

2013-281

**To:** Committee of the Whole, Finance Section  
**From:** Municipal Treasurer  
**Date:** October 8, 2013  
**Re:** Commentary on the Monthly Statement of Revenues & Expenditures to September 30,2013

**BACKGROUND:**

As part of our commitment to fiscal transparency and accountability, in January 2012 the monthly financial information was expanded to include explanations for variances that are +/- 5% beyond what we would normally expect. This should make it easier to decipher whether variances are reasonable and expected, and will also point out potential issues of which the Committee should be aware.

**DISCUSSION:**

**Revenues**

(1) Taxes, Services YTD: \$35,666,756 Budget: \$36,146,505 98.67%

The due date for their payment was July 2, after which a penalty was added on any outstanding 2013 balances.

(2) Grants in Lieu of Taxes

These grants are received at various times of the year, which are usually expected at: Federal Government – late August; University of Victoria – October; Hydro – tax due date.

(3) Services Provided to Other Governments YTD: \$12,958 Budget: \$12,600 102.84%

This payment is received from the Province when we forward the school taxes that we have collected on its behalf. This takes place in July.

(4) Solid Waste YTD: \$1,225,012 Budget: \$1,222,272 100.22%

The solid waste fees are collected on the property tax notice and the total amount billed, rather than collected to August 31, is shown.

(5) Licenses and Permits YTD: \$475,792 Budget: \$721,500 65.94%

Most dog and business licenses are paid at the beginning of the year. The building permit revenue is lagging, please see the explanation below. At September 30 the licenses and permits are as follows:

	Year to Date	Budget	% Collected
Dog licenses	\$61,124	\$60,000	101.87%
Business licenses	\$88,970	\$85,000	104.67%
Building permits	<u>\$305,991</u>	<u>\$550,000</u>	55.63%
	<u>\$456,085</u>	<u>\$820,000</u>	

The building permit budget contains \$300,000 for the expected revenue from the Oak Bay High School project; to date we have received \$19,270 for the foundation permit and \$3,435 for a plumbing permit, for a total of \$22,705. The "regular" building permit revenue is at 113% of budget.

(6) Returns on Investment YTD: \$133,509 Budget: \$162,000 82.41%

The working capital that we have available to invest drops during the first 4 months of the year, and then once the property tax notices are mailed our invested money increases again.

(7) Penalties and Interest on Taxes YTD: \$113,656 Budget: \$114,000 99.70%

Penalties account for \$100,000 of the budget, and \$105,910 of the actual. These are brought into revenue in July, after the tax due date, and are charged on all outstanding 2013 property taxes. The interest is reflected in income as taxes from 2012 and 2011 are paid.

(8) Transfers from Reserve Funds

Transfers from our own reserve funds are made at the end of the year. This is done for two reasons: most of the transfers are to fund particular projects and if monthly transfers were to be made, it would involve a great deal of additional accounting work without any real benefit, and, for those funds which are in statutory reserves, by keeping the money in the reserves until the year-end, the reserves earn interest on that money.

(9) Miscellaneous Other Revenues YTD: \$45,903 Budget: \$356,081 12.89%

\$300,000 of the budget is made up of internal transfers. These take place at the end of the year, and show up as an expense of the same amount in "Transfer to own Reserves and Utilities" line under expenditures.

(10) Conditional Transfers from Other Governments YTD: \$355,850 Budget: \$1,534,880 23.18%

A capital grant for Bowker Creek remediation work accounts for \$738,000 of the budget. Most of the money received to date is made up of grants provided to small municipalities and the CARIP grant.

## Expenditures

(11) Emergency Preparedness YTD: \$60,285 Budget: \$104,844 57.50%

Included in the budget is \$12,000 for the provision of a business continuity plan, which has not yet been started. In addition there is a \$5,000 transfer to build up a replacement reserve for the emergency response vehicle, which will not take place until later in the year.

(12) Common Services (Engineering) YTD: \$814,215 Budget: \$1,176,051 69.23%

Engineering has not yet bought any replacement software or used their consulting budget.

(13) Roads, Sidewalks, Transportation YTD: \$1,045,383 Budget: \$1,640,635 63.72%

The main areas in this category that are under budget are leaf pickup and snow removal, which come into effect towards the end of the year.

(14) Garbage Collection and Disposal YTD: \$652,042 Budget: \$967,047 67.43%

Tipping fees are always paid the following month. If the September fees are added to the above year to date, the percentage changes to 71.4%.

(15) Other Recreation & Cultural Services YTD: \$64,117 Budget: \$95,241 67.32%

\$15,000 has been budgeted for Marina repairs and to date none have had to be done. If this continues to the end of the year, the money will be reserved for future years when the repairs come in over budget.

(16) Debt Charges YTD: \$477,163 Budget: \$526,590 90.61%

Included in these accounts is the principle repayment of \$142,600 on the recreation centre long term debt; this is paid once per year, in September and the related interest of \$225,141 which has been paid for the year.

(17) Transfer to Own Reserves & Utilities YTD: \$1,195,624 Budget: \$2,671,997 44.75%

A monthly transfer is made to the Sewer Fund. In July a number of the one-time transfers to the Capital Works Replacement Reserve Fund were made, but the largest ones will be carried out at the end of the year.

(18) Transfer to library, social grants YTD: \$858,774 Budget: \$942,921 91.08%

Under the terms of the Library Agreement, we have to pay the library two months in advance. Therefore, the amount paid by the end of September covers the rent to the end of November.

(19) Capital Expenditures YTD: \$1,938,304 Budget: \$4,033,036 48.06%

Until the budget was adopted in mid-May, only capital projects that received early approval from Council could proceed. Please see the Capital Project Report for details.

(20) Transmit Taxes to Others YTD: \$16,262,039 Budget: \$16,467,777 98.75%

These are the taxes that are collected on the Oak Bay property tax notices and subsequently remitted to various organizations. In most cases the remittances must be made by the beginning of August. School taxes and Transit taxes are paid as they are collected.

(21) Miscellaneous Other Services YTD: \$163,980 Budget: \$412,291 39.77%

The budget contains money for contingencies, property tax adjustments, Oak Bay Tourism Committee expenses, certain grants, tea part costs and retirement payments. The major costs that have been incurred to the end of September include the removal of Christmas decorations, Tourism expenses, tea party expenses and the payment of retirement allowances.

**Water Utility Fund**

(22) Water Revenues YTD: \$2,321,389 Budget: \$3,340,820 69.46%

Since the first 5.5 months were cool, less water was used and as usual the revenue started off slowly. In addition, for bills issued between January and March, the bills were prorated to reflect 2012 and 2013 rates, and only in April did we start charging 100% of the new rates. Water is billed every 4 months, and each month a quarter of the municipality receives its bill. Therefore, it takes until the November bills for all the summer water to have been billed (they cover August – November).

(23) Internal Revenues YTD: \$0 Budget: \$502,898

These internal revenues come from our own reserve funds. Please see the explanation above regarding “Transfers from Reserve Funds”.

(24) Water Supply and Operation YTD: \$1,899,659 Budget: \$2,770,762 68.56%

\$1,935,000 of the budget is for the purchase of water from the CRD. The bill for each month’s water is received the following month, and therefore the actual figure is low.

**Sewer Utility Fund**

(25) Internal Revenues YTD: \$907,263 Budget: \$1,592,561 56.97%

\$1,209,686 of the budget is the transfer of revenue from the General Fund to the Sewer Fund and the year-to-date figure represents nine months of these transfers. The remaining budget is made up of various transfers from reserves to finance specific projects, and these transfers will take place at the end of the year.

(26) Grants, outside contributions YTD: \$271,522 Budget: \$531,324 51.10%

The budget represents the gas tax revenue transfer, which is given to us in two payments. The actual figure is the July payment and we will receive the second in December.

(27) Sewer Supply and Operation YTD: \$1,794,984 Budget: \$3,077,203 58.33%

\$1,662,861 of the budget is the payment that is made to the CRD for its costs to run the sewer system, and this was paid at the beginning of August. Another \$901,324 is the transfer to the Capital Works Reserve for the funding of future sewer work, which takes place at the end of the year.

RECOMMENDATION:

That the September monthly financial reports be received.



Patricia Walker  
Municipal Treasurer

I concur with the recommendation of the Municipal Treasurer



Gary Nason  
Chief Administrative Officer

2013-240

MEMORANDUM

TO: Council  
FROM: Director of Engineering Services  
DATE: August 8, 2013  
RE: 1908 Beach Drive – Request for an Additional Driveway

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**BACKGROUND:**

1908 Beach Drive is located at the north west corner of Beach Drive and Anscomb Place. The old house was demolished and a new house is currently being built. A new driveway will be installed off Beach Drive in the vicinity of the old driveway and will permit vehicular access over the boulevard and into the building's attached garage. The new driveway will be approximately one metre further south of the old driveway due to a significant cedar tree located on the adjacent north property at 1928 Beach Drive. The homeowner for 1908 Beach Drive has requested an additional driveway off Anscomb Place to allow for vehicle entry to an accessory building proposed at the back of the property.

**DISCUSSION:**

The request for an additional driveway is not permissible under Oak Bay's current bylaws. Bylaw No. 3550, Section 12(1) states:

*For any parcel of land designated One Family Residential(RS), no more than one driveway access shall be constructed except where the parcel frontage exceeds 30.5 metres, in which case a maximum of one additional driveway access may be constructed.*

The parcel frontage in this case is only 22.86 metres.

Notwithstanding Section 12(1), the bylaw does allow Municipal Council to make a resolution instructing the Director of Engineering Services to issue a permit for an additional driveway access where it is Council's opinion that the construction of an additional driveway would provide the only practicable means of:

- (a)
- i. *remedying a shortfall between the number of parking spaces actually provided on the parcel to be served by such additional driveway access, and the number of parking spaces required to be located on that parcel under the Parking Facilities Bylaw; or*
  - ii. *allowing the safe movement of traffic on and off the parcel to be served by such.*

The proponent has indicated that the intention of this request is to address safety concerns in backing a boat and trailer on to the subject property off Beach Drive. It should be noted that the majority of dwellings on Beach Drive have driveway access off Beach Drive and that the subject property is located on a section of the road which is relatively straight, making for good sight lines.

From the staff perspective, the proponent has the alternative of removing the driveway access off Beach Drive and installing a new driveway off Anscomb Place, as per the specifications of the Engineering Services Department. The proponent should contact the Building and Planning Department with respect to the requirements for residential off-street parking should it be the wish of the proponent to pursue this alternative.

Nonetheless, if it is the opinion of Council that the request provides the only practicable means of safe movement of traffic off the subject property, the bylaw then requires that it be determined that an exemption would not:

- (b)
  - i. substantially affect the use and enjoyment of adjacent land;*
  - ii. defeat the intent of subsection (1);*
  - iii. result in a contravention of any other bylaw; nor*
  - iv. create a safety hazard,*

It should be noted that an exemption would require that neither driveway access exceed 3.0 metres, meaning that, in order to comply with this requirement, the existing Beach Drive access would need to be reduced to a width of 3.0 metres when it is relocated and the access for the additional driveway could not exceed 3.0 metres.

#### **OPTIONS:**

- 1) That the request to install a second driveway at 1908 Beach Drive be denied.
- 2) That:
  - a. As an additional driveway is the only practicable means of allowing safe movement on and off 1908 Beach Drive, and as an exemption to the requirements of the Driveway Access Bylaw would not:
    - i. substantially affect the use and enjoyment of adjacent land;*
    - ii. defeat the intent of subsection (1) of section 12 of the Driveway Access Bylaw;*
    - iii. result in a contravention of any other bylaw; nor*
    - iv. create a safety hazard; and*
  - b. That the Director of Engineering Services be instructed to issue a permit for an additional driveway access, as proposed in the plans attached to the report of the Director of Engineering dated August 8, 2013, provided that the width of neither driveway access shall exceed 3.0 metres.

**RECOMMENDATION(S):**

That the request to install a second driveway at 1908 Beach Drive be denied.

Respectfully Submitted,



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D. Marshall B.Sc., A.Sc.T.  
Director of Engineering Services

I concur with the recommendation of the Director of Engineering Services.



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Gary Nason  
Chief Administrative Officer

MEMORANDUM

2013-258

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** September 9, 2013  
**RE:** Uplands Building Permit Application – 2770 Heron Street  
Lot 5, Block 41, Section 31, Victoria District, Plan VIP 8777

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**BACKGROUND:**

An Uplands building permit application has been submitted for construction of a residential dwelling at 2770 Heron Street.

**DISCUSSION:**

Attached for your information are:

- a) The report of the Advisory Design Panel meeting of September 3, 2013 relating to the construction of a residential dwelling at 2770 Heron Street.
- b) Memo dated August 22, 2013 from the Municipal Arborist regarding trees on the subject property.
- c) Reduced copies of the plans of the proposed work.

**OPTIONS:**

1. That it be recommended to Council that the proposed plans for the construction of a new residential dwelling at 2770 Heron Street be approved as to siting and architectural design.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

THAT it be recommended to Council that the proposed plans for the construction of a new residential dwelling at 2770 Heron Street be approved as to siting and architectural design.

Respectfully Submitted,

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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.

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Gary Nason  
Chief Administrative Officer

2013-283

**MEMORANDUM**

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** October 8, 2013  
**RE:** Uplands Building Permit Application – 2950 Lansdowne Road  
Lot 20, Block B, Section 31, Victoria District, Plan 3599

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**BACKGROUND:**

An Uplands building permit application has been received for the construction of a residential dwelling at the property located at 2950 Lansdowne Road. The existing house is to be removed from the site.

**DISCUSSION:**

Attached for your information are:

- a) The report of the Advisory Design Panel meeting of October 1, 2013 relating to the proposed works at 2950 Lansdowne Road.
- b) Memos from Municipal Arborist dated September 27, 2013 and May 31, 2013 regarding trees on the subject property.
- c) Reduced copies of the plans of the proposed work.

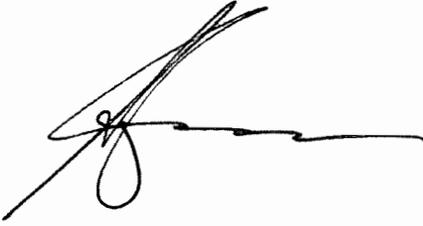
**OPTIONS:**

1. That it be recommended to Council that the plans to construct a new residential dwelling at 2950 Lansdowne Road be approved as to siting and architectural design.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That it be recommended to Council that the plans to construct a new residential dwelling at 2950 Lansdowne Road be approved as to siting and architectural design.

Respectfully Submitted,

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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.

A handwritten signature in black ink, appearing to be 'Gary Nason', written over a horizontal line.

Gary Nason  
Chief Administrative Officer

2013-284

MEMORANDUM

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** October 15, 2013  
**RE:** Uplands Building Permit  
3000 Valdez Place  
Lot 16, Block B, Section 31, Victoria District, Plan 3560  
RS-2, One Family Residential

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**BACKGROUND:**

An Uplands building permit application was presented to Committee of the Whole on September 23, 2013 for construction of a new single family dwelling with attached garage. At that time, the Committee deferred the application so that the applicant could alter the siting of the building to preserve more of the Garry Oak trees on the site. With the shifting of the house location and rotating the garage, the large .76 meter diameter Garry Oak can remain and any roots encountered during excavation may require a grade beam design for the garage portion of the building.

Attached for your information are the revised plans SK-1 – 3 showing the new siting of the building to accommodate the large Garry Oak tree just north of the proposed three car garage.

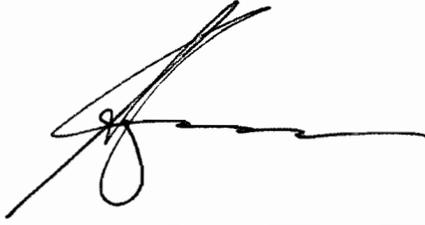
**OPTIONS:**

1. That it be recommended to Council that the plans to construct a new single family dwelling with attached garage at 3000 Valdez Place be approved as to siting and architectural design, as outlined in the plans dated October 7, 2013 and the materials and colours checklist dated July 15, 2013.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

1. That it be recommended to Council that the plans to construct a new single family dwelling with attached garage at 3000 Valdez Place be approved as to siting and architectural design, as outlined in the plans dated October 7, 2013 and the materials and colours checklist dated July 15, 2013.

Respectfully Submitted,

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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.

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Gary Nason  
Chief Administrative Officer

MEMORANDUM

2013-257

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** September 6, 2013  
**RE:** Uplands Building Permit Application – 3000 Valdez Place  
Lot 16, Block B, Section 31, Victoria District, Plan 3560

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**BACKGROUND:**

An Uplands building permit application has been submitted for construction of a residential dwelling at 3000 Valdez Place.

**DISCUSSION:**

Attached for your information are:

- a) The report of the Advisory Design Panel meetings of September 3, 2013 and August 6, 2013 relating to the construction of a residential dwelling at 3000 Valdez Place.
- b) Memo dated August 22, 2013 from the Municipal Arborist regarding trees on the subject property.
- c) Reduced copies of the plans of the proposed work.

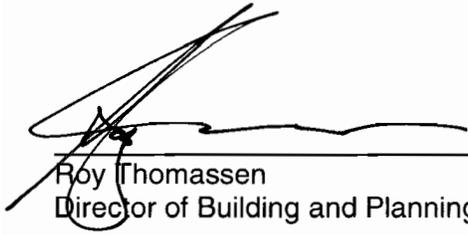
**OPTIONS:**

1. That it be recommended to Council that the proposed plans for the construction of a new residential dwelling at 3000 Valdez Place be approved as to siting and architectural design.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

THAT it be recommended to Council that the proposed plans for the construction of a new residential dwelling at 3000 Valdez Place be approved as to siting and architectural design.

Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



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Gary Nason  
Chief Administrative Officer

2013-223

MEMORANDUM

**TO:** Committee of the Whole

**FROM:** Director of Building and Planning

**DATE:** August 2, 2013

**RE:** Uplands Building Permit/Development Variance Application—  
Supplemental Information  
3165 Sherringham Place  
Lot 2, Section 31, Victoria District, Plan 12404  
RS-2, One Family Residential

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**BACKGROUND:**

At the Committee of the Whole meeting on July 15<sup>th</sup>, 2013 the Committee requested staff to contact BC Hydro with regards to its policy requirements for larger than normal electrical service installations. There was concern that Hydro would require buildings for all large services, which would affect the Uplands properties as design and siting approval would be required.

