



TOWN OF SIDNEY

MINUTES OF REGULAR COUNCIL MEETING
Monday, December 18, 2017
Council Chambers
7:00 p.m.

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

Staff: A. Hicik, Acting Chief Administrative Officer/Director of Corporate Services
T. Tanton, Director of Development Services, Engineering, Parks & Public Works
B. Mikkelsen, Fire Chief
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

1. **D. Gelinis, 2545 Oakville Avenue** – referring to item 10a, expressed support for the EDC's request for annual funding and neighboring collaboration of economic development on the Peninsula.
2. **J. Treleven (on behalf of the Grumpy Taxpayers of Greater Victoria)** – presented the Candy Cane Award to Council for making 2 courageous and innovative decisions in using taxpayers resources to partially solve community issues: 1. approval of a 10-year tax exemption for the residential portion in the new rental housing building on Fourth Street; and 2. approval of loan to the Saanich Peninsula Health Care Society for completion of the Peninsula Medical Centre.

2. APPROVAL OF AGENDA

2017.35.578 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the agenda be approved as presented.

MOTION CARRIED UNANIMOUSLY

3. ADOPTION OF MINUTES

a. Regular Council Meeting – November 27, 2017

2017.35.579 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that Minutes of the Regular Council Meeting of November 27, 2017, be adopted as presented.

MOTION CARRIED UNANIMOUSLY

b. Council Organizational Meeting – December 4, 2017

2017.35.580 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that Minutes of the Council Organizational Meeting of December 4, 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 – October 6 & December 7, 2017**

2017.35.581 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that the Minutes of the Economic Development Commission Meetings of October 6 and December 7, 2017, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 EDC's 2017 Report

2017.35.582 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor P. Wainwright, that during budget deliberations Council consider restoring \$100,000 to the annual budget for the Economic Development Fund and supplementing with the remaining funds from 2017.

MOTION CARRIED UNANIMOUSLY

2017.35.583 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor B. Fallot, that the EDC's Terms of Reference be amended to include collaboration with neighbouring municipalities on economic development on the Saanich Peninsula.

MOTION CARRIED UNANIMOUSLY

R.2 EduTech Sub-Committee

2017.35.584 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor B. Fallot, that EduTech be approved as a Sub-Committee of the EDC.

MOTION CARRIED UNANIMOUSLY

b. **Emergency Planning Committee – November 22, 2017**

2017.35.585 Moved by Councillor T. Chad, seconded by Councillor C. McLennan, that the Minutes of the Emergency Planning Committee Meeting of November 22, 2017, be received for information.

MOTION CARRIED UNANIMOUSLY

c. **Advisory Planning Commission – December 5, 2017**

2017.35.586 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the Minutes of the Advisory Planning Commission Meeting of December 5, 2017, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 Development Permit Application No. DP100731 & Development Variance Permit Application No. DV100244 (2255 Henry Avenue)

(To relax side yard setbacks, lot coverage and the front yard width in order to construct 2 small-lot single family dwellings).

2017.35.587 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan:

1. That owners and tenants in occupation of property within 75m (246ft) of 2255 Henry Avenue be notified regarding Development Variance Permit Application No. DV100244 (to relax the side yard setbacks, the lot coverage requirement for the first and second floor, and the lot width requirement for both proposed dwellings), and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variances;

2. That Development Permit Application No. DP100731 (to permit the construction of two small lot single-family dwellings) be brought before Council for consideration of approval if Council authorizes the issuance of the Development Variance Permit; and
3. That as a condition of approval of Development Permit Application No. DP100731, the property owner shall:
 - a. Address Development Permit Guidelines No. 19.3.36 (hard surfacing) and No. 19.3.46 (parking surfaces) to the satisfaction of the Director of Development Services, Engineering, Parks and Works prior to the issuance of Building Permit;
 - b. Ensure protective fencing is in place around the drip line of all trees being retained on the subject property. Fencing shall be approved by Town of Sidney Parks Department staff prior to the commencement of any work on the property and shall remain in place for the duration of construction; and
 - c. Pay to the Town a deposit in the amount of 115% of the estimated cost to complete the hard and soft landscaping for the development prior to the issuance of Building Permit.

MOTION CARRIED UNANIMOUSLY

R.2 Development Permit Application No. DP100721 & Development Variance Permit Application No. DV100232 (10106 & 10108 Resthaven Drive)

(To relax visitor parking spaces and the number of adaptable units in order to construct a 2-storey residential development consisting of 8 multi-family dwelling units).

2017.35.588

Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan:

1. That owners and tenants in occupation of property within 75m (246ft) of 10106 and 10108 Resthaven Drive be notified regarding Development Variance Permit Application No. DV100232 (to relax the siting requirements for two parking spaces and to reduce the number of required adaptable units), and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance;
2. That Development Permit Application No. DP100721 (for a two storey, eight unit multi-family townhouse development) be brought before Council for consideration of approval if Council authorizes the issuance of the Development Variance Permit;
3. That as conditions of approval of Development Permit Application No. DP100721, prior to the issuance of Building Permit the property owner shall:
 - a. Address Design Guideline No. 20.3.23 (hard surfacing) to the satisfaction of the Director of Development Services, Engineering, Parks and Works; and
 - b. Pay to the Town a deposit in the amount of 115% of the estimated cost to complete the hard and soft landscaping for the development; and
4. That as a condition of approval of Development Variance Permit Application No. DV100232, prior to the issuance of Building Permit the property owner shall:
 - a. Register a restrictive covenant on the title of the property prohibiting the future strata council from passing any bylaws that may restrict occupancy of the building based on age.

