

**MINUTES OF THE**  
**GOVERNANCE & PRIORITIES COMMITTEE MEETING**  
**HELD THURSDAY, JULY 24, 2014, 9:00 A.M.**

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

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

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

**Staff Present for a Portion of the Meeting:** J. Jenkyns – Acting Director of Parks, Recreation & Culture; D. Kalynchuk – Director of Engineering & Public Works; S. Thompson – Acting Director of Finance; B. Dellebuur – Manager of Transportation; K. Oberg – Manager of Culture, Sport & Neighbourhoods; L. Sifton – Manager of Parks Planning, Design & Development

**Guests:** R. Wynn-Williams and A. Wynn-Williams.

**2. APPROVAL OF THE AGENDA**

Committee discussed the agenda and considered the following amendments:

**Open Meeting:**

- Item # 5 – Additional Correspondence

**Closed Meeting:**

- Item # 17 – Additional Application for the Art in Public Places Committee
- Item # 22 – Intergovernmental Relations

**Action:** It was moved by Councillor Helps, seconded by Councillor Thornton-Joe, that the Agenda of the July 24, 2014, Governance and Priorities Committee meeting be approved as amended.

CARRIED UNANIMOUSLY 14/GPC412

**3. ADOPTION OF MINUTES**

**3.1 Adoption of the Minutes from the Regular Meeting held July 3, 2014**

**Action:** It was moved by Councillor Thornton-Joe, seconded by Councillor Isitt, that the Minutes from the Governance and Priorities Committee meeting held June 26, 2014 be adopted.

CARRIED UNANIMOUSLY 14/GPC413

*Mayor Fortin joined the meeting at 9:02 a.m. and assumed the Chair.*

#### **4. DELEGATION**

##### **4.1 Presentation by Rhys Wynn-Williams on Voter Apathy**

Rhys Wynn-Williams, the winner of the Royal Oak Rotary Club Second Annual Public Speaking Contest provided Committee with his winning presentation on Voter Apathy. He is currently attending Spectrum Community School and has been competing in debates at the provincial and national level for four years.

#### **5. PRESENTATIONS**

##### **5.1 Johnson Street Bridge Project Review - Summary of Findings**

Mr. J. Huggett (Interim Project Director – Johnson Street Bridge) provided a summary of his findings from the project review with recommendations for moving forward.

- Action:** It was moved by Councillor Gudgeon, seconded by Councillor Alto that Council adopt the following recommendations:
1. That the City appoints and delegates authority to one individual as Project Director.
  2. Issues arising on the project are to be dealt with in a timely manner through constructive dialogue and teamwork.
  3. The roles and responsibilities of MMM Group and their performance needs to be reviewed.
  4. Revise the risk monitoring process to identify and focus on a smaller number of risks that are specific to the project and develop proper mitigation strategies to deal with them.
  5. The City, in consultation with MMM Group and PCL, to devise an appropriate owner's quality assurance plan for work in China.
  6. Formalize a project schedule for the project in an agreement involving PCL, MMM, and the City, and include the schedule in both contracts.
  7. Undertake a thorough and realistic assessment of potential costs and work with partners to develop strategies to contain costs.
  8. Put in place the recommended Project Governance Strategy outlined in the review.

CARRIED UNANIMOUSLY 14/GPC414

Committee discussed the following:

- Concerns regarding the quality assurance monitoring program.
  - There are engineering standards in place and the City can be confident that they will be receiving a quality product. PCL is providing quality control and the City will employ another company that will be travelling to China to also provide quality control. There were provisions in the PCL contract for

quality assurance and there have been a couple of visits in the field but this will need to be increased.

- Assurances around the functionality of the bridge once the warranty expires.
  - There will be commissioning adjustment challenges that will need to be sorted out to make sure the bridge opens and closes properly. A two year warranty is in place. A very detailed quality assurance process will be completed by an independent assessor.
- Questions if the bridge design will function.
  - There is no doubt it will work. There are additional considerations such as seismic risk. There are countless professionals involved and some of the best bascule bridge designers in the world are working on this project and they are using engineering and design principles employed in other bridges.
- Wasn't MMM Group to provide the oversight?
  - MMM are the engineers responsible; he is making sure everyone is doing what they are supposed to do.
- Why is it being made in China when we have our own workers that must leave the province for work?
  - Council will be provided with a list of local contractors who are working on the project.
- Seismic concerns should there be an earthquake.
  - A briefing will be brought forward regarding this matter, the key issue being if the bridge is hit sideways, there are three mechanisms in place to hold the bridge in place; it is heavy, there is a guide mechanism that locks it down and a third is the wheels – they are flanged. They are assured by the designer, that if the bridge is closed at the time of a seismic event the bridge will be useable.
- Whether the bridge is overly complex and using a mechanism that has not been tried?
  - Each bridge is unique and the engineers and designers believe the design is not unusual. It is standard engineering and is a feasible design.
- If the recommendations will mean additional costs and how will the City recoup them?
  - If the parties come back and want more money, then the City will have to look at what was included in the original contract. They will need to analyse the contracts and the extent to how liable each party is. Part of the Terms of Reference is to accept where we are now. It does not matter how we got here. It is important how we move forward.

CARRIED UNANIMOUSLY 14/GPC415

*Mayor Fortin withdrew from the meeting at 10:24 a.m. and Councillor Coleman assumed the Chair.*

## **5.2 Johnson Street Bridge Project Quarterly Update**

Committee received a quarterly report dated July 17, 2014 from Engineering & Public Works which updated Committee on the Johnson Street Bridge Replacement Project. This is the second quarterly report of 2014 and is intended to keep Council and the community updated on this important capital project.

