

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, Victoria, B.C., on Monday September 19, 2016, following a Public Hearing at 7:00 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  
Director of Corporate Services, W. Jones  
Deputy Director of Corporate Services, M. Jones  
Director of Financial Services, D. Carter  
Director of Building and Planning, R. Thomassen  
Superintendent of Public Works, D. Brozuk

Mayor Jensen called the meeting to order at 7:05 PM.

AMENDMENT OF AGENDA:

MOVED and seconded: That the agenda be amended to bring forward consideration of Bylaw items 27, 28 and 29 to immediately follow the Minutes and Reports Section and that item 16 be considered in advance of item 15.

CARRIED

MINUTES AND REPORTS:

1. *Council*
  - July 18, 2016

MOVED and seconded: That the minutes of the July 18, 2016 Council meeting be adopted.

MOVED and seconded: That the minutes of the July 18, 2016 Council meeting be amended under item 17 by adding the following wording to the end of the second paragraph “The discussion was regarding the infill strategy designers workshop that was held on June 28 and had to do with it being an invitation only workshop that was not shared with the public”, after the wording “A discussion ensued on the importance of consultation in developing the strategy and on the importance of ensuring a transparent process”.

DEFEATED

Mayor Jensen and Councillors Braithwaite, Croft  
Kirby, Murdoch and Ney against the motion

The question was then called on the main motion.

CARRIED

2. ***Special Council***

- ADDENDA - July 18, 2016
- ADDENDA - September 12, 2016

MOVED and seconded: That the minutes of the July 18, 2016 and September 12, 2016 Council meetings be adopted.

CARRIED

3. ***Committee of the Whole***

- ADDENDA - September 12, 2016
- ADDENDA - Corresp. - Foreshore and Water Lot Leases - Sep. 16 - 19, 2016

MOVED and seconded: That the minutes of the September 12, 2016 Committee of the Whole be adopted and the recommendations contained therein be adopted.

CARRIED

4. ***Public Hearing***

- September 12, 2016

MOVED and seconded: That the minutes of the Public Hearing held September 12, 2016 be adopted.

CARRIED

**BYLAWS:**

27. ***Bylaw Memorandum***

- Memorandum - Deputy Director of Corporate Services, Sep. 14, 2016

The Mayor provided an overview of the bylaw reading process.

28. ***For Third Reading and Final Reading (1632 Yale Street)***

- Oak Bay Official Community Plan Amendment Bylaw No. 4620.001, 2016
- Committee of the Whole Report - Planner, Jun. 13, 2016
- Plans - OCP - 1632 Yale St, May 24, 2016

MOVED and seconded: That *Oak Bay Official Community Plan Amendment Bylaw No. 4620.001, 2016* be read a third time.

CARRIED

MOVED and seconded, That *Oak Bay Official Community Plan Amendment Bylaw No. 4620.001, 2016* be adopted.

CARRIED

29. ***For Third Reading and Final Reading (1632 Yale Street)***

- Bylaw No. 4668 - Ninety-Fifth Zoning Bylaw Amendment Bylaw
- Committee of the Whole Report - Planner, Jun. 13, 2016
- Plans - OCP - 1632 Yale St, May 24, 2016

MOVED and seconded: That Bylaw No. 4668, *Ninety-Fifth Zoning Bylaw Amendment Bylaw* be read a third time.

CARRIED

MOVED and seconded, That Bylaw No. 4668, *Ninety-Fifth Zoning Bylaw Amendment Bylaw* be adopted.

CARRIED

30. ***For Third Reading and Final Reading Subject to the Outcome of the Public Hearing (1329 St. Patrick Street)***

- Bylaw No. 4667, 1329 St. Patrick Street Heritage Designation Bylaw, 2016
- Report- Director of Building & Planning, Jun. 8, 2016 (1329 St. Patrick St.)
- Rpt. Attach 1 - Statement of Significance (1329 St. Patrick St.)
- Rpt. Attach. 2 - Application for Designation

MOVED and seconded: That Bylaw No. 4667, *1329 St. Patrick Street Heritage Designation Bylaw, 2016* be read a third time.

