

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 27, 2017 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 N. Jensen  
Councillor H. Braithwaite  
Councillor T. Croft  
Councillor M. Kirby (via teleconference)  
Councillor T. Ney  
Councillor K. Murdoch

STAFF: Chief Administrative Officer, H. Koning  
Director of Corporate Services, W. Jones  
Manager of Planning, D. Jensen  
Director of Engineering Services, D. Horan  
Director of Building and Planning, R. Thomassen

## AGENDA

### 1. *Amended Agenda*

MOVED and seconded: That Item 21, Zoning Amendment Application ZON00023, 2296 Cadboro Bay Road be the first agenda item.

CARRIED

It was agreed by consensus that Zoning Amendment Application ZON00023, 2296 Cadboro Bay Road, be referred to the March 20, 2017 Committee of the Whole meeting for consideration.

## MINUTES AND REPORTS

### 2. *Council*

- February 14, 2017

MOVED and seconded: That the minutes of the Council meeting held February 27, 2017 be adopted.

CARRIED

3. ***Committee of the Whole***  
• February 20, 2017

MOVED and seconded: That the minutes of the Committee of the Whole meeting held February 20, 2017, and the recommendations contained therein, be adopted.

CARRIED

4. ***Special Council***  
• February 14, 2017

MOVED and seconded: That the minutes of the Special Council meeting held February 14, 2017 be adopted.

CARRIED

#### MAYOR'S REMARKS

5. Mayor Jensen advised that he would provide remarks at the next Council meeting.

#### PUBLIC PARTICIPATION PERIOD

6. The following speakers addressed Council during the Public Participation Period:

E. Paterson, Oak Bay resident, provided comment on agenda item no. 12, Council Strategic Priorities. She said that she was concerned that allowing duplexes would allow them to be stratified and that might have a negative effect on housing for families. She said that the OCP process suggested there was support for suites in existing houses, but not in new ones. She asked that Council defer dealing with suites and duplexes and focus on a Housing Strategy.

M. Wilmut, Oak Bay resident, provided comment on agenda item no. 12, Council Strategic Priorities. He said Council should be focusing on infrastructure before secondary suites. He said that a Housing Strategy and infrastructure are more important than secondary suites and that this is where the community wants Council to focus its resources.

B. Filan, Oak Bay resident, provided comment on agenda item no. 12, Council Strategic Priorities. He said that the Housing Strategy should be the first priority. He said the gathering of information and facts is important as it will help Council make evidence-based decisions. He said secondary suites is not an important issue for Oak Bay residents. He said that the District does not need to regulate duplexes or suites and that Council should focus on a Housing Strategy.

L. Freneth, Oak Bay resident, asked when the proposed Cadboro Bay/Bowker development would next be considered by Council. The Mayor responded it is planned for March 20, 2017.

M. Cumming, Oak Bay resident, said there should be a moratorium on suites until a Housing Strategy is developed. She said the proposed Bowker/Cadboro Bay development has many attractive features, but that it doesn't help with affordable housing in Oak Bay.

M. Yakubowich, Oak Bay resident, said that infill development is causing Oak Bay to lose its green character. He said that when setbacks are reduced it comes at a cost of lost green space. He said the proposed Bowker/Cadboro Bay development will cause more parking problems in an area where there are already big problems. He said the area needs more parking not less.

Jan Mears, Oak Bay resident, said she was in favour of Council approving various housing options. She said that 4% of Oaks Bay's housing stock is vacant and the new housing options may free up some of this stock for people. She said it is people that make up a community not houses. She encouraged Council to develop a vision and future plan for housing.

## COMMUNICATIONS

7. ***Special Event Application – Request for Occupancy, Greenspace and Parking Space, Oak Bay Municipal Hall, Apr. 15, 2017 – “5<sup>th</sup> Annual Oak Bay Easter Celebration”.***
- Note – Deputy Director Corporate Services – BIA – Easter Event, April 15, 2017
  - Corresp. – Tony Joe and Associates, Feb. 7, 2017

T. Joe appeared on behalf of the applicant. He said that there would be no additional signage at this year's event.

MOVED and seconded: That the occupancy of the green space behind Oak Bay Municipal Hall and the occupancy of the Oak Bay Municipal Hall parking lot on April 15, 2017 for the purposes of holding an Easter event, be approved as described in the application from the Oak Bay Business Improvement Association received February 7, 2017, 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;
2. agree to pay all invoices from the Municipality for costs incurred in connection with the event,

