

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, July 22, 2019 at 7:00 P.M.

We acknowledge that the land on which we gather is 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 H. Braithwaite
Councillor C. Green
Councillor T. Ney
Councillor E. Paterson
Councillor E.W. Zhelka

REGRETS: Councillor A. Appleton

STAFF: Chief Administrative Officer, L. Varela
Director of Corporate Services, D. Hopkins
Director of Building and Planning, B. Anderson
Director of Engineering Service, D. Horan
Chief Constable, A. Brinton
Fire Chief, D. Hughes
Manager of Planning, D. Jensen
Superintendent of Public Works, D. Brozuk
Recorder, S. Santarossa

CALL TO ORDER:

Mayor Murdoch called the meeting to order at 7:00 p.m.

PRESENTATIONS

1. ***Presentations***

(a) Commissioned Officer

Mayor Murdoch presented the provincial appointment as a Commissioned Officer to Chief Constable A. Brinton.

(b) FortisBC Community Giving Contribution

At the recent Association of Vancouver Island Coastal Communities (AVICC) Conference, Councillor Zhelka received a donation from FortisBC to recognize a deserving non-profit organization in the community as part of their Community Giving Funding Program. Councillor Zhelka selected the Oak Bay Green Committee (OBGC) and the Urban Wildlife Stewardship Society (UWSS) as the two non-profits to receive the Community Giving Fund. Debbie Warren, FortisBC was in attendance to present the cheques as follows:

- Oak Bay Green Committee – Felicity Bradley, Treasurer
- Urban Wildlife Stewardship Society – Pamela Mountjoy, Board member

MINUTES AND REPORTS:

2. **Minutes**

- Council meeting held July 8, 2019
- Special Council meeting held July 15, 2019
- Committee of the Whole meeting held July 15, 2019

MOVED and seconded: That the meeting minutes and recommendations contained therein, be adopted from the July 8 Council meeting, July 15, 2019 Special Council Meeting and the July 15, 2019 Committee of the Whole Meeting.

CARRIED

MAYOR'S REMARKS:

3. Mayor Murdoch advised that Council will be heading into its summer break and that this will be the last Council meeting until September. Mayor Murdoch thanked Council and Staff for their work during the first half of this year.

Mayor Murdoch reported that the online registration program to grant the Urban Wildlife Stewardship Society (UWSS) property access to apply immuno-contraceptive treatment to Oak Bay deer this fall went live last week and over 500 property owners have registered to date.

PUBLIC PARTICIPATION PERIOD:

4. K. Grant, Oak Bay resident, spoke in favour of adding the property at 1561 York Place to the Heritage Register noting that the heritage and history of Oak Bay should be preserved.

B. Wallace, Oak Bay resident, spoke in favour of adding the property of 1561 York Place to the Heritage Register. He stated that the original construction plan is proceeding and that the use of blasting should be better controlled as it will create a different topography and destroy nature.

M. Prince, Oak Bay resident, spoke in favour of adding the property at 1561 York Place to the Heritage Register as this property is located in the heart of the proposed Heritage Conservation Area. He stated that the owner recognizes and appreciates the heritage aspects of the property. Mr. Prince noted that the property has the potential to be subdivided in the future.

M. Cumming, Oak Bay resident, stated that she is fond of the Annandale property and hopes that it receives further recognition. She noted that Bill Jameson has offered to assist in preserving the Carriage House as a future Oak Bay museum.

B. Jamieson, Oak Bay resident, stated that he would like to relocate the Carriage House located at 1561 York Place onto municipal land and turn it into a museum. He noted that he is in the early stages of setting up an independent organization to manage the museum and requested a small portion of municipal land to accomplish this goal.

COMMUNICATIONS:

5. **BC Transit Update on the Local Area (Jubilee) Transit Plan**

- Presentation – BC Transit

Lindsay Taylor, Senior Transit Planner, presented an update from BC Transit regarding the Local Area (Jubilee) Transit Plan and highlighted the following:

- Local area planning process
- Key challenges
- Proposed Jubilee local area plan concepts
- Extension of evening service
- Feedback received to date from the first phase of public consultation
- Next steps

Ms. Taylor responded to Council questions as follows:

- Route changes are based on demand and development in the area
- Future analysis of the impact of speed limits on bus schedules
- Receive direction from the Province as to the type of service to pursue

6. **Support for UBCM Resolutions as Requested by the City of Prince George**

- Correspondence – City of Prince George dated July 2, 2019

MOVED and seconded: That the correspondence from the City of Prince George dated July 2, 2019 requesting support for UBCM resolutions, be received for information.

