

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, December 13, 2010 at 7:30 p.m.

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

STAFF: Municipal Administrator, M. Brennan
Municipal Clerk, L. Hilton
Confidential Secretary, K. Green
Director of Building and Planning, R. Thomassen
Municipal Treasurer, P. Walker

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

AGENDA

MOVED by Councillor Braithwaite
Seconded by Councillor Ney, That the agenda be amended to add correspondence item no. 2011-16 being a letter from the Oak Bay Fire Fighters' Association requesting permission to occupy public property for its Christmas tree recycling fundraising event.

CARRIED

ADOPTION OF MINUTES:

Council – November 22, 2010

MOVED by Councillor Copley
Seconded by Councillor Braithwaite, That the minutes of the Council meeting held on Monday, November 22, 2010, be adopted.

CARRIED

Committee of the Whole – December 6, 2010

MOVED by Councillor Braithwaite
Seconded by Councillor Copley, That the minutes of Committee of the Whole meeting held on Monday, December 6, 2010, and the recommendations contained therein, be adopted.

CARRIED

ADOPTION OF REPORT:

Public Hearing – November 22, 2010

MOVED by Councillor Braithwaite
Seconded by Councillor Copley, That the report of the Public Hearing held on Monday, November 22, 2010, be adopted.

CARRIED

PRESENTATIONS:

1. -- OAK BAY HIGH SCHOOL DESIGN COMMITTEE
Re Update on the Proposed New Oak Bay High School

(Rod Windjack, CEI Architecture, Garrett Brisdon, Vice Principal, Oak Bay High School, in attendance for this item.)

Councillor Cassidy declared a conflict of interest with respect to this item noting that his firm is engaged by School District No. 61. Councillor Cassidy left the meeting at 7:32 p.m.

Rod Windjack provided an overview with respect to the proposed redevelopment of the Oak Bay High School including design, siting, amenities, and information regarding the anticipated timeline from now to completion of the project, noting that the project plans are anticipated to be submitted to the Province for approval by mid-January 2011.

Councillor Braithwaite expressed her appreciation for the very successful working relationship between Mr. Windjack, Mr. Brisden, and the Design Committee.

Councillor Cassidy returned to the meeting at 7:45 p.m.

COMMUNICATIONS:

2. 2011-1 POLICE BOARD SECRETARY, December 9, 2010
Re 2011 Police Board Provisional Budget

(Ron Gaudet, Chief Constable, Oak Bay Police Department, and Wendy Brown, Oak Bay Police Board Member, in attendance for this item.)

Responding to questions, the Police Board Secretary noted that there are no great increases to the Police Board provisional budget for 2011.

Acting Mayor Herbert took this opportunity to thank Chief Constable Gaudet for his many years of dedicated service to Oak Bay and, on behalf of Council, he wished him all the best in his retirement.

MOVED by Councillor Braithwaite

Seconded by Councillor Cassidy, That the 2011 Police Board provisional budget be incorporated into an amended five year financial plan for the Municipality and referred to Estimates Committee.

Discussion ensued with respect to the police vehicle fleet and the Chief Constable confirmed that just one vehicle (#74) will be replaced. It was noted that the Police Department is looking at adding a third hybrid vehicle to replace the non-pursuit Community Service (PT Cruiser) vehicle.

Chief Gaudet said that although Oak Bay was the first community in Canada to introduce a hybrid pursuit vehicle to its fleet, the Department has been experiencing ergonomic issues with it in terms of retrofitting equipment and concern has been expressed about the pursuit ratings for this type of vehicle and its appropriateness for that use. However, he said, the Department is conscious of its carbon footprint, noting he was pleased to report that the Oak Bay Police Department has reduced its carbon footprint by 3,700 kilograms over the past year.

In response to a question with respect to a decrease in the regional domestic violence unit budget, Chief Gaudet advised that the initial setup cost was higher and now that the program is up and running the cost has stabilized.

Attention was drawn to previous Council/Police Board joint meetings, and it was suggested that staff look into arranging another such meeting in the New Year.

Chief Constable Gaudet thanked Council for its support, saying it has been an honour and a privilege to work for 31 years in one of the best and safest communities in Canada.

The question was then called.

