

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, Victoria, B.C., on Monday October 16, 2017 at 7:00 PM.

We acknowledge that the land on which we gather is the traditional territory of the Coast and Straits Salish Peoples. Specifically we recognize the Lekwungen speaking people, known today as the Songhees and Esquimalt Nations, and that their historic connections to these lands continue to this day.

PRESENT: Councillor H. Braithwaite, Chair  
Mayor N. Jensen  
Councillor T. Croft  
Councillor M. Kirby  
Councillor K. Murdoch  
Councillor T. Ney  
Councillor E. W. Zhelka

STAFF: Chief Administrative Officer, H. Koning  
Deputy Director of Corporate Services, M. Jones  
Director of Financial Services, D. Carter  
Acting Director of Building and Planning, D. Jensen  
Director of Engineering Services, D. Horan  
Design Engineer, R. Ding

The Chair called the meeting to order at 7:00 PM.

PARKS, RECREATION AND CULTURE ITEM(S):

1. ***Parks, Recreation and Culture Commission Minutes***
  - Note - Deputy Director of Corporate Services - PR&CComm Minutes, Oct. 4, 2017
  - Minutes - PR&CComm - Oct. 4, 2017
  - Rpt. Attach. 1 - Program Reports

*The Director of Parks, Recreation and Culture, R. Herman and the Chair of the Parks, Recreation and Culture Commission, M. Holding in attendance for this item.*

MOVED and seconded: That the minutes of the meeting of the Oak Bay Parks Recreation and Culture Commission held October 4, 2017, and the recommendations contained therein, be adopted.

CARRIED

FINANCE ITEM(S):

2. ***Quarterly Financial Report***
  - Report - Director of Financial Services, Oct. 12, 2017
  - Rpt. Attach. 1 - Statement, Capital, Investments, Prop. Taxes, Sept. 2017

MOVED and seconded: That the quarterly report of the Director of Financial Services dated October 12, 2017 be received for information.

CARRIED

ENGINEERING SERVICES ITEM(S):

3. ***Cadboro Bay Bike Lanes - Foul Bay Road to Bowker Avenue***
- Report - Director of Engineering Services, Oct. 10, 2017
  - Rpt. Attach. 1 - Final Feasibility Report, Oct. 18, 2016
  - Rpt. Attach. 2 - Option 1 Detailed Design, Oct. 18, 2016
  - Rpt. Attach. 3 - Cross Sections (Option 1), Aug. 15, 2017
  - Rpt. Attach. 4 - Option 2 Detailed Design, Oct. 18, 2017
  - Rpt. Attach. 5 - Cross Section (Option 2), Aug. 15, 2017
  - Rpt. Attach. 6 - Public Feedback, up to October 13, 2017
  - Rpt. Attach. 7 - Bunt & Associates Report Cadboro Bay Rd and Bowker Avenue Intersection Review, Sept. 15, 2009
  - ADDENDA - Director's Brief - Oct. 16, 2017
  - ADDENDA - Corresp. - Oct. 16, 2017

The Director of Engineering Services provided a presentation to the Committee regarding the work done to date on the proposed Cadboro Bay Bike Lanes from Foul Bay Road to Bowker Avenue.

D. Lindsay, Oak Bay resident, expressed concerns regarding the impact of the proposed options on traffic flow, both along Cadboro Bay Road and along nearby side streets. He emphasized that traffic speed and volume are already a concern on Florence Street which will be made worse, he said, by eliminating a travel lane at Bee Street. He commented that there is not enough traffic data to support the proposal. He also stated that a significant number of letters in support of the project were cyclists providing comments through the Greater Victoria Cycling Coalition, but that he wondered how many of the submissions were from Oak Bay residents who would share the tax burden of the project.

J. van Hoon, Oak Bay resident, commented that she has written and spoken to Oak Bay Council many times and that she is frustrated by the inactivity to date with regards to bike lanes. She encouraged the Committee to listen to the residents who have submitted correspondence in support of the project and that up to 10% of Oak Bay residents are cycling commuters to and from the downtown core. She concluded her remarks by stating that it is time for these issues to be addressed.

G. Smeltzer, Oak Bay resident, noted that he had served as the first chair of the Active Transportation Advisory Committee who recommended that cycling lanes be provided in this area. He noted that there is a "back log" of enthusiasm for this project which was included in the Official Community Plan. He noted that the Oak Bay High School and the Neighbourhood Learning Centre are successful facilities that draw many cyclists and that Council should ensure there are sufficient resources to accommodate these visitors.

