

MINUTES of a regular meeting of COMMITTEE OF THE WHOLE 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, Oak Bay, B.C., on Tuesday, April 22, 2014 at 7:00 p.m.

PRESENT: Mayor N. Jensen, Chair
Councillor C. Green
Councillor M. Kirby
Councillor T. Ney, Chair
STAFF: Municipal Administrator, H. Koning
Municipal Clerk, L. Hilton
Deputy Municipal Clerk, C. Denomme
Municipal Treasurer, P. Walker
Director of Building and Planning, R. Thomassen
Director of Engineering Services, D. Marshall

The Chair called the meeting to order at 7:00 p.m.

PARKS AND RECREATION SECTION:

1. 2014-121 OAK BAY PARKS AND RECREATION COMMISSION, April 2, 2014
Re Minutes of Meeting

(Ray Herman, Director of Parks and Recreation, in attendance for this item)

The Director of Parks and Recreation answered questions from the Committee in regard to the Oak Bay Eliminator Triathlon, which will be undertaken in partnership with the Victoria Sexual Assault Centre.

MOVED by Councillor Ney

Seconded by Councillor Kirby, That the minutes of the meeting of the Oak Bay Parks and Recreation Commission held on April 2, 2014, and the recommendations contained therein, with the exception of the recommendations regarding the Oak Bay Eliminator Triathlon, the 2014 fees and charges and the 2014 Capital and Operating budgets, be adopted.

CARRIED

MOVED by Councillor Kirby

Seconded by Councillor Green, That approval be given to occupy public property, for the Oak Bay Eliminator Triathlon to be held Sunday, August 24, 2014, subject to the event organizer entering into a public property occupancy agreement in which it will among other standard requirements:

1. release and indemnify the Municipality from any claims or liability associated with the event and providing evidence of public liability insurance in the amount of not less than \$3,000,000;
2. agree to pay all invoices from the Municipality for costs incurred in connection with the event;
3. agree to obtain Oak Bay Police approval for a traffic plan and implement the same subject to any field instructions from the Police; and
4. sufficient notice being given by the event organizers to all property owners along the proposed route,

with the Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

MOVED by Councillor Ney
Seconded by Councillor Kirby, That the fees and charges contained in the Parks and Recreation Commission minutes of April 2, 2014, be approved.

CARRIED

It was noted that the budget had already been forwarded to Council's Estimates Committee.

FINANCE SECTION:

2. 2014-122 MUNICIPAL TREASURER, April 12, 2014
Re Financial Reports

The Municipal Treasurer provided an overview of her report reminding the Committee that the figures relate to the provisional budget inasmuch as the 2014 budget has not yet been finalized.

MOVED by Councillor Kirby
Seconded by Councillor Green, That the financial reports, correspondence no. 2014-122, be received.

CARRIED

LAND USE SECTION:

3. 2014-123 DIRECTOR OF BUILDING AND PLANNING, April 7, 2014
Re Uplands Building Permit Application – 3285 Beach Drive

A representative of the owner and the contractor were in attendance to respond to any questions.

MOVED by Councillor Kirby
Seconded by Councillor Green, That it be recommended to Council that the plans to construct two sloped roofs overtop of existing flat roofs on the front elevation and to widen the existing window trim to four inches at 3285 Beach Drive be approved as to siting and architectural design.

CARRIED

4. 2014-124 DIRECTOR OF BUILDING AND PLANNING, April 9, 2014
Re Uplands Building Permit Application – 2746 Dorset Road

Neil Cumberbirch, Architect, was in attendance to respond to any questions.

MOVED by Councillor Kirby
Seconded by Councillor Green, That it be recommended to Council that the plans to construct an addition at the rear of the existing house at 2746 Dorset Road be approved as to siting and architectural design.

CARRIED

5. 2014-125 DIRECTOR OF BUILDING AND PLANNING, April 9, 2014
- 2014-125-1 JULIANA KO, April 7, 2014
- 2014-125-2 MATTHEW PIKE, April 7, 2014
- 2014-125-3 MICHAEL AND MOIRA TAYLOR, April 8, 2014
- 2014-125-4 ANNE MILLS, April 14, 2014
- 2014-125-5 HEIDI AND JASON JACOB, April 15, 2014
- 2014-125-6 PAUL GESSLER, April 15, 2014

