

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 28, 2015 at 7:30 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  
Municipal Clerk, L. Hilton  
Deputy Municipal Clerk, M. Jones  
Municipal Treasurer, P. Walker  
Director of Building and Planning, R. Thomassen  
Director of Engineering Services, D. Marshall

Before calling the meeting to order, the Mayor acknowledged the heroic actions of Oak Bay Fire Fighter Greg Swan, who while on vacation in Medford, Oregon helped save an entrapped and injured driver from a vehicle. Mayor Jensen then presented Mr. Swan with a framed letter of thanks from Medford's Fire Chief and led a round of applause.

Mr. Swan noted the importance of both his family, in attendance at this meeting, and of the teamwork and heroic efforts of his fellow fire fighters. He concluded his remarks by thanking Mayor and Council for their support of the Oak Bay Fire Department.

Mayor Jensen then called the meeting to order at 7:40 PM.

MINUTES AND REPORTS:

1. ***Council***
  - July 20, 2015

It was the consensus of Council that consideration of the July 20, 2015 minutes be deferred until New Business to address a potential reconsideration motion with respect to the adoption of the July 13, 2015 Committee of the Whole minutes.

2. ***Special Council***
  - August 7, 2015
  - August 21, 2015

MOVED by Councillor Murdoch, seconded by Councillor Ney: That the minutes of the Special Council meeting on August 7, 2015 and the minutes of the Special Council meeting on August 21, 2015 be adopted.

CARRIED

3. ***Committee of the Whole***
  - September 14, 2015

MOVED by Councillor Murdoch, seconded by Councillor Ney: That the minutes of the Committee of the Whole meeting on held on Monday, September 14, 2015 and the recommendations contained therein be adopted.

CARRIED

MAYOR'S REMARKS:

4. The Mayor provided remarks on the following topics:

***Enhancing Relationships with First Nations***

The Mayor provided an update on efforts being undertaken to connect with First Nations, including through a forthcoming Community to Community Forum. Mayor Jensen also commented on the importance of working towards eliminating barriers to First Nations sitting on regional boards.

***Special Events***

The Mayor offered his thanks to the organizers of several events including the Bowker Creek Brush Up, the Tweed Ride, the Collector Car Festival, and the Oak Bay Business Improvement Association's Night Markets. Mayor Jensen noted that the efforts of the organizers, volunteers and staff were greatly appreciated.

***Arts Laureate and Summer Arts Program***

Mayor Jensen noted that this year's summer arts program, including the sculpture walk, was extremely successful and offered his thanks to the Arts Laureate in this regard.

***Gas Tax Agreement Funding Received***

The Mayor advised that the first payment for the Gas Tax Agreement, in the amount of approximately \$380,000 has just been received by the District. He noted that the funds would be used towards capital works.

***Regional Strategy for Economic Development***

Mayor Jensen commented that the concept of developing a regional strategy for economic development is being considered by the local Mayors. He noted that a meeting on this concept which includes Councillors may be forthcoming.

***Arena Cairn Reinstated on Oak Bay High School Grounds***

The Mayor offered thanks to Oak Bay Public Works staff for their recent reinstatement of the memorial cairn on the grounds of the Oak Bay High School. The cairn, he noted, commemorates the former site of the Patrick Arena and is now located correctly.

***UBCM: Provincial Support for Deer Management & Disposal of Derelict Vessels***

Mayor Jensen noted that the District's resolution requesting Provincial support for municipalities with respect to deer management, which was originally endorsed by the Association of Vancouver Island Coastal Communities, was recently endorsed at the annual convention of the Union of British Columbia Municipalities (UBCM). At the convention, he noted, the Province announced a fund of \$100,000 and the establishment of an advisory committee to assist municipalities with deer management.

The Mayor also noted that a meeting was held at the convention with the Provincial Minister for the Environment, at which provincial staff were directed to determine the best options for communities to address the challenges of disposing derelict vessels after they have been removed from the water.

***Celebration of Queen Elizabeth II - Longest Serving Monarch***

The Mayor offered his thanks to Councillor Braithwaite for organizing the District's celebrations of Queen Elizabeth II as England's longest serving monarch. He noted in particular, the attendance of the Honorable Judith Guichon, Lieutenant Governor of British Columbia at the event and the wonderful time had by attendees.

