

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 16, 2017 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: Councillor Kirby, Chair
Mayor N. Jensen
Councillor H. Braithwaite
Councillor T. Croft
Councillor K. Murdoch
Councillor T. Ney
Councillor E. W. Zhelka

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

ADOPTION OF AMENDED AGENDA:

MOVED and seconded: That the amended agenda, including the addition of agenda item no 14, Attendance at LGLA 2017, be adopted as circulated.

CARRIED

PARKS, RECREATION AND CULTURE ITEM(S):

1. ***Parks, Recreation & Culture Commission (PR&CComm) Minutes***
 - Note - Deputy Director of Corporate Services - PR&CComm Minutes
 - Minutes - PR&CComm - Dec. 7, 2016
 - Rpt. Attach. 1 - Program Reports Dec. 2016
 - Rpt. Attach. 2 - Finance Summary Oct. 2016
 - Minutes - PR&CComm - Jan. 4, 2017
 - Rpt. Attach. 1 - Program Reports Jan. 2017

Ray Herman, Director of Parks, Recreation and Culture and Monty Holding, Chair of the Parks Recreation and Culture Commission, in attendance for this item.

MOVED and seconded: That the minutes of the meeting of the Oak Bay Parks, Recreation and Culture Commission held on December 7, 2016, and the recommendations contained therein, be approved and the minutes of the meeting of the Oak Bay Parks, Recreation and Culture Commission held on January 4, 2017, with the exception of the recommendations with respect

to the Parks and Beaches Bylaw and the InspireHealth Rain Walk, be approved; and further that the InspireHealth Rain Walk be considered at a future Council meeting

CARRIED

Chair Kirby asked the Director to pass along Council's thanks to staff for their hard work over the holiday season to repair the swimming pool.

LAND USE APPLICATIONS:

2. ***Uplands Siting & Design Application (ADP00038) - 2700 Lansdowne Road***

- Report - Manager of Planning, Jan. 6, 2017
- Plans - ADP - 2700 Lansdowne Rd, Jan. 5, 2017

MOVED and seconded: That it be recommended to Council that the proposal to construct a principal building and accessory building at 2700 Lansdowne Road, as outlined in the January 6, 2017 report for ADP00038, be approved as to architectural siting and design.

CARRIED

3. ***Uplands Siting & Design Application (ADP00051) - 2695 Lansdowne Road***

- Report - Manager of Planning, Jan. 9, 2017
- Plans - ADP - 2695 Lansdowne Rd, Jan. 9, 2017

MOVED and seconded: That it be recommended to Council that the proposal to construct a principal building and accessory building at 2695 Lansdowne Road, as outlined in the January 9, 2017 report for ADP00051, be approved as to architectural siting and design.

CARRIED

4. ***Uplands Siting & Design Application (ADP00057) - 3140 Midland Road***

- Report - Manager of Planning, Jan. 9, 2017
- Plans - ADP - 3140 Midland Rd, Nov. 14, 2016

MOVED and seconded: That it be recommended to Council that the proposal to install a greenhouse and undertake modifications to the accessory building at 3140 Midland Road, as outlined in the January 6, 2017 report for ADP00057, be approved as to architectural siting and design.

CARRIED

5. ***Uplands Siting & Design Application (ADP00058) - 3315 Norfolk Road***

- Report - Manager of Planning, Jan. 9, 2017
- Plans - ADP - 3315 Norfolk Rd, Jan. 8, 2017

MOVED and seconded: That it be recommended to Council that the proposal to undertake renovations to the exterior of the single family home at 3315 Norfolk Road, as outlined in the January 9, 2017 report for ADP00058, be approved as to architectural siting and design.

CARRIED

6. ***Uplands Siting & Design Application (ADP00061) - 3150 Midland Road***

- Report - Manager of Planning, Jan. 6, 2017
- Plans - ADP - 3150 Midland Rd, Jan. 6, 2017

MOVED and seconded: That it be recommended to Council that the proposal to undertake renovations to the exterior of the principal building and accessory building at 3150 Midland Road, as outlined in the January 6, 2017 report for ADP00061, be approved as to architectural siting and design

CARRIED

7. ***Development Variance Permit Application (DVP00050) - 383 King George Terrace***

- Report - Manager of Planning, Jan. 6, 2017
- Plans - DVP - 383 King George Terr, Oct. 23, 2016

Councillor Murdoch declared a conflict of interest inasmuch as he resides in a neighbouring property. He then left the meeting at 7:22 PM.

MOVED and seconded: That

- a) it be recommended to Council that the application to construct a single family home at 383 King George Terrace be approved subject to issuance of Development Variance Permit DVP00050; and
- b) that notification be given of Council's consideration of DVP00050.

CARRIED

Councillor Murdoch returned to the meeting at 7:25 PM.

8. ***Development Variance Permit Application (DVP00052) - 2275 Neil Street***

- Report - Manager of Planning, Jan. 6, 2017
- Plans - DVP - 2275 Neil St, Dec 10, 2016

MOVED and seconded: That

- a) it be recommended to Council that the application to construct a second storey over the existing single family home at 2275 Neil Street be approved subject to issuance of Development Variance Permit DVP00052; and that
- b) notification be given of Council's consideration of DVP00052.

