



TOWN OF SIDNEY

MINUTES OF REGULAR COUNCIL MEETING
Monday, April 23, 2018
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
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**

A. PUBLIC PARTICIPATION PERIOD

1. **S. Garnett, 9583 Christine Place** – expressed support for the intent of the proposed new BC Speculation Tax, noting the lack of affordable housing crisis, and that it is a blessing to be able to have a second unoccupied vacation home.

Public Participation Period closed at 7:03 p.m.

2. APPROVAL OF AGENDA

2018.16.189 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that the agenda be approved with the addition of item 14e - correspondence from J. Wilson, dated April 22, 2018.

MOTION CARRIED UNANIMOUSLY

3. ADOPTION OF MINUTES

a. Regular Council Meeting – April 9, 2018

2018.16.190 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that Minutes of the Regular Council Meeting of April 9, 2018, 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 9, 2018

i. Economic Development Commission – Resignation

Resolution: that the letter from D. Calveley, dated March 21, 2018, advising of his resignation on the Economic Development Commission, be received for information.

6. DELEGATIONS

7. PETITIONS

8. MAYOR'S REPORT

9. COUNCILLORS' REPORTS

- a. **Councillor E. Bremner-Mitchell** – was pleased to advise that North Saanich Middle School's Grade 8 Band won Gold at the musical festival in Whistler.

10. COMMITTEE REPORTS

a. **Economic Development Commission – March 22, 2018**

2018.16.191 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that the Minutes of the Economic Development Commission Meeting of March 22, 2018, be received for information.

MOTION CARRIED UNANIMOUSLY

b. **Committee of the Whole – April 16, 2018**

2018.16.192 Moved by Councillor B. Fallot, seconded by Councillor M. Lougher-Goodey, that the Minutes of the Committee of the Whole Meeting of April 16, 2018, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 Review of Policies – Administration

- 2018.16.193 Moved by Councillor B. Fallot, seconded by Councillor E. Bremner-Mitchell:
1. That Administration Polices: AD-003, AD-004, AD-017 and AD-020 be deleted;
 2. That Policy AD-009 & Policy FN-006 – Agreements & Leases be deleted; and
 3. That Policy AD-010 - Coat of Arms be approved as presented and that Coat of Arms Regulation of Use Bylaw No. 1454 be repealed.
 4. That Policy AD-011-Sidewalk Promotional Events be deleted.
 5. That section 4 in Policy WS-021 – Use of Public Roads and Sidewalks be removed and that the policy be approved as amended.
 6. That Policy AD-012 – Contacts with Media be referred back to staff for further review and comment.
 7. That Policy AD-026 – Social Media be referred back to staff for further review and comment.
 8. That the remaining Administration policies be approved as presented and re-numbered accordingly.

MOTION CARRIED UNANIMOUSLY

R.2 Development Variance Permit Application No. DV100257 (10298 Sparling PI)
(To relax the maximum lot coverage requirement in order to allow for the construction of an addition to an existing two-family dwelling).

2018.16.194 Moved by Councillor B. Fallot, seconded by Councillor M. Lougher-Goodey, that owners and tenants in occupation of property within 75 metres of 10298 Sparling Place be notified regarding Development Variance Permit Application No. DV100257 (to increase the maximum lot coverage requirement from 40% to 41% in order to allow for the construction of a sunroom addition on an existing two-family dwelling) and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance.

MOTION CARRIED UNANIMOUSLY

c. Advisory Planning Commission – April 17, 2018

2018.16.195 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the Minutes of the Advisory Planning Commission Meeting of April 17, 2018, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 Development Permit Application No. DP100749 & Development Variance Permit Application No. DV100255 (9762 Third Street & 9763 Fourth Street)

(To relax the number of storeys, setbacks for the upper storey decks, the percent of the lot devoted to parking, the location of the required 3 bedroom units and to allow residential to front on to the street (live/work units) in order to construct a 5 storey mixed use development with a total of 29 multi-family residential dwelling units).

2018.16.196 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that the applicant for Development Permit Application No. DP100749 and Development Variance Permit Application No. DV100255 (9762 Third Street and 9763 Fourth Street) redesign portions of the building to address Development Permit Design Guidelines No. 21.3.1 (building massing), No. 21.3.2 (visual interest), No. 21.3.3 (integration with adjacent buildings), No. 21.3.16 (upper storey setbacks), No. 21.3.17 (cladding materials), No. 21.3.21 (side elevations) and No. 21.3.40 (utility kiosk screening) and present the revised design at a future Advisory Planning Commission meeting.

