



REVISED AGENDA - COMMITTEE OF THE WHOLE

Thursday, March 25, 2021, 9:00 A.M.

6TH FLOOR BOARDROOM, CAPITAL REGIONAL DISTRICT, 625 FISGARD STREET, VICTORIA, B.C.

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

Meeting will recess for a lunch break between 12:30 p.m. and 1:15 p.m.

Pages

A. APPROVAL OF AGENDA

*B. CONSENT AGENDA

Proposed Consent Agenda

- *C.1 Minutes from February 11, 2021*
- *C.2 Minutes from March 4, 2021*
- *F.1 - 1177-1185 Fort Street & 1043-1045 Linden Avenue: Rezoning Application No. 00731 (Rockland)*
- *G.2 - Technical High Angle Rope Rescue (THARRP) - Rescue Servicing for Tower Crane Installations - WorkSafeBC/British Columbia Construction Safety Alliance (BCCSA)*

C. READING OF MINUTES

- *C.1. Minutes from the meeting held February 11, 2021 1
- C.2. Minutes from the meeting held March 4, 2021 19

D. UNFINISHED BUSINESS

E. Presentations

- *E.1. Restorative Justice Presentation on City Funding 27
- Addendum: Presentation*
- A presentation from Restorative Justice Victoria*
- E.2. CRD - Solid Waste Management Plan 46
- A presentation regarding the Solid Waste Management Plan in the Capital Regional District.*

F. LAND USE MATTERS

- *F.1. 1177-1185 Fort Street & 1043-1045 Linden Avenue: Rezoning Application No. 00731 (Rockland) 52

Addendum: Presentation

A report regarding a rezoning application for the property located at 1177-1185 Fort Street and 1043-1045 Linden Avenue in order to legitimize the current commercial uses and recommending that it move forward to a Public Hearing.

G. STAFF REPORTS

- G.1. BC Transit Bus Tickets for Persons Sheltering Outdoors 68

A report regarding a 3 month review of the Community Social Planning Council's BC Transit Ticket Assistance Program.

- G.2. Technical High Angle Rope Rescue (THARRP) - Rescue Servicing for Tower Crane Installations - WorkSafeBC/British Columbia Construction Safety Alliance (BCCSA) 71

A report regarding the expiration of the current Regional Tower Crane Rescue Services Agreement, the funding associated with the "joint" training received through BCCSA, and, the alternative service provision capacity available through restructured inter-municipal agreements, updating and identifying the City of Victoria as the primary "service provider" for those municipalities wishing to maintain the provision of THARRP services within their municipalities.

H. NOTICE OF MOTIONS

I. NEW BUSINESS

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE



MINUTES - COMMITTEE OF THE WHOLE

February 11, 2021, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

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

- PRESENT: Councillor Potts in the Chair, Councillor Alto, Councillor Andrew, Councillor Loveday, Councillor Thornton-Joe, Councillor Young
- PRESENT ELECTRONICALLY: Councillor Dubow, Councillor Isitt
- PRESENT FOR A PORTION OF THE MEETING: Mayor Helps in the Chair
- STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, P. Bruce - Fire Chief, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, A. Johnston - Planner, M. Sandhu - Head of Service Innovation & Improvement, R. Bateman - Planner, R. Morhart - Manager, Permits & Inspections, S. Webb - Manager of Transportation, P. Bellefontaine - Director of Engineering & Public Works, P. Rantucci – Head of Strategic Real Estate, C. Moffatt – Assistant City Solicitor, J. Paul – Assistant Director of Engineering, R. Kenny – Assistant Director of Transportation, B. Cзыpyha – Stormwater Management Specialist, M. Heiser - Council Secretary
- GUESTS: L. Trotter – BC Transit, L Megenbir – BC Transit

A. APPROVAL OF AGENDA

Moved By Councillor Andrew
Seconded By Councillor Alto

That the agenda be approved.

Amendment:

Moved By Councillor Thornton-Joe
Seconded By Councillor Potts

That the agenda of the February 11, 2021 Committee of the Whole meeting be amended as follows:

Consent Agenda:

C.1 Minutes from the special meeting held January 18, 2021

G.8 Proclamation - National Engineering Month

I.1 Council Member Motion: Notification for Public Hearing for 1200-Block Gladstone Avenue Project

CARRIED UNANIMOUSLY

On the main motion:

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

That the following items be approved without further debate.

CARRIED UNANIMOUSLY

C.1 Minutes from the special meeting held January 18, 2021

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

That the minutes from the Committee of the Whole meeting held January 18, 2021 be adopted.

CARRIED UNANIMOUSLY

G.8 Proclamation - National Engineering Month

Committee received a report dated February 1, 2021 from the City Clerk regarding the proclamation for National Engineering Month, March 2021.

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

That the National Engineering Month Proclamation be forwarded to the February 11, 2021 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

I.1 Council Member Motion: Notification for Public Hearing for 1200-Block Gladstone Avenue Project

Committee received a Council Member Motion dated February 2, 2021 from Councillor Isitt and Councillor Dubow regarding a request from the Fernwood Community Association that notification for the Public Hearing for the application relating to 1230 Grant Street, 1209-1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue be distributed to residents and property owners within two hundred (200) metres of the Victoria High School property boundary and the subject parcel.

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

That Council authorize a variance from the Land Use Procedures Bylaw to provide for notification to residents and property owners within two hundred (200) metres of the Victoria High School property boundary and the subject parcel for the Public Hearing to consider the application relating to 1230 Grant Street, 1209-1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue.

CARRIED UNANIMOUSLY

C. READING OF MINUTES

C.2 Minutes from the meeting held January 21, 2021

It was noted that a correction is needed to the minutes with regards to the attendance of Councillor Thornton-Joe.

A. APPROVAL OF AGENDA

Moved By Councillor Isitt
Seconded By Councillor Dubow

That the following item be added to the agenda:

That Council direct staff to work with BC Housing and other partners to permit the Dandelion Society to operate a cold weather shelter in the Save on Foods Memorial Centre foyer or other suitable locations from February 11 to February 15, 2021.

CARRIED UNANIMOUSLY

E. Presentations

E.1 BC Transit - RapidBus Implementation Strategy Update

Committee received a presentation from Lisa Trotter, Senior Manager Government Relations, and Levi Megenbir, Senior Transit Planner Work Lead,

from BC Transit regarding an update on the RapidBus Implementation Strategy project.

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That Council receive this presentation for information.

Committee discussed the following:

- *The City's potential role to help accelerate the project*
- *Improvement of rider experience*
- *Details of the system and stop locations to be confirmed*
- *Engagement process with local government partners and ridership*
- *Transit expansion prioritization*

CARRIED UNANIMOUSLY

F. LAND USE MATTERS

F.1 349 Kipling Street and 1400 Fairfield Road: Rezoning Application No. 00702 and Development Permit with Variances Application No. 000555 (Fairfield)

Committee received a report dated January 28, 2021 from the Director of Sustainable Planning and Community Development regarding the proposed Rezoning Application and Development Permit with Variances Application for 349 Kipling Street and 1400 Fairfield in order to consolidate two lots and construct a duplex and six townhouses plus two rental lock-off suites for a total of ten units and recommending that it be declined.

Committee discussed the following:

- *Potential process and applicant fees for the applicant*
- *Consistency with design guidelines and policy*

Moved By Councillor Isitt

Seconded By Councillor Young

Rezoning Application No. 00702

That Council decline Rezoning Application No. 00702 for the property located at 349 Kipling Street and 1400 Fairfield Road.

Development Permit with Variances Application No. 000555

That Council decline Development Permit with Variance Application No. 000555 for the property located at 349 Kipling Street and 1400 Fairfield Road.

Committee discussed the following:

- *Design transition between lots in the neighbourhood*
- *How the neighbourhood is evolving*

FOR (3): Councillor Andrew, Councillor Isitt, Councillor Young

OPPOSED (5): Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

DEFEATED (3 to 5)

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

Rezoning Application No. 00702

That Council refer the application back to staff to work with the applicant to revise the application to address the following:

- reduce the size of the buildings to be consistent with the Fairfield Neighbourhood Plan
- reduce the amount of site area dedicated to vehicle circulation to provide more at-grade open site space
- increase the Kipling Street setback
- provide a more sensitive transition with adjacent properties
- ensure the form and character of the development is compatible with the predominant neighbourhood character, consistent with the Design Guidelines for Development Permit Area 15F: Intensive Residential – Attached Dwellings.

Committee discussed the following:

- *Appropriate directions proposed in the referral motion*
- *Need to meet the neighbourhood planning requirements*

CARRIED UNANIMOUSLY

Committee recessed at 11:20 a.m. and reconvened at 11:25 a.m. Councillor Dubow was not present.

F.2 506 Herald Street: Application for a Structural Change to a Manufacturing Licensee's Lounge Endorsement to Increase the Occupant Load to License a 99 Person Rooftop Patio for Herald Street Brew Works (Downtown)

Committee received a report dated November 23, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed application for a structural change to a lounge endorsement for a manufacturing licence to add a rooftop patio having an occupant load of 99 people, with hours of operation from 9:00 am to 10:00 am Sunday through Thursday and 9:00 am to 11:00 pm Friday and Saturday for 506 Herald Street.

Councillor Dubow returned to the meeting at 11:30 a.m.

Committee discussed the following:

- *Hours of operation for neighbouring businesses*

Motion to postpone:

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

That this item be postponed until staff provides the requested information.

CARRIED UNANIMOUSLY

G. STAFF REPORTS

G.1 Pre-Application Community Consultation During the COVID-19 Pandemic

Committee received a report dated January 28, 2021 from the Director of Sustainable Planning and Community Development regarding an update and initiative improvements to the pre-application community consultation phase required for rezoning and Official Community Plan (OCP) amendment applications that is currently in place in response to the pandemic.

Committee discussed the following:

- *Additional consultation as proposed by the applicant*
- *Challenges to hosting online CALUC meetings*
- *Applicant's participation in CALUC meeting*
- *Potential for participating via telephone instead of online*

Moved By Councillor Isitt

Seconded By Councillor Young

That Council direct staff to bring forward amendments to the Land Use Procedures Bylaw to require applicants to post development application signs on site in conjunction with the pre-application community consultation process that is in place during the COVID-19 pandemic.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Young

That Council direct staff to bring forward amendments to the Land Use Procedures Bylaw to require applicants to post development application signs on site **and to be available for a virtual community meeting where the Community Association Land Use Committee is able to host a virtual meeting** in conjunction with the pre-application community consultation process that is in place during the COVID-19 pandemic.

Committee discussed the following:

- *Requiring developer participation where it is possible with the CALUC*

Amendment to the amendment:

Moved By Councillor Loveday

Seconded By Councillor Alto

That Council direct staff to bring forward amendments to the Land Use Procedures Bylaw to require applicants to post development application signs on site **and to be available for a virtual community meeting where the**

Community Association Land Use Committee is able and desires to host a virtual meeting in conjunction with the pre-application community consultation process that is in place during the COVID-19 pandemic.

CARRIED UNANIMOUSLY

On the amendment:

That Council direct staff to bring forward amendments to the Land Use Procedures Bylaw to require applicants to post development application signs on site **and to be available for a virtual community meeting where the Community Association Land Use Committee is able and desires to host a virtual meeting** in conjunction with the pre-application community consultation process that is in place during the COVID-19 pandemic.

Committee discussed the following:

- *Feasibility of including the amendment in the bylaw*
- *Extra requirements proposed to the CALUC*
- *Expectation for high level of engagement with the applicant and neighbours*
- *Ordinary provisions prior to the onset of the pandemic*

FOR (6): Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

OPPOSED (2): Councillor Andrew, Councillor Alto

CARRIED (6 to 2)

On the main motion as amended:

That Council direct staff to bring forward amendments to the Land Use Procedures Bylaw to require applicants to post development application signs on site and to be available for a virtual community meeting where the Community Association Land Use Committee is able and desires to host a virtual meeting in conjunction with the pre-application community consultation process that is in place during the COVID-19 pandemic.

CARRIED UNANIMOUSLY

Mayor Helps joined the meeting and assumed the Chair at 12:04 p.m.

F.2 506 Herald Street: Application for a Structural Change to a Manufacturing Licensee's Lounge Endorsement to Increase the Occupant Load to License a 99 Person Rooftop Patio for Herald Street Brew Works (Downtown)

Motion to lift the matter from the table:

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That this matter be lifted to the table.

CARRIED UNANIMOUSLY

Staff provided information as requested by Committee.

Moved By Mayor Helps

Seconded By Councillor Loveday

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

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Herald Street Brew Works located at 506 Herald Street for a rooftop patio where the occupant load is 99 people and hours of operation for the rooftop patio are from 9:00 am to 10:00 pm Sunday through Thursday and 9:00 am to 11:00 pm on Friday and Saturday.

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. Herald Street Brew Works is licenced under a manufacturers licence and service of alcohol to patrons is done through a lounge endorsement. Service of alcohol cannot exist in absence of the manufacturing licence. The recommended hours of operation balance the concerns heard about potential noise related impacts to nearby residents with considerations around the business proposal to licence new outdoor seating. Approval of the licence is not expected to result in unacceptable levels of noise attributable to the operations of the establishments outside seating areas.
- b. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the business's plan to provide a unique and local craft beer experience, and employment in the city.
- c. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location (a total of 378 notices) and a notice posted at the property. In response to the notification, the City received 40 pieces of correspondence. Six letters stated opposition which included one from the Downtown Residents Association. In support of the application, 34 letters were received.
- d. Council recommends the licence be approved.

Committee discussed the following:

- *Correspondence received from neighbouring associations*
- *Existing establishment with the same operator*
- *Proposed occupancy numbers for the patio*

Amendment:

Moved By Councillor Andrew

Seconded By Mayor Helps

d. Council recommends the licence be approved **with the condition that no amplified music is used on the patio.**

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

e. That a good Neighbour agreement be created for this establishment.

CARRIED UNANIMOUSLY

Committee recessed at 12:32 p.m. and reconvened at 1:15 p.m. Councillor Isitt was not present.

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Herald Street Brew Works located at 506 Herald Street for a rooftop patio where the occupant load is 99 people and hours of operation for the rooftop patio are from 9:00 am to 10:00 pm Sunday through Thursday and 9:00 am to ~~11:00~~ **10:00** pm on Friday and Saturday.

Councillor Isitt returned to the meeting at 1:21 p.m.

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

OPPOSED (4): Mayor Helps, Councillor Andrew, Councillor Loveday, Councillor Potts

CARRIED (5 to 4)

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Herald Street Brew Works located at 506 Herald Street for a rooftop patio where the occupant load is ~~99~~ **50** people and hours of operation for the rooftop patio are from 9:00 am to 10:00 pm Sunday through Thursday and 9:00 am to 10:00 pm on Friday and Saturday.

FOR (3): Councillor Isitt, Councillor Thornton-Joe, Councillor Young

OPPOSED (6): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts

DEFEATED (3 to 6)

On the main motion as amended:

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 Herald Street Brew Works located at 506 Herald Street for a rooftop patio where the occupant load is 99 people and hours of operation for the rooftop patio are from 9:00 am to 10:00 pm Sunday through Thursday and 9:00 am to 10:00 pm on Friday and Saturday. 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. Herald Street Brew Works is licenced under a manufacturers licence and service of alcohol to patrons is done through a lounge endorsement. Service of alcohol cannot exist in absence of the manufacturing licence. The recommended hours of operation balance the concerns heard about potential noise related impacts to nearby residents with considerations around the business proposal to licence new outdoor seating. Approval of the licence is not expected to result in unacceptable levels of noise attributable to the operations of the establishments outside seating areas.
 - b. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the business's plan to provide a unique and local craft beer experience, and employment in the city.
 - c. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location (a total of 378 notices) and a notice posted at the property. In response to the notification, the City received 40 pieces of correspondence. Six letters stated opposition which included one from the Downtown Residents Association. In support of the application, 34 letters were received.
 - d. Council recommends the licence be approved with the condition that no amplified music is used on the patio.
 - e. That a good Neighbour agreement be created for this establishment.

FOR (6): Mayor Helps, Councillor Andrew, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts

OPPOSED (3): Councillor Isitt, Councillor Thornton-Joe, Councillor Young

CARRIED (6 to 3)

G.2 Proposed Accessible Parking Requirements and Design Criteria

Committee received a report dated January 28, 2021 from the Director of Engineering and Public Works regarding recommendations to establish new regulations for the supply and design of off-street accessible parking for new developments as well as new design criteria for City supplied accessible parking stalls.

Committee discussed the following:

- *Potential amendments to the bylaw*
- *Accessible parking stall criteria and new development*
- *Public engagement of individuals with lived experience*

Moved By Councillor Potts
Seconded By Councillor Andrew

That Council:

1. Direct staff to proceed with preparing applicable amendments to the City's Zoning Bylaw, the Subdivision and Development Services Bylaw and the Streets and Traffic Bylaw to establish new supply rates and specifications for off-street accessible parking as recommended in this report.
2. Endorse new design criteria for public on-street and City operated parkades provided accessible parking stalls and direct staff to include within the 2021-2025 Financial Plan a budget of up to \$350,000 for accessible parking retrofits and expansion efforts with funding from the Accessibility Reserve Fund.

