



TOWN OF SIDNEY

MINUTES OF REGULAR COUNCIL MEETING
Tuesday, October 10, 2017
Council Chambers
7:00 p.m.

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

ABSENT: Councillor M. Lougher-Goodey

Staff: R. Humble, Chief Administrative Officer
A. Hicik, 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. **J. Barker, 9706A Third Street** – expressed concerns regarding the proposed development at 9716 Third Street and the challenges with small lot developments particularly with respect to the health and safety issues during construction (e.g. noise, lack of parking and access, impact on neighbors, etc.).
2. **D. Peat, 9724 Third Street (Beacon Inn)** - also expressed concerns regarding the proposed development at 9716 Third Street noting the negative impacts the construction will have on their business.
3. **D. Sutherland, 9708A Third Street** – supported the other two speakers respecting the negative impacts on the neighbors during construction.

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

2. APPROVAL OF AGENDA

2017.26.433 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that the agenda be approved as presented.

MOTION CARRIED UNANIMOUSLY

3. ADOPTION OF MINUTES

a. Regular Council Meeting – September 11, 2018

2017.26.434 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that Minutes of the Regular Council Meeting of September 11, 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

a. Request to Prohibit Vacation Rentals in Residential Zones

John Tapio, 9496 Lochside Drive, expressed concerns regarding the daily vacation rental property at 9492 Lochside Drive and the direct effects/issues it is having on the neighborhood (e.g. increase noise, lack of parking and access, privacy concerns, etc.). He stated the property is no longer a “residential use” and therefore should not be permitted. He urged Council to take action and consider prohibiting vacation rentals in residential zones.

Mayor S. Price advised that Airbnb/short term rentals will be part of Council’s discussions during the upcoming Strategic Planning session and that he will be advised of Council’s decision.

8. MAYOR’S REPORT

9. COUNCILLORS’ REPORTS

a. Councillor T. Chad - 2022 Commonwealth Games Bid
(Council Meeting of September 11, 2017 – Notice of Motion)

Councillor T. Chad withdrew his motion for Council’s consideration.

b. Councillor E. Bremner-Mitchell

i. Library Services – advised the upgrades to the Sidney Library has been pushed back so the VIRL can address some urgent infrastructure needs to some of the smaller branches; that the North Saanich satellite branch is a long-term project; and that the VIRL’s 2018 adopted budget resulted in a 7.3% to Sidney.

ii. Federal Tax Changes – advised that she felt compelled to write to the Minister of Finance requesting reconsideration of the proposed tax changes that will negatively affect small businesses.

c. Councillor B. Falot – was pleased to advise that the 1st Sidney Seaside 10k/5k event on Sunday, September 24th was a great venue and that there is a lot of interest to do it again.

10. COMMITTEE REPORTS

a. Economic Development Commission – July 27, 2017

2017.26.435 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that the Minutes of the Economic Development Commission Meeting of July 27, 2017, be received for information.

MOTION CARRIED UNANIMOUSLY

b. Economic Development Commission – September 14, 2017

2017.26.436 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that the Minutes of the Economic Development Commission Meeting of September 14, 2017, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 Business Video for Town Website

2017.26.437 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that \$5,000 from the Economic Development Fund be allocated to the Economic Development Commission for the purpose of enhancing communications resources.

MOTION CARRIED UNANIMOUSLY

c. Committee of the Whole – September 18, 2017

2017.26.438 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that the Minutes of the Committee of the Whole Meeting of September 18, 2017, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 News Year's Day Community Tea 2018

2017.26.439 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that Council approve hosting a Community Tea on January 1st, 2018 in place of the Annual New Year's Day Open House, and that a total budget of \$3,500 be allocated for the event.

MOTION CARRIED UNANIMOUSLY

R.2 Project Update - Downtown Streetscape & Urban Design Standards

2017.26.440 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor B. Fallot:

1. That the staff report, dated September 12, 2017, be received for information;
2. That comments from the Committee of the Whole on the draft Downtown Streetscape & Urban Design Standards be communicated back to the pw project consultant by staff;
3. That staff be directed to work with the consultant to ensure that those items that are beyond the original scope of the project, specifically one-way vs. two-way on Beacon Avenue, the roundabout at Beacon Avenue/First Street intersection, and possible sites for a Sidney Downtown Parkade be removed from the draft Downtown Streetscape & Urban Design Standards document prior to being made available on the Town's website for public feedback; and
4. That the revised draft Downtown Streetscape & Urban Design Standards be made available on the Town's website for public feedback.

