

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, Oak Bay, B.C., on Monday, December 10, 2012 at 7:30 p.m.

PRESENT: Mayor N. B. Jensen, Chairman
Councillor P. Copley
Councillor C. Green
Councillor J. Herbert
Councillor M. Kirby
Councillor K. Murdoch
Councillor T. Ney

STAFF: Municipal Administrator, M. Brennan
Municipal Clerk, L. Hilton
Deputy Municipal Clerk, M. Jones
Director of Building and Planning, R. Thomassen
Director of Engineering Services, D. Marshall
Municipal Treasurer, P. Walker

Mayor Jensen called the meeting to order at 7:30 p.m.

ADOPTION OF MINUTES:

Council – November 26, 2012

MOVED by Councillor Ney
Seconded by Councillor Herbert, That the minutes of the Council meeting held on November 26, 2012, be adopted.

CARRIED

Committee of the Whole – December 10, 2012

MOVED by Councillor Herbert
Seconded by Councillor Ney, That the minutes of the Committee of the Whole meeting held December 10, 2012, and the recommendations contained therein, be adopted.

A discussion ensued in respect to clarifying the Committee’s recommendation for what should be contained in a staff report regarding a gross floor area regulation review, with members of Council indicating that, if a review committee on gross floor area regulations is struck, that committee could then consider the issue of obtaining further planning input.

MOVED by Councillor Herbert
Seconded by Councillor Green, That the motion be amended to insert the words “with the exception of the motion with respect to gross floor area regulations, which is amended to delete the reference to staff reporting back on obtaining further planning input on the issue” immediately after the word “therein,”.

CARRIED

The question on the main motion as amended was then called.

CARRIED

MAYOR'S REMARKS:

Mayor Jensen began the 2013 Annual Address by acknowledging that this meeting is being held within the traditional territories of the Coast Salish First Nations people. He offered his thanks to First Nations Councillor Ron Sam for both attending the unveiling of the Lekwungen plaques commemorating the District of Oak Bay's First Nations history earlier this year and participating in a meeting with the Mayor to begin to build bridges between both communities.

For Council, the Mayor said, 2012 has been the "Year of the Oak Bay Volunteer", with volunteers providing extensive support for many different initiatives and projects. Volunteers have served on various committees, he noted, including the Community Engagement Committee, the Active Transportation Advisory Committee, the Environmental Advisory Committee, the Parks and Recreation Commission and the Oak Bay Tourism Committee. He commented that, in 2012, there were many initiatives which received assistance from these and other committees, including Oak Bay's first Neighbourhood Meeting, implementation of a new website, creation of new transportation policies with respect to walking and biking infrastructure, commencing a heritage strategic planning process and enhancing the vibrancy of Oak Bay to benefit local businesses.

The Mayor highlighted other areas and initiatives that have received assistance from volunteers, including operating the Archives, securing a grant to restore Bowker Creek, providing ideas to make Oak Bay more dog-friendly, and helping Monterey Centre provide programs and activities for seniors. He noted that the new volunteers that came forward in 2012 to work with Council added to the hundreds of people already involved with many community organizations such as the Rotary Club, Kiwanis, Girl Guides, Scouts, and Block Watch, in addition to sports clubs, schools and churches. Mayor Jensen offered his thanks to all these many volunteers, for their time, enthusiasm and insights.

With respect to technology, the Mayor noted that Councillors Murdoch and Kirby worked with the consultants at Upanup to develop a new user-friendly website that better represents the dynamic and vibrant community of Oak Bay. He commented on the impact that technology can have on communication, noting that the monitors installed in Council Chambers will help to make the meetings more visual and engaging. In 2013, he stated, he hopes to see Oak Bay Council make greater use of technology and move towards becoming paperless, which can be more sustainable, reduce staff time, and increase accessibility.

The Mayor stated that the transportation policy changes made in 2012 will guide new walking and biking projects in 2013 and that recommendations from Oak Bay's advisory committees with respect to the environment, such as launching an urban forest initiative, are also anticipated.

