

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, November 7, 2011 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, M. Brennan
Confidential Secretary, K. Green
Director of Building and Planning, R. Thomassen
Director of Engineering Services, D. Marshall

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

PUBLIC WORKS SECTION: (Chairman – Councillor Herbert)

1. 2011-342 DIRECTOR OF ENGINEERING SERVICES, November 2, 2011
Re Presentation by Kerr Wood Leidal Associates Ltd. – McNeill Bay
Foreshore Erosion

As approved by Council, the Director of Engineering Services advised that the Engineering Department engaged a consultant to examine the state of the west section foreshore of McNeill Bay to determine appropriate stabilization methods if necessary.

Eric Morris, Engineer, Kerr Wood Leidal Associates Ltd., provided a PowerPoint presentation with respect to a foreshore assessment along the western half of McNeill Bay, noting that the findings of the study showed varying mechanisms contributing to the erosion of the area, and he provided a summary of suggested options, as described in attachment A to correspondence item no. 2011-342, to consider implementing as early as 12.5 years from now.

It was noted that the current funding being set aside should be adjusted to accommodate the increasing issue of foreshore erosion in Oak Bay.

Further discussion ensued with members of the Committee commenting on various aspects of the foreshore and various questions from the Committee being answered by staff and Mr. Morris, and it was suggested that staff continue monitoring areas of concern, such as adjacent to Kitty Islet.

The Municipal Administrator commented that funding for further consulting work and an increase to the reserve fund for foreshore work will be considered by the Estimates Committee.

MOVED by Councillor Braithwaite
Seconded by Councillor Jensen, That correspondence item no. 2011-342 be received.

CARRIED

2. 2011-343 DIRECTOR OF ENGINEERING SERVICES, November 2, 2011
2011-343-1 JOHN SHIELDS, June 22, 2011
Re Request for Cost Sharing for Fencing – 350 King George Terrace

The Director of Engineering Services advised that both the Engineering and Parks Departments visited the pathway adjacent to 350 King George Terrace, and would suggest Parks undertake installing railings along certain sections of the public path, and that residential vegetation be trimmed back to the property line.

With respect to the request to cost share fencing, Mr. Marshall said it would cost approximately \$15,000 to fence the entire length of the path adjacent to private property, noting that the Sundry Joint Project budget is \$3,000 for 2011.

Following further discussion and questions being answered, the Committee requested that staff work with the applicant to obtain cost estimates from three fence companies, which should include a description of the proposed fence design and specifications.

MOVED by Councillor Braithwaite

Seconded by Councillor Copley, That it be recommended to Council that:

- a) Staff request the resident to trim back all hedges to the property line;
- b) Parks Services install additional handrails to improve safety; and
- c) Staff request that the applicant obtain three cost estimates for fencing along the pathway adjacent to 350 King George Terrace, to be brought forward for consideration at a future Committee of the Whole meeting.

CARRIED

3. 2011-344 DIRECTOR OF ENGINEERING SERVICES, November 2, 2011
2011-344-1 JOHN NEAL, August 18, 2011
Re Request for Cost Sharing for Fencing – 2586 Dalhousie Street

John Neal, homeowner, was in attendance requesting a cost-share arrangement for a fence separating his property from a public pathway, which is deteriorated to the point that repair was no longer practical. Mr. Neal advised that ongoing damaging vandalism to the existing fence has increased over the past several years and he would like to install a new sturdy fence as soon as possible.

Although a member of the Committee suggested that Mr. Neal speak to his neighbour who is also adjacent to the pathway about replacing his six metre section of fence at the same time, Mr. Neal indicated he was anxious to have the work completed soon.

MOVED by Councillor Braithwaite

Seconded by Councillor Copley, That it be recommended to Council that the expenditure of \$1735.00 plus HST from the Sundry Joint Project account, for the purpose of cost-sharing the installation of a fence along the portion of the pathway adjacent to 2586 Dalhousie Street, be approved.

CARRIED

LAND USE SECTION: (Acting Chairman – Mayor Causton)

4. 2011-345 DIRECTOR OF BUILDING AND PLANNING, October 31, 2011
Re Development Permit Application – 2151 Haultain Street

The Director of Building and Planning provided an overview of the development permit application, noting that the Official Community Plan requires multi-residential properties to obtain approval from Council for work affecting form and character of the building.

