

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 October 24, 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
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
Director of Engineering Services, D. Horan

ADOPTION OF AMENDED AGENDA:

MOVED and seconded: That the amended agenda as circulated be adopted.

CARRIED

MINUTES AND REPORTS:

1. **Public Hearing**
 - CORRECTED - October 11, 2016

MOVED and seconded: That the minutes of the Public Hearing held Tuesday October 11, 2016 be adopted.

CARRIED

2. **Council**
 - CORRECTED - October 11, 2016

MOVED and seconded: That the minutes of the Council meeting held Tuesday October 11, 2016 be adopted.

CARRIED

3. ***Committee of the Whole***
- ADDENDA - October 17, 2016

MOVED and seconded: That the minutes of the Committee of the Whole meeting on October 17, 2016 and the recommendations contained therein be adopted.

CARRIED

4. ***Special Committee of the Whole***
- CORRECTED - September 23, 2016
 - ADDENDA - October 5, 2016
 - October 21, 2016

MOVED and seconded: That the minutes of the Special Committee of the Whole meetings held on September 23, 2016, October 5, 2016 and October 21, 2016 and the recommendations contained therein be adopted.

CARRIED

MAYOR'S REMARKS:

5. The Mayor provided remarks on the following topics:

Hallowe'en Events in Oak Bay Village

The Mayor drew attention to the annual Hallowe'en events in Oak Bay Village, including the costume contests for children and pets.

Remembrance Day Ceremony

Mayor Jensen encouraged attendance at the annual Remembrance Day Ceremony at the Oak Bay Cenotaph.

Volunteer Application Deadline

The Mayor noted that the deadline for submitting applications for volunteer appointments in 2017 is November 15, 2016.

Welcome to New Manager of Human Resources

Mayor Jensen concluded his remarks by welcoming the new Manager of Human Resources, Bonnie Donnelly.

PUBLIC PARTICIPATION PERIOD:

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

Stuart Culbertson, Oak Bay resident, spoke to Council on his comments and suggestions on fulfilling the District's role in improving the regional cycling network. Mr. Culbertson outlined that although Oak Bay has an active cycling population, the cycling infrastructure within the Municipality needs to be enhanced. He concluded his remarks by commenting that Council should prioritize implementing the existing recommendations with respect to cycling infrastructure in the Official Community Plan and the Strategic Plan.

Michael Prince, Oak Bay resident, thanked Council for their decision last meeting to give further consideration to the proposed Heritage Conservation Area (HCA) at a subsequent Committee of the Whole. He noted that he was pleased to see so many heritage items on tonight's agenda and that the area proposed for consideration as an HCA exemplifies the values described in the Official Community Plan. He concluded his remarks by bringing to Council's attention other speakers in the audience in support of the HCA proposal.

Robert Longe, Oak Bay resident, spoke in favour of the proposed HCA, thanking the Heritage Commission and Heritage Foundation for their support. He commented that this is an important opportunity to preserve the surrounding homes and streetscape for existing heritage dwellings and that insensitive development can negatively impact heritage retention. He concluded his remarks by stating that if well done the HCA can enhance home values.

Nancy Barnes, Oak Bay resident, spoke in support of the proposed HCA commenting that the suggested area has a special quality that needs to be preserved. She concluded her remarks by commenting that establishing an HCA could attract visitors and new residents to the District.

Liza Harris, Oak Bay resident, spoke in favour of the proposed HCA, commenting that a number of the dwellings recognized by the Art in Chambers project were included in the potential HCA. Ms. Harris concluded her remarks by drawing attention to the potential benefits of being able to address demolition within the HCA, given a court case with respect to an HCA in Vancouver.

Sharmen Minus, Oak Bay resident, expressed her support for the proposed HCA, emphasizing that the setting of heritage dwellings can be as important as the houses. Ms. Minus commented that other municipalities such as Victoria and Vancouver have established HCA's and that it time for Oak Bay to do so as well.

COMMUNICATIONS:

7. ***Request for Bonfire during Sea of Lights Parade - Dec. 2, 2016***
 - Note - Director of Corporate Services - Sea of Lights Christmas Boat Parade, December 2, 2016
 - Corresp. - Royal Victoria Yacht Club, Oct. 3, 2016

MOVED and seconded: That, in relation to the Sea of Lights Event, the activities planned for Willows Beach, on December 2, 2016 be approved as a Municipal Event, including the lighting of a bonfire pursuant to Section 46 of the Fire Regulation Bylaw.

CARRIED

8. ***Development Permit and Heritage Alteration Permit Application - 1701 Beach Drive***
- Report - Manager of Planning, Oct. 17, 2016
 - Rpt. Attach. 1 - Bylaw No. 4669 - Oak Bay Land Use Contract 3 Discharge Bylaw, 2016
 - Rpt. Attach. 2 - Committee of the Whole Report - Planner, Jul. 5, 2016
 - Rpt. Attach. 3 - Environmental Plan, Murdoch, May 16, 2016
 - Rpt. Attach. 4 - Applicant Letter, Rowe, Jun. 27, 2016
 - Rpt. Attach. 5 - Statement of Significance
 - Rpt. Attach. 6 - Plans - DP HAP ZON - 1701 Beach Dr, Aug 7, 2016
 - Rpt. Attach. 7a - Committee of the Whole Presentation - Applicant - 1701 Beach Dr. - Site Photos
 - Rpt. Attach. 7b - Committee of the Whole Presentation - Applicant - 1701 Beach Dr. - Development Plan
 - Rpt. Attach. 7c - Committee of the Whole Presentation - Applicant - 1701 Beach Dr. - Accessory Buildings
 - Rpt. Attach. 7d - Committee of the Whole Presentation - Applicant - 1701 Beach Dr. - Variances and Shoreline DPA
 - Rpt. Attach. 7e - Committee of the Whole Presentation - Applicant - 1701 Beach Dr. - Heritage and Traffic
 - Rpt. Attach. 8 - Corresp. for Bylaw No. 4669, Sep. 30 to Oct. 11, 2016

MOVED and seconded:

That

- a) Council approve the application for DP000007, to allow renovations and additions to an existing heritage property at 1701 Beach Drive within an environmentally sensitive area, subject to approval of HAP00005; and
- b) Notification be given of Council's consideration of HAP00005.