CARRIED

MOVED and seconded, That Bylaw No. 4667, *1329 St. Patrick Street Heritage Designation Bylaw, 2016* be adopted.

CARRIED

**MAYOR'S REMARKS:**

5. The Mayor provided remarks on the following topics:

***Uplands Combined Sewer Separation Project - Special Committee of the Whole – Oct. 5, 2016***

Mayor Jensen encouraged attendance at the Special Committee of the Whole on October 5, 2016 at 6:30 PM at the Oak Bay United Church, noting that the recommended option for the Uplands Combined Sewer Separation Project would be considered at that time.

***Heritage Significance of the Union Club***

The Mayor commented on the recent federal designation of the Union Club as a nationally significant site noting that the club was designed by Oak Bay's third Mayor Francis Rattenbury.

***Order of British Columbia Recipient – Brian Smith, QC***

Mayor Jensen noted that Brian Smith, former Councillor and former Mayor of Oak Bay was a recipient of the Order of British Columbia, who advised .

***Belfry Theatre – Arts Development Grant Recipient***

The Mayor drew attention to recent correspondence from the Belfry Theatre, thanking Oak Bay for their receipt of the regional arts development grant to which Oak Bay contributes and highlighting that approximately 1,800 households in the district patronize the theatre.

***Grants Received by the District***

Mayor Jensen drew attention to the following grants: the Community Works Fund, a Small Community Grant; a Fine Revenue Sharing Grant; and a grant from the Union of British Columbia Municipalities to share the costs of the Asset Management planning. The grant-in-lieu of taxes with respect to the University of Victoria was received, he said, but noted that the amount is steadily decreasing over the years.

***Thanks from the Canadian Mental Health Association – Ride Don't Hide Event***

The Mayor commented that thanks were sent from the Canadian Mental Health Association for Oak Bay's support of the Ride Don't Hide Event. D

***Mayors for Peace***

Mayor Jensen noted that he had received seeds on Oak Bay's behalf as a member of Mayors for Peace and that the seeds would be planted when appropriate by the Municipal Arborist.

***Oak Bay Community Artist Society – Bowker Creek Brush Up***

The Mayor commented on the success of the Bowker Creek Brush Up event and gave his thanks to Acting Mayor Murdoch for attending in his absence and to the town crier Ken Podmore for his role in opening the festivities.

***Provincial Urban Deer Advisory Committee Update***

Mayor Jensen noted that a call for proposals for deer management grants would be forthcoming. In early October. In response to a question from Council regarding the unallocated funding from 2017, the Mayor noted that these funds were not carried forward into 2017.

***Sausage Fest in Willow's Park***

Mayor Jensen offered thanks to the Oak Bay Firefighters Charitable Foundation for the Sausage Fest in Willow's Park, noting it was a well-attended family event. He also drew attention to Councillors Kirby and Zhelka for serving in the dunk tank to help raise funds.

**PUBLIC PARTICIPATION PERIOD:**

6. The following speakers addressed Council during the Public Participation Period:

Bob Flitton, Langford resident, spoke with respect to his concerns regarding the referral to the Strategic Priority Session on the report on Foreshore and Waterlot Leases, stating that progress needs to be made more quickly on the enforcement issues arising from derelict and live aboard vessels. Mr. Flitton emphasized concern with respect to the impact on the foreshore and marine environment.

Bill Valentine, Oak Bay resident, also spoke in support of proceeding with the recommendations in the staff report on Foreshore and Waterlot Leases given the environmental impacts, as outlined in his correspondence attached to agenda item 3.

Darren Williams, Victoria resident, stated that as a marine lawyer, he wanted to urge that action be taken to address enforcement issues arising from derelict and live aboard vessels and that further amendments should be undertaken to the Zoning Bylaw to provide additional controls in this regard.

