

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 Tuesday, February 9, 2016, at 7:00 PM.

PRESENT: Mayor N. Jensen, Chair
Councillor H. Braithwaite
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
Director of Building and Planning, R. Thomassen
Acting Director of Engineering Services, D. Brozuk
Fire Chief, D. Cockle
Human Resources Manager, V. Gannon

MINUTES AND REPORTS:

1. ***Special Council***
 - January 25, 2016

MOVED and seconded: That the minutes of the special Council meeting held on Monday, January 25, 2016, be adopted.

CARRIED

2. ***Council***
 - January 25, 2016

MOVED and seconded: That the minutes of the Council meeting held on Monday, January 25, 2016, be adopted.

Mayor Jensen noted that at the January 25, 2016, meeting of Council, the deer management issue and the request of the Urban Wildlife Stewardship Society (UWSS) regarding the Provincial grant opportunity was added by consensus of Council to the agenda for the February 15, 2016, meeting of Committee of the Whole, and that the agenda for that meeting appeared to be particularly heavy. It was noted that discussions around deer management tend to draw a great deal of input from the public, and the Mayor suggested that Council give consideration to moving the deer discussion to either the regular Council meeting on Monday, February 22, or to the Committee of the Whole meeting on Monday, March 21, 2016.

Some members of Council suggested that since deer management was not one of the issues identified in the strategic planning sessions as a District priority, and since management of

wildlife is a provincial issue, Council should set the issue aside. Other members of Council commented that priority should be given to pursuing the Provincial grant opportunity in collaboration with UWSS. It was noted that further consideration would be given to the timing of this item under New Business.

The question was then called.

CARRIED

MAYOR'S REMARKS:

3. The Mayor provided remarks on the following topics:

Acting Deputy Director of Corporate Services

Mayor Jensen welcomed Don Schaffer, who joined the District as the Acting Deputy Director of Corporate Services on February 3 on a contract basis.

Thank you notes to District staff

The Mayor noted he had received two messages from members of the public regarding District staff, the first being from Mr. George Corwin, who offered thanks to the Fire Chief for the most humane and professional service he received from first responders during a medical emergency; the second being from a person who thanked Public Works staff for retrieving dropped keys from a catch basin.

Gas Tax Funds

The Mayor noted that a letter to the Union of BC Municipalities requesting funding from the gas tax funding pool was not granted; he further noted that the District would apply for other funding when it becomes available.

Eating Disorder Awareness Week - February 1 to February 7, 2016

The Mayor noted that the District had received thanks from the organizers of Eating Disorder Awareness Week from February 1, 2016, to February 7, 2016, for its support of the cause by lighting the front of Municipal Hall purple.

Transfer funds from University of Victoria

Mayor Jensen thanked the University of Victoria for its annual grant, which the District received, but noted that the grant continues to shrink.

Honouring Hope Burns

The Mayor expressed condolences to the family of Hope Burns, a long-time supporter of the District, who passed away over the weekend. He noted her contributions to the District as she was instrumental in completion of the new Official Community Plan and served on the

Advisory Planning Commission.

PUBLIC PARTICIPATION PERIOD:

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

Kristy Kilpatrick, Urban Wildlife Stewardship Society, urged Council to endorse proceeding with the Society's proposal for a survey with respect to Oak Bay residents' attitudes toward deer. She stated provincial officials had told her that all provincial funding for deer management had not been allocated and that the government could consider a late proposal for funding the survey. No BC community has yet done such a survey, she said, and approval of the funding request would demonstrate to the province Oak Bay's willingness to manage the issue of urban deer.

Katy Connelly, Oak Bay resident, stated that she and her husband are concerned about the District's response to issues they have raised with regard to their driveway access, and asked Council who they should request help from in resolving their issues.

Doug Stetar, Oak Bay resident, noted he was concerned that the Advisory Planning Commission (APC) had reached the wrong decision with regard to the proposed development at 1632 Yale Street and urged Council to disregard the APC's recommendation regarding that project.

