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## TOWN OF SIDNEY

### MINUTES OF REGULAR COUNCIL MEETING Tuesday, February 14, 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  
A. Verhagen, Manager of Planning  
P. Kully, Executive Assistant

**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. **J. Hestnes, 9633 Sixth Street** – regarding DV100213, advised of the overwhelming support received from neighbours, and provided a list of signatures to the Chief Administrative Officer.
2. **E. Falkenberg-Poetz, 9624 Sixth Street** – spoke against DV100213 stating that an increase from 35% coverage to 50% coverage is too much.
3. **G. Mead, 2056 Courser Drive** – requested consideration for a 17 month special dispensation from April to September to add 4 spaces to the Beehive Early Childhood Centre. Mayor Price recommended that Ms. Mead contact Town staff to determine possible options.
4. **S. Garnett, 9583 Christine Place** – spoke to the budget process and suggested that the \$15,000 allotted for marketing the sale of the current Fire Hall is unnecessary due to the hot real-estate market and that the funds should be transferred to the building of pickleball courts.
5. **M. Synnuck, 10289 Godfrey Place (President of the Peninsula Soccer Association)** – provided a brief history of the organization's efforts to have artificial turf fields installed at Blue Heron Park which, to date, have been unsuccessful. Mayor Price advised Mr. Synnuck to setup an appointment to further discuss options.
6. **J. Gifford, 10448 Allbay Road (President of the Sidney Community Association)** - advised Council that the SCA has received confirmation from Town staff that their letter regarding the bonus density bylaw has been received and a response is forthcoming, however, requested Council to consider a communication plan for the new bylaw to help residents understand it - this would include (1) identifying what difference it will make (2) opportunity for Q and A, and (3) consult with the public before the policy is finalized.
7. **S. Duck, 9805 Second Street** – noted that on the Committee of the Whole Minutes of February 6, he is misquoted – suggested that the Modo Carshare program was to have a location at Swartz Bay similar to what exists at Tsawwassen; suggested that Council consider enhancing the sale of the Fire Hall by rezoning the property; and questioned where funding for the Skatepark was coming from.

Public Participation Period closed at 7:15 p.m.

**2. APPROVAL OF AGENDA**

2017.05.055 Moved by Councillor B. Fallot, seconded by Councillor M. Lougher-Goodey, that the agenda be approved as presented.

**MOTION CARRIED UNANIMOUSLY**

**3. ADOPTION OF MINUTES**

**a. Regular Council Meeting – January 23, 2017**

2017.05.056 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that Minutes of the Regular Council Meeting of January 23, 2017, be adopted as presented.

**MOTION CARRIED UNANIMOUSLY**

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

**5. BUSINESS ARISING FROM MINUTES**

**a. Council In-Camera Meeting – January 23, 2017**

**i. Appointment - Council Liaison to the Museum Board**

*Resolution: that Councillor E. Bremner-Mitchell be appointed the Council Liaison to the Society of Saanich Peninsula Museums for 2017.*

**6. DELEGATIONS**

**a. Remediation of Reay Creek**

Mr. B. Collins, Wesbrook Drive, Spokesperson for Reay Creek Residents, thanked the Town for their assistance with remediation efforts. He provided a brief background on activities to date and confirmed that the Federal Government has classified the cleanup as a Class 1, meaning a high priority. He also impressed upon Council that the overwhelming majority of residents in the area want the pond and dam to stay as they are and that once the pond is cleaned up they would like to see the park enhanced with signage, benches, etc.

2017.05.057 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor M. Lougher-Goodey, that the letter from Mr. B. Collins, Wesbrook Drive, Spokesperson for Reay Creek Residents, dated February 8, 2017, regarding the preservation and restoration of the Reay Creek Pond and Park, be received for information and that it be referred to staff for consideration as part of the Parks Master Plan process.

**MOTION CARRIED UNANIMOUSLY**

**7. PETITIONS**

**8. MAYOR'S REPORT**

**9. COUNCILLORS' REPORTS**

**10. COMMITTEE REPORTS**

**a. Economic Development Commission – January 6, 2017**

2017.05.058 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that the Minutes of the Economic Development Commission Meeting of January 6, 2017, be received for information.

**MOTION CARRIED UNANIMOUSLY**

**b. Committee of the Whole Meeting – February 6, 2017**

2017.05.059 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the Minutes of the Committee of the Whole Meeting of February 6, 2017, be received for information.

**MOTION CARRIED UNANIMOUSLY**

Minutes contain recommendation(s) regarding:

**R.1 Car share Service in Downtown**

2017.05.060 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot:

1. That a budget allocation from the Off-Street Parking Reserve to assist in establishing a downtown car share service in the 2017 budget be approved; and
2. That staff be authorized to negotiate and enter into a service agreement with Modo Car share Coop when funding allows.

**OPPOSED: Councillor T. Chad  
MOTION CARRIED 6:1**

Councillor T. Chad moved a motion to table the matter, however it was not seconded.

