

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, October 20, 2014.

PRESENT: Mayor N. Jensen, Chair  
Councillor Copley  
Councillor C. Green  
Councillor J. Herbert  
Councillor M. Kirby (arrived at 7:20 p.m.)  
Councillor K. Murdoch  
Councillor T. Ney

STAFF: Municipal Administrator, H. Koning  
Municipal Clerk, L. Hilton  
Deputy Municipal Clerk, C. Denomme  
Municipal Treasurer, P. Walker  
Director of Building and Planning, R. Thomassen  
Director of Engineering Services, D. Marshall

PRESENTATION:

Mayor Jensen gave an overview of the Honour of the Oak Leaf and made symbolic first presentations to Andrew Stinson (youngest person to have served on a committee during the last three years) and Ken Agate (longest serving volunteer/committee member). Jean Sparks will be presented with a pin at a future meeting (unable to attend this evening).

The Chair called the meeting to order at 7:10 p.m.

PARKS AND RECREATION SECTION: (Section Councillor Ney)

1. 2014-251 OAK BAY PARKS AND RECREATION COMMISSION, October 1, 2014  
Re Minutes of Meeting

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

The Director of Parks and Recreation responded to questions from the Committee with respect to the Sportsview Deli Bar and Grill.

MOVED by Councillor Ney

Seconded by Councillor Herbert, That the minutes of the meeting of the Oak Bay Parks and Recreation Commission held on October 1, 2014, and the recommendations contained therein, be adopted.

CARRIED

FINANCE & PUBLIC WORKS SECTION: (Section Councillor Herbert)

2. 2014-252 MUNICIPAL TREASURER, October 9, 2014  
Re Monthly Financial Report

The Municipal Treasurer provided an overview of her report and answered questions from the Committee.

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That the financial reports, correspondence no. 2014-252, be received.

CARRIED

3. 2014-253 DIRECTOR OF ENGINEERING SERVICES, October 9, 2014
- 2014-253-1 BARRY HERSH ET AL, September 8, 2014
- 2014-253-2 B.R. (BRIAN) CANFIELD, October 18, 2014
- 2014-253-3 JIM AND ELAINE REED, July 10, 2013
- 2014-253-4 JIM AND ELAINE REED, June 2, 2014
- 2014-253-5 JIM AND ELAINE REED, October 20, 2014
- 2014-253-6 NORMAN W. WALE, October 20, 2014  
Re Request for Curbs, Sidewalks, Road Widening – 3100 Block Weald Road

The Director of Engineering Services provided an overview of his report and answered questions from the Committee.

Norman Wale, resident, read a letter he presented to the Committee, correspondence item no. 2014-253-6.

John Palmer, resident, lives at the corner of Cotswold Road and Weald Road and said neighbours have worked hard to maintain the original design philosophy. Mr. Palmer said there is a drainage problem and that the asphalt solution would be a good temporary option until the Uplands Sewer Separation Project can be done.

A discussion ensued in regard to the drainage problem with members of the Committee expressing concern that the Olmstead Vision be protected. Members of the Committee felt drainage was a concern that should be addressed.

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That it be recommended to Council that Engineering staff be directed to develop a scaled plan that would include the installation of asphalt water control on the east side, re-grading of at least two existing east side driveways (public and private portions) and the possible addition of a catch basin at the Cotswold Road end, be considered for the 2015 budget, at a preliminary cost estimate in the range of \$20,000 to \$30,000.

CARRIED

4. 2014-254 DIRECTOR OF ENGINEERING SERVICES, October 9, 2014
- 2014-254-1 GEORGE MACMINN, October 2, 2014
- 2014-254-2 CHRISTINE WARNE, October 20, 2014  
Re Sidewalk and Roadway - York Place

The Director of Engineering Services provided an overview of the report and answered questions from the Committee.

Christine Warne, resident, read a letter she presented to the Committee, correspondence item no. 2014-254-2.

