

MINUTES of a meeting of the COMMITTEE OF THE WHOLE of the Municipal Council of The Corporation of the District of Oak Bay, held at Oak Bay Municipal Hall, 2167 Oak Bay Avenue, Victoria, B.C., on Monday, April 18, 2016, at 7:00 PM.

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

STAFF: Chief Administrative Officer, H. Koning  
Acting Director of Corporate Services, M. Jones  
Director of Financial Services, D. Carter  
Director of Building and Planning, R. Thomassen  
Acting Deputy Director of Corporate Services, D. Schaffer

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

PARKS AND RECREATION ITEMS:

1. ***Parks, Recreation and Culture Commission (PR&CComm) Minutes***
  - Memo - Acting Director of Corporate Services - PR&CComm Minutes, Apr. 6, 2016
  - Minutes - PR&CComm – Apr. 6, 2016
  - Rpt. Attach. 1 – Program Reports
  - Rpt. Attach. 2 – Finance Summary
  - Rpt. Attach. 3 – Manager, Recreation & Culture, Apr. 3, 2016
  - Rpt. Attach. 4 – Director of Parks, Recreation and Culture, Apr. 6, 2016

*Sandi Piercy, PR&CComm chair, and Ray Herman, Director of Parks, Recreation and Culture, in attendance for this item.*

The Director of Parks, Recreation and Culture introduced the report from the PR&CComm and provided Committee with a summation of its contents. The Director noted for the Committee that due to a change of proposed date for the Oak Bay High School Kids Fun Day fundraiser for the Cops for Cancer initiative, Council would be presented with the opportunity to approve the fundraising activities in Willows Park while PR&CComm would be asked to approve the change in date.

Discussion ensued regarding the status and siting of the portable compost bins. Mr. Herman also responded to questions on the participation of the Songhees First Nation in the Arts and Culture Festival in August, including the holding of its annual canoe races.

MOVED and seconded: That the minutes of the meeting of the Oak Bay Parks Recreation and Culture Commission held April 6, 2016, and the recommendations contained therein, be adopted except for the recommendations with respect to the granting of park occupancy for the Oak Bay High School Cops for Cancer Fundraising Event and permission for the conducting of

commercial activities, in addition to event day parking at Willows Park and the Esplanade and overnight parking at Oak Bay Marina for the Songhees Canoe Races, which will be placed on a future Council agenda.

CARRIED

FINANCE ITEM(S):

2. ***Monthly Financial Report***

- Report – Director of Financial Services, Apr. 15, 2016

The Director provided an overview of her report and noted that due to an oversight funding was supplied for a project from an incorrect account; the misallocation has been corrected and the correction has no impact on the tax levy.

MOVED and seconded: That the report from the Director of Financial Services dated April 15, 2016, be received for information.

CARRIED

LAND USE APPLICATIONS:

3. ***Uplands Siting and Design (USD) Application: 3145 Exeter Road***

- Report – Planner, Apr. 8, 2016
- Plans – USD – 3145 Exeter, Apr. 8, 2016

The Director of Building and Planning provided an overview of the application.

MOVED and seconded: That it be recommended to Council that the proposal to construct an accessory building at 3145 Exeter Road, as outlined in the April 8, 2016 report for ADP00042, be approved as to architectural design and sighting.

The Director responded to questions from Committee regarding the largest size accessory building allowed on the site, the massing of the building and whether or not the design of the building would impose on neighbors on adjacent properties.

No members of the public offered input on the application.

The question was then called.

CARRIED

Councillor Zhelka against the motion

4. ***Uplands Siting and Design (USD) Application – 3175 Midland Road***

- Report – Planner, Apr. 8, 2016
- Plans – USD – 3175 Midland, Mar. 23, 2016

*Tim Rodier, representative for the applicant, was in attendance for this item.*

The Director of Building and Planning provided an overview of the application.

In response to questions from Committee, Mr. Rodier discussed the rationale for removing several trees to allow the development to go forward, the extent to which the design is a 'passive house' and the status of the lane beside the property.

MOVED and seconded: That it be recommended to Council that the proposal to construct a principal building at 3175 Midland Road, as outlined in the April 8, 2016 report for ADP00039, be approved as to architectural design and siting.

No members of the public offered input on the application.

The question was then called.

CARRIED

5. ***Uplands Siting and Design Application – 3430 Uplands Road***

- Report – Planner, April 8, 2016
- Plans – USD – 3430 Uplands Road, Mar. 11, 2016

*Val Pattee, applicant, was in attendance for this item.*

The Director of Building and Planning provided an overview of the application.

MOVED and seconded: That it be recommended to Council that the proposal to construct an addition to the principal building at 3430 Uplands Road, as outlined in the April 8, 2016 report for ADP00043, be approved as to architectural design and siting.

No members of the public offered input on the application.

The question was then called.

CARRIED

6. ***Uplands Siting and Design (USD) Application: 2570 Thorpe Place***

- Report – Planner, Apr. 8, 2016
- Plans – USD – 2750 Thorpe Place

*James Grieve, representative for the applicant, was in attendance.*

The Director of Building and Planning provided an overview of the application.

Committee members expressed gratitude that the building had been preserved and altered rather than torn down or moved to another site.

MOVED and seconded: That it be recommended to Council that the proposal to construct an addition to the principal building at 2750 Thorpe Place, as outlined in the April 8, 2016 report for ADP00032, be approved as to architectural design and siting.

No members of the public offered input on the application.

The question was then called.

CARRIED

7. ***Development Variance Permit (DVP), Uplands Siting and Design (USD) Application: 3125 Uplands Road***

- Report – Planner, Apr. 12, 2016
- Plans – DVP, USD – 3125 Uplands Road, Mar. 8, 2016

*Rus Collins, representative of the applicant, was in attendance for this item.*

The Director of Building and Planning provided an overview of the application.

