



Notice of Meeting and Meeting Agenda Capital Regional Hospital District Board

Wednesday, September 9, 2020

1:00 PM

6th Floor Boardroom
625 Fisgard Street
Victoria, BC

The Capital Regional District strives to be a place where inclusion is paramount and all people are treated with dignity. We pledge to make our meetings a place where all feel welcome and respected.

1. TERRITORIAL ACKNOWLEDGEMENT

2. APPROVAL OF THE AGENDA

3. ADOPTION OF MINUTES

- 3.1. [20-338](#) Minutes of the April 22, 2020, May 13, 2020, and May 27, 2020 Capital Regional Hospital District Board Meetings

Recommendation: That the minutes of the Capital Regional Hospital District Board meetings of April 22, 2020, May 13, 2020, and May 27, 2020 be adopted as circulated.
(NWA)

Attachments: [Minutes - April 22, 2020](#)
[Minutes - May 13, 2020](#)
[Minutes - May 27, 2020](#)

4. REPORT OF THE CHAIR

5. PRESENTATIONS/DELEGATIONS

5.1 Presentations

5.2 Delegations

6. CONSENT AGENDA

7. ADMINISTRATION REPORTS

8. REPORTS OF COMMITTEES

Hospitals and Housing Committee

- 8.1. [20-499](#) Victoria Urgent and Primary Care Centre Fund Request

- Recommendation:** The Hospitals and Housing Committee recommends to the Capital Regional Hospital District (CRHD) Board:
- a) That CRHD funding in the amount of \$1,500,000 be approved for Victoria Urgent and Primary Care Centre (UPCC);
 - b) That CRHD Bylaw No. 402, "Capital Regional Hospital District Capital Bylaw No. 177, 2020" (for a maximum of \$1,500,000 be introduced and read a first, second, and third time;
 - c) That Bylaw No. 402 be adopted; and
 - d) That CRHD provide Island Health a letter of support to designate Victoria UPCC a health facility under Section 49 of the Hospital District Act.
(WA, 2/3 on adoption)

- Attachments:** [Staff Report: Victoria UPCC Fund Request](#)
[Appendix A: CRHD Bylaw No. 402](#)
[Appendix B: Draft Letter of Support](#)

8.2. [20-508](#) Oak Bay Lodge Planning

- Recommendation:** The Hospitals and Housing Committee recommends to the Capital Regional Hospital District Board:
That the Oak Bay Lodge Planning report be received for information.
(NWA)

- Attachments:** [Staff Report: Oak Bay Lodge Planning](#)
[Appendix A: BC Housing Letter](#)

9. BYLAWS

10. NOTICE(S) OF MOTION

11. NEW BUSINESS

12. MOTION TO CLOSE THE MEETING

12.1. [20-545](#) Motion to Close the Meeting

- Recommendation:** That the meeting be closed for Intergovernmental Negotiations in accordance with Section 90(2)(b) of the Community Charter.
(NWA)

13. RISE AND REPORT

14. ADJOURNMENT

Voting Key:

NWA - Non-weighted vote of all Directors

NWP - Non-weighted vote of participants (as listed)

WA - Weighted vote of all Directors

WP - Weighted vote of participants (as listed)

Meeting Minutes

Capital Regional Hospital District Board

Wednesday, April 22, 2020

1:00 PM

**Room 488
625 Fisgard Street
Victoria, BC**

Special Meeting

PRESENT:

Directors: D. Blackwell (Chair), C. Plant (Vice-Chair), S. Brice (EP), B. Desjardins (EP), F. Haynes (EP), L. Helps, M. Hicks (EP), G. Holman (EP), D. Howe (EP), B. Isitt (EP), J. Loveday (EP), C. McNeil-Smith (EP), R. Martin (EP), R. Mersereau (EP), K. Murdoch (EP), G. Orr (EP), J. Ranns (EP), D. Screech (EP), L. Seaton (EP), M. Tait (EP), N. Taylor (EP), K. Williams (EP), R. Windsor (EP), G. Young (EP)

Staff: R. Lapham, Chief Administrative Officer; N. Chan, Chief Financial Officer; L. Hutcheson, General Manager, Parks and Environmental Services (EP); K. Lorette, General Manager, Planning and Protective Services (EP); K. Morley, General Manager, Corporate Services; E. Gorman, Deputy Corporate Officer (EP); T. Pillipow, Committee Clerk (Recorder)

EP - Electronic Participation

The meeting was called to order at 1:22 pm.

