

**MINUTES OF THE
COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, FEBRUARY 15, 2018, 9:00 A.M.**

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

Committee Members Present: Mayor Helps (Chair), Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe, and Young

Staff Present: J. Jenkyns – Acting City Manager; C. Coates – City Clerk; C. Havelka – Deputy City Clerk; P. Bruce – Fire Chief; S. Thompson – Director of Finance; J. Jensen – Head of Human Resources; J. Tinney – Director of Sustainable Planning & Community Development; T. Soulliere – Director of Parks, Recreation, & Facilities; F. Work – Director of Engineering & Public Works; B. Eisenhauer – Head of Engagement; M. Angrove – Planner, Development Services; M. Betanzo – Planner, Development Services; C. Mycroft – Manager of Executive Operations; A.K. Ferguson – Recording Secretary

2. APPROVAL OF AGENDA

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Agenda of the February 15, 2018, Committee of the Whole meeting be approved.

Amendment: It was moved by Councillor Alto, seconded by Councillor Loveday, that the Agenda of the February 15, 2018, Committee of the Whole meeting be amended as follows:

Consent Agenda:

Item No. 1 – Minutes from the Meeting held February 1, 2018

Item No. 9 – Proclamation “Victoria Co-op Day”

Item No. 10 – Proclamation “Tibet Day” March 10, 2018

Item No. 12 – City Role in Childcare Solutions

Item No. 13 – Making Victoria City Hall a ‘Stigma Free Zone’

**On the amendment:
CARRIED UNANIMOUSLY 18/COTW**

Amendment: It was moved by Councillor Mayor Helps, seconded by Councillor Loveday, that the Agenda of the February 15, 2018, Committee of the Whole meeting be amended as follows:

Add Item No. 14 - Update of Meeting with Minister Marc Garneau, Minister of Transport

Main motion as amended:

That the Agenda of the February 15, 2018 Committee of the Whole Meeting be approved with the following amendments:

Consent Agenda:

Item No. 1 – Minutes from the Meeting held February 1, 2018

Item No. 9 – Proclamation “Victoria Co-op Day”

Item No. 10 – Proclamation “Tibet Day” March 10, 2018

Item No. 12 – City Role in Childcare Solutions

Item No. 13 – Making Victoria City Hall a ‘Stigma Free Zone’

Add Item No. 14 - Update of Meeting with Minister Marc Garneau, Minister of Transport

On the main motion as amended:
CARRIED UNANIMOUSLY 18/COTW

3. CONSENT AGENDA

Motion: It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following items be approved without further debate:

3.1 Minutes from the meeting held February 1, 2018

Motion: It was moved by Councillor Coleman, seconded by Councillor Loveday, that the Minutes of the meeting held February 1, 2018 be adopted.

CARRIED UNANIMOUSLY 18/COTW

3.2 Proclamation “Victoria Co-op Day”

Committee received a report dated January 25, 2018, from the City Clerk regarding recommendations for the Proclamation “Victoria Co-op Day”

Motion: It was moved by Councillor Coleman, seconded by Councillor Loveday, that the Victoria Co-op Day Proclamation be forwarded to the February 22, 2018 Council meeting for Council’s consideration.

CARRIED UNANIMOUSLY 18/COTW

3.3 Proclamation “Tibet Day” March 10, 2018

Committee received a report dated February 8, 2018, from the City Clerk regarding recommendations for the Proclamation “Tibet Day” March 10, 2018.

Motion: It was moved by Councillor Coleman, seconded by Councillor Loveday, that the Tibet Day Proclamation be forwarded to the February 22, 2018 Council meeting for Council’s consideration.

CARRIED UNANIMOUSLY 18/COTW

3.4 City Role in Childcare Solutions

Committee received a Council member motion dated February 2, 2018, from Mayor Helps and Councillor Alto regarding the City’s Role in Childcare Solutions.

