

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 17, 2016 at 7:00 PM.

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
Director of Corporate Services, W. Jones
Deputy Director of Corporate Services, M. Jones
Director of Financial Services, D. Carter
Manager of Planning, D. Jensen

PARKS, RECREATION AND CULTURE ITEM(S):

1. ***Parks Recreation and Culture Commission Minutes***
 - Note - Director of Corporate Services - PR&CComm Minutes, Oct. 5, 2016
 - Minutes - PR&CComm - Oct. 5, 2016
 - Rpt. Attach. 1 - Program Reports
 - Rpt. Attach. 2 - Tree Permit Summary Sept 2016
 - Rpt. Attach. 3 - Finance Summary
 - Rpt. Attach. 4 - Arts Laureate Summary
 - Rpt. Attach. 5 – Canada 150 Legacy Request

Ray Herman, Director of Parks Recreation and Culture in attendance for this item.

The Director of Parks, Recreation and Culture gave an overview of the items discussed at the October 5, 2016 Commission meeting, commenting on the Sausage Fest event, the Arts Laureate Summary, and a forthcoming report on the concept of an outdoor pool. With respect to the Canada 150 Legacy Request by Mr. Pires, Mr. Herman confirmed that the proposal to plant 150 trees is not achievable within existing staff resources. He concluded his remarks by responding to questions from the Committee outlining the funding model for the Habitat Stewardship Program and commenting on the upcoming meetings with respect to the Urban Forest Strategy.

MOVED and seconded: That the minutes of the meeting of the Oak Bay Parks Recreation and Culture Commission held on October 5, 2016, and the recommendations contained therein, be adopted with the exception of the request from Mr. Pires regarding the Canada 150 Legacy Request.

CARRIED

FINANCE ITEM(S):

2. ***Monthly Financial Report***

- Report - Director of Financial Services, Oct. 13, 2016
- Rpt. Attach. - Statement, Capital, Investments, Prop. Taxes, Sep. 2016

MOVED and seconded: That the monthly Financial Report of the Director of Financial Services dated October 13, 2016 be received for information.

CARRIED

LAND USE APPLICATIONS:

3. ***Uplands Siting & Design Application - 3280 Weald Road***

- Report - Manager of Planning, Oct. 7, 2016
- Plans - ADP - 3280 Weald Rd, Aug 30, 2016
- Excerpt - Committee of the Whole, Jul. 11, 2016
- Committee of the Whole Report - Planner, Jul. 5, 2016
- Plans - USD - 3280 Weald Rd, Jul 5, 2016
- Corresp. - Jul. 8 to Jul. 11, 2016 - 3280 Weald Rd.
- Corresp. - up to Jul. 8, 2016 - 3280 Weald Rd

Mayor Jensen declared a conflict of interest, as the applicant provides financial advice to his family. The Mayor left the meeting at 7:10 PM.

The Manager of Planning provided an overview of her report.

Mark Whitney and Anup Grewal, were in attendance on behalf of the application. Mr. Whitney responded to questions from the Committee with respect to tree retention, design and driveway surfacing materials.

No members of the public rose to speak on this item.

A discussion ensued of the application with members of the Committee noting that the design, including scale and massing was much improved from the previous proposal. It was also noted that although impermeable pavers were selected for the driveway, no variances for surface cover were requested for this project.

MOVED and seconded: That it be recommended to Council that the proposal to construct a principal building at 3280 Weald Road, as outlined in the October 7, 2016 report for ADP00049, be approved as to architectural siting and design.

CARRIED

Mayor Jensen returned to the meeting at 7:17 PM.

4. ***Uplands Siting & Design Application - 2755 Lincoln Road***

- Report - Manager of Planning, Oct. 11, 2016
- Plans - ADP - 2755 Lincoln Rd, Oct. 4, 2016

The Manager of Planning provided an overview of her report.

Nigel Banks was in attendance on behalf of the application and responded to questions from the Committee on tree retention, driveway design and communications with neighbouring residents.

No members of the public rose to speak on this item.

MOVED and seconded: That it be recommended to Council that the proposal to construct a principal building at 2755 Lincoln Road, as outlined in the October 11, 2016 report for ADP00054, be approved as to architectural siting and design.

CARRIED

5. ***Uplands Siting & Design Application - 3175 Midland Road***

- Report - Manager of Planning, Oct. 11, 2016
- Plans - ADP - 3175 Midland Rd, Sep 15, 2016

The Manager of Planning provided an overview of her report.

