

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 January 21, 2019 at 7:00 PM.

We acknowledge that the land on which we gather is the traditional territory of the Coast and Straits Salish Peoples. Specifically we recognize the Lekwungen speaking people, known today as the Songhees and Esquimalt Nations, and that their historic connections to these lands continue to this day.

PRESENT: Mayor, K. Murdoch, Chair  
Councillor, A. Appleton  
Councillor, H. Braithwaite  
Councillor, C. Green  
Councillor, T. Ney  
Councillor E. Paterson  
Councillor E. W. Zhelka

STAFF: Interim Chief Administrative Officer, L. Varela  
Director of Corporate Services, W. Jones  
Deputy Director of Corporate Services, D. Hopkins  
Director of Building and Planning, B. Anderson  
Manager of Planning, D. Jensen  
Director of Engineering Services, D. Horan  
Director of Parks, Recreation and Culture, R. Herman

PARKS, RECREATION AND CULTURE ITEM(S):

1. ***Parks Recreation and Culture Commission Minutes***

- Note - Director of Corporate Services - PRCComm Minutes Dec. 5 2018 and Jan. 2 2019
- Minutes - PR&CComm - Dec. 5, 2018
- Minutes - PR&CComm - Jan. 2, 2019
- Rpt. Attach. 1 - Program Reports Dec 2018
- Rpt. Attach. 2 - Program Reports Nov 2018
- Rpt. Attach. 3 - ArtsAlive 2018 Summary
- Rpt. Attach. 4 - OB PRCC Strategic Plan - Submitted for Council Review JAN 3 2019

The Director of Parks, Recreation and Culture and the Parks, Recreation and Culture Commission Chair provided an overview of the meeting minutes and recommendations and responded to questions from Council.

In response to questions from Committee the Director of Parks, Recreation and Culture noted that there is no finite end date for the implementation of the Urban Forest Strategy as it is intended to provide long-term guidance to the District. Mr. Herman said that if approved by Council the 2019-2023 commission strategic plan could be brought back to Council for annual reviews and information containing staff contacts and anticipated timeframes could be included as requested. He stated that accessibility as outlined in the priorities referred to improving access for persons with physical disabilities. Mr. Herman said that when initiatives overlap with other

departments or committees and commissions feedback is solicited to ensure that a broad review is conducted prior to bringing anything forward to Council for consideration.

MOVED and seconded: That the Commission's Strategic Plan 2019 – 2023, including its ten priority initiatives, be referred to Council for consideration as part of the upcoming 2019 – 2023 strategic planning and budget processes.

CARRIED

Discussion ensued regarding the Sea Lore Sculpture regarding the location, the selection of the sculpture and the consultation processes of the project.

In response to questions from Committee the Director of Corporate Services stated that both proposed locations for the sculpture are located on provincial land and in May 2018 Council agreed that these locations would be acceptable so staff advised the province accordingly. He said that staff could provide Council an update with what has happened to date and what the next steps are in the process.

The Arts Laureate, Barbara Adams, addressed the Committee and advised that this project differs from the ArtsAlive process because it was initiated by a donor who wished to give something to the community to enjoy. Ms. Adams noted that no further action would be taken on this project until a licence to occupy the location was granted by the Province.

MOVED and seconded: That staff be directed to bring back a report to an upcoming Committee of the Whole regarding the Sea Lore Art project that includes but is not limited to the public consultation to date; First Nations consultation; environmental impact assessment; and future maintenance costs.

In response to questions from Committee the Director of Corporate Services said that the performance space at Turkey Head would be brought forward to strategic priorities as part of a larger discussion regarding the expiration of the lease at the marina and parking lot. He said that if any additional activities or amenities are required in that location that it would come forward in the Request for Proposal.

The Arts Laureate noted that the \$8,000 grant to the Sketch Club was awarded by the Capital Regional District and is part of additional funding for the creation of a planned mural. Public input is planned to determine what the mural will include and will be provided to the artists to be used in the selection process. A call for artists will be undertaken because the high school indicated that they could not undertake this project as originally proposed.

MOVED and seconded: That the minutes of the meetings of the Oak Bay Parks Recreation and Culture Commission held December 5, 2018, and January 2, 2019 (subject to the aforementioned resolution) and the recommendations contained therein, be approved.

CARRIED

LAND USE APPLICATIONS:

2. ***Uplands Siting and Design (ADP00102) - 2895 Beach Drive***

- Report - 2895 Beach Drive - Manager of Planning, Jan. 11, 2019
- Attachment 1 - Plans - ADP - 2895 Beach Drive, November 27, 2018
- Attachment 2 - Rpt Attach 2 - Arborist Memo - November 26, 2018

The Manager of Planning introduced the application and responded to questions from Committee.

No members of the public rose to address the Committee.

At the request of the Committee, the applicant, Mark Whitney of Novus Properties, commented that front and side yard lighting will adhere to dark sky principles and that no lighting is planned for the backyard to minimize any impact to the Urban Star Park at Cattle Point.

The Director of Building and Planning said that a geotechnical report is not compulsory at this stage but any additional requirements would be considered and reviewed once a building permit application was submitted.

MOVED and seconded: That it be recommended to Council that the proposal to construct a new single family dwelling at 2895 Beach Drive, as outlined in the January 11, 2019 report for ADP00102 be approved as to Uplands siting and design.