Motion: It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council:

1. Direct staff to consider Childcare as a potential Community Amenity when reviewing the Community Amenity Policy and report back to Council.
2. Direct staff to report back at the next quarterly update on what work would be required to expedite the rezoning process for childcare spaces and/or to amend the Zoning Bylaw to include childcare for up to a certain number of spaces in all zones unless specifically noted otherwise.
3. Encourage the Director of Engineering and Public Works to work with the Sustainable Planning and Community Development department and to use his discretion under the Streets and Traffic Bylaw to be creative and flexible when it comes to allocating public rights of way to provide for temporary pick up and drop off zones adjacent to childcare facilities to avoid need for parking variances where practical.

CARRIED UNANIMOUSLY 18/COTW

3.5 Making Victoria City Hall a ‘Stigma Free Zone’

Committee received a Council member motion dated February 13, 2018, from Councillor Loveday and Mayor Helps regarding recommendations for making Victoria City Hall a ‘Stigma Free Zone’.

Motion: It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council endorse the idea of City Hall becoming a ‘Stigma Free Zone’ by taking the necessary steps and participating in an evening mental health awareness event tentatively scheduled for March 20th, 2018.
And That the City of Victoria include awareness of mental health and other perceived stigmas in support of a healthy workplace culture in the corporate learning needs assessment that the Human Resources Department is conducting in 2018 with guidance and contributions from the Stigma-Free Society.

CARRIED UNANIMOUSLY 18/COTW

4. Presentation

4.1 Fourth Quarter Operational Plan Progress Report

Committee received a report dated January 18, 2018, from the Chief Constable providing information regarding the Victoria Police's Framework Agreement for the period of October 1, 2017 and December 31, 2017.

Committee discussed:

- An update on the Township of Esquimalt not approving the police budget.

Motion: It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Council receive this report for information.

Committee discussed:

- Mobile Youth Services Team (MYST)
- Update on the third party review of the mental health report
- Ways the Victoria Police are tackling child exploration in the City.

CARRIED UNANIMOUSLY 18/COTW

4.2 2018 Operational Plan

Committee received a report dated February 9, 2018, from the Acting City Manager providing information regarding the 2018 Operational Plan which forms the basis for the Quarterly Progress Report.

Committee discussed:

- The number of positions that are included in the proposed Heritage planning positions.

Motion: It was moved by Mayor Helps, seconded by Councillor Coleman, that Council receive this report for information.

Committee discussed:

- Timing of the Topaz park design

CARRIED UNANIMOUSLY 18/COTW

4.3 Fourth Quarter Operational Plan Progress Report Continued

Committee received a report dated February 4, 2018, from the Acting City Manager providing information regarding the City of Victoria's activities and accomplishments on major projects, initiatives, and services contained in the 2015-2018 Strategic Plan and the 2017 Financial Plan for the period of October 1, 2017 and December 31, 2017.

Committee discussed:

- How the transportation initiatives will roll out prior to local area plans.

Motion: It was moved by Councillor Isitt, seconded by Councillor Alto, that Council receive this report for information.

Committee discussed:

- Impacts of the new provincial Air B&B regulations and status of enforcement.
- Possibility of Council receiving a presentation on new technologies and how they may affect the City of Victoria.
- How motions from the Accessibility Working Group make it to Council.
- Timeline for an end report on the participatory budgeting process.

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that Council direct staff to proceed with Animal Responsibility Bylaw amendments except those applying to chickens.

Amendment: It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that the motion be amended as follows:
that staff include in the bylaw the banning of cats, kittens, dogs, puppies, and rabbits being sold in pet stores.

*Councillor Young raised a point of order.
Mayor Helps ruled that the amendment is out of order.*

Motion to postpone:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that consideration of this matter be postponed for one week to allow for Council members to be provided with copies of the three bylaws referenced in the report.

CARRIED UNANIMOUSLY 18/COTW

Mayor Helps recused herself at 11:06 a.m. due a pecuniary conflict of interest with the following item, as she owns 3 chickens.

Councillor Madoff assumed the Chair.

Motion: It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that Council direct staff to undertake the proposed amendments to the Animal Control Bylaw pertaining to Urban Chickens and Bees with the addition of City of Vancouver regulations.

