

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 Wednesday February 13, 2019. The meeting adjourned to In Camera at 6:00 PM and reconvened for regular business 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, T. Ney  
Councillor E. Paterson  
Councillor E.W. Zhelka

STAFF: Interim 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  
Director of Engineering Services, D. Horan  
Chief Constable, A. Brinton

ADJOURNMENT TO IN CAMERA:

1. ***Motion to Adjourn to In Camera***

*That:*

1. *In accordance with section 90(1)(b) and (c) 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 is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity; and labour relations or other employee relations.*
2. *The open portion of the meeting reconvene at 7:00 PM*

CARRIED

OPEN PORTION OF THE MEETING TO RECONVENE AT 7:00 PM:

MINUTES AND REPORTS:

2. **Council**

- January 28, 2019 Minutes

MOVED and seconded: That the minutes of the Council meeting held January 28, 2019 be adopted.

CARRIED

3. **Committee of the Whole**

- January 24, 2019 Special COW Minutes
- January 29, 2019 Special COW Minutes

MOVED and seconded: That the minutes of the Special Committee of the Whole meetings held January 24 and January 29, 2019 be adopted.

CARRIED

MAYOR'S REMARKS:

4. Mayor Murdoch expressed appreciation to the municipal crews for the hard work and excellent service provided in response to the recent snow storms. The Mayor also noted that he attended the South Island Prosperity Project Executive meeting and reported that there is considerable work underway to support the submission for \$10 million in federal grant funding.

PUBLIC PARTICIPATION PERIOD:

5. M. Yakubowich, Oak Bay resident, raised concerns about the proposed portables to be installed at Willows School for the provision of daycare services. Mr. Yakubowich said no consultation with neighbours was conducted. He noted traffic congestion and safety issues, loss of community green space, and exceeded capacity of the school as significant areas of concern. Mr. Yakubowich requested that Council prevent this application from being approved pending completion of a traffic study and an appropriate public consultation process.

C. Denny, Oak Bay resident, said that she opposed the installation of the Sea Lore sculpture in the proposed location because of the negative impacts to wildlife, interference with wildlife viewing, and parking and traffic concerns. Ms. Denny noted that the artist of Octeavena is represented in other pieces within the community and suggested that the concept is weak. She commented that this is a permanent piece of art depicting the wrong subject matter proposed for the wrong location.

T. Fenton, Oak Bay resident, supported the comments of Ms. Denny. He said that proposed location, subject matter and size of the sculpture are inappropriate. Mr. Fenton suggested that if a boat hits the sculpture it will be a significant undertaking to remove the wreckage. He added that whimsy is short-lived and this piece should not become a permanent installation.

D. Anderson, Oak Bay resident, also opposed the Sea Lore sculpture and commented that the bay does not need anything to add to its beauty. He said the art piece was unsuitable and that many others shared this opinion.

C. Bell, Oak Bay resident, expressed opposition to the sculpture. He said that two boats were recently beached in this location due to weather events which resulted in traffic congestion in the area from people coming to view the boats. Mr. Bell suggested that traffic congestion would increase with the installation of this piece with tour buses including this location on their routes. He asked that this sculpture be placed in an alternate location.

C. Moore, Oak Bay resident, stated her objection the Octeavena sculpture because it is not based in local lore. She said that art should represent something but this piece is only representative of fantasy.

G. Peet, Oak Bay resident, recognized the generosity of the donor and the work completed by the Parks, Recreation and Culture Commission for this project. She cited concerns over native birds and animals, natural beauty of the bay, art piece subject matter, traffic concerns and damage to boats in storms as reasons for her opposition to the sculpture. She asked that this sculpture be installed in a different location.

M. Yakubowich, Oak Bay resident, addressed Council for a second time noting that 240 out of catchment parents are accessing Willows School and adding any additional student spaces is putting the school significantly beyond what it can handle. He also noted that portables are not healthy for children. Mr. Yakubowich said that he has a meeting scheduled with representatives from School District 61 and invited members of Council to join him.

#### COMMUNICATIONS:

6. ***Oak Bay Tourism***

- Presentation - Oak Bay Tourism 2019 Budget and Strategic Plan

Mr. Duncan Murphy, Vice-Chair of the Oak Bay Tourism Committee presented the 2019 budget and strategic plan to Council on behalf of the Committee.

MOVED and seconded: That the presentation be received for information.

CARRIED

7. ***2019 Police Department Capital Purchase Request***

- Report - 2019 Police Department Capital Purchase Request

Mayor Murdoch provided a brief rationale for this request and noted that the District will be reimbursed by the Province for this capital purchase.

