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 16, 2013 at 7:30 p.m.

PRESENT: Mayor, N. Jensen, Chair
Councillor P. Copley
Councillor C. Green
Councillor J. Herbert
Councillor M. Kirby
Councillor K. Murdoch

STAFF: Municipal Administrator, H. Koning
Municipal Clerk, L. Hilton
Deputy Municipal Clerk, C. Denomme
Municipal Treasurer, P. Walker
Director of Building and Planning, R. Thomassen
Director of Engineering Services, D. Marshall

Mayor Jensen called the meeting to order at 7:34 p.m.

It was the consensus of Council that the order of the Agenda be amended to move the presentation on the Official Community Plan after the Public Participation.

ADOPTION OF MINUTES:

*Council – November 25, 2013*

MOVED by Councillor Herbert
Seconded by Councillor Murdoch, That the minutes of the Council meeting held on Monday, November 25, 2013, be adopted.

CARRIED

*Special Council – December 9, 2013*

MOVED by Councillor Herbert
Seconded by Councillor Green, That the minutes of the Special Council meeting held on Monday, December 9, 2013, be adopted.

CARRIED

*Committee of the Whole – December 9, 2013*

MOVED by Councillor Copley
Seconded by Councillor Herbert, That the minutes of the Committee of the Whole meeting held on Monday, December 9, 2013, be adopted.

CARRIED

MAYOR'S REMARKS:

Mayor Jensen began his 2014 Annual Address by acknowledging that the meeting is being held within the traditional territories of the Coast Salish First Nations people. He thanked First Nations Chief Ron Sam for attending at the Municipal Hall and helping to unveil the Lekwungen Plaques commemorating our First Nations history and for attending meetings that continue to build bridges between our two proud and historic communities and with discussion on Oak Bay's Official Community Plan and the deer issues.

The Mayor reflected on the year 2013 commenting that it proved to be both exciting and challenging. He said there were three CAO's in 2013 and thanked Council members for their time and effort during the selection process for the new CAO. He said that Council is looking forward to a long and successful working relationship with Ms. Koning at the Helm of the Realm.

Other changes highlighted were the election of the First Green Candidate to the BC Legislature representing Oak Bay, MLA Andrews Weaver, and MP Murray Rankin who replaced the retiring Denise Savoie.

The Mayor said that the Official Community Plan Renewal project gained momentum with open houses being held and completion of a survey, the results being presented to Council later in the meeting. The Mayor thanked the committee volunteers, staff and Councillors Copley, Green and Herbert for their work on the committee.

With respect to the Heritage Commission, the Mayor noted that a Heritage Strategic Plan has been adopted by Council and will form a foundation for future heritage decisions and planning. He extended a special thanks to Pat Wilson, Chair and Heritage Commission members for their work on the project.

In the spring of 2013, the Mayor said the much-anticipated sod turning ceremony heralded the beginning of construction for the new Oak Bay High School. He commented that once completed it will truly become a centerpiece of the community, with a neighbourhood learning centre and a theatre that will be a state of the art facility, which will add to the already active Oak Bay arts community. The Mayor thanked Councillors Kirby and Ney for their collaborative work with the School District.

The Mayor said the absence of Councillor Ney was due to an injury received while participating in a rugby demonstration on the lawn of the Legislature with the National Rugby team while representing Council as Acting Mayor. He wished her continued success on her recovery.

Councillor Murdoch, the Mayor reported, has taken on the task of tackling the complex and thorny issue of floor area ratio. He thanked Councillor Murdoch for his work in 2013 and wished him continued success for 2014.

The upcoming year of 2014, the Mayor said, promises to be equally exciting and challenging with plans to complete the Official Community Plan by early fall. He said Open Houses will be held in the first months of the year that will build on the work done in 2013.

The Mayor said the launch of the community wide Kitchen Scrap pickup program will begin in January and will result in a significant reduction in material being land filled at Hartland, extending the life of that facility.

In 2014, the Mayor said, staff and Council will continue to explore ways to implement Council's 2012 transportation policy which envisions a walkable and bikable community with active transportation networks. He said the Upland Sewer Separation project will begin the planning and costing phases in 2014.

The Mayor noted that the Oak Bay Lodge will present an exciting and challenging opportunity for the community to re-vision the future of the lodge property and Council is looking forward to working with the Regional District to examine the possibilities.

