

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, November 23, 2009, at 7:30 p.m.

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

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

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

ADOPTION OF MINUTES:

*Council – November 9, 2009*

MOVED by Councillor Herbert  
Seconded by Councillor Copley, That the minutes of the Council meeting held on Monday, November 9, 2009, be adopted.

CARRIED

*Committee of the Whole – November 16, 2009*

MOVED by Councillor Herbert  
Seconded by Councillor Copley, That the minutes of the Committee of the Whole meeting held on Monday, November 16, 2009, and the recommendations contained therein, be adopted.

Councillor Cassidy indicated a conflict of interest regarding correspondence item no. 2009-352 as was noted in the minutes regarding the applicants being his clients, and there was consensus that the motion be amended to exclude the recommendation in relation to correspondence item no. 2009-352, an Uplands building permit application for 3023 Beach Drive. Councillor Cassidy left the meeting at 7:34 p.m.

CARRIED

MOVED by Councillor Jensen  
Seconded by Councillor Braithwaite, That the recommendation contained in the minutes of the Committee of the Whole meeting held on Monday, November 16, 2009 regarding correspondence item no. 2009-352, an Uplands building permit application for 3023 Beach Drive, be adopted.

CARRIED

Councillor Cassidy returned to the meeting at 7:35 p.m.

COMMUNICATIONS:

1. 2009-360 DIRECTOR OF BUILDING AND PLANNING, November 12, 2009  
Re Property Protected by Temporary Protection Order – 1271 Monterey Avenue

MOVED by Councillor Herbert

Seconded by Councillor Ney, That the 60 day temporary protection order for 1271 Monterey Avenue made by Council on October 26 2009, in accordance with Section 965 of the Local Government Act, be revoked.

CARRIED

*(Councillor Copley against the motion)*

It was noted that two homes would be built in place of the one dwelling straddling two lots that is slated to be removed. There was some discussion regarding the recommendation of the Heritage Advisory Panel with respect to 1271 Monterey Avenue, and ways to continue encouraging homeowners to consider moving or deconstructing a house rather than demolishing it.

2. 2009-361 CASTAWAY WANDERERS RUGBY FOOTBALL CLUB, [Undated]  
Re Request to Occupy Public Property for Christmas Tree Recycle Fundraising Event

MOVED by Councillor Braithwaite

Seconded by Councillor Jensen, That approval be given for the temporary occupancy of public property as requested in correspondence item no. 2009-361, subject to the Castaway Wanderers Rugby Football Club entering into a public property occupancy agreement in which it will among other standard requirements:

- 1) release and indemnify the Municipality from any claims or liability associated with the event and providing evidence of public liability insurance in the amount of not less than \$3,000,000; and
- 2) agree to pay all invoices from the Municipality for costs incurred in connection with the event,

with the Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

3. 2009-362 OAK BAY VOLUNTEER SERVICES SOCIETY, November 19, 2009  
Re Request for Financial Assistance

MOVED by Councillor Herbert

Seconded by Councillor Jensen, That the grant request from the Oak Bay Volunteer Services Society in the amount of \$30,000 be referred to Council's Estimates Committee for consideration during budget deliberations.

Responding to a member of Council querying whether Oak Bay Volunteer Services Society's operation could be affected if at least some of the funding was not approved now, the Municipal Administrator advised that any funding approved now would be received after taxes in July of next year in any event.

With respect to the Volunteer Services' contingency fund of \$25,000, a member of Council said he would like to know what the funds are being held for. He also noted that the budget does not indicate any Provincial revenue, asking if clarification on Provincial funding could be provided.

The question was then called.

CARRIED

4. 2009-363 BRITISH COLUMBIA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, October 19, 2009  
2009-363-1 MUNICIPAL CLERK, November 17, 2009  
Re Request for Animal Control Bylaw Amendment re Rabbits

The Municipal Clerk drew attention to the correspondence received from the Society for the Prevention of Cruelty to Animals (SPCA) requesting changes to Oak Bay's Animal Control Bylaw, and the staff report detailing the various proposed amendments and their potential impact.

