

MINUTES of a regular meeting 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 24, 2014 at 7:30 p.m.

PRESENT: Mayor, N. Jensen, Chair
Councillor P. Copley
Councillor C. Green
Councillor J. Herbert
Councillor M. Kirby
Councillor K. Murdoch
Councillor T. Ney

STAFF: Municipal Administrator, H. Koning
Municipal Clerk, L. Hilton
Deputy Municipal Clerk, C. Denomme
Municipal Treasurer, P. Walker
Director of Building and Planning, R. Thomassen
Director of Engineering Services, D. Marshall

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

ADOPTION OF MINUTES:

Special Council – March 11, 2014

MOVED by Councillor Ney
Seconded by Councillor Green, That the minutes of the Special Council meeting held on Tuesday, March 11, 2014, be adopted.

CARRIED

Council – March 11, 2014

MOVED by Councillor Ney
Seconded by Councillor Copley, That the minutes of the Council meeting held on Tuesday, March 11, 2014 be adopted.

CARRIED

Committee of the Whole – March 17, 2014

MOVED by Councillor Copley
Seconded by Councillor Green, That the minutes of the Committee of the Whole meeting held on Monday, March 17, 2014, and the recommendations contained therein, be adopted.

CARRIED

Mayor Jensen said that he was contacted by residents of Beaverbrooke Street regarding parking and it was suggested that St. Michaels University Junior School be encouraged to designate on site parking and drop off.

Councillor Murdoch declared a conflict inasmuch as he is a parent of a child who goes to St. Michaels University Junior School and left the meeting at 7:35 p.m.

MOVED by Councillor Kirby

Seconded by Councillor Ney, That a letter be sent to St. Michaels University Junior School requesting that they designate on site parking and drop off for parents and staff.

A discussion ensued in regard to the discussion that took place at the March 17, 2014 meeting and the proposed future construction that will facilitate on site parking and drop off. There was a concern expressed regarding the time frame for the proposed work. The Director of Building and Planning commented that he is anticipating an application coming to the next Committee of the Whole meeting.

Given the timing for the application to come forward, the motion was withdrawn by consensus.

Councillor Murdoch returned to the meeting at 7:39 p.m.

MAYOR'S REMARKS:

Earth Day

Mayor Jensen said that Earth Day this year is Saturday, March 29, 2014 and he encouraged everyone to take part and turn off lights for the 1 hour where appropriate. He also noted that municipal departments would participate where operations and safety considerations permit.

Arts Laureate

Mayor Jensen reported that he and Barbara Adams, Oak Bay's Arts Laureate, were honoured on February 19, 2014 at the Legislature by Andrew Weaver, MLA. Mr. Weaver acknowledged and thanked Oak Bay for nominating Barbara Adams as the inaugural Oak Bay Arts Laureate. Mayor Jensen read parts of the statement which reviewed the contributions Ms. Adams has made to the arts community.

PUBLIC PARTICIPATION PERIOD:

No members of the public rose to speak.

COMMUNICATIONS:

1. 2014-81 GREATER VICTORIA PUBLIC LIBRARY, February 28, 2014
Re 2014 Operating Budget and Five Year Financial Plan

From the Greater Victoria Public Library, the following representatives were in attendance for this item: Greg Bunyan, Board Chair; Maureen Sawa, Chief Executive Officer, Donna Phillips, Director of Finance, Judy Moore, Core District Coordinator and Alyssa Polinsky, Director of Communications & Community Development.

Greg Bunyan, Chair, Greater Victoria Public Library Board, provided an overview of the 2014 budget, highlighting that this budget will allow the library to maintain services levels, including the popular Sunday openings. Mr. Bunyan also noted the value of libraries as a meeting place for the community. Mr. Bunyan thanked Council for its continued support.

Maureen Sawa provided a presentation on the library budget. There was further discussion regarding the budget and the financial statements provided by the Greater Victoria Public Library

and Mr. Bunyan and the Greater Victoria Public Library staff answered questions from members of Council in this regard.

MOVED by Councillor Murdoch

Seconded by Councillor Green, That Oak Bay's share of the 2014 operating budget for the Greater Victoria Public Library in the amount of \$974,639.00 be approved.

