

MINUTES of a regular meeting of the MUNICIPAL COUNCIL of The Corporation of the District of Oak Bay, held in the Council Chambers, Oak Bay Municipal Hall, 2167 Oak Bay Avenue, Oak Bay, B.C., on Monday, February 9, 2009 at 7:30 p.m.

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

STAFF: Municipal Administrator, W. E. Cochrane
Municipal Clerk, L. Hilton
Confidential Secretary, K. Green
Director of Building and Planning, R. Thomassen
Municipal Treasurer, P. A. Walker
Director of Engineering Services, D. Marshall

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

ADOPTION OF MINUTES:

Public Hearing – January 26, 2009

MOVED by Councillor Herbert
Seconded by Councillor Braithwaite, That the report of the Public Hearing held on Monday, January 26, 2009, be adopted.

CARRIED

Council – January 26, 2009

MOVED by Councillor Braithwaite
Seconded by Councillor Copley, That the minutes of the Council meeting held on Monday, January 26, 2009, be adopted.

CARRIED

Committee of the Whole – February 2, 2009

MOVED by Councillor Copley
Seconded by Councillor Herbert, That the minutes of the Committee of the Whole meeting held on Monday, February 2, 2009, and the recommendations contained therein, be adopted.

CARRIED

COMMUNICATIONS:

1. 2009-43 MUNICIPAL ADMINISTRATOR, January 8, 2009
2009-43-1 BARRY KELLY, January 2, 2009
Re Application for Tree Removal Under Tree Protection Bylaw and Covenant – 603 Island Road

The Municipal Administrator noted that there are provisions in the Tree Protection Bylaw that would allow a protected tree to be removed if it falls within the specific criteria as outlined in his memorandum.

It was noted that the Parks Department found that none of the provisions appearing in the Tree Protection Bylaw applied to the Plum tree, and accordingly, the request was denied.

Upon being offered an opportunity to address Council regarding his request, Barry Kelly, homeowner, agreed that it seemed none of the provisions of the Bylaw applied to his request to remove one of the two Plum trees, however, he felt this is a situation where the trees overpower the front yard and it would be more visually appealing if one of the trees was removed. Mr. Kelly added that he would be more than happy to plant a replacement tree in another location on his property.

Catherine Turk and Marty Hart, Turk Landscape Design, were in attendance and provided a brief overview of the landscaping plan that they said would transform the view of the front yard. Ms. Turk felt that there was no long term vision when the ornamental Plum trees were planted so close together and the trees now obstruct the view of the entrance to the house. Further, said Ms. Turk, removing the one tree would likely benefit the health of the remaining tree.

Discussion turned to when the Plum trees may have been planted and if they were in fact part of the original Jones Estate planting scheme. With respect to the covenant registered in order to protect the unique species on the property, it was thought that the Plum trees would not likely have been a target of the covenant.

Discussion ensued regarding the Bylaw as it currently stands and its limitations with respect to permitting removal of some trees, including the plum tree under discussion.

MOVED by Councillor Herbert

Seconded by Councillor Cassidy, That staff be directed to report back on possible amendments to the diameter limits set out in the Tree Protection Bylaw with a view to excluding trees, such as the flowering plums at 603 Island Road, that may not have been the principle targets of the Bylaw in the first instance, and also that, in light of the complexity of the formula for multi-stemmed trees, staff re-measure the tree at 603 Island Road which is the subject of the current application for removal.

The Municipal Administrator advised that the Board of Variance would have jurisdiction to grant relief from the requirements of the Tree Protection Bylaw. Unlike Council in its reconsideration role, moreover, the Board would not be limited by the tree removal permit criteria set out in the Bylaw and could grant relief if, among other things, it found that compliance with the Bylaw would impose an undue hardship.

The question was then called.

