

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 Tuesday, October 14, 2014 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
Councillor T. Ney

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 7:30 p.m.

ADOPTION OF MINUTES AND REPORTS:

Public Hearing, September 29, 2014

MOVED by Councillor Ney
Seconded by Councillor Herbert, That the report of the Public Hearing held on Monday, September 29, 2014, be adopted.

CARRIED

Council, September 29, 2014

MOVED by Councillor Copley
Seconded by Councillor Ney, That the minutes of the Council meeting held on Monday, September 29, 2014, be adopted.

CARRIED

MAYOR'S REMARKS:

GoodLife Fitness Marathon

Mayor Jensen attended the GoodLife Fitness Marathon launch and he started the race.

Capital Region Emergency Service Telecommunications

Mayor Jensen attended a meeting of the Capital Region Emergency Service Telecommunications Inc. (CREST) at which time they voted unanimously for a new technology plan. The plan will start next year and continue through to 2018 with the levy increase being kept to a maximum of 2%, however there will be increases in the Fire Department and Police Department budgets for radio purchases.

Flooding

Major Jensen reported that the two hour rainfall on Saturday overwhelmed the area of Thompson Avenue and Estevan Avenue, which resulted in four basements being flooded. The Fire Department attended and helped pump water.

PUBLIC PARTICIPATION PERIOD:

Nabhraj Spogliarich, Saanich resident, said he does not believe there is an over population of deer in Oak Bay and by his calculations there is one deer for every 100 residences. Mr. Spogliarich said that the rise in deer deaths could be attributed to many causes including reckless drivers and speeding and he said the statistics are inconclusive. In regard to donating the meat to First Nations, he said, the meat may not be suitable for consumption. He also said there is no evidence there is strong support for a cull.

Marion Cumming, resident, said it is coming into rutting season for the deer and instead of locking horns we should be able to come to a solution. Ms. Cumming said that a Provincial study in the 1970's parallels a World Wildlife Federation study and in 2010 they concluded that wildlife has been reduced by 50%. Wildlife is migrating to cities as they lose their property, and creative solutions to control the urban deer, such as contraception, should be investigated.

William Jesse, resident, said the deer report from Chief Administrative Officer says up to 50 deer will be culled and there is no scientific evidence to support that number. The cull could be an annual event and he asked how taxpayers feel about this. Mr. Jesse said he wants to prevent a cull. He said that he is against using clover traps for the cull as this is not a humane method. Mr. Jesse said that misinformed people are making bad decisions.

Patrick McCarthy, resident, said he is the owner of 2226 Lansdowne Road and his request for a tree removal permit reconsideration is on the agenda. He said there are seven mature Garry Oak trees on the property and trees have added over the years. Mr. McCarthy said he supports the tree protection program. The trees he is asking to remove are stressed and overhang the house, the sunroom and deck, and produce enormous acorns, he said. Seven glass panels on the sunroom had to be replaced because of the damage from falling acorns and the two trees have rendered the deck unusable. Mr. McCarthy said the maintenance required for cleaning the gutters, deck, railings and siding is costly. The two trees he wants to remove are unhealthy, he said.

Hazel Braithwaite, resident, said controlling the number of deer through traffic accidents is not the answer and it is not humane. Ms. Braithwaite said she supports Oak Bay moving forward with the CRD Regional Deer Management Strategy.

COMMUNICATIONS:

1. 2014-243 CHIEF ADMINISTRATIVE OFFICER
Re CRD Regional Deer Management Strategy (RDMS) – Oak Bay Pilot

The Chief Administrative Officer provided an overview of her report and answered question from Council.

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That the report of the Chief Administrative Officer, correspondence item no. 2014-243, be received.

CARRIED

(Councillor Copley opposed to the motion)

2. 2014-244 PATRICK AND ANN MCCARTHY, September 24, 2014
2014-244-1 MUNICIPAL CLERK, September 25, 2014
Re Tree Permit Refusal (2226 Lansdowne Road Request for Council Reconsideration

(Chris Hyde-Lay, Manager of Parks Services in attendance for this item)

Following discussion with Mr. Hyde-Lay, Council agreed that he should meet with the applicant to discussion trimming the trees and pesticide control.

MOVED by Councillor Copley

Seconded by Councillor Green, That the request for reconsideration of Tree Permit Refusal for the removal of two (2) Garry Oak trees, located on the private property at 2226 Lansdowne Road, correspondence item no. 2014-244, be deferred to a future Council meeting to allow time for Chris Hyde-Lay, Manager of Parks Services, and the applicant to meet to discuss other options.

CARRIED

3. 2014-245 DIRECTOR OF BUILDING AND PLANNING, October 6, 2014
Re Request for amendment to Section 219 covenant as part of subdivision approval – 131 Beach Drive

MOVED by Councillor Herbert

Seconded by Councillor Green, That the request for amendments to Section 219 covenant as part of subdivision approval for 131 Beach Drive, correspondence item no. 2014-245, be referred to Committee of the Whole for further consideration.

