

MINUTES of the regular meeting of the COMMITTEE OF THE WHOLE 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 Tuesday September 8, 2020 at 7:00 PM

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 peoples, 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 E. Paterson
Councillor E.W. Zhelka

REGRETS: Councillor T. Ney

STAFF: Chief Administrative Officer, L Varela
Director of Corporate Services, D. Hopkins
Director of Engineering Services, D. Horan *
Director of Strategic Initiatives, S. Bagh
Director of Building and Planning, B. Anderson
Deputy Director of Corporate Services, S. Morden
Manager of Parks Services, C. Hyde-Lay *
Manager of Planning, D. Jensen
Planner, G. Buffett
Recorder, A. Nurvo

* attended by conference call

CALL TO ORDER:

Mayor Murdoch called the meeting to order at 7:00 p.m. Mayor Murdoch advised that members of the public are invited to call into Municipal Hall to provide comments on any items on the agenda.

COMMUNICATIONS:

1. **South Island Prosperity Partnership Presentation**

Emilie de Rosenroll, CEO (by conference call) and Dallas Gislason, Director of Economic Development, attended the meeting to provide an update to Council. Ms. de Rosenroll reviewed a PowerPoint presentation summarizing the first four years of the organization, progress towards achievement of their purposes, and next steps planned. Ms. de Rosenroll reviewed the funding request and advised that they are hoping for 5 year funding commitments from their members to allow for greater stability going forward.

2. J. Fenwick Lansdowne Tribute

Rick Marshall, Oak Bay resident, and Jacques Sirois, Oak Bay resident, advised of the initiative to honour J. Fenwick Lansdowne, a renowned painter of birds who lived in Oak Bay most of his life. Mr. Marshall advised that the concept of an outdoor display is now in the final stage of design, there has been enthusiastic support from community and the project is fully funded. Mayor Murdoch expressed appreciation for all of their hard work in bringing this project together for the community.

MOVED and seconded: That it be recommended to Council that the proposed tribute to J. Fenwick Lansdowne be approved and that staff be directed to install the three panels at the left side of Queen's Park overlooking Oak Bay and the Bowker Creek Estuary.

CARRIED

3. Oak Bay Marina Lease

The Director of Strategic Initiatives summarized her report, and advised that the current lease expires at the end of 2022, that the District must go through a competitive process to select an operator for the next 30 year period, and reviewed the proposed RFP process. The Director answered questions from Council and advised that Keith Hennessey, the Consultant assisting the District with the RFP process, is on the telephone and available to answer any questions.

MOVED and seconded: That it be recommended to Council that the Request for Proposals (RFP) document (Attachment 1) be approved and staff be authorized to post towards obtaining proposals for a new 30-year lease of the upland and foreshore/aquatic crown lands associated with the municipally-owned marina facilities located at 1327 Beach Drive;

And further that it be recommended to Council that once RFP responses are received and technical evaluations completed, staff be directed to report back to Council to obtain direction on next steps regarding provisions for public input and scoring of the amenity value of proposals.

MOVED and seconded: That the Motion be amended to revise the RFP document to set the threshold for community amenity at 50%.

DEFEATED

With Councillors Appleton, Green and Paterson opposed

The question was called on the Main Motion and declared:

CARRIED

4. 2nd Driveway Access Request - 2072 Neil Street

The Director of Engineering and Public Works provided an overview of the request for a second driveway access, stated that the Bylaw sets out several guidelines, and advised that in staff's opinion there are no negative impacts on neighbouring properties, the street, safety or sight lines and that staff are recommending approval.

Rick Humphries, owner, and David Humphries, lawyer, provided additional information and clarification on the request and answered questions from Council.

MOVED and seconded: That it be recommended to Council that the application for a second driveway at 2072 Neil Street be denied.

CARRIED

With Mayor Murdoch opposed

5. **ADP00120 - 3000 Valdez Place**

The Manager of Planning provided an overview of the application to build a new single family home on a vacant lot and advised that the Advisory Design Panel had reviewed the application and were supportive. Bianca Bodley, landscape designer, and Ted Leviss, architect (by conference call) answered questions from Council.

MOVED and seconded: That it be recommended to Council that the proposal to construct a new single family dwelling at 3000 Valdez Place, as outlined in this September 8, 2020 report for ADP00120 be approved as to Uplands siting and design.

CARRIED

6. **ADP00121 - 3060 Midland Road**

The Manager of Planning provided an overview of the application to demolish the existing home and replace it with a new single family dwelling. Karen Hillel, architect, attended on behalf of the applicants and answered questions from Council.

MOVED and seconded: That it be recommended to Council that the proposal to construct a new single family dwelling and accessory building at 3060 Midland Road, as outlined in the September 8, 2020 report for ADP00121 be approved as to Uplands siting and design.

CARRIED

7. **HAP00020 - 1520 York Place**

The Manager of Planning provided an overview of the application for modifications to an existing single family home, which requires a heritage alteration permit. Brian Morris, architect, attended on behalf of the applicants to answer questions from Council.

Sharman Minus, Oak Bay resident, stated that the renovations fit into the neighbourhood very well and that she was in support of referring this application to the Heritage Commission.

MOVED and seconded: That the application be referred to the Heritage Commission for further consideration.

CARRIED

With Mayor Murdoch and Councillor Appleton opposed

MOVED and seconded: That the application be sent directly to Council following the Heritage Commission meeting.

CARRIED

8. **Verbal Update from the Directors of Engineering and Public Works and Building and Planning on Challenges and Successes with Patio Extensions**

The Director of Engineering and Public Works stated that in May, Council authorized staff to issue permits for outdoor patios and waive application fees and that there had been lots of initial interest. The Director stated there were issues relating to locating these on public lands due to many narrow sidewalks and minimal outdoor public space to accommodate them and that some required the consent of neighbouring businesses and typically that was not given. The Director advised that staff have had discussions with multiple business owners and that there were some longer term issues to resolve before we can move forward.

The Director of Building and Planning reviewed issues relating to patios proposed on private properties and advised that these are simpler and do not have the same issues as ones on public lands. The Director advised that four applications have gone through the process and are operating, and that staff process these by adding a condition on the business licence to deal with any on-site issues, and advised that these are temporary approvals.

MOVED and seconded: That the meeting be extended for 10 minutes.

CARRIED

The Directors answered questions from Council, and advised that the Province's regulation ends these temporary approvals on October 31st, where they are tied to liquor licences.

ADJOURNMENT:

9. **Motion to Adjourn**

MOVED and seconded: That the meeting be adjourned at 10:38 p.m.

CARRIED

Certified Correct:

Chair

Director of Corporate Services