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**TOWN OF SIDNEY**

**MINUTES OF REGULAR COUNCIL MEETING**  
**Monday, April 24, 2017**  
**Council Chambers**  
**7:00 p.m.**

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**PRESENT:** Mayor S. Price  
Councillors: E. Bremner-Mitchell, T. Chad, B. Fallot, M. Lougher-Goodey, C. McLennan  
and P. Wainwright

**Staff:** R. Humble, Chief Administrative Officer  
A. Hicik, Director of Corporate Services  
T. Tanton, Director of Development Services, Engineering, Parks & Works  
B. Mikkelsen, Fire Chief  
M. van der Linden, Manager of Engineering & Environmental Services  
A. Verhagen, Manager of Planning  
S. Nelson, Corporate Officer

**1. CALL TO ORDER / PUBLIC PARTICIPATION PERIOD (maximum 20 minutes) /  
INTRODUCTIONS / PRESENTATIONS / PUBLIC HEARINGS**

Mayor S. Price called the meeting to order at 7:00 p.m.

**A. PUBLIC PARTICIPATION PERIOD**

*There were no public speakers.*

**2. APPROVAL OF AGENDA**

2017.11.166 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the agenda be approved with the addition of item 11h – Resthaven Sewer Contract Award.  
**MOTION CARRIED UNANIMOUSLY**

**3. ADOPTION OF MINUTES**

**a. Regular Council Meeting – April 10, 2017**

2017.11.167 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that Minutes of the Regular Council Meeting of April 10, 2017, be adopted as presented.  
**MOTION CARRIED UNANIMOUSLY**

**4. BUSINESS NOT COMPLETED AT A PREVIOUS REGULAR MEETING**

**5. BUSINESS ARISING FROM MINUTES**

**6. DELEGATIONS**

**7. PETITIONS**

**8. MAYOR'S REPORT**

**9. COUNCILLORS' REPORTS**

## 10. COMMITTEE REPORTS

### a. Economic Development Commission – March 2 & March 24, 2017

2017.11.168 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor B. Fallot, that the Minutes of the Economic Development Commission Meetings of March 2 and March 24, 2017, be received for information.

**MOTION CARRIED UNANIMOUSLY**

### b. Committee of the Whole – April 18, 2017

2017.11.169 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that the Minutes of the Committee of the Whole Meeting of April 18, 2017, be received for information.

**MOTION CARRIED UNANIMOUSLY**

Minutes contain recommendation(s) regarding:

#### R.1 Ocean Spray Park Sign Options

2017.11.170 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that staff be directed to proceed with the installation of the Orca sign in Ocean Spray Park as amended (i.e. change arrow style, change color at the bottom to green and add white coloring on the Orca).

**MOTION CARRIED UNANIMOUSLY**

#### R.2 Development Variance Application No. DV100221 (2349 Amherst Avenue)

(To relax rear setback in order to construct a two-family dwelling).

2017.11.171 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that owners and tenants in occupation of property within 75 metres (246 feet) of 2349 Amherst Avenue be notified regarding Development Variance Permit Application No. DV100221 (to vary the rear setback requirement from 13.0 metres to 10.0 metres to allow for the construction of a two-family dwelling on the subject property) and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance.

**MOTION CARRIED UNANIMOUSLY**

#### R.3 Development Variance Application No. DV100219 (10481 Allbay Road)

(To increase percentage of front yard occupied by parking and driveway area in order to construct a single family dwelling).

2017.11.172 Moved by Councillor B. Fallot, seconded by Councillor M. Lougher-Goodey, that owners and tenants in occupation of property within 75 m (246 ft) of 10481 Allbay Road be notified regarding Development Variance Permit Application No. DV100219 (to increase the percentage of vehicle parking area in the front yard from 30% to 69.4%) and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance, with the following condition:

1. That the driveway be finished entirely in permeable paving stones.

**MOTION CARRIED UNANIMOUSLY**

#### R.4 Development Permit Application No. DP100694 (9600 Second Street)

(To construct a two-storey three unit multi-family townhouse development).

