Variance Application No. 00151 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance to Schedule M – Garden Suite
  - i. Increase the maximum height from 3.50m to 4.15m.
3. The Development Permit lapsing two years from the date of this resolution.

And that Council authorize the issuance of Development Variance Permit Application No. 00245 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances for the existing house:
  - i. Decrease the minimum side yard setback (south) from 2.40m to 0.92m (for the deck only)
  - ii. Decrease the minimum side yard setback for a habitable room window (north) from 2.40m to 1.88m.
3. The Development Permit lapsing two years from the date of this resolution.”

**H.2 736 Princess Avenue: Rezoning Application No. 00602 and Development Permit with Variance Application No. 00065 (Burnside-Gorge)**

Rezoning Application No. 00602

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00602 for 736 Princess Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- a. Preparation and execution of the appropriate legal agreements executed by the applicant in order to secure the following:
  - i. a housing agreement to ensure the 28 supportive transitional housing units remain rental and affordable (very low income levels) for at least 60 years in accordance with the City's definition of affordability in the Victoria Housing Strategy 2016-2025 (Phase Two: 2019-2022)
  - ii. that all 28 non-market dwelling units are owned by a non-profit or government agency
  - iii. that the applicant provides a minimum of five accessible dwelling units and designed in accordance with CSA B651-12 Accessible Design for the Built Environment standards.

Development Permit with Variance Application No. 00065

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00602, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00065 for 736 Princess Avenue, in accordance with:

1. Plans date stamped June 18, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the required number of residential parking spaces from 14 to 0;
  - ii. reduce the required number of commercial parking spaces from 17 to 8;
  - iii. reduce the required number of visitor parking spaces from 3 to 0;
  - iv. reduce the required number of long-term residential bicycle parking spaces from 28 to 7;
  - v. reduce the required number of short-term residential bicycle parking spaces from six to 0;
3. The applicant identifies the location of the PMT station on the site plan, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution."

**H.3 777 Douglas Street: Application for a New Liquor Primary Licence for The Humboldt (Downtown)**

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 The Humboldt located at 777 Douglas Street having hours of operation from 9:00 am to 1:00 am daily with a total occupant load of 46 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 not expected as the application is

required by LCRB administrative process to separate an existing liquor primary licence area from an existing licence. This application to separate portions of a liquor primary licence to allow for separate ownership and operation results in no net increase to licenced capacity or hours.

- b. If the application is approved, the impact on the community is expected to be neutral economically as the approval does not result in a net increase to businesses capacity.
- 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 seven letters in response to the notification that went to 635 owners and occupants. Four letters stated opposition and three were supportive which included one from the Downtown Residents Association.
- d. Council recommends the license be approved.

### **I.3 Electric Vehicle Charging User Fee**

1. That Council direct staff to bring forward for introductory readings:
  - a. Amendments to the Streets and Traffic Bylaw (Bylaw No. 09-079) for the establishment and regulation of an electric vehicle charging zone, and collection of a fee for EV charging on city streets.
  - b. A new bylaw, City Parkades Electric Vehicle Charging Fees Bylaw (Bylaw no. 20-032) for collection of a fee for EV charging in City parkades and surface parking lots.
2. That Council authorize that revenue from fees collected from these bylaws be placed in the Climate Action Reserve Fund to support continued investment in EV charging infrastructure

### **I.2 Festival Investment Grants**

That Council approve the Festival Investment Grant allocations as recommended in Appendix 1 for total cash grants of \$283,749 and in-kind City services grants of up to \$159,450.

**LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 12)**

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the *Land Use Procedures Bylaw* to permit an alternate process to in-person pre-application community meetings during emergencies or extraordinary circumstances. :

**Contents**

1. Title
2. Amendments
- 3.. Effective Date

Under its statutory powers, including Part 14 of the *Local Government Act*, the Council of the Corporation of the City of Victoria in a public meeting assembled enacts the following provisions:

**Title**

1. This Bylaw may be cited as the “LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 12)”.

**Amendments**

2. The Land Use Procedures Bylaw No. 16-028, 2016 is amended as follows:

- (a) by striking out section 6 and replacing it with:

**“Pre-application requirements**

6. Before submitting an application to initiate changes to the OCP or the zoning bylaw, the applicant must, subject to Section 6A, pay to the City the pre-application notification fee as calculated in accordance with Schedule A of this Bylaw, and:
    - (a) arrange and participate in a Community Meeting not more than six months in advance of the application submission date; or
    - (b) submit plans for the proposed development to the City to post online for public comment to the applicable CALUC not less than 30 days and not more than six months in advance of the application submission date where an alternate process is required pursuant to section 8A.”
  - (b) by inserting the following section immediately after section 6:

“6A. Section 6 does not apply where the Community Meeting has been waived pursuant to section 8.”