CARRIED

3. 2011-2 MANAGER OF RECREATION PROGRAM SERVICES, December 3,
2010
Re Canadian Heritage "Celebrate Canada" Grant Application

MOVED by Councillor Jensen

Seconded by Councillor Braithwaite, That the Manager of Recreation Program Services be authorized to submit an application for a Celebrate Canada grant in order to hold a Municipal Canada Day Celebration in 2011.

Councillor Braithwaite described some of the anticipated Canada Day activities that would take place, should funding be received, on the front lawn of the Municipal Hall.

The question was then called.

CARRIED

4. 2011-3 VICTORIA JUNIOR CHESS SOCIETY, September 1, 2010
2011-3-1 VICTORIA JUNIOR CHESS SOCIETY, December 1, 2010
Re Request for Financial Assistance

MOVED by Councillor Jensen

Seconded by Councillor Ney, That the request for financial assistance in the amount of \$2,500 from the Victoria Junior Chess Society be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

5. 2011-4 CASTAWAY WANDERER RUGBY FOOTBALL CLUB, [Undated]
Re Request to Occupy Public Property for Christmas Tree Recycle
Fundraising Event

MOVED by Councillor Copley

Seconded by Councillor Jensen, That approval be given for the temporary occupancy of public property as detailed in correspondence item no. 2011-4, 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

6. 2011-5 RYDER HESJEDAL'S TOUR DE VICTORIA, [Undated]
Re Request for Approval of Road Closures for Tour de Victoria Cycling
Event – May 28, 2011

MOVED by Councillor Ney

Seconded by Councillor Jensen, That approval be given for the temporary road closures and occupancy of public property as detailed in correspondence item no. 2011-5, 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 Department approval for a traffic plan and implement the same subject to any field instructions from the Police, and
- 4) deliver written notice to all occupiers of property adjoining any roads to be closed for the event,

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

CARRIED

7. 2011-6 COMMUNITY ASSOCIATION OF OAK BAY, November 17, 2010
Re Request for Financial Assistance

MOVED by Councillor Braithwaite

Seconded by Councillor Copley, That the request for financial assistance from the Community Association of Oak Bay be referred to Council's Estimates Committee for consideration during budget deliberations.

CARRIED

8. 2011-7 MULTIPLE SCLEROSIS SOCIETY OF CANADA, [Undated]
Re Request to Occupy Willows Beach Park Parking Lot and Public Sidewalks – April 17, 2011

MOVED by Councillor Braithwaite

Seconded by Councillor Cassidy, That approval be given for the temporary occupancy of public property as detailed in correspondence item no. 2011-6, subject to the Multiple Sclerosis Society of Canada 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 provide 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

9. 2011-8 DIRECTOR OF BUILDING AND PLANNING, December 7, 2010
2010-303 M. E. ANN PATTERSON, November 16, 2010
Re Request to Remove Heritage Designation – 2030 Milton Street

Drawing attention to the Heritage Advisory Panel's report attached to correspondence item no. 2011-8, Acting Mayor Herbert noted that after a site visit and review of 2030 Milton Street the Panel has recommended that removal of the heritage designation be allowed.

Responding to questions, the Director of Building and Planning noted that the Panel felt its decision was defensible, and was not based on the deteriorating condition of the dwelling.

Although Councillor Copley said she understood the reasons for the application from the owner to remove the heritage designation, she felt she could not support the Panel's recommendation as she feels that the context of the neighbourhood is important, and that 2030 Milton Street forms a part of that context. The Statement of Significance, she said, notes the house represents an example of a small working class cottage, in a cluster of such houses.

Responding to comments, Ann Patterson, owner, said she was told the house next door was a better example than hers of a working class home.

While concerns were expressed regarding the potential de-designation, it was the majority view that the application be moved forward to obtain public input.

MOVED by Councillor Jensen

Seconded by Councillor Braithwaite, That a bylaw to remove the heritage designation at 2030 Milton Street be prepared and brought forward to Council for consideration.

