

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, February 22, 2016, at 7:00 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  
Acting Director of Corporate Services, M. Jones  
Acting Deputy Director of Corporate Services, D. Schaffer  
Director of Financial Services, D. Carter  
Deputy Director of Financial Services, F. Pimentel  
Director of Building and Planning, R. Thomassen  
Acting Director of Engineering Services, D. Brozuk

ADOPTION OF AGENDA:

1. *Agenda as amended*

MOVED and seconded: That the amended agenda for the Council meeting for February 22, 2016, be adopted as circulated.

CARRIED

MINUTES AND REPORTS:

2. *Special Committee of the Whole*

- February 2, 2016

MOVED and seconded: That the minutes of the special meeting of Committee of the Whole held on Tuesday, February 2, 2016, be adopted.

CARRIED

3. *Council*

- February 9, 2016

MOVED and seconded: That the minutes of the Council meeting held on Tuesday, February 9, 2016, be adopted.

CARRIED

4. **Committee of the Whole**
  - February 15, 2016

MOVED and seconded: That the minutes of the meeting of Committee of the Whole held on Monday, February 15, 2016, and the recommendations contained therein be adopted.

CARRIED

MAYOR'S REMARKS:

5. The Mayor provided remarks on the following topics:

***Victoria Sketch Club***

Mayor Jensen noted that the annual art show of the Victoria Sketch Club would begin with an opening event on March 15 and would continue to March 20. He said this edition of the show would be the 107<sup>th</sup> annual event and would feature a number of Oak Bay residents who are members of the club.

PUBLIC PARTICIPATION PERIOD:

6. There were no speakers to address Council during the Public Participation Period.

COMMUNICATIONS:

7. ***Request for Early Approval of 2016 Engineering Capital Purchase***
  - Report – Director of Financial Services, Feb. 16, 2016

MOVED and seconded: That early approval be given for the purchase and implementation of the GIS project for \$60,000.

CARRIED

8. ***Special Event Application – Request for Occupancy, Greenspace and Parking Bay, Oak Bay Municipal Hall, March 26, 2016***
  - Note – Acting Director of Corporate Services – BIA – Easter Event, March 26, 2016
  - Corresp. – Oak Bay Business Improvement Association and Tony Joe Associates, Feb. 12, 2016

MOVED and seconded: That the occupancy of the green space and 4 stalls on the east side of the parking lot behind Oak Bay Municipal Hall on March 26, 2016 for the purposes of holding an Easter event, be approved as described in the application from the Oak Bay Business Improvement Association received February 12, 2016, subject to the Event Organizer entering into a public property occupancy agreement in which it will among other standard requirements:

1. Release and indemnify the Municipality from any claims or liability associated with the event and providing evidence of public liability insurance in the amount of not less than \$3,000,000.00;

2. Agree to pay all invoices from the Municipality for costs incurred in connection with the event;  
with the Acting Director of Corporate Services being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

Councillor Braithwaite left the meeting at 7:05 PM as she is a member of the Kiwanis Pavilion board.

9. ***Request for Temporary Occupancy of Willows Park Parking Lot on March 19, 2016***
  - Note – Acting Director of Corporate Services – Kiwanis Shredding – Willows Park – Mar. 19, 2016
  - Corresp. – Oak Bay Kiwanis Pavilion Foundation, Feb. 16, 2016
  - Corresp. – Oak Bay Kiwanis Pavilion Foundation, Jan. 7, 2016

MOVED and seconded: That the occupancy of the Willows Park parking lot on March 19, 2016, by the Kiwanis Club of Oak Bay for the purposes of a “shredding” fundraiser as described in the submission received January 7, 2016 be approved, subject to the Event Organizer entering into a public property occupancy agreement in which it will among other standard requirements:

1. Release and indemnify the Municipality from any claims or liability associated with the event and provide evidence of public liability insurance in the amount of not less than \$3,000,000.00, and
2. Agree to pay all invoices from the Municipality for costs incurred in connection with the event;

with the Acting Director of Corporate Services being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

Councillor Braithwaite re-entered the meeting at 7:07 PM.

