

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 May 8, 2017, following adjournment of a Special Council meeting held at 6:00 PM.

PRESENT: Mayor N. Jensen, Chair
Councillor H. Braithwaite
Councillor T. Croft
Councillor M. Kirby
Councillor K. Murdoch
Councillor T. Ney
Councillor E. 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
Director of Engineering Services, D. Horan

The Mayor called the meeting to order at 8:21 PM.

AMENDMENT OF THE AGENDA:

MOVED and seconded: That the agenda be amended to consider, in advance of the Minutes and Reports, agenda item no. 6, followed by the three bylaws referred from the Special Council meeting earlier in the evening.

CARRIED

6. ***Presentation of the 2016 Draft Financial Statements & Audit Findings Report***

- Report - Director of Financial Services, May 2, 2017
- Appendix A - Draft 2016 Financial Statements
- Appendix B - 2016 Audit Findings Report

Randy Decksheimer, Office Managing Partner, KPMG, provided a presentation to Council and responded to questions with respect to the 2016 Draft Financial Statements and Audit Findings.

MOVED and seconded: That the 2016 Financial Statements, as shown in Appendix A of the May 8, 2017 memo of the Director of Financial Services, be approved; and that the 2016 Audit Findings Report, as shown in Appendix B of the May 8, 2017 memo of the Director of Financial Services, be received for information.

CARRIED

REFERRED FROM SPECIAL COUNCIL:

For Third and Final Reading Subject to the Outcome of the Public Hearing (Zoning Amendment Application (ZON00024) - 1327 Beach Drive)

- Bylaw No. 4686, Ninety-Ninth Zoning Bylaw Amendment Bylaw, 2017

- Mar. 20, 2017 COW Report - Manager of Planning, Mar. 13, 2017
- Plans - ZON - 1327 Beach Dr, Jun. 6, 2016

MOVED and seconded: That Bylaw No. 4686, *Ninety-Ninth Zoning Bylaw Amendment Bylaw, 2017* be given third reading.

CARRIED

MOVED and seconded: That Bylaw No. 4686, *Ninety-Ninth Zoning Bylaw Amendment Bylaw, 2017* be adopted.

CARRIED

For Third and Final Reading Subject to the Outcome of the Public Hearing (One Hundredth Zoning Amendment Bylaw)

- Bylaw No. 4689, One Hundredth Zoning Amendment Bylaw, 2017
- April 10, 2017 Council Report - Director of Corporate Services, Apr. 5, 2017

MOVED and seconded: That Bylaw No. 4689, *One Hundredth Zoning Amendment Bylaw, 2017* be given third reading.

CARRIED

Councillors Murdoch and Zhelka against the motion

MOVED and seconded: That Bylaw No. 4689, *One Hundredth Zoning Amendment Bylaw, 2017* be adopted.

CARRIED

Councillors Murdoch and Zhelka against the motion

For Final Reading (Oak Bay Marina Lease Bylaw)

- Bylaw No. 4688, Oak Bay Marina Operating Lease Bylaw, 1993
- Apr. 10, 2017 Council Report - Director of Corporate Services, Apr. 5, 2017

MOVED and seconded: That Bylaw No. 4688, Oak Bay Marina Operating Lease Bylaw, 1993 be referred to a future Committee of the Whole for comment by staff on the standards and practices for consideration of whale watching activities at the Oak Bay Marina.

CARRIED

MINUTES AND REPORTS:

1. ***Budget/Estimates***

- March 15, 2017
- April 12, 2017
- April 19, 2017

MOVED and seconded: That the minutes for the Budget Estimates Committee meetings held March 15, 2017, April 12, 2017 and April 19, 2017.

CARRIED

2. **Council**
- April 24, 2017

MOVED and seconded: That the minutes for the Council meeting held April 24, 2017 be adopted.

CARRIED

3. **Special Council**
- April 24, 2017

MOVED and seconded: That the minutes for the Special Council meeting held April 24, 2017 be adopted.