CARRIED

2. 2014-82 OAK BAY TOURISM COMMITTEE, March 17, 2014
Re 2013 Year End Report and 2014 Budget and Business Plan

Mario Gedicke, Hazel Braithewaite, Alfred Lyon and Tom Croft, Committee members, were in attendance for this item.

Mario Gedicke gave an overview of the mandate of the Committee. Mr. Gedicke also reviewed the budget and goals for 2014.

MOVED by Councillor Ney

Seconded by Councillor Murdoch, That the Oak Bay Tourism Committee's 2014 budget and business plan be approved.

CARRIED

3. 2014-83 UPLANDS GOLF CLUB, February 14, 2014
2014-83-1 VICTORIA GOLF CLUB, February 17, 2014
2014-37 CHRIS GARRETT, November 14, 2013
2014-37-1 GRANT SCHNURR, January 9, 2014
Re Request to Amend Anti Noise Bylaw, Re Leaf Blowers

MOVED by Councillor Murdoch

Seconded by Councillor Kirby, That the Environmental Advisory Committee be requested to report back to Council on the environmental considerations, and that the Parks and Recreation Department be requested to report back to Council on the cost and operating implications, of amending the leaf blower regulations in the Anti-Noise Bylaw to ban their use or to remove the current time exemptions.

CARRIED

4. 2014-84 PENINSULA RUNNERS ATHLETIC SOCIETY, March 17, 2014
Re Request for Temporary Road Closures - Oak Bay Half Marathon

MOVED by Councillor Murdoch

Seconded by Councillor Kirby, That permission be granted for the temporary road closures and occupancy of the roads detailed in correspondence item no. 2014-84, for the 2014 Oak Bay Half Marathon Events on Sunday, May 25, 2014, subject to the Event Organizer entering into a public property occupancy agreement in which it will among other standard requirements:

1. release and indemnify the Municipality from any claims or liability associated with the event and providing evidence of public liability insurance in the amount of not less than \$3,000,000;
2. agree to pay all invoices from the Municipality for costs incurred in connection with the event;

3. agree to obtain Oak Bay Police approval for a traffic plan and implement the same subject to any field instructions from the Police; and
4. agree to provide sufficient notice to all property owners along the proposed route,

with the Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

5. 2014-85 GONZALES PRESCHOOL, February 25, 2014
Re Request for Permission to Undertake Public Park and Beach Clean-Up,
April 12, 2014

MOVED by Councillor Murdoch

Seconded by Councillor Copley, That approval be given for the temporary occupancy of Uplands Park and Cattle Point, Willows Beach and Park, Oak Bay Marina, Haynes Park, Marina Park, and McNeil Bay, southwest of McMicking Point, as requested in correspondence item no. 2014-85, on Saturday, April 12, 2014, subject to the Gonzales Preschool entering into a public property occupancy agreement in which it will among other standard requirements:

1. release and indemnify the Municipality from any claims or liability associated with the event and provide evidence of public liability insurance in the amount of not less than \$3,000,000; and
2. agree to pay all invoices from the Municipality for costs incurred in connection with the event,

with the Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

6. 2014-86 VICTORIA WHEELERS CYCLING CLUB, March 3, 2014
Re Request for Temporary Road Closures, Windsor Park Road Races –
May 18, July 27, August 17, 2014

MOVED by Councillor Kirby

Seconded by Councillor Murdoch, That permission be granted for the temporary road closures and occupancy of the roads detailed in correspondence item no. 2013-86, for the staging of the Windsor Park Road Races on Sunday, May 18, 2014, Sunday, July 27, 2014, and Sunday, August 17, 2014, subject to the Event Organizer entering into a public property occupancy agreement in which it will among other standard requirements:

1. release and indemnify the Municipality from any claims or liability associated with the event and provide evidence of public liability insurance in the amount of not less than \$3,000,000;
2. agree to pay all invoices from the Municipality for costs incurred in connection with the event;
3. agree to obtain Oak Bay Police approval for a traffic plan and implement the same subject to any field instructions from the Police; and
4. agree to provide sufficient notice to all property owners along the proposed route,

with the Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

7. 2014-87 OAK BAY COMMUNITY ARTISTS SOCIETY, March 4, 2014
Re Request for Occupancy of Public Property, Bowker Creek Brush-Up,
August 10, 2014