No members of the public rose to speak on this item.

MOVED and seconded: That it be recommended to Council that the proposal to undertake exterior renovations and construct an addition to the principal building at 3175 Midland Road, as outlined in the October 11, 2016 report for ADP00055, be approved as to architectural siting and design.

CARRIED

6. ***Uplands Siting & Design Application - 3290 Norfolk Road***

- CORRECTED Report - Manager of Planning, Oct 11, 2016
- Plans - ADP - 3290 Norfolk Rd, Oct 11, 2016

The Manager of Planning provided an overview of her report.

No members of the public rose to speak on this item.

MOVED and seconded: That it be recommended to Council that the proposal to construct a retaining wall and modify the design of doors for a home at 3290 Norfolk Road, as outlined in the October 11, 2016 report for ADP00056 be approved as to architectural design and siting.

CARRIED

7. ***Development Variance Permit (DVP) Application, Uplands Siting & Design Application - 2985 Rutland Road***

- Report - Manager of Planning, Oct. 11, 2016
- Plans - DVP ADP - 2985 Rutland Rd, Oct 7, 2016

The Manager of Planning provided an overview of her report.

No members of the public rose to speak on this item.

A discussion ensued with respect to the proximity of the deck enclosure to the neighbouring residence, with members of the Committee noting that the rocky outcrop on the site help ensure a low impact on privacy.

MOVED and seconded: That:

- a) it be recommended to Council that the application to construct an addition and undertake exterior modification to the principal building at 2985 Rutland Road be approved as to architectural design and siting subject to approval of DVP00044; and
- b) notification be given of Council's consideration of DVP00044.

CARRIED

8. ***Development Variance Permit (DVP) Application - 3450 Upper Terrace Road***

- Report - Manager of Planning, Oct. 11, 2016
- Plans - DVP ADP - 3450 Upper Terrace Rd, Oct 12, 2016

The Manager of Planning provided an overview of her report.

No members of the public rose to speak on this item.

A Committee discussion ensued with respect to potential privacy impacts on the neighbouring property and the advantages and disadvantage of removing the cedar tree.

MOVED and seconded: That

- a) it be recommended to Council that the application to construct an enclosure over the existing patio adjacent to the principal building at 3450 Upper Terrace Road be approved as to architectural design and siting subject to approval of DVP00051; and
- b) notification be given of Council's consideration of DVP00051.

CARRIED

REGULATORY ITEM(S):

9. ***Eelgrass Report - SeaChange Marine Conservation Society***

- Note - Director of Corporate Services - Eelgrass Report
- Presentation - SeaChange, Eelgrass Report. Oct. 13, 2016
- Oak Bay Eelgrass Inventory - SeaChange Marine Conservation Society
- Appendix A

- Appendix B - E

Leanna Boyer, SeaChange Marine Conservation Society, provided a report to the Committee on the Eelgrass inventory, as appended to the agenda.

Ms. Boyer responded to questions from the Committee on the Eelgrass inventory, describing the methodology used to undertake the inventory and potential sources of impact on the existing eelgrass including land-based pollution, outfall from the Bowker Creek waterway, and derelict vessels.

Jacques Sirios, Oak Bay resident, spoke in support of the Eelgrass inventory, commenting that he hoped to see the recommendations in the report pursued further to protect and enhance this important ecological asset.

Committee discussion ensued on the Eelgrass inventory with members of the Committee noting that it was heartening to hear that the existing Eelgrass was in good condition. The jurisdictional challenges faced by the Municipality in addressing issues on the shoreline were noted and comments were made that this report could prove a valuable tool in pursuing partnerships with higher levels of government.

MOVED and seconded: That it be recommended to Council that:

- 1.) The Oak Bay Eelgrass Inventory be forwarded to the upcoming Strategic Priority Session; and
- 2.) The Oak Bay Eelgrass Inventory be forwarded to the Federal and Provincial Ministries of Environment for information and follow up.

In response to a question from the Committee on what advisory body would best be suited to address potential next steps with respect to the Eelgrass inventory, the Chief Administrative Officer noted that it would be contingent on what specific recommendations from the inventory were being pursued, as Oak Bay does not necessarily have the in-house resources to address action in this regard.

The question was then called

CARRIED

ADJOURNMENT:

10. ***Motion to adjourn***

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting adjourned at 8:12 PM.

Certified Correct:

Chair

Director of Corporate Services