

2014-70

**To:** Committee of the Whole, Finance Section  
**From:** Municipal Treasurer  
**Date:** March 9, 2014  
**Re:** Monthly Statement of Revenues and Expenditures For February

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**BACKGROUND:**

As part of our commitment to fiscal transparency and accountability, in January 2012 the monthly financial information was expanded to include explanations for variances that are +/- 5% beyond what might be expected. This should make it easier to decipher whether variances are reasonable and expected, and will also point out potential issues of which the Committee should be aware. The notes in this memorandum tie into the numbers on the Statement of Revenues and Expenditures.

**DISCUSSION:**

**REVENUES**

(1) Taxes, Services Provided to Other Governments and Solid Waste Disposal

These revenues are not received until after the property tax notices are issued, in mid-May.

(2) Grants in Lieu of Taxes

These grants are received at various times of the year, which are usually expected at: Federal Government – late August; University of Victoria – October; Hydro – tax due date.

(3) Licenses and Permits      YTD: \$451,406      Budget: \$738,000      61.12%

This is higher than we might otherwise expect because the dog and business licenses are paid at the beginning of the year and during January the building permit for the Oak Bay High School was received (\$264,645). At February 28 the licenses and permits are as follows:

	Year to Date	Budget	% Collected
Dog licenses	\$52,092	\$60,000	86.8%
Business licenses	\$72,329	\$87,000	83.1%
Building permits	<u>\$323,783</u>	<u>\$565,000</u>	57.3%
	<u>\$448,204</u>	<u>\$712,000</u>	

(4) Fines YTD: \$6,700 Budget: \$24,000 57.92%

Towards the end of 2013 the Commissionaire started to cover a broader area than before, and as a result is now issuing more tickets. The budget will be adjusted.

(5) Rentals YTD: \$116,228 Budget: \$297,000 39.13%

In February the Marina paid its annual payment to cover the foreshore lease annual fee (\$81,305). This covers the payment discussed in (12).

(6) Penalties and Interest on Taxes YTD: \$1,047 Budget: \$113,500 0.92%

Penalties account for \$100,000 of the budget. These are brought into revenue in July, after the tax due date, and will be charged on all outstanding 2014 property taxes. The interest is reflected in income as taxes from 2013 and 2012 are paid off.

(7) Transfers from Reserve Funds YTD: \$0 Budget: \$1,190,504

Transfers from our own reserve funds are made at the end of the year. This is done for two reasons: most of the transfers fund particular projects and if monthly transfers were to be made, it would involve a great deal of additional accounting work without any real benefit, and, for those funds which are in statutory reserves, by keeping the money in the reserves until the year-end, the reserves earn interest on that money.

(8) Miscellaneous Other Revenues YTD: \$5,548 Budget: \$513,000 1.08%

\$300,000 of the budget is made up of internal transfers. These take place at the end of the year, and show up as an expense of the same amount in "Transfer to own Reserves and Utilities" line under expenditures. Another \$150,000 of the budget represents the short term loan which will be entered into to fund the purchase of the breathing apparatus for the Fire Department.

(9) Cond. Transfers from Other Gov'ts YTD: \$25,113 Budget: \$1,199,373 2.09%

A capital grant for Bowker Creek remediation work accounts for \$738,000 of the budget. \$288,873 of the budget is made up of grants provided to small municipalities, which are usually paid in the spring.

## EXPENDITURES

(10) Roads, Sidewalks, Transportation YTD: 176,659 Budget: \$1,653,871 10.68%

Included in these expenses is the leaf pickup program. Due to last year's dry weather, most of the leaves were picked up during 2013 and the rest of the 2014 budget will not be spent until the fall of this year.

(11) Garbage Collection & Disposal YTD: \$140,306 Budget: \$1,245,495 11.27%

The Garden Pickup Week will take place in March, accounting for approximately \$63,100 of the budget,

(12) Other Recreational & Cultural Services YTD: \$63,299 Budget: \$97,553 64.89%

The money that has been spent is for the foreshore lease which is paid every January. This is for the foreshore at the Oak Bay Marina, and we are reimbursed for it through our rental revenue from them.

(13) Debt Charges YTD: \$21,482 Budget: \$517,368 4.15%

The majority of the budget is made up of semi-annual payments to the Municipal Finance Authority (\$327,696), payroll processing charges and repayments to the Heritage Reserve Fund on the loan that was made to finance the energy projects at the recreation centers. Most of the January costs relate to the latter.

(14) Transfers to Own Reserves YTD: \$205,116 Budget: \$3,163,881 6.48%

A monthly transfer is made to the Sewer Fund. In July a number of the one-time transfers to the Capital Works Replacement Reserve Fund will be made, but the largest transfers will be carried out at the end of the year.

(15) Transfer to Library, Social Grants YTD: \$310,607 Budget: \$974,096 31.89%

Under the terms of the Library Agreement, we have to pay the library two months in advance. Therefore, the amount paid by the end of February covers the rent to the end of April.

(16) Capital Expenditures YTD: \$181,491 Budget: \$2,837,020 6.40%

Until the budget is adopted in May, only capital projects that have received early approval from Council may proceed. Please see the Capital Projects Financial Report for a summary of the projects that have received this approval. Any difference between the figure shown on the Statement of Revenues and Expenditures and the Capital Projects Financial Report is due to projects that started in 2013 and are continuing in 2014.

(17) Transmit Taxes to Others YTD: \$0 Budget: \$16,535,928

Taxes that are collected on behalf of other organizations are not passed onto them until after the tax due date.

(18) Misc. Other Services YTD: \$24,392 Budget: \$315,434 7.73%

The money that has been spent was for the removal of Christmas decorations, various committees and the payment of retirement allowances.

WATER UTILITY FUND

(19) Internal Revenues YTD: \$0 Budget: \$50,632

These internal revenues come from our own reserve funds. Please see the explanation above regarding "Transfers from Reserve Funds".

(20) Water Supply and Operation YTD: \$216,101 Budget: \$2,706,593 7.98%

\$1,952,000 of the budget is for the purchase of water from the CRD. The bill for each month's water is received the following month, and therefore the actual figure is low.

SEWER UTILITY FUND

(21) Grants YTD: \$0 Budget: \$531,324

The gas tax revenue transfer is given to us in two payments. Usually we receive them in July and December.