***British Columbia Law Enforcement Memorial Service***

Mayor Jensen noted that he recently attended the British Columbia Law Enforcement Memorial Service on the grounds of the Legislature. Hosted by the Oak Bay Police Department and BC Corrections, he said, the service honours the officers who lost their lives in active service to the citizens of British Columbia.

**PUBLIC PARTICIPATION PERIOD:**

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

Thomas Johnston, Oak Bay resident, expressed his concerns regarding deer in Oak Bay, stating that their numbers had significantly increased and that this important and emotionally charged issue should be addressed by staff. Mr. Johnston also commented that he does not support the use of Spay Vac as an immunocontraceptive or further funding for deer management being provided to the Urban Wildlife Stewardship Society.

Victoria Wyatt, Oak Bay resident, noted that she is requesting the removal of Shady Lane from the recommendation made at the Committee of the Whole meeting on July 13, 2015, which referred consideration of the establishment of a pathway connecting the community gardens to Beach Drive to the next strategic priority session. Ms. Wyatt expressed concern that the establishment of a pathway at this location would significantly impact her property and that even the potential inclusion of establishing a pathway on a priority list would need to be disclosed to potential purchasers of her property, possibly impacting the sale price. She also stated that there is some discrepancy between potential routes for this walkway identified by the Bowker Creek Blueprint and the Active Transportation Strategy which should be addressed.

Esther Paterson, Oak Bay resident, expressed her appreciation for the efforts of the staff and volunteers who are removing invasive species from Uplands Park. She also thanked Council for their support in funding this initiative.

COMMUNICATIONS:

6. ***Art Installation at Entrance Park***

- Report - Manager of Recreation Program Services, Sep. 23, 2015

MOVED by Councillor Murdoch, seconded by Councillor Braithwaite: That Council approve the request from the Arts Laureate for the artwork "Rebirth" to remain in its location at Entrance Park until September 30, 2016.

CARRIED

7. ***Special Event Application - Request for Temporary Occupancies, October 9 - November 1, 2015 and Waiver of Staff Costs***

- Note - Municipal Clerk - BIA - Pumpkin Art on the Avenue, Oct 21 to Nov 1 2015
- Sp Event App - BIA Pumpkin Art - Event dates Oct 9 - Nov 1, 2015

Heather Leary, Project Manager, Oak Bay Business Improvement Association, responded to questions from Council in regards to the Pumpkin Art on the Avenue Event. With respect to concerns from a member of the public regarding the visual impact of the fencing used during the event, Ms. Leary noted that placing the fencing for the event inside the hedge would substantially reduce the available space for the event. Scrim to help camouflage the fence, she said, is being sourced.

With regards to the request to park the storage container for the event in the Municipal Hall parking lot, it was noted that this does have an impact on the limited parking space. Ms. Leary commented that, although it would mean additional effort and cost to relocate the container, she would explore alternatives to address Council's concerns.

MOVED by Councillor Murdoch, seconded by Councillor Braithwaite: That:

1. Permission be given to the Oak Bay Business Improvement Association to temporarily occupy public property at the Oak Bay Municipal Hall and to install pumpkins on light standards along Oak Bay Avenue, in relation to the Pumpkin Art on the Avenue Event, from October 9, 2015 to November 1, 2015, as described in their correspondence and application of August 17, 2015, subject to the Event Organizer entering into a public property occupancy agreement in which it will, among other standard requirements:
  - a. 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
  - b. 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; and

2. Inasmuch as "Pumpkin Art on the Avenue" from October 9 to November 1, 2015 is a community event unrelated to the purpose of the Oak Bay Business Improvement Association's promotion scheme, approval be given to waive staff costs related to providing electrical services for the pumpkin art display behind the Municipal Hall, in addition to installing and removing pumpkin art in the oak tree on the front lawn of the Municipal Hall and on 40 light standards along Oak Bay Avenue.