CARRIED

7. **Supply and Delivery of Waterworks and Sewer Fittings/Pipe – Request for Quote Award PW06-2019**

- Report – Superintendent of Public Works dated July 22, 2019 (RFQ PW06-2019)

The Superintendent of Public Works provided an overview of the Request for Quote (RFQ) Award for the supply and delivery of waterworks and sewer fittings and pipe noting the RFQ was divided into the following sections based on commodity groups:

Section I	Water Servicing
Section II	4" (100mm) Storm/Sewer Service
Section III	150mm Heron H2O Main
Section IV	200mm Uplands Main Replacement
Section V	Storm Replacement Heron

MOVED and seconded:

1. That Sections I-II of RFQ PW06-2019 for supply and delivery of waterworks and sewers fittings and pipe be awarded as outlined in Addendum "A" of the report of the Superintendent of Public Works dated July 22, 2019; and
2. That Sections III-V be awarded to Iconix Water Works in the amount of \$42,080.51 in accordance with their RFQ submissions.

CARRIED

8. ***Memorandum of Understanding – Regional Concept of Operations for Emergency Response in the Capital Region***

- Report – Fire Chief dated July 17, 2019 (MOU)
- MOU – Regional Concept of Operations for Emergency Response in the Capital Region

Fire Chief, D. Hughes, provided an overview of the Memorandum of Understanding (MOU) to support the Regional Concept of Operations during events of regional significance in the Capital Region noting that it allows for greater coordination and communication.

MOVED and seconded: That the Chief Administrative Officer be authorized to sign the Memorandum of Understanding that supports the Regional Concept of Operations during events of regional significance in the Capital Region.

CARRIED

9. ***Oak Bay Advisory Planning Commission Minutes***

- Note – APC Minutes (May 7, 2019)
- Minutes – Advisory Planning Commission Meeting (May 7, 2019)

MOVED and seconded: That the minutes of the Advisory Planning Commission Meeting held May 7, 2019 be received for information.

CARRIED

10. ***Oak Bay Heritage Commission Minutes***

- Note – Heritage Commission Minutes (May 14, 2019)
- Minutes – Heritage Commission Meeting (May 14, 2019)

MOVED and seconded: That the minutes of the Heritage Commission Meeting held May 14, 2019 be received for information.

CARRIED

11. ***Oak Bay Advisory Design Panel Minutes***

- Note – ADP Minutes (June 4, 2019)
- Minutes – Advisory Design Panel Meeting (June 4, 2019)

MOVED and seconded: That the minutes of the Advisory Design Panel meeting held June 4, 2019 be received for information.

CARRIED

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

12. **Verbal Reports**

Councillor Paterson thanked the Heritage Foundation and the Heritage Volunteers for the Heritage Scavenger Hunt that was held Saturday, July 20, 2019.

Councillor Green advised that the Oak Bay Tourism Committee has updated the Oak Bay map and that it is available at the Municipal Hall.

Councillor Braithwaite advised of the upcoming Oak Bay Collector Car Festival that is taking place on Sunday, July 28, 2019 on Oak Bay Avenue. She also reported on the upcoming Arts and Culture Days taking place from August 8 to 29, 2019

Mayor Murdoch reported that the province recently announced support in the amount of \$500,000 for Les Jeux de la Francophonie Canadienne to take place in Oak Bay, Victoria, Esquimalt and Saanich in August 2020. He also announced that the District of Saanich has approved support for the games in the amount of \$50,000.

RESOLUTIONS:

13. **Heritage Referral for Property on the Community Heritage Register Building Permit Application (BP012105) – 3000 Rutland Road**

- Report – Manager of Planning dated July 16, 2019 (3000 Rutland Road)
- Statement of Significance – 3000 Rutland Road
- Plans – 3000 Rutland Road

The Manager of Planning provided an overview of the building permit application to remove one of the three brick chimneys on the single family home located at 3000 Rutland Road. As the property is listed on the Community Heritage Register, Council may place a temporary protection order on the property and refer the application to the Heritage Commission for review of the proposed chimney removal.

Council discussion ensued as follows:

- Chimney has not been used for some time
- This proposal represents a minor change
- Need to streamline processes to encourage owners to care for their properties
- Need to protect heritage value of Oak Bay

The owner, T. Presello, spoke to the application noting that that removal of the chimney from the centre of the kitchen will improve the functionality of the kitchen. He noted that he had considered maintaining the chimney on the outside of the house but that it would require significant work to ensure the structural integrity of the roof.

MOVED and seconded: That the building located at 3000 Rutland Road be subject to a temporary protection order in accordance with Section 606 of the *Local Government Act* for a period not more than 60 days, and that the plans for the proposed exterior alteration be referred to the Heritage Commission for review and recommendation.