With respect to the Urban Deer issue, the Mayor said it has been a very difficult and emotional subject for the Council and the community. He said that in 2014 the program will begin and

initiatives include public education, regulatory review to the feeding bylaw, road safety measures with deer reduction strategies to be conducted later in the year.

The Mayor stated that one of his first acts of the 2014 Council year will be to appoint the first Arts Laureate.

He remarked that Oak Bay is an extraordinary place to live and do business and that it is fast becoming a destination for great art and food, where people can relax and enjoy the village atmosphere. He said that people of all ages feel comfortable biking and walking and there are housing options for a wide range of residents. He continued by saying Oak Bay is a place where we can all live Oak Bay's Motto *Sub Quercu Felicitas* – under the Oak, Good fortune.

The Mayor offered his thanks to members of staff for their support in 2013 and concluded his remarks by extending the best wishes of Oak Bay Council to all for a happy holiday season.

PUBLIC PARTICIPATION PERIOD:

Kate Glover resident, said that when she is on the Oak Bay website she receives warning messages. She also commented that there is nothing regarding the Art Laureate on the website. Ms. Glover expressed concerns around using a park for the soft plastics recycling at Carnarvon Park. She also questioned why there are charges for the Kitchen Scraps program now. Ms. Glover asked if she could comment on the Official Community Plan and she was advised that there would be time for input at the upcoming Open Houses with the first one on February 8, 2014.

Eric Zhelka, resident, thanked Council for its commitment to the Floor Area Review with special recognition of Councillor Murdoch's work. Mr. Zhelka commented on the Kitchen Scraps program and voiced his concerns with trucking the compost out of the municipality. He further commented that he can compost in his own yard and would like to opt out of the program.

In response to the Kitchen Scraps comments, Mayor Jensen said that the program is community wide and there is no provision to opt out. He further suggested that Mr. Zehlka write to the Capital Regional District (CRD) with his views.

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

*Official Community Plan Renewal Project*

Catherine Berris gave a presentation on the Official Community Plan Renewal community survey results. Ms. Berris reviewed the results noting that there was a high response rate. She said the presentation and survey report would be available on the website. Members of Council expressed their appreciation for work involved in producing the survey and summarizing the results.

COMMUNICATIONS:

1. 2014-1 CHIEF CONSTABLE FISHER, Dec 5, 2013
Re Police Dispatch and Communications Services Agreement Renewal

The Chief Constable gave an overview of the Police Dispatch and Communications Services Agreement Renewal, answering questions from members of Council.

MOVED by Councillor Herbert
Seconded by Councillor Green, That the Mayor and Municipal Clerk be authorized to execute the 2014-2018 Police Dispatch and Communications Services Agreement, substantially in the form attached to the memorandum from the Chief Constable dated December 5, 2013, correspondence item no. 2014-1.

CARRIED

2. 2014-2 FIRE CHIEF, Dec 5, 2013
Re Fire Dispatch and Communications Services Agreement Renewal

The Fire Chief noted the Fire Dispatch and Communications Services Agreement Renewal is similar to the Police Dispatch and Communications Services Agreement. He answered question from members of Council.

MOVED by Councillor Murdoch
Seconded by Councillor Green, That the Mayor and Municipal Clerk be authorized to execute the 2014-2018 Fire Dispatch and Communications Services Agreement, substantially in the form attached to the memorandum from the Fire Chief dated December 5, 2013, correspondence item no. 2014-2.

CARRIED

3. 2014-3 DIRECTOR OF PARKS AND RECREATION, Dec 16, 2013
Re Strategic Energy Management Plan 2013

*(Ray Herman, Director of Parks & Recreation, Ken Olson, Energy Coordinator, in attendance for this item)*

Ken Olson gave an overview of the 2013 Strategic Energy Management Plan (SEMP) highlighting successes and outlining proposed projects for the future, as well as answering questions from members of Council.

Members of Council thanked Mr. Olsen for his work on the project and commended him on the good results.

MOVED by Councillor Herbert
Seconded by Councillor Green, That

1. Council provide support in principle for the draft of the Strategic Energy Management Plan;
2. Council refer the development of an Energy Policy and a Sustainability Policy to the Environmental Advisory Committee, with draft copies of each policy to come back to Council;
3. The Energy Coordinator be directed to provide the Environmental Advisory Committee with a presentation on the Strategic Energy Management Plan; and
4. The Environmental Advisory Committee be directed to incorporate references to the Strategic Energy Management Plan in their recommendations to Council regarding the implementation of an internal carbon fund.