MOTION CARRIED UNANIMOUSLY

R.3 Development Permit Application No. DP100730 & Development Variance Permit Application No. DV100243 (2526 Bevan Avenue)

(To relax maximum lot area occupied by parking, the location for the required 3-bedroom units and setbacks for the upper storey balconies in order to construct a 4-storey, mixed-use building with ground floor commercial and 21 multi-family dwelling units).

2017.35.589

Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan:

1. That owners and tenants in occupation of property within 75m (246ft) of 2526 Bevan Avenue be notified regarding Development Variance Permit Application No. DV100243 (to relax the maximum percentage of lot area occupied by the parking area, the location of the required 3-bedroom units and setbacks for the upper storey balconies), and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variances;
2. That Development Permit Application No. DP100730 (to permit the construction of a 4-storey, mixed-use development consisting of ground floor commercial space and 21 multi-family dwelling units) be brought before Council for consideration of approval if Council authorizes the issuance of the Development Variance Permit;
3. That as a condition of approval of Development Permit Application No. DP100730, the property owner shall:
 - a. Prior to the issuance of Building Permit, address Development Permit Guidelines No. 21.3.12 (garage door style), 21.3.17 (siding details), 21.3.39 (landscaping) and 21.3.40 (utility kiosk screening) to the satisfaction of the Director of Development Services, Engineering, Parks and Works; and
 - b. Prior to the issuance of Building Permit, pay to the Town a deposit in the amount of 115% of the estimated cost to complete the hard and soft landscaping for the development; and
4. That as a condition of approval of Development Variance Permit Application No. DV100243, the property owner shall:
 - a. Prior to the issuance of Building Permit, register a restrictive covenant on the subject property which would ensure that the future strata council may not restrict occupancy in the building based on age.

MOTION CARRIED UNANIMOUSLY

d. Committee of the Whole – December 11, 2017

2017.35.590

Moved by Councillor T. Chad, seconded by Councillor C. McLennan, that the Minutes of the Committee of the Whole Meeting of December 11, 2017, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 Development Permit Application No. DP100734 & Development Variance Permit Application No. DV100247 (2420-2432 Beacon Avenue & 9816 Fourth Street)

(To construct a 5 storey mixed use commercial/residential development containing ground floor commercial and 35 multi-family residential units).

2017.35.591

Moved by Councillor T. Chad, seconded by Councillor P. Wainwright, that Development Variance Permit Application No. DV100247 and Development Permit Application No. DP100734 (2420-2432 Beacon Avenue & 9816 Fourth Street) be forwarded to the Advisory Planning Commission for further review and comment, subject to the following conditions:

1. That prior to proceeding to the Advisory Planning Commission, the applicant provide a report from a qualified Professional Engineer regarding flood construction level as per Interim Flood Construction Level Policy No. DV-014;

2. That prior to proceeding to the Advisory Planning Commission, that the applicant revise the design drawings as follows:
 - a. to provide a greater width for the pedestrian overhang;
 - b. to stepback the entire 4th floor from Fourth Street; and
 - c. to further stepback the 5th floor from Fourth Street.

OPPOSED: Councillor B. Fallot
MOTION CARRIED 6:1

R.2

2017.35.592

Moved by Councillor T. Chad, seconded by Councillor P. Wainwright, that Development Variance Permit Application No. DV100247 (2420-2432 Beacon Avenue & 9816 Fourth Street) be advertised in 2 consecutive issues of the Peninsula News Review, and that this notification be added to the process for whenever the Town receives an application for a multi-family development that involves a variance in the number of storeys.

MOTION CARRIED UNANIMOUSLY

11. STAFF REPORTS

- a. **Development Variance Permit Application No. DV100250 (9429 Canora Road)**
(To vary the Sign Bylaw in order to install a new free-standing sign).

2017.35.593

Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that owners and tenants in occupation of property within 75m (246ft) of 9429 Canora Road be notified regarding Development Variance Permit Application No. DV100250 (to allow for a Free-Standing sign to be placed on the subject property) and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance, subject to the following conditions:

1. That the applicant proposes an alternative location for the Free-Standing sign, entirely on private property, that is to the satisfaction of the Director of Development Services, Engineering, Parks & Works prior to the issuance of Building Permit;
2. That the applicant applies for a Building Permit for the proposed sign; and
3. That as a requirement of the Building Permit the applicant engages a professional engineer to oversee the design and installation of the proposed sign and foundation.

MOTION CARRIED UNANIMOUSLY

- b. **Ocean Avenue Curb Realignment**

2017.35.594

Moved by Councillor P. Wainwright, seconded by Councillor C. McLennan, that the Ocean Avenue Curb Realignment project be referred to the 2018 budget deliberations.