CARRIED

(Councillor Copley against the motion)

10. 2011-9 DEPUTY TREASURER, November 30, 2010
Re 2011 Tender Award Recommendations

MOVED by Councillor Jensen

Seconded by Councillor Ney, That the 2011 tenders and contract extensions be awarded as follows:

PW01-2011 – Backhoe Rental Tender:
W. A. Jones & Sons, based on low bid;

PW02-2011 – Gravel Supply Tender:
Lehigh Northwest Materials;

PW03-2011 – Ready Mix Concrete:
Butler Brothers Supplies;

PW04-2011– Tandem Truck Rental Tender:
Lopeter Trucking Ltd., based on low bid;

PW05-2011 – Scrap Metal Roll-Off Tender:
Steel Pacific Recycling;

PW06-2011 – Excavator Rental Tender:
Don Mann Excavating Ltd., based on low bid;

PW07-2011 – Hauling of Garbage & Recyclables & Supply of Roll Off Containers:
Bin Boy Services Inc., based on three year term low bid;

as detailed in the memorandum from the Deputy Treasurer, dated November 30, 2010 (correspondence item no. 2011-9).

CARRIED

A member of Council drew attention to the Compost Tender (PW08-2011), noting that the cost for the supply of soil for resale is more than the current resale price at the Public Works Yard, which would require a significant retail price increase. It was pointed out that the Deputy Treasurer recommends that no contract for the supply of soil be awarded at this time and that should Council wish to continue reselling soil at the Yard then the Superintendent of Public Works would attempt to purchase soil on the open market.

MOVED by Councillor Jensen

Seconded by Councillor Ney, That the PW08-2011, Compost Tender core services only, be awarded to Mitchell Brothers Farm Composting, based on the three year term low bid, as detailed in correspondence item no. 2011-9, being a memorandum from the Deputy Treasurer dated November 30, 2010.

CARRIED

11. 2011-10 OAK BAY COMMUNITY INITIATIVES COMMITTEE, September 15, 2010
2011-10-1 OAK BAY COMMUNITY INITIATIVES COMMITTEE, October 20, 2010
Re Minutes of the Meeting

MOVED by Councillor Braithwaite
Seconded by Councillor Copley, That the minutes of the Oak Bay Community Initiatives Committee meetings held on September 15, 2010 and October 20, 2010 be received.

CARRIED

12. 2011-11 OAK BAY HERITAGE COMMITTEE, November 16, 2010
Re Minutes of the Meeting

MOVED by Councillor Braithwaite
Seconded by Councillor Copley, That the minutes of the Oak Bay Heritage Committee meeting held on November 16, 2010 be received.

CARRIED

13. 2011-12 MUNICIPAL ADMINISTRATOR, December 9, 2010
Re Recovery of Capital Regional District Sewer Costs through Oak Bay Utility Billing

The Municipal Administrator provided a brief overview of his memorandum (correspondence item no. 2011-12), noting that it focuses on the Capital Regional District sewer costs only. Mr. Brennan noted that currently 70% of the cost of the Capital Regional District sewer debt taken on after 2006 is being collected through a user charge, based on the quantity of water used by a property, while the remaining 30% is raised through taxes. The proposal to move towards both new (after 2006) debt and new operating costs related to regional sewage treatment being covered 100% through a sewer user charge based on water consumption has pros and cons, said Mr. Brennan, and he provided an overview of those outlined in his memorandum. A change to the percentage of costs recovered through utility billing would require a new agreement with the Capital Regional District, he said.

Following further discussion and questions from Council being answered by staff, it was the majority view that Council should move to a stepped plan, over three years, to recover 100% of the new regional sewer debt and treatment plant operating costs through sewer user charges.

MOVED by Councillor Jensen
Seconded by Councillor Braithwaite, That staff be directed to enter into a service fee agreement with the Capital Regional District to recover 80% in 2011, 90% in 2012, and 100% in 2013 and beyond, of the regional sewer debt (incurred after 2006) and new operating costs related to regional sewage treatment through utility billing.

Councillor Herbert expressed the view that Council should wait and see what happens at the regional level first, adding that there is a risk of the Municipality not recovering enough funds through this method, and he felt the change would penalize larger families who have higher water consumption.

CARRIED

(Councillor Herbert against the motion)

14. 2011-13 JIM MCISAAC, November 25, 2010
Re Bylaw No. 4518, Pesticide Regulation Bylaw, 2010
15. 2011-14 BRIAN T. W. MORRIS ARCHITECT, November 26, 2010
2010-307 BILL HAMAR *et al*, November 22, 2010
Re Development Variance Permit - 1358 Monterey Avenue
16. 2011-15 BARBARA JULIAN, December 7, 2010
2011-15-1 BARRY CARIN, December 13, 2010
Re Development Variance Permit – 754 Mountjoy Avenue

MOVED by Councillor Jensen

Seconded by Councillor Braithwaite, That correspondence items no. 2011-13, 2011-15, 2011-14, 2010-307 and 2011-15-1 be received.

