

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, January 18, 2010 at 7:30 p.m.

PRESENT: Mayor C. M. Causton, Chairman  
Councillor A. R. Cassidy (arrived at 7:48 p.m.)  
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

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

FINANCE SECTION: (Chairman – Councillor Jensen)

1. 2010-27 MUNICIPAL TREASURER, January 13, 2010  
Re Monthly Financial Reports

The Municipal Treasurer responded to a question from the Committee regarding the monthly financial reports, noting that staff is still working on year end, therefore, the revenue and expense, and capital projects reports for December 2009 are not available.

MOVED by Councillor Herbert

Seconded by Councillor Ney, That the December monthly financial reports be received.

CARRIED

RECREATION SECTION: (Acting Chairman – Mayor Causton)

2. 2010-28 OAK BAY PARKS AND RECREATION COMMISSION, January 6, 2010  
Re Minutes of the Meeting

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

*Wall of Fame*

With respect to the Wall of Fame policy, it was noted that it has been amended to specify that applications are to be submitted by February 28<sup>th</sup>, with Mayor Causton to recommend appointments to Council for the Selection Committee that will review the submissions.

*Pesticide Bylaw*

Monty Holding noted that the Pesticide Review Committee plans to meet at the end of January regarding recommendations to be presented to Oak Bay Parks and Recreation Commission in February.

Attention was drawn to the model pesticide use control bylaw developed by the Capital Regional District, which, it was noted, would ensure uniformity in principle with respect to pesticide use in the Capital Regional District, with three municipalities now having adopted the model.

Although it was mentioned that Council had requested that the report include some interpretation of the pesticide terms (including commercial or common names of the products) used in the Capital Regional District's model bylaw, it was also pointed out that the technical names of products should be retained to ensure uniformity throughout the region.

Responding to an inquiry about Commission seeking public input with respect to both the Pesticide Bylaw and Tree Protection Bylaw review process, Mr. Holding advised that members of the public form a part of the Committees looking into both, and that at this time further public input is not being sought.

*Tree Protection Bylaw Update*

Mr. Holding advised that the Tree Protection Bylaw Review Committee would be meeting again to review recommendations it had received from Mr. Ron Carter.

It was noted that the Parks and Recreation Commission would prefer to review experiences with the recent amendments to the Tree Protection Bylaw for a one-year period prior to making any further recommendations to Council with respect to possible changes.

*Allotment Gardens*

Ms. Curtis responded to various questions regarding the allotment gardens, noting that with the expansion of the gardens in Oak Bay, the current waitlist could be eliminated or significantly reduced.

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, January 6, 2010, and the recommendations contained therein, be adopted.

CARRIED

PUBLIC WORKS SECTION: (Chairman – Councillor Herbert)

- 3. 2010-29 MICHAEL BURROWS AND SHANNON DREW-BURROWS, January 13, 2010
- 2010-29-1 PATRICIA AND JOHN BURGESS, January 14, 2010
- 2010-29-2 SHANNON DREW *et al*, January 12, 2010
- EXCERPT FROM COMMITTEE OF THE WHOLE MEETING MINUTES, November 16, 2009
- 2009-358 DIRECTOR OF ENGINEERING SERVICES, November 12, 2009

2009-203     BYRON BARNARD, May 21, 2009  
2009-203-1   BYRON BARNARD *et al*, May 19, 2009  
              Re Boulevard Treatment Options – Tinto Street

Michael Burrows, resident, said he is in favour of enforcing the current no parking restrictions on Tinto Street with boulders and retaining the existing green space.

Mr. Burrows commented that this issue was brought to his attention by way of an article in the Oak Bay News, which he felt provided a one-sided portrayal of the issue.

Mr. Burrows advised that he is requesting that the pre-existing parking prohibition continue to be enforced, which would be in accordance with various sections of the Official Community Plan (OCP) as described in his written submission. He added that the OCP is unequivocal in its intent to preserve green space and reduce traffic in the municipality. With respect to parking, he felt that vehicles should park legally on Monterey Avenue or Oliver Street and, again referring to the OCP, he noted that new traffic control initiatives should not be encouraging any significant increase in traffic flow.

Responding to a member of the Committee noting that residents, particularly at the west end of Tinto, are most affected by the west end gate that accesses the Monterey School field, Mr. Burrows agreed that his property is most affected by non-stop vehicles parking as well as pedestrian traffic accessing the field at all hours. He also noted many parents do not use the designated drop-off areas, but illegally use Tinto Street as a drop-off and pick-up location.

The topic turned to Council's previous discussion about perhaps requesting that the School Board install a second entrance gate adjacent to the boulevard along the east end of Tinto Street to help redirect pedestrian traffic from the west end of the boulevard.