- (c) by striking out section 7 and replacing it with:

**“Notification Distance**

7. The City will provide owners and occupiers within the areas specified in Section 7A with notification of:

- (a) the date of the scheduled Community Meeting, if applicable; or
- (b) how the public can provide comments to the CALUC where an alternate process is required pursuant to Section 8A.”

- (d) by inserting the following section immediately after section 7:

“7A. The notification under section 7 will be provided to the owners and occupiers of properties located within:

- (a) 100 metres of the property that is the subject of the application (the “subject property”) if the application is for one of the matters listed in Section 27 of this Bylaw;
- (b) 200 metres of the property that is the subject of the application if the application is to amend the zoning bylaw and also requires an amendment to the Urban Place Designation for the subject property in the *Official Community Plan*; or
- (c) 200 metres of the property that is the subject of the application if the application is to amend the zoning bylaw and requires the creation of or amendment to guidelines in the *Official Community Plan* for one or more Development Permit Areas or Heritage Conservation Areas.”

- (e) By inserting the following sections immediately after section 8:

**“Alternate Process to In-Person Community Meeting during Emergencies**

8A Where a Community Meeting is required and has not been waived under Section 8, an alternate process may be used in accordance with the following circumstances:

- (a) If a state of local or provincial emergency has been declared in the City and in-person participation in a Community Meeting is inconsistent with the declaration or impractical, Council or the Director may require the applicant to submit plans for the proposed development to the City to post online for public comment to the



applicable CALUC not less than 30 days and not more than six months in advance of the application submission date.

- (b) If, in the Director’s opinion, extra-ordinary circumstances exist that make it unsafe or impractical to hold a Community Meeting, the Director may require the applicant to submit plans in accordance with subsection (a).

8B Where the circumstances under section 8A no longer exist but the alternate process was initiated prior to the end of such circumstances, the alternate process may be completed to fulfill the Community Meeting requirement.”

- (f) in section 18(a), by striking out “the community meeting” and replacing it with “giving notice;”
- (g) in Schedule A, section 1, by striking out “of a Community Meeting” wherever it appears in that section.

**Effective Date**

3. This Bylaw comes into force on adoption.

READ A FIRST TIME the **9<sup>th</sup>** day of **July** 2020

READ A SECOND TIME the **9<sup>th</sup>** day of **July** 2020

READ A THIRD TIME the **9<sup>th</sup>** day of **July** 2020

ADOPTED on the day of 2020

CITY CLERK

MAYOR



## Council Report For the Meeting of July 16, 2020

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**To:** Council **Date:** July 8, 2020  
**From:** C. Coates, City Clerk  
**Subject:** Council Procedures Bylaw Amendment Bylaw (No. 2) Bylaw No. 20-083 – Late Items

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### RECOMMENDATION

1. That Council Procedures Amendment (No. 2) Bylaw No. 20-083 be given first, second and third reading.
2. That Council direct staff to give notice to the public of the proposed amendment pursuant to section 124(3) of the Community Charter.

### EXECUTIVE SUMMARY

Attached, as Appendix A for Council's initial consideration, is a copy of the proposed Bylaw No. 20-083. This Bylaw amendment implements the motion of Council passed on June 18, 2020 below:

#### *Late Items for Agenda*

***That Council direct staff to bring forward amendments to the Council Procedures Bylaw so that:***

- 1. That Council member motions must be submitted by Monday by 11 am to be included in the current week's agenda under items of new business.***
- 2. Any late motions submitted after this time will be put into a new section of the agenda called "Late Items".***
- 3. Late item motion reports must include rationale as to time sensitivity.***

A motion arising was ratified at the July 2, 2020 Council meeting that further referred this matter to the 2021 Governance Review to review these changes should they be enacted.

An annotated copy of the Council Procedures Bylaw showing the proposed amendments is attached as Appendix B.

The Community Charter requires that an amendment to a Council Procedures Bylaw can be adopted, public notice of the proposed changes in general terms must be given. This requires newspaper notice in two consecutive weeks along with our standard posting requirements, which would enable Council to consider adoption of the proposed Bylaw at the August 6<sup>th</sup> Council meeting.

Respectfully submitted,



Chris Coates  
City Clerk

**Report accepted and recommended by the City Manager:**



**Date:** July 8, 2020

**List of Attachments:**

- Appendix A - Bylaw No. 20-083
- Appendix B – Annotated Copy of Council Procedures Bylaw No 16-011

**COUNCIL PROCEDURES BYLAW**

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the procedures to be followed by Council and Council committees.

