

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 28, 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 Building and Planning, B. Anderson  
Fire Chief, D. Hughes  
Interim Deputy Director of Corporate Services, J. Winter  
Manager of Recreation and Culture, S. Meikle  
Manager of Park Services, C. Hyde-Lay  
Recorder, A. Nurvo

CALL TO ORDER:

Mayor Murdoch called the meeting to order at 7:00 p.m.

MINUTES OF COUNCIL AND COMMITTEES:

1. **Adoption of Minutes of Council and Committee of the Whole**
  - Special Council Minutes - July 20, 2020 (REVISED)
  - Committee of the Whole Minutes - September 8, 2020
  - Committee of the Whole Minutes- September 10, 2020
  - Special Council Minutes - September 10, 2020
  - Council Minutes - September 14, 2020
  - Special Council Minutes - September 21, 2020

MOVED and seconded: That Council adopt the Minutes of the Committee of the Whole meetings held September 8, 2020 and September 10, 2020.

**CARRIED**

MOVED and seconded: That Council adopt the revised Minutes of the Special Council meeting held July 20, 2020, and the Minutes of the Special Council meeting held September

10, 2020, the Council meeting held September 14, 2020, and the Special Council meeting held September 21, 2020.

**CARRIED**

**2. Adoption of Minutes of Advisory Committees**

- Advisory Design Panel Minutes - February 4, 2020
- Heritage Commission Minutes - March 10, 2020
- Heritage Commission Minutes - September 15, 2020

MOVED and seconded: That Council adopt the Minutes of the Advisory Design Panel meeting held February 4, 2020 and the Heritage Commission meetings held March 10, 2020 and September 15, 2020.

**CARRIED**

MAYOR'S REMARKS:

**3. Mayor's Remarks**

Mayor Murdoch congratulated Councillor Braithwaite for her appointment by acclamation as Second Vice President of the AVICC. He advised that UBCM held its virtual conference and he thanked Mayor Tait of Sooke for his service as President during the last year. Mayor Murdoch acknowledged a major cleanup of Uplands Park conducted by volunteers through the Friends of Uplands Park and the Greater Victoria Green Team in partnership with Oak Bay Parks. The Mayor congratulated staff for all of the reporting documents submitted to UBCM and advised that the District's submission received recognition and came in third overall. He acknowledged these represented substantive changes to processes for the District and thanked staff for putting the submission together.

PUBLIC PARTICIPATION PERIOD:

4. Deanna Pfeifer, District of Saanich, addressed Council regarding the use of anticoagulant rodenticides and stated that this commercial grade rat poison is very toxic and results in wildlife deaths. She stated this needs to be brought to the attention of municipalities and the public and the use of this poison needs to be banned.

Rob Vanzilla, District of Saanich, stated that there is a public misconception that anticoagulant rodenticides pose little risk and that we need to inform people that they are a very high risk to environment and that there are other less risky options available. He stated there needs to be a province wide ban.

Adam Leamy, Oak Bay resident, addressed Council regarding 785 Island Road, and advised that new servicing to his property runs under the boulevard in front of that property and he was concerned that the servicing may be damaged from construction. Mayor Murdoch advised Mr. Leamy to contact staff in the Building and Planning Department to further discuss his concerns.

Angus Matthews, Oak Bay resident, addressed Council regarding 785 Island Road, and stated that designation of the property is the best solution, which would set a good precedent for the future.

Mayor Murdoch invited members of the public to call into the meeting to provide input to Council on agenda items. The Interim Director of Corporate Services advised that no further calls have been received.

**COMMUNICATIONS:**

**5. Child Care Inventory and Action Plan 2020**

Greg Awai and Jane Worton of Queenswood Consulting reviewed a PowerPoint presentation summarizing their process of conducting a child care inventory within the six regional partners that joined into this project. They reviewed their report findings on the chronic shortage of daycare within the region and their recommendations for action to support the creation of child care spaces, including Policies and Bylaws review, opportunities for partnership development as well as advocacy regionally and provincially.

MOVED and seconded: That Council receive the Child Care Inventory and Action Plan 2020 for information.

**CARRIED**

**6. Donation of Public Art - Winds of Time**

MOVED and seconded: That Council accept a donation of the "Winds of Time" sculpture by artist Linda Lindsay from a local donor and approve of its permanent installation at the ocean view parking lot of King George Terrace on District owned land.