Motion to extend:

Moved By Councillor Young
Seconded By Councillor Alto

That the Committee of the Whole meeting be extended to 4:00 p.m.

CARRIED UNANIMOUSLY

Committee discussed the following

- *Space requirements for expanding accessible parking*
- *Participation and involvement of the Accessibility Advisory Committee*

On the main motion:

CARRIED UNANIMOUSLY

G.3 Bowker Creek Watershed Management Plan

Committee received a report dated January 28, 2021 from the Director of Engineering and Public Works regarding the Bowker Creek Daylighting Feasibility Study, the Bowker Creek Blueprint: Framework for Collaborative Inter-municipal Watershed Implementation, and the Bowker Creek Blueprint 10 Year Achievements.

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council:

1. Receive the Bowker Creek Daylighting Feasibility Study for information (Appendix A).
2. Receive the Bowker Creek Blueprint: Framework for Collaborative Inter-municipal Watershed Implementation for information (Appendix B).
3. Receive Ten Year Achievements: Bowker Creek Initiative (Appendix C) for information.
4. Direct staff to report back on scope and resources required to update the Bowker Creek Blueprint.

Councillor Potts withdrew from the meeting at 2:39 p.m. and returned at 2:41 p.m.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Young

5. That staff report back in the 2022 Financial Plan process with a high level cost estimate of the implications of daylighting Bowker Creek in the Clawthorpe Park Doncaster and North Jubilee Spirit Garden.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Alto

6. That Council formally recognize the 10-year anniversary of the endorsement of the Bowker Creek Blueprint and the substantial community-based efforts that have been made to rehabilitate the Bowker Creek watershed;
7. And that Council recommit to the implementation of the Bowker Creek Blueprint and direct staff to annually present an implementation update report to council;
8. And that Council direct staff to continue to raise awareness of Bowker Creek restoration efforts;
9. And that Council direct staff to include consideration of impacts on the watershed as part of land use matters that occur within the Bowker Creek watershed;
10. And that Council direct staff to include consideration of impacts on the watershed and opportunities for restoration in all public works projects occurring within the watershed;
11. And that Council request the Mayor write to the CRD, the District of Saanich, and District of Oak Bay expressing our continued and renewed commitment to Bowker Creek and our excitement to continue to work together to steward and rehabilitate the watershed.

CARRIED UNANIMOUSLY

Amendment:

Moved By Mayor Helps

Seconded By Councillor Loveday

12. Direct staff to explore opportunities for federal grant funding focusing on ecological and watershed restoration.

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council:

1. Receive the Bowker Creek Daylighting Feasibility Study for information (Appendix A).
2. Receive the Bowker Creek Blueprint: Framework for Collaborative Inter-municipal Watershed Implementation for information (Appendix B).
3. Receive Ten Year Achievements: Bowker Creek Initiative (Appendix C) for information.
4. Direct staff to report back on scope and resources required to update the Bowker Creek Blueprint.
5. That staff report back in the 2022 Financial Plan process with a high level cost estimate of the implications of daylighting Bowker Creek in the Clawthorpe Park, Doncaster and North Jubilee Spirit Garden.
6. That Council formally recognize the 10-year anniversary of the endorsement of the Bowker Creek Blueprint and the substantial community-based efforts that have been made to rehabilitate the Bowker Creek watershed;
7. And that Council recommit to the implementation of the Bowker Creek Blueprint and direct staff to annually present an implementation update report to Council;
8. And that Council direct staff to continue to raise awareness of Bowker Creek restoration efforts;
9. And that Council direct staff to include consideration of impacts on the watershed as part of land use matters that occur within the Bowker Creek watershed;
10. And that Council direct staff to include consideration of impacts on the watershed and opportunities for restoration in all public works projects occurring within the watershed;
11. And that Council request the Mayor write to the CRD, the District of Saanich, and District of Oak Bay expressing our continued and renewed commitment to Bowker Creek and our excitement to continue to work together to steward and rehabilitate the watershed.
12. Direct staff to explore opportunities for federal grant funding focusing on ecological and watershed restoration.

CARRIED UNANIMOUSLY

G.4 2020 By-Election - Lessons Learned

Committee received a report dated January 27, 2021 from the City Clerk regarding a review of the 2020 by-election, with lessons learned and recommendations, and to provide Council with the opportunity to bring forward any issues.

Moved By Mayor Helps
Seconded By Councillor Alto

That this matter be postponed to the February 18, 2021 Committee of the Whole meeting.

CARRIED UNANIMOUSLY

Committee recessed at 3:05 p.m. and reconvened at 3:11 p.m.

G.5 Community Garden Licences of Occupation

Committee received a report dated January 22, 2021 from the Director of Parks, Recreation and Facilities seeking Council approval for licences of occupation for three community gardens on City land.

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council:

Authorize the Mayor and City Clerk to execute licences of occupation for the following community gardens, subject to the publication of notices as required by the Community Charter, with terms satisfactory to the Director of Parks, Recreation and Facilities, and in a form satisfactory to the City Solicitor.

1. Oswald Park Community Garden in Oaklands (Oswald Park, 3031 Cedar Hill Road)
2. Fisherman's Wharf Herb Garden in James Bay (300 Block Erie St and St. Lawrence Street)
3. Franklin Green Community Garden in North Park (1045 Mason Street)

CARRIED UNANIMOUSLY

G.6 2020 Community Garden Start Up Grant

Committee received a report dated January 21, 2021 from the Director of Parks, Recreation and Facilities regarding the recommended applications received for the winter 2020 intake of the new Community Garden Start-Up Grant.

Moved By Councillor Thornton-Joe

Seconded By Councillor Isitt

That Council approve the following four organizations to receive a Community Garden Start-Up Grant;

1. Oaklands Community Association - \$10,000
2. Quadra Village Community Centre - \$10,000
3. South Jubilee Neighbourhood Association - \$5,000
4. Canadian Orca Rescue Society - \$5,000

CARRIED UNANIMOUSLY

G.7 Expansion of Pedestrian Space in Clover Point Park

Committee received a report dated January 29, 2021 from the Director of Parks, Recreation and Facilities regarding a proposed update to Clover Point Park and seeking authorization for funding.

Moved By Mayor Helps

Seconded By Councillor Isitt

That Council:

1. Approve the increase of pedestrian priority space in Clover Point Park, including closure of the loop roadway, as outlined in the concept design shown in Attachment A.
2. Direct staff to add \$250,000 to the 2021 Financial Plan for the Clover Point Park Pedestrian Space Expansion with funding from the Buildings and Infrastructure Reserve.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Young

3. **Revise the interim parking plan to accommodate 6-10 accessible parking stalls.**
4. **Engage the Accessibility Advisory Committee, the Active Transportation Advisory Committee and the Fairfield-Gonzales Community Association on options for further aminating the park space and further improving accessibility following implementation of the interim parking plan.**
5. **Report back to Council within 12 months after implementation on potential adjustments to the interim design.**

Councillor Loveday withdrew from the meeting at 3:36 p.m. and returned at 3:38 p.m.

Committee discussed the following:

- *High winds experienced at the point*
- *The opportunity to locate accessible parking at the lower level of the park*
- *The length of the proposed report back time frame*

Amendment to the amendment:

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

5. **Report back to Council within 12 6 months after implementation on potential adjustments to the interim design.**

CARRIED UNANIMOUSLY

On the amendment:

3. **Revise the interim parking plan to accommodate 6-10 accessible parking stalls.**
4. **Engage the Accessibility Advisory Committee, the Active Transportation Advisory Committee and the Fairfield-Gonzales Community Association on options for further aminating the park space and further improving accessibility following implementation of the interim parking plan.**
5. **Report back to Council within 6 months after implementation on potential adjustments to the interim design.**

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council:

1. Approve the increase of pedestrian priority space in Clover Point Park, including closure of the loop roadway, as outlined in the concept design shown in Attachment A.
2. Direct staff to add \$250,000 to the 2021 Financial Plan for the Clover Point Park Pedestrian Space Expansion with funding from the Buildings and Infrastructure Reserve.
3. Revise the interim parking plan to accommodate 6-10 accessible parking stalls.
4. Engage the Accessibility Advisory Committee, the Active Transportation Advisory Committee and the Fairfield-Gonzales Community Association on options for further aminating the park space and further improving accessibility following implementation of the interim parking plan.
5. Report back to Council within 6 months after implementation on potential adjustments to the interim design.

Committee discussed the following:

- *Public art proposed in the new space*
- *Public response to the proposed changes*
- *The possibility of parking near the boat house*

Motion to extend:

Moved By Councillor Young

Seconded By Councillor Andrew

That the Committee of the Whole meeting be extended to 4:45 p.m.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Alto

Seconded By Councillor Potts

1. Approve the increase of pedestrian priority space in Clover Point Park, including **partial or full** closure of the loop roadway, as outlined in the **draft** concept design shown in Attachment A.

Motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Andrew

That the matter be referred to staff, to report back as soon as possible with the revised interim parking plans, ideally by February 25, 2021.

Amendment:

Moved By Councillor Young
Seconded By Councillor Loveday

That the matter be referred to staff, to report back as soon as possible with options for the revised interim parking plans, ideally by February 25, 2021.

CARRIED UNANIMOUSLY

On the motion to refer as amended:

That the matter be referred to staff, to report back as soon as possible with options for revised interim parking plans, ideally by February 25, 2021.

CARRIED UNANIMOUSLY

Moved By Councillor Potts
Seconded By Councillor Loveday

That this matter be forwarded to the Daytime Council meeting.

CARRIED UNANIMOUSLY

I. NEW BUSINESS

I.2 Council Member Motion: Cold Weather Shelter

Moved By Councillor Isitt
Seconded By Councillor Dubow

That Council direct staff to work with BC Housing and other partners to permit the Dandelion Society to operate a cold weather shelter in the Save on Foods Memorial Centre foyer or other suitable locations from February 11 to February 15, 2021.

Motion to extend:

Moved By Councillor Dubow
Seconded By Councillor Loveday

That the Committee of the Whole meeting be extended to 5:10 p.m.

CARRIED UNANIMOUSLY

On the motion:

CARRIED UNANIMOUSLY

Moved By Councillor Isitt
Seconded By Councillor Potts

That this matter be forwarded to the Daytime Council meeting.

CARRIED UNANIMOUSLY

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Alto
Seconded By Councillor Potts

That the Committee of the Whole Meeting be adjourned at 4:59 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

DRAFT



MINUTES - COMMITTEE OF THE WHOLE

March 4, 2021, 9:00 A.M.

6TH FLOOR BOARDROOM, CAPITAL REGIONAL DISTRICT,
625 FISGARD STREET, VICTORIA, B.C.

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

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Thornton-Joe,
Councillor Young

PRESENT
ELECTRONICALLY
AND IN PERSON: Councillor Isitt

PRESENT
ELECTRONICALLY: Councillor Dubow, Councillor Loveday, Councillor Potts

PRESENT
ELECTRONICALLY
FOR A PORTION OF
THE MEETING: Councillor Andrew

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager /
Director of Finance, C. Coates - City Clerk , P. Bruce - Fire Chief,
T. Zworski - City Solicitor, T. Soulliere - Director of Parks,
Recreation & Facilities, B. Eisenhauer - Head of Engagement, J.
Jensen - Head of Human Resources, K. Hoese - Director of
Sustainable Planning and Community Development, A. Meyer -
Assistant Director of Development Services, A. Hudson - Assistant
Director of Community Planning, C. Havelka - Deputy City Clerk, L.
Van Den Dolder - Assistant City Solicitor, J. O'Connor - Deputy
Director of Finance, K. Moore - Head of Business and Community
Relations, C. Mycroft - Manager of Executive Operations, L. Taylor
- Senior Planner, P. Bellefontaine - Director of Engineering &
Public Works, S. Perkins – Manager of Bylaw Services, D.
Newman – Assistant Director of Construction and Facilities
Management, P. Rantucci – Head of Strategic Real Estate, C.
Tunis – Planner, M. Thomaidis – Planning Assistant, M. Heiser -
Council Secretary

GUESTS: Chief Constable D. Manak – Victoria Police Department, D. Gibson
– Community Council, L. Mari – ARYZE Developments, J. Daly –
Our Place Society, H. Hartman – BC Housing

A. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the agenda be approved.

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Isitt
Seconded By Councillor Alto

That the following items be approved without further debate.

CARRIED UNANIMOUSLY

I.1 Council Member Motion: Support for Laid-off Hotel and Tourism Industry Workers

A Council Member Motion dated February 26, 2021 from Councillor Dubow regarding the proposed support for Hotel and Tourism Industry workers.

Moved By Councillor Isitt
Seconded By Councillor Alto

THEREFORE, BE IT RESOLVED THAT the City of City of Victoria affirms that people should not lose their livelihoods due to the pandemic; and THAT the City of Victoria write to the Ministers of Labour and Tourism expressing our support for the right for laid off workers to return to their jobs when the pandemic eases; and THAT this letter be forwarded to all BC municipalities asking to write their support; and THAT the City of Victoria writes to the Association of Vancouver Island and Coastal Communities.

CARRIED UNANIMOUSLY

E. Presentations

E.1 Victoria Police Department - Quarter 4 Update

Committee received a presentation from Chief Constable Del Manak regarding an overview of the Victoria Police Department's Quarter 4 2020 update highlighting the following:

- Annual overview of events and case load measures
- Special projects
- Proactive work
- Financial Services Division

Councillor Andrew joined the meeting at 9:18 a.m.

Moved By Councillor Thornton-Joe
Seconded By Councillor Isitt

That the report be received for information.

Committee discussed the following:

- *Enforcement and discretion with Public Health Orders*
- *Sale of replication and imitation firearms*
- *Current programs for supporting mental health initiatives among officers*
- *Crime severity index*
- *Collaboration with mental health authorities*

CARRIED UNANIMOUSLY

Committee recessed at 10:14 am and reconvened at 10:19 a.m.

Councillor Thornton-Joe withdrew from the meeting at 10:20 a.m. due to a potential non-pecuniary conflict of interest with the following item as she has been asked to sit on the Board of the Greater Victoria Coalition to End Homelessness.

F. LAND USE MATTERS

F.1 940 Caledonia Avenue and 953 and 963 Green Street: Temporary Use Permit Application No. 00017 and Development Permit with Variances Application No. 000591 (North Park)

Committee received a report dated February 25, 2021 from the Director of Sustainable Planning and Community Development regarding the proposed Temporary Use Permit Application and Development Permit with Variances Application for the properties located at 940 Caledonia Avenue and 953 and 963 Green Street in order to permit temporary, purpose-built transitional housing on a portion of the Royal Athletic Park (RAP) parking lot for a period of 18 months and recommending that it move forward to an Opportunity for Public Comment.

Committee recessed at 10:28 a.m. and reconvened at 10:31 a.m.

Moved By Mayor Helps
Seconded By Councillor Isitt

1. That Council allocate \$61,866 from the remaining balance of the Restart Grant Funding, to fund the costs related to the installation of water and sewer services for the temporary transitional units and the removal of the units and capping of services when the temporary use permit expires.
2. That Council allocate \$110,000 from the 2021 Corporate Contingency Budget to contribute to the estimated 2021 operating costs, and further consider allocating \$105,000 as part of the 2022 Budget process to contribute to the estimated 2022 operating and closure costs for the temporary transitional housing operated by Our Place Society.

3. That Council authorize the City staff to consider, and if determined by staff to be eligible and advantageous to the City's overall ability to secure maximum grant funding, include the City costs for set-up and operating of the transitional housing project within any application made to the Province's Strengthening Communities' Services Program.

Temporary Use Permit Application No. 00017

1. That Council after giving notice and allowing an Opportunity for Public Comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Temporary Use Permit Application No. 00017 for 940 Caledonia Avenue and 953 and 963 Green Street, in accordance with:

- a. Plans date stamped February 11, 2021.
- b. The Temporary Use Permit lapsing 18 months from the date of this resolution."

2. That the recommendation be forwarded to the March 4, 2021 daytime Council Meeting and a special Council meeting is scheduled on March 18, 2021 to allow for an Opportunity for Public Comment.

Development Permit with Variances Application No. 000591

1. That Council, after giving notice and allowing an Opportunity for Public Comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 000591 for 940 Caledonia Avenue and 953 and 963 Green Street in accordance with:

- a. Plans date stamped February 11, 2021.
- b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. relaxation to all of the impacted lots for setback requirements;
 - ii. relaxation to permit buildings over property lines;
 - iii. relaxation to permit more than one building on a lot;
 - iv. reduce the required number of parking spaces from five to nil.
- c. The Development Permit lapsing 18 months from the date of this resolution."

2. That the recommendation be forwarded to the March 4, 2021 daytime Council Meeting and a special Council meeting is scheduled on March 18, 2021 to allow for an Opportunity for Public Comment.

Committee discussed the following:

- *Appropriate use of parcel for current sheltering*
- *Providing necessary supports*
- *Operating costs for the project*
- *Building code specifics and exemptions*

Motion to permit speakers:

Moved By Mayor Helps

Seconded By Councillor Isitt

That external individuals be permitted to speak on this application.