Under its statutory powers, including section 124 of the *Community Charter*, the Council of The Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

**Contents**

**Contents**

- 1 Title
- 2 Amendment

**1 Title**

This bylaw may be cited as COUNCIL PROCEDURES BYLAW AMENDMENT (NO. 2) BYLAW No. 20-083

**2 Amendment**

Council Procedures Bylaw No. 16-011 is hereby amended by:

- a) Adding the following as section 15 (1) (l) (i):

**Order of Proceedings and business**

15 (1) (l) (i)

Late Items

- b) deleting section 19 (1) in its entirety and replacing it with the following:

**Motions generally**

- 19 (1) A member of Council must give notice of a motion that is to be introduced at a Council meeting, by depositing a written copy of the motion with the Corporate Administrator:
  - (a) By 11:00 am on the Monday before that meeting to be included as an item of New Business for the meeting; or,
  - (b) After the time noted in section 19(1)(a) of this Bylaw but at least 24 hours before that meeting, and the item will be placed in a sub-category of New Business entitled "Late Items". In order for a motion to be added to the agenda for that meeting as late item by the Corporate Administrator, the report presenting it must include rationale noting the reason for the time sensitivity for the matter to be considered at that meeting.

c) Adding the following as section section 41 (h) (i) :

**Order of Proceedings and business at Committee of the Whole meetings**

41 (1) (l) (i)

Late Items

READ A FIRST TIME the	day of	2020
READ A SECOND TIME the	day of	2020
READ A THIRD TIME the	day of	2020
ADOPTED on the	day of	2020

CITY CLERK

MAYOR

NO. 16-011

**COUNCIL PROCEDURES BYLAW**

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to establish the general procedures to be followed by Council and Council committees in conducting their business.

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Under its statutory powers, including sections 95 and 122 to 145 of the *Community Charter*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

**PART 1 – INTRODUCTION**

**Title**

- 1 This Bylaw may be cited as the “Council Procedures Bylaw.”

**Definitions**

- 2 In this Bylaw:

“City”

means the City of Victoria;

“City Hall”

means Victoria City Hall located at #1 Centennial Square, Victoria, British Columbia;

“COTW”

means Committee of the Whole Council;

“Corporate Administrator”

means the corporate officer whose powers, duties, and functions are set out under section 148 of the *Community Charter*;

“Council”

means the Council of the Corporation of the City of Victoria

“mayor”

means the mayor of the City;

“members of the public”

does not include a member of Council or an officer or employee of the City;

“motion”

includes a resolution;

“Public Notice Posting Places” means

- (a) the public notice board at City Hall, and
- (b) the Council Chamber at City Hall;

“special Council meeting”

means a Council meeting other than a regular Council meeting or an adjourned Council meeting

**PART 2 – MAYOR AND MEMBERS OF COUNCIL**

**Mayor is member of Council**

3 The mayor is a member of Council for the purposes of this Bylaw.

**Acting mayor**

- 4 (1) In accordance with section 130 of the *Community Charter*, Council must appoint a member responsible for acting in the place of the mayor when the mayor is
- (a) absent or otherwise unable to act, or
  - (b) when the office of mayor is vacant.
- (2) During the absence of the mayor, the member appointed under subsection (1) has the same powers and duties as the mayor in relation to the applicable matter.



- (3) Council must establish a schedule for the appointment of members to fill the office of acting mayor on a rotating basis.
- (4) If the office of the mayor becomes vacant, the members next in succession on the schedule will serve as acting mayor to the Acting Mayor appointed under subsection (1).

#### **Appointments to the Capital Regional District Board of Directors**

- 5 (1) Council must appoint the following by resolution as the City's municipal directors on the Board of the Capital Regional District:
  - (a) the mayor;
  - (b) the three persons, elected as councillors at the general local election, who receive the most votes for the position of municipal director.
- (2) Council must appoint the following by resolution as the City's alternate municipal directors on the Board of the Capital Regional District:
  - (a) as first alternate, the person elected as councillor at the general local election who received the fourth most votes for the position of municipal director;
  - (b) as second alternate, the person elected as councillor at the general local election who received the fifth most votes for the position of municipal director;
  - (c) as third alternate, the person elected as councillor at the general local election who received the sixth most votes for the position of municipal director;
  - (d) as fourth alternate, the person elected as councillor at the general local election who received the seventh most votes for the position of municipal director.
- (3) In the event that it is not possible to appoint a sufficient number of alternate municipal directors pursuant to subsection (2), Council may appoint any of the elected councillors as alternate municipal directors, with preference given to councillors who receive the highest numbers of votes in the general local election.

### **PART 3 – COUNCIL MEETINGS**

#### **Location of meetings**

- 6 All Council meetings must take place within City Hall except when Council resolves to hold a meeting elsewhere.

### **Schedule and public notice of meetings**

- 7 (1) Regular Council meetings must begin at 6:30 p.m.
- (2) At least 48 hours before a regular Council meeting, the Corporate Administrator must give advance public notice of the date, time, and place of that meeting by
- (a) posting the agenda at the public notice board at City Hall,
  - (b) delivering copies of the agenda to each of the members of Council, and
  - (c) leaving copies of the agenda at a public counter at City Hall for the purpose of making the agenda available to members of the public.
- (3) Council must establish and the Corporate Administrator must make available to the public a schedule of the date, time and place of regular Council meetings.
- (4) The Corporate Administrator must give notice of the availability of the schedule, referred to under subsection (3), at least once a year in accordance with sections 94 and 127 of the *Community Charter*.