CARRIED

8. ***Special Event Application - Request for Temporary Road Occupancy, Oct. 31, 2015***

- Note - Municipal Clerk - BIA - Trick or Treat on the Avenue, Oct 31 2015
- Sp Event App - BIA Trick or Treat Road Closure - Event date Oct 31, 2015
- ADDENDA - Corresp. Sep. 25 - Sep. 28, 2015 - Trick or Treat on the Avenue

Heather Leary, Project Manager, Oak Bay Business Improvement Association, responded to questions from Council in regards to the Trick or Treat on the Avenue Event. With respect to concerns from a member of the public regarding the traffic impact of the proposed road closure, Ms. Leary noted that the inclusion of a road closure is in response to safety concerns which have arisen, given the significant increase in participants since the event's inception. She also noted that she has been in contact with the Police to review the traffic management plan for this and other Oak Bay Avenue closures to help reduce the impact on adjacent streets.

MOVED by Councillor Murdoch, seconded by Councillor Braithwaite: That whereas, pursuant to the Zoning Bylaw, Council has made the determination that the Trick or Treat on the Avenue Event, including the closure of Oak Bay Avenue and the sales of goods and refreshments, will be of general benefit to the adjacent business district and will create no undue inconvenience for adjacent residents or the public at large, approval be given to the Oak Bay Business Association to hold the event, as described in their correspondence and application of August 17, 2015, 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 give sufficient notice to all residents along the proposed route;

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

CARRIED

9. ***Special Event Application - Request for Temporary Occupancies, November 29 - December 5, 2015 and Waiver of Staff Costs***

- Note - Municipal Clerk - BIA - Christmas Festival 2015
- Sp Event App - BIA Christmas Festival - Event dates Nov. 29 - Dec. 5, 2015

MOVED by Councillor Braithwaite, seconded by Councillor Kirby: That

1. The temporary road closures, the occupancy of the closed roads and sidewalks and the front lawn of the Municipal Hall, and the various events planned, including the sale of goods and services pursuant to the requirements of the Streets and Traffic Bylaw in relation to the "Fifteenth Annual Oak Bay Christmas Festival", as described in the application from the Oak Bay Business Improvement Association received September 2, 2015, subject to the Event Organizer entering into a public property occupancy agreement in which it will among other standard requirements:
  - a. 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;
  - b. agree to pay all invoices from the Municipality for costs incurred in connection with the event;
  - c. agree to obtain Oak Bay Police approval for a traffic plan and implement the same subject to any field instructions from the Police; and
  - d. agree to give sufficient notice to all residents along the proposed route;with the Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay; and
2. Inasmuch as the "Fifteenth Annual Oak Bay Christmas Festival" from November 29 to December 5, 2015 is a community event unrelated to the purpose of the Oak Bay Business Improvement Association's promotion scheme, approval be given to waive staff costs related to providing electrical services for the various associated events during the Festival.

CARRIED

10. ***Request for Poppy Tag Days - October 31 - November 10, 2015***

- Corresp. - Victoria Remembrance Day Committee, Sep. 5, 2015

MOVED by Councillor Braithwaite, seconded by Councillor Croft: That permission be granted to the Victoria Remembrance Day Committee Poppy Fund to conduct the sale of poppies in public places in Oak Bay from October 31 to November 10, 2015, exclusive of November 1 and November 8, 2015.

CARRIED

11. ***Tender Award - Oak Bay Marina Roof***

- Report - Deputy Treasurer, Aug. 31, 2015

MOVED by Councillor Murdoch, seconded by Councillor Braithwaite: That Council award the tender to replace the roof of the Oak Bay Marina Restaurant to Parker Johnston for \$126,881, based on low bid.

It was clarified that the lease for the Oak Bay Marina would expire in 2022.

The question on the motion was then called.

CARRIED

12. ***Five Year Multi Material BC Statement of Work Agreement***

- Report - Deputy Treasurer, Sep. 2, 2015
- Rpt Attach 1 - Master Services Agreement
- Rpt Attach 2 - Statement of Work for Depot Collection Services (Schedule 2.1(c))

MOVED by Councillor Murdoch, seconded by Councillor Ney: That Council authorizes staff to sign the Statement of Work for Depot Collection Services (Schedule 2.1(c)) and the Master Services Agreement with Multi-Material BC to provide the collection of packaging and printed paper at the Oak Bay Public Works Yard from October 1, 2015 to November 29, 2018, with the option that Multi-Material BC may extend the term for up to two further periods of one year each.