**COMMUNICATIONS:**

7. ***Special Event Application - Request for Temporary Occupancy of Roadways, October 9, 2016***
- Note - Director of Corporate Services - GoodLife Fitness Victoria Marathon, Oct. 9, 2016
  - Corresp. - GoodLife Fitness Victoria Marathon, Jul. 15, 2016

MOVED and seconded: That the occupancy of roads October 9, 2016 for the purposes of holding a running event as described in the submission from the Victoria Marathon Society dated July 15, 2016, be approved, 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 give sufficient notice to all residents along the proposed route,

with the Director of Corporate Services being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

8. ***Special Event Application - Request for Commercial Activity in Willows Park, September 25, 2016***

- Note - Director of Corporate Services - Oak Bay High School Cops for Cancer Fundraiser, Sep. 19, 2016
- Director of Parks, Recreation & Culture, Sep. 7, 2016 (Cops for Cancer Event Request)

MOVED and seconded: That, whereas, pursuant to the Zoning Bylaw, the proposed event, including the sales of goods and refreshments, has been determined to be of general benefit to the municipality at large and will create no undue inconvenience for adjacent residents or the public at large, and not detract from the purpose of the land as a public place for recreation, ornamentation or preservation of the natural environment, approval be given for the event, 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; and
2. agree to pay all invoices from the Municipality for costs incurred in connection with the event,

with the Director of Corporate Services being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

9. ***Request to Promote and Fund Raise in Oak Bay - Scouts Canada - October 1, 2016***

- Note - Director of Corporate Services - Scouts Canada Apple Day, Oct. 1, 2016
- Corresp. - Scouts Canada, Apple Day, Sep. 13, 2016

MOVED and seconded: That permission be granted to Scouts Canada to promote and fund raise in Oak Bay on October 1, 2016.

CARRIED

10. ***Request to Sell Girl Guide Cookies on Oak Bay Avenue - October 15, 2016***

- Note - Director of Corporate Services - Girl Guide Cookie Sales, Oak Bay Avenue, Oct. 15, 2016
- Corresp. - Girl Guides of Canada Cookie Sales, Sep. 5, 2016

MOVED and seconded: That permission be granted to the Girl Guides of Canada to sell Girl Guide cookies on Oak Bay Avenue on October 15, 2016.

CARRIED

11. ***The Acorn Arts Award***

- Note - Director of Corporate Services - Acorn Award, Sep. 13, 2016
- Report - Manager of Recreation & Culture, Sep. 7, 2016 (The Acorn Award)

MOVED and seconded: That the Arts Laureate create and implement an annual community arts and culture award, as further outlined in the September 7, 2016 report of the Manager of Recreation and Culture.

CARRIED

12. ***Tender Award Recommendation - Fire Department Truck***

- Report - Fire Chief, Sep. 7, 2016

*Deputy Fire Chief, Darren Hughes, in attendance for this item.*

MOVED and seconded: That the purchase for the Fire Department Truck Tender be awarded to Berks Intertruck Ltd in accordance with their tender submission in the amount of \$58,797 plus GST and that Council supplement an additional \$11,522 from Fire Department Capital Equipment Reserve to meet the quote from Intercontinental Truck Body in the amount of \$87,725 budgeted to build a 14' Custom Light Rescue as a sole source provider.

The Deputy Fire Chief responded to questions from Council with respect to the current lack of solar powered alternatives and the truck replacement schedule.

The question was then called.

CARRIED

13. ***Tender Award Recommendation - Vehicle and Equipment***

- Report - Superintendent of Public Works, Sep. 19, 2016

*Superintendent of Public Works, David Brozuk in attendance for this item.*

MOVED and seconded: That the following tenders be awarded in accordance with their associated tender submissions:

Tender #	Contract Awarded to:	Price (excl. GST)
Backhoe Tender PW9-2016	Finning (Canada) (Model Cat 430F2IT)	\$119,309.36
Vacuum Excavator & Valve Exerciser Tender PW10-2016	Westerra Equipment (Model Vermeer VX30-250)	\$88,281.00
Aerial Lift Truck Tender PW11-2016	Dams Ford Lincoln Sales Ltd. (Model ETI-ETCMH401H)	\$139,157.78
Passenger Bus Tender PW12, 2016	Dynamic Specialty Vehicles Ltd. (Model 2016 Chevrolet Goshen Impulse)	\$70,455.22
Pickup Truck Tender PW13-2016	Dams Ford Lincoln Sales Ltd. (Model 2016 Ford F550 Dump)	\$70,774.08
Pickup Truck Tender PW14-2016	Suburban Motors (Model 2017 Ford F250 Supercab)	\$31,938.43
Vacuum Excavator Tender PW15-2016	Cubex Ltd. (Model Vac Tron LP 573-GT)	\$52,644.00

