

MINUTES OF THE
COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, JANUARY 26, 2017, 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, Loveday, Lucas, Madoff, Thornton-Joe, and Young

Absent: Councillor Isitt

Absent for a portion of the meeting: Councillor Coleman

Staff Present: J. Jenkyns – Deputy City Manager; C. Coates – City Clerk; P. Bruce – Fire Chief; S. Thompson – Director of Finance; J. Tinney – Director of Sustainable Planning & Community Development; T. Soulliere – Director of Parks, Recreation, & Facilities; F. Work – Director of Engineering & Public Works; T. Zworski – City Solicitor; J. Paul – Assistant Director of Engineering & Public Works; A. Hudson – Assistant Director of Community Planning; A. Meyer – Assistant Director of Development Services; J. Weston – Assistant Director of Transportation; J. Potter – Manager of Citizen Engagement & Strategic Planning; B. Dellebuur – Manager of Transportation; L. Taylor – Senior Planner; R. Batallas – Senior Planner; C. Mycroft – Executive Assistant to the City Manager; A. M. Ferguson – Recording Secretary

Guests: Ms. E. Scott – Deputy Project Director, CRD; Mr. D. Fairbairn – Vice Chair for the Core Area Wastewater Treatment Project Board, CRD; Mr. S. Henderson – Manager of Real Estate, CRD; Ms. L. Bartram – Chair, Accessibility Working Group

2. APPROVAL OF AGENDA

Motion: It was moved by Councillor Alto, seconded by Councillor Loveday, that the Agenda of the January 26, 2017, Committee of the Whole meeting be approved.

Amendment: It was moved by Councillor Coleman, seconded by Councillor Madoff, that the Agenda of the January 26, 2017, Committee of the Whole meeting be amended as follows:

Consent Agenda:

Item No. 1 - Minutes from the Meeting held November 10, 2016

Item No. 2 - Minutes from the Meeting held November 3, 2016

Item No. 6 - Development Permit Application No. 000487 for 680 Montreal Street

Item No. 9 - Bylaw Officers

Item No. 10 - Appointments to the Accessibility Working Group

Amendment to the amendment:

It was moved by Councillor Alto, seconded by Councillor Madoff, that the amended Agenda of the January 26, 2017, Committee of the Whole meeting be amended as follows:

That Item No. 12 - Work Plan and Recommendation for the City of Victoria - Royal and McPherson Theatre Society Partners' Project Group, be moved to replace Item No. 3 – Presentation: Royal and McPherson Theatres Society

On the amendment to the amendment:
CARRIED UNANIMOUSLY 17/COTW

Amendment to the amendment:

It was moved by Councillor Young, seconded by Councillor Alto, that the amended Agenda of the January 26, 2017, Committee of the Whole meeting be amended as follows:

That Item No. 11 - Royal and McPherson Theatres Society, be moved to Item No. 3 b.

On the amendment to the amendment:
CARRIED UNANIMOUSLY 17/COTW

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

That the amended Agenda of the January 26, 2017, Committee of the Whole Meeting be approved with the following amendments:

Consent Agenda:

Item No. 1 - Minutes from the Meeting held November 10, 2016

Item No. 2 - Minutes from the Meeting held November 3, 2016

Item No. 6 - Development Permit Application No. 000487 for 680 Montreal Street

Item No. 9 - Bylaw Officers

Item No. 10 - Appointments to the Accessibility Working Group

Other Items:

Item No. 12 - Work Plan and Recommendation for the City of Victoria - Royal and McPherson Theatre Society Partners' Project Group, be moved to replace Item No. 3 – Presentation: Royal and McPherson Theatres Society

Item No. 11 – Royal and McPherson Theatres Society, be moved to Item No. 3 b.

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

3. CONSENT AGENDA

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

3.1 Minutes from the Meeting held November 10, 2016

Motion: It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the Minutes from the Committee of the Whole meeting held November 10, 2016, be adopted.

