

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, Victoria, B.C., on Monday, February 24, 2020 at 7:00 P.M.

We acknowledge that the land on which we gather is in the traditional territory of the Coast and Straits Salish Peoples. Specifically we recognize the Lekwungen speaking people, known today as the Songhees and Esquimalt Nations, and that their historic connections to these lands continue to this day.

PRESENT: Mayor K. Murdoch, Chair  
Councillor A. Appleton  
Councillor H. Braithwaite  
Councillor C. Green  
Councillor T. Ney  
Councillor E. Paterson  
Councillor E.W. Zhelka

STAFF: Acting CAO/Director of Engineering Services, D. Horan  
Director of Corporate Services, D. Hopkins  
Director of Building and Planning, B. Anderson  
Manager of Planning, D. Jensen  
Manager of Parks, C. Hyde-Lay  
Superintendent of Public Works, D. Brozuk  
Recorder, A. Nurvo

CALL TO ORDER:

Mayor Murdoch called the meeting to order at 7:02 p.m.

MOVED and seconded: That the Agenda be amended to move Item 9 regarding Bylaw No. 4620.003 to be considered after Item 1 Adoption of Minutes.

**CARRIED**

MINUTES AND REPORTS:

1. **Adoption of Minutes**

MOVED and seconded: That the Minutes of the Special Committee of the Whole meeting held February 6, 2020, the Special Council meeting held February 10, 2020, the Council meeting held February 10, 2020, the Special Committee of the Whole meeting held February 10, 2020, and the Special Committee of the Whole meeting held February 13, 2020, be adopted.

**CARRIED**

9. **Bylaw No. 4620.003, Oak Bay Official Community Plan Bylaw Amendment Bylaw, 2020**

MOVED and seconded: That Bylaw No. 4620.003, *Oak Bay Official Community Plan Bylaw Amendment Bylaw, 2020*, be given third reading and adoption.

Council requested clarification from staff on energy retrofits and whether the Bylaw restricts changes to the inside of houses, such as replacing windows or adding insulation.

The Director of Building and Planning advised that the Bylaw does not exclude or restrict these types of upgrades to the interior of a house, but that if there is to be any work that affects the exterior it would have to comply with the protected design characteristics.

Council asked staff to explain the process for adding or removing properties from the Bylaw Schedule of Protected Properties.

The Director of Building and Planning stated that the Working Group prepared the schedule as well as the guidelines and Statements of Significance. The properties included were those properties designated on the heritage register and those in the 1986 inventory by the Provincial Heritage Branch. After the list was submitted to Council, several homeowners requested that their properties be included, and these were reviewed by staff, the Heritage Consultant and the Heritage Commission. The owners of all properties included were provided with notice of intent to add their property to the Schedule. Since the Schedule is part of an OCP Amendment Bylaw, any changes would have to go through the bylaw amendment process including a Public Hearing prior to consideration of adoption.

The Question was then called.

**CARRIED.**

MAYOR'S REMARKS:

2. Mayor's Remarks

Mayor Murdoch thanked the residents within the Heritage Conservation Area and the volunteer members of the Heritage Conservation Area Working Group, the Heritage Commission, the Advisory Design Panel and Advisory Planning Commission, as well as the District's consultants and staff, including the former Director of Corporate Services, Warren Jones, for their collective efforts in moving this initiative forward.

Mayor Murdoch advised that the Oak Bay Police and Protective Services had raised \$40,000 for the Special Olympics from their annual Polar Plunge. The Mayor confirmed the District has been approved for a further Provincial grant for the next phase of the deer management program which includes a continuation of research and immuno-contraception. Mayor Murdoch said he had attended the recent Volunteer Fair and thanked the organizers. He also noted that he participated in the annual Coldest Night of the Year Walk at Our Place which is an event to remind us of the issues of homelessness. The Mayor reminded residents that the Police Board member application process closes on February 28.

PUBLIC PARTICIPATION PERIOD:

3. Steve Bowker, Oak Bay resident, addressed Council on the draft Housing Needs Report. He provided a table comparing Sooke's Housing Needs Report to the report completed by Oak Bay and requested that Council postpone receiving the Report until it is revised.

Nancy Barnes, Oak Bay resident, spoke in support of the Tree Protection Bylaw, and stated that it is more comprehensive and will increase awareness of the importance of trees in the community.

Ron Carter, Oak Bay resident, spoke in support of the new Tree Protection Bylaw, and thanked staff for their efforts in producing the Bylaw which is well aligned with the Urban Forest Strategy and is an excellent tool for preserving and enhancing the urban forest. He stated that he hoped the District can add to the inventory of significant trees in community.

COMMUNICATIONS:

4. **Housing Needs Report**

Mayor Murdoch read the recommendations submitted by Stephen Bowker during the Public Participation portion of this meeting. The Manager of Planning provided an overview of the Report and advised that the revisions requested by the Committee of the Whole have been completed.

MOVED and seconded: That Council receive the 2020 Housing Needs Report in accordance with section 585 of the *Local Government Act*.

There was Council discussion on whether it was appropriate in section 4.6 to consider the status of the District's housing needs in the context of the Region as a whole rather than focusing solely on the District data.

