

REPORT of a PUBLIC HEARING 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, Victoria, B.C., on Monday September 12, 2016 at 6:00 PM.

PRESENT: Mayor N. Jensen, Chair
Councillor H. Braithwaite
Councillor T. Croft
Councillor M. Kirby
Councillor K. Murdoch
Councillor T. Ney
Councillor E. Zhelka

STAFF: Chief Administrative Officer, H. Koning
Deputy Director of Corporate Services, M. Jones
Director of Building and Planning, R. Thomassen
Manager of Planning, D. Jensen

CALL TO ORDER:

The Mayor called the meeting to order at 6:05 PM

BYLAWS TO BE CONSIDERED - NO. 4620.001 & NO. 4668

1. Description of the Purpose of Bylaws No. 4620.001, & No. 4668.

- Notice of Public Hearing
- Oak Bay Official Community Plan Amendment Bylaw No. 4620.001, 2016
- Bylaw No. 4668 - Ninety-Fifth Zoning Bylaw Amendment Bylaw

At the request of the Mayor, the Manager of Planning described the purpose of Bylaw No. 4620.001, commenting that this bylaw, with respect to 1632 Yale Street, if adopted, will amend Schedule B: Land Use Framework Map of the Official Community Plan Bylaw No. 4620 by redesignating the subject property from Community Institutional to Established Neighbourhoods in order to facilitate a three (3) small lot, single family residential development.

With respect to Bylaw No. 4668, the Manager of Planning stated that this bylaw, also with respect to 1632 Yale Street, if adopted, will amend the Zoning Bylaw No. 3531 by rezoning the property from the Special Institutional Use (P-2) zone to a new Comprehensive Development Use – Yale Street Small Lot Residential (CD-2) zone in order to facilitate a three (3) small lot, single family residential development with minimum permitted lot sizes of 356 m², 361 m² and 394 m².

The Manager of Planning noted that as the bylaws are both with respect to the same development on 1632 Yale Street, it is appropriate to consider public input at this Public Hearing with respect to both bylaws.

2. Receipt of Correspondence Distributed Prior to Public Hearing

- Report - Planner, Jun. 13, 2016 (1632 Yale St.)

- Rpt. Attach 2 - Agency Referrals, Sept 2015
- Plans - OCP - 1632 Yale St, May 24, 2016
- Corresp. - up to Jun. 17, 2016 - 1632 Yale St.
- Memorandum - Director of Corporate Services, Jul. 18, 2016
- Corresp. - Agency Referrals Response, Sep. 7, 2016
- ADDENDA - Corresp. - Agency Referrals Response, Sep. 9, 2016
- ADDENDA - Corresp. - Sep. 9 - 12, 2016 - Bylaws No. 4620.001, & No. 4668

MOVED and seconded: That the written submissions distributed prior to the public hearing as attached to Agenda Item 2 be received.

CARRIED

3. *Reading of New Correspondence*

The Deputy Director of Corporate Services advised that no further correspondence pertaining to the Public Hearing for Bylaws No. 4620.001, & No. 4668 has been received.

4. *Public Input*

The Mayor invited persons deeming their interest in property affected by Bylaws No. 4620.001, and No. 4668 to come forward.

Katherine MacLeod, Oak Bay resident, spoke in favour of the bylaws. Ms. MacLeod stated that the current institutional zoning is not appropriate, given inadequate parking on both Yale Street and the subject property, as well as the financial challenges facing the current owner which have resulted in a poorly maintained property. She commented that the proposed increase in density is appropriate and noted that the proposal includes Garry Oak protection and enhancements to the existing cycling/pedestrian connection to Elgin Road. The enhancements to the Oak Bay Preschool, she noted, although not a “formal” amenity, are also valuable, given the important service the preschool provides to the community at large. Ms. MacLeod concluded her remarks by stating that she has watched the subject property deteriorate over the last few years and that the current proposal has led to the neighbours developing stronger relationships.

Liz Elliot, Oak Bay resident, commented that she was also speaking on behalf of the residents at 1635 Yale Street. Ms. Elliot stated that both her and her neighbours support the project proceeding, but noted that she and they were concerned with the potential to lose on street parking on Yale Street due to issues of fire access.

Peter Graph, Oak Bay resident, noted that as a resident of Yale Street he had some initial reservations with proposal, particularly due to issues related a previous proposal. Mr. Graph noted that the current applicant has done great work to meet with and address the comments of the neighbourhood, but that he too is concerned with the potential loss of on street parking on Yale Street. Although he would prefer to see only two houses on the subject property, he said, he is willing to compromise in that regard. Mr. Graph concluded his remarks by stating that his support for the project is subject to the retention of on street parking.

At the direction of Council, the Director of Building and Planning responded to questions from the public and commented that at this time a fire access that satisfies both the wishes of the proponent and the requirements of the Fire Department has not been clarified; however, he stated this could be addressed during the development permit process.

Bill Patterson, applicant, stated that he entered into the process of developing this property with an open mind and that during the public consultation a good relationship was established with the neighbours. With respect to the issue of fire access, Mr. Patterson commented that given the neighbours' concerns regarding the potential loss of on street parking, his civil engineer used the turning radius requirements for Oak Bay's fire trucks to develop a model drawing which indicated that by granting the Municipality a statutory right-of way over a small portion of proposed lot 3 a sufficient fire access could be achieved. Mr. Patterson concluded his remarks by stating that it is his attention to address this during the development permit stage.

Mayor Jensen asked a second and third time if any members of the public would like to come forward to speak on the proposed bylaws. No one else came forward.

ADJOURNMENT:

5. *Motion to Adjourn.*

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting then adjourned at 6:25 PM.

Certified Fair and Accurate:

Chair

Deputy Director of Corporate Services