The main focus in 2013, noted the Mayor, will remain the renewal of the Official Community Plan (OCP), which has not seen a major review in over 20 years. He stated that Councillor Copley will continue to chair the OCP Project Advisory Committee, which includes Councillors Green and Herbert, as well as enthusiastic and skilled volunteers. The intention, he said, is for the new OCP to be nearly complete by the end of the upcoming year.

As an adjunct to the OCP process, the Mayor noted that he intends to appoint a new committee to provide advice on the complex issue of how best to control the size of residential buildings and to address the issue of floor area ratios. He stated that the new committee will be tasked with maintaining the flexibility of the Zoning Bylaw, while at the same time encouraging appropriate-sized homes and discouraging demolition of older residences. He also commented that, in conjunction with the OCP renewal, the volunteers of the Heritage Commission are leading the process to complete the strategic Heritage Plan in 2013.

The Mayor noted that one upcoming challenge for the Municipality is the future of the Oak Bay Lodge property. He stated that he hopes to develop a partnership between the Vancouver Island Health Authority (VIHA) and Oak Bay Council to explore this issue, similar to the very beneficial partnership that has developed with the Greater Victoria School District in regards to Oak Bay High School. He commented that he has contacted the chair of the VIHA Board of Directors to propose this collaborative approach.

In 2013, the Mayor observed, construction will begin on the new high school. He stated that staff members have been very busy with bylaw revisions and other forms of assistance to help the project proceed. He noted that he and Councillors Ney and Kirby will continue to work on the Oak Bay High School Steering Committee.

The Mayor stated that, for 2013, he will ask Councillor Herbert as the Emergency Program Liaison to work to improve the Municipality's response to situations such as the very unfortunate flood that occurred recently on Bowker Avenue. He will ask staff and emergency personnel to follow up on any recommendations from the upcoming report by the Chief Administrative Officer in regards to this incident. He also noted that, after many years of diligent work, he expects that Councillor Herbert will put the finishing touches on the plans for the Uplands sewers.

The upcoming year of 2013, the Mayor said, will be one of progress and improvement, noting that Oak Bay is a sensational place both to live and to do business. He noted that Oak Bay is fast becoming a destination for great art and food, as well as a place to relax and enjoy the village atmosphere. This is a community, he said, where people of all ages feel comfortable biking and walking and where housing options are available for a wide range of residents.

The Mayor offered his thanks to members of staff for their support in 2012 and also thanked the Honourable Ida Chong, Minister of Community, Sport and Cultural Development, for her assistance on many fronts, including the upcoming renovations to the Henderson Recreation Centre and the Bowker Creek Restoration project. He concluded his remarks by extending the best wishes of Oak Bay Council to all for a happy holiday season.

PUBLIC PARTICIPATION PERIOD:

No members of the public rose to speak.

COMMUNICATIONS:

1. 2013-1 MUNICIPAL TREASURER, December 6, 2012
Re 2013 Provisional Budget

The Municipal Treasurer responded to questions from Council, clarifying that the provisional budget allocated \$300,000.00 to a new pavement management program, but that further cost information was needed before considering the allocation of funds for the projects proposed by the Active Transportation Advisory Committee. Ms. Walker noted that most of the funds identified in the budget for consulting purposes were intended to be used during the Official Community Plan review.

It was confirmed by staff that the report on the projects proposed by the Active Transportation Advisory Committee had been finalized by the Director of Engineering Services and would be coming forward to Committee of the Whole in the new year.

A member of Council noted that it is likely that the Capital Regional District will begin charging residents in advance of the installation for sewer infrastructure.

A discussion ensued with respect to the projected increase in the municipal tax levy, with one member of Council commenting that consideration could be given to requesting that each department provide a proposed budget reduction scenario in order to reach a specific rate. Another member of Council stated that, in order to provide the services that residents want and need while still being financially responsible, consideration should be given during budget deliberations to an increase in the municipal tax levy that is similar to the increase of the previous year.

