

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, September 14, 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 E. Paterson
Councillor E.W. Zhelka

REGRETS: Councillor T. Ney

STAFF: Chief Administrative Officer, L. Varela
Interim Director of Corporate Services, S. Morden
Director of Financial Services, C. Payne *
Director of Engineering Services, D. Horan *
Director of Building and Planning, B. Anderson
Director of Strategic Initiatives, S. Bagh
Interim Deputy Director of Corporate Services, J. Winter
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.

MINUTES AND REPORTS:

1. **Minutes**

- Council Meeting held March 9, 2020 - Minutes
- Special Committee of the Whole held March 12, 2020 - Minutes
- Special Council Meeting held March 16, 2020 - Minutes
- Special Council Meeting held April 6, 2020 - Minutes
- Special Council Meeting held April 23, 2020 - Minutes
- Special Council Meeting held May 7, 2020 - Minutes
- Special Council Meeting held May 28, 2020 - Minutes
- Special Council Meeting held June 8, 2020 - Minutes
- Special Council Meeting held June 29, 2020 - Minutes
- Special Council Meeting held July 6, 2020 - Minutes

- Special Council Meeting held July 10, 2020 - Minutes
- Special Council Meeting held July 16, 2020 - Minutes
- Special Council Meeting held July 20, 2020 - Minutes
- Special Council Meeting held July 27, 2020 - Minutes

MOVED and seconded: That Council adopt the Minutes of the Special Committee of the Whole held March 12, 2020.

CARRIED

MOVED and seconded: That Council adopt the Minutes of the Council meeting held March 9, 2020, Special Council meeting held April 6, 2020, Special Council meeting held April 23, 2020, Special Council meeting held May 7, 2020, Special Council meeting held May 28, 2020, Special Council meeting held June 8, 2020, Special Council meeting held June 29, 2020, Special Council meeting held July 6, 2020, Special Council meeting held July 10, 2020, Special Council meeting held July 16, 2020 and Special Council meeting held July 27, 2020.

CARRIED

MOVED and seconded: That Council adopt the Minutes of the Special Council meeting held March 16, 2020 subject to staff review of the webcast to clarify the wording of Councillor Appleton's declaration of a conflict of interest under Item 6.

CARRIED

MOVED and seconded: That the draft Minutes of the Special Council meeting held July 20, 2020 be referred to a future Council meeting pending staff review of the webcast and specifically for Item 3 regarding the Richardson Street Bike Lane.

CARRIED

MAYOR'S REMARKS:

2. Mayor's Remarks

The CAO introduced Joanna Winter, who has been retained as the District's Corporate Services Advisor / Interim Deputy Director of Corporate Services while recruitment for the Director of Corporate Services position is underway.

Mayor Murdoch acknowledged the Oak Bay Community Association and all of the hard work by participants in the recent beach clean-up. The Mayor officially welcomed the new Police Chief Ray Bernoties and Deputy Chief Mark Fisher. Mayor Murdoch advised that he will be presenting long service awards to several volunteers, and acknowledged the hundreds of volunteers making our community better. The Mayor provided an update on the Oak Bay Lodge and the recent decision by Island Health and BC Housing that a temporary housing solution is not possible due to the condition of the building and the support services needed. He advised that there is an active redevelopment project underway on this property and that consultation would be starting shortly for the project which is proposed to include significant health care services and housing.

Mayor invited members of the public to call into the meeting to provide input to Council. The CAO advised that the live webcasting was not functioning correctly.

MOVED and seconded: That Item 3 Public Participation Period be tabled to later in the meeting.

CARRIED

MOVED and seconded: That the meeting be recessed at 7:23 p.m. for 15 minutes to permit resetting of the webcast.

CARRIED

The meeting reconvened at 7:48 p.m., with all members of Council present with the exception of Councillor Ney. Mayor Murdoch advised that the District is recording the meeting and that the recording will be posted to the website, but the meeting is not being webcast live due to technical difficulties.

COMMUNICATIONS:

4. Request for Proposals - Lease of Oak Bay Marina Lands and Marina

MOVED and seconded: That Council approve the Request for Proposals (RFP) document (Attachment 1) and authorize staff 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 that once RFP responses are received and technical evaluation 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.

