

MINUTES of a Special 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 Thursday, September 12, 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 A. Appleton
Councillor H. Braithwaite
Councillor C. Green
Councillor T. Ney
Councillor E. Paterson
Councillor E.W. Zhelka

STAFF: Director of Building and Planning and A/CAO, B. Anderson
Director of Corporate Services, D. Hopkins
Director of Strategic Initiatives, S. Bagh
Director of Engineering Services, D. Horan
Manager of Planning, D. Jensen
Planner, G. Buffett
Communications Specialist, H. Goodgrove
Recorder, A. Nurvo

CALL TO ORDER:

Mayor Murdoch called the meeting to order at 7:29 p.m.

MOVED and seconded: That the Agenda be amended to move Item 3 to be last on the Agenda.

CARRIED

COMMUNICATIONS:

1. **Oak Bay Marina Concrete Waterproofing Repair**

MOVED and seconded: That Council direct staff to authorise Flintstones Contracting to undertake repair of concrete and flashing and associated work at the Oak Bay Marina gift shop building at a cost not to exceed \$75,970.00 (excluding GST).

CARRIED

RESOLUTIONS:

2. **Proposal to Place Temporary Protection Order – 1558 Beach Drive**

MOVED and seconded: That Council place a 60 day temporary protection order to the property at 1558 Beach Drive.

CARRIED

MOVED and seconded: That staff be requested to provide a report to Council on options for heritage preservation or designation of the property at 1558 Beach Drive.

CARRIED

MOVED and seconded: That staff be directed to provide a report to Council on options for heritage control periods.

CARRIED

BYLAWS:

4. **Bylaw Memorandum**

- Memorandum Bylaw Nos. 4730 and 4731

5. **Bylaw No. 4730 – 1416/1418 St. David Street Heritage Revitalization Agreement Authorization Bylaw, 2019**

6. **Bylaw No. 4731 – 1416/1418 St. Davis Street Heritage Designation Bylaw, 2019**

Council discussion ensued, as follows:

Council questioned the status of the legal non-conforming use, and staff responded that in staff's opinion it is still in place. Council identified that the current proposal is to accommodate a two lot subdivision, and any further proposal to subdivide would have to be reviewed to ensure it would meet all requirements of the RS5 zone.

Council stated that an HRA is intended to be beneficial to both the owner and the municipality, there is no exchange of dollar value, but it designates the heritage building, subject to various requirements, and in exchange the owner is permitted to retain 3 units in the building and is responsible for maintenance and restoration as set out in the Agreement. HRA does not result in a precedent since each property is reviewed on case by case basis including impact on the neighbourhood.

Council identified the history of multi-residential in this building, maintaining the current usage and will provide different housing options in our community. The property will be owner occupied, the application is supported by the Heritage Commission, and there are many positive impacts on the neighbourhood.

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

CARRIED

With Councillor Braithwaite opposed

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

CARRIED

With Councillor Braithwaite opposed

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

CARRIED

With Councillor Braithwaite opposed

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

CARRIED

With Councillor Braithwaite opposed

7. **Bylaw No. 4738 – 1416/1418 St. David Street Housing Agreement**

MOVED and seconded: That Bylaw No. 4738, 1416/1418 St. David Street Housing Agreement, 2019, be given first and second reading.

CARRIED

With Councillor Braithwaite opposed

MOVED and seconded: That Bylaw No. 4738, 1416/1418 St. David Street Housing Agreement, 2019, be given third reading.

CARRIED

With Councillor Braithwaite opposed

3. **Heritage Alteration Permit for 1416/1418 St. David Street (HAP00018)**

MOVED and seconded: That Council approve Heritage Alteration Permit HAP00018 with respect to 1416/1418 St. David Street, as appended to the Special Council Agenda of September 12, 2019.

CARRIED

With Councillor Braithwaite opposed

ADJOURNMENT:

17. ***Motion to Adjourn***

MOVED and seconded: That the meeting adjourn at 8:39 p.m.

CARRIED

Certified Correct:

Mayor

Director of Corporate Services