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**TOWN OF SIDNEY**

**MINUTES OF REGULAR COUNCIL MEETING**  
**Monday, March 13, 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. Harman, Deputy 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**

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

**A. PUBLIC PARTICIPATION PERIOD**

1. **J. Gifford, 10448 Allbay Road (President of the Sidney Community Association)** – 1. stated was pleased to be informed the pedestrian overpass would be on the north side of Beacon Avenue and that Omicron will be contributing; 2. advised of the results of the SCA's survey regarding the Density Review; and 3. stated that the Town could do a better job (i.e. more consistently and fully) in consulting with the public regarding the Density Review.
2. **S. Harrison, 1747 Forest Park Drive, North Saanich** – referring to item 11a, expressed concerns regarding the TetraTech Report stating it significantly understated the risk rating of various aircraft accident scenarios near the Community Safety Building, and that there would be a higher liability for the Town.
3. **S. Garnett, 9583 Christine Place** – thanked Councillor Fallot for advising of the Council agenda package binder referencing the Town's staff reports; and expressed support for the pedestrian overpass being on the north side of Beacon Avenue.
4. **C. Bolt, 9659 Second Street** – stated that the Density Review is complex and that a more robust discussion is needed in order for the public to better understand what the implications are and how the scenarios could play out.

Public Participation Period closed at 7:12 p.m.

**2. APPROVAL OF AGENDA**

- 2017.07.104 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the agenda be approved with the following amendments:
1. addition of 10bR1 - memo from the Chief Administrative Officer, regarding CRD Service Withdrawal Options, dated March 13, 2017;
  2. addition of 14b - revision to draft Policy DV-013;
  3. addition of 14c - revision to Bylaw No. 2132; and
  4. addition of 14d - letter from C. McCarthy, Amherst Avenue, dated March 10, 2017.

**OPPOSED: Councillor E. Bremner-Mitchell**  
**MOTION CARRIED: 6:1**

Moved by Councillor E. Bremner-Mitchell, seconded by Councillor B. Fallot, that items 14b – Bylaw No. 2131 – Official Community Plan, Amendment No. 16 and 14c – Zoning, Amendment No. 30 be moved to next week's Committee of the Whole Meeting.

**OPPOSED: Mayor S. Price & Councillors: T. Chad,  
M. Lougher-Goodey & C. McLennan  
MOTION DEFEATED: 4:3**

2017.07.105 Moved by Councillor B. Fallot, seconded by Councillor P. Wainwright, that item 16.1 – letter from the Sidney Community Association, dated February 7, 2017, be moved and added as item 13a.

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

### **3. ADOPTION OF MINUTES**

#### **a. Regular Council Meeting – February 27, 2017**

2017.07.106 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Minutes of the Regular Council Meeting of February 27, 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 – February 3 & February 17, 2017**

2017.07.107 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that Minutes of the Economic Development Commission Meetings of February 3 and February 17, 2017, be received for information.

**MOTION CARRIED UNANIMOUSLY**

#### **b. Committee of the Whole – March 6, 2017**

2017.07.108 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that Minutes of the Committee of the Whole Meeting of March 6, 2017, be received for information.

**MOTION CARRIED UNANIMOUSLY**

Minutes contain recommendation(s) regarding:

#### **R.1 CRD Arts Funding**

2017.07.109 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that Council support CRD Bylaw No. 4127 – Arts & Culture Support Service Establishment Bylaw 1, 2001, Amendment Bylaw No. 4, 2017, subject to a withdrawal provision being included in the bylaw.

**MOTION CARRIED UNANIMOUSLY**

#### **R.2 2016 SEAG Report**

2017.07.110 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the Sidney Event Advisory Group's final report on activities and accomplishments in 2016, be received for information.

**MOTION CARRIED UNANIMOUSLY**

**R.3 Review of Policies – Council/Committees**

2017.07.111

- Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey:
1. That the Council & Committee policies: CC-001 (Access to Files); CC-011 (Bylaws-Reconsideration); and CC-012 (Reimbursement for Councillors Unable to Drive) be rescinded; and
  2. That remaining Council & Committee policies be approved as presented and re-numbered accordingly.

**MOTION CARRIED UNANIMOUSLY**

**R.4 Sidney Crossing & Sandown Traffic Impacts**

2017.07.112

Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the staff report dated March 6, 2017, presenting the traffic impact studies for both Sidney Crossing (Gateway) and Sandown developments, be received for information.

**MOTION CARRIED UNANIMOUSLY**

**c. Advisory Planning Commission – March 7, 2017**

2017.07.113

Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Minutes of the Advisory Planning Commission Meeting of March 7, 2017, be received for information.