### **Inaugural meeting**

- 8 Following a general local election, the Inaugural Council Meeting must be held on the first Thursday in November.

### **Electronic participation by members**

- 9 (1) For the purposes of this section, electronic participation in a meeting means participation by use of telephone communications or by Voice Over Internet Protocol (VOIP) that
- (a) enable the meeting's participants to hear and speak with each other, and
  - (b) enable the public to hear the participation of Council members during that part of the meeting that is open to the public.
- (2) Up to 2 members of Council may participate electronically in a Council meeting if
- (a) at least 72 hours before the meeting those members notified the Corporate Administrator of their intended absence, and
  - (b) a majority of the members of Council are physically present at the meeting.
- (3) If more than 2 members wish to participate electronically in a meeting, the 2 that may do so must be chosen by lot conducted by the Corporate Administrator.
- (4) There is no limit to the number of times a member may participate electronically.

- (5) As soon as possible before a meeting at which a member has requested to participate electronically, the Corporate Administrator must send to that member the meeting's agenda package and late agenda items, by way of courier or electronic or facsimile transmission.
- (6) Only a member who is physically present may preside at a meeting at which there is electronic participation.
- (7) A member is not permitted to participate electronically in a meeting if that member does not join the meeting within 15 minutes of its scheduled starting time.
- (8) The telecommunications and shipping costs arising from a member who is participating electronically are borne by the City.
- (9) A meeting at which there is electronic participation must not include any of the following public hearings:
  - (a) hearings to which section 890 of the *Local Government Act* applies;
  - (b) hearings for heritage conservation matters under Part 27 of the *Local Government Act*.
- (10) Written material at a meeting at which there is electronic participation, if that material is presented to the meeting without being included in either the agenda package or late agenda items sent to the members participating electronically, must be audibly read into the record.
- (11) A member, who is participating electronically in the voting on a matter, must vote by audibly stating "aye" or "nay".
- (12) If there is an interruption in the communications' link to a member who is participating electronically, the other Council members may
  - (a) decide on a short recess until it is determined whether or not the link can be re-established, or
  - (b) continue the meeting and treat the interruption in the same manner as if a member who is physically present leaves the meeting room.

#### **Application of rules of procedure**

- 10 In cases not provided for under this Bylaw, Robert's Rules of Order Newly Revised, 11th edition, 2011, apply to the proceedings of Council to the extent that those Rules are
  - (a) applicable in the circumstances, and
  - (b) not inconsistent with provisions of this Bylaw or the *Community Charter*.

**Minutes of meetings**

- 11 Minutes of the proceedings of Council must be
- (a) legibly recorded,
  - (b) certified as correct by the Corporate Administrator, and
  - (c) signed by the mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.

**Calling meeting to order**

- 12 (1) The mayor must call the members of Council to order for a Council meeting as soon after the scheduled time for the meeting as a quorum of Council is present.
- (2) If a quorum of Council is present but the mayor and acting mayor do not attend within 15 minutes of the scheduled time for a Council meeting
- (a) the Corporate Administrator must call to order the members present, and
  - (b) the members present must choose a member to preside at the meeting.

**Adjourning meeting where no quorum**

- 13 If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Administrator must
- (a) record the names of the members present,
  - (b) record the names of the members absent, and
  - (c) adjourn the meeting until the next scheduled Council meeting.

**Voting at meetings**

- 14 The following procedures apply to voting at Council meetings:
- (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council members;
  - (b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating
    - (i) "those in favour raise your hands", and then
    - (ii) "those opposed raise your hands";
  - (c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not
    - (i) cross or leave the room,

- (ii) make a noise or other disturbance, or
  - (iii) interrupt the voting procedure under paragraph (b) unless the interrupting member is raising a point of order;
- (d) after the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it;
- (e) the presiding member's decision about whether a question has been finally put is conclusive;
- (f) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.

#### Order of proceedings and business

- 15 (1) The agenda for all regular Council meetings contains the following matters in the order in which they are listed below:
- (a) Approval of agenda;
  - (b) Reading of minutes;
  - (c) Requests to address Council (maximum 6 requests);
  - (d) Proclamations;
  - (e) Public and statutory hearings (including third reading or adoption of bylaws and approval of permits where applicable after each hearing);
  - (f) Requests to address Council;
  - (g) Unfinished business;
  - (h) Reports of committees;
  - (i) Notice of Motions;
  - (j) Bylaws;
  - (k) Correspondence;
  - (l) New Business;
  - ⚡ (i) Late Items
  - (m) Question Period;
  - (n) Closed meeting, if required;
  - (o) Adjournment.

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- (2) Particular business at a regular Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.
- (3) Council may proceed with a particular item of business at a regular Council meeting in the absence of the Council member in whose name the item is listed on the agenda only if that member has given written permission for another Council member to proceed with that business.
- (4) Prior to each Council meeting the Corporate Administrator must prepare an agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- (5) The deadline for submissions by the public to the Corporate Administrator of items for inclusion on a Council meeting agenda is 11:00AM on the day before the meeting.
- (6) Council must not consider any matters not listed on the agenda unless introduction of the late item is approved by Council at the time allocated on the agenda for such matters.
- (7) If the Council makes a resolution under subsection (6), information pertaining to late items must be distributed to the members.