2014-125-7 TRISHA GLATTHAAR, April 15, 2014
2014-125-8 JOHN AND SHARYN AGNEW, April 16, 2014
2014-125-9 ALAN J THOMSON, April 16, 2014
2014-125-10 CATHERINE M THOMSON, April 16, 2014
2014-125-11 MARY KILVINGTON, April 16, 2014
2014-125-12 DONNA KILVINGTON, April 16, 2014
2014-125-13 LORI CANNING, April 16, 2014
2014-125-14 HELEN MACLURE, April 16, 2014
2014-125-15 STEVE SEGAL, April 16, 2014
2014-125-16 JOHN HAYES, April 16, 2014
2014-125-17 VINCE SHASKO, April 16, 2014
2014-125-18 TRIANA AVIS, April 16, 2014
2014-125-19 OLIVIER GIRARDEAUX, April 16, 2014
2014-125-20 MAE HERNANDEZ, April 16, 2014
2014-125-21 JEAN-PIERRE BOUCHER, April 16, 2014
2014-125-22 JACQUELINE BOUCHER, April 16, 2014
2014-125-23 ROSS HARRINGTON, April 16, 2014
2014-125-24 KIM HARRINGTON, April 16, 2014
2014-125-25 PETER WILLIAMSON, April 16, 2014
2014-125-26 ASHLEY WILLIAMSON, April 16, 2014
2014-125-27 CHRISTINE HOWARD, April 16, 2014
2014-125-28 PERRY HOWARD, April 16, 2014
2014-125-29 JOCELYN DEMONTMORENCY, April 16, 2014
2014-125-30 MIKE DEMONTMORENCY, April 16, 2014
2014-125-31 NEIL BENNETT, April 16, 2014
2014-125-32 SEAN BENNETT, April 16, 2014
2014-125-33 MAUREEN BENNETT, April 16, 2014
2014-125-34 GUY GENSEY, April 16, 2014
2014-125-35 FRASER NOEL, April 16, 2014
2014-125-36 PAULA NOEL, April 16, 2014
2014-125-37 RUSSELL FREETHY AND DOROTHY WARREN, April 16, 2014
2014-125-38 THOM RUSSELL, April 16, 2014
2014-125-39 BRENDA MESICH, April 16, 2014
2014-125-40 MICHAEL WHITNEY, April 16, 2014
2014-125-41 MARY SANSEVERINO, April 16, 2014
2014-125-42 JACKIE PERRIAM, April 16, 2014
2014-125-43 GILLIAN FUNT, April 16, 2014
2014-125-44 COLIN CHADWICK, April 16, 2014
2014-125-45 PAM KILBURN, April 16, 2014
2014-125-46 JANE ELLIS, April 16, 2014
2014-125-47 JANE MORAN, April 16, 2014
2014-125-48 WILLIAM AND SHIRLEY BASSETT, April 16, 2014
2014-125-49 SANDRA ALEXANDRE, April 16, 2014
2014-125-50 JULIE PAYNE, April 16, 2014
2014-125-51 CATHERINE M THOMSON, April 16, 2014
2014-125-52 ALAN J THOMSON, April 16, 2014
2014-125-53 HEATHER STOKES, April 17, 2014
2014-125-54 TIM STOKES, April 17, 2014
2014-125-55 DOUG SCOTT, April 17, 2014
2014-125-56 TARYN SCOTT, April 17, 2014
2014-125-57 JESS PATTERSON, April 17, 2014
2014-125-58 TANYA PATTERSON, April 17, 2014
2014-125-59 DAVID OLIVER, April 17, 2014
2014-125-60 ROBIN LONGE, April 17, 2014
2014-125-61 NATALIE LONGE, April 17, 2014