MOTION CARRIED UNANIMOUSLY

d. Committee of the Whole – October 2, 2017

2017.26.441 Moved by Councillor P. Wainwright, seconded by Councillor C. McLennan, that the Minutes of the Committee of the Whole Meeting of October 2, 2017, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 Development Permit Application No. DP100728 & Development Variance Permit Application No. DV100239 (9716 Third Street)

(To construct 4 storey mixed-use commercial/residential development with ground floor commercial space and 9 multi-family dwelling units).

2017.26.442 Moved by Councillor P. Wainwright, seconded by Councillor C. McLennan, that Development Variance Permit Application No. DV100239 and Development Permit Application No. DP100728 (9716 Third Street - to construct a 4 storey, mixed-use commercial/residential development with ground floor commercial space and 9 multi-family dwelling units) be forwarded to the Advisory Planning Commission for further review and comment.

MOTION CARRIED UNANIMOUSLY

- R.2 Development Variance Permit Application No. DV100235 (10389 Patricia Place)**
(To vary the rear setback and minimum footprint area to allow a two-family dwelling).
2017.26.443 Moved by Councillor P. Wainwright, seconded by Councillor E. Bremner-Mitchell, that owners and tenants in occupation of property within 75 m (246 ft) of 10389 Patricia Place be notified regarding Development Variance Permit Application No. DV100235 (to vary the rear setback requirement from 14.4 m to 8.4 m and to vary the minimum footprint area requirement for the west dwelling unit from 85% to 81% in order 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 Permit Application No. DV100236 (101-2537 Beacon)**
(To vary the Sign Bylaw to allow two portable signs).
2017.26.444 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that owners and tenants in occupation of property within 75m (246 ft) of 101-2537 Beacon Avenue be notified regarding Development Variance Permit Application No. DV100236 (to allow for two portable signs 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.
MOTION CARRIED UNANIMOUSLY
- R.4 Development Variance Permit Application No. DV100238 (2410 Malaview Ave - St. Paul's United Church)** (To vary the exterior side yard setback and maximum distance eaves and gutters can project into the setback area to allow for an addition to the existing building).
2017.26.445 Moved by Councillor P. Wainwright, seconded by Councillor T. Chad, that owners and tenants in occupation of property within 75 metres (246 ft) of 2410 Malaview Avenue be notified regarding Development Variance Permit Application No. DV100238 (to relax the exterior side yard setback and to relax the maximum distance eaves and gutters can project into the setback area to allow for an addition to an existing institutional building 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

11. STAFF REPORTS

- a. Budget Update – Community Safety Building**
2017.26.446 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that the staff report dated October 3, 2017, providing and update on the budget for the Community Safety Building, be received for information.
MOTION CARRIED UNANIMOUSLY
- b. Tender Awards – Community Safety Building**
2017.26.447 Moved by Councillor P. Wainwright, seconded by Councillor C. McLennan, that the following contracts be awarded as part of Tender Package #3 for the Community Safety Building, all at amounts not to exceed their tendered amounts, other than through approved change orders:
1. The structural steel contract is awarded to Alliance Engineering, and the metal decking to Great White Cladding;
 2. The structural glulam package contract is awarded to Western Archrib;
 3. The structural concrete contract is awarded to Kinetic Construction Ltd.; and
 4. The rock anchor contract is awarded to Western Grater.
- MOTION CARRIED UNANIMOUSLY**

c. Seventh Street Lane Safety Measures

2017.26.448 Moved by Councillor B. Fallot, seconded by Councillor T. Chad, that Alternative 1 – Two-way Traffic for Seventh Street Lane be approved and that staff be directed to install the recommended speed hump, signage, and painting.

**OPPOSED: Councillor E. Bremner-Mitchell
MOTION CARRIED 5:1**

d. MOU – Sidney Event Liaison & Event Supplement Contracts

2017.26.449 Moved by Councillor C. McLennan, seconded by Councillor E. Bremner-Mitchell, that the five-year (January 1, 2018 – December 31, 2022) Memorandum of Understanding between the Town and the Sidney Business Improvement Area for the Sidney Event Liaison/Facilitator position, and Event Supplement contractors, be approved and that the Mayor and the Corporate Officer be authorized to execute the agreement.

MOTION CARRIED UNANIMOUSLY

e. Monthly Building Permit Reports – August & September 2017

2017.26.450 Moved by Councillor C. McLennan, seconded by Councillor P. Wainwright, that the monthly building permit reports for August and September 2017, be received for information.

MOTION CARRIED UNANIMOUSLY

12. OTHER REPORTS

a. Tri-Municipal Council Meeting on Affordable Housing

2017.26.451 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that the Minutes of the Tri-Municipal Council Meeting on Affordable Housing on September 13, 2017, be received for information.