1. TERRITORIAL ACKNOWLEDGEMENT

Director Helps provided a Territorial Acknowledgement in the preceding meeting.

2. APPROVAL OF THE AGENDA

MOVED by Director Helps, **SECONDED** by Director Plant,
That the agenda for the April 22, 2020 of the Capital Regional Hospital District Board meeting be approved.
CARRIED

3. PRESENTATIONS/DELEGATIONS

3.1 Presentations

There were no Presentations.

3.2 Delegations

There were no Delegations.

4. SPECIAL MEETING MATTERS

4.1. [20-278](#) 2020 Minor Capital Projects and Equipment - Approval of Capital Bylaw

K. Lorette spoke to Item 4.1.

MOVED by Director Plant, **SECONDED** by Director Helps,

a) That the recommended 2020 Minor Capital Projects totalling \$3,750,000 be approved and expensed from the 2020 requisition;

b) That the recommended 2020 equipment grants of \$30,000 to Mount St. Mary Hospital and \$2,925,000 to Island Health be approved and expensed from the 2020 requisition;

c) That Capital Bylaw No. 401, "Capital Regional Hospital District Bylaw No. 176, 2020" be introduced and read a first and second time;

d) That Bylaw No. 401 be read a third time.

CARRIED

MOVED by Director Plant, **SECONDED** by Director Helps,

e) That Bylaw No. 401 be adopted.

CARRIED

4.2. [20-229](#) Capital Regional Hospital District Investment Portfolio Holdings and Performance Annual Update

N. Chan spoke to Item 4.2.

Discussion ensued on the implications of a delay in transfer of Summit.

MOVED by Director Helps, **SECONDED** by Director Plant,

That the Capital Regional Hospital District Investment Portfolio Holdings and Performance Annual Update be received for information.

CARRIED

7. ADJOURNMENT

MOVED by Director Plant, **SECONDED** by Director Helps,

That the April 22, 2020 Capital Regional Hospital District Board meeting be adjourned at 1:32 pm.

CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

Meeting Minutes

Capital Regional Hospital District Board

Wednesday, May 13, 2020

1:00 PM

6th Floor Boardroom
625 Fisgard Street
Victoria, BC

PRESENT

Directors: D. Blackwell (Chair), C. Plant (Vice-Chair), S. Brice (EP), B. Desjardins, F. Haynes (1:04 pm EP), L. Helps (EP), M. Hicks (EP), G. Holman (EP), D. Howe, B. Isitt, J. Loveday (EP), C. McNeil-Smith (EP), R. Martin (EP), R. Mersereau (EP), K. Murdoch (EP), G. Orr (EP), D. Screech (EP), L. Seaton (EP), N. Taylor, K. Williams (EP), G. Young

Staff: Staff: R. Lapham, Chief Administrative Officer; N. Chan, Chief Financial Officer; G. Harris, Acting General Manager, Parks and Environmental Services (for L. Hutcheson); K. Lorette, General Manager, Planning and Protective Services; K. Morley, General Manager, Corporate Services; T. Robbins, General Manager, Integrated Water Services; R. Lachance, Senior Manager, Financial Services; E. Sinclair, Planner, Regional and Strategic Planning; E. Gorman, Deputy Corporate Officer; S. Closson, Committee Clerk (Recorder)

Guest: Lenora Lee, Senior Audit Consultant, KPMG (EP)

EP - Electronic Participation

Regrets: Directors: Ranns, Tait, Windsor

The meeting was called to order at 1:00 pm.

1. TERRITORIAL ACKNOWLEDGEMENT

Chair Blackwell provided a Territorial Acknowledgement.

