

MINUTES of a meeting of the COMMITTEE OF THE WHOLE of the Municipal Council of The Corporation of the District of Oak Bay, held at Oak Bay Municipal Hall, 2167 Oak Bay Avenue, Victoria, B.C., on Monday, February 15, 2016, at 7:00 PM.

PRESENT: Mayor N. Jensen, Chair (8:21 PM to 10:30 PM)
Councillor H. Braithwaite
Councillor T. Croft
Councillor M. Kirby, Chair (7:00 PM to 8:21 PM)
Councillor K. Murdoch
Councillor T. Ney
Councillor E. Zhelka

STAFF: Chief Administrative Officer, H. Koning
Acting Director of Corporate Services, M. Jones
Director of Financial Services, D. Carter
Acting Director of Engineering, D. Brozuk
Director of Building and Planning, R. Thomassen
Acting Deputy Director of Corporate Services, D. Schaffer

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

PARKS AND RECREATION ITEMS:

1. ***Parks, Recreation and Culture Commission (PR&CComm) Minutes***
 - Memo - Acting Director of Corporate Services - PR&CComm Minutes, February 3, 2016
 - Minutes - PR&CComm - Feb. 3, 2016
 - Rpt. Attach. 1 – Report, Manager of Recreation & Culture, Feb. 3, 2016
 - Rpt. Attach. 2 – Program Reports Jan. 2016
 - Rpt. Attach. 3 – Finance Summary Dec. 2015

Mr. Matt Fairbarns, Vice-Chair of the PR&CComm, and Ray Herman, Director of Parks, Recreation and Culture, in attendance for this item.

The Director of Parks, Recreation & Culture introduced Mr. Fairbarns and the report from the PR&CC. The Director noted for the Committee that one of the sites recommended by the Arts Laureate, the southwest corner of the intersection of Oak Bay Avenue and Hampshire Road, was omitted from the list presented to the Committee.

Mr. Herman noted that the Arts Laureate liaises with the Commission, which then recommends actions to Council through the Committee of the Whole. He outlined the Arts Laureate's plan for public art.

MOVED and seconded:

1. That the minutes of the meeting of the Oak Bay Parks Recreation and Culture Commission held February 3, 2016, and the recommendations contained therein, be adopted, except for the recommendations with respect to the allocation of sites for art installations and the request for engineering costs;

2. That the Committee recommends that Council allocate the following sites for permanent art installations as recommended by the Arts Laureate:
 - Municipal Hall
 - Wilmot at Oak Bay NE
 - Oak Bay by ScotiaBank
 - Oak Bay just east of Monterey
 - The southwest corner of the intersection of Oak Bay and Hampshire
 - Corbett's Corner
 - Adjacent to Pure Vanilla Bakery
 - Lokier Garden
 - Estevan Village Sidewalk 1
 - Estevan Village Sidewalk 2
3. That the Committee recommends that Council allocate the following sites for temporary art installations as recommended by the Arts Laureate:
 - Queen's Park
 - Henderson Rec Centre
4. That Committee recommends that Council include the request for \$7,000 required for engineering costs to ensure the safe installation of the art in budget estimates for Spring 2016.

CARRIED

FINANCE ITEM(S):

2. ***Monthly Financial Report***
 - Report – Director of Financial Services, Feb. 10, 2016
 - Rpt. Attach. – Statement, Capital, Investments, Prop. Taxes, Jan. 2016

The Director provided an overview of her report.

MOVED and seconded: That the report from the Director of Financial Services dated February 10, 2016, be received for information.

CARRIED

LAND USE APPLICATIONS:

3. ***Uplands Siting and Design Application: 3250 Exeter Road***
 - Report – Planner, Feb. 9, 2016
 - Plans – ADP – 3250 Exeter, Jan. 15, 2016

Deborah Jensen, Planner, in attendance for this item.

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

MOVED and seconded: That it be recommended to Council that the proposal to construct an addition to the principal building and an accessory building at 3250 Exeter Road, as outlined in the February 9, 2016 report for ADP00029, be approved as to architectural design and siting.

In response to a question from Committee, the Director noted that while the building appears to be immediately adjacent to the five-foot right-of-way at the rear of the yard, there will be a further five-foot right-of-way on the adjacent yard for a total of 10 feet of right-of-way.

Don Lucas, Oak Bay resident, questioned the size of the building; the Director noted it was a 12 foot by 14 foot building that required a building permit. The Director further noted that there were no variances required by the application.

The question was then called.

CARRIED
Councillor Zhelka against the motion.