CARRIED

9. ***Development Variance Permit Application (DVP00053) - 19 King George Terrace***

- Report - Manager of Planning, Jan. 9, 2017
- Plans - DVP - 19 King George Terr, Dec 22, 2016

MOVED and seconded: That

- a) it be recommended to Council that the application to realign an interior -side lot line, relocate the existing home and construct a new residence on the two legal lots known as 19 King George Terrace be approved subject to issuance of Development Variance Permit DVP00053; and that
- b) notification be given of Council's consideration of DVP00053.

CARRIED

10. ***Development Variance Permit Application (DVP00054) - 1984 Crescent Road***

- Report - Manager of Planning, Jan. 9, 2017
- Plans - DVP -1984 Crescent Rd, Nov. 1, 2016

MOVED and seconded: That

- a) it be recommended to Council that the application to construct an attached garage and smaller additions to the existing single family home at 1984 Crescent Road be approved subject to issuance of Development Variance Permit DVP00054; and that
- b) notification be given of Council's consideration of DVP0005.

CARRIED

11. ***Zoning Amendment (ZON00020) & Development Variance Permit Application (DVP00031) - 1605 York Place***

- CORRECTED Report - Manager of Planning, Jan. 10, 2017
- Plans - ZON DVP -1605 York Pl, Sept 20, 2016
- Rpt. Attach. 2 - Draft Bylaw No 4675, Ninety-Sixth Zoning Bylaw Amendment Bylaw, 2017 (1605 Yale Street)
- Rpt. Attach. 3 - Tree Resources
- Rpt. Attach. 4 - Correspondence Received

Tim McElvaine and Kate Jordan, owners, responded to questions from the Committee regarding their understanding of the heritage value of the existing dwelling and their interest in seeing it included on the heritage register. The owners confirmed that they could be interested in undertaking a heritage designation of a portion of the dwelling in order to see the application proceed.

Pam Copley, Oak Bay resident and Advisory Planning Commission Chair, commented on heritage protection processes, noting that a Statement of Significance is one of, but not the exclusive method of reflecting the heritage value of a property.

MOVED and seconded: That it be recommended to Council to consider the application to develop two single family residential lots at 1605 York Place and:

- a) consider a draft bylaw to rezone a portion of lands from One Family Residential Use (RS-2) to One Family Residential Use (RS-3);
- b) direct staff to secure registration of an environmental covenant prior to adoption of the Zoning amendment bylaw;
- c) direct staff to proceed with placing the existing home at 1605 York Place on the Oak Bay Community Heritage Register;
- d) give notice of Council's consideration of DVP00031; and

- e) approve the application for DVP00031, to permit a relaxation of minimum lot width for proposed Lots A and B, and currently known at 1605 York Place subject to approval of ZON00020.

MOVED and seconded: That further consideration of the recommendation with respect to the zoning amendment and development variance permit application for 1605 York Plan be tabled to the next Committee of the Whole meeting.

CARRIED

Councillors Braithwaite and Murdoch against the motion

12. ***Zoning Amendment Application (ZON00023) - Cadboro Bay Road, Bowker Avenue***

- Report - Manager of Planning, Jan. 10, 2017
- Plans - ZON - 2296 Cadboro Bay Rd
- Plans Concept - ZON - 2296 Cadboro Bay Rd
- Rpt. Attach. 2 - Draft Zoning Amendment Bylaw
- Rpt. Attach. 3a - Report on Tree Resources (1 of 2)
- Rpt. Attach. 3b - Report on Tree Resources (2 of 2)
- Rpt. Attach. 4a - Reports on Transportation, Parking and Infrastructure (1 of 2)
- Rpt. Attach. 4b - Reports on Transportation, Parking and Infrastructure (2 of 2)
- Rpt. Attach. 5 - District Report on CB Rd - Bowker Ave Intersection, Sep. 15, 2009
- Rpt. Attach. 6 - Correspondence Received
- ADDENDA - Presentation 1 of 5 - ZON00023 - Introduction
- ADDENDA - Presentation 2 of 5 - ZON00023 - Renderings
- ADDENDA - Presentation 3 of 5 - ZON00023 - Plans and Materials
- ADDENDA - Presentation 4 of 5 - ZON00023 - Landscape
- ADDENDA - Presentation 5 of 5 - ZON00023 - Community Amenity
- ADDENDA - Jan 13 - 16, 2017 - Corresp. - Zoning Amendment Application (ZON00023) - Cadboro Bay Road, Bowker Avenue

Mike Miller, President, Abstract Developments, introduced the project and the consultation process undertaken to date.

Greg Damant, Cascadia Architects, gave a presentation on proposal, reviewing the existing site, the proposed layout of the building, the architecture and design and the surfacing materials.

Scott Murdoch, Murdoch and de Greeff, described the proposed landscaped design and on site stormwater detention.

Jim Hemstock, Adept Transportation, responded to questions from the Committee with respect to turning movements of emergency vehicles and the proposed parking for the development.

