

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 Monday February 16, 2015 at 7:00 p.m.

PRESENT: Councillor M. Kirby, Chair
Councillor H. Braithwaite
Councillor T. Croft
Councillor K. Murdoch
Mayor N. Jensen (enters at 7:30 pm)
Councillor T. Ney
Councillor E. W. Zhelka

STAFF: Chief Administrative Officer, H. Koning
Municipal Clerk, L. Hilton
Deputy Municipal Clerk, M. Jones
Municipal Treasurer, P. Walker
Director of Building and Planning, R. Thomassen
Director of Engineering Services, D. Marshall

PARKS AND RECREATION ITEM(S):

1. ***Parks and Recreation Commission Minutes***

- Minutes - Oak Bay Parks & Recreation Commission, Feb. 4, 2015
- Rpt Attach 1 - Program Reports Jan. 2015
- Rpt Attach 2 - December Finance Summary 2014

(Ray Herman, Director of Parks and Recreation and Chris Hyde-Lay, Manager of Parks Services, in attendance for this item)

In response to questions from the Committee, the Director of Parks and Recreation clarified that, although the Parks and Recreation Commission was currently considering how best to address the impact of special events in parks, the usual process for reviewing special events was still being undertaken.

Responding to questions from the Committee with respect to potentially expanding the mandate of the Commission to include culture, the Director of Parks and Recreation commented that staff anticipate an increased interest in cultural programming from the municipality for which a part-time staff person would be required in order for existing service levels to be maintained.

Discussion ensued regarding the challenges of replacing trees lost through development on private property with the Manager of Parks Services providing details with respect to the process and the cost of the tree donation program.

In response to questions from the Committee, the Director of Parks and Recreation Services noted that incorporating frisbee golf on to the existing golf course would be a challenging process, but that he would undertake further research in this regard.

MOVED by Councillor Murdoch

Seconded by Councillor Ney, That the minutes of the meeting of the Oak Bay Parks and Recreation Commission held on February 4, 2015, and the recommendations contained therein, be adopted.

CARRIED

2. ***Request from Oak Bay Arts Laureate Regarding Permanent Art Installation***

- Report - Director of Parks & Recreation, Feb. 16, 2015
- Rpt Attach 1 - Oak Bay Arts Laureate, Dec. 19, 2014

(Ray Herman, Director of Parks and Recreation and Barbara Adams, Oak Bay Arts Laureate, in attendance for this item)

The Director of Parks and Recreation introduced the proposal with respect to the permanent installation of “The Salish Sea” art piece, as described his report.

The Oak Bay Arts Laureate responded to questions from the Committee regarding the art piece and the current location. Ms. Adams also noted that she is in discussion with staff at this time regarding the establishment of a public art policy.

The Municipal Treasurer noted that further consideration will be given to the exact process for managing donations through the website.

MOVED by Councillor Murdoch

Seconded by Councillor Ney, That it be recommended to Council that:

1. The current temporary site of the Salish Sea art piece adjacent to the Oak Bay Marina parking lot be approved as a permanent site for the same art piece;
2. Staff be directed to establish a Public Art Fund within the Reserve Fund for donations and bequests to which public art donations can be made;
3. Staff be directed to add information on the Public Art Fund to the municipal website; and
4. That staff work with the Arts Laureate and the artist to establish costs for a permanent installation of the Salish Sea, and to add these costs to the amount to be raised for the purchase of the art.

CARRIED

Mayor Jensen entered the meeting at 7:35 pm.

FINANCE ITEM(S):

3. ***Monthly Financial Report***

- Report - Municipal Treasurer, Feb. 12, 2015
- Rpt Attach 1 - Statement of Revenue & Expenditures, Jan. 31, 2015
- Rpt Attach 2 - Capital Projects Financial Report, Jan. 31, 2015
- Rpt Attach 3 - Investments, Jan. 31, 2015
- Rpt Attach 4 - Property Taxes, Jan. 31, 2015

In response to questions from Council, the Municipal Treasurer provided clarification with respect to the budget for capital projects by Public Works and the ongoing discussions with the receiver for the Oak Bay Beach Hotel.

MOVED by Councillor Braithwaite

Seconded by Councillor Croft, That the monthly financial report of the Municipal Treasurer dated Feb. 12, 2015 be received.

CARRIED

ENGINEERING SERVICES ITEM(S):

4. ***Uplands Combined Sewer Separation Project - Consultant's Report & Presentation***

- Report - Director of Engineering Services, Feb. 12, 2015
- Rpt Attach 1 - Uplands Combined Sewer Separation Project, Feb. 11, 2015

(Jack Hull, Project Manager, in attendance for this item)

The Project Manager provided an overview of his report with respect to the Uplands Combined Sewer Separation Project. Mr. Hull then responded to various questions from the Committee with respect to communication planning and public engagement, grant funding, impact on other underground services, and mitigation measures and protocols during construction.

A discussion ensued, with committee members expressing support for a comprehensive communication plan and for consideration of the best methods for mitigating the impact of construction on mature trees.

