

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 June 20, 2016 at 7:00 PM.

PRESENT: Councillor T. Ney, Chair  
Councillor T. Croft  
Councillor K. Murdoch  
Mayor N. Jensen  
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

The Chair called the meeting to order at 7:02 PM.

PARKS, RECREATION AND CULTURE ITEM(S):

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

- Note - Director of Corporate Services - PR&CComm Minutes, Jun. 1, 2016
- Minutes - PR&CComm - Jun. 1, 2016
- Rpt. Attach. 1 - Program Reports
- Rpt. Attach. 2 - Finance Summary Apr. 2016
- Rpt. Attach. 3 - Staff Reports

*Ray Herman, Director of Parks, Recreation and Culture and Janet Barclay, Manager of Recreation and Culture in attendance.*

In discussion regarding the minutes, it was noted that consultation regarding dogs at Windsor Park is still ongoing and that the Windsor Park Dog Group who provided a report to Council in 2012 is still in operation.

The Manager of Recreation and Culture responded to question from the Committee, clarifying the process with respect to the proposed special event "Sausage Fest" and with respect to actions to be taken to reduce the fire load in Uplands Park.

MOVED and seconded: That the minutes of the meeting of the Oak Bay Parks Recreation and Culture Commission held June 1, 2016, and the recommendations contained therein, be adopted except for the recommendations with respect to the granting of park occupancy for the Oak Bay Fire Fighter Charitable Foundation's "Sausage Fest" Event, which will be placed on a future Council agenda.

CARRIED

FINANCE ITEM(S):

2. ***Monthly Financial Report***

- Report - Director of Financial Services, Jun. 15, 2016
- Rpt. Attach. - Statement, Capital, Investments, Prop. Taxes, May, 2016

MOVED and seconded: That the monthly financial report of the Director of Financial Services dated June 15, 2016 be received.

CARRIED

LAND USE APPLICATIONS:

3. ***Architectural Siting and Design (ASD) Application - 754 Mountjoy Avenue***

- Report - Planner, Jun. 13, 2016
- Plans - ADP - 754 Mountjoy, May 24, 2016

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

Rus Collins, Zebra Design, representing the application, described the tree removal and retention plan for the proposal.

Kate Glover, Oak Bay resident, expressed concerns with the tree removal as a result of the proposal, suggesting that the house size be reduced in order to increase the number of trees to be retained.

Mike Ballard, Abstract Design, representing the application, commented that the property has been vacant for several years. Mr. Ballard noted that the trees are a significant asset of the site and that retention of trees was a key principle of the design, stating that the entrance was adjusted in order to increase tree retention. With respect to potential blasting, Mr. Ballard noted that efforts had been made to reduce this where possible. He also outlined the public consultation to date and provided an overview of the layout of permeable pavers on the driveway.

In response to questions from the Committee, the Director of Building and Planning clarified the arborist's report, the tree replacement requirements under the bylaw, and the durability and capacity of permeable pavers.

MOVED and seconded: That it be recommended to Council that the proposal to construct a principal building at 754 Mountjoy Avenue, as outlined in the June 13, 2016 report for ADP00048, be approved as to architectural design and siting as shown on the plans dated May 24, 2016.

CARRIED

4. ***Development Variance Permit (DVP) Application - 2666 Dewdney Avenue***

- Report - Planner, Jun. 10, 2016
- Plans - DVP - 2666 Dewdney Ave, Feb. 20, 2016

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

Joachim von Kaldenberg, owner, responded to questions from the Committee, noting that the non-compliance with respect to height regulations was accidental. Mr. von Kaldenberg also confirmed that stormwater runoff from his property was appropriately managed.

MOVED and seconded: That it be recommended to Council that the proposal to allow siting of an existing accessory building and relax the maximum permitted building height at 2666 Dewdney Avenue be approved 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 June 10, 2016 report for DVP00040, be prepared and brought forward to a meeting of Council for consideration.

