

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, March 18, 2013, at 7:00 p.m.

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

STAFF: Municipal Administrator, G. Nason
Municipal Clerk, L. Hilton
Deputy Municipal Clerk, M. Jones
Municipal Treasurer, Patricia Walker
Director of Building and Planning, R. Thomassen
Director of Engineering Services, D. Marshall

On behalf of Oak Bay Municipal Council, Councillor Herbert offered condolences to the family of former Oak Bay Alderman Peter Bunn, who served on the Oak Bay Municipal Council from 1978 to 1996. Among Mr. Bunn's many contributions, Councillor Herbert noted, was his work on Committee B, especially with regards to Public Works.

Acting Mayor Green called the meeting to order at 7:00 p.m.

PARKS AND RECREATION SECTION: (Chair – Councillor Ney)

1. 2013-71 OAK BAY PARKS AND RECREATION COMMISSION, Mar. 6, 2013
2013-71-1 MUNICIPAL CLERK, Mar. 15, 2013
Re Minutes of Meeting

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

A discussion ensued on the diversion of recyclable material from the waste stream for events in public parks. It was noted that a report on this matter would be forthcoming from the Environmental Advisory Committee.

The Director of Parks and Recreation responded to comments and questions from the Committee with respect to the issue of the Oak Bay High School redevelopment's impact on the parking at the Oak Bay Recreation Centre, noting that, once the parking facilities have been paved, monitoring should be implemented from the start instead of waiting for problems to develop. Mr. Herman stated that an agreement on staff use of the parking lot was anticipated.

It was noted by members of the Committee that a feasibility study on making the walkway through Bowker Creek Park into a multi-use path was a supportable approach.

MOVED by Councillor Murdoch
Seconded by Councillor Copley, That the minutes of the meeting of the Oak Bay Parks and Recreation Commission held on Wednesday, March 6, 2013, and the recommendations contained therein, with the exception of the recommendations regarding the Spring Celebration in Uplands Park, the MEC Paddlefest, Lansdowne Preschool Spring Fling and the Oak Bay High School Transportation Study documents, be adopted.

CARRIED

MOVED by Councillor Copley

Seconded by Councillor Herbert, That it be recommended to Council that the use of amplified music in relation to the Friend's of Uplands Park Spring Celebration in Uplands Park on May 5, 2013, be approved.

CARRIED

MOVED by Councillor Herbert

Seconded by Councillor Kirby, That it be recommended to Council, that, whereas, pursuant to the Zoning Bylaw, the proposed event, including the sales of goods and refreshments, has been determined to be of general benefit to the municipality at large and will create no undue inconvenience for adjacent residents or the public at large, and not detract from the purpose of the land as a public place for recreation, ornamentation or preservation of the natural environment, approval be given to Mountain Equipment Co-op to hold the MEC Paddlefest 2013 at Willows Park on Saturday, July 13, 2013, subject to the event organizer entering into a public property occupancy agreement in which it will among other standard requirements:

1. release and indemnify the Municipality from any claims or liability associated with the event and provide evidence of public liability insurance in the amount of not less than \$3,000,000;
2. agree to pay all invoices from the Municipality for costs incurred in connection with the event; and
3. agree to obtain Oak Bay Police approval for a traffic plan and implement the same subject to any field instructions from the Police,

with the Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

A member of the Committee noted that MEC Paddlefest should include some free events throughout the time during which they are occupying the park.

The question was then called.

CARRIED

MOVED by Councillor Herbert,

Seconded by Councillor Murdoch, That it be recommended to Council to defer the Parks and Recreation Commission's recommendation to a future meeting at which all referrals regarding the Oak Bay High School Transportation Study documents will be considered.

CARRIED

FINANCE AND PUBLIC WORKS SECTION: (Chair – Councillor Herbert)

2. 2013-72 MUNICIPAL TREASURER, Mar. 14, 2013
Re Monthly Financial Report

In response to questions from the Committee, the Municipal Treasurer noted that building permit revenue has been significantly lower than anticipated and that the figures in the 2013 budget have been adjusted accordingly.

MOVED by Councillor Ney

Seconded by Councillor Murdoch, That the February monthly financial reports be received.

CARRIED

3. 2013-73 DIRECTOR OF ENGINEERING SERVICES, Mar. 18, 2013
--- EXCERPT OF COMMITTEE OF THE WHOLE MINUTES, Dec. 3, 2012
Re Pavement Management Study

The Director of Engineering Services provided an overview of his report and the updates to the Pavement Management Study since it was last considered by the Committee at the December 3, 2013 meeting. Mr. Marshall drew the Committee's attention to Appendix A which provides a five-year paving program, based on the current available funding of \$300,000 per year.