2. APPROVAL OF THE AGENDA

MOVED by Director Desjardins, **SECONDED** by Director Howe,
That the agenda for the May 13, 2020 Session of the Capital Regional Hospital District Board be approved.
CARRIED

3. ADOPTION OF MINUTES

3.1. [20-294](#) Minutes of the February 12, 2020 and March 18, 2020 Capital Regional Hospital District Board Meetings

MOVED by Director Desjardins, **SECONDED** by Director Howe,
That the minutes of the Capital Regional Hospital District Board meetings of February 12, 2020 and March 18, 2020 be adopted as circulated.
CARRIED

4. REPORT OF THE CHAIR

There were no Chair's remarks.

5. PRESENTATIONS/DELEGATIONS

There were no presentations or delegations.

6. CONSENT AGENDA

There were no consent agenda items.

7. ADMINISTRATION REPORTS

7.1. [20-271](#) Capital Regional Hospital District 2019 Audit Findings Report

N. Chan introduced the Capital Regional Hospital District 2019 Audit Findings Report.

L. Lee (KPMG) provided an overview of the Capital Regional Hospital District 2019 Audit Findings Report.

Discussion ensued on the Oak Bay Lodge's financial status as an asset.

**MOVED by Director Plant, SECONDED by Director Howe,
That the Capital Regional Hospital District 2019 Audit Findings Report be received
and the Capital Regional Hospital District 2019 Audited Financial Statements be
approved.
CARRIED**

8. REPORTS OF COMMITTEES

There were no Reports of Committees.

9. BYLAWS

There were no bylaws for consideration.

10. NOTICE(S) OF MOTION

There were no Notice(s) of Motion.

11. NEW BUSINESS

There was no new business.

12. MOTION TO CLOSE THE MEETING

There was no motion to close the meeting.

13. RISE AND REPORT

There was no rise and report.

14. ADJOURNMENT

MOVED by Director Plant, **SECONDED** by Director Desjardins,
That the May 08, 2020 Capital Regional Hospital District Board meeting be
adjourned at 1:13 pm.
CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

Meeting Minutes

Capital Regional Hospital District Board

Wednesday, May 27, 2020

12:45 PM

6th Floor Boardroom
625 Fisgard Street
Victoria, BC

Special Meeting

PRESENT:

D. Blackwell (Chair), C. Plant (Vice-Chair), B. Desjardins (EP), F. Haynes, L. Helps (EP), M. Hicks (EP), G. Holman (EP), D. Howe (EP), B. Isitt, J. Loveday (EP), C. McNeil-Smith (EP), R. Martin (EP), R. Mersereau (EP), K. Murdoch (EP), G. Orr (EP), D. Screech, L. Seaton (EP), M. Tait (EP), N. Taylor, K. Williams (EP), R. Windsor (EP), G. Young

Staff: R. Lapham, Chief Administrative Officer; N. Chan, Chief Financial Officer; L. Hutcheson, General Manager, Parks and Environmental Services; K. Lorette, General Manager, Planning and Protective Services; K. Morley, General Manager, Corporate Services; T. Robbins, General Manager, Integrated Water Services; M. Barnes, Senior Manager, Health and Capital Planning Strategies; E. Gorman, Deputy Corporate Officer; T. Pillipow, Committee Clerk (Recorder)

EP - Electronic Participation

Regrets: Directors Brice and Ranns

Guest: David Curtis, Partner, Fasken Law Firm

The meeting was called to order at 12:45 pm.

1. TERRITORIAL ACKNOWLEDGEMENT

Director Taylor provided a Territorial Acknowledgement.

2. APPROVAL OF THE AGENDA

MOVED by Director Plant, **SECONDED** by Director Mersereau,
That the agenda for the May 27, 2020 Session of the Capital Regional Hospital
District Board be approved.
CARRIED

3. PRESENTATIONS/DELEGATIONS

There were no Presentations or Delegations.

4. SPECIAL MEETING MATTERS

There were no Special Meeting Matters.

