

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 18, 2013, at 7:00 p.m.

PRESENT: Mayor N. Jensen, Chair  
Councillor P. Copley  
Councillor C. Green  
Councillor J. Herbert  
Councillor M. Kirby  
Councillor T. Ney

STAFF: Municipal Clerk, L. Hilton  
Deputy Municipal Clerk, M. Jones  
Municipal Treasurer, Patricia Walker  
Director of Building and Planning, R. Thomassen  
Director of Engineering Services, D. Marshall

Mayor Jensen called the meeting to order at 7:00 p.m.

It was the consensus of the Committee that the order of the agenda be amended to consider the Parks and Recreation Section first.

PARKS AND RECREATION SECTION: (Chair – Councillor Ney)

3. 2013-47 OAK BAY PARKS AND RECREATION COMMISSION, Dec. 5, 2012  
2013-48 OAK BAY PARKS AND RECREATION COMMISSION, Feb.6, 2013  
Re Minutes of Meeting

*(Ray Herman, Director of Parks and Recreations, and Sandi Piercy, Vice-Chair of the Oak Bay Parks and Recreation Commission, in attendance for this item)*

The Director of Parks and Recreation responded to questions and comments from the Committee, noting that there will be signage highlighting the newly installed Monterey Centre rain garden. Mr. Herman commented that a presentation from the Oak Bay Recreation Energy Team is forthcoming. He stated that the Habitat Stewardship Program (HSP) grant for 2012 was only received at the last minute and needs to be used before the end of the fiscal year. For the 2013 HSP grant application, he said, the Municipality will partner with the Garry Oak Ecosystem Recovery Team (GOERT) in order to meet the change in focus to larger-scale projects.

With respect to facility use for community groups, Mr. Herman commented that the report to the Parks and Recreation Commission outlined the issues to be considered and options for addressing these issues. He noted that, as part of the budget process, community groups can now make a request to Council for funding with respect to the rental fees. The cost of these facility rentals, he said, was approximately \$5,000 annually.

A discussion ensued with members of the Committee commenting on the challenge of finding a balance between the financial implication of facility rentals and providing support for the work undertaken by the Municipality's committees and commissions. It was noted that Mr. Herman's report should be circulated to the members of the Committee for information.

Mr. Herman responded to comments from the Committee, noting that the issue of the bridge over Bowker Creek with respect to use by cyclists was still being considered by the Commission and that no solutions to the issue of the steep grade of the bridge had yet been determined.

MOVED by Councillor Copley

Seconded by Councillor Herbert, That the minutes of the meetings of the Oak Bay Parks and Recreation Commission held on Wednesday, December 5, 2012, and Wednesday, February 6, 2013, and the recommendations contained therein, be adopted.

CARRIED

FINANCE AND PUBLIC WORKS SECTION: (Chair – Councillor Herbert)

1. 2013-45 MUNICIPAL TREASURER, Feb. 6, 2013  
Re Developing a Grants In Aid Policy for Oak Bay

The Municipal Treasurer noted that the intention of her report was to receive some direction from the Committee before drafting a Grants In Aid Policy. Ms. Walker commented that she made use of a report by staff from the District of Central Saanich, which compared the grant policies of several different municipalities in the province.

Members of the Committee spoke in favour of considering grants based on type and noted that the grant application form would provide helpful information for the decision making process. Forming a Grant Committee with rotating membership in order to consider grant applications and make recommendations to Council was also supported by some members of the Committee.

A discussion ensued on the question of limiting grant applications to organizations or events that primarily benefit the municipality or its residents, or to organizations primarily made up of Oak Bay residents. Some members of the Committee found this supportable, while other members of the Committee expressed concern that this could result in eliminating organizations that have regularly received funding from the Municipality in the past. Given the complexity of this issue, it was suggested that consideration be given to gathering information this year and developing a policy for next year's budget cycle. The importance of providing impacted organizations with sufficient notice regarding a new policy was also raised.

Tom Croft, Community Association of Oak Bay, noted that it was his understanding that the application form was to be used for all applicants this year. He stated that he appreciates the Municipal Treasurer's report and all the effort which has gone in to developing the grant process.

MOVED by Councillor Green

Seconded by Councillor Copley, That a Committee be struck to review the questions raised in the report of the Municipal Treasurer dated February 6, 2013, correspondence item no. 2013-45, and provide recommendations to Committee of the Whole.

It was noted that the Mayor could strike a standing committee of three members of Council to consider the Municipal Treasurer's report and bring forward recommendations to the Committee of the Whole with the intention of developing a grant policy for next year's budget cycle.