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

- a) Construct accessory buildings and additions to the principal building at 3125 Uplands Road be approved as to architectural design and siting; and
- b) Construct accessory buildings and additions to the principal building, and increase maximum permitted roof height and relax lot line setbacks and building setbacks at 3125 Uplands Road be approved subject to issuance of a development variance permit, and further that a resolution authorizing the issuance of a development variance permit, as outlined in the April 12, 2016 report for DVP00030, be prepared and brought forward to a meeting of Council for consideration.

No members of the public offered input on the application.

The question was then called.

CARRIED

8. ***Development Variance Permit (DVP) Application – 127 Barkley Terrace***

- Report – Planner, Apr. 8, 2016
- Plans – DVP – 127 Barkley, Mar. 24, 2016

*Jake Brumby and Adam Fryatt, representatives of the applicant, were in attendance for this item.*

The Director of Building and Planning provided an overview of the application.

In response to questions from Committee, the Director noted that the views from the opposite side of the road would not be impeded by the new construction.

MOVED and seconded: That it be recommended to Council that the proposal to replace the existing roof structure and increase maximum building height and maximum roof height at 127 Barkley Terrace be approved subject to the issuance of a development variance permit, and further that a resolution authorizing the issuance of a development variance permit, as outlined in the April 8, 2016 report for DVP00036, be prepared and brought forward to a meeting of Council for consideration.

No members of the public offered input on the application.

The question was then called.

CARRIED

9. ***Development Variance Permit (DVP) Application – 941 Island Road***

- Report – Planner, April 8, 2016
- Plans – DVP – 941 Island Road, Feb. 29, 2016
- Corresp. Up to Apr. 14, 2016 – DVP Application – 941 Island Road

*Nigel Banks, representative for the applicant, was in attendance for this item.*

The Director of Building and Planning provided an overview of the application.

MOVED and seconded: That it be recommended to Council that the proposal to construct a second story addition and increase the maximum building height and maximum occupiable height at 941 Island Road be approved subject to issuance of a development variance permit, and further that a resolution authorizing the issuance of a development variance permit, as outlined in the April 8, 2016 report for DVP00037, be prepared and brought forward to a meeting of Council for consideration.

No members of the public offered input on the application.

The question was then called.

CARRIED

10. ***Development Variance Permit (DVP) Application – 3050 Beach Drive***

- Report – Planner, Apr. 8, 2016
- Plans – DVP – 3050 Beach Drive, Oct. 10, 2015

*Nigel Banks, representative for the applicant, was in attendance for this item.*

The Director of Building and Planning provided an overview of the application.

MOVED and seconded: That it be recommended to Council that the proposal to allow siting of an existing building addition and relax the minimum rear lot line setback at 3050 Beach Drive be approved subject to the issuance of a development variance permit, and further that a resolution authorizing the issuance of a development variance permit, as outlined in the April 8,

2016 report for DVP00038, be prepared and brought forward to a meeting of Council for consideration.

No members of the public offered input on the application.

The question was then called.

CARRIED

11. ***Development Variance Permit (DVP) Application – 2664 Dunleavy Street***

- Report – Planner, Apr. 8, 2016
- Plans – DVP – 2664 Dunleavy, March 9, 2016

*Ken Anderson, applicant, was in attendance for this item.*

The Director of Building and Planning provided an overview of the application.

MOVED and seconded: That it be recommended to Council that the proposal to remove one covered parking space at 2664 Dunleavy Street be approved subject to the issuance of a development variance permit, as outlined in the April 8, 2016 report for DVP00039, be prepared and brought forward to a meeting of Council for consideration.

No members of the public offered input on the application.

The question was then called.

CARRIED

REGULATORY ITEM(S):

12. ***2016 Mayor's Task Force on Community Engagement***

- Report – Mayor's Task Force, Mar. 16, 2016
- Presentation – Community Engagement, April 2016

*Jan Mears, Oak Bay resident, and councillors Croft and Zhelka, who formed the Mayor's Task Force, were in attendance for this item.*

The members of the Task Force provided background to its genesis and their motivations for taking part in its activities. It was noted that the task force was reviewing and updating the work done by the 2012 Task Force, and while this group started with what it felt was a simple task, it became more complicated as work progressed.

Ms. Mears noted that the 2012 report contained a number of specific recommendations but the new report is geared more toward engagement conceptually, as opposed to prescribing methods. She noted that other bodies have done public engagement very well but oftentimes after a distressing event. She stated that making appropriate use of the proposed engagement matrix and guiding principles in the report could help keep Oak Bay out of those difficulties.

Discussion ensued on a number of topics, including: encouraging engagement among those not currently engaged with the District; when a particular approach might be most appropriate to a particular issue; the ramifications of shared decision making and reliance on staff to guide such processes to successful completion; and whether or not increased engagement would conflict with the legislative requirement to have Council be the decision maker in most areas.

Further discussion took place on how to decide on the best method of engagement to use regarding which issue, and it was noted that the thrust of the report was not to suggest that a full-on shared decision-making process would always be best, but to suggest a range of methods that could be used when appropriate. Increasing the amount of public participation at Council and Committee of the Whole meetings was also discussed.

MOVED and seconded: That the report be referred back to the Task Force for revisions to address the legislative impact of the suggestions for consideration section.

It was the consensus of Committee that the motion be rescinded and that the report be referred back to the Task Force to address feedback from Committee of the Whole.

ADJOURNMENT:

11. *Motion to Adjourn*

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting adjourned at 9:36 PM.

Certified Correct:

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Councillor Ney, Chair

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Acting Director of Corporate Services