**CARRIED**

**7. Mutual and Automatic Aid Agreement**

The Fire Chief provided a summary of his report, and advised that the 1980 Mutual Aid Agreement and the 1989 Automatic Aid Agreement between several local municipalities both require renewal. However, the four parties were not successful in negotiating new agreements, therefore negotiation of a new bilateral agreement with Saanich was undertaken.

MOVED and seconded: That Council approve the Mutual and Automatic Aid Agreement with the District of Saanich.

**CARRIED**

**8. Correspondence from the City of Victoria Re: 1980 Firefighting Mutual Aid Agreement**

The Fire Chief advised that the Department is continuing discussions with the City of Victoria Fire Department on how best to continue working together for firefighting purposes.

MOVED and seconded: That Council receive the correspondence from the City of Victoria re: 1980 Firefighting Mutual Aid Agreement for information.

**CARRIED**

**9. Use of Anticoagulant Rodenticides in the District of Oak Bay**

MOVED and seconded: That Council provide direction to staff implement a ban of anticoagulant rodenticides on all municipally owned properties in the District of Oak Bay;

And that Council direct staff to communicate to residents and businesses in the District of Oak Bay regarding the harmful effects to wildlife when anticoagulant rodenticides are used for rodent control and that safer alternatives are available;

And that the Mayor be requested to write a letter to the Premier on behalf of Council, to encourage a provincial ban on the use of anticoagulant rodenticides, with a copy of the letter to appropriate Ministers and MLAs in the Region for their information.

**CARRIED**

**10. Heritage Alteration Permit HAP00020 - 1520 York Place**

MOVED and seconded: That the proposal to undertake renovations to the existing single family home at 1520 York Place, within the Prospect Heritage Conservation Area, be approved subject to the issuance of the Heritage Alteration Permit HAP00020.

**CARRIED**

**11. Council and Committee of the Whole Meeting Schedule**

MOVED and seconded: That the regular meeting schedule of Council and Committee of the Whole meetings established for 2020 be reinstated, subject to the District's Emergency Operations Centre either remaining at Level 1 or being deactivated.

**CARRIED**

**NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:**

**12. New Business & Verbal Reports**

- New Business

There was no new business.

- Report on the Capital Regional District

Mayor Murdoch has nothing new to report from the CRD.

- Other Verbal Reports

Councillor Paterson reported that the CREST Board held an in-person strategic planning meeting on September 15 for the development of new plan, and that more information will be available to the public once it is approved by the Board. She advised that the Victoria Family Court and Youth Justice Committee held an electronic meeting, and that service agencies aligned with it are struggling to continue to provide services during the pandemic.

Councillor Braithwaite reminded Council of the South Island Prosperity Project AGM on Wednesday morning.

Councillor Zhelka reported on the last CRD Water Commission meeting, and that reservoirs are at 70% capacity and that water restrictions will be ending on September 30<sup>th</sup>.

BYLAWS:

13. **785 Island Road Heritage Designation Bylaw, 2020, No. 4764**

The Director of Building & Planning advised that Council gave first reading to the Heritage Designation Bylaw on September 21, 2020, with a referral to this meeting for consideration of second reading. The Director stated that staff received an application for a building permit and demolition permit to remove the existing home, and that Council considered a Temporary Protection Order at the end of July to provide additional time to consider a designation bylaw. With first reading, the Temporary Protection Order is extended for a further 60 days, and if given second reading the Bylaw would proceed on to Public Hearing. The Director advised that staff contacted the owner, and the response was that they did not wish to consent to the designation and would be seeking financial compensation for any reduction in market value resulting from the designation. The Director stated that the applicant had withdrawn from the previous Heritage Revitalization Agreement process and then proceeded to submit applications for building and demolition permits.

MOVED and seconded: That Council give second reading to 785 Island Road Heritage Designation Bylaw, 2020, No. 4764.

**DEFEATED**

With Mayor Murdoch and Councillors Appleton and Paterson opposed

ADJOURNMENT:

14. **Motion to Adjourn**

MOVED and seconded: That the meeting be adjourned at 9:07 p.m.

**CARRIED**

Certified Correct:

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Mayor

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Director of Corporate Services