2017.11.173 Moved by Councillor B. Fallot, seconded by Councillor M. Lougher-Goodey, that Development Permit Application No. DP100694 (to permit the construction of a two-storey three unit multi-family townhouse development at 9600 Second Street) be forwarded to the Advisory Planning Commission for further review and comment, subject to the following condition:

1. That prior to review by the Advisory Planning Commission, the applicant submit a report from an Engineer which analyzes the risk of flooding, considers potential climate change and sea level rise predictions, and recommends steps to mitigate the hazard for the proposed development.

**OPPOSED: Councillor E. Bremner-Mitchell**

**MOTION CARRIED 6:1**

## 11. STAFF REPORTS

### a. Sandown Development Traffic Impact Assessment

2017.11.174 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the staff report dated April 18, 2017, be received for information and that a copy of Watt Consulting's review of the traffic impact assessment for the Sandown Development be forwarded to the District of North Saanich Council.

**MOTION CARRIED UNANIMOUSLY**

### b. Joint Municipal Grant Application – Blue Heron Artificial Turf Field Project

2017.11.175 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan:

1. That staff be directed to work with the District of North Saanich, and possibly the District of Central Saanich on a joint grant submission to the Strategic Priorities Fund, on behalf of the Peninsula Soccer Association; and
2. That a letter from Council be forwarded to Central Saanich Council encouraging them to also participate with the Town of Sidney and District of North Saanich on the joint submission.

**MOTION CARRIED UNANIMOUSLY**

### c. Policy DV-014 - Interim Flood Construction Levels

2017.11.176 Moved by Councillor P. Wainwright, seconded by Councillor M. Lougher-Goodey, that Policy DV-014 – Interim Flood Construction Levels be adopted.

**MOTION CARRIED UNANIMOUSLY**

### d. Bed Races on Beacon Avenue

2017.11.177 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that the Rest Haven Lodge be granted permission to close Beacon Avenue from Fifth Street to Third Street between the hours of 10:00 am to 4:00 pm on Sunday, August 20 subject to the following conditions:

1. That RHL provide the Town with proof of \$5,000,000 liability insurance naming the Town of Sidney as a third party insured during the course of the events;
2. That RHL conform to all Town Bylaws;
3. That RHL arrange a meeting with Town staff, the Fire Department and the RCMP to review safety/traffic requirements (at least 3 weeks prior to the event).
4. That RHL send out notices to affected residents/businesses advising of the event for August 20 and provide a contact number should there be any concerns/questions (at least 2 weeks prior to the event); and
5. That no costs are to be incurred by the Town in relation to this event.

**MOTION CARRIED UNANIMOUSLY**

*Councillor C. McLennan left the meeting room at 7:13 p.m., citing a potential conflict of interest as he is a member of the Torque Masters Car Club and the Planning Committee for the event.*

### e. Torque Masters Car Show

2017.11.178 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that the Torque Masters Car Club be authorized to close the following streets and public parking lots:

1. Beacon Avenue (from Fifth St to First St);
2. Fourth Street (Sidney Ave to Bevan Ave);
3. Third Street (South of Fire Hall driveway to Bevan Ave); and
4. Second Street (Beacon Ave to Bevan Ave, if needed).
5. Lot B (Third St south of Fire Hall);

6. Lot C (Fourth St at Sidney Ave); and
  7. Lot F (Third St at Bevan Ave).
- from 5:00 a.m. to 4:00 p.m. on Sunday, August 13, 2017 to accommodate vehicles for their Car Show event, subject to the following conditions:
- a. That the Club provide the Town with proof of \$2,000,000 minimum liability insurance indemnifying the Town of any liability;
  - b. That certified traffic control persons be utilized where identified by the Town;
  - c. That the event be undertaken in compliance with all Town bylaws;
  - d. That the Club provide all Emergency Services (including BC ambulance) with written notification of the event and meet with them three weeks prior to the event to address any concerns;
  - e. That the Club provide BC Transit with written notification of the event;
  - f. That the Club send out notices to all businesses/residents fronting on streets to be closed advising of the event and that access to their properties will be maintained if so required and provide them with a contact number should there be any concerns/questions (at least 3 weeks prior to the event); and,
  - g. That no costs are to be incurred by the Town except for the estimated \$2,500.00 requested assistance.

