

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, October 3, 2011 at 7:30 p.m.

PRESENT: Mayor C. M. Causton, Chairman
Councillor H. Braithwaite
Councillor J. D. Herbert
Councillor N. B. Jensen
Councillor T. Ney

STAFF: Municipal Administrator, M. Brennan
Municipal Clerk, L. Hilton
Confidential Secretary, K. Green
Director of Engineering Services, D. Marshall

Mayor Causton called the meeting to order at 7:30 p.m.

FINANCE SECTION: (Chairman – Councillor Jensen)

1. 2011-299 MUNICIPAL TREASURER, September 2, 2011
Re Monthly Financial Reports – August 2011

In the absence of the Municipal Treasurer, the Municipal Administrator relayed information provided by Ms. Walker noting that at the time the 2011 budget was prepared, it was uncertain whether the Oak Bay Beach Hotel force sewer main project would be partially or completely finished by the end of 2011. As a result of this uncertainty, the budget indicated a normal amount of other capital projects, as well as including the hotel sewer project, which is being funded by the hotel. The project was undertaken in 2011, and Public Works has advised that it will be completed soon. Because the work has involved our own crews, it has resulted in some of the other capital projects, such as the Yale Street storm drain main, not being completed this year. Therefore, it is anticipated that these projects will be completed next year.

MOVED by Councillor Herbert
Seconded by Councillor Braithwaite, That the August monthly financial reports be received.

With respect to a question about the installation of two new bus shelters on Oak Bay Avenue, the Municipal Clerk confirmed that staff has been advised that the right of way agreement for the bus shelters to be erected on private property is currently being signed by the owners, and following that, the shelters will be installed as soon as possible.

The question was then called.

CARRIED

EMERGENCY PLANNING AND FIRE SECTION: (Chairman – Councillor Ney)

2. 2011-300 FIRE CHIEF, September 28, 2011
Re Emergency Response and Recovery Plan

(Fire Chief Adam was in attendance for this item)

Fire Chief Adam provided an overview regarding the updated Emergency Response and Recovery Plan, which is reviewed every five years, noting that the District of Oak Bay is

required under the *Emergency Program Act* to prepare local emergency plans with respect to preparation, response, and recovery caused by emergencies and disasters.

Responding to various questions and comments from members of the Committee, Chief Adam advised that the document content is available to, and has been shared with, other communities. Chief Adam agreed that in addition to the various means currently being implemented to ensure the public is informed about emergency planning, staff will look into having the entire plan available to the public via the website.

Responding to a request that a training session for members of Council be held, Chief Adam confirmed that a session is being organized, perhaps for the new year.

With respect to regional emergency planning and mutual aid agreements, Fire Chief Adam advised that progress is continually being made in that regard.

Mayor Causton, on behalf of the Committee, took the opportunity to thank staff and the many volunteers for their dedication to the program. In response, the Fire Chief said he also wished to commend Deputy Fire Chief Cockle and Jim LaMorte for their hard work in preparing and planning to keep Oak Bay safe.

MOVED by Councillor Braithwaite

Seconded by Councillor Herbert, That it be recommended to Council that the revised Emergency Response and Recovery Plan be adopted pursuant to the *Emergency Program Act*.

CARRIED

TRAFFIC AND PEDESTRIAN SAFETY: (Acting Chairman – Mayor Causton)

3. 2011-301 DIRECTOR OF ENGINEERING SERVICES, September 28, 2011
Re Proposed Stop Signs on Heron Street at Burdick Avenue

As a means to improve traffic control at the intersection of Heron Street and Burdick Avenue, the Director of Engineering Services described the proposed change to add a new stop bar and stop sign on Burdick Street, as detailed in correspondence item no. 2011-301.

MOVED by Councillor Jensen

Seconded by Councillor Herbert, That a traffic control order be prepared to remove the yield signs and replace them with stop signs on Heron Street at Burdick Avenue, as detailed in correspondence item no. 2011-301, for Council's consideration.

CARRIED

4. 2011-302 DIRECTOR OF ENGINEERING SERVICES, September 28, 2011
Re Proposed Stop Sign on Burdick Avenue at Lincoln Road

MOVED by Councillor Jensen

Seconded by Councillor Herbert, That a traffic control order be prepared to install a stop sign and a painted stop bar on Burdick Avenue at Lincoln Road, as detailed in correspondence item no. 2011-302, for Council's consideration.