There was some discussion regarding what role the Municipality, property owners, and the SPCA have regarding rabbit control in the region.

With respect to enforcing the suggested changes to the Bylaw, it was noted that under the Municipality's contract for animal control services there is a limited number of patrol hours required to be provided by the contractor, therefore the resources available for enforcement are minimal.

Following further discussion and questions being answered, it was the view of Council that the two amendments proposed in the Municipal Clerk's memorandum were desirable.

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That staff be directed to draft an amendment to the Animal Control Bylaw that would prohibit the feeding of wildlife on public and private property and prohibit the releasing of or abandoning of rabbits, to be brought forward to Council for formal consideration.

CARRIED

5. 2009-364 KIWANIS CLUB OF OAK BAY, November 18, 2009  
Re Request to Occupy Public Property for Membership Campaign

MOVED by Councillor Braithwaite

Seconded by Councillor Cassidy, That approval be given for the temporary occupancy of public property as requested in correspondence item no. 2009-364, subject to the Kiwanis Club of Oak Bay entering into a public property occupancy agreement in which it will among other standard requirements:

- 1) release and indemnify the Municipality from any claims or liability associated with the event and providing evidence of public liability insurance in the amount of not less than \$3,000,000; and
- 2) agree to pay all invoices from the Municipality for costs incurred in connection with the event,

with the Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

A member of Council questioned whether giving approval to one service group would open the door for other groups wishing to use public property for campaigning or similar purposes. The view was expressed that the service groups are a great benefit to the community and that allowing the use of public property for this purpose was supportable.

The question was then called.

CARRIED

6. 2009-365 MUNICIPAL CLERK, November 16, 2009  
Re Sea of Lights Event

MOVED by Councillor Braithwaite

Seconded by Councillor Ney, That in relation to the Sea of Lights Event, the activities planned for Willows Beach, or alternately, depending on the tide, for Willows Park, on December 4, 2009 be approved as a Municipal Event, including the lighting of a bonfire pursuant to Section 46 of the Fire Regulation Bylaw.

CARRIED

7. 2009-366 ROBERT HUGH SMITH AND FRANCES MARY SMITH, November  
2009-366-1 13, 2009  
MARION CUMMING, November 20, 2009  
Re Development Variance Permit – 63 Sylvan Lane

MOVED by Councillor Jensen

Seconded by Councillor Copley, That correspondence items no. 2009-366 and 2009-366-1 be received.

CARRIED

8. 2009-367 BRITT KARLSTROM, November 16, 2009  
2009-349-1 S. B. JULIAN, November 14, 2009  
2009-349-2 GODFREY AND T. HUNTER, November 15, 2009  
Re Tree Protection Bylaw

MOVED by Councillor Jensen

Seconded by Councillor Herbert, That correspondence items no. 2009-367, 2009-349-1 and 2009-349-2 be received.

CARRIED

9. 2009-368 PROJECT TEAM OAK BAY BICYCLE MASTER PLAN November 23, 2009 Re Resolution Proposed by Councillor Jensen to Establish Transportation Priorities

MOVED by Councillor Copley

Seconded by Councillor Herbert, That correspondence item no. 2009-368 be received.

CARRIED

NEW BUSINESS:

*Agenda Packages*

Councillor Jensen asked if extra copies of the agenda packages could be available for members of the public that have expressed interest and regularly attend Council and Committee of the Whole meetings. It was agreed that three additional agenda packages would be prepared.

*Demolition and Deconstruction Permit Fees*

Responding to a suggestion to revisit the building demolition or deconstruction fees with respect to implementing a lower deconstruction fee as a way to encourage deconstruction versus demolition, the Director of Building and Planning advised that he is currently looking to bring forward to the next Committee of the Whole meeting proposed changes to the Building and Plumbing Bylaw that could include information on those permit fees as well.

*Oak Bay Lodge – Vancouver Island Health Authority*

With respect to a suggestion made by Mayor Causton at a previous meeting to invite a representative from the Vancouver Island Health Authority (VIHA) to attend a Council meeting to provide information regarding the future of the Oak Bay Lodge, Councillor Copley asked if confirmation had been received. Mayor Causton advised that it is hoped that a representative would be available to attend the December 14, 2009 Council meeting and staff is awaiting a response to the invitation.