#### **Visitors and delegations**

- 16 (1) Council may, by resolution, allow an individual or a delegation to address Council on a matter provided a written application on the prescribed form has been received by the Corporate Administrator by 11:00AM on the day before the meeting.
- (2) Each address under subsection (1) must be limited to 5 minutes unless a longer period is agreed to by unanimous vote of those members present.
- (3) Where written application has not been received by the Corporate Administrator as prescribed in subsection (1), an individual or delegation may address the meeting if approved by the unanimous vote of the members present.
- (4) Each address under subsection (3) must be limited to 2 minutes unless a longer period is agreed to by unanimous vote of those members present.
- (5) Council must not take any action on an address under subsection (1) or subsection (3) at the meeting at which the address is made unless the proposed action is approved by unanimous vote of those members present.
- (6) Council must not permit a delegation to address a meeting of the Council regarding
  - (a) a bylaw or a permit in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw or the passing of a resolution authorizing the permit, or

- (b) the promotion of commercial goods or services.
- (7) A person other than Council members and officers and employees of the City is allowed to approach the podium and address the Council during a meeting of the Council only if that person has the presiding member's permission.

**Points of order**

- 17 (1) In accordance with section 132 of the *Community Charter*, the presiding member at a Council meeting must preserve order and, subject to an appeal to other Council members present, decide points of order that may arise.
- (2) Without limiting the presiding member's duty under subsection (1), the presiding member must apply the correct procedure to a motion
  - (a) if the motion is contrary to the rules of procedure in this Bylaw, and
  - (b) whether or not another Council member has raised a point of order in connection with the motion.
- (3) When the presiding member is required to decide a point of order
  - (a) the presiding member must cite the applicable rule or authority if requested by another Council member,
  - (b) another member must not question or comment on the rule or authority cited by the presiding member under paragraph (a), and
  - (c) the presiding member may reserve the decision until the next Council meeting.
- (4) If a Council member appeals a decision of the presiding member under subsection (3), the question as to whether the chair is to be sustained must be immediately put by the presiding member and decided without debate.
- (5) In relation to a vote on a motion under subsection (4),
  - (a) the mayor or other presiding member must not vote,
  - (b) the motion passes in the affirmative if the votes are equal, and
  - (c) the mayor or other presiding member must be governed by the result.
- (6) If the mayor or presiding member refuses to put the question under subsection (4),
  - (a) the Council must immediately appoint another member to preside temporarily,
  - (b) that other member must proceed in accordance with subsection (4), and

- (c) a motion passed under this subsection is as binding as if passed under subsection (4).

### **Conduct and debate**

- 18
- (1) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
  - (2) Members must address the presiding member by that person's title of mayor, acting mayor, or councillor.
  - (3) Members must address other non-presiding members by the title councillor.
  - (4) If more than one member speaks, the presiding member must call on the member who, in the presiding member's opinion, first spoke.
  - (5) Members who are called to order by the presiding member
    - (a) must immediately stop speaking,
    - (b) may explain their position on the point of order, and
    - (c) may appeal to Council for its decision on the point of order in accordance with section 17.
  - (6) Members speaking at a Council meeting
    - (a) must use respectful language,
    - (b) must speak only in connection with the matter being debated,
    - (c) may speak about a vote of Council only for the purpose of making a resolution or motion that the vote be rescinded, and
    - (d) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
  - (7) If a member does not adhere to subsection (6)(d), Council, by resolution, may order the member to leave the member's seat, and
    - (a) if the member refuses to leave, the presiding member may cause the member to be removed by police from the member's seat, and
    - (b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
  - (8) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.



- (9) The following rules apply to limit speech on matters being considered at a Council meeting:
- (a) a member may speak more than once in connection with the same question only
    - (i) with the permission of Council, or
    - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
  - (b) a member who has made a substantive motion to the Council may reply to the debate;
  - (c) a member who has moved an amendment, the previous question, or an instruction to a committee may not reply to the debate;
  - (d) a member may speak to a question, or may speak in reply, for longer than a total time of 15 minutes only with the permission of Council.

