

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 20, 2010 at 7:30 p.m.

PRESENT: Mayor C. M. Causton, Chairman  
Councillor P. Copley  
Councillor J. D. Herbert  
Councillor T. Ney  
STAFF: Municipal Administrator, M. Brennan  
Municipal Clerk, L. Hilton  
Confidential Secretary, K. Green  
Director of Building and Planning, R. Thomassen  
Director of Engineering Services, D. Marshall

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

ADOPTION OF MINUTES:

*Council – September 13, 2010*

MOVED by Councillor Copley  
Seconded by Councillor Herbert, That the minutes of the Council meeting held on Monday, September 13, 2010, be adopted.

CARRIED

COMMUNICATIONS:

1. 2010-246 OAK BAY PARKS AND RECREATION COMMISSION, September 1, 2010  
Re Minutes of the Meeting

*(Lorna Curtis, Director of Parks and Recreation, Monty Holding, Chairman, Oak Bay Parks and Recreation Commission, and Rod Windjack, Neighbourhood Learning Centre Consultant, CEI Architecture, in attendance for this item.)*

*Recreation Centre Signage Refurbishment*

With respect to Oak Bay Parks and Recreation Commission's recommendation to enter into a five-year lease in the amount of \$42,968 for the refurbishment of the Henderson Recreation Centre and Oak Bay Recreation Centre street signage as described in the memorandum attached to correspondence item no. 2010-246, Lorna Curtis commented that because the signage is often vandalized it has become damaged and irreparable. Ms. Curtis added that the new digital technology will allow staff to change the promotional message boards more frequently and from within the building.

MOVED by Councillor Herbert  
Seconded by Councillor Copley, That the minutes of the meeting of the Oak Bay Parks and Recreation Commission held on Wednesday, September 1, 2010, and the recommendations contained therein, be adopted.

CARRIED

*Neighbourhood Learning Centre*

Rod Windjack, CEI Architecture, provided an overview of the consultation process with respect to the proposal to include a Neighbourhood Learning Centre as part of the Oak Bay High School rebuild project, noting that it is an opportunity to develop shared education and community services under one roof.

The proposed design, said Mr. Windjack, would be comprised of two components, the first being an area that would become the home of the daycare, after-school care and teen centre. Since the after-school program space is only used between 2:30 p.m. and 6:00 p.m. there would be an opportunity for recreational programming and community use outside of these hours. The second component of the Neighbourhood Learning Centre would be to enhance areas within the school (i.e. foods, woodworking rooms, art and dance studios) to accommodate community access for programming during after school hours. He added the enhancements would allow for safe, secure and separate storage of student and community projects. Mr. Windjack confirmed that it is envisaged the new school would include a 450 seat theatre and under the Neighbourhood Learning Centre school enhancements it is proposed the drama department be enhanced to assist with creating a community theatre.

With respect to community consultation, Mr. Windjack advised that through three open houses, public input received will be considered and, if possible, implemented into the final concept that will be forwarded to the Ministry of Education for approval. At this time, he said, Commission seeks approval from Council to take the proposed Neighbourhood Learning Centre concept to the public for further input on the project.

Mr. Windjack answered questions from Council regarding the proposed Neighbourhood Learning Centre, noting the anticipated timeline and provincial process, and adding that the final school rebuild and Neighbourhood Learning Centre proposal will come back to Council before being submitted to the Ministry of Education. He also confirmed that agreements with the School District regarding terms of use of the facility would be required in the future, noting there are examples around the Province to assist with identifying any potential issues.

MOVED by Councillor Herbert

Seconded by Councillor Ney, That Council endorse going forward to the public with the proposed Neighbourhood Learning Centre concept for further input.

CARRIED

- 2. 2010-247 DIRECTOR OF BUILDING AND PLANNING, September 8, 2010
  - 2010-247-1 MUNICIPAL ADMINISTRATOR, September 16, 2010
  - 2010-247-2 BRIAN MCKINNELL AND PATRICIA WILSON, August 19, 2010
  - 2010-247-3 MARGARET PALMER, August 23, 2010
  - 2010-245 OAK BAY HERITAGE COMMITTEE, August 17, 2010
  - 2010-214 DIRECTOR OF BUILDING AND PLANNING, July 15, 2010
- Re Heritage Alteration Permit Application – 2031 Runnymede Avenue

With respect to the heritage alteration permit application for 2031 Runnymede Avenue, it was agreed that having a full Council in attendance would be desirable, and that following any questions Council members may have, this item should be deferred to the next Committee of the Whole meeting.

The Director of Building and Planning provided a brief overview, noting that the Heritage Advisory Panel considered the application to subdivide a lot off of the designated heritage

building and land and a consensus could not be reached with respect to whether or not the application was consistent with the purpose of the heritage designation.

With respect to the possibility of entering into a heritage revitalization agreement instead of obtaining a heritage alteration permit, Ann Hillyer, prospective owner, noted that when she spoke to staff some time ago it was discussed that both of these options allow for conditions to be imposed and it is their intent to live in the single family dwelling themselves. In response to the possibility of entering into a heritage revitalization agreement to divide the house into suites, Ms. Hillyer said they have no interest in converting the home into suites as it would significantly diminish the architectural integrity of the heritage home that has been virtually unchanged from its original floor plan. However, she said, she is interested in the possible use of a heritage revitalization agreement to allow the subdivision of the lot.