**DISCUSSION:**

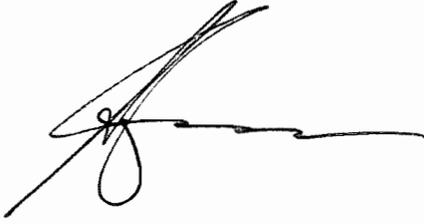
On July 24<sup>th</sup>, 2013 staff met with Hydro representatives to ask about the regulations for residential services that were larger than normal (400 and 600 amp services). Hydro staff confirmed that they only require that an electrical closet accessible to Hydro be provided on the side of a residence.

With the Sherringham property, preliminary planning assumed that Hydro service would come from a rear easement location. This was not permissible due to the large 600 amp service requirement. Because of the requirements for the service, the electrical closet located at the rear portion of the house was not feasible when the service had to come from the Hydro line at the front of the property.

**RECOMMENDATION(S):**

This is provided as supplemental information to the Development Variance Permit Application deferred from the July 15<sup>th</sup>, 2013 Committee meeting, which already contains a recommendation.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Roy Thomassen', written over a horizontal line.

Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.

A handwritten signature in black ink, appearing to read 'Gary Nason', written over a horizontal line.

Gary Nason  
Chief Administrative Officer

2013-196

**MEMORANDUM**

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** July 9, 2013  
**RE:** Uplands Building Permit/Development Variance Application  
3165 Sherringham Place  
Lot 2, Section 31, Victoria District, Plan 12404  
RS-2, One Family Residential

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**BACKGROUND:**

An application has been submitted for construction of a shed to accommodate a Hydro service. The location of the shed would be in the front yard and would be non-conforming; consequently, a variance to the Zoning Bylaw is required to accommodate this proposal.

Attached for your information are:

- a) The report of the Advisory Design Panel meeting of July 9, 2013 relating to the proposed shed at 3165 Sherringham Place.
- b) Reduced copies of the plans of the proposed work.

**DISCUSSION:**

The applicant is requesting a Development Variance Permit granting relief from the following section(s) of the Zoning Bylaw:

<b><u>Zoning Bylaw Section(s)</u></b>	<b><u>Required</u></b>	<b><u>Requested</u></b>	<b><u>Variance</u></b>
6.2.4.(2)(a) Minimum front lot line setback	10.66 m (35 ft)	4.8m (15.8 ft)	5.86 m ( 19.2 ft)

*\*Imperial measurements are approximate and for convenience only.*

The recommendation from the Advisory Design Panel for the accessory building at 3165 Sherringham Place is for architectural design approval only, as the panel did not support the siting of this building.

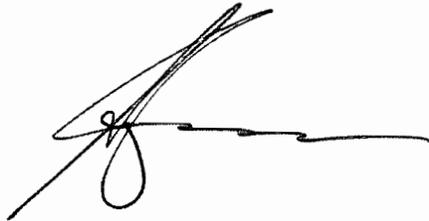
**OPTIONS:**

1. If the Committee agrees that the application is to move forward in its present state, then it should be recommended to Council that the plans to construct a shed at 3165 Sherringham Place 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, as outlined in the July 9, 2013 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That it be recommended to Council that the plans to construct a shed at 3165 Sherringham Place 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, as outlined in the July 9, 2013 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



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Gary Nason  
Chief Administrative Officer

2013-285

MEMORANDUM

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** October 7, 2013  
**RE:** Uplands Building Permit/Development Variance Application  
3250 Weald Road  
Lot 7, Block B, Section 31, Victoria District, Plan 3504  
RS-2, One Family Residential

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**BACKGROUND:**

An Uplands building permit application has been submitted for a second floor expansion involving a new bedroom. The addition is above the family room and will include two new dormers at the front and expansion of an existing rear shed dormer. The addition would not meet the side lot line setbacks required; consequently variances to the Zoning Bylaw are required to accommodate this proposal.

Attached for your information are:

- a) The report of the Advisory Design Panel meeting of October 1, 2013 relating to the proposed addition at 3250 Weald Road.
- b) Memo from Municipal Arborist dated September 27<sup>th</sup>, 2013 regarding trees on the subject property.
- c) Reduced copies of the plans of the proposed work.

**Discussion:**

The applicant is requesting a Development Variance Permit granting relief from the following section(s) of the Zoning Bylaw:

<b><u>Zoning Bylaw Section(s)</u></b>	<b><u>Required</u></b>	<b><u>Requested</u></b>	<b><u>Variance</u></b>
6.2.4. (2)(c) + Schedule 'C' Minimum Interior side lot line setback	4.57m (15 ft)	4.5 m (14.75 ft)	0.07 m (.23 ft)
6.2.4. (2)(e) + Schedule 'C' Minimum total of side lot line setback	12.19 m (40 ft)	11.35 m (37.2 ft)	0.84 m (2.75 ft)

*\*Imperial measurements are approximate and for convenience only.*

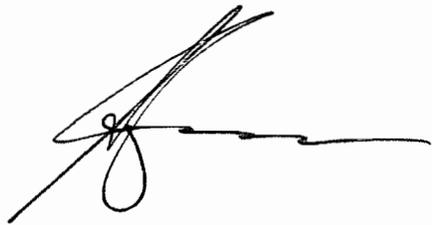
**OPTIONS:**

1. That it be recommended to Council that the plans to construct a second floor addition at 3250 Weald 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, as outlined in the October 7, 2013 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That it be recommended to Council that the plans to construct a second floor addition at 3250 Weald 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, as outlined in the October 7, 2013 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



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Gary Nason  
Chief Administrative Officer

2013-286

MEMORANDUM

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** September 17, 2013  
**RE:** Development Variance Permit – 2047 Carnarvon Street  
Lot 10, Block 1, Section 28, Victoria District, Plan 1154  
RS-5, One Family Residential

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**BACKGROUND:**

This property has been posted with a stop work order for the construction without permits of a new deck replacing an old deck which was itself completed without permits. In addition, the required covered parking space has been eliminated when development of a suite in the basement occurred without obtaining proper permits. Due to the basement floor less than .8 meters below grade, the deck is considered the second storey which requires a larger setback than exists for the existing building. Consequently variances are required from the Parking Facilities Bylaw and Zoning Bylaw to accommodate the new deck and basement development.

The owner must obtain a building permit for the basement development which was previously done without permits and correct Zoning and all health and safety issues. With elimination of the garage parking space in the building the variance to the Parking Facilities Bylaw must be obtained prior to issuance of a building/plumbing permit.

**DISCUSSION:**

The applicants are requesting relief from the following section(s) of Parking Facilities Bylaw #3540:

<u>Parking Facilities By-law Section(s)</u>	<u>Required</u>	<u>Requested</u>	<u>Variance</u>
4.1 + Schedule "A", A.1.(a) Minimum No. of Parking Spaces	2	1	1 *

*\*Note: The requested variance is to delete the required covered parking space and have 1 uncovered parking stall.*

The applicants are requesting relief from the following section(s) of Zoning Bylaw #3531:

<u>Zoning By-law Section(s)</u>	<u>Required/Permitted</u>	<u>Requested</u>	<u>Variance</u>
6.5.4.(11) Minimum second storey side lot line setback	3.0 m (9.8 ft)	1.95 m (6.4 ft)	1.05 m (3.4 ft)

*\* Imperial measurements are approximate and for convenience only.*

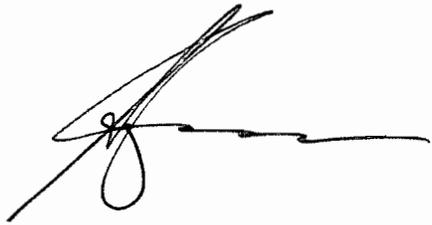
**OPTIONS:**

1. That a resolution authorizing the issuance of a development variance permit, as outlined in the September 17, 2013 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION:**

That a resolution authorizing the issuance of a development variance permit, as outlined in the September 17, 2013 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

Respectfully Submitted,



---

Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



---

Gary Nason  
Chief Administrative Office

2013-287

MEMORANDUM

TO: Committee of the Whole
FROM: Director of Building and Planning
DATE: September 17, 2013
RE: Development Variance Permit – 449 Victoria Avenue
Lot A, Section 22, Victoria District, and Plan 18317
RS-5, One Family Residential

BACKGROUND:

A building permit application has been made to alter the roof configuration over the garage. The proposal is to convert a garden planter into floor area between the garage and dwelling which would exceed the permitted floor area; consequently a variance is required from the Zoning Bylaw to accommodate this proposal. The basement floor level is within .8 meters of grade which makes the basement count in the floor area permitted.

DISCUSSION:

The applicants are requesting relief from the following section(s) of Zoning Bylaw #3531:

Table with 4 columns: Zoning By-law Section(s), Required/Permitted, Requested, Variance. Row 1: 6.5.4. (6) (b), 300 m² (3229 ft²), 320 m² (3445 ft²), 20 m² (215 ft²). Row 2: Maximum gross floor area above .8 meters below grade

\* Imperial measurements are approximate and for convenience only.

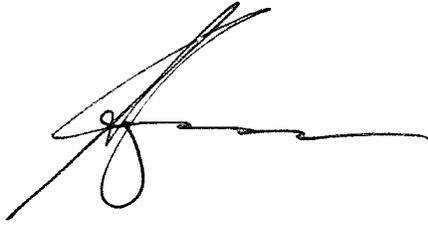
OPTIONS:

- 1. That a resolution authorizing the issuance of a development variance permit, as outlined in the September 17, 2013 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

RECOMMENDATION:

That a resolution authorizing the issuance of a development variance permit, as outlined in the September 17, 2013 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Roy Thomassen', written over a horizontal line.

Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.

A handwritten signature in black ink, appearing to read 'Gary Nason', written over a horizontal line.

Gary Nason  
Chief Administrative Office

2013-288

MEMORANDUM

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** September 16, 2013  
**RE:** Development Variance Permit Application  
2745 Beach Drive  
Lot B, Block 28, Section 31, Victoria District, Plan 2753  
RS-2, One Family Residential

---

**BACKGROUND:**

The owner is currently building a new fence around the rear of the property. The property fronts onto two streets, which creates limitations under the Fence and Screens Bylaw for this rear yard fence proposal. The design of the fence would not be in compliance with the Screens and Fence Bylaw No. 3536; consequently variances to the Bylaw are required to accommodate the proposal.

**Discussion:**

The applicant is requesting a Development Variance Permit granting relief from the following section(s) of the Screens and Fences Bylaw No 3536:

<b><u>Fence Bylaw Section(s)</u></b>	<b><u>Permitted</u></b>	<b><u>Requested</u></b>	<b><u>Variance</u></b>
6.2 Maximum fence height within 7.62 m (25 ft) of any property line abutting a street. (Section A, B, C and D on Fencing Plan)	1.38 m (4.5 ft)	2.64 m (8.67 ft)	1.26 m (4.1 ft)
6.4 Maximum height of trellis that may be added to the height limits established by 6.2 and 6.3 (Section A, B, and D on Fencing Plan)	0.46 m (1.5 ft)	0.84 m (2.75 ft)	0.38 m (1.25 ft)
6.4.1. Maximum width of plane faces of the trellis	50 mm (2 in.)	75 mm (3 in.)	25 mm (1 in.)

*\*Imperial measurements are approximate and for convenience only.*

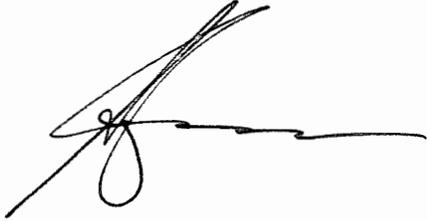
**OPTIONS:**

1. That a resolution authorizing the issuance of a development variance permit, as outlined in the September 16, 2013 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That a resolution authorizing the issuance of a development variance permit as outlined in the September 16, 2013 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

Respectfully Submitted,



---

Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



---

Gary Nason  
Chief Administrative Officer

2013-289

MEMORANDUM

**TO:** Committee of the Whole

**FROM:** Director of Building and Planning

**DATE:** October 3, 2013

**RE:** Development Variance Permit Application/Covenant Approval  
 1630 York Place  
 Strata Lot 8, Section 69, Victoria District, Strata Plan 1752 together  
 with an interest in the common property in proportion to the unit  
 entitlement of the Strata Lot as shown on Form 1  
 RS-3, One Family Residential

**BACKGROUND:**

An application has been received to develop the attic into living space for the above property as shown on the attached plans. Although the property is not on the Oak Bay Community Heritage Register, there is a *Section 215* Restrictive Covenant registered on title to the property. The covenant was registered as part of the Strata subdivision which occurred in 1989. The covenant states "that no alteration to any building on the Land shall be made unless and until the proposal to erect the same and proper plans, elevations, including details as to exterior finish, shall have first been submitted to and approved in writing by the Grantee". The Grantee referred to in the covenant is the Corporation of the District of Oak Bay.

The attic development will change the occupiable height for this building and would not meet the height requirement of the Zoning Bylaw; consequently, a variance is required from the Zoning Bylaw No. 3531 to accommodate the proposal.

The requested variance in occupiable height is quite substantial; however, the development primarily involves the interior existing attic space with replacement of windows at the gable ends. Furthermore, the topography of the land on which this home is situated creates a lower average grade to which heights are measured.

**Discussion:**

The applicant is requesting a Development Variance Permit granting relief from the following section(s) of the Zoning Bylaw:

<b><u>Zoning Bylaw Section(s)</u></b>	<b><u>Required/Permitted</u></b>	<b><u>Requested</u></b>	<b><u>Variance</u></b>
6.3.4.(3)(b) + schedule 'B' Maximum occupiable height	4.57 m (15 ft)	9.05 m ( 29.7 ft)	4.48 m (14.7 ft)

*\*Imperial measurements are approximate and for convenience only.*

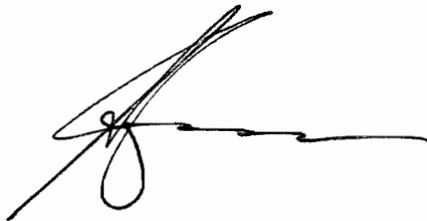
**OPTIONS:**

1. That it be recommended to Council that the plans to develop the attic space into living area at 1630 York Place be approved as to architectural design as required by the registered 215 covenant, subject to the issuance of a development variance permit, and further that a resolution authorizing the issuance of a development variance permit, as outlined in the October 3, 2013 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION(S):**

That it be recommended to Council that the plans to develop the attic space into living area at 1630 York Place be approved as to architectural design as required by the registered 215 covenant, subject to the issuance of a development variance permit, and further that a resolution authorizing the issuance of a development variance permit, as outlined in the October 3, 2013 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

Respectfully Submitted,



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Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.



---

Gary Nason  
Chief Administrative Officer

2013- 290

**MEMORANDUM**

**TO:** Committee of the Whole  
**FROM:** Director of Building and Planning  
**DATE:** September 17, 2013  
**RE:** Development Permit  
2707 Estevan Avenue  
Lot 1, Section 2, Victoria District, Plan 14904  
RM-3, Multiple Dwelling Use – 3 Storey

---

**BACKGROUND:**

The owners have made an application to replace the deck guard rail systems on the Ocean View Terrace building located at 2707 Estevan Avenue. The Official Community Plan designates all Multiple Residential areas as Development Permit areas and requires Council approval for modifications to the exterior of the building. This property is zoned RM-3 which is in a Development Permit Area as identified in the Official Community Plan. The modification proposed involves replacing the metal rail and plywood guard with a new aluminium glazed panel system. The drawings show the before and after design which is typical for all elevations.

**DISCUSSION:**

The Official Community Plan requires multi-residential/commercial properties to obtain a development permit, which must be approved by Council for work affecting form and character. The proposed changes fall within this category and require approval.

*(i) The objectives of the designation include ensuring that multifamily development complements and enhances the architectural and natural landscape features of the Municipality; that it minimizes externalities for adjacent lower density properties; that it provides for containment of all associated parking on-site; that it preserves view corridors; that where applicable, it respects the natural landscape including mature trees; that it maintains the sense of openness which has been characteristic of residential development in the Municipality; and that it provides a quality living environment.*

*(ii) Guidelines for the attainment of these objectives include ensuring, through the development permit process, that the siting, form and general character of development reflect a high standard of design that is suited to the location and sensitive to surrounding properties.*

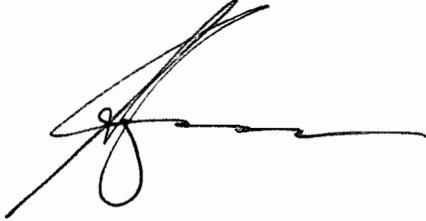
**OPTIONS:**

1. That a resolution authorizing the issuance of a development permit, as outlined in the September 17, 2013 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.
2. That it be recommended to Council that the application be denied.

**RECOMMENDATION:**

That a resolution authorizing the issuance of a development permit, as outlined in the September 17, 2013 report of the Director of Building and Planning, be prepared and brought forward to a meeting of Council for consideration.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Roy Thomassen', written over a horizontal line.

Roy Thomassen  
Director of Building and Planning

I concur with the recommendation of the Director of Building and Planning.

A handwritten signature in black ink, appearing to read 'Gary Nason', written over a horizontal line.

Gary Nason  
Chief Administrative Office

2013-291

**TO:** Committee of the Whole  
**FROM:** Chief Administrative Officer  
**DATE:** October 16, 2013  
**RE:** Dog Management Report Follow Up Summary

---

**BACKGROUND:**

In July 2013, Council's Committee of the Whole recommended that specific items in the Dog Management Report (submitted by the Windsor Park Dog Group), as outlined in the July 8, 2013 report from the Municipal Clerk, be referred to appropriate staff for comment, and that the required comments would be considered at a future Committee of the Whole meeting. Advertising for the meeting was done in the Oak Bay News and on the Municipal website.

**DISCUSSION:**

Many of the original 21 recommendations from the Dog Management Report do not require any further action at the Committee of the Whole/Council level. The attached summary identifies each of the 21 recommendations, any previous Council direction, along with staff/Parks and Recreation Commission comments. No particular recommendations emerged from the Parks and Recreation Commission's consideration of the referred items.

