

MINUTES of a regular meeting of COMMITTEE OF THE WHOLE of the Municipal Council of The Corporation of the District of Oak Bay, held in the Council Chambers, Oak Bay Municipal Hall, 2167 Oak Bay Avenue, Victoria, B.C., on Monday September 12, 2016 at 7:00 PM.

PRESENT: Councillor K. Murdoch, Chair  
Mayor N. Jensen  
Councillor H. Braithwaite  
Councillor T. Croft  
Councillor M. Kirby  
Councillor T. Ney  
Councillor E. W. Zhelka

STAFF: Chief Administrative Officer, H. Koning  
Director of Corporate Services, W. Jones  
Deputy Director of Corporate Services, M. Jones  
Director of Financial Services, D. Carter  
Director of Building and Planning, R. Thomassen  
Manager of Planning, D. Jensen

The Chair called the meeting to order at 7:06 PM.

PARKS, RECREATION AND CULTURE ITEM(S):

1. ***Parks Recreation and Culture Commission Minutes***

- Note - Director of Corporate Services - PR&CComm Minutes, Sep. 7, 2016
- Minutes - PR&CComm - Sep. 7, 2016
- Rpt. Attach. 1 - Program Reports
- Rpt. Attach. 2 - Finance Summary
- Rpt. Attach. 3 - Manager of Recreation & Culture, Sep. 7, 2016 (Public Art Policy)
- Rpt. Attach. 4 - Manager of Recreation & Culture, Sep. 7, 2016 (The Acorn Award)
- Rpt. Attach. 5 - Manager of Recreation & Culture, Sep. 7, 2016 (Marina Performance Area)
- Rpt. Attach. 6 - Director of Parks, Recreation & Culture, Sep. 7, 2016 (Cops for Cancer Event Request)

*Ray Herman, Director of Parks, Recreation and Culture and Barbara Adams, Oak Bay Arts Laureate in attendance for this item.*

The Director of Parks, Recreation and Culture responded to questions regarding the subcommittee on dogs in parks, noting that staff were continuing consultation with the Windsor Park Dog Group. Mr. Herman also clarified that the discussions on the Public Art Policy were in preliminary stages at the Commission level.

The Oak Bay Arts Laureate responded to questions regarding the proposed Acorn Award, commenting that this award would be specifically for outstanding contributions to and significant impact on the arts in Oak Bay, whereas the existing Wall of Fame is more intended for contributions in sports. Ms. Adams confirmed that the award would also recognize the

performing arts and that the intention was that this proceed in advance of establishing the proposed Public Art Committee.

Committee discussion ensued with respect to the Acorn Award, with a member expressing concern that this would duplicate existing awards, while other members commented that an award specific to artistic contributions is needed.

MOVED and seconded: That the minutes of the meeting of the Oak Bay Parks Recreation and Culture Commission held on September 7, 2016, and the recommendations contained therein, be adopted with the exception of the recommendations in regards to the Acorn Award and the Cops for Cancer Event Request.

CARRIED

MOVED and seconded: That it be recommended to Council that the Arts Laureate create and implement an annual community arts and culture award, as further outlined in the September 7, 2016 report of the Manager of Recreation and Culture.

CARRIED

MOVED and seconded: That the request for granting Park Occupancy for the Cops for Cancer Event on September 25, 2016 be placed on the September 19, 2016 Council agenda.

CARRIED

FINANCE ITEM(S):

2. ***Monthly Financial Report***

- Report - Director of Financial Services, Sep. 7, 2016
- Rpt. Attach. - Statement, Capital, Investments, Prop. Taxes, Aug. 2016

MOVED and seconded: That the monthly financial report of the Director of Financial Services dated September 7, 2016 be received for information.

CARRIED

LAND USE APPLICATIONS:

3. ***Development Variance Permit (DVP) Application - 2741 Dewdney Avenue***

- Report - Planner, Sep. 6, 2016
- Plans - DVP - 2741 Dewdney Ave, Sep. 7, 2016

At the request of the Committee, the applicant provided a description of the existing dwelling on the property.

MOVED and seconded: That it be recommended to Council that the proposal to allow construction of a second storey to an existing single family dwelling, and relax the minimum permitted setbacks for the second storey and total side lot lines at 2741 Dewdney Avenue be approved subject to the issuance of a development variance permit, and further that a resolution authorizing the issuance of a development variance permit, as outlined in the September 6, 2016 report for DVP00047, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

REGULATORY ITEM(S):

4. ***Christmas Office Closure***

- Report - Director of Corporate Services, Sep. 2, 2016

The Director of Corporate Services gave an overview of his report.