CARRIED UNANIMOUSLY

Committee discussed the following:

- *Current and future residents of the space*
- *Risk and assessment process*
- *New units that may be identified by the province*
- *Ensuring safety for residents and the neighbourhood*
- *Correspondence received from the North Park Neighbourhood Association*
- *Noise and activity mitigation*

On the main motion:

CARRIED UNANIMOUSLY

Committee recessed at 12:05 p.m. and reconvened at 12:12 p.m. Councillor Isitt was not present.

Councillor Thornton-Joe returned to the meeting at 12:12 p.m.

G. STAFF REPORTS

G.1 Regional Rent Bank Pilot Program

Councillor Isitt joined the meeting at 12:14 p.m.

Committee received a report dated February 11, 2021 from the Director of Sustainable Planning and Community Development regarding an expedited Victoria Housing Strategy action to explore the development of a non-profit administered rent bank on a pilot basis, in response to the COVID-19 pandemic.

Committee recessed at 12:28 p.m. and reconvened at 1:15 p.m.

Moved By Mayor Helps
Seconded By Councillor Thornton-Joe

1. That Council receive the Greater Victoria Rent Bank Pilot Program report for information.
2. That Council direct staff to:
 - a. Provide a progress report on the Greater Victoria Rent Bank Pilot Program as part of the next Victoria Housing Strategy Annual Review;
 - b. Report back on an as-needed basis if rent bank funding requests arise; and
 - c. Report back near completion of the pilot program in 2022 to report on program effectiveness and to determine if City support is needed for longer-term sustainability of the program.

Committee discussed the following:

- *Working directly with landlords*
- *Region wide program specifics*
- *Providing funding for residents located in Victoria*

CARRIED UNANIMOUSLY

G.2 Citizen's Assembly Process - Next Steps

Committee received a report dated February 2, 2021 from the City Clerk regarding the proposed next steps required to move forward with the Citizen's Assembly process.

Committee discussed the following:

- *Accommodation for accessibility and barrier free participation*
- *Number of proposed participants*

Moved By Councillor Alto

Seconded By Councillor Young

That Council approve the recommendations as provided in Option 1 of this report:

1. Approve the estimated costs associated with the Citizens' Assembly and reaffirm the commitment of \$250,000.
2. Direct staff to present the estimated costs to the Provincial Government and seek provincial funding to accommodate at least 1/3 of the associated costs of a Citizens' Assembly.
3. Upon funding approval initiate the procurement process to seek a consultant for the Citizen's Assembly Process upon funding approval from the Ministry of Municipal Affairs.
4. Upon funding approval initiate the procurement process for consultant services for the Technical Analysis upon funding approval from the Ministry of Municipal Affairs.
5. Request staff to work with the consultant to develop a term of reference for an Oversight Committee on the Citizens' Assembly.
6. Approve the in-person participation concept of a Citizens' Assembly.
7. Reduce the number of participants on the Citizens' Assembly to the 'Best Practice' number of 48.
8. Remove or reduce any options for honorarium or per diems from the approved Terms of Reference for the Citizens' Assembly should that be necessary for cost reduction to the overall budget not to exceed \$750,000.
9. That Council accept the remaining changes to sections 3.5, 6, 7.1, 7.2.3, 7.5 and 8.2.1 the Terms of Reference identified in this report to align with Saanich Council's approvals

Motion to extend:

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the Committee of the Whole meeting be extended to 2:30 p.m.

CARRIED UNANIMOUSLY

Committee discussed the following:

- *Assembly composition and genders*
- *Conflict of interest provisions within the Terms of Reference*

On the main motion:

CARRIED UNANIMOUSLY

Motion arising:

Moved By Councillor Loveday

Seconded By Councillor Alto

That Council flag for the District of Saanich and the consultant that people of all genders should be represented and that the Terms of Reference should be amended before the lottery process to include people who are Transgender, Non-Binary or Two-Spirit.

Amendment:

Moved By Mayor Helps

Seconded By Councillor Dubow

That Council flag for the District of Saanich and the consultant that people of all genders should be represented and that the Terms of Reference should be amended before the lottery process:

1. to include people who are Transgender, Non-Binary or Two-Spirit.
2. **that the composition of the citizens assembly reflect the composition of the census population with respect to ethno-cultural diversity**

CARRIED UNANIMOUSLY

On main motion as amended:

That Council flag for the District of Saanich and the consultant that people of all genders should be represented and that the Terms of Reference should be amended before the lottery process:

1. to include people who are Transgender, Non-Binary or Two-Spirit.
2. that the composition of the citizens assembly reflect the composition of the census population with respect to ethno-cultural diversity

CARRIED UNANIMOUSLY

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

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the Committee of the Whole Meeting be adjourned at 2:13 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

DRAFT

Gillian Lindquist

Executive Director



Restorative
Justice **VICTORIA**

Snapshot of Restorative Justice Victoria (RJV)

- Est. 2002; not-for-profit society & charity
- Six staff, 70 volunteers (25-30 caseworkers)
- We works with youth and adult victims and offenders
- Receive referrals for a wide range of offences (minor to serious)
- Approximately 75 – 150 referrals per year
- Receives referrals from VicPD, Crown, judiciary, schools, victims, offenders, agencies, and the general community
- Our services are free to the public



Victoria Municipal Funding

TOTAL =
\$68,248

\$34,120
in 2019

\$34,120
in 2020

Use of Funds



RENT



PHONE



INTERNET



OFFICE SUPPLIES



SALARIES FOR EXECUTIVE
DIRECTOR AND PROGRAM
AND VOLUNTEER MANAGER

Allows For

Volunteer recruitment, training, and support

Case management

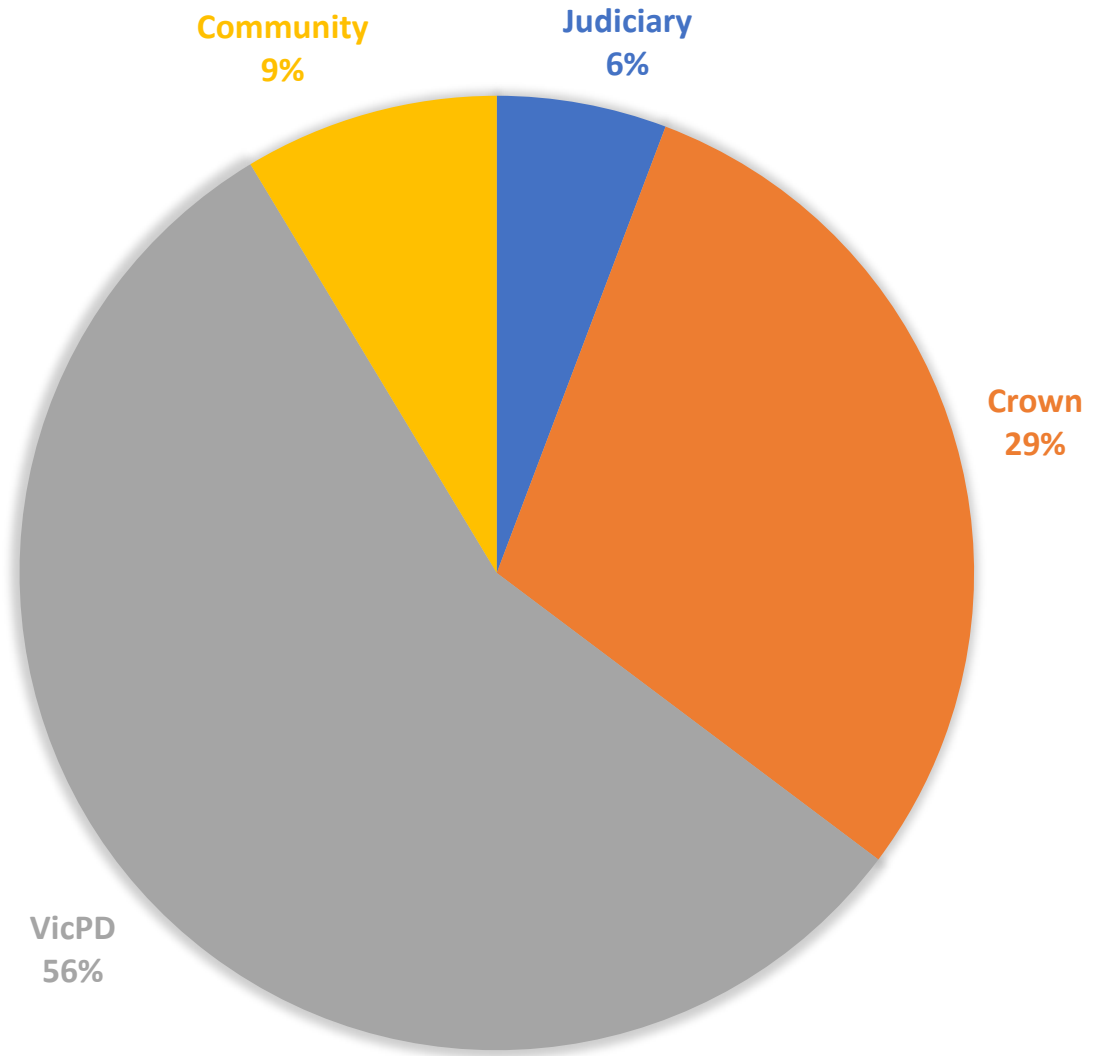
Liaising with community agencies/referrals sources

Fundraising

Public education

Program administration

Referral Sources 2019/20



Type of offence/harm	Number referred
Theft \$5,000 or under	52
Assault	36
Mischief \$5,000 or under	15
Uttering threats	12
Sexual assault	6
Break and enter	6
Assault causing bodily harm	5
Robbery	4
Assaulting a police officer	4
Intimate partner violence	3
Fraud under \$5,000	3
Assault with a weapon	3
Causing a disturbance	2
Fraud - identity	2
Extortion	2
Impersonating a police officer	2
Willfully resisting/obstructing a police officer	2
Aggravated assault	1
Possession of stolen property over \$5,000	1
Careless driving	1
Causing an animal to be in distress (death)	1

Type of offence/harm	Number referred
Dangerous driving causing bodily harm	1
Luring child via computer	1
Child pornography possession/access	1
Forcible confinement	1
Theft over \$5,000	1
Breach of recognizance	1
Human rights complaint	1
Traffic fatality	1
Mischief over \$5,000	1
Publication of an intimate image without consent	1
Secretly observing/recording nudity	1
Taking auto without consent over \$5,000	1
Fear of injury/damage to property	1
Firearm pointing	1
TOTAL	177

Our Process

Referral

Intake and assessment

Preparation

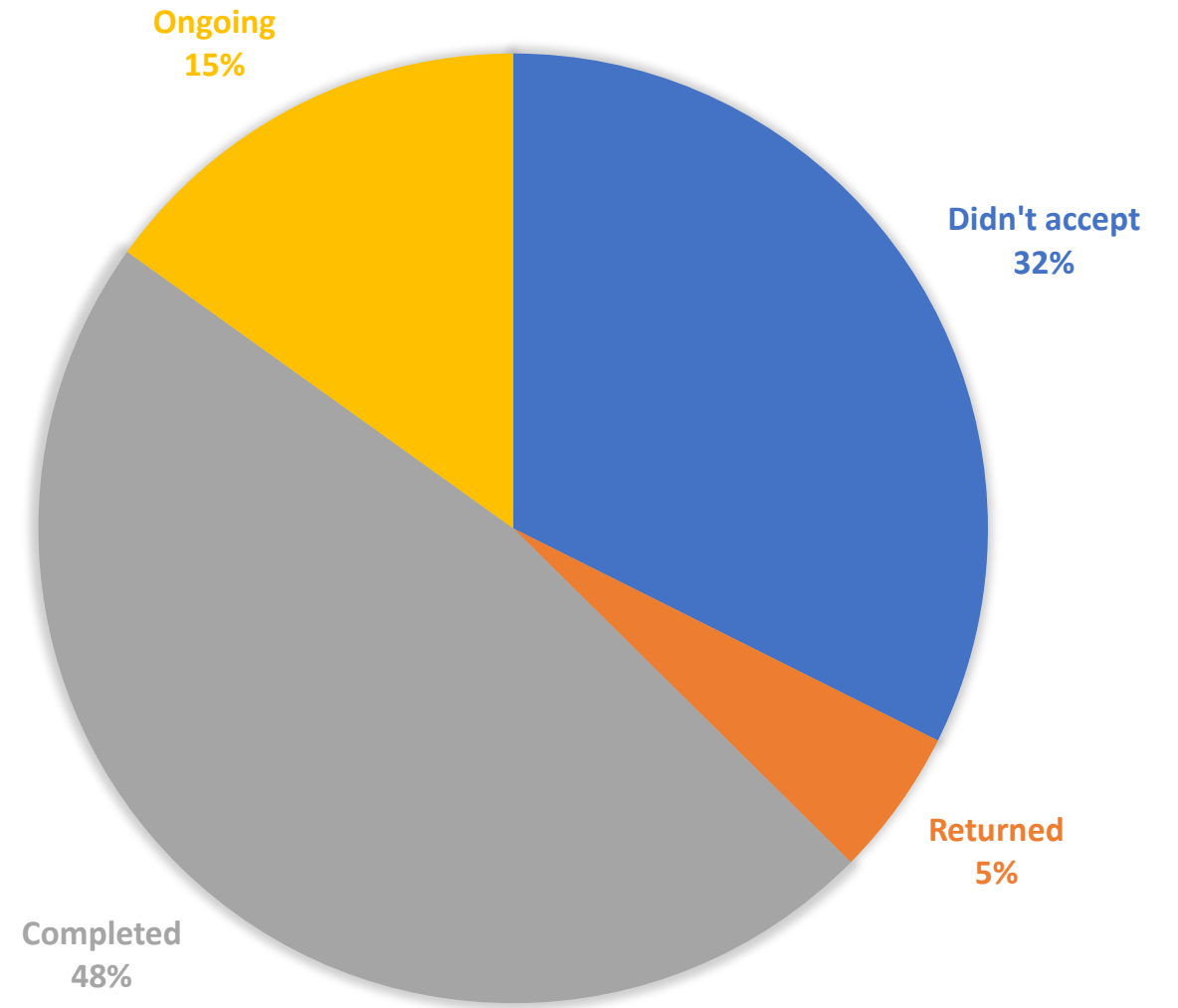
Dialogue

Agreement completion

File closure



Status of Referrals 2019/20



Agreement Outcomes

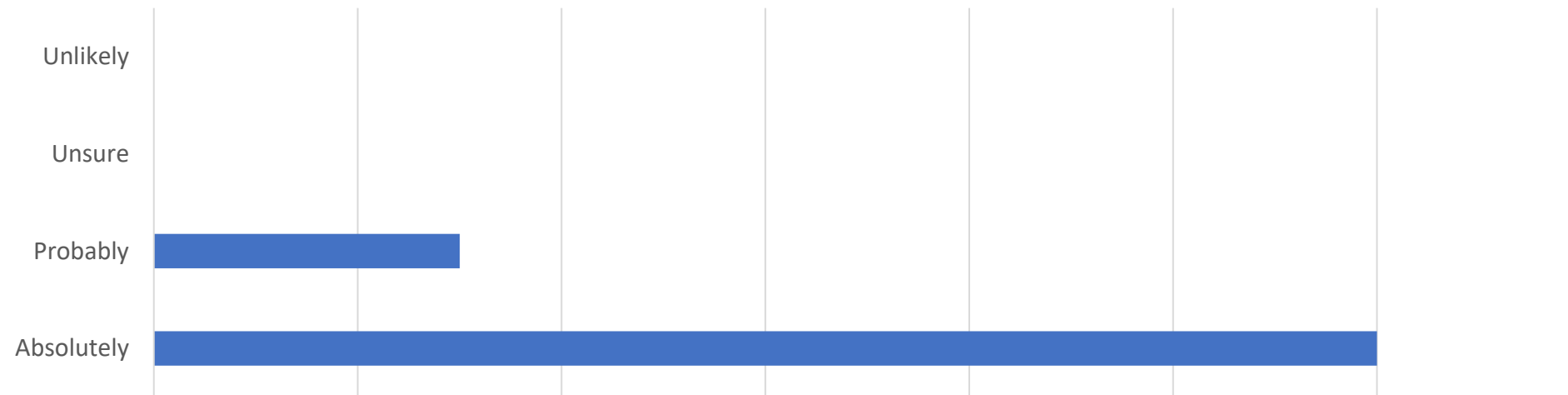
- Financial restitution to victims
- Attending counseling
- Conducting volunteer work in the community or donating to a community organization
- Letters of apology and gifts to those impacted
- Addictions support/rehabilitation programs and commitment to monitoring and/or reducing substance use
- Researching and discussing the impacts of specific harms
- Creating plans for budgeting, communication, boundaries, or self-care
- Courses on violence prevention, non-violent communication, communication skills, or anger management
- Self-reflection writing and self-development reading
- Prioritizing mental health, physical health, and/or support systems



Agreement Stories

Victim Outcomes

Would you recommend RJ to someone else?



How satisfied were you with your RJ experience?

