

MINUTES of a regular meeting 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 June 10, 2019 at 7:00 PM.

We acknowledge that the land on which we gather is the traditional territory of the Coast and Straits Salish Peoples. Specifically we recognize the Lekwungen speaking people, known today as the Songhees and Esquimalt Nations, and that their historic connections to these lands continue to this day.

PRESENT: Mayor K. Murdoch, Chair  
Councillor A. Appleton  
Councillor H. Braithwaite  
Councillor C. Green  
Councillor E. Paterson  
Councillor E.W. Zhelka

REGRETS: Councillor T. Ney

STAFF: Chief Administrative Officer, L. Varela  
Director of Corporate Services, W. Jones  
Deputy Director of Corporate Services, D. Hopkins  
Director of Financial Services, D. Carter  
Director of Building and Planning, B. Anderson  
Manager of Planning, D. Jensen  
Manager of Parks, C. Hyde-Lay

#### MINUTES AND REPORTS:

1. **Minutes**
  - Committee of the Whole held May 21, 2019 (Revised)
  - Council Meeting held May 27, 2019

MOVED and seconded: That the meeting minutes and recommendations contained therein be adopted from the March 21, 2019 Committee of the Whole meeting as revised and from the March 27, 2019 Council meeting.

**CARRIED**

#### MAYOR'S REMARKS:

2. Mayor's Murdoch thanked all of the Oak Bay Tea Party volunteers for putting together another fantastic event, especially Sandi Germaine, Chair, and Stephanie Greeves as the new MC this year. He also expressed appreciation to all of the Council members who participated in a variety of activities throughout the event weekend. Mayor Murdoch also thanked all of the Mayors who took part in the annual Tea Cup Race. The Mayor recognized the Oak Bay High School graduates who held their convocation on June 5. He said that he had the honour of attending the event and was very inspired by all of the young adults proceeding to the next adventures in their lives.

PUBLIC PARTICIPATION PERIOD:

3. D. Blacoe, Oak Bay resident, spoke about the Blue Dot Initiative and asked why Oak Bay Council had not adopted this initiative and requested the opportunity to present on the matter at a future Committee of the Whole meeting. Mr. Blacoe said that the initiative supports the right to a healthy environment encompassing fresh air, clean drinking water, and healthy food. He commented that 173 municipalities have signed on to the initiative including municipalities smaller than Oak Bay. Mr. Blacoe urged Council to also adopt the initiative.

S. Sperdakos, Oak Bay resident, commented that given Oak Bay's recent recommitment to the environmental through the declaration of a climate emergency, Council should also adopt the Blue Dot Initiative. Ms. Sperdalco noted that almost half of the country's citizens are represented by municipalities who have already adopted the initiative. She said that we must all do what is within our power to restore harmony to the environment and that a new paradigm will govern our behaviour.

D. Hodgins, Saanich resident, discussed the current global oceans plastics crisis. Ms. Hodgins said that BC is reporting a year over year decline in recycling rates of beverage containers. She commented that the Ocean Legacy Foundation supports incentives to encourage people to recycle beverage containers by increasing the deposit fees. She noted that return rates have successfully increased in other jurisdictions through this approach. She asked that Council endorse the five recommendations from the Ocean Legacy Foundation's report and that Council send a letter to the Minister of Environment supporting the report and requesting that this issue be discussed at the 2019 Union of British Columbia Municipalities Convention.

COMMUNICATIONS:

4. ***Tree Protection Bylaw – Resubmission for Reconsideration of Refusal for Tree Permit Application at 757 / 767 St Patrick Street***
- Memorandum - Resubmission for Reconsideration of Refusal 757 / 767 St Patrick Street
  - Attach 1 - Arborist Memo (July 4, 2018)
  - Attach 2 - Tree Permit Application (TRP00236)
  - Attach 3 - Correspondence (Sep/2018 - May/2019) Tree Permit Application (TRP00236)

The Manager of Parks provided an overview of the request for reconsideration of refusal for a Tree Permit Application at 757/767 St. Patrick Street and responded to questions from Council.

The applicant, Ms. Hubbard, said that the tree roots are damaging the drainage tiles, and the tree is responsible for plugging the sump pumps and is now encroaching on the perimeter drains. Ms. Hubbard commented that she would be amenable to working with District staff to plant a suitable replacement tree.

MOVED and seconded: That the issuance of a permit for the removal of a Cedrus deodara tree located on the private property at 757 /767 St Patrick Street be approved under the condition that a replacement tree be planted on the property and that selection of that tree be determined with the guidance of District Parks staff.

**CARRIED**

*With Councillors Appleton and Green opposed*

5. ***Oak Bay Business Improvement Association - Request for Hydro Box Graphic Wrap Installation***

- Note - BIA Hydro Box Graphic Wrap Request
- Correspondence - BIA Hydro Box Graphic Wrap Request

The Director of Corporate Services introduced the request and noted that staff support of the request of the Oak Bay Business Improvement Association (BIA) to install a hydro box graphic wrap on the 2200 block of Oak Bay Avenue.