MOVED by Councillor Green

Seconded by Councillor Copley, That whereas pursuant to the Zoning Bylaw, Council has made the determination that the proposed event, including the sales of goods and refreshments, will be of general benefit to the municipality at large and will create no undue inconvenience for adjacent residents or the public at large, and does not detract from the purpose of the land as a public place for recreation, ornamentation or preservation of the natural environment, approval be given to the Oak Bay Community Artists Society to hold the Bowker Creek Brush Up along Bowker Creek between Armstrong Avenue and Hampshire Road, on the north side of the creek, on Sunday, August 10, 2014, from 7:30 a.m. to 5:30 p.m., subject to the event organizer entering into a public property occupancy agreement in which it will among other standard requirements:

1. release and indemnify the Municipality from any claims or liability associated with the event and providing evidence of public liability insurance in the amount of not less than \$3,000,000; and
2. agree to pay all invoices from the Municipality for costs incurred in connection with the event;

with the Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

8. 2014-88 OAK BAY HERITAGE COMMISSION, March 11, 2014
Re Minutes of Meeting

MOVED by Councillor Green

Seconded by Councillor Murdoch, That the minutes of the Oak Bay Heritage Commission meeting held on March 11, 2014 be received.

CARRIED

9. 2014-89 DIRECTOR OF BUILDING AND PLANNING, March 19, 2014
Re Building Permit Referral – Property Requiring Covenant Approval –
1630 York Place

MOVED by Councillor Herbert

Seconded by Councillor Kirby, That the plans for the proposed addition of an exterior stair to the building located at 1630 York Place, as outlined in the March 19, 2014 report of the Director of Building and Planning, correspondence No. 2014-89, be approved as required by the registered covenant.

CARRIED

10. 2014-90 DIRECTOR OF BUILDING AND PLANNING, March 19, 2014
Re Building Permit Application – Property on Community Heritage Register
– 2090 Byron Street

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That the building and land located at 2090 Byron Street 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 as attached to the March 19, 2014 report of the Director of Building and Planning dated March 19, 2014, correspondence item no. 2014-90 be referred to the Heritage Commission for a recommendation to Council.

CARRIED

11. 2014-91 DIRECTOR OF BUILDING AND PLANNING, March 19, 2014
Re Heritage Alteration Permit – 1512 Beach Drive

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That the application for a Heritage Alteration Permit for 1512 Beach Drive, as outlined in the memorandum of the Director of Building and Planning dated March 19, 2014, correspondence item no. 2104-91, be referred to the Heritage Commission for a recommendation to Council.

CARRIED

12. 2014-92 DIRECTOR OF ENGINEERING SERVICES, March 17, 2014
Re Proposed Longboarding Prohibition – Henderson Road Between
Lansdowne Road and Middowne Road

MOVED by Councillor Herbert

Seconded by Councillor Green, That the removal of the portion of Henderson Road between Lansdowne and Middowne Road from the proposed Streets and Traffic Bylaw amendment regarding longboarding prohibition appearing later on the agenda be approved in principal, and further, that staff be directed to maintain a database of longboarding incidents and assess further appropriate action at a future date.

CARRIED

13. 2014-93 GREATER VICTORIA BIKE TO WORK WEEK, March 13, 2014
Re Request for Occupancy of Public Property

Theresa Gulliver, Event Co-ordinator, was in attendance to respond to any questions.

MOVED by Councillor Murdoch

Seconded by Councillor Kirby, That permission be given to Greater Victoria Bike to Work Week to host a celebration station on the front lawn of the Oak Bay Municipal Hall, as was undertaken in 2013 subject to the Event Organizer entering into a public property occupancy agreement in which it will among other standard requirements:

1. release and indemnify the Municipality from any claims or liability associated with the occupancy and provide evidence of public liability insurance in the amount of not less than \$2,000,000; and
2. agree to pay all invoices from the Municipality for costs incurred in connection with the event,

with the Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

14. 2014-94 GREATER VICTORIA BIKE TO WORK SOCIETY, February 25, 2014
Re Request for Financial Assistance

MOVED by Councillor Herbert

Seconded by Councillor Copley, That the request for financial assistance from the Greater Victoria Bike to Work Week Society in the amount of \$2,000.00 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

15. 2014-95 OAK BAY VOLUNTEER SERVICES SOCIETY, February 25, 2014
Re Request for Financial Assistance

Joan Halvorsen, Executive Director, was in attendance to respond to any questions.