CARRIED

17. 2011-16 OAK BAY FIRE FIGHTERS' ASSOCIATION, December 9, 2010
Re Request to Occupy Public Property for Christmas Tree Recycle Fundraising Event

MOVED by Councillor Braithwaite

Seconded by Councillor Cassidy, That approval be given for the temporary occupancy of public property as detailed in correspondence item no. 2011-16, subject to the Oak Bay Fire Fighters' Association 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 provide 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

NEW BUSINESS:

Capital Regional District Sewage Treatment (Liquid Waste Management Plan) Joint Council Meeting

Councillor Jensen said that the Capital Regional District put on a good presentation at a joint Council meeting that was held December 9, 2010 regarding sewage treatment. He said, however, he felt it would be beneficial to have the Capital Regional District brief Oak Bay Council in the New Year on the cost sharing for sewage treatment. It was agreed by members of Council that there are many outstanding questions and concerns that need to be addressed, and the Municipal Administrator was asked to follow up on this idea.

Councillor Herbert agreed to distribute cost sharing information he has available to members of Council.

Oak Bay Lodge

Councillor Copley advised that according to a newspaper letter from the Vancouver Island Health Authority (VIHA), the Oak Bay Lodge is not being sold, and said she felt that VIHA should be directly communicating with Saanich and Oak Bay Council regarding any such significant updates. Councillor Copley said that she would appreciate a more open communication from the Vancouver Island Health Authority to the Municipality in this regard.

MOVED by Councillor Copley

Seconded by Councillor Jensen, That a letter be sent to the Oak Bay Lodge requesting an update and future direct communication with the District of Oak Bay with respect to the future of Oak Bay Lodge.

CARRIED

TABLED:

Development Variance Permit – 1358 Monterey Avenue

It was the consensus of Council that this item be deferred to the next meeting of Council to allow the applicant's architect time to meet with the neighbouring residents that had raised concerns with respect to the development variance permit application.

RESOLUTIONS:

Development Variance Permit – 754 Mountjoy Avenue

MOVED by Councillor Jensen

Seconded by Councillor Copley, That the Director of Building and Planning be authorized to issue a development variance permit to remove certain regulatory obstacles to the proposed bare land strata subdivision of Lot 1, Section 47, Victoria District, Plan 9023 (754 Mountjoy Avenue), 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 4.14.1(2) and 3.6.3 of Bylaw No. 3531 (*Zoning Bylaw, 1986*, as amended) and Section 8 of Bylaw No. 3578 (*Subdivision and Development Bylaw, 1987*, as amended), to allow:

- (1) the proposed strata Lot 1 to have the north boundary line, 41.8 m in length, designated as the interior side lot line; and
- (2) to allow the proposed strata Lots 1 and 2 to be created with a general shape different from the shape of the lots in the immediate area;

substantially as shown on the site plan of the proposed bare land strata subdivision prepared by Powell and Associates B.C. Land Surveyors dated October 8, 2010, attached to Committee of the Whole agenda item #2010-313, being a memorandum from the Director of Building and Planning dated November 29, 2010, when and if the Approving Officer grants preliminary approval to the proposed subdivision, and upon the applicant 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 the execution of a covenant in favour of the Municipality imposing a requirement for Municipal approval for building design for each of the proposed lots.

MOVED by Councillor Jensen
Seconded by Councillor Copley, That the motion with respect to the development variance permit pertaining to the proposed bare land strata subdivision of 754 Mountjoy Avenue be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED
(Councillor Braithwaite against the motion)

Development Variance Permit – 2657 Cavendish Avenue

Councillor Herbert declared a conflict of interest with respect to the development variance permit application for 2657 Cavendish Avenue noting he lives across the street from the applicant and may be in the notification area. Councillor Herbert left the meeting at 8:50 p.m.

Councillor Jensen assumed the Chair for this item.

