

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, February 15, 2010 at 7:30 p.m.

PRESENT: Acting Mayor, A. R. Cassidy, Chairman  
Councillor H. Braithwaite  
Councillor P. Copley  
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  
Director of Engineering Services, D. Marshall

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

FINANCE SECTION: (Chairman – Councillor Jensen)

1. 2010-52 MUNICIPAL TREASURER, February 1, 2010  
Re Monthly Financial Reports

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That the January monthly financial reports be received.

CARRIED

RECREATION SECTION: (Chairman – Councillor Braithwaite)

2. 2010-53 OAK BAY PARKS AND RECREATION COMMISSION, February 3, 2010  
Re Minutes of the Meeting

*(Lorna Curtis, Director of Parks and Recreation, and Frank Carson, Vice Chairman, Oak Bay Parks and Recreation Commission, in attendance for this item.)*

*Oak Bay Allotment Gardens*

Frank Carson provided a brief overview of the allotment gardens review process that included looking at other region's policies, increasing the number of plots, tenure considerations, waitlists, and holding a public meeting (with Commission members, staff, current plot holders and waitlisted residents in attendance). Mr. Carson drew attention to the staff recommendations outlined in correspondence item no. 2010-53, adding that support was expressed by the current plot holders, and those on the waitlist, for continuing with the status quo.

Mr. Carson and Ms. Curtis responded to various questions from members of the Committee regarding the allotment gardens and noted that in relation to any potential new allotment garden locations, thought would have to be given to issues such as access to water, and

possible concerns of neighbouring residents, therefore further investigation would be required in that regard. Mr. Carson said that the Parks and Recreation Commission would welcome any suggestions for suitable locations for additional community allotment gardens.

*Cosmetic Use of Pesticides Information*

Attention was drawn to information recently circulated to Council members regarding a consultation paper on cosmetic use of pesticides, and it was suggested that a copy of the document be forwarded to the Parks and Recreation Commission for information.

It was noted by Mr. Carson that the Committee looking into the implications of implementing a pesticide use reduction bylaw would be bringing forward recommendations in this regard likely by April 2010.

MOVED by Councillor Herbert

Seconded by Councillor Copley, That the minutes of the meeting of the Oak Bay Parks and Recreation Commission held on Wednesday, February 3, 2010, and the recommendations contained therein, be adopted.

CARRIED

PUBLIC WORKS SECTION: (Chairman – Councillor Herbert)

3. 2010-54 DIRECTOR OF ENGINEERING SERVICES, February 8, 2010  
2010-54-1 ERIC NIELSEN, November 22, 2009  
Re Boulevard Encroachment Process

The Director of Engineering Services provided an overview of his memorandum explaining that the proposed changes to streamline the boulevard encroachment process, which would require those wishing to plant on a boulevard to follow detailed guidelines as set out by bylaw, including using only the approved planting list, would significantly reduce the staff time currently required for applications of this nature. Mr. Marshall noted that structures on boulevards would still need to be approved by Council.

With respect to a question regarding the approved planting list, it was noted that the list includes low growing plants that are not prone to spreading. Responding to a question raised with respect to possible changes to the planting list, the Municipal Administrator advised that as time goes on other suitable species, approved by the Parks Department, could be added to the list as required through a bylaw amendment.

With regards to who would be responsible for reinstating any boulevard plantings that are disturbed due to infrastructure work being undertaken, it was noted that it would fall to the owner of the property adjacent to the boulevard in question.

A member of the Committee asked what the consequence would be for non compliance with the proposed boulevard encroachment regulations, and the Municipal Administrator advised that the Streets and Traffic Bylaw would be amended to specify what is allowed for boulevard encroachments, and layout that should the adjacent homeowner not comply, remediation of the boulevard could be done by the Municipality with the cost being billed to the owner, and if not paid, added to the property taxes.

Varying views and opinions were noted with respect to a suggestion from a member of the Committee that the approved planting list include vegetables, and it was the majority view not to include vegetables at this point.

MOVED by Councillor Cassidy

Seconded by Councillor Braithwaite, That staff be directed to bring forward for consideration by Council bylaw amendments to implement a new boulevard encroachment process as outlined in correspondence item no. 2010-54.

