

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, November 15, 2010 at 7:30 p.m.

PRESENT: Acting Mayor, H. Braithwaite, Chair
Councillor A. R. Cassidy
Councillor J. D. Herbert
Councillor N. B. Jensen

STAFF: Municipal Administrator, M. Brennan
Municipal Clerk, L. Hilton
Confidential Secretary, K. Green
Director of Building and Planning, R. Thomassen
Municipal Treasurer, P. Walker
Director of Engineering Services, D. Marshall

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

FINANCE SECTION: (Chairman – Councillor Jensen)

1. 2010-295 MUNICIPAL TREASURER, November 1, 2010
Re Monthly Financial Reports

MOVED by Councillor Herbert
Seconded by Councillor Cassidy, That the October monthly financial reports be received.

CARRIED

RECREATION SECTION: (Chairman – Councillor Braithwaite)

2. 2010-296 OAK BAY PARKS AND RECREATION COMMISSION November 3, 2010
Re Minutes of the Meeting

(Lorna Curtis, Director of Parks and Recreation, in attendance for this item.)

MOVED by Councillor Herbert
Seconded by Councillor Jensen, That the minutes of the meeting of the Oak Bay Parks and Recreation Commission held on Wednesday, November 3, 2010, and the recommendations contained therein, with the exception of the recommendations regarding the 2011 operating and capital budgets, and the 2011 fees and charges, be adopted.

CARRIED

The point was made that many community groups do not have the resources to pay for rental space, and Ms. Curtis was asked about what kind of allowances are made for such groups. Ms. Curtis advised that when possible space is found for smaller groups to meet, including in the Sports View Lounge. However, she said offering space at a reduced fee or no cost could affect the Recreation Centre's revenue and reduce space for programs.

MOVED by Councillor Herbert
Seconded by Councillor Jensen, That the proposed Parks and Recreation 2011 operating budget and capital budget be referred to Estimates Committee.

CARRIED

MOVED by Councillor Jensen
Seconded by Councillor Cassidy, That the proposed Parks and Recreation 2011 fees and charges be approved.

CARRIED

LAND USE SECTION: (Chairman – Councillor Cassidy)

3. 2010-297 DIRECTOR OF BUILDING AND PLANNING, November 2, 2010
- 2010-297-1 DON MCCARTHY, November 11, 2010
Re Uplands Building Permit Application – 3025 Cadboro Bay Road

Responding to a question from the Committee, Anup Grewal, applicant, advised that he has spoken with some of the neighbours with respect to the design of his proposed new home, although he was not aware of Mr. McCarthy's letter outlining his concerns.

Councillor Cassidy invited members of the public to come forward.

Referring to his letter, Don McCarthy, resident, further expressed his concern regarding the proposed development at 3025 Cadboro Bay Road, saying his four main concerns include the size of the home, the type of screening (chain-link fence covered by vines) between the properties, the siting of the home, and the design details and style of the home not fitting in with the surrounding neighbourhood homes. He also commented that several trees may be eliminated during the construction process.

The Director of Building and Planning confirmed that the proposed dwelling does not exceed the permitted lot coverage limit or maximum paved surface, and as submitted, does not require any variances. Mr. Thomassen added that a final landscape design plan would be forthcoming.

With respect to the trees, Mr. Thomassen said that two trees are slated for removal and that the fate of two other trees would depend on an independent Arborist's report. He further pointed out that pursuant to the Tree Protection Bylaw, replacement trees would be required.

Some members of the Committee expressed their desire to see the large Garry Oak tree in the rear yard remain and expressed some concerns with the design in respect to massing. Mr. Grewal and designer, Tim Rodier, answered questions regarding the design and siting, and Mr. Grewal confirmed that it is their wish to save as many trees as possible. Mr. Grewal said he was willing to bring forward revised plans to address saving the Garry Oak tree located at the rear corner of the proposed development if that was the Committee's wish.

The point was made that looking at redesigning to save the Garry Oak tree in the back yard would also provide an opportunity to review ways to visually reduce the size of the house and review the concerns raised regarding design.

There was consensus of the Committee to defer this item to a future Committee of the Whole meeting to allow the applicant time to redesign the plans in order to protect the Garry Oak tree located in the back of the property.

