

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, February 21, 2011 at 7:30 p.m.

PRESENT: Acting Mayor A. R. Cassidy, Chairman  
Councillor H. Braithwaite  
Councillor P. Copley  
Councillor J. D. Herbert  
Councillor T. Ney

STAFF: Municipal Administrator, M. Brennan  
Municipal Clerk, L. Hilton  
Confidential Secretary, K. Green  
Director of Building and Planning, R. Thomassen  
Municipal Treasurer, P. Walker

Acting Mayor Cassidy called the meeting to order at 7:33 p.m.

FINANCE SECTION: (Chairman – Acting Mayor Cassidy)

1. 2011-77 MUNICIPAL TREASURER, February 1, 2010  
Re Monthly Financial Reports

The Municipal Treasurer provided an overview of the revenue and expense report for January, describing the various reasons for payments and expenses appearing higher than expected this early in the year. Ms. Walker noted the expenses are relatively as projected at this time.

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That the January monthly financial reports be received.

CARRIED

LAND USE SECTION: (Chairman – Acting Mayor Cassidy)

2. 2011-78 DIRECTOR OF BUILDING AND PLANNING, February 17, 2011  
Re Uplands Building Permit Application – 3025 Cadboro Bay Road

Acting Mayor Cassidy advised that the applicant revised the proposed siting of the garage, for which a setback variance was recently denied, and that now the siting meets the Zoning Bylaw requirements.

In response to a question from a Committee member asking if consideration had been given to using a more permeable driveway surface rather than the asphalt, Don McCarthy, applicant, advised that he is using asphalt because it blends with the existing material. Mr. McCarthy noted that at the suggestion of the Municipal Arborist, he plans to construct a drainage field under the driveway, which will create more breathing room for the tree roots in the area.

With respect to the neighbour's concern about drainage issues, Mr. McCarthy said he has never seen water runoff from the driveway and does not foresee any issue arising with the new driveway installation.

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That it be recommended to Council that the plans to construct a garage at 3025 Cadboro Bay Road be approved as to siting and architectural design.

CARRIED

3. 2011-79 DIRECTOR OF BUILDING AND PLANNING, February 17, 2011  
Re Development Variance Permit Application Amendment – 556 Newport Avenue

It was noted that although the house plans have been modified, the variances have remained the same as in the original development variance permit that was previously approved.

MOVED by Councillor Herbert

Seconded by Councillor Copley, That a resolution authorizing the Director of Building and Planning to issue a development variance permit to amend DVP #51-2010 with respect to 556 Newport Avenue, as outlined in correspondence item no. 2011-79, be prepared and brought forward to Council for consideration.

CARRIED

Acting Mayor Cassidy indicated a conflict of interest with respect to the next two items, noting that he shares a financial interest with the applicant's architect involved with the original development variance permit application for 2185 Granite Street (formerly 1392 Hampshire Road), which is before the Committee for an amendment, and with respect to the development permit application with variances for 2585 Cadboro Bay Road, noting his firm is in a business relationship with the applicant. Acting Mayor Cassidy left the meeting at 7:47 p.m. Councillor Braithwaite assumed the Chair for these two items.

4. 2011-80 DIRECTOR OF BUILDING AND PLANNING, February 18, 2011  
Re Development Variance Permit Application Amendment – 2185 Granite Street

Harvey Pinch, applicant, advised that the generator, the siting for which a variance is being requested, would run for twelve minutes once a week, adding that he felt that the noise constraints in the Zoning Bylaw for noise emitting structures seem a bit stringent. Mr. Pinch noted that the neighbours expressed their support for the variance.

It was pointed out that should the generator exceed the permitted noise levels, it would become a bylaw enforcement matter.

MOVED by Councillor Herbert

Seconded by Councillor Ney, That a resolution authorizing the Director of Building and Planning to issue a development variance permit to amend DVP #52-2010 with respect to 2185 Granite Street, as outlined in correspondence item no. 2011-79, be prepared and brought forward to Council for consideration.

CARRIED

5. 2011-81 DIRECTOR OF BUILDING AND PLANNING, February 17, 2011  
Re Development Permit Application with Variances – 2585 Cadboro Bay Road

MOVED by Councillor Copley

Seconded by Councillor Herbert, That a resolution authorizing the Director of Building and Planning to issue a development permit, with variances, with respect to 2585 Cadboro Bay Road, as outlined in correspondence item no. 2011-81, be brought forward to Council for consideration.

CARRIED

Acting Mayor Cassidy returned to the meeting at 7:50 p.m. and resumed the Chair.

6. 2011-82 DIRECTOR OF BUILDING AND PLANNING, February 17, 2011  
Re Development Variance Permit Application – 1880 Greatford Place

MOVED by Councillor Braithwaite

Seconded by Councillor Herbert, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 1880 Greatford Place, as outlined in correspondence item no. 2011-82, be prepared and brought forward to Council for consideration.

CARRIED

7. 2011-83 MUNICIPAL ADMINISTRATOR, February 16, 2011  
Re Regional Sustainability Strategy

The Municipal Administrator noted that at the January 24, 2011 Council meeting, the Capital Regional District Regional Planning staff requested Council's input on the Regional Sustainability Strategy policy options. At that time Council directed staff to provide a draft response for its review.

Mr. Brennan provided an overview of his memorandum and proposed response, noting that it may be difficult to reach a consensus on Council's opinion on each and every topic included in the policy option documents. Therefore, he said, his draft response provides general comments on each topic area. He suggested that should a member of Council have strong views on any of the specific options, then it may be more appropriate to make an individual submission to the Capital Regional District prior to the Forum of Councils, which is scheduled for March 5, 2011.

MOVED by Councillor Herbert

Seconded by Councillor Copley, That it be recommended to Council that staff be directed to submit the response to Capital Regional District Regional Planning, as outlined in the attachment to correspondence item no. 2011-83.

Following discussion and varying views being expressed by members of the Committee with respect to some of the wording in the draft response, it was agreed that some changes should be made to the wording under the sections Affordable Housing and Transportation.

MOVED by Councillor Herbert

Seconded by Councillor Copley, That the motion be amended to include the following wording changes:

Affordable Housing:

*Replace the first and second bullets with the following:*

- Council is in agreement that each municipality should have an affordable housing plan, however, the expectation should be that these plans will vary from municipality to municipality. For example, the decision as to whether there should be programs promoting densification should be made by local Councils based on factors unique to their communities.

- Council is generally supportive of promoting affordable housing, but does not necessarily advocate the spending of municipal taxes on these initiatives, as this raises the question as to whether some of these initiatives are rightfully the responsibility of the Provincial and Federal Government.

Transportation:

*Replace the first bullet with the following:*

- Council is in agreement that that there should be regional transportation and corridor planning.

The question on the amendment to the motion was then called.

CARRIED

The question on the main motion, as amended, was then called.

CARRIED

ADJOURNMENT:

MOVED by Councillor Braithwaite

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

CARRIED

The meeting adjourned at 8:14 p.m.

Certified Correct:

\_\_\_\_\_  
Municipal Clerk

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Acting Chairman, Finance Section

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Chairman, Land Use Section

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Acting Chairman, Land Use Section