Motion to postpone:

It was moved by Councillor Thornton-joe, seconded by Councillor Isitt, that consideration of this matter be postponed for one week to allow for the council members to be provided with copies of the three bylaws referenced in the report.

CARRIED UNANIMOUSLY 18/COTW

Committee recessed at 11:22 a.m. and returned at 11:29 a.m. with Mayor Helps in the Chair.

5. LAND USE MATTERS

5.1 Temporary Use Permit Application No. 00010 for 1040 North Park Street (North Park)

Committee received a report dated February 1, 2018, from the Director of Sustainable Planning and Community Development regarding recommendations for the Temporary Use Permit for the property located at 1040 North Park Street to allow for the retail sale of cannabis.

Committee discussed:

- The timeline of the proposed VIHA facility being built in the area.

Motion: It was moved by Councillor Lucas, seconded by Councillor Young, that Council decline Temporary Use Permit Application No. 00010 for the property located at 1040 North Park Street.

Committee discussed:

- Village centres being appropriate locations for this retail.

CARRIED 18/COTW

For: Mayor Helps, Councillors Coleman, Lucas, Madoff, Thornton-Joe and Young

Against: Councillors Alto, Isitt, and Loveday

5.2 Rezoning Application No. 00561 for 1725 Cook Street (Fernwood)

Committee received a report dated February 1, 2018, from the Director of Sustainable Planning and Community Development regarding recommendations to rezone the property located at 1725 Cook Street to a site-specific zone in order to allow for the retail sale of cannabis.

Committee discussed:

- Implication of the land owner not agreeing to the SRW.

Motion: It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00561 for 1725 Cook Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED 18/COTW

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe

Against: Councillor Young

5.3 Development Permit Application No. 000517 for 203, 211 & 335 Harbour Road (Vic West)

Committee received a report dated February 5, 2018, from the Director of Sustainable Planning and Community Development regarding recommendations for a proposal to construct a graving dock facility at the property located at 203, 211 & 335 Harbour Road.

Committee discussed:

- How the proposal may affect traffic in the waterway.
- Permits that will be required from the federal government.

Motion: It was moved by Councillor Isitt, seconded by Councillor Alto, that Council, subject to receipt of amended plans to address technical corrections to the satisfaction of the Director of Sustainable Planning and Community Development, Council authorize the issuance of Development Permit Application No. 000517 for 203, 211 and 335 Harbour Road, in accordance with:

1. Plans date stamped November 23, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.

Committee discussed:

- How noise will be mitigated at the site.

CARRIED UNANIMOUSLY 18/COTW

5.4 Regional Growth Strategy Bylaw No. 4017 – Referral for Municipal Acceptance

Committee received a report dated January 29, 2018, from the Director of Sustainable Planning and Community Development regarding recommendations for the proposed CRD Bylaw No. 4017: 2018 Capital Regional District – Regional Growth Strategy (RGS).

Committee discussed:

- Concerns with the bylaw not adequately protecting wilderness areas from sprawl.

Motion: It was moved by Mayor Helps, seconded by Councillor Alto, that Council advise the Capital Regional District (CRD) Board that the City of Victoria accepts CRD Bylaw No. 4017 to enact the *2018 Regional Growth Strategy* for the Capital Region.

CARRIED 18/COTW

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff, Thornton-Joe, and Young

Against: Councillor Isitt

6. STAFF REPORTS

6.1 Governance – Amendments to the Council Procedures Bylaw and Request to Address Council Policy

Committee received a report dated January 24, 2018, from the City Clerk regarding recommendations for implementation of changes to the *Council Procedures Bylaw* previously authorized by Council and potential additional recommended changes.

Motion: It was moved by Councillor Isitt, seconded by Mayor Helps, that Council direct staff to bring forward amendments to the *Council Procedures Bylaw* and *Request to Address Council Policy* to implement amendments approved in September 2016 and to include further Council Procedures Bylaw amendments to:

1. Increase electronic participation from the current maximum of two members to four members.

Committee discussed:

- The possibility of having members of the public attend electronically at public hearings.
- Potentially putting a limit on the amount of times Council is able to attend electronically.
- Ensuring the quorum section is edited to state five (5) Council members are in Chambers at the time of meeting.