(22) Sewer Supply and Operation YTD: \$64,554 Budget: \$3,330,868 1.94%

\$1,976,165 of the budget is the payment that is made to the CRD for its costs to run the sewer system. Another \$901,324 is the transfer to the Capital Works Reserve for the funding of future sewer work, and the transfer takes place at the end of the year.


**RECOMMENDATION:**

Once Committee members have had any questions answered, I recommend that the February 2014 financial report be received.



Patricia Walker  
Municipal Treasurer

I concur with the recommendation of the Municipal Treasurer

  
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Helen M. Koning  
Chief Administrative Officer

STATEMENT OF REVENUES AND EXPENDITURES  
 FOR THE PERIOD ENDING FEBRUARY 28, 2013 -16.67%  
 (numbers refer to explanations for variances shown in accompanying memorandum)

	<u>YEAR TO DATE</u>	<u>PROVISIONAL BUDGET</u>	<u>VARIANCE</u>	<u>% TO DATE</u>
Taxes		\$37,226,081	\$37,226,081 (1)	0.00%
Federal Government		\$4,500	\$4,500	0.00%
University of Victoria		\$55,000	\$55,000	0.00%
Prov Gov't Agcy Hydro		\$114,874	\$114,874	0.00%
Subtotal: Grants in Lieu of Taxes	\$0	\$174,374	\$174,374 (2)	0.00%
Services Provided to Other Gov'ts		\$13,000	\$13,000 (1)	0.00%
Solid Waste Disposal		\$1,464,182	\$1,464,182 (1)	0.00%
Licences & Permits	\$451,406	\$738,500	\$287,094 (3)	61.12%
Fines	\$6,700	\$24,000	\$17,300 (4)	27.92%
Rentals	\$116,228	\$297,000	\$180,772 (5)	39.13%
Returns on investments	\$20,705	\$161,500	\$140,795	12.82%
Penalties and Interest on taxes	\$1,047	\$113,500	\$112,453 (6)	0.92%
Transfers from reserve funds		\$1,190,504	\$1,190,504 (7)	0.00%
Parks and Recreation revenues	\$1,289,214	\$6,989,210	\$5,699,996	18.45%
Miscellaneous other revenues	\$5,548	\$513,000	\$507,452 (8)	1.08%
Subtotal: other revenue from own sources	\$1,890,848	\$11,491,396	\$9,600,548	16.45%
Federal Government		\$740,500	\$715,500	3.38%
Prov Government	\$25,000	\$448,873	\$448,873	0.00%
Other Local Governments	\$113	\$10,000	\$9,887	1.13%
Subtotal: Conditional Transfers From Other Governments	\$25,113	\$1,199,373	\$1,174,260 (9)	2.09%
Total Revenue	\$1,915,961	\$50,104,224	\$48,188,263	3.82%

STATEMENT OF REVENUES AND EXPENDITURES  
 FOR THE PERIOD ENDING FEBRUARY 28, 2013 -16.67%  
 (numbers refer to explanations for variances shown in accompanying memorandum)

	<u>YEAR TO DATE</u>	<u>PROVISIONAL BUDGET</u>	<u>VARIANCE</u>	<u>% TO DATE</u>
Executive and Legislation	\$16,350	\$97,782	\$81,432	16.72%
General Administration	\$189,718	\$1,396,023	\$1,206,305	13.59%
Other General Government	\$153,591	\$873,518	\$719,927	17.58%
Subtotal: General Government	\$359,659	\$2,367,323	\$2,007,664	15.19%
Police Protection	\$754,420	\$4,437,627	\$3,683,207	17.00%
Fire Protection	\$598,960	\$3,458,725	\$2,859,765	17.32%
Emergency Preparedness	\$12,420	\$107,293	\$94,873	11.58%
Building Dpt., bylaw enforcement, animals	\$72,076	\$567,974	\$495,898	12.69%
Subtotal: Protective Services	\$1,437,876	\$8,571,619	\$7,133,743	16.77%
Common Services (Engineering)	\$181,377	\$1,154,345	\$972,968	15.71%
Roads, Sidewalks, Transportation	\$176,659	\$1,653,871	\$1,477,212 (10)	10.68%
Subtotal: Transportation Services	\$358,036	\$2,808,216	\$2,450,180	12.75%
Garbage Collection & Disposal	\$140,306	\$1,245,495	\$1,105,189 (11)	11.27%
Parks & Recreation Facilities	\$1,761,094	\$10,670,291	\$8,909,197	16.50%
Other Recreation & Cultural Services	\$63,299	\$97,553	\$34,254 (12)	64.89%
Subtotal: Recreation & Cultural	\$1,824,393	\$10,767,844	\$8,943,451	16.94%
Debt Charges	\$21,482	\$517,368	\$495,886 (13)	4.15%
Transfer to Own Reserves & Utilities	\$205,116	\$3,163,881	\$2,958,765 (14)	6.48%
Transfer to Library, social grants	\$310,607	\$974,096	\$663,489 (15)	31.89%
Capital Expenditures	\$181,491	\$2,837,020	\$2,655,529 (16)	6.40%
Transmit Tax to Others	\$718,696	\$16,535,928	\$16,535,928 (17)	0.00%
Subtotal: Fiscal Services	\$24,392	\$315,434	\$291,042 (18)	7.73%
Misc. Other Services	\$24,392	\$315,434	\$291,042 (18)	7.73%
Total Expenditures	\$4,863,358	\$50,104,224	\$45,240,866	9.71%

STATEMENT OF REVENUES AND EXPENDITURES  
 FOR THE PERIOD ENDING FEBRUARY 28, 2013 - 16.67%  
 (numbers refer to explanations for variances shown in accompanying memorandum)

