

To: Committee of the Whole, Finance Section
From: Municipal Treasurer
Date: February 6, 2013
Re: Developing a Grants In Aid Policy for Oak Bay

Last year the need was identified for a formal policy regarding how grants are given out by Oak Bay Council. Since that time a draft application form has been developed, and is currently on the website for use by organizations who are applying for a grant in 2013. A copy is attached for your information under Appendix A.

Section 176(c) of the *Local Government Act* allows Council “to provide assistance for the purpose of benefiting the community or any aspect of the community”. Attached as Appendix B is a copy of the 2012 grants that were approved by Council during the Estimates process. This is provided to remind Committee members of the different organizations that have received funding. Over the last 10 years, excluding unusual, one-time amounts such as the school grant, the average annual amount of grants for which the Municipality has budgeted are:

General	\$137,900
Social Services	\$ 18,800
Oak Bay Volunteers	\$ 22,900
Maritime Museum	\$ 2,250
Oak Bay Tea Party Society	\$ 7,000

giving a total of \$188,850, which represented 1.08% of the 2012 property taxes.

Some of our larger neighbouring municipalities have many different grants available, with different requirements for each type of grant (e.g. festivals, neighbourhood development, special projects, operating, etc.). In Oak Bay's case this should not be necessary, though the policy will have to take into account a number of different types of grants.

I have been fortunate to have been given the results of a recent review carried out by the Central Saanich Director of Financial Services of nearly forty local governments' grants in aid policies. Rather than developing a policy that may not meet the wishes of Council, this memorandum lists a number of criteria that need to be decided upon. Where appropriate, I have added some comments and questions arising from a particular issue. I ask that the Committee discusses and agrees on how each issue should be dealt with. I will create a draft policy based on these decisions for Council's review at its March 11 meeting.

The requirements for an applicant to provide financial information about its organization, including the budget for the year, and a description of the programs or services for which the

grant will be used do not require discussion. The following issues do require discussion and guidance from the Committee:

Programs that will receive funding

Under the Local Government Act, assistance must be of benefit to the community. Many municipalities require that the organization or event primarily benefits the municipality or its residents, or that the organization is primarily made up of its residents either as board or committee members or volunteers. Should this be included in the policy?

Some municipalities specifically state that sports organizations will not receive funding. In the main, this has been followed informally by Oak Bay, but sometimes Council has been approached by a sports organization that wishes to receive free use of a recreation facility, and the foregone rental fee is treated as a grant. In this way the Recreation Department does not lose revenue. Does the Committee wish to continue this practice?

I recommend that the Grants policy includes the restriction that groups with a mandate that falls within the scope of another level of government and that have been traditionally funded by another level of government will not be given a grant.

Financial need; independence and details of accomplishments

Will the grant be for a specific project, or can it be for general operating costs? It should be noted that many of the grants that have been given in the past are for operating costs e.g. the social service agencies (St. John Ambulance, NEED2, Volunteer Victoria, the Community Council and Integrated Recreation)and the Oak Bay Volunteer Services.

By asking for details of other funding sources, we will be able to establish whether Oak Bay is the sole or major source of revenue for an organization. When the organization is assisting the municipality, as an extension of municipal services, (e.g. Friends of Uplands Park) this may well be appropriate, so long as it can provide clear information about the service provided and its benefit to the Oak Bay community.

Should there be a limit on the number of times that Oak Bay will provide a grant to an organization? An alternative to this is requiring an organization to report on the application form how funds received in past years have been used, and what the implication will be if the grant is not given.

Limitation on size of grant available

Many of the municipalities surveyed required that their grant must be less than 50% of the applicant's total revenues. There are also several municipalities that set a limit on the size of the grant that they will give an organization, ranging from \$500 to \$1,000 in smaller

communities to \$10,000 or even \$25,000 in larger municipalities. For larger grants (greater than \$10,000) audited financial statements are required.