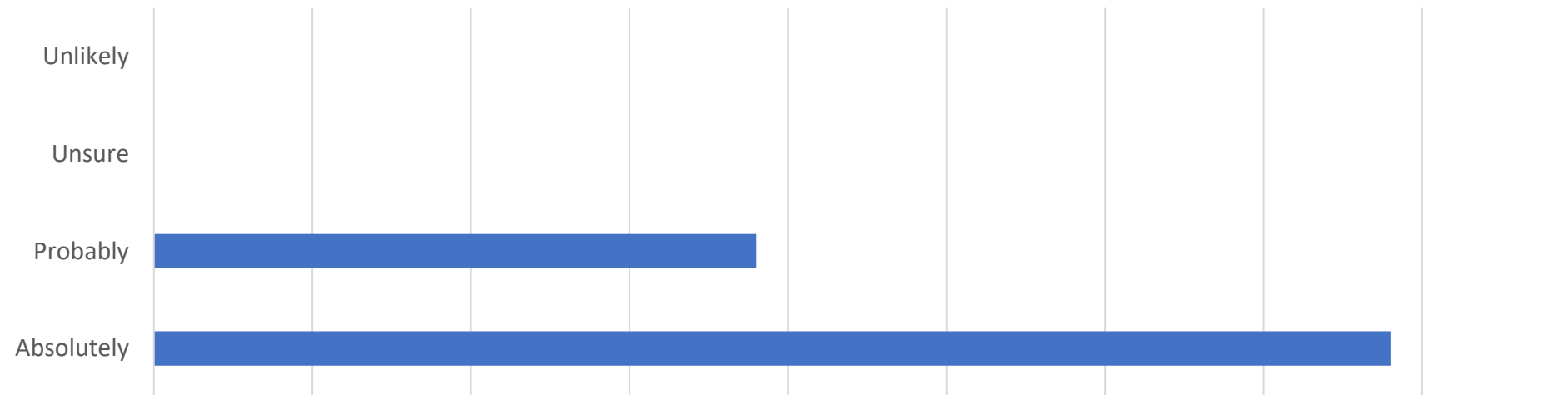


Victim Feedback

- *“The [restorative justice] meeting was most helpful, where everybody was willing to hear me out and willing to hear the pain and suffering I had to go through.”*
- *“[Restorative justice] contributed to moving through and past trauma. Contributes to actual change knowing that from something ‘bad’ something positive can result even though you can’t go back.”*
- *“I really appreciated the empathetic and kind people I talked to that made me feel comfortable opening up to. They made me feel safe in the process and helped me feel like I had the right to the boundaries I wanted to set.”*
- *“The people involved were incredible.”*
- *“Through the process, I’ve actually been able to identify and begin to connect the harm the assault caused me. I’ve been given an understanding, tools, support and a sense of justice that will allow me to continue to unpack and heal what has happened.”*

Offender Outcomes

Would you recommend RJ to someone else?



How satisfied were you with your RJ experience?



Offender Feedback

- *“The whole process has helped me in so many ways. So many amazing ways. My life is happier because of this process 😊”*
- *“It was freeing to let out your fears and your feelings. To realize why it is you hurt this person in this way. And what was also hurting you.”*
- *“Past trauma led me down a path of drugs and alcohol. Restorative justice helped me see there was another way. I wasn’t just a number in the system. I was human too.”*
- *“The process was very healing and I see it as great progress for society as a whole.”*
- *“My views of the world has changed. I felt like I always had to be aware. Fight or flight all the time. Led to a lot of bad decisions. Now I look at the world like I’m not in danger. It has allowed me to analyze what I am about to do and make decisions and not just react. I decided to go to school and participate in life. Before I was hiding from life. I look at people with a different eye. They might be someone I could talk to.”*
- *“My life has turned positive. I finally have a month sober and I’m getting the support I need to continue in my recovery.”*

Over and Above Casework 2019/20

Projects

- Victims and survivors of crime vigil
- PEERS healing circles for sex workers
- Girls Circle

Research

- **National**
 - Exploring the use of RJ in gender-based violence
 - Understanding the experience of victim/survivors of crime in RJ
 - Exploring the use of RJ with offenders living with FASD
- **Provincial**
 - Developing effective/shared evaluation tools for RJ

Program Improvement

- Developed a new website with a victim/survivor focus

Projects 2021

Healing	Provide healing circles for sex workers through PEERS (expansion beyond pilot)
Exploring	Explore the use of RJ in housing facilities
Developing	Develop partnerships and build capacity to further explore the use of RJ in sexualized violence
Increasing	Increase the use of RJ in schools
Launching	Launch accountability groups for men/masculine folks in partnership with the Men's Therapy Centre
Training	Train all staff and volunteers in anti-oppressive practice through ROOTS



Contact Us

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Gillian@RJVictoria.com

Office: 250-383-5801

Cell: 250-884-7904



Restorative
Justice **VICTORIA**






Solid Waste Management Plan

City of Victoria Committee of the Whole
 Presentation by Russ Smith
 March 25, 2021

1

SWMP Planning Process



STAGE 1 INITIATE THE PROCESS	STAGE 2 SET THE DIRECTION 2012-2014	STAGE 3 EVALUATE OPTIONS 2019	STAGE 4 PREPARE AND ADOPT 2020
<ul style="list-style-type: none"> ✓ Regional Board Resolution <ul style="list-style-type: none"> • 2011 & 2017 ✓ Stakeholder Notification <ul style="list-style-type: none"> • notifications to recruit Solid Waste Advisory Committee (SWAC) members (2017) ✓ Establish planning team and committees <ul style="list-style-type: none"> • SWAC members appointed (2018) ✓ Develop budget <ul style="list-style-type: none"> • funding in Environmental Resource Management budget ✓ Design the consultation process framework 	<ul style="list-style-type: none"> ✓ Prepare background information <ul style="list-style-type: none"> • 2012 existing system report • 2012 survey • issues memo • seven technical memos • 2014 steering committee workshop <li style="text-align: center;">2018 ✓ Assess current solid waste system <ul style="list-style-type: none"> • 2018 existing system report ✓ Consider trends ✓ Identify principles, goals & targets <ul style="list-style-type: none"> • approved by SWAC, Environmental Services Committee & CRD Board ✓ Develop consultation strategy <ul style="list-style-type: none"> • approved by SWAC, Environmental Services Committee & CRD Board ✓ Consult the public 	<ul style="list-style-type: none"> ✓ Develop potential strategy options <ul style="list-style-type: none"> • long list of options • short list of options ✓ Assess the financial and administrative impacts ✓ Consult the public on the strategies and target <ul style="list-style-type: none"> • directed by CRD Board 	<ul style="list-style-type: none"> ✓ Review consultation results and receive direction to proceed with preparing draft plan ✓ Prepare draft plan ✓ Consult the public on the draft plan <p style="text-align: center; color: orange; font-weight: bold;">WE ARE HERE</p> <div style="border: 2px solid orange; border-radius: 50%; width: 100px; margin: 0 auto; padding: 5px; text-align: center; color: white;"> Prepare plan for submission </div> <ul style="list-style-type: none"> <li style="text-align: center;">2021 • Submit plan for approval • Ministry review and approval • CRD Board adoption of the plan

2

Where We Are Today


- **Phase II consultation**— closed on February 15 and included:
 - Virtual public information sessions
 - Presentations to First Nations and municipalities
- **Plan finalization** - March 2021
- **Board endorsement of plan** - April/May 2021
- **Submission to Province** - June 2021





2

3

Guiding Principles + 5R Hierarchy



3

4

Plan Goals



- To surpass the provincial per capita waste disposal target*
- To extend the life of Hartland Landfill to the year 2100+
- To have informed citizens that participate effectively in proper waste management practices
- To ensure our solid waste services are financially sustainable




*Target is 250kg/person/year, aspirational goal is 125 kg


4


5

Plan Targets



SHORT TERM (3 YEARS)	MEDIUM TERM (5 YEARS)	LONG TERM (10 YEARS)
<ul style="list-style-type: none"> • Construction, renovation and demolition waste • Organic waste from single-family, multi-family and ICI sectors 	<ul style="list-style-type: none"> • Recyclables and organic waste from single-family, multi-family and ICI 	<ul style="list-style-type: none"> • Extended Producer Responsibility for ICI-generated paper, packaging and textiles • Refine programs to increase performance for all sectors
340 kg	285 kg	250 kg





5

6

Plan Strategies CRD

Strategies		
REDUCTION & REUSE	RECYCLING	RECOVERY & RESIDUALS MANAGEMENT
<ol style="list-style-type: none"> 1. Continue and Enhance Education Programs 2. Encourage Waste Prevention 3. Support Reduction of Avoidable Food Waste 4. Support Reuse Activities in the Region 5. Support Local Governments in Working Towards Zero Waste and a Circular Economy 6. Continue and Enhance Policy Development 	<ol style="list-style-type: none"> 7. Increase Residential Diversion 8. Increase Multi-Family Diversion 9. Increase Industrial, Commercial and Institutional Diversion 10. Support Existing and New Extended Producer Responsibility Programs 11. Increase Organics Diversion and Processing Capacity 12. Increase Construction, Renovation, and Demolition Material Diversion 13. Encourage Proper Public Space Waste Management Activities 	<ol style="list-style-type: none"> 14. Optimize Landfill Gas Management 15. Enhance Hartland Disposal Capacity

Actions to support each strategy are listed in the draft report

6

7

Municipal Collaboration Opportunities CRD


- Reduce and reuse education campaigns
- Multi-family and ICI diversion
- Organic material diversion, including compostable food service ware
- Construction, renovation and demolition material diversion
- Waste management facility licensing
- Illegal dumping prevention
- Procurement policies



7

8

Recovery and Residuals

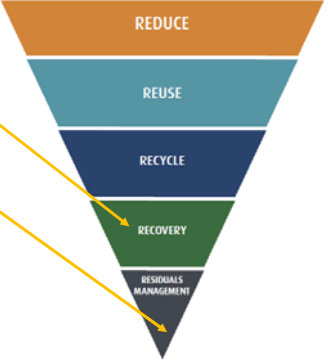


Strategy #14 actions:

- Capture landfill gas for beneficial use

Strategy #15 actions:


- Review ban enforcement levels
- Operate Hartland Landfill using best practices
- Develop design options to maximize disposal capacity
- Research and investigate emerging technologies

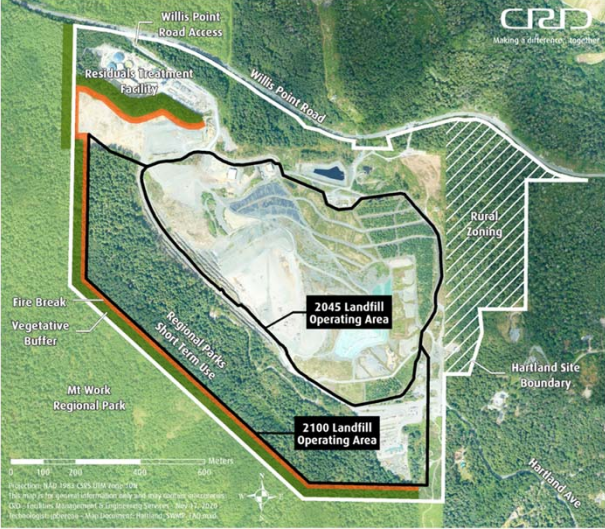


8

9

Hartland 2100 Design Concept




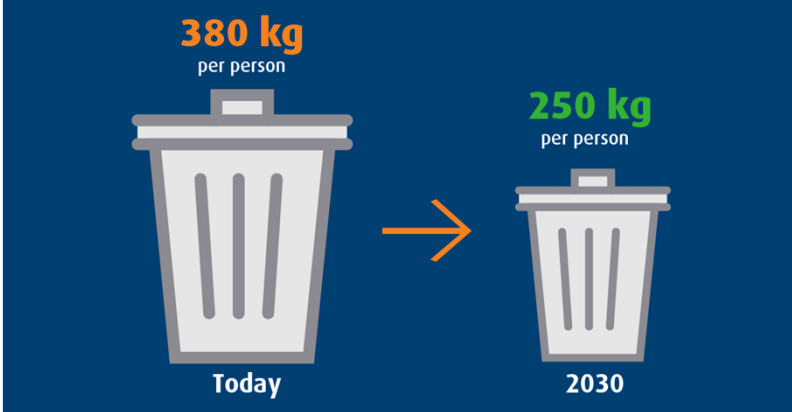


The map illustrates the Hartland 2100 Design Concept, showing the layout of the landfill site. Key features include the 2045 Landfill Operating Area and the 2100 Landfill Operating Area, both outlined in black. A Residuals Treatment Facility is located near the top left, adjacent to Willits Point Road. The site is bordered by a Fire Break Vegetative Buffer to the west and a Rural Zoning area to the east. The Hartland Site Boundary is shown as a dashed line. Other landmarks include the Regional Parks Short Farm Line and Mt Work Regional Park. A scale bar at the bottom left indicates distances up to 600 meters. The CRD logo is present in the top right corner of the map area.

9

10

Questions? 



380 kg
per person
Today

250 kg
per person
2030

10

11

Thank you 

Next steps:

- Input is currently being compiled and will be considered by the CRD Board in May
- For more information, visit crd.bc.ca/rethinkwaste



Solid Waste
Management Plan

11

12



Committee of the Whole Report For the Meeting of March 25, 2021

To: Committee of the Whole **Date:** March 11, 2021

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: **Rezoning Application No. 00731 for 1177-1185 Fort Street & 1043-1045 Linden Avenue**

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00731 for 1177-1185 Fort Street and 1043-1045 Linden Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing be held, but that adoption of the Bylaw be held off until confirmation has been received that the lots have been consolidated.

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a rezoning application for the property located at 1177-1185 Fort Street and 1043-1045 Linden Avenue. The proposal is to rezone from the R3-AM-2 Zone to a site-specific zone to legitimize the current commercial uses on-site following the termination of the Land Use Contract on November 9, 2020.

The following points were considered in assessing this application:

- the proposal is generally consistent with the *Official Community Plan*, as the proposal achieves heritage conservation objectives
- the property is generally consistent with the *Rockland Neighbourhood Plan*, which notes that heritage buildings should be retained and enhanced
- the site is presently comprised of two legal lots, which requires lot consolidation to maintain consistency with the *Zoning Regulation Bylaw's* requirement that buildings and parking stalls cannot cross property lines.

BACKGROUND

Description of Proposal

The property located at 1177-1185 Fort Street and 1043-1045 Linden Avenue was previously regulated by a Land Use Contract (LUC). However, in 2017 the City initiated a process to terminate any Land Use Contracts that were seen as overly permissive towards broad commercial uses. Upon termination of the LUC on November 9, 2020, this property became regulated by the underlying the R3-AM-2 Zone, Mid-Rise Multiple Dwelling District, and the existing commercial uses became legally non-conforming. The property owners have applied to rezone the property to ensure the commercial uses currently operating will continue to be permitted within the *Zoning Regulation Bylaw*.

The LUC secured four main items, which are noted below along with a description of ensuing changes:

- Heritage Protection of Building – subsequently protected with a Heritage Designation Bylaw
- Five Parking Stalls – there are currently only four parking stalls located at the rear of the property, because of an addition of a rear stairwell, approved by the City, that removed one stall in 1982. Unless parking is installed in the front yard, it is not possible to add any new parking to the property. However, this is not a recommended course of action because it would detract from the heritage aesthetic and create an unpleasant public realm along Fort Street
- Tree and Landscape Protection – a peach tree and a cedar tree, both located very close to the heritage building, were removed at some point in the past
- Permitted Uses – limited to residences, offices, personal services, cafes, and a variety of retail uses. Permitting these uses through the underlying zoning is the subject of this application.

If the application is forwarded to a Public Hearing, a new site-specific zone would be created for Council's consideration that permits the commercial uses found in the C1-FH Zone for buildings constructed prior to January 1, 2020.

The existing building currently straddles two lots, this irregularity would be addressed through lot consolidation which is proposed to occur after a Public Hearing but prior to final adoption.

Sustainability

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation

The applicant has not identified any active transportation impacts associated with this application.

Public Realm

No public realm improvements beyond City standard requirements are proposed in association with this Rezoning Application.

Accessibility

The *British Columbia Building Code* regulates accessibility as it pertains to buildings. At this time there are no proposed changes to the existing heritage building.

Land Use Context

The area is characterized mainly by multi-unit residential uses, with some commercial uses operating out of converted heritage houses.

Existing Site Development and Development Potential

The existing heritage-designated building is currently occupied with several offices and one retail unit. Under the current R3-AM-2 Zone, the property could be developed for multi-unit residential purposes, but any physical changes to the exterior would require a Heritage Alteration Permit.

Data Table

The following data table compares the proposal with the C-1 Zone, which is a standard commercial zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone. Two asterisks are used to identify a legal non-conforming condition.

Zoning Criteria	Proposal	Zone Standard C-1
Site area (m ²) – minimum	862.5	N/A
Density (Floor Space Ratio) – maximum	0.75	1.4
Height (m) – maximum	10.06	12.0
Storeys – maximum	2.5	N/A
Setbacks (m) – minimum		
Front	8.3	6.0
Rear	6.85	6.0
Side (east) – when adjoining property is commercial	0.39	0
Flanking Side Street (Linden Ave)	2.55 – building 2.06 - porch posts ** 0 - stairs **	2.4
Parking – minimum	4 **	12

Relevant History

On February 23, 2017, Council directed staff to begin the early termination of all remaining Land Use Contracts within the City of Victoria. Staff subsequently brought forward reports that resulted in Council terminating 13 LUCs that were seen as overly permissive towards commercial uses. The Land Use Contract regulating the subject property was among the 13

LUCs terminated by the City in 2017, and the LUC was officially terminated on November 9, 2020.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant had preliminary conversations with the Rockland CALUC. The Rockland CALUC concluded that a community meeting was not required for this proposal (Attachment E).