CARRIED UNANIMOUSLY 17/COTW

3.2 Minutes from the Meeting held November 3, 2016

Motion: It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the Minutes from the Committee of the Whole meeting held November 3, 2016, be adopted.

CARRIED UNANIMOUSLY 17/COTW

3.3 Development Permit Application No. 000487 for 680 Montreal Street

Committee received a report dated January 12, 2017, from the Director of Sustainable Planning and Community Development regarding an application to construct an addition to the existing hotel lobby.

Motion: It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000487 for 680 Montreal Street in accordance with:

1. Plans date stamped December 14, 2016.
2. Development meeting all *Land Use Contract* requirements.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW

3.4 Bylaw Officers

Committee received a report dated January 18, 2017, from the City Clerk regarding the appointment of a Bylaw Officer.

Motion: It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council approve the appointment of Lewis Elliott: as a Bylaw Officer pursuant to Section 2(a) of the Inspection Bylaw (06-061).

CARRIED UNANIMOUSLY 17/COTW

3.5 Appointments to the Accessibility Working Group

Committee received a Council Member motion dated January 19, 2017, from Councillors Alto and Thornton-Joe regarding recommendations for appointments to the Working Group.

Motion: It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council rescind the appointment of Councillor Alto to the Accessibility Working Group, and appoint Councillor Thornton-Joe in her place, for the balance of the appointment term.

CARRIED UNANIMOUSLY 17/COTW

4. NEW BUSINESS

4.1 Royal and McPherson Theatres Society

Committee received a letter dated December 13, 2016, from the Royal and McPherson Theatres Society regarding the funding for the McPherson Theatre.

4.1 a. Work Plan and Recommendation for the City of Victoria - Royal and McPherson Theatre Society Partners' Project Group

Committee received a Council Member motion dated January 24, 2017, from Councillors Alto and Madoff regarding a work plan and funding for the McPherson Theatre.

Motion: It was moved by Councillor Alto, seconded by Councillor Madoff:

1. That Council endorse the RMTS/City of Victoria Partners Project work plan as outlined in this report.
2. That Council submit a recommendation to the CRD Board, for its February 8, 2017, agenda, requesting that the previously frozen Capital Funds earmarked for the McPherson Theatre be unfrozen for the 2017 budget year only.

Committee discussed:

- Concerns about the current management and alternatives if other funders do not come forward.
- Potential options for the governance structure with other funders.

CARRIED 17/COTW

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

4.2 b. Royal McPherson Theatres Society

Committee received a Council Member Motion dated January 24, 2017, from Councillor Young regarding ownership and funding for the McPherson Theatre.

Mayor Helps inquired as to whether Councillor Young felt his motion was still relevant. Councillor Young agreed not to move forward with consideration of the item.

5. Presentation

5.1 CRD Sewer Project Update

Committee received a presentation from the CRD regarding an update on the progress towards the sewer project.

Councillor Young withdrew from the meeting at 9:30 a.m.

Councillor Loveday withdrew from the meeting at 9:31 a.m. and returned at 9:31 a.m.

Councillor Young returned at 9:32 a.m.

Committee discussed:

- Public realm improvements based on the community engagement and future engagement opportunities.
- Concerns raised by the community regarding the use of the site.
- Mitigation strategies for the noise from the construction.
- Contamination of beaches with high-water levels surrounding the outfalls and strategies to limit this.
- Traffic management plan for construction and engaging the neighbourhood to limit impacts especially during seasonal traffic peaks and special events.

Motion: It was moved by Councillor Loveday, seconded by Councillor Alto, that the following item be added to the agenda:
Letter from Greater Victoria Harbour Authority regarding the legacy fund.

CARRIED UNANIMOUSLY 17/COTW

Committee recessed at 9:59 a.m. until 10:06 a.m.

6. LAND USE MATTERS

6.1 Rezoning Application No. 00430 for 1303 Dallas Road

Committee received a report dated January 12, 2017, from the Director of Sustainable Planning and Community Development regarding an application to allow the pump station as a permitted use in the zone in order to permit the expansion and structural alteration of the existing, legal nonconforming Clover Point Pump Station.