CARRIED

13. ***Tender Award - Traffic Calming - Thompson Avenue at Cadboro Bay Road***

- Report - Director of Engineering Services, Sep. 23, 2015
- Rpt Attach - Traffic Calming - Cadboro Bay at Thompson Avenue

MOVED by Councillor Murdoch, seconded by Councillor Kirby: That Council award the tender for the curb extension at the south-east quadrant, the realigning of the existing cross walk, the addition of a bike lane on Cadboro Bay Road and the reduced sidewalk extension on Thompson Avenue to Northridge Excavating Ltd. for \$ 49,201.14 including G.S.T. (\$46,858.23, after the G.S.T. rebate.) and direct staff to include the outstanding sidewalk work in the budget for 2016.

In response to questions from Council, the Director of Engineering Services clarified that the scope of the traffic calming work that was originally included in the invitation to tenderers was in keeping with the option recommended by Committee of the Whole in July 2014, but that, as the bids came back considerably over budget, a phased approach was recommended by staff, as described in his report.

The question on the motion was then called.

CARRIED

14. ***2014 - 2044 Willows Beach Foreshore Lease Agreement***

- Report - Municipal Clerk, Sep. 21, 2015
- Rpt Attach - Notice of Final Review from the Province of British Columbia (File No. 0238567)

MOVED by Councillor Braithwaite, seconded by Councillor Zhelka: That the Mayor and Municipal Clerk be authorized to do all acts and things necessary to renew the Willows Beach Foreshore Lease, as attached to the Notice of Final Review from the Province of British Columbia (File No. 0238567), dated August 25, 2015, for a 20-year term.

CARRIED

15. ***Capital Regional District (CRD) Fairness & Transparency Advisor - Referral to Municipalities***

- Corresp. - Capital Regional District, Sep. 10, 2015
- Rpt Attach - Role of Fairness & Transparency Advisor, Sep 4, 2015
- ADDENDA - Corresp. - Town of View Royal, Sept. 16, 2016

Discussion ensued regarding the scope of the CRD's Fairness and Transparency Advisor and the resolution adopted by the Council of the Town of View Royal.

MOVED by Councillor Murdoch, seconded by Councillor Zhelka: That any review undertaken by the Capital Regional District's Fairness and Transparency Advisor be limited to the Capital Regional District and not member municipalities; and that the Fairness and Transparency Advisor only review complaints on the process and not decisions made regarding the Core Area Wastewater Treatment Project.

CARRIED

16. ***Oak Bay Heritage Commission (H Comm) Minutes***

- Note - Municipal Clerk - H Comm Minutes, Sep. 8, 2015
- Minutes - OB H Comm, Sep. 8, 2015

MOVED by Councillor Murdoch, seconded by Councillor Braithwaite: That the minutes of the Oak Bay Heritage Commission meeting held on September 8, 2015 be received.

CARRIED

17. ***Council Strategic Plan 2015 - 2018 - Quarterly Report***

- Report - Chief Administrative Officer, Sep. 23, 2015
- Rpt Attach - Council Strategic Plan 2015 - 2018 detail - Quarterly Report to Council - Sep. 2015

MOVED by Councillor Murdoch, seconded by Councillor Zhelka: That Council receive the quarterly report on the Council Strategic Plan 2015 - 2018 dated September 23, 2015.

CARRIED

Discussion ensued with respect to incorporating public input on the Council Strategic Plan. With respect to timing, it was noted that this input would be needed well in advance of the budget process in order to provide sufficient time to incorporate any potential revisions in departmental budgets and workplans.

MOVED by Councillor Murdoch, seconded by Councillor Zhelka: That staff be directed to explore options for public input into setting the Council Strategic Plan.

CARRIED



NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

18. *New Business & Verbal Reports*

Verbal reports were provided from members of Council with respect to the opening of a new French language school campus named Annex Oak Bay and with the Greater Victoria Library's strategic plan survey currently available on the municipal website.