CARRIED

4. 2014-4 CAPITAL REGIONAL DISTRICT, Dec 10, 2013
Re Proposal for Hobb's Creek Watershed Coordinated Initiative for 2014

It was noted that the item was withdrawn by the Capital Regional District.

5. 2014-5 OAK BAY HERITAGE COMMISSION MINUTES
Re Minutes of Meeting Nov 12, 2013 and Dec 10, 2013

MOVED by Councillor Murdoch
Seconded by Councillor Herbert, That staff be directed to prepare a report with new plans depicting the design recommended by the Heritage Commission for the Native Plant garden fencing, correspondence 2014-5, to be considered by Committee of the Whole.

CARRIED

MOVED by Councillor Herbert
Seconded by Councillor Green, That the Oak Bay Heritage Commission minutes of November 12, 2013 and December 10, 2013 be received.

CARRIED

6. 2014-6 DIRECTOR OF BUILDING AND PLANNING, Dec 11, 2013
Re Building Permit Application – Community Heritage Register property - 2753 Somass Drive

The Mayor provided an overview of the application.

MOVED by Councillor Herbert
Seconded by Councillor Green, That the Temporary Protection Order against 2753 Somass Drive, made November 25, 2013, be lifted.

CARRIED

7. 2014-7 PACIFIC MOBILE DEPOTS LTD, Nov 30, 2013
Re Request to Occupy a Portion of Carnarvon Park for Soft Plastics Recycling Depot

MOVED by Councillor Herbert
Seconded by Councillor Kirby, That, pursuant to Section 11.1 of the Zoning Bylaw, 1986, licence to occupy a portion of Carnarvon Park be granted to Pacific Mobile Depots Ltd, for the purpose of providing a soft plastic recycling depot on the following dates in 2014:

| | | | |
|---|---|---|---|
| January 25 | April 26 | July 26 | October 25 |
| February 22 | May 24 | August 23 | November 22 |
| March 22 | June 28 | September 27 | December 27 |

between the hours of 9:00 a.m. and 11:30 p.m., subject to Pacific Mobile Depots Ltd entering into a public property occupancy licence agreement, with the Municipal Clerk being authorized to execute such an agreement on behalf of the District of Oak Bay.

CARRIED

8. 2014-8 MUNICIPAL TREASURER, Dec 11, 2013
Re Oak Bay Arts Laureate Terms of Reference

MOVED by Councillor Herbert
Seconded by Councillor Copley, That Council adopt the terms of reference for the Oak Bay Arts Laureate attached to the December 11, 2013 report of the Municipal Treasurer, correspondence item no. 2014-8.

CARRIED

Mayor Jensen announced Barbara Adams as the first Arts Laureate. He said that Ms. Adams has a Masters degree in education and she is the founder and coordinator of the Monterey Elementary Artist in the School Program, she has served as a past member of the Community Arts Council, the Art Gallery of Greater Victoria and as Chair of Art in Bloom. The Mayor also said that Ms. Adams has been awarded the Community Arts Council Community Arts Award, the Queen's Golden Jubilee Medal, Runner-up Community Arts Leader Award, SD 61 Arts Recognition Award and the BCATA Middle School Art Teacher Award of Excellence.

Ms. Adams thanked Council for the opportunity to advance art in Oak Bay.

9. 2014-9 DEPUTY TREASURER, Dec 9, 2013
Re 2014 Tender Award Recommendations

MOVED by Councillor Herbert
Seconded by Councillor Green, That the 2014 tenders and contract extensions be awarded as follows:

PW01-2014 – Backhoe Rental Tender:
W.A. Jones & Sons, based on low bid;

PW02-2014 – Gravel Supply Tender:
Lehigh Northwest Materials, based on lower total costs;

PW03-2014 – Ready Mix Concrete:
Butler Brothers Supplies;

PW04-2014 – Tandem Truck Rental Tender:
Lopeter Trucking Ltd, based on low bid;

as detailed in correspondence item no. 2014-9, being a memorandum from the Deputy Treasurer dated December 9, 2013.

