

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 March 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: Councillor M. Kirby, Acting Mayor
Councillor H. Braithwaite
Councillor T. Croft
Councillor T. Ney (via teleconference)
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
Manager of Planning, D. Jensen

MINUTES AND REPORTS:

1. ***Public Hearing***

- March 13, 2017

MOVED and seconded: That the minutes of the Public Hearing held March 13, 2017 be adopted.

CARRIED

2. ***Council***

- March 13, 2017

MOVED and seconded: That the minutes of the Council meeting held March 13, 2017 be adopted.

CARRIED

3. ***Committee of the Whole***

- March 20, 2017

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

CARRIED

4. ***Special Council***
 - March 13, 2017
 - March 20, 2017

MOVED and seconded: That the minutes of the Special Council meetings held March 13, 2017 and March 20, 2017 be adopted.

CARRIED

MAYOR'S REMARKS:

5. The Acting Mayor provided the following remarks:

Special Council Meeting, April 5, 2017

The Acting Mayor drew attention to the Special Council meeting scheduled to be held on Wednesday April 5, 2017 at 5:00 PM in Council Chambers with respect to discussion of strategic priority actions, as referred from the Council meeting on February 27, 2017. The Director of Corporate Services clarified that the staff report being brought forward to that meeting would also contemplate the potential impact on staff resources resulting from the 2018 timeline to complete projects funded under the Clean Water and Wastewater Fund.

Budget Estimates Meetings, April 12 and April 19, 2017

Acting Mayor Kirby noted that the first of the three Budget Estimates meetings was held in March with the Parks, Recreation and Culture Commission. The remaining two meetings, she said, were scheduled for April 12 and April 19, 2017 at 5:30 PM in Council Chambers. She noted that their would be opportunities for public input and encouraged the public to attend.

Federal and Provincial Funding - Clean Water and Wastewater Fund

The Acting Mayor stated that the District was happy to announce receiving two grants from the federal government and provincial government under the Clean Water and Wastewater Fund. She noted that the grants included \$324,958 for the detailed design of the Uplands Combined Sewer Separation Project and \$1,150,172 for the extension and secondary connection of the Henderson Water Main.

Vimy 100 Event

Acting Mayor Kirby drew attention to an upcoming event at the Bay Street Armoury on April 9 2017, commemorating the 100th anniversary of the Battle of Vimy Ridge, hosted by the Honourary Colonels and Commanding Officers of the Canadian Scottish Regiment (Princess Mary's) and the 5th (British Columbia) Field Artillery Regiment. She noted that Oak Bay Archives will be providing a historical display at the event honouring local residents who fought at Vimy and featuring archival photographs of Willows Camp. She commented that the event runs from 10:00 AM to 4:00 PM and is free and open to the public.

PUBLIC PARTICIPATION PERIOD:

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

G. Mayhew, Oak Bay resident, commented on the rezoning application for the property at Cadboro Bay Road and Bowker Avenue. He asked that members of Council consider the potential impact losing the "green belt" character of Oak Bay due to increasing development in the region.

COMMUNICATIONS:

7. ***Request for Commercial Activity at Willows Park, Jun. 18, 2017***

- Note - Deputy Director of Corporate Services - MEC Paddlefest, Jun. 18, 2017
- Corresp. - MEC Paddlefest, Feb. 6, 2017

MOVED and seconded: That whereas Council has made the determination that the proposed occupancy of Willows Park on June 18, 2017 for the purposes of holding an event including the sale of goods and refreshments, will be of general benefit to the municipality at large, will create no undue inconvenience for adjacent residents or the public at large, and does not detract from the purpose of the land as a public place for recreation, ornamentation or preservation of the natural environment, approval be granted for the Event as described on the application from MEC received January 11, 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; and
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. ***Request for Commercial Activity at Willows Park, Jun. 24, 2017***

- Note - Director of Corporate Services - Sausage Fest. Jun. 24, 2017
- Corresp. - Oak Bay Firefighters Charitable Foundation, Dec. 15, 2016

MOVED and seconded: That whereas Council has made the determination that the proposed occupancy of Willows Park on June 24, 2017 for the purposes of holding an event including the sale of goods and refreshments, amplified music and beer garden, will be of general benefit to the municipality at large, will create no undue inconvenience for adjacent residents or the public at large, and does not detract from the purpose of the land as a public place for recreation, ornamentation or preservation of the natural environment, approval be granted for the Event as described on the application from the Oak Bay Firefighters Charitable Foundation received December 15, 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; and

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

9. ***Requests for Financial Assistance***

- Note - Deputy Director of Corporate Services - 2017 Requests for Financial Assistance

The Acting Mayor gave an overview of the process with respect to grants.