MOVED by Councillor Herbert

Seconded by Councillor Copley, That the request for financial assistance from the Oak Bay Volunteer Services Society in the amount of \$28,000.00 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

16. 2014-96 OAK BAY HERITAGE FOUNDATION, February 28, 2014
Re Request for Financial Assistance

Bronwyn Taylor and Robert Taylor, were in attendance to respond to any questions.

MOVED by Councillor Murdoch

Seconded by Councillor Copley, That the request for financial assistance from the Oak Bay Heritage Foundation in the amount of \$5,000.00 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

17. 2014-97 GREATER VICTORIA VOLUNTEER SOCIETY, February 28, 2014
Re Request for Financial Assistance

Lisa Mort-Putland, was in attendance to respond to any questions.

MOVED by Councillor Copley

Seconded by Councillor Kirby, That the request for financial assistance from the Greater Victoria Volunteer Society in the amount of \$1,472.00 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

18. 2014-98 COMMUNITY SOCIAL PLANNING COUNCIL, February 27, 2014
Re Request for Financial Assistance

MOVED by Councillor Kirby

Seconded by Councillor Green, That the request for financial assistance from the Community Social Planning Council of Greater Victoria in the amount of \$5,000.00 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

19. 2014-99 CRISIS INTERVENTION AND PUBLIC INFORMATION SOCIETY
(NEED2: SUICIDE PREVENTION EDUCATION & SUPPORT),
Feb 28, 2014
Re Request for Financial Assistance

MOVED by Councillor Green

Seconded by Councillor Kirby, That the request for financial assistance from NEED2 Suicide Prevention Education & Support in the amount of \$1,000.00 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

(Councillors Herbert and Murdoch against the motion)

20. 2014-100 ST. JOHN AMBULANCE BRIGADE, February 25, 2014
Re Request for Financial Assistance

Ross Nicholls, Chair, Executive Committee, was in attendance to respond to any questions.

MOVED by Councillor Murdoch

Seconded by Councillor Copley, That the request for financial assistance from the St. John Ambulance Brigade in the amount of \$600.00 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

21. 2014-101 MARITIME MUSEUM OF BRITISH COLUMBIA, February 23, 2014
Re Request for Financial Assistance

MOVED by Councillor Murdoch

Seconded by Councillor Green, That the request for financial assistance from the Maritime Museum of British Columbia in the amount of \$5,000.00 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

22. 2014-102 ROYAL AND MCPHERSON THEATRES SOCIETY, February 28, 2014
Re Request for Financial Assistance

Councillor Green declared a conflict inasmuch as she is a board member of the Society and left the meeting at 9:20 p.m.

MOVED by Councillor Copley

Seconded by Councillor Ney, That the request for financial assistance from the Royal and McPherson Theatres Society in the amount of \$10,000 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

Councillor Green returned to the meeting at 9:26 p.m.

23. 2014-103 VANCOUVER ISLAND SOUTH FILM & MEDIA COMMISSION, February 27, 2014
Re Request for Financial Assistance

MOVED by Councillor Herbert

Seconded by Councillor Green, That the request for financial assistance from the Vancouver Island South Film & Media Commission in the amount of \$10,000 be referred to Estimates Committee.

CARRIED

24. 2014-104 GREATER VICTORIA DEVELOPMENT AGENCY, February 28, 2014
Re Request for Financial Assistance

MOVED by Councillor Ney

Seconded by Councillor Copley, That the request for financial assistance from the Greater Victoria Development Agency in the amount of \$2,500.00 be referred to Estimates Committee.

CARRIED

25. 2014-105 FRIENDS OF UPLANDS PARK, February 28, 2014
Re Request for Financial Assistance

Margaret Lidkea and Kathleen Matthews, Co-Chairs, were in attendance to respond to any questions.

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That the request for financial assistance from the Friends of Uplands Park in the amount of \$7,000.00 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

26. 2014-106 COMMUNITY ASSOCIATION OF OAK BAY, February 28, 2014
Re Request for Financial Assistance

Tom Croft, President, was in attendance to respond to any questions.

MOVED by Councillor Herbert

Seconded by Councillor Green, That the request for financial assistance from the Community Association of Oak Bay in the amount of \$15,000.00 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

27. 2014-107 HELP FILL A DREAM FOUNDATION, February 27, 2014
Re Request for Financial Assistance

Craig Smith, Executive Director, was in attendance to respond to any questions.