Committee discussed:

- Proposed protection of the bike lanes and the loss of parking to accommodate the bike lanes.
- Design and locations of the various amenities.

Councillor Coleman withdrew from the meeting at 10:24 a.m. to attend a teleconference with the Federation of Canadian Municipalities.

Committee discussed:

- Proposed community engagement on the design guidelines and next steps for Council's consideration of the fine details of the proposal.
- Response to neighbourhood concerns regarding security for the washroom facilities.

Motion:

It was moved by Mayor Helps, seconded by Councillor Madoff:

1. That Council receive and file Bylaw No. 14-033.
2. That Council approve the Design Guidelines and Specifications for the Public Realm Improvements and Cycle Track for inclusion in the Clover Point Pump Station and Conveyance Pipe License of Occupation Agreements.
3. That Council accept the following public realm improvements and that these improvements be secured in the Licences of Occupation with the requirement that the final approval of the location and design of these improvements is made by Council to permit the Capital Regional District to occupy and expand the existing Clover Point Pump Station and install a conveyance pipe along Dallas Road:
 - i. public viewing plaza
 - ii. bike-pedestrian node to transition from the pedestrian path to the viewing plaza
 - iii. benches, bike kitchen (facilities for bicycle maintenance and repair), bike racks and water fountain
 - iv. public washrooms
 - v. two replanted grassed open spaces to the west and east of the plaza
 - vi. pedestrian paths connecting to the Ross Bay seawall
 - vii. separated bike path from the north edge of the zoned area to Dallas Road
 - viii. intersection improvements at Clover Point Road and Dallas Road
 - ix. cycle track along Dallas Road from Clover Point to Dock Street
 - x. interpretive signage and wayfinding signs at the Plaza and along the Cycle Track
 - xi. barrier-fencing between the cycle track and the off-leash dog areas along Dallas Road where potential conflicts may occur.

4. That Council accept the conceptual conveyance pipe alignment with the requirement that the final approval is by Council.
5. That Council authorize the Mayor and the City Clerk to execute Licences of Occupation consistent with the requirements of recommendation 3 and in a form satisfactory to the City Solicitor for the Clover Point Pump Station and the conveyancing along Dallas Road; such licences to be subject to adoption of the S-10-CP Zone, Services Clover Point District.
6. That Council instruct staff to prepare the necessary Zoning Regulation Amendment Bylaw that would authorize the proposed development outlined in Rezoning Application No.00430 for 1303 Dallas Road, that first and second reading of the Zoning Regulation Amendment bylaw be considered by Council and a Public Hearing date be set by staff subject to the execution of the Licences of Occupation and all documents associated with this transaction be submitted to the City.
7. That Council direct staff to explore the possibility of having electric car charging stations at Clover Point.
8. That Council direct staff to hold a community workshop on the design elements of Clover Point and the bikeway within the approved design guidelines.

Committee discussed:

- The public amenities and how the project will benefit James Bay.

Amendment: It was moved by Councillor Madoff, seconded by Mayor Helps, that the motion be amended to include the following the following point:

9. **That Council direct staff to consult with the artist in residence for consideration of the inclusion of public art.**

Amendment to the amendment:

It was moved by Councillor Alto, seconded by Councillor Madoff, that the amendment be amended to include the following point:

9. **That Council direct staff to consult with the artist in residence and the aboriginal artist in residence for consideration of the inclusion of public art.**

On the amendment to the amendment:
CARRIED UNANIMOUSLY 17/COTW

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

1. That Council receive and file Bylaw No. 14-033.
2. That Council approve the Design Guidelines and Specifications for the Public Realm Improvements and Cycle Track for inclusion in the Clover Point Pump Station and Conveyance Pipe License of Occupation Agreements.
3. That Council accept the following public realm improvements and that these improvements be secured in the Licences of Occupation with the requirement that the final approval of the location and design of these improvements is made by Council to permit the Capital Regional District to occupy and expand the existing Clover Point Pump Station and install a conveyance pipe along Dallas Road:

- a. public viewing plaza
 - b. bike-pedestrian node to transition from the pedestrian path to the viewing plaza
 - c. benches, bike kitchen (facilities for bicycle maintenance and repair), bike racks and water fountain
 - d. public washrooms
 - e. two replanted grassed open spaces to the west and east of the plaza
 - f. pedestrian paths connecting to the Ross Bay seawall
 - g. separated bike path from the north edge of the zoned area to Dallas Road
 - h. intersection improvements at Clover Point Road and Dallas Road
 - i. cycle track along Dallas Road from Clover Point to Dock Street
 - j. interpretive signage and wayfinding signs at the Plaza and along the Cycle Track
 - k. barrier-fencing between the cycle track and the off-leash dog areas along Dallas Road where potential conflicts may occur.
4. That Council accept the conceptual conveyance pipe alignment with the requirement that the final approval is by Council.
 5. That Council authorize the Mayor and the City Clerk to execute Licences of Occupation consistent with the requirements of recommendation 3 and in a form satisfactory to the City Solicitor for the Clover Point Pump Station and the conveyancing along Dallas Road; such licences to be subject to adoption of the S-10-CP Zone, Services Clover Point District.
 6. That Council instruct staff to prepare the necessary Zoning Regulation Amendment Bylaw that would authorize the proposed development outlined in Rezoning Application No.00430 for 1303 Dallas Road, that first and second reading of the Zoning Regulation Amendment bylaw be considered by Council and a Public Hearing date be set by staff subject to the execution of the Licences of Occupation and all documents associated with this transaction be submitted to the City.
 7. That Council direct staff to explore the possibility of having electric car charging stations at Clover Point.
 8. That Council direct staff to hold a community workshop on the design elements of Clover Point and the bikeway within the approved design guidelines.
 9. That Council direct staff to consult with the artist in residence and the aboriginal artist in residence for consideration of the inclusion of public art.

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

Councillor Young raised a question of privilege relating to the Royal and McPherson Theatres Society item. He advised that the CRD Budget shows a \$467,000 allocation to the McPherson Theatre for replacement of equipment, maintenance, signage etc. He raised concerns about the City being the only funder for these items.

- Motion:** It was moved by Councillor Young, that Council rescind part two of the motion as follows:
2. That Council submit a recommendation to the CRD Board, for its February 8, 2017, agenda, requesting that the previously frozen Capital Funds earmarked for the McPherson Theatre be unfrozen for the 2017 budget year only.

And request representation from the Royal McPherson Theatres Society to apprise the necessity and urgency of the capital items planned for 2016.

MOTION FAILED DUE TO NO SECONDER

7. STAFF REPORTS

7.1 Regional Growth Strategy Formal Referral

Committee received a report dated January 5, 2017, from the Director of Sustainable Planning and Community Development regarding the CRD's Regional Growth Strategy.

Councillor Lucas withdrew from the meeting at 10:49 a.m. and returned at 10:51 a.m.

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 2016 Regional Growth Strategy for the Capital Region.

CARRIED UNANIMOUSLY 17/COTW

7.2 Accessibility Working Group Report

Committee received a report dated January 19, 2017, from the Director of Engineering and Public Works regarding the Accessibility Working Group recommendations to Council dated December 9, 2016.

Committee discussed:

- Rationale for staff's recommendation to not hire a consultant as per the working groups recommendations.

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

- 1) Direct staff to define the plan and resource implications (scope, schedule and budget) to develop an accessibility framework, for consideration as part of the 2018 Financial Plan process.
- 2) Approve amendments to the 2017 Financial Plan for new capital projects to be funded from the Accessibility Capital Reserve:
 - a. "Truncated Dome Pilot Project" with a budget of \$30,000.
 - b. "Accessible Pedestrian Signals Pilot Project" with a budget of \$30,000.
- 3) Update the Terms of Reference for the Accessibility Working Group to become an Advisory Committee as defined in the Council Procedures By-law 16-011.