Since the last report on April 10, 2014, a significant amount of work has been accomplished with the construction of the foundation of the new bridge on both the east and west sides of the harbour and in the water. Significant progress has also been made with construction of the bascule leaf at the steel fabricator in China with completion expected by May 2015 and delivery to Victoria in July 2015.

As of May 2014, PCL has invoiced \$11.9 million representing approximately 18.9% of the total contract amount. This includes \$1.65 million for prepayment of roughly two thirds of the structural steel that is located at the fabricator's plant in China. MMM has invoiced a total of \$7,355, 770 from the \$9,362,377 budget for design, permitting, construction administration, and project management. To date \$872,880 has been allocated from the construction contingency with \$1,942,120 remaining.

*Mayor Fortin returned to the meeting at 10:27 a.m. and assumed the Chair.*

Committee discussed:

- If it would be possible to be provided with a list of the local people working on this project in the next update.
- If the design is substantially complete.
- Traffic management and how to minimize the impact on the public.
  - There will be impacts, but ample notice will be provided before anything is done.
- Methods employed for regarding recovering artefacts.
- It seems that one third of the contingency has been allocated?
  - It is fairly normal. From their perspective it is going well. As some risks are being eliminated, others are being added to the Risk Registry.

The City Manager advised that future updates to Council will include the status of the contingency budget.

*Councillor Coleman withdrew from the meeting at 10:50 a.m. and returned at 10:53 a.m.*

- The rail corridor and if there are assurances that nothing will preclude the availability of rail in the future.
  - Rail may be added in the future as the corridor is preserved

*Councillor Alto withdrew from the meeting at 10:54 a.m. and returned at 10:57 a.m.*

- Will the contingency budget need to be increased?
  - Some of the risks are still larger than the contingency. A report of the full financial projection of where the project is going will be provided in September.
- If the bridge could be shut down for a period of time; could there be cost savings by expediting the construction?
  - Committee should consider that any savings may be offset by the loss of business to the downtown.

**Action:** It was moved by Councillor Gudgeon, seconded by Councillor Alto, that Committee receives for information the report dated July 17, 2014.  
CARRIED UNANIMOUSLY 14/GPC416

*Councillor Helps withdrew from the meeting at 11:05 a.m. and returned at 11:08 a.m.*

### **5.3 Johnson Street Bridge Replacement Project Public Realm Update**

Committee received a report dated May 26, 2014 from Engineering & Public Works which provided new drawings of the public realm areas for the Johnson Street Bridge Replacement Project. In July 2012, Council was presented with results of public engagement sessions specific to the public realm areas of the new Johnson Street Bridge. The report included recommendations for additions to the public realm based on public input, including the addition of new sidewalk and pedestrian crossings, plaza amenities, traffic calming measures, and naturalized landscaping including exposed bedrock. A finalized Public Realm and Landscape Design Strategy was brought forward to Council in October 2012.

In September 2013, Council requested that staff bring forward more information related to the public realm for the bridge to help inform further discussions regarding public art.

*Councillor Gudgeon withdrew from the meeting at 11:16 a.m. and returned at 11:18 a.m.*

Committee discussed:

- If the Way-Finding will be dovetailed with other Way-Finding in the City.
  - The Communications Department will be developing a standard look and prepare a cohesive plan to use throughout the City.
- The budget seems small for so many areas that need work.
  - It is tight but they hope that it can be accomplished within the budget. Landscaping is a priority for the team.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Isitt, that Committee receive the report dated May 26, 2014 for information, and request staff to convene a stakeholders meeting to review the proposed public realm plans and report back to the Governance & Priorities Committee on the feedback received and staff responses.

Committee discussed the motion as follows:

- The plan is creating a framework of the work that will be done in years to come.
- Traffic calming is a key element of this design.
- If the plan is projecting a sense of pedestrian friendliness. Is it clear there will be access down to the David Foster Walkway from the north side?
  - They are not sure. The Parks Department is working with the Janion owners and our engineer to see if that access can be made available.
- Concerns that the cycling connection on the west approach is worse on the new bridge and what would happen if rail is reinstated.

- If the City wants to protect the rail right-of-way should the City be installing a sidewalk when a retaining wall would have to be installed should the rail be reinstated?
  - It could be a few years before rail could be reconnected. It would not be costly to remove the sidewalk and there could be a temporary train station built.
- If there could be an opportunity for public art on the West Plaza overlook
- Downtown residents are concerned over the lack of park space.

CARRIED UNANIMOUSLY 14/GPC417

*Committee Recessed at 12:17 p.m.*  
*Committee Reconvened at 12:47 p.m.*

## 6. DECISION REQUESTS

### 6.1 Phase One of Bicycle Master Plan – Public Engagement, Recommended Network Map and Priority Project List

Committee received a report from Transportation and Parking Services regarding Phase One of the Bicycle Master Plan. On November 7, 2014, Council approved a Project Charter for updating the City's Bicycle Master Plan. A Bicycle Task Force consisting of Mayor Fortin, Councillors Alto and Isitt, and City staff was established and a Technical Working Group including cycling representatives was also established to consider stakeholder input and make recommendations to Council on revisions to the City of Victoria cycling network, including identifying and prioritizing projects for the next five years.

