

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, Victoria, B.C., on Monday March 19, 2018 at 7:00 PM.

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: Councillor M. Kirby, Chair
 Mayor N. Jensen
 Councillor H. Braithwaite
 Councillor T. Croft
 Councillor K. Murdoch
 Councillor T. Ney
 Councillor E. W. Zhelka

STAFF: Acting Chief Administrative Officer, D. Carter
 Director of Corporate Services, W. Jones
 Acting Director of Building and Planning, D. Jensen
 Director of Engineering Services, D. Horan
 Director of Parks, Recreation and Culture, R. Herman
 Acting Deputy Director of Corporate Services, S. Santarossa

The Mayor advised of the passing of Bob Carter on the weekend, a long time resident and volunteer of Oak Bay. Mr. Carter and Illarion Gallant produced a stainless steel leaf and six of these leaves were donated to the District and presented to retiring staff and other dignitaries over the years. On behalf of Council and the District, the Mayor expressed his condolences to the family.

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

PRESENTATIONS

1. ***Municipal Finance Authority of BC***

- Presentation - MFA BC - District of Oak Bay Borrowing and the MFA March 19, 2018

Shelley Hahn, Director of Business Services, MFA, provided a PowerPoint presentation to the Committee outlining the following:

- An overview of the MFA including the governance model and operations
- MFA access to capital markets
- Credit strengths including debt reserve fund, taxation authority and joint liability
- Legislation for borrowing and multi-step approval process
- Borrowing and debt limits
- Borrowing considerations and debt management policies

Discussion ensued relative to:

- Limits on municipal borrowing
- Oak Bay's borrowing capacity

- Inter-generational equity and the use of reserves versus borrowing to fund capital infrastructure

MOVED and seconded: That the presentation by Shelley Hahn, Municipal Finance Authority of BC, be received for information.

CARRIED

PARKS, RECREATION AND CULTURE ITEM(S):

The Director of Parks, Recreation and Culture, R. Herman and the Chair of the Parks, Recreation and Culture Commission, M. Holding in attendance for this section of the meeting.

2. Parks Recreation and Culture Commission Minutes

- Note - Director of Corporate Services - P&RComm Min, Mar. 7, 2018 - Parks and Beaches, InspireHealth Rain Walk
- Minutes - PR&CComm - Mar 7, 2018
- Rpt. Attach. 1 - Program Reports Feb 2018

The Director of Parks, Recreation and Culture and Monty Holding, Chair of the Parks, Recreation and Culture Commission appeared before the Committee to provide an overview of the recent Commission meeting and the recommendations contained in the minutes.

Barbara Adams, Oak Bay arts laureate, provided an overview of the process to vote for and select sculptures to be showcased in the District for a period of one year through the *ArtsAlive* program.

MOVED and seconded:

1. That the minutes of the meeting of the Oak Bay Parks, Recreation and Culture Commission held on March 7, 2018, and the recommendations contained within the minutes, with the exception of the recommendations with respect to the purchase of Lunar Transitions and the Ride Don't Hide, be approved; and
2. That consideration of the purchase of 'Lunar Transitions' funded from the Public Art Fund be referred to Estimates Committee for consideration.

CARRIED

Members of the public were invited to join the Ride Don't Hide Team, the "Municyclists".

R. Herman and M. Holding left the meeting.

ENGINEERING SERVICES ITEM(S):

3. Cadboro Bay Bike Lanes - Foul Bay Road to Bowker Avenue

- Report - Director of Engineering Services, March 19, 2018
- Rpt. Attach. 1 - CDB Bike Lanes - Option 2 Detailed Design UPDATED - Dec. 2017
- Addenda - Corresp. - Cadboro Bay Bike Lanes - Burger, Mar. 19, 2018
- Report - Director of Engineering Services, Oct. 10, 2017
- Rpt. Attach. 1 - Final Feasibility Report, Oct. 18, 2016