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

CARRIED

8. **Regional Parks Loan Authorization Bylaw**

- Note - Director of Corporate Services – E&N Rail Trail- Feb. 27, 2017
- Report – Director of Corporate Services, Feb. 8, 2017
- Rpt. Attach. A – Corresp. CRD, Jan. 30, 2017
- Corresp. – Feb. 10 – Feb. 14, 2017 – Regional Parks Loan Authorization

Larisa Hutcheson, CRD General Manager of Parks and Environmental Services and Mike Walton, CRD Senior Manager, Regional Parks were in attendance to speak to the report and respond to Council questions. Mr. Walton said that of the \$22.2 million spent on the E&N Trail to date \$19.9 million has been grant funding. He said grant funding has been reduced, but that the CRD will continue to look for grant opportunities.

MOVED and seconded: That Council provide its consent on behalf of Oak Bay electors to adoption of CRD Bylaw No.4142, Regional Parks Loan Authorization Bylaw No. 1, 2016 which authorizes the CRD to borrow up to \$6.1 million to fund the completion of the E&N Rail Trail - Humpback Connector.

CARRIED

9. **Parking Requirements for the University of Victoria – Civic Information Planning CIP00150 – 3800 Finnerty Road**

- Report – Manager of Planning, Feb. 20, 2017
- Rpt. Attach. 1 – University of Victoria Energy Centre, Feb. 9, 2017

M. Wilson and D. Perry appeared on behalf of the University of Victoria. Mr. Perry outlined the need for the new energy system. A member of Council expressed concern that trees had been removed in anticipation of the project moving forward even though the District had not yet approved the exemption from parking requirements. Mr. Perry said that they have protected as many trees as possible. A member of Council suggested that in the future if more parking spaces were eliminated the University should consider contributing to transportation improvements and projects to reduce traffic and parking problems.

MOVED and seconded: That Council exempt the University of Victoria from the District of Oak Bay Parking Faculties Bylaw, 1986 parking requirements for construction of an Energy Centre.

CARRIED

Councillor Braithwaite registered opposition.

10. ***Development Variance Permit Application (DP000006) – 1632 Yale Street***

- Report - Manager of Planning, Feb. 21, 2017
- Rpt. Attach. 1 - Bylaw No. 4668 - Comprehensive Development Use - Yale Street, 2016
- Rpt. Attach. 2 - Committee of the Whole Report , Jun. 13, 2016
- Plans - DP -1632 Yale St., Jan

MOVED and seconded: That Council approve the application for DP000006, to allow construction of three single family homes on the property collectively known as 1632 Yale Street.

CARRIED

11. ***Heritage Referral for Property on the Community Heritage Register and Development Variance Permit Application (DVP00058) - 3125 Uplands Road***

- Report - Manager of Planning, Feb. 20, 2017
- Rpt. Attach. 1 - Statement of Significance
- Plans - DVP -3125 Uplands Rd., Feb. 1, 2017

MOVED and seconded: That the building and land located at 3125 Uplands Road be subject to a temporary protection order in accordance with Section 606 of the Local Government Act for a period of not more than 60 days, and that the plans for the proposed renovations be referred to the Heritage Commission for review and recommendation to Council.

CARRIED

12. ***Oak Bay Heritage Commission HComm Minutes***

- Note of Director of Corporate Services – HComm Minutes – Dec. 13, 2016 and Jan. 10., 2017
- Minutes – HComm, Dec. 13, 2016
- Minutes – HComm, Jan.10, 2017

MOVED and seconded: That the Minutes of the Heritage Commission Meetings held December 13, 2016 and January10, 2017 be received for information.

CARRIED

13. ***Council Strategic Priorities 2017 – 2018: Proactively Support Reasoned Community Growth – Strategic Priority Actions***

- Report – Chief Administrative Officer, Feb. 15, 2017
- Corresp. – Feb. 15, 2017 – Council Strategic Priorities

MOVED and seconded: That this item be referred to Special Council meeting on April 5, 2017:

CARRIED

CORRESPONDENCE - UPCOMING AGENDA ITEM(S)

14. No correspondence was received.

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES

15. ***Mayors' Caucus 2017***

Mayor Jensen reported that the Mayors' Caucus hosted by Oak Bay was very successful and that he had received very positive feedback.

***Greater Victoria Public Library***

Councillor Murdoch reported that the GVPL was hosting four talks on Reconciliation. People can find out more information on the GV PL website.

