

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, January 16, 2012 at 7:30 p.m.

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

STAFF: Municipal Administrator, M. Brennan  
Municipal Clerk, Lorraine Hilton  
Municipal Treasurer, P. Walker  
Director of Building and Planning, R. Thomassen  
Director of Engineering Services, D. Marshall

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

FINANCE SECTION: (Chair – Councillor Herbert)

1. 2012-26 MUNICIPAL TREASURER, January 11, 2012  
Re Opting In or Out of the Municipal Boulevard Maintenance Program

The Municipal Treasurer provided an overview of her memorandum regarding the boulevard maintenance program which provides boulevard maintenance service to adjacent homeowners for which the Municipality levies a parcel tax, based on the frontage of the lots, as laid out in various bylaws that were adopted for that purpose.

Ms. Walker noted that she has received inquiries about how to opt out of the boulevard maintenance program, acknowledging that there is no process in place for considering such requests. Accordingly, she said, she proposes that a policy be adopted along the lines laid out in her memorandum.

There was discussion regarding the program, and the options provided for establishing a policy, and Ms. Walker answered questions from the Committee in that regard.

In respect to the proposal to require two thirds of property owners within both sides of one block, representing at least two thirds of the assessed value of the properties, to petition Council with a request to be removed or added to program, it was felt that just two thirds of the property owners was sufficient, given that there would unlikely be significant differences in the tax implications for various properties within a block.

MOVED by Councillor Copley

Seconded by Councillor Ney, That pursuant to the Municipal Treasurer's memorandum dated January 11, 2012 (correspondence item 2012-26), staff be directed to prepare a policy for Council's consideration regarding procedures for properties to be added to, or removed from, the municipal boulevard maintenance program, excluding the requirement for a petition to be signed by owners representing two thirds of the assessed property value within a block.

CARRIED

ACTIVE TRANSPORTATION AND COMMUNITY SECTION: (Chair – Councillor Kirby)

2. 2012-27 DIRECTOR OF ENGINEERING SERVICES, January 9, 2012  
2011-297 BRENDA DIRKS ET AL, [undated]  
Re Request for Residential Only Parking – 2600 Block of Currie Road

The Director of Engineering Services summarized the findings of Engineering Department staff in respect to the request for parking restrictions, noting that they did not appear warranted through staff's observations, as outlined in the report.

Following discussion, it was the view of the Committee that residential parking restrictions should not be recommended to Council at this time.

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That correspondence items numbered 2012-27 and 2012-297 be received.

CARRIED

3. 2012-28 DIRECTOR OF ENGINEERING SERVICES, January 9, 2012  
2012-28-1 BRIAN AND PAM SMITH, September 20, 2011  
Re Request for Parking Restrictions on Woodburn Avenue

The Director of Engineering Services, referring to his memorandum, advised that staff did not observe significant parking volume differences on Woodburn Avenue compared to other similar streets, noting that parking availability was also observed.

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That correspondence items numbered 2012-28 and 2012-28-1 be received.

CARRIED

4. 2012-29 DIRECTOR OF ENGINEERING SERVICES, January 12, 2012  
Re Request for Boulevard Encroachment – 601 Transit Road

LAND USE SECTION: (Chair – Councillor Copley)

5. 2012-30 DIRECTOR OF BUILDING AND PLANNING, December 6, 2011  
Re Development Variance Permit Application – 601 Transit Road

There was consensus to discuss items 2012-29 and 2012-30 concurrently in as much as they relate to the overall development of the same property.

The Director of Building and Planning noted that the current application is a revision to the application that came before the Committee in November, and incorporates a number of changes including a proposal for two, versus one, garage doors.

Part of the development, it was noted, would require a boulevard encroachment in relation to rock walls constructed on municipal property.

MOVED by Councillor Herbert

Seconded by Councillor Ney, That it be recommended to Council that permission be given for a boulevard encroachment adjacent to 601 Transit Road, subject to the owners entering into a boulevard encroachment agreement with the Municipality, and subject to receipt of Engineer approved plans for the proposed rock walls.

CARRIED

MOVED by Councillor Herbert

Seconded by Councillor Ney, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 601 Transit Road, as outlined in correspondence item no. 2012-30, be brought forward to Council for consideration.

CARRIED

6. 2012-31 DIRECTOR OF BUILDING AND PLANNING, December 12, 2011  
Re Development Variance Permit Application – 777 Victoria Avenue

The Director of Building and Planning provided an overview of his memorandum regarding the application for a variance in respect to the paved surface of the front yard. He also drew attention to a separate issue with respect to the public boulevard crossing section of the driveway that would be addressed through the Engineering Department in order for the requirements of the Driveway Access Bylaw to be met.