CARRIED

5. 2011-303 DIRECTOR OF ENGINEERING SERVICES, September 28, 2011
Re Proposed Pedestrian Activated Crosswalk Light – Henderson Road

The Director of Engineering Services advised that the existing traffic signal at the crosswalk adjacent to 3461 Henderson Road (Uplands Campus) is in need of repair and the parts are no longer available. Therefore, staff recommends that the signal be replaced with a solar powered pedestrian activated crosswalk light, and that the estimated cost of \$7,000 be funded through the 2011 traffic calming account.

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That it be recommended to Council that the proposed solar powered pedestrian activated crosswalk signal light be installed at 3461 Henderson Road (Uplands Campus), with the funding to come from the traffic calming budget.

CARRIED

6. 2011-304 DIRECTOR OF ENGINEERING SERVICES, September 28, 2011
Re Traffic Calming at Windsor Road and Monterey Avenue

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That it be recommended to Council that the work proposed for the intersection of Windsor Road and Monterey Avenue, shown in Attachment No. 1 in correspondence item no. 2011-304, be approved and funded from the traffic calming budget.

CARRIED

LAND USE SECTION: (Acting Chairman – Mayor Causton)

7. 2011-305 BAPTIST HOUSING, September 30, 2011
2011-305-1 JOHN RANKIN ET AL, September 28, 2011
2011-305-2 LORI CHESTNUT, September 29, 2011
2011-305-3 JAMES, LORI, MEGHAN AND TYSON CHESTNUT, September 28,
2011-305-4 2011
2011-305-5 JOHN AND AKEMI RANKIN, September 28, 2011
2011-305-6 JESSICA VAN DER VEEN, September 26, 2011
2011-260 SOUTH ISLAND HEALTH COALITION, September 26, 2011
2011-286-1 DIRECTOR OF BUILDING AND PLANNING, August 4, 2011
JOHN AND AKEMI RANKIN, August 24, 2011
Re Development Variance Permit Application – 2251 Cadboro Bay Road
(Oak Bay Lodge)

Patrick Cotter, Architect, Howard Johnson, Chief Executive Officer, Baptist Housing, Bob Lapham, General Manager, Planning and Protective Services, Capital Regional District and Executive Director, Capital Regional Hospital District, and Howard Waldner, President and Chief Executive Officer, Vancouver Island Health Authority, were in attendance regarding the development variance permit application in respect to the proposed redevelopment of the Oak Bay Lodge property.

In response to questions raised at the September 12, 2011 meeting of Council, Mr. Cotter provided supplemental information in support of the application for height and parking variances for the proposed development, saying that the applicants held two public open house information sessions, both of which were well attended. Referring to the supplemental material

provided for the purpose of the agenda (correspondence item no. 2011-305), Mr. Cotter drew attention to a summary of the comments and feedback gathered at the public sessions. As well, Mr. Cotter advised that information boards have been made available to the municipality, and that an Engineering firm has been retained to perform a traffic study to address parking demand, to evaluate site access and egress requirements, and to evaluate the option for limiting the function of the second site access at Cranmore Road. Mr. Cotter said the findings of this study will be submitted to the Municipality for review prior to the October 24, 2011 meeting of Council.

In response to Council's suggestion to provide a model for the proposed development, Mr. Cotter said that it was not feasible to have a model created given the time frame they were working within. Alternatively, he said, the three dimensional digital model has been enhanced to more accurately reflect the surrounding buildings and trees, and to provide a view-scape simulation, which he demonstrated through a PowerPoint presentation showing various views of the development.

It was noted that some members of the Committee walked the Oak Bay Lodge property prior to the meeting, which they felt provided a better understanding of the potential impact of the proposed development on some of the neighbouring properties, and in particular, attention was drawn to the impact on the heritage house located on Hampshire Road.

In response to questions regarding various details of the development and its potential impact on the neighbourhood, i.e. garbage management and pickup, kitchen location, venting, Mr. Cotter advised that the proposed development will have as low an impact on the neighbourhood as possible, giving the example that garbage will be managed with an underground compactor, and venting will be diverted to the roof. As well, Mr. Cotter said that deliveries to the facility will be strictly controlled to lessen the impact on the neighbourhood. He also indicated that the developers are seeking LEED certification.