5. MOTION TO CLOSE THE MEETING

5.1. [20-320](#) Motion to Close the Meeting

MOVED by Director Plant, **SECONDED** by Director Screech,
That the meeting be closed for Litigation in accordance with s. 90 (1)(g) of the
Community Charter.
DEFEATED

6. RISE AND REPORT

The meeting rose from closed session at 1:47 pm without report.

7. ADJOURNMENT

MOVED by Director Taylor, **SECONDED** by Director Plant,
That the May 27, 2020 Capital Regional Hospital District Board meeting be
adjourned at 1:47 pm.
CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

**REPORT TO HOSPITALS AND HOUSING COMMITTEE
MEETING OF WEDNESDAY, SEPTEMBER 02, 2020**

SUBJECT Victoria Urgent and Primary Care Centre Fund Request

ISSUE SUMMARY

Approval of a Capital Regional Hospital District (CRHD) \$1,500,000 Capital Expenditure and Borrowing Bylaw is required for Island Health to proceed with the \$5,000,000 Victoria Urgent and Primary Care Centre (UPCC) capital project and provide a letter of support to designate the center located at 1107 Pandora Avenue as a health facility under the *Hospital District Act*.

BACKGROUND

As part of Island Health's new primary care networks, Victoria UPCC will provide urgent and primary care to patients who do not have a family doctor or nurse practitioner. Primary care networks will be the backbone to a team-based approach, allowing patients access to a full range of health-care options from maternity to end of life, streamlining referrals from one provider to another, and providing better support to family physicians, nurse practitioners, and other primary health-care providers. Victoria UPCC will provide access to care for unexpected, but non-life threatening health concerns requiring same-day treatment and reducing lower-acuity emergency department visits. Victoria UPCC will require tenant improvements and capital acquisition to accommodate the planned services.

A Bylaw (Appendix A) authorizing the Hospital District's capital contribution is required in order to authorize the CRHD's capital contribution of \$1,500,000, which is 30% of the revised total capital budget of \$5,000,000. A request for a letter of support to have the facility designated under the *Hospital District Act* was also received and a draft letter of support is attached as Appendix B.

ALTERNATIVES

Alternative 1

The Hospitals and Housing Committee recommends to the Capital Regional Hospital District (CRHD) Board:

- a) That CRHD funding in the amount of \$1,500,000 be approved for Victoria Urgent and Primary Care Centre (UPCC);
- b) That CRHD Bylaw No. 402, "Capital Regional Hospital District Capital Bylaw No. 177, 2020" (for a maximum of \$1,500,000) be introduced and read a first, second, and third time;
- c) That Bylaw No. 402 be adopted; and
- d) That CRHD provide Island Health a letter of support to designate Victoria UPCC a health facility under Section 49 of the *Hospital District Act*.

Alternative 2

That Victoria Urgent and Primary Care Centre Fund Request report be referred back to staff for additional information based on Hospitals and Housing Committee direction.

IMPLICATIONS

Financial Implications

On October 30, 2019, the CRHD Board approved the project as part of the 2020-2029 CRHD 10-Year Capital Plan. Total project funding for Victoria UPCC, in the amount of \$5,000,000 was included in 2020 of the 2020-2029 Capital Plan.

Victoria UPCC capital budget will be cost shared with the Ministry of Health/Island Health, with CRHD contributing 30% capital towards the project. The CRHD's share of \$1,500,000 would be debt financed through the Municipal Finance Authority. The posted indicative rate for long-term borrowing (5-year), as at August 7, 2020 is 1.02%. As the anticipated financing for Victoria UPCC is spring 2021, a conservative rate of 1.10% with an amortization period of five years was modelled, resulting in annual debt servicing of \$304,738. This debt servicing cost is included in the approved 2020-2024 Final Budget.

CONCLUSION

Victoria UPCC project addresses the need to increase access to primary care and was included in 2020 of the 2020-2029 CRHD Capital Plan. With approval of a CRHD \$1,500,000 Capital Expenditure and Borrowing Bylaw, Island Health can proceed with tenant improvements and capital acquisition to accommodate the planned services.