Robert Hall, member of the public, asked if an office closure over this time period would reduce costs.

The Director of Corporate Services commented that there would be only minor cost savings in power, but that having staff make use of their vacation days during this time, which is typically more quiet, would ensure they were available during busier times.

MOVED and seconded: That it be recommended to Council that, beginning in 2017, Council adopt a policy of closing the Municipal Hall and where feasible other municipal offices for the period between Christmas and New Year's Day.

CARRIED

5. ***Foreshore and Water Lot Leases***

- Report - Director of Corporate Services, Sep. 6, 2016
- ADDENDUM - Corresp. - Sep. 9 - 12, 2016 - Foreshore and Water Lot Leases

The Director of Corporate Services provided an overview of his report. In response to questions from the Committee regarding a potential process for and implications of expanding the existing lease, Mr. Jones commented that this could increase the District's responsibilities with respect to derelict boat removal but could also provide greater authority and flexibility in this regard for bylaw enforcement staff. He clarified that a lease which included the potential for revenue would likely be more costly to the Municipality. It was noted that the lease expansion could also include Loon Bay if so directed.

The Director of Building and Planning responded to questions from the Committee clarifying that bylaw enforcement action with respect to derelict boats and live-a-boards has been undertaken in response to complaints.

Paul West, Oak Bay resident, spoke in favour of removing derelict boats as a benefit to the community, but noted that this may result in derelict boats abandoned elsewhere being dumped off Oak Bay's shores.

John Mitchell, member of the public, commented that he has a boat in Oak Bay and had a dinghy for many years. Mr. Mitchell commented that public ramp access is a concern and that live-a-boards do provide some measure of night security for the area. He expressed concern that bylaw enforcement efforts were not equally applied to Oak Bay Marina and stated that a clearer definition was needed for "derelict" under the bylaw.

Douglas Prentice, member of the public, commented that he lives part-time on his vessel in Oak Bay, but that it is not clear if this is considered "live-a-board" as the term is not defined in the bylaw. Mr. Prentice commented that there are efforts underway to form an Oak Bay Maritime Community Association. He concluded his remarks by stating that he doesn't object to regulation and wants to see the issues of abandoned boats addressed, but would prefer to see a collaborative approach.

Jack Angus, member of the public, commented that in his opinion expansion of the foreshore and water lot leases is likely to be the best approach, but that other issues among the various users of the foreshore need to be addressed first.

Jeff McKay, Oak Bay Marine Group, stated that he supported the approach proposed in the staff report and clarified the public ramp access practices.

Dunnery Best, Royal Victoria Yacht Club, commented that the Yacht Club with over a century of experience, has much to contribute and wants to be involved early in the process.

Douglas Prentice, members of the public, spoke a second time, commenting that in his personal observation, the vessels previously located in False Creek were relocated to English Bay and now are more likely to run ashore.

Committee discussion ensued with respect to the importance of consultation if any further action on expanding the lease is to be undertaken. Some members of the Committee raised questions with respect to whether live-a-board vessels are an issue at this time and it was noted that consultation particularly with respect to that consideration is needed.

Members of the Committee then discussed the impact of derelict boats and dinghies, with some members noting that this has been a recurring issue, particularly in regards to navigation and pollution concerns. Some members of the Committee questioned if these concerns should be addressed at this time or if it was more appropriate to continuing lobbying the Province.

MOVED and seconded: That it be recommended that Council not pursue foreshore and water lot leases for sections of Oak Bay and Cadboro Bay at this time.

CARRIED  
Councillors Braithwaite, Croft  
and Zhelka against the motion

MOVED and seconded: That it be recommended to Council that further consideration of the Director of Corporate Services September 6, 2016 report on foreshore and water lot leases be referred to Council's future strategic priorities session.

CARRIED

6. ***Routine Release of In-Camera Resolutions Policy***

- Report - Director of Corporate Services, Sep. 7, 2016

The Director of Corporate services gave an overview of his report.

MOVED and seconded: That it be recommended to Council that Council adopt a policy to routinely release in-camera resolutions, once the requirement for confidentiality has passed, substantially in the form attached to the September 7, 2016 report of the Director of Corporate Services.

A member of the Committee noted that this report was in keeping with recommendations from the Office of the Ombudsperson.

The question was then called.

CARRIED

The meeting adjourned at 8:41 PM.

ADJOURNMENT:

Certified Correct:

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Chair

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Director of Corporate Services