



Council Report

For the Meeting of October 12, 2017

To: Council **Date:** September 28, 2017
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: **Results of Oaklands CALUC Meeting for 2695 Capital Heights Frontage Improvements**

RECOMMENDATION

That Council receive this report for information.

EXECUTIVE SUMMARY

On July 27, 2017, Council voted to move the Rezoning Application for a small lot development at 2695 Capital Heights forward for consideration at a Public Hearing. As part of this motion, Staff were directed to facilitate a conversation with the Oaklands Community Association in considering alternatives to the required frontage improvements. On September 26, 2017, Staff attended the Community Association Land Use Committee (CALUC), where a discussion was held regarding alternatives to the sidewalk installation.

The community is requesting a moratorium on sidewalk installation in order to develop a comprehensive proposal for the Kings Road greenway as part of the *Oaklands Neighbourhood Plan* renewal in 2019.

PURPOSE

To provide Council with information regarding the conversation between City Staff and the Oaklands residents at the Oaklands CALUC meeting on September 26, 2017.

BACKGROUND

As a condition of subdivision, the owner must construct, or reconstruct, highways in accordance with the standards set out in the *Victoria Subdivision and Development Servicing Bylaw*. The bylaw also identifies sidewalks as a component of highways. Furthermore, the *Official Community Plan* (2012), the *Pedestrian Master Plan* (2008), and the *Greenways Plan* (2003) each identify sidewalks as key components to pedestrian safety. In some cases, a design without sidewalks may be acceptable as long as the safety of pedestrians is ensured.

Since the Rezoning Application at 2695 Capital Heights requires a subdivision, Staff required the applicant to construct frontage improvements including a sidewalk to City of Victoria standards. Currently, there is no sidewalk on this portion of Kings Road. The proposed sidewalk would connect to an existing sidewalk on Capital Heights. Residents in the area expressed concern over the potential sidewalk, noting the current configuration without a sidewalk is well received and preserves the rural ambiance in an urban setting.

As such, on July 27, 2017, Council voted for Staff to meet with the community and discuss alternatives to the sidewalk. This was to be conducted prior to and reported at the Public Hearing for 2695 Capital Heights. On September 26, 2017, Staff attended the Oaklands CALUC meeting and heard the concerns and ideas from residents regarding installation of a sidewalk on Kings Road.

RESULTS

At the CALUC meeting, Staff were presented with a letter from John O'Brien and a petition with 63 signatories (Attachment A) objecting to the proposed sidewalk and instead requesting a planted boulevard and the opportunity to create a comprehensive plan for the Kings Road greenway.

At the meeting, three residents made short presentations in favour of a moratorium on sidewalk construction in the area. The general sentiment was that opposition was not directed at the development at 2695 Capital Heights, but directed at the sidewalk construction. The residents noted that traffic slows down due to the lack of sidewalks, as drivers must be more aware of pedestrians and cyclists. One resident enquired about pedestrian safety due to the lack of sidewalks.

Residents at the meeting requested an immediate moratorium on sidewalk construction in the area. This moratorium would give them time to collaborate and create a comprehensive plan that would be integrated with the future *Oaklands Neighbourhood Plan*, which is planned for renewal in 2019.


The applicant, also in attendance, noted his willingness to financially back the ideas of the community to a maximum of \$25,000 in order to meet their needs. He believes it is an opportunity for a developer to collaborate with the community. Staff completed a Class D order of magnitude estimate, which came out to \$36,000 for the frontage improvements.

Finally, a presentation was given by John O'Brien, which included ideas for the Kings Road greenway. The concept is to maintain the rural ambiance by building on the current configuration of shared space rather than separated lanes for each mode of traffic. The proposal also included further extending the Kings Road greenway west such that it extends from Oaklands Park to Cook Street. Also mentioned was the idea of introducing vertical elements in the middle of intersections. Residents argued this is both a method of traffic calming as well as introducing art and wayfinding into the neighbourhood. These initiatives could be funded through City grants and developer funding.

CONCLUSIONS

Various existing City policies encourage or require sidewalks on both sides of the street. During City processes, this is confirmed at the subdivision stage. In order to vary the *Victoria Subdivision and Development Servicing Bylaw*, the owner of the land must apply for, and Council must approve, a Development Variance Permit; however, even with Council approval, the Approving Officer has the authority to reject the subdivision application if, in his opinion, the subdivision plan is against the public interest.

