

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, November 23, 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: Chief Administrative Officer, L. Varela
Director of Corporate Services, S. Williams
Director of Building and Planning, B. Anderson *
Director of Financial Services, C. Paine *
Director of Engineering and Public Works, D. Horan *
Director of Parks, Recreation & Culture, R. Herman *
Director of Strategic Initiatives, S. Bagh *
Deputy Director of Corporate Services, S. Morden *
Manager of Planning, D. Jensen *
Recorder, A. Nurvo

* attended via telephone conference call

CALL TO ORDER:

Mayor Murdoch called the meeting to order at 7:00 p.m. The Mayor invited members of the public to phone into the meeting to provide comments to Council.

MINUTES:

1. **Council and Committee Minutes**

- November 9, 2020 - Special Council Meeting Minutes
- November 9, 2020 - Council Meeting Minutes
- November 16, 2020 Committee of the Whole Meeting Minutes

MOVED and seconded: That Council adopt the Minutes of the Special Council meeting held November 9, 2020, the Minutes of the Council meeting held November 9, 2020, and the Minutes of the Committee of the Whole meeting held November 16, 2020.

CARRIED

2. **Advisory Body Minutes**

- March 3, 2020 Community Climate Action Working Group Meeting Minutes
- February 4, 2020 Community Climate Action Working Group Meeting Minutes
- February 11, 2020 Heritage Commission Meeting Minutes
- October 14, 2020 Public Art Advisory Committee Meeting Minutes

MOVED and seconded: That Council approve the Minutes of the Community Climate Action Working Group meetings held on February 4, 2020 and March 3, 2020, the Minutes of the Heritage Commission meeting held February 11, 2020 and the Minutes of the Public Art Advisory Committee meeting held October 14, 2020.

CARRIED

MAYOR'S REMARKS:

3. **Mayor's Remarks**

Mayor Murdoch expressed appreciation to everyone involved in organizing the Remembrance Day event and to all those that participated. The Mayor advised that the BIA has had to cancel the Winter Markets this year, but that they are organizing a donation bin benefiting the Mustard Seed Food Bank, to be placed at the Municipal Hall starting December 1st. The Mayor also advised that a new web portal for all Council meetings will be available in the next few months, which will provide the public with more cohesive access to information. Mayor Murdoch thanked members of the community for following the new Provincial guidelines relating to the COVID-19 pandemic.

PUBLIC PARTICIPATION PERIOD:

4. The Director of Corporate Services advised that no members of the public have phoned in to the meeting.

COMMUNICATIONS:

5. **Request for an Additional Driveway Access at 1259 Oliver Street**

MOVED and seconded: That the application for a second driveway at 1259 Oliver Street be approved.

CARRIED

With Councillor Paterson opposed

6. **Development Application DP000026 - 1476 Beach Drive**

MOVED and seconded: That Development Permit DP000026, to undertake exterior alterations to the existing building at 1476 Beach Drive, be issued.

CARRIED

7. Jack Wallace Track Update

The Director of Financial Services provided an overview and stated that if Council wishes to contribute funds to this project staff will include in next year's budget and will likely recommend that it be paid from accumulated surplus.

Mayor Murdoch confirmed that the funding put in place last year by the School District in the amount of \$108,000 is still being held and committed to this project and that the School District is looking at fundraising for the balance of funds required if this additional funding contribution is approved by the District.

MOVED and seconded: That Council provide direction to staff to include the request of School District No. 61 for a District contribution of up to \$50,000 towards resurfacing the running track at Oak Bay High School in the 2021 budget.

CARRIED

8. Provisional 2021 Parks, Recreation, and Culture Budget

The Director of Financial Services provided an overview of the provisional budget including the impacts of COVID-19 on the Departmental services and budget and options to cover the revenue shortfall.

MOVED and seconded: That the report titled "Provisional 2021 Parks, Recreation and Culture Provisional Budget" authored by the Director of Finance and dated November 23, 2020 be received;

And that Council direct staff to utilize \$2.4M of the COVID-19 Safe Restart Grant to fund the 2021 Parks, Recreation and Culture budget;

And further that the remaining balance of the COVID-19 Safe Restart Grant funding be set aside in a Financial Stability Reserve to address future funding shortfalls related to COVID-19.