MOVED by Councillor Herbert

Seconded by Councillor Ney, That the request for financial assistance from the Help fill A Dream Foundation of Canada in the amount of \$2,500.00 be received.

The motion was withdrawn by consensus.

MOVED by Councillor Murdoch

Seconded by Councillor Copley, That the request for financial assistance from the Help fill A Dream Foundation of Canada in the amount of \$2,500.00 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

28. 2014-108 SEACHANGE MARINE CONSERVATION SOCIETY, February 28, 2014
Re Request for Financial Assistance

MOVED by Councillor Murdoch

Seconded by Councillor Ney, That the request for financial assistance from the SeaChange Conservation Society in the amount of \$5,000.00 be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

There was discussion regarding eelgrass mapping and whether this should be something that Oak Bay should contract out. Council requested information from the Park & Recreation staff on whether this would be useful to Oak Bay, and any potential implications in respect to operations and programming.

29. 2014-109 SYNERGY SUSTAINABILITY INSTITUTE, February 28, 2014
Re Request for Financial Assistance

MOVED by Councillor Murdoch

Seconded by Councillor Herbert, That the request for financial assistance from the Synergy Sustainability Institute in the amount of \$1,750.00 be received.

CARRIED

Council raised various questions in respect to some of the grant applications, and directed staff to request further information from the applicants in this regard, for review during budget deliberations.

30. 2014-110 CAPITAL REGIONAL DISTRICT, February 28, 2014
Re Proposed Amendments to Clean Air Bylaw – Consultation Process

MOVED by Councillor Green

Seconded by Councillor Copley, That the letter from the Capital Regional District, dated February 28, 2014, be received.

While some members of Council expressed interest in designating additional smoke free areas, it was the majority view not to identify further public areas for inclusion in the Capital Regional District's Bylaw at this time.

The question was then called.

CARRIED

(Mayor Jensen, Councillors Ney and Murdoch against the motion)

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

Official Community Plan Renewal Project

Councillor Copley reported that they are working through the draft Official Community Plan policies and the next meeting of the Official Community Plan Project Advisory Committee is on April 3, 2014.

Environmental Advisory Committee

Councillor Murdoch said that the Committee will be sending its comments on the Official Community Plan Renewal Project.

Floor Area Review

Councillor Murdoch reported that in the next few weeks the Floor Area Review Committee will have further information prepared for public input.

Active Transportation Advisory Committee

Councillor Kirby reported that there is a Complete Streets Workshop on April 12, 2014.

Young Exceptional Star (YES) Awards

Councillor Kirby commented that the YES awards are a great way to recognize youth in Oak Bay with the deadline for nominations being extended to March 31, 2014.

RESOLUTIONS:

Heritage Alteration Permit and Development Variance Permit Application – 1180 Beach Drive (Native Plant Park)

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That

- a) Spending approval for the proposed fence around the north, east and south boundaries of the Native Plant Park, 1180 Beach Drive (Lots 81, 82, 83 & C, Section 23, Victoria District, Plan 368) with funding to come from the bequest of up to \$25,000.00 to be approved, subject to the issuance of a Development Variance Permit to vary the fence height requirements noted below;
- b) The Director of Building and Planning be authorized to issue a Heritage Alteration Permit for the erection of the fence around the north, east and south boundary of the

Native Plant Park, 1180 Beach Drive (Lots 81, 82, 83 & C, Section 23, Victoria District, Plan 368) as shown on the plan appended to Committee of the Whole agenda item 2014-73 being a memorandum from the Director of Building and Planning dated March 12, 2014, subject to the issuance of a Development Variance Permit to vary the fence height requirements of the Screens and Fences Bylaw as described below; and

- c) That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 1180 Beach Drive (Lots 81, 82, 83 & C, Section 23, Victoria District, Plan 368) varying the following provision of Bylaw No. 3536, Screens and Fences Bylaw, 1986 as amended:

| <u>Screens and Fence Bylaw Section(s)</u> | <u>Permitted</u> | <u>Requested</u> | <u>Variance</u> |
|---|------------------|------------------|-----------------|
| 6.1 Maximum height of fence on corner lot for a distance of 7.62 m (north and east side) | 1.00 m | 2.44 m | 1.44 m |
| 6.2 + 6.4 Maximum height of fence abutting a street (north side, east side and within 7.6 m (25 ft) of the front lot line on the south side) | 1.84 m | 2.44 m | 0.60 m |

to permit the erection of a fence on the north, east and south boundary of the property as shown on the plan appended to Committee of the Whole agenda item 2014-73 being a memorandum from the Director of Building and Planning dated March 12, 2014; and

That the resolution adopted February 11, 2014, authorizing issuance of a Development Variance Permit for 1180 Beach Drive for the erection of a fence, in accordance with the plans and related variances to the Screens and Fences Bylaw considered by Council on January 27, 2014, be rescinded.

