

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 1, 2010 at 7:30 p.m.

PRESENT: Mayor C. M. Causton, Chairman  
Councillor H. Braithwaite  
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  
Director of Engineering Services, D. Marshall

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

LAND USE SECTION: (Chairman – Councillor Cassidy)

1. 2010-40 DIRECTOR OF BUILDING AND PLANNING, January 27, 2010  
Re Development Variance Permit Application – 1579 Clive Drive

Councillor Jensen indicated a conflict inasmuch as a family relation is in a business relationship with the designer for 1579 Clive Drive, and left the meeting at 7:32 p.m.

Archie Willie, designer, described the requested variances noting that the existing house siting is non-conforming and that the proposed plans do not increase the existing non-conformities. Mr. Willie added that the footprint will actually be smaller than what exists.

There was discussion regarding the proposed renovations, and Mr. Willie advised that the visual impact of the development from the street would be minimal due to the topography of the land.

Mr. Willie noted that the homeowner spoke with the neighbour to the west regarding the development, who expressed no objection.

MOVED by Councillor Braithwaite  
Seconded by Councillor Herbert, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 1579 Clive Drive, as outlined in correspondence item no. 2010-40, be prepared and brought forward to Council for consideration.

CARRIED

Councillor Jensen returned to the meeting at 7:38 p.m.

2. 2010-41 DIRECTOR OF BUILDING AND PLANNING, January 28, 2010  
Re Development Variance Permit Application – 2377 Estevan Avenue

Maureen Von Tigerstrom, homeowner, noted that the existing siting of her 1938 character home is already non-conforming and she is seeking second storey side setback variances to have the proposed second storey flush with the first storey. Ms. Von Tigerstrom said that the footprint will remain much the same as the existing home.

MOVED by Councillor Braithwaite

Seconded by Councillor Herbert, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2377 Estevan Avenue, as outlined in correspondence item no. 2010-41, be prepared and brought forward to Council for consideration.

CARRIED

3. 2010-42 DIRECTOR OF BUILDING AND PLANNING, January 28, 2010  
Re Development Variance Permit Application – 2075 Lansdowne Road

Erin Renwick, landscape designer, advised that the variances being requested would accommodate the homeowners' wish to move their hot tub closer to the house, add a new mechanical accessory building next to the pool and increase the size of the deck.

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 2075 Lansdowne Road, as outlined in correspondence item no. 2010-42, be prepared and brought forward to Council for consideration.

CARRIED

PUBLIC WORKS SECTION: (Chairman – Councillor Herbert)

4. 2010-43 DIRECTOR OF ENGINEERING SERVICES, January 26, 2010  
Re Request for Sidewalk and Street Asphalt Replacement – Roslyn Road  
(North of Windsor Road)

The Director of Engineering Services advised that as requested by the Committee of the Whole at its meeting of November 16, 2009, Engineering Department staff engaged Roslyn Road residents (north of Windsor Road) by way of a questionnaire followed by a meeting to ascertain what work on the road and sidewalks they felt was a priority. Mr. Marshall drew attention to the results from the 18 responses of the households that participated, as detailed in his memorandum, noting that the highest priority is sidewalk replacement.

The topic turned to the possibility of widening the sidewalks, adding chicanes to narrow the entrance to Roslyn Road and using coloured asphalt stamping to emphasise the pedestrian crossing at the entrance to Roslyn Road, and it was noted that these items could be further discussed during Estimates Committee budget deliberations.

Responding to Linda Shepard, resident, regarding the road surface, Mr. Marshall advised that 44% of the residents indicated that they would like to see the road surface spot repaired as required, while 39% of the residents felt that the road should be resurfaced.

Judith Andersen, resident, asked if the sidewalks were widened, would they extend into the road or into the boulevard, commenting that the boulevard trees could be affected if it was the latter. Ms. Andersen said she felt it was not necessary to widen the sidewalks on Roslyn Road.

With respect to possibly removing the sidewalks on both sides of the street, it was noted that only 11% of the residents were in favour of such a proposal.

MOVED by Councillor Jensen

Seconded by Councillor Braithwaite, That it be recommended to Council that the proposed replacement of the sidewalks and the storm drains on the east side of Roslyn Road (north of Windsor Road), as outlined in correspondence item no. 2010-43, be referred to Estimates Committee for consideration.

CARRIED

5. 2010-44 FANNY'S CULTURED COW PRODUCTS LTD., January 12, 2010  
2010-44-1 MUNICIPAL CLERK, January 28, 2010  
Re Sidewalk Beverage Recycling Containers

Councillor Herbert drew attention to the observations made by the Superintendent of Public Works regarding the beverage container recycling test period, explaining some of the challenges that would arise if a program was implemented, such as the actual collection of beverage containers in the truck used for refuse collection currently, and staff having to hand sort the recyclables although there is no area at the Public Works Yard for this task. It was further acknowledged that the containers collected would simply have to be recycled versus returning them for the refundable deposit.