CARRIED

9. ***Heritage Referral for Property on the Community Heritage Register, Building Permit - 1110 Beach Drive***
- Report - Manager of Planning, Oct. 14, 2016
 - Rpt Attach 1 - Statement of Significance
 - Plans - BP - 1110 Beach Dr, Aug 8, 2016

Councillor Murdoch declared a conflict inasmuch as he is a member of the Victoria Golf Club at 1110 Beach Drive. Councillor Braithwaite declared a conflict inasmuch as she is a member of the Victoria Golf Club at 1110 Beach Drive. Councillors Murdoch and Braithwaite then left the meeting at 7:23 PM.

MOVED and seconded: That the 60 day protection order made October 11, 2016 pursuant to Section 606 of the Local Government Act for 1110 Beach Drive be lifted.

CARRIED

Councillors Murdoch and Braithwaite returned to the meeting at 7:24 PM.

10. ***Request for Addition to the Community Heritage Register - 2018 Meadow Place***

- Report - Manager of Planning, Oct. 17, 2016
- Rpt. Attach. - Statement of Significance

MOVED and seconded: That the property at 2018 Meadow Place, and as particularly described in the Statement of Significance developed for the property, be added to the Oak Bay Community Heritage Register.

CARRIED

11. ***Heritage Commission Response to Request for Comments to the Housing Retention Report***

- Report - Manager of Planning, Oct. 17, 2016
- Rpt Attach 1 - Response to Council Motion, Heritage Commission, Oct. 12, 2016
- Rpt Attach 2 - Housing Retention Feedback Summary, Heritage Commission, Oct. 12, 2016

MOVED and seconded: That:

1. The response of the Heritage Commission in respect of Council's request for consideration of mandatory versus voluntary incorporation on the Oak Bay Community Heritage Register be received for information;
2. The response of the Heritage Commission be referred to the strategic priority session; and
3. The report prepared by the Housing Retention Working Group be forwarded to the Advisory Planning Commission for comment.

CARRIED

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

- Note - Director of Corporate Services - HComm Minutes - September 13, 2016
- Minutes, HComm, Sep. 13, 2016

MOVED and seconded: That the minutes of the Heritage Commission meeting held September 13, 2016 be received for information.

CARRIED

13. ***Consideration of Zoning Amendment Bylaws***

- CORRECTED Report - Director of Corporate Services, Oct. 14, 2016

MOVED and seconded: That Council approve the revised process to improve efficiencies for consideration of zoning amendment bylaws.

CARRIED

CORRESPONDENCE - UPCOMING AGENDA ITEM(S)

14. No correspondence was received for upcoming agenda items.

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

15. ***Oak Bay Cenotaph Task Force***

It was noted that the Oak Bay Cenotaph Task Force was holding a planning session this Thursday and that although specific stakeholders had received invitations, everyone was welcome to attend.

Liaison to the University of Victoria

The Council liaison advised of an upcoming meeting with the University of Victoria and offered to bring forward any comments.

Notice of Motion - Earlier Release of Council Agendas

Councillor Zhelka provided notice that he would bring forward a motion to the November 14, 2016 Council meeting proposing that the Procedure Bylaw be amended to require that agendas be released at least three business days in advance of the meeting.

Provincial Urban Deer Advisory Committee

It was confirmed that unused Provincial funds for deer management projects would not be brought forward into future years and that notification would be forthcoming on the funding opportunities for 2017. The likely deadline for application was noted as the end of November 2016.

Walktober Challenge

Attention was drawn to the ongoing Walktober challenge to beat the current champion with over 10,000 steps a day. It was noted that the challenge is meant to promote walking as a means of transportation, as well as to draw attention to the physical, mental and social benefits of walking.

RESOLUTIONS:

16. ***Execution of a 219 Covenant - 2280 Estevan Avenue***
- Execution of Covenant - 2280 Estevan
 - 219 Covenant - 2280 Estevan Ave.
 - Plans - COV - 2280 Estevan Ave, Jul. 6, 2016
 - Committee of the Whole Report- Planner, Jul. 5, 2016
 - Rpt Attach 2 - Approved Duplex Design

MOVED and seconded: That the Mayor and Director of Corporate Services be authorized to do all acts and things necessary to execute the Section 219 (Land Title Act) covenant between 2280 Estevan Holdings Ltd. (Inc. No. BC912945) and Computershare Trust Company of Canada (Inc. No. A52313) and The Corporation of the District of Oak Bay, as substantially set out in the form attached to the agenda considered by Council on October 24, 2016.

CARRIED

BYLAWS:

17. ***Bylaw Memorandum***

- Memo - Deputy Director of Corporate Services, October 20, 2016

The Mayor gave an overview of the bylaw reading process.

18. ***For Adoption***

- Bylaw No. 4670 - Property Tax Exemption Bylaw, 2016

MOVED and seconded: That Bylaw No. 4670, *Property Tax Exemption Bylaw, 2016* be adopted.

CARRIED

ADJOURNMENT:

19. ***Motion to Adjourn***

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting then adjourned at 7:47 PM.

Certified Correct:

Mayor

Director of Corporate Services