With the consensus of the Committee, the motion was withdrawn.

MOVED by Councillor Kirby

Seconded by Councillor Ney, That the report of the Municipal Treasurer dated February 6, 2013, correspondence item no. 2013-45, be received.

CARRIED

2. 2013-46 MUNICIPAL TREASURER, Feb. 11, 2013  
Re Monthly Financial Report

A member of the Committee noted that, prior to the Estimates Committee, it would be useful to have information on how much it costs advisory committees and commissions to use municipal facilities and how much of an impact that has on their budgets.

MOVED by Councillor Ney

Seconded by Councillor Copley, That the January monthly financial reports be received.

CARRIED

LAND USE SECTION: (Chair – Councillor Copley)

4. 2013-49 DIRECTOR OF BUILDING AND PLANNING, Feb. 5, 2013  
2013-49-1 TOM AND JILL CROFT, Feb. 12, 2013  
Re Proposed Formation of a Floor Area Review Committee

The Director of Building and Planning reviewed the proposed membership and scope of the proposed Floor Area Review (FAR) Committee, as noted in his February 5, 2013 report.

A member of the Committee suggested that the Chair of the Land Use Section of the Committee of the Whole should be included in the membership of the proposed FAR Committee.

A discussion ensued on additional considerations for the scope of the proposed FAR committee, with members noting the importance of encouraging environmentally-friendly building practices. It was also noted that the proposal to measure gross floor area from the interior of the outside wall of a dwelling, as described in correspondence item no. 2013-49-1, would be an appropriate inclusion in scope of the FAR committee.

MOVED by Councillor Herbert

Seconded by Councillor Ney, That a resolution establishing a Floor Area Review Committee, as described in the report of the Director of Planning dated February 5, 2013, correspondence item no. 2013-49, with the addition of the Chair of the Land Use Section of the Committee of the Whole to the committee's membership and the inclusion of encouraging environmentally-friendly building practices and measurement of gross floor area from the interior of the outside wall of a dwelling in the committee's scope, be brought forward to Council for consideration.

CARRIED

5. 2013-50 DIRECTOR OF BUILDING AND PLANNING, Feb. 5, 2013  
Re Uplands Building Permit Application/ Development Variance Application –  
3260 Exeter Road

The Director of Building and Planning provided an overview of his February 5, 2013 report on the application for an Uplands Building Permit and a Development Variance at 3260 Exeter Road. Mr. Thomassen noted that a protected Hawthorne tree would need to be removed in order to move the existing dwelling off the property. The applicant, he said, was willing to replace the Hawthorne tree with two Garry oaks. He commented that the other Garry Oaks on the property will need to be protected during construction and that the proposed footprint was similar in size to the existing dwelling.

MOVED by Councillor Herbert

Seconded by Councillor Green, That it be recommended to Council that the plans to construct a new single family dwelling at 3260 Exeter Road be approved as to siting and architectural design, 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 correspondence item no. 2013-50, be prepared and brought forward to the next meeting of Council for consideration.

Mr. Thomassen clarified that the protected Garry Oaks identified in his report as being removed were a typographical error and that the comments referred instead to the protected Hawthorne tree.

The question was then called.

CARRIED

6. 2013-51 CASCADIA ARCHITECTS, Feb. 14, 2013
- 2013-51-1 JN DEVELOPMENT GROUP LTD, Feb. 4, 2013
- 2013-51-2 HELGA TRAYLEN, Jan. 22, 2013
- 2013-51-3 GAIL ROSS AND STEEN JESSEN, Jan 22, 2013
- 2013-51-4 WINCHESTER GALLERIES, Jan. 26, 2013
- 2013-51-5 A LA MODE CONSIGNMENT, Jan. 28, 2013
- 2013-51-6 ANGUS MATTHEWS ET AL, Feb. 4, 2013
- 2013-51-7 DAVID AND JOAN SCHULTZ, Feb. 11, 2013
- 2013-51-8 PUBLIC BOUTIQUE, Feb. 12, 2013
- 2013-51-9 MICHAEL AND KAREN ABEL, Feb. 13, 2013
- 2013-51-10 OTTAVIO ITALIAN BAKERY & DELICATESSEN, Feb. 14, 2013
- 2013-51-11 OAK BAY BUSINESS IMPROVEMENT ASSOCIATION, Feb. 14, 2013
- 2013-51-12 MARGARET ASCH ET AL, Feb. 15, 2013
- 2013-51-13 MICHAEL BROCK, Feb. 15, 2013
- 2013-51-14 JN DEVELOPMENT GROUP LTD, Feb. 18, 2013
- EXCERPT OF COMMITTEE OF THE WHOLE MINUTES, Jan. 21, 2013
- 2013-6 DIRECTOR OF BUILDING AND PLANNING, December 4, 2012  
Re Rezoning/Development Permit Application – 1510 Clive Dr./2280 Oak Bay Ave.