CARRIED

MAYOR'S REMARKS:

4. The Mayor provided the following remarks:

Shirley Tucker's 100th Birthday

The Mayor acknowledged the recent 100th birthday of Shirley Tucker, noting that he had sent a letter of congratulation on Council's behalf.

Volunteer Appointment Vacancies

Mayor Jensen noted that the submission period closes this week, Friday May 12 at 4:00 PM, for the volunteer vacancies on the Advisory Planning Commission and on the Advisory Design Panel. He noted that the two available positions on the Panel will help select recipients of the Allan Cassidy Recognition of Renovation and Building Achievement Awards.

Special Council Meeting on May 11 at 8 am

The Mayor drew attention to the Special Council meeting on May 11, 2017 to consider adoption of the Financial Plan. He noted that there will be two final opportunities for public input before adoption – one this evening and one on May 11.

2022 Commonwealth Games

Mayor Jensen noted that the information gathering process is underway with respect to submitting an expression of interest for Greater Victoria to host the 2022 Commonwealth Games. He commented that the process is still in early stages and that there is a tight turnaround for submission.

Recent community events

The Mayor concluded his remarks by thanking the organizers of the community events: the season opening of the lawn bowling club; the Royal Victoria Yacht Club; and the walking tours organized by the Community Association of Oak Bay.

PUBLIC PARTICIPATION PERIOD:

5. No members of the public rose to speak.

COMMUNICATIONS:

7. ***Response to Heritage Referral for Property on the Community Heritage Register - 2264 Windsor Road***
 - Report - Manager of Planning, Apr. 20, 2017
 - Rpt. Attach. 1 - Statement of Significance
 - ADDENDA - Corresp. - May 5-8, 2017, Response to Heritage Referral for Property on the Community Heritage Register - 2264 Windsor Road

MOVED and seconded: That the correspondence with respect to agenda item no. 7 be received for information.

CARRIED

MOVED and seconded: That the 60 day protection order made March 27, 2017 pursuant to Section 606 of the *Local Government Act* for 2264 Windsor Road be lifted.

CARRIED

Councillors Braithwaite, Murdoch
and Zhelka against the motion

8. ***Request for Addition to the Community Heritage Register - 2390 Oak Bay Avenue***
 - Report - Manager of Planning, May 1, 2017
 - Rpt. Attach. 1 - Statement of Significance

MOVED and seconded: That the property at 2390 Oak Bay Avenue, and as particularly described in the Statement of Significance developed for the property and attached to the May 1, 2017 report for HAD00002, be added to the Oak Bay Community Heritage Register.

CARRIED

9. ***Authorization to Attend & Represent the District of Oak Bay at the Capital Region Emergency Service Telecommunications (CREST) Incorporated Annual General Meeting***
 - Note - Deputy Director of Corporate Services - Capital Region Emergency Services Telecommunications (CREST) Incorporated 2017
 - CREST - Annual General Meeting 2017

MOVED and seconded: That Mayor Jensen be authorized to act as the District of Oak Bay's representative at all general meetings of the Capital Region Emergency Services Telecommunications Corporation held during 2017.

CARRIED

10. ***Oak Bay Advisory Design Panel (ADP) Minutes***

- Note - Deputy Director of Corporate Services - ADP Minutes - Apr. 7, 2017
- Minutes, ADP, Apr. 7, 2017

MOVED and seconded: That the minutes of the Advisory Design Panel held on April 7, 2017 be received for information.

CARRIED

11. ***Oak Bay Advisory Planning Commission (APC) Minutes***

- Note - Deputy Director of Corporate Services - APC Minutes - Apr. 7, 2017
- Minutes, APC, Apr. 7, 2017

MOVED and seconded: That the minutes of the Advisory Planning Commission held on April 7, 2017 be received for information.