	<u>YEAR TO DATE</u>	<u>PROVISIONAL BUDGET</u>	<u>VARIANCE</u>	<u>% TO DATE</u>
<b>WATER UTILITY FUND</b>				
Water revenues	\$445,204	\$3,386,462	\$2,941,258	13.15%
Internal revenues		\$50,632	\$50,632 (19)	0.00%
<b>Total Revenues</b>	<b>\$445,204</b>	<b>\$3,437,094</b>	<b>\$2,991,890</b>	<b>12.95%</b>
<b>Expenditures:</b>				
Water supply & operation	\$216,101	\$2,706,593	\$2,490,492 (20)	7.98%
Capital expenditure	\$55,315	\$730,500	\$675,185 (16)	7.57%
<b>Total Expenditures</b>	<b>\$271,416</b>	<b>\$3,437,093</b>	<b>\$3,165,677</b>	<b>7.90%</b>
<b>SEWER UTILITY FUND</b>				
Sewer revenues	\$225,875	\$1,669,851	\$1,443,976	13.53%
Internal revenues	\$205,116	\$1,299,693	\$1,094,577	15.78%
Grants, outside contributions		\$531,324	\$531,324 (21)	0.00%
<b>Total Revenues</b>	<b>\$430,991</b>	<b>\$3,500,868</b>	<b>3,069,877</b>	<b>12.31%</b>
<b>Expenditures:</b>				
Sewer supply & operation	\$64,554	\$3,330,868	\$3,266,314 (22)	1.94%
Capital expenditure	\$8,958	\$170,000	\$161,042 (16)	5.27%
<b>Total Expenditures</b>	<b>\$73,512</b>	<b>\$3,500,868</b>	<b>\$3,427,356</b>	<b>2.10%</b>

THE CORPORATION OF THE DISTRICT OF OAK BAY  
 CAPITAL PROJECTS FINANCIAL REPORT  
 FOR THE PERIOD ENDING FEBRUARY 28, 2014 - 16.67%  
 (Does not include expenditures for projects in progress from 2013)

	EXPENDITURE (INCLUDING ENCUMBRANCES)	EARLY APPROVAL BUDGET	VARIANCE	% SPENT
PLANT GENERAL		\$ 303,400	\$ 303,400	0.00%
SIDEWALK DROPS		\$ 5,000	\$ 5,000	0.00%
PAVEMENT MANAGEMENT PROGRAM		\$ 255,000	\$ 255,000	0.00%
SIDEWALK REPLACEMENT	\$ 5,417	\$ 20,000	\$ 14,583	27.09%
CATCHBASINS	\$ 7,669	\$ 10,000	\$ 2,331	76.69%
MANHOLES		\$ 17,500	\$ 17,500	0.00%
<b>TOTAL GENERAL FUND</b>	<b>\$ 13,086</b>	<b>\$ 610,900</b>	<b>\$ 597,814</b>	<b>2.14%</b>
<b>SEWER FUND</b>				
MANHOLES	\$ 8,958	\$ 17,500	\$ 8,542	51.19%
<b>TOTAL SEWER CAPITAL</b>	<b>\$ 8,958</b>	<b>\$ 17,500</b>	<b>\$ 8,542</b>	<b>51.19%</b>
<b>WATER FUND</b>				
WATER MAIN CLEANING & LINING	\$ 3,900	\$ 75,000	\$ 71,100	5.20%
WATER MAIN REPLACEMENTS	\$ 28,374	\$ 75,000	\$ 46,626	37.83%
FIRE HYDRANT REPLACEMENT		\$ 20,000	\$ 20,000	0.00%
<b>TOTAL WATER CAPITAL</b>	<b>\$ 32,274</b>	<b>\$ 170,000</b>	<b>\$ 137,726</b>	<b>18.98%</b>



**INVESTMENTS**  
**As at February 28, 2014**

<i><b>Fund</b></i>	<i><b>Investments</b></i>	<i><b>Total</b></i>
General	MFA Fund	\$11,518,989
Land Sale	MFA Fund	\$1,774,975
Heritage	MFA Funds	\$1,827,537
Legacies	MFA Fund	\$374,678
Capital Works	MFA Funds	\$11,395,001
Park Acquisition	MFA Funds	\$262,458
Tod House	MFA Fund	\$234,578
Village Parking	MFA Fund	\$876,703
Machinery & Equipme	MFA Fund	\$1,554,534
Fire Equipment	MFA Fund	<u>\$549,405</u>
Total		<u><u>\$30,368,858</u></u>

TO: Committee of the Whole, Finance Section

March 5, 2014

FROM: Municipal Treasurer

RE: Property Taxes as at February 28, 2014

	<u>Prepayment</u>		<u>Arrears</u>		<u>Delinquent</u>	
	<u>#</u>	<u>Amount</u>	<u>#</u>	<u>Amount</u>	<u>#</u>	<u>Amount</u>
2014	900	\$ 2,536,403.27	202	\$ 355,475.31	28	\$ 114,124.70
2013	867	<u>\$ 2,428,069.77</u>	218	<u>\$ 305,906.90</u>	26	<u>\$ 86,181.32</u>
2014 compared to 2013		<u>\$108,333.50</u>		<u>\$49,568.41</u>		<u>\$27,943.38</u>
		4.46%		16.20%		32.42%



Patricia A. Walker

2014-71

# MEMORANDUM

**To: Committee of the Whole**

**From: Fire Chief**

**Date: March 4, 2014**

**Re: Amendments to Bylaw 3803 and 4144**

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## **Background:**

The Fire department has recently conducted a review of Bylaw 3803 and Bylaw 4144 as part of the department's strategic planning process. This review identified various deficiencies and suggested recommendations for amendments to the current Bylaw 3803, *A Bylaw to deal with the suppression and regulation of fires in the Municipality of Oak Bay*, and Bylaw 4144, *A Bylaw to regulate the installation of oil burning equipment and flammable and combustible liquid fuel tanks*. Staff identified four areas of concern with these bylaws:

- The fee schedules have not been updated since 1994 and do not currently reflect the staff costs involved in providing the service.
- There is no provision for a fee schedule within Bylaw 3803 to address the fees that we have traditionally charged.
- The general Insurance clause in Bylaw 3803 does not accurately reflect the general insurance policy requirement of \$5,000,000 (currently 3,000,000).
- Section 46 of Bylaw 3803 does not reflect specific consideration given to requests for Cultural celebrations and observations.

## **Discussion:**

### **. Bylaw 3803:**

1. The lack of service fees fails to recognize and address the staff time, resources and expenses incurred when providing services, which are largely requested by commercial and/or non-resident clients. The Fire Department has traditionally assessed fees for some services such as: post fire watch standby, contract fire protection services, special duty fire protection, and consultation fees (i.e. movie set plan reviews, community events and celebrations safety plans etc.). These fees have been administered through the Fire Department but are not reflected in the context of the bylaw. Fees for Service should therefore be added to Bylaw 3803, to accurately reflect and recover real staff costs; and

to be consistent with fees assessed by Fire Departments within the Greater Victoria Region. For fees currently assessed by the fire department, the bylaw should be amended in order to legitimize and authorize these assessments.