CARRIED

2. 2009-55 OAK BAY TEA PARTY SOCIETY, January 26, 2009
2009-55-1 MUNICIPAL CLERK, January 28, 2009
Re 2009 Oak Bay Tea Party Grant /Occupancy of Public Property Request

MOVED by Councillor Herbert
Seconded by Councillor Braithwaite,

1. That pursuant to the Streets and Traffic and Zoning Bylaws, permission be given to the Oak Bay Tea Party Society for the occupancy of public land and for the closure of public streets as shown in the sketches attached to the memorandum from the Municipal Clerk dated February 9, 2009, for the purposes of staging the 2009 Oak Bay Tea Party, subject to the Oak Bay Tea Party Society undertaking the same preparations in terms of notices to the public and safety that has been done in previous years, and subject to the Oak Bay Tea Party Society executing an agreement saving the Municipality harmless from any liability arising from the staging of the events, and providing evidence of adequate liability insurance; and
2. That a grant of \$7,000 be provided to the Oak Bay Tea Party Society for the 2009 Oak Bay Tea Party.

CARRIED

3. 2009-56 DIRECTOR OF BUILDING AND PLANNING, February 2, 2009
2009-56-1 MUNICIPAL ADMINISTRATOR, February 4, 2009
2009-56-2 JUDITH ANDERSEN, February 4, 2009
Re Heritage Revitalization Agreement Application – 1226 Roslyn Road

The Director of Building and Planning advised that at a summer 2008 meeting of Council the applicant proposed to retain the majority of the existing home, revert it back to a one-family dwelling use and subdivide the lot. At that meeting the possibility of exploring the option of a heritage revitalization agreement was raised. The applicant indicated he was prepared to forego an immediate decision on his 2008 development variance permit/subdivision application in order to allow time to explore the Heritage Revitalization Agreement option.

Mr. Thomassen said that the current proposal before Council shows the property line being angled to allow the existing home to remain intact. Due to the shape of the proposed lots and the siting of the existing dwelling, nineteen variances would be required, he said.

John Young, applicant, said that through a Heritage Revitalization Agreement, he is now looking at preserving the whole structure and, due to financial considerations, he would like to retain the current legal non-conforming triplex and sell the proposed second lot to be developed by the purchaser. Mr. Young added that retaining the current structure would be an ecologically desirable option, although it poses challenges in terms of maintenance and upgrade work and the provision of parking.

A member of Council said that while he would be in favour of looking at ways to possibly save the structure, he would also like some assurance that the proposed upgrading work would be completed.

Mr. Young said he is not in a position to complete all the work before the property is subdivided and the second lot is sold, as he plans to use the proceeds from the sale of the property to see the restoration project through to completion. He added that he would prefer to put some of the other work off until that time and suggested an agreement could be put in place to ensure it was completed to the satisfaction of the Municipality.

The discussion turned to the need for upgrades to meet minimum standards with respect to fire safety for the building. In response, Mr. Young indicated that he would comply with the BC Building Code regarding fire safety, but added that the high cost of installing sprinklers might affect the feasibility of the project. Mr. Thomassen raised the point that sprinklering might be able to be used as an alternative compliance method versus undertaking all of the fire safety upgrades that would be required.

Responding to a question from Council on the ability to set terms for a Heritage Revitalization Agreement to ensure the proposed restoration work is done and allow for the subdivision to proceed, the Municipal Administrator said that in his experience it is difficult to enforce the terms of an agreement once signed, adding that he would strongly recommend that the work be required to be done prior to subdivision.

Attention was drawn to the history of the approval for the triplex and Mr. Cochrane explained that it was originally a single family dwelling situated on two lots, and in 1948 was legally converted into three apartments with the condition that the two lots be consolidated into one parcel.

In response to questions regarding the use of Heritage Revitalization Agreements, Mr. Cochrane explained that such an agreement would normally be used to increase the density on the estate of a large building to help defray the costs of upkeep, however, in this case, the owner wishes to increase the density and subdivide off a portion of the property.

With respect to questions regarding references in the Official Community Plan on the use of Heritage Revitalization Agreements as a means of preserving significant older homes in an economic manner, Mr. Cochrane provided an overview in this regard.

MOVED by Councillor Herbert

Seconded by Councillor Copley, That the Heritage Revitalization Agreement application be for 1226 Roslyn Road be referred to the Committee of the Whole for review.

Although support for further review of the application was noted, concerns were voiced regarding how to ensure the proposed development would fit in with the neighbourhood and how to ensure that the community's interests would be protected through a Heritage Revitalization Agreement.

The question was then called.