In response to questions from the Committee, Mr. Marshall noted that there is flexibility in the paving program. He stated that there is a connection between road use and road deterioration, and that information on traffic counts can be made available to the consultant to be incorporated into future analysis. This current study, he said, is with respect to the surface condition of the roads and that cycling infrastructure and pedestrian infrastructure are separate issues. He noted that local weather conditions were included in the current analysis.

With respect to the 2013 budget, Mr. Marshall noted that in the past, Public Works has received a road maintenance budget of \$300,000 and that an additional \$300,000 is currently proposed in the 2013 budget for pavement management. He noted that Public Works and the Engineering Department coordinate paving to occur after sewer and water main repairs or installation.

MOVED by Councillor Kirby

Seconded by Councillor Ney, That the March 18, 2013 report of the Director of Engineering Services, correspondence item no. 2013-73, be received for information.

CARRIED

ACTIVE TRANSPORTATION AND COMMUNITY SECTION: (Chair – Councillor Kirby)

4. 2013-74 DIRECTOR OF ENGINEERING SERVICES, Mar. 18, 2013
Re Haultain Street Bike Route

The Director of Engineering Services noted that his March 18, 2013 report had been written in advance of the Kickstand Sessions bicycle forum, which was very productive and informative and that he plans to bring back a report on the forum to a future meeting. Mr. Marshall stated that the Committee had previously directed staff to consider options to improve the safety of cyclists crossing the north side of the intersection at Foul Bay Road and Haultain Street.

With respect to adding a crosswalk at the north end of the intersection, Mr. Marshall noted that, based on information provided at the Kickstand Session, he will be researching regulations which would permit Council to allow cyclists to use certain crosswalks within the Municipality.

He stated that there are no sidewalks on the north side of Haultain Street, which would not make this a useful crosswalk location for pedestrians.

Mr. Marshall commented that Foul Bay Road is not wider than 15 metres and has sufficient sightlines, so sidewalk bulges are not appropriate at this intersection. Directional closure at this location, he said, could also be problematic. He noted that a cyclist-activated traffic signal could be installed at the intersection, subject to a traffic warrant study, but that the cost of

installation would be in the range of \$150,000. The installation of a traffic signal, he noted, was the only option supported at the Kickstand Sessions.

A discussion ensued with one member of the Committee expressing interest in the extent to which the Motor Vehicle Act is an impediment to enhancing cycling infrastructure and another member expressing concern with slowing vehicle traffic on Foul Bay Road as it is currently a well-used route.

Turning to the issue of wayfinding signs, Mr. Marshall noted that, though he raised the issue at the Kickstand Sessions, the more extensive cycling network in Copenhagen made it difficult to compare options for signage. He noted that it was important that signage be consistent within the region and that municipal staff would work with the Capital Regional District in this regard. Focusing on the Haultain Corridor, he said, signage could be included from the intersection at Foul Bay, through Estevan Village to Willows Beach for a cost of approximately \$3,000.00. He noted that up to four locations could be included on the signage. Further signage, he said, can be added as funds become available.

A member of the Committee commented that the Haultain Corridor signage should include mention of the Oak Bay Recreation Centre. Another member noted that having an overall plan for the wayfinding signage could assist in determining which destinations should be included.

In response to questions from the Committee, Mr. Marshall noted that it would be challenging to determine which destinations should be included on the signage and that the Active Transportation Advisory Committee would continue to be involved with this project. He also noted that the importance of designing cycling routes for many different kinds of users, not just commuters, was noted during the Kickstand Sessions.

Leslie Ewing, resident, offered her thanks to the Director of Engineering for bringing forward this report. Ms. Ewing noted that the directional closure at the Richmond Road and Haultain Street intersection works well for pedestrians and cyclists, though she initially found it frustrating when driving a vehicle. As a pedestrian, she said, it is difficult to cross Foul Bay Road due to the speed of traffic and the long distance between crosswalks and that, as a result, slowing traffic through a double crosswalk could be advantageous. She stated that a bicycle activated traffic light is a supportable idea. The Insurance Corporation of British Columbia (ICBC), she said, only records accidents where a claim occurs, and that, as a result, the accident history provided for this intersection may not be a complete record. She concluded her remarks noting that the trail connection to the Henderson Recreation Centre should be identified by signage for cyclists.

