

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, January 19, 2009 following a Special meeting of Council at 7:30 p.m.

PRESENT: Mayor C. M. Causton, Chairman  
Councillor A. R. Cassidy  
Councillor P. Copley  
Councillor J. D. Herbert  
Councillor N. B. Jensen  
Councillor T. Ney

STAFF: Municipal Administrator, W. E. Cochrane  
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

Mayor Causton called the meeting to order at 7:40 p.m.

FINANCE SECTION: (Chairman – Councillor Jensen)

1. 2009-30 MUNICIPAL TREASURER, January 7, 2009  
Re December Monthly Financial Report

MOVED by Councillor Herbert  
Seconded by Councillor Copley, That the December monthly financial reports be received.

CARRIED

2. 2009-31 MUNICIPAL TREASURER, January 13, 2009  
Re Request for Early 2009 Capital Approval

MOVED by Councillor Herbert  
Seconded by Councillor Copley, That early spending approval be given for the capital projects and equipment replacement purchases as detailed in the memorandum from the Municipal Treasurer dated January 13, 2009 (correspondence item no. 2009-31).

CARRIED

RECREATION SECTION: (Acting Chairman – Mayor Causton)

3. 2009-32 OAK BAY PARKS AND RECREATION COMMISSION, January 7, 2009  
Re Minutes of the Meeting

MOVED by Councillor Jensen  
Seconded by Councillor Herbert, That the minutes of the meeting of the Oak Bay Parks and Recreation Commission held on Wednesday, January 7, 2009, and the recommendations contained therein, be adopted.

CARRIED

TRAFFIC SECTION: (Chairman – Councillor Copley)

4. 2009-33 HEINIE COETZE, December 16, 2008  
Re Request for Parking Restrictions – Broom Road

Councillor Copley drew attention to the writer's request to have yellow lines painted along the south side of Broom Road to improve the line of vision while exiting his driveway, noting that previous concerns had also been raised with respect to potential safety issues due to Glenlyon School students being dropped-off and picked-up in the area.

The Director of Engineering Services advised that following discussions between Mr. Coetze and Engineering staff, one metre yellow lines have been painted on either side of the driveway and footpath that service 1590 Beach Drive. Mr. Marshall advised that the Engineering Department is prepared to extend the yellow line to fill the gap between the driveway and the footpath, which will eliminate one parking space, and recommends erecting signs prohibiting parking on the north side of the street where the foliage is close to the road edge, all of which should improve sightlines.

With respect to painting an additional yellow line on the south side of Broom Road, west of the driveway to 1590 Beach Drive, Mr. Marshall felt that it was not warranted and would eliminate parking spaces unnecessarily, possibly diverting parking onto another street.

MOVED by Councillor Jensen

Seconded by Councillor Herbert, That correspondence item no. 2009-33 be received.

Discussion turned to the patch of boulevard used for parking on the north side of Broom Road east of the area proposed to be designated "no parking", and it was suggested by Mayor Causton that staff look into inexpensive ways to make it more useable year round, as it seems to get muddy during wet weather.

Following further discussion, there was consensus that in addition to painting the gap between the driveway and the footpath, the yellow line to the west of the driveway should also be extended by one metre.

The question was then called.

CARRIED

LAND USE SECTION: (Chairman – Councillor Cassidy)

5. 2009-34 DIRECTOR OF BUILDING AND PLANNING, January 15, 2009  
Re Development Variance Permit Application (Revised) – 2078 Carnarvon Street

At its meeting of January 5<sup>th</sup>, 2009, the Committee of the Whole reviewed a development variance permit application for 2078 Carnarvon Street. At that time it was noted that as a result of a developed basement the required covered parking space had been eliminated and an application for a wider driveway to accommodate two cars was considered but it was found, that in any configuration, vehicles would be driving over the boulevard to access the parking. Therefore, the applicant has come forward with an amended application requesting that the required parking spaces be reduced from two to one, and withdrawing the request for a variance to the maximum allowable paved surface.

MOVED by Councillor Herbert

Seconded by Councillor Jensen, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2078 Carnarvon Street, as outlined in correspondence item no. 2009-34, be prepared and brought forward to Council for consideration.