MOVED by Councillor Green

Seconded by Councillor Copley, That correspondence item no. 2013-1 be received.

CARRIED

2. 2013-2 MS SOCIETY OF CANADA, November 16, 2012
Re Scotiabank MS Walk – April 14, 2013

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That approval be given for the temporary occupancy of Willows Beach parking lot and the sidewalks along Beach Drive, Newport Avenue and Currie Road, along with use of an amplification system in Willows Beach Park, as detailed in correspondence item no. 2013-2, subject to the Event Organizer for the Scotiabank MS WALK 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 Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

3. 2013-3 OAK BAY TEA PARTY SOCIETY, November 22, 2012
2013-3-1 CHIEF CONSTABLE, November 27, 2012
Re Oak Bay Tea Party Grant Application

Bill Murphy-Dyson, Oak Bay Tea Party Society, Chair, spoke with respect to the request to allow Shooting Star Amusements to offer amusement rides on Friday, May 31, 2013, as described in correspondence item no. 2013-3. Mr. Murphy-Dyson noted that, though the Society felt otherwise, the Chief Constable felt that additional police services would be needed to accommodate this request. The cost for police services is supportable, he said, as it will allow the Society to maintain their grant request at the same level as in previous years. He noted that this request will not require any changes to the public property occupancy request or the insurance for the Oak Bay Tea Party. He concluded his remarks, suggesting that this year could be a trial to see how well the option of offering amusement rides on Friday works for the event.

The Administrator stated that, in discussion with the Chief Constable, it was noted that the cost for the proposed additional police services this year would be similar to the cost last year, as additional policing was required in 2011 due to the fireworks display.

MOVED by Councillor Herbert
Seconded by Councillor Ney, That:

1. A grant of \$7,000 be provided to the Oak Bay Tea Party Society for the 2013 Oak Bay Tea Party; and further
2. That Council approve in principle Shooting Star Amusements offering amusement rides at the 2013 Oak Bay Tea Party on Friday, May 31, 2013 from 4:00 p.m. to 9:00 p.m., subject to execution of a public property occupancy agreement with the same terms and conditions as in past years for occupancies related to the Oak Bay Tea Party event, with the Municipal Clerk being authorized to execute the public property occupancy agreement on behalf of the District of Oak Bay.

In response to questions and comments, Mr. Murphy-Dyson confirmed that a fireworks display was not proposed for this year's celebrations. He noted that the Society has worked well with Shooting Star Amusements in the past and that pre-teens are the age-group most likely to be interested in the amusement rides on Friday night. He commented that no change in the kind of amusement rides is anticipated.

A discussion ensued, with some members of Council noting that offering the amusement rides on Friday was supportable on a trial basis and that the impact on neighbouring residents needed to be considered. It was noted that the Society's efforts to make the event more environmentally-friendly were appreciated. Members of Council also offered their thanks to the Society for running such a successful and highly-anticipated event.

Regarding refreshments at the event, Mr. Murphy-Dyson noted that the Society was very receptive to the comments from the community and that the Environmental Advisory Committee's suggestions with respect to waste diversion had been provided to all food vendors. He also agreed to pass along Council's comments that additional vegetarian options would be a welcome inclusion to the refreshments.

The question was then called.

CARRIED

MOVED by Councillor Green
Seconded by Councillor Kirby, That correspondence item no. 2013-3-1 be received.

CARRIED

- 4 2013-4 DIRECTOR OF BUILDING AND PLANNING, December 4, 2012
Re Uplands Building Permit Application - 3040 Devon Road

MOVED by Councillor Herbert
Seconded by Councillor Green, That the proposed plans for the construction of an addition to the house located at 3040 Devon Road be approved as to siting and architectural design.

CARRIED

5. 2013-5 DIRECTOR OF BUILDING AND PLANNING, December 5, 2012
Re Uplands Building Permit/Development Variance Permit Application – 3245
Norfolk Road

In response to questions from Council, the Director of Building and Planning confirmed that the current dwelling is non-conforming with respect to siting.