MOVED and seconded: That permission be granted to the Oak Bay Business Improvement Association to install Oak Bay Archives Image 2010-010-114 as a graphic wrap on a BC Hydro Box located on the 2200 block of Oak Bay Avenue.

**CARRIED**

6. ***Statement of Financial Information***

- Report – Statement of Financial Information

The Director of Financial Services provided an overview of the District's 2018 Statement of Financial Information and responded to questions from Council. Ms. Carter noted that the approved report must be submitted to the Province by June 30.

MOVED and seconded: That Council approve the Statement of Financial Information for the year ended December 31, 2018.

**CARRIED**

7. ***Graphics of Council's Strategic Priorities and Goals, and Proposed Mission and Value Statements***

- Report - Graphics of Council's Strategic Priorities and Goals, and Proposed Mission and Value Statements

The CAO provided an overview of the request for Council to adopt the graphics of Council's Strategic Priorities and goals, and the proposed mission and vision statements. Ms. Varela said that formal endorsement of these components is requested to permit inclusion in the Annual Report, Strategic Plan document, and other corporate documents as necessary going forward.

In response to questions from Council, the CAO said that an explanatory note would be added to the chart illustrating Council's Strategic Priorities and Goals to differentiate between the two types of bullets included.

MOVED and seconded: That Council adopt the graphic of Council's Strategic Priorities, the graphic of Council's Strategic Priorities and Corporate Goals, the Mission Statement (as per Section 7 of the *Community Charter*) and the Vision Statement (as per the District of Oak Bay's Official Community Plan 2014), all as attached in Appendix I to this staff report, for inclusion in corporate documents as appropriate.

**CARRIED**

8. **Resolution of Support - Restore Provincial Support for Libraries**

- Correspondence - Resolution of Support to Restore Provincial Support for Libraries

Councillor Appleton provided a summary of current provincial support for public libraries noting that funding levels have been static since 2010 and that municipal costs to support the Greater Victoria Public Libraries are increasing to keep up with the costs associated with delivering a modernized library system.

MOVED and seconded: That the correspondence from the District of Victoria dated May 29, 2019 be received for information.

**CARRIED**

9. **Licence Inspectors' and Bylaw Officers' Association of British Columbia - Local Government Dangerous Dog Appeal**

- Note - LIBOA Request for Financial Assistance
- Correspondence - Licence Inspectors' and Bylaw Officers' Association of British Columbia Request for Financial Assistance

MOVED and seconded: That a \$500 grant for the Licence Inspectors' and Bylaw Officers' Association of British Columbia be approved, for off-setting the costs associated with launching an appeal of the case law interpretation of Section 49 of the *Community Charter* related to protecting the public and their dogs from dangerous dogs as supported at the 2016 UBCM Convention.

**CARRIED**

10. **Oak Bay Advisory Design Panel Minutes**

- Note – ADP Minutes (April 30, 2019)
- Minutes – Advisory Design Panel (April 30, 2019)

MOVED and seconded: That the minutes from the Oak Bay Advisory Design Panel meeting held April 30, 2019 be received for information.

**CARRIED**

11. **Oak Bay Advisory Planning Commission Minutes**
- Note – APC Minutes (May 7, 2019)
  - Minutes – Advisory Planning Commission (May 7, 2019)

MOVED and seconded: That the minutes from the Oak Bay Advisory Planning Commission meeting held May 7, 2019 be received for information.

**CARRIED**

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

12. **New Business**

Councillor Appleton introduced a notice of motion regarding provincial support for library services.

Councillor Braithwaite introduced a notice of motion to change the length of terms of office for Council members to three years.

Councillor Appleton presented a Notice of Motion further to adopting the Blue Dot Initiative.

Councillor Braithwaite provided a Notice of Motion further to the five recommendations included in the Ocean Legacy Foundation report and raising deposits on recyclable beverage containers.

Mayor Murdoch presented a Notice of Motion regarding consideration of local land values in calculating the provincial Home Owner Grant thresholds.

MOVED and seconded: That a Public Hearing be held to consider Bylaw No. 3531.104 on June 24, 2019 at 6:30 p.m. in the Council Chambers at the Oak Bay Municipal Hall.

**CARRIED**

**Verbal Reports**

Councillor Zhelka reported that the Oak Bay Emergency Program sponsored a municipal training camp at the University of Victoria on June 8, 2019. He commented that the camp was an excellent event and received great feedback from attendees.

Councillor Green said that she attended meetings of the Oak Bay Tourism Committee and the Advisory Design Panel last week. She added that she enjoyed the Oak Bay Tea Party over the weekend and noted that Mayor Murdoch won the Tea Cup Race.