It was noted that currently a very small amount of recyclable beverage containers are found in the municipal refuse containers, and further that the community seems to be aware of the need to recycle, therefore, must be using other acceptable means of disposal.

During the nine-week test period where two of the Fanny's Cultured Cow Products Ltd. recycling receptacles were located on Oak Bay Avenue, approximately 2.5 containers (cans and plastic bottles) were collected per bin per day, it was pointed out.

Bruce Johnson, president, Fanny's Cultured Cow Products Ltd., felt that the test period was successful, however, he commented that the collection would have been more successful if the bins were placed in other areas of the Municipality, such as near bus stops, the Oak Bay High School, or Willows Beach, and he suggested that a second pilot project be carried out during the summer months, during which time he would undertake the collection of the recyclables.

MOVED by Councillor Jensen

Seconded by Councillor Copley, That it be recommended to Council that approval be granted to Fanny's Cultured Cow Products Ltd. to undertake a three-month recyclable beverage container trial collection period on a portion of Willows Beach, from June to August 2010, with no cost to the Municipality.

The question arose as to what problem the trial collection period would be attempting to solve, as there did not appear to be an issue with recyclable beverage containers being disposed of in the public refuse containers, and it was suggested that staff monitor the amount of recyclables disposed of in this fashion to see if there is an issue in this regard.

Although it was recognized that there would not be any significant revenues realized with returning recyclables for the refundable deposit, and that there would be no mechanism for them to be returned by staff in any event, the view was expressed that providing recycling opportunities in public places should be looked at in the wider context of the environmental benefit and public education associated with it.

Turning back to the suggested three month trial, it was pointed out that the results could be skewed due to the trial period including the Oak Bay Tea Party event in early June.

The Municipal Administrator advised that should the proposed trial period be undertaken, staff would prepare a standard indemnification agreement for execution by Fanny's Cultured Cow Products Ltd. that would set out the terms and conditions of the trial.

Members of the Committee agreed with Corey Burger, City of Victoria resident, saying that the receptacles should be painted the universal recycle colour of blue so as that their use could not be mistaken.

The question was then called.

CARRIED

6. 2010-45 KIWANIS CLUB OF OAK BAY, December 10, 2009  
Re Request for Directional Sign

It was noted that the proposed sign would be supplied by, and its instalment paid for, by the Kiwanis Club.

MOVED by Councillor Jensen

Seconded by Councillor Braithwaite, That it be recommended to Council that permission be given to erect, at the Kiwanis Club of Oak Bay's cost, one directional sign supplied by the Kiwanis Club, to be placed at the corner of Milton Street and Foul Bay Road.

CARRIED

TRAFFIC SECTION: (Chairman – Councillor Copley)

7. 2010-46 DIRECTOR OF ENGINEERING SERVICES, January 26, 2010  
Re Proposed Parking Restrictions, South Side of Beach Drive East of Transit Road

Referring to his memorandum, the Director of Engineering Services said that concern had been expressed regarding the lack of adequate line-of-site for vehicles travelling east on Beach Drive in the vicinity of 495 Beach Drive, due to on-street parking.

Mr. Marshall said that following a review of the area, staff agreed that with vehicles parking on the south side of Beach Drive it does create a narrow travel corridor that is considered to be below standard. Furthermore, he said, the required stopping sight distance cannot be met with vehicles parked on the south side, which would require a no parking zone of approximately 59 metres, resulting in the possible elimination of 10 parking spaces, to remedy the issue.

Responding to questions, Mr. Marshall noted that he was unaware of any reported accidents in the area.

Although it was agreed that this section of the road poses some traffic congestion challenges (i.e. parking, motorists and cyclists), concern was expressed that enacting parking restrictions in one area may have the effect of shuffling the parking to another area.

It was suggested that perhaps eliminating a few of the spaces would address the concerns raised, and that input on the use of the parking and any issues it causes should be sought from residents in the area. Special signage to alert motorists and cyclists in advance of the parking was also suggested.

Following further discussion and comments, Committee members agreed that staff should contact the homeowners in the vicinity of 495 Beach Drive with respect to any concerns or comments about vehicles parking in this area, and report back to the Committee.

MOVED by Councillor Herbert

Seconded by Councillor Cassidy, That correspondence item no. 2010-46 be deferred pending further information from the Engineering Department following consultation with the residents in the vicinity of 495 Beach Drive.

CARRIED

ADJOURNMENT:

MOVED by Councillor Cassidy

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

CARRIED

The meeting adjourned at 8:50 p.m.

Certified Correct:

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Municipal Clerk

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Chairman, Land Use Section

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Chairman, Public Works Section

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Chairman, Traffic Section