

REPORT of a PUBLIC HEARING of the MUNICIPAL COUNCIL of The Corporation of the District of Oak Bay, held in the Council Chambers, Oak Bay Municipal Hall, 2167 Oak Bay Avenue, Victoria, B.C., on Monday March 13, 2017 at 6:00 PM.

We acknowledge that the land on which we gather is the traditional territory of the Coast and Straits Salish Peoples. Specifically we recognize the Lekwungen speaking people, known today as the Songhees and Esquimalt Nations, and that their historic connections to these lands continue to this day.

PRESENT: Mayor N. Jensen, Chair
Councillor H. Braithwaite
Councillor M. Kirby
Councillor E. Zhelka

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

CALL TO ORDER:

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

BYLAW TO BE CONSIDERED - NO. 4675

1. ***Description of the Purpose of Purpose of Bylaw 4675***
 - Notice of Public Hearing
 - Bylaw No. 4675, Ninety-Sixth Zoning Bylaw Amendment Bylaw, 2017

At the request of the Mayor, the Manager of Planning described the purpose of Bylaw No. 4675, *Ninety-Sixth Zoning Bylaw Amendment Bylaw, 2017* commenting that this bylaw, if adopted, would amend the Zoning Bylaw No. 3531 by rezoning a portion of the property from RS-2 to RS-3 in order to facilitate a two lot single family residential development. Ms. Jensen stated that the subject property currently contains one single family dwelling with a detached garage and that, if the rezoning is successful, the proponent plans to subdivide the property to create a smaller lot from a northern portion of the site which will require removal of the garage. She noted that an application for a development variance permit is running in conjunction with the rezoning application, to vary the lot width and frontage on both proposed lots and to remove the requirement for covered parking on the parent parcel.

Mayor Jensen drew attention to Bylaw No. 4682, *1605 York Place Heritage Designation Bylaw, 2017*, a bylaw being considered later in the Public Hearing. Ms. Jensen confirmed that during the rezoning review process, the heritage significance of the subject property was noted and accordingly the applicants have brought forward the proposed heritage designation.

2. ***Written submissions distributed prior to Public Hearing to be received***
 - Bylaw No. 4675, Ninety-Sixth Zoning Bylaw Amendment Bylaw, 2017

- Plans - ZON DVP -1605 York Pl, Sept 20, 2016
- Feb. COW Memorandum - Manager of Planning, Feb. 14, 2017
- Jan. COW Report - Manager of Planning, Jan. 10, 2017
- Rpt. Attach. 2 - Draft Bylaw
- Rpt. Attach. 3 - Tree Resources
- Rpt. Attach. 4 - Correspondence Received

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

CARRIED

3. ***Reading of New Correspondence***

The Deputy Director of Corporate Services advised that no further correspondence pertaining to the Public Hearing for Bylaw No. 4675 has been received.

4. ***Public Input***

Mayor Jensen asked three times if any members of the public would like to come forward to speak on Bylaw No. 4675. No one came forward.

BYLAW TO BE CONSIDERED - NO. 4682

5. ***Description of the Purpose of Purpose of Bylaw 4682***

- Notice of Public Hearing
- Bylaw No. 4682, 1605 York Place Heritage Designation Bylaw, 2017

At the request of the Mayor, the Manager of Planning described the purpose of Bylaw No. 4682, *Bylaw No. 4682, 1605 York Place Heritage Designation Bylaw, 2017* commenting that this bylaw, if adopted, would designate the residential building constructed on the subject property, including all additions and exterior alterations made to the residence, as a protected municipal heritage site pursuant to the heritage conservation provisions of the *Local Government Act*.

6. ***Written submissions distributed prior to Public Hearing to be received***

- Bylaw No. 4682, 1605 York Place Heritage Designation Bylaw, 2017
- Heritage Designation Report - 1605 York Place
- Feb. COW Memorandum - Manager of Planning, Feb. 14, 2017
- Memo. Attach. - Statement of Significance

MOVED and seconded: That the written submissions distributed prior to the public hearing as attached to Agenda Item 6 be received.

CARRIED

7. ***Reading of New Correspondence***

The Deputy Director of Corporate Services advised that no further correspondence pertaining to the Public Hearing for Bylaw No. 4682 has been received.

8. ***Public Input***

Mayor Jensen asked three times if any members of the public would like to come forward to speak on Bylaw No. 4682. No one came forward.

BYLAW TO BE CONSIDERED - NO. 4681

9. ***Description of the Purpose of Purpose of Bylaw 4681***

- Notice of Public Hearing
- Bylaw No. 4681, Ninety-Eighth Zoning Bylaw Amendment Bylaw, 2017

At the request of the Mayor, the Manager of Planning described the purpose of Bylaw No. 4681, *Ninety-Eighth Zoning Bylaw Amendment Bylaw, 2017* commenting that this bylaw, if adopted, would undertake general revisions to the Zoning Bylaw including:

- Defining “Lot Depth” as “the average distance between the front lot line and rear lot line of a lot” to help determine setback requirements;
- Amending the definition of “Structure” to add the words “and is not limited to” before the current sample list of items, to clarify that the definition of structure is not limited to only those items listed;
- Amending Paragraph 4.6.5.(3) for Siting Exceptions to clarify that eaves may extend into the required interior side yard setbacks by no more than 0.76 metres;
- Amending Sub-Paragraph 4.6.11(1)(b) for Gross Floor Area to specify that properties within the RS-4 or RS-5 zones may exempt a portion of the garage or carport area from gross floor area calculations, where the principal building was constructed prior to January 1, 1986; and
- Amending Section 5.1 for Prohibited Uses of Lands, Buildings and Structures by allowing commercial filming in parks or on beaches where it is approved by the Director of Parks, Recreation and Culture for the District of Oak Bay.

10. ***Written submissions distributed prior to Public Hearing to be received***

- Bylaw No. 4681, Ninety-Eighth Zoning Bylaw Amendment Bylaw, 2017
- Feb. COW Report - Manager of Planning, Feb. 14, 2017

MOVED and seconded: That the written submissions distributed prior to the public hearing as attached to Agenda Item 10 be received.

CARRIED

Mayor Jensen clarified that consideration should be given to reading of new correspondence before public input. Accordingly agenda items no. 11 and 12 were reversed.

12. ***Reading of New Correspondence***

The Deputy Director of Corporate Services advised that no further correspondence pertaining to the Public Hearing for Bylaw No. 4681 has been received.

11. **Public Input**

Mayor Jensen asked three times if any members of the public would like to come forward to speak on Bylaw No. 4681. No one came forward.

ADJOURNMENT:

13. **Motion to Adjourn.**

MOVED and seconded: That the meeting be adjourned.

CARRIED

The meeting then adjourned at 6:15 PM.

Certified Fair and Accurate:

Chair

Director of Corporate Services