

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 23, 2017. The meeting adjourned to In Camera at 6:00 PM and reconvened for regular business 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, 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
Deputy Chief Constable, R. Bernoties

Mayor Jensen called the meeting to order at 6:00 PM.

ADJOURNMENT TO IN CAMERA:

1. *Motion to Adjourn to In Camera*

MOVED and seconded: *That:*

1. *In accordance with section 90(1)(g), the open portion of the meeting of Council be adjourned and that a closed session be convened to discuss litigation or potential litigation affecting the municipality; and*
2. *The open portion of the meeting reconvene at 7:00 PM*

CARRIED

The meeting then adjourned to an in camera session at 6:01 PM.

OPEN PORTION OF THE MEETING TO RECONVENE AT 7:00 PM:

Mayor Jensen reconvened the meeting for regular business with the following in attendance:

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
Deputy Director of Corporate Services, M. Jones
Director of Financial Services, D. Carter
Director of Engineering Services, D. Horan

MINUTES AND REPORTS:

2. ***Council***

- October 10, 2017

MOVED and seconded: That the minutes of the Council meeting held October 10, 2017 be adopted.

CARRIED

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

- October 16, 2017

MOVED and seconded: That the minutes of the Committee of the Whole meeting held October 16, 2017 and the recommendations contained therein be adopted.

CARRIED

MAYOR'S REMARKS:

4. The Mayor provided the following remarks:

Derelict Boat Removal Day

Mayor Jensen offered thanks on behalf of Oak Bay Council to the many volunteers who attended the recent Derelict Boat Removal Day event in Cadboro Bay. He noted that this was a multi-jurisdictional project, organized by the Cadboro Bay Residents Association, the Community Association of Oak Bay, the Royal Victoria Yacht Club and the Veins of Life Watershed Society; grant funding, he noted was provided by the Province and by the District of Oak Bay. An incredible job was done, he said, with six boat hulls and various debris having been removed from the beach.

Plaque from the Municipal Insurance Association of British Columbia

The Mayor displayed a wooden plaque provided to the District from the Municipal Insurance Association of British Columbia in recognition of the Municipality participating as a charter member in the Association.

Community to Community Forum Grant

Mayor Jensen noted that a Community to Community meeting was held this August with the Songhees Band Council. He commented that the grant received by the Union of British Columbia Municipalities to assist in addressing the costs was appreciated.

Bike Registry

The Mayor drew attention to the newly created bike registry available through Oak Bay Police and encouraged the public to participate in order to assist in reducing bicycle theft.

PUBLIC PARTICIPATION PERIOD:

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

L. Malmkvist, Oak Bay resident, noted that she was following up on correspondence she had previously sent to Oak Bay Council on issues relating to Shoreline Development Permit Areas. Ms. Malmkvist expressed concerns that exceptional biodiversity in Oak Bay's shoreline is at risk and that the recommendations in her correspondence should be effected in order to address this risk. She commented that many other jurisdictions have undertaken additional shoreline protection and that staff should use that as the basis for similar education and regulation within the District. She also stated that her correspondence should be referred to the Advisory Planning Commission for comment and emphasized the importance of sending out an information package to shoreline residents.

A. Wolfe, Oak Bay resident, noted that she supports the previous speakers comments. Ms. Wolfe emphasized the importance of home-owner education on Shoreline Development Permit Areas and commented that there are many professionals in Oak Bay who are able to volunteer their time and provide support on this issue. She noted that there have been six recent developments that have encroached on to sensitive ecosystems and that greater consideration needs to be given to the unstable geology of the shoreline when development is being undertaken. The Municipality has an obligation to address this issue proactively, she said, given the recommendations in the Official Community Plan and the significant legal, financial and ecological risks and costs for restoration.

J. Sirios, Oak Bay resident, stated that the shoreline is one of the Municipality's greatest assets. He suggested that Council and staff join residents on a boat tour along the shoreline to view the issues and the encroaching dwellings.

R. Davis, Oak Bay resident, provided comments on Cochrane Commons noting that homeless individuals recently occupied the area. He noted that he and other residents followed Oak Bay Police's advice to keep interaction to a minimum. He commented that consideration should be given to changing the design and landscape of the commons to make it more friendly for use during the day and less amendable to overnight camping. He concluded his remarks by stating that he is keen to see how the issue of overnight camping at Willows Beach Park is addressed.

S. Ahmed, Oak Bay resident, commented that he is also interested in Cochrane Commons. Mr. Ahmed complimented Oak Bay Council on their compassionate approach to the overnight campers, but noted that there should be a strategy in place if they do not relocate out of the

District soon. He encouraged Council to consider how to make better use of the park in a way that increases community participation in the area.