CARRIED

5. ***Development Variance Permit (DVP) Application - 494 Beach Drive***

- Report - Planner, Jun. 10, 2016
- Plans - DVP - 494 Beach Dr, Apr. 10, 2016

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

*Jenny Martin and Sarah Oaspick were in attendance on behalf of the application.*

In response to a question from the Committee, the Director of Building and Planning clarified that an applicant can select to address a variance through a development variance process or a Board of Variance process. The Board, he noted, addressed variances specifically with respect to hardships due to the bylaw or the site.

MOVED and seconded: That it be recommended to Council that the proposal to allow renovation to an existing accessory building, and relax the minimum permitted setbacks to the front lot line, interior side lot line, and distance between buildings at 494 Beach Drive be approved 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 June 10, 2016 report for DVP00042, be prepared and brought forward to a meeting of Council for consideration

CARRIED

6. ***Development Variance Permit (DVP) Application - 1017 Monterey Avenue***

- Report - Planner, Jun. 10, 2016
- Plans - DVP - 1017 Monterey Ave, Apr. 14, 2016

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

*Rus Collins, Zebra Design, was in attendance on behalf of the application.*

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

MOVED and seconded: That it be recommended to Council that the proposal to allow construction of a single family dwelling and accessory building, and relax the minimum permitted distance between buildings at 1017 Monterey Avenue be approved 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 June 10, 2016 report for DVP00041, be prepared and brought forward to a meeting of Council for consideration

CARRIED

7. ***Official Community Plan (OCP) Amendment Application & Zoning Amendment Application - 1632 Yale Street***

- Report - Planner, Jun. 13, 2016
- Plans - OCP - 1632 Yale St, May 24, 2016
- Rpt. Attach. 2 - Initial Referrals
- Corresp. - up to Jun. 17, 2016 - 1632 Yale St.

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

Bill Patterson, applicant, responded to questions from the Committee with respect to: the proposed layout of the development; the size of the lots; the building design; neighbourhood support for the project; and tree retention.

Discussion ensued with respect to the proposed rezoning and amendment to the Official Community Plan (OCP). Planning staff clarified the definition of a community amenity, as established by the OCP and noted that, given this is proceeding in advance of the Residential Infill Strategy, the proposal is for a site specific development.

Turning to the question of the loss of two on-street parking spaces, the Director of Building and Planning confirmed that this requirement was determined by the Fire Department to ensure safe access to the street.

Doug Stetar, Oak Bay resident, spoke in support of the proposal, drawing the Committee's attention to the correspondence from the Poets' Corner Neighbourhood Association which outlined, he said, the strong support for this project in the neighbourhood. Mr. Stetar commented that the lack of parking made the property unsuitable for institutional use, which is the current zoning, and that the proposed density was appropriate for residential use, given the size of the lot and the proximity of the site to the services on Oak Bay Avenue. He highlighted the value of the tree retention, the enhancement of Yale Street as a transportation corridor and the support for the preschool as important elements of the project. He concluded his remarks by noting that the property is currently in a state of disrepair which causes the neighbourhood significant concern and encouraged the Committee to advance the project.

Kate Glover, Oak Bay resident, spoke in opposition to the proposal. She asked for clarifications on a potential covenant process and expressed concerns regarding the tree retention.

Ms. Glover indicated that, in her opinion, the proposed development was too dense, and that given that the playground was privately owned it was not a community amenity. She asked what efforts could be undertaken to reduce the impact of the construction on the neighbourhood, particularly with respect to the construction vehicles.

In response to Ms. Glover, the Planner outlined some of the elements that could be addressed through a covenant, commenting that a development permit would also be needed for this proposal, should it proceed, in order to address siting and design elements.

With respect to the impact of construction, the Director of Building and Planning noted that a request could be made for larger vehicles to reduce the number of trips up Yale Street, but that this could slow the construction process. Mr. Patterson noted that consideration could be given to removing some materials through Elgin Street to reduce the impact of construction, but that St. Mary's Church would need to approve such activity.