Respectfully submitted,



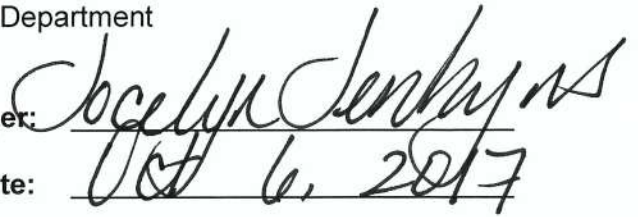
Michael Angrove
Planner
Development Services



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:


Oct 6, 2017

List of Attachments:

- Attachment A: Letter and Petition from John O'Brien dated September 23, 2017

Mr. Steve Hutchinson, Engineering Department
Mr. Michael Angrove, Planning Department
City Hall, #1 Centennial Square
Victoria, BC V8W 1P6

2017 September 23

Dear Sirs:

Please accept the attached petition to oppose installation of a sidewalk at 2695 Capital Heights, Victoria. This submission complements that made to Councillor Marianne Alto, Council Representative to Oaklands.

The now 63 signatories are owners and residents adjacent, opposite and in proximity to the topic development. We support the small lot project in general, and petition that the installation of a sidewalk, typical of such developments, not be required in consideration of and to avoid conflict with a neighbourhood concept under development. We understand that a sidewalk right-of-way may be required of the developer pending acceptance of the broader neighbour-led initiative underway.

In effect, the petition serves as notice of neighbourhood intent to contribute a proposal for incorporation into the upcoming Oaklands Neighbourhood Community Plan (ONCP, 2019). The now evolving concept protects the currently "less urban" streets of Oaklands, generally Oaklands Rise and the Kings Road Greenway, and establishes a "green heart" in the centre of Victoria and is strongly supported by developer Cam Brown.

Conceptually, we seek to shift perceived ownership of the street from vehicles to pedestrians in a shared space model that is established internationally and well suited to our specific residential area.

Arising specific to the topic property, conscious that the installation of a sidewalk is part of the incremental imposition of urban markers within our "less urban" area, the petition indicates popular support for a moratorium on sidewalk construction on currently sidewalk-free streets in Oaklands while the community works to define the proposal for inclusion in the ONCP through collaboration with community members, Oaklands Neighbourhood Association, City of Victoria, Butterflyway Project and similar initiatives that inform, promote and ultimately improve quality of life in the Capital City.

Thank you for receiving this petition and request for a moratorium on all new sidewalk installation in the area. We ask that you amend your recommendation at the coming public hearing on the topic development accordingly.

We look forward to collaboration in the development of the Oaklands Rise - Living Streets concept.

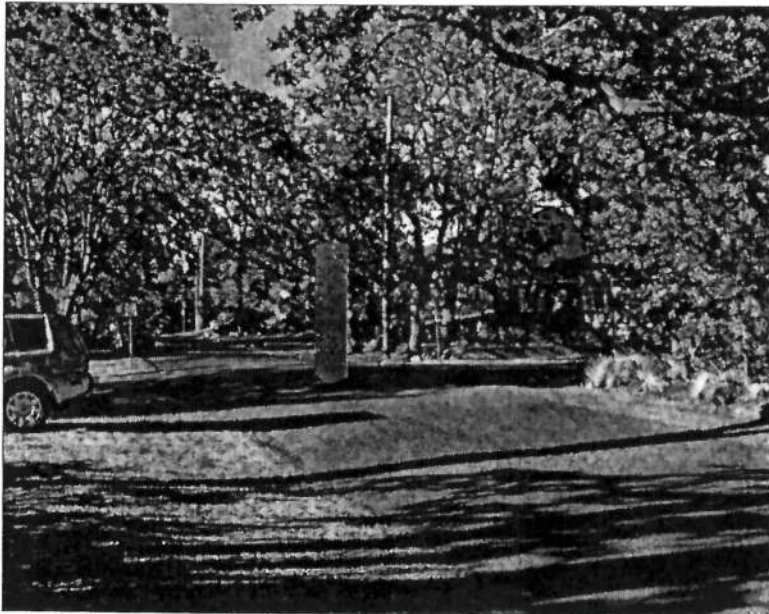
Respectfully,



John James O'Brien, MA(LT), CRM
for Listed Petitioners of the Oaklands Rise - Living Streets group
PO Box 5418, Victoria, B.C. V8R 6S4