**RECOMMENDATION:**

That the follow up summary be received and that consideration be given to possible recommendations to Council in respect to the outstanding items for which the Parks and Recreation Commission has provided comments (shown in bold with an asterisk (\*) in the column to the far right).



\_\_\_\_\_  
Gary Nason, Chief Administrative Officer

Attach.

## Dog Management Report Follow Up Summary

<u>Rec.#</u>	<u>Dog Management Report Recommendations</u>	<u>Previous Council Direction</u>	<u>Staff/Commission Comments</u>	<u>Current Council Action</u>
1.	That a 2012 pilot project be set up for dogs to be allowed on McNeill Bay Beach from sunrise to sunset for the summer months to the end of September. If successful, recommended bylaw change to allow dogs on beach 12 months/yr, sunrise to sunset.	Staff requested to draft bylaw amendment for increased hours for dog access at McNeill Bay Beach and to prohibit dogs on Kitty Islet.		In 2012, Council amended Animal Control Bylaw to permit dogs on McNeill Bay Beach in the summer months between sunrise and sunset, and to prohibit dogs on Kitty Islet.  No further action required at this time.
2.	That Windsor Park dog access be expanded for 3-6 month pilot project allowing afternoon/evening access when Park not booked.	Referred to the Parks and Recreation Commission for review and recommendation back to the Committee.	Parks & Recreation Commission: Concerns: Park spaces for scheduled play and unscheduled play, additional dog access would impact unscheduled park use. Schedule/booking consistency: potential for conflict would seem significant. Field User meeting concerns re safety on fields, i.e. dogs often dig holes, some younger soccer player groups relocated due to presence of dogs. Possible conflicts due to field use for tournaments, etc. should overlap times dogs allowed off leash on fields. Suggest park use permits should include setup time that has precedent over field use for dogs, alleviating possible conflict.	<b>No action recommended at this time.*</b>

<u>Recc. #</u>	<u>Dog Management Report Recommendations</u>	<u>Previous Council Direction</u>	<u>Staff/Commission Comments</u>	<u>Current Council Action</u>
3.	That "dog friendly" approach be considered with upcoming redesign of Carnarvon Park, area dog friendly representative participate in Park planning process, and to include consult with WDPG in redesign.	Referred to the Parks and Recreation Commission for review and recommendation back to the Committee.	Parks & Recreation Commission: Redesign/work plans for Carnarvon Park put on hold. Once Oak Bay High School completed in 2015, and programs moved from Carnarvon Park to High School location, work will commence to determine future park. Any plans for the future would include public consultation, open to all members of the community.	<b>No action recommended at this time.*</b>
4.	That Fireman's Park, lower field, be considered for a pilot project if additional access to McNeill Bay Beach not possible.	Referred to the Parks and Recreation Commission for review and recommendation back to the Committee.	Parks & Recreation Commission: As Council approved additional areas to McNeill Bay for dogs in May 2012, Fireman's Park no longer needs to be considered.	No further action required at this time.
5.	That Oakdowne Park, currently no dog restrictions, be fenced to create dog exercise area, as Parks budget permits. If proceeded with, further recommend that hour restrictions be posted in consideration of neighbours (i.e. early/late hours).	Referred to the Parks and Recreation Commission for consideration and possible referral to the 2014 budget deliberations.	Parks & Recreation Commission: Numerous community members in Oakdowne Park area requesting a playground structure. Suggest planning for future 'look' of park prior to considering fencing (at significant cost).	<b>No action recommended at this time.*</b>
6.	That the plans to cut spear grass (May) in Anderson Hill Park be monitored for success, and consideration be given for annual cuttings.	Referred to Parks Department staff for consideration as part of the Parks Department work plan.		No further action required at this time.

<u>Recc. #</u>	<u>Dog Management Report Recommendations</u>	<u>Previous Council Direction</u>	<u>Staff/Commission Comments</u>	<u>Current Council Action</u>
7.	That Oak Bay's website include as much relevant dog management information in one accessible location (include bylaw info, dog management link, hyperlinks among the various relevant info. Include Resources section linking to other dog related sites.	Referred to Administration staff for provision of further information on website where appropriate.		No further action required at this time.
8.	That information on website present an 'even' tone in order to avoid the 'negative and/or corrective' tone that arises when providing bylaws and regulations posted on the website.	Referred to Administration staff for provision of further information where appropriate.		No further action required at this time.
9.	That Oak Bay Parks staff review dog related signage to ensure best visible placement for park users & information is clear/complete. Recommend Turkey Point Walkway as priority.	Referred to Parks Department staff for consideration as part of the Parks Department work plan.		No further action required at this time.
10.	As signage information is upgraded, recommend signage language be more neutral in tone where possible and provide reference to relevant Oak Bay web links.	Referred to Parks Department staff for consideration as part of the Parks Department work plan.		No further action required at this time.
11.	That key animal control bylaw information be summarized and included on the Oak Bay website section for dogs as well as the VACS website.	Referred to Administration staff for provision of further information where appropriate.		No further action required at this time.

<u>Recc. #</u>	<u>Dog Management Report Recommendations</u>	<u>Previous Council Direction</u>	<u>Staff/Commission Comments</u>	<u>Current Council Action</u>
12.	That Oak Bay undertake review of dog related bylaws to consider ease and consistency of application, provision for escalation in situations of non-compliance, reviewed for provision of more dog friendly bylaws (e.g. possible increase in number of dogs per household).	Referred to the 2014 Strategic Priorities session, for further consideration of adding to the work-plan next year.		No further action required at this time.
13.	That information on bylaw infractions/fines be consolidated in a "dog management" area on website for ease of reference.	Referred to Administration staff for provision of further information where appropriate.		No further action required at this time.
14.	That Oak Bay staff review current dog licensing fees and bylaw fines to ensure appropriate for community. Expanded venues for purchasing licenses, consider some dog related costs, i.e. poop bags, be factored into license fees.	Expanded licence sales venues referred to the Finance Department for feasibility investigation and implementation where appropriate.	Current fees are based on Council policy to recover 75% of animal control costs through dog licensing, and are connected to current contract costs for animal control. Fees come up for review when new contract considered.	No further action required at this time.
15. & 16.	That Oak Bay undertake a 6 month trial period for poop bags/dispensers at one of the dogs off-leash parks (e.g. Windsor Park).  That if 6 month trial period is successful, recommend erecting additional dispensers throughout municipality, with costs possibly covered through higher dog license fees.	Referred to Parks and Recreation Department staff for subsequent recommendation to the Committee.	Information to be presented in future.	No further action required at this time.

<u>Recc. #</u>	<u>Dog Management Report Recommendations</u>	<u>Previous Council Direction</u>	<u>Staff/Commission Comments</u>	<u>Current Council Action</u>
17.	That the current bylaws relating to dog tie-ups NOT be changed due to safety concerns, and reasons not permitted be clearly explained on website.	No action required.		No further action required at this time.
18.	That the culture of "dog friendly Oak Bay" be part of future OCP, and this Dog Management Report form part of the background information and context for this purpose. As part of OCP process, recommend another review to include Recreational Use of Parks and Open Spaces report with a "lens" of needs of dog owners in a dog friendly community be included, along with other needs and users.	Referred to the OCP Renewal project for further consideration as input to the development of the renewed OCP.		No further action required at this time.
19.	That through an annual meeting with Oak Bay administrative and Parks staff and VACS be held to review dog management issues, within the context of a "dog friendly" Oak Bay. Meeting/forum to discuss any issues, i.e. ongoing/valid concerns of non-dog owners and any ideas/comments from dog-owners.	No action required.	An informal and as needed review process is currently undertaken with Parks and Recreation staff, Administration staff, and the Animal Control contractor, so no further action is recommended by staff.	No further action required at this time.

<u>Recc. #</u>	<u>Dog Management Report Recommendations</u>	<u>Previous Council Direction</u>	<u>Staff/Commission Comments</u>	<u>Current Council Action</u>
20.	That the role of VACS in Oak Bay is made clearer to residents, including the notion that education and voluntary compliance is Oak Bay's preference for dog owners.	Referred to Administration staff for provision of further information where appropriate.		No further action required at this time.
21.	That a "sports bench" (like a higher seating bench) be set up near Windsor Pavilion for sports equipment, keeping equipment away from mud/water and inaccessible to dogs.	Referred to the Parks and Recreation Commission for review and recommendations back to the Committee.	Parks & Recreation Commission: Staff has reviewed but unable to determine how would be done effectively without detrimental impact on park aesthetics. Generally no sport activity in park at same time dogs allowed off-leash.	<b>No action recommended at this time. *</b>

2013-204

**TO:** Committee of the Whole  
**FROM:** Municipal Clerk  
**DATE:** July 8, 2013  
**RE:** Dog Management Report Follow Up

---

**BACKGROUND:**

In May 2012 Council considered the Dog Management Report submitted by the Windsor Park Dog Group (attached).

At that time, while Council directed that an amendment to the Animal Control Bylaw to permit dogs on McNeill Bay beach in the summer months between sunrise and sunset and to prohibit dogs on Kitty Islet be brought forward (which was later adopted), it was recognized that there were a number of other recommendations also to be considered. In this regard Council requested that the report be placed on the website requesting public feedback, with further consideration of the remaining recommendations to be deferred to a future Committee of the Whole meeting.

A report from staff on the feasibility of implementing a pilot project for the installation of dog waste dispensers in a few recommended areas was also requested, but has not yet been presented.

**DISCUSSION:**

The report contains a number of recommendations, 21 in total. The purpose of this report is to propose a streamlined process to refer the various recommendations to the appropriate bodies/departments for comment back (where required) to a future Committee of the Whole meeting for consideration, along with an opportunity for public input to be considered.

**OPTIONS:**

While the Committee could consider each of the individual recommendations at this time and provide direction to staff, first referring the recommendations for the appropriate input where needed would help ensure that all the relevant information required to make decisions on the recommendations was available.

Given that it is summer time, and to provide enough time for comments on the recommendations to be prepared, staff suggest that the report and any input received through the above noted referrals be considered at the September Committee of the Whole meeting. Any correspondence received from the public would also be included on that agenda.

The Committee may also wish to request staff to renew last year's request for feedback on the report through the municipal website.

Recommendation 14 relates to reviewing licensing fees. The current fees are based upon a Council policy to recover 75% of animal control costs through dog licensing, and are connected to the current contract costs for animal control. The fees will come up for review again when a new contract is being considered, therefore no action is recommended by staff at this time.

Recommendation 17 (dog tie ups) requires no action.

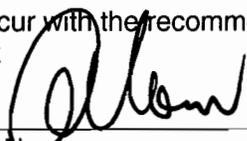
Recommendation 19 (annual review of dog management issues): An informal and as needed review process is currently undertaken with Parks and Recreation staff, Administration staff, and the Animal Control contractor, so no further action is recommended by staff.

**RECOMMENDATION:**

1. That the recommendations contained in the Dog Management Report submitted by the Windsor Park Dog Group be referred as follows, for any required comment to be considered at the September Committee of the Whole meeting:
  - Refer Recommendations 2, 3, 4, (possible increased access to Windsor Park and Carnarvon Park), and 21 (overhead sports bench at Windsor Pavilion), to the Parks and Recreation Commission for review and recommendations back to the Committee;
  - Refer Recommendation 5 (fencing of Oakdowne Park), to the Parks and Recreation Commission for consideration and possible referral to the 2014 budget deliberations;
  - Refer Recommendation 6 (monitoring of spear grass cuts for success), and 9 and 10 (uniform dog related signage) to Parks Department staff for consideration as part of the Parks Department work plan;
  - Refer Recommendations 15 and 16 (dog waste dispensers) to Parks and Recreation Department staff for subsequent recommendation to the Committee (previously referred);
  - Refer Recommendations 7 and 8, 11 and 13 (website information management), and 20 (Animal Control Contractor Services) to Administration staff for provision of further information where appropriate;
  - Refer Recommendation 12 (review of dog related bylaws) to the 2014 Strategic Priorities session, for further consideration of adding to the work-plan next year;
  - Refer Recommendation 14 (additional dog licence sales venues) to the Finance Department for feasibility investigation and implementation where appropriate.
  - Refer the Dog Management Report (as per Recommendation 18) to the OCP Renewal project for further consideration as input to the development of the renewed OCP.
2. That staff be requested to re-post a request for public input on the Dog Management Report to the municipal website.

  
Loranne Hilton  
Municipal Clerk

I concur with the recommendation of the Municipal Clerk

  
Gary Nason  
Chief Administrative Officer

Attach.

# **Dog Management Report**

**Submitted on behalf of:**

**Windsor Park Dog Group**



**To:**

**Mayor and Council**

*May 2012*

# Table of Contents

Executive Summary .....	3
Background .....	5
Report Goals .....	6
Report Consultations/Feedback .....	7
Approaching the Issues.....	8
Situational Context.....	10
Key Findings.....	12
A: Windsor Park Dog Group Questionnaire.....	12
B: Research on Access for Dogs.....	13
C: Animal Control Services.....	17
D: Discussions with Oak Bay Parks Staff/Municipal Officials.....	18
E: Inter-jurisdictional Research.....	19
F: Dog Management Communications.....	19
G: Dog Waste Bag Dispensers.....	22
H: Dog Tie-ups.....	23
I: Licensing.....	24
J: Dog Related Bylaw Infractions and Fines.....	26
K: Concerns of Non-dog Owners.....	27
Report Recommendations.....	29
Costing Considerations .....	33
Concluding Comments .....	33
Appendix 1: Municipality Comparisons.....	35
Appendix 2: Health & Social Benefits of Dog Ownership.....	39
Appendix 3: Windsor Park Dog Group Survey/Results.....	41
Appendix 4: Local Government Website Research on Dog Information.....	48
Appendix 5: Access Analysis & Recommendations of Selected Sites.....	52

## **Oak Bay Dog Management Report 2012**

### **Executive Summary**

In January, 2012, Mayor Jensen asked representatives of the Windsor Park Dog Group (WPDG) to come forward in the spring, 2012 with recommendations on how a more “dog friendly” Oak Bay could be accomplished.

The Municipality of Oak Bay has 6,317 households and 1,533 licensed dogs (2011 statistics). Considering that some households have more than one dog, it is estimated that a minimum of 20% of all Oak Bay households have a dog.

The Windsor Park Dog Group (WPDG) recognized that this project has afforded an opportunity to look at the issue of dog management in Oak Bay in a more comprehensive way than perhaps it has ever been looked at before in our community. And while the WPDG has appreciated the opportunity to prepare this Report on behalf of dog owners, we also recognize our responsibility to strive for balance for the good of all Oak Bay residents.

As newly elected Mayor of Oak Bay, Nils Jensen has gone on record as saying he wants our community to be more “dog friendly”, and that the municipality supports responsible dog ownership as it strives to be a more dog friendly community. Mayor Jensen made these comments at his inaugural speech in December, 2011.

The definition of dog friendly is subject to interpretation. This report considers a “dog friendly” community as one that supports responsible dog ownership while at the same time respecting the needs of citizens who do not own a dog. Dog friendly in this report does not mean that dog owners are free to violate the dog management bylaws. Rather, it means that Oak Bay is set up in a way that dogs can co-exist easily in the community with benefits and services, without detrimental effect to non-dog owners and public spaces.

The Oak Bay Dog Management report includes the results of a questionnaire for WPDG members, addressing issues such as access to parks/beaches, dog tie-ups in public places and ease of reference to dog management information. The report includes consultations with and/or feedback from non-dog owners and Oak Bay parks staff on the impact of dogs in public places. It includes the results of consultations with animal control services on issues such as licensing, bylaw enforcement and infractions. It also includes research on a number of areas

including inter-jurisdictional comparisons of dog management policies and practices.

A total of **21** recommendations have been made, and they can be generally grouped as follows:

- a) **6** recommendations relate to increased access for dogs to exercise and socialize. While we looked at many sites, and make a small number of recommendations for expanded access, we rejected a number in consideration of all Oak Bay residents. For example, much as most dog owners would like access to Willows Beach in the summer, we are **not** recommending any changes because we feel this is Oak Bay's top people beach in the summer. On the other hand, we recommend that consideration be given for additional summer dog access to McNeill Bay Beach as a **pilot project**, which is not nearly as popular a beach for people without dogs.
- b) **11** recommendations for Oak Bay to make it easier for dog owners to access relevant dog management information as well as comply with the bylaws. For example, we are recommending a "**one stop**" place on the Oak Bay website for all dog management information, and bylaws summarized in more user friendly language. We also explore existing bylaws, fines and licensing practices with recommendations where appropriate.
- c) **4** recommendations relating to the safety, hygiene and comfort of residents. For example, for safety reasons we are recommending that the current bylaw prohibition of dog tie ups in Oak Bay Village **be maintained**. Also, we are recommending that the municipality consider a **pilot project** for dog waste bags with dispensers/buckets, so that Oak Bay can evaluate whether they should be set up in strategic locations through the community, similar to municipalities such as Victoria.

## **Background**

There are no formal dog clubs or organizations in Oak Bay; the Windsor Park Dog Group (WPDG) probably comes closest to this description.

The WPDG comprises over 100 dog owners who regularly use Windsor Park during off-leash times to exercise and socialize their pets. The WPDG prides itself on the goals of “Responsible Dog Ownership”; communication to the group is through an email distribution list on issues of importance to Windsor Park and dogs and WPDG also maintains a blog: <http://windsorparkdoggroup.posterous.com/>.

Windsor Park was granted certain off-leash hours for dogs about 15 years ago under the administration of the former Mayor Chris Causton. Mr. Causton was a major supporter of Windsor Park as a part-time dog park, and he considered the initiative as highly successful. Newly elected Mayor Nils Jensen has also gone on record saying that Windsor Park can be considered a success as a part-time dog park within a larger mixed-use Park. Both Mayors have noted that the WPDG has successfully lobbied for off-leash privileges because it has been deserving of these privileges.

The definition of “dog friendly” is subject to various interpretations. The WPDG has elected to consider as “dog friendly” community: a community that supports responsible dog ownership while at the same time respecting the needs of citizens who do not own a dog.

This Report was prepared primarily by volunteers from the WPDG with no official role in the municipality, other than responding to the request from Mayor Jensen to come forward with recommendations on ways to make Oak Bay more “dog friendly”.