If the policy is to include a maximum limit on individual grants, a mechanism might be included to allow for the increase of the limit as the cost of living increases. This would avoid the need to reconsider the policy too frequently. As an example of limits, Saanich has the following:

Operating Grants for Community Associations representing less than 10,000 – up to \$1,100; over 10,000 – up to \$1,650.

All Community Associations may receive an annual liability insurance grant of up to \$500 per year.

Community or Social Service operating grants do not have any specific limits.

Project grants are split into three categories

- (a) Small sparks project: maximum of \$500 per project;
- (b) Neighbourhood matched project: maximum of \$3,000, with funding to be matched by the applicant; and
- (c) Sustainability projects: \$1,000 to \$10,000, and matching funding must be provided for grants over \$5,000.

The funding of community associations created a certain amount of discussion during last year's Estimates meeting, and it would be beneficial to have funding levels for these organizations specifically identified in the policy. I recommend that the number of members of a community association be used to determine the size of the grant it receives.

Review of Grant Applications

Until now, grant requests have been received by Council as they have come in, with short presentations made by the applicants, and then they have been referred to the Estimates Committee. Traditionally the list of grant requests is then reviewed during the last Estimates meeting. Does the Committee wish to continue this practice, or would it like to see a change in the process?

We will have the requirement that all grant applications must be received by the Treasurer by the last day of February. A possible change to the review process could be the establishment of a Grants Committee made up of three members of Council, who rotate throughout the Council term. This Committee would hear the applicants' presentations and make recommendations to Council, who will make the final decision.

I recommend that we continue to have a certain amount of unallocated money in the grant budget for unplanned applications. In Esquimalt's policy it spells out that 10% of the grant budget will be kept for these types of grant applicants. Until recently, Oak Bay's unallocated amount has been \$1,000, which represented approximately 0.7% the general grants budget; in the past three years this has increased to an average of \$4,000 or 2.9%.

Does the Committee wish to have its policy formally identify a percentage or absolute dollar figure that should be unallocated in the general grants budget?

Summary

In order to guide the development of the Grants in Aid Policy, the following questions need to be answered:

Should grant applicants be limited to organizations or events that primarily benefit the municipality or its residents, or to organizations primarily made up of Oak Bay residents either as board or committee members or volunteers?

Does the Committee wish to exclude the funding of sports organizations, except for the foregoing of rental fees of municipal recreation facilities?

Should groups with a mandate that falls within the scope of another level of government and that have been traditionally funded by another level of government be excluded from eligible applicants?

Can the grant be for general operating costs or only specific projects?

Should there be a limit on the number of times that Oak Bay will provide a grant to an organization?

Should there be a limit set on the size of individual grants?

Should the funding of community associations be determined according to the number of members in them?

Should grant applications continue to be received and heard by Council, or is there a wish to change the process? If so, should a separate Grants Committee be established to make recommendations to Council?

Should the policy identify a percentage or dollar amount of unallocated general grant money that will be used for unplanned applications received between February 28 and December 31?



Patricia Walker
Municipal Treasurer

APPENDIX "A"



THE CORPORATION OF THE DISTRICT OF OAK BAY
GRANT APPLICATION FORM

Deadline: February 28

For the Year: _____

Name of Organization: _____

Type of Organization: Registered Charity _____ Registered Non-Profit Society _____
(Please tick one)

Other _____
(describe)

What year did the Organization begin? _____

Amount of grant requested: \$ _____

Address of Organization: _____

Phone: _____ Fax: _____ email: _____

Describe the function of the Organization: _____

Contact Person: _____ Position with Organization: _____

President: _____ Secretary: _____

Board of Directors:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Have you applied before? _____ When: _____ Grant Received: \$ _____

If your Organization has received a grant from Oak Bay in the past, describe how the money was used: _____

Describe how the funds that are currently being requested will be used. Please indicate whether the grant will fund operating costs or a special project, and provide any information that will help Council to evaluate the grant request:

How will Oak Bay benefit? _____

List other sources of potential income already solicited, amounts requested and amounts granted: _____

If the Grant is not approved, what impact would it have on the Organization?

