

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 4, 2010 at 7:30 p.m.

PRESENT: Mayor C. M. Causton, Chairman
Councillor H. Braithwaite
Councillor A. R. Cassidy
Councillor J. D. Herbert
Councillor N. B. Jensen

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

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

FINANCE SECTION: (Chairman – Councillor Jensen)

1. 2010-12 MUNICIPAL TREASURER, December 1, 2009
Re Monthly Financial Reports

Responding to questions from members of the Committee, the Municipal Treasurer advised that due to the extensive nature of the Oak Bay Recreation Centre Energy Project, the funds will be carried over to 2010, along with the funds for the Monterey Centre bike rack project.

With respect to a question about the funding not yet having been spent for the two new bus shelters on Oak Bay Avenue, the Municipal Administrator said that staff is currently awaiting confirmation from the adjacent property owner regarding the possibility of entering into a right of way agreement for one of the new bus shelters to be erected on private property. Because it was determined that it would be more efficient to order the two bus shelters at one time, staff is waiting for a response on the right of way situation before ordering both shelters, he said.

The Municipal Treasurer responded to various questions noting that the licensing and building permit fee revenue is up from previous years, and that, including the working capital, the reserves total \$1.8 million more than last year.

MOVED by Councillor Herbert

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

CARRIED

LAND USE SECTION: (Chairman – Councillor Cassidy)

2. 2010-13 DIRECTOR OF BUILDING AND PLANNING, December 18, 2009
Re Development Variance Permit Application –1335 Oliver Street

Councillor Jensen indicated a conflict inasmuch as he lives near the applicant, and left the meeting at 7:37 p.m.

Wayne Jensen, homeowner, provided a brief overview of the proposed renovation of the exterior and interior of the house, which would include extending the master bedroom and converting a carport to a larger garage. The extension of the garage, he said, would make it non-conforming with respect to the total of side lot line setbacks.

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 1335 Oliver Street, as outlined in correspondence item no. 2010-13, be prepared and brought forward to Council for consideration.

CARRIED

Councillor Jensen returned to the meeting at 7:40 p.m.

3. 2010-14 DIRECTOR OF BUILDING AND PLANNING, December 18, 2009
Re Development Variance Permit Application – 2732 Bowker Avenue

The Director of Building and Planning advised that the owner wishes to remove the existing porch and living room and construct a larger living room area, which requires a gross floor area variance.

Larry Atherton, homeowner, noted that his 2005 plans for an even larger room would have been permitted under the previous floor area ratio regulations. Mr. Atherton said he has spoken to some of his neighbours about the work proposed and has not heard any objections.

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2732 Bowker Avenue, as outlined in correspondence item no. 2010-14, be prepared and brought forward to Council for consideration.

CARRIED

4. 2010-15 DIRECTOR OF BUILDING AND PLANNING, December 21, 2009
Re Development Variance Permit Application –168 Barkley Terrace

Mangeet Mann, homeowner, advised that the proposed new house has been designed based on the topography of the sloping lot. The design, he said, will be sensitive to the environment and the neighbours with respect to their site lines and view, as well as fitting in with the neighbourhood. He noted that from the back, the house will appear to be a one storey building.

The reason for the large garage, advised Dr. Mann, is to create off street parking and to protect his classic car collection.

Responding to a concern expressed by a member of the Committee regarding the size of the development, Dr. Mann advised that the new home would be situated on the existing house footprint and that the requested variances are mainly due to the addition of the garage (1,446 square feet) and the roof top “living room” deck (750 square feet).

Dr. Mann said he had spoken to some of his neighbours about the work proposed and has not heard of any objections regarding the project.

Responding to a question about demolishing the existing home, Dr. Mann clarified that the house will be deconstructed as much as possible to reduce the amount of debris going to the landfill.

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 168 Barkley Terrace, as outlined in correspondence item no. 2010-15, be prepared and brought forward to Council for consideration.

There was further discussion, and varying views on the proposed construction were expressed.

The question was then called.

CARRIED

(Councillor Jensen against the motion)

5. 2010-16 DIRECTOR OF BUILDING AND PLANNING, December 29, 2009
Re Development Variance Permit Application – 3295 Midland Road

The Director of Building and Planning advised that the owners had previously received Council approval regarding the renovations. However, said Mr. Thomassen, it was later discovered that the eaves of the house required a variance to permit additional projections into the required side setback, resulting in the application before the Committee.

MOVED by Councillor Herbert

Seconded by Councillor Jensen, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 3295 Midland Road, as outlined in correspondence item no. 2010-16, be prepared and brought forward to Council for consideration.

CARRIED

6. 2010-17 DIRECTOR OF BUILDING AND PLANNING, December 30, 2009
Re Development Variance Permit Application – 2266 Tinto Street

Gerald Stevenson, building contractor, explained that the expanded driveway abutting the proposed double car garage for the new single family dwelling would offer more off street parking for the owners, noting that street parking is very limited.

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2266 Tinto Street, as outlined in correspondence item no. 2010-17, be prepared and brought forward to Council for consideration.

As in the past, a concern was again expressed by a member of the Committee at what seemed to be an increasing number of development variance permit requests regarding maximum paved surfaces, and it was suggested that the Zoning Bylaw regulations should perhaps be revisited by Council at a later date.

With respect to the view of the proposed garage from the street, it was noted that the driveway will be sloped down towards the garage which would be four feet lower than street level.

Nigel Banks, designer, responding to questions regarding how the view of the garage would be softened, advised that the contemporary design of the garage area would be partially screened by landscaping.

It was further noted that the neighbours on both sides have been contacted and have expressed support for the proposed design.

A member of the Committee felt that the new house elevation drawings would be helpful in reviewing the development variance permit application to see how the paved surface fit with the overall design. Staff indicated it would be possible to have the plans included with the resolution to Council if the application was to proceed to that point.

It was agreed that the elevation drawings should be provided for the January 11, 2010 Council meeting when the resolution would be considered.

The question was then called.

CARRIED

7. 2010-18 DIRECTOR OF BUILDING AND PLANNING, December 17, 2009
Re Development Variance Permit Application –2434 Cranmore Road

Councillor Cassidy indicated a conflict noting his personal relationship with the applicant, and left the meeting at 8:13 p.m. Mayor Causton assumed the Chair for this item.

The Director of Building and Planning advised that the homeowner wishes to relocate the front stairs to accommodate the proposed construction of a covered carport in the front yard area. Mr. Thomassen said that there is currently no off street parking for this property.

Drawing attention to the front stairs, Mr. Thomassen advised that the variance is required due to their relocation.

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 2434 Cranmore Road, as outlined in correspondence item no. 2010-18, be prepared and brought forward to Council for consideration.

CARRIED

ADJOURNMENT:

MOVED by Councillor Braithwaite
Seconded by Councillor Jensen, That the meeting of the Committee of the Whole be
adjourned.

CARRIED

The meeting adjourned at 8:21 p.m.

Certified Correct:

Municipal Clerk

Chairman, Finance Section

Chairman, Land Use Section