

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, October 26, 2009, at 7:30 p.m.

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

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

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

ADOPTION OF REPORT:

Public Hearing – October 13, 2009

MOVED by Councillor Herbert
Seconded by Councillor Braithwaite, That the report of the Public Hearing held on Tuesday, October 13, 2009, be adopted.

CARRIED

ADOPTION OF MINUTES:

Council – October 13, 2009

MOVED by Councillor Herbert
Seconded by Councillor Copley, That the minutes of the Council meeting held on Tuesday, October 13, 2009, be adopted.

CARRIED

Committee of the Whole – October 19, 2009

MOVED by Councillor Herbert
Seconded by Councillor Braithwaite, That the minutes of the Committee of the Whole meeting held on Monday, October 19, 2009, and the recommendations contained therein, be adopted.

Councillor Cassidy clarified that when he stated a conflict of interest with respect to the application for a development variance permit for 2880 Beach Drive, it was due to a shared financial interest with the applicant's architect, not with the applicant as was stated in the minutes. It was agreed that the minutes be amended to reflect this.

The question on the motion, with agreement to amend the minutes as noted, was then called.

CARRIED

COMMUNICATIONS:

1. 2009-329 MANAGER OF RECREATION PROGRAM SERVICES, October, 20, 2009
Re Active Network Software – Installment Payments for Annual Recreation Passes

(Lorna Curtis, Manager, Recreation Program Services, in attendance for this item.)

It was noted that the purchase of additional software for the CLASS registration system, as outlined in correspondence item no. 2009-329, would permit the sale of regional passes and Oak Bay's own annual passes on an instalment basis. A \$25 fee would be levied in relation to this payment option being chosen, advised Ms. Curtis.

MOVED by Councillor Braithwaite

Seconded by Councillor Cassidy, That an \$11,385 purchase of additional software for Recreation Oak Bay's CLASS registration system, to permit the implementation of a monthly instalment payment program, be approved.

CARRIED

2. 2009-330 FIRE CHIEF, October 22, 2009
Re Joint Emergency Preparedness Program Grant Applications

(Gerry Adam, Fire Chief, in attendance for this item.)

Fire Chief Adam explained that each year the municipality makes application to the Joint Emergency Preparedness Program (JEPP), and that the deadline for making applications is October 31st.

Chief Adam provided an outline of the three programs for which JEPP funding applications are proposed to be made this year, noting that Council could choose not to go forward with the programs should the Municipal portion of the funds not be budgeted next spring.

MOVED by Councillor Braithwaite

Seconded by Councillor Herbert, That the Mayor and Municipal Treasurer be authorized to sign the three applications for funding through the Joint Emergency Preparedness Program, substantially as attached to the memorandum from the Fire Chief dated October 22, 2009.

CARRIED

3. 2009-331 PENINSULA RUNNERS ATHLETIC SOCIETY, September 22, 2009
Re Request for Temporary Road Closures for 2010 Oak Bay Half Marathon – May 16, 2010

David Milne, Peninsula Runners Athletic Society, noted that an earlier date is being requested for the half marathon in 2010 in order to accommodate athletes participating in both the half marathon and a triathlon at Shawnigan Lake later in the same month.

Responding to questions, Mr. Milne confirmed that he could distribute individual notices to residences along the route in advance of the event.

MOVED by Councillor Braithwaite

Seconded by Councillor Cassidy, That permission be granted for the temporary road closures and occupancy of the same streets in Oak Bay used for the Half Marathon in 2009 and detailed in correspondence item no. 2009-331 for the staging of the 2010 Oak Bay Half Marathon on Sunday, May 16, 2010, subject to the Event Organizer 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;
- 2) agree to pay all invoices from the Municipality for costs incurred in connection with the event;
- 3) agree to obtain Oak Bay Police approval for a traffic plan and implement the same subject to any field instructions from the Police; and
- 4) sufficient notice being given by the event organizers to all property owners along the proposed route,

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

CARRIED

4. 2009-332 OAK BAY BUSINESS IMPROVEMENT ASSOCIATION, October 20, 2009
Re Request for Approval of Plans for 2009 Oak Bay Christmas Festival

It was noted that the proposed Christmas Festival events were the same as those approved last year, except that there would be no "Snow in Oak Bay" event, and the use of Kabuki Kabs would be added to relay participants from one end of the Village to the other.