APPENDIX "B"

2012 BUDGET

SUMMARY OF GRANTS

General Government

CRAT - Mobile Youth Services Team	\$	6,000	
School Dustruct	\$	500,000	
BIA - Oak Bay Village Improvement	\$	70,000	
City of Victoria re Multiplex (Yr 8 of 10)	\$	17,798	
Community Association of Oak Bay	\$	1,000	
Heritage Foundation	\$	5,500	
Halloween - Kiwanis	\$	500	
Oak Bay High Scholarship	\$	1,500	
Oak Bay High purchase of art	\$	300	
Vancouver Island South Film & Media Comm.	\$	3,000	
CCBA re maintenance	\$	2,500	
Oak Bay United Church re. parking availability	\$	3,500	
The Greater Victoria Bike to Work Society	\$	2,000	
Friends of Uplands Park	\$	1,000	
North Henderson Residents Association	\$	500	
YesBC	\$	500	
CRD re part-time Bowker Cr. Coordinator (year 3 of 3)	\$	12,500	
City of Victoria - Canada Day celebrations	\$	1,500	
Royal Canadian Legion	\$	250	
One-time/project requests	\$	4,952	
	\$	<u>634,800</u>	
Employees	\$	<u>500</u>	\$ 635,300

Social Services

St John Ambulance	\$	600	
NEED2	\$	2,500	
Volunteer Victoria	\$	2,943	
Community Council	\$	2,000	
Integrated recreation	\$	<u>6,368</u>	\$ 14,411

Other

Oak Bay Volunteers		\$	25,000
Maritime Museum		\$	2,500
Oak Bay Tea Party Society		\$	<u>7,000</u>
		\$	<u><u>684,211</u></u>

2013- 46

To: Committee of the Whole, Finance Section
From: Municipal Treasurer
Date: February 11, 2013
Re: Commentary on the Monthly Statement of Revenues and Expenditures For
January

This memorandum ties into the numbers on the Statement of Revenues and Expenditures, with explanations for variances that are +/- 5% beyond what might be expected.

REVENUES

(1) Taxes, Services Provided to Other Governments and Solid Waste Disposal

These revenues are not received until after the property tax notices are issued, in mid-May.

(2) Grants in Lieu of Taxes

These grants are received at various times of the year, which are usually expected at: Federal Government – late August; University of Victoria – October; Hydro – tax due date.

(3) Licenses and Permits YTD: \$130,276 Budget: \$847,000 15.38%

This is higher than we might otherwise expect because the dog and business licenses are paid at the beginning of the year. At January 31 the licenses and permits are as follows:

	Year to Date	Budget	% Collected
Dog licenses	\$46,169	\$60,000	76.9%
Business licenses	\$70,372	\$85,000	82.8%
Building permits	<u>\$12,630</u>	<u>\$675,000</u>	1.9%
	<u>\$129,171</u>	<u>\$820,000</u>	

It should be noted that the building permit budget contains \$350,000 for the expected revenue from the Oak Bay High School project.

(4) Penalties and Interest on Taxes YTD: \$675 Budget: \$114,000 0.59%

Penalties account for \$100,000 of the budget. These are brought into revenue in July, after the tax due date, and are charged on all outstanding 2013 property taxes. The interest is reflected in income as taxes from 2012 and 2011 are paid off.

(5) Transfers from Reserve Funds YTD: \$0 Budget: \$2,907,187

Transfers from our own reserve funds are made at the end of the year. This is done for two reasons: most of the transfers fund particular projects and if monthly transfers were to be

made, it would involve a great deal of additional accounting work without any real benefit, and, for those funds which are in statutory reserves, by keeping the money in the reserves until the year-end, the reserves earn interest on that money.

(6) Miscellaneous Other Revenues YTD: \$887 Budget: \$332,001 0.27%

\$300,000 of the budget is made up of internal transfers. These take place at the end of the year, and show up as an expense of the same amount in "Transfer to own Reserves and Utilities" line under expenditures.