CARRIED

4. 2009-57 JOHN AND SYLVIA HIGGINS, February 2, 2009
2009-57-1 LYNNE AND JOHN LIMBERT, February 5, 2009
Re Development Variance Permit (Subdivision) – 3096 Cadboro Bay Road

MOVED by Councillor Herbert
Seconded by Councillor Braithwaite, That correspondence items no. 2009-57 and 2009-57-1 be received.

CARRIED

5. 2009-58 ERIC AND CARMELLE NIELSEN, January 28, 2009
Re Development Variance Permit – 2071 Stonehewer Place

MOVED by Councillor Cassidy
Seconded by Councillor Braithwaite, That correspondence item no. 2009-58 be received.

CARRIED

NEW BUSINESS:

Former Councillor Frank Carson

Mayor Causton was pleased to announce that former Councillor Frank Carson has recently been appointed as Queen's Council.

One Day Out Event

Councillor Braithwaite advised that the One Day Out Celebration will take place Friday, February 13th at the Oak Bay Recreation Centre from 6:30 p.m. to 9:30 p.m. in celebration of the 2010 Winter Olympics.

YES Awards

Councillor Braithwaite drew attention to the upcoming Oak Bay Child and Youth Committee's YES Awards to be held May 7th during Youth Week. Councillor Braithwaite said the committee is seeking names to be put forward to recognize exceptional young stars for their outstanding contributions to the community.

TABLED:

Development Variance Permit – 2078 Carnarvon Street

MOVED by Councillor Braithwaite
Seconded by Councillor Copley, That the following motion be lifted from the table:

That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2078 Carnarvon Street (Lot 27, Block 4, Section 28, Victoria District, Plan 1155), varying the following provision of Bylaw No. 3540 (*Parking Facilities Bylaw, 1986*, as amended):

<u>Parking Facilities Bylaw Section</u>	<u>Required</u>	<u>Requested</u>	<u>Variance</u>
4.1 and Schedule " A", A.1.(a) Minimum No. of Parking Spaces	2	1	1

to accommodate the proposed one uncovered parking stall as shown on the plans attached to Committee of the Whole agenda item #2009-34, being a memorandum from the Director of Building and Planning dated January 15, 2009.

CARRIED

The question on the main motion was then called.

CARRIED

(Councillor Cassidy against the motion)

Development Variance Permit (Subdivision) – 2381 Lansdowne Road
Development Variance Permit (Subdivision) – 3096 Cadboro Bay Road

MOVED by Councillor Copley

Seconded by Councillor Cassidy, That the following motions be lifted from the table:

That the Director of Building and Planning be authorized to issue a development variance permit to remove certain regulatory obstacles to the proposed subdivision of:

- Lot 4, Section 31, Victoria District, Plan 8400 (2381 Lansdowne Road); and
- Lot 1, Section 31, Victoria District, Plan 4678 (3096 Cadboro Bay Road)

which without in any way fettering the exercise of the judgment and authority of the Approving Officer under the *Land Title Act*, would vary the requirements of Sections 6.4.4(2)(c) and 6.4.4(2)(e) of Bylaw No. 3531 (*Zoning Bylaw, 1986*, as amended) and Section 8(1) of Bylaw No. 3578 (*Subdivision and Development Bylaw, 1987*, as amended), to allow the existing residence on the portion of Lot 4 that would remain after the westward adjustment of the lot line between Lot 4 and Lot 1 to have:

- (1) an interior side lot line setback (east side) of only 0.96 metres (1.5 metres required); and
- (2) the total of the setbacks on both sides equal to only 4.27 metres (4.57 metres required),

substantially as shown on the sketch plan of the proposed subdivision prepared by Island Land Surveying Ltd. dated May 2, 2008 and attached to Committee of the Whole agenda item #2009-35, when and if the Approving Officer grants preliminary approval for the proposed subdivision, and upon the applicants satisfying all conditions of preliminary approval set out by the Approving Officer including but not limited to the payment of all required off-site servicing costs.

and,

That the Director of Building and Planning be authorized to issue a development variance permit to remove certain regulatory obstacles to the proposed subdivision of:

- Lot 1, Section 31, Victoria District, Plan 4678 (3096 Cadboro Bay Road), as augmented by the addition of Part of Lot 4, Section 31, Victoria District, Plan 8400 (2381 Lansdowne Road),

which without in any way fettering the exercise of the judgment and authority of the Approving Officer under the *Land Title Act*, would vary the requirements of Sections 3.6.1, 4.15.1, 6.4.4(2)(b) and 6.4.4(2)(c) and Schedule "A" of Bylaw No. 3531 (*Zoning Bylaw, 1986*, as amended) and Sections 6(1) and 8(1) of Bylaw No. 3578 (*Subdivision and Development Bylaw, 1987*, as amended), to allow:

- (1) the proposed Lot B to have a frontage of only 21.335 metres (21.34 metres required);
- (2) the existing residence on the proposed Lot B to have an interior side lot line setback (west side) of only 0.91 metres (1.5 metres required);
- (3) the existing residence on the proposed Lot B to have a rear lot line setback (south side) of only 7.4 metres (7.62 metres required);
- (4) the paving of 43.5% of the rear yard of the proposed Lot B (maximum 25% permitted),

substantially as shown on the sketch plan of the proposed subdivision prepared by Island Land Surveying Ltd. dated May 2, 2008, and the landscape plan prepared by LADR Landscape Architects dated December 31, 2008, both attached to Committee of the Whole agenda item #2009-36, when and if the Approving Officer grants preliminary approval for the proposed subdivision, and upon the applicants satisfying all conditions of preliminary approval set out by the Approving Officer including but not limited to the payment of all required off-site servicing costs and, if applicable, boulevard tree replacement costs.

CARRIED

John Higgins, was in attendance to say that after further consideration he is concerned that should the subdivision be approved his backyard privacy would be considerably impacted by the house proposed to be built on the newly created lot. Mr. Higgins said that with the slope of the land, any dwelling would have enough height to cause him concern. As well, he said, he has safety concerns with respect to the proposed new driveway location being so close to the bend.

Lynne Limbert, applicant, responded by saying she recognizes that the proposed subdivision will impact the Higgins' property and that she will do her best to take that into consideration. Ms. Limbert said she has discussed with her landscaper installing a six foot fence to ensure privacy, further noting that the tree canopy will add some privacy between the two properties.

As for the proposed new driveway location, Ms. Limbert said the driveway would sit back another six feet in comparison to Mr. Higgins' driveway, adding that a turnaround is also being proposed should the subdivision go through.

Following further discussion, the question on the motion with respect to 2381 Lansdowne Road was called.

CARRIED

The question on the motion with respect to 3096 Cadboro Bay Road was then called.

CARRIED

Development Variance Permit – 2071 Stonehewer Place

MOVED by Councillor Cassidy

Seconded by Councillor Herbert, That the following motion be lifted from the table:

That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2071 Stonehewer Place (Lot 1, Section 23, Victoria District, Plan VIP85350), varying the following provisions of Bylaw No. 3531, being the *Zoning Bylaw, 1986*, as amended:

<u>Bylaw Section</u>	<u>Permitted</u>	<u>Requested</u>	<u>Variance</u>
6.5.4. (3) (b) Occupiable Height	0.25 m	2.53 m	2.28 m
6.5.4. (3) (c) Maximum Roof Height	4.60 m	5.3 m	0.73 m

to accommodate the proposed construction of a garage as shown on the plans attached to Committee of the Whole agenda item #2009-37, being a memorandum from the Director of Building and Planning dated January 15, 2009.

CARRIED

The question on the main motion was then called.

CARRIED

Development Variance Permit – 2347 Windsor Road

MOVED by Councillor Cassidy

Seconded by Councillor Copley, That the following motion be lifted from the table:

That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2347 Windsor Road (Lot 1 & 2, Section 23, Victoria District, Plan 368C, Except Parcel A, (DD 134322I)), varying the following provision of Bylaw No. 3531, being the *Zoning Bylaw, 1986*, as amended:

<u>Bylaw Section</u>	<u>Permitted</u>	<u>Requested</u>	<u>Variance</u>
4.15.1 Maximum Paved Surface (rear yard)	25%	37.5%	12.5%

to accommodate the proposed parking area as shown on the plan attached to Committee of the Whole agenda item #2009-38, being a memorandum from the Director of Building and Planning dated January 15, 2009.

CARRIED

The question on the main motion was then called.