CARRIED

12. ***Council Strategic Priorities 2017-2018***

- Report - Chief Administrative Officer, May 2, 2017
- Rpt. Attach. A - Council Strategic Priorities 2017-2018
- ADDENDA - Corresp. - May 5-8, 2017 - Council Strategic Priorities 2017-2018

MOVED and seconded: That the report of the Chief Administrative Officer entitled Council Strategic Priorities for 2017 -2018 dated May 2, 2017 be received for information.

CARRIED Councillor Zhelka against the motion

CORRESPONDENCE - UPCOMING AGENDA ITEM(S):

13. ***Correspondence to be received.***

- ADDENDA - Corresp. - May 5-8, 2017 - Financial Plan Bylaw 2017, No. 4691

MOVED and seconded: That the correspondence attached to the May 8, 2017 agenda for *Financial Plan Bylaw 2017, No. 4691* be received for information.

CARRIED

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

14. **Verbal Reports**

Councillor Croft provided a verbal report on the upcoming Annual General Meetings of the Royal and McPherson Theatre Society and Tourism Victoria.

Councillor Zhelka noted that events celebrating the 101th birthday Jane Jacobs, similar to the recent talk hosted by the Community Association of Oak Bay, are being held throughout Canada.

Councillor Kirby drew attention to the upcoming Bike to School week at Willows Elementary School and the bike train coming up on Thursday.

RESOLUTIONS:

15. **Council Code of Conduct**

- Resolution Notice - Council Code of Conduct

MOVED and seconded:

WHEREAS Oak Bay Council is committed to providing leadership and a workplace founded on the principles of respect, integrity, accountability, openness and responsibility;

AND WHEREAS A Council Code of Conduct may act as a reminder to this and future Councils of their commitment to fulfilling their roles to the highest possible ethical standards:

THEREFORE BE IT RESOLVED: That staff be directed to prepare for Council consideration a Council Code of Conduct.

MOVED and seconded: That the motion be amended to insert the word "responsible" in front of conduct so that the final clause reads "That staff be directed to prepare for Council consideration a Council Code of Responsible Conduct.

CARRIED Councillor Croft against the motion.

The question on the main motion as amended was then called.

CARRIED Councillor Zhelka against the motion.

BYLAWS:

16. **Bylaw Memorandum**

- Memo - Deputy Director of Corporate Services, May 4, 2017

The Mayor gave an overview of the bylaw process.

17. ***For First, Second and Third Reading***

- Financial Plan Bylaw 2017, No. 4691
- Budget Memorandum - Manager of Administration, Parks, Recreation & Culture, Mar. 1, 2017
- Budget Memorandum - Director of Financial Services, Apr. 12, 2017

MOVED and seconded: That *Financial Plan Bylaw 2017, No. 4691* be given first two readings.

Mayor Jensen asked if there were any members of the public who wished to speak to the Financial Plan Bylaw. No members of the public rose to speak.

The question was then called.

CARRIED
Councillors Braithwaite, Murdoch
and Zhelka against the motion.

MOVED and seconded: That *Financial Plan Bylaw 2017, No. 4691* be given third reading.

CARRIED
Councillors Braithwaite, Murdoch
and Zhelka against the motion

18. ***For First, Second and Third Reading***

- Tax Rates Bylaw 2017, No. 4692

MOVED and seconded; That *Tax Rates Bylaw 2017, No. 4692* be given first three readings.

CARRIED
Councillors Braithwaite, Murdoch
and Zhelka against the motion

19. ***For First, Second and Third Reading***

- Refuse Collection and Disposal Amendment Bylaw 2017, No. 4693

MOVED and seconded: That the *Refuse Collection and Disposal Amendment Bylaw 2017, No. 4693* be given first three readings.

CARRIED

20. ***For First, Second and Third Reading***

- Boulevard Frontage Tax Amendment Bylaw 2017, No. 4694

MOVED and seconded: That *Boulevard Frontage Tax Amendment Bylaw 2017, No. 4694* be given first three readings.

CARRIED

ADJOURNMENT:

21. ***Motion to Adjourn***

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting adjourned at 9:58 PM.

Certified Correct:

Mayor

Deputy Director of Corporate Services