ANALYSIS

Official Community Plan

The subject property is designated Urban Residential within the *Official Community Plan, 2012* (OCP), within which commercial uses along arterial roads are only envisioned as part of mixed-use developments. However, the OCP also indicates that guidelines can be varied when goals towards heritage conservation are achieved. Staff believe the proposal is consistent with the OCP since the building is heritage-designated, the uses are already legally present on site and formalizing them in a new zone helps to ensure ongoing flexibility in the repurposing of this heritage resource.

Rockland Neighbourhood Plan

The *Rockland Neighbourhood Plan* strongly encourages conservation, maintenance, and enhancement of heritage properties. Staff believe this objective is achieved by permitting the commercial adaptive reuse of the heritage designated building to continue. The plan also notes that expansion of commercial activities along Fort Street should not be permitted; however the commercial uses on-site predate the *Rockland Neighbourhood Plan* and are therefore considered to be existing.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no *Tree Preservation Bylaw* impacts and there are no impacts to public trees with this application. As part of the previous Land Use Contract, the landscaping was to be maintained and preserved. There is currently one birch tree on the property, and one sumac tree that is shared with the eastern neighbour. The rest of the landscaping consists of shrubs and lawn. A peach tree and a cedar tree, both located very close to the heritage building, were previously removed with no record as to their removal.

The subject property is located within Development Permit Area 7B(HC) – Corridors Heritage, which requires a Development Permit for landscaping changes.

CONCLUSIONS

The proposal to rezone the property at 1177-1185 Fort Street and 1043-1045 Linden Avenue is consistent with the heritage goals in both the OCP and *Rockland Neighbourhood Plan*. Staff therefore recommend Council consider supporting this application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00731 for the property located at 1177 Fort Street & 1043-1045 Linden Avenue.

Respectfully submitted,

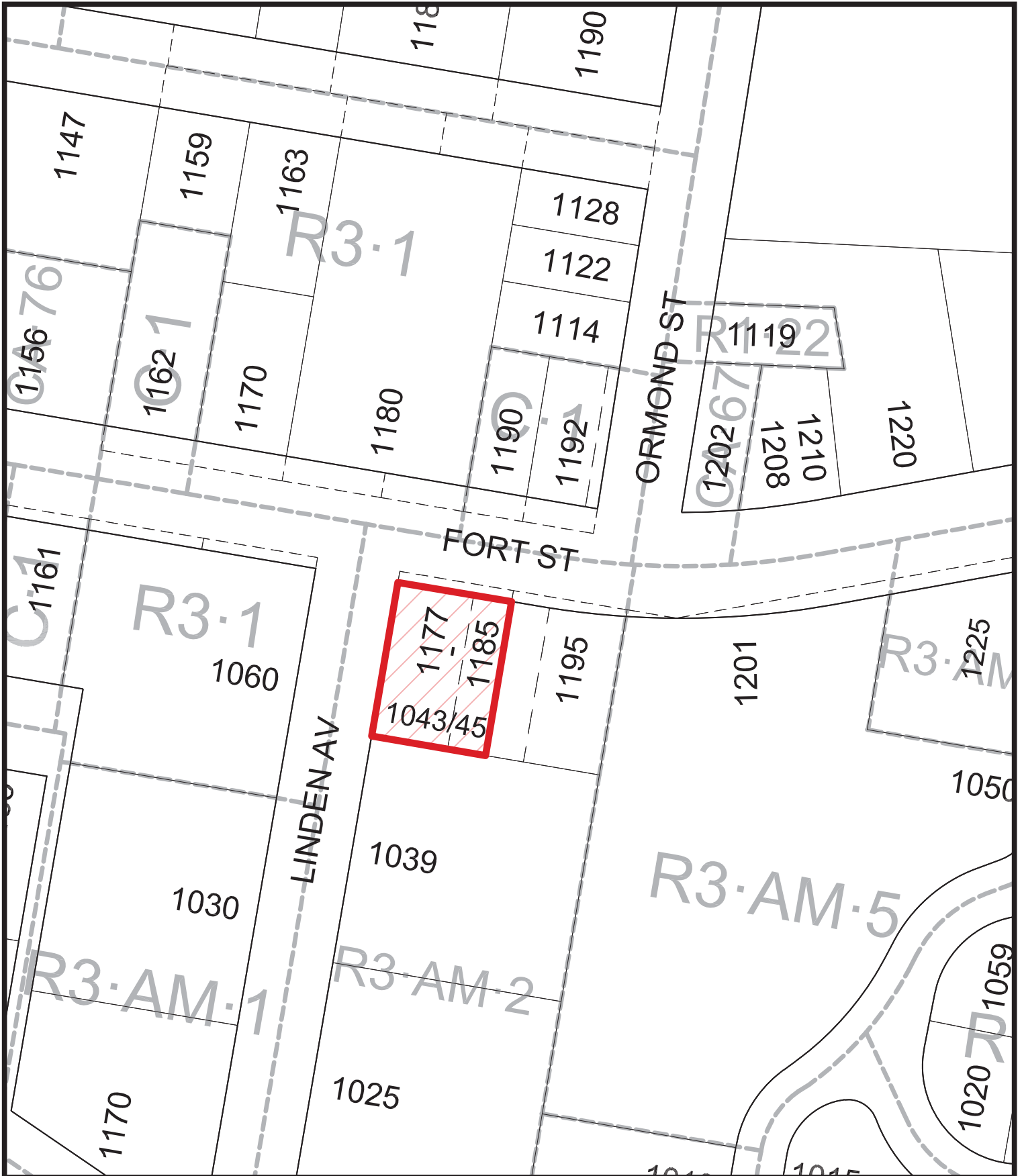
Mike Angrove
Senior Planner
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped February 26, 2021
- Attachment D: Letter from applicant to Mayor and Council dated February 13, 2020
- Attachment E: Community Association Land Use Committee Email dated August 14, 2019.



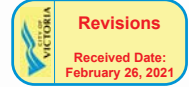
1177-1185 Fort Street & 1043/1045 Linden Avenue
Rezoning No.00731





1177-1185 Fort Street & 1043/1045 Linden Avenue
Rezoning No.00731





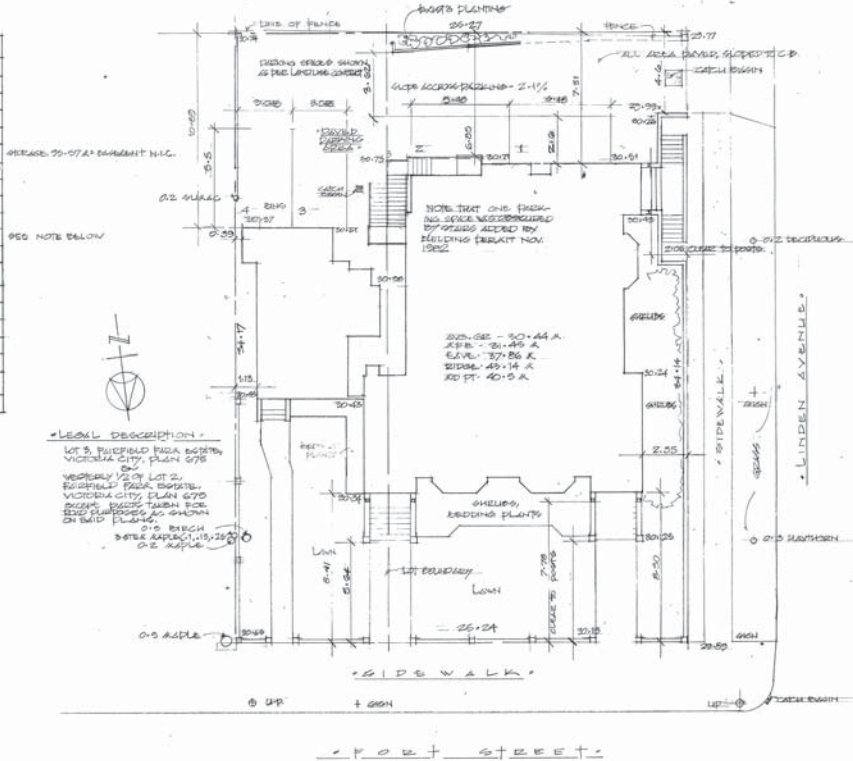
PROJECT INFORMATION TABLE	
EXISTING ZONE	R2
PROPOSED ZONE	OPA TO HC
SITE AREA	262.5 A*
TOTAL FLOOR AREA	640.26 A*
COMMERCIAL FLOOR AREA	595.27 A*
FLOOR SPACE RATIO	0.75 TO 1
SITE COVERAGE	26.69% (316.925 A*)
OPEN SITE SPACE	21.18% (265.55 A*)
HEIGHT OF BUILDINGS	10.00 A
NUMBER OF STOREYS	2.5
PARKING SPALLS ON SITE	4 PER L.U.C.
BICYCLE PARKING	0 (EXISTING)
BUILDING SETBACKS	
FRONT YARD	7.75 A (3.75 A EXISTING)
REAR YARD	8.55 A
INTERIOR SIDE	0.85 EXISTING
EXTERIOR SIDE	2.06 A EXISTING
COMBINED SIDE YARDS	2.45 A (N/A)
RESIDENTIAL USE DETAILS	
NO RESIDENTIAL USES AT PRESENT	

NOTE:
ALL INFORMATION DERIVED FROM BUILDINGS DEPARTMENT RECORDS & SITE REASSESSMENT. THIS APPLICATION PROPOSED ZONING TO REPLACE CANCELLED LAND USE CONTRACT. ALL CONDITIONS ARE EXISTING. NO WORK IS PROPOSED TO DESIGNATED HERITAGE DESIGNATED BUILDINGS.

NOTE UPGRADE:
ALL SITE INFORMATION IS BASED UPON RECENT SITE SURVEY CONDUCTED BY GLEN ATCHELL, B.C. L.P., 22 JAN, 2020 - FILE NO. 20-03-0241

PARKING:
BASED ON PER L.U.C. (1000) PARKING (5 SPACES) CHANGED BY BUILDING PERMIT ISSUED IN NOV. 2002. ONE SPACE REMOVED - 4 REMAIN.

LAND:
EXISTING DEVELOPMENT STREACHED 2 LOR. LOTS WILL BE CONSOLIDATED AT COMPLETION OF REZONING PROCESS.

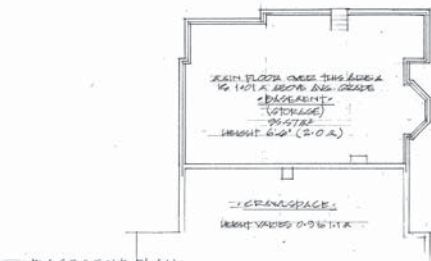


DESIGN NO. 1177-1103-01
DESIGN-BUILD'S NUMBER: 1177-1103
DATE: APRIL 10, 2019

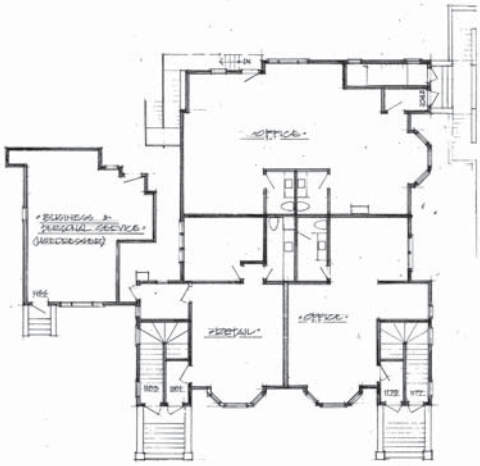
PROPOSED REZONING
1177-1103-01 SITE PLAN
SITE PLAN & PROJECT INFORMATION
VICTORIA, B.C.



REVISED - PLANNING - FEB 26, 21
REVISED - PLANNING - FEB 26, 21
REVISED - PLANNING - MAR 30, 21
REVISED - CURRENT SURVEY 25/02/21



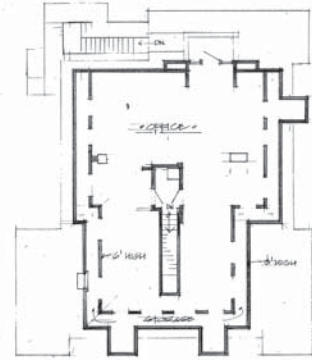
BASEMENT PLAN
 95-57A (1025-75 SF)



MAIN FLOOR PLAN
 202-07A (3055-74 SF)



SECOND FLOOR PLAN
 225-676 A (2425-24 SF)



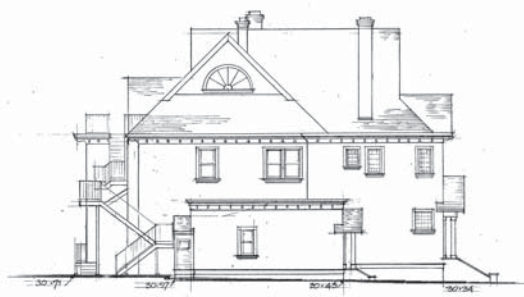
THIRD FLOOR PLAN
 189-0A (1901-72 SF)

DOWN: WHO
 DESIGNER
 DESIGNER: BANKS
 SCALE: 1/8"=1'-0"
 DATE: APRIL 10, 2009
 - DESIGNED BY: BDC

PROPOSED REZONING
 1177-1185 FORT STREET
 FLOOR PLANS
 AUGUSTA, GA



REV JAN 20/21 - PLANNING



• EAST ELEVATION •



• SOUTH ELEVATION •



• NORTH ELEVATION (FOOT STREET) •



• WEST ELEVATION (LINDEN AVENUE) •

02/10/02 - 02/10/02 - 02/10/02

DESIGN NO. 1177
 DESIGN - ARCHITECT
 SCALE - 1/8" = 1'-0"
 DATE - APRIL 10, 2002

PREPARED FOR
 1177-1185 FOOT STREET
 BUILDING ELEVATIONS
 VICTORIA, B.C.



13-Feb-20

Mayor Lisa Helps and Councillors,
Corporation of the City of Victoria,
1 Centennial Square,
Victoria, B.C. V8W 1P6

RE: Proposed Rezoning of 1177-1185 Fort Street
Lot 3, Fairfield Farm Estate, Victoria City, Plan 675

Dear Mayor Helps and Councillors:

We are pleased to submit our application for the above noted property, to put in place a zone that will accurately reflect the present use and occupancy, and bring the property into closer conformity with the official plan.

This application is driven by the Province's decision to terminate Land Use Contracts, under which this property was regulated. While the underlying zoning of R3-AM2 dictated residential use, the heritage designated building has been used for office, retail and service occupancies for decades, and those uses were approved under modifications to the original land use contract

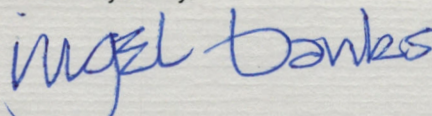
Discussion with the Planning Department led to the conclusion that the existing CA-2, Fort Street Special Commercial zone is good fit for the property, meeting almost all criteria. There are a few non-conformities, such as parking, these were considered legal non-conformities under the now cancelled land use contract.

There is no work or alteration of any kind required for the building under this application; nor would there be any impact on existing tenancies. The existing building and its context are maintained exactly as is, and uses are brought much more in line with zoning. The proposal will also preserve neighbourhood amenity through zero disruption of the existing streetscape.

We have presented the proposal to the Rockland Neighbourhood Association land use committee, and they have determined that it does not require a full public meeting, as there are no proposed changes to the subject property.

Thank you for your consideration of this application.

Yours Very Truly,



Nigel Banks, on behalf of
Barbara and Howard Ginsberg



Nigel Banks [REDACTED]

re: 1117/85 Fort Street

1 message

Bob June [REDACTED] Wed, Aug 14, 2019 at 1:20 PM
To: Nigel Banks [REDACTED]
Cc: Dave McWalter [REDACTED] Lawrence Bortoluzzi [REDACTED] Phil Calvert [REDACTED]
Pamela Madoff [REDACTED]

Good afternoon Nigel:

My apologies. I have been remiss in following up with you.

On discussion the Rockland LUC discussed the proposed rezoning of 1177/85 Rockland from land Use contract and support the process moving.

The proviso is that the plan unfold as presented to our committee and no significant changes be introduced.

We will not be requesting a CALUC community meeting for this rezoning.

We certainly appreciate the owners desire to maintain the site as is and applaud the retention of a historic building.