MOVED and seconded: That the first sentence of the first paragraph of section 4.6 be struck from the Housing Needs Report.

**CARRIED**

*With Councillors Appleton and Ney opposed*

The question was called on the Main Motion as amended:

**CARRIED**

*With Councillor Zhelka opposed*

5. **Public Works 2020 Annual Tender Awards**

MOVED and seconded: That Council award the tenders outlined in the Report of the Superintendent of Public Works dated February 24, 2020 as follows:

PW01-2020 – Backhoe Rental Tender be awarded to Northridge Excavating Ltd.;

PW02-2020 – Gravel Supply Tender be awarded to Lehigh Materials;

PW03-2020 – Ready Mix Concrete Tender be awarded to Trio Ready Mix; and

PW04-2020 – Tandem Truck Rental Tender be awarded to Northridge Excavating Ltd.

**CARRIED**

**6. Traffic Control Orders**

MOVED and seconded: That Council approve Traffic Control Order No. 2020-03 Stop Signs on Smythe Street at the intersections with Victoria Avenue and Hampshire Road.

**CARRIED**

MOVED and seconded: That Council approve Traffic Control Order No. 2020-04 Stop Signs on Deal Street at the intersections with Margate Avenue and Orchard Avenue.

**CARRIED**

MOVED and seconded: That Council approve Traffic Control Order No. 2020-05 Stop Signs on Tinto Street at the intersections with Oliver Street and Monterey Avenue.

**CARRIED**

MOVED and seconded: That Council approve Traffic Control Order No. 2020-11 Stop Signs on Pentland Road at the intersections with Victoria Avenue, Falkland Road, and Hampshire Road.

**CARRIED**

MOVED and seconded: That Council approve Traffic Control Order No. 2020-12 for the posting of signs limiting parking to 2 hours, Monday to Friday, 9:00 a.m. – 5:00 p.m. on Goodwin Street.

**CARRIED**

MOVED and seconded: That Council approve Traffic Control Order No. 2020-13 for the designation of two handicapped parking stalls at the east side of the entrance to the Windsor Pavilion to indicate that parking in the area so marked is for handicapped cars only.

**CARRIED**

**7. Heritage Commission Minutes**

MOVED and seconded: That Council receive the Heritage Commission Meeting Minutes dated January 17, 2020.

**CARRIED**

**NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:**

**8. New Business & Verbal Reports**

- New Business

There was no New Business.

- Report on the Capital Regional District

Mayor Murdoch advised that the Province has required the Capital Regional District (CRD) to allow for the application of bio solids at Hartland Landfill and that this has been approved by the CRD Board in the short term, which is expected to occur for 5-6 weeks per year. The Mayor provided an update on a large portion of land owned by BC Hydro on Kings Road. Saanich has requested assistance from the CRD under the policy

for land acquisition for parks but it does not appear to meet the criteria. The CRD has provided direction to staff to review the policy and other creative solutions within current guidelines to support this acquisition by Saanich as a natural park.

- Other Verbal Reports

Councillor Ney advised that the Royal McPherson Theatre Society is conducting a feasibility study which should be completed in six months. It is struggling with increased demands on the facility and looking for solutions to determine if it can accommodate an expansion to better serve community needs,

Councillor Paterson advised that she attended the CREST Audit Committee and Board meetings, and that the Board will be holding a strategic planning session in March to establish a new five-year plan, with the report expected by the end of June. She also attended the Victoria Family Court and Youth Justice Committee AGM and Board meetings, and the Annual Report will be published on their website.

Councillor Zhelka advised he attended the Water Commission meeting where they reviewed technical updates to the cross connection control bylaw, and approved mining access requests for restricted access to the water supply area. He advised that revisions are proposed to the water distribution flushing program to include periods of restricted water usage.

Councillor Appleton advised that he attended the Greater Victoria Public Library Board meeting where they received a presentation on the new strategic planning process. As Vice Chair of the Planning & Policy Committee, he is involved in preparation of the Terms of Reference which will be provided to member municipalities for review by the end of the year.

Councillor Braithwaite advised they have completed the interviews of stakeholders for the Mayor's Standing Committee on Parks, Recreation and Culture and a report will be provided to Council. She reminded Council to attend Thursday's YES Awards event.

Councillor Green stated that she had attended the recent Volunteer Fair at the Monterey Centre, and acknowledged that there are many wonderful organizations in our community doing great work.

**BYLAWS:**

**10. Bylaw No. 4742, *Tree Protection Bylaw, 2020***

MOVED and seconded: That Bylaw No. 4742, *Tree Protection Bylaw, 2020*, be given first Reading.

**CARRIED**

MOVED and seconded: That Bylaw No. 4742, *Tree Protection Bylaw, 2020*, be given second Reading.

**CARRIED**

MOVED and seconded: That Bylaw No. 4742, *Tree Protection Bylaw, 2020*, be given third Reading.

**CARRIED**

**ADJOURNMENT:**

11. Motion to Adjourn

MOVED and seconded: That the meeting be adjourned at 8:18 p.m.

**CARRIED**

Certified Correct:

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Mayor

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Director of Corporate Services