- encl. Petition; introduction to the living streets/shared space concept
cc Marianne Alto, Councillor, City of Victoria
Petitioners, Owners & Residents, Oaklands and Mr. Cam Brown, neighbour
Dave Driedger, President, Oaklands Community Association Board of Directors
David Angus, Chair, Oaklands Community Association Land Use Committee
Petitioners, Owners & Residents, Oaklands

OAKLANDS RISE - LIVING STREETS



Slowing traffic with beauty:
cut-outs, lit from within.

Design themes celebrate
neighbourhood character:
butterfly-ways & gardens,
birds, bees, dragonflies,
butterflies, grasses, more!

Smack in the middle of
intersections...cars MUST
slow down & navigate
shared space: just like we all
do in a passageway.

Variations on this vertical
element continue to evolve:
artefact pillars can hold
historical and botanical
references and other ideas
that are meaningful to the
neighbourhood.

A Community Shared Space Initiative

Prepared for:

September 16, 2017 Version 1: title page/cover sheet to prompt discussion and exchanging of interests, concerns, action planning

September 26, 2017 Version 2: concept summary for presentation at the Oaklands Land Use Committee meeting

Oaklands Rise - Living Streets is adapted from a model proven in Europe, being introduced in Toronto and Halifax and found in multiple forms internationally.

WHERE THE STREET IS COMMUNITY

Overview

- Neighbours are concerned about losing the unique ambiance of the Oaklands Rise neighbourhood as a result of the "urbanisation" of the street scape.
- Conscious of the inevitable increase in Victoria's density, the neighbourhood seeks to establish an area concept that preserves character, ensures safety, and fosters community engagement—*before the opportunity is lost to incremental development and urbanisation.*
- We:
 - see value in drawing upon existing work, such as the City of Victoria Greenway Plan, in our introduction of a model suitable to our unique area;
 - want to save our neighbourhood, retain and build upon elements that make the community so successful;
 - view streets as a pedestrian owned space, shared with bikes, skateboards and motor vehicles, etc.
- Our streets connect us to transportation, but their purpose goes well beyond transportation.
- Our streets are integral to neighbourhood engagement, multi-generational socialization, fitness, gardening, play and overall community wellness.

Petition

- The attached petition to oppose installation of a sidewalk at 2695 Capital Heights is signed by (now) 63 owners and residents adjacent and in proximity to the development. It requests a halt to the planned imposition of a sidewalk as part of the topic development and asks the City to require the developer to work with the community on the development of plantings and boulevard enhancement.
- As such, the petition seeks to incorporate the topic development into a larger concept that preserves the special character of the neighbourhood.
- With this in mind, a copy was submitted in person to Councillor Marianne Alto, Council Representative to Oaklands, on September 20, 2017 and to City Staff at the Oaklands Land Use Committee meeting held on September 26, 2017.
- The petition demonstrates neighbourhood support for the September 26 request to representatives of the Planning and Engineering Departments for a moratorium on sidewalk construction while the community works on development of the larger concept in collaboration with the Oaklands Neighbourhood Association, the City of Victoria, and various initiatives such as the Butterflyway Project¹ to promote and improve quality of life in the Capital City.

¹ David Suzuki Foundation <https://homegrown.projexity.com/>

EARLY VISION OF THE OAKLANDS RISE - LIVING STREETS CONCEPT

Rationale

Densification in Victoria continues at an increasing pace. Aware that the almost rural ambiance of the Oaklands Rise and Kings Road Greenway holds value as urban heritage, a citizen's group has formed with intent to preserve the very special character of the neighbourhood.

