

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, September 8, 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:

Council, August 18, 2014

MOVED by Councillor Ney
Seconded by Councillor Herbert, That the minutes of the Council meeting held on Monday, August 18, 2014, be adopted.

CARRIED

MAYOR'S REMARKS:

Music in the Park

Mayor Jensen said a letter was received from John and Barbara Barton regarding the music at Willows Park saying how much they enjoyed it. Mayor Jensen thanked Councillor Herbert and the Community Initiatives Committee for arranging for the two concerts in the park this summer.

Oak Bay Rotary Club

Mayor Jensen said a letter was received from Oak Bay Rotary Club thanking the municipality for their support during the annual fundraising event which raised \$21,000.

Capital Region Emergency Service Telecommunications CREST)

Mayor Jensen reported that the CREST Annual General Meeting is being held on September 17, 2014 at which time a new technology plan will be considered.

Ministry of Transportation

Mayor Jensen reported that he attended a productive meeting with Parliamentary Secretary Jordan Sturdy to discuss opportunities and ideas dealing with community transportation infrastructure for Vancouver Island.

PUBLIC PARTICIPATION PERIOD:

Lesley Ewing, resident, reviewed the results of the Angus Reid survey organized by “Amalgamation Yes” in regard to amalgamation. She said that 441 people were surveyed and overall 84% of the respondents are in favour of amalgamation and 89% supported having a non-binding question on the municipal ballot for the fall election. The survey showed that 76% of the respondents that want the question on the ballot were from Oak Bay. Ms. Ewing asked Council to reconsider placing a non-binding question on the ballot for the municipal election in November.

COMMUNICATIONS:

1. 2014-226 MUNICIPAL TREASURER, September 2, 2014
2014-226-1 COMMUNITY ASSOCIATION OF OAK BAY, August 29, 2014
Re Grant Request – Oak Bay High School Welcome Pole

(Gail Pryce-Douglas, Project Leader and Kris Nichols, President of the Community Association of Oak Bay were present for this item)

Gail Price-Douglas gave an overview of the Oak Bay High School Welcome Pole project. The pole will be carved on site and will provide an educational opportunity for the students, with the resulting pole being a standing reminder for inclusiveness, she said.

Kris Nichols reviewed the objectives of the project. The fundraising for the project is just getting underway and the total budget is \$88,000.00, he said. They will be making application to the BC Arts Council and will partner with a number of local community groups including the Oak Bay Rotary Club to help raise funds, he said.

Barbara Adams, Oak Bay Arts Laureate, said she applauds the leadership of the Community Association of Oak Bay in supporting the arts. She said that this is an excellent idea and a good project for the community.

The Municipal Treasurer answered questions in regards to allocated grant money and unallocated money in the budget.

A discussion ensued regarding the grant request with the majority of Council in favour of supporting the Oak Bay High School Welcome Pole in principle.

MOVED by Councillor Kirby, That \$6,187.00 be approved for the Oak Bay High School Welcome Pole project in 2014 and staff be directed to add \$13,813.00 to the 2015 grant budget with the money to be paid upon staff receiving evidence that the remainder of the funding is in place.

The motion failed due to the lack of a seconder.

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That support in principle be given for the Oak Bay High School Welcome Pole project and that a grant of \$3500.00 be approved at this time with the Community Association of Oak Bay to return once the success of other Fundraising endeavours has been determined to make any further requests.

A discussion ensued in respect to the amount of the grant being approved for this year with members of Council hoping that the community will support the project through fundraising.

MOVED by Councillor Green

Seconded by Councillor Kirby, That the motion be amended to replace \$3,500.00 with \$6,187.00.

CARRIED

(Councillor Herbert against the motion)

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

CARRIED

2. 2014-227 GOODLIFE FITNESS VICTORIA MARATHON, July 17, 2014
Re Request for Temporary Road Closures and Public Property Occupancy
for 2014 Goodlife Fitness Victoria Marathon – October 12, 2014

Cathy Noel, General Manager was in attendance to answer questions from Council.

MOVED by Councillor Murdoch

Seconded by Councillor Kirby, That approval be given to occupy public property, as described in correspondence item no. 2014-227, for the Goodlife Fitness Victoria Marathon to be held Sunday, October 12, 2014, 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 Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

3. 2014-225 CITY OF VICTORIA, July 31, 2014
Re School Travel Planning Coordinator – Capital Regional District

Mayor Jensen gave an overview of the request.