Responding to Councillor Cassidy asking what would be accomplished by having VIHA address Council when the process to close the Oak Bay Lodge is already in motion and cannot be changed, Mayor Causton said he felt that it would be an opportunity for Council and the public to discover, first hand, what the rationale is behind the closure and what the future of the property is.

TABLED:

*Development Variance Permit – 614 Monterey Avenue*

MOVED by Councillor Jensen

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 614 Monterey Avenue (Lot 46, Section 22, Victoria District, Plan 1147) 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.(6) (a) Gross Floor Area Higher than 0.8 metres Below Grade	240 sq m	297.1 sq m	57.1 sq m

to accommodate a new deck, as shown on the plans attached to Committee of the Whole agenda item #2009-338, being a memorandum from the Director of Building and Planning dated October 27, 2009.

CARRIED

With no members of the public wishing to speak to the application, the question on the main motion was then called.

CARRIED

***Development Variance Permit – 2657 Cavendish Avenue***

Councillor Herbert declared a conflict of interest with respect to the development variance permit request for 2657 Cavendish Avenue as he lives on Cavendish Avenue across the street from the applicant. Councillor Herbert left the meeting at 8:05 p.m.

MOVED by Councillor Copley

Seconded by Councillor Jensen, 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 614 Monterey Avenue (Lot 46, Section 22, Victoria District, Plan 1147) 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.(6) (a) Gross Floor Area Higher than 0.8 metres Below Grade	240 sq m	297.1 sq m	57.1 sq m

to accommodate a new deck, as shown on the plans attached to Committee of the Whole agenda item #2009-338, being a memorandum from the Director of Building and Planning dated October 27, 2009.

CARRIED

With no members of the public wishing to speak to the application, the question on the main motion was then called.

CARRIED

Councillor Herbert returned to the meeting at 8:07 p.m.

**Development Variance Permit – 63 Sylvan Lane**

MOVED by Councillor Ney

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 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.(3) (a) and Schedule 'B' Maximum Building Height	7.32 m	9.7 m	2.38 m
6.4.4.(3) (b) and Schedule 'B' Maximum Occupiable Height	4.57 m	7.1 m	2.53 m
6.4.4.(3) (c) and Schedule 'B' Maximum Roof Height	9.14 m	11.7 m	2.56 m
6.4.4.(6) (b) Gross Floor Area	480 sq m	786 sq m	306 sq m
6.4.4.(6) (b) Gross Floor Area Higher than 0.8 metre Below Grade	360 sq m	724 sq m	364 sq m

to accommodate the proposed renovations, as shown on the following plans:

- Site Plan stamped received January 27, 2009
- Lower Storage Plan, Lower Floor Plan, Main Floor Plan, Upper Floor Plan, East Elevation, South Elevation, West Elevation, and North Elevation dated October 12, 2009.

CARRIED

Al Horner, resident, said he had a few points to make, noting that he has lived in this area since 1967. In his observation, Mr. Horner said the roof height of the house has not changed and he feels the notice sent to residents gives a false impression in that regard. With respect to the upper balcony, he said there has always been a small, ugly balcony, and it is quite likely that the contractor thought the proposed 18 inch wide deck was an error and therefore built a more useable 48 inch wide deck.

Mr. Horner provided a brief history of the driveways, commenting that the lower driveway is now being used because many years ago the original driveway, which was directly across the road from his home, was like a ski slope, becoming a hazard in the winter. He noted that the driveways were installed by a previous homeowner.

It was Mr. Horner's opinion that the renovations taking place at 63 Sylvan Lane are being done in good taste and are in keeping with the character of the neighbourhood. As well, said Mr. Horner, in speaking with his neighbours he found no one expressing any objections.

Attention was drawn to the letters received from two of the neighbours expressing concern about the safety and aesthetics of the very large boulder retaining wall. In response, the Director of Building and Planning advised that a geo-technical report confirmed satisfaction with the construction of the wall, noting there is a little more work needed to complete that part of the project.