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That:

1. Proposed plans for an addition at 3245 Norfolk Road be approved as to siting and architectural design, subject to the issuance of a development variance permit; and
2. That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 3245 Norfolk Road (Lot 9, Block B, Section 31, Victoria District, Plan 3599) that will vary the following provisions of Bylaw No. 3531, being the Zoning Bylaw, 1986, as amended:

<u>Bylaw Section</u>	<u>Required</u>	<u>Requested</u>	<u>Variance</u>
6.2.4.(2) (c) + Schedule 'C' Minimum Interior Side Lot Line Setbacks	4.27m	3.35m	0.92m
6.2.4.(2) (e) + Schedule 'C' Minimum Total of Side Lot Line Setbacks	10.97m	6.6m	4.37m

to accommodate the rear addition as shown in the plans attached to the memorandum from the Director of Building and Planning dated December 5, 2012.

MOVED by Councillor Green

Seconded by Councillor Herbert, That the motion in respect of the development variance permit for 3245 Norfolk Road be tabled to allow notice to be given in accordance with the Local Government Act.

CARRIED

6. 2013-6 DIRECTOR OF BUILDING AND PLANNING, December 4, 2012
Re Rezoning/Development Permit Application - 1510 Clive Drive/2280 Oak Bay Avenue

Gregory Damant, Architect, made a presentation to Council on the proposed development, describing the various benefits to the community, including enhancing the vibrancy of Oak Bay Village, the proposed LEED (Leadership in Energy and Environmental Design) certification, and the opportunity to provide more rental housing in Oak Bay.

Mr. Damant noted that the existing building is in need of renewal and that, as there is no elevator, the units in the building are not accessible for those with mobility challenges. He also commented that the existing building does not enhance the pedestrian environment. Expanding the sidewalk and relocating the overhead powerlines underground, he said, will enhance the pedestrian environment and improve the safety of the intersection at Clive Drive and Oak Bay Avenue.

The proposed building, Mr. Damant commented, would include twenty-three units, with a mixture of one and two bedroom configurations. He noted that a live/work use could also be incorporated into the building if Council was supportive of the concept.

With respect to density, Mr. Damant stated that a rezoning is requested in order to achieve the floor space ratio needed to meet the LEED requirements and make the project economically viable for the owner. He noted that neither the current zone nor the high-density zone in the Zoning Bylaw would allow a sufficient density on this site to meet these needs and commented that the current building does not conform to the requirements of the existing zone.

Turning to the issue of parking, Mr. Damant emphasized that the subject property is within easy walking distance of the many services in Oak Bay Village and is located along a transit corridor. He noted that 13 parking stalls are proposed for the development and that the applicant intends to secure a car-share membership for each unit within the building. Secured bicycle parking, he said, would also be provided.

After describing the external surface materials and showing the comparative views from Clive Drive and Oak Bay Avenue of the proposed development, Mr. Damant noted that a consultation session had been held with the residents neighbouring the subject property. He stated that, in response to concerns expressed at this session, the proposal had been amended by reducing the number of units, which then allowed for the lowering of the frontage to the north of the development that is adjacent to the residential dwellings.

Responding to various questions from Council, Mr. Damant stated that, in consultation with landscape architects, it has been determined that it will be possible to install the proposed sidewalk on Oak Bay Avenue while retaining the three trees along that frontage. He noted that a seasonal water feature is proposed to manage the stormwater from the roof. Though the intent is to keep blasting to a minimum, he said, it is not clear at this point how much blasting will be required. He confirmed that the owner has committed to achieve the first level of LEED certification, but that consideration will be given to achieving a higher level of certification if feasible. The proposed development includes 16 secured bicycle parking spots, he said, in addition to covered bicycle parking and internal storage space. He commented that the live/work use could be restricted by covenant to the units on the main floor of the building and that these units would be suited for businesses with low volumes of customer traffic, such as accountants.