Amendment: It was moved by Councillor Loveday, seconded by Councillor Alto, that the motion be amended to include the following point:

That Council:

- 4) **Include accessibility impacts on all reports to Council.**

Committee discussed:

- Impacts on staff's time and resources.

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Amendment: It was moved by Councillor Loveday, seconded by Councillor Alto, that the motion be amended in point one as follows:

That Council:

- 1) Direct staff to ~~define the plan and~~ **report back with** resource and timing implications ~~(scope, schedule and budget)~~ **at the next quarterly update regarding the AWG recommendation to hire an individual be contracted/hired to work with the AWG in identifying barriers for persons with disabilities, examine existing City accessibility policies and procedures, make policy recommendations, to develop an accessibility framework, for consideration as part of the 2018 Financial Plan process and provide on-going staff training and support.**

Amendment to the amendment:

It was moved by Mayor Helps, seconded by Councillor Alto, that the motion be amended in point one as follows:

That Council:

- 1) Direct staff to ~~define the plan and~~ **report back with** resource and timing implications ~~(scope, schedule and budget)~~ **at the next quarterly update regarding the AWG recommendation to hire an individual be contracted/hired to work with the AWG in identifying barriers for persons with disabilities, examine existing City accessibility policies and procedures, make policy recommendations, to develop an accessibility framework, for consideration as part of the 2018 Financial Plan process and provide on-going staff training and support, and report back on which 2017 projects may need to be done in 2018 as a result.**

Committee discussed:

- Concerns about the current lack of staff resources in the area of accessibility and the limits this puts on the use and enjoyment of City amenities for those with disabilities.

On the amendment to the amendment:
CARRIED UNANIMOUSLY 17/COTW

On the amendment:
CARRIED 17/COTW

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

Committee discussed:

- Timing for Council's consideration of various policy changing recommendations and engagement of the community prior to making changes.

Main motion as amended:

That Council:

- 1) Direct staff to report back with resource and timing implications at the next quarterly update regarding the AWG recommendation to hire an individual be contracted/hired to work with the AWG in identifying barriers for persons

with disabilities, examine existing City accessibility policies and procedures, make policy recommendations, develop an accessibility framework, and provide on-going staff training and support, and report back on what 2017 projects may need to be done in 2018 as a result.

- 2) Approve amendments to the 2017 Financial Plan for new capital projects to be funded from the Accessibility Capital Reserve: a. "Truncated Dome Pilot Project" with a budget of \$30,000. b. "Accessible Pedestrian Signals Pilot Project" with a budget of \$30,000.
- 3) Update the Terms of Reference for the Accessibility Working Group to become an Advisory Committee as defined in the Council Procedures By-law 16-011.
- 4) Include accessibility impacts on all reports to Council.

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

Councillor Loveday withdrew from the meeting at 11:53 a.m.

8. NEW BUSINESS CONTINUED

8.1 Letter from the Greater Victoria Harbour Authority regarding the Legacy Fund

Committee received a letter dated December 22, 2016, from the Greater Victoria Harbour Authority regarding a request for the City's endorsement of their Legacy Fund application and in-kind support for the project.

Motion: It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council endorse the Breakwater 100th Anniversary Project as the sole Legacy Fund applicant in the City to commemorate the 100th anniversary of the Ogden Point Breakwater and that the City provide in-kind support for the unveiling event from the existing special events budget in Arts and Culture.

CARRIED UNANIMOUSLY 17/COTW

9. ADJOURNMENT

Motion: It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the Committee of the Whole meeting of January 26, 2017, be adjourned at 11:54 p.m.

CARRIED UNANIMOUSLY 17/COTW

CERTIFIED CORRECT:

CITY CLERK

MAYOR