Dylan Fraser, Oak Bay resident, expressed support for the proposal highlighting in particular the community amenity contribution, the density, the vibrant streetscape, and the public engagement all as supportable elements of the proposal.

Mary Douglas-Hunt, Oak Bay resident, complimented the proponent on the presentation and asked for clarification on the size of the project.

Mr. Miller and Mr. Damant responded to Ms. Douglas-Hunt's questions regarding building height in comparison to other existing buildings.

Scott Humphreys, Oak Bay resident, commented that the public engagement process and associated changes to the proposal have led him to support the development. Mr. Humphreys also noted that parking can be difficult in the area and that enhancing enforcement may be needed.

Jane Van Sickle, Oak Bay resident, stated that her primary concern is traffic and the safety of the intersection, commenting that Council needed to commit to make necessary changes to address the safety issues.

James Sultanum, Oak Bay resident, commented that although he was concerned about safety at the intersection, he also had concerns regarding what cost this development would have to the tax payer. Mr. Sultanum questioned the process for determining traffic control measures and asked who would pay for their installation. He concluded his remarks by noting that addressing costs shouldn't be confused with an amenity contribution.

Sam Mercer, Oak Bay resident, expressed support for the development particularly the vibrancy of the proposed streetscape. He noted that although he too was concerned regarding traffic safety it would be regrettable if the proposal was delayed due to other long-standing concerns in the area.

Dave Brown, Oak Bay resident, commented that he too supports the application for bringing needed vibrancy to the streetscape.

Bruce Filan, Oak Bay resident, described his concerns regarding the project. He emphasized the need for evidence-based decision making in land use matters and questioned the extent of the public consultation undertaken by proponent.

MOVED and seconded: That the meeting continue to 11:00 PM.

CARRIED

Mr. Filan continued his remarks expressing concerns regarding the commercial aspects of the development and stating that the proposed parking variance was not supportable. He commented that the development would only increase the safety issues at the intersection. The residential aspect, he said, would not address the community's concerns with regards to affordable housing for seniors and would instead increase concerns regarding densification and infill development.

Doug Mollard, Oak Bay resident, commented that the previous speaker made interesting points. He commented that traffic and pedestrian safety are a concern in this area and that increasing development and activity will exacerbate these issues. Mr. Mollard questioned the location of the parking and commented that it is challenging to find a balance between profit and community benefit. He concluded his remarks by noting that the reduced setbacks have an aesthetic impact.

Mike Wilmut, Oak Bay resident, commented that the safety of this intersection was his primary concern and stated that more information and public engagement was needed before the project proceeded. He commented that additional public information sessions should be held by the

Municipality with a 3D model of the proposal provided. He concluded his remarks by stating that although the design is attractive, too large a building is proposed for the site.

Dave Rodenhuis, Oak Bay resident, commented on his concerns regarding the development and the information provided in the staff report. He commented that more information on the concerns raised by the Advisory Planning Commission and Advisory Design Panel should have been included. He questioned the analysis of the traffic impacts of the proposal, in comparison to the analysis undertaken in 2009, and commented that clarification was needed on traffic flow, testing dates and intersection grading methods in order to have an analysis that will allow for prediction of future trends.

Leona Frenette, Oak Bay resident, spoke in support of the proposal. She commented on the bold design and the responsive public engagement undertaken by the applicant. She noted that although there are concerns about size and massing, it will increase vibrancy in the area. Ms. Frenette concluded her remarks by noting that this provides an opportunity to address the intersection with Abstract Developments as a willing partner.

MOVED and seconded: That the meeting continue to 11:15 PM.

CARRIED

Anthony Mears, Oak Bay resident, asked for clarification on tree removal and retention and on the servicing costs in comparison to the amenity contribution.

In response to Mr. Mears, Mr. Murdoch reviewed the landscape design including tree removal, retention and planting. Mr. Miller reviewed the amenity contribution and noted that costs for servicing the site are his responsibility as the applicant.

MOVED and seconded: That the application be referred back to staff to continue negotiations on the proposed development.

MOVED and seconded: That further consideration of the recommendation to refer the application back to staff be considered at the January 23, 2017 Council meeting.

CARRIED

REGULATORY ITEM(S):

13. ***Parks & Beaches Bylaw, 2017***
- Report - Director of Corporate Services, Jan. 11, 2017
 - Bylaw No. 4672 - Parks and Beaches Bylaw, 2017

MOVED and seconded: That the Parks and Beaches Bylaw, 2017 be brought before Council for first three readings.

CARRIED

14. ***Attendance at LGLA 2017***
- ADDENDA - Attendance at 2017 LGLA Leadership Forum
 - ADDENDA - Registration information - LGLA Forum 2017

MOVED and seconded: That it be recommended to Council that payment of the registration fee of \$310.00 and the payment of travelling expenses necessarily incurred be approved for the following to attend the LGLA 2017 that will be held at in Richmond BC from February 1 to 3, 2017: Councillor Ney and Councillor Murdoch.

CARRIED

ADJOURNMENT:

Motion to Adjourn

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting adjourned at 11:14 PM.

Certified Correct:

Chair

Director of Corporate Services