Responding to a question from a member of the Committee regarding his preferred option, Mr. Burrows said he would be happy to see a natural barrier (such as trees) installed to deter parking, however he would be concerned about vandalism in that regard. As well, he said that by removing what he feels to be an unnecessary gate access, it would greatly reduce or eliminate vehicles parking on the boulevard and deter anti-social behaviour that takes place after hours on the school grounds.

The impact on Mr. Burrows by the Tinto Street activities was acknowledged, however the question arose as to how the other petitioners (correspondence item no. 2010-29-2) would be affected by allowing parking. Mr. Burrows stated that he believed the other petitioners signed because they do not want to see green space in Oak Bay replaced with parking areas.

Responding to a question from a Committee member, Mr. Burrows said he has seen a marked improvement with the condition of the boulevard since the boulders were placed there.

Brenda Simmonds, Principal, Monterey Middle School, advised that the school has 480 students and it is estimated that half of the students arrive by car and the other half by walking, cycling or bus. Ms. Simmonds expressed the importance of being a good neighbour, noting that parents are continually requested to use the designated drop-off areas and students are encouraged to use alternate transportation.

With respect to the Tinto Street access to the field, Ms. Simmonds advised that she would not be opposed to having two gates, but felt strongly that at least the one gate remain as this is the

emergency evacuation meeting area for the school and it is necessary to retain that exit route for the students and staff in case of an emergency. Ms. Simmonds confirmed she has only received one complaint regarding Tinto Street, and that most complaints are related to traffic on Monterey Avenue.

The discussion turned to looking at the possibility of having the school parking lots available for school field users during evenings and weekends, as it was noted that gates to those parking areas are now locked outside of school hours. Ms. Simmonds advised that there would not be school maintenance staff available on weekends to unlock gates, but said she could raise the issue with maintenance about possibly leaving the gates unlocked. It was suggested by a member of the Committee that perhaps a user group representative could be responsible for locking and unlocking the gate for evening and weekend parking use.

Tony Farr, resident, observed that the three issues being discussed are rocks, parking, and gates. Mr. Farr said he has never been concerned about the traffic on Tinto Street, although he finds that the boulders are unsightly and have been placed too close to the road, raising the issue of access to his driveway.

Mr. Farr felt that if there is a demand for parking, then create it, but if not, he would prefer to continue with the no parking regulations on Tinto Street. He said he does not object to adding an additional gate to the school fence line along Tinto Street.

Carey Barnard, resident, agreed with previous speakers with respect to a second gate being installed.

Responding to a question from the Committee, Ms. Barnard said that from a community perspective, parking should be made available to accommodate various field user groups during evenings and weekends, however, she said it is also important that the aesthetic element of the boulevard treatment be considered.

Ms. Barnard suggested that if no parking was to be permitted, the boulevard should be curbed from Oliver Street to Monterey Avenue.

Responding to a question with respect to an ideal vision, Ms. Barnard felt that, as a community member, angle parking with curbing, turf stone with grass, would be the ideal situation.

Scott Piercy, resident, said he lives around the corner from Tinto Street and questioned the effectiveness of the money that could be spent on the boulevard. Mr. Piercy commented that during the school drop-off time, before the rocks were put in place, the vehicles parked on Tinto Street would impede vehicular access to the street. He suggested that moving the existing gate from the corner at Tinto Street onto Monterey Avenue and adding a second gate on Oliver Street would be good options.

Further discussion ensued, and it emerged that it was the majority view of the Committee members that an informal meeting should be set up by Mayor Causton for him to further discuss the issues with affected parties in order to try and come to a resolution that would satisfy all involved.

MOVED by Councillor Cassidy

Seconded by Councillor Copley, That this item be deferred to a future Committee of the Whole meeting, and that Mayor Causton be requested to meet with affected parties and report back to the Committee of the Whole on a possible solution to the issues raised regarding the Tinto Street boulevard.

CARRIED

LAND USE SECTION: (Chairman – Councillor Cassidy)

4. 2010-30 DIRECTOR OF BUILDING AND PLANNING, January 7, 2010  
Re Uplands Building Permit Application – 2727 Dover Road

MOVED by Councillor Herbert

Seconded by Councillor Copley, That it be recommended to Council that the plans to construct a rear deck at 2727 Dover Road be approved as to siting and architectural design.

CARRIED

5. 2010-31 DIRECTOR OF BUILDING AND PLANNING, January 13, 2010  
Re Development Variance Permit Application – 1941 Crescent Road

MOVED by Councillor Herbert

Seconded by Councillor Copley, That a resolution authorizing the Director of Building and Planning to issue a development variance permit to amend Development Variance Permit #038-2009 with respect to 1941 Crescent Road, as outlined in correspondence item no. 2010-31, be prepared and brought forward to Council for consideration.

CARRIED

ADJOURNMENT:

MOVED by Councillor Herbert

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

CARRIED

The meeting adjourned at 8:55 p.m.

Certified Correct:

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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, Land Use Section