**MOTION CARRIED UNANIMOUSLY**

Minutes contain recommendation(s) regarding:

**R.1 Development Permit Application No. DP100695 & Development Variance Permit Application No. DV100218 (10529 McDonald Park Road)**

2017.07.114

(To relax the minimum access aisle width from 5.5 metres to 4 metres in order to construct a two storey *development consisting of 3 townhouse dwelling units*).

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

1. That owners and tenants in occupation of property within 75m (246ft) of the property that is the subject of Development Variance Permit Application No. DV100218 (10259 McDonald Park Road - to relax the minimum width of the access aisle on the property to 5 metres) be notified regarding the proposed variance 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. DP100695 (to permit the construction of a two storey townhouse development with 3 dwelling units on the property at 10529 McDonald Park Road) 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. DP100695, the property owner:
  - a. Address Development Permit Guideline No. 20.3.35 (Landscaping) to the satisfaction of the Director of Development Services, Engineering, Parks and Works.
  - 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 prior to the issuance of Building Permit.

**MOTION CARRIED UNANIMOUSLY**

## 11. STAFF REPORTS

### a. Community Safety Building – Status Update

2017.07.115 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the staff report dated March 6, 2017, be received for information and that the Town confirm with the Victoria Airport Authority its intent to extend the lease for the Community Safety Building lands for the full 61.25 year term.

**MOTION CARRIED UNANIMOUSLY**

### b. Anti-Idling Signage

2017.07.116 Moved by Councillor C. McLennan, seconded by Councillor T. Chad, that the staff report dated March 13, 2017, providing an update on anti-idling signage, be received for information.

**MOTION CARRIED UNANIMOUSLY**

### c. Monthly Building Permit Report – February 2017

2017.07.117 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the Monthly Building Permit report for February 2017 be received for information.

**MOTION CARRIED UNANIMOUSLY**

## 12. OTHER REPORTS

## 13. CORRESPONDENCE

### a. Request for Further Public Consultation on the Density Review

- Letter from Sidney Community Association, dated February 7, 2017. Reply from staff dated March 7, 2017.

2017.07.118 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that staff be instructed to create a special edition of Town Talk strictly on the Density Review, i.e. the Floor Area Ratio, and the Community Amenity Contribution Policy.

**OPPOSED: Mayor S. Price & Councillors: T. Chad & C. McLennan**  
**MOTION CARRIED: 4:3**

Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that the special edition of Town Talk be distributed in advance of the public hearing.

**OPPOSED: Mayor S. Price & Councillors: T. Chad,**  
**M. Lougher-Goodey & C. McLennan**  
**MOTION DEFEATED: 4:3**

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

### a. Bylaw No. 2130 – Sidney Business Improvement Area (2018 - 2022) (A bylaw to renew the Business Improvement Area for downtown Sidney).

2017.07.119 Moved by Councillor M. Lougher-Goodey, seconded by Councillor E. Bremner-Mitchell, that the staff report dated March 7, 2017, providing results of the Alternative Approval Process for the renewal of the Sidney Business Improvement Area, be received for information.

**MOTION CARRIED UNANIMOUSLY**

2017.07.120 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2130 – Sidney Business Improvement Area (2018-2022) be adopted.

**MOTION CARRIED UNANIMOUSLY**

**b. Bylaw No. 2131 - Official Community Plan, Amendment No. 16**

(To amend policies relating to residential density in order to be consistent with the proposed changes to the Zoning Bylaw, as a result of the Density Review).

2017.07.121 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the staff report dated March 6, 2017, providing information regarding the proposed amendments to the Official Community Plan and Zoning bylaws as a result of the Density Review, be received for information.

**MOTION CARRIED UNANIMOUSLY**

2017.07.122 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor P. Wainwright, that section 5.1 of Policy DV-013 – Bonus Density & Community Amenity Contribution be amended by adding the following:

f. *Environmental protection, conservation and/or remediation projects.*

**MOTION CARRIED UNANIMOUSLY**

Moved by Councillor E. Bremner-Mitchell, seconded by Councillor B. Fallot:

1. That section 7 of Policy DV-013 – Bonus Density & Community Amenity Contribution be amended to reflect 100% of amenity contributions be allocated to the General Amenity Reserve Fund; and
2. That staff develop and bring forward a strategy to utilize money in an Attainable Housing Reserve Fund and at such time we can amend Policy DV-013.

