

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, Oak Bay, B.C., on Monday, April 16, 2012 at 7:00 p.m.

PRESENT: Mayor N. Jensen, Chair  
Councillor P. Copley  
Councillor C. Green  
Councillor J. Herbert  
Councillor M. Kirby  
Councillor K. Murdoch  
Councillor T. Ney

STAFF: Municipal Administrator, M. Brennan  
Director of Building and Planning, R. Thomassen  
Director of Parks and Recreation, R. Herman

Mayor Jensen called the meeting to order at 7:00 p.m.

FINANCE SECTION: (Chair – Councillor Herbert)

1. 2012-130 MUNICIPAL TREASURER, April 12, 2012  
Re: Monthly Financial Reports

MOVED by Councillor Ney  
Seconded by Councillor Kirby, That the April monthly financial reports be received.

CARRIED

PARKS AND RECREATION SECTION: (Chair – Councillor Ney)

2. 2012-131 OAK BAY PARKS AND RECREATION COMMISSION, April 4, 2012  
Re: Minutes of the Meeting

*(Ray Herman, Director of Parks and Recreation, and Monty Holding, Chairman, Oak Bay Parks and Recreation Commission, in attendance for this item.)*

The Director of Parks and Recreation responded to questions regarding native plant gardens around monuments, current year's enrollments, and the Parks Vision Report.

MOVED by Councillor Herbert  
Seconded by Councillor Kirby, That the minutes of the meeting of the Oak Bay Parks and Recreation Commission held on Wednesday, April 4, 2012, and the recommendations contained therein, be adopted.

CARRIED

HERITAGE AND CULTURE SECTION: (Chair – Councillor Green)

3. 2012-127 OAK BAY HERITAGE COMMISSION, March 20, 2012  
2012-38 ROBERT BARDAGY AND PAULINE MCISAAC, January 13, 2012  
Re Request for Removal of 1101 Beach Drive from the Community Heritage Register

Councillor Green provided an overview, noting the topic was discussed at the Heritage Commission.

Patricia Wilson, Chair, Oak Bay Heritage Commission, advised that the matter was contentious and there was a split of opinion at the Commission level. She expressed her opinion that the heritage registration is not affecting the land value, although the owner is claiming that it is.

There was some suggestion that the matter be postponed pending further information on the land value and other matters. Although there was some question as to whether this owner actually consented to the registration, the majority opinion was that registration should indeed be voluntary.

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That the request to remove 1101 Beach Drive from the Community Heritage Register be approved.

CARRIED  
(Councillor Copley against the motion)

MOVED by Councillor Murdoch

Seconded by Councillor Copley, That the letter dated January 13, 2012 from Robert Bardagy and Pauline McIsaac be received.

CARRIED

There was consensus to vary the order of the agenda at this point.

LAND USE SECTION: (Chair – Councillor Copley)

4. 2012-133 DIRECTOR OF BUILDING AND PLANNING, April 11, 2012  
Re Development Variance Permit Application –537 Victoria Avenue

The Director of Building and Planning explained the variances being requested.

Nigel Beattie, speaking on behalf of the homeowner, Ms. Chen, gave the reasoning behind the request for variances.

MOVED by Councillor Kirby

Seconded by Councillor Ney, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 537 Victoria Avenue, as outlined in correspondence item no. 2012-133, be brought forward to Council for consideration.

CARRIED

5. 2012-134 DIRECTOR OF BUILDING AND PLANNING, April 11, 2012  
Re Development Variance Permit Application –150 Prince Andrew Place

The Director of Building and Planning provided a brief overview of the variance being requested.

Laurel Hodgins, Designer, explained the variance being requested.

MOVED by Councillor Kirby

Seconded by Councillor Ney, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 150 Prince Andrew Place, as outlined in correspondence item no. 2012-134, be brought forward to Council for consideration.

CARRIED

6. 2012-135 DIRECTOR OF BUILDING AND PLANNING, April 11, 2012  
Re Development Variance Permit Application –752 Hampshire Road

With respect to the proposed renovations for 752 Hampshire Road, the Director of Building and Planning provided a brief description of the variances being requested.

Archie Willie, designer, and the homeowner, Doug Henderson, gave their explanation for the variances being requested.

MOVED by Councillor Kirby

Seconded by Councillor Ney, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 752 Hampshire Road, as outlined in correspondence item no. 2012-135, be brought forward to Council for consideration.

CARRIED

7. 2012-136 DIRECTOR OF BUILDING AND PLANNING, April 12, 2012  
Re Development Variance Permit Application – 3180 Humber Road

The Director of Building and Planning provided a brief description of the variances being requested.

Brian Morris, Architect, explained why the variances were required.

MOVED by Councillor Kirby

Seconded by Councillor Ney, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 3180 Humber Road, as outlined in correspondence item no. 2012-136, be brought forward to Council for consideration.

CARRIED

8. 2012-137 DIRECTOR OF BUILDING AND PLANNING, April 12, 2012  
Re Development Variance Permit Application –2050 Lorne Terrace

The Director of Building and Planning explained the variances being requested.

Responding to a question from a member of the Committee, Scott Phillips, homeowner, explained the proximity of neighbouring houses.

MOVED by Councillor Kirby

Seconded by Councillor Ney, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2050 Lorne Terrace, as outlined in correspondence item no. 2012-137, be brought forward to Council for consideration.

CARRIED

9. 2012-138 DIRECTOR OF BUILDING AND PLANNING, April 12, 2012  
Re Development Variance Permit Application – 639 Radcliff Lane

The Director of Building and Planning provided a brief description of the variances being requested.

Stan Sipos, homeowner, and Karen Hillel, Architect, provided an overview of the application and answered questions from the Committee regarding material to be used for paving.