**R.2 Ocean Spray Park Sign**

2017.05.061 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the proposed sign be approved and installed in Ocean Spray Park for a cost of \$7,000.

**OPPOSED: Councillors: E. Bremner-Mitchell, T. Chad, B. Fallot,  
M. Lougher-Goodey & P. Wainwright  
MOTION DEFEATED 5:2**

2017.05.062 Moved by Councillor P. Wainwright, seconded by Councillor M. Lougher-Goodey, that \$7,000 be approved for signage at Ocean Spray Park.

**OPPOSED: Mayor Price  
MOTION CARRIED 6:1**

**R.3**

2017.05.063 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that staff be authorized to re-allocate \$20,000 of the budget for Gateway signage to fund the following Property Tax funded projects:

1. Decorative Street Lighting (\$16,200); and
2. Council Chambers Upgrades (\$3,800).

**MOTION CARRIED UNANIMOUSLY**

**R.4 Additional Budget Notes**

2017.05.064 Moved by Councillor M. Lougher-Goodey, seconded by Councillor E. Bremner-Mitchell, that an increase of \$2,800 to the Museum be approved in the 2017 Budget.

**MOTION CARRIED UNANIMOUSLY**

**R.5**

2017.05.065 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that \$15,000 for Water Fountain Stations be funded from Community Amenity Funds.

**MOTION CARRIED UNANIMOUSLY**

**R.6 Gas Tax Funding**

2017.05.066 Moved by Councillor M. Lougher-Goodey, seconded by Councillor T. Chad, that \$500,000 of Gas Tax funding allocated for the Bevan Fishing Pier Metal Painting be reallocated and used as the funding source for Phase 1 of the Employee Parking Lot.

**MOTION CARRIED UNANIMOUSLY**

**R.7**  
2017.05.067 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the remaining projects allocated for Gas Tax Funding be approved as presented.

**MOTION CARRIED UNANIMOUSLY**

**R.8 Utility Budgets**  
2017.05.068 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the Water Operating and Capital and the Sewer Operating and Capital budgets be approved as presented.

**MOTION CARRIED UNANIMOUSLY**

## **11. STAFF REPORTS**

### **a. Skatepark Fundraising Update**

2017.05.069 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that the staff report, dated February 14, 2017, providing an update on Skatepark fundraising efforts, be received for information.

**MOTION CARRIED UNANIMOUSLY**

Councillor B. Fallot suggested using the Town's social media channels and Town Talk to further promote fundraising opportunities.

### **b. Iroquois Park Orchard Assessment**

2017.05.070 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that:

1. That the seven remaining fruit trees located in Iroquois Park be removed as soon as possible;
2. That the pine tree be removed as soon as possible;
3. That the willow tree be pollard pruned and maintained in that manner; and
4. That staff bring forward a landscape plan for remediation of the Iroquois Park orchard area with an option to include a fully accessible picnic shelter, for discussion as part of the Parks Master Plan process in 2017.

**MOTION CARRIED UNANIMOUSLY**

### **c. Contract Award - 2017 Computer Replacement**

2017.05.071 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the 2017 Computer Replacement tender be awarded to TLD Computers in the amount of \$126,579.33.

**MOTION CARRIED UNANIMOUSLY**

### **d. Electric Vehicle Charging Station Usage**

2017.05.072 Moved by Councillor P. Wainwright, seconded by Councillor C. McLennan, that the staff report, dated February 7, 2017, providing an update on usage of the Town's four publicly accessible electric vehicle charging stations, be received for information.

**MOTION CARRIED UNANIMOUSLY**

### **e. Appointment of Bylaw Enforcement Officers**

2017.05.073 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that Byron Grant and Daniel Jones be appointed as Bylaw Enforcement Officers, in accordance with Section 36 of the *Police Act*, to enforce all municipal bylaws and that these appointments be confirmed for the term of their employment with the Town.

**MOTION CARRIED UNANIMOUSLY**

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

- 2017.05.074 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the Monthly Building Permit Report for January 2017 be received for information.  
**MOTION CARRIED UNANIMOUSLY**

**12. OTHER REPORTS**

**13. CORRESPONDENCE**

**a. CRD Bylaw No. 4140 – Saanich Peninsula Stormwater Source Control Service Establishment, Amendment No. 1 and Bylaw No. 4141 – Saanich Peninsula Stormwater Quality Service Establishment, Amendment No. 1**

- 2017.05.075 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that the letter from CRD, dated January 23, 2017, be received and that Council consent to the adoption of CRD Bylaw No. 4140 - Saanich Peninsula Stormwater Source Control Service Establishment, Amendment No. 1 and CRD Bylaw No. 4141 – Saanich Peninsula Stormwater Quality Service Establishment, Amendment No. 1.  
**MOTION CARRIED UNANIMOUSLY**

**b. CRD Bylaw No. 4124 - 2003 Regional Growth Strategy Amendment No. 2**

- 2017.05.076 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that the letter from CRD, dated January 25, 2017, advising of the adoption of CRD Bylaw No. 4124 - 2003 Regional Growth Strategy, Amendment No. 2, be received for information.  
**MOTION CARRIED UNANIMOUSLY**

Councillor T. Chad requested information on the impact of the proposed change in transportation service and what impact it may have on the ability of members to withdraw from the service.