CARRIED

<u>CORRESPONDENCE – ITEMS APPEARING LATER ON THE AGENDA:</u>

10. 2013-313-1 PETER & WENDY EHLERS, Nov 15, 2013
2013-313-2 OAK BAY GREEN COMMITTEE, Nov 18, 2013
2013-313-3 TERRI HUNTER & DAVID GODFREY; Nov 18, 2013
2013-324-1 SHEILA REDHEAD, Nov. 18, 2013
2013-324-2 RON MERNER, Nov. 18, 2013
2013-324-3 KIT FILAN, Nov. 21, 2013

| | |
|---|---|
| 2013-324-4 | SUSAN SCOTT, Nov 22, 2013 |
| 2013-324-5 | BARBARA JULIAN, Nov 18, 2013 |
| 2014-10 | NEIL JACKSON, Dec 16, 2013 |
| 2014-10-1 | MARY KERR & JOHN ARMITAGE, Dec 15, 2013 |
| 2014-10-2 | WENDY & PETER EHLERS, Dec 16, 2013<br>Re: Development Variance Permit – 1220 Roslyn Rd |

MOVED by Councillor Herbert
Seconded by Councillor Green, That correspondence items no. 2013-313-1 to no. 2013-313-3 and no. 2013-324-1 to no. 2013-324-5 and no. 2014-10 to 2014-10-2 be received.

CARRIED

11. 2014-11 MARY KERR & JOHN ARMITAGE, Dec 11, 2013
Re Development Variance Permit – 1221 Victoria Ave

MOVED by Councillor Herbert
Seconded by Councillor Green, That correspondence item no. 2014-11 be received.

CARRIED

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

Councillor Green informed Council that she would be bringing two motions forward for Council's consideration in the new year. The first item relates to the Federation of Canadian Municipalities' (FCM) housing campaign, for which a resolution of support will be sought. The second item involves the Agricultural Land Commission (ALC) and providing a letter of support to the Provincial Government to protect and enhance the BC agricultural land reserve (ALR).

TABLED:

*Development Variance Permit - 606 Inglewood Terrace*

MOVED by Councillor Copley
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 606 Inglewood Terrace (Lot A, Sections 22 and 73, Victoria District, Plan VIP72540) varying the following provision of Bylaw No. 3531, *Zoning Bylaw, 1986*, as amended:

| Zoning Bylaw Section(s) | Permitted | Requested | Variance |
|---|---|---|---|
| 4.17.1<br>No retaining wall shall have an exposed face with a vertical distance from bottom to top exceeding 1.2 m | 1.20 m | 2.60 m | 1.40 m |

to accommodate the construction of a raised terrace as shown on the plans appended to Committee of the Whole agenda item 2013-316 being a memorandum from the Director of Building and Planning dated October 31, 2013.

CARRIED

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

CARRIED

*Development Variance Permit - 2449 Cranmore Road*

Councillor Kirby declared a conflict inasmuch as she is a good friend of the applicant, and left the meeting at 9:40 p.m.

MOVED by Councillor Copley
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 2449 Cranmore Road (Lot 10, Section 61, Victoria District, Plan 1029, except the Westerly 20 Feet and except the Northerly 8 Feet 6 Inches) varying the following provision of Bylaw No. 3540, *Parking Facilities Bylaw, 1986*, as amended:

| Parking Facilities Bylaw Section(s) | Required | Requested | Variance |
|---|---|---|---|
| 4.1 + Schedule "A", A.1.(a)<br>Minimum number of parking spaces | 2 spaces (one must be in a building) | 2 spaces (none in a building) | No covered parking provided |

to accommodate the development of the garage as shown on the plans appended to Committee of the Whole agenda item 2013-317 being a memorandum from the Director of Building and Planning dated November 7, 2013.

CARRIED

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

CARRIED

Councillor Kirby returned to the meeting at 9:42 p.m.