DEFEATED

With Mayor Murdoch and Councillors Ney and Zhelka opposed

Council noted that staff would continue with the review of the building permit application.

14. **Proposed Addition to the Community Heritage Register (HAD00013) – 1561 York Place**

- Report – Director of Building and Planning dated July 16, 2019 (1561 York Place)
- Statement of Significance – Annandale Carriage House
- Statement of Significance – Annandale Rock Wall
- Additional Correspondence Received (July 21 & 22, 2019)

The Director of Building and Planning provided an overview of the report considering placement of the property at 1561 York Place on the Oak Bay Community Heritage Register.

Council discussion ensued as follows:

- The owner does not wish for the property to be added to the Community Heritage Register and current Oak Bay practice is to not impose registration – owner initiated
- Property located within the proposed Heritage Conservation Area
- Placement on the Community Heritage Register would not be an encumbrance to the owner
- Registration will not protect the Carriage House

The owner, M. Miller, appeared before Council to speak against the proposed placement of the property on the Community Heritage Register as it would result in an encumbrance to the property. He noted that while a demolition permit has already been issued for the Carriage House, he has offered to identify a suitable donor site for it. Mr. Miller also noted that a temporary protection order cannot be applied to the rock walls. He also noted that being on the register is not a prerequisite for inclusion in the HCA.

MOVED and seconded: That the property at 1561 York Place, and as particularly described in the Statements of Significance developed for the property and attached to the July 16, 2019 report for HAD00013, be added to the Oak Bay Community Heritage Register.

CARRIED

With Councillor Ney opposed

BYLAWS:

15. **Bylaw Memorandum**

- Memorandum – Bylaw Nos. 4620.002 and 4731

16. **Official Community Plan Amendment**

- Bylaw No. 4602.002, Oak Bay Official Community Plan Amendment Bylaw No. 4602.002, 2019
- Report – Regional Context Statement (RCS-OCP00005)

The Manager of Planning provided an overview of the amendments to the Regional Context Statement (RCS) to achieve consistency with the new Regional Growth Strategy adopted by the Capital Regional District Board in March, 2018. She also outlined the RCS approval process.

Staff confirmed that School District 93 (Conseil scolaire francophone de la Colombie-Britannique “CSF”) will be added to the list of referrals. It was also noted that the date of the report as referenced in the Committee of the Whole recommendation be amended to read July 9, 2019.

MOVED and seconded: That Bylaw No. 4602.002, Oak Bay Official Community Plan Amendment Bylaw, to update the Regional Context Statement in the Official Community Plan, be given first and second reading.

CARRIED

17. **1416/1418 St. David Street Heritage Revitalization Agreement**

- Bylaw No. 4730, 1416/1418 St. David Street Heritage Revitalization Agreement Authorization Bylaw, 2019
- Report – 1416/1418 St. David Street (HRA00005/HAD00010)

MOVED and seconded: That Bylaw No. 4730, 1416/1418 St. David Street Heritage Revitalization Agreement Authorization Bylaw, 2019, be given first and second reading.

CARRIED

MOVED and seconded: That Bylaw No. 4730, 1416/1418 St. David Street Heritage Revitalization Agreement Authorization Bylaw, 2019, be referred to a Public Hearing to be held at the Oak Bay Municipal Hall on September 12, 2019 at 6:00 p.m. in Council Chambers and that notice be given in accordance with the *Local Government Act*.

CARRIED

18. **1416/1418 St. David Street Heritage Designation**

- Bylaw No. 4731, 1416/1418 St. David Street Heritage Designation Bylaw, 2019
- Report – 1416/1418 St. David Street (HRA000005/HAD00010)

MOVED and seconded: That Bylaw No. 4731, 1416/1418 St. David Street Heritage Designation Bylaw, 2019, be given first and second reading.

CARRIED

MOVED and seconded: That Bylaw No. 4731, 1416/1418 St. David Street Heritage Designation Bylaw, 2019, be referred to a Public Hearing to be held at the Oak Bay Municipal Hall on September 12, 2019 at 6:00 p.m. in Council Chambers and that notice be given in accordance with the *Local Government Act*.

CARRIED

ADJOURNMENT:

Prior to adjournment of the meeting, Mayor Murdoch advised of a plaque to be unveiled in honour of former Mayor N. Jensen on Friday, July 26, 2019, 10 a.m., at the Monterey Centre.

19. **Motion to Adjourn to In Camera**

MOVED and seconded: That in accordance with section 90(1)(e) of the *Community Charter*, that the open portion of the meeting of Council be adjourned and that a closed session be convened to discuss the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality.

CARRIED

The open portion of the meeting adjourned at 8:57 p.m.

Certified Correct:

Mayor

Director of Corporate Services