The Superintendent of Public Works responded to questions with respect to the differences between the estimates and the bids, noting that although bids sometimes exceed the estimates, ultimately, a total of \$576,000 was budgeted from the Capital Works reserve and the tendered total equals \$519,915.87.

The question was then called.

CARRIED

14. ***Tender Award Recommendation - Sanitary Sewer and Storm Drain Main Lining***

- Report - Acting Director of Engineering Services, Sep. 19, 2016

*Serving as Acting Director of Engineering Services, David Brozuk in attendance for this item.*

MOVED and seconded: That the contract for the Sanitary Sewer and Storm Drain Main Lining be awarded to Insituform Technologies Limited in accordance with their tender submission in the amount of \$135,306.13 excluding GST for 2016.

It was noted that, given the contracted amount came in well under budget, consideration should be given to expanding the lining project if possible.

The question was then called.

CARRIED

16. ***Uplands Combined Sewer Separation - Geotechnical Investigation Report***

- Report - Project Manager - Geotechnical Investigation - Sep. 5, 2016
- Rpt. Attach. 1 - Ground Penetrating Radar Survey Results
- Rpt. Attach. 2a - Section 1 of WSP Geotechnical Investigation, Aug. 2016
- Rpt. Attach. 2b - Section 2 of WSP Geotechnical Investigation, Aug. 2016

*Project Manager, Jack Hull in attendance for this item.*

The Project Manager provided an overview of the findings in the geotechnical investigation as outlined in his report.

MOVED and seconded: That the September 5, 2016 report of the Project Manager for the Uplands Combined Sewer Separation project with respect to the geotechnical investigation be received for information.

CARRIED



15. ***Uplands Combined Sewer Separation Project Update***

- Report - Project Manager - Uplands Combined Sewer Separation Project Update - Sep. 12, 2016
- Rpt. Attach. 1 - Project Manager's Pre-Design Report, Oct. 20, 2015
- Rpt. Attach. 2 - Project Report Listing
- Rpt. Attach. 3 - Public Engagement Overview
- Rpt. Attach. 4 - Report on Survey Research

MOVED and seconded: That the September 12, 2016 report of the Project Manager for the Uplands Combined Sewer Separation project with respect to the project update be received for information.

CARRIED

17. ***Advisory Design Panel (ADP) Minutes***

- Note - Director of Corporate Services - ADP Minutes - Jul. 5, 2016
- Minutes ADP - Jul. 5, 2016

MOVED and seconded: That the minutes of the Advisory Design Panel held July 5, 2016 be received for information.

CARRIED

18. ***Advisory Planning Commission (APC) Minutes***

- Note - Director of Corporate Services - APC Minutes - Jul. 5, 2016
- Minutes APC, Jul. 5, 2016

MOVED and seconded: That the minutes of the Advisory Planning Commission held July 5, 2016 be received for information.

CARRIED

19. ***Oak Bay Heritage Commission (HComm) Minutes***

- Note - Director of Corporate Services - HComm Minutes - July 12, 2016
- Minutes, HComm, Jul. 12, 2016

MOVED and seconded: That the minutes of the Heritage Commission held July 12, 2016 be received for information.

CARRIED

CORRESPONDENCE - UPCOMING AGENDA ITEM(S)

20. ***Correspondence - 2414 San Carlos Place, 2215 Dalhousie Street, 1705 Monteith Street***

- Corresp. - Jul. 18 - Sep. 16, 2016 - HAP00004 2414 San Carlos Place
- ADDENDA - Corresp. Post agenda close - Sep. 19, 2016 - DVP 2215 Dalhousie St.