MOVED by Councillor Copley

Seconded by Councillor Herbert, That it be recommended to Council that Engineering staff be directed to investigate a practical treatment to improve the asphalt surface at the north end of York Place, considering the sensitive and recurring nature of the Sequoia tree roots and the cost to do so be considered in the 2015 budget. It is expected that the cost to investigate and implement a repair will be under \$20,000.

CARRIED

5. 2014-255 DIRECTOR OF ENGINEERING SERVICES, October 9, 2014  
Re Stop Sign on Redwood Avenue at Cardiff Place

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That it be recommended to Council that Engineering staff be directed to generate a Traffic Control Order for the installation of a stop sign on Redwood Avenue at Cardiff Place.

CARRIED

LAND USE SECTION: (Section Councillor Copley)

6. 2014-245 DIRECTOR OF BUILDING AND PLANNING, October 6, 2014  
2014-245-1 R.H. SMITH and F.M. SMITH, October 16, 2014  
2014-245-2 GYE & ASSOCIATES, October 17, 2014  
2014-245-3 MUNICIPAL ARBORIST, October 17, 2014  
Re Request for amendment to Section 219 covenant as part of subdivision approval – 131 Beach Drive

*(Chris Hyde-Lay, Manager of Parks Services, was in attendance for this item)*

Present were for this item: Randy and Bev Blumer, owners, Ryan Hoyt, Designer and Jeremy Gye, Arborist

Bev Blumer, homeowner, reviewed the request to amend Section 219 covenant. Ms. Blumer said they have brought further information to the Committee as requested by Council.

Ryan Hoyt, Designer, said the proposed design of the house is not beyond what is allowed but that it is a change in shape in response to why they have gone beyond the original covenant.

Jeremy Gye, Arborist, provided a brief overview of the landscape plan and answered questions from the Committee and the Manager of Parks and Services.

MOVED by Councillor Herbert

Seconded by Councillor Green, That it be recommended to Council that correspondence item no. 2014-245 be referred to Advisory Design Panel for review and recommendation to Council.

CARRIED

7. 2014-256 DIRECTOR OF BUILDING AND PLANNING, October 7, 2014  
Re Advisory Design Panel Design Approval – 648 Linkleas Avenue

MOVED by Councillor Herbert

Seconded by Councillor Green, That it be recommended to Council that the plans to construct a new single family residential dwelling at 648 Linkleas Avenue be approved as to siting and architectural design.

CARRIED

8. 2014-257 DIRECTOR OF BUILDING AND PLANNING, September 29, 2014  
2014-257-1 MUNICIPAL ARBORIST, October 6, 2014  
Re Uplands Building Permit/Development Variance Permit Application –  
3155 Beach Drive

The Director of Building and Planning provided an overview of the application and answered questions from the Committee.

A discussion ensued in regard to the location of the house, the lack of a landscaping plan and the protection of trees on the property.

Mark Williams, representing the owners, answered questions from the Committee. Mr. Williams said the owners will be surprised to find out these questions are being asked since this property has been through a lengthy approval process.

MOVED by Councillor Ney

Seconded by Councillor Murdoch, That the Uplands Building Permit/Development Variance Permit Application for 3155 Beach Drive, correspondence item no. 2014-257, be deferred to a future Committee of the Whole meeting in order to allow time for the applicant to provide further information regarding landscaping, tree removal and address moving the building as per the Municipal Arborist's report, correspondence item no. 2014-257-1, dated October 6, 2014.