The cost of the priority projects over the next five years is expected to be \$5 million. Required budget for this work will be reflected in the 2015 Financial Plan forwarded for Council's consideration.

The second phase of the project is to build upon the high volume of public input received to update the Bicycle Master Plan, developing strategies and actions to guide cycling in Victoria over the next 25 years. It is anticipated that an updated Bicycle Master Plan document will be presented to Council for consideration in March of 2015.

*Councillor Madoff withdrew from the meeting at 1:06 p.m. and returned at 1:12 p.m.*

#### **Action:**

It was moved by Councillor Alto, seconded by Councillor Isitt, that Committee recommends:

1. That Council endorses the 2014 Recommended Bicycle Network Map.
2. That staff implement the following strategic improvement projects in 2014, using the \$121,000 in additional capital funds Council had previously approved for active Transportation improvements:
  - Doncaster Drive between Myrtle Street and Hillside Avenue (path realignment)
  - 900 block Convent Street (improved access at Vancouver Street)
  - 900 block Collinson Street (improved access at Quadra Street)

- Galloping Goose trail (paving of pedestrian path south of Selkirk Trestle)
3. That Council endorses the following priority projects for Bicycle Master Plan implementation over the next five years (2015-2019):
    - Pandora Avenue between Store Street and Cook Street
    - Johnson Street between Store Street and Cook Street
    - Vancouver Street route (from Vancouver Street/Park Boulevard, to Fifth Street/Tolmie Avenue, via Graham Street and Fifth Street)
    - Off Bay Street route (Haultain Street/Kings Road between Richmond Road and Dowler Street)
    - Off Shelbourne Street route (Doncaster Drive/North Dairy Road to Gonzales Beach)
    - Wharf Street/Belleville Street route between Pandora Avenue and Oswego Street
  4. That Council authorize staff to proceed with design work for the proposed Pandora Avenue project.
  5. That Council direct staff to bring forward the Pandora Avenue construction project for early consideration of approval, as part of the 2015 Financial Plan Review.

Committee discussed:

- This is a demonstration of how the City and stakeholders in the community can be brought together to provide meaningful input on a capital plan.
- Safety is an issue and building a through-way which will create a safe route is important.
- That it is important to hear all the messages, to look at cycling being a practical mode of transportation.
- There are many stakeholders that need to be heard from.
- If Pandora could be converted to a two way route?
  - There is a limited right of way on Pandora but it would be quite revolutionary for the City. It would require upgrades to traffic signals and incur costs but could be part of the plan moving forward.
- Cycling along with walking and public transport should be a priority for the City.

**Action:**

It was moved by Councillor Isitt, seconded by Mayor Fortin, that Committee consider the following amendment:

1. That Council endorses the 2014 Recommended Bicycle Network Map.
2. That staff implement the following strategic improvement projects in 2014, using the \$121,000 in additional capital funds Council had previously approved for active Transportation improvements:
  - Doncaster Drive between Myrtle Street and Hillside Avenue (path realignment)
  - 900 block Convent Street (improved access at Vancouver Street)
  - 900 block Collinson Street (improved access at Quadra Street)
  - Galloping Goose trail (paving of pedestrian path south of Selkirk Trestle)
3. That Council endorses the following priority projects for Bicycle Master Plan implementation over the next five years (2015-2019):
  - Pandora Avenue between Store Street and Cook Street
  - Johnson Street between Store Street and Cook Street

- Vancouver Street route (from Vancouver Street/Park Boulevard, to Fifth Street/Tolmie Avenue, via Graham Street and Fifth Street)
  - Off Bay Street route (Haultain Street/Kings Road between Richmond Road and Dowler Street)
  - Off Shelbourne Street route (Doncaster Drive/North Dairy Road to Gonzales Beach)
  - Wharf Street/Belleville Street route between Pandora Avenue and Oswego Street
4. That Council authorize staff to proceed with design work and **consultation** for the proposed Pandora Avenue project, **including consideration of a two way cycling track.**
  5. That Council direct staff to bring forward the Pandora Avenue construction project for early consideration of approval, as part of the 2015 Financial Plan Review.

Committee discussed the amendment:

- If the City does proceed with the two way cycling track on Pandora Street then the work would not need to be done on Johnson Street.
  - Staff could do a quick look and identify issues and concerns that would ultimately come back to Council for consideration. It is good to have input from the community and have all of the information on hand to move forward.

On the amendment:  
CARRIED UNANIMOUSLY 14/GPC418

**Action:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Helps, that Committee amend the motion as follows:

1. That Council endorses the 2014 Recommended Bicycle Network Map.
2. That staff implement the following strategic improvement projects in 2014, using the \$121,000 in additional capital funds Council had previously approved for active Transportation improvements:
  - Doncaster Drive between Myrtle Street and Hillside Avenue (path realignment)
  - 900 block Convent Street (improved access at Vancouver Street)
  - 900 block Collinson Street (improved access at Quadra Street)
  - Galloping Goose trail (paving of pedestrian path south of Selkirk Trestle)
3. That Council endorses the following priority projects for Bicycle Master Plan implementation over the next five years (2015-2019):
  - Pandora Avenue between Store Street and Cook Street
  - Johnson Street between Store Street and Cook Street
  - Vancouver Street route (from Vancouver Street/Park Boulevard, to Fifth Street/Tolmie Avenue, via Graham Street and Fifth Street)
  - Off Bay Street route (Haultain Street/Kings Road between Richmond Road and Dowler Street)
  - Off Shelbourne Street route (Doncaster Drive/North Dairy Road to Gonzales Beach)
  - Wharf Street/Belleville Street route between Pandora Avenue and Oswego Street



- **Douglas Street/Gorge Road/Jutland Road route**
- 4. That Council authorize staff to proceed with design work and consultation for the proposed Pandora Avenue project, including consideration of a two way cycling track.
- 5. That Council direct staff to bring forward the Pandora Avenue construction project for early consideration of approval, as part of the 2015 Financial Plan Review.