- 2014-125-62 RUTH STACEY, April 17, 2014
 - 2014-125-63 TIMEA MESZAROS, April 17, 2014
 - 2014-125-64 KEVIN DEMERS, April 17, 2014
 - 2014-125-65 JOHN STACEY, April 17, 2014
 - 2014-125-66 CAROLYN E STEVENS, April 17, 2014
 - 2014-125-67 CAROLYN E STEVENS, April 17, 2014
 - 2014-125-68 DOUGLAS AND TARYN SCOTT, April 17, 2014
 - 2014-125-69 SHIREEN ALAM, April 17, 2014
 - 2014-125-70 MICHAEL CONRAD, April 17, 2014
 - 2014-125-71 JOHN NEDWIDEK, April 17, 2014
 - 2014-125-72 MARION NOAKES, April 17, 2014
 - 2014-125-73 DAN SAVARD, April 17, 2014
 - 2014-125-74 JOCELYN AND MICHAEL DEMONTMORENCY, April 17, 2014
 - 2014-125-75 IAN STARK, April 17, 2014
 - 2014-125-76 PARMINDER S. BASRON, April 17, 2014
 - 2014-125-77 CHRISTOPHER DEVLIN, April 17, 2014
 - 2014-125-78 ELIZABETH A. SWIGGUM, April 18, 2014
 - 2014-125-79 JATINDER SINGH, April 18, 2014
 - 2014-125-80 TERESA DAWSON, April 18, 2014
 - 2014-125-81 COLIN AND CINDY BROWN, April 18, 2014
 - 2014-125-82 SHELLY BERLIN AND RICHARD EATON, April 18, 2014
 - 2014-125-83 KATE CAMPBELL, April 18, 2014
 - 2014-125-84 SANDRA DHILLON, April 18, 2014
 - 2014-125-85 DAN SHEEHAN, April 18, 2014
 - 2014-125-86 NICHOLE NEWSOME, April 18, 2014
 - 2014-125-87 COLLEEN KIRKPATRICK, April 19, 2014
 - 2014-125-88 MICHAEL WILMOTT, April 20, 2014
 - 2014-125-89 LUKE MILLS, April 20, 2014
 - 2014-125-90 IRINA VALEVA AND BORIS VALEVA, April 20, 2014
 - 2014-125-91 JASON SCULLY, April 21, 2014
 - 2014-125-92 DONNA AND RANDY JONES, April 21, 2014
 - 2014-125-93 JUDITH LYNN FORBES, April 21, 2014
 - 2014-125-94 HELEN TRURAN, April 21, 2014
 - 2014-125-95 DENISE LAMARCHE AND DAN PONTEFRACT, April 21, 2014
 - 2014-125-96 KEVIN AND PAULA LEE, April 21, 2014
 - 2014-125-97 JENNIFER LYNN, April 21, 2014
 - 2014-125-98 RUSSELL FREETHY, April 21, 2014
 - 2014-125-99 DEBORAH WILLIAMS, April 22, 2014
 - 2014-125-100 LAURIE PIAZZA, April 22, 2014
 - 2014-125-101 KATE JORDAN, April 22, 2014
 - 2014-125-102 TAMMY LECHNER, April 18, 2014
 - 2014-125-103 LUKE MILLS, April 22, 2014
 - 2014-125-104 BRIAN AND RUTH HOLL, April 22, 2014
 - 2014-125-105 LORI HORNE, April 22, 2014
 - 2014-125-106 ALUN REES, April 22, 2014
 - 2014-125-107 ANUP GREWAL, April 22, 2014
 - 2014-125-108 STEPHANIE GEEHAN, April 22, 2014
- Re Development Variance Permit Application – 820 Victoria Avenue
(St. Michael’s University School) 2014-125

Present for this item:
Paul Merrick and Shaun McIntyre, Merrick Architecture
Gary Pooni, Brook Pooni
Landscape Architect

Nancy Richards, Director, Laura Authier, Director of Marketing and Communication, Bob Snowden, Head of School, and other members from, St. Michaels University School

Nancy Richards reviewed the vision for the school and the need for a new facility.

Paul Merrick presented the proposal for the redevelopment of the St. Michael's University School which they have been working on for over 2 years, he said. Part of the proposal includes retaining the Oak trees on the property, adding 35 parking stalls underground and 10 parking spots at the street level to accommodate drop off and pick up of students.

Gary Pooni reviewed the public consultation that has taken place which included 4 Open Houses. He said that the process to develop the Master Plan took 13-14 months noting that parking and traffic were identified as problems that required long term solutions. The plan is to create a design that is respectful to the community, he said.

Nancy Richards then addressed a number of concerns from the neighbourhood that were identified in letters received by the Committee in regard to enrolment, after school programs, traffic issues and water drainage. She also reviewed other initiatives to help with neighbours concerns including staggered timetables to help with drop off and pick up of students.

A discussion ensued with members of the Committee in regard to the proposal, public consultation and landscaping. There was some concern expressed regarding the parking and traffic issues, and members of the Committee discussed the possibility of requesting a traffic study.

Michael Conrad, resident, expressed concerns with the parking and traffic in the immediate area.

Michael Bullock, resident, said he is sympathetic to the parking issue of the neighbours. He has concerns with the lack of communication from the school noting he was unaware that a wall is proposed along the property line where his property abuts the school property.

John Nedwidek, resident, commented that access to the property should be from all points possible and suggested that Faulkland Road should also be considered. Mr. Nedwidek also said he is concerned with traffic and parking issues.

Chris Strong, resident, said he is concerned with putting the school closer to the neighbouring properties and that he feels it will have a negative effect on property values. He also noted his opposition to the setback on the north side.

Taryn Scott, resident, said she is concerned with the drainage of water from the property.