2. Bylaw 3803 should be amended to update the general insurance dollar amount, in order to adequately protect the Municipality from financial exposure in the event of legal mitigation.
3. Bylaw 3803, Section 46 should be amended to include special open air fire permit requests for Cultural Celebrations and Observations.

**Bylaw 4144:**

1. The Fire Department has traditionally assessed fees for inspections, documentation and other associated resources relating to Bylaw 4144 (Oil fired equipment and storage tanks). These fees have not, however, been assessed or amended to remain current with increasing costs and demands on staff time. The current fees reflected in Bylaw 4144 should be amended and increased to accurately reflect and recover real staff costs; and to be more consistent with fees assessed by Fire Departments within the Greater Victoria Region.

Fire department staff researched the costs to provide the existing services related to the current fee schedule in the bylaws. A review of local fire department bylaws and fee structures was included in the research to identify anomalies and provide context to our bylaws. The rationale is provided through the two Bylaw position papers attached to this document for your consideration.

**Financial Impact:**

The lack of service fees fails to recognize and address the staff time, resources and expenses incurred when providing services, which are largely requested by commercial and/or non-resident clients. The inclusion of a fee schedule in Bylaw 3803 and updating the current fee schedule in Bylaw 4144 from 1994 will more accurately reflect the true cost of providing the identified services. The fee schedule recommended is based upon a staff review of actual service costs as they relate to the time spent on the identified service. The fees are also based on research of the existing fees charged by the four core municipalities and similar size departments for service.

**Options:**

Council could continue to maintain the current bylaw structure of #3803, # 4144 and fee schedule as past practice.

Council could direct staff to bring forward an amendment to Bylaw 3803 and Bylaw 4144 to address the recommendations of staff.


**Recommendation(s):**

The fire department respectfully requests that Council direct staff to bring forward Bylaw amendments to Bylaw 3803 and Bylaw 4144 to reflect the following:

- The bylaw fee schedules are updated as recommended in the position papers presented as referenced at Schedule A (Bylaw 3803) and Schedule B (Bylaw 4144).
- That a fee schedule be added to Bylaw 3803 (Schedule A) to address the fees that we have traditionally charged.
- The general Insurance clause in Bylaw 3803 Section 46 C (iii) be changed to reflect the provision of public liability insurance in an amount not less than of \$5,000,000 (currently \$3,000,000)
- In respect for the diversity of our Municipality, Bylaw 3803, Section 46 should be amended to recognize requests for special open air fire permits for Cultural Celebrations and Observations. Amend 46.1 (a) as follows:

*"in connection with a Cultural Celebration and/or Observation or not-for-profit community event..."*

Respectfully submitted,

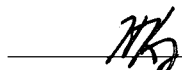


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D. G. Cockle, **Fire Chief**

**Chief Administrative Officer**

**I concur with the recommendation of the Fire Chief**



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**C.A.O. Helen Koning**

MEMORANDUM

2014-72

**TO:** Committee of the Whole  
**FROM:** Director of Engineering Services  
**DATE:** March 17, 2014  
**RE:** Request of Resident Parking Only on Beaverbrooke Street

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**BACKGROUND:**

The residents of Beaverbrooke Street have requested "residents only" parking on both the north and south sides of the street. They claim the reasons for the request are: ongoing parking and traffic problems on Beaverbrooke Street caused by St. Michaels University Junior School and St. Michaels University Junior School unwillingness to address their parking problems in any meaningful way.

**DISCUSSION:**

St. Michaels University Junior School (the school) is located in the middle block of the residential area between Victoria Avenue, Falkland Road, Pentland Road and Central Avenue. There are approximately 175 students in the school. The school has a plan to re-develop and increase the number of students to 210 in the next few years. Currently there are no parking restrictions on the surrounding streets of the school.

After the parking issue was raised, the District of Oak Bay sent out letters to parents through the school, police increased their patrol in this area and the Commissionaire increased enforcement on this street. Engineering staff visited the site and held a meeting with Ms. Nancy Richards, Director of St. Michaels University Junior School.

The concerns raised by a few of the residents appear to be quite valid. Some parents park their vehicles too close to driveways and on occasion, even block the driveways. Residents have raised many complaints over the parking habits of some of the parents and the situation on a few occasions, during enforcement, has escalated to the point where police involvement was almost required.

The parking problems mostly occur on school days during drop-off and pick-up hours. The vast majority of parents coming to the area to drop off or pick up their children, abide by the by-laws and park accordingly. Only a small percentage of parents cause this problem.

Municipal staff including Police, Engineering and the Commissionaire worked extensively with Ms. Jean Bigelow, Junior School Principal, Glenlyon Norfolk School over the past eight months to mitigate traffic problems at that location. The efforts seem to have proved successful. At the recent meeting with Ms. Richards it was evident that the school had been working hard with neighbors to solve this problem. Some actions taken and planned to be taken by the school include:

- Regular monthly communication with neighbors;

- Informing the neighbors in advance of large special events;
- Monitoring drop off in the mornings or pick up in the afternoons;
- Requesting staff members to no longer park on Victoria Avenue or Beaverbrooke Street;
- Creating school timetables to ensure staggered entry and dismissal;
- Engaging the parent community (including students) to be vigilant in identifying and reporting parking infractions;
- Increasing the number of bike racks on – site;
- Including increased parking provision in the new school plan - two drop-off areas (underground and in front of the school).

It is obvious from the Engineering staff's assessment of the situation that there is adequate space for school parking in this area, and that the parking problem is created by very few school parents. If changes to Beaverbrooke Street to 'residents parking only', as requested by a few residents were implemented, it is staff's assessment that whatever problems currently exist, would simply migrate to neighbouring streets which are also unregulated.

Engineering staff has discussed this with the school principal who agrees to work with the very few offending parents to improve their parking habits. It has also been suggested that fines should be increased for vehicles blocking driveways.