10. ***Requests for Financial Assistance***
  - Note – Acting Director of Corporate Services – 2016 Requests for Financial Assistance

MOVED and seconded: that the 2016 requests for financial assistance from the following organizations be referred to Council’s Estimates Committee for consideration during budget discussions:

- Greater Victoria Bike To Work Week Society
- Atomique Productions (on behalf of the City of Victoria)
- Oak Bay Sea Rescue Society
- Oak Bay Music Society
- Oak Bay Volunteer Services
- Maritime Museum of British Columbia
- Oak Bay Community Artists Society

In response to a question from Council, Joan Halvorsen, Executive Director of Oak Bay Volunteer Services, noted that it would be helpful if Council could approve the society’s request prior to the end of the society’s fiscal year on March 31, 2016.

MOVED and seconded: That the motion be amended by removing the application for financial assistance from Oak Bay Volunteer Services from the omnibus motion so that it may be considered separately.

CARRIED

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

CARRIED

11. ***Request for Financial Assistance – Greater Victoria Bike to Work Society***

- Corresp. – Greater Victoria Bike to Work Society (GVBWS), Jan. 25, 2016

A member of Council noted that she hopes the Greater Victoria Bike To Work Society will expand its mandate to include the Bike to School program. Frank Hudson, Executive Director of the Society, noted that his group is constitutionally mandated to organize cycling to work but does work with other groups to encourage cycling more generally and cycling to schools in particular.

12. ***Request for Financial Assistance – Atomique Productions (on behalf of the City of Victoria)***

- Corresp. – Atomique Productions (on behalf of the City of Victoria), Jan. 31, 2016

There were no questions from Council regarding this application.

13. ***Request for Financial Assistance – Oak Bay Sea Rescue Society***

- Corresp. – Oak Bay Sea Rescue Society, Jan. 30, 2016

There were no questions from Council regarding this application.

14. ***Request for Financial Assistance – Oak Bay Music Society***

- Corresp. – Oak Bay Music Society, Jan. 30, 2016

Council requested information from District staff regarding the cost to the District of staging free concerts.

15. ***Request for Financial Assistance – Oak Bay Volunteer Services***

- Corresp. – Oak Bay Volunteer Services, Jan. 26, 2016

Responding to the earlier comment from Ms. Halvorsen, the Mayor noted that Council requires an objective trigger in order to approve a grant to the society in advance of March 31. Ms. Halvorsen spoke to the desire of her group to receive a portion of the requested funds earlier than the consideration of grants at Estimates Committee in order to continue core services in the interim.

MOVED and seconded: That the request for financial assistance from Oak Bay Volunteer Services be approved in the amount of \$25,000, and that a further request for financial assistance

in the amount of \$10,000 be forwarded to Council's Estimates Committee for consideration during budget deliberations.

In response to a question from Council, Ms. Halvorsen outlined the operational requirements that are met by the maintenance of contingency funds, and noted that the society determines what community needs it should meet and formulates its budget and fundraising activities from there.

The question was then called.

CARRIED

16. ***Request for Financial Assistance – Maritime Museum of British Columbia***

- Corresp. – Maritime Museum of British Columbia, Jan. 28, 2016

In response to questions from Council, Don Prettie, President, noted that the provincial government has been supportive in terms of provision of storage space for the Museum's exhibits but the Museum still needs a place to display its artifacts. Mr. Prettie noted that the Museum will be staging a number of events over the coming months and is preparing a travelling exhibit to commemorate the 100<sup>th</sup> anniversary of the sinking of the Princess Sophia coastal liner in 1918.

17. ***Request for Financial Assistance – Oak Bay Community Artists Society, Jan. 27, 2016***

- Corresp. – Oak Bay Community Artists Society, Jan. 27, 2016

There were no questions from Council regarding this application.

18. ***Uplands Combined Sewer Separation***

- Memo – Project Manager, Feb. 19, 2016
- Report – Project Manager, Feb. 15, 2016
- Memo – Chief Administrative Officer, Jan. 25, 2016
- Report – Project Manager, Feb. 2, 2016
- Rpt. Attach. 1 – Overflow Data 2013 to 2015
- Rpt. Attach. 2 – Sewer Separation Options Summary – Nov. 9, 2015
- Rpt. Attach. 3 – Public Engagement Overview
- Rpt. Attach. 4 – Report on Survey Research
- Rpt. Attach. 5 – Public Sewer Bylaw
- Corresp. – Uplands Combined Sewer Separation, Jan. 25 – Feb. 2, 2016
- Corresp. – Uplands Combined Sewer Separation, Feb. 3 – 11, 2016
- Corresp. – Uplands Combined Sewer Separation, Feb. 12-15, 2016
- ADDENDA – Corresp.- Uplands Combined Sewer Separation, Feb. 16 – 22, 2016

*Jack Hull, Project Manager, HJA Water Management Consulting, was in attendance for this item.*

Mr. Hull responded to questions from Council regarding:

- the possibility of using sound waves rather than drilling for the geotechnical study in the Uplands;
- the practicability of using horizontal drilling instead of trenching to install new pipes;

- the practicability of pulling pipes through horizontal drill holes; and
- the impact of the options on the mature tree canopy.

