

2013-321

## Memorandum

<b>TO:</b>	Mayor and Council	<b>DATE:</b> November 18, 2013
<b>FROM:</b>	Roy Thomassen Director of Building and Planning	
<b>SUBJECT:</b>	Building Permit Referral for Property on Oak Bay Community Heritage Register 2753 Somass Drive Lot A, Section 61, Victoria District, Plan 3929	

### Background

The owners have made a building permit application for extensive work with some exterior changes to the home at 2753 Somass Drive. The exterior changes involve the following items:

1. New attached garage with deck above and glass guards on the east side.
2. New windows throughout to be replaced.
3. New bay window on the north elevation.
4. Replacing rear deck with expanded deck on the rear elevation with glass guards.
5. Rear elevation enlarging windows, changing windows to folding door assembly to improve water views.
6. New roof projection over new rear deck door openings.
7. Creation of new sunken patio on west side to basement.
8. New covered entry on front elevation.
9. New stucco replaced over entire exterior of building.

Attached are reduced plans of the proposed renovations, and the Statement of Significance from the Oak Bay Community Heritage Register.

### Discussion

Bylaw No. 4222 authorizes withholding of permits in respect of property included in the heritage register when the work would result in an alteration to the exterior of a building. The proposed renovations involve exterior changes as described above.

### Options

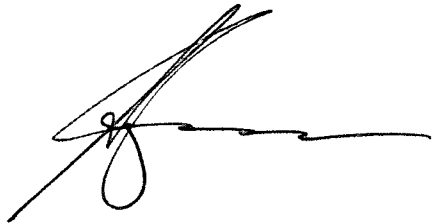
1. That the building and land located at 2753 Somass Drive be subject to a temporary protection order in accordance with Section 962 of the *Local Government Act* for a period of not more than 60 days, and that the plans for the proposed renovations be referred to the Heritage Commission for a report and recommendation to Council.

2. That the report of the Director of Building and Planning dated November 18, 2013 with respect to the building permit application for 2753 Somass Drive, which is included on the Oak Bay Community Heritage Register, be received. By making this motion and not placing a 60 day temporary protection order, Council will be accepting the proposed exterior changes including additional windows and doors, new deck and a side garage addition.

### **Recommendation**

1. That the building and land located at 2753 Somass Drive be subject to a temporary protection order in accordance with Section 962 of the *Local Government Act* for a period of not more than 60 days, and that the plans for the proposed renovations be referred to the Heritage Commission for a report and recommendation to Council.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Roy Thomassen', written over a horizontal line.

Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.

A handwritten signature in black ink, appearing to read 'Helen Koning', written over a horizontal line.

Helen Koning  
Chief Administrative Officer

2013-322

**MEMORANDUM**

**TO:** Mayor and Council  
**FROM:** Chief Administrative Officer  
**DATE:** November 18, 2013  
**RE:** Oak Bay High School Redevelopment Project – Working Group

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**BACKGROUND:**

As the Oak Bay High School redevelopment project is now moving into the design build stage it has been identified that a smaller group be formed to address related community issues that may arise during the build out period of the High School. At the Committee of the Whole meeting of October 23, 2013 staff were instructed to explore the idea of a working group and developing terms of reference, with the School District #61 staff.

**DISCUSSION:**

The draft terms of reference have been circulated to staff at the School District and some members of council for input. These Terms of Reference will be used by the working group to discuss issues that impact the community directly or indirectly during the redevelopment of the high school.

**OPTIONS:**

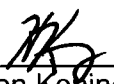
1. Approve the terms of reference as presented
2. Council to provide changes as they deem appropriate.

**FINANCIAL IMPACT:**

As noted in the terms of reference the District of Oak Bay will assign the appropriate administrative support to prepare meeting of notices, agendas, and minutes for the working group. These resources do not exist within the present staffing resources and will need to be added to the five year financial plan.

**RECOMMENDATION(S):**

That Council approves the attached Terms of Reference.

  
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Helen Kohing  
Chief Administrative Officer

## **OAK BAY HIGH SCHOOL REDEVELOPMENT PROJECT – WORKING GROUP**

### **PURPOSE:**

As the Oak Bay High school redevelopment project passes through the design build process it will be practical for this project to move forward in a timely manner by addressing the related community issues that may arise during two to three year build out. For this reason a working group is established to address such issues as they arise.

### **SCOPE:**

The working group will discuss issues that impact the community directly or indirectly during the redevelopment of the Oak Bay High School. Issues to be considered may include, parking and lighting, Bower Creek, school pathways and their connections to District of Oak Bay infrastructure, vehicular ingress and egress, and access to the general area. Other related issues of interest to the community may also be discussed.