CARRIED  
With Councillor Green opposed

3. ***Development Permit Application - (DP000024) - 2020 Oak Bay Avenue***

- Report - 2020 Oak Bay Avenue - Manager of Planning, Jan. 11, 2019
- Attachment 1 - Plans - DP - 2020 Oak Bay Avenue, January 10, 2019
- Attachment 2 - Draft Development Permit (DP000024)

The Manager of Planning summarized the development permit application.

No public input was provided.

MOVED and seconded: That it be recommended to Council that the proposal to undertake exterior alterations to the existing building at 2020 Oak Bay Avenue be approved subject to the issuance of Development Permit DP000024.

CARRIED

4. ***Development Variance Permit Application (DVP00089)/Architectural Siting and Design (ADP00090) - 638 Beach Drive***

- Report - 638 Beach Drive - Manager of Planning, Jan. 11, 2019
- Attachment 2 - Rpt Attach 2 - Arborist Memo - January 11, 2019
- Attachment 3 - Rpt Attach 3 - Draft Development Variance Permit DVP00089
- Plans - DVP ADP - 638 Beach Drive, January 10, 2019
- Addenda - Corresp. 638 Beach Drive - Jan. 20 - Jan. 21, 2019

The Manager of Planning provided a brief overview of the development variance permit application.

In response to questions from Committee staff stated that the original Heritage Revitalization Agreement (HRA) applied primarily to the heritage house and to the density characteristics of the zone and that there is no limitation included in the legislation to the number of variance applications that could be submitted. The variances result from the significant slope of the site requiring a below grade patio that is considered to be a structure under the zoning bylaw and the proposed open framed canopy is an architectural design treated as part of the building.

The applicant, Greg Damant of Cascadia Architects said that the design was approached with reference to the Heritage Revitalization Agreement. Mr. Damant stated that the variances are requested to permit single level living to accommodate mobility challenges of the property owners which results in a lower profile house than what is allowed under the zoning.

The Manager of Planning said that the HRA negotiates something that benefits the community and the applicant, in this case the four lot subdivision and heritage designation and conservation plan for the original home. Ms. Jensen commented that the HRA does not apply to any further developments on the lots. She noted that there are two registered covenants that restrict overall landscaping and the siting and design of the site. The trees proposed to be removed will be preplaced by plantings elsewhere on the site and will result in an overall increased tree canopy than is currently there. This increased canopy coverage will be realized within 10 years as per the schedule applicable to the tree species that is included in the Urban Forest Strategy. Ms. Jensen stated that HRAs cannot rezone properties, but can vary the components of the Zoning Bylaw such as this application that allows the RS-2 zoning to be treated as RS-4.

Discussion from Committee and members of the public included concerns regarding stakeholder expectations around HRAs and whether they are the correct mechanism to use to ensure that Council's requests are implemented and that the heritage value is retained; consideration of creating a process to refer the application back to the Heritage Commission; whether the design is sympathetic to the heritage house; imbalances between the community and developer benefits included in the HRAs; and whether the proposal reflects sensitive infill.

Mr. Damant informed the Committee that the current owners were not a part of the original HRA but had purchased a lot with some specific wording around lot design that they have tried to fulfill including making reference to the heritage home and respecting views and overall character of the neighbourhood. He said that the metal roof was selected to enable a lower slope and for the ability to blend into the surrounding scenery.

MOVED and seconded: That it be recommended to Council

- a) that notification be given of Council's consideration of DVP00089; and that
- b) the proposal to construct a new single family dwelling at 638 Beach Drive, as outlined in the January 11, 2019 report for ADP00090 be approved as to Architectural Siting and Design.

CARRIED  
With Councillor Zhelka opposed

The Mayor called a brief recess to allow for distribution of materials for the next agenda item at 9:00 pm.

The meeting reconvened at 9:07 pm.

REGULATORY ITEM(S):

5. **Strategic Planning**

- Report - Strategic Planning - Interim CAO, Jan. 21, 2019
- Addenda - Presentation - Strategic Planning Interim CAO, Jan. 21, 2019
- Addenda - Corresp. - Strategic Planning - Judson, received Jan. 21, 2019

The Interim CAO provided an introduction to the next phase of discussions with respect to strategic planning. The purpose of this session is to provide a framework for discussion to determine Council's strategic priorities. Additional meetings are scheduled to be held January 24 on asset management, January 29 on housing and February 13 to discuss new initiatives not currently included in the five year Financial Plan.

Committee discussion followed around broad agreement of the proposed priorities with the inclusion of sustainability in all municipal operations; First Nations engagement; youth engagement; adding in the applicable sections of the Official Community Plan (OCP) with the highlighted goals; establishing a schedule for OCP monitoring and evaluation; reviewing and revising bylaws, policies, procedures and plans to be more clearly aligned with the OCP; and establishing meaningful metrics and analytics for inclusion in the Annual Report to better evaluate progress.

Public input included requesting that housing be made a priority to reduce public acrimony on this issue and to align with the overarching OCP themes of moderate growth and respect for neighbourhoods; cautioning over treating these priorities as silos when there is overlap between them; and suggesting that to keep all of the priorities clearly focussed that the final one be split by moving all of the environmental aspects to a separate priority.

ADJOURNMENT:

6. **Motion to adjourn**

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting adjourned at 9:47 pm.

Certified Correct:

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Chair

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Deputy Director of Corporate Services