MOVED by Councillor Herbert

Seconded by Councillor Copley, That the temporary road closures, the occupancy of the closed roads and the front lawn of the Municipal Hall, and the various events planned, including the sales of goods and services pursuant to the requirements of the Streets and Traffic Bylaw in relation to the Oak Bay Business Improvement Association Christmas Festival as laid out in correspondence item no. 2009-332 be approved, subject to the Event Organizer 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;
- 2) agree to pay all invoices from the Municipality for costs incurred in connection with the event; and
- 3) agree to obtain Oak Bay Police approval for a traffic plan and implement the same subject to any field instructions from the Police,

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

CARRIED

5. 2009-333 OAK BAY BUSINESS IMPROVEMENT ASSOCIATION, October 20,
2009-333-1 2009
MUNICIPAL CLERK, October 21, 2009
Re Request to Waive Municipal Costs Associated with Christmas Festival

MOVED by Councillor Herbert

Seconded by Councillor Copley, That approval be given to waive the Public Works Department costs related to erecting signage and barricades for the road closures associated with the Oak Bay Business Improvement Association's Christmas Light Up on Sunday, November 29, 2009 and the Parade of Lighted Trucks on December 5, 2009, along with the staff overtime costs for the Light Up portion of the Christmas Festival event on Sunday, November 29, 2009.

CARRIED

6. 2009-334 MUNICIPAL ADMINISTRATOR, October 19, 2009
Re Animal Control Services, 2010-2012

The Municipal Administrator provided an overview of how animal control services have been provided over the years, noting that a request for proposals was recently issued for the provision of animal control services to coincide with the expiry of the current three year contract with Victoria Animal Control Services Ltd. (VACS).

Mr. Cochrane gave a brief comparison of the two proposals received; one from VACS, and one from the Capital Regional District (CRD), noting that following a complex analysis process, both proposals were extremely close with respect to cost, although VACS' would seem to be lower over a three year period.

It was noted that other relevant criteria besides cost were set out in the request for proposals document, which Mr. Cochrane reviewed for members of Council. Mr. Cochrane noted, however, that inasmuch as there were no substantial differences with respect to how the other criteria would be satisfied by each respondent, his recommendation to award the contract to VACS is based primarily on cost.

Mr. Cochrane responded to various questions from members of Council regarding the proposals, noting that he had no concerns with either party, as in his opinion both could do the job.

There was further discussion, with Mr. Cochrane answering questions from Council with respect to the proposed terms of the contract and the Municipality's experience with calls/complaints made regarding the current contractor.

MOVED by Councillor Braithwaite

Seconded by Councillor Herbert, That a three-year contract for animal control and pound services, commencing January 1, 2010, be awarded to Victoria Animal Control Services Ltd., with the Mayor and Municipal Clerk being authorized to execute the contract on behalf of the Municipality.

CARRIED

7. 2009-335 DIRECTOR OF BUILDING AND PLANNING, October 22, 2009
Re Application for Uplands Building Permit in Respect of a Property on
the Community Heritage Register – 3165 Tarn Place

The Director of Building and Planning advised that the owners of 3165 Tarn Place have applied for an Uplands building permit for the work indicated on the plans attached to his memorandum. Noting that the property appears on the Community Heritage Register, Mr. Thomassen said that inasmuch as the application will be reviewed by the Advisory Design Panel pursuant to the Uplands Regulations Bylaw, he was seeking direction from Council as to whether or not it wished the application to also be referred to the Heritage Advisory Panel for concurrent consideration and a report to the Committee of the Whole.

MOVED by Councillor Herbert

Seconded by Councillor Copley, That the application for an Uplands Building Permit in respect of 3165 Tarn Place be referred to the Heritage Advisory Panel for a report to be placed before Committee of the Whole along with the recommendation from the Advisory Design Panel.

CARRIED

8. 2009-336 CAM BAILEY AND GELAINE PEARMAN, October 23, 2009
2009-336-1 IAN GRAEME, October 25, 2009
2009-336-2 SARA STALLARD, October 25 2009
2009-336-3 DOUGLAS STEWART, October 26, 2009
2009-336-4 NEIL BOYLE, October 25, 2009
2009-336-5 DALIA HULL-THOR, October 24, 2009
2009-336-6 JUNE PRETZER, October 24, 2009
2009-336-7 DEBRAH SHILLING, [Undated]
Re Development Variance Permit – 2066 Marne Street

MOVED by Councillor Copley

Seconded by Councillor Braithwaite, That correspondence items no. 2009-336 to 2009-336-7 be received.