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That the motion in respect to the development variance permit for 1180 Beach Drive be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

Development Variance Permit Application –2666 Dorset Road

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2666 Dorset Road (Lot 16, Block 44, Section 31, Victoria District, Plan 8777) varying the following provision of Bylaw No. 3531, *Zoning Bylaw, 1986* as amended:

| <u>Zoning Bylaw Section(s)</u> | <u>Required</u> | <u>Requested</u> | <u>Variance</u> |
|---|-----------------|------------------|-----------------|
| 6.2.4.(2)(c) + Schedule 'C' Minimum interior side lot line setback | 4.27 m | 2.95 m | 1.32 m |

| | | | |
|---|---------|--------|--------|
| 6.2.4.(2)(e) + Schedule 'C' | 10.97 m | 6.29 m | 4.68 m |
| Minimum total of side lot line setbacks | | | |

to accommodate the enclosure of the existing carport to create an attached garage as shown on the plans appended to Committee of the Whole agenda item 2014-76 being a memorandum from the Director of Building and Planning dated March 10, 2014.

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That the motion in respect to the development variance permit for 2666 Dorset Road be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

Development Variance Permit Application – 2765 Lansdowne Road

MOVED by Councillor Herbert

Seconded by Councillor Green, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2765 Lansdowne Road (Lot 6, Block 22, Section 31, Victoria District, Plan 1216A) varying the following provision of Bylaw No. 3531, *Zoning Bylaw, 1986* as amended:

| <u>Zoning Bylaw Section</u> | <u>Permitted</u> | <u>Requested</u> | <u>Variance</u> |
|-----------------------------------|----------------------|-----------------------|----------------------|
| 4.15.1 | 25% | 32% | 7% |
| Maximum paved surface (rear yard) | 87.10 m ² | 111.50 m ² | 24.40 m ² |

to accommodate the proposed increase in paved surface in the rear yard, as shown on the plans appended to Committee of the Whole agenda item 2014-77, being a memorandum from the Director of Building and Planning dated March 11, 2014.

MOVED by Councillor Herbert

Seconded by Councillor Green, That the motion in respect to the development variance permit for 2765 Lansdowne Road be tabled to allow notice to be given in accordance with the *Local Government Act*.”

CARRIED

Development Variance Permit Application – 2527 Nottingham Road

MOVED by Councillor Murdoch

Seconded by Councillor Green, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2527 Nottingham Road (Lot 1, Block 43, Section 31, Victoria District, Plan 8777) varying the following provision of Bylaw No. 3531, *Zoning Bylaw, 1986* as amended:

| <u>Zoning Bylaw Section(s)</u> | <u>Permitted</u> | <u>Requested</u> | <u>Variance</u> |
|----------------------------------|------------------|------------------|-----------------|
| 6.2.4.(3)(a) | 3.00 m | 3.87 m | 0.87 m |
| Maximum building height (garage) | | | |

| | | | |
|--|--------|--------|--------|
| 6.2.4.(3)(b) Maximum occupiable height (garage) | 0.25 m | 0.96 m | 0.71 m |
|--|--------|--------|--------|

to accommodate the construction of a new single family dwelling with detached two car garage as shown on the revised plans received March 21, 2014, and printed for the purposes of the March 24, 2014 Council agenda.

MOVED by Councillor Murdoch

Seconded by Councillor Green, That the motion in respect to the development variance permit for 2527 Nottingham Road be tabled to allow notice to be given in accordance with the *Local Government Act*.”