**MOTION CARRIED UNANIMOUSLY**

*Councillor C. McLennan returned to the meeting at 7:15 p.m.*

**f. Monthly Building Permit Report – March 2017**

- 2017.11.179 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that the Monthly Building Permit Report for March 2017 be received for information.

**MOTION CARRIED UNANIMOUSLY**

**g. Community Safety Building Purchasing Policy Exemption**

- 2017.11.180 Moved by Councillor T. Chad, seconded by Councillor C. McLennan, that the construction of the Community Safety Building be exempt from the regular contract approval requirements of the Purchasing Policy and that the Director of Corporate Services and Chief Administrative Officer be authorized to approve all contract awards for the project.

**OPPOSED: Councillors: B. Fallot & P. Wainwright**  
**MOTION CARRIED 5:2**

**h. Resthaven Sewer Contract Award**

- 2017.11.181 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot,
1. That the Contract for the 2017 Resthaven Sewer Replacement be awarded to G & E Contracting; and
  2. That the capital budget for the Resthaven Sewer project be increased by \$75,000 with funding from the infrastructure replacement reserve.

**MOTION CARRIED UNANIMOUSLY**

**12. OTHER REPORTS**

**13. CORRESPONDENCE**

**14. BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION**

**a. Bylaw No. 2136 – Financial Plan 2017-2021**

- 2017.11.182 Moved by Councillor M. Lougher-Goodey, seconded by Councillor T. Chad, that the staff report dated April 18, 2017, regarding the 2017-2021 Financial Plan Bylaw, be received for information.

**MOTION CARRIED UNANIMOUSLY**

2017.11.183 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2136 – Financial Plan 2017-2021 be introduced and given first reading.

**MOTION CARRIED UNANIMOUSLY**

2017.11.184 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2136 – Financial Plan 2017-2021 be given second reading.

**MOTION CARRIED UNANIMOUSLY**

2017.11.185 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2136 – Financial Plan 2017-2021 be given third reading.

**MOTION CARRIED UNANIMOUSLY**

**b. Bylaw No. 2137 – Tax Rate 2017**

2017.11.186 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the staff report dated April 18, 2017, regarding the 2017 Tax Rate Bylaw, be received for information.

**MOTION CARRIED UNANIMOUSLY**

2017.11.187 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2137 – Tax Rate 2017 be introduced and given first reading.

**MOTION CARRIED UNANIMOUSLY**

2017.11.188 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2137 – Tax Rate 2017 be given second reading.

**MOTION CARRIED UNANIMOUSLY**

2017.11.189 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2137 – Tax Rate 2017 be given third reading.

**MOTION CARRIED UNANIMOUSLY**

**15. NEW BUSINESS**

**16. CORRESPONDENCE FOR INFORMATION**

2017.11.190 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the following correspondence be received for information:

1. Letter from SeaLegacy Society, requesting support to designate Salish Sea a UNESCO World Heritage Site, dated February 27, 2017.
2. Email from C. Holt, Maven Distribution, regarding cannabis dispensaries, dated March 20, 2017. Reply dated April 5, 2017.
3. Email from T. Forsyth, dated March 17, 2017 & letter from P. R. & J. Morrison, dated March 29, 2017, regarding the Memorial Bench Program. Replies dated April 13, 2017.
4. Proclamation: Neighbour Day – May 7, 2017.

**MOTION CARRIED UNANIMOUSLY**

**17. NOTICES OF MOTION**

**18. MOTION TO GO “IN-CAMERA” (CLOSED MEETING)**

2017.11.191 Moved by Councillor B. Fallo, seconded by Councillor M. Lougher-Goodey, that it is in the opinion of Council that the public interest requires that persons other than members of Council and Officers be excluded from the meeting to consider confidential matters related to a land issue, pursuant to section 90.1 (e) of the *Community Charter* and that Council continue the meeting in closed session.

**MOTION CARRIED UNANIMOUSLY**

**19. ADJOURNMENT**

2017.11.192 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the meeting be adjourned at 7:26 p.m.

**MOTION CARRIED UNANIMOUSLY**

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MAYOR

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CORPORATE OFFICER