CARRIED

Development Variance Permit – 2555 Lansdowne Road

MOVED by Councillor Cassidy

Seconded by Councillor Herbert, That the following motion be lifted from the table:

That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2555 Lansdowne Road (Lot 6, Block 19, Section 31, Victoria District, Plan 1216A), varying the following provisions of Bylaw No. 3531, being the *Zoning Bylaw, 1986*, as amended:

<u>Bylaw Section</u>	<u>Permitted</u>	<u>Requested</u>	<u>Variance</u>
6.2.4. (3) (a) + Schedule 'B' Maximum Building Height	7.32 m	7.92 m	.6 m
6.2.4. (3) (b) + Schedule 'B' Maximum Occupiable Height	4.57 m	5.3 m	0.73 m

to accommodate the proposed renovations as shown on the plans attached to Committee of the Whole agenda item #2009-39, being a memorandum from the Director of Building and Planning dated January 7, 2009.

CARRIED

The question on the main motion was then called.

CARRIED

RESOLUTIONS:

Development Variance Permit – 3648 Crestview Road

MOVED by Councillor Cassidy

Seconded by Councillor Copley, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 3648 Crestview Road (Lot 7, Section 31, Victoria District, Plan 9595), varying the following provision of Bylaw No. 3531, being the *Zoning Bylaw, 1986*, as amended:

<u>Bylaw Section</u>	<u>Permitted</u>	<u>Requested</u>	<u>Variance</u>
4.15.1 Maximum Paved Surface (front yard)	25% 40.7 sq m	35% 57.3 sq m	10 percentage points 16.6 sq m

to accommodate the proposed parking area as shown on the plan attached to Committee of the Whole agenda item #2009-50, being a memorandum from the Director of Building and Planning dated January 26, 2009.

MOVED by Councillor Cassidy

Seconded by Councillor Copley, That the motion in respect of the development variance permit for 3648 Crestview Road be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

Development Variance Permit – 63 Sylvan Lane

MOVED by Councillor Cassidy

Seconded by Councillor Herbert, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 63 Sylvan Lane (Lot 2, Section 47, Victoria District, Plan 41672), varying the following provisions of Bylaw No. 3531, being the *Zoning Bylaw, 1986*, as amended:

<u>Bylaw Section</u>	<u>Permitted</u>	<u>Requested</u>	<u>Variance</u>
6.4.4. (6) (b) Gross Floor Area	480 sq m	676.1 sq m	196.1 sq m
6.4.4. (6) (b) Gross Floor Area higher than 0.8 metres below grade	360 sq m	676.1 sq m	316.1 sq m

to accommodate the proposed renovations as shown on the plans attached to Committee of the Whole agenda item #2009-51, being a memorandum from the Director of Building and Planning dated January 27, 2009.

MOVED by Councillor Cassidy

Seconded by Councillor Herbert, That the motion in respect of the development variance permit for 63 Sylvan Lane be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

Development Variance Permit – 3265 Beach Drive

MOVED by Councillor Herbert

Seconded by Councillor Copley, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 3265 Beach Drive (Lot A, Section 31, Victoria District, Plan 3695), varying the following provisions of Bylaw No. 3531, being the *Zoning Bylaw, 1986*, as amended:

<u>Bylaw Section</u>	<u>Required</u>	<u>Requested</u>	<u>Variance</u>
4.10.4 Minimum Rear Lot Line Setback	3.0 m	0.46 m	2.54 m
4.10.5; 6.2.4.(2)(c); Schedule "C" Minimum Interior Side Lot Line Setback	4.57 m	0.38 m	4.19 m

to accommodate the proposed construction of an in ground jacuzzi as shown on the plans attached to Committee of the Whole agenda item #2009-52, being a memorandum from the Director of Building and Planning dated January 27, 2009.

MOVED by Councillor Herbert
Seconded by Councillor Copley, That the motion in respect of the development variance permit for 3265 Beach Drive be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

Development Variance Permit – 1009 St. David Street

MOVED by Councillor Cassidy
Seconded by Councillor Herbert, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 1009 St. David Street (Lot 12, Section 23, Victoria District, Plan 1317), varying the following provision of Bylaw No. 3531, being the *Zoning Bylaw, 1986*, as amended:

<u>Bylaw Section</u>	<u>Permitted</u>	<u>Requested</u>	<u>Variance</u>
4.15.1	25%	70%	45
Maximum Paved Surface (rear yard)	28 sq m	78.4 sq m	percentage points 50.45 sq m

to accommodate the proposed paved area as shown on the plan attached to Committee of the Whole agenda item #2009-53, being a memorandum from the Director of Building and Planning dated January 28, 2009.