Committee discussed the amendment:

- If the route is a key link in the cycling network.
- There are currently key traffic calming initiatives taking place to make this area safer for cycling.
- There are other routes that arguably have a higher priority.

On the amendment:  
DEFEATED 14/GPC419

For: Mayor Fortin, Councillors Coleman, Helps, Thornton-Joe  
Against: Councillors Alto, Gudgeon, Isitt, Madoff and Young

Committee continued discussion of the main motion:

- If there could be an education component introduced to the plan. It is currently very hard to plan a route unless you go online.
- What will be included in the Way-Finding? Will it integrate with the Capital Regional District (CRD) regional guidelines for municipalities that will also be used for the greenways?
- If the City has looked at bicycle licensing, or a program to recapture some of the costs to put back into the network.
  - That would fall under Provincial regulation.

*Councillor Coleman withdrew from Committee at 2:04 p.m. and returned at 2:10 p.m.*

On the main motion as amended:  
CARRIED UNANIMOUSLY 14/GPC420

## **6.2 Bike to School Travel Planning Coordinator for School District 61**

Committee received a report regarding the School Travel Planning developed by HASTe the Hub for Active School Travel. School Travel Planning is a community-based approach that has been used with success to increase the number of children choosing active transportation modes to get to and from school, and works to identify transportation challenges faced by school communities and identify resources and strategies necessary to overcome them.

**Action:** It was moved by Mayor Fortin, seconded by Councillor Isitt, that the Mayor write a letter to the CRD endorsing a pilot School Travel Planning Coordinator position based on the HASTe model for the 2014-2015 school year.

CARRIED UNANIMOUSLY 14/GPC421

**Action:** It was moved by Mayor Fortin, seconded by Councillor Isitt, that the Mayor write a letter to the other municipalities in School District 61, encouraging them to submit similar letters to the CRD.

CARRIED UNANIMOUSLY 14/GPC422

*Committee Recessed at 2:20 p.m.*

*Committee Reconvened at 2:25 p.m.*

### **6.3 Stormwater Utility Implementation**

Committee received a report on the Stormwater Utility Implementation dated July 16, 2014, from Engineering & Public Works. In March 2011, Council endorsed the creation of a Stormwater Utility in order to provide a new funding model for the stormwater system and to promote sustainable stormwater practices. Since that time staff have developed and finalized the model for the City of Victoria after considerable research and input from property owners during the engagement phase.

The Stormwater Utility changes the way that the stormwater system is financed, from one based on property values to one based on property attributes. Fees will be based on the following factors: impermeable area, frontage for street cleaning, classification of property and the impact it has, and whether or not it is part of the Stormwater Codes of Practice program.

A Rainwater Management Incentive Program has also been developed to encourage property owners who are replacing worn infrastructure or upgrading features on their property to choose a more sustainable option.

**Action:** It was moved by Councillor Gudgeon, seconded by Councillor Helps, that Committee recommends that Council:

1. Adopt the Stormwater Utility and model as outlined in the report dated July 16, 2014.
2. Adopt the revised *Sanitary Sewer and Stormwater Utilities Bylaw* (Appendix A attached to the report dated July 16, 2014).
3. Instructs staff to amend the City of Victoria Reserve Fund Policy to establish a Stormwater Utility Reserve Fund. The purpose of this reserve is to provide funding for Stormwater equipment and infrastructure.
4. Amend the 2014-2018 *Financial Plan Bylaw* for the 2016 year, to reduce the property value taxes line item by \$5,481,982 and add a stormwater utility fee line item in the same amount.

CARRIED UNANIMOUSLY 14/GPC423

*Councillor Isitt withdrew from the meeting at 2:50 p.m. and returned at 2:52 p.m.*

### **6.4 Proposed Amendments to Zoning Regulation Bylaw and Official Community Plan to Support Rainwater Management Incentive Program**

Committee received a report dated July 17, 2014, from Sustainable Planning & Community Development regarding regulations that could be streamlined to

encourage participation in the Rainwater Management Incentive Program. The need for permits and planning approvals has been identified as a potential barrier to the participation of property owners in the Stormwater Utility Program's Rainwater Management Incentive Program.

Zoning Regulations, Development Permits (DP) and Heritage Alteration Permits (HAP) serve important purposes. Without proper regulation and oversight, there is the potential for poorly designed rainwater management practices on private property that may have negative impacts on adjacent properties or the public realm. An overly onerous approval process and / or regulations may deter participation in the Rainwater Management Incentive Program. Depending on the uptake of the Rainwater Management Incentive Program, the administration of DPs and HAPs could require significant staff and Council resources. Staff have identified an approach that would achieve the goals of encouraging and streamlining the Rainwater Credit approval process.