**OPTIONS:**

One or more of the following options should be considered -

1. The current parking regulation not be changed.
2. Increase Police/Commissionaire enforcement.
3. Continue collective efforts to improve the situation (Engineering, Police, School, Residents).
4. Change to "resident parking only".

**RECOMMENDATION(S):**

That the current parking arrangement is maintained and further efforts amongst parties be pursued.

Respectfully Submitted,




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D. Marshall B.Sc., A.Sc.T.  
Director of Engineering Services

I concur with the recommendation of the Director of Engineering Services.




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Helen Kohing  
Chief Administrative Officer

2014-73

MEMORANDUM

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** March 12, 2014  
**RE:** Heritage Alteration Permit and Development Variance Permit  
Native Plant Park (1180 Beach Drive)  
Lots 81, 82, 83, and "C", Section 23, Victoria District, Plan 368  
P-1, Civic Institutional Use

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**BACKGROUND:**

Council previously approved a proposal is to install approximately 150 m (500 feet) of fencing to the north south and east sides of the property to prevent further damage to the plants.

The Native Plant Park fence design previously approved in January 2014 involved half lattice work and half horizontal wires. The horizontal wire portion of the fence has since been considered to be a maintenance problem and concerns have been raised about possible liability.

In response to the concerns raised, at the Heritage Commission meeting held March 11, 2014 the Commission re-considered two fence designs. The first design involved a metal picket style of fence; the second option was a cedar lattice style similar to the rose garden fence. After discussion the recommendation from the Heritage Commission is to install the cedar lattice style fencing as shown on the attached plan. In order to accommodate the cedar lattice fence design variances are required from the Screens and Fences Bylaw #3536.

**DISCUSSION:**

The applicants are requesting relief from the following section(s) of Screens and Fences Bylaw #3536:

Fence By-law Section(s)	Required/Permitted	Requested	Variance
6.1 Maximum height of fence on corner lot for a distance of 7.62 m (North and East Side)	1.0 m (3.28 ft)	2.44 m (8 ft)	1.44m (4.7 ft)
6.2 + 6.4 Maximum height of fence abutting a street (North side, east side and 7.6 m (25ft) on the south side)	1.84 m (6 ft)	2.44 m (8 ft)	0.6 m (2 ft)

*\* Imperial measurements are approximate and for convenience only.*

In order to alter the land, a heritage alteration permit authorized by Council would be required.



**OPTIONS:**

The Committee can either reject the proposal to install the fence in accordance with the revised plans or move forward with the process. To move forward, there are three different approvals required. One to authorize the expenditure based upon the cost estimate determined by the Parks and Recreation Department of up to \$25,000 being paid by a bequest, one to issue a Heritage Alteration Permit, and one to authorize the required variances to the Screens and Fences Bylaw. The first two approvals should be conditional on the issuance of a development variance permit.

**RECOMMENDATION:**

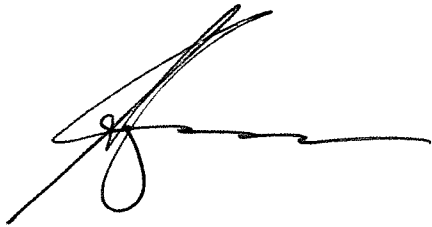
A resolution to rescind the previous approvals would also be placed before Council.

That a resolution authorizing the issuance of a development variance permit, as outlined in the March 12, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

That a resolution authorizing the expenditure based upon the cost estimate determined by the Parks and Recreation Department of up to \$25,000 being paid by a bequest, be prepared and brought forward to a meeting of Council for consideration.

A further resolution authorizing the issuance of a Heritage Alteration Permit be prepared and brought forward to a meeting of Council for consideration.

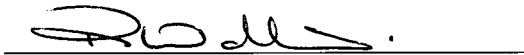
Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur that there are funds available from a bequest for this project.



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Patricia Walker  
Municipal Treasurer

I concur with the recommendation of the Director of Building and Planning.



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Helen Koning  
Chief Administrative Office

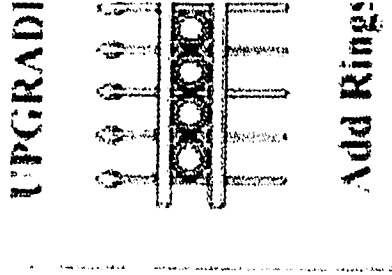
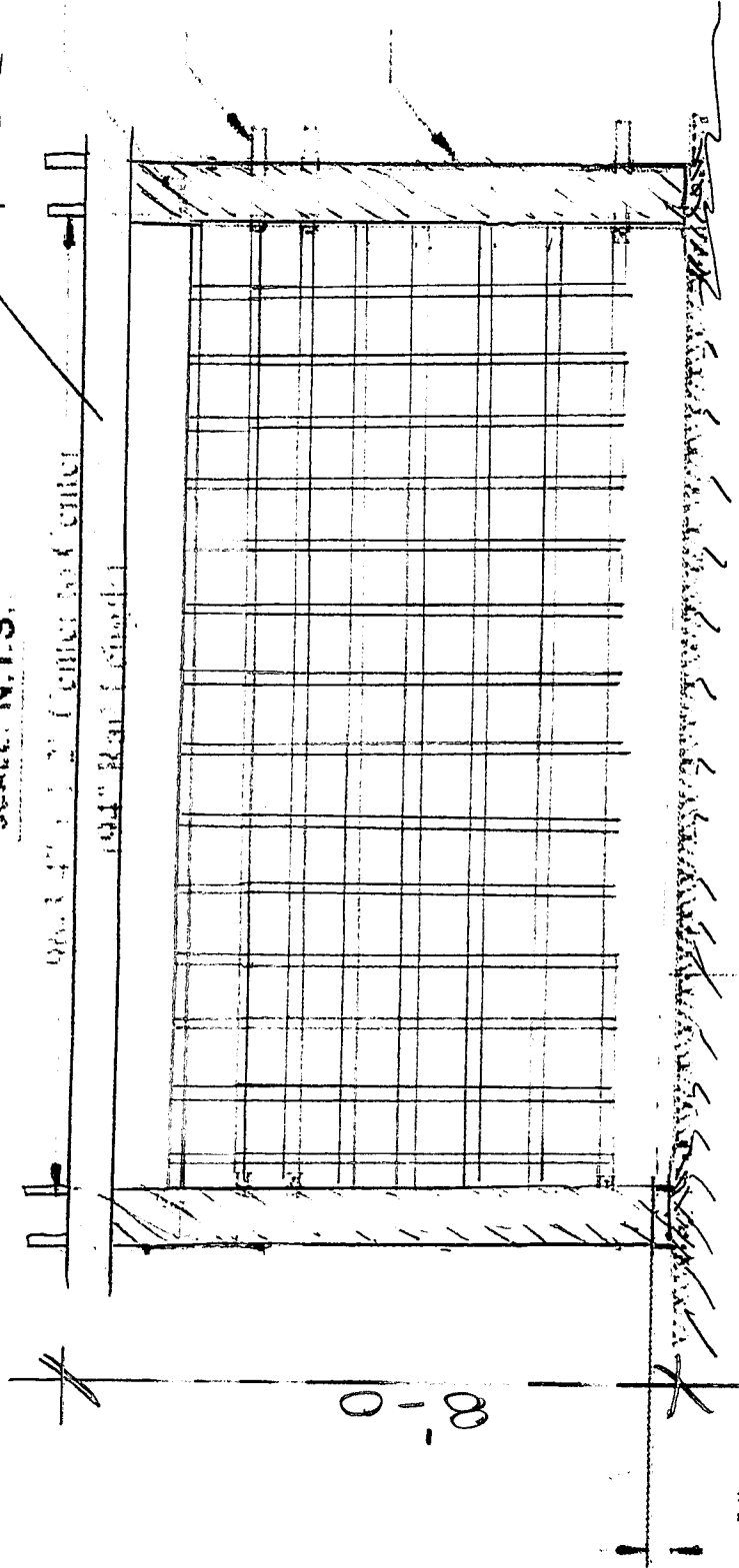
# PANEL DRAWING