(7) Conditional Transfers from Other Governments YTD: \$17 Budget: \$1,096,872

A capital grant for Bowker Creek remediation work accounts for \$738,000 of the budget. \$288,872 of the budget is made up of grants provided to small municipalities, which are usually paid in the spring.

EXPENDITURES

(8) Other Recreational & Cultural Services YTD: \$55,950 Budget: \$94,128 59.44%

The money that has been spent is for the foreshore lease which is paid every January. This is for the foreshore at the Oak Bay Marina, and we are reimbursed for it through our rental revenue from them.

(9) Debt Charges YTD: \$10,111 Budget: \$553,191 1.83%

The majority of the budget is made up of semi-annual payments to the Municipal Finance Authority (\$369,541), payroll processing charges and repayments to the Heritage Reserve Fund on the loan that was made to finance the energy projects at the recreation centers. Most of the January costs relate to the latter.

(10) Transmit Taxes to Others YTD: \$0 Budget: \$15,674,932

Taxes that are collected on behalf of other organizations are not passed onto them until after the tax due date.

(11) Miscellaneous Other Services YTD: \$6,190 Budget: \$371,767 1.67%

The money that was spent in January was for the removal of Christmas decorations.

WATER UTILITY FUND

(12) Internal Revenues YTD: \$0 Budget: \$436,132

These internal revenues come from our own reserve funds. Please see the explanation above regarding "Transfers from Reserve Funds".

(13) Water Supply and Operation YTD: \$74,919 Budget: \$2,765,952 2.71%

\$1,935,000 of the budget is for the purchase of water from the CRD. The bill for each month's water is received the following month, and therefore the actual figure is low.

(14) Capital Expenditures YTD: \$9,328 Budget: \$1,011,000 0.92%

Until the budget is adopted in May, only capital projects that have received early approval from Council may proceed. Please see the Capital Projects Financial Report for a summary of the projects that have received this approval. Any difference between the figure shown on the Statement of Revenues and Expenditures and the Capital Projects Financial Report is due to projects that started in 2012 and are continuing in 2013.

SEWER UTILITY FUND

(15) Grants YTD: \$0 Budget: \$531,324

The gas tax revenue transfer is given to us in two payments. Usually we receive them in July and December.

(16) Sewer Supply and Operation YTD: \$21,491 Budget: \$2,781,904 0.77%

\$1,368,738 of the budget is the payment that is made to the CRD for its costs to run the sewer system. Another \$901,324 is the transfer to the Capital Works Reserve for the funding of future sewer work, and the transfer takes place at the end of the year.



Patricia Walker
Municipal Treasurer

STATEMENT OF REVENUES AND EXPENDITURES
 FOR THE PERIOD ENDING JANUARY 31, 2013 - 8.333%
 (numbers refer to explanations for variances shown in accompanying memorandum)

	<u>YEAR TO DATE</u>	<u>PRELIMINARY BUDGET</u>	<u>VARIANCE</u>	<u>% TO DATE</u>
Taxes		\$35,468,779	\$35,468,779 (1)	0.00%
Federal Government		\$4,000	\$4,000	0.00%
University of Victoria		\$55,000	\$55,000	0.00%
Prov Gov't Agcy Hydro		\$109,620	\$109,620	0.00%
Subtotal: Grants in Lieu of Taxes	\$0	\$168,620	\$168,620 (2)	0.00%
Services Provided to Other Gov'ts		\$12,600	\$12,600 (1)	0.00%
Solid Waste Disposal		\$1,223,500	\$1,223,500 (1)	0.00%
Licences & Permits	\$130,276	\$847,000	\$716,724 (3)	15.38%
Fines	\$2,210	\$38,000	\$35,790	5.82%
Rentals	\$33,861	\$290,000	\$256,139	11.68%
Returns on investments	\$12,410	\$142,000	\$129,590	8.74%
Penalties and Interest on taxes	\$675	\$114,000	\$113,325 (4)	0.59%
Transfers from reserve funds	\$902,834	\$2,907,187	\$2,907,187 (5)	0.00%
Parks and Recreation revenues	\$887	\$6,830,090	\$5,927,256	13.22%
Miscellaneous other revenues		\$332,001	\$331,114 (6)	0.27%
Subtotal: other revenue from own sources	\$1,083,153	\$12,723,778	\$11,640,625	8.51%
Federal Government		\$738,000	\$738,000	0.00%
Prov Government		\$348,872	\$348,872	0.00%
Other Local Governments	\$17	\$10,000	\$9,983	0.17%
Subtotal: Conditional Transfers From Other Governments	\$17	\$1,096,872	\$1,096,855 (7)	0.00%
Total Revenue	\$1,083,170	\$49,470,649	\$48,387,479	2.19%