**Action:**

It was moved by Councillor Gudgeon, seconded by Councillor Helps, that Committee recommends:

1. That Council direct staff to prepare amendments to the *Official Community Plan* that would:
  - a. Exempt rain gardens, bioswales, permeable paving, green roofs and cisterns approved under the Rainwater Management Incentive Program from requiring a Development Permit or Heritage Alteration Permit.
2. That Council direct staff to prepare amendments to the *Zoning Regulation Bylaw* that would:
  - a. Exempt rooftop cisterns approved under the Rainwater Management Incentive Program from height regulations.
  - b. Clarify that cisterns approved under the Rainwater Management Incentive Program must comply with zoning regulations, in particular setbacks, site coverage and parking requirements.
3. That Council direct staff to prepare and distribute public information encouraging proper placement and screening of cisterns for Rainwater Management Incentive Program participants.

CARRIED UNANIMOUSLY 14/GPC424

## **6.5 Interim Boulevard Gardening Guidelines – Staff Review**

Committee received a report dated July 24, 2014 from Parks, Recreation & Culture regarding a review of the Interim Boulevard Gardening Guidelines, which Committee requested at their June 19, 2014 meeting. The report outlined key areas of the proposed interim guidelines and how they may fit within the City of Victoria context.

**Action:**

It was moved by Councillor Alto, seconded by Councillor Isitt, that Committee recommends that Council adopt the Interim Guidelines with the amendments as described below and attached to the report dated July 24, 2014, and direct staff to proceed with the development of a project charter and engagement strategy for final boulevard guidelines, to be in place for the 2016 growing season.

**Action:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee amend the Section 2.1 as follows:

**Section 2.1 *Preparing the Boulevard for Planting***

- b. Adjacent property owners should confirm the location of underground utilities before disturbing the boulevard, and ~~should~~ **must** ensure that no utility company objects to the property owner's gardening proposal, by phoning BC One Call at 1.800.474.6886. Currently, no fee is charged by BC One Call or utility companies for this service. **In addition to calling BC One Call, residents who plan to dig or disturb the boulevard must also contact the Engineering and Public Works Department at 250.361.0313.**

On the amendment:  
CARRIED UNANIMOUSLY 14/GPC425

**Action:** It was moved by Councillor Madoff, seconded by Councillor Gudgeon, that Committee amend the Section 2.4 as follows:

**Section 2.4 *Plant Size***

- a. ~~Appropriate plant heights should be determined by imaging or observing the plant, fully grown, in its surroundings, and applying good judgment. If sightlines and safety are not a concern in relation to a particular plant type in a particular location, tall plants may be appropriate. For example, a row of sunflowers 3m tall may be an attractive and safe addition to the middle of a boulevard, their narrow stems doing nothing to interfere with sightlines or safety. Similarly, a Saskatoon berry bush 2m tall may pose no risk, if standing on the boulevard next to an even taller cedar hedge sitting on private property.~~
- b. ~~On the other hand, Where sightlines or safety may be a concern, plants~~ **should must be no taller than 1m**, in order to allow drivers and pedestrians to see clearly over the tops of the plants. In these locations, choose plants that grow to a mature height of 1m or less or keep plants low by trimming.

On the amendment:  
CARRIED UNANIMOUSLY 14/GPC426

**Action:** It was moved by Councillor Madoff, seconded by Councillor Gudgeon, that Committee add the following paragraph to Section 2.4:

**Section 2.4 *Plant Size***

- f. **Fire hydrants must be easily visible and accessible from both the street and the sidewalk. Maintain clearance to ensure that plants do not interfere with the operation of the hydrant.**

**Action:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee amend Section 2.6 as follows:

**Section 2.6    *Structures and Ornaments***

- a. Permanent installations such as in-ground irrigation systems are not allowed. **Permanent** structures and ornaments are not allowed as they interfere with public safety and the City's ability to quickly access underground services. ~~This includes raised wooden garden beds.~~
- b. Temporary structures and ornaments are allowed within the parameters described below, provided they are easily movable and do not interfere with access or visibility.
- c. All temporary structures and ornaments must be set back 1m from the curb, 20cm from the sidewalk and 1.5m from any pole, fire hydrant or other permanent structure.
- d. Raised garden beds are considered temporary structures. The recommended height for a raised garden bed is between 15cm and 45cm. Raised garden beds should not exceed 45cm.
- e. Provide a 1m wide path between raised garden beds and other temporary structures and ornaments to ensure easy access between the sidewalk and parked vehicles. Raised garden beds should be no longer than 8m.
- f. Where plants should be no taller than 1m, measure from the ground level, not the surface level of the raised garden bed. Where plants should be kept to a maximum of 60cm (ie. Closer to intersections, driveways, curbs, and sidewalk edges where sightlines or safety is clearly a concern), again, measure from ground level.
- g. If you are building wood-sided raised beds to grow food, avoid treated lumber or creosoted timbers as they may be toxic. Use wood that is naturally rot-resistant such as cedar or juniper. For low garden beds, materials such as bricks, landscape pavers or rocks can be used to retain soil and define the garden edge. A preferable form of raised bed may be a berm, a mound of earth in a distinct shape with no hard sides. Instead of using wood rocks or other hard edges, plant ground cover around the sides of a berm to save materials and resist erosion. It is easier to create an interesting or artistic shape with a berm than with a wood-sided bed.
- h. Stake plants that are vulnerable to falling over (eg. Sunflowers), or that might pose a trip hazard. Top the stake with a bright colour (eg. a brightly-coloured scrap of fabric, or a piece of brightly-coloured tape) to improve its visibility.
- i. Be aware that you may lose any temporary structures or ornaments, if emergency or other work crews need to perform work on the boulevard. You may or may not receive advanced notification. In either event, work crews should be treated respectfully.