Regarding the issue of the proposed setbacks, Mr. Damant responded that the intention is for the proposed development to serve as a transition from the commercial portion of Oak Bay Avenue to the residential area and that the proposed setbacks are a reflection of this goal. The setbacks at the ground floor, he noted, are greater than for the upper floors. He stated that locating the parking at the rear of the property required siting the building closer to the front of the property and that the existing building did not meet the setbacks of the current zone.

Nicole Roberts, applicant, responded to questions from Council, noting that there is a full basement already located underneath the existing building which suggests that extensive blasting will not be necessary. She stated that the monthly rent for the units in the proposed building would be in the range of \$1,400 per month, depending on the size and configuration of the unit being rented.

Mr. Damant commented that spot zoning will likely be required to densify the subject property in order to diversify housing stock. Ms. Roberts noted that this opportunity to develop rental housing has arisen as a result of the reduced cost of construction and that the current design makes the rental component economically feasible.

In response to comments from Council, the Municipal Administrator clarified that he concurs with the proponents that the application would require the creation of a new zone specific to this site. Mr. Brennan noted that the current OCP renewal process makes this a challenging time to amend the existing OCP, which would also be required for the proposed development to proceed.

A discussion ensued, with some members of Council expressing concerns regarding the proposal, noting that the loss of the existing Japanese maple tree was disappointing and that this is a substantial variation from both the existing building and the current OCP.

Other members of Council commented on the potential benefits of the proposal, including LEED certification, stormwater management, enhanced bicycle storage and improvements to the pedestrian environment. It was also noted that both rental housing and a live/work component could be advantageous, considering the location of the subject property on a commercial and transportation corridor.

MOVED by Councillor Copley

Seconded by Councillor Ney, That the rezoning/development permit application for the property at 1510 Clive Drive and 2280 Oak Bay Avenue be referred to Committee of the Whole for further discussion.

Mr. Brennan noted that staff would begin to do some preliminary work on possible options with respect to potential bylaw amendments.

Some members expressed support for the application proceeding to Committee of the Whole, given the potential benefits of the proposal and the opportunity at the Committee of the Whole to hear from members of the public. Other members, though not in opposition to further consideration of the application, expressed concerns with respect to proceeding with OCP amendments in advance of the OCP renewal process. The potential impact of the proposed setbacks and lot coverage was also noted.

The question was then called.

CARRIED

7. 2013-7 OAK BAY FIRE FIGHTERS CHARITABLE FOUNDATION, November 26, 2012
Re Temporary Occupancy of Fireman's Park - 2013 Christmas Tree Recycle

MOVED by Councillor Herbert

Seconded by Councillor Kirby, That approval be given for the temporary occupancy of the Firemen's Park parking lot, as detailed in correspondence item no. 2013-7, subject to the Oak Bay Fire Fighters Charitable Foundation 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 Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

8. 2013-8 DEPUTY TREASURER, December 4, 2012
Re 2013 Tender Award Recommendations

MOVED by Councillor Herbert

Seconded by Councillor Green, That the 2013 tenders and contract extensions be awarded as follows:

PW01-2013 – Backhoe Rental Tender:
Jaymar Contracting, based on low bid;

PW02-2013 – Gravel Supply Tender:
Lehigh Northwest Materials, based on lower total costs;

PW03-2013 – Ready Mix Concrete:
Butler Brothers Supplies;

PW04-2013 – Tandem Truck Rental Tender:
W.A. Jones & Sons, based on low bid;

PW05-2013 – Scrap Metal Roll-Off Tender:
Steel Pacific Recycling,

as detailed in correspondence item no. 2013-8.

CARRIED

9. 2013-9 OAK BAY HERITAGE COMMISSION MINUTES, November 20, 2012
Re Minutes of Meeting

As the Council liaison to the Oak Bay Heritage Commission, Councillor Green provided clarification with respect to the home price survey mentioned in the minutes, noting that the intention was to provide a survey of the sale value of dwellings on the Oak Bay Community Heritage Register.