SCALE: N.T.S.

2" X 6" TOP  
ARBOR

6" X 6" WOOD  
SQUARE POST

6 X 6  
SQUARE PICKET



CEDAR FENCE

Use With Local Soil & Weather Conditions

2014-74

**MEMORANDUM**

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** March 4, 2014  
**RE:** Uplands Building Permit Application – 2875 Lansdowne Rd  
Lot B, Block 23, Section 31, Victoria District, Plan 2713

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**BACKGROUND:**

An Uplands building permit application has been received for the construction of a residential dwelling at the property located at 2875 Lansdowne Road. The existing house is to be removed from the site.

**DISCUSSION:**

Attached for your information are:

- a) The reports of the Advisory Design Panel meetings of March 4, 2014 and February 4, 2014 relating to the construction of a residential dwelling located at 2875 Lansdowne Road.
- b) Memos from Municipal Arborist dated March 3, 2014 and January 27, 2014 regarding trees on the subject property.
- c) Reduced copies of the plans of the proposed work.

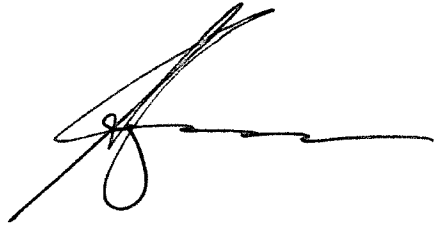
**OPTIONS:**

1. That it be recommended to Council that the plans to construct a single family residential dwelling at 2875 Lansdowne Road be approved as to siting and architectural design.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That it be recommended to Council that the plans to construct a single family residential dwelling at 2875 Lansdowne Road be approved as to siting and architectural design.

Respectfully Submitted,

A handwritten signature in black ink, consisting of a large, stylized initial 'R' followed by a horizontal line that ends in a small flourish.

---

Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.

A handwritten signature in black ink, consisting of a stylized initial 'H' followed by a horizontal line that ends in a small flourish.

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Helen Koning  
Chief Administrative Officer

2014-75

MEMORANDUM

**TO:** Committee of the Whole

**FROM:** Director of Building and Planning

**DATE:** March 4, 2014

**RE:** Uplands Building Permit Application – 2920 Lansdowne Road  
Lot 19, Block B, Section 31, Victoria District, Plan 3599

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**BACKGROUND:**

An Uplands building permit application was approved mid 2013 for the construction of a residential dwelling located at 2920 Lansdowne Road. The applicant has returned seeking approval for revisions to the proposal which include material changes for the garage door and cladding material adjacent to the front door and the lowering of the laundry room window.

**DISCUSSION:**

Attached for your information are:

- a) The report of the Advisory Design Panel meeting of March 4, 2014 relating to the proposed revisions of the previously approved work relating to the construction of the new residential dwelling located at 2920 Lansdowne Road.
- b) Reduced copies of the plans of the proposed work.

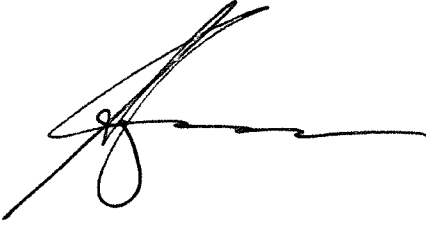
**OPTIONS:**

1. That it be recommended to Council that the proposed revisions for the project located at 2920 Lansdowne Road, consisting of material changes for the garage door, cladding material adjacent to the front door and the lowering of the laundry room window be approved as to architectural design.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That it be recommended to Council that the proposed revisions for the project located at 2920 Lansdowne Road, consisting of material changes for the garage door, cladding material adjacent to the front door and the lowering of the laundry room window be approved as to architectural design.

Respectfully Submitted,

A handwritten signature in black ink, consisting of a large, stylized initial 'R' followed by a horizontal line that ends in a small flourish.

---

Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.

A handwritten signature in black ink, consisting of a stylized initial 'H' followed by a horizontal line.

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Helen Koning  
Chief Administrative Officer

2014-76

MEMORANDUM

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** March 10, 2014  
**RE:** Uplands Building Permit/Development Variance Permit Application  
2666 Dorset Road  
Lot 16, Block 44, Section 31, Victoria District, Plan 8777  
RS-2, One Family Residential

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**BACKGROUND:**

An Uplands building permit application has been made to enclose the existing carport to create an attached garage, to replace windows and build a rear deck. The existing siting is non-conforming and creating a new garage in the carport location would not meet the side setback requirements; consequently variances to the Zoning Bylaw are required to accommodate this proposal.