Olivia Dam and Darren Behn, applicants, responding to a question from Council regarding adding plantings to help soften the appearance of the retaining wall, advised that next Spring they plan to add trees and flowers to mitigate the visual impact.

Acknowledging it would not be prohibited under any regulations, a member of Council expressed concern regarding the landfill area possibly being used to park vehicles. The homeowners noted they do not plan to park vehicles there and that the geo-tech plans are for a soil based surface in this area.

The overall height of the retaining wall and its size in the context of the limited catchment area raised concerns amongst the members of Council. In response, Mr. Thomassen said that the catchment area has been designed by a geo-tech firm, and he confirmed that the height of the retaining wall will not change the variances being requested for the principal building. Mr. Thomassen confirmed that a permit had not been applied for in relation to the rock wall.

Mike Miller, Abstract Developments Inc., said he was unaware of the requirement for a building permit for the retaining wall, although he would ensure one was obtained if required.

Mr. Thomassen noted that he would review the regulations in respect to retaining walls, confirming, however, that the variances before Council at the present time are separate from any that might be required for the height of the retaining wall.

Marion Cumming, resident, said she has appreciated the openness of ongoing discussions with the applicants. Ms. Cumming expressed her concern about the safety of the boulder wall that faces her home and looks ominous due to its size. Ms. Cumming suggested that geo-tech wire netting and vegetation, such as vines and suitable trees, be added to improve the safety and look of the unsightly wall. Although she noticed the geo-tech report mentioned a catchment area of twenty feet across, the catchment area is in fact narrower than indicated in the plans, she said.

Regarding the catchment area, Mr. Thomassen advised that the geo-tech has not completed the project and would be conducting a site visit in the near future which could result in changes to the catchment area.

With respect to the possibility of vehicles parking on top of the retaining wall area, Ms. Cumming suggested that the homeowners consider registering a covenant against the property that would ensure no parking on this area.

Ms. Cumming drew attention to the window style noting the windows that have been installed facing her home do not match the most recent submitted building plans, which show the windows with mullions. She requested that framework be added over the glass to give the appearance of mullions as indicated in the plans.

Questions regarding the installation of windows different than the style shown in the approved plans were directed to the homeowners, and Dr. Dam advised that they had originally contemplated including mullions, but due to the added cost of \$20,000 they decided to place windows with mullions along the portion of the house that is visible from the road only.



Questions regarding whether approval would be needed for a change in window design, the Municipal Administrator advised that the previous development variance permit approval had been granted in the context of the plans included at that time. Council, he said, would need to be satisfied that the development was in substantial conformance with the plans on which approval was based.

In the particular case of the windows, he said, in his opinion the new window design could be considered a substantial change from the previously approved plans inasmuch as the approved mullioned windows were tied to a floor area variance involving new dormers, and could have been felt to contribute to the overall design for the new floor area provided with the dormers.

The Municipal Administrator advised that if Council agrees that this is a substantial enough change, the development would be required to include the approved window design features, or new plans could be submitted, which would then initiate a new notice process. Mr. Cochrane added that the variances before Council could be approved knowing the applicant might come back with window changes, and at that time a variance for the retaining wall could be considered also, if required.

With no further members of the public wishing to speak to the application, the question on the main motion was then called.

CARRIED  
(Councillor Braithwaite against the motion)

RESOLUTIONS:

***Development Variance Permit – 2578 Eastdowne Road***

MOVED by Councillor Herbert

Seconded by Councillor Braithwaite, That That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2578 Eastdowne Road (Lot 11, Section 28, Victoria District, Plan 8990) 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.(7) Minimum Clear Space Between Buildings and Structures	3.0 m	2.0 m	1.0 m

to accommodate the relocation of an existing green house, as shown on the plans attached to Committee of the Whole agenda item #2009-353, being a memorandum from the Director of Building and Planning dated November 9, 2009.

MOVED by Councillor Cassidy

Seconded by Councillor Braithwaite, That the motion in respect to the development variance permit for 2578 Eastdowne Road be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

There was consensus to amend the order of the agenda to consider the Bylaws at this time.