Theresa Slik, Oak Bay resident, commented that increasing the residential units beyond the current proposal would be problematic, given that the leaves produced in the fall on Yale Street already make vehicle access challenging.

David Izard, Oak Bay resident, spoke in support of the application proceeding, noting that the property makes up a very small percent of the Municipality's institutional lands. Mr. Izard commented that the proposed development is a good fit for the neighbourhood.

Mary Griffin, Oak Bay resident, commented that the proposal was in keeping with the OCP in addressing the value of attracting younger families to the Municipality by accommodating the preschool. Ms. Griffin also noted that the proposal would maintain the existing streetscape, which, she said, was important to the neighbourhood.

Liz Elliott, Oak Bay resident, commented that the Byron trail was heavily used by pedestrians and cyclists due in part to the streetscape and atmosphere of Yale Street. Ms. Elliot stated that the developer was doing his best to maintain and support the existing neighbourhood feel with this proposal.

Committee discussion ensued, in which the question of reviewing the sightlines at Byron and Yale Street for trail users was raised. It was noted that, although accommodating the preschool did not qualify as an amenity, the preschool is nonetheless of benefit to the community. With respect to the proposal overall, members described the proposed density as relatively gentle and complimented the proponent on the efforts taken to engage the community to date. It was noted that, although the application was proceeding in advance of the Residential Infill Strategy, the proponent had undertaken review of the proposal through both the Advisory Planning Commission and the Advisory Design Panel.

MOVED and seconded: That it be recommended to Council to consider the application to amend the Official Community Plan and rezone the property at 1632 Yale Street to permit three single family residential lots and:

1. Direct staff to bring forward a draft bylaw to amend the Official Community Plan and redesignate lands from Community Institutional to Established Neighbourhoods;
2. Direct staff to bring forward a draft bylaw to rezone lands from Special Institutional use (P-2) to a site specific zone;

3. Direct staff to proceed with formal referral consultative steps as outlined in this report dated June 13, 2016; and
4. Direct staff to secure the community contribution, prior to adoption of the Official Community Plan and Zoning amendment bylaws.

CARRIED

The Chair called a recess at 9:00 PM and the meeting reconvened at 9:04 PM.

#### INTERGOVERNMENTAL RELATIONS

8. ***Presentation by Provincial Project Team - Capital Integrated Services and Governance Initiative***
  - Note - Director of Corporate Services - Capital Integrated Governance & Services Initiative
  - Corresp. - Ministry of Community, Sport and Cultural Development and Minister Responsible for Translink, Jun. 1, 2016
  - Presentation - Project Team, Capital Regional Integrated Service and Governance Initiative

George Abbott, Senior Advisor to the Provincial Project Team, gave the Committee an overview of the Capital Integrated Governance and Services Initiative, noting that the team is looking for feedback from municipalities on what they would find useful.

Dale Wall, Project Lead, Capital Integrated Governance & Services Initiative, continued the presentation and reviewed the questions being brought to municipalities.

Discussion ensued with Committee members providing various responses. The extensive collaboration already undertaken by regional municipalities was emphasized and the importance of keeping in mind the scale and values of the individual municipalities and the unionized environment in which they operate was noted. Concerns were expressed regarding the impact on municipalities and residents from forced amalgamations, particularly as occurred in Toronto. The impact of provincial downloading of services was noted.

As a potential option for the project team to consider, a member of the Committee commented that identifying what services lend themselves well to integration and outlining a standard process and agreement for municipalities to consider when appropriate situations arise for service integration could be of use.

Mr. Wall confirmed that the initiative will also include the Capital Regional District and local First nations.

MOVED and seconded: That the presentation by the Provincial Project Team on the Capital Integrated Services and Governance Initiative be received for information.

CARRIED

ADJOURNMENT:

9. MOVED and seconded: That the Committee of the Whole meeting be adjourned.

CARRIED

The meeting adjourned at 10:14 PM.

Certified Correct:

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Chair

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Director of Corporate Services