- ADDENDA - Corresp. - Sep. 16 - Sep. 19, 2016 - DVP 1705 Monteith St.
- ADDENDA - Corresp. Post agenda close Sep. 19, 2016 - DVP 1705 Monteith St

*Councillor Kirby declared a conflict inasmuch as she is an owner of the subject property, 2215 Dalhousie Street, and left the meeting at 8:35 PM.*

MOVED and seconded: That the correspondence with respect to 2414 San Carlos Place, 2215 Dalhousie Street and 1705 Monteith Street be received for information.

CARRIED

*Councillor Kirby returned to the meeting at 8:36 PM.*

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

21. *New Business & Verbal Reports*

***Removing Regulatory Barriers to Increase Campus Housing***

MOVED and seconded: That the Mayor send a letter to the Premier of British Columbia and to the Ministers responsible for Housing and Finance requesting they undertake necessary changes to remove barriers to the University of Victoria and other campuses of secondary education in B.C. that wish to move forward on increasing the supply of student housing and that copies are sent to University of Victoria, Camosun College, Royal Roads University, the Mayors of Saanich and Victoria, the CRD Chair and our local MLA's.

It was noted that the resolution was time-sensitive in nature and that the intention was to request that it be addressed at the upcoming convention of the Union of British Columbia Municipalities. Further discussion noted the importance of clarifying if more student housing was to be incorporated in the University's campus plan.

The question was then called.

CARRIED

***Request for Amendments to the University Act Regarding Grants-in-Lieu of Taxes Formula***

MOVED and seconded: That staff be directed to circulate to all other municipalities Oak Bay's resolution to the Union of British Columbia Municipalities with respect to amending the University Act regarding the grants-in-lieu of taxes formula in advance of the annual convention.

It was noted that circulating the resolution in advance of the upcoming convention of the Union of British Columbia Municipalities would help to raise support among other attendees.

The question was then called.

CARRIED

***Support for the Bike Right Provincial Youth Cycling Framework***

MOVED and seconded: That the Mayor send a letter to the Premier of British Columbia asking the Province to implement and fund a province-wide cycling education framework for children and youth as proposed by BC Bike Right Network.

It was noted that a resolution from North Vancouver City with respect to the Bike Right Provincial Youth Cycling Framework proposal was being considered at the upcoming convention of the Union of British Columbia Municipalities and that the proponents hoped to receive the District of Oak Bay's endorsement in advance.

The question was then called.

CARRIED

***Support for bid to host BC Mayor's Caucus***

MOVED and seconded: That support be given in principle to Oak Bay hosting the BC Mayor's Caucus in 2017.

A discussion ensued with respect to the proposal at which it was noted that consideration would be given to establishing hosting locations at the Mayor's Caucus meeting next Monday. It was noted that approximately 100 delegates typically attend and the budget for the Caucus is covered through sponsorship and registration fees.

The question was then called.

CARRIED

**Report from the Capital Regional District (CRD)**

The Mayor outlined the recent decisions by the CRD with respect to selecting sites for the sewage treatment plant and a new Police and Fire Dispatch Centre.

**Other Verbal Reports**

Members of Council offered other verbal reports with respect to: the new Executive Director of the Greater Victoria Labour Relations Association; the James Bay expansion of the Greater Victoria Public Library; and the upcoming proposed renewal of the library operating agreement.

**TABLED RESOLUTIONS:**

22. ***Development Variance Permit (DVP) Application - 2215 Dalhousie Street***
- Tabled Resolution Notice - 2215 Dalhousie Street
  - Plans - DVP - 2215 Dalhousie St, May 10, 2016
  - Committee of the Whole Report - Planner, Jul. 5, 2016

Councillor Kirby declared a conflict inasmuch as she is an owner of the subject property, 2215 Dalhousie Street, and left the meeting at 8:56 PM.