**Action:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee amend the Section 3.2 as follows:

### **Section 3.2 *Watering and Maintenance***

**City-owned infrastructure may not be used for watering. This includes boulevard water services and fire hydrants.** Many food producing plants, annuals in particular, demand more water and maintenance. It may be challenging to water your boulevard, so determine how you will water your plants before you begin to ensure a successful harvest. Be careful not to leave tools on the sidewalk as they can be a trip hazard for pedestrians. Be aware that garden hoses stretched across sidewalks can also be a trip hazard. Take reasonable precautions such as brightly-coloured hazard cones or flags to alert pedestrians that the hose is there. Be sure your caution alerts do not block the sidewalk so much that two people walking abreast, or someone using a mobility device, cannot pass.

On the amendment:  
CARRIED UNANIMOUSLY 14/GPC429

**Action:** It was moved by Councillor Thornton-Joe, seconded by Councillor Gudgeon, that Committee amend the Section 3.3 as follows:

### **Section 3.3 *Neighbourhood Pets and Passers-By***

The boulevard is a public space where you have little control over the way **people, pets and other animals** interact with your garden. Plants and produce may be picked by passers-by, **and pets and other animals** often have little consideration for garden beds. A certain level of quality and contaminant control may be lost when you garden along the street.

On the amendment:  
CARRIED UNANIMOUSLY 14/GPC430

**Action:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee amend the Section 3A.1 as follows:

### **Section 3A.1 *Notions of Neighbourliness***

If you are a tenant, be sure to obtain the informed consent of your landlord before you begin gardening on the boulevard adjacent to your rental building. If you are a condo owner, you will want to approach your strata council. ~~And if you are a guerilla gardener with your eye on potential garden space adjacent to a stranger's property, first make that stranger your friend and ally, by obtaining their informed consent.~~ Boulevard gardeners who

ignore the interests or objections of neighbouring stakeholders can expect to sow discord and discontent along the boulevard.

On the amendment:  
CARRIED UNANIMOUSLY 14/GPC431

**Action:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee amend the Section 5.1 as follows:

**Section 5.1 *Boulevard Taxes, Boulevard By-laws and Other Legalities***

Some boulevards are mowed, watered, fertilized, and edged by the City, as a maintenance service to adjacent property owners. A service fee is applied to the property owner's tax bill as a "boulevard tax." If you are one of these property owners, **the City will no longer maintain those portions where there are boulevard gardens. If you wish to no longer pay this service fee, you will need to work with your neighbours to opt-out of the boulevard tax.**

On the amendment:  
CARRIED UNANIMOUSLY 14/GPC432

**Action:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee amend the Section 5.2 Boulevard Bylaws to include wording based on either the implementation of a permit system with staff time allocated or amending the existing Bylaw.

On the amendment:  
CARRIED UNANIMOUSLY 14/GPC433

**Action:** It was moved by Councillor Alto, seconded by Councillor Isitt, that Committee amend the Section 5.3 as follows:

**Section 5.3 ~~*Other Legalities*~~ *Liability and Indemnity (IMPORTANT PROVISIONS THAT AFFECT YOUR LEGAL RIGHTS – READ CAREFULLY)***

With control comes responsibility. By assuming control of the boulevard adjacent to your property for gardening purposes, it is the City's position that you and your helpers assume full and sole responsibility for any bodily injury, property damage, or other harm that may be suffered by you, your helpers, or any third party, arising in any way from your garden-related activities, and any related liabilities, damages, complaints or claims (collectively, Claims), including injury to anyone who may trip and fall in your garden, illness to anyone who may eat plants from your garden, and lost or damaged plants, structures or ornaments caused by anyone including the City.

~~The City is taking reasonable steps to reduce garden-related risks by publishing these interim Guidelines, but is not in a position to supervise garden-related activities, rectify garden-related problems, or defend~~

~~garden-related Claims. These responsibilities are assumed entirely by you and your helpers.~~

**The publication of these Interim Guidelines and the granting of permission to engage in gardening on City boulevards is not intended to establish any agency or other relationship between the City and any person engaged in gardening on a boulevard. The City does not assume any responsibility or supervising authority for gardening on boulevards and will not inspect or manage boulevard gardens in any way.**

**By engaging in boulevard gardening, you agree, in return for permission to garden on City boulevards in accordance with these Interim Guidelines, to comply with these Interim Guidelines and to waive any and all claims against the City, its officers, employees, elected officials, contractors and agents (collectively, “Releases”) in relation to any Claims and you further agree to indemnify and save harmless the Releases from any and all Claims including legal costs and expenses that may be based on or related to your action, omission or inaction.**

**Publication of these Interim Guidelines and the granting of permission to garden on City boulevards is not intended to confer any legal or equitable interest or property right in the City boulevards. The City reserves the right to re-occupy the boulevards at any time and for any reason without notice to you or payment of any compensation for removal of the plants or other property from the boulevard or for the time and effort spent by you or anyone else in gardening or improving the boulevard in any way.**

The capacity to prepare for and respond to change is a cornerstone of a sustainable and resilient community, and policies are developed with inherent uncertainties. These Interim Guidelines are provided for information purposes only, are not exhaustive, and are no substitute for relevant experience, careful research, and sound judgment in relation to each specific site. These Interim Guidelines reflect the City’s position in light of the information available to it at the time of preparation, including the fact that informal street gardens have been sprouting up in Victoria for several years. While reasonable steps have been taken in preparing these Interim Guidelines, any use that a gardener or any other person makes of them, or any reliance on or decisions based on them, are the responsibility of those parties. The City accepts no responsibility for Claims, if any, made or suffered by anyone as a result of decisions or actions based on these Interim Guidelines.