RECOMMENDATION

The Hospitals and Housing Committee recommends to the Capital Regional Hospital District (CRHD) Board:

- a) That CRHD funding in the amount of \$1,500,000 be approved for Victoria Urgent and Primary Care Centre (UPCC);
- b) That CRHD Bylaw No. 402, "Capital Regional Hospital District Capital Bylaw No. 177, 2020" (for a maximum of \$1,500,000 be introduced and read a first, second, and third time;
- c) That Bylaw No. 402 be adopted; and
- d) That CRHD provide Island Health a letter of support to designate Victoria UPCC a health facility under Section 49 of the *Hospital District Act*.

| | |
|---------------|---|
| Submitted by: | Michael Barnes, MPP, Senior Manager, Health & Capital Planning Strategies |
| Concurrence: | Michael Barnes, Acting General Manager, Planning & Protective Services |
| Concurrence: | Nelson Chan, MBA, CPA, CMA, Chief Financial Officer |
| Concurrence: | Ted Robbins, Acting Chief Administrative Officer |

ATTACHMENTS

- Appendix A: CRHD Bylaw No. 402 "Capital Regional Hospital District Capital Bylaw No. 177, 2020"
- Appendix B: Draft Letter of Support

CAPITAL REGIONAL HOSPITAL DISTRICT BYLAW NO. 402

CAPITAL EXPENDITURE & BORROWING BYLAW NO. 177, 2020

WHEREAS the Board of the Capital Regional Hospital District proposes to borrow and expend money for the capital expenditures described in Schedule "A" attached hereto and forming an integral part of this bylaw;

And whereas those capital expenditures have received the approval required under Section 23 of the *Hospital District Act*;

Now therefore the Board of the Capital Regional Hospital District enacts the following capital expenditure and borrowing bylaw as required by Sections 32 and 33 of the *Hospital District Act*.

1. The Board hereby authorizes and approves the borrowing and expenditure of money necessary to complete the capital expenditures as described in Schedule "A" attached.
2. The Board authorizes and approves the borrowing of a net sum not exceeding \$1,500,000 upon the credit of the District by the issuance and sale of securities in a form and a manner agreed to by the Municipal Finance Authority of British Columbia. The term of the securities and the repayment of the principal and interest shall be over a term not to exceed FIVE years.
3. To meet the payments of principal and interest during the term of the securities, there shall be included in the estimates of the Regional Hospital District each year, the respective amounts of principal and interest falling due in that year.
4. The Board hereby delegates the necessary authority to the Treasurer of the Capital Regional Hospital District to settle the terms and conditions of the borrowing and to undertake such temporary borrowing as is necessary to provide funding in advance of the receipt of funds from the Municipal Finance Authority of British Columbia.
5. This bylaw may be cited for all intents and purposes as the Capital Regional Hospital District Capital Bylaw No 177, 2020.

READ A FIRST TIME THIS DAY OF , 2020.

READ A SECOND TIME THIS DAY OF , 2020.

READ A THIRD TIME THIS DAY OF , 2020.

ADOPTED THIS DAY OF , 2020.

Chair

Corporate Officer

SCHEDULE "A"

Bylaw No. 402

CAPITAL REGIONAL HOSPITAL DISTRICT CAPITAL EXPENDITURE & BORROWING BYLAW

CAPITAL BYLAW NO 177, 2020

| Name of Facility | Project or Equipment Description | Project Number | Amount Covered by CRHD Bylaw (30%) | Amount covered by Province/ Island Health (70%) | Other Share (Specify) (___%) | Total Project or Equipment Cost |
|---|---|-----------------------|---|--|-------------------------------------|--|
| Victoria Urgent and Primary Care Centre | Victoria Urgent and Primary Care Centre | C-177-01 | \$1,500,000.00 | \$3,500,000.00 | \$0.00 | \$5,000,000.00 |
| | | Total | \$1,500,000.00 | \$3,500,000.00 | \$0.00 | \$5,000,000.00 |

September 2, 2020

Mr. Chris Sullivan, Director
Capital Planning
Island Health
2101 Richmond Avenue
Victoria, BC V8R 4R7

Dear Mr. Sullivan:

**Re: Victoria Urgent and Primary Care Centre
Request for Designation of Health Unit**

On behalf of the Board of Directors of the Capital Regional Hospital District (CRHD), I am writing to express the Board's support of Island Health to have Victoria Urgent Primary Care Centre at 1107 Pandora Avenue, Victoria designated as a health facility under Section 49 of the *Hospital District Act*.