MOTION CARRIED UNANIMOUSLY

- c. **White Birch Road Watermain**

2017.35.595

Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Capital Budget Item WAT-17-007 be revised to include only the White Birch watermain extension, and that staff prepare a budget item for the access road in a future year.

MOTION CARRIED UNANIMOUSLY

- d. **Advancement of James White Boulevard Road Reconstruction**

2017.35.596

Moved by Councillor P. Wainwright, seconded by Councillor M. Lougher-Goodey, that the advancement of the road reconstruction scheduled in 2022 for James White Boulevard not be considered at this time.

MOTION CARRIED UNANIMOUSLY

e. Extension of Agreement – Fire Dispatch & Communication Services

- 2017.35.597 Moved by Councillor T. Chad, seconded by Councillor B. Fallot:
1. That the Amending Agreement for Fire Dispatch and Communications Services with the District of Saanich be approved; and
 2. That staff proceed with the investigation of alternatives for the longer-term provision of fire dispatch services.

MOTION CARRIED UNANIMOUSLY

f. PEMO Emergency Notification System

- 2017.35.598 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot:
1. That the Fire Chief / Emergency Management Coordinator, in conjunction with counterparts in North and Central Saanich, merge the existing three independent emergency notification systems into one;
 2. That this singular notification system be provided by ERMS and administered / funded by PEMO; and,
 3. That funds annually allocated to emergency message funding be added to the amount transferred to PEMO.

MOTION CARRIED UNANIMOUSLY

g. Contract Award – Community Safety Building

- 2017.35.599 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the following contracts be awarded as part of Tender Packages #4 and #5 for the Community Safety Building, all at amounts not to exceed their tendered bids, other than through approved change orders:
1. The mechanical contract awarded to Erb Technical Contracting Ltd.; and
 2. The contract for doors, frames and hardware awarded to McGregor & Thompson.

MOTION CARRIED UNANIMOUSLY

h. Contract Award 2017-010 – Janitorial Services

- 2017.35.600 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Contract No. 2017-010 – Janitorial Services for 2018 and 2019 be awarded to Tricom Janitorial.

MOTION CARRIED UNANIMOUSLY

i. Monthly Building Permit Report – November 2017

- 2017.35.601 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the Monthly Building Permit Report for November 2017 be received for information.

MOTION CARRIED UNANIMOUSLY

12. OTHER REPORTS

13. CORRESPONDENCE

a. Request for Special Tri-Municipal Meeting – Strategies to Improve Transit on the Saanich Peninsula

- 2017.35.602 Moved by Councillor P. Wainwright, seconded by Councillor C. McLennan, that the correspondence from District of Central Saanich, dated November 23, 2017, be received and that the Town respond by suggesting that the 3 Mayors meet to discuss.

MOTION CARRIED UNANIMOUSLY

14. BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION

- a. **Development Variance Permit Application No. DV100245 (9519 Maryland Drive)**
(To relax building envelope width to permit subdivision of property into two lots).
(No written public submissions were received).

2017.35.603 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Development Variance Permit Application No. DV100245 (9519 Maryland Drive – to relax building envelope width to permit subdivision of property into two lots) be approved, subject to conditions as per Council Resolution No. 2017.32.558.

MOTION CARRIED UNANIMOUSLY

15. NEW BUSINESS

16. CORRESPONDENCE FOR INFORMATION

2017.35.604 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the following correspondence be received for information:

1. Letter from City of Victoria, requesting support for fixing the regional transportation system, dated November 16, 2017.
2. Letter from D. Paquette & R. McDermid, expressing appreciation to honor the waterfront walkway lease in front of 9775 First Street, dated November 21, 2017.
3. Letter from CUPE 873 - Ambulance Paramedics of BC, regarding ambulance services, dated November 21, 2017.
4. Email from District of Saanich, advising of their Council decision regarding the proposed amendment to the CRD Arts Establishment Bylaw, dated November 24, 2017.
5. Letter from District of Sicamous, regarding prevention of Quagga and Zebra Mussels, dated November 29, 2017.
6. Email from P. Vagnerova, regarding wheelchair accessible and adaptable units in new developments, dated November 27, 2017.
7. Letter from Minister Farnworth, following up on discussions held at UBCM on increasing the number of integrated units in the CRD, dated November 29, 2017.
8. Letter from R. Mang, Allbay Road, expressing concerns of speeding on Allbay Road, dated December 1, 2017. Reply letter dated December 8, 2017.
9. Email from N. Ryder, regarding concerns of electromagnetic radiation levels in Sidney, dated December 5, 2017. Email reply dated December 7, 2018.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

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

2017.35.605 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, 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 relating to third party business interests and a personal issue, pursuant to section 90.1 (a) and (j) of the *Community Charter* and that Council continue the meeting in closed session.

MOTION CARRIED UNANIMOUSLY

19. ADJOURNMENT

2017.35.606 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that the meeting be adjourned at 7:39 p.m.

MOTION CARRIED UNANIMOUSLY