BYLAWS:

***For First, Second and Third Reading***

MOVED by Councillor Braithwaite  
Seconded by Councillor Herbert, That Bylaw No. 4488, *Mayor and Councillors Annual Indemnity Bylaw, 2010*, be introduced and read a first time.

CARRIED

MOVED by Councillor Braithwaite  
Seconded by Councillor Herbert, That Bylaw No. 4488, *Mayor and Councillors Annual Indemnity Bylaw, 2010*, be read a second time.

CARRIED

MOVED by Councillor Braithwaite  
Seconded by Councillor Herbert, That Bylaw No. 4488, *Mayor and Councillors Annual Indemnity Bylaw, 2010*, be read a third time.

CARRIED

MOVED by Councillor Braithwaite  
Seconded by Councillor Herbert, That Bylaw No. 4490, *Tree Protection Bylaw Amendment Bylaw No. 2, 2009*, be introduced and read a first time.

CARRIED

MOVED by Councillor Braithwaite  
Seconded by Councillor Herbert, That Bylaw No. 4490, *Tree Protection Bylaw Amendment Bylaw No. 2, 2009*, be read a second time.

A member of Council drew attention to correspondence received earlier in the meeting asking whether or not there is a requirement to replace trees that have been removed from within the building envelope. The Municipal Administrator advised that there are no requirements in the Tree Protection Bylaw that would require a tree to be replaced in that situation, although consideration could be given to such a requirement where trees are unnecessarily removed.

It was suggested that the Oak Bay Parks and Recreation Commission could be asked to explore the possibility of incorporating a requirement for replacement trees where trees have been removed within the building envelope as it will be reviewing the Bylaw in the new year in any event.

The question was then called.

CARRIED

MOVED by Councillor Braithwaite  
Seconded by Councillor Herbert, That Bylaw No. 4490, *Tree Protection Bylaw Amendment Bylaw No. 2, 2009*, be read a third time.

CARRIED

***Resolution Proposed by Councillor Jensen to Establish Transportation Priorities***

Councillor Jensen introduced his proposal through a visual presentation asking Council to consider establishing a new transportation policy that would reassess the way streets are traditionally designed primarily for motor vehicles in Oak Bay. He felt that it was time to expand thinking to incorporate the idea of “complete streets” being designed with priority being given first to pedestrians, then cycling, followed by public transit, and finally motor vehicles. With sidewalks being so heavily used throughout the Municipality, he felt that the current priorities of roads, sidewalks, followed by bike lanes, when considering road infrastructure, is undesirable.

Councillor Jensen drew attention to the various examples of alternative road infrastructure, and in particular he noted the “Copenhagen” lanes, where bike and pedestrian lanes are physically separated from the vehicle lane. He said he would also would like to encourage the “Walk and Bike for Life” design criteria which ensures there is accessibility for all cyclists and pedestrians regardless of their ability, which has been referred to as the 8/80 rule, where design meets the needs of those age 8 to age 80.

Councillor Jensen drew attention to the City of Colwood’s recently implemented transportation hierarchy with respect to its capital project spending priorities.

Referring to the recent re-paving of a portion of Beach Drive, Councillor Jensen felt that this was a missed opportunity, where bikes lanes could have been incorporated into the work.

MOVED by Councillor Jensen  
Seconded by Councillor Ney, That:

**WHEREAS** climate change is an issue of vital local, national and global importance and local initiatives aimed at reducing greenhouses gases will contribute to protecting air quality and public health;

**WHEREAS** the Province has set a target to reduce green house gas emissions by 33% below current levels by 2020;

**WHEREAS** the District of Oak Bay is a signatory to the British Columbia Climate Action Charter and has committed to reducing greenhouse gas emissions;

**WHEREAS** the transportation sector is the single largest source of greenhouse gas emissions in Canada;

**WHEREAS** alternative modes of transportation such as walking, cycling and public transit reduces the number of motor vehicle trips and thus reduces greenhouse gas emissions;

**THEREFORE BE IT RESOLVED THAT**

1. Oak Bay develop a policy that would give preference to modes of transportation in the following order:
  - a. Pedestrian
  - b. Cycling
  - c. Public Transit
  - d. Motor vehicles

2. That staff be directed to bring forward a discussion paper with options on how best to achieve this in the budget year 2011.
3. That in the budget year 2010 staff be encouraged to incorporate the priorities set out in paragraph one in any municipal transportation improvements undertaken.