- Rpt. Attach. 2 - Option 1 Detailed Design, Oct.18, 2016
- Rpt. Attach. 3 - Cross Sections (Option 1), Aug. 15, 2017
- Rpt. Attach. 4 - Option 2 Detailed Design, Oct. 18, 2017
- Rpt. Attach. 5 - Cross Section (Option 2), Aug. 15, 2017
- Rpt. Attach. 6 - Public Feedback, up to October 13, 2017
- Rpt. Attach. 7 - Bunt & Associates Report Cadboro Bay Rd and Bowker Avenue Intersection Review, Sept. 15, 2009
- Director's Brief - Oct. 16, 2017
- Corresp. - Oct. 16, 2017

The Director of Engineering Services provided an update on the Cadboro Bay Bike Lanes project as outlined in the report. He also provided an overview the scope and cost options as outlined in Table 1 of the report and highlighted staff's recommendation for discussion about project scope moving forward.

Discussion ensued relative to:

- best practice associated with the use of the MMA treatment to help drivers identify the lanes;
- prioritization of sidewalk and road resurfacing
- repair/replacement of underground infrastructure is not included in the road work

The Director of Engineering Services noted that the District has applied to the Bike BC Program that if successful, will cover 50% of the total eligible costs of the project.

Staff was requested to:

- provide further information at the Estimates Committee identifying the reserves that could be used to pay for a portion or all of the project; and
- follow-up on the lack of MMA treatment at the exit/entrance of Oak Bay High School

The Chair invited members of the public to address the Committee. No one came forward.

MOVED and seconded: That the Cadboro Bay Bike Lanes Project be referred to Estimates Committee for consideration.

CARRIED

4. ***Asset Management Update***

- Report - Director of Engineering, Mar. 19, 2018
- Rpt. Attach. 1 - 2016 Asset Management Report - Opus International Consultants, June 23, 2016
- Rpt. Attach. 2 - Asset Management Policy - March 20, 2018
- Rpt. Attach. 3 - Asset Management Strategy - March 20, 2018
- Addenda - Corresp. - Asset Management Update, Mar. 18, 2018
- Report - Director of Engineering Services, Nov. 15, 2017
- Rpt. Attach. 1 - Director's Brief - Asset Management Update, Nov. 15, 2017
- Corresp. Asset Management Update, Nov. 19, 2017

The Director of Engineering Services provided an update on the Asset Management Program as outlined in the report. Discussion ensued relative to:

- How the asset management plans will be sequenced and rolled out
- The Asset Management Strategy will serve as a program charter for the Asset Management Program
- This is a living document with the ability to react to changing priorities

The Chair invited members of the public to address the Committee.

Esther Paterson, Oak Bay resident, stated that it is important to move forward with this strategy as every additional year will result in an increase in interest and cost an additional \$100,000. She stated Council should consider a reserve fund for early debt retirement. Ms. Paterson liked that the Asset Management Policy is a living document that is flexible but feels the District is at an impasse with the lack of a funding model. She stated that it is necessary to understand the funding that the District has to work with.

MOVED and seconded: That the Committee recommend that Council approve the Asset Management Policy and Asset Management Strategy as detailed in the Report of the Director of Engineering Services dated March 19, 2018.

CARRIED

LAND USE APPLICATIONS:

5. ***Uplands Siting and Design (ADP00082) - 3235 Beach Drive***

- Report - Acting Director of Building and Planning, Mar. 11, 2018
- Plans - ADP - 3235 Beach Drive, Mar 13, 2018
- Rpt. Attach. 2 - Arborist Memo, Nov. 24, 2017

The Acting Director of Building and Planning provided an overview of the application to modify a 1958 John Di Castri designed home. The proposal involves an interior renovation, expansion, realignment of a portion of the front face of the existing home, front terrace area expansion and construction of stairs on the opposite side of the garage.

The applicant was present to respond to questions.

The Chair invited members of the public to address the Committee. No one came forward.

MOVED and seconded: That it be recommended to Council that the proposal to renovate the existing single family home at 3235 Beach Drive, as outlined in the March 11 , 2018 report for ADP00082, be approved as to architectural design and siting.