Mr. Cotter provided an overview of the proposed construction site plan, which will include mandatory parking on site for construction workers, recycling of materials and dust mitigation.

It was noted that in a sequence of many events, the application for a development variance permit is the first step required in securing funding, which would indicate to the lenders that the project has been given approval to move forward.

In responding to questions about options to reduce the impact of the building, perhaps through shifting it closer to Cadboro Bay Road, Mr. Cotter noted he had worked towards saving the Garry Oak trees along that frontage, and said that moving the building towards Cadboro Bay Road, where the slope of the land increases, would amplify the presence of the building on that side. In response to comments about being open to considering other configurations, the Municipal Administrator pointed out that if a development variance permit was granted, it would be in the context of the attached plans only, and that any changes made after that other than those that are very minor which could be approved by the Director of Building and Planning, would require an amendment to the permit.

As requested by the Committee, Mr. Lapham explained the Capital Regional Health District's involvement in the project noting that it will invest up to \$40 million in the redevelopment of long term residential care facility, in partnership with the Vancouver Island Health Authority and Baptist Housing for the replacement of residential care beds at Oak Bay Lodge. This agreement proposes to provide 320 residential care beds.

Mr. Lapham noted that this proposed redevelopment project will see the transfer of ownership of the Oak Bay Lodge land from Vancouver Island Health Authority to the Capital Regional Hospital District, which in turn will lease the land to Baptist Housing for the purpose of providing seniors health care.

Mr. Johnson responded to various questions from the Committee regarding the proposed building, and noted that the redevelopment of the facility is considered critical to an aging population and through research it was determined that the size of the proposed development is necessary to ensure efficient operation for the next 60 years, and would provide a higher standard of care for senior citizens.

Responding to a question from a Committee member, Mr. Waldner advised that the new facility will not offer independent living, however, he said that existing Oak Bay Lodge independent living residents will be grandfathered in this regard for the duration of their stay.

PUBLIC INPUT:

John Rankin, Oak Bay resident, said that after reviewing the drawings there will be more of an impact on the neighbours than he was originally lead to believe, and, noting the deadlines being mentioned, he feels that resident input should have been sought sooner. Mr. Rankin added that if the development variance permit application was approved, the Municipality would lose its negotiating power.

Mr. Rankin went on to say that the development will have a huge effect on some residents and it is already a busy area with the high school and traffic, etc. He said that residents who bought in the area did not expect the facility to be rebuilt two storeys higher than what exists there now. In closing, Mr. Rankin urged the Committee to consider the concerns of the neighbourhood in regard to the proposed development.

Leona Frenette, Oak Bay resident, reading from a letter, expressed her dismay that the adult daycare program her grandmother attends would be discontinued, and noted that she shares the same concerns raised in a letter submitted for the agenda from John Rankin *et al.* Ms. Frenette went on to comment on the increased traffic, loss of sunlight (shadowing), and scale of the proposed project, which, she said, is too large for the neighbourhood and site. She also said that the footprint and size should be reduced overall. Ms. Frenette closed by imploring the Committee to reject the proposal and direct the applicants to sincerely engage the residents and Council to further study the redevelopment of this property.

James Chestnut, Oak Bay resident, said he is the new owner of the heritage house on Hampshire Road previously discussed, and that it was absurd not to consider all properties and setbacks, and in particular how close the setback is in relation to his heritage home. He said it is difficult to get a proper perspective with the digital model shown earlier, however, he suggested that the development would have less of an impact on Hampshire Road residents if the building was shifted towards Cadboro Bay Road, noting he would rather see trees along Cadboro Bay Road impacted than the area residents. Although he agreed that the community wants a care facility, he felt that the project should not be rushed and more information on the cost/benefit analysis should be sought. He noted that the onus should be on the applicant to create a plan that does not increase the impact, or cause any hardship, on the neighbourhood, and he implored the Committee to seek more information before considering approval. Mr. Chestnut concluding by expressing his concern that due to shadowing there will no longer be any afternoon sunlight on his property should this development move forward.