MOVED by Councillor Cassidy
Seconded by Councillor Herbert, That the motion in respect of the development variance permit for 1009 St. David Street be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

Development Variance Permit – 2654 Dalhousie Street

MOVED by Councillor Cassidy
Seconded by Councillor Herbert, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2654 Dalhousie Street (Lot 99, Section 61, Victoria District, Plan 874), varying the following provisions of Bylaw No. 3531, being the *Zoning Bylaw, 1986*, as amended:

<u>Bylaw Section</u>	<u>Permitted/ Required</u>	<u>Requested</u>	<u>Variance</u>
6.5.4. (6) (b) Gross Floor Area	420 sq m	435 sq m	15 sq m
6.5.4. (6) (b) Gross Floor Area higher than 0.8 meters below grade	300 sq m	435 sq m	135 sq m
6.5.4 (11) Minimum interior side lot line setback for second storey and above	3.0 m	1.89 m	1.11 m

to accommodate the proposed additions as shown on the plans attached to Committee of the Whole agenda item #2009-54, being a memorandum from the Director of Building and Planning dated January 28, 2009.

MOVED by Councillor Cassidy

Seconded by Councillor Herbert, That the motion in respect of the development variance permit for 2654 Dalhousie Street be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

Destruction of Obsolete Municipal Records

MOVED by Councillor Herbert

Seconded by Councillor Copley, That the Municipal Clerk be authorized to destroy the obsolete Municipal Records as listed on the attached sheets referenced as Documents Scheduled for Destruction – February 9, 2009.

CARRIED

BYLAWS:

For Adoption

MOVED by Councillor Braithwaite

Seconded by Councillor Herbert, That Bylaw No. 4452, *Low-Speed Electric-Powered Vehicle Authorization Bylaw Amendment Bylaw, 2009*, be adopted.

CARRIED

For First, Second and Third Readings

MOVED by Councillor Braithwaite

Seconded by Councillor Herbert, That Bylaw No. 4453, *Denison Road Stopping Up, Closing and Removing of Highway Dedication Bylaw, 2009*, be introduced and read a first time.

CARRIED

MOVED by Councillor Braithwaite

Seconded by Councillor Herbert, That Bylaw No. 4453, *Denison Road Stopping Up, Closing and Removing of Highway Dedication Bylaw, 2009*, be read a second time.

CARRIED

MOVED by Councillor Braithwaite

Seconded by Councillor Herbert, That Bylaw No. 4453, *Denison Road Stopping Up, Closing and Removing of Highway Dedication Bylaw, 2009*, be read a third time.

CARRIED

MOVED by Councillor Braithwaite
Seconded by Councillor Cassidy, That notice be given to BC Hydro and Power Authority, Telus Communications Inc., Shaw Cable and Terasen Gas regarding Council's intention to adopt Bylaw No. 4453.

CARRIED

MOVED by Councillor Copley
Seconded by Councillor Herbert, That Bylaw No. 4454, *Parking and Alternative Transportation Infrastructure Reserve Funds Transfer Bylaw No. 1, 2009*, be introduced and read a first time.

CARRIED

MOVED by Councillor Copley
Seconded by Councillor Herbert, That Bylaw No. 4454, *Parking and Alternative Transportation Infrastructure Reserve Funds Transfer Bylaw No. 1, 2009*, be read a second time.

CARRIED

MOVED by Councillor Copley
Seconded by Councillor Herbert, That Bylaw No. 4454, *Parking and Alternative Transportation Infrastructure Reserve Funds Transfer Bylaw No. 1, 2009*, be read a third time.

CARRIED

ADJOURNMENT:

MOVED by Councillor Braithwaite
Seconded by Councillor Cassidy, That the open portion of the meeting of Council be adjourned and that a closed session be convened to discuss the acquisition, disposition or expropriation of land or improvements as Council considers that disclosure might reasonably be expected to harm the interests of the Municipality.

CARRIED

The meeting adjourned at 9:02 p.m.

Certified Correct:

Municipal Clerk

Mayor