The names of the volunteers who contributed to this report are listed at the end of the main body of the Report. It should be noted that while WPDG members contributed their ideas informally or formally through the questionnaire, the views expressed in this report are the two writers of this report. To ensure the Report reflects balanced views of a number of stakeholders, including non-dog owners and others, we have undertaken an array of consultations and research.

## **Report Goals**

Our project goal and this resulting report is not geared to address a “problem”; rather it is geared to make our community more “dog friendly” and to recommend practical solutions in achieving this goal . We wanted to ensure that Oak Bay’s dog management practices are appropriate for our community, that they align with the needs of all citizens of Oak Bay, and that they reflect “best practices” for a municipality such as Oak Bay.

We believe it is timely to examine Oak Bay’s dog management system comprehensively at this time; dog management decisions in our community have been made in different years, with different citizens and various elected officials, resulting in the current system for licensing, animal control, access to parks and beaches and leashing dogs. The nature of dog ownership has changed significantly over the last several decades; does our current dog management system work effectively for our community in 2012?

We identified the following goals for the Oak Bay Dog Management Report:

- To study current Oak Bay dog management policies, bylaws and administrative processes with a view to making recommendations on dog management issues that respect the rights of dog owners as well as non-dog owners.
- To consider informal feedback from dog owners and non-dog owners alike, as well as feedback from a variety of other sources to provide a balanced approach to our analysis and recommendations.
- Based on the above, prepare a comprehensive Report that will be presented for consideration to the Oak Bay Parks and Recreation Commission and Oak Bay Council in late spring, 2012. The report will include its findings and analysis, along with a series of recommendations for implementation by summer, 2012 and beyond.
- To have the material in this report considered in future municipal planning endeavours such as the future Oak Bay Community Plan (OCP) consultations.

## **Report Consultations/Feedback**

For our consultations/feedback process, we considered input from the following groups/sources:

*Dog park members:* An informal questionnaire was circulated to the 200 names on the WPDG distribution list (although we estimate there are currently about 100 active members). The questionnaire, distributed in February 2012, requested feedback of dog owners in six key areas; details of the questionnaire and results are listed in **Key Findings**.

*Oak Bay Parks Staff:* We consulted with Parks staff (primarily Mr. Tim Roberts, Parks Foreman) on various aspects of many of the parks, including park use for various purposes such as sports, suitability for dogs and dogs off leash as well as ecosystem/habitat considerations. We also explored additional maintenance issues related to dogs being allowed in parks. This input was invaluable to assisting in learning more about what may be appropriate for our community.

*Animal Control Services (Ian Fraser):* Victoria Animal Control Services (VACS) has recently been awarded another 3 year contract for animal control management services with Oak Bay. Mr. Ian Fraser, president of VACS, is an experienced administrator in his field, and is a former dog owner. His company also provides services for the City of Victoria and Esquimalt (a recent addition). He has experience in an array of animal management issues. We sought his valuable input on many elements of our findings, analysis and recommendations.

*Oak Bay Council members:* During the fall 2011 election, the WPDG surveyed the views of all Oak Bay candidates on dog management issues, and requested that they share their views with us. All those elected to Council indicated in this survey that they were in favour of responsible and responsive dog management practices. Their responses were shared with WPDG members as well as the general public through the WPDG blog, prior to the municipal vote.

*Inter-jurisdictional research:* Was conducted on a number of municipalities in western Canada and the United States in areas such as: dog license fees, ease of communication of dog-related policies and bylaws, website presentation, dog park details, and provision of dog waste bags/receptacles. The results of this research are in **Appendix 1**.

*Non-dog owners:* The WPDG recognizes that some people like dogs and others do not. We did not canvass non-dog owners, but we did receive feedback from municipal officials on some of the concerns of non-dog owners. Details of their concerns are listed in **Key Findings**. We also appreciate that the actions of a small minority of irresponsible dog owners reflect poorly on all dog owners. We welcomed hearing the concerns of non-dog owners on the issue of a more “dog friendly” Oak Bay.

### **Approaching the Issues**

Dog management can be viewed from many different perspectives. As we began the project we realized early on that there were clear patterns, themes and trends emerging that required our focus. These trends/issues could be loosely grouped as follows:

- ***Access for dogs to exercise and socialize.*** This was a very strong theme that emerged and needed to be addressed if we wanted to look at Oak Bay as dog friendly. Most dogs need reasonably large spaces to exercise and socialize off leash, and access to such spaces is a priority for virtually **ALL** Oak Bay dog owners. At the same time, we understood there were concerns of some non-dog owners who would prefer no dogs to be allowed on sports fields/beaches/sensitive ecosystem areas. We also realized early on as we looked at the various venues throughout Oak Bay that “winter access” (loosely defined as: fall, winter and early spring) was **very good** throughout the community. As well, we realized that many dog restrictions come into effect in the “summer” (late spring, summer, early fall), at a time when dog owners want to be outdoors with their dogs. Compounding the bylaw restrictions in summer, there are natural barriers that occur such as spear grass in June through September (which can be lethal for dogs), ticks in some parks, sensitive ecosystems or seasonal nesting birds. In this report, we decided to approach this issue as one of “**winter access**” and “**summer access**”, to recognize the distinction between the two.
- ***Communication (i.e. via the Oak Bay Website or other) and Signage regarding Dog related information.*** We noticed that many citizens appeared to have difficulty finding basic information such as the animal control animal bylaws. We also noticed on the website that the bylaw information is separate from the dog regulations for parks map as well as separate from specific levels of fines, and the licensing information is somewhere else. Also, we found there were questions on the

interpretations of signage in and around the municipality. We realized this whole area required some attention and analysis.

- **Animal Control Services.** Most people know little about the workings of Animal Control Services (VACS) and the role it plays in our community. Views ranged from “we need more” to “we should get rid of this service”. We note that all municipalities we canvassed for our research either had a contract for some sort of animal control services or managed their own “pound”.
- **Dog tie-ups in the Oak Bay Village.** This issue has been raised many times, and in many forms. Dog owners often like to combine running errands with walking their dog, but often are prohibited from combining these activities since tying up a dog outside a store is prohibited under the current bylaws.
- **Licensing fees for Dogs.** We recognized we needed to address this issue as many dog owners feel there should be additional access because of the annual license fees they pay for their canines. Also, we see a lot of dogs in Oak Bay—VACS and others suspect there are many more dogs in Oak Bay than the licensed number of 1,533. Furthermore, several dog owners noted that other species such as cats do not require a license, and that dog owners are limited to two dogs per household, while cat owners may have up to 5 cats per household. Some feel this situation is not fair to dog owners.
- **Provision for Dog “waste” bag dispensers with buckets.** Many municipalities now provide waste bag dispensers (“poop bags”) with waste buckets, in strategically located areas usually at park entrances or beaches. Several dog owners have wondered why Oak Bay does not do this. We thought it appropriate to explore this issue.
- **Dog related bylaw “infractions”.** Owning a dog is a lot of responsibility; unfortunately, there are some dog-owners who either neglect or ignore their full responsibilities: dogs not under control of their owner, poop (feces/excrement) not picked up, dogs off-leash in prohibited areas, dogs not licensed, excessive barking, aggressive dogs, etc. We acknowledge these are all valid complaints and we felt we needed to explore this aspect of dog management for this report.
- **Other issues.** As we proceeded with preparing for this report, we kept an open mind about other emerging issues that we needed to pay attention to.

We used these trends/issues as the basis in designing our questionnaire to the WDPG members, undertaking our inter-jurisdictional research, as well as in our more in-depth consultations with appropriate individuals/groups.

## **Situational Context**

The following factors are the “drivers” and/or assumptions behind our research, analysis of findings and final recommendations:

- **Dog owners form a minimum of 20% of Oak Bay households.** This number is based on 1,268 households with one or more dogs (for a total of 1,533 licensed dogs), in a community of 6,317 households.
- **There are no dedicated “dog parks” in Oak Bay.** We are a largely developed community; we appreciate that land is not readily available to be turned over for a dedicated dog-park.
- Oak Bay has identified **24 parks/beaches** where dogs are allowed: leashed at all times, leashed seasonally or no restrictions. The areas various tremendously: wild parks/beaches/small community parks/mixed use fields etc.
- **Mixed usage of parks/beaches is not considered ideal by many, but has been used as a compromise in Oak Bay due to the lack of space that could be dedicated to an exclusive dog park.** To date mixed usage for dogs in parks and beaches have co-existed with relatively minor issues.
- The Oak Bay Dog Regulations map (A-3), available on the Oak Bay website, lists all parks and the kind of applicable dog restrictions: leashed at all times; leashed seasonally; no restrictions; or no dogs at any time. **Comments on the dog restrictions/regulations are covered in Key Findings.**
- **Oak Bay residents do have access to areas outside the municipality/not controlled by the municipality.** Close popular destinations for Oak Bay residents with dogs include University of Victoria lands (including Mystic Vale) off Cedar Hill X Road; Cadboro Bay Beach and Mt. Douglas Park in Saanich, to name a few.
- **Dogs are the only animals in Oak Bay requiring a license.** Dog fee revenues in 2011 were \$55,269. Costs of Animal Control Services in that year were \$68,672 (for 15 hours per week of service). As a result, dog fees cover about 80% of Animal Control Costs; it is recognized that **Animal Control Services covers all animals/wildlife, not just dogs.**
- **Studies have shown that dog ownership can be important for human health and socialization.** Appendix 2 provides information on this area.
- Dog related recommendations with **financial implications** needs to be considered within the context of an already constrained Oak Bay municipal budget.

- Oak Bay’s website is scheduled for a major upgrade, so there is **an opportunity for “dog friendly” practices to be incorporated for residents in an upgraded municipal website.**

## **Key Findings**

The key findings from our consultation and research process are listed in the next several sections below. **Key findings assisted us in analyzing issues in some detail, allowing us to make the Recommendations** which are listed later in this report. Some of the Key Findings are supported with additional information/analysis which are listed in the appendices (and identified as such).

### **A. Questionnaire to WPDG members**

Representatives from the Windsor Park Dog Group (WPDG) surveyed its members during the month of February, 2012. We received a total of 42 completed surveys.

**This is a brief summary of the survey findings. The full report on the survey with specific comments on each question is found in Appendix 3. The full report also includes the specific questions that were asked of the WPDG members.**

#### **Winter dog access**

80% are pleased with the winter access to parks and beaches.

#### **Summer dog access**

55% felt summer access was not sufficient due to restrictions at parks and beaches.

#### **Dog license fees – are you aware that fees do not cover dog-related initiatives?**

The majority of dog owners were not aware that dog license fees are not enough to cover the cost of animal control services. Some suggest that in order to cover costs, the municipality increase dog license fees, but do not say by how much.

#### **Dog-related signage and information: Are they clear and understandable?**

Over half (52%) felt the dog-related signage at beaches and parks were understandable and easy to read.

#### **Oak Bay Municipality website: Is dog-related information provided helpful?**

Over half (55%) of the respondents feel the municipal website is not helpful, it is inadequate, and lacks useful information when it comes to dog-related information.

### **Should there be dog tie-ups (especially in the Village):**

Close to 60% do not support the current bylaw that prohibits dogs being tied up in the Village. They would like to see a safe and secure area for dog tie-ups

### **Should Oak Bay provide dog poop bags?**

This question was just about split down the middle. Responses varied from “owners should be responsible to carry their own bags” and “who would cover the cost of printing and supplying the bags” and “people might take advantage of provided poop bags and take more than they need”. Others noted “other municipalities provide bags, why not Oak Bay?”

### **Other comments:**

Specific comments to items other than the six questions were asked and some range from better signs posted at all parks; a possible fully fenced area; removal of spear grass by municipality; drainage holes in the water fountains at Windsor Park, to name a few. Additional comments are provided in **Appendix 3**.

## **B. Research on Access for Dogs in Oak Bay**

During our research, we located a municipal report: *Recreational Use of Oak Bay Parks and Open Spaces: Report of the Visions Committee (initially prepared March 2005 and updated July, 2011)*. This report was very helpful describing all parks and related spaces in detail, outlining the needed upgrades and changes, and referencing Park goals to the original 1997 Official Community Plan (OCP).

The focus of the report is on the various uses of the parks, and much emphasis is on protection of the environment. Access for dogs in the spaces is mentioned, but there is little mention of or attention paid to dogs in the context of the overall report; this is not surprising since the 1997 OCP also did not focus on dog management issues.

We believe that this recently updated, comprehensive report could provide a solid foundation for the Parks and Recreation Commission to review the parks and related spaces again – with a look to review the entire system with a “lens” of making some of the parks/spaces more “dog friendly”. To provide some feedback and recommendations for this purpose, we have undertaken our own analysis of Oak Bay Parks using the smaller subset of the areas in the Dog Regulations map (we saw no sense commenting on tiny areas such as Corbett’s Corner, for example, which are included in the overall Visions Report).

We started with the results of the WPDG survey to get a sense of the views of other dog owners in the area; results on winter/summer access are reported in the preceding section of this Report. We are at somewhat of a disadvantage as most of the respondents are from the South Oak Bay area, although we do have a

number of local dog owners who come to Windsor from other areas of Oak Bay, and occasionally other municipalities.

We also undertook site visits and spoke with appropriate Parks staff about park specifics for the purposes of “dog friendly”. Since Oak Bay has no surplus land for a dedicated dog park, we tried to be creative with ideas and at the same time be sensitive to the concerns of all Oak Bay residents.

We also reviewed the concerns expressed by non-dog owners to various sites.

Of the 28 areas identified in Oak Bay’s “Dog Regulations” map, 12 of them have no restrictions for dogs. We wanted to determine whether there were any potential additional areas for dog access in the summer months; at the same time we looked at the existing winter access as well. The parks are listed below in the order they are provided in the Dog Regulations Map. **Detailed information for some of the parks/related spaces are included within Appendix 5.**

1. **Henderson Park:** dogs must be leashed at all times. This Park includes a variety of sports activities as well as the Recreation Centre, and the green areas are limited. Changes to the current situation (i.e. to include more dog access) do not appear practical/feasible.
2. **Carnarvon Park:** dogs must be leashed at all times. This park is highly developed for sports and other activities. Dogs are prohibited from the Water Park, for good reason. The grassy areas are used seasonally for various sports. The Park is being considered for an upgrade/re-design, and may have future possibilities for more dog related options. See **Appendix 5** and **Recommendations** for more information.
3. **Lokier Park:** dogs must be leashed at all times. This is a tiny, attractive garden park next to Estevan Village. Changes to the current situation would not be appropriate.
4. **Willows Park:** dogs must be leashed at all times. This is a popular “people” park. It includes a playground as well as the Kiwanis Tearoom. It is also next to the busy Beach Drive, and has no natural “barriers” to the beach itself. Changes for more dog access would not be practical or appropriate.
5. **Fireman’s Park:** dogs must be leashed at all times. This park is broken into three main sections. There may be some possibilities for shared use with the low-use baseball diamond, as it is not heavily used for certain time periods during the year. See **Appendix 5** for details and also the **Recommendations** section.
6. **Oak Bay Marina Lookout:** dogs must be leashed at all times. This is a very small area, next to a busy parking lot for the marina and restaurant. Changes would not be practical.

7. **Lafayette Park:** dogs must be leashed at all times. This is a small park with a children's playground at one end. It has few natural borders, and is occasionally used by sports groups. Changes would not likely be practical at this time.
8. **Quimper Park:** dogs must be leashed at all times. This is a small park with a children's playground at one end, it has few natural borders and is used extensively by the local residents on a regular basis for various activities. Changes would not be practical.
9. **Uplands Park:** dogs must be leashed seasonally. This area has extensive walking trails and is popular with dog walkers. The area also supports a sensitive ecosystem and nesting birds. Changes would not be practical.
10. **Willows Beach:** dogs must be leashed seasonally (May thru September). This is Oak Bay's most popular beach: people in summer and people/dogs in winter. Dog owners have lobbied unsuccessfully in the past for some summer access. Much as many dog owners would enjoy having their dogs on the beach in the summer, most WPDG owners believe this would not an appropriate recommendation and that Willows should be a **"people only beach" in summer**. Willows Beach is a highly cherished privilege of dog owners October through April, and we note during these months there are usually as many people with dogs as without at this location.
11. **Windsor Park:** dogs must be leashed seasonally. As mentioned above, the WPDG has existed at Windsor for about 15 years. Dogs are allowed off-leash in mornings (times vary depending on season) before sports games later in the day or children's camps in the summer. There may be some potential ability to eventually make changes. **Appendix 5** contains the details. See also the **Recommendations** section.
12. **McNeil Bay Beach:** dogs are not allowed on the beach at certain periods during the May through September period. A resident's survey found that this beach is generally used more by dogs/owners than by people without dogs. It is not an ideal "people" beach for a number of reasons. There is potential to provide more access for dogs at this location, see **Appendix 5** for details. See also the **Recommendations** section and discussion below on Kitty Islet and McMicking Point.
13. **Loon Bay Park:** no restrictions for dogs. At high tides walking can be difficult.
14. **Oakdowne Park:** no restrictions for dogs. This is quiet, small, hilly park in North Oak, mostly grass with a small path and bench. It is bordered by 4 streets. It could potentially be turned into a more suitable dog friendly area if it was fenced. Oak Bay Parks has noted that the park is not extensively used at this time; if it was completely fenced, costs would run in the thousands of dollars. See **Recommendations**.