The Director of Building and Planning said that there will be rain gardens and any overflow from which will be pumped into the storm drain system.

Robin Longe, resident, said he is opposed to the development. He feels the development does not fit in the neighbourhood and the impact would be excessive and he is concerned with traffic and parking issues.

Natalie Longe, resident, noted her concerns that no parking/traffic plan has been done for the proposal. She said she has concerns with safety issues surrounding drop off and pick up of students.

Margo Ross, resident, lives adjacent to the school and said she supports the project.

Michael Modesly, resident, said he is supportive of the project and commented that it will come within 30 feet of his house.

Frances Thorson, resident, said she lives on the north side and is not upset with the school plan but with the community letter that was sent to Council because it was not circulated to anyone that lived on Falkland Road.

Bonnie Robinson, resident, said she feels the school is sincere in its efforts to accommodate the issues presented and she feels that not having a traffic plan is a valid concern.

Parminder Basron, resident, said he did not know about the open houses and feels there is not much evidence of community leadership from the school. He has concerns with traffic and parking.

Sharin Alum, resident, said that prior to 2011-2012 communication from the school was poor and that is the frustration of the neighbourhood. She supports requesting the school obtain a traffic management plan.

Jason Scully, grade 11 student, said if the Junior school could have the upgrades it will make the students education a great experience, like he has enjoyed as a St. Michael's University School student.

Bob Snowden, Head of School at St. Michael's University School, said they recognize that people are unhappy with the parking and traffic problems at the school and the redevelopment of the school will be an improvement. The variances requested allow for more parking and preservation of the Oak trees. They would be interested in undertaking a traffic study, he said.

Carolyn Stevens, resident, said she would like something done regarding the traffic situation.

Colin Chadwick, resident, said that if they had residential parking only on Beaverbrook Street it would solve their problems.

Michael Bullock, resident, said the traffic and parking issues have put neighbours against each other and street against street.

Michael Conrad, resident, said other schools have more parking and he gave examples. He encouraged the school to look at other access points, like Falkland Road.

Chris Strong, resident, reminded everyone that the meeting is to discuss variance setbacks which place the school closer to his property, therefore he is one of the most affected.

Gary Howard, resident, said he is concerned with the setbacks and how they will affect his property.

Paul Merrick, said he did not hear these concerns previously and if a traffic plan is wanted it can be done. If there are any concerns he encouraged people to contact him.

Bob Snowden, said if a traffic study is desired by the Committee, they are willing to undertake one.

A discussion ensued in regards to parking and traffic issues associated with the school and the redevelopment proposal. It was felt that the application should be deferred until more information in regard to the specifics of the proposed wall on the north side, a traffic study, options and impacts of revising the setbacks, and/or the rationale for the current setbacks, and renderings depicting the adjacent residential properties have been obtained.

MOVED by Councillor Kirby

Seconded by Councillor Green, That correspondence item no. 2014-125-1 to 2014-125-108 be received.

MOVED by Councillor Green

Seconded by Councillor Ney, That correspondence item no. 2014-125 be deferred pending further information on the proposed wall, traffic study and the impact to the neighbours in the vicinity of 820 Victoria Avenue.

CARRIED

6. 2014-126 DIRECTOR OF BUILDING AND PLANNING, April 11, 2014
- 2014-126-1 LODEWYK (LOUIS) PRINSLOO, April 16, 2014
- 2014-126-2 CLINT NICKERSON AND ALISA KERR, April 16, 2014
- 2014-126-3 TYE AND MELANY STARTEK, April 16, 2014
Re Development Variance Permit Application – 362 King George Terrace

Archie Willie, Architect, was in attendance to respond to any questions

MOVED by Councillor Kirby

Seconded by Councillor Green, That a resolution authorizing the issuance of a development variance permit, as outlined in the April 11, 2014 report of the Director of Building and Planning, correspondence item no. 2014-126, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

7. 2014-127 DIRECTOR OF BUILDING AND PLANNING, April 14, 2014
Re Development Variance Permit Application – 2045 Edgecliffe Place

Mike DePalma, Flintstone Masonry, was in attendance to respond to any questions.

MOVED by Councillor Green

Seconded by Councillor Ney, That a resolution authorizing the issuance of a development variance permit, as outlined in the April 14, 2014 report of the Director of Building and Planning, correspondence item no. 2014-127, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

8. 2014-128 DIRECTOR OF BUILDING AND PLANNING, April 14, 2014
Re Development Variance Permit Application – 2138 Florence Street

Nigel Banks, designer, was in attendance to respond to any questions.