CARRIED

6. ***Development Variance Permit Application (DVP00077) - 2368 Dalhousie Street***

- Report - Acting Director of Building and Planning, Mar. 11, 2018
- Plans - ADP - 3235 Beach Drive, Mar 13, 2018
- Rpt. Attach. 2 - Arborist Memo, Nov. 24, 2017

The Acting Director of Building and Planning provided an overview of the application to permit construction of a single family home. The house does not meet the roof height

requirements on a portion of the building because an error on the building permits was discovered following installation of the roof trusses.

The applicant was present to respond to questions.

The Chair invited members of the public to address the Committee. No one came forward.

MOVED and seconded:

- a) That it be recommended to Council that the application to construct a new single family dwelling at 2368 Dalhousie Street be approved subject to issuance of Development Variance Permit DVP00077; and
- b) That notification be given of Council's consideration of DVP00077.

CARRIED

D. Horan left the meeting.

REGULATORY ITEM(S):

7. ***Advisory Planning Commission Process Considerations***

- Report - Director of Corporate Services, Mar. 15, 2018

The Director of Corporate Services provided an overview of the proposed changes to the Advisory Planning Commission processes.

Discussion ensued relative to:

- Ensuring public transparency and the ability of the public to comment on applications
- Identifying 'routine' or 'minor' land use applications
- The ability for Committee of the Whole or Council to refer an item back to the APC;
- Ensuring Council does not unduly influence the APC

The Chair invited members of the public to appear before the Committee.

James Sultanum, Oak Bay resident, expressed concern about granting staff the authority to determine what is a minor variance. He stated that because an APC has been established, all land use applications should be referred to the Commission for review. Mr. Sultanum questioned the rationale for sending a rezoning or OCP amendment to the Committee of the Whole prior to APC.

The Director of Corporate Services stated that by sending a rezoning or OCP amendments directly to Committee of Whole and/or Council will allow for an earlier opportunity for public and Council engagement and input into the application.

Curtis Hobson, Oak Bay resident, stated that there is currently no public input permitted at APC meetings so these changes would allow for earlier input by Council and the public into a land use application, including minor variances. He noted the recent Quest development and stated that if there was earlier input into the application it could have been refined and the end result may have turned out differently, including saving time and money for both the applicant and the District. Mr. Hobson stated that although the process changes are an improvement to

the current process, staff could be empowered to approve minor variances to save time at Council.

The Director of Corporate Services stated that the legislation does not permit Council to delegate this authority and that Council is required to make the decision.

Mr. Hobson recommended that the minor variances be combined into a quarterly report for consideration by Council. He also stated that variances should not be permitted for a new build since the new construction should comply with the Zoning Bylaw.

Esther Paterson, Oak Bay resident, stated that many municipalities discourage minor variances and require the applicant to comply with the bylaws.

MOVED and seconded:

1. That upon its completion, the APC Procedures Manual be endorsed by Council and should any substantive changes be proposed in the future that those changes be forwarded to Council for consideration prior to implementation;
2. That "routine" or "minor" land use applications go directly to Committee of the Whole and/or Council for consideration;
3. That rezoning and Official Community Plan amendments be first considered by the Committee of the Whole rather than being first referred to the APC; and
4. That staff prepare options for consideration by the APC and Council to enhance communication between Council and the APC and to maximize the APC's feedback and advice to Council, the community and applicants.

CARRIED

NEW BUSINESS

8. ***Willows Elementary School – Grade 5 Bowker Corridor Project***

The Director of Corporate Services advised that a request has been received by the Grade 5 class at Willows Elementary to make a presentation to Council regarding the Bowker Corridor Project. Due to timing constraints related to Spring Break and the Council meeting schedule, a request has been made to allow for the presentation at the April 12 Estimates Committee meeting. The Committee agreed to allow this presentation at the Estimates Committee.

ADJOURNMENT:

9. ***Motion to adjourn***

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting adjourned at 10:04 PM.

Certified Correct:

Chair

Director of Corporate Services