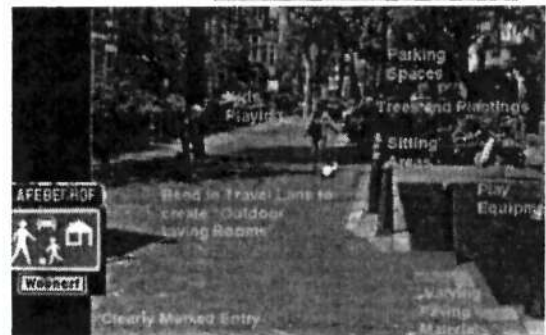
The goal is to retain a "less urban" space, a green, community-oriented oxygenating heart in the centre of Victoria. The work is timely in light of the coming Oaklands contribution to the Official Community Plan.

Building upon the City of Victoria Greenway Plan that introduces a form of "shared street", the Oaklands Rise - Living Streets group will propose a model building upon the concepts of traffic engineer Hans Monderman whose work in the Netherlands has grounded a multi-national expansion of the initial concept. Observable in our own streets and supported in the literature, "a motorist is less likely to collide with a person walking and bicycling if more people walk or bicycle. Policies that increase the numbers of people walking and bicycling appear to be an effective route to improving the safety of people walking and bicycling."²

Adapted to the unique needs of Oaklands, our concept shifts the paradigm from a car-centric transportation link focus to a person-centric community-connector focus.

Area

- Kings Road from Cook Street to Oaklands Park, a shared space corridor leading to and from the community gardens now in planning
- Mt. Stephen Avenue from Haultain Street to Ryan at Mt. Stephen Park
- Action Street from Mt. Stephen Avenue to Cedar Hill Road
- Cedar Hill Road West between Acton Street and Kings Road



² Jacobsen, 2003. Safety in numbers: more walkers and bicyclists, safer walking and bicycling. Injury Prevention 2003; 9 205-209

Neighbourhood Support

- At the time of writing, 63 owners and residents in the proposed area have signed the petition against installation of a sidewalk on Kings Road frontage at 2695 Capital Heights and have indicated support for development of the living streets/shared space model as a means to achieve our shared goal.
- As the concept evolves, there will be additional outreach to ensure that all households in the topic area have opportunity to express views and give shape to the way forward.
- At a neighbourhood meeting on September 16, participants were asked why the issue has importance and to share perspectives with each other. Key objectives are summarized below.
 - ☒ Preserve the vibrant character of the neighbourhood
 - ☒ Preserve the peacefulness and beauty of the neighbourhood
 - ☒ Preserve the neighbourly-ness
 - ☒ Preserve the Gary oak canopy and green spaces
 - ☒ Preserve the rural like feeling
 - ☒ Ensure safety
 - ☒ Slow vehicle speed
 - ☒ Recognize and honour the history of the neighbourhood and community
 - ☒ Introduce art into the neighbourhood and community
 - ☒ Explore alternatives to car-centric urbanisation of the neighbourhood and community


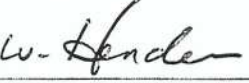
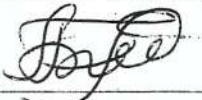


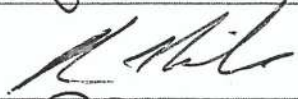
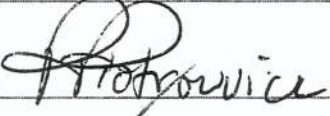
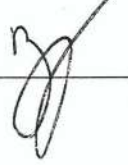


Additional considerations

- Potential to reduce speed on Fernwood Hill between Kings Road and Haultain, as well as on Cedar Hill Road between the junction with Fernwood Street to Haultain Street was noted. It is observed that the Living Streets concept traverses both Fernwood Street and Cedar Hill Road, effectively causing a "break" in traffic that can be both effective and less invasive than flashing speed signs and similar propositions.
- Drivers confronting increasing bicycle use on Haultain Street are using sections of Kings Road as an alternative to the frequently clogged Bay Street artery, particularly around shift change at Royal Jubilee Hospital. Some see value in adopting the Living Streets model to reduce the attractiveness of Kings Road as a transportation route while establishing a shared space promenade to/from the Oaklands Community Garden now in planning.
- Next steps involve identifying complementary initiatives, shaping the community team and establishing process for communications and collaboration.

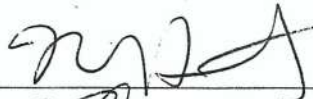






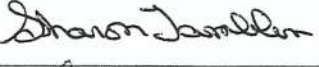

PETITION opposing the installation of sidewalks on Kings Rd. related to the project at 2695 Capital Heights

We, the undersigned, object to the installation of a sidewalk along Kings Road as part of the proposed construction at 2695 Capital Heights. We wish, instead, that the developer should work with the neighbourhood to devise a suitable planted boulevard.