MOVED and seconded: That the following item be lifted from the table:

That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2215 Dalhousie Street (Lot 12, Section 28, Victoria District, Plan 398-B) varying the following provisions of Bylaw No. 3540, Parking Facilities Bylaw, 1986 and Bylaw No. 3531, Zoning Bylaw, 1986 as amended:

<u>Parking Facilities Section</u>	<u>Required/ Permitted</u>	<u>Requested</u>	<u>Variance</u>
4.7 Parking Spaces Within a Building	1	0	1
A.1(a) Minimum Number of Parking Spaces	2	1	1
<u>Zoning Bylaw Section</u>	<u>Required/ Permitted</u>	<u>Requested</u>	<u>Variance</u>
6.5.4.(2)(e) Minimum Setback Front Lot Line	4.57 m	4.31 m	0.26 m

to accommodate the proposed renovation to the single family dwelling, as shown on the plans appended to Committee of the Whole agenda item number 7, being a memorandum from the Planner dated July 5, 2016.

A representative for the application was in attendance.

No members of the public rose to speak.

The question was then called.

CARRIED

Councillor Kirby returned to the meeting at 8:57 PM.

23. **Development Variance Permit (DVP) Application - 1705 Monteith Street**

- Tabled Resolution Notice - 1705 Monteith Street
- Plans - DVP - 1705 Monteith St, Jul. 6, 2016
- Committee of the Whole Report - Planner, Jul. 5, 2016

MOVED and seconded: That the following item be lifted from the table:

*That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 1705 Monteith Street (Lot 1, Section 61, Victoria District, Plan EPP63076) varying the following provisions of Bylaw No. 3531, Zoning Bylaw, 1986 as amended:*

<u>Zoning Bylaw Section</u>	<u>Required/ Permitted</u>	<u>Requested</u>	<u>Variance</u>
6.5.4.(2)(a) <i>Minimum Setback Front Lot Line</i>	7.62 m	6.10 m	1.52 m
6.5.4.(3)(a) <i>Maximum Building Height</i>	6.83 m	7.56 m	0.73 m

*to accommodate the proposed construction of a single family dwelling, as shown on the plans appended to Committee of the Whole agenda item number 6, being a memorandum from the Planner dated July 5, 2016.*

Mike Dalton, Citta Construction, representing the application, responded to a question raised in earlier correspondence and confirmed that the fence would be constructed in keeping with the requirements of the bylaw.

No members of the public rose to speak.

The question was then called.

CARRIED

RESOLUTIONS:

24. ***Execution of a 219 Covenant - Native Species Planting Enhancement Plan - 1231 Beach Drive***
- Execution of 219 Covenant - To preserve and enhance an area of 1231 Beach Drive (within the Shorelines Development Permit Area)
  - 219 Covenant - 1231 Beach Drive
  - Committee of the Whole Report - Planner, Apr. 15, 2016
  - Schedule A - Plan - Native Species Planting Enhancement Plan, Revised, May 17, 2016

MOVED and seconded: That the Mayor and Director of Corporate Services be authorized to do all acts and things necessary to execute the Section 219 (Land Title Act) covenant between Michael Munjeet Jawl and Katherine Inez Jawl and The Corporation of the District of Oak Bay, as substantially set out in the form attached to the agenda considered by Council on September 19, 2016.

A discussion ensued with respect to the value of pursuing a covenant process for properties being developed in the Shoreline Development Permit Area. Some members of Council expressed concern that this was too burdensome a process with respect to both time and cost for the applicants and for staff, commenting that the regulations in the Official Community Plan in this regard are sufficient. Other members of Council spoke in support of the covenant process given the importance of the shoreline lands.

In response to questions from Council, the Manager of Planning commented on the covenant process, stating that a covenant as proposed offers an additional level of protection for individual sites and a notification process for future owners. Ms. Jensen confirmed that the covenants are drafted by Oak Bay and at the District's expense. She also confirmed that applicants cannot be required to undertake a covenant in this circumstance and that the covenant process in itself does not delay an application from proceeding.

The question was then called.