CARRIED

Development Variance Permit Application – 3304 Gibbs Road

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 3304 Gibbs Road (Lot 2, Section 31, Victoria District, Plan 11436) varying the following provisions of Bylaw No. 3540, *Parking Facilities Bylaw, 1986* and Bylaw No. 3531, *Zoning Bylaw, 1986* as amended:

| <u>Parking Facilities Bylaw Section(s)</u> | <u>Required</u> | <u>Requested</u> | <u>Variance</u> |
|--|--------------------------------------|-------------------------------|-----------------------------|
| 4.1 + Schedule “A”, A.1.(a) Minimum number of parking spaces | 2 spaces (one must be in a building) | 2 spaces (none in a building) | no covered parking provided |
| <u>Zoning Bylaw Section(s)</u> | | | |
| 6.4.4.(2)(c) Minimum interior side lot line setback (pergola) | 1.52 m | 0.52 m | 1.00 m |
| 6.4.4.(7) Minimum clear space between buildings and structures (accessory to pergola) | 3.00 m | 1.14 m | 1.86 m |
| 6.4.4.(7) Minimum clear space between buildings and structures (house to pergola) | 3.00 m | 2.59 m | 0.41 m |
| 6.4.4.(8) Accessory building setbacks to be the same as principal building | 1.52 m | 0.46 m | 1.06 m |

to accommodate the development of the existing carport into living space, and permit the existing pergola and accessory building on the north side of the home, as shown on the plans appended to Committee of the Whole agenda item 2014-79, being a memorandum from the Director of Building and Planning dated March 10, 2014.

MOVED by Councillor Murdoch

Seconded by Councillor Copley, That the motion in respect to the development variance permit for 3304 Gibbs Road be tabled to allow notice to be given in accordance with the *Local Government Act*.”

CARRIED

Development Variance Permit Application – 526 Beach Drive

MOVED by Councillor Herbert

Seconded by Councillor Copley, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 526 Beach Drive (Lot 15, Section 22, Victoria District, Plan 1062) varying the following provision of Bylaw No. 3531, *Zoning Bylaw, 1986* as amended:

| <u>Zoning Bylaw Section</u> | <u>Permitted/ Required</u> | <u>Requested</u> | <u>Variance</u> |
|--|--------------------------------|-----------------------------|-----------------------------|
| 6.4.4.(2)(e) Minimum total of side lot line setbacks | 4.57m | 3.05 m | 1.52 m |
| 6.4.4. (3)(a) Maximum building height | 6.08 m | 6.37 m | 0.29 m |
| 6.4.4. (7) Minimum clear space between buildings and structures (house to pool) | 3.00 m | 2.00 m | 1.00 m |
| 6.4.4 (10) Minimum front lot line contextual setback | 12.80 m | 7.62 m | 5.18 m |
| 6.4.4. (11) Minimum second storey side lot line setback (north) | 3.00 m | 1.52 m | 1.48 m |
| 6.4.4. (11) Minimum second storey side lot line setback (south) | 3.00 m | 2.68 m | 1.48 m |
| 4.15.1 Maximum paved surface (front yard) | 25 % 29.50 m ² | 45% 53.00 m ² | 20% 23.50 m ² |

to accommodate the construction of a new single family dwelling with in ground pool as shown on the plans appended to Committee of the Whole agenda item 2014-80 being a memorandum from the Director of Building and Planning dated March 12, 2014.

MOVED by Councillor Herbert

Seconded by Councillor Green, That the motion in respect to the development variance permit for 526 Beach Drive be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

BYLAWS:

For Adoption

MOVED by Councillor Murdoch
Seconded by Councillor Herbert, That Bylaw No. 4609, *Animal Control Bylaw Amendment Bylaw No. 1, 2014*, be adopted.

CARRIED

MOVED by Councillor Murdoch
Seconded by Councillor Herbert, That Bylaw No. 4610, *Ticket Information Utilization Bylaw Amendment Bylaw No. 2, 2014*, be adopted.

CARRIED

For Third Reading

MOVED by Councillor Murdoch
Seconded by Councillor Herbert, That the following motion, made March 11, 2014, be lifted from the table:

That Bylaw No. 4611, *Streets and Traffic Bylaw Amendment Bylaw No. 2, 2014, as amended*, be read a third time.

CARRIED

The question was then called.

CARRIED

ADJOURNMENT:

MOVED by Councillor Murdoch
Seconded by Councillor Herbert, That the Council meeting be adjourned.

CARRIED

The meeting adjourned at 10:48 p.m.

Certified Correct:

Municipal Clerk

Mayor