



TOWN OF SIDNEY

MINUTES OF REGULAR COUNCIL MEETING
Monday, May 8, 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: R. Humble, Chief Administrative Officer
A. Hicik, Director of Corporate Services
B. Mikkelsen, Fire Chief
M. van der Linden, Manager of Engineering & Environmental Services
A. Verhagen, Manager of Planning
D. Jones, Bylaw Enforcement/Building Official
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. **P. Shapka, 10477 Allbay Road** – referring to item 14c, stated was opposed to the variance as per written submission, in particular as the area backs on to a bird sanctuary, and the loss of green space and privacy.
2. **K. Jennings, 10173 Resthaven Drive** - referring to item 14d, stated was not opposed to the variance, however expressed concerns regarding the continued increase in the Town's density, particularly with respect to properties which previously contained a single-family dwelling being replaced with 2 or 3 dwellings.
3. **S. Garnett, 9583 Christine Place** – referring to the April issue of *Town Talk*, stated the article regarding panhandlers was too simplistic and demeaning to those less fortunate and requested a correction or retraction.

Public Participation Period closed at 7:07 p.m.

2. APPROVAL OF AGENDA

2017.13.198 Moved by Councillor B. Fallot, seconded by Councillor M. Lougher-Goodey, that the agenda be approved with the following additions:

1. item 14c – letter from B. & P. Shapka, 10477 Allbay Road, dated May 3, 2017.
2. item 14c – letter from K. & M. Marsh, 10510 Allbay Road, dated May 4, 2017.
3. item 14c – letter from W. & N. Franklin, 10506 Allbay Road, dated May 5, 2017.
4. item 14c – letter from R. & H. Erickson, 10487 Allbay Road, dated May 7, 2017
5. item 14d – letter from J. Laing, 2355 Amherst Avenue, dated May 5, 2017.

MOTION CARRIED UNANIMOUSLY

3. ADOPTION OF MINUTES

a. Regular Council Meeting – April 24, 2017

2017.13.199 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that Minutes of the Regular Council Meeting of April 24, 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 – April 24, 2017

i. Library Agreement with District of North Saanich

Resolution: that staff be directed to work with the District of North Saanich to finalize and execute a revised three year Library agreement based upon the key elements presented in the draft agreement.

6. DELEGATIONS

7. PETITIONS

8. MAYOR'S REPORT

9. COUNCILLORS' REPORTS

- a. Councillor B. Falot** – provided an update on the CRD Arts Committee Meeting advising that the bylaw has been revised to include a withdrawal provision as per Sidney's request, however that it was limited to a 2-year withdrawal period and stated that she voted against the bylaw as it did not meet the intent of the Town's request.

10. COMMITTEE REPORTS

a. Economic Development Commission Meeting – April 7, 2017

2017.13.200 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that the Minutes of the Economic Development Commission Meeting of April 7, 2017, be received for information.

MOTION CARRIED UNANIMOUSLY

b. Committee of the Whole Meeting – May 1, 2017

2017.13.201 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the Minutes of the Committee of the Whole Meeting of May 1, 2017, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 Proposal for Revitalization of Sculpture Walk

2017.13.202 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey:

1. That the SBIA's proposal for the Revitalization of Sidney's Sculpture Walk, along with its link to other community cultural, historical and wildlife assets be approved;
2. That a formal agreement between the Town and the SBIA, based upon their proposal, be developed and brought back to Council for review and consideration; and
3. Upon execution of the agreement, that, for the years 2017 and 2018, annual funding in the amount of \$10,000 be approved.

MOTION CARRIED UNANIMOUSLY

R.2 Downtown Waterfront Vision Plan

2017.13.203 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey:

1. That the Downtown Waterfront Vision plan by Barefoot Consulting, April 24, 2017, be adopted;

2. That staff be directed to commence implementation of the plan starting with a short term pilot project seasonal closure of the road portion of Beacon Park for a portion of the summer of 2017 and that staff report back with details on the proposed pilot project;
3. That a Street Vending Bylaw be brought to Council for consideration; and
4. That staff bring forward items recommended in the Implementation section of the Downtown Waterfront Vision plan for consideration as part of the annual fall strategic planning and subsequent budget processes.