Appreciation was expressed by the Committee that the homeowner consulted with the neighbours regarding the proposed renovations.

Mr. Sipos commented that, for reasons of livability and to maintain view corridors, the variances were required.

MOVED by Councillor Kirby

Seconded by Councillor Ney, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 639 Radcliff Lane, as outlined in correspondence item no. 2012-138, be brought forward to Council for consideration.

CARRIED

10. 2012-139 DIRECTOR OF BUILDING AND PLANNING, April 12, 2012  
Re Development Variance Permit Application – 2281 Woodlawn Crescent

The Director of Building and Planning provided an explanation of the maximum paved surface variance being requested.

Cindy Scott, homeowner, and Rus Collins, designer, were in attendance and answered questions from Committee members.

MOVED by Councillor Herbert

Seconded by Councillor Green, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2281 Woodlawn Crescent, as outlined in correspondence item no. 2012-139, be brought forward to Council for consideration.

CARRIED

11. 2012-140 DIRECTOR OF BUILDING AND PLANNING, April 10, 2012  
Re Development Permit with Variances Application – 106-2187 Oak Bay Avenue

The Director of Building and Planning drew attention to the number of signs and Mr. Thomassen and Geoffrey Beattie, applicant, responded to various questions regarding signage style, colours, location, and whether or not the proposed signage is suitable as requested.

Councillor Ney, stating a conflict of interest as she rents space in the same building, left the meeting at 8:15 p.m.

The applicant agreed to make changes to the proposed signs.

MOVED by Councillor Green

Seconded by Councillor Kirby, That a resolution authorizing the Director of Building and Planning to issue a development permit, with variances, with respect to 106-2187 Oak Bay Avenue, as outlined in correspondence item no. 2012-140, be brought forward to Council for consideration.

CARRIED

Councillor Ney returned to the meeting at 8:20 p.m.

12. 2012-132 FOCUS CORPORATION, PLANNING CONSULTANT, April 13, 2012
- 2012-132-1 BAPTIST HOUSING, April 11, 2012
- 2012-132-2 BAPTIST HOUSING, April 5, 2012
- 2012-132-3 MICHAEL HAYES, March 5, 2012
- 2012-132-4 JOHN RANKIN, March 7, 2012
- 2012-132-5 JOHN RANKIN, March 9, 2012
- 2012-132-6 JOHN RANKIN, April 11, 2012
- 2012-132-7 NOEL PARKER-JERVIS, March 12, 2012
- 2012-132-8 HAMPSHIRE HILL NEIGHBOURHOOD ASSOCIATION, March 30, 2012
- 2012-132-9 JILL SMITH, April 16, 2012  
Re Development Variance Permit Application – 2251 Cadboro Bay Road  
(Oak Bay Lodge)

Councillor Copley, stating a conflict of interest as her father lives at Oak Bay Lodge (2251 Cadboro Bay Road), left the meeting at 8:20 p.m.

Mayor Jensen assumed the Chair for this item, and reminded the Committee that it is a development variance permit application that is being considered and as such consideration can only be given to matters relating to height and parking.

Felice Mazzoni, consultant, Focus Corporation, stated that if Council wishes to open up the public engagement to encompass broader issues then perhaps a local area plan should be considered. Otherwise, Council should endorse Focus's original communications strategy.

Paul Merner, Oak Bay resident, commented that this proposal had already been defeated on its merits.

Dave Rodenhuis, Oak Bay resident, pointed out that there are substantial variances being requested, and there should be compromises on both sides.

John Rankin, Oak Bay resident, stated that all residents of Oak Bay should be providing the input that Council needs.

Michael Donald, Oak Bay resident, stated that quality drawings are required.

Doug Mollard, Oak Bay resident, expressed his hope that Council would consider a local area plan sometime down the road. He also commented that there had yet to be any engagement with Council.

Cathy Prevost, Oak Bay resident, stated that her only concern was with parking and size. She commented that traffic is currently terrible in the area.

Raisa Frenette, Oak Bay resident, stated that a decision cannot be made without first having a clear vision for the community. She also questioned why consultation wasn't done prior to the proposal being made.

Corey Burger, questioned the reasoning behind the boundaries for the local area plan.

Don Prevost, Oak Bay resident, stated that the recent survey conducted on behalf of Baptist Housing was flawed.

Michael Donald, Oak Bay resident, questioned the point of having a bylaw if it can be varied.

Doug Mollard, Oak Bay resident, sought clarification of the term "density".

MOVED by Councillor Herbert  
Seconded by Councillor Kirby, That staff be directed to request Focus to proceed with their initial communication strategy, but with amendments to include opportunities for dialogue, and to provide an updated timeline.

CARRIED

Councillor Copley returned to the meeting at 9:30 p.m.

13. 2012-119 COUNCILLOR COPLEY, March 22, 2012  
Re Official Community Plan Working Group Report

There was a debate as to whether the size of the proposed steering committee should be increased.

It was agreed that terms of reference for the steering committee should be drawn, and to include criteria for the selection of members.

MOVED by Councillor Green  
Seconded by Councillor Kirby, That staff be directed to draft the terms of reference for the proposed Official Community Plan project steering committee, for consideration by the Committee of the Whole at a special meeting April 30, 2012.

CARRIED

ADJOURNMENT:

MOVED by Councillor Murdoch  
Seconded by Councillor Kirby, That the Committee of the Whole meeting be adjourned.

CARRIED

The meeting adjourned at 10:05 p.m.

Certified Correct:

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Deputy Municipal Clerk

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Chair, Finance Section

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Chair, Parks & Recreation Section

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Chair, Land Use Section