CARRIED

9. 2009-337 D. RODENHUIS, October 18, 2009
2009-337-1 DON AND KIM HIGHSTED, [Undated]
Re Development Variance Permit – 2050 Hampshire Road

MOVED by Councillor Copley

Seconded by Councillor Braithwaite, That correspondence items no. 2009-337 and 2009-337-1 be received.

CARRIED

NEW BUSINESS:

Active Transportation Forum

Councillor Copley advised that the above noted forum would be held at the Windsor Pavilion on November 7, 2009, from 10 a.m. until 2 p.m., hosted by the Community Association of Oak Bay, which was sure to provide interesting discussions and speakers.

Demolition – 1271 Monterey Avenue

Referring to the information provided by the Director of Building and Planning to Council on an application to demolish 1271 Monterey Avenue, Councillor Copley expressed the view that inasmuch as the property may have heritage value, perhaps its demolition should be delayed to allow time to investigate the extent of any heritage value and allow the owners to consider options other than demolition for the property.

Responding to questions, the Municipal Administrator advised that Council has the option of ordering temporary protection of the property for up to 60 days if it is of the opinion that the property is or may be heritage property. Such an order, he said, can only be placed on the same property once every two years, therefore, if temporary protection is ordered, and then expires, the owners could choose to demolish the dwelling.

There was discussion on whether or not temporary protection should be ordered, and the length of time such an order should entail, with varying views and opinions being expressed.

MOVED by Councillor Copley

Seconded by Councillor Braithwaite, That the buildings and land located at 1271 Monterey Avenue be subject to a temporary protection order in accordance with Section 962 of the Local Government Act for a period of not more than 60 days to enable investigation into the potential heritage status of the property by the Oak Bay Heritage Advisory Panel, and that a report from the Panel in that regard be submitted to Council.

CARRIED

Opening of the Accessible Scented Garden – Windsor Park

Mayor Causton drew attention to the recent official opening of the accessible scented garden at Windsor Park, noting it is a significant contribution to the community which has been met with tremendous approval.

Mayor Causton expressed his appreciation for the great work on the garden by Parks Department staff.

TABLED:

Development Variance Permit – 2130 McLaren Avenue

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 2130 McLaren Avenue (Lot 7, Section 22, Victoria District, Plan 1656) varying the following provisions of Bylaw No. 3531, being the *Zoning Bylaw, 1986*, as amended:

<u>Bylaw Section</u>	<u>Required/ Permitted</u>	<u>Requested</u>	<u>Variance</u>
4.15.1 Maximum paved portion of front yard	27.9 sq m (25%)	46.5 sq m (41.6%)	18.6 sq m (16.6 percentage points)
6.5.4 (2) (e) Minimum Total of Side Lot Line Setbacks – principal building	4.57 m	3.66 m	0.91 m

to permit the retention of a handicapped access ramp along with an associated foot path, as shown on the plans attached to Committee of the Whole agenda item #2009-303, being a memorandum from the Director of Building and Planning dated September 16, 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 – 2054 Penzance 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 2054 Penzance Street (Lot A, Section 46, Victoria District, Plan 8028) varying the following provision of Bylaw No. 3540, being the *Parking Facilities Bylaw, 1986*, as amended:

<u>Parking Facilities Bylaw Section</u>	<u>Required</u>	<u>Requested</u>	<u>Variance</u>
S. 4.7 and Schedule “A”, s. A.1.(a) Minimum No. of Parking Spaces	2 spaces, Incl. 1 in building	1 space (none in building)	1 space (waive the “1 space in building” requirement)

to accommodate the elimination of the parking space in the building due to the basement development, as shown on the plans attached to Committee of the Whole agenda item #2009-304, being a memorandum from the Director of Building and Planning dated September 16, 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 – 1250 St. Denis Street

MOVED by Councillor Cassidy

Seconded by Councillor Braithwaite, 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 1250 St. Denis Street (Lot B, Section 23, Victoria District, Plan 29651) 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>
6.5.4.(6) (b) Maximum Gross Floor Area at a level higher than 0.8 m below grade - principal building	300 sq m	350 sq m	50 sq m

to accommodate an addition, as shown on the plans attached to Committee of the Whole agenda item #2009-308, being a memorandum from the Director of Building and Planning dated September 30, 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 – 2050 Hampshire Road