On the amendment:  
CARRIED UNANIMOUSLY 14/GPC434

On the main motion as amended:  
CARRIED UNANIMOUSLY 14/GPC435



## 6.6 Annual Membership in Canadian Capital Cities Organization and Attendance at Annual Conference

Committee received a report dated July 14, 2014 from Citizen Engagement and Strategic Planning with respect to the annual membership in the Canadian Capital Cities Organization and attendance at their annual conference.

- Action:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee recommends that Council:
1. Direct staff to join the Canadian Capital Cities Organization as an institutional member and submit annual dues of \$500.
  2. That Council appoint one Councillor to attend the annual 2014 conference in Charlottetown, Prince Edward Island from September 2 – 5, 2014
  3. That Council approve travel expenses of up to \$3,000 for the Council designate to attend the Canadian Capital Cities Conference.

Committee discussed:

- It is critical that the City of Victoria, as the Capital City of the Province be represented at the Conference, whether it be by a Council member or senior staff.

- Action:** It was moved by Councillor Alto, seconded by Councillor Gudgeon, that Committee amend the motion as follows: that Council
1. Direct staff to join the Canadian Capital Cities Organization as an institutional member and submit annual dues of \$500.
  2. **Should a Council Member be unable to attend that the City Manager or his designate** attend the annual 2014 conference in Charlottetown, Prince Edward Island from September 2 – 5, 2014
  3. That Council approve travel expenses of up to \$3,000 for the Council designate to attend the Canadian Capital Cities Conference.

On the amendment:

CARRIED 14/GPC436

For: Mayor Fortin, Councillors Alto, Coleman, Gudgeon, Helps, Isitt, Madoff, and Thornton-Joe

Against: Councillor Young

On the main motion as amended:

CARRIED 14/GPC437

For: Mayor Fortin, Councillors Alto, Coleman, Gudgeon, Helps, Isitt, Madoff, and Thornton-Joe

Against: Councillor Young

## 6.7 Harbour Vitality Principles

Committee received a report dated July 17, 2014 from Sustainable Planning & Community Development that presented the draft *Harbour Vitality Principles* which include Site-Specific Principles for three strategic sites at Belleville Terminal, Ship Point and Lower Wharf Street, as well as Overarching Guiding Principles that apply to these three strategic sites and the lands connecting the three sites.

- Action:** It was moved by Councillor Gudgeon, seconded by Councillor Alto, that Committee recommends that Council:
1. Direct staff to seek public feedback on the draft *Harbour Vitality Principles*
  2. Direct staff to report back to Council with the draft *Harbour Vitality Principles* and a summary of additional public engagement comments no later than September 2014.
  3. Following Council's approval of the draft *Harbour Vitality Principles*, direct staff to collaborate and liaise with key Inner Harbour landowners to prepare an Implementation Strategy and report back to Council.

Committee discussed the motion as follows:

- Victoria is the Capital City and these sites are landmark locations that should reflect the area's cultural and historic significance.
- Concerns that the drawings are aspirational and may never materialize.
- If the Implementation Strategy should include revenue generating ideas.
- If a business case for Ship Point could be provided demonstrating how it will be funded.
- There have been many harbour visions, the public has spoken and given their input.

- Action:** It was moved by Councillor Gudgeon, seconded by Councillor Alto, that Committee recommends that the motion regarding *Harbour Vitality Principles* move forward to the July 24, 2014, Council meeting.

CARRIED UNANIMOUSLY 14/GPC438

## **7. REPORT FOR INFORMATION**

### **7.1 David Foster Way Project Charter**

Committee received a report dated July 13, 2014 from Parks, Recreation & Culture with respect to the David Foster Way Project Charter. On June 12, 2014 staff presented the project charter to summarize the work undertaken to plan and guide implementation of David Foster Way. At that meeting, Council had further questions of staff around a number of short, medium and long term goals of this capital project. The objective of the report is to address the issue of consultation around the concepts for the eleven Special Places, and Budget timelines and specific deliverables for 2014 and 2015.

- Action:** It was moved by Councillor Helps, seconded by Councillor Alto, that Committee recommends that Committee receive the report dated July 13, 2014 for information, and amend the Project Charter as presented.

CARRIED UNANIMOUSLY 14/GPC439

## **8. NEW BUSINESS**

### **8.1 Motion – Social Services, Health Care, Justice and Education Services**

Councillors Alto and Councillor Isitt provided Committee with a motion and information regarding health care.

**Action:** It was moved by Councillor Alto, seconded by Councillor Isitt, that Committee recommends that Council approve the following motion:

WHEREAS every British Columbian depends on social services, health care, justice and education services;

AND WHEREAS our communities, who are partners in the delivery of many of these services, are facing increasingly complex social challenges requiring coordination between multiple social ministries of government, municipalities and the community agencies and organizations that deliver services to the public;

THEREFORE BE IT RESOLVED that the City of Victoria calls upon the Premier to begin a consultation with British Columbians to initiate the development of a Social Policy Framework that will set out key policy directions, values, priorities, roles and expectations, and guide the creation of public policy to meet our social needs now and into the future.