***Reconsideration of Resolution from July 20, 2015 meeting of Council - Adoption of July 13, 2015 Committee of the Whole Minutes with respect to inclusion of Shady Lane in Pathway Referral to Strategic Priority Session***

In advance of addressing consideration of adoption of the July 20, 2015 minutes, Councillor Zhelka commented that he wished to undertake reconsideration of a motion contained within these minutes.

MOVED by Councillor Zhelka, seconded by Councillor Murdoch: That reconsideration be given to the following motion made by Council on July 20, 2015:

“That the minutes of the Committee of the Whole meeting on Monday July 13, 2015 and the recommendations contained therein be adopted.”

CARRIED

With the motion to reconsider passed, the motion to adopt the minutes of the Committee of the Whole meeting on Monday July 13, 2015 and the recommendations contained therein was then before Council. Accordingly, the following motion was made:

MOVED by Councillor Zhelka, seconded by Councillor Croft: That the motion, “That the minutes of the Committee of the Whole meeting on Monday July 13, 2015 and the recommendations contained therein be adopted” be amended to read: “That minutes of the Committee of the Whole meeting held on Monday July 13, 2015, and the recommendations contained therein, be adopted, with the exception of the recommendation to refer the establishment of a pathway connecting the community gardens to Beach Drive, potentially along Shady Lane, to the next strategic priority session to be considered for inclusion in Council’s 2016 Strategic Plan.

CARRIED

The question on the main motion, as amended, was then called.

CARRIED

MOVED by Councillor Zhelka, seconded by Councillor Murdoch: That the establishment of a pathway connecting the community gardens to Beach Drive be referred to the next strategic priority session to be considered for inclusion in Council’s 2016 Strategic Plan.

CARRIED

***Council Minutes - July 20, 2015***

The consideration of the adoption of the July 20, 2015 Council minutes as deferred from Item 1 was then addressed by Council.

MOVED by Councillor Croft, seconded by Councillor Murdoch: That the minutes of the Council meeting held on July 20, 2015 be adopted.

A discussion ensued with respect to the wording in the minutes under Item 29, Bylaw No. 4651, *Financial Plan Bylaw, 2015, Amendment Bylaw No. 2, 2015*, regarding the Municipal Treasurer's comments on the projected increase in property tax revenue from 2015 to 2016, as described in Schedule A of the Bylaw. It was noted that, to more accurately reflect the discussion at the July meeting, mention should be made that with any subsequent amendments to the 2015 Financial Plan, a correction of a typographical error would be made to Schedule A which would result in a decrease in the projected increase in property tax revenue from 2015 to 2016.

Councillor Zhelka noted that the voting record under the last motion on Item 7, Urban Wildlife Stewardship Society, should be corrected, as he voted in favour of the motion.

MOVED by Councillor Zhelka, seconded by Councillor Murdoch: That the motion be amended to replace the wording "be adopted" with the wording "be amended as follows:

1. For the last motion under Item 7, Urban Wildlife Stewardship Society, Councillor Zhelka be recorded as voting in favour of the motion, not against; and
2. For the discussion by the Municipal Treasurer following the motion under Item 29, Bylaw No. 4651, *Financial Plan Bylaw, 2015, Amendment Bylaw No. 2, 2015*, that the wording after "Bylaw," be replaced to read "advising an adjustment would be made to Schedule A, with any subsequent amendments to the 2015 Financial Plan, to reduce the projected increase in property tax revenue, in order to correct a typographic error."; and that the minutes then be adopted as amended."

Discussion then turned to the question of the impact of the earlier reconsideration motion, particularly with respect to the subsequent motion which removed the mention of Shady Lane from the motion to refer consideration of the establishment of a pathway connecting the community gardens to Beach Drive to the next strategic priority session. The Municipal Clerk clarified that the current referral motion to the strategic priority session does not include reference to Shady Lane; however, she noted, at the July 20, 2015 meeting, it is her understanding discussion did ensue on this item and that, as such, it would not be an accurate reflection of the discussion to remove all mention of Shady Lane from the July 20, 2015 minutes.

The question was then called.

CARRIED

The question on the main motion, as amended, was then called.

CARRIED

***Proposal to Allow a Presentation at Council on the Better at Home Program & the Office of the Seniors Advocate***

Councillor Ney requested that consideration be given to receiving a presentation at a future Council meeting by the coordinator for the Better at Home program and by the Office of the Seniors Advocate. She noted that, although this does not directly relate to Council business, it is in respect to services for residents of the Municipality which may ultimately help to reduce health-related grant requests for seniors.

