

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, Oak Bay, B.C., on Tuesday, October 13, 2009 at 7:30 p.m.

PRESENT: Mayor C. M. Causton, Chairman
Councillor H. Braithwaite
Councillor A. R. Cassidy
Councillor P. Copley
Councillor J. D. Herbert
Councillor N. B. Jensen
Councillor T. Ney

STAFF: Municipal Clerk, L. Hilton
Confidential Secretary, K. Green
Director of Building and Planning, R. Thomassen
Municipal Treasurer, P. Walker

On behalf of the Royal Victoria Marathon, Mayor Causton presented a plaque as a token of thanks the Municipality for assisting with the successful race.

Mayor Causton called the public hearing to order at 7:30 p.m.

Bylaw No. 4481, 1936 Hampshire Road (“Jolimont”) Heritage Designation Bylaw, 2009

The Mayor asked the Municipal Clerk to explain the purpose of Bylaw No. 4481.

The Municipal Clerk explained that at the request of the property owner and on the recommendation of the Oak Bay Heritage Advisory Panel, Bylaw No. 4481 would designate the exterior of the principal dwelling, specified affixed interior features or fixtures of the principal dwelling, the exterior of the garage and the land of Lots 4 and 5, Section 61, Victoria District, Plan 1266 at (1936 Hampshire Road) as protected pursuant to the heritage conservation provisions of the *Local Government Act*. Ms. Hilton added that the dwelling, designed in the Queen Anne style, was constructed around 1892 and is the fourth oldest home in Oak Bay.

COMMUNICATIONS:

2009-228 STUART STARK AND MARGARET GRAHAM-BELL, May 28, 2009
2009-268 DIRECTOR OF BUILDING AND PLANNING, August 11, 2009

MOVED by Councillor Braithwaite
Seconded by Councillor Herbert, That correspondence items no. 2009-228 and 2009-268 be received.

CARRIED

Mayor Causton asked the Municipal Clerk if any correspondence pertaining to the Public Hearing had been received too late for inclusion with the material already distributed to Council members. It was confirmed that no further submissions had been received.

PUBLIC:

Mayor Causton invited affected parties and the general public to make representations regarding the matters contained in Bylaw No. 4481. Mayor Causton asked three times if any members of the public wished to come forward. No one came forward.

Bylaw No. 4482, 929 Island Road Heritage Designation Bylaw, 2009

The Mayor asked the Municipal Clerk to explain the purpose of Bylaw No. 4482.

The Municipal Clerk explained that at the request of the property owner and on the recommendation of the Oak Bay Heritage Advisory Panel, Bylaw No. 4482 would designate the exterior of the principal dwelling of Parcel B (DD 40697I) of Lot 3, Section 22, Victoria District, Plan 74F, Except That Part in Plan 16476 at (929 Island Road) as protected pursuant to the heritage conservation provisions of the *Local Government Act*. Ms. Hilton advised that the dwelling, designed in the Victorian style, was constructed around 1896 and is one of the first farm houses in Oak Bay.

COMMUNICATIONS:

2009-253 J E O'HALLORAN AND G E FENDALL, July 3, 2009

2009-269 DIRECTOR OF BUILDING AND PLANNING, August 11, 2009

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That correspondence items no. 2009-253 and 2009-269 be received.

CARRIED

Mayor Causton asked the Municipal Clerk if any correspondence pertaining to the Public Hearing had been received too late for inclusion with the material already distributed to Council members. It was confirmed that no further submissions had been received.

PUBLIC:

Mayor Causton invited affected parties and the general public to make representations regarding the matters contained in Bylaw No. 4482. Mayor Causton asked three times if any members of the public wished to come forward. No one came forward.

Bylaw No. 4486, Eighty-Fourth Zoning Bylaw Amendment Bylaw, 2009

The Mayor asked the Municipal Clerk to explain the purpose of Bylaw No. 4486.

The Municipal Clerk explained that the purpose of Bylaw No. 4486 is to change the regulations for the C-3, ST. 1, Village Commercial Use – Street Level Zone by adding “Liquor Retail Sale” as a permitted use, but only with respect to Lot A, Sections 23 and 69, Victoria District, Plan 42273 (2187 Oak Bay Avenue – “Athlone Court”). Ms. Hilton said that the maximum square footage for liquor retail sale use would be limited to 215 sq. metres.

With respect to Bylaw No. 4486, Councillor Ney stated that inasmuch as she has office space in Athlone Court, she would be unable to participate in the discussion or vote on any decisions on the matter. Councillor Ney left the meeting at 7:37 p.m.

COMMUNICATIONS:

2009-277 DIRECTOR OF BUILDING AND PLANNING, August 12, 2009
2009-286 DIRECTOR OF BUILDING AND PLANNING, September 2, 2009
2009-320 MATT MACNEIL, September 9, 2009

MOVED by Councillor Braithwaite

Seconded by Councillor Herbert, That correspondence items no. 2009-277, 2009-286 and 2009-320 be received.

CARRIED

Mayor Causton asked the Municipal Clerk if any correspondence pertaining to the Public Hearing had been received too late for inclusion with the material already distributed to Council members. It was confirmed that no further submissions had been received.

PUBLIC:

Mayor Causton invited affected parties and the general public to make representations regarding the matters contained in Bylaw No. 4486. Mayor Causton asked three times if any members of the public wished to come forward. No one came forward.

MOVED by Councillor Braithwaite

Seconded by Councillor Copley, That the public hearing do now adjourn.

CARRIED

The public hearing adjourned at 7:39 p.m.

Certified Fair and Accurate:

Municipal Clerk

Mayor