Ms. Hillyer answered questions from Council regarding the changes that have occurred to the original house, and the various aspects of the house that need restoration.

MOVED by Councillor Herbert

Seconded by Councillor Copley, That the heritage alteration permit application for 2031 Runnymede Avenue be referred to Committee of the Whole for further consideration.

CARRIED

3. 2010-248 OAK BAY LAWN BOWLING CLUB, August 25, 2010  
Re Licence of Occupation Renewal

Mayor Causton noted that following the Oak Bay Lawn Bowling Club's request for roof replacement funding being denied, he and Councillor Braithwaite and Monty Holding met with representatives from the Oak Bay Lawn Bowling Club to discuss options for the Club to raise funds to offset the building maintenance costs. At that meeting discussions also included looking at a ten-year licence agreement and the possibility of renting the facility to other user groups as a means to raise funds, inasmuch as the current licence agreement will expire at the end of the year.

There was discussion regarding the proposed changes to the licence agreement, and while support for use of the facility by other community groups was noted, it was suggested that it would be important for parameters to be set around the rental of the property as agreed to by Council and to ensure any potential new terms of an agreement are in keeping with the zoning regulations of the park.

MOVED by Councillor Herbert

Seconded by Councillor Ney, That staff be requested to discuss with the Oak Bay Lawn Bowling Club the proposed changes to the license of occupation, including the authority to rent out the building.

It was understood that following such a discussion between staff and the Club, proposed terms for an agreement would be presented to the Committee of the Whole for consideration.

The question was then called.

CARRIED

4. 2010-249 VICTORIA REMEMBRANCE DAY COMMITTEE POPPY FUND,  
September 1, 2010  
Re Request to Distribute Poppies

MOVED by Councillor Herbert

Seconded by Councillor Copley, That permission be granted to the Victoria Remembrance Day Committee Poppy Fund to conduct the sale of poppies in public places in Oak Bay from October 29, 2010 to November 10, 2010, exclusive of Sunday, October 31st and November 7th, 2010.

CARRIED

5. 2010-250 OAK BAY COMMUNITY INITIATIVES COMMITTEE, August 12,  
2010  
Re Minutes of the Meeting

*Uplands Welcome Sign*

Members of Council agreed that there would be further discussion regarding the proposed Uplands sign relocation at the next Heritage Committee Meeting to be held September 23, 2010.

*Alternative Transportation Plan*

In respect to the recommendation to hire a consultant to help produce an alternative transportation plan, it was pointed out that the funds for a consultant were budgeted for the Oak Bay Village project. However, there was consensus that use of the funds to create a broader plan for the whole Municipality was supportable given the Community Initiatives Committee's recently expanded role.

MOVED by Councillor Herbert

Seconded by Councillor Copley, That approval be given to engage the services of a consultant to produce an alternative transportation plan for the Municipality.

CARRIED

*Proposed Cycling Lanes*

It was suggested that inasmuch as the bicycle lane recommendation for Cedar Hill Cross Road and Foul Bay Road between Middowne Road and Lansdowne Road from the Community Initiatives Committee differs from what was originally referred to it by Council, perhaps a revised notice should be circulated to residents that would be affected should the Community Initiatives Committee's recommendation be adopted.

There was discussion regarding the Committee's recommendation, and the Director of Engineering Services raised his concern that if the recommendation to remove the right turn lane at the Lansdowne Road and Foul Bay Road intersection was implemented it would not be consistent with the geometry of the road north and south of the intersection, and would result in alignment and potential safety issues.

MOVED by Councillor Herbert

Seconded by Councillor Ney, That staff send notification to residents of the Community Initiatives Committee's recommendations with respect to the implementation of bicycle lanes.

It was suggested that the proposal should be placed before Council for formal consideration following the notice to area residents on October 12, 2010.

The question was then called.

CARRIED

MOVED by Councillor Herbert  
Seconded by Councillor Copley, That the minutes of the Oak Bay Community Initiatives Committee meeting held on August 12, 2010 be received.

CARRIED

BYLAWS:

*For First, Second and Third Reading*

MOVED by Councillor Herbert  
Seconded by Councillor Copley, That Bylaw No. 4515, *Property Tax Exemption Bylaw, 2010*, be introduced and read a first time.

CARRIED

MOVED by Councillor Herbert  
Seconded by Councillor Copley, That Bylaw No. 4515, *Property Tax Exemption Bylaw, 2010*, be read a second time.

CARRIED

MOVED by Councillor Herbert  
Seconded by Councillor Copley, That Bylaw No. 4515, *Property Tax Exemption Bylaw, 2010*, be read a third time.

CARRIED

ADJOURNMENT:

MOVED by Councillor Herbert  
Seconded by Councillor Copley, That the open portion of the Council meeting be adjourned and that a closed session be convened to discuss the acquisition, disposition or expropriation of land or improvements, as Council considers that disclosure could reasonably be expected to harm the interests of the municipality.

CARRIED

The meeting adjourned at 9:03 p.m.

Certified Correct:

\_\_\_\_\_  
Municipal Clerk

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Mayor