MOVED by Councillor Herbert

Seconded by Councillor Ney, That the March 18, 2013 report of the Director of Engineering Services, correspondence item no. 2013-74 be received.

CARRIED

LAND USE SECTION: (Chair – Councillor Copley)

5. 2013-75 DIRECTOR OF BUILDING AND PLANNING, Mar. 6, 2013
Re Uplands Building Permit Application – 3160 Weald Road

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

MOVED by Councillor Herbert

Seconded by Councillor Ney, That is be recommended to Council that the revisions to the originally approved plans for the construction of the new residential dwelling located at 3160 Weald Road be approved as to architectural design.

CARRIED

6. 2013-76 DIRECTOR OF BUILDING AND PLANNING, Mar. 11, 2013
Re Development Variance Permit Application – 2321 Lansdowne Road

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

Hal Yacowar, owner and Gerry Troesch, designer, were in attendance to respond to any questions.

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That a resolution authorizing the issuance of a development variance permit as outlined in correspondence item no. 2013-76, be prepared and brought forward to the next meeting of Council for consideration.

CARRIED

7. 2013-77 DIRECTOR OF BUILDING AND PLANNING, Mar. 11, 2013
Re Development Variance Permit Application – 2028 Runnymede Avenue

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

Bill Patterson, President of Citta Construction, was in attendance to respond to any questions.

In response to questions from the Committee, Mr. Thomassen noted that there would not have been a variance required for this application under previous floor area ratio regulations.

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That a resolution authorizing the issuance of a development variance permit as outlined in correspondence item no. 2013-77, be prepared and brought forward to the next meeting of Council for consideration.

CARRIED

8. 2013-78 DIRECTOR OF BUILDING AND PLANNING, Mar. 13, 2013
Re Development Variance Permit Application – 2280 Florence Street

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

Melanie and Eric Penner, owners, were in attendance to respond to any questions.

MOVED by Councillor Kirby

Seconded by Councillor Ney, That a resolution authorizing the issuance of a development variance permit as outlined in correspondence item no. 2013-78, be prepared and brought forward to the next meeting of Council for consideration.

CARRIED

9. 2013-79 DIRECTOR OF BUILDING AND PLANNING, Mar. 14, 2013
Re Development Variance Permit Application – 2405 Hamiota Street

Janice Achtem, owner, responded to questions from the Committee noting that eventually the intention is to construct parking in the rear of the property and that the existing driveway is too narrow to use as a parking space. Ernie Hanson, designer, was also in attendance.

MOVED by Councillor Kirby

Seconded by Councillor Ney, That a resolution authorizing the issuance of a development variance permit as outlined in correspondence item no. 2013-79, be prepared and brought forward to the next meeting of Council for consideration.

CARRIED
Councillor Herbert against the motion

10. 2013-80 DIRECTOR OF BUILDING AND PLANNING, Mar. 14, 2013
Re Development Variance Permit Application – 2423 Beach Drive

The Director of Building and Planning provided an overview of the application and confirmed that the property is not included on the Oak Bay Community Heritage Register.

Nigel Banks, Banks Design, in response to questions from the Committee, noted that the proposed variances are required due to the existing siting of the building. The intent, he noted, is to increase the developable space in the basement. He commented that the existing underground services prevent developing further downward. He stated that it was his understanding that the neighbours to the west are aware of the proposal and that an apartment building is located to the east, the residents of which will be notified subsequently. Once the house is raised, he said, a slightly smaller deck will be reconstructed at an appropriate height.

MOVED by Councillor Ney

Seconded by Councillor Kirby, That a resolution authorizing the issuance of a development variance permit as outlined in correspondence item no. 2013-80, be prepared and brought forward to the next meeting of Council for consideration.

CARRIED

11. 2013-81 DIRECTOR OF BUILDING AND PLANNING, Mar. 14, 2013
Re Development Variance Permit Application – 3063 Larkdowne Road

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

Paul Macoun, co-owner, was in attendance to respond to any questions.

MOVED by Councillor Ney

Seconded by Councillor Kirby, That a resolution authorizing the issuance of a development variance permit as outlined in correspondence item no. 2013-81, be prepared and brought forward to the next meeting of Council for consideration.

CARRIED

ADJOURNMENT:

MOVED by Councillor Ney

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

CARRIED

The meeting adjourned at 8:34 p.m.

Certified Correct:

Municipal Clerk

Chair, Parks and Recreation Section

Chair, Finance and Public Works Section

Chair, Active Transportation and
Community

Chair, Land Use Section