OPPOSED: Councillor T. Chad
MOTION CARRIED 6:1

R.3 Development Permit Application No. DP100705 & Development Variance Permit Application No. DV100222 (9775 Fourth Street)

(To increase number of storeys, allow live/work units on the ground floor, to reduce the number and location of required 3-bedroom units and parking in order to construct a 5-storey, mixed-use development consisting of 3 live/work units and 19 multi-family dwelling units).

2017.13.204

Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that Development Permit Application No. DP100705 and Development Variance Permit Application No. DV100222 (to permit the construction of a 5-storey, mixed-use development consisting of 3 live/work units and 19 multi-family dwelling units at 9775 Fourth Street) be forwarded to the Advisory Planning Commission for review and comment, subject to the following condition:

1. That the applicant provide additional information prepared by a Professional Engineer confirming the functionality of the reduced drive aisle width prior to the application proceeding to the Advisory Planning Commission.

MOTION CARRIED UNANIMOUSLY

c. Audit & Finance Committee Meeting – May 2, 2017

2017.13.205

Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that the Minutes of the Audit & Finance Committee Meeting of May 2, 2017, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendations(s) regarding:

R.1 2016 Financial Statements

2017.13.206

Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that the Town's Financial Statements for the year ended December 31, 2016 be accepted.

MOTION CARRIED UNANIMOUSLY

11. STAFF REPORTS

a. Tulista Skatepark Operations

2017.13.207

Moved by Councillor E. Bremner-Mitchell, seconded by Councillor T. Chad:

1. That staff be directed to:
 - a. Remove all graffiti at the Skatepark as soon as possible, with the goal of removal on the same day that it is detected;
 - b. Post the rules and regulations for park use;
 - c. Post the hours of park use from dawn until dusk; and
 - d. Report back to Council prior to the end of the year on the feasibility of the installation of a web camera and misters.
2. That Policy AD-001: Graffiti & Vandalism be approved with the following amendment:

“3. Graffiti and vandalism/damages will be reported to the RCMP.”

MOTION CARRIED UNANIMOUSLY

b. Enforcement of Boat Trailer Parking in Orchard Neighborhood

2017.13.208 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that staff be directed to enter into a contract with Robbins Parking to conduct enhanced enforcement of boat trailer parking in Orchard neighborhood and on Weiler Avenue, Iroquois Way and Marvette Place for trial basis in the months of June through September 2017.

MOTION CARRIED UNANIMOUSLY

c. Beacon Wharf Subleases

2017. 13.209 Moved by Councillor P. Wainwright, seconded by Councillor C. McLennan:

1. That the three subleases (1. Satellite Fish Co. Ltd. – Area A for the Fish Market; 2. Alpine Marine Centre - Area B for the Pier Bistro; and 3. Alpine Marine Centre – Area C for the Public Ferry Service to Sidney Spit) for the use of Beacon Wharf be approved for a 2 year term as presented, subject to a notice being published in the newspaper; and
2. That the Mayor and Corporate Officer be authorized to execute the said subleases.

MOTION CARRIED UNANIMOUSLY

d. Fire Dispatch & Communications Services Agreement

2017.13.210 Moved by Councillor T. Chad, seconded by Councillor C. McLennan, that a six-month renewal of the Fire Dispatch and Communications Services Agreement with the District of Saanich be approved and that the Mayor and Corporate Officer be authorized to execute the agreement.

MOTION CARRIED UNANIMOUSLY

e. Modo Car Sharing Agreement

2017.13.211 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that a Partnership Member Car Sharing Agreement with Modo Co-operative be approved and that the Corporate Officer be authorized to execute the agreement.

MOTION CARRIED UNANIMOUSLY

f. Ironman 70.3 Triathlon

2017.13.212 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that Ironman Canada be granted permission to run the cycling portion of the triathlon through Sidney on Sunday, June 4, 2017, subject to the following conditions:

1. That Ironman Canada provide the Town with proof of \$5,000,000 liability insurance naming the third party insured as the Town of Sidney for this event;
2. That Ironman Canada submit for approval prior to the event a Traffic Management Plan to the satisfaction of town staff and the RCMP;
3. That Ironman Canada send notices to affected residents/businesses advising of the event and provide a contact number should there be any concerns/questions;
4. That Ironman Canada fund a fire department crew to be on call at the Fire Hall between 7:00am to 10:00am; and
5. That no costs are to be incurred by the Town in relation to this event.