MOTION CARRIED UNANIMOUSLY

13. CORRESPONDENCE

a. Health Care Services on the Saanich Peninsula

2017.26.452 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that the email from the Office of Adam Olsen, MLA, dated September 17, 2017, requesting a meeting regarding health care services on the Saanich Peninsula, and that Councillor T. Chad be appointed as the Council representative.

MOTION CARRIED UNANIMOUSLY

14. BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION

**a. Bylaw No. 2146 – Official Community Plan, Amendment No. 20
(To include the West Sidney Local Area Plan).**

2017.26.453 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that the staff report dated October 3, 2017, regarding the West Sidney Local Area Plan, be received and that Bylaw No. 2146 – Official Community Plan, Amendment No. 20 (West Sidney Local Area Plan) be introduced and given first reading.

**OPPOSED: Councillor T. Chad
MOTION CARRIED 5:1**

2017.26.454 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Bylaw No. 2146 – Official Community Plan Amendment No. 20 (West Sidney Local Area Plan) be given second reading and that staff be instructed to advertise for public hearing.

**OPPOSED: Councillor T. Chad
MOTION CARRIED 5:1**

15. NEW BUSINESS

16. CORRESPONDENCE FOR INFORMATION

- 2017.26.455 Moved by Councillor B. Fallot, seconded by Councillor E. Bremner-Mitchell, that the following correspondence be received for information:
1. Correspondence from Ministry of Municipal Affairs, providing a copy of the Capital Integrated Services & Governance Initiative report, dated August 17, 2017.
 2. Letter from City of Abbotsford, regarding support for resolution – The Case for Prevention of the Opioid Crises, dated September 5, 2017.
 3. Letter from A. Guy, Arbutus Drive, expressing congratulations for Sidney's Canada 150 celebrations, dated Sep. 5, 2017. Reply dated Sep. 14, 2017.
 4. Letter from BC Municipal Climate Leadership Council, invitation to the Climate Leadership Institute, dated September 6, 2017.
 5. Email from Amalgamation Yes, requesting Sidney, Central Saanich and North Saanich to undertake amalgamation study, dated September 6, 2017.
 6. Email from Council of Senior Citizen's Organizations of BC, regarding the UN International Day of the Older Person, dated September 7, 2017.
 7. Letter from J. Plysiuk, encouraging the Town to provide additional financial support to the Shaw Centre, dated September 8, 2017. Reply dated September 29, 2017.
 8. Email from MP Malcolmson, regarding federal legislation to protect our coasts and support for Bill C-352, dated September 8, 2017.
 9. Letter from Summergate Village, regarding the Eaglehurst Development and drainage issues, dated September 11, 2017.
 10. Email from Minister Robinson, providing introduction to the Ministry of Municipal Affairs, dated September 14, 2017.
 11. Letter from Ministry of Agriculture, expressing appreciation to the Sidney firefighters for service in BC Wildfire crisis, dated September 19, 2017.
 12. Email from Scouts Canada, regarding their 2017 Apple Day fundraising event in Sidney, dated September 16, 2017. Reply dated September 21, 2017.
 13. Email from W. Halliday, regarding the Willow Tree at First and Bevan, dated September 17, 2017. Reply dated September 19, 2017.
 14. Correspondence from the VIRL, regarding their adopted 2018-2022 Financial Plan, dated September 19, 2017.
 15. Letter from P. Clements, Gourman Place, regarding transportation planning, dated September 19, 2017. Reply dated September 21, 2017.
 16. Letter from N. Turkington, Oakville Avenue, regarding tree protection, dated September 22, 2017. Reply dated October 3, 2017.
 17. Email from L. Comber, regarding the Eaglehurst Development and drainage issues, dated September 26, 2017. Reply dated September 28, 2017.
 18. Report from Saanich Peninsula Literacy, providing their 2017 Open Air Library report, dated September 26, 2017.
 19. Email from Salish Sea Trust, application for Salish Sea onto Canada's List for UNESCO World Heritage sites, dated September 29, 2017.
 20. Proclamations: World Mental Health Day – October 10th and Waste Reduction Week – October 16th to 22nd.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

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

- 2017.26.456 Moved by Councillor B. Fallot, seconded by Councillor E. Bremner-Mitchell, 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 legal and land issues, pursuant to section 90.1 (e) and (i) of the *Community Charter* and that Council continue the meeting in closed session.

MOTION CARRIED UNANIMOUSLY

19. ADJOURNMENT

2017.26.457 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that the meeting be adjourned at 7:52 p.m.

MOTION CARRIED UNANIMOUSLY

MAYOR

CORPORATE OFFICER