

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, April 11, 2016, at 7:00 PM.

PRESENT: Mayor N. Jensen, Chair
Councillor H. Braithwaite
Councillor T. Croft
Councillor M. Kirby
Councillor K. Murdoch
Councillor E. Zhelka

STAFF: Chief Administrative Officer, H. Koning
Acting Deputy Director of Corporate Services, D. Schaffer
Director of Building and Planning, R. Thomassen
Fire Chief, D. Cockle
Deputy Fire Chief, D. Hughes

MINUTES AND REPORTS:

1. ***Council***
 - March 29, 2016

MOVED and seconded: That the minutes of the Council meeting held on Tuesday, March 29, 2016, be adopted.

It was noted that the minutes stated that Councillor Braithwaite was present; she was not. Council asked that the minutes be corrected.

The motion was then called.

CARRIED

MAYOR'S REMARKS:

2. The Mayor provided remarks on the following topics:

Deputy Fire Chief Appointment – Darren Hughes

Mayor Jensen introduced Darren Hughes, a 24-year firefighter with the Oak Bay department, as the person who will assume the duties of Deputy Fire Chief on May 1, 2016. He outlined the new Deputy Chief's accomplishments with the Department and as a volunteer in the community.

Association of Vancouver Island and Coastal Communities Conference

The Mayor noted that he and four other members of Council attended the Association of Vancouver Island and Coast Communities annual conference in Nanaimo, taking part in events and seminars as well as the plenary governance sessions. He said one crucial motion came from

Councillor Kirby, whose motion regarding Parental Rights for Elected Officials was endorsed unanimously by the attending delegates. The resolution, he said, the only one of five late resolutions to be allowed for debate at the conference, asked that the Provincial Government enshrine parental leave rights for elected officials.

Funeral for Const. Sarah Beckett

The Mayor stated that he would attend the funeral of Const. Sarah Beckett, who was killed the previous week in a car accident, on behalf of the municipality and the Oak Bay Police Board.

PUBLIC PARTICIPATION PERIOD:

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

Grace Poole, Glenlyon Norfolk School student, outlined the Ban the Bag initiative that she and fellow students at Glenlyon Norfolk School support in concert with the Surfrider Foundation, providing a summary of the students' efforts so far in gathering support from merchants and the presentation made to the Council of the City of Victoria.

Charlotte Brady, Glenlyon Norfolk School student, outlined for Council the urgent necessity to ban plastic bags by noting the volume of plastic currently in the oceans and the damage it does to sea life and the ecosystems both on land and in the seas.

Anastasia Castro, Glenlyon Norfolk School student, outlined the efforts of the Surfrider foundation to end the proliferation of plastic and plastic residues, stating that the chemicals in many plastics lead to negative effects on the health of people as well as animals. She stated that society is losing the oceans to plastic and banning reusable bags would help end this process.

Ms. Brady responded to a question from Council by noting that the Surfrider Foundation is a group dedicated to helping the oceans.

Grant Bierlmeier, Oak Bay resident, noted his support for heritage retention, stating that he sees houses being torn down every day and that a plan needs to be created to create value for heritage retention. He noted that enough older houses have been torn down that insurance is difficult to get at a reasonable cost, and that house values decrease even though land values continue to rise.

COMMUNICATIONS:

4. ***Special Event Application – Request for Temporary Occupancy of Parks and Beaches, April 23, 2016***
- Note – Acting Director of Corporate Services – Gonzales Cooperative Preschool Beach Cleanup – April 23, 2016
 - Corresp. – Gonzales Preschool, Mar. 23, 2016

MOVED and seconded: That the occupancy of beaches for the purposes of holding a park and beach clean-up as described in the submission from the Gonzales Cooperative Preschool dated March 23, 2016, be approved, 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 provide 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 Acting Director of Corporate Services being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

5. ***Request for Temporary Occupancy of Oak Bay Avenue, August 7, 2016***

- Note – Municipal Clerk – OB Tourism – OB Collector Car Festival, August 7, 2016
- Corresp. – Oak Bay Tourism Committee, Mar. 24, 2016

MOVED and seconded: That the temporary road closure of Oak Bay Avenue from Monterey Avenue to Mitchell Street on Sunday August 7, 2016 from 8:00 am to 5:30 pm, for the purpose of a not-for-profit community event under the auspices and control of the Corporation, as described in the March 24, 2016 correspondence from the Oak Bay Tourism Committee, which Council has determined to be for the benefit of the Municipality at large, be approved, subject to the approval of a traffic plan by the Chief Constable.