#	Name	Signature	Address	Phone	Email	Keep me informed
1	Madeline Bakker		2703 Mt. Stephen Ave.			<input checked="" type="checkbox"/>
2	Wendy Hendon		2702 MT STEPHEN			
3	Sasha Blinova		2658 Mt Stephen			
4	Bin do Dillon	BINDO DILLON	2720 Mt Stephen			
5	Robin Drader		1285 Kings Road			
6	Russ Smith		1285 Kings Road			<input checked="" type="checkbox"/>
7	Andrew + Bonnie Nicholls		2660 Mount Stephen Ave			<input checked="" type="checkbox"/>
8	Pat and Eddie Piotrowicz		1277 Kings Rd			<input checked="" type="checkbox"/>
9	Brett Thompson		1262 Kings Rd			


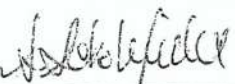

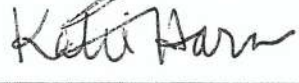
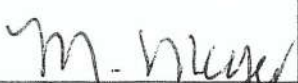
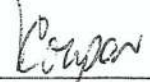



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#	Name	Signature	Address	Phone	Email	Keep me informed
10	ROSEAL THOMPSON		1262-A KINGS ROAD			
11	Rosemary Sligh		1270 Kings Rd			✓
12	LARRY CECO		2640 Mt Stephen AVE			✓
13	AL TAMBLIN		2654 MT STEPHEN AVE			✓
14	JOHN Sumner		2656 MOUNT STEPHEN AV			✓
15	CONNIE MITCHELL		2656 MT. STEPHEN VICTORIA, BC V8T 3L6			
16	Pamela Ceco		2640 Mt. Stephen Ave.			✓
17	Sharon Tamblin		2654 Mt Stephen			
18	Leslie Brown		2656 Mt Stephen			


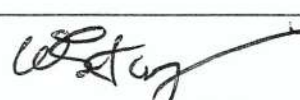
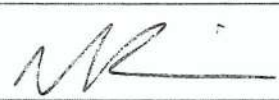

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#	Name	Signature	Address	Phone	Email	Keep me informed
19	Rob Richards		1286 Kings Rd			✓
20	Steve Seligson		2704 Cedar Hill Rd			✓
21	SANJEEV BASI		1295 KINGS RD			✓
22	Katie Harms		2661 Mt. Stephen Avenue			✓
23	MARCIA MEYER		2651 Mt Stephen Ave			
24	Allison Couper		2635 Mt Stephen			✓
25	Alicia Johnston		2625 Mt. Stephen			
26	M.D. Hansen		2622 Mt. Stephen			✓
27	Pet Hinder		2632 Mt Stephen			net ✓


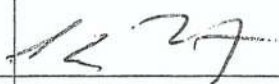
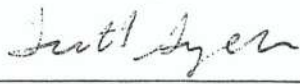
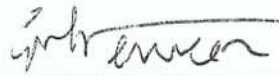
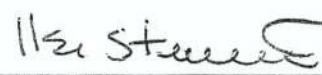
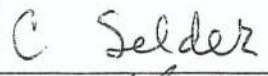
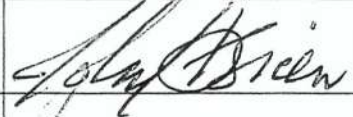


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#	Name	Signature	Address	Phone	Email	Keep me informed
28	Faith Christine Bergeron		2731 Mt Stephen Ave			✓
29	Wayne S. Ferras		2715 Mt. Stephen Ave.			✓
30	RONDALLYN PERRAS	Rondallyn Ferras	2719 MT. STEPHEN AVE. VICTORIA			✓
31	Amy Washington	A Washington	1265 Acton St			
32	Nico Kinsman		1259 Acton St			com
33	Susan Strega	Susan Strega	1255 Kings Rd			✓
34	Barbara Middleton	Barbara Middleton	1257 Kings Rd			✓
35	TRACY YARR	Tracy Yarr	1278 Kings Rd			✓
36	Gweneth Doone		1280 Kings Rd			