*Development Variance Permit - 1221 Victoria Avenue*

MOVED by Councillor Copley
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 1221 Victoria Avenue (Lot 7, Block 1, Section 23,Victoria District, Plan 1091), varying the following provisions of Bylaw No. 3531, *Zoning Bylaw, 1986*, as amended:

| Zoning Bylaw Section(s) | Required/ Permitted | Requested | Variance |
|---|---|---|---|
| 4.15.1<br>Maximum paved surface (rear yard) | 25%<br>25.40 $m^2$ | 34%<br>34.20 $m^2$ | 9%<br>8.80 $m^2$ |
| 6.5.4.(2)(c) | 1.52 m | 0 | 1.52 m |

| | | | |
|---|---|---|---|
| Minimum interior side lot line setback (north pergola) | | | |
| 6.5.4.(7)<br>Minimum clear space between buildings and structures (pergola to house) | 3.00 m | 2.24 m | 0.76 m |
| 4.10.4<br>No structure shall be sited within 3.00 m from any lot line | 3.00 m | 1.07 m | 1.93 m |
| 4.10.5<br>No structure described by Section 4.10.1 shall be sited in a side yard | 0 | 1 | 1 |

to accommodate the installation of a pergola and hot tub as shown on the plans appended to Committee of the Whole agenda item 2013-314 being a memorandum from the Director of Building and Planning dated November 4, 2013.

CARRIED

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

CARRIED

*Development Variance Permit - 1327 Beach Drive*

MOVED by Councillor Copley
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 1327 Beach Drive (The portion of foreshore or land covered by water adjoining the north west boundary of Block C of District Lot 114, shown in hatching on the sketch attached as Schedule "D" to Bylaw 3531, Zoning Bylaw, 1986) varying the following provisions of Bylaw No. 3531, *Zoning Bylaw, 1986*, as amended:

| Zoning Bylaw Section(s) | Permitted | Requested | Variance |
|---|---|---|---|
| 10.2.5 (6)<br>Maximum roof height above sea level | 5.50 m | 6.10 m | 0.60 m |
| 10.2.5 (6)<br>Maximum width | 6.10 m | 6.17 m | 0.07 m |

to accommodate the construction of a new boathouse as shown on the plans appended to Committee of the Whole agenda item 2013-315 being a memorandum from the Director of Building and Planning dated November 6, 2013.

CARRIED

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

CARRIED

*Development Variance Permit – 1220 Roslyn Road*

MOVED by Councillor Copley
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 1220 Roslyn Road (Lot 2, Section 23, Block 1, Victoria District, Plan EPP32418), varying the following provisions of Bylaw No. 3531, *Zoning Bylaw, 1986*, as amended:

| Zoning Bylaw Section(s) | Required/ Permitted | Requested | Variance |
|---|---|---|---|
| 4.17.2<br>No retaining wall shall have an exposed face exceeding 1.2 metres | 1.20 m | 2.38 m | 1.18 m |
| 4.15.1<br>Maximum paved surface (rear yard) | 25%<br>17.80 $m^2$ | 45%<br>32 $m^2$ | 20%<br>14.20 $m^2$ |
| 6.5.4.(10)<br>Minimum front lot line contextual setback | 8.18 m | 7.62 m | 0.56 m |

to accommodate the development of a new single family dwelling as shown on the plans appended to Committee of the Whole agenda item 2013-313 being a memorandum from the Director of Building and Planning dated November 1, 2013.

CARRIED

Mr. Neil Jackson, neighbour, expressed concern with the number of variances on this property over the last 5 years.

In response to questions from Council Mr. Young, owner of the property, said that he would plant two new trees to replace the ones being removed. He also noted that all the trees on the property were considered when making the design choices.

Mr. John Armitage expressed his concerns with the removal of trees on the property.

The question on the motion was then called.

CARRIED

RESOLUTIONS:

*Execution of Restrictive Covenant – Re: Low Impact Blasting at 1220 Roslyn Road*

MOVED by Councillor Herbert
Seconded by Councillor Green, That the Mayor and Municipal Clerk be authorized to do all acts and things necessary to execute and register at the Land Title Office, the Restrictive Covenant, pursuant to Section 219 of the *Land Title Act*, requiring the use of low impact blasting techniques, for 1220 Roslyn Road (Lot 2, Section 23, Block 1, Victoria District, Plan EPP32418), substantially in the form attached to the resolution printed for the purposes of the December 16, 2013 Council meeting agenda.