Regards;

RNA LUC

Bob June co-chair

Dave McWalter, co-chair

Subject Property

3



3

Neighbouring Properties

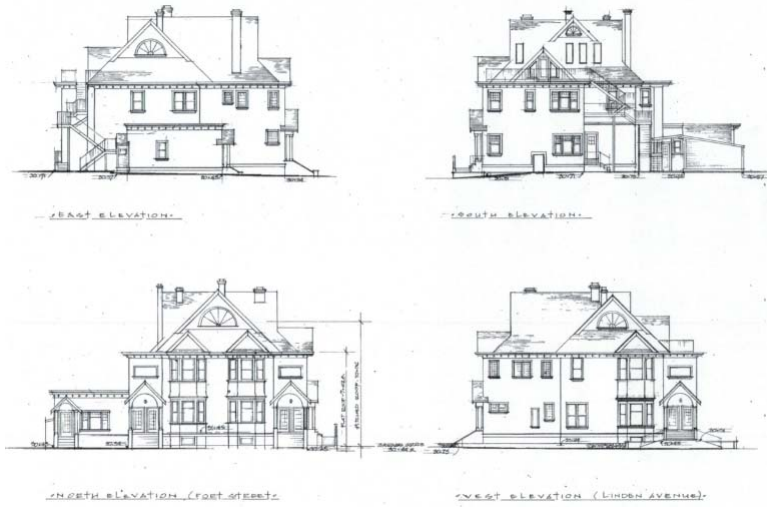
4



4

Elevations

7



7



COMMUNITY SOCIAL PLANNING COUNCIL
research·insights·solutions

March 3, 2021

To whom it may concern:

RE: City of Victoria Report – Transit Assistance Program for Sheltering Outdoors

Background:

In the fall of 2020, the Community Social Planning Council was approached to support individuals sheltering outdoors during the pandemic with transit access. The project was targeted for those in homelessness sheltering outside of the downtown core to encourage sheltering at a distance while ensuring access to needed services. The Community Council approached PEERS to partner as the operational lead on this project to help with the distribution as they were already working with individuals who were street engaged and had the ability to reach the community sheltering outdoors. PEERS is an organization of sex workers for sex workers and does not normally provide services to the broader population sheltering outdoors. We are very grateful they were able to volunteer to go beyond their normal scope of work to help with the program.

CSPC's Low-Income Transit Assistance (LITA) Program Background

Since 1997, the Community Social Planning Council has operated a program with support from the Regional Transit Authority and community partners to offer transit for free to low-income individuals accessing programs and services at partner agencies in the region. The LITA program provides a select number of transit tickets and passes to over 70-member social service non-profits from the Greater Victoria Area. The program reduces barriers to programs and services for vulnerable populations in low income. Recipients access a broad range of programs from employment preparation, medical, counselling and court appointments, to child-care and immigrant and newcomer language programs. Through the pandemic many of the LITA community partners have not been running their programs and thus, not distributing transit tickets/passes that would normally be distributed through their regular programs.

Three of the LITA partner agencies also joined this City of Victoria Bus Ticket project to help to distribute tickets to the community sheltering outside. The new City funded tickets are being distributed in addition to their regular programs, and in the case of PEERS, to a different population than they would normally serve.

Individuals who receive the tickets are using the program for a variety of purposes as per the attached letter from a community partner (see the attached letter).

Below is a report of the tickets distributed by agency partner.

Peers and City of Victoria Unsheltered Bus Ticket Program - January 26, 2021	
Organization	Tickets
By-Law	1 Book (250 tickets)
LLEOHN	2 Books (500 tickets)
Community Care Tent	2 Books (500 tickets)
Our Place Society	0.8 Books (200 tickets)
Fairfield Gonzales Community Association	0.2 Books (50 tickets)
Peers Outreach	4 Books (1000 tickets)
TOTAL	10 Books (2,500 tickets)
*Also gave out 2 books (500) of our own tickets to meet demand	

Peers and City of Victoria Unsheltered Bus Ticket Program - Febru	
Organization	Tickets
Community Care Tent	2 Books (50 sheets)
Indigenous Harm Reduction Team	2 Books (50 sheets)
Howard Johnson	1 Book (25 sheets)
Our Place Society	1 Book (25 sheets)
BC Housing Outreach	1 Book (25 sheets)
Peers Outreach	15 Sheets
SAFER	10 Sheets
Night Laundry Program	15 Sheets
Red Cedar	10 Sheets
Harbour	10 Sheets
SOLID	15 Sheets
TOTAL	10 Books

As long as we are in the pandemic and asking individuals experiencing homelessness to shelter at distance from core services, there will be a need for this program. All of the allocated tickets have been distributed and there have been enquiries from other groups who are not yet participating.

Sincerely,



Diana Gibson
Executive Director

LETTER- City of Victoria sheltering outdoors bus pass program

I am writing to express our thanks for the recent bus tickets our outreach team received from Peers through the CSPC and City of Victoria initiative.

As you may be aware Red Cedar has an outreach team that delivers hot meals to people sheltering in our parks and with this initiative we were also able to distribute bus tickets to people in need. I can assure you these tickets were well received and were put to very good use.

We know that people used these tickets for the normal day-to-day reasons we all access public transportation for: to go to work, doctor's appointments, to access laundry facilities. They also used these tickets to improve their situation like accessing showers, food banks and income assistance resources. We also heard that people were able to view housing.

Having their transportation costs covered meant individuals could afford to access these basic needs and resources in our community without spending their limited funds.

Thank you for your continued support to improve our community for the most vulnerable,

Margaret Forbes

Co-Executive Director,

Red Cedar Cafe



Committee of the Whole Report For the Meeting of March 25, 2021

To: Committee of the Whole **Date:** March 10, 2021
From: Paul Bruce, Fire Chief
Subject: Technical High Angle Rope Rescue Program (THARRP) – Rescue Servicing for Tower Crane Installations – WorkSafeBC/British Columbia Construction Safety Alliance (BCCSA)

RECOMMENDATION

That Council:

1. Approve the renewal of the Agreement for the provision of Technical High Angle Rope Rescue services, as a participant of the Provincial Technical High Angle Rope Rescue Program (THARRP) as an independent service provider within the City of Victoria and authorize the Mayor and City Clerk to execute the agreement,
2. Authorize City Clerk and Mayor to execute any inter-municipal agreements for those municipalities of the Capital Regional District, requesting the provision of Tower Crane rescue servicing, subject to the terms and conditions of the program as established through the British Columbia Construction Safety Alliance (BCCSA) and, subject always to review and approval of the City Solicitor.

EXECUTIVE SUMMARY

The City of Victoria and the Corporation of the District of Saanich have been partners in the provision of tower crane rescue service, within the Capital Regional District (CRD) since 2006. The regional partnership was established as a first in BC and, initial funding was provided through the British Columbia Construction Safety Alliance (BCCSA). Once operational, the “joint” rescue services were delivered through a separate inter-municipal Regional Tower Crane Rescue Services Agreement establishing service agreements with the Township of View Royal, City of Colwood, Township of Sidney, District of Oak Bay and Township of Esquimalt with Saanich Fire Department identified as the “primary” service provider, with Victoria as an alternative service provider in the event Saanich was unable to do so. Essentially, Saanich Fire would determine the response to any request for service.

This existing Regional Tower Crane Rescue Services Agreement will expire at midnight on April 30, 2021. The funding made available through the BCCSA, for regional training expired on December 31, 2020. Notice has been provided, via email, to the participating regional municipalities that the regional service agreement will expire effective May 1, 2021 and, the regional funding provided specifically for interdepartmental training through the BCCSA has been discontinued.

The Victoria Fire Department has a firmly established technical rope rescue program, with capacity to continue to provide tower crane rescue services to the City of Victoria, with supporting capacity for service provision to other municipalities requiring this “specialty” rescue capacity within their jurisdictional boundaries. The BCCSA will continue to provide annual funding to the Victoria Fire Department as an “independent” tower crane service provider for the maintenance of rescue skills, cost recovery for inspections and the development of rescue plans, including the replacement of speciality equipment as provided through the operational agreement and guidelines.

The regional funding previously arranged through the program was specific to a continuation of “mutual” or “cooperative” training between the two servicing departments and, initially focused on the need for ensuring that trained staff were available between the departments to provide an effective and efficient rescue response when required. The service has progressed to the point where competent additional staffing is no longer a requirement for the “mutual” capacity of the service. The City of Victoria Fire Department has successfully established a competent service response independently of Saanich Fire. The requirement for “joint” training is no longer a relevant consideration for the program and/or, as an assurance of an effective response under the inter-municipal agreement.

Any new service agreements established under a new “inter-municipal” format will be recognized through the program and, established as an independent “fee for service” agreement for recovery of any costs not recovered under the program. The City would be seeking reimbursement of any costs associated with service provision and, supported through the Operational Guidelines established through the Provincial Program. Importantly, under the THARR program, each crane that is erected within the municipal boundaries has to be inspected and a rescue plan developed to ensure compliance with WorkSafeBC Regulations and, that effective rescue capacity is addressed.

PURPOSE

The purpose of this report to advise Council of the expiration of the current Regional Tower Crane Rescue Services Agreement, the funding associated with “joint” training received through BCCSA, and, the alternative service provision capacity available through restructured inter-municipal agreements, updating and identifying the City of Victoria as the primary “service provider” for those municipalities wishing to maintain the provision of THARR services within their municipalities.

BACKGROUND

The Technical High Angle Rope Rescue Program (THARRP) was developed in 2005 through a partnership with WorkSafeBC and the Construction Safety Association of BC, now the British Columbia Construction Safety Alliance or BCCSA. The intent of this program was to provide a cost-effective rescue service to all applicable industry, as required through WorkSafeBC, through contribution to a collective fund and, utilizing local fire departments as service providers.

Victoria and Saanich Fire Departments received approximately \$25,000 per year each, independent of other stipends and identified funding to facilitate joint training between the respective departments. This initial funding, in addition to the established funding for the program, provided a key incentive for Victoria Fire Department to enter the THARR program, qualifying for funding to receive technical high angle rope rescue training and equipment and becoming an industry leader in the provision of technical and tower crane rescue.

The training further provided the Victoria Fire Department an increased opportunity to expand these skills and services locally to citizens, industry and corporately through recovery of initial staff training costs. The service contract model provides the training and equipment to enhance the core service delivery model for the department. This enhanced level of response and service has been implemented and maintained through external funding and has no impact on the departmental financial planning annually. It is essentially, a cost neutral program.

The “regional” component of the service provided under the Regional Tower Crane Rescue Services Agreement were delivered on a fee for service basis based on recovery of costs per call, as requested. The servicing municipality’s (Victoria and Saanich) were to be reimbursed for personnel and rescue apparatus costs for providing the services prescribed in the agreement. These costs are reimbursed directly from the serviced municipalities (Town of View Royal, City of Colwood, Town of Sidney, District of Oak Bay and Township of Esquimalt) where the services were performed. Under the terms of the agreement, Saanich was the “primary” service provider with Victoria providing the service in those instances where Saanich was unable to. Since the inception of the Regional Agreement, Victoria has not performed any service to any of the serviced municipalities.

Under the Regional Tower Crane Rescue Services Agreement, the servicing municipalities agree to provide the following services to the participating municipalities:

- Initial inspections of Tower Cranes and construction sites to establish tower crane rescue pre-plans.
- Tower Crane rescue services

ISSUES & ANALYSIS

This program was originally designed to ensure the safety and protection of tower crane operators and other industries which may require technical rope rescue services in the event an accident was to occur. Staff have expanded this valuable training to expand the level of service to our citizens, departmental staff, and visitors. This service is a requirement and benefits staff to ensure compliance and protection in situations where this rescue provision is required through WorkSafeBC regulations.

Although funding for regional training will no longer be available, the BCCSA has committed to continue to recognize the Victoria Fire Department as an independent Technical High Angle Rope Rescue and Tower Crane Rescue service provider and is supportive of the Victoria Fire Department providing these services regionally to those municipalities which are unable to participate independently with the THARR program.

With the pending expiration of the Regional Tower Crane Rescue Services Agreement, the Victoria Fire Department *may* enter into updated service agreements with other municipalities in Greater Victoria who may require tower crane rescue services.

OPTIONS & IMPACTS

2019 – 2022 Strategic Plan

Continued involvement with the Technical High Angle Rope Rescue Program is in alignment with the 2019 - 2022 Strategic Plan: specifically, Strategic Objective Three “Affordable Housing”.

To achieve the desired increase in rental apartment and housing vacancy, and to be progressive with development, Victoria’s continued participation on the THARR program supports the construction industry in providing the emergency planning and rescue services required in accordance with WorkSafeBC Regulations.

Impacts to Financial Plan

There are no negative financial implications with continuing as a tower crane rescue service provider for the City of Victoria. Established funding for equipment and training remains as a component of the existing arrangement with the BCCSA.

There remains an opportunity to enter separate “fee for service” agreement(s) with other municipalities to further support the region in the provision of this service with a mechanism for recovering any costs associated with providing that service.

Industrial operations, contributing members of the BCCSA programming, establishing business within the City of Victoria would be required to ensure contract “external” rescue capacity to meet the terms of compliance with WorkSafeBC regulations.

CONCLUSIONS

The Technical High Angle Rope Rescue Program, funded through the British Columbia Construction Safety Alliance in partnership with WorkSafeBC, is an effective means of ensuring the equipment, training, and technical expertise required to provide rescue services to industrial operations in the City of Victoria and Capital Regional District is available when required.

There remains an option to partner directly with neighbouring municipalities for the provision of tower crane rescue services through utilization of a cost recovery agreement.

In view of these benefits, staff are seeking Council endorsement and reaffirmation of these arrangements and, authorize staff to investigate renewed independent agreements with other municipalities in Greater Victoria for the provision of tower crane rescue services.

Respectfully submitted,

Daniel Atkinson
Deputy Fire Chief - Operations

Paul Bruce
Fire Chief

Report accepted and recommended by the City Manager

List of Attachments

Appendix A - Regional Tower Crane Rescue Services Agreement, 2016-2021

Appendix B - Draft Proposed Tower Crane Rescue Services Agreement 2021-XXXX

Appendix C - BCCSA Equipment Cost Reimbursement Procedures
Appendix D - BCCSA Stipend and Instructor Schedule
Appendix E - BCCSA Annual Statistics and Site Survey Submission

REGIONAL TOWER CRANE RESCUE SERVICES AGREEMENT

THIS Agreement is made as of the 1st day of May, 2016

BETWEEN:

THE CORPORATION OF THE DISTRICT OF SAANICH
770 Vernon Avenue
Victoria, B.C.
V8X 2W7

(Hereinafter called "Saanich")

THE CORPORATION OF THE CITY OF VICTORIA
1 Centennial Square
Victoria, B.C.
V8W 1P6

(Hereinafter called "Victoria")

OF THE FIRST PART

AND:

THE CORPORATION OF THE CITY OF COLWOOD
3300 Wishart Road
Victoria, B.C.
V9C 1R1

(Hereinafter called "Colwood")

THE CORPORATION OF THE TOWNSHIP OF ESQUIMALT
1229 Esquimalt Road
Victoria, B.C.
V9A 3P1

(Hereinafter called "Esquimalt")

THE CORPORATION OF THE DISTRICT OF OAK BAY
2167 Oak Bay Avenue
Victoria, B.C.
V8R 1G2

(Hereinafter called "Oak Bay")

THE TOWN OF SIDNEY

2440 Sidney Avenue
Sidney B.C.
V8L 1Y7

(Hereinafter called "Sidney")

THE TOWN OF VIEW ROYAL

45 View Royal Avenue
Victoria, B.C.
V9B 1A6

(Hereinafter called "View Royal")

OF THE SECOND PART

WHEREAS Saanich and Victoria have each established within their respective Fire Departments specialized units to provide Tower Crane Rescue Services and those units are capable of servicing the Greater Victoria Area;

AND WHEREAS Colwood, Esquimalt, Oak Bay, Sidney, and View Royal (hereinafter collectively called "Serviced Municipalities") have requested Saanich and Victoria (hereinafter collectively called "Servicing Municipalities") to provide Tower Crane Rescue Services on a fee for services basis;

AND WHEREAS under the *Community Charter* a municipality may provide a service in another municipality provided it first obtains the consent of the Council of that municipality;

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the mutual promises exchanged herein, and for other good and valuable consideration, the parties agree as follows:

1.0 DEFINITIONS

1.1 In this Agreement:

- (a) **"Tower Crane"** means a crane equipped with a boom mounted on a tower.
- (b) **"Tower Crane Rescue Service"** means provision of emergency assistance to Tower Crane operators.
- (c) **"Service"** means the services described in paragraph 3.1 of this

Agreement.

2.0 TERM

- 2.1 This Agreement shall be for a term of five (5) years commencing May 1, 2016 and terminating on April 30, 2021 subject to earlier termination in accordance with this Agreement.