REGULATORY ITEM(S):

4. ***Age Friendly Action Plan***

- Report – Planner, Feb. 9, 2016
- Rpt. Attach. 1 – Staff Report, Dec. 8, 2015
- Rpt. Attach. 2 – Age Friendly Action Plan, Draft Strategies & Actions, Feb. 2016
- Rpt. Attach. 3 – Online Survey Responses
- Corresp., Jan 25 – Feb 11, 2016

Brenda McBain, CitySpaces Consulting, Richard Ding, Design Engineer, and Deborah Jensen, Planner, in attendance for this item.

The Design Engineer provided an introduction to the Age Friendly Action Plan. The Planner provided an overview of her report. Ms. McBain noted the positive contributions made by the working groups that assisted with the creation of the Action Plan. She then provided a brief summation of the most salient points.

Ms. McBain further noted that the engagement aspect of the work was key as the plan is grounded in the new Oak Bay Official Community Plan.

In response to questions from Committee, the Planner noted that the action plan is a multi-purpose tool that can be used in many different ways, from land use planning to recreation programming to engineering of streets and sidewalks. It can act as a reference to allow Council and staff to set priorities when considering actions to take in a number of areas.

MOVED and seconded: That it be recommended to Council that the Age Friendly Action Plan be accepted in principle.

Committee discussed a number of issues, including the prospect of accepting the report in principle without enacting any of the recommendations before further considering them in light of current financial and strategic plans. It was noted that endorsing the plan was necessary to

fulfilling the funding agreement signed at the project's outset. In response to questions from Committee, staff noted that housing is one of the eight subject areas mentioned in the report.

Members of the public were invited to make representations to Committee.

Esther Patterson and Andrew Stinson, Oak Bay residents, spoke to the Committee. Ms. Patterson noted that they felt that the Age Friendly Action Plan was somewhat biased towards the elderly at the expense of youth and felt it needed more feedback from young people. Mr. Stinson said the framing of the document is concerning – it speaks mostly about 'older' residents without a similar emphasis on the young, and noted that when it talks about scooters it could easily be talking about baby carriages, since the two modes of conveyance have similar issues.

The question was then called.

CARRIED

Councillor Kirby vacated the Chair and Mayor Jensen assumed the Chair at 8:21 PM

UPLANDS COMBINED SEWER SEPARATION:

5. *Uplands Combined Sewer Separation*

- Report – Project Manager, Feb. 15, 2016
- Excerpt – Minutes of Special Committee of the Whole Meeting (Unadopted), Feb. 2, 2016
- Memo – Chief Administrative Officer, Jan. 25, 2016
- Report - Project Manager, Feb. 2, 2016
- Rpt. Attach. 1 - Overflow Data 2013 to 2015
- Rpt. Attach. 2 - Sewer Separation Options Summary - Nov. 9, 2015
- Rpt. Attach. 3 - Public Engagement Overview
- Rpt. Attach. 4 - Report on Survey Research
- Rpt. Attach. 5 - Public Sewer Bylaw
- Corresp. – Uplands Combined Sewer Separation, Jan 26 – Feb 2, 2016
- Corresp – Uplands Combined Sewer Separation, Feb. 3-11, 2016
- ADDENDA – Corresp., Uplands Combined Sewer Separation, Feb. 12-15, 2016

Jack Hull, Project Manager, HJA Consulting, and Kathi Springer, Communications Consultant, in attendance for this item.

Mayor Jensen introduced the item and noted that he felt the sewer separation issue is a complex problem. He said this portion of the meeting was scheduled to further the discussion begun on February 2.

The Chief Administrative Officer confirmed that this portion of the meeting is a continuation of the meeting held Feb. 2. She noted that Mr. Hull and Ms. Springer were present to answer questions if required, and that District staff will be seeking guidance from the Committee regarding which steps to take next.

Mr. Hull provided a summary of his February 15 report, which responded to comments raised at the Committee of the Whole meeting held February 2, 2016. He noted that he had received a response to an inquiry made to BC Hydro confirming that no upgrade to the power supplied to the Uplands is planned at this time.

Mr. Hull responded to questions from Committee clarifying:

- The potential impact of directional drilling;
- The status of the hydrology study done by McElhanney Engineering;
- The restrictions on the ability of the east-coast collector system to accept more water;
- The implications of installing perimeter drains to drain runoff into sanitary sewers with respect to provincial legislation;
- The maximum depth of any piping installed;
- The potential for the project to proceed in phases, taking into consideration economies of scale; and
- The scope of the project not including relining of pipes given granting requirements.

In response to a question from Committee, the Director of Financial Services noted that tax deferral is not an option in dealing with costs associated with the project.