MOVED by Councillor Herbert

Seconded by Councillor Kirby, That the minutes of the meeting of the Oak Bay Heritage Commission held on November 20, 2012, be received.

CARRIED

MOVED by Councillor Copley

Seconded by Councillor Green. That the Oak Bay Community Heritage Register be augmented by the addition of the real properties listed below, as more particularly described in the heritage statements of significance attached to the minutes of the Oak Bay Heritage Commission meeting held November 20, 2012, and considered by Oak Bay Municipal Council on December 10, 2012:

- 647 St. Patrick Street; and
- 700 Linkleas Avenue.

Councillor Green noted that it had been the wish of the late Gwen Ewing, a former member of the Commission, that her house at 647 St. Patrick Street be included on the Oak Bay Community Heritage Register.

The question was then called.

CARRIED

10. 2013-10 DIRECTOR OF BUILDING AND PLANNING, December 6, 2012
Re Building Permit Referral for Property on Community Heritage Register -
2028 Runnymede Avenue

The Director of Building and Planning reviewed the process that had been undertaken with respect to 2028 Runnymede Avenue as noted in his December 6, 2012 report. He noted that the Heritage Commission was supportive of the proposed amendments to the renovation of the garage.

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That correspondence item no. 2013-10 be received for information.

A discussion ensued, with members of Council commenting on the remarkable work being undertaken by the owners to revitalize the subject property.

The question was then called.

CARRIED

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

Notice of Motion – Urban Forest Strategy

Councillor Ney provided notice to Council that she would be bringing forward a motion to the next meeting of Council with respect to the creation of an Urban Forest Strategy for the District of Oak Bay to address issues of ongoing tree loss.

Council Liaison Report

Councillor Green noted that she would be bringing forward a report to the next Council meeting summarizing the activities undertaken in 2012 by the committees on which she serves as Council liaison.

Waste Diversion

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That the Environmental Advisory Committee be requested to provide a report considering options for waste diversion in high volume outdoor areas, with specific reference to Oak Bay Avenue.

Councillor Murdoch noted that waste diversion was a high priority for the Environmental Advisory Committee and that the proposed report would be compiled with input from Public Works staff.

The question was then called.

CARRIED

Community Initiatives Committee

Councillor Herbert confirmed that, in response to a request from the Environmental Advisory Committee, the Community Initiatives Committee would be considering the benefits and challenges of reinstating a Community Reuse Day which would allow residents to place items that are no longer being used outside their dwelling for other members of the public to acquire. He noted that consideration needs to be given to the cost for Public Works to remove unwanted items that are left over after the event has concluded.

The Community Initiatives Committee, he stated, is also considering the suggestion for an additional music in the park event and the possibility of hosting the 2015 Federation of Canadian Municipalities Board meeting in Oak Bay.

Municipal Website

Councillor Murdoch noted that consideration is still being given to the best method of highlighting items of interest on the website and noted that suggestions for items needing more attention can be provided to him.

New Resident Packages

Councillor Murdoch stated that, starting in the new year, the Archivist has confirmed that she will be providing heritage information on individual houses for inclusion in the welcome package for new house owners.

Mayor Jensen commented that the Heritage Foundation has requested that he provide a copy of the Centennial Book in the new resident packages. He commented that he would clarify if all copies of the Centennial Book that were allocated for the Mayor's Office have already been used. Consideration should also be given, he said, to allocating funds in the budget to provide a copy of the Oak Bay Community Green Map in the packages and noted that the Oak Bay Community Association had indicated that the maps for this purpose could be purchased below cost.

Outdoor Burning on Beaches Report

In response to questions from Council, the Municipal Clerk confirmed that the requested staff report on the implications of outdoor burning on beaches would be coming forward to Council in the new year.

