

MINUTES of a regular meeting of COMMITTEE OF THE WHOLE 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, April 20, 2009 at 7:30 p.m.

PRESENT: Councillor H. Braithwaite
Councillor A. R. Cassidy
Councillor P. Copley, Acting Chairman
Councillor J. D. Herbert
Councillor N. B. Jensen
Councillor T. Ney
STAFF: Municipal Administrator, W. E. Cochrane
Municipal Clerk, L. Hilton
Confidential Secretary, K. Green
Director of Building and Planning, R. Thomassen
Municipal Treasurer, P. Walker

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

FINANCE SECTION: (Chairman – Councillor Jensen)

1. 2009-151 MUNICIPAL TREASURER, April 9, 2009
Re March Monthly Financial Report

The Municipal Treasurer noted that the pre-paid taxes are down from last year, however the monthly pre-payments have increased.

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That the March Monthly Financial Reports be received.

CARRIED

LAND USE SECTION: (Chairman – Councillor Cassidy)

2. 2009-152 DIRECTOR OF BUILDING AND PLANNING, April 15, 2009
2009-131 ROSEMARY LAWRENCE AND RAULPH SCHOEDDERT, April 1, 2009
2009-131-1 J. H. AND MARY CROFT, April 2, 2009
2009-122 DIRECTOR OF BUILDING AND PLANNING, March 13, 2009
2009-122-1 J. H. AND MARY CROFT, March 16, 2009
Re Request to Amend Restrictive Covenant – 57 Sylvan Lane

Councillor Cassidy advised that, as requested by Committee of the Whole at its April 6, 2009 meeting, the applicants have provided plans that include a predetermined location for the proposed garage, and that the revised request for an expansion to the restrictive covenant boundary addresses the neighbours' concerns.

MOVED by Councillor Braithwaite

Seconded by Councillor Ney, That it be recommended to Council that the signing officers of the Municipality be authorized to execute a document replacing or amending the covenant registered against 57 Sylvan Lane under #N71220, with the effect that the boundaries of the permitted building envelope would be extended as shown on the plans attached to the memorandum from the Director of Building and Planning dated April 15, 2009, and with the

proviso that the outside roof line of any building or part thereof in the area added to the building envelope be limited to a height not exceeding the bottom of the north-facing main floor windows at the north west corner of the existing house.

A member of the Committee drew attention to the garage roof height limit that is to be confirmed by survey and is the responsibility of the homeowners to have prepared, along with the required documents.

The question was then called.

CARRIED

3. 2009-153 DIRECTOR OF BUILDING AND PLANNING, April 14, 2009
2009-153-1 MUNICIPAL ADMINISTRATOR, April 16, 2009
Re Uplands Building Permit / Development Variance Permit Application –
3335 Weald Road

The Director of Building and Planning noted that upon further inspection, the Municipal Arborist advised that the protected Dogwood tree located where the proposed garage is to be built is in serious decline and he recommended the tree be removed and two replacement trees be planted on the property as per the Tree Protection Bylaw requirements.

MOVED by Councillor Herbert

Seconded by Councillor Ney, That it be recommended to Council that the plans to renovate the dwelling at 3335 Weald Road be approved as to siting and architectural design, subject to the issuance of a development variance permit, and further that a resolution authorizing the issuance of a development variance permit be prepared and brought forward to the next meeting of Council for consideration.

CARRIED

4. 2009-154 DIRECTOR OF BUILDING AND PLANNING, April 15, 2009
2009-154-1 RON MERNER, April 19, 2009
Re Development Variance Permit Application – 966 Byng Street

Ernie Hansen, Ernest Hansen Design, commented that in response to concerns expressed by the Committee of the Whole regarding the original design, the homeowners have opted to revise the building plans, including removing the veranda and changing to a single car garage, thereby reducing the variances required with respect to the gross floor area.

MOVED by Councillor Jensen

Seconded by Councillor Braithwaite, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 966 Byng Street, as outlined in correspondence item no. 2009-154, be prepared and brought forward to Council for consideration.

CARRIED

ADJOURNMENT:

MOVED by Councillor Braithwaite

Seconded by Councillor Ney, That the meeting of Committee of the Whole be adjourned.

CARRIED

The meeting adjourned at 7:38 p.m.

Certified Correct:

Municipal Clerk

Chairman, Finance Section

Chairman, Land Use Section