15. **Cattle Point:** no restrictions for dogs. This is a high traffic area with visitors/boaters and there are at least one species of birds that nest along the shoreline. This area needs to be monitored by Oak Bay Parks for its ongoing suitability for all users/sensitive ecosystems. See **Appendix 5** for details.
16. **Municipal Hall Park:** no dog restrictions. Given its small size and proximity to Municipal Hall parking we believe it is not an ideal dog exercise area.
17. **Haynes Park:** no dog restrictions. Safe, smallish beach for people and dogs, with a couple of access points off Beach Drive. Popular with apartment dwellers with smaller dogs.
18. **Mary Tod Island:** no dog restrictions, however a boat or kayak is required for access so it is not a viable or convenient option for many.
19. **Marina Park/Beach:** no dog restrictions on either of the two small beach areas south of the Marina complex. It might be appropriate to consider changing to restrict dogs on one of the beaches (the most southerly one, furthest away from the marina) as a trade-off for dog privileges elsewhere, and to allow non-dog owners in that immediate area a small, local beach without dogs. This was a suggestion of one of the non-dog owners.
20. **Walbran Park:** no dog restrictions. It is a very hilly location, popular with hikers.
21. **Anderson Hill Park:** no restrictions for dogs. This is a highly popular off-leash park, dog owners are asked to leash dogs during the spring nesting season. The invasive spear grass is dangerous for dogs normally June thru September each year, and active cutting of the spear grass may help reduce the danger and make the area better for dogs and their owners. Proactive assistance to date by Oak Bay Parks on this issue is appreciated by dog owners. **See Recommendations.**
22. **Kitty Islet:** tiny beach/rock area off Beach drive, no dog restrictions.
23. **McMicking Point:** at the end of Kitty Islet. No dog restrictions. General area has a picnic table and together with Kitty Islet there are some sandy/rocky beaches. Neither Kitty Islet nor McMicking Point appear to be important areas for dog owners due to the terrain and size; it may be appropriate to suggest they both become “dogs prohibited” as a trade-off for more privileges on McNeill Bay Beach and to provide non-dog owners in that immediate area with a small dog-free beach area.
24. **Trafalgar Park:** no dog restrictions. This very steep cliffside Park is limited to more adventurous walkers/hikers, and is close to the high traffic Beach Drive lookout point. Not an ideal dog exercise area.
25. **Henderson Golf/Chip Trail:** no dogs are allowed at any time. Some interest has been expressed by dog owners in north Oak Bay to allow their dogs on the chip trail. However, we note that the Parks reports label the chip trail as a

“jogging trail with an outdoor fitness circuit” which implies to the writers of this report that this area is oriented to people without dogs. Additionally, the very large, accessible University of Victoria lands “dog park” is almost across the street on Cedar Hill Cross Road. Changes do not appear to be appropriate.

26. **Turkey Head Walkway:** no dogs allowed at any time. This is a narrow cement walkway next to a busy parking lot. This is not a highly desirable dog walk area; while no dog owners are asking for this to be changed, it is not clear why this particular walkway is “dogs prohibited”. Also, we note that the Turkey Head Walkway restrictions appear to be at odds with the main Marina entrance signs which indicate “dogs on leash” for the Oak Bay Marina Lookout. Dogs are allowed on the road but not on the sidewalk in this area?
27. **Windsor Park Rose Garden:** no dogs allowed at any time. It is a small rose garden for people to enjoy. Changes are not appropriate.
28. **Native Plant Garden:** no dogs allowed at any time. Given the purpose of this particular small park, changes are not appropriate.

We are not making any comments on any of the **School Lands** in Oak Bay. We understand that Oak Bay bylaw changed all of them to “dogs off leash” in July, 2011 after some incidents involving dogs.

Finally, we recognize that **Midland Circle** in Uplands (where streetcars used to turn around decades ago) is an unused area in the municipality. It is not an official park; we believe that it is too small to be of real value for dog exercising even if it were fenced to protect dogs from the traffic.

### **C. (Victoria) Animal Control Services (VACS)**

VACS provides Oak Bay with a reactive and proactive animal control service. Their first priority is to respond to complaints relating to domesticated animals, police assistance and occasional calls for injured or trapped wildlife. The second priority is proactive patrols to identify bylaw violations and educate the public with the goal of obtaining voluntary bylaw compliance.

VACS provides Oak Bay with 780 hours of service each year (65 hrs/month or 15 hrs/week). Approximately 75-80% of their work in Oak Bay is related to dogs. VACS officers sell dog licenses from their vehicles, give out free leashes and issue poop bags to those found violating these bylaw requirements.

We understand that Oak Bay Municipality has recently awarded another contract (for three years) to VACS and as such we felt that it would be appropriate to

consult with the head official of this organization from an animal control perspective. Ian Fraser, principle of VACS, is an experienced dog owner and has managed animal control services in Victoria for a long time. The company has also recently signed a contract with the Municipality of Esquimalt for animal control services.

The following Oak Bay statistics were provided by Ian Fraser. He noted that the lower number of fines over the last three years, compared to written or verbal warnings, represents the philosophy of VACS (and in line with the Municipality’s contract with VACS) to have dog owners voluntarily comply with bylaws through education.

Year	Verbal Warnings	Written Warnings	Fines
2009	89	397	41
2010	248	170	15
2011	209	159	24

100% of all revenue collected by VACS is remitted to the Municipality (impound fees, board fees, adoption fees, licenses and ticket/fines all goes to the Municipality).

The VACS website contains little Oak Bay specific information because Oak Bay has not contracted for this particular service. We note that the VACS website mainly provides information related to the City of Victoria.

Mr. Fraser’s comments on a number of different areas relating to dog management (access/dog tie-ups/licensing/bylaw fine administration/poop bag dispensers/communications issues including future links to the VACS website from the Oak Bay Municipality website) are identified in various other areas of this report.

#### **D. Discussion with Oak Bay Parks Staff/ Municipal Elected Officials**

During the fall 2011 municipal campaign, all candidates who were elected indicated they were generally supportive of dogs in the community, although at that time we received little specific information or ideas from any of them. Most of them called themselves “dog friendly”, which was the important point for the WPDG. The WPDG recognizes that all elected officials are required to balance all the community needs in their deliberations, and that it would not have been appropriate for them to make any specific dog management related commitments during the election process. However, we felt it was important to convey their attitudes and philosophy on dogs in Oak Bay, which we did to WPDG members.

Oak Bay staff was helpful during in our research process for each of the parks. They explained details on the booking process for sports, permits and costs of upkeep, sports standards, etc. They also were helpful in looking at some of the parks creatively in terms of alternate/part-time usage possibilities for dog parks, within the context of balancing the needs of all Oak Bay residents, with or without dogs. They also noted some of the challenges of mixed use parks (i.e. sports fields used part time for dogs off-leash) in terms of digging holes and feces not always picked up by dog owners.

### **E. Inter-jurisdictional research: Dog Management Information by Municipalities**

Research was undertaken by examining the websites of seven BC municipalities, the Capital Regional District, Alberta, Saskatchewan, Washington State, and Oregon in terms of their information for citizens on dog management issues. Details of this research are found in **Appendix 4**. In summary, the research considered three main areas:

- Type of information provided
- Ease of access of information
- Tone of the messaging

A detailed summary of the results of this research are included in Appendix 4, and we are hopeful that our efforts provide some useful information for the municipality as it moves forward in updating its communications approach on a variety of issues. Regarding dog ownership, the main findings were that:

- ❖ The type and level of detail included on all the websites varied tremendously, from almost no information provided to comprehensive coverage of dog management issues
- ❖ The ease of accessing dog management information on websites was generally a challenge as the information was not in one place and not necessarily in a place where one expected to find it
- ❖ The tone of dog management on the websites was negative: “shall not....”, “not allowed to” instead of “dogs are permitted on.....”

### **F. Current Oak Bay Dog Management Communication: Website, Signage, Licensing information, Parks descriptions etc.**

The inter-jurisdictional research (referenced above) noted the challenges of providing comprehensive information in several municipal websites. We found that these challenges apply to Oak Bay. For example, animal related bylaws, dog

licensing information and maps on dog restrictions are all found in different areas of the community's website.

Here are some other examples of Oak Bay related issues we discovered in researching this report:

- We found some good information on dog friendly areas in the Oak Bay Recreation, Parks section but we also found it contradicts the bylaws for Willows Beach in summer prohibiting dogs on the beach.
- A report on the Parks Vision Committee (updated July, 2011) listed at least one park allowing dogs (Nottingham) that was not included in the Dogs Regulations hand-out.
- Many dog-owners have stated they have never actually read the animal control bylaws: not only are some residents not sure where to find them, they also have trouble understanding them. A plain English version of these bylaws would be most helpful.
- Detailed Information on dog bylaw infractions and fine levels is found in the Municipality's *Ticket Authorization Bylaw*, not the *Animal Control Bylaw*. One reading the latter bylaw may get the impression there may be no established fine levels for various infractions.
- Wording on dog access to parks can cause confusion: some areas describe access as dogs on or off leash; other areas describe dogs allowed or not allowed. Not surprisingly, some residents do not distinguish between these two different concepts.

We believe that having a “**one stop**” section on the Oak Bay website (a direct link from the home page for everything related to dog management) should go a great distance to eliminate/reduce these kinds of issues. A “one stop” web link on dogs would put more of an onus on dog owners to be fully responsible for being informed on all aspects of dog management, and could contribute to a higher level of voluntary compliance with the relevant bylaws. An additional benefit could result, such as an increase in licensing revenue when currently non-compliant owners license their dogs.

We note that key dog management information from the Oak Bay website should also be included in the VACS website, similar to the current practice for the City of Victoria.

Related to the above, we also believe that all Oak Bay dog management information needs to be coordinated through a single “lens” or “vision” which is responsive to a “dog friendly” environment, and that this vision for a “dog friendly”

environment needs to be enunciated clearly in the next Official Community Plan (OCP). As noted earlier, the 1997 OCP has no reference to dog management.

**Based on review of the various websites, we believe that Oak Bay has a unique opportunity to make the new website a ‘leader’ in the provision of information for and about responsible dog/pet owners and to also promote and highlight Oak Bay as a dog/pet friendly community.**

With respect to acquiring licenses and license information, Mr. Fraser noted that dog licenses should be offered at more locations than just Oak Bay Municipal Hall. The Hall is only open Monday to Friday 8:30 am to 4:30 pm, and many people have schedules that do not align with these hours. Licenses are available online but this process involves additional staff time and additional postage costs because metal tags sent out in envelopes require hand sorting. Mr. Fraser suggested Oak Bay Recreation Centre, Henderson Centre, and also commercial pet stores in the municipality are good additional options for residents to purchase a dog license.

One good aspect of the current licensing system is an annual “reminder”, which is appreciated by responsible dog owners and is a way of ensuring that licenses are renewed on a timely basis. However, no additional written information on dog management is provided to dog owners at renewal time (e.g. bylaws, access to web information, dog restrictions maps, etc.) unless specifically requested. While Oak Bay is apparently scheduled to move to an improved website/information system, it would still be helpful for municipal officials to hand out appropriate bylaw and policy information to dog owners at license renewal time. Mr. Fraser also notes that the handwritten dog license form and mail-out form could be improved in their communications.

On the spot “signage” has been an issue flagged by some residents. Sometimes it is a lack of signage, placement of signage, not enough information on signage, or confusing signage. The signage that appears to be most confusing for the most residents is the Turkey Head/Oak Bay Marina Lookout area. Dogs are prohibited from the Turkey Head Walkway, but they are allowed on leash at the Oak Bay Marina Lookout—presumably they get there by walking through a parking lot.

We believe the issue of signage can be somewhat improved by providing better information on the website, with signage at the spot being a backup the web information.

We do note, however, that whatever signage exists will likely never satisfy everyone: different people interpret signs different ways and people often enter parks/related spaces from different places away from the main signage. That is why we believe Oak Bay needs to reinforce messaging that residents should refer to the Oak Bay website for official/ definitive information.

We believe that Parks Commission/staff, if they review all the parks and related spaces with a “dog friendly” lens, can take another look at the appropriateness of existing signage, both in terms of the content of the information as well as the tone....”dogs are welcome during the following....” Instead of “dogs allowed....”

## **G. Provision of Dog Waste Bag Dispensers**

**Provision of municipality provided dog waste (poop) bags appears to have mixed reviews:**

- About 50% of WPDG respondents in the questionnaire thought provision of poop bags was a good idea, and that it could help with the annoying occasional deposits in public places. Those opposed thought that dog owners should not expect taxpayers to provide bags for their dogs’ excrement, and that the practice could be abused by people taking more bags than they needed to supplement their own supply.
- Our inter-jurisdictional research indicated that many of municipalities and regional districts (e.g. Victoria, Saanich and others) provide poop bags/receptacles in strategic locations. It appears that the costs for the poop bags in at least some of the municipalities are provided through dog license fees.
- VACS representative Ian Fraser suggested that Oak Bay provide poop bags, as in other municipalities such as Victoria. He has suggested Oak Bay go with biodegradable poop bags in a dispenser, with a waste bucket beneath the dispenser, in strategically located areas throughout the municipality. He also suggested that a trial dispenser may be appropriate in an area where it is lawful to have an unleashed dog, to see how it works out. Windsor Park, which has off-leash privileges, may be appropriate. This area was suggested as it is heavily used by dogs, and there have been occasional complaints about dog poop on the grounds.
- Mr. Fraser also noted that in the long run, if poop bags are provided by the municipality, the costs should be borne by dog owners through higher license fees.
- We understand that potential corporate sponsors have come forward to Oak Bay officials with an offer to supply biodegradable bags with corporate

labeling. This may be an attractive offer; however, there would still be costs associating with the provision of a receptacle and re-filling with bags. If the municipality did undertake this initiative, perhaps parks staff, when emptying the parks garbage bins, could re-fill the receptacle. It must be noted that corporate sponsorships can only be viewed as a year to year benefit, after which the costs could revert to the municipality. The feasibility of this undertaking for our community, however, is something that perhaps should be explored.

#### **H. Dog Tie-ups in Oak Bay Village (and other places in the community)**

There are several commercial establishments in Oak Bay which allow dogs on their premises. However, some do not allow dogs and others are prohibited bylaw from allowing dogs on the premises (e.g. food stores). To some people, Oak Bay Village is reminiscent of village life in Britain where dogs may be tied up outside commercial establishments by means of large hooks secured to outside building walls; the current bylaws have frustrated a number of responsible dog owners who would like to run errands in this Canadian village with their dogs.

Almost 60% of the WPDG in the questionnaire do not support the current prohibition against tying up their dogs in the Village. However, those in support did not offer any ideas as to how this could occur safely.

Over 40% of the WPDG respondents were against changing the dog tie-up provisions, citing safety reasons and previous incidents that have occurred in the Village.

We note that the previous Oak Bay councilors have been sympathetic to this issue, and at least one of the councilors looked at various potential options for tie-ups in the Village. No suitable, safe solutions were found. The writers of this report also spoke with a number of different individuals about various ways this could be done appropriately and safely but unfortunately, we also could not identify a solution that could work.

VACS representative Ian Fraser was clear in his concerns about any changes to the current bylaw on this matter, and suggested that Oak Bay should be cautious if it wants to consider permitting dog tie-ups in public places. He notes that there are no safe ways to manage dog tie-ups, because when a dog is tied up, it is cornered and some dogs will react out of fear by biting to protect themselves. Tied dogs also create a tripping/falling concern for citizens, particularly seniors. VACS keeps

records on all dog bite incidents but does not have the ability to provide specific details without spending considerable staff time (pulling files and compiling bite stats). Mr. Fraser did mention that a lady was bitten earlier in 2012 by a tied and unattended dog on the “Avenue”.

At one time, there was a dog tie-up located near the Oak Bay (Monterey) public library. Mr. Fraser noted that a few years ago there was a biting incident at this location which caused the Library to remove the tie-up hardware.

### **I. Licensing Animals: Fee levels and related issues**

Many dog owners are not aware of the annual amount of revenues from dog license fees, and the fact that these revenues only cover about 75-80% of total costs for Animal Control Services. The Municipal Staff (Patricia Walker) has indicated that a policy has been in place for years that the license fees from dogs are to cover approximately 75% of total costs for Animal Control Services.

It is noted that Animal Control Services work covers other animals including wildlife, although not surprisingly dogs form the majority of their work (75-80%).

**All revenues from VACS (i.e. 100% of impound fees, board fees, adoption fees, licenses and tickets/fines) is returned to the municipality.** The VACS website communicates this information, but we believe few dog owners in Oak Bay are fully familiar with the VACS website. Since this information is not formally communicated to Oak Bay residents, a common “urban myth” for many dog owners is that VACS can be overzealous at times in the enforcement of Oak Bay bylaws and fine levies in order to maximize VACS revenues. The table provided above on VACS activity shows a focus on education through warnings, not fines, where possible.

Our inter-jurisdictional research includes information on license fees, and detailed information is provided in **Appendix 1**. We offer the following comments on licensing and licensing costs:

- Oak Bay’s annual license fees are the highest of several BC municipalities we reviewed, for altered dogs (\$39).
- Oak Bay charges \$55 for unaltered dogs. Other municipalities have elected to levy higher differentiated fees for unaltered dogs (i.e. \$71 versus \$38 in Vancouver; \$60 versus \$20 in Kelowna). Altered (i.e. neutered or spayed) dogs are desirable for many reasons.

- Mr. Fraser suggests that Oak Bay could increase revenue through increased dog license fees, with this additional funding earmarked for proactive dog management initiatives such as: poop bags/dispensers, dog park costs, etc.
- Some municipalities such as Victoria charge \$20 higher for late purchase of annual fee licenses (Oak Bay charges \$5 more). VACS representative Ian Fraser suggested that Oak Bay consider charging a higher differential for late fees, similar to Victoria, as an incentive for residents to ensure their dogs receive their new annual license on a timely basis. This is a reasonable consideration, particularly given the number of “on the spot” licenses Mr. Fraser issues in Oak Bay to residents who have unlicensed dogs. Non-renewal of licenses or dogs in the municipality without licenses is something we want to deter; not only does non-compliance contradict the bylaw; it also represents loss of potential revenue to Oak Bay.
- Both Vancouver and Victoria have developed strategies to increase the number of licensed dogs in their municipality. Vancouver has developed a streamlined online license application service, and Victoria has a license draw with the winner getting Dog License Number 0001, photo taken with the Mayor and a \$75 gift certificate to a pet store. Victoria also has an impressive dog license art/display made from unsold license tags which is displayed at the various vendors in the municipality.
- There may be many unlicensed dogs in Oak Bay. Mr. Fraser notes that some people only buy a license when their dog is impounded. At this point people pay VACS the impounding fee, but there is no additional impound fee for having an unlicensed dog.
- Oak Bay has no follow-up with residents on lapsed dog licenses.....people who had a license last year but did not renew. VACS does door-to-door canvassing in the City of Victoria every year to address this issue and also to identify previously unknown, unlicensed dogs.

Our WPDG questionnaire results found that several dog-owners were willing to pay higher dog license fees, particularly if it resulted in additional benefits for them/their dogs.

With respect to partial year licenses (e.g. for new Oak Bay residents; dogs coming to a family mid-year), there is no information on whether license fees are pro-rated. Whether or not there are provisions for pro-rating fees is the kind of information that should be included with the dog management information.

