

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 Tuesday May 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 E. Paterson  
Councillor E.W. Zhelka

REGRETS: Councillor, T. Ney

STAFF: Chief Administrative Officer, L. Varela  
Deputy Director of Corporate Services, D. Hopkins  
Director of Building and Planning, B. Anderson  
Manager of Planning, D. Jensen  
Director of Parks, Recreation and Culture, R. Herman  
Manager of Parks Services, C. Hyde-Lay

PARKS, RECREATION AND CULTURE ITEM(S):

1. ***Parks Recreation and Culture Commission Minutes***
  - Note - Director of Corporate Services
  - PR&C May 1, 2019 Minutes
  - Attach 1 - Program Reports (March-April 2019)
  - Attach 2 - 2019 Tree Permit Summary
  - Attach 3 - Playground Modernization Sub-Committee Workplan
  - Attach 4 - Uplands Park Management Plan (DRAFT)

The Director of Parks, Recreation and Culture provided an overview of the minutes of the Parks, Recreation and Culture Commission held May 1, 2019.

No members of public rose to speak to this matter.

MOVED and seconded: That the request for the change of location to Oak Bay Avenue for the "Dreams Can Come True" Sculpture for the 2019/2020 ArtsAlive Program be approved

**CARRIED**

MOVED and seconded: That the minutes of the meetings of the Oak Bay Parks Recreation and Culture Commission held May 1, 2019 (subject to the aforementioned resolution) and the recommendations contained therein, be approved.

**CARRIED**

2. ***Uplands Park & Cattle Point Management Plan***

- Report - Uplands Park & Cattle Point Management Plan
- Presentation - Uplands Park & Cattle Point Management Plan
- DRAFT - Uplands Park & Cattle Point Management Plan

Mr. Wylie Thomas presented an overview of the draft Uplands Park and Cattle Point Management Plan highlighting the uniqueness of the park and some of identified actions to implement for preserving the rare species and ecosystems on the site.

Moved and seconded: That Council adopt the Uplands Park and Cattle Point Management Plan.

In response to questions from Council staff said that if nearby residents encroach on the park they are contacted by staff to remediate, that developments around the park are not currently reviewed with a lens to hydrology, that the majority of the recommended actions contained in the management plan can be covered within current funding streams. He noted that costs for the foot paths would be difficult to estimate prior to the completion of the design work; and that removal of some invasive species are somewhat controlled by scheduled mowing.

Mayor Murdoch invited input from members of the public.

R. Carter, Oak Bay resident, expressed concerns regarding development around Uplands Park. He commented on the effects of hydrology, encroachment of surrounding properties, and controlling methods of development such as blasting. Mr. Carter suggested that additional protection could be secured through the use of covenants during the development process. He said that a protective buffer such as 5 metres could be imposed to prevent residential landscaping from encroaching into the park.

J. Sirois, Oak Bay resident, said he was impressed with the restoration efforts happening in the park. He suggested that this was a very positive story that should be highlighted on the District's website. Mr. Sirois commented that he hopes this work keeps going forward and was pleased to see the development of a management plan.

M. Wakefield, Oak Bay resident asked if there was adequate funding included in the management plan for thorough professional communications for outreach in the community or if adequate funding could be made available.

The Question was then put.

**CARRIED**

Mayor Murdoch expressed appreciation to Mr. Thomas, the Friends of Uplands Park, Municipal staff, and many volunteers who have done extensive work in Uplands Park.

LAND USE APPLICATIONS:

3. ***Uplands Siting and Design (ADP00107) - 2785 Dorset Road***

- Report - 2785 Dorset Road (ADP00107)
- Attach 1 - Dorset Plans (May 6, 2019)
- Attach 2 - Dorset Previous Approval Plans (July 4, 2019)

The Manger of Planning provided an overview of the application for Uplands Siting and Design ADP001074 at 2785 Dorset Road.

B. Haegaard, facilitating designer for the project, responded to questions from Council regarding work completed without a permit.

No members of the public rose to address the Committee on this application.

MOVED and seconded: That it be recommended to Council that the proposal to undertake alterations to an existing single family dwelling at 2785 Dorset Road, as outlined in the May 13, 2019 report for ADP00107, be approved as per Uplands Siting and Design.

The Question was then called.