**OPPOSED: Mayor S. Price & Councillors: T. Chad,  
M. Lougher-Goodey & C. McLennan**

**MOTION DEFEATED: 4:3**

2017.07.123 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor P. Wainwright, that section 3 of Bylaw No. 2131 – Official Community Plan Amendment No. 16 be amended as follows:

*The Official Community Plan encourages additional residential density in the downtown core in order to diversify the size and type of dwelling units with the goal of attracting and retaining a balanced demographic to the area **and supporting our local economy**. Subsequently, the following policy is aimed at increasing the population density in the downtown:*

**MOTION CARRIED UNANIMOUSLY**

2017.07.124 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that Policy DV-013 - Bonus Density & Community Amenity Contribution be approved as amended.

**OPPOSED: Councillors: E. Bremner-Mitchell & P. Wainwright**

**MOTION CARRIED: 5:2**

2017.07.125 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2131 – Official Community Plan, Amendment No. 16, be read a first time as amended and be read a second time and that staff be authorized to advertise for public hearing.

**MOTION CARRIED UNANIMOUSLY**

**c. Bylaw No. 2132 - Zoning, Amendment No. 30**

(To incorporate a base and bonus density into each relevant zone and to replace references to UPH limits with FAR limits, as a result of the Density Review).

2017.17.126 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2132 – Zoning, Amendment No. 30, be read a first time and a second time and that staff be authorized to advertise for public hearing.

**MOTION CARRIED UNANIMOUSLY**

Moved by Councillor E. Bremner-Mitchell, seconded by Councillor P. Wainwright, that section 26 of proposed Bylaw No. 2132 – Zoning, Amendment No. 30, be removed in its entirety.

**OPPOSED: Mayor S. Price & Councillors: T. Chad, B. Fallot,  
M. Lougher-Goodey, C. McLennan & P. Wainwright**

**MOTION DEFEATED: 6:1**

*Councillor M. Lougher-Goodey left the meeting room at 7:58 p.m., citing a potential conflict of interest as he has shares in a duplex within the 75m notification area.*

**d. Development Variance Permit Application No. DV100217 (10166 Fifth Street)**

(To increase the maximum allowable percentage of vehicle parking area in the front yard for the single-family dwelling with a secondary suite currently under construction).

Public Submission(s):

1. Letter from C. McCarthy, 2362 Amherst Avenue, dated March 10, 2017.

2017.17.127 Moved by Councillor T. Chad, seconded by Councillor C. McLennan, that Development Variance Permit Application No. DV100217 (10166 Fifth Street - to increase the maximum allowable percentage of vehicle parking area in the front yard for the single-family dwelling with a secondary suite currently under construction) be approved.

**MOTION CARRIED UNANIMOUSLY**

*Councillor M. Lougher-Goodey returned to the meeting at 7:59 p.m.*

**15. NEW BUSINESS**

**16. CORRESPONDENCE FOR INFORMATION**

2017.17.128 Moved by Councillor C. McLennan, seconded by Councillor E. Bremner-Mitchell, that the following correspondence be received for information:

1. *(This item has been dealt with; it was moved and added as item 13a).*
2. Letter from Omicron, providing a status update on the newly re-named Sidney Crossings (Gateway) project, dated February 17, 2017.
3. Letter from District of Coldstream, presenting resolution for 2017 UBCM Convention regarding provincial private moorage program, dated February 22, 2017.
4. Letter from CRD, providing notification of refusal to accept 2016 Regional Growth Strategy Bylaw 4017, dated February 23, 2017.
5. Letter from South Island Prosperity Project, providing information to the Minister regarding their achievements respecting economic development, dated February 23, 2017.
6. Letter from CREST, providing an update on technology improvements, dated February 24, 2017.
7. Email from L. Comber, regarding the destruction and removal of trees in Sidney, dated February 28, 2017. Reply dated March 2, 2017.
8. Email from Greater Victoria Cycling Coalition, regarding trail connections at Sidney Crossing, dated March 6, 2017. Reply dated March 7, 2017.
9. Letter from A. & A. Kershaw, Resthaven Drive, regarding one hour parking restrictions on Resthaven, dated March 4, 2017. Reply dated March 7, 2017.
10. Proclamation: Purple Day for Epilepsy Awareness – March 26, 2017.

**MOTION CARRIED UNANIMOUSLY**

**17. NOTICES OF MOTION**

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

2017.07.129 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 related to a personnel issue, pursuant to section 90.1 (a) of the *Community Charter* and that Council continue the meeting in closed session.

**MOTION CARRIED UNANIMOUSLY**

**19. ADJOURNMENT**

2017.07.130 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the meeting be adjourned at 8:00 p.m.

**MOTION CARRIED UNANIMOUSLY**

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MAYOR

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CORPORATE OFFICER