He commented that Saanich successfully reduced the impact of cut-through traffic on residential streets near Camosun College by creating one-way streets as appropriate. He concluded his remarks by stating he wished to see the project proceed.

C. Burger, Esquimalt resident, member of the Greater Victoria Cycling Coalition, noted that it has been some time since Oak Bay built a new cycling lane. He commented that a Complete Streets approach and the Capital Regional District's current Pedestrian and Cycling Master Plan were not included in the current analysis when considering the feasibility for the protected cycling lane option. He noted that there was no discussion on how the selection of the option will impact who uses the new lanes and that protected lanes are twice as appealing to new riders. He stated that current trends and research would suggest that the best option would be a protected cycling lane which is not constructed outside the parking lane.

C. Smith, Oak Bay resident, noted that the selected option will impact her as cyclist and that she does not feel safe riding on many streets in the area, particularly with her children. She commented that she also shares concerns regarding the impact traffic from Cadboro Bay Road will have on nearby residential streets and that there are already issues with parking in the area. She noted that in order for the cycling lane to be safe, consideration should be given to: reducing the existing "visual noise" of the area; providing sufficient sightlines for vehicles turning on to Cadboro Bay Road; and reducing the speed at which traffic currently travels to 30 km.

A. Appleton, Oak Bay resident, commented that he echoes the many members of the public supporting cycling lanes in this area, in particular lanes designed for all ages. Mr. Appleton stated that there is solid evidence showing the benefit of building cycling lanes. He concluded his remarks, stating that constructing cycling lanes are now part of building a community.

D. Lindsay, Oak Bay resident, speaking for a second time, stated that Haultain Street would be a better area to encourage cycling. He commented that he has not observed any issues with students accessing Oak Bay High School as pedestrians. He also expressed concern that too many vehicles are passing through the intersection on the red light currently, and that this could increase if vehicle traffic is reduced by a lane along Cadboro Bay Road.

MOVED and seconded: That it be recommended to Council that the District move forward with Option 2 for the Cadboro Bay Bike Lanes and that staff come forward with further detail in this regard to a future meeting.

CARRIED

*The Director of Financial Services and the Design Engineer left the meeting at 9:07 PM and did not return.*

The Chair called for a recess at 9:07 PM and reconvened the meeting at 9:10 PM.

#### LAND USE APPLICATIONS:

4. ***Uplands Siting and Design Application (ADP00074) - 2475 Lansdowne Road***
  - Report - Acting Director of Building and Planning, Oct. 6, 2017
  - Plans - ADP - 2475 Lansdowne Road, Sep. 14, 2017
  - Rpt. Attach. 2 - Arborist Memo, Sept. 26, 2017

MOVED and seconded: That it be recommended to Council that the proposal to modify the exterior of the existing single family home at 2475 Lansdowne Road, as outlined in the October 6, 2017 report for ADP00074, be approved as to architectural design and siting.

No members of the public rose to speak.

The question was then called.

CARRIED

5. ***Uplands Siting and Design Application (ADP00075) - 3200 Uplands Road***

- Report - Acting Director of Building and Planning, Oct. 10, 2017
- Plans - ADP - 3200 Uplands Rd., Sept. 25, 2017
- Rpt. Attach. 2 - Arborist Memo, Sept. 26, 2017

MOVED and seconded: That it be recommended to Council that the proposal to modify the exterior of the existing single family home at 3200 Uplands Road, as outlined in the October 10, 2017 report for ADP00075, be approved as to architectural design and siting.

No members of the public rose to speak.

The question was then called.

CARRIED

6. ***Development Variance Permit Application (DVP00067) - 2677 Lincoln Road***

- Report - Acting Director of Building and Planning, Oct. 5, 2017
- Plans - DVP - 2677 Lincoln Rd., Aug. 10, 2017
- Rpt. Attach. 2 - Arborist Memo, Sept. 27, 2017
- Rpt. Attach. 3 - Draft Development Variance Permit DVP00067

In response to questions from the Committee, R. Collins, on behalf of the application, stated that the design for the application was submitted after discussions with staff, who, in his understanding had indicated that no variance would be needed. With regards to the variance to accommodate the stairs in the side yard, he noted that although it could have been designed to locate the stairs at the rear of the property, the applicant would prefer to have a continuous access to the rear of the property. He commented that staff had advised that the original design would impact a tree and had requested that it be revised to see if the tree could be retained. The current driveway design, he said, allows the tree to be retained, but that it was too difficult to include grass strips in the driveway, which resulted in an increase in front yard paving and the associated variance. He confirmed that permeable pavers would be used in the driveway design.