The issue of dogs being the only animals in Oak Bay requiring licensing was raised in the WPDG survey, with cats being mentioned as a comparison. Households are allowed only two (licensed) dogs, although they are allowed up to five cats and licensing of this species is not required. Additionally, cats have no restrictions such as leashing or rules prohibiting trespassing on other properties (there are such requirements in the City of Calgary). Many dog owners we heard from do not feel it is responsible or fair that cats are allowed to roam the neighbourhoods with no repercussions. Licensing of cats is outside the mandate of this report, but it is something that we felt we had to raise to the Municipality. We also note that there have been some Letters to the Editor recently in the Times Colonist newspaper on the issue of cats.

## **J. Dog Related Bylaw Infractions and Fines**

**Similar to other municipalities, we recognize that Oak Bay is, unfortunately, not free of dog related bylaw infractions:** dogs off leash when not allowed, dogs not fully under the control of their owners, dogs barking habitually, owners not picking up after their dogs in public places or other person's property, more than two dogs per household, dogs not licensed and in the occasional extreme, an overly aggressive dog.

VACS is given the authority under its contract with Oak Bay municipality to enforce bylaws. In a community with dog rules and regulations, most of us appreciate the vital function they perform for our municipality. However, their contract is only for 15 hours per week, so **the more all citizens are aware of dog management bylaws, and the more the bylaws are complied with willingly, the better.** Also, it is understandable that most residents do not want to confront their neighbours about dog management infractions, so enforcement through voluntary compliance, good communication, vigilance through an effective Animal Control Services function, and supplemented by warnings/fines if necessary all contribute to making dog management more effective in the community.

**We wish to clarify that that in this Report dog friendly DOES NOT mean that dog owners are free to violate the dog management bylaws.** Rather, it means that Oak Bay is set up in a way that dogs can co-exist easily in the community with benefits and services, without detrimental effect to non-dog owners and public spaces.

We note the following with respect to bylaw infractions and fines:

- Most dog fines are \$50, and there are some \$200 fines for vicious dogs that bite/harass wildlife or humans, and a \$200 fine for obstructing a pound-keeper. Fine details are hard to find, as they are in the Ticket Authorization Bylaw, not the Animal Control Bylaw.
- Mr. Fraser notes that Oak Bay's fine levels of \$50 (with some exceptions) are low compared to other jurisdictions. Further, he notes that there is no provision for escalation of fine levies if the non-compliance continues. This can be a challenge, for example, in administration of areas such as habitually noisy dogs. While the bylaw prohibits habitually noisy dogs, it is too subjective and difficult to enforce. Something specific, for example, such as the length of time to define what noisy is would help.
- WPDG representatives note that there may be special circumstances for households keeping more than two dogs (e.g. a relative can no longer care for their own dog and wants their dog housed in familiar surroundings), and consideration should be given to permission for special circumstances, with a perhaps higher license fee established for the third dog.
- VACS has noted that there are likely many more than 1,533 licensed dogs in Oak Bay, and that some owners are not complying with licensing requirements. Currently in Oak Bay, there are no applicable fines for an unlicensed dog; the owner simply is required to purchase a license if confronted. Citizens who do not let their dogs outside their own yards are still, under the bylaws, required to purchase an annual license. We believe that all dog owners must share (through license fees) in the dog related costs for the municipality.
- Some infractions are **undesirable** but not necessarily **deliberate**. Feces accidentally not noticed by the owner, a dog barking that normally doesn't bark, etc. We believe the majority of dog owners and people are responsible: responsible owners work to control barking, and they do pick up after their dogs and do throw away their trash in the trash.
- We do recognize that there are a small minority of outliers who will not comply with the bylaws, and for this reason we believe the municipality needs to look at a process for repeat offenders, with a process resulting in escalation of penalties, as appropriate.

#### **K. Concerns of Non-dog owners to the "dog friendly" initiative**

It has come to the attention of the WPDG that several Oak Bay residents have expressed concern to the Mayor regarding possible changes in the dog bylaws and/or off-leash areas to make Oak Bay more dog-friendly. They do not want the

current dog bylaws eased in any way; some would like to see more dog bylaws and bylaw enforcement.

Residents' concerns can be generally grouped as follows:

- There are many irresponsible dog owners in Oak Bay who refuse to clean up after their dog has defecated and this poses a health risk to humans;
- Dog owners do not have their dog under full control;
- Dog owners have a disregard for the current bylaws that state where and when dogs can be off-leash;
- Council should consider a ban for off-leash privileges at Willows Beach to include the entire year;
- Council should consider the introduction of a bylaw which would ban dogs from sports fields;
- Council should consider making one of the three beaches near the Oak Bay Marina, currently with no restrictions, as "dogs prohibited".

## **REPORT RECOMMENDATIONS**

Details in support of all recommendations are found in earlier sections of this report and/or in the Appendices which provide additional information for some of the topics.

The Recommendations are listed below to coincide with the list of Key Findings, with the exception of “Access” which is listed in order of our priorities for immediate attention.

### **ACCESS**

The WPDG understands the concerns of non-dog owners about dogs on sports fields (as noted above). We also understand concerns about dogs on people oriented beaches in the summer, and concerns regarding the preservation of our native habitat/delicate ecosystems. We have attempted to balance these concerns with our belief that the dog owners in Oak Bay have a right to a reasonable array of options for dog exercise/socialization without having to leave the municipality, and the recommendations below reflect this belief.

**More details on all park/beach access options are included in Appendix 5.**

- 1. That a 2012 pilot project be set up for dogs to be allowed on **McNeill Bay Beach** from sunrise to sunset for the summer months to the end of September. If successful, it is further recommended that the bylaw be changed to allow dogs on the beach 12 months a year, sunrise to sunset. Possible provision for nearby non dog owners and other details on McNeill Bay is covered in Appendix 5.*
- 2. That **Windsor Park** dog access be expanded by undertaking a **pilot project** for a period of 3 to 6 months to allow for afternoon/evening access when the Park is not booked for specific events. (To make sure this is a viable project, we suggest that this **pilot** begin after the Oak Bay redesigned website is complete with a web-accessible calendar indicating when the park is booked for sporting/ special events and therefore not available for off-leash).*
- 3. That a “dog friendly” approach be considered as part of the upcoming redesign of **Carnarvon Park**, that a dog friendly community representative from the Carnarvon area be part of the Carnarvon Park redesign planning*

*committee, and that the planning committee consult with some of the WDPG owners (in south Oak Bay) in this redesign.*

- 4. That **Fireman's Park**, lower field, be considered for a potential pilot for 2012 if additional access to McNeill Bay Beach is not possible.*
- 5. That **Oakdowne Park**, currently no restrictions for dogs, be fenced to make it more appropriate for a dog exercise area, as the Parks budget permits. If this proceeds, it is further recommended that hours restrictions be posted for the park to ensure the adjacent neighbours are not bothered at very early/late hours.*
- 6. That the current plans to cut down the spear grass (before germination in early May) at the entrance/flat top part of **Anderson Hill Park** be monitored for success, with consideration for annual cuttings by Parks staff.*

### **Information Management**

- 7. That Oak Bay's website include as much relevant dog management information as possible, providing a '**one-stop shop**'. It should be easily accessible and user friendly (including bylaw information). There should be a "dog management" link from the main web page. Information should include cross references or hyperlinks among the various relevant pieces. Similarly, there could be a "Resources" section that would provide links to other dog related sites.*
- 8. That the information on the site should present an 'even' tone in order to avoid the 'negative and/or corrective' tone that arises when providing bylaws and regulations posted on the website.*

### **Signage**

- 9. That Oak Bay Parks staff review all dog related signage at parks and related spaces to ensure that it is placed in the best possible positions for viewing by most residents, and that the information is as clear/complete as reasonably possible. Turkey Point Walkway should be the first priority for review.*

10. *As signage information is upgraded over time, it is recommended that the signage language be more neutral in tone as much as possible and references to the relevant Oak Bay web links provided.*

### **Animal Control Bylaws**

11. *That key animal control bylaw information should be summarized and included on the Oak Bay website section for dogs as well as the VACS website.*
12. *That Oak Bay dog related bylaws be reviewed by Oak Bay staff and Council for ease and consistency of application, provision for escalation in situations of non-compliance, as well as be reviewed for provision of more dog friendly bylaws where possible (e.g. possible increase in number of dogs per household).*
13. *That information on bylaw infractions and fine levels should be consolidated in a “dog management “area on the website for ease of reference. This could help emphasize how important it is to be compliant with the bylaws.*

### **Licensing Fees and Bylaw Fines**

14. *That Oak Bay staff undertake a review of all current dog related licensing fees and bylaw fines to ensure they are appropriate for our community in 2012. Expanded venues for purchasing licenses should be considered. Consideration should be given that some dog related costs, such as poop bags, may be factored into license fees.*

### **Dog Waste Bag Dispensers (Poop bags)**

15. *That Oak Bay undertake a **trial period of six months** for poop bags/dispensers at one location in a park where dogs are lawfully allowed off leash (e.g. Windsor Park).*
16. *That if the trial period is successful, we would recommend that the municipality consider erecting additional dispensers throughout the municipality, with costs likely to be borne through higher dog license fees.*

### **Dog Tie-ups in Oak Bay Village (and similar)**

17. That the current bylaws relating to dog tie-ups **NOT** be changed due to safety concerns, and that the reasons for this be communicated clearly to dog-owners on the municipality website.

### **Future Oak Bay Official Community Plan (OCP)**

18. That the culture of a “dog friendly Oak Bay” be part of a future OCP, and that this Dog Management Report form part of the background information and context for this purpose. Also, as part of the OCP process, there should be another review included of the Recreational Use of Parks and Open Spaces report with a “lens” of the needs of dog owners in a dog friendly community included, along with other needs and users.

### **Ongoing Dog Management**

19. That there be an annual meeting with Oak Bay administrative staff, Oak Bay Parks staff and VACS to review issues relating to dog management, within the context of a “dog friendly” Oak Bay. These meetings could be a forum to discuss an array of dog management related issues, including any ongoing/ valid concerns expressed by non-dog owners as well as any ideas/comments from dog-owners.

### **Animal Control Services**

20. That the role of VACS for Oak Bay is made clearer to residents, including the notion that education and voluntary compliance is Oak Bay’s preference for dog owners.

### **Other**

21. That a “sports bench” (much like a seating bench, higher up) be set up next to the Windsor Pavilion for sports equipment, to keep the equipment away from mud/water on the ground as well as making it inaccessible to dogs.

## **Costing considerations for some Recommendations**

Most of the costing relating to our recommendations relates to:

- **Website and other related information** to consolidate and enhance dog management related information. We understand provision has already been made within the Oak Bay budget for upgrading the Oak Bay website.
- **Fencing around Oakdowne Park**, if this recommendation is approved. Oak Bay Parks has an annual budget for priorities, and this proposal would need to be evaluated against other parks initiatives. We understand costs for a fence around the Park could be several thousand dollars.
- **Signage**: there would be some small costs involved in changing existing signage. We recommend that the Parks budget include provision of updating and replacing signs as needed.
- **Oak Bay Parks/Staff administration time** to work on areas such as reviews of dog licensing costs/fines/existing bylaw provisions. We recognize that our recommendations place some burden of work on Oak Bay staff time, with opportunities lost to focus on other pressing administrative matters. However, we believe that it has been some time since a strong emphasis has been placed on “dog friendly”, and that their efforts will be worthwhile for the community as a whole.
- **Poop bags**: there would be some small costs relating to setting up a trial at a park such as Windsor Park. If poop bags are eventually to be provided at strategic locations throughout the municipality, costs should likely be borne by dog owners through higher license fees.

## **Concluding Comments**

We have tried to balance many different views in the preparation of this Oak Bay Dog Management Report. Our recommendations include those that would involve immediate implementation, and others that would be implemented later and depend on a variety of conditions. Some dog management areas, we believe, were not appropriate for us to comment on, such as the specific levels of future dog licensing costs.

The WPDG recognizes that the municipality has not committed to make any changes to the current dog management practices for Oak Bay; there has only been a commitment to make the community more “dog friendly”. The WPDG report and its recommendations that are being sent to Mayor and Council and the Oak Bay Parks and Recreation committee are only that – recommendations. It will

be at the discretion of Oak Bay Council whether they incorporate any or all of the recommendations contained in the WPDG report. However, we have been pleased with the opportunity to work on this project, and have attempted to be responsible and responsive in our approach and recommendations to all citizens of Oak Bay.

**Prepared by:**

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## Appendix 1

### Municipality Comparisons

We canvassed various municipalities throughout British Columbia to review their policies regarding dogs with the view to number of licenses sold and revenue to the municipality, impounding services, the number of off-leash parks and hours as well as whether dog waste bags were provided by the municipality. The tables below provide a basic quantitative comparison of some jurisdictions. Oak Bay is highlighted in yellow for ease of reference.

Municipality	No. licenses sold – 2011	Animal Control Services provided by:	No. of off-leash Parks or Mixed	Park Hours	Dog bags provided in parks?	Additional Comments
Nanaimo	5,600 (NB. most recent stat is from 2009)	Coastal Animal Control Services	8 with 4 additional <b>pilot</b> sites added in 2012	All but one park is open all day (observes main park hours) and year round. The exception is open 6 am to 10 pm and 4 pm to park close.	Yes	<p>The city website has a link to a handout which shows off-leash areas, dates and hours. It can be found here:</p> <p><a href="http://www.nanaimo.ca/assets/Departments/Parks~Rec~Culture/Parks/dogoffleashhandout.pdf">http://www.nanaimo.ca/assets/Departments/Parks~Rec~Culture/Parks/dogoffleashhandout.pdf</a></p> <p>As well, Nanaimo also provides a useful handout, <i>Animals in our community</i> which can be accessed online</p> <p>Your first dog license</p>

Municipality	No. licenses sold – 2011	Animal Control Services provided by:	No. of off-leash Parks or Mixed	Park Hours	Dog bags provided in parks?	Additional Comments
						must be bought at city hall or other designated places – thereafter, you can renew the license online.
Esquimalt	Not available	Victoria Animal Control Services	4	Not on website or listed in bylaws	Doesn't appear so, but not clear from website	
Oak Bay	1,533	Victoria Animal Control Services	12 with no restrictions; 4 with seasonal restrictions and hours	Not listed on website	No	
Saanich	6,800	Saanich Pound (part of the Saanich Police)	<p>4 seasonal: (by inference from the following information)</p> <p>Dogs are not to be in any of the following areas from May 1 to August 31:</p> <p>Cadboro Bay/Cadboro-Gyro Park and the public beach at Cadboro Bay EXCEPT before 9:00 a.m. on any day;</p> <p>Whitehead Park; EXCEPT before 9:00 a.m. on any day;</p> <p>Mount Douglas Park beach and that part of Mount Douglas Park bounded by Cordova Bay Road, Ash Road, Douglas Creek, EXCEPT the asphalt road surface lying to the northwest of the picnic area between the two gates.</p>		<p>Doesn't appear so, but not clear on website. However, there are bags provided at Cadboro Bay beach on the far east side of the beach.</p> <p>At Mt. Doug, dog owners have supplied their own baggie retainer and dog walkers fill it up regularly. This is the same for the U-Vic dog field near Henderson Rec Centre</p>	

Municipality	No. licenses sold – 2011	Animal Control Services provided by:	No. of off-leash Parks or Mixed	Park Hours	Dog bags provided in parks?	Additional Comments
Victoria	Not on website	Victoria Animal Control Services	12	Hours vary	Yes	
Vancouver	23,200	City of Vancouver Pound	32 (most recent stat from 2009)	Hours vary	Doesn't appear so, but not clear	
Kelowna	Not on website	Regional District Animal Control	7 + 2 "temporary"	None listed on website	No	
Sidney	Not on website	(listed on website as) CRD Animal Control	Of the 24 parks, 17 are on-leash and one is off-leash	Not listed on website	Not available on website	

### Dog Licence fees by jurisdiction

	Unaltered	Neutered or Spayed
Esquimalt	\$36	\$26
Oak Bay	\$55	\$39
Vancouver	\$71	\$38
Nanaimo	\$25	\$25
Saanich	NB. Website notes as "male or female dog" – and Before or After March 1 \$35 or \$40	Before or After March 1 \$25 or \$30
Victoria	NB. Website notes Jan1 – Feb 28 \$40 after \$60	NB. Website notes Jan1 – Feb 28 \$30 after \$50
Kelowna	\$60	\$20
Sidney	<b>Verbatim from website:</b>  <b>1. The owner of every dog shall pay an annual licence fee for that dog assessed as follows:</b> (a) For each neutered male or spayed female dog \$25.00 (b) For each male dog other than a neutered male \$35.00 (c) For each female dog other than a spayed female \$35.00  <b>2. For every licence fee paid by the last working day in February a discount will be applied:</b> \$5.00	

	<p><b>3. No licence fee shall be charged for guide dogs or police dogs.</b></p>						
	<p><b>4. Where a dog has been moved into the Town between the first (1st) day of March and the thirtieth (30th) day of June, the licence fee shall be as follows:</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 85%;">(a) For each neutered male or spayed female dog</td> <td style="text-align: right; width: 15%;">\$20.00</td> </tr> <tr> <td>(b) For each male dog other than a neutered male</td> <td style="text-align: right;">\$30.00</td> </tr> <tr> <td>(c) For each female dog other than a spayed female</td> <td style="text-align: right;">\$30.00</td> </tr> </table>	(a) For each neutered male or spayed female dog	\$20.00	(b) For each male dog other than a neutered male	\$30.00	(c) For each female dog other than a spayed female	\$30.00
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(b) For each male dog other than a neutered male	\$30.00						
(c) For each female dog other than a spayed female	\$30.00						
	<p><b>5. Where a dog is not six (6) months old until after the thirtieth (30th) day of June in the current licence year, or a dog has been moved into the Town after the thirtieth (30th) day of June, the licence fee shall be as follows:</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 85%;">(a) For each neutered male or spayed female dog</td> <td style="text-align: right; width: 15%;">\$10.00</td> </tr> <tr> <td>(b) For each male dog other than a neutered male</td> <td style="text-align: right;">\$20.00</td> </tr> <tr> <td>(c) For each female dog other than a spayed female</td> <td style="text-align: right;">\$20.00</td> </tr> </table>	(a) For each neutered male or spayed female dog	\$10.00	(b) For each male dog other than a neutered male	\$20.00	(c) For each female dog other than a spayed female	\$20.00
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(b) For each male dog other than a neutered male	\$20.00						
(c) For each female dog other than a spayed female	\$20.00						

References:

- Esquimalt: <http://www.esquimalt.ca/>
- Kelowna: <http://www.kelowna.ca/cm/site3.aspx>
- Nanaimo: <http://www.nanaimo.ca/>
- Oak Bay: <http://www.oakbaybc.org/>
- Saanich: <http://www.saanich.ca/>
- Sidney: <http://www.sidney.ca/>
- Vancouver: <http://vancouver.ca/>
- Victoria: <http://www.victoria.ca/>

## Appendix 2

### Health and social benefits of dog ownership

The Victoria Foundation's 2011 Vital Signs shows that in the CRD physical activity is down and stress levels are up. These are health related trends that cause concern for our community. Additionally, previous Vital Signs reports have indicated that isolation and belonging are concerns for certain people within our community.