MOVED by Councillor Braithwaite
Seconded by Councillor Cassidy, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 2657 Cavendish Avenue (Lot 43, Section 61, Victoria District, Plan 874), 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 25% Paved Surface in the Front Yard	25% 437.5 sq ft	40% 700 sq ft	15 percentage points 262.5 sq ft

to accommodate the proposed new driveway and parking area, as shown on the plans appended to Committee of the Whole agenda item #2010-314, being a memorandum from the Director of Building and Planning dated November 29, 2010.

MOVED by Councillor Cassidy
Seconded by Councillor Braithwaite, That the motion in respect to the development variance permit for 2657 Cavendish Avenue be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

Councillor Herbert returned to the meeting at 8:51 p.m.

Development Variance Permit – 315 King George Terrace

MOVED by Councillor Jensen
Seconded by Councillor Cassidy, That the Director of Building and Planning be authorized to issue a Development Variance Permit with respect to 315 King George Terrace (Lot 2, Section 22, Victoria District, Plan 25324), 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) and Schedule 'B' Maximum Occupiable Height	3.50 m	4.54 m	1.04 m
6.5.4 (a) Maximum Gross Floor Area Above 0.80 Metres Below Grade	240 sq m	263.38 sq m	23.38 sq m

to accommodate the renovations to the single family dwelling, as shown on the plans appended to Committee of the Whole agenda item #2010-315, being a memorandum from the Director of Building and Planning dated November 30, 2010.

MOVED by Councillor Jensen
Seconded by Councillor Cassidy, That the motion in respect to the development variance permit for 315 King George Terrace be tabled to allow notice to be given in accordance with the *Local Government Act*.

CARRIED

Confirmation of Appointments

MOVED by Councillor Braithwaite
Seconded by Councillor Jensen, That the following appointments be confirmed for the 2011 Council year in accordance with the respective enactments or agreements governing them:

COMMITTEE OF THE WHOLE

- Finance, Regulatory, Community Service
and Personnel Policy Section.....Councillor Jensen
- Land Use SectionCouncillor Cassidy
- Public Works Section.....Councillor Herbert
- Recreation SectionCouncillor Braithwaite
- Emergency Planning and Fire Section Councillor Ney
- Traffic and Pedestrian Safety Section.....Councillor Copley
- Uplands Building Permits SubcommitteeCouncillors Cassidy, Herbert, Copley, Ney

OTHER COUNCIL APPOINTMENTS

Acting Mayor for:

- December and JulyCouncillor Herbert
- January and June.....Councillor Jensen
- February and AugustCouncillor Cassidy
- March and September Councillor Ney
- April and OctoberCouncillor Copley
- May and NovemberCouncillor Braithwaite
- Capital Regional DistrictMayor Causton (*Alternate: Councillor Herbert*)
- Capital Regional District Arts Committee.....Councillor Copley
- Camosun College Liaison.....Councillor Cassidy

Community Initiatives Committee.....Mayor Causton, Councillors Braithwaite, Herbert (Chair)
.....and Jensen
CREST Corporation.....Councillor Jensen
Emergency Planning Liaison Councillor Ney
Greater Victoria Labour Relations Association Mayor Causton
.....(*Alternate Councillor Herbert*)
Greater Victoria Public Library BoardCouncillor Copley
Oak Bay Child and Youth CommitteeCouncillor Braithwaite
Oak Bay Heritage Committee..... Councillor Ney
Oak Bay Heritage Foundation Councillor Ney
Parcel Tax Roll Review PanelMayor Causton, Councillors Ney, Cassidy
Oak Bay Merchants Liaison.....Councillor Herbert
Oak Bay Parks and Recreation Commission LiaisonCouncillor Braithwaite
.....(*Alternate Councillor Ney*)
Oak Bay Police Board..... Mayor Causton (ex officio)
Oak Bay Tourism Committee Liaison Councillor Herbert
Provincial Capital CommissionCouncillor Cassidy
Provincial Court—Family Court Committee..... Councillor Ney
Receptions and Public Information..... Councillor Braithwaite and Mayor Causton
Regional Housing Trust Fund Commission..... Mayor Causton (*Alternate: Councillor Copley*)
Regional Water Supply Commission.....Councillor Jensen
Royal and McPherson Theatres SocietyCouncillor Copley
School District 61 LiaisonCouncillor Jensen
Secondary Suites Review CommitteeCouncillors Jensen (Chair), Copley, Herbert
University of Victoria LiaisonCouncillor Jensen
Wall of Fame Committee.....Councillor Braithwaite and Herbert

CARRIED

Subdivision Approving Officer Designation

MOVED by Councillor Braithwaite
Seconded by Councillor Jensen, That the appointment of William E. Cochrane as Approving
Officer for the District of Oak Bay, made April 27, 1992, be rescinded, and that Mark A.
Brennan, Municipal Administrator, be appointed as the Approving Officer for the District of
Oak Bay pursuant to the *Land Title Act*.