TABLED:

Development Variance Permit – 3125 Midland Road

MOVED by Councillor Herbert

Seconded by Councillor Green, 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 3125 Midland Road (Lot 9, Block 13, Section 31, Victoria District, Plan 1216A), varying the following provisions of Bylaw No. 3531, Zoning Bylaw, 1986, as amended:

<u>Zoning Bylaw Section</u>	<u>Required</u>	<u>Requested</u>	<u>Variance</u>
6.2.4.(2) (c) + schedule 'C' <i>Minimum interior side lot line setback</i>	3.96 m	3.44 m	0.52 m
6.2.4.(2) (e) + schedule 'C' <i>Minimum combined side lot line setback</i>	9.75 m	6.85 m	2.90 m

to accommodate the renovations to the building as shown on the plans appended to Committee of the Whole agenda item 2012-332 being a memorandum from the Director of Building and Planning dated November 16, 2012.

CARRIED

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

CARRIED

RESOLUTIONS:

Confirmation of 2013 Appointments

MOVED by Councillor Murdoch

Seconded by Councillor Kirby, That the following appointments be confirmed for the 2013 Council year in accordance with the respective enactments or agreements governing them:

COMMITTEE OF THE WHOLE

Active Transportation and Community Section	Councillor Kirby
Environment and Regulatory Section	Councillor Murdoch
Public Works/Finance/Emergency Service Section	Councillor Herbert
Parks and Recreation Section	Councillor Ney
Land Use and Planning Section	Councillor Copley
Heritage and Culture Section	Councillor Green
Uplands Building Permits Subcommittee.....	Councillors Copley, Herbert, Green

OTHER COUNCIL APPOINTMENTS

Acting Mayor for:

January and July.....	Councillor Copley
February and August.....	Councillor Herbert
March and September	Councillor Green
April and October	Councillor Ney
May and November	Councillor Kirby
June and December	Councillor Murdoch
Capital Regional District	Mayor Jensen
.....	(Alternate: Councillor Herbert)
Capital Regional District Arts Committee.....	Councillor Green
Capital Regional District Liquid Waste Committee	Councillor Herbert
Camosun College Liaison.....	Councillor Murdoch
Community Initiatives Committee	Councillors Ney and Herbert (Chair)
CREST Corporation	Mayor Jensen
.....	(Alternate: Councillor Herbert)

Emergency Planning Liaison	Councillor Herbert
Greater Victoria Labour Relations Association.....	Councillor Green
.....	(Alternate Councillor Murdoch)
Greater Victoria Public Library Board	Councillor Murdoch
Oak Bay Child and Youth Committee.....	Councillor Kirby
Oak Bay Community Archives.....	Councillor Green
Oak Bay Heritage Commission	Councillor Green
Oak Bay Heritage Foundation	Councillor Green
Oak Bay High School Steering Committee	Councillors Ney and Kirby
.....	Mayor Jensen (ex officio)
Oak Bay Merchants Liaison	Councillor Ney
Oak Bay Parks and Recreation Commission Liaison	Councillor Ney
Oak Bay Police Board	Mayor Jensen (ex officio)
Oak Bay Tourism Committee Liaison.....	Councillor Ney
Parcel Tax Roll Review Panel	Mayor Jensen, Councillors Ney and Herbert
Provincial Capital Commission	Councillor Copley
Provincial Court—Family Court Committee.....	Councillor Kirby
Regional Housing Trust Fund Commission	Councillor Copley
.....	(Alternate: Councillor Green)
Regional Water Supply Commission.....	Councillor Ney
.....	(Alternate: Councillor Murdoch)
Royal and McPherson Theatres Society	Councillor Green
School District 61 Liaison	Councillor Ney
University of Victoria Liaison.....	Councillor Copley
Wall of Fame Committee	Councillors Ney and Herbert

CITIZEN VOLUNTEER APPOINTMENTS

Active Transportation Advisory Committee

- Charlie Etchell
- Chris Harvey
- Gerald Smeltzer
- Carol Hubberstey
- Neil Jackson
- Darius Kanga
- David Leach
- Greg Miller
- Kris Nicols