MOVED by Councillor Copley

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 2050 Hampshire Road (Lot 3, Section 61, Victoria District, Plan 874, Except Part in red on Plan 565 BL) 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 portion of front yard	34.8 sq m (25%)	49.1 sq m (35.2%)	14.3 sq m (10.2 percentage points)

to accommodate a hard-surfaced driveway and footpath, as shown on the plans attached to Committee of the Whole agenda item #2009-309, being a memorandum from the Director of Building and Planning dated September 30, 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 – 2066 Marne Street

MOVED by Councillor Copley

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 2066 Marne Street (Lot 2, Section 19, Victoria District, Plan 5347) 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)(a) Maximum Building Height – accessory structure (arbor above boat house)	4.60 m	5.72 m	1.12 m
6.5.4. (3)(a) Maximum Building Height – accessory building (boat house)	3.00 m	3.35 m	0.35 m
6.5.4. (3)(b) Maximum Occupiable Height – accessory building (boat house)	0.25 m	3.35 m	3.10 m
6.5.4. (6)(b) Maximum Gross Floor Area – principal building	420 sq m	600.6 sq m	180.6 sq m
6.5.4. (6)(b) Maximum Gross Floor Area at a level higher than 0.8 m below grade – principal building	300 sq m	544 sq m	244 sq m

to accommodate a new dwelling and boat house, as shown on the plans attached to Committee of the Whole agenda item #2009-310, being a memorandum from the Director of Building and Planning dated September 22, 2009.

CARRIED

June Pretzer, resident, read from a letter from her neighbour, Donna Wende, in which she opposed the size and height of the proposed boathouse, and stated that it should be built in accordance with the Bylaw regulations.

Ms. Wende's letter, said Ms. Pretzer, also raised her concern about the cars from 2066 Marne Street impacting her own parking.

Ms. Pretzer went on to outline her own concerns with respect to the siting of the garage and boathouse from an environmental point of view. Her concern, she said, is for the beach and the removal of any vegetation in a riparian area, along with concern about the impact on access to the beach area. The natural areas should be protected, said Ms. Pretzer.

Ms. Pretzer responded to various questions from members of Council, noting that she had expressed her concerns when the neighbours met with the applicants.

Anne Parkinson, resident, said she understood that the lot was very large and has subdivision potential, noting that the real issue is increased property values and trying to balance the public good versus private enterprise. She queried if there could be a building of an appropriate size without variances that would allow the public to enjoy the beach in the same manner as currently.

Ms. Parkinson answered questions from members of Council, acknowledging that it would take some give on the part of the owners to understand the nature of the area and the potential loss to the neighbourhood, and not ask for variances, while leaving the beach as it is.

Ms. Parkinson urged that accurate surveying of the area be required by the Municipality.

Rene de Vos, resident, noted that he was speaking as a member of the Oak Bay Green Committee, stressing the importance of the foreshore as a natural resource in the community.

Frank D'Ambrosio, project Architect, responded to various concerns that had been raised by previous speakers, noting that he does have a survey of the area showing the location of the former boathouse, the foundation of which is proposed to be used for the new boathouse. No additional concrete is anticipated to be used for the new boathouse, he said, and the idea is to have the overgrown vegetation look unchanged.

Responding to other concerns expressed, Mr. D'Ambrosio noted that an environmental study was undertaken by Golder and Associates, which found that the area around the existing boathouse foundation contains invasive plant species. The plan, he said, is to remove those and replant indigenous material which will re-stabilize the bank. The access to the beach currently enjoyed by the public, he said, will not be impeded.

Attention was drawn to the variances being requested for gross floor area, and Mr. D'Ambrosio made the point that the variances are only required because of the large size of the lot and the changes to the floor area regulations. The number of variances being requested overall, he said, has been reduced from the original application.

It was suggested that under the previous floor area regulations, the floor area would not exceed that allowed, and that when the new regulations were implemented, it was acknowledged that owners of larger properties would be able to come forward and make a case for a variance in this regard.

There was further discussion, and Mr. D'Ambrosio responded to questions from Council, noting that the proposed design takes into account environmental considerations.

June Pretzer addressed Council again, reiterating her view that the proposed construction of the boathouse would negatively impact the public enjoyment of the beach area and the existing vegetation.

While members of Council expressed the view that the requested floor variances were supportable, it was noted that the proposed boathouse has raised the most concerns.