#### Motions generally

- 19 (1) A member of Council must give notice of a motion that is to be introduced at a Council meeting, by depositing a written copy of the motion with the Corporate Administrator:
- (a) By 11:00 am on the Monday before that meeting to be included as an item of New Business for the meeting; or,
- 19(b) After the time noted in section 19(1) (a) of this Bylaw but at least 24 hours before that meeting, and the item will be placed in a sub- category of New Business entitled "Late Items". In order for a motion to be added to the agenda for that meeting as late item by the Corporate Administrator, the report presenting it must include rationale noting the reason for the time sensitivity for the matter to be considered at that meeting.
- (2) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- (3) A motion that deals with a matter that is not on the agenda of the Council meeting at which the motion is introduced may be introduced only by leave of Council.
- (4) A Council member may make only the following subsidiary motions when the Council is considering a main question:
- (a) to lay on the table;
  - (b) to move the previous question;
  - (c) to postpone to a certain time;

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- (d) to refer to committee;
  - (e) to amend;
  - (f) to postpone indefinitely.
- (5) A motion made under subsection (4)(a), (b), (c), or (f) is not amendable or debatable.
- (6) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

#### **Motion to commit**

- 20 Until it is decided, a motion made at a Council meeting to refer to committee precludes an amendment of the main question.

#### **Motion for the main question**

- 21 (1) In this section, "main question", in relation to a matter, means the motion that first brings the matter before Council.
- (2) The following rules apply to a motion for the main question, or for the main question as amended, at a Council meeting:
- (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments are made to the motion on the main question;
  - (b) if the motion for the main question, or for the main question as amended, is decided in the negative, the Council may again debate the question, or proceed to other business.

#### **Amendments generally**

- 22 (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- (3) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
- (4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
- (5) An amendment may be amended once only.

- (6) An amendment that has been negated by a vote of Council cannot be proposed again.
- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:
  - (a) a motion to amend a motion amending the main question;
  - (b) a motion to amend the main question, or an amended motion amending the main question if the vote under paragraph (a) is positive;
  - (c) the main question.

### **Reconsideration**

- 23 (1) A Council member may, at the next Council meeting,
- (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and
  - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (2) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- (3) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (4) A vote to reconsider must not be reconsidered.
- (5) Council may not reconsider a matter that has
- (a) had the assent of the electors,
  - (b) already been reconsidered under this section, or
  - (c) been acted on by an officer, employee, or agent of the City.
- (6) On a reconsideration under this section, Council
- (a) must deal with the matter as soon as convenient, and
  - (b) on that reconsideration, has the same authority it had in its original consideration of the matter, subject to the same conditions that applied to the original consideration.
- (7) If the original decision was the adoption of a bylaw or resolution and that decision is rejected on reconsideration, the bylaw or resolution is of no effect and is deemed to be repealed.

- (8) A bylaw, resolution, or proceeding that is reaffirmed after reconsideration is valid and has the same effect as it had before reconsideration.

### **Privilege**

- 24 (1) In this section, a matter of privilege refers to any of the following motions:
- (a) fix the time to adjourn;
  - (b) adjourn;
  - (c) recess;
  - (d) raise a question of privilege of Council;
  - (e) raise a question of privilege of a member of Council.
- (2) A matter of privilege must be immediately considered when it arises at a Council meeting.
- (3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

### **Appointments to boards and other offices**

- 25 (1) Council may appoint a person to an advisory committee, board or other office only after receiving all nominations for that appointment.
- (2) Council may appoint a person to an office by resolution unless a Council member calls for a vote by ballot.
- (3) The following procedures apply to a vote by ballot:
- (a) the presiding member and the Corporate Administrator must act as scrutineers;
  - (b) the Corporate Administrator must give to each Council member one ballot that contains the Corporate Administrator's written initials and the names of all of the persons nominated;
  - (c) Council members may vote for a person by marking an "x" opposite that person's name on the ballot;
  - (d) those who receive the highest majority of votes from the Council members then present are appointed to the offices for which the vote is taken;
  - (e) if the number of those receiving a majority of votes by ballot is less than the number of offices to be filled,
    - (i) the person receiving the lowest number of votes is removed from succeeding ballots, and

- (ii) balloting must continue until the number of persons receiving a majority of votes equals the number of offices to be filled.

#### **Council member's requests for information**

- 26 (1) A Council member at any time may request information concerning the City's public business by making the request in writing to the City Manager.
- (2) The following procedures apply to the obtaining and presenting of information requested under this section:
- (a) the City Manager must make the best effort possible to obtain the information;
  - (b) after obtaining the information, the City Manager must give the request and the information to the mayor;
  - (c) the mayor or the presiding member must read the request and the information at the next Council meeting, subject to section 90 of the *Community Charter*;
  - (d) during a Council meeting, a Council member must not present an argument, debate, opinion, or fact in connection with the request and information that is read at a Council meeting.

#### **Reports from committees**

- 27 (1) Council may take any of the following actions in connection with a recommendation it receives from COTW or a committee:
- (a) agree or disagree with the recommendation;
  - (b) amend the recommendation;
  - (c) refer the recommendation back to COTW or the committee;
  - (d) postpone its consideration of the recommendation.
- (2) Council may discuss the proceedings of a standing committee only after the committee has presented to the Council the committee's report relating to those proceedings.

#### **Adjournment**

- 28 (1) A Council meeting may continue after 11:00 p.m. only by an affirmative vote of 2/3 of the Council members present.
- (2) A motion for continuation under subsection (1) must establish a specific time for the adjournment of the Council meeting.

