

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 17, 2014 at 7:00 p.m.

PRESENT: Mayor N. Jensen
Councillor P. Copley
Councillor C. Green
Councillor J. Herbert, Chair
Councillor M. Kirby
Councillor K. Murdoch
Councillor T. Ney

STAFF: Municipal Administrator, H. Koning
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 7:04 p.m.

PARKS AND RECREATION SECTION: (Section Councillor Ney)

1. 2014-50 OAK BAY PARKS AND RECREATION COMMISSION, Feb 5, 2014
Re Minutes of Meeting

(Ray Herman, Director of Parks and Recreation and Sandi Piercy, Chair of the Oak Bay Parks and Recreation Commission, in attendance for this item)

A discussion ensued regarding the financial information and the Director of Parks and Recreation answered questions from the Committee.

MOVED by Councillor Ney

Seconded by Councillor Murdoch, That the minutes of the meeting of the Oak Bay Parks and Recreation Commission held on February 5, 2014, and the recommendations contained therein, be adopted.

CARRIED

FINANCE SECTION: (Section Councillor Herbert)

2. 2014-51 MUNICIPAL TREASURER, Feb 12, 2014
Re Financial Reports

The Municipal Treasurer provided an overview of her report and answered questions from the Committee.

MOVED by Councillor Green

Seconded by Councillor Murdoch, That the financial reports, correspondence no. 2014-51, be received.

CARRIED

LAND USE SECTION: (Section Councillor Copley)

3. 2014-52 DIRECTOR OF BUILDING AND PLANNING, Feb 12, 2014
Re Uplands Building Permit/Development Variance Permit Application –
2527 Nottingham Road

It was noted that the application was withdrawn by the applicant.

REGULATORY SECTION: (Section Councillor Murdoch)

4. 2014-53 DIRECTOR OF ENGINEERING SERVICES, Jan 28, 2014
- 2014-53-1 TERRY WICKSTROM, Jan 21, 2014
- 2014-53-2 WILLIAM and COLINE NEILSON, Feb 6, 2014
- 2014-53-3 HELEN MASSINGHAM-HOWELLS and PAUL VINCENT, Feb 4, 2014
- 2014-53-4 CHARLES and LINDA PICCIOTTO, Feb 5, 2014
- 2014-53-5 JOHN SCHOFIELD, Feb 11, 2014
- 2014-23 CHIEF CONSTABLE, Dec 23, 2013
- 2014-23-1 JOHN SCHOFIELD et al, July 15, 2013
- 2014-23-2 ROBERT AND ELAINE RAINE, July 15, 2013
Re Longboarding – Barkley Terrace

(Constable Anthony, in attendance for this item)

Mayor Jensen gave an overview of the meeting with the longboarders and Constable Anthony. He explained that they would like to work together for a solution that would allow them to continue longboarding. Mayor Jensen said they are concerned with safety and wear protective gear when longboarding and use spotters.

Constable Anthony reported that he is very impressed with the youth and their passion to the sport of longboarding. He suggested that that a safety education program through the schools could be prepared by the longboarders and supported by the police.

Discussion ensued regarding the safety equipment and some members of the Committee were concerned that the safety equipment worn would not prevent serious injury if they were to be in a collision with a car. Some members of the Committee are supportive of the youth and would like to find a solution that will work for everyone. It was noted by a member of the Committee that the group of youth longboarding on Barkley Terrace are polite, wear protective equipment, use spotters, and they would not want to discourage them from enjoying an outdoor activity.

Terry Wickstrom, resident, is supportive of the longboarders and commented that Barkley Terrace is a dead end, has less traffic than other streets and a 20km speed limit and is a good location for them. He said that the boys are polite, wear safety equipment and use spotters.

John Scoffield, resident, commented that education, protective gear, trimming plantings back are all sensible measures but that does not guarantee there will be no disaster. He said that there have been near misses in the past. Mr. Scoffield commented that Barkley Terrace is part of the Centennial Trail used by walkers regularly. He reported that three quarters of the residents of Barkley Terrace signed the petition requesting that longboarders be prohibited.

Dr. Manjeet Mann, resident, is concerned with the street activity and commented that the street is not designed for this use. He further commented that kids are dropped off on Barkley Terrace by their parents for the purpose of longboarding. Dr. Mann is concerned for the safety of the young kids and feels that it is just a matter of time before someone gets seriously hurt. He said there is a liability issue now that the dangers have been identified.

Gordon MacDonald, resident, commented that this is a dangerous issue and cyclist come down the hill at very high speeds and that adds to the danger. He supports prohibiting the longboarders.

Dorothy Morrison, resident, commented that safety equipment will not save the kids from harm and she has seen kids as young as 10 longboarding at very high speeds.