CARRIED

6. ***Special Event Application – Request for Temporary Occupancy of Roadways, May 1, Jul. 3, Jul. 24, Aug. 28, 2016***

- Note – Acting Director of Corporate Services – Victoria Wheelers Cycling Club – Windsor Park Roadways - 2016
- Corresp. – Victoria Wheelers, Mar. 30, 2016
- Corresp. – Victoria Wheelers, Mar. 1, 2016

MOVED and seconded: That the occupancy of the roadways surrounding Windsor Park on May 1, July 3, July 24 and August 28, 2016 for the purposes of holding a cycling race as described in the submission from the Victoria Wheelers Cycling Club dated March 1, March 8, and March 30, 2016, be approved, 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;
3. agree to obtain Oak Bay Police approval for a traffic plan and implement the same subject to any field instructions from the Police; and
4. sufficient notice being given by the event organizers to all property owners along the proposed route;

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

CARRIED

7. ***Renewal of the Regional Tower Crane Rescue Service Agreement***

- Report – Fire Chief – Mar. 9, 2016
- Rpt. Attach. – Regional Tower Crane Rescue Services Agreement

In response to questions from Council, the Fire Chief noted that the agreement allows the District access to rescue resources it does not have the resources to supply internally.

MOVED and seconded: That the Mayor and the Acting Director of Corporate Services be authorized to execute the Tower Crane Rescue Service Agreement with the District of Saanich and the City of Victoria for a five-year period, as substantially set out in the agreement attached to the Fire Chief's report dated March 9, 2016.

CARRIED

8. ***Contract Award – Recreation Management Software***

- Report – Manager of Administrative Services, Parks, Recreation and Culture, Apr. 4, 2016

MOVED and seconded: That the contract for the provision of Recreation Management Software be awarded to PerfectMind at a price of \$167,140.

CARRIED

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

- Note – Acting Director of Corporate Services – HComm Minutes – Mar. 8, 2016
- Minutes – HComm – Mar. 8, 2016

MOVED and seconded: That the minutes of the meeting of the Oak Bay Heritage Commission held March 8, 2016, be received.

CARRIED

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

- Note – Acting Director of Corporate Services – ADP Minutes – Mar. 1, 2016
- Minutes – ADP – Mar. 1, 2016

MOVED and seconded: That the minutes of the meeting of the Oak Bay Advisory Design Panel held March 1, 2016, be received.

CARRIED

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

- Note – Acting Director of Corporate Services – APC Minutes – Mar. 1, 2016
- Minutes – APC – Mar. 1, Jan. 26, 2016

MOVED and seconded: That the minutes of the meeting of the Oak Bay Advisory Planning Commission held March 1, 2016, be received.

CARRIED

12. ***Council Strategic Plan 2015 - 2018***

- Report – Chief Administrative Officer, Apr. 5, 2016
- Rpt. Attach. – Council Strategic Plan Quarterly Report, March 31, 2016

In response to questions from Council, the Chief Administrative Officer (CAO) noted that costing for various initiatives remains to be determined; with regard to the consulting projects on secondary suites and infill policies, it might be possible to combine the two projects. Further discussions on several items will be available at the next meeting of the Estimates Committee. The process for changes to the Strategic Plan will be clarified after the conclusion of budget discussions.

MOVED and seconded: That the first quarterly report for 2016 on Council's Strategic Plan 2015-2018 be received for information.

CARRIED

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

13. ***Mayor's Task Force on Heritage Home Preservation***

Mayor Jensen announced the formation of a task force to examine three issues:

- Identify the demolition and removal trends in Oak Bay and comparable communities;
- Examine the policy, planning and legislative tools available to protect Oak Bay homes from demolition and removal; and
- Propose the next steps towards action should Council decide that action is necessary under the circumstances.

He also announced the task force membership: Councillor Murdoch (as chair); Councillor Zhelka, Heritage Commission member Jan Mears and Advisory Planning Commission member Tim Taddy. The task force will be charged with presenting an interim report by the end of June and completion by the end of September.

Proposals stemming from the AVICC conference

The Mayor noted two ideas he wished to bring back for examination from the Association of Vancouver Island and Coastal Communities conference. Firstly, social procurement, that is, procurement policies based on a triple-bottom-line approach which is intended to benefit local businesses; he noted that bringing such an idea forward at the Capital Regional District level would allow such a policy to have a greater impact. Secondly, graphic budgeting, which would provide a more accessible budget document to make it easier for the public to understand where its money is being spent.

Councillor Kirby noted two items of interest to her: the keynote speech made by Chief Robert Joseph regarding the Truth and Reconciliation initiative, and the issue of parental rights for elected officials.

Councillor Zhelka noted three items: a session on dealing with conflict through self-learning and taking responsibility for one's own behaviour; the idea of a youth or junior council along the lines of other municipalities around the province; and support for rail travel, given the unsafe nature of travelling on the Malahat.

Councillor Croft noted that he took part in a half-day session entitled "The Village" which dealt with the loss of culture experienced by First Nations after the arrival of Europeans, noting it was very moving.

