



**LATE AGENDA - VICTORIA CITY COUNCIL**  
**MEETING OF THURSDAY, THURSDAY, MAY 18, 2017, 2017**  
**TO BE CONVENED IMMEDIATELY AFTER THE COMMITTEE OF THE**  
**WHOLE MEETING**  
**Council Chambers, City Hall, 1 Centennial Square**  
Located on the traditional territory of the Esquimalt and Songhees People

**A. APPROVAL OF AGENDA**

**B. READING OF MINUTES**

**C. UNFINISHED BUSINESS**

1. Development Permit with Variances Application No. 00039 for 710 Belton Avenue  
--J. Tinney, Director of Sustainable Planning & Community Development

*A report providing information and recommendations regarding an application that was approved at Council on May 11, 2017, that requires a correction to the schedule related to the zoning bylaw.*

**Recommendation:***"That Council authorize the issuance of Development Permit Application No. 00039 for 710 Belton Avenue in accordance with: 1. Plans date stamped February 28, 2017. 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances: i. Schedule M, Section 2.d: reduce the separation space between a garden suite and a single-family dwelling from 2.40m to 2.10m. 3. The Development Permit lapsing two years from the date of this resolution."*

**D. MOTION TO CLOSE THE MAY 18, 2017 COUNCIL MEETING TO THE PUBLIC**

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

- Section 90(1)(c)labour relations or other employee relations;
- Section 90(1)(d)a matter that, under another enactment, is such that the public must be excluded from the meeting;
- Section 90(1)(e)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;
- Section 90(1)(f)law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- Section 90(1)(g)litigation or potential litigation affecting the municipality;

- ~~Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.~~

**E. APPROVAL OF CLOSED AGENDA**

**F. READING OF CLOSED MINUTES**

1. Minutes from the closed Meeting held May 4, 2017

**G. UNFINISHED BUSINESS**

1. **Late Item:** Law Enforcement  
Addenda --D. Manak, Acting Chief Constable

**H. CORRESPONDENCE**

1. **Late Item:** Letter from the Ombudsperson  
Addenda

**I. NEW BUSINESS**

1. Land  
--P. Rantucci, Head of Strategic Real Estate
2. ~~Legal Advice~~  
Addenda --T. Zworski, City Solicitor

**Deferred to the May 25, 2017 Closed Council**

3. **Late Item:** Potential Litigation  
Addenda --J. Johnson, City Manager
4. ~~Labour Relations~~  
Addenda --Mayor Helps

**Deferred to May 25, 2017**

**J. CONSIDERATION TO RISE & REPORT**

**K. ADJOURNMENT**



## Council Report

For the Meeting of May 18, 2017

---

**To:** Council **Date:** May 11, 2017  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Development Permit with Variance Application No. 00039 for 710 Belton Avenue

---

### RECOMMENDATION

"That Council authorize the issuance of Development Permit Application No. 00039 for 710 Belton Avenue in accordance with:

1. Plans date stamped February 28, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. Schedule M, Section 2.d: reduce the separation space between a garden suite and a single-family dwelling from 2.40m to 2.10m.
3. The Development Permit lapsing two years from the date of this resolution."

### EXECUTIVE SUMMARY

At the Council Meeting on May 11, 2017, Council approved a variance to reduce the separation space between a proposed garden suite and the existing single family dwelling from 2.40m to 2.10m at 710 Belton Avenue. The Council motion was:

*"That Council authorize the issuance of Development Permit Application No. 00039 for 710 Belton Avenue in accordance with:*

4. *Plans date stamped February 28, 2017.*
5. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
  - ii. *Part 1.108, Section 1.108.4(d): reduce the separation space between a garden suite and a single-family dwelling from 2.40m to 2.10m.*
6. *The Development Permit lapsing two years from the date of this resolution."*

Following the Council meeting, it was discovered that the motion referenced the R1-B-GS Zone, Single Family Dwelling with a Garden Suite District; however, the variance should have referred the new Schedule M – Garden Suites.

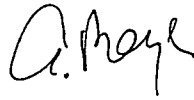
## COMMENTS

At the Council meeting on April 13, 2017, Council adopted changes to the *Zoning Regulation Bylaw* to allow garden suites in single-family residential zones consistent with the Garden Suite Policy and based on the *Zoning Regulation Bylaw's* Schedule M - Garden Suites. The property located at 710 Belton Avenue is zoned R1-B, Single Family Dwelling District, and a garden suite is permitted subject to Schedule M. Accordingly, the proposed variance to reduce the separation distance between the proposed garden suite and the existing single family dwelling distance applies to Schedule M.

Respectfully submitted,



Leanne Taylor  
Senior Planner  
Development Services Division



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date: May 17, 2017