Mary Douthwaite, resident, is concerned that having walkers and longboarders on Barkley Terrace at the same time is an accident waiting to happen.

Further discussion ensued with members of the Committee commenting that this is a major public safety issue. Other members expressed concern with prohibiting longboarding and suggested that the municipality continue to work with the youth through the Active Transportation Advisory Committee or the Parks and Recreation Committee.

MOVED by Councillor Murdoch

Seconded by Councillor Green, That it be recommended to Council to consider changes to the Streets and Traffic Bylaw to include additional skate/longboarding prohibitions for Barkley Terrace, Sylvan Lane and Denison Road, and direct staff to research options for fining via ticket; and

Staff be directed to work with residents on Barkley Terrace to address safety measures related to line-of-sight improvements and water sheeting issues; and

Staff obtain a legal opinion regarding municipal liability.

CARRIED

5. 2014-54 DIRECTOR OF ENGINEERING SERVICES, Jan 15, 2014
2014-54-1 ST. PATRICK'S PARISH, Oct 18, 2013
Re Request to Revise Parking Restrictions – St. Patrick's Church

The Director of Engineering Services gave an overview of his report and answered questions from the Committee.

MOVED by Councillor Murdoch

Seconded by Councillor Copley, That a Traffic Control Order to limit the unrestricted parking spaces adjacent to St. Patrick's Church to "2 hours, 8:00 a.m. – 5:00 p.m., Monday-Friday", as outlined in correspondence item no. 2014-54, be prepared and brought forward to Council for consideration.

CARRIED

6. 2014-55 MUNICIPAL CLERK, Feb 14, 2014
Re Proposed Bylaw Amendments - Fine Increase for Feeding Deer

Councillor Murdoch reviewed the report regarding proposed changes to the Animal Control Bylaw and the Ticket Information Utilization Bylaw regarding fines for feeding deer as part of the Deer Management Strategy.

Discussion ensued regarding the fine amounts to be imposed. Some members of the committee suggested that a lower fine would be appropriate while others felt a larger fine would be more effective.

MOVED by Councillor Murdoch

Seconded by Councillor Kirby, That staff be directed to bring forward Animal Control Bylaw and Ticket Information Utilization Bylaw amendments, to increase the fine for feeding deer at \$100 for the first offence and \$400 for subsequent offences, to Council for consideration.

MOTION DEFEATED

Mayor Jensen and Councillors Kirby, Ney
and Herbert against the motion

MOVED by Councillor Kirby

Seconded by Councillor Copley, That staff be directed to bring forward Animal Control Bylaw and Ticket Information Utilization Bylaw amendments, to increase the fine for feeding deer at \$300 for the first offence and \$500 for subsequent offences, to Council for consideration.

CARRIED

(Councillor Green against the motion)

PUBLIC WORKS SECTION: (Section Councillor Herbert)

7. 2014-56 DIRECTOR OF ENGINEERING SERVICES, Jan 29, 2014
Re Electrical Vehicle (EV) Charging Stations at Municipal Hall

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

MOVED by Councillor Ney

Seconded by Councillor Murdoch, That it be recommended to Council that no change be made regarding the Electrical Vehicle (EV) Charging Stations at the Municipal Hall at this time pending more information from the region, as outlined in memorandum from the Director of Engineering Services dated February 6, 2014, correspondence item no. 2014-56 and that another update be presented to Committee of the Whole in the fall.

CARRIED

8. 2014-57 DIRECTOR OF ENGINEERING SERVICES, Jan 15, 2014
Re Stamped Asphalt Pedestrian Traffic Calming Installation - Tod Road and Musgrave Street

The Director of Engineering Services reviewed his report and answered questions from the Committee.

MOVED by Councillor Green

Seconded by Councillor Copley, That it be recommended to Council that approval be given for the Stamped Asphalt Pedestrian Traffic Calming Installation (Tod Road and Musgrave Street) project as outlined in the memorandum from the Director of Engineering Services dated January 15, 2014, correspondence item no. 2014-57.

CARRIED

9. 2014-58 DIRECTOR OF ENGINEERING SERVICES, Feb 11, 2014
Re Request for Proposals – Uplands Field Survey

The Director of Engineering Services reviewed his report and answered questions from the Committee.

MOVED by Councillor Murdoch

Seconded by Councillor Kirby, That it be recommended to Council to approve the issuance of the RFP for the Uplands Field Survey and accept the Kerr Wood Leidal Associates Ltd. Estimate to manage same, as outlined in the memorandum from the Director of engineering Services dated February 11, 2014, correspondence item no. 2014-58.

CARRIED

ADJOURNMENT:

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

CARRIED

The meeting adjourned at 9:50 p.m.

Certified Correct:

Deputy Municipal Clerk

Chair, Councillor Herbert