- (3) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.
- (4) Subsection (3) does not apply to either of the following motions:
  - (a) a motion to adjourn to a specific day;
  - (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.
- (5) When adjourning, Council members must not leave their seats until the presiding member leaves.

#### **PART 4 – BYLAWS**

##### **Public notice of proposed bylaws**

- 29 The Corporate Administrator must ensure that written notice of the name and purpose of a proposed bylaw is publicly posted at the Public Notice Posting Places at least 24 hours before the Council meeting at which the bylaw is intended to be introduced.

##### **Copies of proposed bylaws to Council members**

- 30 A proposed bylaw may be introduced at a Council meeting only if section 29 has been satisfied and
- (a) a true copy of it has been delivered to each Council member and the City Manager at least 24 hours before the Council meeting, or
  - (b) all Council members unanimously agree to waive paragraph (a).

##### **Form of bylaws**

- 31 A bylaw introduced at a Council meeting must
- (a) be printed,
  - (b) have a distinguishing name,
  - (c) have a distinguishing number,
  - (d) contain an introductory statement of purpose, and
  - (e) be divided into sections.

##### **Bylaws to be considered separately or jointly**

- 32 Council must consider a proposed bylaw at a Council meeting either

- (a) separately when directed by the presiding member or requested by another Council member, or
- (b) jointly with other proposed bylaws in the sequence determined by the presiding member.

#### **Reading and adopting bylaws**

- 33 (1) The presiding member of a Council meeting may
- (a) have the Corporate Administrator read a synopsis of each proposed bylaw or group of proposed bylaws, and then
  - (b) request a motion that the proposed bylaw or group of bylaws be read.
- (2) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (3) Subject to subsection (4), each reading of a proposed bylaw must receive the affirmative vote of a majority of members present.
- (4) In accordance with section 882(2) of the *Local Government Act*, each reading of a proposed bylaw that adopts, amends, or repeals an official community plan must receive an affirmative vote of a majority of all Council members.

#### **Bylaws must be signed**

- 34 After a bylaw is adopted,
- (a) the presiding member of the Council meeting at which it was adopted must sign it, and
  - (b) the Corporate Administrator must
    - (i) sign it,
    - (ii) place the City's corporate seal on it,
    - (iii) have the dates of its readings and adoption placed on it, and
    - (iv) have it immediately placed in the City's vault.

#### **Bylaw register**

- 35 The Corporate Administrator must have copies of all adopted bylaws alphabetically and numerically indexed and available for public inspection during regular business hours in City Hall.

### **PART 5 - COMMITTEE OF THE WHOLE**

#### **Going into Committee of the Whole**

- 36 (1) At any time during a Council meeting, Council may by resolution go into COTW.
- (2) In addition to subsection (1), a meeting, other than a statutory, standing or select committee meeting, to which all members of Council are invited to consider but not to decide on matters of the City's business, is a meeting of COTW.

#### **Rising without reporting**

- 37 (1) A motion made at COTW to rise without reporting
- (a) is always in order and takes precedence over all other motions,
  - (b) may be debated, and
  - (c) may not be addressed more than once by any one member.
- (2) If a motion to rise without reporting is adopted by COTW, the Council meeting must resume and proceed to the next order of business.

#### **Reports**

- 38 (1) COTW may consider reports and bylaws only if
- (a) they are printed and the members each have a copy, or
  - (b) 2/3 of the members present decide without debate that the requirements of paragraph (a) do not apply.
- (2) A motion for COTW to rise and report to Council must be decided without debate.
- (3) The COTW's reports to Council must be presented by the Corporate Administrator for approval by Council prior to giving action to any recommendations from COTW.

#### **Presiding at Committee of the Whole meetings**

- 39 (1) The mayor, if present, must preside at COTW meetings.
- (2) In the absence of the mayor, the acting mayor chosen under section 6(4) must preside.
- (3) The presiding member has the same powers and duties as the mayor in relation to the applicable matter.

#### **Schedule for Committee of the Whole meetings**

- 40 (1) Regular meetings of COTW must
- (a) begin at 9:00 a.m, and
  - (b) adjourn at 2:00 p.m., unless a motion for continuation is approved by 2/3 of the members present.



- (2) A motion for continuation under subsection (1)(b) must establish a specific time for the adjournment of the COTW meeting.

**Order of proceedings and business at Committee of the Whole meetings**

41 The order of business at a regular COTW meeting is as follows:

- (a) Approval of agenda;
- (b) Consent agenda;
- (c) Reading of minutes;
- (d) Unfinished business;
- (e) Land use matters;
- (f) Staff reports;
- (g) Notice of Motions;
- ~~(h)~~ (h) New Business;
- ~~(h)~~ (i) Late Items
- (i) Closed meeting, if required;
- (j) Adjournment.