MOTION CARRIED UNANIMOUSLY

12. OTHER REPORTS

13. CORRESPONDENCE

a. CRD Bylaw 4166 - Traffic Safety Commission Establishment, Amendment No. 4

2017.13.213 Moved by Councillor M. Lougher-Goodey, seconded by Councillor P. Wainwright, that the letter from Capital Regional District, dated April 18, 2017, be received and that Council consent to the adoption of CRD Bylaw No. 4166 – Traffic Safety Commission Establishment Bylaw No. 1, 1990, Amendment Bylaw No. 4, 2017.

MOTION CARRIED UNANIMOUSLY

b. Community Energy and Emissions Inventory

2017.13.214 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the letter from Capital Regional District, dated April 20, 2017, regarding the on-road transportation sector being included in future Community Energy and Emissions Inventories, be received for information.

MOTION CARRIED UNANIMOUSLY

c. Foreign Purchaser Property Transfer Tax

2017.13.215 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the letter from Capital Regional District, dated April 24, 2017, regarding the foreign purchaser property transfer tax, be received for information.

MOTION CARRIED UNANIMOUSLY

d. Special Committee Meeting on Affordable Housing

2017.13.216 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor B. Fallot, that the invitation from the District of Central Saanich, dated April 25, 2017, for the Town to participate in a Special Committee Meeting regarding affordable housing on the Saanich Peninsula, be accepted and that Central Saanich be advised of available dates for a meeting.

MOTION CARRIED UNANIMOUSLY

14. BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION

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

2017.13.217 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2136 – Financial Plan 2017-2021 be adopted.

MOTION CARRIED UNANIMOUSLY

b. Bylaw No. 2137 – Tax Rate 2017

2017.13.218 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2137 – Tax Rate 2017 be adopted.

MOTION CARRIED UNANIMOUSLY

c. 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).

Public Submission(s):

1. Letter from B. & P. Shapka, 10477 Allbay Road, dated May 3, 2017.
2. Letter from K. & M. Marsh, 10510 Allbay Road, dated May 4, 2017.
3. Letter from W. & N. Franklin, 10506 Allbay Road, dated May 5, 2017.
4. Letter from R. & H. Erickson, 10487 Allbay Road, dated May 7, 2017

2017.13.219 Moved by Councillor M. Lougher-Goodey, seconded by Councillor T. Chad, that Development Variance Permit Application No. DV100219 (10481 Allbay Road to increase the percentage of front yard occupied by parking and driveway area from the allowed 30% to no more than 50% to construct a single-family dwelling) be approved.

MOTION CARRIED UNANIMOUSLY

- d. Development Variance Application No. DV100221 (2349 Amherst Avenue)**
(To relax rear setback in order to construct a two-family dwelling).

Public Submission(s):

1. Letter from J. Laing, 2355 Amherst Avenue, dated May 5, 2017

2017.13.220 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Development Variance Permit Application No. DV100221 (2349 Amherst Avenue - to relax rear setback in order to construct a two-family dwelling) be approved.

MOTION CARRIED UNANIMOUSLY

15. NEW BUSINESS

16. CORRESPONDENCE FOR INFORMATION

2017.13.221 Moved by Councillor C. McLennan, seconded by Councillor T. Chad, that the following correspondence be received for information:

1. Letter from Sidney Concert Society, expressing appreciation for receipt of 2017 grant, dated April 14, 2017.
2. Email from Mr. Forsyth & Ms. Middleton, regarding the Town's Memorial Bench Program, dated April 18, 2017. Reply dated May 1, 2017.
3. Letter from E. McMahon, regarding speed concerns on Ardwell Avenue, received on May 1, 2017. Reply dated May 1, 2017.
4. Proclamations: May 21 – May 27, 2017 as Local Government Awareness Week and National Public Works Week.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

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

2017.13.222 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that it is in the opinion of Committee that the public interest requires that persons other than members of the Committee and Officers be excluded from the meeting to consider confidential matters related to personnel and annual reporting, pursuant to section 90.1 (a) and (l) of the *Community Charter* and that the Committee continue the meeting in closed session.

MOTION CARRIED UNANIMOUSLY

19. ADJOURNMENT

2017.13.223 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that the meeting be adjourned at 7:35 p.m.

MOTION CARRIED UNANIMOUSLY