Maja Tait, speaking on behalf of the landlord, advised that the exiting wood and stucco balcony guards are deteriorating and should be replaced, and it is being proposed that the replacement guardrails be constructed with powder coated posts and plexi-glass panels.

MOVED by Councillor Braithwaite

Seconded by Councillor Jensen, That a resolution authorizing the Director of Building and Planning to issue a development permit with respect to 2151 Haultain Street, as outlined in correspondence item no. 2011-345, be brought forward to Council for consideration.

CARRIED

5. 2011-346 DIRECTOR OF BUILDING AND PLANNING, November 1, 2011
Re Development Variance Permit Application – 601 Transit Road

The Director of Building and Planning provided an overview of the variances being requested.

Nigel Beattie, Consultant, outlined the application for variances to accommodate an attached garage. Mr. Beattie pointed out that currently there is no parking area on the property, and the new garage would provide off-street parking for the homeowners. With respect to the revised drawings, attached to correspondence item no. 2011-346, Mr. Beattie pointed out that, in order to comply with the driveway width and access restrictions, he is proposing to install one garage door rather than two.

There was discussion regarding the options available to the applicant with respect to complying with the Driveway Access Bylaw, and it was noted that the requirement of the Bylaw cannot be varied by Council in this regard.

MOVED by Councillor Copley

Seconded by Councillor Herbert, 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. 2011-346, be prepared and brought forward to Council for consideration.

CARRIED

6. 2011-347 DIRECTOR OF BUILDING AND PLANNING, November 2, 2011
Re Development Variance Permit Application – 1619 Wilmot Place

The Director of Building and Planning provided an overview of the plans to add an ensuite washroom and closet on the top floor, noting that the variances being requested are due to the existing floor area being above 0.8 metres below grade, and the heights are existing non-conforming.

Nigel Banks, Designer, provided an overview of the application and answered questions from the Committee regarding the proposed renovation and requested variances.

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 1619 Wilmot Place, as outlined in correspondence item no. 2011-347, be prepared and brought forward to Council for consideration.

CARRIED

7. 2011-348 DIRECTOR OF BUILDING AND PLANNING, November 1, 2011
Re Uplands Building Permit / Development Variance Permit Application
– 3235 Exeter Road

There was consensus amongst the Uplands Building Permits Subcommittee that the design of the extension of the existing deck and its siting was supportable.

MOVED by Councillor Jensen

Seconded by Councillor Copley, That it be recommended to Council that the plans to extend the existing deck at 3235 Exeter Road be approved as to siting and architectural design, subject to the issuance of a development variance permit, and further that a resolution authorizing the issuance of a development variance permit as outlined in correspondence item no. 2011-348, be prepared and brought forward to the next meeting of Council for consideration.

CARRIED

8. 2011-349 DIRECTOR OF BUILDING AND PLANNING, November 2, 2011
Re Uplands Building Permit Application – 3280 Ripon Road

The Director of Building and Planning advised that the applicant has made changes to the original Uplands building permit application, approved by Council on June 14, 2010, for a new residential dwelling at 3280 Ripon Road, and is now seeking approval for architectural design modifications, as described in the attachments to correspondence item no. 2011-349.

Mr. Thomassen said that the Advisory Design Panel supported five of the six changes, but noted that the Panel felt the quoining should not be changed as it was an integral part of the original design.

Terry Johal, Builder, explained that through the building process the owners felt there was too much brick and that by removing the quoining and adding natural stone to sections of the front of the building, as shown in the new plans, was more aesthetically pleasing.

There was discussion regarding the proposed changes with members of the Committee expressing varying views and commenting on different aspects of the revisions. Following questions being answered by the Mr. Johal and staff, it emerged that although approval is being sought after the fact, the new plans, as submitted, were supportable.

MOVED by Councillor Jensen

Seconded by Councillor Ney, That it be recommended to Council that the changes to the new plans for a residential dwelling at 3280 Ripon Road, as described in the Advisory Design Panel report, attached to correspondence item no. 2011-349, be approved as to the architectural design.

CARRIED

ADJOURNMENT:

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

CARRIED

The meeting adjourned at 9:17 p.m.

Certified Correct:

Deputy Municipal Clerk

Chairman, Public Works Section

Acting Chairman, Land Use Section