CARRIED

6. 2009-35 DIRECTOR OF BUILDING AND PLANNING, January 14 , 2009  
Re Development Variance Permit Application (Subdivision) – 2381  
Lansdowne Road

The Municipal Administrator advised that correspondence items no. 2009-35 and 2009-36 are related items, with respect to the owner of 3096 Cadboro Bay Road applying to subdivide her property. However, he said, 3096 Cadboro Bay Road is not large enough to meet the minimum lot size that would be required for each of the two new proposed lots, therefore the owner is hoping to augment her lot with a portion of the lot at 2381 Lansdowne Road through an agreement with that property owner. The proposed new lot line between 2381 Lansdowne Road and 3096 Cadboro Bay Road, he said, would be too close to the existing house at 2381 Lansdowne Road, requiring a variance for the interior and total side lot line setbacks prior to further consideration of the lot line relocation by the Subdivision Approving Officer.

Should the lot at 3096 Cadboro Bay Road be augmented with enough land to meet the minimum lot size requirement for subdivision, noted Mr. Cochrane, there would be additional variances required to facilitate the subdivision in relation to the construction of a new garage, additional paved area, and minimum lot frontage for proposed lot B as laid out in the memorandum from the Director of Building and Planning.

MOVED by Councillor Jensen

Seconded by Councillor Copley, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2381 Lansdowne Road, as outlined in correspondence item no. 2009-35, be prepared and brought forward to Council for consideration.

CARRIED

7. 2009-36 DIRECTOR OF BUILDING AND PLANNING, January 14, 2009  
Re Development Variance Permit Application (Subdivision) – 3096  
Cadboro Bay Road

Discussion regarding the proposed subdivision continued, and attention turned towards the Municipal Garry oak tree on the boulevard that may have to be removed to accommodate the driveway for the proposed Lot B and the easement for services to the proposed Lot A, and the Director of Building and Planning answered questions from the Committee in this regard.

Lynne Limbert, owner, 3096 Cadboro Bay Road confirmed that the existing house on proposed lot B would remain and that it was her intention to have a design covenant registered against the proposed Lot A. Responding to a question from the Committee, Ms. Limbert indicated that it would also be desirable to have the Municipality as a party to the design

covenant for that lot, which, it was noted, would provide an opportunity for the Advisory Design Panel to review plans for a future dwelling on the lot.

MOVED by Councillor Jensen

Seconded by Councillor Herbert, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 3096 Cadboro Bay Road, as outlined in correspondence item no. 2009-36, be prepared and brought forward to Council for consideration.

CARRIED

8. 2009-37 DIRECTOR OF BUILDING AND PLANNING, January 15, 2009  
Re Development Variance Permit Application – 2071 Stonehewer Place

The Director of Building and Planning advised that the requested variance to the maximum occupiable height and maximum roof height is to accommodate a storage space located on the second level of the proposed new garage.

Responding to comments from Committee members, David Ricciuti, homeowner, said that the bathroom on the main level is for clean up and the reason for the over height storage space is to ensure the garage is used for parking their vehicles off-street rather than for storage.

MOVED by Councillor Jensen

Seconded by Councillor Ney, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2071 Stonehewer Place, as outlined in correspondence item no. 2009-37, be prepared and brought forward to Council for consideration.

CARRIED

9. 2009-38 DIRECTOR OF BUILDING AND PLANNING, January 15, 2009  
Re Development Variance Permit Application – 2347 Windsor Road

Councillor Cassidy provided a brief overview noting that the applicant's original plan for a turn-around with parking off the existing driveway would conflict with a Garry Oak tree, therefore the owner is requesting a maximum paved surface (rear yard) variance to accommodate the second parking space requirement which would be located beside the existing garage instead, in order to be able to retain the tree.

Councillor Copley expressed her concerns with respect to another large Garry Oak tree on the property that was removed and the Director of Building and Planning advised that the Garry Oak tree was within the building envelope, and under the Tree Protection Bylaw was permitted to be removed.

MOVED by Councillor Herbert

Seconded by Councillor Ney, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2347 Windsor Road, as outlined in correspondence item no. 2009-38, be prepared and brought forward to Council for consideration.

CARRIED

10. 2009-39 DIRECTOR OF BUILDING AND PLANNING, January 7, 2009  
Re Uplands Building Permit / Development Variance Permit Application  
– 2555 Lansdowne Road

MOVED by Councillor Jensen

Seconded by Councillor Herbert, That it be recommended to Council that the plans for an addition at 2555 Lansdowne Road be approved as to siting and architectural design subject to the issuance of a development variance permit, and further that a resolution authorizing the issuance of a development variance permit be prepared and brought forward to Council for consideration.