William Patterson, resident, stated he is the owner of Citta Developments, the company proposing the project at 1632 Yates, and wished to ascertain the amount of change required for him to bring back the development to APC.

The Director of Building and Planning, responding to a question from the public, noted that a revised application for 1632 Yale Street could be considered at the APC.

COMMUNICATIONS:

5. ***Emergency Program Act Consultation***

- Report – Fire Chief, Jan. 25, 2016
- Rpt. Attach. 1 - Corresp. – Minister of State Naomi Yamamoto, Jan. 11, 2016
- Rpt. Attach. 2 – Discussion Paper – Prepared and Resilient, Jan. 2016

MOVED and seconded: That Council accept the January 25, 2016 report of the Fire Chief with respect to consultation on the Emergency Program Act as presented and direct staff to provide the report to the Minister of State as the District of Oak Bay's submission to the provincial review of the legislative framework for emergency management in BC.

The Fire Chief responded to questions from Council, noting that the Emergency Management Team (EMT) does not support the proposed provision of authority to forcibly evacuate people who refuse to leave their homes during an emergency situation.

Chief Cockle further noted that the EMT does not support the extension of employment

protection to self-directed volunteers in an emergency, pointing out that volunteers who register are afforded the various protections in the Emergency Program Act.

The question was then called.

CARRIED

6. ***Funding Request – Bowker Creek Initiative (BCI) Coordinator Funding 2016 - 2019***

- Note – Director of Corporate Services – Request for Watershed Plan Implementation Coordinator Funding
- Corresp. – BCI, J. Watson – Jan. 18, 2016

Jody Watson, Chair, Bowker Creek Initiative, provided an overview of the proposal as outlined in her correspondence dated January 18, 2016.

MOVED and seconded: That support in principle be given for a further four-year cycle of the Bowker Creek Watershed Plan Implementation Coordinator Position, based on the cost-sharing formula contained in the letter from the Chair of the Bowker Creek Initiative, dated January 18, 2016.

In response to a question from Council, Ms. Watson clarified the role of the coordinator position, noting that operationalizing the watershed plan would be undertaken by District staff.

The question was then called.

DEFEATED

Councillors Braithwaite, Murdoch and Zhelka against the motion

MOVED and seconded: That Council refer the request for funding for a further four-year cycle of the Bowker Creek Watershed Plan Implementation Coordinator Position, based on the cost-sharing formula contained in the letter from the Chair of the Bowker Creek Initiative, dated January 18, 2016, to the Estimates Committee.

CARRIED

Councillor Kirby against the motion

7. ***Governance and Service Integration Opportunities for the Capital Regional District***

- Corresp. – Minister Fassbender, Jan. 29, 2016

The Mayor provided Council with background to the letter from Hon. Peter Fassbender, Minister of Community, Sport and Cultural Development, and responded to questions from Council with regard to the timing of the request for feedback and the manner in which Council might proceed. It was noted that members of Council felt the goals that were expressed in the background document which accompanied the letter were not clear. While the majority of Council expressed interest in being part of the discussions, some members expressed concern that in the plebiscite that ran in conjunction with the most recent local general election, the majority of residents of Oak Bay indicated that they did not wish to explore amalgamation.

MOVED and seconded: That the Mayor be directed to write to the Minister of Community, Sport and Cultural Development to advise of the following:

- The District of Oak Bay is interested in being involved in discussions that might take place regarding integration of services in the region;
- The Council feels the framework as proposed in the document forwarded to our Council requires more clarity as the goals are insufficiently defined.

CARRIED

Councillors Kirby and Zhelka against the motion

8. ***Advisory Design Panel (ADP) Minutes***

- Note – Director of Corporate Services - ADP Minutes – Jan. 5, 2016
- Minutes – ADP – Jan. 5, 2016

MOVED and seconded: That the Minutes of the Advisory Design Panel meeting of Jan. 5, 2016, be received.