MOVED by Councillor Ney, seconded by Councillor Croft: That the coordinator of the Better at Home Program and the BC Seniors Advocate be invited to make a 10 minute presentation at a subsequent meeting of Council.

CARRIED

***Streets and Traffic Bylaw, 24 Hour Parking Regulations, Strategic Priority Session Referral***

MOVED by Councillor Murdoch, seconded by Councillor Ney: That a review of the Streets and Traffic Bylaw, specifically with respect to the regulations regarding 24 hour parking, be referred to the next strategic priority session to be considered for inclusion in Council's 2016 Strategic Plan.

CARRIED

**TABLED RESOLUTIONS:**

**19. *Development Variance Permit (DVP) Application - 2570 Nottingham Road***

- Tabled Resolution Notice -2570 Nottingham Road
- Plans - DVP UBP - 2570 Nottingham Rd - Jun. 15, 2015

MOVED by Councillor Kirby, seconded by Councillor Braithwaite: That the following motion be lifted from the table:

That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2570 Nottingham Road (Amended Lot 1 (DD 268981I), of Section 31, Victoria District, Plan 3811) varying the following provisions of Bylaw No. 3531 Zoning Bylaw, 1986, as amended:

<u>Zoning Bylaw Section</u>	<u>Required</u>	<u>Requested</u>	<u>Variance</u>
6.2.4.(2)(c) Interior side lot line setback	4.57 m	3.96 m	0.61 m
6.2.4.(2)(e) Total side lot line setbacks	12.19 m	9.68 m	2.51 m

to accommodate the renovation of single family dwelling as shown on the plans appended to the July 13, 2015 Committee of the Whole agenda item number 4, being a memorandum from the Director of Building and Planning dated July 8, 2015.

CARRIED

With no members of the public wishing to speak to the application, the question on the main motion was then called.

CARRIED

RESOLUTIONS:

20. ***MIABC Voting Delegate***

- Resolution Notice - Voting Delegates for MIABC Annual General Meeting

MOVED by Councillor Ney, seconded by Councillor Zhelka: That Councillor Kirby, delegate, and Councillors Croft and Murdoch, alternates, be registered to vote on behalf of the District of Oak Bay at Municipal Insurance Association Annual General Meetings.

CARRIED

21. ***Grant Application Policy Amendment***

- Resolution Notice - Grant Application Policy
- Rpt Attach - Grant Policy Report

MOVED by Councillor Croft, seconded by Councillor Murdoch: That the Grant Application Policy be amended by adding:

"4. Grant application deadline:

Grant applications that are to be considered by the Estimates Committee must be received at the Municipal Hall by January 31;

- One-time, out of the ordinary, grant applications will be received throughout the year and, if Council approves them, the funding will come out of the "unallocated" portion of the grant budget."

CARRIED

22. ***Development Variance Permit (DVP) Application - 3220 Beach Drive***

- DVP Resolution - 3220 Beach Drive
- Plans - DVP, UBP- 3220 Beach Dr, rcvd, Jun. 15, 2015

MOVED by Councillor Murdoch, seconded by Councillor Croft: That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 3220 Beach Drive (Lot 16, Block C, Section 31, Victoria District, Plan 3599) varying the following provisions of Bylaw No. 3531 *Zoning Bylaw, 1986*, as amended:

<u>Zoning Bylaw Section</u>	<u>Permitted</u>	<u>Requested</u>	<u>Variance</u>
6.2.4.(3)(a) Maximum building height	7.32 m	8.73 m	1.41 m
6.2.4.(3)(c) Maximum roof height	9.14 m	9.75 m	0.61 m

to accommodate the construction of a new single family dwelling as shown on the plans appended to the September 14, 2015 Committee of the Whole agenda item number 8, being a memorandum from the Director of Building and Planning dated September 2, 2015.