CARRIED

11. 2009-40 DIRECTOR OF BUILDING AND PLANNING, January 7, 2009  
Re Uplands Building Permit Application – 3375 Ripon Road

Councillor Cassidy declared a possible conflict inasmuch as his firm has had a business relationship with the applicant. Councillor Cassidy left the meeting at 8:43 p.m. and Mayor Causton assumed the Chair for this item.

MOVED by Councillor Herbert

Seconded by Councillor Copley, That it be recommended to Council that the plans to construct a new single family dwelling at 3375 Ripon Road be approved as to siting and architectural design.

In response to a question from a member of the Committee, the applicant, Terry Johal, advised the Committee that he is planning to transplant the Japanese maple tree on site.

CARRIED

Councillor Cassidy returned to the meeting at 8:45 p.m.

12. 2009-41 DIRECTOR OF BUILDING AND PLANNING, January 7, 2009  
Re Uplands Building Permit Application – 3475 Ripon Road

Mayor Causton declared a conflict inasmuch as he is an honorary member of the Royal Victoria Yacht Club, indicating that he would be unable to participate in discussion or vote on the matter. Mayor Causton left the meeting at 8:47 p.m.

Councillor Herbert declared a conflict inasmuch as he is a member of a Saanich Peninsula Yacht Club with reciprocal privileges with the Royal Victoria Yacht Club, indicating that he would be unable to participate in discussion or vote on the matter. Councillor Herbert left the meeting at 8:47 p.m.

MOVED by Councillor Ney

Seconded by Councillor Copley, That it be recommended to Council that the plans to construct a security fence at 3475 Ripon Road be approved as to siting and architectural design.

CARRIED

Mayor Causton and Councillor Herbert returned to the meeting at 8:50 p.m.

PUBLIC WORKS SECTION: (Chairman – Councillor Herbert)

13. 2009-42 DIRECTOR OF ENGINEERING SERVICES, January 15, 2009  
Re Roundabout Option – Cadboro Bay Road and Bowker Avenue

The Director of Engineering Services noted that over the years many ideas have been considered to improve the intersection at Cadboro Bay Road and Bowker Avenue, including a four-way stop and traffic control lights, which were all found to be unsuitable.

As requested at the Committee of the Whole meeting held October 20, 2008, said Mr. Marshall, staff has prepared a report and cost estimate (approximately \$200,000) to construct a roundabout at the intersection. He noted that construction of a roundabout would have to address the sloping roadway and underground services, which could impact the estimated cost. Should Council wish to explore this option, Mr. Marshall suggested that a professional traffic engineering consultant be retained to provide a more detailed design and accurate cost estimate for the proposed project.

Although it was noted that the accident that most recently raised the question about safety at the intersection of Cadboro Bay Road and Bowker Avenue arose from a medical situation, a member of the Committee suggested that staff bring forward a report on accident statistics of the intersection to the next Committee of the Whole meeting for information and review.

There was discussion regarding the proposed roundabout and Mr. Marshall answered questions from the Committee in this regard.

Responding to questions, the Municipal Administrator noted that following consideration of options for long slender islands and the elimination of the northbound left turn lane to Bowker Avenue, presented to Committee of the Whole at its October 20<sup>th</sup> meeting, the Committee directed staff to provide a report for the possible construction of a roundabout for its consideration.

The Committee agreed now that there have been various options presented for consideration, the residents of the area, who have expressed concerns, should be given an opportunity to attend a future meeting to provide input on those options.

It was further suggested that the Insurance Corporation of British Columbia (ICBC), through its Road Improvement Program, be contacted regarding possible assistance with engineering and funding to implement any proposed traffic/road safety measures.

Corey Burger, Oak Bay resident, commented that he lives near the area and likes the idea of a roundabout at the intersection. Mr. Burger added that speeding is an issue and the roundabout would slow traffic but not affect cycling speeds all that much. As well, it would reduce the crossing distance for pedestrians, and avoid the problem of bus noise from starting and stopping, which might arise through traffic lights or a four-way stop option.

MOVED by Councillor Herbert

Seconded by Councillor Jensen, That correspondence item no. 2009-42 be deferred to a future Committee of the Whole meeting to consider all options proposed for the intersection at Cadboro Bay Road and Bowker Avenue, and to provide an opportunity for input from area residents on the options.

CARRIED

ADJOURNMENT:

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

CARRIED

The meeting adjourned at 9:13 p.m.

Certified Correct:

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Chairman, Finance Section

\_\_\_\_\_  
Chairman, Recreation Section

\_\_\_\_\_  
Chairman, Traffic Section

\_\_\_\_\_  
Chairman, Land Use Section

\_\_\_\_\_  
Chairman, Public Works Section