Members of the Committee commented on the neighbourhood consultation process, encouraging the applicant to continue meeting with residents. It was noted that the applicant should return to the Committee of the Whole after the consultation and any subsequent revisions to the proposal were complete.

Dan Casey, Boulevard Transportation Group, provided an overview of the parking study that was undertaken for the proposal, noting that the study was based on the original proposal in which there were 13 parking stalls for 23 rental units. Mr. Casey stated that the current proposal has 16 parking stalls for 19 rental units. He commented that the expected parking demand for 19 units, as calculated through various methods, ranged from 10 to 12 parking stalls. Transportation Demand Management for this proposal, he said, includes bicycle racks, and a carshare membership and could also include a subsidized bus pass. He commented that consideration could be given to charging residents of the building for parking spaces, though there are concerns this could result in an increase in on-street parking in the area.

Nicole Roberts, JN Development Group Ltd., noted that the neighbouring residents have existing traffic and parking concerns which she would encourage the Committee to address.

In response to questions from the Committee, Mr. Casey noted that, as a broad planning principle, requiring too much parking space results in fewer housing units, which in turn increases the price of these units; however, he commented, it is also important to provide sufficient space to meet the regular parking demands of a building.

Responding to comments and questions from the Committee, Ms. Roberts noted that use of the carshare may be greater at this site as the membership will be free and be retained by the rental unit, not the individual residents. She noted that the neighbouring residents have been willing to invest their time and information in the consensus process.

It was noted by members of the Committee that there would be future opportunities for public input, but that the issue of hiring a planning consultant should be discussed.

The Director of Building and Planning commented that he is not sure how much assistance a planning consultant would be able to give to the process and noted that hiring consultants on a project by project basis could be problematic.

Angus Matthews, resident, noted that the neighbouring residents have undertaken significant work on the consensus process and that there are a number of issues that still need to be resolved including but not limited to traffic and parking issues. Visionary planning and innovative solutions, he said, are also called for in order for this project to succeed. He commented that the residents need professional advice in order to proceed with the consensus process. The residents are not trying to design the building, he noted, but that trust needs to be built with the community.

Koji Zolbrod, resident, stated that the neighbouring residents are currently at an impasse and that more information is required.

Ms. Roberts commented that she expects that there will ongoing negotiations and discussions on the project, but that the residents are looking for information from a source independent of the application.

Brian Werger, resident, noted that though he appreciates that a planning consultant cannot be hired for each application, this particular project's proximity to Oak Bay Village could impact both the traffic patterns and the commercial activity of the village and that, as a result, additional consideration is required. The planning consultant, he said, would assist the citizens, not the proponent.

The Municipal Clerk clarified that, once the proposal has been finalized, there is the possibility of hiring a consultant to provide planning assistance to Oak Bay Municipal Council. She noted that existing municipal staff are able to provide some information to the neighbouring residents with respect to their current concerns.

A discussion on the issues with respect to hiring a planning consultant ensued, with varying views expressed. Several members of the Committee noted that additional planning advice could be helpful, but that the project was not yet finalized and that this advice would be provided to Oak Bay Municipal Council. The neighbouring residents were encouraged to remain engaged with the process and to contact municipal staff with regards to their questions.

MOVED by Councillor Herbert

Seconded by Councillor Ney, That correspondence items no. 2013-51 to 2013-51-14 be received and that the rezoning and development permit application for the property at 1510 Clive Drive and 2280 Oak Bay Avenue be referred to a future Committee of the Whole meeting.

Mr. Casey responded to questions from the Committee, noting that, while a brief overview of street parking was undertaken, the parking study was meant to address the project, not the issues in the surrounding area.

The question was then called.

CARRIED

ADJOURNMENT:

MOVED by Councillor Ney  
Seconded by Councillor Kirby, That the Committee of the Whole meeting be adjourned.

CARRIED

The meeting adjourned at 9:01 p.m.

Certified Correct:

\_\_\_\_\_  
Municipal Clerk

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Chair, Parks and Recreation Section

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Chair, Finance and Public Works Section

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Chair, Land Use Section