MOVED by Councillor Ney

Seconded by Councillor Braithwaite, That it be recommended to Council that staff to be directed to:

- Develop a Request for Proposals (RFP) for consulting services to undertake

a pre-design study to examine the options for sewer separation in the Uplands. Options to be considered include:

- gravity sanitary sewer system, the existing (combined) sewer would convey storm water;
 - a gravity system for storm sewers, the existing sewer would convey wastewater;
 - a low pressure system for wastewater;
 - a low pressure system for storm water;
 - a combination of gravity and pressure systems, and
 - any other innovative approach envisaged by the Consultant to achieve the goal of separating the combined sewers in Uplands.
- It will be necessary to undertake site specific geotechnical investigations to identify suitable conditions for ground infiltration, either for rain-gardens if rain-gardens are considered to be appropriate or on-site ground disposal of rainwater. The estimated cost of the investigation would be included in the responses to the RFP.
 - Design concepts should exclude construction in easements on private property that would involve destruction of fences, hedges and mature trees, unless trenchless technologies can be employed.
 - Design concepts and cost comparisons to include life cycle costs and to be developed to a level of confidence that will allow Council to apply for senior government funding and move forward to the next phase - detailed design.
 - All options to be analysed and compared on a 'triple bottom line' (economic, social and environmental) basis.
 - Develop a communication and public engagement program to engage and inform all Oak Bay residents about the project.

Alene Cartwright, Oak Bay resident, commented with respect to the importance of public communication, including raising awareness regarding easements in an engaging manner.

Ron Carter, Oak Bay resident, commented on the importance of a triple bottom line approach noting the significant impact blasting can have on trees. Mr. Carter emphasized the importance of mitigation and professional oversight to preserve as many trees as possible.

In response to questions from the Committee, Mr. Hull confirmed that a balanced approach to using easements could increase tree retention.

MOVED by Councillor Murdoch

Seconded by Councillor Zhelka, That the motion be amended, in the wording following the third circular bullet, to read: "Design concepts should attempt to minimize non-trenchless construction and easements on private property which would involve destruction of fences, hedges, and, in particular, healthy, mature, trees."

The question on the amendment to the motion was then called.

CARRIED

The question on the motion, as amended, was then called.

CARRIED

5. ***Traffic Control Order (TCO) Request - New Stop Signs on Cardiff Place***

- Report - Director of Engineering Services, Feb. 12, 2015
- Rpt Attach 1 - TCO Request Map - Cardiff Stop Sign Request

MOVED by Councillor Murdoch

Seconded by Councillor Braithwaite, That a traffic control order be prepared in relation to the installation of stop sign on Cardiff Place at Kendal Avenue, and on Cardiff Place at Frederick Norris Road, as described in the February 12, 2015 memorandum of the Director of Engineering Services and on the attached map.

Alene Cartwright, Oak Bay resident, commented that it was her view that a stop sign to address the traffic issues in this area would be better placed on Frederick Norris Road.

At the request of the Chair, the Director of Engineering Services responded to the member of the public, noting that stop signs are typically placed on minor roads.

The question was then called.

CARRIED

6. ***Traffic Control Order (TCO) Request - Limited Time Parking Cardiff Place/Redwood Avenue***

- Report - Director of Engineering Services, Feb. 12, 2015
- Rpt Attach 1 - TCO Request Map - Redwood Ave & Cardiff Pl
- Rpt Attach 2 - TCO Request Map - Pelly Place
- Correspondence - Parking in the Cardiff Pl, Redwood Ave Area

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

Alene Cartwright, Oak Bay resident, commented that she is in favour of changing the parking regulations on Redwood Avenue to allow “resident only” parking. Ms. Cartwright noted that this is an issue and that she was interested to see that others in the neighbourhood has similar concerns. She asked for clarification of when staff monitored the area with regards to parking.

The Director of Engineering Services noted that he did not have information available regarding when the site visits occurred, but that typically staff visit a location multiple times.

MOVED by Councillor Murdoch

Seconded by Councillor Zhelka, That, as outlined in the February 12, 2015 report of the Director of Engineering Services and attached maps:

1. It be recommended to Council that no changes be made to the existing parking regulations on Redwood Avenue;
2. It be recommended to Council that no changes be made to the existing parking regulations on the south side of Cardiff Place; and
3. That a Traffic Control Order to install a “No Parking In Turn Around” sign at the end of Pelly Place be prepared and brought forward to Council for consideration.

CARRIED

LAND USE APPLICATIONS:

7. ***Uplands Building Permit Application – 2847 Dunlevy Street***

- Report - Director of Building and Planning, Feb. 3, 2015
- Rpt Attach 1 - ADP Minutes Feb. 3, 2015
- Rpt Attach 2 - Application Letter from D McKerrell, rcvd Jan. 15, 2015
- Rpt Attach 3 - Colours and Materials
- Rpt Attach 4 - Revised Garage Door Design
- Plans - UBA - 2847 Dunlevy St, rcvd Jan. 15, 2015

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

MOVED by Councillor Murdoch

Seconded by Councillor Braithwaite, That it be recommended to Council that the plans for the enclosure of the existing carport into a garage by the installation of a garage door onto the house located at 2841 Dunlevy Street, as identified in Report Attachment 4 to the February 3, 2015 report of the Director of Building and Planning, be approved as to architectural design.