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council direct staff to bring forward amendments to the *Council Procedures Bylaw* and *Request to Address Council Policy* to implement amendments approved in September 2016 and to include further Council Procedures Bylaw amendments to:

2. Provide further options for indicating voting preference during electronic participation.

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Mayor Helps, seconded by Councillor Coleman, that seventy-two (72) hours be replaced with twenty-four (24) hours in Section 9, subsection 2(a)

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Mayor Helps, seconded by Councillor Madoff, that section 9, subsection 7, be struck.

CARRIED UNANIMOUSLY 18/COTW

Committee recessed at 12:33 p.m. and returned at 1:05 p.m.

Councillor Coleman was not present when the meeting reconvened.

Motion: It was moved by Mayor Helps, seconded by Councillor Madoff, that Council direct staff to bring forward amendments to the *Council Procedures Bylaw* and *Request to Address Council Policy* to implement amendments approved in September 2016 and to include further Council Procedures Bylaw amendments to:

3. Remove the 24 hour public posting requirement for new bylaws.

Amendment: It was moved by Mayor Helps, seconded by Councillor Isitt, that the motion be amended as follows:
that Council direct staff to bring forward amendments to the *Council Procedures Bylaw* and *Request to Address Council Policy* to implement amendments approved in September 2016 and to include further Council Procedures Bylaw amendments to:

3. Remove the 24 hour public posting requirement for ~~new~~ **amended** bylaws

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

On the main motion as amended:

that Council direct staff to bring forward amendments to the *Council Procedures Bylaw* and *Request to Address Council Policy* to implement amendments approved in September 2016 and to include further Council Procedures Bylaw amendments to:

3. Remove the 24 hour public posting requirement for amended bylaws

On the main motion as amended:
CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Councillor Isitt, seconded by Councillor Alto, that Council direct staff to bring forward amendments to the *Council Procedures Bylaw* and *Request to Address Council Policy* to implement amendments approved in September 2016 and to include further Council Procedures Bylaw amendments to:

4. Change the Request to Address Council sections to reflect current practices of late registration and five minute speaking time for all speakers.

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Mayor Helps, seconded by Councillor Alto, that Council direct staff to bring forward amendments to the *Council Procedures Bylaw* and *Request to Address Council Policy* to implement amendments approved in September 2016 and to include further Council Procedures Bylaw amendments to:

5. Include consent agenda provisions for Committee of the Whole and Council Meetings.

Amendment: It was moved by Mayor Helps, seconded by Councillor Alto, that the motion be amended as follows:
that Council direct staff to bring forward amendments to the *Council Procedures Bylaw* and *Request to Address Council Policy* to implement amendments approved in September 2016 and to include further Council Procedures Bylaw amendments to:

5. Include consent agenda provisions for Committee of the Whole and **closed** Council Meetings.

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

On the main motion as amended:

that Council direct staff to bring forward amendments to the *Council Procedures Bylaw* and *Request to Address Council Policy* to implement amendments approved in September 2016 and to include further Council Procedures Bylaw amendments to:

5. Include consent agenda provisions for Committee of the Whole and Closed Council Meetings.

On the main motion as amended:
CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Councillor Loveday, seconded by Councillor Isitt, that Council direct staff to bring forward amendments to the *Council Procedures Bylaw* and *Request to Address Council Policy* to implement amendments approved in September 2016 and to include further Council Procedures Bylaw amendments to:

6. Permit debate on motions to postpone to a certain time.

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Mayor Helps, seconded by Councillor Alto, that Council direct staff to bring forward amendments to the *Council Procedures Bylaw* and *Request to Address Council Policy* to implement amendments approved in September 2016 and to include further Council Procedures Bylaw amendments to:

7. Enable combining multiple bylaw readings in one motion.

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Mayor Helps, seconded by Councillor Isitt, that Council direct staff to bring forward amendments to the *Council Procedures Bylaw* and *Request to Address Council Policy* to implement amendments approved in September 2016 and to include further Council Procedures Bylaw amendments to:

8. Re-name the Notice of Motion section of the Committee of the Whole agenda to "Council Member Motions".

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Councillor Isitt, that section 19(4)(b) of the *Council Procedures Bylaw* to be the only debatable motion.