CARRIED  
Councillors Braithwaite and Murdoch against the motion

25. ***Heritage Alteration Permit with Variances (HAP00004) - 2414 San Carlos Place***

- Resolution Notice HAPwV - 2414 San Carlos Place
- Plans - HAP - 2414 San Carlos Pl, May 20, 2016
- Report - Planner, Jul. 12, 2016
- Rpt Attach 1 - Statement of Significance

MOVED and seconded: That the Director of Building and Planning be authorized to issue a Heritage Alteration Permit (with Variances) with respect to 2414 San Carlos Place (Lot 12, Section 69, Victoria District, Plan EPP63076) varying the following provisions of Bylaw No. 3531, *Zoning Bylaw, 1986* as amended:

<u>Zoning Bylaw Section</u>	<u>Required/ Permitted</u>	<u>Requested</u>	<u>Variance</u>
6.5.4.(2)(a) Minimum Setback Front Lot Line	7.62 m	7.41 m	0.21 m
6.5.4.(2)(c) Minimum Setback Interior Side Lot Line	1.52 m	0.61 m	0.91 m
6.5.4.(3)(c) Minimum Roof Height	4.60 m	5.48 m	0.88 m

to accommodate the construction of a detached garage on a heritage designated property, as shown on the plans appended to the July 18, 2016 Council agenda item number 15, being a memorandum from the Planner dated July 12, 2016.

In response to a question from Council, the Director of Building and Planning confirmed that there was no plumbing service proposed to the detached garage.

No member of the public rose to speak.

The question was then called.

CARRIED

26. ***Development Variance Permit (DVP) Application - 2741 Dewdney Avenue***

- Resolution Notice - 2741 Dewdney Avenue
- Plans - DVP - 2741 Dewdney Ave, Sep 7, 2016
- Committee of the Whole Report - Planner, Sep. 6, 2016

MOVED and seconded: That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2741 Dewdney Avenue (Lot 9, Block 9, Section 2, Victoria District, Plan 379A) varying the following provisions of Bylaw No. 3531, *Zoning Bylaw, 1986* as amended:

<u>Zoning Bylaw Section</u>	<u>Required/ Permitted</u>	<u>Requested</u>	<u>Variance</u>
6.4.4.(2)(e) Total Side Lot Lines	4.57 m	4.06 m	0.51 m
6.4.4.(11) Second Storey Setback	3.00 m	1.38 m	1.62 m

to accommodate the proposed addition to the second storey, as shown on the plans appended to the September 12, 2016 Committee of the Whole agenda item number 3, being a memorandum from the Planner dated September 6, 2016.

MOVED and seconded: That the motion in respect to the development variance permit for 2741 Dewdney Avenue be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

BYLAWS:

31. ***For First and Second Reading and Setting of a Public Hearing Date (1701 Beach Drive)***

- Bylaw No. 4669 - Oak Bay Land Use Contract 3 Discharge Bylaw, 2016

- Proposed to Repeal - Bylaw No. 3059
- Proposed to repeal - Bylaw No. 3109
- Proposed to Repeal - Bylaw No. 3219
- Proposed to Repeal - Schedule to Bylaw No. 3219
- Committee of the Whole Report - Planner, Jul. 5, 2016
- Plans - DP HAP ZON - 1701 Beach Dr., Jun. 24, 2016
- Rpt. Attach. 2 - Environmental Plan, Murdoch, May 16, 2016
- Rpt. Attach. 3 - Applicant Letter, Rowe, Jun. 27, 2016
- Rpt. Attach. 4 - Statement of Significance

MOVED and seconded: MOVED and seconded: That Bylaw No. 4669, *Oak Bay Land Use Contract 3 Discharge Bylaw, 2016*, be introduced and read a first time.

CARRIED

MOVED and seconded: That Bylaw No. 4669, *Oak Bay Land Use Contract 3 Discharge Bylaw, 2016*, be read a second time.

CARRIED

MOVED and seconded: That a public hearing on That Bylaw No. 4669 be held at the Oak Bay Municipal Hall, on October 11, 2016, in a time to be determined, and that notice be given in accordance with the *Local Government Act*.

CARRIED

ADJOURNMENT:

32. *Motion to Adjourn*

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting adjourned at 9:24 pm.

Certified Correct:

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Mayor

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Director of Corporate Services