CARRIED

9. ***Advisory Planning Commission (APC) Minutes***

- Note – Director of Corporate Services – APC Minutes – Jan. 5, 2016
- Minutes – APC – Jan. 5, 2016

MOVED and seconded: That the Minutes of the Advisory Planning Commission meeting of Jan. 5, 2016, be received.

In response to a question from Council, the Acting Director of Corporate Services provided clarification with respect to the provisions for public participation at committees under the Council Procedure Bylaw. The Chief Administrative Officer noted that Council can expect a report back on the issue of public participation at the APC.

The question was then called.

CARRIED

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

10. ***New Business & Verbal Reports***

Deer Management – Future Meeting

In response to a question from Council, the Chief Administrative Officer (CAO) noted that Council had not identified deer management as one of its priorities for 2016. She further noted that a preliminary review of the submission from the Urban Wildlife Stewardship Society (UWSS) did not give a clear indication whether the proposal would be accepted or rejected by the provincial government for funding.

Discussion ensued regarding the initiative proposed by UWSS, with some members of Council stating that the research activities might include the attitudinal surveying proposed by UWSS.

MOVED and seconded: That the January 22, 2016 correspondence from the Urban Wildlife Stewardship Society with respect to the Society's request to endorse their proposal for deer management and participation in the Provincial Urban Deer Operational Cost Share Program be brought forward to the Committee of the Whole meeting of February 15, 2016.

Discussion ensued in regard to whether or not the District has the capacity to assist UWSS with the application in time to have the item prepared for the Committee agenda deadline, and whether or not the issue could be meaningfully dealt with at the suggested meeting. Ms. Koning confirmed that staff do not have capacity to provide a response to the UWSS's proposal for either the Committee of the Whole on February 15, 2016 or the Council meeting on February 22, 2016.

Some members of Council indicated their preference to bring the issue forward as quickly as possible in order to collaborate with UWSS in submitting the funding application in to the Province prior to the March deadline, while others felt that the question of the District's participation in deer management overall should be addressed in advance of considering participation in the UWSS proposal. A third viewpoint was also expressed that since the issue of deer management is within the ambit of the provincial government it should not be addressed by the District.

The question was then called.

DEFEATED

Mayor Jensen and Councillors Braithwaite,
Kirby, Murdoch and Ney against the motion

MOVED and seconded: That further consideration of what if any actions should be taken by the Municipality with respect to deer management, including consideration of the Urban Wildlife Stewardship Society's request to endorse their January 22, 2016 proposal for deer management and participation in the Provincial Urban Deer Operational Cost Share Program, be referred to the Committee of the Whole meeting scheduled for March 21, 2016.

CARRIED

Complaint Process – District of Oak Bay, regarding 3320 Woodburn

In respect to a presentation made during the public input section of the meeting, Council discussed the process by which citizens can make complaints to the District regarding issues of concern. It was noted that the District does not have a specific complaints policy to deal with instances where citizens might feel they have not received an appropriate response to a complaint from staff, but that Council must be careful to distinguish between staff issues – issues which are governed by bylaws and written policies – and political issues. Ms. Koning was asked to report back on outlining which aspects of the issue are to be dealt with by staff, and which by Council.

Report from the Capital Regional District (CRD)

Mayor Jensen provided an update on the CRD sewage treatment survey.

Verbal Reports

Members of Council provided verbal reports with respect the following:

- In respect of an issue raised by the Intercultural Association, it was noted that Victoria has been chosen to receive government-sponsored Syrian refugees in addition to the privately-sponsored refugees, and that the ICA is desperately seeking homes for the refugees. More detail was to be forthcoming.

ADJOURNMENT:

20. ***Motion to Adjourn to In Camera***

MOVED and seconded: 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.

CARRIED

The meeting adjourned at 9:24 PM.

Certified Correct:

Mayor

Acting Director of Corporate Services