Cathy Provost, Oak Bay resident, was in attendance to express her concern that the redevelopment of this property will increase traffic and parking, particularly along Bowker Avenue, causing a safety concern in this regard.

Richard Ziemianski, said he was in attendance representing the BCGEU Oak Bay Lodge employees, and wished to express the view that the adult daycare centre is very important for the community and it should be included in the new plans, and that the proposed coffee shop and/or meeting space should be used for the daycare instead.

Maggie Hayes, Oak Bay resident, said she lives close to the school and the lodge and some of her concerns include the closeness of the proposed building to neighbours, the height of the building, and the elimination of the adult daycare centre. She also said that the proposed entrance/exit conflicts with the school and should be moved to Cadboro Bay Road from Cranmore Road, which, she said, is already very busy. Ms. Hayes asked what would happen if the application was denied, and wondered if the developer would walk away.

Dale Perkins, Oak Bay resident, introduced himself as a member the South Island Health Coalition and as a United Church Minister, saying that the faith communities are involved in providing health and home care for elderly residents. Mr. Perkins said he stands with neighbours in appealing to the Committee to direct the applicants to make significant changes to what he feels is an inferior development project.

Mr. Perkins inquired about where a promised cost benefit analysis from the Vancouver Island Health Authority for the project was, that would compare costs for redevelopment versus upgrading the existing facility. He also asked what the anticipated cost would be to upgrade and renew the Oak Bay Lodge, and how many more years would that upgrade add to the life of the existing building. He said this option would be more considerate as it would not be displacing current residents for as long of a period. Mr. Perkins closed by urging that a real cost benefit analysis be done before moving forward.

Jessica Van der Veen, Oak Bay resident, said that the community has come a long way since facing the threat of losing the land completely, and she is ecstatic that the property will remain in public hands and will continue to be used for seniors care. Ms. Van der Veen expressed concern that the original intent of offering the Campus of Care model at this location, which supports seniors 'aging in place' by offering a range of health and housing options in one location, is no longer being considered. As well, she touched on the ability of people adapting to their varying level of care needs and being able to stabilize at each level of care. Ms. Van der Veen said the business case for the adult daycare program, Campus of Care model, as well as the compassionate case, such as keeping couples together, is all there. In conclusion Ms. Van der Veen said she wanted to make it clear that she supports the project in principle, however, she would like to see a Campus of Care model, independent living units, and an adult daycare program be a part of the proposal.

Following discussion and questions and comments being responded to by staff and the applicants on various aspects of the plans, it emerged that although it is clear the community desires to continue having a seniors care facility in Oak Bay, there are concerns regarding the neighbourhood impact of the proposed development due to the siting and height of the building, and the anticipated increase in traffic. The Committee suggested that perhaps the applicant could shift the building towards Cadboro Bay Road further away from the neighbouring houses. Although it was noted that this solution could affect some of the mature trees located along the roadway, it was felt that there was an advantage to investigating this suggested alternative.

Acknowledging that the applicants had agreed to provide revised plans prior to the next Council meeting, it was suggested that a resolution based on the current plans be brought forward to Council, which could be revised if necessary as a result of any new plans.

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2251 Cadboro Bay Road, as outlined in correspondence item no. 2011-260, be prepared and brought forward to Council for consideration.

Following discussion it was suggested that perhaps rather than directing that an authorizing resolution be placed on the Council agenda, the application should just be referred to Council without an approving resolution, as a resolution could be contemplated at that meeting. There was agreement to withdraw the motion.

MOVED by Councillor Jensen

Seconded by Councillor Herbert, That the development variance permit application with respect to 2251 Cadboro Bay Road be referred to the October 11, 2011 meeting of Council.

CARRIED

MOVED by Councillor Braithwaite

Seconded by Councillor Jensen, That correspondence items no. 2011-305 to 2011-305-6, 2011-260, and 2011-286-1 be received.

CARRIED

ADJOURNMENT:

MOVED by Councillor Braithwaite

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

CARRIED

The meeting adjourned at 10:23 p.m.

Certified Correct:

Municipal Clerk

Chairman, Finance Section

Chairman, Emergency Planning and Fire Section

Acting Chairman, Traffic & Pedestrian Safety Section

Acting Chairman, Land Use Section