CARRIED

*(Councillor Herbert against the motion)*

TRAFFIC AND PEDESTRIAN SAFETY SECTION: (Chairman – Councillor Copley)

4. 2010-55 DIRECTOR OF ENGINEERING SERVICES, February 12, 2010  
2010-55-1 DONNA DIPPIE, December 22, 2009  
2010-55-2 ROBERT HALL, February 15, 2010  
Re Request for Pedestrian Activated Lights at Eastdowne Road and Haultain Street Crosswalk

The Director of Engineering Services advised that through a staff assessment of the crosswalk located at the intersection of Eastdowne Road and Haultain Street, a low pedestrian count was observed, and therefore it was determined that pedestrian activated lights would not be warranted at this location.

However, recognizing the unique street environment, Mr. Marshall suggested adding “zebra” crosswalk markings to replace the existing parallel lines to increase the visibility of the crosswalk.

At the suggestion from a member of the Committee, Mr. Marshall said he would look into erecting crosswalk signs as well.

MOVED by Councillor Jensen

Seconded by Councillor Braithwaite, That it be recommended to Council that the existing painted parallel lines be replaced with more visible “zebra” crosswalk markings at the intersection of Eastdowne Road and Haultain Street.

CARRIED

5. 2010-56 DIRECTOR OF ENGINEERING SERVICES, February 10, 2010  
2010-46 DIRECTOR OF ENGINEERING SERVICES, January 26, 2010  
Re Proposed Parking Restrictions, South Side of Beach Drive East of Transit Road

The Director of Engineering Services said that at the February 1, 2010 meeting of Committee of the Whole attention was drawn to concerns that had been expressed regarding the lack of adequate line-of-site for vehicles travelling east on Beach Drive in the vicinity of 495 Beach Drive, due to on-street parking. Further consideration was deferred pending additional information from the Engineering Department after consultation with the residents in the area.

Referring to his memorandum containing the results of the consultation, Mr. Marshall said that he suggests that parking be eliminated at the most critical section of the road, shown as Phase 1

in the diagram attached to correspondence item no. 2010-56, which would remove approximately 4-5 parking spaces. Mr. Marshall also suggested that the area be monitored over the next six months, with a view to implementing additional restrictions later should they be warranted.

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That a traffic control order be prepared for consideration by Council implementing the Phase 1 parking elimination, as described in correspondence item no. 2010-56, and that staff monitor the parking in the vicinity over the next six months.

CARRIED

LAND USE SECTION: (Chairman – Councillor Cassidy)

6. 2010-57 DIRECTOR OF BUILDING AND PLANNING, February 2, 2010  
Re Uplands Building Permit Application – 3285 Exeter Road

MOVED by Councillor Herbert

Seconded by Councillor Copley, That it be recommended to Council that the plans to construct an addition at the rear of the dwelling at 3285 Exeter Road be approved as to siting and architectural design.

CARRIED

7. 2010-58 DIRECTOR OF BUILDING AND PLANNING, February 8, 2010  
Re Uplands Building Permit / Development Variance Permit Application –  
3011 Devon Road

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That it be recommended to Council that the plans to renovate the dwelling and construct a new deck at 3011 Devon 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

8. 2010-59 DIRECTOR OF BUILDING AND PLANNING, February 8, 2010  
Re Development Variance Permit Application – 2508 Florence Street

MOVED by Councillor Jensen

Seconded by Councillor Herbert, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 2508 Florence Street, as outlined in correspondence item no. 2010-59, be prepared and brought forward to Council for consideration.

CARRIED

9. 2010-60 DIRECTOR OF BUILDING AND PLANNING, February 11, 2010  
Re Development Variance Permit Application – 1932 St. Ann Street

Although some members of the Committee expressed concern about the amount of paved surface, it was noted that the concrete pavers will slope to allow water runoff towards the gardens. It was also acknowledged that the property is currently legally non-conforming with respect to providing the required parking, and that two parking spaces are proposed to be created.

Lynn Gordon-Finlay, homeowner, advised that the reason for the paved area is to create vehicle access from the lane to the carport.

MOVED by Councillor Jensen

Seconded by Councillor Ney, That a resolution authorizing the Director of Building and Planning to issue a development variance permit with respect to 1932 St. Ann Street, as outlined in correspondence item no. 2010-60, be prepared and brought forward to Council for consideration.

CARRIED

ADJOURNMENT:

MOVED by Councillor Braithwaite

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

CARRIED

The meeting adjourned at 8:40 p.m.

Certified Correct:

\_\_\_\_\_  
Municipal Clerk

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Chairman, Finance Section

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Chairman, Recreation Section

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Chairman, Public Works Section

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Chairman, Traffic and Pedestrian  
Section

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Chairman, Land Use Section