The Board supports the implementation of urgent and primary care centres as part of Island Health's primary care network. Providing a full range of primary health-care options to patients who currently do not have a family doctor or nurse practitioner, including weekends and after-hours, will take pressure off hospital emergency departments.

This is an important project supporting the health of those living on Vancouver Island and the Board fully supports Island Health's request to have Victoria Urgent and Primary Care Centre designated as a health facility.

Sincerely,

Denise Blackwell, Chair
Capital Regional Hospital District

cc: Robert Lapham, MCIP, RPP, Chief Administrative Officer
Kevin Lorette, P.Eng., MBA, General Manager Planning and Protective Services
Michael Barnes, Senior Manager, Health & Capital Planning Strategies

**REPORT TO HOSPITALS AND HOUSING COMMITTEE
MEETING OF WEDNESDAY, SEPTEMBER 02, 2020**

SUBJECT Oak Bay Lodge Planning

ISSUE SUMMARY

Oak Bay Lodge temporary use as housing for people experiencing homelessness.

BACKGROUND

The Capital Regional Hospital District (CRHD) has taken over ownership of Oak Bay Lodge (2251 Cadboro Bay Road) from Vancouver Island Health Authority (VIHA) effective August 14, 2020.

Specifications

- Oak Bay Lodge is a four-storey building accessed off Cadboro Bay Road and Cranmore Road, and is a 235 bed facility that has an existing parking capacity of 68 stalls.
- The property is bordered on the east by 12 single-family residential lots, three residential lots to the west, and one multiple-family three-storey building located directly next to the lodge on Cadboro Bay Road.
- **Lot Size:** 1.58 Hectares (170,069.8 Square Feet; 3.90 Acres)
- **Zoning:** P2 – Special Institutional Use: assembly of a long-term care institution. (Oak Bay Bylaw 4305 – April 24/06) (Zoning Bylaw #3531) The property is surrounded predominantly by the residential zone: RS5 “One-Family Residential”. The RM3 Zone “Multiple Dwelling Use – three storey” covers the area north of the site, on Cadboro Bay Road.

A Phase 1 Environmental Site Assessment and Hazardous Materials Assessment has been completed. The assessment of the existing building indicates that it is past its useful life and remediation would equal or exceed the costs of building a new facility. Demolition would be necessary for either redevelopment or sale of the property to realize the greatest value.

Two covenants exist on the property stating that the land be used for public good and that the property must be used as a retirement home.

On July 08, 2020 the CRD Board passed the following motion:

Direct staff to work with BC Housing and Island Health to explore the possibility of offering Oak Bay Lodge as temporary COVID 19 related hospital facility and as temporary housing for people experiencing homelessness in the region during the COVID-19 pandemic, and report back to the CRHD Board with options.

ALTERNATIVES

Alternative 1

The Hospitals and Housing Committee recommends to the Capital Regional District Board and the Capital Regional Hospital District Board:

That the Oak Bay Lodge Planning report be received for information.

Alternative 2

That the Oak Bay Lodge Planning report be referred back to staff for additional information based on Committee direction.

IMPLICATIONS

Process Implications

On July 14, 2020, CRHD issued an Invitation to Quote to five prospective consultants for the supply and delivery of Community Consultation and Engagement Consultant Services. Prospective consultants were selected upon research of company and/or CRD staff recommendation. Those experienced working with local government and/or municipalities and/or health redevelopment projects were deemed most qualified for initial contact. Written quotes were received August 7, 2020 and staff is in the process of reviewing these submissions. A consultant will be selected shortly and we anticipate community consultation to begin in the fall of 2020.