Attached for your information are:

- a) The report of the Advisory Design Panel meeting of March 4, 2014 relating to the proposed renovations and additions at 2666 Dorset Road.
- b) Memo from Municipal Arborist regarding trees on the subject property.
- c) Reduced copies of the plans of the proposed work.

**Discussion:**

The applicant is requesting a Development Variance Permit granting relief from the following section(s) of the Zoning Bylaw:

<b><u>Zoning Bylaw Section(s)</u></b>	<b><u>Required</u></b>	<b><u>Requested</u></b>	<b><u>Variance</u></b>
6.2.4.(2)(c) +Schedule 'C' Minimum Interior side lot line setback	4.27 m (14ft)	2.95 m (9.7 ft)	1.32 m (4.33 ft)
6.2.4.(2)(e) + Schedule 'C' Minimum total of side lot line setbacks	10.97m (36 ft)	6.29 m (20.6 ft)	4.68 m (15.3 ft)

*\*Imperial measurements are approximate and for convenience only.*

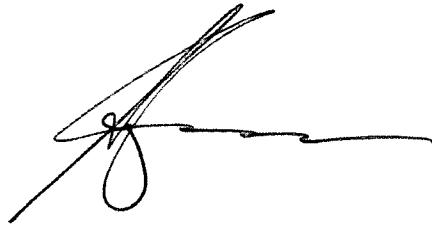
**OPTIONS:**

1. That it be recommended to Council that the plans to construct a garage and rear deck with window replacement of the home at 2666 Dorset 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, as outlined in the March 10, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That it be recommended to Council that the plans to construct a garage and rear deck with window replacement of the home at 2666 Dorset 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, as outlined in the March 10, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.


Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



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Helen Koning  
Chief Administrative Officer



2014-77

MEMORANDUM

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** March 11, 2014  
**RE:** Uplands Building Permit/Development Variance Permit Application  
2765 Lansdowne Road  
Lot 6, Block 22, Section 31, Victoria District, Plan 1216A  
RS-2, One Family Residential

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**BACKGROUND:**

An Uplands building permit application has been received which involves construction of a greenhouse and tool shed building as shown on the attached plans. A major landscaping plan is submitted as part of the package which involves replacement of paved surfaces which would exceed the amount permitted in the rear yard; consequently a variance to the Zoning Bylaw is required to accommodate this proposal.

Unfortunately for this application there was not a quorum of the Advisory Design Panel so no minutes or recommendation are attached. The applicant wanted the application to be moved forward to the Committee of the Whole as the accessory buildings involved were minor in nature and the finish material will compliment the existing home.

Attached for your information are:

- a) Memo from Municipal Arborist dated March 3, 2014 regarding trees on the subject property.
- b) Reduced copies of the plans of the proposed work.

**Discussion:**

The applicant is requesting a Development Variance Permit granting relief from the following section(s) of the Zoning Bylaw:

<b><u>Zoning Bylaw Section(s)</u></b>	<b><u>Required</u></b>	<b><u>Requested</u></b>	<b><u>Variance</u></b>
4.15.1	25% (87.1 m <sup>2</sup> ) (937.5 ft <sup>2</sup> )	32% (111.5 m <sup>2</sup> ) (1200 ft <sup>2</sup> )	7% (24.4 m <sup>2</sup> ) (263 ft <sup>2</sup> )
Maximum paved surface (Rear Yard)			

*\* Imperial measurements are approximate and for convenience only.*

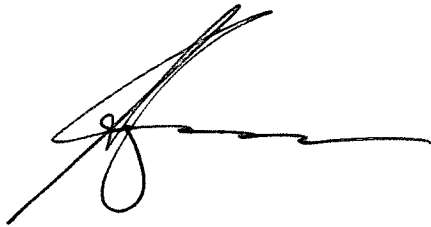
**OPTIONS:**

1. That it be recommended to Council that the plans to construct two accessory buildings at 2765 Lansdowne 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, as outlined in the March 11, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That it be recommended to Council that the plans to construct two accessory buildings at 2765 Lansdowne 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, as outlined in the March 11, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.


Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



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Helen Koning  
Chief Administrative Officer

2014-78

MEMORANDUM

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** March 11, 2014  
**RE:** Uplands Building Permit/Development Variance Permit Application  
2527 Nottingham Road  
Lot 1, Block 43, Section 31, Victoria District, Plan 8777  
RS-2, One Family Residential

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**BACKGROUND:**

An Uplands building permit application has been made for a new single family residence with a detached two car garage. The design is for a single storey home with courtyard in the middle. The south side and west side along the lane will involve approximately 1.2 meter high retaining walls in order to fill the site so that it is level. Due to the placement of fill and the building design, the proposed garage would exceed the occupiable height and building height requirements; consequently variances to the Zoning Bylaw are required to accommodate the proposed garage.

The Engineering Department will require a fill permit be obtained as more than 40 cubic meters of fill are involved. The topography changes must be reviewed to ensure no negative affects to neighbours occur. To date the Engineering Department has not received an application to assess the affect of the topography changes. In addition the driveway access must be approved by the Engineering Department prior to issuance of a building permit.

Attached for your information are:

- a) The reports of the Advisory Design Panel meeting of February 4, 2014 and January 7, 2014 relating to the proposed new house and detached garage at 2527 Nottingham Road.
- b) Memo from Municipal Arborist regarding trees on the subject property.
- c) Reduced copies of the plans of the proposed work.

**Discussion:**

The applicant is requesting a Development Variance Permit granting relief from the following section(s) of the Zoning Bylaw:

<b><u>Zoning Bylaw Section(s)</u></b>	<b><u>Required</u></b>	<b><u>Requested</u></b>	<b><u>Variance</u></b>
6.2.4.(3)(a) Maximum building height (Garage)	3.0 m (10 ft)	3.87 m (12.7 ft)	0.87 m (2.9 ft)
6.2.4.(3)(b) Maximum occupiable height (Garage)	0.25 m (10 in.)	0.96 m (3.15 ft)	0.71 m (2.33 ft)

*\*Imperial measurements are approximate and for convenience only.*

Minor design modifications and a reduction of the amount of fill are available which could make the accessory building (garage) comply with the Zoning Bylaw for heights, eliminating the need for variances.