CARRIED UNANIMOUSLY 14/GPC440

### **8.2 Neighbourhood Transportation Plans**

Councillors Isitt and Councillor Gudgeon provided Committee with a motion and information regarding neighbourhood transportation plans and the community consensus on traffic calming and active transportation priorities and implementation in specific neighbourhoods.

**Action:** It was moved by Councillor Isitt, seconded by Councillor Gudgeon, that Committee recommends that Council approve the following motion:

WHEREAS, Council has identified Active Transportation as a priority for the City;

AND WHEREAS, improvements to the design of rights-of-way are the best mechanism for traffic calming and safety in neighbourhoods, with additional benefits of improving liveability through increased green space and place-making;

AND WHEREAS, these improvements are consistent with the objectives of Victoria's Official Community Plan and the aspirations of residents to live in safe, vital, walkable neighbourhoods;

AND WHEREAS, allocating City capital funds for traffic calming is best achieved through a collaborative neighbourhood-wide process, rather than a piecemeal approach to specific traffic problems;

THEREFORE BE IT RESOLVED THAT Council agrees in principle to work with community associations and residents to update Neighbourhood Transportation Plans, and directs staff to report with a timeline, work plan and budget for achieving this update.

Committee discussed:

- This should be put into the larger strategic planning process.
- Concern that by supporting this motion that other priorities are put on hold or that it will replace decisions that are already in place.

*Mayor Fortin withdrew from the meeting at 4:38 p.m. and Councillor Coleman assumed the Chair.*

- Concern that at every meeting they change the workload of staff without knowing the implications. The City Manager is right to say that we must know budget and staffing implications.

*Mayor Fortin returned to the meeting at 4:43 p.m. and assumed the Chair.*

*Councillor Alto withdrew from the meeting at 4:52 pm and returned at 4:57 p.m.*

- Concern that there is a holistic view when capital projects are put into the budget and if it has been shared with the Neighbourhoods. In the next budgeting cycle, Council will have the ability to proactively engage the neighbourhoods in meaningful discussion to make sure those capital projects do make sense. The new budget process as well as the Strategic planning process will take a broader approach. It is July and staff is fully engaged on the priorities Council has tasked them with that adding this now may be unrealistic.
- It is tied in to many other items, and it is important to refer this to the strategic planning session and consider it in the context of all the other priorities.

*Councillor Helps withdrew from the meeting at 4:55 p.m. and returned at 4:57 p.m.*

*Mayor Fortin left the meeting at 4:58 p.m. and Councillor Coleman assumed the Chair.*

**Action:** It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that this item be referred to the Strategic Planning Session and consider it in the context of all the existing priorities.

**For:** Councillors Alto, Coleman, Gudgeon, Helps, Madoff, Thornton-Joe and Young

**Against:** Councillor Isitt

CARRIED 14/GPC441

**Action:** It was moved by Councillor Helps, seconded by Mayor Fortin, that the Governance & Priorities Committee convene a Closed meeting that

excludes the public under Section 12(6) of the *Council Bylaw* for the reason that the following agenda items deal with matters specified in the *Council Bylaw*; namely:

- Section 12 (3) (a) - *Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the City or another position appointed by the City*
- Section 12(3) (c) - *Labour Relations or employee relations*
- Section 12 (3) (g) – *Litigation or potential litigation affecting the City*
- Section 12 (3) (i) - *The receipt of advice that is subject to solicitor-client privilege including communications necessary for that purpose.*

CARRIED UNANIMOUSLY 14/GPC442

## **9. CLOSED MEETING AT 11:12 P.M.**

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

**Staff Present:** J. Johnson – City Manager; & Regulatory Services; T. Zworski – City Solicitor; K. Perkins – Executive Assistant to the Mayor; J. Hawkins – Recording Secretary.

## **10. ADOPTION OF CLOSED MINUTES**

### **10.1 Minutes of the Closed Meeting held July 10, 2014**

**Action:** It was moved by Councillor Young, seconded by Councillor Gudgeon, that the Minutes from the Closed Governance and Priorities Committee meeting of July 10, 2014, be approved.

CARRIED UNANIMOUSLY 14/GPC443

## **11. DECISION REQUEST**

### **11.1 New Lease / 1952 Quadra Street**

Committee received a report dated July 16, 2014, from Legislative and Regulatory Services that seeks Council approval to enter into a lease at 1952 Quadra Street.

The discussion and motion were recorded and kept confidential.

### **11.2 Appointment Process for the Art in Public Places Committee**

Committee considered applications to fill five positions on the Committee.

The discussion and motion were recorded and kept confidential.

### **11.3 Appointment Process for the Victoria Airport Authority Board**

Committee considered applications to fill two positions on the Board.

The discussion and motion were recorded and kept confidential.

## **12. REPORTS FOR INFORMATION**

### **12.1 Legal Advice / Potential Litigation**

Committee received legal advice from staff.

The discussion was recorded and kept confidential.

*All staff, except for the City Manager, were excused from the meeting at 11:38 p.m.*

### **12.2 Labour Relations**

Committee received a verbal report regarding labour relations.

The discussion was recorded and kept confidential.

## **13. ADJOURNMENT**

**Action:** It was moved by Councillor Alto, seconded by Councillor Helps, that  
Committee adjourn the meeting of July 24, 2014, at 11:55 p.m.

CARRIED UNANIMOUSLY 14/GPC450