Curbside Glass Recycling

MOVED and seconded that the following resolution be forwarded to the Capital Regional District (CRD) Board for consideration at its meeting to be held April 13, 2016:

BE IT RESOLVED that the District of Oak Bay strongly supports the current system of curbside glass recycling and is opposed to any changes to the program;

AND FURTHER BE IT RESOLVED that should the CRD decide to discontinue curbside glass pick up, that Oak Bay be exempted from any change to the program.

CARRIED

Young Exceptional Star Program

Councillor Braithwaite noted the Young Exceptional Star annual awards night is scheduled to take place on Thursday, May 5, 2016.

TABLED RESOLUTIONS:

14. ***Development Variance Permit (DVP) Application – 52 Maquinna Street***
- Resolution Notice – 52 Maquinna Street
 - Plans – DVP ADP – 52 Maquinna Street, Mar. 23, 2016
 - Plans – Landscape – 52 Maquinna Street, Mar. 23, 2016

MOVED and seconded: That the following motion be lifted from the table:

That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 52 Maquinna Street (Lot B, Section 46, Victoria District, Plan EPP45869) varying the following provisions of Bylaw No. 3531, Zoning Bylaw, 1986 as amended:

<u>Zoning Bylaw Section</u>	<u>Permitted</u>	<u>Requested</u>	<u>Variance</u>
4.15.1	< 25%	32.02%	7.02%
Maximum Paved Surface Front Yard	35 m ²	44.84 m ²	9.84 m ²

to accommodate construction of a new single family dwelling including the proposed Increase in the maximum paved surface within the front yard, as shown on the plans appended to the resolution notice for the Council Meeting of March 29, 2016.

CARRIED

With no members of the public wishing to speak to the application, the question on the motion was then called.

CARRIED

15. **Development Variance Permit (DVP) Application – 2773 Somass Drive**

- Resolution Notice – 2773 Somass Drive
- Plans – DVP – 2773 Somass Drive, Feb. 23, 2016
- Corresp. Up to Mar. 17, 2016 – DVP Application – 2773 Somass Drive

MOVED and seconded: That the following motion be lifted from the table:

That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2773 Somass Drive (Lot B, Section 61, Victoria District, Plan 3929) varying the provisions of Bylaw 3531, Zoning Bylaw, 1986 as amended:

<u>Zoning Bylaw Section</u>	<u>Required/ Permitted</u>	<u>Requested</u>	<u>Variance</u>
4.17.1 Maximum Height Retaining Wall	1.2 m	1.725 m	0.52 m
6.5.4.(7) Distance Between Buildings and Structures	3.00 m	2.430 m	0.57 m

to accommodate the construction of an outdoor pool as well as the installation of a retaining wall, as shown on the plans appended to Committee of the Whole agenda item number 8, being a memorandum from the Planner date March 11, 2016.

CARRIED

With no members of the public wishing to speak to the application, the question on the motion was then called.

CARRIED

16. **Development Variance Permit (DVP) Application – 1033 Monterey Avenue**

- Resolution Notice – 1033 Monterey Avenue
- Plans – DVP – 1033 Monterey Avenue, Feb. 18, 2016

MOVED and seconded: That the following motion be lifted from the table:

That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 1033 Monterey Avenue (Lot 11, Block CC, Section 23, Victoria District, Plan 982) varying the following provisions of Bylaw No. 3531, Zoning Bylaw, 1986 as amended:

<u>Zoning Bylaw Section</u>	<u>Required/ Permitted</u>	<u>Requested</u>	<u>Variance</u>
4.6.5.(1) <i>Stair Projection Rear Yard</i>	1.2 m	1.73 m	0.53 m
4.15.1 <i>Maximum Paved Surface Front Yard</i>	<25% 29.03 m ²	35% 40.64 m ²	10% 11.61 m ²
6.5.4.(2)(b) <i>Minimum Setback Rear Lot Line</i>	9.13 m	8.37 m	0.76 m
6.5.4.(2)(c) <i>Minimum Setback Interior Side Lot Line</i>	1.52 m	1.24 m	0.28 m

to accommodate the proposed renovation of an existing single family dwelling and the construction of an attached garage, as shown on the plans appended to Committee of the Whole agenda item number 9, being a memorandum from the Planner dated March 11, 2016.

CARRIED

With no members of the public wishing to speak to the application, the question on the motion was then called.

CARRIED

RESOLUTIONS:

17. ***Enhancing Heritage Retention in Oak Bay***
- Resolution Notice – Enhancing Heritage Retention in Oak Bay

Councillor Zhelka withdrew his resolution “Enhancing Heritage Relations in Oak Bay”.

ADJOURNMENT:

27. ***Motion to Adjourn***

MOVED and seconded: That meeting of Council be adjourned.

CARRIED

The meeting adjourned at 8:25 PM.

Certified Correct:

Mayor

Acting Deputy Director of Corporate Services