MOVED by Councillor Kirby

Seconded by Councillor Ney, That a letter to sent to the Capital Regional District endorsing a pilot School Travel Planning Coordinator position for the Greater Victoria School District 61 for the 2014-15 school year.

A discussion ensued in regard to parents driving kids to school and the need to get the children outside and walking or cycling to school. Some members of Council expressed concern that there are no funding costs included for consideration.

The question on the motion was then called

CARRIED

(Councillors Murdoch, Green and Herbert against the motion)

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

Councillor Murdoch informed Council that he would be bringing a motion forward to the September 29, 2014 Council meeting for Council's consideration in regard to placing a non-binding question on amalgamation on the ballot for the local government election in November.

TABLED:

Development Variance Permit – 1288 Hampshire 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 1288 Hampshire Road (Lot 13, Block 2, Section 23, Victoria District, Plan 1091) varying the following provisions of Bylaw No. 3540, Parking Facilities Bylaw, 1986 as amended:

| <u><i>Parking Facilities Bylaw Section</i></u> | <u><i>Permitted/ Required</i></u> | <u><i>Requested</i></u> | <u><i>Variance</i></u> |
|---|---------------------------------------|-------------------------|------------------------|
| <i>7.3 + Schedule "B", B.4.(a) Minimum stall length</i> | <i>5.50 m</i> | <i>4.70 m</i> | <i>0.80 m</i> |
| <i>7.4.1 (a) Maximum of 25% of the required parking spaces may be small car</i> | <i>25%</i> | <i>50%</i> | <i>25%</i> |

to accommodate the addition of the laundry facility to the garage area, as shown on the plans appended to Committee of the Whole agenda item 2014-213, being a memorandum from the Director of Building and Planning dated August 5, 2014.

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 – 2135 McLaren Avenue

MOVED by Councillor Ney

Seconded by Councillor Copley, 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 2135 McLaren Avenue (Amended Lot 9 (DD149100I), Section 22, Victoria District, Plan 1421) varying the following provisions of Bylaw No. 3531 Zoning Bylaw, 1986 as amended:

| <u>Zoning Bylaw Section</u> | <u>Permitted/ Required</u> | <u>Requested</u> | <u>Variance</u> |
|--|--------------------------------|------------------|-----------------|
| 4.17.2 <i>No combination of retaining walls shall have a combined exposed face exceeding 1.2 metres in height</i> | 1.20 m | 3.05 m | 1.85 m |

to accommodate the expansion of the sunken patio, as shown on the plans appended to Committee of the Whole agenda item 2014-214, being a memorandum from the Director of Building and Planning dated August 5, 2014.

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 – 2090 Carnarvon Street

MOVED by Councillor Ney

Seconded by Councillor Copley, 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 2090 Carnarvon Street (Lot 29, Block 4, Section 28, Victoria District, Plan 1155) varying the following provisions of Bylaw No. 3531 Zoning Bylaw, 1986 as amended:

| <u>Zoning Bylaw Section</u> | <u>Permitted/ Required</u> | <u>Requested</u> | <u>Variance</u> |
|--|--------------------------------|----------------------|---------------------|
| 6.5.4.(2)(d) <i>Minimum exterior side lot line setback</i> | 3.65 m | 3.30 m | 0.35 m |
| 6.5.4.(6)(a) <i>Maximum gross floor area above 0.8 metres below grade</i> | 240 m ² | 268.7 m ² | 28.7 m ² |
| 6.5.4.(6)(a) <i>Maximum gross floor area</i> | 360 m ² | 390 m ² | 30 m ² |
| 6.5.4.(11) <i>Minimum second storey side lot line setback</i> | 3.00 m | 1.60 m | 1.40 m |

to accommodate the proposed rear and top floor addition, as shown on the plans appended to Committee of the Whole agenda item 2014-215, being a memorandum from the Director of Building and Planning dated August 5, 2014.

CARRIED

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

CARRIED

(Councillor Murdoch against the motion)

BYLAWS:

For Adoption

MOVED by Councillor Herbert

Seconded by Councillor Green, That Bylaw No. 4623, *Oil Burning Equipment and Fuel Tank Regulation Bylaw Amendment Bylaw No. 1, 2014*, be adopted.

CARRIED

MOVED by Councillor Herbert

Seconded by Councillor Green, That Bylaw No. 4624, *Fire Regulation Bylaw Amendment Bylaw No. 1, 2014*, be adopted.

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 labour relations or other employee relations and discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 (annual municipal report).

CARRIED

The meeting adjourned at 9:17 p.m.

Certified Correct:

Municipal Clerk

Mayor