It is no surprise that owning a dog can be beneficial to one's health, longevity, and sense of belonging and purpose. Study after study has demonstrated that owning a dog has specific health and social benefits: lower blood pressure, increase in physical activity as well as more social interactions with others.

Three major studies are listed below as examples:

### Pet owners' hearts may cope better with change

A February 2012 article published in the American Journal of Cardiology showed that of almost 200 people studied, research found that individuals who owned a pet had better heart health. Among the findings it showed people with coronary artery disease and who owned a pet exhibited a greater survival rate than non-owners. Their hearts respond better to the body's changing requirements, such as beating faster during stressful situations. (Source: American Journal of Cardiology, <http://www.ajconline.org/>)

### Getting more physical activity is healthy

In 2006, the American Journal of Preventive Medicine published research findings after researches from the University of Victoria's School of Physical Education, Victoria, B.C. surveyed 350 plus individuals, ages 20 to 80, from the Victoria Capital Regional district. Titled, "*Relationships Among Dog Ownership and Leisure-Time Walking in Western Canadian Adults*" found that mild to moderate dog walking should be explored as an intervention to get more people physically active. The findings revealed that dog owners walk an average of 300 minutes per week compared to non-dog owners who only walked an average of 168 minutes per week. (Source: American Journal of Preventive Medicine, <http://www.ajpmonline.org/article/PIIS0749379705003995/abstract>)

## **Meeting new friends**

Aside from the health benefits of owning a dog, dogs also serve as a motivation to help individuals make new friends while exercising their dogs and help to enhance one's social life. Dogs can serve as social catalysts, presenting opportunities to meet others while out walking, bringing people together to interact, providing a topic of conversation, a shared interest, and having positive interactions with others. (Source: House, Landis, & Umberson, 1988; McNicholas & Collis, 2000; Messant, 1983; Rogers, Hart, & Boltz, 1993)

In conclusion, owning and exercising a dog can lower blood pressure, lead to a better quality of life, lessen stress, and overall, be a vital part of someone's life.

## Appendix 3

### Windsor Park Dog Group Summary of Survey Questions

Representatives from the Windsor Park Dog Group (WPDG) surveyed its members during the month of February, 2012.

Of the 200+ members, there are approximately 100 active park members who visit Windsor Park either daily, occasionally during the week, or weekend visits only. Others visit the park only sporadically.

The survey was sent to WPDG members, asking them to complete **six** questions and comment accordingly. Members were informed their answers would be kept confidential in order to protect their personal, private information.

**As some members of Council belong to the WPDG, the survey was not sent to those individuals so as not to have a perceived bias.**

This section summarizes the responses that were received along with recommendations. Actual questions asked are at the end of this report.

#### **Findings:**

45% of the WPDG members responded to the questionnaire.

#### Winter access:

**80%** of the responders are pleased with the access to parks and beaches during winter months.

#### Specific comments:

- Some felt that access to Windsor Park in the later part of the day should be explored – e.g. 3:00p.m. – 6:00p.m.
- Fireman’s Park as an option during winter.
- Most of the members would like to see **McNeill Bay beach** accessible on a yearly basis with no restrictions on access times. Many feel this beach is not conducive to people as much as it is to dogs. They cite a rocky shoreline, inclement weather patterns and a small beach area for people.

Summer access:

**55%** felt summer access was not sufficient due to restrictions at parks and beaches.

Specific comments:

- Many would like to see **McNeill Bay beach** accessible from sunrise to sunset year round. Again, they cite the ‘unfriendliness’ of McNeill Bay beach for people; but ideal for dogs.
- Other parks where dog owners would like to access are Lafayette Park, Monterey School, Carnarvon Park, and Fireman’s Park, with limited hours during the summer.
- Some members mentioned the idea of additional hours at Windsor Park, when the park is not being used for other purposes – this could be proposed as a **pilot project** and be assessed after the pilot has ended, to ascertain whether the pilot was successful.
- As much as many responders would like to have summer access to **Willows Beach**, they also feel it is not a good idea to ask for that privilege due to the high number of families who use Willows Beach during the summer. Responders feel that having greater access to Willows during the summer could cause issues between non-dog owners and their families, and this request is not worth the backlash that could occur toward dog owners and/or Oak Bay Parks staff and elected officials.. Instead, members would be happy having increased access to **McNeill Bay** beach as a ‘trade-off’ from Willows beach.

Dog license fees:

The responses varied from “increase fees in order to support dog-related initiatives” and “more enforcement” to “cancel Animal Control Services due to overly-aggressive enforcement”

Also mentioned was the possibility of fund-raising initiatives to off-set dog-related initiatives; or increase property tax revenue to off-set dog-related initiatives.

Many people were not aware that dog license fees are not enough to cover the costs of animal control services. Some suggested that in order to cover these costs, the municipality increase dog license fees.

Dog related signage and information:

Over half of the responders felt that signage within the boundaries of Oak Bay beaches and parks were understandable and easy to read. However, a significant number of respondents cited the signage in and around Turkey Head Point, near Oak Bay Marina, as not being clear in its intent and suggested the signage be rewritten. Dog walkers find it confusing. Other responders noted that a sign should be erected on the east end side of Windsor Park along the lines of the ones on the north and south sides.

Over half – **55%** -- feel the Oak Bay website is currently not a helpful or informative design. Many responders stated that they felt the website was “inadequate” when it comes to dog-related information.

To improve the website, responders noted that they would like to see more consolidated dog related information in one place relating to: buying dog licenses online; off and on leash areas and beaches; hours and dates of access to parks and beaches; do’s and don’ts; license fee costs and fines; rules on accessing school grounds, are just a few ideas that members suggested and could enhance the website for them and visitors alike.

People find that the only access about dog-related issues on the Oak Bay website links to the bylaw, which most responders find as not reader-friendly.

**Note:** *The city of Vancouver is about to launch a new initiative (May or June, 2012) whereby dog owners will be able to purchase their dog licenses online. The city expects this initiative will increase compliance as there are currently only 24,000 of the estimated 100,000 dogs in Vancouver that are licensed annually. Aside from increased compliance, Vancouver also anticipates it could save the municipality about \$80,000 per year in costs.*

Dog tie-ups:

Respondents on whether they supported the current no ‘tie-ups for dogs’ bylaw were:

Yes, I support the bylaw = 16

No, I do not support the bylaw = 22

Some felt it was a good idea, but wondered about liability, if anything untoward happened to either a dog or a person. They wanted to see a safe and secure place for the dogs; however, no mention of how this would be monitored.

A few mentioned the tie-up station that used to exist in the Village, next to the library and wondered why it was taken away and whether it could be put back in this place.

#### Oak Bay providing poop-bags:

The respondents were almost split down the middle on whether poop bags should be provided by the municipality at various parks and beaches.

Yes: provide poop bags = 20

No: people should provide their own bags = 19

Responses ranged from:

- People should provide their own bags;
- Dog owners should be responsible for their own bags;
- Who would cover the cost of the bags;
- When bags are provided, people take advantage of it and take more than they should;
- Could the dispensers be filled when parks staff is emptying garbage cans;
- Saanich and Victoria provide bags, why can't Oak Bay;
- Could a **pilot** project be initiated where there is one dispenser at a park – say Windsor Park – and assess the pilot whether it was successful;
- Get businesses to sponsor the cost of the bags;
- Perhaps a small fee charged when buying the dog licence which would go to off-set the cost of the bags;
- Could a fund raiser be conducted that would off-set the cost of the bags.

#### Comments Section:

This section of the questionnaire was provided for additional comments that may have been overlooked in the survey, but provide much good insight into some top of mind issues of dog owners:

- Many owners do not pick up after their dogs, and it is disgusting.
- I like the fact that our mayor is more dog-friendly and want to make some changes to see how OB could be more dog-friendly.
- Post better dog park rules at all parks.
- Any chance of a place in Oak Bay that is fenced all around?
- The bylaw needs to be tightened up to the point that all proceeds of a sale revert to Oak Bay. This would remove the incentive to take dogs for the purpose of selling them.

- One of the things that have shocked me since becoming a dog owner is the irresponsible and selfish behavior of a very small minority of dog owners.
- Don't ask for a lot more signage – there's already a lot of it.
- Spear grass is a growing problem in Oak Bay - is there anything the municipality can do to help manage this issue?
- I think the fountains at Windsor need to have drainage holes drilled in the concrete bowls that hold the metal bowls. The water collects in the concrete bowl and, especially in summer, becomes a breeding ground for bacteria.
- I suggest a one page handout or pamphlet on dog issues should be available at the Municipal Hall and this same information should be sent out with the annual dog license renewal notices. This could also be posted on the Oak Bay website.
- Open up more parks...we are close to Carnarvon and could walk to the park instead of driving to Windsor Park.
- Why aren't cats licensed? They roam the neighborhood, pooping in gardens, killing birds and generally are not regulated.

### **Survey questions:**

#### **Survey Questionnaire for WPDG members – Month of February, 2012**

##### **Winter access for dogs**

Most dog owners informally canvassed have indicated that access is good in Oak Bay for dogs in non-summer months (e.g. Willows Beach/McNeill Bay Beach/Windsor Park off leash until 11 am). Do you agree with this statement?

Yes No

If you agree that winter access is good, are there any other comments you would like to make?

If you don't agree that winter access is good, what improvements would you suggest?

##### **Summer access for dogs**

Many dog owners have cited the limitations of park/beach access (both general access and off leash privileges) as an issue in the summer, a time of year when people want to be outside with their family and their dogs.

Do you have any ideas for additional access, either increased access in existing areas or new potential areas? (Please share as much detail as you can here and if you are thinking of a pilot type project, would you please provide information on how you think it would work best).

### **Dog License Fees**

Oak Bay Dog License Fees, at \$39 for neutered/spayed dogs or \$55 if either unaltered, are currently among the highest in the Capital Regional District (CRD). We are advised by the Municipality that total dog license fee revenues do not account for all the dog-related costs incurred (which are mostly Animal Control Services contracted for 15 hours a week). If initiatives are identified that benefit dogs/owners, and they have a cost component, could you suggest how these initiatives could/should be funded?

### **Dog related Signage and Information**

In your opinion is all dog related signage (at parks, beaches, etc.) within the municipality:

Clear in its intent?

Placed so that it is visible?

Can you give some examples?

Is all the Oak Bay Municipal information on dog issues, such as animal bylaws (on website or through other sources)?

Clear in its intent?

Easily accessible to the public?

Can you give some examples?

### **Dog Tie-ups**

Many folks have asked for dog tie-up flexibility in areas such as Oak Bay Avenue, as a way to combine running local errands and exercising their dogs. However, under the current Oak Bay bylaws, dogs are only allowed on streets when they are in the full custody and control of a competent person by means of a leash/chain. Animal Control Services has cited safety reasons in support of this bylaw.

Do you support the current bylaw regarding dog tie-up as it currently stands?

Yes No

If you don't support it, do you have any ideas on how a dog tie-up system could work safely in our community?

### **"Poop Bags"**

We would like to know how you feel about "poop bags" being provided in Oak Bay parks. Some municipalities (e.g. Victoria and Saanich) provide "poop bags" at certain strategic locations. Dispensers are at key locations, normally with a dog waste bucket directly below the dispenser. For example, if you walk on Cadboro Bay beach (in Saanich) and enter at the east entrance, there is a poop bag dispenser located just prior to entering the beach area.

Would you support “poop” bags being provided?

Note: current Oak Bay revenues from dog license fees would not be sufficient to pay for such an initiative. Yes No

If you indicated “yes”, would you please provide some ideas about how you think it could work: such as how could such an initiative be implemented and managed, where should dispensers be located and how should they be funded?

**Anything Else**

Do you have any additional comments that are outside the questions noted above? Have we missed anything? If so, it is important to hear your additional comments.

## Appendix 4

### Local Government Websites Research Regarding Information for Responsible Dog Ownership

#### Background:

The websites of seven local governments and the Capital Regional District (which includes nine other local government and/or regional district areas) in British Columbia, along with a local government website in Alberta and Saskatchewan in Canada, and Washington and Oregon in the United States were reviewed between March 3 and March 22, 2012 (Please see References for details).

The focus of the review was three-fold:

1. What type of information existed on the sites about responsible dog/pet ownership. For example:
  - Was there a section devoted to responsible dog ownership?
  - Does the website list dog license fees and amounts?
  - Was there information about where to buy a dog license other than from 'City Hall'?
  - Was there information regarding where people can walk their dogs, either on or off leash?
2. Ease of accessibility to the information on the respective websites; and
3. The overall tone of the content.

#### Key Findings:

##### 1. The Type Of Information About Responsible Dog/Pet Ownership

The review of the information on each site revealed that the type and amount of information varied widely from site to site ranging from very little information on this topic to a quite comprehensive array of information on an array of relevant topics.

The content on the sites too, ranged from information specific to dogs only, to include all pets, and on some sites the information also included information pertaining to wildlife in general.

The most commonly provided information on the sites was:

- The animal control bylaw(s), and any other rules, regulations specific to that local government;

- The cost of a dog license;
- Where to purchase the dog license;
- On-line payment section for the dog license;
- Off leash information (where applicable to that local government).

A few sites provided additional information such as:

- E-brochures and/or 'blogs'/forums on issues related to responsible pet ownership;
- Links and/or contact information for local pet shelters websites and about adopting pets;
- Links to local news items about pets and pet ownership in the area.

## **2. Ease Of Accessibility To The Information On The Respective Websites**

Overall, very few sites reviewed had a direct and obvious link to the relevant information off the main webpage. While nearly all the sites have main headings or a common topic links 'quick menu' on the main page, with headings such as "Residents", "Business", "Visitors", "Community Living", "Municipal Hall", "Departments", where to start looking for the information relevant to this issue varied from site to site, and was not necessarily 'intuitive'. For example, dog licensing information could be found in "Community Living" on some websites and under "Residents" or "Departments" on other sites.

Most often accessing information, especially on multiple topics, required a lot of 'clicking' in order to find the relevant information as you had to search under separate sub-topics or sub-sub-topics and areas such as:

- A Rules and Bylaws section: for the licensing information; animal control bylaws;
- Parks and Recreation or Community Living sections: for the off leash and other information such as pet adoption and local pet shelters;
- News/alerts section: for any changes to rules etc or topical information of interest to pet owners (e.g. Fireworks and pet safety around Halloween);
- Online payment section: where this was applicable in order to pay for dog licenses.

As well, if there was relevant information on the site most often there were no hyperlinks or cross-referencing to any of the other relevant sections on the site. So for nearly all the sites, the fastest way to find the information you were looking for

was to use the search function to search by keywords such “dog license” or “pets” or “dogs” or “off leash”.

### **3. The Overall Tone Of The Content**

The tone of the information provided on the sites reviewed varied widely both from site to site and within the sites, ranging from ‘light’ articles and ‘snippets’ about owning a pet (the joys and tribulations), to the much more ‘dense’ and ‘legalese’ of the actual bylaws, rules and regulations governing pet ownership/animal control.

However, as most the common information found on the sites tended to be the bylaws, rules and regulations the overall impression of the sites tended to be one of a negative approach in nature, “don’t forget to....after your dog”, or “dogs not allowed....”,or “dog owners must....”, “all dogs must have...”.

#### **Recommendations:**

Based on review of the sites the WPDG believes that Oak Bay has a unique opportunity to make the new website a ‘leader’ in the provision of information for and about responsible dog/pet owners and to therefore promote and highlight Oak Bay as a dog/pet friendly community. Further, a revised website could also help to contribute to an increase in compliance with the relevant bylaws and therefore generate an increase in licensing revenue as well.

In order to accomplish the above WPDG proposes the following recommendations for the website:

- It should contain as much relevant information as possible, on a broad array of topics, so that it provides a ‘one-stop shop’ for residents and visitors alike.
- The information should be organized so that it is more easily located and accessed from the main web page.
- The information should contain cross references and/or hyperlinks among the various relevant pieces.
- The information should be compatible with the overall accessibility items on the main website such as ability to enlarge the font size, or translated into other languages.
- As much as possible, the information on the site should present an ‘even’ tone in order to avoid the ‘negative and corrective’ tone that arises just providing bylaws and regulations posted verbatim on the site.

- It should include the option of paying dog license/fees online along with the other taxes and fees. (WPDG would like to note that the City of Vancouver is about to initiate the practice of allowing dog owners to pay on-line and will encourage owners to do this by dropping the fees for unsprayed or unneutered animals to the same cost of a license for spayed and neutered dogs).
- Add a “Resources” section that would provide links to groups, organizations, other levels of government sites on a variety of topics that are not currently linked to this information on most sites. For example a link to the Victoria Animal Control Services website (The Pound <http://www.vacs.ca/>) or to relevant sites for information about pets and tourism/travelling.