Councillor Braithwaite expressed appreciation to all of the municipal staff for their efforts to support the Oak Bay Tea Party. She thanked the Mayor for volunteering with her at the Baron of Beef stand to raise funds for additional Tea Party weekends in the future. Councillor Braithwaite acknowledged Cassie Kangas for her work organizing Garagellenium and Councillor Appleton who rode his bike for four hours during the

event to raise funds for the upcoming Ride Don't Hide campaign. She also noted that the first Oak Bay Business Improvement Association Night Market is scheduled to occur on Wednesday, June 12 beginning at 4:00 p.m.

Councillor Appleton highlighted that the Greater Victoria Public Library received the prestigious John Cotton Dana Library Public Relations Award honouring outstanding library public relations for their "Change Your Mind" campaign.

Mayor Murdoch reported that he completed the Corporate Directors Police Board Training over the weekend and noted that the training was well put together on relevant topics. He said that he hopes to have this material, or similar training, available at UBCM in future years.

**RESOLUTIONS:**

**13. Resolution Notice - Development Variance Permit DVP00088 with respect to 1054 Falkland Road**

- Resolution Notice - 1054 Falkland Road (DVP00088)
- Report - 1054 Falkland Road (DVP00088)
- Attach 1 - Falkland Plans (April 6, 2019)
- Attach 2 - Arborist Memo (February 22, 2019)
- Attach 3 - Draft Development Variance Permit DVP00088

The Manager of Planning provided an overview of the application for a Development Variance Permit (DVP00088) at 1054 Falkland Road.

No members of the public rose to address Council on this application.

MOVED and Seconded: That the Director of Building and Planning be authorized to issue Development Variance Permit DVP00088 with respect to 1054 Falkland Road, as appended to the Council agenda of June 10, 2019.

**CARRIED**

**14. Resolution Notice - Development Variance Permit DVP00092 with respect to 2725 Lincoln Road**

- Resolution Notice - 2725 Lincoln Road (DVP00092)
- Report - 2725 Lincoln Road (DVP00092/ADP00109)
- Attach 1 - Lincoln Plans (May 1, 2019)
- Attach 2 - Arborist Memo (April 12, 2019)
- Attach 3 - Draft Development Variance Permit DVP00092

The Manager of Planning provided an overview of the application for a Development Variance Permit (DVP00092) at 2725 Lincoln Road.

No public input was provided on this application.

MOVED and Seconded: That the Director of Building and Planning be authorized to issue Development Variance Permit DVP00092 with respect to 2725 Lincoln Road, as appended to the Council agenda of June 10, 2019.

**CARRIED**

15. **Resolution – Public Community Meetings**

- Note – Public Community Meetings Resolution
- Resolution Notice - Public Community Meetings - Proposed by Councillor Green

Councillor Green provided an overview of the Notice of Motion that was introduced at the Council meeting held May 27, 2019. She noted that 2019 would be a pilot year and would help to inform decisions on similar meetings in future years.

MOVED and seconded: That the Oak Bay Municipal Council host one meeting in each of the North, Central, and South Oak Bay neighbourhoods in 2019. The purpose of these meetings will be to engage with residents on issues of local interest; however no commitments, undertakings or decisions will be made by Council members.

MOVED and seconded: That the motion be amended to strike out the words “one meeting” and replace them with “one Special Committee of the Whole meeting”.

**The Amendment was CARRIED**

*With Councillors Paterson and Zhelka opposed*

The Director of Corporate Services said that staff will bring forward a proposal on how to manage these meetings for Council’s consideration and input. Mr. Jones noted that these meetings can be informal, but that the District must still ensure that our legal obligations are met. The CAO added that staff will propose dates which will be an iterative process with Council before setting the schedule for these Special Committee of the Whole meetings.

**The Main Motion, as Amended was CARRIED**

*With Councillors Paterson and Zhelka opposed*

**Main Motion, as Amended:**

**“That the Oak Bay Municipal Council host one Special Committee of the Whole meeting in each of the North, Central, and South Oak Bay neighbourhoods in 2019. The purpose of these meetings will be to engage with residents on issues of local interest; however no commitments, undertakings or decisions will be made by Council members.”**

ADJOURNMENT:

16. ***Motion to Adjourn to In Camera***

MOVED and seconded: That in accordance with section 90(1)(a)(c)(e) and (k) of the *Community Charter*, that the open portion of the meeting of Council be adjourned and that a closed session be convened to discuss personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; labour relations or other employee relations; the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality; and negotiations and related discussions respecting the proposed provision of municipal service that are at the preliminary stages and that, in the view of council, could reasonably be expected to harm the interests of the municipality if they were held in public.

**CARRIED**

The open portion of the meeting adjourned at 8:46 p.m.

Certified Correct:

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Mayor

\_\_\_\_\_  
Deputy Director of Corporate Services