CARRIED

5. Grant in Aid Application - Maritime Museum of British Columbia

MOVED and seconded: That Council approve the Grant in Aid application from the Maritime Museum of BC in the amount of \$2,000

CARRIED

6. Tender Award - Kings Road Drain Installation

MOVED and seconded: That the contract for Kings Road Drain Installation be awarded to Don Mann Excavating Ltd. in accordance with their tender submission in the amount of \$419,840.00 excluding GST.

CARRIED

7. Consideration of a Temporary Protection Order - BP012974 - 785 Island Road

The Director of Building and Planning provided an overview of the Temporary Protection Order currently in place which will expire on September 25, 2020, and advised that Council's options are to consider placing the property onto the Heritage Register or designating it as a heritage property by bylaw, which would prevent demolition of the home. The Director advised that staff

contacted the property owner, who replied that he would not consent to heritage designation and would be seeking compensation from the District for any impact on the property value.

MOVED and seconded: That Council receive the report from the Director of Building and Planning dated September 14, 2020 for information.

DEFEATED

With Councillors Braithwaite, Green and Zhelka opposed

MOVED and seconded: That Council refer consideration of Temporary Protection Order – BP012974 – 785 Island Road to a future Special Council meeting prior to September 25th, 2020.

CARRIED

RESOLUTIONS:

8. Development Variance Permit DVP00098 - 1616 Hampshire Road

Councillor Appleton declared a conflict of interest since the owners are personal friends, and left the meeting at 8:33 p.m.

The Interim Director of Corporate Services confirmed that no calls have been received from members of the public.

MOVED and seconded: That the Director of Building and Planning be authorized to issue Development Variance Permit DVP00098 with respect to 1616 Hampshire Road, as appended to the Council agenda of September 14, 2020.

CARRIED

Councillor Appleton returned to the meeting at 8:36 p.m.

9. Development Variance Permit DVP00099 - 3140 Midland Road

The Interim Director of Corporate Services confirmed that no calls have been received from members of the public.

MOVED and seconded: That the Director of Building and Planning be authorized to issue Development Variance Permit DVP00099 with respect to 3140 Midland Road, as appended to the Council agenda of September 14, 2020.

CARRIED

10. Development Variance Permit DVP00100 - 3375 Cadboro Bay Road

The Interim Director of Corporate Services confirmed that no calls have been received from members of the public.

MOVED and seconded: That the Director of Building and Planning be authorized to issue Development Variance Permit DVP00100 with respect to 3375 Cadboro Bay Road, as appended to the Council agenda of September 14, 2020.

CARRIED

11. ADP00120 - 3000 Valdez Place

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

CARRIED

12. ADP00121 - 3060 Midland Road

MOVED and seconded: That Council approve 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 as to Uplands siting and design.

CARRIED

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

13. New Business & Verbal Reports

- New Business

MOVED and seconded: That Item 6 from the July 27, 2020 meeting, regarding 2506/2512 Wootton Crescent be brought back to Council for reconsideration of the motion to approve strata conversion of the property.

DEFEATED

With Mayor Murdoch and Councillors Appleton, Braithwaite, Green and Paterson opposed

Councillor Zhelka advised that he would be bringing forward to Council for consideration a Notice of Motion to direct staff to develop policies regarding strata conversions to tie into the housing policy review.

- Report on the Capital Regional District

Mayor Murdoch advised that the Hartland Landfill is in the process of expanding and that neighbourhood consultation is currently underway. Mayor Murdoch also provided an update that the proposed CRD bylaw to change the funding formula for the Royal and McPherson Theatres Society has been rescinded since it did not pass at all regional local governments.

- Other Verbal Reports

Councillor Green advised that she had attended the Tourism Committee meeting last week, and that the occupancy rate for hotels and guest houses in the Region is at 35%. She advised that the BIA and Tourism Committee had a very productive meeting last week. She

also advised that the Committee is looking for a new member. Councillor Green stated that the Oak Bay farm markets have been very successful and have been well organized and managed.

Councillor Braithwaite reminded Council that the AVICC annual general meeting will be held on September 22, 2020.

Mayor Murdoch reminded Council that the UBCM annual conference was taking place next week in virtual format.

PUBLIC PARTICIPATION PERIOD:

3. This Item was put back on the table, and Mayor Murdoch invited members of the public to call into the meeting to provide input to Council. The Interim Director of Corporate Services advised that no calls from the public have been received.

ADJOURNMENT:

14. **Motion to Adjourn**

MOVED and seconded: That the meeting be adjourned at 9:08 p.m.

CARRIED

Certified Correct:

Mayor

Director of Corporate Services