**c. CRD Bylaw No. 4142 – Regional Parks Loan Authorization (E&N Rail Trail)**

- 2017.05.077 Moved by Councillor M. Lougher-Goodey, seconded by Councillor P. Wainwright, that the letter from CRD, dated January 30, 2017, be received and that Council consent to the adoption of CRD Bylaw No. 4142 – Regional Parks Loan Authorization Bylaw No. 1.  
**MOTION CARRIED UNANIMOUSLY**

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

**a. Bylaw No. 2134 – Official Community Plan, Amendment No. 17 (2447 Henry Ave)**  
(To increase the maximum density to allow for 15 additional units in order to construct a 4 storey residential development consisting of 24 strata dwelling units).

- 2017.05.078 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2134 – Official Community Plan, Amendment No. 17 (2447 Henry Avenue) be given first reading.  
**MOTION CARRIED UNANIMOUSLY**

- 2017.05.079 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2134 – Official Community Plan, Amendment No. 17 (2447 Henry Avenue) be given second reading and that staff be authorized to advertise for public hearing.  
**MOTION CARRIED UNANIMOUSLY**

**b. Bylaw No. 2135 – Zoning, Amendment No. 31 (2447 Henry Avenue)**

(To designate area from Multi-Family High Density Residential (RM7) to RM7 Bonus Density (RM7-B) in order to construct a 4 storey residential development consisting of 24 strata dwelling units).

2017.05.080 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2135 – Zoning, Amendment No. 31 (2447 Henry Avenue) be given first reading.

**MOTION CARRIED UNANIMOUSLY**

2017.05.081 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2135 – Zoning, Amendment No. 31 (2447 Henry Avenue) be given second reading and that staff be authorized to advertise for public hearing.

**MOTION CARRIED UNANIMOUSLY**

**c. Development Variance Permit Application No. DV100213 (9633 Sixth Street)**

(To increase lot coverage to allow construction of a single-family dwelling).

Public Submission(s):

1. P. McAllister & C. van Bassen, 9617 Sixth Street, dated February 12, 2017.

2017.05.082 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that Development Variance Permit Application No. DV100213 (9633 Sixth Street – to increase lot coverage to allow construction of a single-family dwelling) be approved.

**MOTION CARRIED UNANIMOUSLY**

**d. Development Variance Permit Application No. DV100214 (2238 Malaview Avenue)**

(To increase percentage of front yard occupied by parking area to allow construction of a single-family dwelling).

Public Submission(s):

1. P. Benbow, 2244 Malaview Avenue, dated February 13, 2017.
2. J. McCarthy, dated February 13, 2017.

2017.05.083 Moved by Councillor M. Lougher-Goodey, seconded by Councillor T. Chad, that Development Variance Permit Application No. DV100214 (2238 Malaview Avenue – to increase percentage of front yard occupied by parking area to allow construction of a single-family dwelling) be approved.

**MOTION CARRIED UNANIMOUSLY**

**e. Development Variance Permit Application No. DV100215 (10426 Eden Place)**

(To increase percentage of front yard occupied by parking area to allow construction of two single-family dwellings).

*(No written public submissions were received).*

2017.05.084 Moved by Councillor M. Lougher-Goodey, seconded by Councillor T. Chad, that Development Variance Permit Application No. DV100215 (10426 Eden Place – to increase percentage of front yard occupied by parking area to allow construction of two single-family dwellings) be approved.

**MOTION CARRIED UNANIMOUSLY**

**15. NEW BUSINESS**

**16. CORRESPONDENCE FOR INFORMATION**

2017.05.085 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that the following correspondence be received for information:

1. Letter from the Greater Victoria Chamber of commerce, regarding sustainable, fair and transparent property taxes, dated January 17, 2017. Reply dated February 2, 2017.
2. Email from Victoria Real Estate Board, regarding the Foreign Buyer Property Transfer Tax, dated January 24, 2017.
3. Letter from Councillor Junzo Haba of Niimi Japan, expressing appreciation respecting his visit to Sidney, dated February 5, 2017. Reply dated February 7, 2017.
4. Annual Report for 2016 from the Victoria Family Court & Youth Justice Committee, dated January 18, 2017.
5. Letter from S. Wood, Lochside Drive, requesting pedestrian-activated flashing lights at Lochside Drive and Frost Avenue, dated February 4, 2017. Reply dated February 8, 2017.
6. Proclamation: February 2017 – Heart Month.

**MOTION CARRIED UNANIMOUSLY**

**17. NOTICES OF MOTION**

**18. MOTION TO GO “IN-CAMERA” (CLOSED MEETING)** – not required.

**19. ADJOURNMENT**

2017.05.086 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the meeting be adjourned at 7:57 p.m.

**MOTION CARRIED UNANIMOUSLY**

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MAYOR

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CORPORATE OFFICER