Although it was suggested that the application could be deferred to obtain further information, the point was made that the proposed boathouse would be built on private property, and only height variances were required, not setback variances. The question arose, therefore, whether or

not the current development proposal would have more impact on the area amenities than that which could be built without having to obtain variances.

Following further discussion, and with no other members of the public wishing to speak, the question on the main motion was then called.

CARRIED

Development Variance Permit – 2356 Lincoln Road

MOVED by Councillor Copley

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 “Lot B” (2356 Lincoln Road) proposed to be created by a subdivision of Lot 17, Section 2, Victoria District, Plan 6275, varying Bylaw No. 3531, being the *Zoning Bylaw, 1986*, as amended, to the following effect:

To designate the two boundary lines, bearing 112°52'24”, 8.73 metres in length and bearing 269°04'26”, 17.01 metres in length, respectively, as interior side lot lines for “Lot B” proposed to be created by a subdivision of Lot 17, Section 2, Victoria District, Plan 6275, notwithstanding the designation of the said boundary lines as rear lot lines pursuant to Section 4.14.1(2) of the Zoning Bylaw,

to accommodate the boundary adjustment subdivision substantially as shown on the survey plan attached to Committee of the Whole agenda item #2009-311, being a memorandum from the Director of Building and Planning dated September 30, 2009, 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.

CARRIED

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

CARRIED

RESOLUTIONS:

Development Variance Permit – 2470 Lansdowne Road

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 2470 Lansdowne Road (Parcel A (DD 52132I) of Lot 7, Block 17, 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>Required</u>	<u>Requested</u>	<u>Variance</u>
6.2.4.(3) (a) & Schedule ‘B’ Maximum Building Height	7.32 m	7.97 m	0.65 m

6.2.4.(3) (b) & Schedule 'B'			
Maximum Occupiable Height	4.57 m	5.23 m	0.66 m
6.2.4.(3) (c) & Schedule 'B'			
Maximum Roof Height	9.14 m	11.1 m	1.96 m

to accommodate construction of an addition, as shown on the plans attached to Committee of the Whole agenda item #2009-326, being a memorandum from the Director of Building and Planning dated October 15, 2009.

MOVED by Councillor Cassidy

Seconded by Councillor Braithwaite, That the motion in respect to the development variance permit for 2470 Lansdowne Road be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

Development Variance Permit – 3046 Valdez Place

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 3046 Valdez Place (Lot 18, Block B, Section 31, Victoria District, Plan 3560) 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>
6.2.4.(2) (a)			
Minimum Front Lot Line Setback	10.66 m	9.75 m	0.91 m
6.2.4.(2) (c) & Schedule 'C'			
Minimum Interior Side Lot Line Setback	4.57 m	2.91 m	1.66 m
6.2.4.(3) (b) & Schedule 'B'			
Maximum Occupiable Height	4.57 m	4.74 m	0.17 m
6.2.4.(3) (c) & Schedule 'B'			
Maximum Roof Height	9.14 m	9.5 m	0.36 m

to accommodate the construction of a new single family dwelling, as shown on the plans attached to Committee of the Whole agenda item #2009-327, being a memorandum from the Director of Building and Planning dated October 15, 2009.

MOVED by Councillor Cassidy

Seconded by Councillor Herbert, That the motion in respect to the development variance permit for 3046 Valdez Place be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

BYLAWS:

For Adoption

MOVED by Councillor Cassidy
Seconded by Councillor Herbert, That Bylaw No. 4487, *Heritage Reserve Fund Appropriation Bylaw No. 2, 2009*, be adopted.

CARRIED

For First, Second and Third Reading

MOVED by Councillor Cassidy
Seconded by Councillor Herbert, That Bylaw No. 4489, *Emergency Program Bylaw, 2009*, be introduced and read a first time.

CARRIED

MOVED by Councillor Cassidy
Seconded by Councillor Herbert, That Bylaw No. 4489, *Emergency Program Bylaw, 2009*, be read a second time.

CARRIED

MOVED by Councillor Cassidy
Seconded by Councillor Herbert, That Bylaw No. 4489, *Emergency Program Bylaw, 2009*, be read a third time.

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 consider information received and held in confidence relating to negotiations between the municipality, the provincial government and the federal government.

CARRIED

The meeting adjourned at 9:52 p.m.

Certified Correct:

Municipal Clerk

Mayor