CARRIED

*Confirmation of 2014 Appointments*

MOVED by Councillor Green
Seconded by Councillor Herbert, That the following appointments be confirmed for the 2014 Council year in accordance with the respective enactments or agreements governing them:

***COMMITTEE OF THE WHOLE***
***SECTION RESPONSIBILITIES***

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, Green, Herbert

***OTHER COUNCIL APPOINTMENTS***

Acting Mayor & Chair for all Sections of Committee of the Whole for:
January and July.....Councillor Green
February and August.....Councillor Herbert
March and September .....Councillor Copley
April and October.....Councillor Ney
May and November.....Councillor Kirby
June and December .....Councillor Murdoch
Allan Cassidy Recognition of Renovation & Building Achievement Award Panel.....
..... (Councillor Copley)
Capital Regional District .....Mayor Jensen
Capital Regional District Arts Committee.....Councillor Green

Capital Regional District Liquid Waste Committee ..... Councillor Herbert

Capital Regional District Solid Waste Advisory Committee..... Councillor Ney

Camosun College Liaison .....Councillor Murdoch

Community Initiatives Committee.....Councillors Herbert (Chair)and Ney

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

YES (Youth Exceptional Star) Awards Liaison ..... Councillor Kirby

Oak Bay Community Archives Liaison .....Councillor Green

Oak Bay Heritage Commission ..... Councillor Green

Oak Bay Heritage Foundation ..... Councillor Green

Oak Bay High School Redevelopment Project - Working Group ..... Councillors Kirby

..... (Alternate Councillor Ney)

Oak Bay Business Liaison ..... Councillor Ney (Alternate Councillor Green)

Oak Bay Parks and Recreation Commission Liaison .....Councillor Ney

..... (Alternate Councillor Kirby)

Oak Bay Police Board..... Mayor Jensen (ex officio)

Oak Bay Tourism Committee Liaison .....Councillor Ney

Parcel Tax Roll Review Panel ..... Mayor Jensen, Councillors Herbert and Ney

Provincial Capital Commission .....Councillor Copley

Provincial Court—Family Court Committee..... Councillor Kirby

Regional Housing Trust Fund Commission.....Councillor Green

..... (Alternate: Councillor Copley)

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 Kirby

..... (Alternate Councillor Copley)

Wall of Fame Committee ..... Councillors Herbert and Ney

***CITIZEN VOLUNTEER APPOINTMENTS***

Active Transportation Advisory Committee

- Charlie Etchell
- Chris Harvey
- Carol Hubberstey
- Neil Jackson
- David Leach
- Greg Miller
- Kris Nicols
- Eric Nielsen
- Gerald Smeltzer
- Phillip Watson

Advisory Design Panel

- James Aalders
- Nigel Banks
- Duane Ensing
- David Wilkinson
- Patricia Wilson

Allan Cassidy Recognition of Renovation and Building Achievement Awards Panel

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

Board of Variance

- Spencer Manning
- Caroline Monohan
- James Murtagh

Community Initiatives Committee

- Cassie Kangas
- Audrey McFarlane

Environmental Advisory Committee

- Meegan Armstrong
- Ron Carter
- Taylor Davis
- Chris Garrett
- Brian Holl
- Patricia Lane
- Norman Mogensen
- Heather Sinnott
- Andrew Stinson
- Noreen Taylor

Heritage Commission

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

Heritage Foundation

- Ben Clinton-Baker
- Marion Cumming
- Joan Heagle
- Paul Maurenbrecher
- Jane Nielsen
- Margaret Palmer
- Tara Smith
- Bronwyn Taylor
- Robert Taylor
- Phyllis Thompson
- Patricia Wilson

Oak Bay Tourism Committee

- Ken Agate
- Hazel Braithwaite
- Tom Croft
- Mario Gedicke
- Sue Hayes
- Ted Joiner
- Alfred Lyon
- Angus Matthews
- Steve Sinclair
- Shawna Walker

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
- Matt Fairbarns
- Victor Lotto

- Rick Marshall
- Sandi Piercy
- Brian Sharp
- Chris Smith
- Darlene Therrien

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

Wall of Fame
- Victor Lotto
- Sandi Piercy

CARRIED

*Discharge of Statutory Right of Way - 1204 Hewlett Place*

MOVED by Councillor Murdoch
Seconded by Councillor Herbert, That the Mayor and Municipal Clerk be authorized to do all acts and things necessary to discharge Statutory Rights of Way 118870G and 116554G registered against the title to 1204 Hewlett Place (Lot 4, Section 23, Victoria District, Plan 5708)

CARRIED

*Development Variance Permit - 3370 Uplands Road*

MOVED by Councillor Murdoch
Seconded by Councillor Copley, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 3370 Uplands Road (Lot D, Block 16, Section 31, Victoria District, Plan 2682) varying the following provision of Bylaw No. 3531, *Zoning Bylaw, 1986*, as amended:

| Zoning Bylaw Section(s) | Required | Requested | Variance |
|---|---|---|---|
| 6.2.4.(2)(a)<br>Minimum front lot line setback | 10.66 m | 8.70 m | 1.96 m |

to accommodate the construction of a new single family dwelling as shown on the plans appended to Committee of the Whole agenda item 2013-331 being a memorandum from the Director of Building and Planning dated December 4, 2013.