### **PARTICIPATION:**

#### **FOR THE DISTRICT OF OAK BAY:**

Councillor –Michelle Kirby

Chief Administrative Officer –Helen Koning

Director of Building and Planning – Roy Thomassen

#### **FOR THE SCHOOL DISTRICT:**

School Board Trustee – ***to be announced***

Superintendent of School District 61 – John Gaipman

Director of Facilities – Dave Thomson

*(Each group will also be responsible for inviting the necessary resource people/consultants for certain sessions if required to move project items through discussion to completion.)*

### **PROCESS:**

It is anticipated the committee will meet at least quarterly (or more often as required) with the objective of reporting out to the Council's Committee of the Whole and to the School Board every four months with updates and recommendations as may be warranted.

The District of Oak Bay will assign the appropriate administrative supports to prepare meeting notices, agendas, and minutes for the working group.

2013-324

**MEMORANDUM**

**TO:** Mayor and Council

**FROM:** Director of Building and Planning

**DATE:** November 20, 2013

**RE:** Siting and Design Approval / Development Variance Permit  
1220 Roslyn Road  
Lot 2, Section 23, Block 1, Victoria District, Plan EPP32418  
RS-5, One Family Residential

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**BACKGROUND:**

At the Committee of the Whole meeting held November 18<sup>th</sup>, 2013 there was discussion involving the blasting that would be required to build the single family dwelling as proposed. At the time it was suggested that a condition to the DVP be included to ensure no blasting or low impact blasting methods would be used for rock removal. Upon further investigation into this possibility, it emerged that it would be outside of Council's authority to impose such a condition to DVP's.

**DISCUSSION:**

As the neighbours have raised concerns regarding blasting for the new home at 1220 Roslyn Road the owner has offered to enter into a covenant that would limit the methods used for rock removal. This would be registered on the title to the property and would help in protecting existing trees as well as potential damage from large blasting methods. The wording of the covenant restriction would be along the following lines:

1. The Transferor agrees in order to protect environment and trees, that blasting near tree roots should only be performed using explosives of low phytotoxicity, and techniques that minimize tree damage must be used. The blasting should use small low-concussion charges, and multiple small charges designed to pre-shear the rock face, to reduce fracturing, ground vibration, and minimize the impact on the surrounding environment. Provisions must be made to store blast rock, and other construction materials and debris, away from critical tree root zones.

The District of Oak Bay Approving Officer has recently begun requiring this standard wording in covenants for any newly created lot.

**OPTIONS:**

1. Have staff prepare the necessary Section 219 Covenant requiring low impact blasting techniques for rock removal to be used in the development of the new single family dwelling proposed, for Council's consideration.

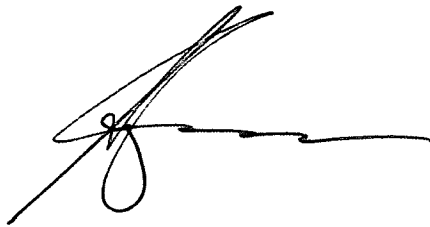
2. Receive this report for information.

The resolution that would be tabled in order to move the development variance permit application forward to the public notification stage appears later in the agenda under the resolutions section.

**RECOMMENDATION(S):**

Have staff prepare the necessary Section 219 Covenant requiring low impact blasting techniques for rock removal to be used in the development of the new single family dwelling proposed, for Council's consideration.

Respectfully Submitted,

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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.

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Helen Koning  
Chief Administrative Officer

**To:** Mayor and Council  
**From:** Municipal Clerk  
**Date:** November 21, 2013  
**Re:** **Bylaws for Council Meeting of November 25, 2013**

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**For First, Second and Third Reading**

**Bylaw No. 4598, Refuse Collection and Disposal Bylaw, Amendment Bylaw, 2014**

The Refuse Collection and Disposal Bylaw regulates the collection of refuse and recyclables, and also the previous pilot program for organic kitchen scraps collection which is currently carried out in a portion of Oak Bay. Bylaw 4598 incorporates the new municipal-wide collection of kitchen waste, effective January 1, 2014. Within the Bylaw the solid waste fee is increased by \$46.00 to reflect the additional costs for the program. The overall solid waste fee, however, will be reviewed during budget deliberations as is the usual process.

**Bylaw No. 4599, Ticket Information Utilization Bylaw, Amendment Bylaw, 2014**

As a companion bylaw to Bylaw No. 4598, this Bylaw incorporates fines related to the new kitchen waste collection program.

**Bylaw No. 4600, Mayor and Councillors Annual Indemnity Bylaw, 2014**

Bylaw No. 4600 would adjust the Mayor and Councillors remuneration for 2014, in accordance with Council policy set in 1997, by -0.3% effective January 1, 2014. The adjustment is based on the year over year change in the consumer price index for Victoria, as of September 2013.

The new indemnities will be:

Mayor	\$28,108.00
Councillors	\$11,929.00

of which, one-third is paid as an allowance for expenses incidental to the discharge of the duties of office.



Lorraine Hilton  
Municipal Clerk

Attach.