

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 15, 2010 at 7:30 p.m.

PRESENT: Mayor C. M. Causton, Chairman
Councillor H. Braithwaite
Councillor P. Copley
Councillor J. D. Herbert
Councillor N. B. Jensen
Councillor T. Ney

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

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

There was consensus to vary the order of the agenda to bring the Land Use Section forward for discussion at this time.

LAND USE SECTION: (Acting Chairman – Mayor Causton)

1. 2010-90 DIRECTOR OF BUILDING AND PLANNING, March 11, 2010
Re Development Variance Permit Application – 899 Transit Road

Brian Morris, Architect, provided a brief description of the proposed renovations and the requested variances, noting that the existing building does not meet any of the current zoning bylaw requirements except for lot coverage and rear yard setback.

Responding to questions from Committee members, Mr. Morris pointed out that there would be very little change to the size and shape of the existing house, although the front stairs would be widened and shed dormers would be constructed at the back of the house, and therefore not visible from the street.

MOVED by Councillor Jensen

Seconded by Councillor Copley, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 899 Transit Road, as outlined in correspondence item no. 2010-90, be prepared and brought forward to Council for consideration.

CARRIED

2. 2010-89 DIRECTOR OF BUILDING AND PLANNING, March 10, 2010
Re Development Variance Permit Application – 3072 Cadboro Bay Road

Penny Warholm, applicant, said that she was unaware of the need to obtain a building permit prior to replacing the driveway, noting that the previous concrete was sinking and was creating a safety concern. Ms. Warholm noted that the driveway also provides off street parking.

Although safety concerns regarding the original driveway were acknowledged, a member of the Committee drew attention to the newly paved surface, as well as the basement renovation in progress, saying both developments have been done without the consent of the Municipality, and again expressed her concern about the number of developments proceeding without the contractor or homeowner first obtaining a building permit or other approval from the Municipality.

The Director of Building and Planning advised that a building permit has since been issued for the basement development.

MOVED by Councillor Jensen

Seconded by Councillor Ney, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 3072 Cadboro Bay Road, as outlined in correspondence item no. 2010-89, be prepared and brought forward to Council for consideration.

CARRIED

Responding to questions, the Municipal Administrator noted that the primary responsibility for obtaining an appropriate permit rests with the property owner.

Although it was suggested that an informal record of contractors be created to track any issues of concern with respect to work done without permits, it was noted that it would be very difficult to maintain such a list, given not all work requires a permit and the Building Department may not know who the contractor on a particular project is.

The Director of Building and Planning advised that he has been working on creating a building regulation checklist for the public, which will also be posted on the website.

3. 2010-88 DIRECTOR OF BUILDING AND PLANNING, March 10, 2010
Re Development Variance Permit Application – 3300 Exeter Road

MOVED by Councillor Jensen

Seconded by Councillor Copley, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 3300 Exeter Road, as outlined in correspondence item no. 2010-88, be prepared and brought forward to Council for consideration.

CARRIED

RECREATION SECTION: (Chairman – Councillor Braithwaite)

4. 2010-85 OAK BAY PARKS AND RECREATION COMMISSION, March 4,
2010
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.)

Pesticide Bylaw Recommendations

Attention was drawn to the local newspaper article reporting on the forthcoming pesticide bylaw recommendations, and Councillor Braithwaite advised that not all of the details of the Commission's discussion were included in the report, noting that further discussion will take place at the next Pesticide Bylaw Review Committee meeting prior to recommendations being presented to Commission. Noting Councillor Ney's particular interest in the subject, she was invited to attend the meeting to fully capture the discussions in that forum.

MOVED by Councillor Herbert

Seconded by Councillor Jensen, That the minutes of the meeting of the Oak Bay Parks and Recreation Commission held on Wednesday, March 4, 2010, and the recommendations contained therein, with the exception of the recommendations pertaining to the 2010 operating budget and capital requests, be adopted.

CARRIED

2010 Oak Bay Parks and Recreation Budget

MOVED by Councillor Herbert

Seconded by Councillor Jensen, That the Oak Bay Parks and Recreation 2010 proposed operating budget and capital requests be referred to Estimates Committee.

CARRIED

FINANCE SECTION: (Chairman – Councillor Jensen)

5. 2010-86 MUNICIPAL TREASURER, March 1, 2010
Re Monthly Financial Reports

MOVED by Councillor Herbert

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

CARRIED

3. 2010-87 MUNICIPAL TREASURER, March 11, 2010
Re Fee for Provision of Property Tax Information to Financial Institutions

MOVED by Councillor Herbert

Seconded by Councillor Copley, That staff be directed to draft an amendment to the Administrative Charges Bylaw, to implement the proposed new fee charge for financial institutions seeking property tax information, as detailed in the memorandum from the Municipal Treasurer.

CARRIED

ADJOURNMENT:

MOVED by Councillor Braithwaite

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

CARRIED

The meeting adjourned at 8:00 p.m.

Certified Correct:

Municipal Clerk

Chairman, Recreation Section

Chairman, Finance Section

Acting Chairman, Land Use Section