MOVED by Councillor Murdoch
Seconded by Councillor Copley, That the motion in respect to the development variance permit for 3370 Uplands Road be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

*Development Variance Permit - 3355 Midland Road*

MOVED by Councillor Murdoch
Seconded by Councillor Kirby, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 3355 Midland Road (Lot 8, Section 31, Victoria District, Plan 10433) varying the following provision of Bylaw No. 3531, *Zoning Bylaw, 1986*, as amended:

| Zoning Bylaw Section(s) | Permitted | Requested | Variance |
|---|---|---|---|
| 6.2.4.(3)(a)<br>Maximum building height | 7.32 m | 7.91 m | 0.59 m |

to accommodate the construction of a new single family dwelling as shown on the plans appended to Committee of the Whole agenda item 2013-332 being a memorandum from the Director of Building and Planning dated December 3, 2013.

MOVED by Councillor Murdoch
Seconded by Councillor Kirby, That the motion in respect to the development variance permit for 3355 Midland Road be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

*Development Variance Permit - 3250 Beach Drive*

MOVED by Councillor Murdoch
Seconded by Councillor Kirby, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 3250 Beach Drive (Lot 19, Block C, Section 31, Victoria District, Plan 3599) varying the following provisions of Bylaw No. 3531, *Zoning Bylaw, 1986*, as amended:

| Zoning Bylaw Section(s) | Permitted | Requested | Variance |
|---|---|---|---|
| 4.15.1<br>Maximum paved surface (front yard) | 25%<br>110 $m^2$ | 31%<br>137 $m^2$ | 6%<br>27 $m^2$ |
| 6.2.4.(3)(a)<br>Maximum building height | 7.32 m | 8.52 m | 1.20 m |

to accommodate the construction of a new single family dwelling as shown on the plans appended to Committee of the Whole agenda item 2013-333 being a memorandum from the Director of Building and Planning dated December 3, 2013.

MOVED by Councillor Murdoch
Seconded by Councillor Kirby, That the motion in respect to the development variance permit for 3250 Beach Drive be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

*Development Variance Permit - 2670 Margate Avenue (Lot 51) (Lot 52)*

MOVED by Councillor Murdoch
Seconded by Councillor Herbert, That the Development Variance Permit Application for 2670 Margate Avenue (Lot 51 and Lot 52), be referred to Advisory Design Panel for review and a recommendation, and that the applicant be requested to provide further renderings regarding the streetscape and the height of surrounding buildings.

CARRIED

*Development Variance Permit - 2111 Sutherland Road*

MOVED by Councillor Herbert
Seconded by Councillor Copley, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2111 Sutherland Road (Lot 1, Section 23, Victoria District, Plan EPP28657) varying the following provision of Bylaw No. 3531, *Zoning Bylaw, 1986* as amended:

| Zoning Bylaw Section(s) | Required | Requested | Variance |
|---|---|---|---|
| 6.5.4.(8)<br>Accessory building side lot line setback to be the same as principal building. | 3.00 m | 0.62 m | 2.38 m |

to accommodate the construction of a new detached garage as shown on the plans appended to Committee of the Whole agenda item 2013-336 being a memorandum from the Director of Building and Planning dated November 27, 2013.

