

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 6, 2012 at 7:30 p.m.

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

STAFF: Municipal Administrator, M. Brennan  
Municipal Clerk, L. Hilton  
Director of Building and Planning, R. Thomassen

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

FINANCE SECTION: (Chair – Councillor Herbert)

1. 2012-45 MUNICIPAL ADMINISTRATOR, February 3, 2012  
Re Selection of Consultant for Priority Setting Session

The Municipal Administrator reviewed his memorandum noting that three proposals have been received, all of which are good proposals and would serve Council's needs well. Accordingly, he said, his recommendation is to select LGL Institute, as the lowest cost option.

MOVED by Councillor Copley

Seconded by Councillor Ney, That it be recommended to Council that LGL Institute be engaged as the consultant for the priority setting session, as described in the Municipal Administrator's memorandum dated February 3, 2012 (correspondence item 2012-45).

There was consensus that "evening and day" option provided should be chosen.

The question was then called.

CARRIED

PARKS AND RECREATION SECTION: (Chair – Councillor Ney)

2. 2012-46 OAK BAY PARKS AND RECREATION COMMISSION, February 1, 2012  
Re: Minutes of the Meeting

Councillor Ney drew attention to the remarkable success of the Annual Youth Pass offered at a special promotional rate for a four month period expiring in March.

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, February 1, 2012, and the recommendations contained therein, be adopted.

CARRIED

LAND USE SECTION: (Chair – Councillor Copley)

3. 2012-47 DIRECTOR OF BUILDING AND PLANNING, January 26, 2012  
Re Development Variance Permit Application – 2987 Westdowne Road

The Director of Building and Planning provided an overview of his memorandum regarding the application for a variance to expand a portion of the driveway situated on private property.

Mike LeVecque, owner, was in attendance and responded to questions from the Committee, noting his family's desire to increase the parking area available.

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 2987 Westdowne Road, as outlined in correspondence item no. 2012-47, be brought forward to Council for consideration.

CARRIED

4. 2012-48 DIRECTOR OF BUILDING AND PLANNING, January 26, 2012  
Re Development Variance Permit Application – 3311 Woodburn Avenue

Referring to his memorandum, the Director of Building and Planning outlined the variances being requested as a result of adding a roof over the rear patio and adding a loft to the proposed accessory building.

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 3311 Woodburn Avenue, as outlined in correspondence item no. 2012-48, be brought forward to Council for consideration.

CARRIED

5. 2012-49 DIRECTOR OF BUILDING AND PLANNING, January 26, 2012  
Re Development Variance Permit Application– 1345 Oliver Street

Mayor Jensen stated a conflict of interest inasmuch he lives in the neighbourhood of the subject house and would be in the notification area, and left the meeting at 7:56 p.m.

The Director of Building and Planning referred to his memorandum noting the gross floor area and second storey setback variances required as a result of two proposed additions.

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 1345 Oliver Street, as outlined in correspondence item no. 2012-49, be brought forward to Council for consideration.

CARRIED

Mayor Jensen returned to the meeting at 7:59 p.m.

6. 2012-50 DIRECTOR OF BUILDING AND PLANNING, January 30, 2012  
Re Development Variance Permit Application – 2024 Allenby Street

Referring to his memorandum, the Director of Building and Planning noted that the proposed addition would require a second storey setback variance.

MOVED by Councillor Ney

Seconded by Councillor Herbert, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2024 Allenby Street, as outlined in correspondence item no. 2012-50, be brought forward to Council for consideration.

CARRIED

7. 2012-51 DIRECTOR OF BUILDING AND PLANNING, January 27, 2012  
2012-51-1 JOHN RANKIN, January 24, 2012  
2012-51-2 JOHN RANKIN, February 2, 2012  
2012-51-3 MICHAEL DONALD, February 6, 2012  
Re: Development Variance Permit Application – 2251 Cadboro Bay Road

Councillor Copley, stating a conflict of interest as her father lives at Oak Bay Lodge (2251 Cadboro Bay Road), left the meeting at 8:03 p.m.

Mayor Jensen assumed the Chair for this item, and outlined a process for considering the new application for redevelopment of the Oak Bay Lodge property, saying that it warrants a complete and thorough examination. He went on to note that a report on the selection of a planning consultant, to be funded by the applicants, to assist Council with the process and to advise and make recommendations on community consultation, will be coming to Council for consideration at its next meeting.

Howard Johnson, Baptist Housing, provided a power point presentation to the Committee, outlining the new application for the redevelopment of the property, and pointing out the most notable changes to the previous application.

The Committee agreed that more detailed discussion, including input from members of the public, would occur at future meetings.

Councillor Copley returned to the meeting at 8:21 p.m.

HERITAGE AND CULTURE SECTION: (Acting Chair – Mayor Jensen)

8. 2012-52 JEAN SPARKS, January 27, 2012  
2012-52-1 S.B. JULIAN et al, January 28, 2012  
2012-43 DIRECTOR OF BUILDING AND PLANNING, January 20, 2012  
2012-43-1 COX, TAYLOR BARRISTERS & SOLICITORS, January 12, 2012  
2012-43-2 JEAN SPARKS, January 22, 2012  
2012-43-3 DAVID AND HEATHER GLOWICKI, January 18, 2012  
Re: Temporary Protection Order/Heritage Commission Recommendation – 1231 Victoria Avenue

Patricia Wilson, Chair, Oak Bay Heritage Commission was in attendance along with some other members of the Commission to discuss the heritage significance assessment of 1231 Victoria Avenue, and its relation to the Oak Bay heritage program in general.

In regard to the property at hand, Ms. Wilson noted that the Commission's role was to advise on the heritage significance of the property, and not on considerations related to the potential payment of compensation for heritage designation.

There was discussion regarding 1231 Victoria Avenue, and the view was expressed that a heritage strategic plan, which the Commission will be working on, is needed to would avoid a piecemeal approach to heritage planning and to help provide a proactive heritage program as opposed to reacting to situations like the proposed demolition of the Victoria Avenue property.

The difficulty of the situation was acknowledged by many, with concerns being noted about the potential financial impact on the community should the property be formally designated heritage property in accordance with the findings of the Commission.

Members of the public and the property owners of 1231 Victoria Avenue were invited to address the Committee.

John Armitage, resident, provided his views on the situation, illustrating what he saw as options to save the house.

The discussion turned to the issue of compensation related to heritage designation, and while the view was expressed by some that more information was required in this regard before any decision could be made, others felt that it was time to lift the temporary protection order.

MOVED by Councillor Herbert

Seconded by Councillor Kirby, That it be recommended to Council that the Temporary Protection Order against 1231 Victoria Avenue be lifted.

DEFEATED

*(Councillors Copley and Ney and Mayor Jensen against the motion)*

The Municipal Administrator pointed out that the opportunity to engage an appraiser with respect to a valuation of the potential compensation that might be required to be paid as a result of designation was limited, given the upcoming expiry of the temporary protection order, and it was agreed that further consideration of this agenda item would occur at the Council meeting on February 13, 2012.

ADJOURNMENT:

MOVED by Councillor Ney

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

CARRIED

The meeting adjourned at 9:29 p.m.

Certified Correct:

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Municipal Clerk

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Chair, Finance Section

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Chair, Parks and Recreation Section

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Chair, Land Use Section

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Acting Chair, Heritage and Culture Section