

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, March 7, 2011 at 7:30 p.m.

PRESENT: Mayor C. M. Causton, Chairman  
Councillor H. Braithwaite  
Councillor A. R. Cassidy  
Councillor P. Copley  
Councillor N. B. Jensen  
Councillor T. Ney  
STAFF: Municipal Administrator, M. Brennan  
Municipal Clerk, L. Hilton  
Confidential Secretary, K. Green  
Director of Building and Planning, R. Thomassen

Mayor Causton called the meeting to order at 7:30 p.m.

RECREATION SECTION: (Chairman – Councillor Braithwaite)

1. 2011-94 OAK BAY PARKS AND RECREATION COMMISSION, March 2, 2011  
Re Minutes of the Meeting

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

*2011 Oak Bay Parks and Recreation Budget*

MOVED by Councillor Jensen  
Seconded by Councillor Cassidy, That the Oak Bay Parks and Recreation 2011 proposed operating budget and capital requests be referred to Estimates Committee.

CARRIED

MOVED by Councillor Jensen  
Seconded by Councillor Cassidy, That the minutes of the meeting of the Oak Bay Parks and Recreation Commission held on Wednesday, March 2, 2011, and the recommendations contained therein, with the exception of those relating to the operating budget and capital requests, be adopted.

*Allotment Gardens Update*

Responding to questions and suggestions from members of the Committee regarding expanding the number of allotment gardens in Oak Bay, Ms. Curtis advised that Parks Department staff are continually looking for additional space for allotment gardens and various suggestions received in this regard are being explored. It was also confirmed that there has been ongoing communication with staff and the Parks and Recreation Commission on this topic.

A member of the Committee referred to the BC Climate Action website where she found a program called “Dig It Community Garden Guide”, a toolkit designed to help local governments support community gardens, noting it may be of interest to staff and the Commission.

The question was then called.

CARRIED

LAND USE SECTION: (Chairman – Councillor Cassidy)

2. 2011-95 DIRECTOR OF BUILDING AND PLANNING, March 1, 2011  
Re Uplands Building Permit and Development Variance Permit Application  
– 2845 Heron Street

Adam Fawkes, Designer, explained that the space between buildings variance is being requested due to a covered, glassed-in vestibule (walkway) linking the garage to the house. Mr. Fawkes noted that the proposed single storey house is similar in massing to the original house and that the visual impact of the development from the street would appear as two buildings (house and garage).

In response to questions regarding how the design fits with the adjacent properties, Mr. Fawkes noted that the house is of similar height to those in the vicinity, and that the landscaping plans have been designed to complement the adjacent Uplands Park.

Following discussion, with varying views and opinions being expressed by members of the Committee with respect to the contemporary design of the development and how it fits with the neighbourhood, it was the view of the Committee that the application should proceed to the notification stage.

MOVED by Councillor Ney

Seconded by Councillor Copley, That it be recommended to Council that the plans to construct a new residential dwelling at 2845 Heron Street be approved as to siting and architectural design, 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 correspondence item no. 2011-95, be prepared and brought forward to the next meeting of Council for consideration.

CARRIED

3. 2011-96 DIRECTOR OF BUILDING AND PLANNING, March 1, 2011  
Re Subdivision Covenant/Development Variance Permit Application – 1820  
Beach Drive

The Director of Building and Planning advised that the owners have submitted plans for a new single family dwelling with a detached garage to be built on the corner lot of the proposed subdivision. He noted that final approval of the subdivision has not been given, however, one of the conditions of the subdivision would be that a covenant be registered for architectural design and siting for any new buildings on the site. Mr. Thomassen said the applicant is requesting review and approval of the proposed house design and siting in order to proceed with the building permit once the subdivision receives final approval and registration.

Distributing additional drawings of the proposed development, Tim Rodier, Designer, noted the changes to the massing and design as requested by the Advisory Design Panel. Mr. Rodier said the aim is to build a home that would fit with the existing homes in the vicinity, noting that his clients wish to utilize the allowable building area of the lot.

With respect to the current proposal exceeding the maximum amount of paved surface permitted in the rear yard, Mr. Rodier pointed out that the reason for the variance request is because of the location of the garage, noting that even if the detached garage was located closer to Cranmore Road, a variance would still be required. He noted that permeable pavers would be used.

Members of the Committee discussed the design, massing, shadowing, neighbourhood suitability, and the amount of paved surface being requested for the proposed development, with varying views being expressed in that regard. It was pointed out that the amount of paved surface is increased with the plans for a detached garage as well as a garage included within the house.

With respect to the Committee's concern regarding the Garry Oak tree located at the south east corner of the property close to the building envelope, it was suggested that with some redesign of the house the applicant could perhaps enhance the protection of the Garry Oak tree.

Jamie Gill, owner, responding to various questions from the Committee, noted that the proposed garages would accommodate their two vehicles, including his work truck, along with storage and mechanical equipment. A member of the Committee commented that if the third garage was not to be used for a vehicle then the amount of paving being requested could be reduced.

It was noted that the plans for the second lot were unknown at this time, but that siting and design would be subject to Municipal approval pursuant to the registered covenant that would be required by the Subdivision Approving Officer.

MOVED by Councillor Braithwaite

Seconded by Councillor Ney, That the plans for a single family dwelling be approved as to siting and architectural design subject to a development variance permit being issued, and further that a resolution authorizing the Director of Building and Planning to issue a development variance permit, subject to all conditions of subdivision being met, with respect to 1820 Beach Drive, as outlined in correspondence item no. 2011-96, be prepared and brought forward to Council for consideration.

Following further discussion, it emerged that the majority of the Committee members felt the variance for the amount of paved surface was not supportable, and that the proposed siting of the house would negatively affect the Garry Oak tree.

The question was then called.

DEFEATED UNANIMOUSLY

4. 2011-97 DIRECTOR OF BUILDING AND PLANNING, March 3, 2011  
Re Development Variance Permit Application – 2670 Cranmore Road

Bruce Wilkin, designer, described the variances being requested, pointing out that the plans include a modest renovation to the rear of the house and that the overall design will be in keeping with the existing style of the house.

Mr. Wilkin drew attention to the fact that the floor area variance being requested is due to the existing basement being less than 0.8 metres below grade, and although not considered an occupiable living space, it must be included in the gross floor area calculation.

MOVED by Councillor Braithwaite

Seconded by Councillor Copley, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2670 Cranmore Road, as outlined in correspondence item no. 2011-97, be prepared and brought forward to Council for consideration.

CARRIED

5. 2011-98 DIRECTOR OF BUILDING AND PLANNING, March 3, 2011  
Re Development Variance Permit Application – 114 Beach Drive

George Shaw, owner, described the variances being requested nothing that he wishes to replace an existing deck/sunroom, that was built by a previous owner without a building permit, with a new deck and expand the top floor.

MOVED by Councillor Braithwaite

Seconded by Councillor Ney, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 114 Beach Drive, as outlined in correspondence item no. 2011-98, be prepared and brought forward to Council for consideration.

CARRIED

ADJOURNMENT:

MOVED by Councillor Braithwaite

Seconded by Councillor Cassidy, That the meeting of Committee of the Whole be adjourned.

CARRIED

The meeting adjourned at 9:05 p.m.

Certified Correct:

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Municipal Clerk

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Chairman, Recreation Section

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Chairman, Land Use Section