MOVED by Councillor Herbert
Seconded by Councillor Copley, That the motion in respect to the development variance permit for 2111 Sutherland Road be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

*Development Variance Permit - 618 St. Patrick Street*

MOVED by Councillor Green
Seconded by Councillor Copley, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 618 St. Patrick Street (Lot 28, Block D, Section 22, Victoria District, Plan 1092) varying the following provisions of Bylaw No. 3540, *Parking Facilities Bylaw*, 1986 and Bylaw No. 3531, *Zoning Bylaw, 1986* as amended:

| Parking Facilities Bylaw Section(s) | Required | Requested | Variance |
|---|---|---|---|
| 4.1 + Schedule "A", A.1.(a)<br>Minimum number of parking spaces | 2 spaces (one must be in a building) | 1 space (not in a building) | One covered parking space |

| Zoning Bylaw Section(s) | Required | Requested | Variance |
|---|---|---|---|
| 4.6.5.(1) + 6.5.4.(2)(a)<br>Minimum front lot line setback | 6.42 m | 6.17 m | 0.25 m |

to accommodate the development of the covered parking into an additional bedroom and rebuild the front stair as shown on the plans appended to Committee of the Whole agenda item 2013-337 being a memorandum from the Director of Building and Planning dated December 4, 2013.

MOVED by Councillor Green
Seconded by Councillor Copley, That the motion in respect to the development variance permit for 618 St. Patrick Street be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

BYLAWS:

***For Adoption***

MOVED by Councillor Murdoch
Seconded by Councillor Green, That Bylaw No. 4598, *Refuse Collection and Disposal Bylaw, Amendment Bylaw, 2014*, be adopted.

CARRIED

MOVED by Councillor Murdoch
Seconded by Councillor Herbert, That Bylaw No. 4599, *Ticket Information Utilization Bylaw, Amendment Bylaw, 2014*, be adopted.

CARRIED

MOVED by Councillor Murdoch
Seconded by Councillor Herbert, That Bylaw No. 4600, *Mayor and Councillors Annual indemnity Bylaw, 2014*, be adopted.

CARRIED

MOVED by Councillor Murdoch
Seconded by Councillor Herbert, That Bylaw No. 4601, *Greater Victoria Public Library Operating Agreement Authorization Bylaw, 2013*, be adopted.

CARRIED

***For First, Second and Third Reading***

MOVED by Councillor Murdoch
Seconded by Councillor Kirby, That Bylaw No. 4602, *Water Rate Bylaw Amendment Bylaw, 2014* introduced and read a first time.

CARRIED
(*Councillor Herbert against the motion*)

MOVED by Councillor Murdoch
Seconded by Councillor Kirby, That Bylaw No. 4602, *Water Rate Bylaw Amendment Bylaw, 2014*, be read a second time.

CARRIED
(*Councillor Herbert against the motion*)

MOVED by Councillor Murdoch
Seconded by Councillor Kirby, That Bylaw No. 4602, *Water Rate Bylaw Amendment Bylaw, 2014*, be read a third time.

CARRIED
(*Councillor Herbert against the motion*)

MOVED by Councillor Murdoch
Seconded by Councillor Kirby, That Bylaw No. 4603, *Sewer User Charge Bylaw Amendment Bylaw, 2014*, be introduced and read a first time.

CARRIED
(*Councillor Herbert and Councillor Murdoch against the motion*)

MOVED by Councillor Murdoch
Seconded by Councillor Kirby, That Bylaw No. 4603, *Sewer User Charge Bylaw Amendment Bylaw, 2014*, be read a second time.

CARRIED
(*Councillor Herbert and Councillor Murdoch against the motion*)

MOVED by Councillor Murdoch
Seconded by Councillor Kirby, That Bylaw No. 4603, *Sewer User Charge Bylaw Amendment Bylaw, 2014*, be read a third time.

CARRIED
(*Councillor Herbert and Councillor Murdoch against the motion*)

MOVED by Councillor Herbert
Seconded by Councillor Murdoch, That Bylaw No. 4604, *Sale of Compost Bylaw Amendment Bylaw, 2014*, be introduced and read a first time.

CARRIED

MOVED by Councillor Herbert
Seconded by Councillor Murdoch, That Bylaw No. 4604, *Sale of Compost Bylaw Amendment Bylaw, 2014*, be read a second time.

CARRIED

MOVED by Councillor Herbert
Seconded by Councillor Murdoch, That Bylaw No. 4604, *Sale of Compost Bylaw Amendment Bylaw, 2014* , be read a third time.

CARRIED

ADJOURNMENT:

MOVED by Councillor Kirby
Seconded by Councillor Murdoch, That the open portion of the meeting of Council be adjourned and that a closed session be convened to discuss the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party; information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act; 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 10:28 p.m.

Certified Correct:

_____ _____

Municipal Clerk Mayor