***Oak Bay Archives***

Councillor Murdoch reported that the Oak Bay Archives had hosted two very successful events – a visit by Glenlyon Norfolk School where students learned about archives and a “sold out” presentation by Peter Grant on Oak Bay’s early history.

RESOLUTIONS

16. ***Development Permit (DP000014) – 2200 Oak Bay Avenue***

- Notice of Resolution – 2200 Oak Bay Avenue (DP000014)
- Plans – DP – 2200 Oak Bay Ave., Feb 15., 2017
- Report – Manager of Planning, Feb. 14, 2017

MOVED and seconded: That the Director of Building and Planning be authorized to issue Development Permit No. DP000014 to undertake exterior renovations for the existing building at 2200 Oak Bay Avenue (Lot A, Section 69, Victoria District, Plan 12906), as more particularly shown on the plans appended to the Committee of the Whole agenda item number 7, being a report from the Manager of Planning dated February 14, 2017.

BYLAWS

17. ***Bylaw Memorandum***

- Memorandum - Deputy Director of Corporate Services, Feb. 23, 2017

The Mayor gave an overview of the bylaw reading process.

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

- Bylaw No. 4671, Sign Bylaw Amendment Bylaw No. 4671, 2017
- Report - Director of Corporate Services, Jan. 11, 2017

MOVED and seconded: That *Bylaw No 4671, Sign Bylaw Amendment Bylaw No. 4671, 2017* be given three readings.

CARRIED

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

- Bylaw No. 4683, Public Sewer Bylaw Amendment Bylaw, 2017
- Feb. COW Report – Director of Engineering Services, Feb. 20, 2017

MOVED and seconded: That *Bylaw No 4683, Public Sewer Bylaw Amendment Bylaw No. 4683, 2017* be given three readings.

CARRIED

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

- Bylaw No. 4684, Driveway Access Bylaw Amendment Bylaw, 2017
- Feb. COW Report - Director of Engineering Services, Feb. 20, 2017

MOVED and seconded: That *Bylaw No 4684, Driveway Access Bylaw Amendment Bylaw, 2017* be given three readings.

CARRIED

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

- Bylaw No. 4685, Water Rate Bylaw Amendment Bylaw, 2017, No. 2
- Feb. COW Report - Director of Engineering Services, Feb. 20, 2017

MOVED and seconded: That *Bylaw No 4685, Water Rate Bylaw Amendment Bylaw, 2017. No.2* be given three readings.

CARRIED

22. ***For First and Second Reading and Setting of a Public Hearing Date (Zoning Amendment Application ZON00020 & Development Variance Permit Application DVP00031 - 1605 York Place)***

- Bylaw No. 4675, Ninety-Sixth Zoning Bylaw Amendment Bylaw, 2017
- Plans - ZON DVP -1605 York Pl, Sept 20, 2016
- Feb. COW Memorandum - Manager of Planning, Feb. 14, 2017
- Jan. COW Report - Manager of Planning, Jan. 10, 2017

MOVED and seconded: That *Bylaw No. 4675, Ninety-Sixth Zoning Bylaw Amendment Bylaw, 2017* be read a first and second time.

CARRIED

23. ***For First and Second Reading and Setting of a Public Hearing Date (1605 York Place Heritage Designation)***

- Bylaw No. 4682, 1605 York Place Heritage Designation Bylaw, 2017
- Feb. COW Memorandum - Manager of Planning, Feb. 14, 2017
- Memo. Attach. - Statement of Significance

MOVED and seconded: That *Bylaw No.4682, 1605 York Place Heritage Designation Bylaw, 2017* be read a first and second time.

CARRIED

24. ***For First and Second Reading and Setting of a Public Hearing Date (Zoning General Amendments/Filming in Parks)***

- Bylaw No. 4681, Ninety-Eighth Zoning Bylaw Amendment Bylaw, 2017
- Feb. COW Report - Manager of Planning, Feb. 14, 2017

MOVED and seconded: That *Bylaw No.4681, Ninety-Eighth Zoning Bylaw Amendment Bylaw, 2017* be read a first and second time.

CARRIED

25. ***Public Hearing***

MOVED and seconded: That a Public Hearing on Bylaws No. 4675, No. 4681, and No. 4682 be held at the Oak Bay Municipal Hall, on March 13, 2017 at 6:00 PM, and that notice be given in accordance with the Local Government Act.

CARRIED



ADJOURNMENT:

26. ***Motion to Adjourn***

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting adjourned at 8:35 PM.

Certified Correct:

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Mayor

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Director of Corporate Services