CARRIED

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

9. New Business & Verbal Reports

- New Business

There was no new business.

- Report on the Capital Regional District

Mayor Murdoch expressed congratulations to CRD Board Chair Colin Plant on his recent re-election, and advised of the other CRD Board appointments. The Mayor also advised that the Police Board is currently working with the Province on a review of the Police Act.

- Other Verbal Reports

Councillor Paterson advised that she attended a Zoom meeting of CREST and that the budget and 5 year financial plan were approved. She also advised that the Heritage Foundation held its AGM on November 10, and that Robert Taylor was re-elected as President.

Councillor Braithwaite thanked all members of Council that participated in the recent South Island Prosperity Partnership 'Rising Tide' online session.

RESOLUTIONS:

10. Resolution Notice

MOVED and seconded: That the draft Establishing Bylaws for the Advisory Planning Commission – Design Panel and Advisory Planning Commission – Land Use be forwarded to Council for consideration of first three readings and the draft Terms of Reference for the Public Arts Advisory Committee for consideration of adoption;

And that staff proceed to recruitment for those three Advisory Bodies immediately following adoption of the Establishing Bylaws in December 2020;

And that the current member terms for the Advisory Design Panel, Advisory Planning Commission, and the Public Arts Advisory Committee be extended to January 31, 2021;

And that staff be requested to organize a facilitated planning session before the end of 2020 to allow Council an opportunity for further consideration and discussion regarding the future mandate of the Heritage Commission;

And that current member terms for the Heritage Commission be extended to February 28, 2021;

And further, that Section 19(a) of the Committee and Commission Policy be amended to reflect that the Council Liaison to the Heritage Commission is appointed as a non-voting member.

CARRIED

BYLAWS:

11. Zoning Amendment ZON00038 - 1538 Monterey Avenue

MOVED and seconded: That Council consider the site specific zoning to permit congregate housing at 1538 Monterey Avenue; and

That Council give first and second readings to Zoning Amendment Bylaw 2020 No. 3531.105.

CARRIED

MOVED and seconded: That Council set a public hearing date for Bylaw No. 3531.105 to be held at the Oak Bay Municipal Hall on January 14, 2021 at 7:00 pm in Council Chambers and that notice be given in accordance with the Local Government Act.

CARRIED

12. Sewer User Charge Bylaw No. 4392, 2008, Amendment Bylaw No. 4776, 2020.

MOVED and seconded: That Council give first and second readings to the Sewer User Charge Bylaw No. 4392, 2008, Amendment Bylaw No. 4776, 2020.

CARRIED

MOVED and seconded: That Council give third reading to the Sewer User Charge Bylaw No. 4392, 2008, Amendment Bylaw No. 4776, 2020.

CARRIED

13. Refuse Collection and Disposal Bylaw No. 4371, Amendment Bylaw No. 4773, 2020

MOVED and seconded: That Council adopt the Refuse Collection and Disposal Bylaw No. 4731, Amendment Bylaw No. 4773, 2020.

CARRIED

14. Water Rate Bylaw No. 3770, 1981, Amendment Bylaw No. 4774, 2020

MOVED and seconded: That Council adopt the Water Rate Bylaw No. 3770, 1981, Amendment Bylaw No. 4774, 2020.

CARRIED

15. Council Procedure Bylaw No. 4740, 2020

MOVED and seconded: That the memorandum from the Director of Corporate Services introducing Council Procedure Bylaw No. 4740, 2020 for consideration of readings be received for information;

And that Council Procedure Bylaw No. 4740, 2020 be given first and second readings.

CARRIED

MOVED and seconded: That Council Procedure Bylaw No. 4740, 2020 be given third reading.

CARRIED

ADJOURNMENT:

16. **Motion to Adjourn**

MOVED and seconded: That the meeting be adjourned at 8:00 p.m.

CARRIED

Certified Correct:

Mayor

Director of Corporate Services