Committee discussion then ensued with respect to the Uplands Combined Sewer Separation project including the following issues:

- Allocation of costs to taxpayers;
- Status of the geotechnical study;
- The issue of whether or not to use existing easements in the project;
- The technical options available;
- Archaeological implications of the project and allocation of those costs; and
- The relevant amendments to the Core Area Liquid Waste Management Plan as adopted by the Capital Regional District (CRD).

In response to Committee discussion and questions, Mr. Hull noted:

- The technological viability of the six options laid out in his report;
- The manner in which potential odors from shallow sanitary sewer pipes might be addressed;
- The approval process to which any new plan would be subject.

Committee then invited members of the public to speak to the issues.

David Black and Michael O'Conner, Oak Bay residents, addressed Committee in reference to a submission of January 28, 2016.

Mr. Black complimented the District on a well-organized engagement process and stated with regard to the survey of Uplands residents undertaken earlier in the project that results of that survey might be different now that residents have been made more aware of the details that have been presented by the District and its consultants. He noted that no one in the Uplands wants to be forced to install pumps, and said that in responding to the survey some people might have misunderstood when asked if they already had pumps installed. He stated that this means that only options 1 and 2 would remain on the table and option 1 would be cheaper.

He asked if the District has questioned the need for this project with sufficient vigor, particularly whether the negative effect of the occasionally sewage discharge sufficient to justify the costs incurred. An increased carbon footprint in the construction might more than offset the environmental benefit of the project, he said. He further stated that the District needs to consider the potential for cost overruns in a project this size, which he suggested would be significant. He also suggested setting up a meeting with MLA Andrew Weaver to discuss the issues raised; Mayor Jensen agreed such a meeting might be of value and suggested adding some members of the public to the potential contingent.

Mr. Black suggested with regard to use of easements that block meetings might be useful so individuals could provide feedback to the District, and offered to set up such meetings if Committee thought it might be profitable.

Mr. O'Connor stated that people living in the Uplands want to cooperate but they also want to be treated fairly and equitably. He reiterated he felt that the District should pursue the idea that the entire project might be unnecessary.

Don Lucas, Oak Bay resident, addressed Committee again, saying that if the geotechnical study needs to be done it should be initiated right away. He said the technology for horizontal drilling exists and the idea should be explored. He also spoke to the issue of archaeological costs as they relate to projects.

Olga Peacock, Oak Bay resident, said that the idea of implementing the project over time should be considered.

Pourandokht Ahmadisatari, Oak Bay resident, also addressed the archaeological issue and noted for Committee that, if using a major renovation as a triggering mechanism for installation of separate sewerage, a \$100,000 renovation should not be considered significant.

Peter Reader, Oak Bay resident, expressed concern that his basement flooded during the Feb. 9 rain event and that the storm sewers are not capable of handling runoff as they are. He expressed a preference for option 2 and said that a 100-year solution is required, even if it costs more up front.

Marilyn Harris, Oak Bay resident, said that common sense should be used as a problem solving tool and questioned whether or not social license existed to impose high costs on residents.

Andrew Stinson, Oak Bay resident, spoke again to Committee and asked if the cost can be spread over a number of years and whether or not the impact on trees if easements are used has been considered. He also suggested that the options be narrowed so that the decision making can be more focused.

Committee discussion then ensued regarding the advisability of allowing runoff from roofs and driveways to be drained by the sanitary sewer. It was noted that the proposals must be submitted to the CRD, which will review the plan and might change it.

MOVED and seconded: That it be recommended to Council that the District embark on a process of obtaining a geotechnical study.

CARRIED

With regard to a survey of residents about use of easements, it was noted that explanatory communications would need to be distributed laying out the options and potential consequences.

MOVED and seconded: That it be recommended to Council that the concept of surveying easement holders be accepted in principle, and that a report be brought back to a future meeting regarding the content of communications with easement holders.

CARRIED

It was discussed whether or not Committee was in a position to take any of the six options off the table, whether or not it is possible to do one catchment area at a time; allocation of project costs; and what Committee needs to make a technical recommendation. No consensus on these items were reached at this time.

MOVED and seconded: That the materials presented to this meeting be received, and be brought forward for discussion at the next Council meeting on February 22, 2016.

CARRIED

MOVED and seconded: That the nature of a meeting with Andrew Weaver, MLA, be discussed at the February 22, 2016, meeting of Council.

CARRIED

ADJOURNMENT:

6. *Motion to Adjourn*

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting adjourned at 10:31 PM.

Certified Correct:

Councillor Kirby, Chair
(As to items 1 – 4)

Acting Director of Corporate Services

Mayor
(As to item 5)