P. Marshall-Glew, Oak Bay resident, stated that he is an adjacent neighbour. He noted that his main concern is the proposed parking pad. Mr. Marshall-Glew questioned if 9 feet would be wide enough for a vehicle to access the space and that he would hope that a retaining wall would be included on the northern end of the subject property.

Mr. Collins clarified that the survey of the property indicated that there was a 3.05 metre (10 foot) setback to the northern property, which would provide sufficient space to park a vehicle.

E. Lang, owner, commented that the parking pad is not part of the variance application and has already been approved on the building permit. The variance, she said, is only with respect to the revised driveway design in order to retain the boulevard tree. She noted that according to the surveyor, the fence on the northern property line was encroaching on to her property.

P. Marshall-Glew, Oak Bay resident, speaking for a second time, expressed concern that the row of trees buffering his property would be removed which would impact the use of his patio. He commented that Mr. Collins had not advised him of this issue and noted that he would like to have a survey undertaken on his property before this item proceeds.

T. Mole, Oak Bay resident, commented that the Committee should be clear on the locations of the setbacks to the north and south before this item proceeds.

MOVED and seconded: That:

- a. it be recommended to Council that the application to construct a below grade stairwell in the south side yard of the home and to increase the maximum paved surface in the front yard at 2677 Lincoln Road be approved subject to issuance of Development Variance Permit DVP00067; and that
- b. notification be given of Council's consideration of DVP00067.

CARRIED

Councillors Braithwaite and Zhelka against the motion

7. ***Development Variance Permit Application (DVP00069) - 2042 Carnarvon Street***

- Report - Acting Director of Building and Planning, Oct. 4, 2017
- Plans - DVP - 2042 Carnarvon St., Aug. 12, 2017
- Rpt. Attach. 2 - Arborist Memo, Sep. 28, 2017
- Rpt. Attach. 3 - Correspondence Received for Application
- Rpt. Attach. 4 - Draft Development Variance Permit (DVP00069)

MOVED and seconded: That:

- a. it be recommended to Council that the application to construct a below grade stairwell in the east side yard of the home at 2042 Carnarvon Street be approved subject to issuance of Development Variance Permit DVP00069; and that
- b. notification be given of Council's consideration of DVP00069.

No members of the public rose to speak.

The question was then called.

CARRIED

8. ***Development Variance Permit Application (DVP00071) - 1743 Armstrong Avenue***

- Report - Acting Director of Building and Planning, Oct. 4, 2017
- Plans - DVP - 1743 Armstrong Avenue, Aug. 28, 2017

- Rpt. Attach. 2 - Correspondence Received for Application
- Rpt. Attach. 3 - Draft Development Variance Permit DVP00071

In response to questions from the Committee, T. Doerksen, owner, confirmed that two vehicles can park in the existing driveway.

MOVED and seconded: That:

- a. it be recommended to Council that the application to remove the covered parking requirement and to allow for one parking space on the site located at 1743 Armstrong Avenue be approved, subject to the issuance of Development Variance Permit DVP00071; and that
- b. notification be given of Council's consideration of DVP00071.

No members of the public rose to speak.

The question was then called.

CARRIED

9. ***Development Variance Permit Application (DVP00072) - 1984 Crescent Road***

- Report - Acting Director of Building and Planning, Oct. 6, 2017
- Plans - DVP - 1984 Crescent Rd., Sept. 29, 2017
- Rpt. Attach. 2 - Arborist Memo, Sept. 28, 2017
- Rpt. Attach. 4 - Previously Approved Development Variance Permit (DVP00054)
- Rpt. Attach. 5 - Draft Development Variance Permit (DVP00072)
- ADDENDA - Presentation, applicant, Oct. 16, 2017
- ADDENDA - Corresp. - Oct. 13 - 16, 2017

B. Yearwood and R. Yearwood, owners, made a presentation to the Committee on their application. Mr. Yearwood confirmed that it had been only their intention to remodel and that a lack of awareness of the appropriate process had resulted in the removal of the house without the appropriate permissions.

MOVED and seconded: That

- a. it be recommended to Council that the application to construct a new single family dwelling at 1984 Crescent Road be approved subject to issuance of Development Variance Permit DVP00072; and that
- b. notification be given of Council's consideration of DVP00072.

In response to questions from the Committee, R. Collins, designer, confirmed that a registered builder would be undertaking the upcoming construction.

No members of the public rose to speak.

The question was then called.

CARRIED

Councillor Braithwaite against the motion

ADJOURNMENT:

*Motion to adjourn Committee of the Whole.*

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting adjourned at 10:20 PM.

Certified Correct:

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Chair

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Deputy Director of Corporate Services