MOVED and seconded: To approve the purchase and early release of funding for the Draeger Drug Test 5000 in the amount of \$6,692.01 as recommended in the report of the Chief Constable dated February 11, 2019.

CARRIED

The Director of Corporate Services said that staff would provide information to Council regarding the repercussions and fine structure for drug impaired driving.

8. **Early Approval Request - Traffic Calming Project**

- Report - Early Approval Request Traffic Calming Project

The Director of Engineering Services provided an overview of the project and discussed the available funding from ICBC.

MOVED and seconded: That the proposed Traffic Calming project (Cranmore Crosswalk improvements) be given early approval for up to \$15,000 as recommended in the report of the Director of Engineering Services dated February 5, 2019.

CARRIED

9. **Oak Bay Advisory Planning Commission Minutes**

- July 3, 2018 Minutes

MOVED and seconded: That the minutes of the Oak Bay Advisory Planning Commission held on July 3, 2018 be received for information.

Council noted that the checklist referred to in the July 3, 2018 Advisory Planning Commission meeting minutes has not yet been reviewed by Council.

The Director of Building and Planning stated that it would be appropriate to include consideration of the procedures manual and checklist in the planned review of Council's advisory bodies.

CARRIED

CORRESPONDENCE - UPCOMING AGENDA ITEM(S):

10. **Correspondence to be received**

- Addenda Correspondence - DVP Application 638 Beach Drive

MOVED and seconded: That the additional correspondence be received.

CARRIED

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

11. **New Business & Verbal Reports**

**CRD Update**

The Mayor noted that the first meetings of the Finance and Governance and the Hospitals and Housing Committees have taken place with significant work underway. Mayor Murdoch anticipates that there will be a lot of interesting discussion arising from these committees.

**Verbal Reports**

Councillor Zhelka provided an update from the CRD Water Commission. He noted that an emergency alternate route to the Malahat has been proposed through the Sooke Hills Wilderness Park located next to the water reservoir. He said this proposal has not yet come to the Commission for a vote. He also expressed appreciation to the Mayor for supporting the E&N Corridor to support this alternate route to the Malahat via rail.

The Mayor commented that the E&N Rail proposal will go to the CRD Water

Commission for consideration after discussions by the CRD Board are held.

Councillor Paterson reported that she and Councillor Appleton attended the Community Association of Oak Bay meeting that hosted a representative of the Victoria Foundation who provided an interesting presentation on the most current edition of the Vital Signs publication and a discussion of studies conducted within the region. She also noted that Oak Bay celebrates BC Heritage Week with a kick-off presentation by Caroline Duncan on February 22 at 2:00 p.m. featuring the story St. Patrick Street with authors Robert Taylor and Janet Morningstar. Tickets are available through the Greater Victoria Public Library.

Councillor Green said she attended her first Oak Bay Tourism Committee meeting and that the Business Improvement Association meeting was cancelled due to inclement weather. She noted that the Coldest Night of the Year Walk is scheduled to be held on February 23 with proceeds going to support society's most vulnerable.

Councillor Braithwaite noted that the YES Awards are scheduled to be held on April 30, 2019 at the Oak Bay Beach Hotel. Nomination forms are available from the Parks and Recreation website.

Councillor Appleton said that he attended a tour of all of the Greater Victoria Public Library branches with the new library Trustees to view the branches and learn about the technical systems. He encouraged the public to visit local branches and highlighted the new James Bay Branch that recently received a design award.

Councillor Ney provided an update on the issuance of funding grants from the CRD Arts Committee. She noted that not all of the available grants are required to have an arts focus and suggested that there is an opportunity to set up an Arts Council within the municipality which could be a way to localize, publicize, market and bring community arts groups together.

#### RESOLUTIONS:

12. ***Development Variance Permit Application (DVP00089) - 638 Beach Drive***

- Resolution Notice - 638 Beach Drive
- Report - 638 Beach Drive
- Plans - 638 Beach Drive
- Draft Development Variance Permit (DVP00089)

The Manager of Planning provided a brief overview of the application.

MOVED and seconded: That the Director of Building and Planning be authorized to issue Development Variance Permit DVP00089 with respect to 638 Beach Drive, as appended to the Council agenda of February 11, 2019.

CARRIED  
With Councillor Zhelka opposed

ADJOURNMENT:

13. **Motion to Adjourn**

MOVED and seconded: That the meeting be adjourned.

The Mayor reminded residents that the Citizen Budget Simulator will be available from February 15 to March 15, 2019. This simulator allows residents to provide feedback on budget priorities and to understand how changing the funding for specific services can impact the overall budget. Citizens can access this tool online or pick up paper copies from the Municipal Hall.

The Question was then put.

CARRIED

Certified Correct:

---

Mayor

---

Deputy Director of Corporate Services