10. ***Request for Financial Assistance - Greater Victoria Festival Society***

- Corresp. - Greater Victoria Festival Society, Jan. 30, 2017

MOVED and seconded: That the request for financial assistance from the Greater Victoria Festival Society in the amount of \$2,500.00 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

11. ***Request for Financial Assistance - Oak Bay Heritage Foundation***

- Corresp. - Oak Bay Heritage Foundation, Mar. 14, 2017

MOVED and seconded: That the request for financial assistance from the Oak Bay Heritage Foundation in the amount of \$3,000.00 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

12. ***Request for Financial Assistance - Oak Bay Volunteer Services Society***

- Corresp. - Oak Bay Volunteer Services, Jan. 20, 2017

Councillor Zhelka declared a conflict of interest as he volunteers with the Oak Bay Volunteer Services Society. He then left the meeting at 7:19 PM.

MOVED and seconded: That the request for financial assistance from the Oak Bay Volunteer Services Society in the amount of \$30,000 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

Councillor Zhelka returned to the meeting at 7:20 PM.

13. ***Request for Financial Assistance - University of Victoria USports Championships***

- Corresp. - University of Victoria, Jan. 25, 2017

MOVED and seconded: That the request for financial assistance from the University of Victoria USports Championships in the amount of \$3,500.00 be received for information.

CARRIED

14. ***Heritage Referral for Property on the Community Heritage Register and Building Permit (BP09894) - 2264 Windsor Road***

- Report - Manager of Planning, Mar. 17, 2017
- Rpt Attach 1 - Statement of Significance

MOVED and seconded: That the building and land located at 2264 Windsor 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 building permit application for demolition be referred to the Heritage Commission for review and recommendation to Council.

CARRIED

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

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

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

CARRIED

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

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

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

CARRIED

17. ***Oak Bay Heritage Commission (HComm) Minutes***

- Note - Deputy Director of Corporate Services - HComm Minutes - Feb. 14, 2017
- Minutes, HComm, Feb. 14, 2017

MOVED and seconded: That the minutes of the Oak Bay Heritage Commission meeting held February 14, 2017 be received for information.

CARRIED

CORRESPONDENCE - UPCOMING AGENDA ITEM(S):

18. ***Correspondence to be Received***

- Corresp. - Applicant, Bylaw No. 4680 (Zoning Amendment Application ZON00023 - Cadboro Bay Road, Bowker Avenue) Mar. 24, 2017
- Corresp. - Mar. 21 - 23, 2017 - Zoning Amendment Application (ZON00023 - Cadboro Bay Road, Bowker Avenue)
- ADDENDA - Corresp. - Mar. 24 - 27, 2017 - Zoning Amendment Application (ZON00023 - Cadboro Bay Road, Bowker Avenue)

MOVED and seconded: That the correspondence attached to the March 27, 2017 agenda for Bylaw No. 4680 (Zoning Amendment Application ZON00023 - Cadboro Bay Road, Bowker Avenue) be received for information.

CARRIED

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

19. *University of Victoria's 2017 Annual Review*

Councillor Croft drew attention to the University of Victoria's 2017 Annual Review, "The Edge of Achievement" which identifies the university's annual revenue, expenses and annual economic impact. He concluded his remarks by noting that the University operates at a deficit.

Disaster Recovery Information Session, March 29, 2017

Councillor Zhelka commented on the upcoming Disaster Recovery Information Session at Windsor Park on March 29, 2017 at 7:00 PM. He noted that this session focuses specifically on preparing for recovery in the aftermath of a disaster and encouraged members of the public to consider attending.

BYLAWS:

20. *Bylaw Memorandum*

- Memo - Deputy Director of Corporate Services, Mar. 23, 2017

The Acting Mayor gave an overview of the bylaw reading process.

21. *For First and Second Reading and Proceeding to Public Hearing (Zoning Amendment Application ZON00023 - Cadboro Bay Road, Bowker Avenue)*

- CORRECTION - Bylaw No. 4680, Ninety-Seventh Zoning Bylaw Amendment Bylaw, 2017 (Cadboro Bay and Bowker)
- Feb. 20, 2017 COW - Plans - ZON - 2296 Cadboro Bay Rd., Feb. 15, 2017, Pt. 1 of 3
- Feb. 20, 2017 COW - Plans - ZON - 2296 Cadboro Bay Rd., Feb. 15, 2017 Pt. 2 of 3
- Feb. 20, 2017 COW - Plans - ZON - 2296 Cadboro Bay Rd., Feb. 15, 2017 Pt. 3 of 3

MOVED and seconded: That Bylaw No. 4680, *Ninety-Seventh Zoning Bylaw Amendment Bylaw, 2017* be read a first and second time.

CARRIED

Councillors Braithwaite and Zhelka against the motion.

22. *For First and Second Reading and Proceeding to 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 read a first and second time.

CARRIED

23. ***For First, Second and Third Reading (Efficiency and Red Tape Reduction)***

- Bylaw No. 4687, Special Events Delegation and Boulevard Encroachment Delegation Amendment Bylaw, 2017
- Mar. 20, 2017 COW Report - Deputy Director of Corporate Services, Mar. 15, 2017

MOVED and seconded That Bylaw No. 4687, *Special Events Delegation and Boulevard Encroachment Delegation Amendment Bylaw, 2017* be given three readings.

CARRIED

ADJOURNMENT:

Motion to Adjourn

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting adjourned at 7:37 PM.

Certified Correct:

Acting Mayor

Deputy Director of Corporate Services