STATEMENT OF REVENUES AND EXPENDITURES
 FOR THE PERIOD ENDING JANUARY 31, 2013 - 8.333%
 (numbers refer to explanations for variances shown in accompanying memorandum)

	YEAR TO DATE	PRELIMINARY BUDGET	VARIANCE	% TO DATE
Executive and Legislation	\$8,074	\$96,953	\$88,879	8.33%
General Administration	\$91,878	\$1,333,487	\$1,241,609	6.89%
Other General Government	\$84,619	\$1,309,901	\$1,225,282	6.46%
Subtotal: General Government	\$184,571	\$2,740,341	\$2,555,770	6.74%
Police Protection	\$304,528	\$4,388,220	\$4,083,692	6.94%
Fire Protection	\$303,016	\$3,396,440	\$3,093,424	8.92%
Emergency Preparedness	\$5,924	\$94,014	\$88,090	6.30%
Building Dpt., bylaw enforcement, animals	\$19,556	\$482,226	\$462,670	4.06%
Subtotal: Protective Services	\$633,024	\$8,360,900	\$7,727,876	7.57%
Common Services (Engineering)	\$67,513	\$1,180,440	\$1,112,927	5.72%
Roads, Sidewalks, Transportation	\$114,713	\$1,649,669	\$1,534,956	6.95%
Subtotal: Transportation Services	\$182,226	\$2,830,109	\$2,647,883	6.44%
Garbage Collection & Disposal	\$56,625	\$971,998	\$915,373	5.83%
Parks & Recreation Facilities	\$908,266	\$10,515,927	\$9,607,661	8.64%
Other Recreation & Cultural Services	\$55,950	\$94,128	\$38,178 (8)	59.44%
Subtotal: Recreation & Cultural	\$964,216	\$10,610,055	\$9,645,839	9.09%
Debt Charges	\$10,111	\$553,191	\$543,080 (9)	1.83%
Transfer to Own Reserves & Utilities	\$106,029	\$2,691,252	\$2,585,223	3.94%
Transfer to Library, social grants	\$75,196	\$950,405	\$875,209	7.91%
Capital Expenditures	\$157,144	\$3,715,699	\$3,558,555	4.23%
Transmit Tax to Others	\$348,480	\$15,674,932	\$15,674,932 (10)	0.00%
Subtotal: Fiscal Services	\$6,190	\$371,767	\$365,577 (11)	1.67%
Misc. Other Services	\$6,190	\$371,767	\$365,577 (11)	1.67%
Total Expenditures	\$2,375,332	\$49,470,649	\$47,095,317	4.80%

STATEMENT OF REVENUES AND EXPENDITURES
 FOR THE PERIOD ENDING JANUARY 31, 2013 - 8.333%
 (numbers refer to explanations for variances shown in accompanying memorandum)