C. Hobson, Oak Bay resident, noted that he had attended Committee of the Whole last week and noted that in the future consideration should be given to providing the cost break down for items such as the proposed bicycle lanes on Cadboro Bay Road on a cost per kilometer basis. He noted that that by his calculations, the proposed cost for the project would be 1.1% of the municipal budget. He noted that members of Council have expressed concern that the public may be experiencing consultation fatigue, but that this is not the case in his experience. He concluded his remarks by emphasizing that consideration should be given to leveraging the professional experience available in the Municipality and through students at the University of Victoria in order to enhance implementation of the strategic priorities.

D. Butler, Oak Bay resident, commented that her neighbourhood is under siege. Ms. Butler commented that the Oak Bay Church is contemplating a significant redevelopment of their site but is not engaging in a two-way discussion with the neighbourhood. She commented that after more than a decade of residents expressing concerns, Oak Bay Council agreed in 2014 to undertake a parking study of the area but that the issue of truck traffic still has not been addressed. She noted that although she sympathized with the homeless, the recent encampment at Cochrane Commons was also an issue. Ms. Butler concluded her remarks by stating that there is a growing frustration in her neighbourhood and she encouraged Council to demonstrate some good will.

COMMUNICATIONS:

6. ***Council Strategic Priorities 2017 - 2018***

- Report - Chief Administrative Officer, October 17, 2017
- Council Strategic Priorities 2017-2018 Quarterly Report, Sept. 30, 2017

MOVED and seconded: That the quarterly report for 2017 on Council's Strategic Priorities 2017 - 2018 dated October 17, 2017 be received for information.

CARRIED

7. ***Oak Bay Heritage Commissions (HComm) Minutes***

- Note - Deputy Director of Corporate Services - HComm Minutes - July 11 and 18, 2017
- Minutes, HComm, July. 11, 2017
- Minutes, HComm, July. 18, 2017

MOVED and seconded: That the minutes of the Heritage Commission meetings held July 11, 2017 and July 18, 2017 be received for information.

CARRIED

CORRESPONDENCE - UPCOMING AGENDA ITEM(S):

8. There was no additional correspondence to be received.

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

9. ***Capital Regional District's Art Development Service***

A discussion ensued with respect to the current model by which funds are provided by the District to the CRD for the Art Development Service and the accompanying distribution of those funds by the CRD. It was the consensus of Council that Councillor Ney as the current representative from the District on the CRD Arts Committee, begin a dialogue at that Committee regarding the current status of the Arts Development Service funding distribution model and report back to Council at a later time.

Notice of Motion - Hazardous Conditions Development Permit Area

Councillor Zhelka gave notice that he would be bringing forward a motion at a subsequent meeting of Council regarding broadening the applicability of the Hazardous Conditions Development Permit Area.

Community Engagement Task Force Update

Councillor Croft gave an update that a report would be forthcoming to a future meeting on the status of the proposed public forum.

Heritage Conservation Area

Councillor Murdoch gave an update on the Heritage Conservation Area process, noting that the two information sessions held recently sparked considerable interest and that the working group is planning to bring forward a work plan shortly.

Greater Victoria Public Library

Councillor Murdoch gave an update on the Greater Victoria Public Library Board, noting that the budget would be coming forward shortly and that the increased assessment of properties in Oak Bay will have an impact.

RESOLUTIONS:

10. ***Local Government Leadership Academy (LGLA) Chief Elected Officials Forum***

- Notice of Resolution - Chief Elected Officials Forum
- Chief Elected Officials Forum - Dec. 7 to 8, 2017

MOVED and seconded: That Council approve the attendance of Mayor Jensen, at the Chief Elected Officials Forum, to be held in Richmond, BC, December 7 to 8, 2017, and the payment of expenses necessarily incurred by him.

CARRIED

11. **Proposed by Councillor Murdoch - Regional Sewage Cost Recovery Allocation Changes**
- Resolution - Regional Sewage Cost Recovery Allocation Changes - Proposed by Cllr Murdoch

MOVED and seconded: WHEREAS the goal of cost allocation for services should at all times strive to be fair, transparent, and reflect the cost of services provided;

AND WHEREAS the 2010 change from 70%/30% (water consumption/taxes) split to 100%/0% split of cost allocation has resulted in the majority proportion of utility bills now covering CRD capital debt costs not water supply costs;

AND WHEREAS the CRD post-2006 sewer debt costs are primarily the fixed capital costs of a sewage treatment plant and are not directly related to water consumption;

THEREFORE BE IT RESOLVED: That the CRD post-2006 sewer debt costs be allocated in the following manner:

- 30% on taxes;
- 70% on water consumption;

Where water consumption is calculated at 60% or 100% in accordance with the current practice.

CARRIED
Mayor Jensen against the motion

ADJOURNMENT:

12. **Motion to Adjourn**

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting adjourned at 8:40 PM.

Certified Correct:

Mayor

Deputy Director of Corporate Services