CARRIED

8. ***Development Variance Permit Application – 1960 Bowker Place***

- Report - Director of Building and Planning, Feb. 3, 2015
- Rpt Attach 1 - Applicant's Letter, Goodison Construction, Nov. 2014
- Rpt Attach 2 - Support from Neighbors DVP - PL289
- Plans - DVP - 1960 Bowker Ave - rcvd Nov. 13, 2014

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

MOVED by Councillor Braithwaite

Seconded by Councillor Croft, That a resolution authorizing the issuance of a development variance permit for 1960 Bowker Place, as outlined in the February 3, 2015 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

In response to questions from the Committee, the Director of Building and Planning clarified the location and nature of the attic, noting that the building code does allow for attics which are not designed to minimum floor loading requirements.

The question was then called.

CARRIED
Councillor Zhelka against the motion

9. ***Development Variance Permit (DVP) Application - 946 Byng Street***

- Report - Director of Building and Planning, Feb. 16, 2015
- Rpt Attach 1 - Applicant's Letter, Zebra Design, Jan. 23, 2015
- Plans - DVP - 946 Byng St, rcvd Jan. 2015

The Director of Building and Planning provided an overview of the application and reviewed information with respect to contextual setbacks.

MOVED by Councillor Murdoch

Seconded by Councillor Braithwaite, That a resolution authorizing the issuance of a development variance permit for 946 Byng Street, as outlined in the February 16, 2015 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

10. ***Development Variance Permit Application – 1550 Yale Street***

- Report - Director of Building and Planning, Feb. 10, 2015
- Rpt Attach 1 - Applicant's Letter, Alternate Plans - rcvd Jan 7, 2015
- Plans - DVP - 1550 Yale St - rcvd Jan 7, 2015

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

MOVED by Councillor Ney

Seconded by Councillor Murdoch, That a resolution authorizing the issuance of a development variance permit for 1550 Yale Street, as outlined in the February 10, 2015 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

REGULATORY ITEM(S):

10. ***Proposed Advisory Planning Body & Committee Configuration***

- Addendum Report 1 - Chief Administrative Officer, Feb. 10, 2015
- Addendum Report 2 - Chief Administrative Officer, Feb. 11, 2015
- Add Rpt 2, Attach 1 - Appendix A - Proposed Committee Configuration
- Add Rpt 2, Attach 2 - Draft Terms of Reference, Advisory Design Panel
- ADDENDA - Corresp up to Feb. 16, 2015 - Advisory Planning Body & Committee Configuration

Deborah Jensen, Planner, in attendance for this item

The Chief Administrative Officer provided an overview of her report.

A discussion ensued with respect to the extensive and valuable input on various community issues offered by the Active Transportation Advisory Committee (ATAC) and the Environmental Advisory Committee (EAC) over the last three years. The importance of their contribution to the Official Community Plan was also noted.

Turning to the proposed committee configuration, Committee members discussed the value of the proposed holistic approach while noting that further consideration would need to be given to how best to address the terms of reference and appointment process for a new body such as the proposed advisory planning committee. The necessity for consistency and an appropriate level of resource support was also noted. It was recommended that a member be included on the advisory planning committee with heritage expertise.

Kris Nichols, ATAC, noted that, having spoken to the Chief Administrative Officer, he understands the need to move forward and change. He emphasized the importance of the work already undertaken by the ATAC continuing, especially including public engagement. He noted that the idea of an advisory planning committee is supportable.

Ron Carter, EAC, commented that he is serving as Acting Chair of the EAC in the Chair's absence. Mr. Carter stated that the EAC's work has been incredibly rewarding and that he wants to see the outstanding recommendations from the EAC addressed. He thanked the Committee for the opportunity to be involved.

MOVED by Councillor Ney

Seconded by Councillor Croft, That the Committee consider formation of an advisory planning committee and direct staff to bring forward Terms of Reference for establishment of such committee.

CARRIED

MOVED by Councillor Ney

Seconded by Councillor Zhelka, That: the Committee of the Whole endorse the proposed committee configuration and the associated staff support as presented in Appendix A of the February 11, 2015 report of the Chief Administrative Officer, with any associated changes to terms of reference or establishing bylaws to be brought forward to a subsequent meeting, and further that any budgetary implications also be brought forward to Estimates Committee.

It was noted that it was the Committee's expectation that during the appointment process for the proposed advisory planning committee members of the EAC and the ATAC could be considered through the usual appointment process, but that membership would not be restricted to only these bodies.

CARRIED

ADJOURNMENT:

Motion to Adjourn

Moved by Councillor Braithwaite

Seconded by Councillor Ney, That the Committee of the Whole meeting be adjourned.

CARRIED

The meeting adjourned at 10:02 p.m.

Certified Correct

Municipal Clerk

Chair