The suggestion was made by a member of Council to establish a task force or subcommittee to assist with policy development and reduce the work for staff; it was noted the establishment of a task force would provide a good opportunity for citizens to be engaged in the process of reviewing transportation priorities.

Another member of Council felt that the proposed resolution was quite vague and he expressed concern that any decisions on priorities would bind future Councils when making budget decisions.

It was noted that very little roadwork is carried out in any given year, and that the majority of road expenses goes to repairs and repaving roads due to storm drain/sewer projects. Support was expressed by a member of Council for the current budget process where staff provide detailed reports for Council to review, then Council decides on specific projects to undertake. It was further pointed out that many roads in Oak Bay are too narrow to accommodate some of the design alternatives being proposed by Councillor Jensen.

Attention was drawn to the diverse Oak Bay population, and it was suggested that all members of the community need to be considered, including young families with small children and seniors, when planning changes to the transportation infrastructure. In that regard, it should be recognized that different members of the community have different transportation needs, including the use of motor vehicles that have to be taken into consideration.

There was discussion about current practices, and the point was made that members of Council would be open to the concept of creating wider sidewalks where necessary and where possible.

In response to how the proposed motion would address public transportation, given it is not under local government jurisdiction, Councillor Jensen advised that opportunities should be sought to improve bus shelters to make public transit more inviting.

Responding to questions, the Municipal Administrator clarified that when planning for a road rebuild, staff look at all options to improve existing infrastructure. In relation to the Beach Drive repaving, however, he noted that there was not enough time to discuss the required elimination of parking to accommodate bike lanes given the timelines associated with submitting the grant application for the project.

In relation to any policy that might be developed as per the proposed motion, Mr. Cochrane felt that it would not provide effective guidance to staff in its budget preparation process, raising the question of how a policy would be applied. Councillor Jensen suggested that staff could assist by first providing a discussion paper on options to change budget priorities, with more detailed policy work to follow.

With respect to the motion, it was suggested that it be amended so that it is clear what is expected of staff. There was discussion regarding the wording of the motion, and it was agreed that the words "given that Oak Bay would like to" should be added in at the beginning of paragraph 1.

The view was expressed that the spirit of the motion was on the right track and supportable, while concern was also raised that while this is a good direction to follow, the motion itself may be premature in that there are still questions to be more fully explored.

In trying to assess where there seemed to be agreement amongst members of Council, Mr. Cochrane proposed some changes to the resolution in that regard.

MOVED by Councillor Cassidy

Seconded by Councillor Herbert, That the motion be amended to replace paragraph 1 with the following:

*“That Oak Bay develop a policy that would ensure formal consideration of a complete range of transportation alternatives including motor vehicle travel, cycling, public transit, and walking, in determining the allocation of funds to the renewal and redesign of transportation infrastructure.”*, and that paragraph 3 be amended to replace the word *“priorities”* with the word *“philosophy”*.

The point was made by Councillor Jensen that the amendment to the motion perpetuates motor vehicles being considered a priority, although other members of Council noted that they were more comfortable with the amended motion than the original wording proposed.

The question on the amendment to the motion was then called.

CARRIED

The question on the main motion, as amended, was then called.

CARRIED

ADJOURNMENT:

MOVED by Councillor Braithwaite

Seconded by Councillor Cassidy, That the open portion of the Council meeting be adjourned and that a closed session be convened to discuss personal information about an identifiable individual who holds or is being considered for a position appointed by the municipality; and to discuss law enforcement, as Council considers that disclosure could reasonably be expected to harm the conduct of an investigation under an enactment.

CARRIED

The meeting adjourned at 10:44 p.m.

Certified Correct:

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Municipal Clerk

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Mayor