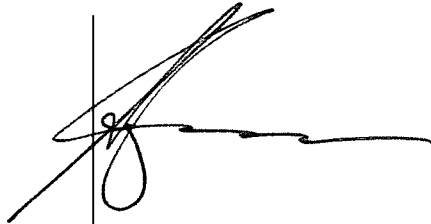
**OPTIONS:**

1. That it be recommended to Council that the plans to construct a new single family dwelling at 2527 Nottingham 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, as outlined in the March 11, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That it be recommended to Council that the application be denied and the applicant be asked to consider design changes to avoid the requirement of variances for the accessory building.


Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



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Helen Koning  
Chief Administrative Officer

2014-79

MEMORANDUM

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** March 10, 2014  
**RE:** Development Variance Permit – 3304 Gibbs Road  
Lot 2, Section 31, Victoria District, Plan 11436  
RS-4, One Family Residential

**BACKGROUND:**

A building permit application has been received to develop the existing carport into living space to create a new bedroom, laundry area and expansion to the existing kitchen, which would eliminate the required covered parking stall. Recently a new pergola and accessory building (shed) have been constructed on the north side of the home which do not meet the side setbacks required; consequently variances are required from the Zoning Bylaw to accommodate this proposal.

**DISCUSSION:**

The applicants are requesting relief from the following section(s) of Parking Facilities Bylaw #3540:

<u>Parking Facilities By-law Section</u>	<u>Required</u>	<u>Requested</u>	<u>Variance</u>
4.1 + Schedule "A", A.1.(a) Minimum No. of Parking Spaces	2	2	*

*\*Note: The requested variance is to delete the required covered parking space and have 2 uncovered parking stalls.*

The applicants are requesting relief from the following section(s) of Zoning Bylaw #3531:

<u>Zoning By-law Section(s)</u>	<u>Required/Permitted</u>	<u>Requested</u>	<u>Variance</u>
6.4.4.(2)(c) Minimum Interior side lot line setback (Pergola)	1.52 m (5 ft)	0.52m (1.74 ft)	1.0 m (3.28 ft)
6.4.4.(7) Minimum clear space between buildings and structures (Accessory to Pergola)	3.0 m (9.8ft)	1.14 m (3.75 ft)	1.86 m (6.1 ft)
6.4.4.(7) Minimum clear space between buildings and structures (House to Pergola)	3.0 m (9.8ft)	2.59m (8.5 ft)	0.41 m(1.35 ft)
6.4.4.(8) Accessory building setbacks to be the same as principal building	1.52 m (5 ft)	0.46 m (1.5 ft)	1.06 m (3.48ft)

*\* Imperial measurements are approximate and for convenience only.*

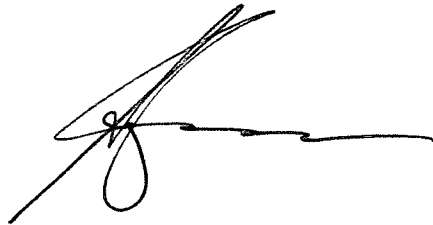
**OPTIONS:**

1. That a resolution authorizing the issuance of a development variance permit, as outlined in the March 10, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That a resolution authorizing the issuance of a development variance permit, as outlined in the March 10, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

Respectfully Submitted,



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Roy Thomassen  
Director Building and Planning

I concur with the recommendation of the Director of Planning and Building.



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Helen Koning  
Chief Administrative Officer

2014-8D

MEMORANDUM

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** March 12, 2014  
**RE:** Development Variance Permit – 526 Beach Drive  
Lot 15, Section 22, Victoria District, Plan 1062  
RS-4, One Family Residential

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**BACKGROUND:**

The owners would like to replace the existing dwelling with a new house with an in ground pool. The lot narrows as you move further back from Beach Drive and the topography is challenging, requiring substantial blasting to accommodate the new house design. The design of the home would not meet the zoning requirements; consequently variances are required from the Zoning Bylaw to accommodate this proposal.

**DISCUSSION:**

The applicants are requesting relief from the following section(s) of Zoning Bylaw #3531:

<b><u>Zoning By-law Section(s)</u></b>	<b><u>Required/Permitted</u></b>	<b><u>Requested</u></b>	<b><u>Variance</u></b>
6.4.4. (2)(e) Minimum total of side lot line setbacks	4.57 m (15 ft)	3.05m (10 ft)	1.52 m (5ft)
6.4.4. (3)(a) Maximum building height	6.08 m (19.9 ft)	6.37 m (20.9 ft)	0.29 m (.95 ft)
6.4.4 .(7) Minimum clear space between buildings and structures (house to pool)	3.0 m (9.8ft)	2.0 m (6.5 ft)	1.0m 3.28 ft)
6.4.4 (10) Minimum front lot line contextual setback	12.8 m (42 ft)	7.62 m (25 ft)	5.18 m (17 ft)
6.4.4. (11) Minimum second storey side lot line setback (North)	3.0 m (9.8 ft)	1.52 m (5 ft)	1.48 m (4.9 ft)
6.4.4. (11) Minimum second storey side lot line setback (South)	3.0 m (9.8 ft)	2.68m ( 8.8 ft)	1.48 m (4.9 ft)
4.15.1 Maximum paved surface (Front Yard)	25% (29.5 m <sup>2</sup> ) (316.3 ft <sup>2</sup> )	45% (53 m <sup>2</sup> ) (570 ft <sup>2</sup> )	20% (23.5 m <sup>2</sup> ) (253 ft <sup>2</sup> )

*\* Imperial measurements are approximate and for convenience only.*

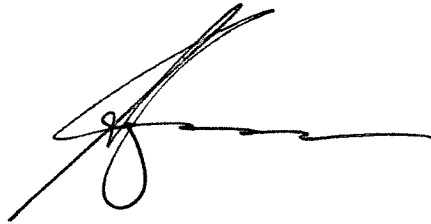
**OPTIONS:**

1. That a resolution authorizing the issuance of a development variance permit, as outlined in the March 12, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That a resolution authorizing the issuance of a development variance permit, as outlined in the March 12, 2014 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

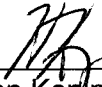
Respectfully Submitted,



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Roy Thomassen  
Director Building and Planning

I concur with the recommendation of the Director of Planning and Building.



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Helen Koring  
Chief Administrative Officer