Failed due to no seconder 18/COTW

Motion: It was moved by Councillor Young, seconded by Councillor Alto, that Item 11 of the Request to Address Council Policy be struck.

CARRIED 18/COTW

For: Mayor Helps, Councillors Alto, Loveday, Lucas, Madoff, Thornton-Joe, and Young

Against: Councillor Isitt

Motion: It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that each member of Council may only participate electronically up to 3 times a year.

Amendment: It was moved by Councillor Lucas, seconded by Councillor Thornton-Joe, that the motion be amended as follows:
That each member of Council may only participate electronically up to 3 times a year **non-consecutively**.

On the amendment:
DEFEATED UNANIMOUSLY 18/COTW

Amendment: It was moved by Councillor Thornton-Joe, seconded by Councillor Young, that the motion be amended as follows:
That each member of Council may only participate electronically up to **3 5** times a year.

CARRIED UNANIMOUSLY 18/COTW

On the main motion as amended:

That each member of Council may only participate electronically up to 5 times a year.

Councillor Isitt withdrew from the meeting at 1:42 p.m.

DEFEATED 18/COTW

For: Councillors Lucas and Young,

Against: Mayor Helps, Councillors Alto, Loveday, Madoff, and Thornton-Joe

Motion: It was moved by Mayor Helps, seconded by Councillor Alto, direct staff to report back on how other municipalities deal with electronic participation of members.

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Mayor Helps, seconded by Councillor Alto, Add a section 7(2)(d) of the Council Procedures bylaw, posting the agenda on social media.

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Mayor Helps, seconded by Councillor Alto, that Council direct staff to clarify the Speaking at Public Hearing Council Policy to allow people to speak more than once at a public hearing if new information is received during the hearing.

DEFEATED UNANIMOUSLY 18/COTW

Motion: It was moved by Councillor Loveday, seconded by Mayor Helps, that Council direct staff to report back with options and of allowing the public to participate remotely when access to city hall is an issue.

Amendment: It was moved by Mayor Helps, seconded by Councillor Loveday, that the motion be amended as follows:
and to examine the best practices from other local governments.

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

On the main motion as amended:

That Council direct staff to report back with options and of allowing the public to participate remotely when access to city hall is an issue and to examine the best practices from other local governments.

On the motion as amended:
CARRIED UNANIMOUSLY 18/COTW

7. NEW BUSINESS

7.1 Right of Way Improvements on Greenways

Committee received a Council member motion dated February 8, 2018, from Councillors Isitt and Madoff regarding recommendations for Right-of-Way Improvements on Greenways.

Motion: It was moved by Councillor Madoff, seconded by Mayor Helps, that Council refer the following resolution to staff to report back on the implications at the next Quarterly Update:

That staff report to Council with the following information:

1. A list of city blocks and laneways that do not currently have curbs and gutters installed;
2. A proposed process moving forward for right-of-way improvements arising from land use and development applications on these city blocks and laneways.

CARRIED UNANIMOUSLY 18/COTW

7.2 Update on Meeting with Minister Marc Garneau, Minister of Transport

Mayor Helps advised that she met with the Minister in Ottawa and he will be looking at the draft regulations regarding the Victoria Harbour Airport, and will seek public input on the regulations.

8. ADJOURNMENT

Motion: It was moved by Councillor Alto, seconded by Councillor Lucas, that the Committee of the Whole meeting of February 15, 2018, be adjourned at 2:02 p.m.

CARRIED UNANIMOUSLY 18/COTW

CERTIFIED CORRECT:

CITY CLERK

MAYOR