	<u>YEAR TO DATE</u>	<u>PRELIMINARY BUDGET</u>	<u>VARIANCE</u>	<u>% TO DATE</u>
WATER UTILITY FUND				
Water revenues	\$175,697	\$3,340,820	\$3,165,123	5.26%
Internal revenues		\$436,132	\$436,132 (12)	0.00%
Total Revenues	\$175,697	\$3,776,952	\$3,601,255	4.65%
Expenditures:				
Water supply & operation	\$74,919	\$2,765,952	\$2,691,033 (13)	2.71%
Capital expenditure	\$9,328	\$1,011,000	\$1,001,672 (14)	0.92%
Total Expenditures	\$84,247	\$3,776,952	\$3,692,705	2.23%
SEWER UTILITY FUND				
Sewer revenues	\$52,831	\$1,057,260	\$1,004,429	5.00%
Internal revenues	\$106,029	\$1,595,339	\$1,489,310	6.65%
Grants		\$531,324	\$531,324 (15)	0.00%
Total Revenues	\$158,860	\$3,183,923	3,025,063	4.99%
Expenditures:				
Sewer supply & operation	\$21,491	\$2,781,904	\$2,760,413 (16)	0.77%
Capital expenditure	\$1,095	\$402,019	\$400,924 (14)	0.27%
Total Expenditures	\$22,586	\$3,183,923	\$3,161,337	0.71%

THE CORPORATION OF THE DISTRICT OF OAK BAY
 CAPITAL PROJECTS FINANCIAL REPORT
 FOR THE PERIOD ENDING JANUARY 31, 2013 - 8.33%
 (Does not include expenditures for projects in progress from 2012)

	EXPENDITURE (INCLUDING ENCUMBRANCES)	EARLY APPROVAL BUDGET	VARIANCE	% SPENT
ENGINEERING GIS	\$	24,700	\$ 24,700	0.00%
ELECTRIC CHARGING STATION	\$	10,000		
PLANT GENERAL	\$	366,300	\$ 366,300	0.00%
SIDEWALK DROPS	\$	5,000	\$ 5,000	0.00%
SIDEWALK REPLACEMENT	\$	20,000	\$ 20,000	0.00%
CATCHBASINS	\$	10,000	\$ 10,000	0.00%
MANHOLES	\$	17,500	\$ 17,500	0.00%
ONLINE REGISTRATION	\$	15,000	\$ 15,000	0.00%
TOTAL GENERAL FUND	\$	468,500	\$ 458,500	1.30%
SEWER FUND				
MANHOLES	\$	17,500	\$ 17,500	0.00%
TOTAL SEWER CAPITAL	\$	17,500	\$ 17,500	0.00%
WATER FUND				
WATER MAIN CLEANING & LINING	\$	75,000	\$ 75,000	0.00%
WATER MAIN REPLACEMENTS	\$	75,000	\$ 75,000	0.00%
FIRE HYDRANT REPLACEMENT	\$	20,000	\$ 20,000	0.00%
TOTAL WATER CAPITAL	\$	170,000	\$ 170,000	0.00%

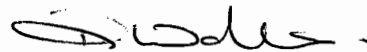
TO: Committee of the Whole, Finance Section

February 8, 2013

FROM: Municipal Treasurer

RE: Property Taxes as at January 31, 2013

	<u>#</u>	<u>Prepayment Amount</u>	<u>#</u>	<u>Arrears Amount</u>	<u>#</u>	<u>Delinquent Amount</u>
2013	860	\$ 2,129,545.45	232	\$ 318,061.19	26	\$ 87,805.49
2012	851	<u>\$ 2,169,905.61</u>	255	<u>\$ 352,385.92</u>	23	<u>\$ 93,160.19</u>
						\$87,805.49
2013 compared to 2011		<u>(\$40,360.16)</u>		<u>(\$34,324.73)</u>		<u>(\$5,354.70)</u>
		-1.86%		-9.74%		-5.75%



Patricia A. Walker

INVESTMENTS
As at January 31, 2013

<i>Fund</i>	<i>Investments</i>	<i>Total</i>
General	MFA Fund	\$12,955,450
Land Sale	MFA Fund	\$1,754,242
Heritage	MFA Funds	\$1,806,189
Legacies	MFA Fund	\$370,301
Capital Works	MFA Funds	\$10,650,729
Park Acquisition	MFA Funds	\$258,846
Tod House	MFA Fund	\$203,449
Village Parking	MFA Fund	\$864,199
Machinery & Equipme	MFA Fund	\$1,252,490
Fire Equipment	MFA Fund	<u>\$539,620</u>
Total		<u><u>\$30,655,514</u></u>

2013- 49

Memorandum

TO: Committee of the Whole **DATE:** February 5, 2013
FROM: Director of Building and Planning
SUBJECT: Floor Area Review Committee

Background

In 2007 the Zoning Bylaw No 3531 was amended for the RS-4 and RS-5 zones to address overly large dwellings (monster homes) and under height basements that were counted as floor area for older homes under the rules of the Zoning Bylaw. The amendment changed from the floor area ratio method (ratio of dwelling size to lot area) to a fixed floor area method having two separate floor area limits within each of the two zones.