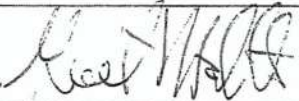
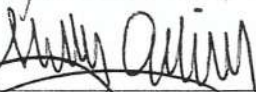

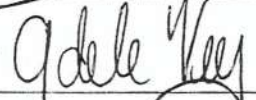

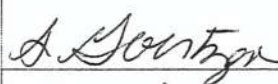

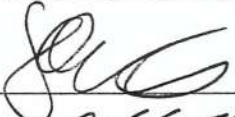

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#	Name	Signature	Address	Phone	Email	Keep me informed
37	M.P. HEAD		2638 Mt Stephen Ave			✓
38	Kim Yates		2710 Mt Stephen Ave.			✓
39	Scott Snyder		2710 Mt. Stephen Ave			✓
40	GILES STEVENSON		2723 MT-Stephen Ave			✓
41	ILSE STEVENSON		2723 MT-Stephen Ave			✓
42	Christine Selder		1251 Acton St			✓
43	JOHN O'BRIEN		2706 Mt. Stephen 4			✓
44	Robert Tornack		2708 Mt. Stephen			✓
45	Ben Cox		2737 Mt Stephen			X

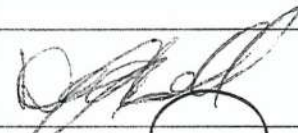
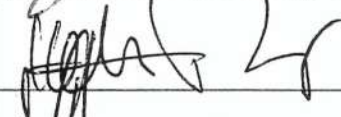
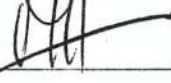


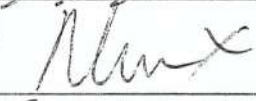


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#	Name	Signature	Address	Phone	Email	Keep me informed
#6	Grant Hollett		2703 Mt. Stephen Ave.			✓
#7	Shelley Cardinal		2743 Mt Stephen Ave			✓
#8	Daniel Ouimet		2743 Mt Stephen Ave			✓
#9	Adele Vey		#3-2750 Mt Stephen Ave			✓
#10	PAUL STEELE		#3-2750 MT STEPHEN AVE			✓
#11	Susan Goertzen		#1-2750 Mt Stephen			✓
#12	Maxine Dinnage		#4-2750 Mt Stephen Ave			✓
#13	JANICE JEFFERSON		1195 KINGS RD			✓
#14	David Bell		2702 Mt Stephen Ave			✓

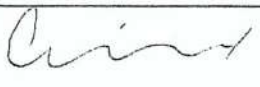
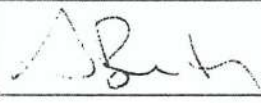
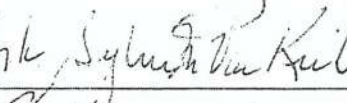
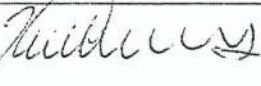
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We, the undersigned, object to the installation of a sidewalk along Kings Road as part of the proposed construction at 2695 Capital Heights. We wish, instead, that the developer should work with the neighbourhood to devise a suitable planted boulevard.

#	Name	Signature	Address	Phone	Email	Keep me informed
55	Deirdre Campbell		2702 Mt. Stephen Ave. V8T 5K8			
56	Helene Meurer		2710 Cedar Hill Rd. V8T 3H4			✓
57	MARTIN HOLMAN		1254 KINGS			✓
58	John Starling		2709 Mt. Stephen Ave			✓
59	Ben Hurd		2709 Mt. Stephen Ave			✓
60	Meme Ellen Wilcox		1246 Acton St.			✓
61	Carla Cherry		1241 Acton St			✓
62	Annie Rotsine		1241 Acton St			✓
63	Gary Lloyd		1241 Acton St			✓

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#	Name	Signature	Address	Phone	Email	Keep me informed
b4	Christopher Butterfield		1246 Acton St.			<input checked="" type="checkbox"/>
b5	Shauna B. Breckenridge		1241 Acton St			<input checked="" type="checkbox"/>
b6	Sylvia Vankyle		1271 - Kings Rd.			<input checked="" type="checkbox"/>
b7	Kate Cox		2737 Mt Stephen			<input checked="" type="checkbox"/>