TRAFFIC SECTION: (Acting Chairman – Acting Mayor Braithwaite)

4. 2010-298 DIRECTOR OF ENGINEERING SERVICES, November 10, 2010
 - 2010-298-1 CASEY VAN WENSEM, November 13, 2010
 - 2010-298-2 SAFER CYCLING OAK BAY, July 7, 2010
 - 2010-298-3 RON CARTER, November 14, 2010
 - 2010-298-4 JANET SIMPSON, November 14, 2010
 - 2010-298-5 CHIDA HENRY, November 15, 2010
 - 2010-298-6 PAUL NIENABER, November 15, 2010
 - 2010-298-7 RITA FROMHOLT, November 15, 2010
- Re Use of Bicycle Blue Box – Foul Bay Road at Lansdowne Road

The Director of Engineering Services noted that as a follow up to discussions at the last Committee of the Whole meeting regarding the Community Initiatives Committee's recommendation to install bike lanes on Foul Bay Road south of Lansdowne Road, and at the request of the Committee, Engineering staff contacted the District of Saanich regarding its views on installing a bike box on an incline at the Foul Bay Road and Lansdowne Road intersection, which is shared with that Municipality. Mr. Marshall noted that Saanich did not feel the location was appropriate for a bike box, adding he also felt a bike box would be unsafe in that location.

Mr. Marshall drew attention to Paul Nienaber's letter (attached to the agenda package) noting many of the same concerns expressed by the Engineering Department, and in particular pointing out that the steep incline of the Foul Bay Road hill may be an issue with bikes being placed ahead of traffic, which could potentially cause conflicts between motorists and cyclists.

Mr. Marshall noted again that cyclists previously interviewed on the issue of bike lanes in that location did not want to be placed before traffic, but did want to see lines painted across the intersection to guide cyclists.

Discussion turned to the previously considered recommendation from the Community Initiatives Committee to continue the bike lane up to the intersection from Middowne Road, and eliminate the right turn lane onto Lansdowne Road, with the Director of Engineering Services voicing his concerns about safety as previously stated.

The point was made that the bike box concept had not been recommended by the Community Initiatives Committee but had arisen in Committee of the Whole discussion at the last meeting. It was suggested that should the recommendation for a bike lane and removal of the right turn lane be adopted, the effects could be reviewed over time and changes made if necessary.

John Luton, introduced himself as the Executive Director of the Capital Bike and Walk Society, noted that although bike boxes are not yet included in the Transportation Association of Canada guidelines, they have been well received in the City of Victoria. The advantage of positioning the cyclists at the head of the queue at an intersection, said Mr. Luton, is that it creates a more visible and predictable flow for cyclists and motorists. Mr. Luton said he would recommend putting the bike box at the front of the straight through lane on Foul Bay road at Lansdowne Road.

In response to Mr. Luton's last comment, it was the view of some members of the Committee that having cyclists in front of traffic on an incline could cause collision risk for motorists and potentially trigger frustrated drivers to go around cyclists while in the intersection, and it would be better to have the cyclists along side the vehicle traffic lane.

Corey Burger, City of Victoria resident and Community Initiatives Committee member, thanked the Engineering Department for time put into this issue, and suggested looking at installing a bike box in the future and focusing on installing a bike lane first.

MOVED by Councillor Herbert

Seconded by Councillor Jensen, That correspondence items no. 2010-298 to 2019-298-7 be received.

CARRIED

MOVED by Councillor Herbert

Seconded by Councillor Jensen, That it be recommended to Council that staff be directed to proceed with the recommendations from the Community Initiatives Committee, as described in Attachment #2 of correspondence item no. 2010-284, circulated at the November 1, 2010 Committee of the Whole meeting.

Varying views on the proposed recommendations from the Community Initiatives Committee were expressed and it was felt that with this being a significant issue, and only four Committee members in attendance, this motion should not be decided upon at this time.

MOVED by Councillor Herbert

Seconded by Councillor Cassidy, That the motion be tabled.

CARRIED

ADJOURNMENT:

MOVED by Councillor Jensen

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

CARRIED

The meeting adjourned at 8:53 p.m.

Certified Correct:

Municipal Clerk

Chairman, Finance Section

Chairman, Recreation Section

Chairman, Land Use Section

Acting Chairman, Traffic Section