3.0 SERVICE

- 3.1 Servicing Municipalities agree to provide, in accordance with the terms of this Agreement, the following service within the territorial boundaries of the Serviced Municipalities:
- (a) Inspection of Tower Cranes and construction sites to establish Tower Crane rescue pre-plans;
 - (b) Tower Crane Rescue Services.
- 3.2 Servicing Municipalities will each provide Service in accordance with the standards each Servicing Municipality employs for the Services within its own jurisdiction, unless a variance of such standards is agreed upon between the parties.
- 3.3 Servicing Municipalities will provide all equipment and personnel necessary for the provision of Services under this Agreement and will ensure that all personnel engaged in provision of the Services are trained in the provision of Tower Crane Rescue Services.
- 3.4 Whenever one of the Serviced Municipalities requires services to be provided under this Agreement it shall contact Saanich initially and Saanich shall provide the Service so long as it has the required staff and equipment available. If there is insufficient Saanich staff and equipment available, Saanich shall contact Victoria and Victoria, at its discretion and subject to resources available, shall
- (a) provide the necessary assistance and resources to Saanich, or
 - (b) provide the Service directly to the Serviced Municipality requiring Service.
- 3.5 Servicing Municipalities will provide all equipment and personnel necessary for the provision of Services only and will charge the Serviced Municipality within whose jurisdiction the Service was provided for the cost of carrying out the Service as follows:

(a) Personnel Charge:

For each officer and fire fighter an hourly rate for time spent providing the Services at two times the normal hourly pay per hour or a portion of an hour for such person, and

(b) For each rescue vehicle dispatched to the service area in response to a request for a Tower Crane Rescue Service, a rate per hour or portion of an hour, as established by the most recent B.C. Office of the Fire Commissioner "Inter-Agency Working Group Report – Reimbursement Rates" will be charged.

3.6 Serviced Municipalities shall promptly pay to the Servicing Municipalities all charges invoiced under section 3.5 of this Agreement.

4.0 INDEMNITY

4.1 Saanich agrees that it will indemnify and save harmless Victoria, Colwood, Esquimalt, Oak Bay, Sidney, and View Royal from and against any claims, suits, actions, causes of actions, costs, damages or expenses of any kind that arise or result from, or relate in any way to:

(a) the negligence of Saanich or its employees, officers, elected officials, contractors, or agents in the provision of Services under this Agreement; or

(b) a breach of this Agreement by Saanich.

4.2 Victoria agrees that it will indemnify and save harmless Saanich, Colwood, Esquimalt, Oak Bay, Sidney, and View Royal from and against any claims, suits, actions, causes of actions, costs, damages or expenses of any kind that arise or result from, or relate in any way to:

(a) the negligence of Victoria or its employees, officers, elected officials, contractors or agents in the provision of Services under this Agreement; or

(b) a breach of this Agreement by Victoria.

4.3 Colwood, Esquimalt, Oak Bay, Sidney, and View Royal agree that they will jointly and severally indemnify and save harmless Saanich and Victoria from and against any claims, suits, actions, causes of actions, costs, damages or expenses of any kind that arise or result from, or relate in any way to:

(a) the negligence of Colwood, Esquimalt, Oak Bay, Sidney, and View Royal

or their employees, officers, elected officials, contractors or agents with respect to the provision of Services under this Agreement; or

- (b) a breach of this Agreement by Colwood, Esquimalt, Oak Bay, Sidney, or View Royal.

5.0 DEFAULT AND EARLY TERMINATION

- 5.1 If either party is in breach of this Agreement, or the breach is not corrected within 30 days after notice of the breach is provided to that party, the party not in breach may terminate this Agreement.
- 5.2 By notice in writing delivered to each other party to this Agreement not later than June 30th in any of the years 2017, 2018, and 2019 Saanich or Victoria may elect to terminate this Agreement for the remainder of the term, in which case the arrangement for Services provided hereunder shall be terminated effective January 1st of any such subsequent calendar year.
- 5.3 By notice in writing delivered to the Servicing Municipalities not later than June 30th in any of the years 2017, 2018, and 2019, Colwood, Esquimalt, Oak Bay, Sidney or View Royal may elect to withdraw from this Agreement for the remainder of the term and in such case the withdrawal shall be effective on January 1st of any such subsequent calendar year and the Servicing Municipalities' obligations to provide any of the Services under this Agreement within the territorial area of the Serviced Municipality giving notice under this section 5.3 shall cease.
- 5.4 In the event funding for the regional tower crane rescue service from the Technical High Angle Rope Rescue Program and WorkSafe BC is reduced or discontinued, Saanich or Victoria may, by delivering notice in writing to the Serviced Municipalities, terminate this Agreement effective upon the date such funding is discontinued.

6.0 CONSENT

- 6.1 Colwood, Esquimalt, Oak Bay, Sidney, and View Royal hereby consent to the provision of services as provided under this Agreement by Saanich and Victoria within the respective territorial areas of Colwood, Esquimalt, Oak Bay, Sidney, and View Royal.

7.0 GENERAL PROVISIONS

7.1 Notice

It is hereby mutually agreed that any notice required to be given under this Agreement will be deemed to be sufficiently given if:

- (a) delivered at the time of delivery; and
- (b) mailed from any government post office in the Province of British Columbia by prepaid registered mail addressed as follows:

If to Victoria:

1 Centennial Square
Victoria, B.C. V8W 1P6
Attention: Corporate Administrator

If to Colwood:

3300 Wishart Road
Victoria, B.C. V9C 1R1
Attention: Municipal Clerk

If to Esquimalt:

1229 Esquimalt Road
Victoria, B.C.
V9A 3P1
Attention: Corporate Administrator

If to Oak Bay:

2167 Oak Bay Avenue
Victoria, B.C.
V8R 1G2
Attention: Municipal Clerk

If to Sidney:

2440 Sidney Avenue
Sidney B.C.
V8L 1Y7
Attention: Municipal Clerk

If to View Royal:

45 View Royal Avenue
Victoria, B.C. V9B 1A6
Attention: Municipal Clerk

If to Saanich:

770 Vernon Avenue
Victoria, B.C. V8X 2W7
Attention: Municipal Clerk

Unless otherwise specified herein, any notice required to be given under this Agreement by any party will be deemed to have been given if mailed by prepaid registered mail, or sent by facsimile transmission, or delivered to the address of the other parties set forth on the first page of this Agreement or at such other addresses as the other parties may from time to time direct in writing, and any such notice will be deemed to have been received if mailed or faxed, 72 hours after the time of mailing or faxing and, if delivered, upon the date of delivery. If normal mail service or facsimile service is interrupted by strike, slow down, force majeure or other cause, then a notice sent by the impaired means of communication will not be deemed to be received until actually received, and the party sending the notice must utilize any other such services which have not been so interrupted or must deliver such notice in order to ensure prompt receipt thereof.

7.2 Time

Time is to be of the essence for this Agreement.

7.3 Binding Effect

This Agreement will inure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees.

7.4 Waiver

The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

7.5 Headings

Section and paragraph headings are inserted for identification purposes only and do not form part of this Agreement.

7.6 Language

Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.

7.7 Cumulative Remedies

No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.

7.8 Law Applicable

This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

7.9 Relationship of Parties

No provision of this Agreement shall be construed to create a partnership or joint venture relationship, an employer-employee relationship, a landlord-tenant or a principal-agent relationship.

7.10 Amendment

This Agreement may not be modified or amended except by the written agreement of the parties.

7.11 Integration

This Agreement contains the entire agreement and understanding of the parties with respect to the matters contemplated by this Agreement and supersedes all prior and contemporaneous agreements between them with respect to such matters.

7.12 Survival

All representations and warranties set forth in this Agreement and all provisions of this Agreement, the full performance of which is not required prior to a termination of this Agreement, shall survive any such termination and be fully enforceable thereafter.

7.13 Notice of Violations

Each party shall promptly notify the other party of any matter which is likely to continue to give rise to a violation of its obligations under this Agreement.

7.14 Settlement

The parties acknowledge that they have a common goal of providing public service and will attempt to settle any differences arising in the administration of this Agreement amicably through discussion in good faith with a view to providing quality public service at a reasonable cost.

7.15 Arbitration

- (a) Disputes not capable of resolution through discussion under 7.14 shall be submitted to arbitration pursuant to the *Arbitration Act*, R.S.B.C. 1996, c. 55, to a single arbitrator appointed jointly by the parties.
- (b) No one shall be nominated to act as an arbitrator who is in any way financially interested in this Agreement or in the business affairs of either party.
- (c) If the parties cannot agree on the choice of any arbitrator each party shall select a nominee and the nominees shall jointly appoint an arbitrator.
- (d) The laws of the Province of British Columbia shall govern this Agreement and any arbitration or litigation in respect hereof.
- (e) The award of the arbitrator shall be final and binding upon the parties.


8.0 COUNTERPART CLAUSE

This Agreement may be signed in counterpart that

- (a) have the same effect as if the parties had all signed the same documents;
- (b) will be construed together to be an original document; and
- (c) will constitute one and the same agreement.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year first above written.

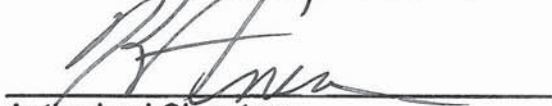
Executed by THE CORPORATION OF THE CITY OF COLWOOD)
This 10th day of May, 2016:)



Authorized Signatory)


Authorized Signatory)




Executed by THE TOWN OF VIEW ROYAL)
This 17th day of May, 2016:)

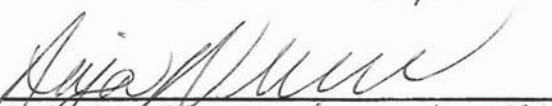

Authorized Signatory)


Authorized Signatory)



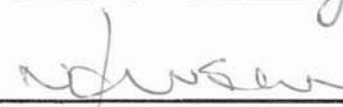
Executed by THE CORPORATION OF THE TOWNSHIP OF ESQUIMALT)
This 9th day of May, 2016:)



Authorized Signatory Mayor)


Authorized Signatory Corporate Officer)



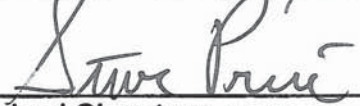
Executed by THE CORPORATION OF)
THE DISTRICT OF OAK BAY)
This 30 day of May, 2016:)


Authorized Signatory Mayor Nils Jensen)


Authorized Signatory Deputy Director)
of Corporate Services)
Maura Jones)




Executed by THE TOWN OF SIDNEY)
This 31 day of May, 2016:)


Authorized Signatory STEVE PRICE)
MAYOR, TOWN OF SIDNEY)


Authorized Signatory SANDI DUNIC)
CORPORATE OFFICER)



Executed by THE CORPORATION OF)
THE CITY OF VICTORIA)
This ___ day of _____, 2016:)


Authorized Signatory MAYOR L. HELPS)


Authorized Signatory C.D. COATES, CITY)
CLERK)



Executed by THE CORPORATION OF)
THE DISTRICT OF SAANICH)
This 9 day of June, 2016:)

Richard Atwell

Authorized Signatory Mayor Richard Atwell

Sharon Froud

Authorized Signatory Sharon Froud
Deputy Legislative
Manager.



END OF DOCUMENT

TOWER CRANE RESCUE SERVICES AGREEMENT

THIS Agreement is made as of the day of , 2021

BETWEEN:

THE CORPORATION OF THE CITY OF VICTORIA

1 Centennial Square

Victoria, B.C.

V8W 1P6

(Hereinafter called "Victoria")

OF THE FIRST PART

AND:

(Hereinafter called "XXXXX")

OF THE SECOND PART

WHEREAS Victoria has established within their Fire Department, specialized units for the provision of Tower Crane Rescue Services and those units are capable of servicing the Greater Victoria Area;

AND WHEREAS XXXXXX has requested Victoria provide Tower Crane Rescue Services on a fee for services basis;

AND WHEREAS under the *Community Charter* a municipality may provide a service in another municipality provided it first obtains the consent of the Council of that municipality;

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the mutual promises exchanged herein, and for other good and valuable consideration, the parties agree as follows:

1.0 DEFINITIONS

1.1 In this Agreement:

- (a) **“Tower Crane”** means a crane equipped with a boom mounted on a tower.
- (b) **“Tower Crane Rescue Service”** means provision of emergency assistance to Tower Crane operators.
- (c) **“Service”** means the services described in paragraph 3.1 of this Agreement.

2.0 TERM

2.1 This Agreement shall be for a term commencing May 1, 2021 and terminating on **XXXXXX** subject to earlier termination in accordance with this Agreement.

3.0 SERVICE

3.1 Victoria agrees to provide, in accordance with the terms of this Agreement, the following service within the territorial boundaries of **XXXXXX**:

- (a) Inspection of Tower Cranes and construction sites to establish Tower Crane rescue pre-plans;
- (b) Tower Crane Rescue Services.

3.2 Victoria will provide service in accordance with the standards the Victoria Fire Department employs for the services within its own jurisdiction, unless a variance of such standards is agreed upon between the parties.

3.3 Victoria will provide all equipment and personnel necessary for the provision of services under this Agreement and will ensure that all personnel engaged in provision of the services are trained in the provision of Tower Crane Rescue Services.

3.4 Requests for service will be submitted in accordance with the Operating Guidelines of the British Columbia Construction Safety Alliance and by selecting “The Victoria Fire Department” as the service provider.

3.5 Victoria will provide all equipment and personnel necessary for the provision of services only and will charge **XXXXXX** the cost of carrying out the service less any reimbursements due to Victoria from the BCCSA for the provision of the service as follows:

Inspection Survey

- (a) Personnel Charge (two members for surveys): each member performing the survey will be compensated in accordance with the Overtime Article of the Collective Agreement in effect at the time the service is provided.
- (b) Reimbursements due to Victoria from the British Columbia Construction Safety Alliance for completion of the survey will be applied to, and subtracted from, the total amount owing.

Rescue Services

- (a) Personnel Charge: in the event Victoria is required to back fill their station so on duty personnel may perform a tower crane rescue in XXXXX, those members “called back” to duty will be compensated in accordance with the Overtime Article of the Collective Agreement in effect at the time of the rescue.
- (b) Any reimbursements due to Victoria from the British Columbia Construction Safety Alliance for completion of the survey will be applied to, and subtracted from, the total amount owing.

3.6 XXXXX shall promptly pay to Victoria all charges invoiced under section 3.5 of this Agreement.

4.0 INDEMNITY

4.1 XXXXX agrees that it will indemnify and save harmless Victoria from and against any claims, suits, actions, causes of actions, costs, damages or expenses of any kind that arise or result from, or relate in any way to:

- (a) the negligence of Victoria or its employees, officers, elected officials, contractors, or agents in the provision of Services under this Agreement; or
- (b) a breach of this Agreement by Victoria

4.2 Victoria agrees that it will indemnify and save harmless XXXXX from and against any claims, suits, actions, causes of actions, costs, damages or expenses of any kind that arise or result from, or relate in any way to:

- (a) the negligence of XXXXX or its employees, officers, elected officials, contractors or agents in the provision of Services under this Agreement; or
- (b) a breach of this Agreement by Sidney

5.0 DEFAULT AND EARLY TERMINATION

5.1 If either party is in breach of this Agreement, or the breach is not corrected within

30 days after notice of the breach is provided to that party, the party not in breach may terminate this Agreement.

5.2 By notice in writing delivered to each other party to this Agreement not later than June 30th in any of the years preceding its expiration, either party may elect to terminate this Agreement for the remainder of the term, in which case the arrangement for services provided hereunder shall be terminated effective January 1st of any such subsequent calendar year.

5.4 In the event funding for the regional tower crane rescue service from the British Columbia Construction Safety Alliance Technical High Angle Rope Rescue Program and WorkSafe BC is reduced or discontinued, Victoria may, by delivering notice in writing to **XXXXXX**, terminate this Agreement effective upon the date such funding is discontinued.

6.0 CONSENT

6.1 **XXXXXX** does hereby consent to the provision of services as provided under this Agreement by Victoria within the respective territorial areas of **XXXXXX**.

7.0 GENERAL PROVISIONS

7.1 Notice

It is hereby mutually agreed that any notice required to be given under this Agreement will be deemed to be sufficiently given if:

- (a) delivered at the time of delivery; and
- (b) mailed from any government post office in the Province of British Columbia by prepaid registered mail addressed as follows:

If to Victoria:

1 Centennial Square
Victoria, B.C. V8W 1P6
Attention: Corporate Administrator

If to **XXXXXX**:

Attention: Municipal Clerk

Unless otherwise specified herein, any notice required to be given under this Agreement by any party will be deemed to have been given if mailed by prepaid registered mail, or sent by facsimile transmission, or delivered to the address of the other parties set forth on the first page of this Agreement or at such other addresses as the other parties may from time to time direct in writing, and any such notice will be deemed to have been received if mailed or faxed, 72 hours after the time of mailing or faxing and, if delivered, upon the date of delivery. If normal mail service or facsimile service is interrupted by strike, slow down, force majeure or other cause, then a notice sent by the impaired means of communication will not be deemed to be received until actually received, and the party sending the notice must utilize any other such services which have not been so interrupted or must deliver such notice in order to ensure prompt receipt thereof.

7.2 Time

Time is to be of the essence for this Agreement.

7.3 Binding Effect

This Agreement will inure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees.

7.4 Waiver

The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

7.5 Headings

Section and paragraph headings are inserted for identification purposes only and do not form part of this Agreement.

7.6 Language

Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.

7.7 Cumulative Remedies

No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.

7.8 **Law Applicable**

This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

7.9 **Relationship of Parties**

No provision of this Agreement shall be construed to create a partnership or joint venture relationship, an employer-employee relationship, a landlord-tenant or a principal-agent relationship.