CARRIED

4. 2014-246 OAK BAY BUSINESS IMPROVEMENT ASSOCIATION, September 25, 2014
Re Thirteenth Annual Oak Bay Christmas Festival

MOVED by Councillor Kirby

Seconded by Councillor Copley, That the temporary road closures, the occupancy of the closed roads and the front lawn of the Municipal Hall, and the various events planned, including the sales of goods and services pursuant to the requirements of the Streets and Traffic Bylaw in relation to the Oak Bay Business Improvement Association Christmas Festival, as laid out in correspondence item no. 2014-246 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; and
3. agree to obtain Oak Bay Police approval for a traffic plan and implement the same subject to any field instructions from the Police,

with the Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

5. 2014-247 OAK BAY TOURISM COMMITTEE, October 6, 2014
Re Minutes of Meeting/Governance Manual

Angus Matthews, member of the Oak Bay Tourism Committee, provided a brief overview of the Governance Manual.

MOVED by Councillor Ney

Seconded by Councillor Copley, That the Oak Bay Tourism Committee Governance Manual, correspondence item no. 2014-247, be referred to staff for review and report be prepared and brought forward to a meeting of Council for consideration.

CARRIED

6. 2014-248 CASTAWAY WANDERER RUGBY FOOTBALL CLUB, [Undated]
Re Request to Occupy Public Property for Christmas Tree Recycle Fundraising Event

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That approval be given for the temporary occupancy of public property as detailed in correspondence item no. 2014-248, subject to the Castaway Wanderers Rugby Football Club 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; 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

7. 2014-249 ROYAL VICTORIA YACHT CLUB, September 26, 2014
2014-249-1 MUNICIPAL CLERK, October 1, 2014
Re Sea of Lights Event

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That in relation to the Sea of Lights Event, the activities planned for Willows Beach, on December 5, 2014 be approved as a Municipal Event, including the lighting of a bonfire pursuant to Section 46 of the Fire Regulation Bylaw.

CARRIED

8. 2014-250 OAK BAY COMMUNITY INITIATIVES COMMITTEE, September 11,
2014
Re Minutes of Meeting

MOVED by Councillor Herbert

Seconded by Councillor Ney, That the minutes of the Oak Bay Community Initiatives Committee held on September 11, 2014 be received.

CARRIED

MOVED by Councillor Herbert

Seconded by Councillor Green, That the purchase of two planters by the Oak Bay Community Initiatives Committee be approved with discussion in regard to the location of the planters to take place at a future date.

CARRIED

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

Environmental Advisory Committee

Councillor Murdoch said that the Environmental Advisory Committee will be meeting this week and they will consider priorities for 2015.

Greater Victoria Public Library

Councillor Murdoch attended a Finance Committee meeting for the Greater Victoria Public Library. He said that the Victoria Library is the highest circulation library system in all of Canada in relation to population.

Oak Bay Heritage Foundation

Councillor Green reported that the Heritage Foundation has produced a policy manual.

Request for Stop Sign – Cardiff Place and Kendall Avenue

Mayor Jensen reported that he attended a neighbourhood block party where he received a request for a stop sign at Cardiff Place and Kendall Avenue.

MOVED by Councillor Green,
Seconded by Councillor Kirby, That the request for a stop sign at Cardiff Place and Kendall Avenue be referred to Engineering for a report on stop signs.

CARRIED

RESOLUTIONS:

November/December Meeting Schedule

MOVED by Councillor Herbert
Seconded by Councillor Murdoch, That the regular meeting schedule be suspended for the months of November and December 2014, and that the following schedule be substituted:

November 2014

Council	Monday, November 10, 2014 @ 7:30 p.m.
Committee of the Whole	Monday, November 17, 2014 @ 7:00 p.m.

December 2014

Council (Inauguration)	Monday, December 8, 2014 @ 7:30 p.m.
Council	Monday, December 15, 2014 @ 7:30 p.m.

CARRIED

Establishment of The Honour of the Oak Leaf

MOVED by Councillor Green
Seconded by Councillor Murdoch, That *The Honour of the Oak Leaf* be established to recognize persons who are appointed by Council to serve the District of Oak Bay as a volunteer committee, commission, board or panel member, or those who have served as a member of Council; and

Each honouree is entitled to receive only one Oak Leaf Pin for his or her service as a volunteer committee, commission, board or panel member, or as a member of Council, regardless if more than one such District of Oak Bay body was served by an honouree; and

The District will maintain The Oak Leaf Register where each honouree's name will be inscribed once. The honouree's name will be accompanied by the year in which the person first served as a volunteer committee, commission, board or panel member, or as a member of Council; and

The Oak Leaf Register may be publicly displayed from time to time, and will be updated at the end of each Council term.

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 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.

CARRIED

The meeting adjourned at 9:41 p.m.

Certified Correct:

Deputy Municipal Clerk

Mayor