CARRIED

BYLAWS:

For Second and Third Reading

MOVED by Councillor Jensen

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

That Bylaw No. 4518, Pesticide Regulation Bylaw, 2010, be read for a second time.

CARRIED

Councillor Ney drew attention to points made in one of the letters received, saying that the proposed bylaw does not follow the Capital Regional District model in regard to pesticide use on public land, and she felt that public land should not be exempt from the prohibition on pesticide use, saying that there are effective methods other than using pesticides for pest management. Councillor Ney said the public is supportive of banning pesticide use in Oak Bay.

The point was made that if there was to be further discussion on the proposed Bylaw, perhaps Parks and Recreation Department staff, who were involved in the development of the currently proposed regulations, should be in attendance, delaying the current deliberations until that time. It was further acknowledged that discussion at the Parks and Recreation Commission level on the proposed regulations had been ongoing for some time prior to the Bylaw being drafted, where the concerns noted could have been raised and discussed.

There was consensus that further consideration of the Bylaw should be delayed to allow Parks and Recreation staff to be in attendance to address the proposed exemption to the prohibition of pesticide use on public land, along with the possibility of Council being the issuing authority for pesticide use permits where permitted.

MOVED by Councillor Jensen

Seconded by Councillor Cassidy, That the motion to read Bylaw No. 4518, Pesticide Regulation Bylaw, 2010 for a second time be tabled.

CARRIED

For First, Second and Third Reading

It was agreed that consideration of Bylaw No. 4519, the companion ticket bylaw to the Pesticide Regulation Bylaw, would be deferred to the next meeting of Council.

MOVED by Councillor Braithwaite

Seconded by Councillor Cassidy, That Bylaw No. 4520, *Oak Bay Lawn Bowling Club Licence Authorization Bylaw, 2011*, be introduced and read a first time.

CARRIED

MOVED by Councillor Braithwaite

Seconded by Councillor Cassidy, That Bylaw No. 4520, *Oak Bay Lawn Bowling Club Licence Authorization Bylaw, 2011*, be read a second time.

CARRIED

MOVED by Councillor Braithwaite
Seconded by Councillor Cassidy, That Bylaw No. 4520, *Oak Bay Lawn Bowling Club Licence Authorization Bylaw, 2011*, be read a third time.

CARRIED

MOVED by Councillor Jensen
Seconded by Councillor Copley, That Bylaw No. 4521, *Water Rate Bylaw Amendment Bylaw, 2011*, be introduced and read a first time.

CARRIED

MOVED by Councillor Jensen
Seconded by Councillor Copley, That Bylaw No. 4521, *Water Rate Bylaw Amendment Bylaw, 2011*, be read a second time.

CARRIED

MOVED by Councillor Jensen
Seconded by Councillor Copley, That Bylaw No. 4521, *Water Rate Bylaw Amendment Bylaw, 2011*, be read a third time.

CARRIED

MOVED by Councillor Jensen
Seconded by Councillor Copley, That Bylaw No. 4522, *Heritage Committee Structure Bylaw Amendment Bylaw, 2011*, be introduced and read a first time.

CARRIED

MOVED by Councillor Jensen
Seconded by Councillor Copley, That Bylaw No. 4522, *Heritage Committee Structure Bylaw Amendment Bylaw, 2011*, be read a second time.

CARRIED

MOVED by Councillor Jensen
Seconded by Councillor Copley, That Bylaw No. 4522, *Heritage Committee Structure Bylaw Amendment Bylaw, 2011*, 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 personal information about identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality, and litigation or potential litigation affecting the municipality.

CARRIED

The meeting adjourned at 9:05 p.m.

Certified Correct:

Municipal Clerk

Acting Mayor