Concerns from staff and the public have been raised regarding large homes on small lots using the fixed floor area method where one size does not fit all ranges of lot sizes that we have in Oak Bay. In addition the number of variance requests has increased significantly since the Bylaw change, requiring more staff time to deal with this increase.

Council has requested that staff bring forward an outline for the formation of a new Floor Area Committee to address concerns raised by the public regarding large homes on small lots and the current fixed floor area limits in the RS-4 and RS-5 zones.

The suggested composition of the Committee would be 4-5 members of the public, including an architect, planner, designer, 2 members at large and the Director of Planning and Building (staff).

Proposed Scope of the Committee:

- Review how other jurisdictions regulate floor area to explore what other possible options are available.
- Review the permitted size of residential dwellings in RS-4 and RS-5 residential zones.
- Review floor area ratio method with exclusion or exemption of floor area by formula addressing homes older than January 1993.
- Review the fixed floor area method and possible ways to address the inconsistencies of this method as it relates to smaller lots.
- Consider the extent of the public engagement required at the Committee level for this process.
- Consider whether further planning input is required before a final recommendation is made to Council.
- Advise Council on the options available, and make a recommendation on a regulatory method.

Committee of the Whole will also need to consider the process for engaging Floor Area Review Committee members.

Recommendation:

If the Committee of the Whole is in agreement with the proposed scope and composition for a Floor Area Review Committee, it should direct that a resolution to establish the Committee along with the terms of reference noted above, be brought forward to Council for formal consideration.



Roy Thomassen, Director
Building & Planning

2013- 50

Memorandum

TO: Committee of the Whole **DATE:** February 5, 2013
FROM: Director of Building and Planning
SUBJECT: Uplands Building Permit /Development Variance Application RS-2
3260 Exeter Road
Lot 32, Block B, Section 31, Victoria District, Plan 3599

Background

An Uplands building permit application has been received to remove the existing dwelling and construct a new home in its place. In order to move the house off the property and install the driveways, the protected Garry Oaks at the front of the dwelling will need to be removed. The house design includes large overhangs which would not meet the permitted encroachment into the required side setback; consequently, variances to the Zoning Bylaw are required to accommodate this proposal.

Attached for your information are:

- (a) The report of the Advisory Design Panel meeting of February 5, 2013 relating to the proposed new house at 3260 Exeter Road.
- (b) Reduced copies of the plans of the proposed work.
- (c) Memo from Municipal Arborist dated January 29, 2013 regarding trees on the subject property.

Discussion

The applicant is requesting a Development Variance Permit granting relief from the following section(s) of the Zoning Bylaw:


<u>Zoning Bylaw Section</u>	<u>Required</u>	<u>Requested</u>	<u>Variance</u>
6.2.4.(2)(c) + Schedule 'C' 4.6.5 and 4.6.5.(2) Minimum Side Lot Line Setbacks (eave projection)	3.82 m (12.5 ft)	2.9m (9.5 ft)	.92 m (3 ft)
6.2.4.(2)(c) + Schedule 'C' 4.6.5 and 4.6.5.(2) Minimum Total Side Lot Line Setbacks (eave projection)	10.07 m (33 ft)	8.23m (27 ft)	1.84 m (6 ft)

- *Imperial measurements are approximate and for convenience only.*

The permitted eave projection into side lot line setback is .45 m (18 inches). This proposal requests a 1.4 m (4.5 ft) projection each side.

