



**MINUTES**

**OAK BAY ADVISORY PLANNING COMMISSION**  
**TUESDAY, OCTOBER 04, 2016 AT 5:00 PM**  
**COUNCIL CHAMBERS, MUNICIPAL HALL, 2167 OAK BAY AVENUE**

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**MEMBERS PRESENT**

Andrew Appleton  
Rus Collins  
Pam Copley  
Brian Holl

Michael Low  
Kris Nichols  
Esther Patterson  
Tim Taddy

**MEMBERS ABSENT**

None

**STAFF PRESENT**

Deborah Jensen, Manager of Planning      Krista Mitchell, Building & Planning Clerk

**1. Call to Order**

The meeting was called to order at 5:03 pm.

**2. Adoption of Minutes**

It was moved and seconded that the Minutes from September 6, 2016 be adopted.  
The motion was carried.  
None opposed.

**3. Approval of Agenda and Late Items**

The agenda was approved as presented with the addition of items under Item (5)(ii).

**4. Old Business**

None

**5. New Business**

- a. DVP00049 – 1043 St. Patrick Street  
To permit additional hard surfacing in the front yard.

P. Copley recused herself from the meeting.

D. Jensen gave a summary of the application. Some of the comments were:

- Application is the result of bylaw enforcement for extensive paved surface in the front yard, following a major renovation undertaken in 2007.
- Existing driveway runs from boulevard to the rear yard detached garage, and both it and walkway have been widened, paving stones have been added to the front yard, and grass removed. The applicants wish to park in the front and be able to get in and out of their vehicles.
- Applicant indicated they wanted to park in front yard with easy access and egress from vehicles to house, resulting in 42% of front yard paved surface.
- No documentation to indicate the amount of paved surface originally in front yard.

**Commission Comments**

A Commission member commented that the maximum 25% paved surface has been an ongoing issue for Oak Bay, and is the only municipality with this low percentage of permitted hard surface. Another Commission member stated that it is up to Council to review the bylaw requirements.

D. Jensen confirmed that if Council denied the application, the applicant would have to reinstate the paved surface in the front yard to no more than 25%.

Commission members indicated concern about an approval process for works already undertaken without approval, but in this instance indicated it was reasonable to be able to park your car and get out of it, noting a large hedge is also inhibiting the driver from exiting the vehicle.

D. Jensen advised the arborist indicated the hedge can easily be trimmed.

It was moved and seconded to not recommend that Council approve DVP00049.

The motion was carried.

R. Collins opposed.

P. Copley returned to the meeting at 5:27 pm.

b. APC General Planning Session

i. Procedures Manual

P. Copley noted an Advisory Planning Commission procedures manual can be a useful reference tool for members, noting it can:

- set out processes and protocols;
- confirm the scope of roles and responsibilities for Commission members; and
- help identify priorities.

Commission members commented on the ability for public input, noting Oak Bay seems to vary from other municipalities.

D. Jensen noted that public input is considered at Council meetings, where ultimately Council is responsible for making a decision.

Commission members suggested terms of appointment should be included in the manual, as per wording from the Commission bylaw, and that the manual should be available on the District website.

Commission commented on their work to date, noting that they have only considered land use applications, and would like greater clarification on their role as a Commission.

Commission members indicated concern for unforeseen vacancies on the Commission as it relates to a lack of expertise in any given topic area.

D. Jensen advised Council adopted the Commission bylaw that sets out a full complement of 7 to 9 members, and indicated the Commission could consider making a motion through the minutes requesting Council appoint new members, as necessary, that may be outside of the normal recruitment period. She will provide

additional information on the process used by Corporate Services to garner volunteer members.

Commission members commented that electronic access to the Commission meetings may not yet be feasible.

D. Jensen noted that electronic participation and broadcasting of the meetings is an extensive process, involving numerous staff, and can create problems with transparency and availability of information.

Commission members confirmed that a 'policy' section could be permanently placed on the agenda, with a 'not applicable' notation added where no update is available.

Commission members commented on public participation at the Advisory Planning Commission meetings, noting that the Parks Commission allows public participation, as do some other communities. The Commission also recognized they are providing recommendations to Council, who are the decision makers, and the Commission should base their decisions on the broader benefit to the community.

Commission members suggested written correspondence could be submitted to the Commission, but for land use applications this would be limited participation as the application has not yet undergone notification.

D. Jensen advised notification for select applications occurs after Council authorizes staff to proceed, and public input would then be directed to Council.

B. Holl left the meeting at 6:47 pm.

D. Jensen confirmed edits to the draft manual should be forwarded to P. Copley and M Low for the upcoming meeting.

ii. Other

- Fair Street development inquiry - deferred to November meeting.
- Yale Street fire access - deferred to November meeting.

## 6. Information Items

D. Jensen gave a brief update on the Residential Infill Strategy, noting the sessions held September 10, 2016 were well attended with approximately 85 people at each session, and looking for feedback through the Comments Forms, which are available online and at the Municipal Hall. She advised the feedback will be made available to the Commission when the time frame for receiving feedback from the open house is closed.

## 7. Next Meeting

The special meeting of the APC is scheduled for Tuesday, October 18, 2016.

The next regular meeting of the APC is scheduled for Tuesday, November 1, 2016.

## 8. Adjournment

The meeting adjourned at 7:01 pm.