7.10 **Amendment**

This Agreement may not be modified or amended except by the written agreement of the parties.

7.11 **Integration**

This Agreement contains the entire agreement and understanding of the parties with respect to the matters contemplated by this Agreement and supersedes all prior and contemporaneous agreements between them with respect to such matters.

7.12 **Survival**

All representations and warranties set forth in this Agreement and all provisions of this Agreement, the full performance of which is not required prior to a termination of this Agreement, shall survive any such termination and be fully enforceable thereafter.

7.13 **Notice of Violations**

Each party shall promptly notify the other party of any matter which is likely to continue to give rise to a violation of its obligations under this Agreement.

7.14 **Settlement**

The parties acknowledge that they have a common goal of providing public service and will attempt to settle any differences arising in the administration of this Agreement amicably through discussion in good faith with a view to providing quality public service at a reasonable cost.

7.15 **Arbitration**

(a) Disputes not capable of resolution through discussion under 7.14 shall be submitted to arbitration pursuant to the *Commercial Arbitration Act*,

R.S.B.C. 1996, c. 55, to a single arbitrator appointed jointly by the parties.

- (b) No one shall be nominated to act as an arbitrator who is in any way financially interested in this Agreement or in the business affairs of either party.
- (c) If the parties cannot agree on the choice of any arbitrator each party shall select a nominee and the nominees shall jointly appoint an arbitrator.
- (d) The laws of the Province of British Columbia shall govern this Agreement and any arbitration or litigation in respect hereof.
- (e) The award of the arbitrator shall be final and binding upon the parties.

8.0 COUNTERPART CLAUSE

This Agreement may be signed in counterpart that

- (a) have the same effect as if the parties had all signed the same documents;
- (b) will be construed together to be an original document; and
- (c) will constitute one and the same agreement.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year first above written.

Executed by **XXXXXX** this _____ day of _____, 2021:)
 _____)
 Authorized Signatory)
 _____)
 Authorized Signatory)

Executed by **THE CORPORATION OF THE CITY OF VICTORIA** this _____ day of _____, 2021:)

Authorized Signatory

)
)
)
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)
)
)
)
)

Authorized Signatory

END OF DOCUMENT

EQUIPMENT COST REIMBURSEMENT PROCEDURES

FIN 1

Purpose: To describe the process for fire departments in the Technical High Angle Rope Rescue Program to be reimbursed for initial equipment purchase costs.

Scope: This policy refers to the equipment purchase reimbursement a fire department is eligible for when they join the Program.

Guidelines: All equipment purchases shall meet NFPA 1983 Standard on Life Safety Rope and Equipment for Emergency Services - 2017 Edition. Initial (only) rope rescue equipment purchase cost reimbursement is available to THARRP funded fire departments with one or more candidates who have successfully completed all required training (current NFPA 1670 and 1006 editions as per ADM1)

An approved equipment package contains rope rescue equipment valued at approximately \$11,600. The equipment and suggested quantities are provided in the “**Suggested Content for Standard Technical High Angle Rope Rescue Equipment Package(s)**” contained herein. Alternative equipment substitutions meeting the necessary standards are permissible. For example, if a new stretcher is not required, a fire department can purchase other approved equipment equivalent to the stretcher’s cost from the approved equipment list. **Contact the Steering Committee’s BC Fire Chief’s Representative, Tim Wilkinson, Acting Fire Chief, Richmond Fire-Rescue, at twilkinson@richmond.ca if you have questions regarding equipment package content.**

All equipment must meet NFPA 1983 - 2017 Edition Standard. Substitute equipment not found on the list will not be reimbursed without prior approval by the Steering Committee. A fire department wishing consideration for reimbursement for substitute equipment must send a written request to the Steering Committee stating the reasons for the substitution. Persons making such a request are advised to wait for written approval from the Steering Committee before purchasing non-approved equipment.

Participating fire departments are entitled to apply for a one-time reimbursement up to a maximum of \$11,600 for the purchase of rope rescue equipment. Where geographic size or populations warrant the need for additional equipment, the Steering Committee reserves the right to authorize additional funds. Reimbursement in excess of \$11,600 will not be considered without prior consultation and approval by the Steering Committee.

Applications for rope rescue equipment purchase reimbursement(s) shall include:

Finance

EQUIPMENT COST REIMBURSEMENT PROCEDURES

FIN 1

- A completed “**Technical High Angle Rope Rescue Program - Application for Initial Purchase and Reimbursement of Authorized Equipment Packages**” form contained herein, and
- Original receipts along with an itemized invoice for the purchased rescue equipment.
- **Please note the BCCSA is *not* GST or PST exempt. GST and PST is reimbursed by the Program in addition to the maximum equipment reimbursement of \$11,600.**

- Forms/Lists**
- **Technical High Angle Rope Rescue Program – Application for Initial Purchase and Reimbursement of Authorized Equipment Package(s)**
 - **Suggested Content for Standard Technical High Angle Rescue Equipment Package(s)**

STIPEND AND INSTRUCTOR SCHEDULE

FIN 4

Purpose: To describe and define the stipend and instructor schedule for participating fire departments in the Technical High Angle Rope Rescue Program.

Scope: All approved and provincially registered fire departments involved in the Technical High Angle Rope Rescue Program may apply for the annual stipend as per the approved schedule (FIN4 page 2 of 2).

Guidelines: The scheduled amounts for existing and new fire departments depend on the size of department, its geographical service area, and activity in the jurisdiction which would require potential rescue at high elevations.

The schedule has been approved by the Steering Committee and remains in effect for the term of the current budget ending December 31st, 2019.

Annual stipends will be paid only upon receipt of a completed annual **"Industrial Rope Rescue Statistical Report"** submitted by the requesting fire department. (A copy of this report, including instructions for completion, is contained under "Sample Forms", in these Standard Operating Procedures).

The primary purpose for the stipend is to replace worn equipment as required. Any residual funds can be designated to the department's high angle rope rescue program as the Fire Chief deems appropriate.

Forms

- **Stipend and Instructor Schedule**

Finance

STIPEND AND INSTRUCTOR SCHEDULE

FIN 4

Stipend and Instructor Schedule

Fire Department	Current or Eligible Number of Instructors	Current or Eligible Stipend Allowance
Abbotsford Fire Rescue Service	4	\$6,000.00
Burnaby	12	\$18,000.00
Campbell River	4	\$6,000.00
Coquitlam	8	\$12,000.00
Delta	6	\$9,000.00
Ft. St. John	2	\$3,000.00
Kamloops	4	\$6,000.00
Kelowna	4	\$6,000.00
Kitimat	2	\$3,000.00
Kootenay Boundary	2	\$3,000.00
Langford	2	\$3,000.00
Langley	2	\$3,000.00
Nanaimo	4	\$6,000.00
Nelson	2	\$3,000.00
New Westminster	4	\$6,000.00
North Vancouver City	4	\$6,000.00
North Vancouver District	5	\$7,500.00
Penticton	2	\$3,000.00
Port Alberni	4	\$6,000.00
Port Coquitlam	2	\$3,000.00
Port Moody	4	\$3,000.00
Powell River	2	\$3,000.00
Prince George	5	\$7,500.00
Quesnel	2	\$3,000.00
Richmond	8	\$12,000.00
Saanich	4	\$6,000.00
Surrey	14	\$21,000.00
Terrace	2	\$3,000.00
Vancouver	16	\$24,000.00
Victoria	4	\$6,000.00
West Kelowna	2	\$3,000.00
West Vancouver	4	\$6,000.00
Whistler	4	\$6,000.00

As of 2019 calendar year

All Standard Operating Procedures have been reviewed and approved by the Technical High Angle Rope Rescue Steering Committee.

ANNUAL STATISTICS & SITE SURVEY SUBMISSION

OPS2

- Purpose:** To maintain complete and adequate records on site surveys, technical high angle rope responses and rescue training in each participating department.
- Scope:** All fire departments involved in the Technical High Angle Rope Rescue Program are required to submit: annual statistics indicating ongoing training and responses to technical rescue emergencies; submit copies of site surveys where a request for reimbursement is made; and verify that in-house training by THARRP funded instructors meet current NFPA Standards; technician level.
- Guidelines:**
- Annual Statistical Report Requirements**
An annual statistical report on rope rescue program activities must be filled out by each fire department enrolled in the program. These statistics are important in demonstrating the program's continued value to the employer groups who are funding the program as well as to the local community. The statistical report package, which includes a cover letter (attached), **Technical High Angle Rope Rescue Statistical Report** form (attached), and application for annual stipend and reimbursement for tower crane site surveys (attached) shall be forwarded by the THARRP Representative, to all eligible fire departments on or before **November 1st** each calendar year. A participating fire department is eligible to apply for an annual stipend according to the *Instructor and Stipend Schedule* (See FIN 4).
- Completion of the Technical High Angle Rope Rescue Statistical Report**
Instructions for completing the Technical High Angle Rope Rescue Statistical Report are included on the reverse side of the form. Upon completion, the form must be submitted to the THARRP Representative, at the address, email or fax number specified on the form. **Completed forms must be submitted on or before December 1st of each calendar year.**
- Information recorded in the statistical report pertains to both training and rescue activities. Initial training and course time for the Rope Rescue Instructors does not count as internal training for the purposes of the Technical High Angle Rope Rescue Statistical Report.
- Failure to accurately complete and submit the THARRP Statistical Report by the required date may cause the fire department to become ineligible to receive the annual stipend. The THARRP Steering Committee reserves the right to request additional details of any industrial rescue performed by a participating fire department.
- Application for Reimbursement for Tower Crane Site Surveys**
The department is also eligible to apply for reimbursement for tower crane site surveys. A reimbursement allowance of \$400.00 is provided for each of the following situations:
- one site survey per tower crane, per site (where a site has

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- multiple cranes, a reimbursement allowance of \$400.00 per crane surveyed is provided);
- If a tower crane is moved to a new location on a construction site and a new inspection is requested by the construction company;
 - if the construction project is longer than one year and a request is made by the construction company to have the tower crane site re-surveyed.

Copies of signed *Technical High Angle Rope Rescue Service Application(s) for Technical High Angle Rope Rescue Service* (See ADM2 page 6 of 6) must be submitted with the department’s APPLICATION FOR ANNUAL STIPEND, REIMBURSEMENT FOR TOWER CRANE SITE SURVEYS & SKILLS MAINTENANCE TRAINING. No other paperwork should be submitted with these forms (e.g. site diagrams, internal fire department forms.)

To assist fire departments in completing a site survey, they may use TRG2 *Training Agency Site Survey For Tower Cranes* form. Fire departments using this form are **not** required to submit it with the *Technical High Angle Rope Rescue Service Application(s) for Tower Crane Technical High Angle Rescue Service* in order to qualify for the site survey reimbursement(s).

Skills Maintenance Allowance

Fire Departments are eligible for an annual skills maintenance allowance of \$650.00 per funded instructor. The allowance will be paid at the time of the annual stipend and reimbursement for tower crane site surveys.

Verification of Services and Training to NFPA Standards

The **APPLICATION FOR ANNUAL STIPEND, REIMBURSEMENT FOR TOWER CRANE SITE SURVEYS & SKILLS MAINTENANCE TRAINING** includes a statement of acknowledgement by the Fire Chief that training by THARRP funded instructors is conducted to current NFPA Standards; technician level.

Forms

- **Cover letter for the Statistical Report**
- **APPLICATION FOR ANNUAL STIPEND, REIMBURSEMENT FOR TOWER CRANE SITE SURVEYS & SKILLS MAINTENANCE TRAINING**
- **Technical High Angle Rope Rescue Statistical Report**

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**APPLICATION FOR ANNUAL STIPEND, REIMBURSEMENT FOR TOWER
CRANE SITE SURVEYS & SKILLS MAINTENANCE TRAINING**

Date

Fire Department

Attention:

Address

City, B.C. Postal Code

Dear (as above):

**RE: ANNUAL ROPE RESCUE STIPEND, REIMBURSEMENT FOR TOWER CRANE
SITE SURVEYS & SKILLS MAINTENANCE ALLOWANCE**

One component of the Technical High Angle Rope Rescue Program is the opportunity for all participating fire departments to apply for the annual rope rescue stipend, reimbursement for tower crane site surveys and skills maintenance allowance. To be eligible, a Technical High Angle Rope Rescue Statistical Report form must be completed and forwarded to the Technical High Angle Rope Rescue Program Representative, BC Construction Safety Alliance on or before December 1st, (year). An application for *Annual Stipend Reimbursement for Tower Crane Site Surveys & Skills Maintenance Allowance Report Form* are included for your convenience. **Please note, if these forms are not completed accurately and in full, the fire department will be ineligible for the stipend and site survey fees if applicable.**

As many participating fire departments may not have had the opportunity to perform rope rescues, the section of the form requiring information on your internal rope rescue training activities becomes very important. The industries that fund this program wish to know they are receiving value for their money. If your fire department did not engage in any internal rope rescue activity or training during the calendar year 20____, you may not be eligible for the annual stipend. Please note that the initial training course time for the Rope Rescue Instructors does not count as internal training as your equipment was not used, hence does not need replacement.

Furthermore, In order to be eligible for reimbursements, department Chiefs must verify that training conducted by THARRP funded instructors is conducted to current NFPA Standards; technician level.

If you have any questions regarding the completion of this form, please do not hesitate to contact the THARRP Representative at 1.877.860.3675.

Thank you for your continued participation in this program.

Sincerely,

Technical High Angle Rope Rescue Program Representative
/attachments (2)

TECHNICAL HIGH ANGLE ROPE RESCUE PROGRAM APPLICATION FOR ANNUAL STIPEND, REIMBURSEMENT FOR TOWER CRANE SITE SURVEYS & SKILLS MAINTENANCE TRAINING

Request for Calendar Year 2018

Fire Department: «Organization Name»

Fire Chief or designate: «Title» «First Name» «Last Name»

ANNUAL STIPEND

On behalf of our fire department, I am making application for the annual stipend in the amount of \$«M_2018» (covering the recently completed calendar year) as allowed for by our participation in the Technical High Angle Rope Rescue Program.

I have included the required statistical report for rope rescue services and training within our jurisdiction.

TOWER CRANE SITE SURVEYS

I am also making application for reimbursement of (_____) tower crane site surveys at \$400.00 per survey for a total of \$_____. I have enclosed copies of signed *Technical High Angle Rope Rescue Program Fire Service Application For Technical High Angle Rope Rescue Service* as evidence of these site surveys.

VERIFICATION OF SERVICE & TRAINING

This will also verify that this fire department intends to continue providing THARRP service in the coming year and that THARRP funded instructors will conduct in-house training to current applicable NFPA Standards; technician level as per the THARRP Standard Operating Procedures.

Our records show that funded instructors for your department are as follows:

Based on the active THARRP funded instructors noted above, the department is requesting \$650 skills maintenance funding for ___ instructors for a total of _____

If your records do not agree with this listing, please contact the THARRP Representative at 1.877.860.3675.

Please make cheque payable to:

Dated: _____ Signed: _____

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TECHNICAL HIGH ANGLE ROPE RESCUE STATISTICAL REPORT - INSTRUCTIONS

1. Print name of the City/Town/Municipality for which the statistics apply in the box titled **FIRE DEPARTMENT**.
2. Print the name of the person recording this information in the box titled **RECORDED BY**.
3. In the matrix titled **TRAINING CONDUCTED**, enter the **Total Rope Rescue Training Hours**. Do not include initial Instructor Course training time in this report. To calculate the **Total Rope Rescue Training Hours**:
 - take the number of hours for each training session
 - multiply this by the number of trainees participating in each session
 - this total is the **Total Rope Rescue Training Hours**
 - repeat this for each training session
 - determine the Monthly Total by adding up the **Total Rope Rescue Training Hours** for each training session that occurred in the month
 - if no training hours have been completed leave the field blank

For example:

If in January you had three (3) training sessions. The first session lasted two (2) hours, and had 25 participants, the second session lasted eight (8) hours, and had ten (10) participants, and the third session lasted four (4) hours, and has 12 participants.

Session One: 2 hours X 25 trainees = 50 person hours
 Session Two: 8 hours X 10 trainees = 80 person hours
 Session Three: 4 hours X 12 trainees = 48 person hours
 January **Total Rope Rescue Training Hours** = 178

4. In the matrix titled **WORK SITE RESCUES**, enter the number of rescues performed on a work site (do not include wilderness rescues for example).
5. In the matrix titled **SITE SURVEYS COMPLETED**, enter the number of tower crane site surveys conducted. This number should correspond with what is recorded on the **TECHNICAL HIGH ANGLE ROPE RESCUE PROGRAM APPLICATION FOR ANNUAL STIPEND & REIMBURSEMENT FOR TOWER CRANE SITE INSPECTIONS form**. Record the site surveys by month.
6. Submit the completed form, via mail, email or fax on or before December 15th, to:
 - Technical High Angle Rope Rescue Program
 - BC Construction Safety Alliance
 - 400, 625 Agnes Street
 - New Westminster, BC V3M 5Y4
 - Phone: 1.877.860.3675 Email: tharrp@bccsa.ca Fax: 604.636.3676

All Standard Operating Procedures have been reviewed and approved by the Technical High Angle Rope Rescue Steering Committee.