**CARRIED**

4. ***Uplands Siting and Design (ADP00111) – 3565 Upper Terrace Road***

- Report – 3565 Upper Terrace (ADP00111)
- Attach 1 – Upper Terrace Plans (May 1, 2019)
- Attach 2 – Arborist Memo (April 24, 2019)

The Manager of Planning provided a summary of the application for Uplands Siting and Design ADP00111 at 3565 Upper Terrace Road.

D. Korrs, representative for the applicants, responded to questions regarding work completed without a permit.

Staff commented that permit fees could be doubled for projects that undertake work without a permit.

MOVED and seconded: That it be recommended to Council that the proposal to allow deck construction along an existing single family dwelling at 3565 Upper Terrace Road, as outlined in the May 14, 2019 report for ADP00111 be approved as to Uplands Siting and Design.

**CARRIED**

5. **Development Variance Permit (DVP00092) / Uplands Siting and Design (ADP00109) - 2725 Lincoln Road**

- Report - 2725 Lincoln Road (DVP00092/ADP00109)
- Attach 1 - Lincoln Plans (May 1, 2019)
- Attach 2 - Arborist Memo (April 12, 2019)
- Attach 3 - Draft Development Variance Permit DVP00092

The Manager of Planning presented a summary of the project comprising two applications including a Development Variance Permit DVP00092 and Uplands Siting and Design ADP00109 at 2725 Lincoln Road.

There were no questions for staff or the applicant.

No members of the public rose to speak to this application.

MOVED and seconded: That it be recommended to Council:

- a) that the proposal to undertake alterations to an existing single family dwelling at 2725 Lincoln Road, as outlined in the May 14, 2019 report for ADP00109, be approved as to Uplands Siting and Design, subject to approval of DVP00092; and that
- b) notification be given of Council's consideration of DVP00092.

**CARRIED**

6. **Development Variance Permit Application (DVP00088) - 1054 Falkland Road**

- Report - 1054 Falkland Road (DVP00088)
- Attach 1 - Falkland Plans (April 6, 2019)
- Attach 2 - Arborist Memo (February 22, 2019)
- Attach 3 - Draft Development Variance Permit DVP00088

The Manager of Planning gave an overview of the application for a Development Variance Permit DVP00088 at 1054 Falkland Road.

In response to questions from Council the Manager of Planning said that the maximum allowable paved surface at this site is 42% and that the paved surface is proposed to be non-permeable. Ms. Jensen said that the decrease in impervious area in the front yard is being achieved through the existing connection of a paved strip across the front that is being removed.

K. Hammer, Applicant, said that the non-permeable surface was selected to help keep costs down but commented that they would be open to suggestions. Ms. Hammer noted that the back courtyard is not being used for vehicles as there is an existing fence. She said the original part of the house that was built in 1934 is being removed because there is no foundation in the original structure and when the 1977 portion was constructed the builder enclosed the existing house and then added to it. She said they had hoped to preserve that part of the house because it is beautiful.

MOVED and seconded: That it be recommended to Council:

- a) that the application to construct an addition to an existing single family dwelling at 1054 Falkland Road be approved subject to issuance of Development Variance Permit DVP00088; and that
- b) notification be given of Council's consideration of DVP00088

**CARRIED**

7. **Zoning Amendment (ZON00032) - 2506 / 2512 Wootton Crescent**

- Report - 2506/2512 Wootton (ZON00032)
- Attach 1 - Wootton Plans
- Attach 2 - Draft Zoning Amendment Bylaw No. 3531.104
- Attach 3 - Arborist Memo (May 4, 2018/October 29, 2018)

The Manager of Planning provided a summary of the application for a zoning amendment at 2506-2512 Wootton Crescent. Ms. Jensen added that no community amenity contribution was warranted as there is no increase in density included as part of this proposal.

There were no questions for staff or the applicant.

No public input was provided for this application.

MOVED and seconded: That it be recommended to Council to consider the application to rezone the property at 2506 / 2512 Wootton Crescent to permit a duplex and:

- a) give 1st and 2nd reading to Bylaw No. 3531.104 to rezone the property from Single Family Residential Use (RD-5) to Two Family Residential Use (RD-1); and
- b) set a public hearing on Bylaw No. 3531.104 to be held at the Oak Bay Municipal Hall on June 10, 2019 at 6:00 pm in Council Chambers and that notice be given in accordance with the *Local Government Act*.

**CARRIED**

ADJOURNMENT:

8. **Motion to Adjourn**

MOVED and seconded: That the meeting be adjourned.

The meeting adjourned at 8:28 p.m.

Certified Correct:

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Chair

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Deputy Director of Corporate Services