Guy Densey, applicant, explained that the increased pavement would accommodate off-street parking, noting that parking in the area of his home can be an issue in respect to nearby St. Michael's School.

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 777 Victoria Avenue, as outlined in correspondence item no. 2012-31, be brought forward to Council for consideration.

CARRIED

7. 2012-32 DIRECTOR OF BUILDING AND PLANNING, December 5, 2011  
Re Development Permit Application with Variances – 2542 Estevan Avenue

The Director of Building and Planning explained that three variances are required for the signage for de Goutier Jewellers, as laid out in his memorandum.

Mr. de Goutiere was in attendance and answered questions from the Committee regarding the application.

MOVED by Councillor Murdoch

Seconded by Councillor Kirby, That a resolution authorizing the Director of Building and Planning to issue a development permit with variances with respect to 2542 Estevan Avenue, as outlined in correspondence item no. 2012-32, be brought forward to Council for consideration.

CARRIED

8. 2012-33 DIRECTOR OF BUILDING AND PLANNING, December 6, 2011  
Re Development Permit Application with Variances – 2333 Beach Drive

Referring to his memorandum, the Director of Building and Planning outlined the variance required as a result of the addition of two new suites, noting that the parking is presently legally non-conforming. The application, he said, also includes changes to the exterior siding.

Robert Rocheleau, Architect, explained the reason for changes made without permit, noting the need for emergency repairs due to water infiltration, and Norman Isherwood, owner, responded to various questions from the Committee regarding the use of the parking on the property.

Mr. Isherwood added that they will be providing an electric car and charging station for use by all three of his properties in the area.

Responding to questions from the Committee, Mr. Isherwood confirmed his commitment to provide an electric car and charging station, and confirmed that cedar lap siding would be utilized for all elevations on the building, which would be reflected in new plans to be submitted in that regard.

MOVED by Councillor Ney

Seconded by Councillor Kirby, That a resolution authorizing the Director of Building and Planning to issue a development permit, with variances, with respect to 2333 Beach Drive, as outlined in correspondence item no. 2012-33, and including a condition that cedar lap siding be used on all elevations, be brought forward to Council for consideration.

CARRIED

9. 2012-34 DIRECTOR OF BUILDING AND PLANNING, December 8, 2011  
Re Development Variance Permit Application – 2149 Lansdowne Road

Following an overview by the Director of Building and Planning regarding the deck work done without permits that led to the requirement for a variance, Archie Willie, Designer, described the proposed work and landscaping features that would be included.

MOVED by Councillor Ney

Seconded by Councillor Murdoch, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2149 Lansdowne Road, as outlined in correspondence item no. 2012-34, be brought forward to Council for consideration.

CARRIED

10. 2012-35 DIRECTOR OF BUILDING AND PLANNING, December 14, 2011  
Re Development Variance Permit Application – 2068 Milton Street

Referring to his memorandum, the Director of Building and Planning outlined the request for a variance to relax the requirement for one of the two on-site parking spaces to be contained within a building.

MOVED by Councillor Murdoch

Seconded by Councillor Kirby, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2068 Milton Street, as outlined in correspondence item no. 2012-35, be brought forward to Council for consideration.

CARRIED

11. 2012-36 DIRECTOR OF BUILDING AND PLANNING, January 11, 2012  
Re Development Permit Application – 1420 Beach Drive

The Director of Building and Planning provided an overview of the proposed changes to the building, which involve replacing the wrought iron guard system with an aluminium post and glazed guard.

Wayne Stretch, Strata Council President, answered questions from the Committee, noting the Strata Council is planning to make further internal upgrades to the building as well to refresh and modernize it.

MOVED by Councillor Ney

Seconded by Councillor Green, That a resolution authorizing the Director of Building and Planning to issue a development permit with respect to 1420 Beach Drive, as outlined in correspondence item no. 2012-36, be brought forward to Council for consideration.

CARRIED

12. 2012-37 DIRECTOR OF BUILDING AND PLANNING, January 10, 2012  
Re Uplands Building Permit Application – 3180 Humber Road

Brian Morris, Architect, provided an overview of the proposed building through the use of a detailed model.

MOVED by Councillor Herbert

Seconded by Councillor Ney, That it be recommended to Council that the proposed plans for a single family dwelling at 3180 Humber Road be approved as to siting and architectural design.

CARRIED

ADJOURNMENT:

MOVED by Councillor Ney

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

CARRIED

The meeting adjourned at 9:12 p.m.

Certified Correct:

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Municipal Clerk

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Chair, Finance Section

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Chair, Land Use Section

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Chair, Active Transportation and  
Community Section