MOVED by Councillor Murdoch, seconded by Councillor Croft: That the motion in respect to the development variance permit for 3220 Beach Drive be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

23. ***Development Variance Permit Application (DVP) - 1654 Hampshire Road***

- DVP Resolution - 1654 Hampshire Road
- Plans - DVP - 1654 Hampshire Rd, rcvd, Aug. 6, 2015

MOVED by Councillor Murdoch, seconded by Councillor Croft: That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 1654 Hampshire Road (Lot 6, Section 69, Victoria District, Plan 922) varying the following provisions 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 Maximum paved surface (front yard)	25% (31.96 m <sup>2</sup> )	29.34 % (37.51 m <sup>2</sup> )	4.34 % (5.55 m <sup>2</sup> )

to accommodate construction of a driveway as shown on the plans appended to the September 14, 2015 Committee of the Whole agenda item number 9, being a memorandum from the Director of Building and Planning dated September 2, 2015.

MOVED by Councillor Murdoch, seconded by Councillor Croft: That the motion in respect to the development variance permit for 1654 Hampshire Road be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

24. ***Development Variance Permit Application (DVP) - 2012 Runnymede Avenue***

- DVP Resolution - 2012 Runnymede Avenue
- Plans - DVP 2012 Runnymede Ave, rcvd, Sep. 10, 2015

MOVED by Councillor Murdoch, seconded by Councillor Croft: That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2012 Runnymede Avenue (Lot 3, Section 47, Victoria District, Plan 2311) varying the following provisions of Bylaw No. 3531 *Zoning Bylaw, 1986*, as amended:

<u>Zoning Bylaw Section</u>	<u>Required</u>	<u>Requested</u>	<u>Variance</u>
6.4.4.(2)(b) Rear lot line setback	9.44 m	7.62 m	1.82 m

to accommodate the construction of a second storey addition to the principal building as shown on the plans appended to the September 14, 2015 Committee of the Whole agenda item number 10, being a memorandum from the Director of Building and Planning dated September 9, 2015.

MOVED by Councillor Murdoch, seconded by Councillor Croft: That the motion in respect to the development variance permit for 2012 Runnymede Avenue be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

BYLAWS:

25. ***Bylaw Memorandum***

- Memo - Municipal Clerk, Sep. 28, 2015

26. ***For First, Second and Third Reading***

- Bylaw No. 4653, Land Use Procedures and Fees Bylaw, 2015

MOVED by Councillor Croft, seconded by Councillor Murdoch: That Bylaw No. 4653, *Land Use Procedures and Fees Bylaw, 2015* be read a first time.

CARRIED

MOVED by Councillor Croft, seconded by Councillor Murdoch: That Bylaw No. 4653, *Land Use Procedures and Fees Bylaw, 2015* be read a second time.

In response to questions from Council, the Municipal Clerk noted that the requirements of the *Land Use Procedures and Fees Bylaw, 2015* would come into effect immediately upon adoption, should that occur.

The question was then called.

CARRIED

MOVED by Councillor Croft, seconded by Councillor Murdoch: That Bylaw No. 4653, *Land Use Procedures and Fees Bylaw, 2015* be read a third time.

CARRIED

27. ***For Cancellation/Rescheduling of a Public Hearing - Bylaw No. 4652 2414 San Carlos Avenue Heritage Revitalization Agreement Authorization Bylaw, 2015***

MOVED by Councillor Murdoch, seconded by Councillor Croft: That the Public Hearing scheduled in respect to Bylaw No. 4652, *2414 San Carlos Avenue Heritage Revitalization Agreement Authorization Bylaw, 2015* for October 13, 2015 be cancelled.

In response to questions from Council, the Municipal Clerk noted that it is recommended that a Public Hearing be called on a new date at the same time when the proposed amendments to the Bylaw, as outlined in the Bylaw Memorandum dated September 23, 2015 are considered by Council.

The question was then called.

CARRIED

ADJOURNMENT:

28. ***Motion to Adjourn to In Camera***

MOVED by Councillor Braithwaite, seconded by Councillor Croft::

*That the open portion of the meeting of Council be adjourned and that a closed session be convened to discuss: information that is personal information about an identifiable individual who holds or is being considered for a position of officer, employee or agent of the municipality or another position appointed by the municipality; the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.*

CARRIED

The meeting adjourned at 9:10 PM

Certified Correct:

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Municipal Clerk

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Mayor