### References:

The following websites were reviewed (in alphabetical order):

Oak Bay, British Columbia: <http://www.oakbaybc.org/>

Calgary, Alberta: <http://www.calgary.ca/SitePages/cocis/default.aspx>

Capital Regional District: <http://www.crd.bc.ca/index.htm> (covers Colwood, Langford, Metchosin, Highlands, Sooke, JDF EA, Salt Spring Island, Southern Gulf Islands and View Royal)

Esquimalt, British Columbia: <http://www.esquimalt.ca/>

Nanaimo, British Columbia: <http://www.nanaimo.ca/>

Portland, Oregon, USA: <http://www.portlandonline.com/>

Prince George, British Columbia  
<http://www.princegeorge.ca/Pages/default.aspx>

Saanich, British Columbia: <http://www.saanich.ca/>

Saskatoon, Saskatchewan: <http://www.saskatoon.ca/Pages/default.aspx>

Seattle, Washington, USA: <http://www.seattle.gov/>

Vancouver, British Columbia <http://vancouver.ca/>

Victoria, British Columbia: <http://www.victoria.ca/>

Vancouver Sun newspaper articles referencing online purchase of dog licenses:

<http://www.vancouver.sun.com/City+proposes+switch+online+licensing/6341511/story.html>

<http://www.vancouver.sun.com/Vancouver+licensing+soon+digital/6339585/story.html>>

## **Appendix 5**

### **Descriptions, Analysis and Recommendations for Various Parks and Related Spaces in Oak Bay**

#### **Carnarvon Park**

##### **Description and Background**

Carnarvon Park is geared to serve a multitude of sports activities as well as other uses. It is a park that most people would consider as “built up”, with little unallocated areas.

There is a large, rectangular shaped grassy area on the east side of the Park. (There is also a large grassy area on the south end of the park but it appears to be the outfield area for baseball). According to Oak Bay Parks Staff, the eastern grassy area is used as a soccer field from September to March, and in the spring/summer it is the outfield area for the adjacent baseball diamond. Oak Bay Parks staff also noted that this particular area will be closed off for a major irrigation project over the next year.

The WPDG understands that a committee has been/is being formed to look at the future/potential redesign of the Park to update Carnarvon Park to meet current and future needs.

##### **Current Situation as it relates to Dogs**

Dogs are allowed in Carnarvon Park “on leash” only. Given the nature of the park, we recognize that most of Carnarvon is not suitable for dogs.

The large rectangular, eastern area noted above has some “natural” fenced borders including fences along the backyards of private residences on one side, and the baseball diamond on the other side. There are some open areas including the entrance area from the east side parking lot off Eastdowne. There may be some possibilities in the future, after the irrigation project is complete, to establish off-leash provisions for dogs in this particular area of Carnarvon if it is preserved as is and not developed for a specific sports field or designated for some other use.

There are currently some residents with dogs from the Carnarvon area who frequent the Windsor Park in off-leash hours because they feel there are no suitable alternative options in their neighbourhood. Also, the recent survey conducted by the WPDG showed there were people who are interested in similar off-leash provisions in Carnarvon Park.

When looking at Oak Bay's "Dog Regulations" map (A-3) we note there appears to be few options for dog owners in the Carnarvon area of Oak Bay. There is nearby Oakdowne Park which currently allows dogs off leash at all times, but it is small, not fenced, bordered by through streets and would likely not meet the needs of most large dog owners for safely exercising their pets. There is the nearby University of Victoria property at Cedar Hill Cross Road; however this land is not controlled by the municipality and the future use of the area is unknown. The University has indicated that they are in a planning process which involves considering a variety of options for this site. Furthermore, the adjacent Mystic Vale has been cited as an environmentally sensitive area and dogs are requested to be leashed in the Vale. Uplands Park is a good option for some, but it does not meet the needs of all dog owners for a variety of reasons.

We believe that of the entire Carnarvon Park area, the large rectangular eastern grassy area may have some future possibilities for dogs off leash areas. However, with the current usage by sports users, the upcoming irrigation project and the pending redesign of the Park itself, the timing may not be appropriate for setting up provisions for dogs off-leash at this time.

### **Recommendations**

- Given the variables noted above, the WPDG does not recommend any changes to Carnarvon Park, at this time.
- We do recommend that a "dog friendly" approach be considered as part of upcoming redesign of Carnarvon Park, and that a dog friendly community representative from the Carnarvon area (an experienced and responsible dog owner) be part of the Carnarvon Park redesign planning committee.
- We further recommend that the planning committee consult with some of the WPDG owners in the future redesign of the Park on dog related issues. We are confident that we can find an individual(s) who would be willing to provide input to this committee and assist as required for another Oak Bay neighbourhood, an individual who could provide practical advice based on the Windsor Park experience.

### **Fireman's Park**

#### **Description and Background**

Fireman's Park can be described as having three main sections: an upper area with a softball field near the Police/Fire service buildings, a middle grassy area with

a children's playground, and a lower baseball field. The two sports fields are almost fully fenced.

According to Oak Bay Parks staff, the lower baseball field is used extensively in the spring until the end of June, and then only sporadically in the summer. Sometimes, it is specifically booked for use; at other times the summer camp groups use this field "informally".

Oak Bay staff has indicated that sports groups have paid to establish and maintain these baseball/softball fields.

The fields are closed for a short period for maintenance at the end of August, along with all the other Oak Bay Parks.

### **Current Situation as it relates to Dogs**

Dogs are currently allowed in Fireman's Park on leash.

Oak Bay Staff suggested that Fireman's Park may provide some offset to the limited summer dog access options in Oak Bay (e.g. Willows beach off limits and shorter off-leash times at Windsor Park). The low amount of usage of the fields in the summer, especially the lower baseball field bordering on Monteith Street, means that there might be a possibility to turn the field into a "dogs allowed off leash" area for the summer. However, the staff noted that it likely could not be turned into a full "dog park" since access by sports users would sometimes be needed. Parks staff further noted there would have to be the occasional "blackout" periods for dog access when the fields are booked by sports camps.

Given that sports groups have sponsored the development and maintenance of baseball fields, the points noted above are understandable and reasonable. There is also the consideration of a "maintenance sports standard" which may be more challenging to Parks staff if dogs are able to access the fields off leash. Additionally, for dog owners to be given off-leash privileges with the understanding that there could be 'black out' periods could cause confusion and potentially hard feelings at times between different groups of users.

The lower baseball field is not large, although it might be suitable for smaller dogs/puppies for socialization, and for ball toss and some exercise for larger dogs. The area is almost completely fenced in and is bordered by a quiet street, which provides considerable advantages to dog owners. Given the smaller size of the field, it is not anticipated that this park would become a favourite dog exercise area. Additionally, once summer is over, longer hours for off-leash access at

Windsor and Willows Beach access is resumed; these options would more likely be preferred by most of the dog owners in the area.

It is noted that only two (in the Windsor Park Dog Group questionnaire cited Fireman's Park as an area where there should be expanded dog access privileges. Furthermore, as responsible dog owners, we are somewhat reluctant to suggest that we "share" an area that we did not develop and do not pay to maintain. However, we have appreciated the suggestions of Oak Bay Parks Staff trying to balance the needs of various parks users.

### **Recommendation**

- Our first preference is for more access for dogs in Oak Bay to other areas that the dog owners have identified as preferable (e.g. full hours on McNeill Bay Beach and expanded hours if possible on Windsor Park) rather than deal with organizing new arrangements at Fireman's Park.
- However, should recommendations pertaining to McNeill and Windsor not be approved, then it is recommended that Fireman's Park, lower field, be considered for a potential pilot for 2012. We would recommend that advance notice be given, if possible, to the sports groups affected by this pilot. If the pilot goes ahead, and is successful this year, then consideration would need to be given to provide a small amount of additional fencing around the entire field area to provide for full enclosure if possible, and new signage erected by 2013.

### **Uplands Park/Cattle Point**

#### **Description and Background**

This area is surrounded by homes along Beach Drive and extends to ocean access on the East side. The park on the ocean side is next to a boat ramp launch and has a concentration of unique plant species as well as home to the Killdeer birds, which retain their nests along the shoreline and hunt for food in the ocean nearby.

The area known as *Cattle Point* is separated from the main part of the park which extends behind the War Memorial and is the majority of the park. Cattle Point is used for walking, viewing vistas as well as bird watching, and boat launching. The main park, Uplands – is a meadow-like setting with numerous trails for dog walking. However, during the months of April, May and June dogs are only allowed on-leash in this meadow-like setting area because of nesting birds.

## **Current Situation as it relates to Dogs**

There are no restrictions for dogs at the Cattle Point side of the park; however, restrictions apply to the rest of the park.

When some dogs have been off-leash in the Cattle Point area, there have been a few complaints that dogs chase and harass the Killdeers that nest around Cattle Point area. As this area is also a favourite spot for bird-watching, it can be in conflict with dogs that are running off-leash and are not under control of their owners.

Dogs are allowed off-leash in the meadow-like section of Uplands during January, February, March, July, August, September, October, November and December. During bird nesting season – April, May and June – dogs must be on-leash and under the full control of their owner.

Cattle Point for off-leash is adequate, although with warmer weather and increased car traffic, the area can be hazardous for dogs and dog walkers. As well, the nesting of the birds is an issue.

Uplands Park, in the meadow-like section, is a nice area to have a dog off-leash. However, during winter months – particularly January, February, March, November and December – it is difficult to access due to its wet, boggy nature. July, August, September, and October are usually favourable for off-leash privileges. It is recognized that during bird-nesting season, it would be unwise to recommend increased access to the Uplands Park meadow section.

## **Recommendation**

- Given the sensitive ecosystem of the majority of Uplands Park/Cattle Point, we recommend no changes to this area for dog access. This is mainly due to nesting birds, increased summer traffic and no fully-fenced area.

## **Windsor Park**

### **Description and Background**

Windsor Park is a multi-use park facility (inside and outside) with a pavilion that is used for a variety of events. There is an Oak Bay Rec preschool operated inside the pavilion and a refurbished playground for children outside the main pavilion. The playground is located on the west side (Transit Street) of the park. There are

rooms for rent where groups or organizations may book an event at the pavilion through the Oak Bay Parks and Recreation department.

There is the Oak Bay Rose Garden located at the southeast corner of the park (Currie Road) and the Scented Garden located at the northeast corner of the park (Newport Avenue). These two areas are restricted access areas for dogs.

### **Current Situation as it relates to Dogs**

Windsor Park is 'home' to the Windsor Park Dog Group (WPDG) which was formed in 1996. Our aim is simple – to promote responsible dog ownership. However, the WPDG is not a formal group in the sense of an organization with volunteer leads. It is simply a group of people who use the park for exercising and socializing their dogs. The WPDG is linked by an email system (with over 200 on the distribution) coordinated by one individual who provides updates and information as needed.

Dog owners who visit Windsor Park come from many neighbourhoods in the region; however, the majority of dog owners who do visit the park live in Oak Bay.

The park does not have 'traditional' fencing around it, but rather a substantial 'shrub' fence which encompasses the entire park. There are two drinking fountains located on the West and East side of the pavilion where both can accommodate drinking water for dogs.

Currently, Windsor Park offers off-leash privileges between sunrise and 9:00 a.m. from July 1<sup>st</sup> through August 31<sup>st</sup> and from sunrise and 11:00 a.m. between September 1<sup>st</sup> to June 30<sup>th</sup>. Signs are posted at two entrances to the park regarding dog access times and dates – one on the North side (Windsor Road) and one on the South side (Currie Road). The signs also ask dog owners to pick up after their dogs.

Not picking up after a dog has defecated is contrary to the values that the Windsor Park Dog Group promotes; however, this is an issue that is on-going and the WPDG continues to remind owners to be responsible dog owners. We note that not all dog owners in the neighbourhood are part of the WPDG.

On occasions when there are events booked at Windsor during off-leash times (e.g. annual car shows; sports games), dogs/owners accommodate the situation by moving to another area of the park. The large size of Windsor allows for competing activities in the park at the same time. The only issue that has been

brought to the attention of the WPDG is sports equipment or sports bags being left on the ground arousing the interests of dogs.

As the WPDG questionnaire showed, the majority of dog owners are happy with the winter access to Windsor Park as well as other areas for their dogs. However, they do feel that summer access to the park could be enhanced as some other off-leash areas during summer are inaccessible due to a variety of reasons – spear grass that grows in some locations, nesting birds, increased activity at the parks and/or beaches.

Oak Bay Parks staff has noted that the mixed use of dogs and sports fields has worked out reasonably well in Windsor over the years, although digging in the field can be an issue. They have noted that the more the site is used by dogs/owners, the more degradation of the fields will result.

## **Recommendations**

- Given the limited access to some off-leash areas during the summer, the WPDG recommends that a **pilot project** be undertaken for a period of 3 to 6 months that would allow for evening access when the Park is not booked for specific events. To make sure this is a viable project, we suggest that this **pilot** begin after the Oak Bay redesigned website is complete and shows when the park is booked for sporting and special events. People would be encouraged to check the website where it would show when dog owners could or could not access the park in the evenings.
- As some dog owners who are not responsible and don't always pick up after their dog, we recommend a **trial period** of having the municipality install a 'poop' bag dispenser at one entrance to Windsor Park. This would be a strategic place to have a poop bag dispenser and dog owners visiting the park would be able to monitor the success of this initiative. We canvassed Animal Control Services regarding this idea and they were supportive of this initiative. Should this trial period prove successful, we would further recommend that the WPDG work with Oak Bay Parks and Recreation again on the possibility of implementing additional dispensers in the municipality and analyze details such as best strategic locations and source of funding, etc.
- We recommend that Oak Bay municipality's Park and Recreation department contact the City of Victoria and Saanich municipality to inquire

as to the costing, retailing opportunities and installing of **one** poop bag dispenser at Windsor Park. This dispenser would be placed in a location that would be easily accessible to visitors.

- Outdoor sports groups have essentially no specific area to leave their equipment/sports bags. Aside from the issue of dogs noted above, during inclement weather this equipment can get wet/muddy. Therefore, it is recommended that a “**sports bench**” (much like a seating bench but higher up) be set up next to the Windsor Pavilion for such a purpose which is adequate in its storage capacity to hold large amounts of equipment and also be off the ground and inaccessible to dogs.

## **McNeill (Shoal) Bay**

### **Description and Background**

People tend to use McNeill Bay Beach more for walking, instead of sunbathing or sitting. It is very cool and windy for most of the year except on the rare hot days in summer. Summer brings large numbers of geese who gather on the beach itself, and whose large droppings are plentiful on the sand and rocks. Also, due to tide line variations the beach can disappear. We understand that work on shoreline remediation will be taking place over the next several years to reduce the erosion. All in all, McNeill is not what most people consider an “ideal” people beach.

Over the years, McNeill Bay Beach has become an increasingly important locale for dogs and their owners. People without dogs still enjoy the beach, but the numbers are significantly lower at all times of the year.

There have been several changes to the dog-related bylaws at McNeill Bay Beach over the last several years. It is important to note that the bylaws do not deal with leash versus off-leash, but rather the issue of dogs allowed or not allowed on the beach. Currently, the bylaws state:

October, November, December, January, February, March, April	Dogs allowed on beach anytime
May, June, July, August, September	Dogs allowed on beach: <ul style="list-style-type: none"> <li>• Between sunrise and 11 am</li> <li>• Between 7 pm and sunset</li> </ul>

Changes to the bylaws were made in 2007, 2009 and 2011, with expanded hours for dogs resulting in each of the changes. Dog owners lobbied for additional hours on the following grounds:

- With reduced hours for dogs at Windsor Park and no dogs allowed on Willows Beach in summer months, McNeill Bay Beach was the best option in South Oak Bay for dog owners to safely and legally exercise their pets, as there is a long area for dogs to run and play.
- Willows Beach provided a very attractive, nearby option for people to enjoy beach activities without dogs.
- As McNeill was not used extensively by non-dog owners in the summer due its drawbacks (noted above), other taxpaying residents of Oak Bay who own dogs should be able to access this beach.

In 2006 and 2007, some work was done to determine actual usage of the beach by dog owners versus non-dog owners. Trying to get exact numbers of users was a challenge:

The municipality reported that Oak Bay staff did a count in 2006 which indicated that there were few dogs/owners compared to non-dog owners at the beach on summer months. ***However, the problem with their count was that it was conducted when dogs were not legally allowed on the beach, so the count only included dog owners willing to break the bylaws.***

As a result of the information coming from this count, which dog owners felt was flawed, the next year Diane McRae (a dog owner and resident living across the street from McNeill), undertook her own survey. She put in many hours observing people with and without dogs on McNeill Bay Beach in 2007 *during dogs-allowed hours*, and presented her findings to Parks staff. This information was also tabled at the Parks and Recreation Commission and Council in 2009. ***Her survey indicated that in the hours dogs were allowed on the beach in summer months, there were significantly more people with dogs than people without dogs. This was not a scientific survey, but rather an observation from a resident survey. Her findings can be produced for council, should you wish.***

## **Current Situation**

Dog owners are very grateful for the changes that have been enacted over the last several years for McNeill access, and have not been made aware of any complaints due to the expanded hours for dog access on the beach.

With the Mayor's stated goal of making Oak Bay more dog friendly, we are looking at McNeill Bay Beach situation once again.

Our dog management questionnaire to Windsor Park Dog Group owners did not flag McNeill Bay per se, but responses from a significant number of the responders are keen on having McNeill Bay Beach dog accessible sunrise to sunset all year round.

Mr. Fraser of VACS has noted that Oak Bay needs to consider the federal laws pertaining to migratory birds on beaches and harassment of wildlife/birds (by dogs) before changing the existing regulations.

**Recommendation:**

- That a 2012 pilot project be set up for dogs to be allowed on McNeill Bay Beach from sunrise to sunset for the summer months to the end of September.
- If the Pilot project is deemed a success, from the point of view that no issues arise from these temporary increased privileges, then we further recommend that the bylaws be changed.
- If the bylaws are changed, signage will need to be altered. Signage could also include a statement about dog owners respecting the neighbours' need for quiet and that dogs are to be under their owners' control at all times. Signage is already in place for picking up after the dogs.
- Should Oak Bay still wish to consider a South Oak Bay arrangement to accommodate non-dog owners, we suggest that the areas of Kitty Islet/McMicking Point which are currently open to dogs "with no restrictions", be changed to "dogs prohibited". These small areas offer protected tiny beaches and a picnic table in a rocky/grassy setting for those wanting to enjoy the area without dogs, and we believe would be a reasonable offset to allowing full access to McNeill for a dog friendly area.

We anticipate that our recommendations would not cause a problem for the vast majority of non-dog owners. However, in order to ensure that any changes do not cause issues for those who live in the area, and who do not own a dog but wish to use McNeill beach, then a pilot is a cautious approach, allowing for the temporary changes to be evaluated in the fall, 2012.