Recommendation

THAT Committee of the Whole recommend to Council that the proposed plans for the new dwelling at 3260 Exeter be approved as to siting and architectural design, subject to the issuance of a Development Variance Permit as described herein.


Roy Thomassen, Director
Building & Planning

2013-6

Memorandum

TO:	Mayor and Council	DATE: December 4, 2012
FROM:	Roy Thomassen Director of Building and Planning	
SUBJECT:	Rezoning and Development Permit Application for 1510 Clive/2280 Oak Bay Avenue Lot 10 & 11, Section 69, Victoria District, Plan 1156 Current Zoning RM-3, Multiple Dwelling Use—3 Storey	

Background

The owner would like to redevelop the above property with a new building substantially larger than the existing apartment. In order to accommodate the intensive development proposed a rezoning of the property would be required, and a development permit for form and character of the residential development.

The existing site is comprised of two small lots each approximately 558 m² in size for a total lot size of 1116 m² (12,000ft²). Any development for the property will involve lot consolidation of the two parcels. The current zoning for the property is RM-3, multiple dwelling use—3 storey. The existing building (Clive Apartments) contains 8 dwelling units and is two stories.

Discussion

Review of the existing apartment building in terms of the current RM-3 zoning shows that further development to the site would be permitted. The existing apartment lot coverage could be increased by approximately 11 % from the current 24% or approximately 125m² (1350 ft²). The RM-3 zone also permits 3 storey buildings so potentially a top floor could be added along with a three storey addition for a total additional development of 585m² or 6300ft². This further development could accommodate 8 or 9 additional suites to the apartment, based on the size of units in the new building proposed. It is likely that variances to height and setbacks would be required to facilitate further development to the existing building.

The other multi-family zone contained in the Zoning Bylaw is RM1-HD (Multiple Dwelling Use – High Density). This zoning was introduced in 2004 for a 4 unit development at 2359 Beach Drive on a relatively small residential lot. The size of the two lots in the application is similar in size to our RS-4 single family dwelling zone. The development that would be permitted under this zone would be significantly less than the intensive development that is proposed in the application.

The proposal submitted has not been designed to either of the established multiple residential zones, as suggested to the architect. Considering the intensive development proposed, one will conclude that it is not in compliance with the objectives of development permit areas for multi-residential development contained in the Official Community Plan.

The parking proposed is 13 stalls for the 23 dwelling unit building. The Parking Facilities Bylaw would require 52 stalls, therefore a variance of 39 stalls would be required for parking.

OCP excerpt:


“The objectives of the designation include ensuring that multi-family development compliments and enhances the architectural and natural landscape features of the municipality; that it minimizes externalities for adjacent lower density properties; that it provides for containment of all associated parking on-site; that it preserves view corridors; that where applicable, it respects the natural landscape including mature trees; that it maintains the sense of openness which has been characteristic of residential development in the municipality; and that it provides a quality of living environment.”

- Complementing and enhancing the architectural and natural landscape is a subjective matter that needs careful consideration; however, with the minimal front setback proposed the existing natural landscape would not be retained.
- Minimizing externalities for adjacent lower density properties has not been achieved with the rear setback proposed at 1.57 meters (5 feet) and three storey height proposed.
- Providing for the containment of all associated parking on-site has not been accommodated. For a 23 unit apartment building the parking facilities bylaw would require 52 parking stalls; the proposal is for 13 parking stalls with some bike storage.
- In terms of respecting the natural landscape, including mature trees, there is a large protected tree at the north west corner of the property which would likely not survive construction of the new building with foundations within the critical root zones. (see municipal arborist memo attached).
- Maintaining the sense of openness which has been characteristic of residential development in Oak Bay would not be achieved with the proposed three storey building with minimal setbacks.

With the proposed intensive development not meeting the objectives of the Official Community Plan an amendment to the OCP would be required if there is a desire to move this proposal forward.

Recommendation

That at this time Council decline the proposal as the principal objectives for multi-family development permit areas of the Official Community Plan would not be met.



Roy Thomassen, Director
Building and Planning