CARRIED

9. 2014-258 DIRECTOR OF BUILDING AND PLANNING, September 25, 2014  
Re Uplands Building Permit/Development Variance Permit Application –  
3265 Beach Drive

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That it be recommended to Council that the plans to construct a conservatory on the side of the existing dwelling at 3265 Beach Drive 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 the September 25, 2014 report of the Director of Building and Planning, correspondence item no. 2014-258, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

10. 2014-259 DIRECTOR OF BUILDING AND PLANNING, October 9, 2014  
Re Uplands Building Permit/Development Variance Permit Application –  
2527 Nottingham Road

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That it be recommended to Council that the plans to construct two accessory buildings, a workshop and a garage, at 2527 Nottingham 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 the October 9, 2014 report of the Director of Building and Planning, correspondence item no. 2014-259, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

11. 2014-260 DIRECTOR OF BUILDING AND PLANNING, October 9, 2014  
Development Variance Permit Application – 2765 Lansdowne Road

MOVED by Councillor Murdoch

Seconded by Councillor Ney, That a resolution authorizing the issuance of a development variance permit, as outlined in the October 9, 2014 report of the Director of Building and Planning, correspondence item no. 2014-260, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

12. 2014-261 DIRECTOR OF BUILDING AND PLANNING, September 22, 2014  
Re Development Variance Permit Application – 2120 Marne Street

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That a resolution authorizing the issuance of a development variance permit, as outlined in the September 22, 2014 report of the Director of Building and Planning, correspondence item no. 2014-261, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

13. 2014-262 DIRECTOR OF BUILDING AND PLANNING, October 8, 2014  
Re Development Variance Permit Application – 3025 Eastdowne Road

MOVED by Councillor Kirby

Seconded by Councillor Copley, That a resolution authorizing the issuance of a development variance permit, as outlined in the October 8, 2014 report of the Director of Building and Planning, correspondence item no. 2014-262, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

*(Councillor Herbert opposed to the motion)*

14. 2014-263 DIRECTOR OF BUILDING AND PLANNING, October 8, 2014  
Re Development Variance Permit Application – 1883 Lulie Street

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That a resolution authorizing the issuance of a development variance permit, as outlined in the October 8, 2014 report of the Director of Building and

Planning, correspondence item no. 2014-263, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

15. 2014-264 DIRECTOR OF BUILDING AND PLANNING, October 7, 2014  
Re Shoreline Development Permit Application – 2064 Esplanade

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

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That a resolution authorizing the issuance of a shoreline development permit, as outlined in the October 7, 2014 report of the Director of Building and Planning, correspondence item no. 2014-264, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

16. 2014-265 DIRECTOR OF BUILDING AND PLANNING, October 7, 2014  
2014-265-1 MAC RENOVATIONS LTD, October 2, 2014  
Re Shoreline Development Permit Application – 2011 Crescent Road

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

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That a resolution authorizing the issuance of a shoreline development permit, as outlined in the October 7, 2014 report of the Director of Building and Planning, correspondence item, no. 2014-265, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

17. 2014-237 DIRECTOR OF BUILDING AND PLANNING, September 19, 2014  
Re Floor Area Review Committee Report

Councillor Murdoch said that the Floor Area Review Committee spent a year collecting ideas and concerns from the current Council and it will be up to the next Council to complete the approval process. Councillor Murdoch recommended that a public input session for the community and new Council be held in January 2015, and then go forward to a Committee of the Whole meeting in February or March of next year for further discussion.

Nigel Banks, resident said the Floor Area Review Committee was a very committed group that looked at a broad range of ideas and had very knowledgeable people providing input.

Grant Bierlmeier, resident, said a proposal for density bonus for heritage buildings would address the unintended consequences. He said he would support a heritage plan without the need for a Heritage Revitalization Agreement.

John Armitage, resident, said he is pleased that there is a proposal to present to the community and the new Council.

MOVED by Councillor Murdoch

Seconded by Councillor Green, That staff be directed to prepare a report for Committee of the Whole regarding the next steps for the Floor Area Review Committee Report with recommendations for public process including timelines.

CARRIED

ADJOURNMENT:

MOVED by Councillor Kirby

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

CARRIED

The meeting adjourned at 10:56 p.m.

Certified Correct:

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Deputy Municipal Clerk

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Chair, Mayor Jensen