MOVED by Councillor Kirby

Seconded by Councillor Ney, That a resolution authorizing the issuance of a development variance permit, as outlined in the April 14, 2014 report of the Director of Building and Planning, correspondence item no. 2014-128, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

9. 2014-129 DIRECTOR OF BUILDING AND PLANNING, April 15, 2014
- 2014-129-1 TOM AND JILL CROFT, April 22, 2014

Re Development Variance Permit Application – 2029 Meadow Place

John Keay, Architect, was in attendance to respond to any questions

Mr. Keay provided an overview of the application.

A discussion ensued in regard to pergola and garage and the possibility of moving them further back on the property.

MOVED by Councillor Kirby

Seconded by Councillor Ney, That a resolution authorizing the issuance of a development variance permit, as outlined in the April 15, 2014 report of the Director of Building and Planning, correspondence item no. 2014-129, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

10. 2014-130 DIRECTOR OF BUILDING AND PLANNING, April 15, 2014
2014-130-1 DIRECTOR OF BUILDING AND PLANNING – REVISED
Re Development Variance Permit Application – 2571 Dalhousie Street

Bruce Leibel, owner and Tricia McMullan, Designer, were in attendance to respond to any questions.

The Director of Building and Planning gave an overview of the application.

MOVED by Councillor Kirby

Seconded by Councillor Green, That a resolution authorizing the issuance of a development variance permit, as outlined in the April 15, 2014 report of the Director of Building and Planning, correspondence item no. 2014-130, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

PUBLIC WORKS SECTION: (Section Jensen)

11. 2014-131 DIRECTOR OF ENGINEERING SERVICES, April 16, 2014
201-131-1 JEFF SMITH, April 22, 2014
Re Traffic Issues on Granite Street and Area South of Oak Bay Avenue

The Director of Engineering Services gave an overview of his report.

MOVED by Councillor Green

Seconded by Councillor Kirby, That the meeting continue past 11:00 p.m.

CARRIED UNANIMOUSLY

Dianna Butler, resident, said she is encouraged that the report recognizes the problems on Granite Street. She has concerns with amount of traffic, street noise and excessive speeding on the street, which are causing issues with safety she said. She noted she would like to see a traffic study completed for the area of Granite Street and south.

Jack Basey, resident, said he supports a full traffic study for the area.

MOVED by Councillor Kirby
Seconded by Councillor Ney, That:

1. the hedge at 1388 Victoria Avenue be trimmed.
2. That Engineering Staff be directed to investigate the appropriate parameters for a 'Traffic Control Order' to reflect an increase in both the length and time for the loading zone in front of Athlone Court.
3. That discussion between the BIA, the BIA Liaison and the building owners be initiated to see if there is better use of the underground parking at Athlone Court.
4. That the Engineering Department be directed to investigate details around engaging a consultant to assist in the aligning of appropriate speeds with the streets throughout Oak Bay to improve speed consistency and report back to Committee of the Whole.
5. That the Engineering Department be directed to investigate details around engaging a consultant to assist in the development of a process for assessing the application of Traffic Calming measures, such as those identified in 'Discussion (7)' in the April 16, 2014 report of the Director of Engineering Services, correspondence item no. 2014-131, and report back to the Committee of the Whole.
6. That a Bylaw be prepared and brought to Council to reduce the speed on Granite Street to 40km/hr.
7. That a 'Traffic Control Order' to erect stops signs on the west end of Brighton Street be prepared and brought forward to Council.

CARRIED

12. 2014-132 DIRECTOR OF ENGINEERING SERVICES, April 16, 2014
2014-132-1 R SCOTT HALL, April 2, 2013
2014-132-2 MARY DE ZWAGER, March 20, 2014
2014-132-3 CHARLIE WICKE, February 13, 2014
2014-132-4 JEFF SMITH, February 26, 2014
2014-132-5 JUDY JAMES et al, May 21, 2012
Re Resident Parking Only Requests at Various Locations

MOVED by Councillor Kirby
Seconded by Councillor Ney, That correspondence item no. 2014-132 be deferred to the May Committee of the Whole meeting.

CARRIED

13. 2014-133 DIRECTOR OF ENGINEERING SERVICES, April 16, 2014
Re Traffic Concerns at Foul Bay Road and Granite Street

MOVED by Councillor Ney
Seconded by Councillor Green, That correspondence item no. 2014-133 be deferred to the May Committee of the Whole meeting.

CARRIED

ADJOURNMENT:

MOVED by Councillor Kirby
Seconded by Councillor Green, That the Committee of the Whole meeting be adjourned.

CARRIED

The meeting adjourned at 11:40 p.m.

Certified Correct:

Municipal Clerk

Chair, Mayor Jensen