MOVED and seconded: That an educational session be scheduled on the issue of horizontal directional drilling.

CARRIED

MOVED and seconded: That sewer separation option 3 (Install pumped low pressure sanitary sewer and use existing system as stormwater drain) be removed from further consideration, and that Council proceed with consideration of the other five options.

MOVED and seconded: That the discussion of the removal of option 3 be deferred until after receipt of the geotechnical report.

CARRIED

Council discussed what further information is required in order to make its decision with regard to the separation of sanitary and storm sewers in the Uplands, including:

- further information on coliform counts at outflows during storms;
- more information from staff and arborists about work that does take place already in the Uplands respecting the significant number of large renovations in the Uplands and their effect on the mature tree canopy; and
- how much environmental damage the outflows are causing.

In response to questions from Council, Mr. Hull provided information on:

- the hydrological study done in 2008;
- whether there are viable options other than drilling to gather information for the geotechnical study; and
- building a category into the geotechnical study RFP for the least invasive method of gathering the required information.

MOVED and seconded: That Council endorse partial separation of the sewage and storm water systems where the partial separation is adequate to eliminate storm overflows as required by the Ministry of Environment.

The Project Manager noted that the Province has rejected a partial separation solution in the past.

Council discussion ensued on the meeting with the MLA, noting that consideration should be given to whether a partial separation of the systems would be supportable if it was shown that such a change would eliminate overflows resulting from a one-every-five-years storm event. The frustration regarding the requirement to separate the sewers was also noted, given the needs of the community and the funding challenges.

MOVED and seconded: That the motion be amended by inserting the clause 'subject to provincial approval' so that the opening of the motion then reads: 'That, subject to provincial approval, Council . . .'

CARRIED

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

CARRIED

MOVED and seconded: That the correspondence received regarding Uplands Combined Sewer Separation from February 16 to 22 be received.

CARRIED

19. ***Invitation to Join Francophone and Francophile Cities Network***

- Note – Acting Director of Corporate Services – Francophone and Francophile Cities Network
- Corresp. – R. Labeaume, Feb. 9, 2016

MOVED and seconded: That Mayor Jensen accept on behalf of the District of Oak Bay the invitation to join the Francophone and Francophile Cities Network, and that Councillor Kirby serve as the District's contact for the Network.

CARRIED

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES

20. ***Joint Meeting of Council and the Police Board***

Mayor Jensen inquired whether or not Council is interested in attending a joint meeting between Council and the Police Board and noted he would be meeting with the Police Board and making the same request of that body, with an eye to having such a meeting take place in March prior to Estimates Committee meetings.

***Capital Regional District***

Mayor Jensen indicated that the sewage issue would be discussed again at the meeting of the Capital Regional District Board on Wednesday, February 24.

***Greater Victoria Library Board***

Councillor Murdoch noted that the Greater Victoria Library Board completed its new strategic plan and was introducing its new library outreach vehicle at an event Thursday, February 25.

***Southern Vancouver Island Economic Development Corporation***

Councillor Croft noted that the Corporation has completed its constitution and bylaws and appointed their first directors.

***Higher Ground conference on civic governance***

Councillor Zhelka noted that the Higher Ground Conference on Civic Governance is taking place and, having attended the event in 2015, noted its value.

**RESOLUTIONS**

21. ***Attendance at the Association of Vancouver Island and Coastal Communities (AVICC)***

- Resolution Notice – Attendance at AVICC
- AVICC Registration Information

MOVED and seconded: That Council approve the attendance of Oak Bay Council Members at the ***2016 Association of Vancouver Island and Coastal Communities Convention***, to be held in Nanaimo, BC, April 8 to 10, 2016, and the payment of expenses necessarily incurred by them.

CARRIED

**ADJOURNMENT:**

21. ***Motion to Adjourn***

MOVED and seconded: That the meeting of Council be adjourned.

CARRIED

The meeting adjourned at 8:57 PM.

Certified Correct:

---

Mayor

---

Acting Director of Corporate Services