On July 16, 2020, CRD staff met with BC Housing to tour Oak Bay Lodge to determine operational feasibility of the site. BC Housing indicated they would be using a very limited portion of the site and buildings and would require a two year term with three to four month cancellation notice in order to find alternative housing for people located at the facility. The facility does not have suitable showers, the balconies are unsafe, and the elevator is also a concern.

Financial Implications

Staff have allocated \$10 million in the CRHD Capital Plan for Oak Bay Lodge demolition and redevelopment for 2021-2022. Resources will be allocated toward hiring consultants to develop a concept plan and working through a procurement process for receiving development proposals. Costs for the development of the conceptual plan will be funded from the Administration and Feasibility Studies reserve.

Social Implications

The purchase and sale agreement with VIHA includes a covenant to be registered against title to lands, which will provide that the land is to be used by the Purchaser and its successors for the public good. "Public good" includes not-for-profit care facilities in the health field or other publicly funded health care services, subsidized, supported or other public housing; shelter accommodation for homeless persons and associated health and social supports including harm reduction. The covenant will provide that any change of use from a "public good" use will only be permitted with the consent of VIHA. This could include other partnership opportunities for non-public uses subject to negotiation with VIHA.

Intergovernmental Implications

As noted, a covenant on the property from 1971 indicates that the property must be used as a retirement home. It is our understanding that paramountcy applies to local government regulations and does not apply to civil issues such as covenants. Consequently, BC Housing will need permission from Oak Bay municipality to utilize the facility.

In addition, an initial assessment of the zoning indicates the suggested use of the facility as a homeless shelter would not conform and BC Housing would need to use paramountcy. In order to use paramountcy they would require a leasehold interest in the property.

On July 20, 2020, Oak Bay Council passed a motion requiring a comprehensive planning and consultation process as an essential component of the rezoning process and that any temporary or long term use of the property must go through this process.

On August 5, 2020, the CRD received a letter from BC Housing (see Appendix A) indicating that Oak Bay municipality would require a public hearing in order to discharge or modify the existing covenant (that the property must be used as a retirement home) and this process would be lengthy and the outcome uncertain. As a result, BC Housing recommends finding other facilities that will meet their need and urgency to provide temporary housing within the region.

CONCLUSION

The existing zoning on the site does not support the temporary use of the facility to house people experiencing homelessness. The covenant requiring the property be used as a retirement home makes the use of paramountcy inapplicable, and Oak Bay Council's requirement for a comprehensive planning and consultation process makes the feasibility of utilizing this site to temporarily house people experiencing homelessness not feasible at this time. The CRHD will continue its redevelopment process and public consultation as planned.

RECOMMENDATION

The Hospitals and Housing Committee recommends to the Capital Regional District Board and the Capital Regional Hospital District Board:
That the Oak Bay Lodge Planning report be received for information.

| | |
|---------------|---|
| Submitted by: | Michael Barnes, MPP, Senior Manager Health & Capital Planning Strategies |
| Concurrence: | Emily Sinclair, MCIP, RPP, Acting General Manager, Planning & Protective Services |
| Concurrence: | Ted Robbins, B. Sc., C. Tech., Acting Chief Administrative Officer |

Appendix A: BC Housing Letter



1701 – 4555 Kingsway
Burnaby, BC V5H 4V8
T: 604 433 1711
F: 604 439 4722
www.bchousing.org

August 5, 2020

Kevin Lorette
Planning Manager
Capital Regional District
625 Fisgard Street
Victoria, BC V8W 1R7

RE: Oak Bay Lodge Lands

Dear Kevin,

In follow up to our conversation regarding the use of Oak Bay Lodge for temporary housing, Mayor Murdoch has informed me that a public hearing is required for them to consider discharging or modifying the existing covenant restricting the use of the property. The process for this would be lengthy, extensive and the ability to use this facility at the end of the process is uncertain. BC Housing recommend finding other facilities that will meet our deadlines and urgency on this matter to provide temporary housing.

Should you have any questions please feel free to contact me at mmcnaught@bchousing.org or phone 778.452.2744.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. McNaughton", with a long, sweeping flourish extending to the right.

Malcolm McNaughton
Director Regional Development – Vancouver Island