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**Rules of procedure for Committee of the Whole meetings**

42 (1) The following rules apply to COTW meetings:

- (a) a motion for adjournment is not allowed during debate of a motion;
  - (b) a member may speak any number of times on the same question;
  - (c) a member must not speak longer than a total of 10 minutes on any one question;
  - (d) votes must be taken by a show of hands if requested by a member;
  - (e) the presiding member must declare the results of voting.
- (2) The rules governing the proceedings of Council established under the following provisions of this Bylaw also apply to the proceedings of COTW:
- (a) section 6 [*Location of meetings*];
  - (b) sections 7(2) to (4) [*Schedule and public notice of meetings*];
  - (c) section 10 [*Application of rules of procedure*];

- (d) section 11 [*Minutes of meetings*];
- (e) section 12 [*Calling meeting to order*];
- (f) section 13 [*Adjourning meeting where no quorum*];
- (g) section 14 [*Voting at meetings*];
- (h) section 17 [*Points of order*];
- (i) section 18(1) to (8) [*Conduct and debate*];
- (j) section 19 [*Motions generally*];
- (k) section 21 [*Motion for the main question*];
- (l) section 22 [*Amendments generally*];
- (m) section 24 [*Privilege*].

## **PART 6 – OTHER COMMITTEES**

### **Standing committees**

- 43 (1) The mayor or Council may establish a standing committee and appoint members to the standing committee to deal with matters the mayor or Council considers would be better dealt with by a standing committee.
- (2) All meetings of a standing committee must be at City Hall.
- (3) At its first meeting after its appointment a standing committee must establish a regular schedule of meetings.
- (4) The chair of a standing committee may call a meeting of the committee in addition to the schedule of meetings.
- (5) The chair of a standing committee must cause a notice of the day and time of a meeting called under subsection (4) to be given to all members of the committee at least 12 hours before the time of the meeting.
- (6) Standing committees must consider, inquire into, report, and make recommendations to Council about all of the following matters:
- (a) matters that are contained in the terms of reference of the committee;
  - (b) matters that are assigned by Council;
  - (c) matters that are assigned by the mayor.
- (7) Standing committees must report and make recommendations to Council at all of the following times:

- (a) in accordance with the schedule of the committee's meetings;
  - (b) on matters that are assigned by Council or the mayor,
    - (i) as required by Council or the mayor, or
    - (ii) at the next Council meeting if Council or the mayor does not specify a time.
- (8) A majority of all the members of a standing committee must sign all reports that are given by the committee to Council.

#### **Select committees**

- 44 (1) Council must appoint a presiding member or chair of the select committee.
- (2) Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by Council.
- (3) Select committees must report and make recommendations to Council as soon as possible, unless a date and time is established by Council.

#### **Advisory committees**

- 45 (1) Council by resolution may appoint an advisory committee
- (a) to provide advice and recommendations to Council regarding any matter within the committee's terms of reference, and
  - (b) to report to Council or to another committee designated by Council for that purpose.
- (2) All members of an advisory committee must be members of the public.
- (3) A chairperson must be appointed by the members of an advisory committee.

#### **Quorum**

- 46 The quorum for a standing, select or advisory committee is a majority of its members.

#### **Rules of procedure for other committee meetings**

- 47 (1) The following rules apply to standing, select and advisory committee meetings:
- (a) a motion for adjournment is not allowed during debate of a motion;
  - (b) a member may speak any number of times on the same question;

- (c) a member must not speak longer than a total of 10 minutes on any one question;
  - (d) votes must be taken by a show of hands if requested by a member;
  - (e) the presiding member must declare the results of voting.
- (2) The rules governing the proceedings of Council established under the following provisions of this Bylaw also apply to the proceedings of a standing, select or advisory committee:
- (a) sections 7(2) to (4) [*Schedule and public notice of meetings*];
  - (b) section 10 [*Application of rules of procedure*];
  - (c) section 11 [*Minutes of meetings*];
  - (d) section 17 [*Points of order*];
  - (e) section 18(1), (4) to (8) [*Conduct and debate*];
  - (f) section 19(2) to (6) [*Motions generally*];
  - (g) section 21 [*Motion for the main question*];
  - (h) section 22 [*Amendments generally*];
  - (i) section 24 [*Privilege*].

**Attendance of non-members**

- 48 (1) Council members who are not members of a standing, select or advisory committee may attend meetings of the committee.
- (2) Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.
- (3) Council members attending a meeting of a committee of which they are not a member must not vote on a question.

**PART 7 - GENERAL**

**Repeal**

49 Bylaw No. 09-046, the Council Bylaw, is repealed.

READ A FIRST TIME the            **14<sup>th</sup>** day of            **January**                    2016

READ A SECOND TIME the       **14<sup>th</sup>** day of            **January**                    2016

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READ A THIRD TIME the **14<sup>th</sup>** day of **January** 2016

ADOPTED on the **28<sup>th</sup>** day of **January** 2016

**“CHRIS COATES”**  
CORPORATE ADMINISTRATOR

**“LISA HELPS”**  
MAYOR