Advisory Design Panel

- Patricia Wilson
- James Aalders
- Duane Ensing
- Nigel Banks
- Adam Fawkes

Board of Variance

- Spencer Manning
- Caroline Monohan
- James Murtagh

Community Initiatives Committee

- Scott Piercy
- Audrey McFarlane

Environmental Advisory Committee

- Patricia Lane
- Taylor Davis
- Brian Holl
- Chris Garrett
- Andrew Stinson
- Ron Carter
- Meegan Armstrong
- Angela Buckingham
- Caitlin Currey
- Heather Sinnott
- Noreen Taylor
- Anita Wolfe

Heritage Commission

- Ben Clinton-Baker
- Richard Collier
- Joan Heagle
- Carl Peterson
- Caroline J. Posynick
- Cora Smith
- Margaret Palmer
- Bronwyn Taylor
- Monica Walter
- Patricia Wilson

Heritage Foundation

- Ben Clinton-Baker
- Marion Cumming
- Joan Heagle
- Jane Nielsen
- Margaret Palmer
- Jean Sparks
- Bronwyn Taylor
- Patricia Wilson

Oak Bay Tourism Committee

- Ken Agate
- Derek Vair
- Shawna Walker
- Alf Lyon
- Egle Vair
- Tom Croft
- Hazel Braithewaite
- Rena Kendall-Craden
- Patrick Tier
- Sue Hayes

Official Community Plan Project Advisory Committee

- Gloria Back
- Patrick Frey
- John Graham
- Mike Lloyd
- Jan Mears
- Will Moore

Parks and Recreation Commission

- Linda Allen
- Alison Davis
- Victor Lotto
- Sandi Piercy
- Brian Sharp
- Monty Holding
- Drew Henderson
- Rich Marshall
- Chris Smith

Police Board

- Wendy Brown
- John Mochrie
- Sandra Waddington
- David Winkler

Allan Cassidy Recognition of Renovation and Building Achievement Awards Panel

- Kris Nichols
- Cassie Kangas
- Bronwyn Taylor
- James Aalders
- Jennifer Deakin

Wall of Fame

- Alexandra Devon
- Sandi Piercy

CARRIED

Refund of Off-Site Servicing Deposit – 1175 Beach Drive (Oak Bay Beach Hotel)

MOVED by Councillor Herbert

Seconded by Councillor Ney, That in relation to the Off-Site Servicing Agreement between the District of Oak Bay and Bison Properties Ltd., authorized by Council on June 11, 2007, staff be directed to refund an additional \$240,000.00 of the deposit made in that regard to Bison Properties Ltd.

CARRIED

BYLAWS:

For Adoption

MOVED by Councillor Green

Seconded by Councillor Copley, That Bylaw No. 4579, *Water Rate Bylaw Amendment Bylaw, 2013*, be adopted.

CARRIED

MOVED by Councillor Copley

Seconded by Councillor Green, That Bylaw No. 4580, *Sewer User Charge Bylaw Amendment Bylaw, 2013*, be adopted.

CARRIED

(Councillor Herbert against the motion)

For First, Second and Third Reading

MOVED by Councillor Green

Seconded by Councillor Copley, That Bylaw No. 4581, *Financial Plan Bylaw, 2012, Amendment Bylaw No. 4, 2012*, be introduced and read a first time.

CARRIED

MOVED by Councillor Green

Seconded by Councillor Copley, That Bylaw No. 4581, *Financial Plan Bylaw, 2012, Amendment Bylaw No. 4, 2012* be read a second time.

CARRIED

MOVED by Councillor Green

Seconded by Councillor Copley, That Bylaw No. 4581, *Financial Plan Bylaw, 2012, Amendment Bylaw No. 4, 2012*, be read a third time.

CARRIED

ADJOURNMENT:

MOVED by Councillor Kirby

Seconded by Councillor Ney Green, That the open portion of the meeting of Council be adjourned and that a closed session be convened to discuss: labour relations or other employee relations; and 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 9:40 p.m.

Certified Correct:

Municipal Clerk

Mayor