MOTION CARRIED UNANIMOUSLY

11. REPORTS

a. Fire Dispatch Services Extension Agreement

2018.16.197 Moved by Councillor T. Chad, seconded by Councillor M. Lougher-Goodey, that staff be authorized to request that the District of Saanich consider a further three-month extension for the provision of Fire Dispatch and Communications Services, to July 31, 2018.

MOTION CARRIED UNANIMOUSLY

b. Tender Awards – Community Safety Building

2018.16.198 Moved by Councillor M. Lougher-Goodey, seconded by Councillor T. Chad, that the following contracts be awarded as part of Tender Package #6 for the Community Safety Building, all at amounts not to exceed their tendered bids, other than through approved change orders:

1. The contract for Architectural Woodwork is awarded to Westisle Industries;
2. The contracts for the following goods and services are awarded to Shanahan's: Overhead Coiling Doors; Operable Partitions; Kick Plates; and Vanity Brackets;
3. The contract for Steel Studs/Drywall/ACT Ceilings is awarded to Wescor Contracting Ltd.;
4. The contract for Flooring & Tiling is awarded to Edgar & Miner Floor Coverings;
5. The contract for Specialty Flooring is awarded to Rada Resurfacing;
6. The contract for Acoustic Panels is awarded to Westcoast T-Bar;
7. The contract for Painting is awarded to Tricity Painting;
8. The contract for Toilet Partitions is awarded to McGregor & Thompson;
9. The contract for Window Coverings is awarded to Leisch Interiors;
10. The contract for Anti-slip Flooring is awarded to FCS Specialty Services;
11. The contracts for Washroom Accessories and Baby Change Station are awarded to Richelieu Building Specialties; and
12. The masonry contract, originally awarded as part of TP3 to Mid-Island Masonry, be increased by \$114,500.

MOTION CARRIED UNANIMOUSLY

c. Sidney/Canada Day Events

2018.16.199 Moved by Councillor C. McLennan, seconded by Councillor E. Bremner-Mitchell:

A. SIDNEY / CANADA DAYS

1. That the Peninsula Celebrations Society be authorized to conduct the following road closures for the purpose of holding their annual Sidney/Canada Day parade:
 - a) **Sunday, July 1, from 8:30 am to 12:15 pm** - closure of:
 - Resthaven Drive (from Sidney to Henry);
 - Brethour Avenue (from Fifth to Seventh);
 - Sidney Avenue (from Resthaven to Seventh); and
 - Henry Avenue (from Resthaven to Pat Bay Hwy) for parade marshalling.
 - b) **Sunday, July 1, from 10:00 am to 12:10 pm** - closure of:
 - Beacon Avenue (from Seventh to Second); and
 - Second Street (from Beacon to Ocean) for the parade and that "No Parking" signs be posted on Second St and Orchard Ave.
2. That PCS be authorized to conduct the following Sidney/Canada Day events:
 - a) **Sunday, July 1, from 9:00 a.m. to 6:00 p.m.**
 - use of Beacon Park and Diver's Point for the Slegg Build-a-Boat event.
 - b) **Sunday, July 1, from 9:00 a.m. to 6:00 p.m.**
 - use of Iroquois Park for the Family Fun Fair.

B. SUMMER SOUNDS CONCERT SERIES

The use of Beacon Park for the Summer Sounds Concert Series on Sundays from July 8th to August 26th, 12:00pm to 4:30pm.

That the above road closures be approved, subject to the following conditions:

1. That PCS obtain approval from the RCMP to ensure traffic control is approved and in place to their satisfaction;
2. That PCS obtain approval and a parks use permit for the use of Beacon Park for all Sidney/Canada Days events and Summer Sounds events;
3. That PCS conform to all Town Bylaws;
4. That PCS arrange a meeting with Town staff, the RCMP and the Sidney Fire Department to review safety requirements (at least 4 weeks prior to each event); and
5. That PCS send out notices (at least 2 weeks prior to the event) to affected residents and businesses advising of the events schedule for July 1 and provide a contact number should there be any concerns/questions.

MOTION CARRIED UNANIMOUSLY

d. Ironman 70.3 Triathlon

2018.16.200 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that the Ironman Canada be granted permission to run the cycling portion of the triathlon through Sidney on Sunday, June 3, 2018 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

e. Monthly Building Permit Report – March 2018

2018.16.201 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the Monthly Building Permit Report for March 2018 be received for information.

MOTION CARRIED UNANIMOUSLY

12. OTHER REPORTS

13. CORRESPONDENCE

14. BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION

a. Bylaw No. 2150 – Financial Plan 2018-2022

2018.16.202 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that the staff report dated April 17, 2018, providing information regarding changes to the budget, be received for information.

MOTION CARRIED UNANIMOUSLY

2018.16.203 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that Bylaw No. 2150 – Financial Plan 2018-2022 be introduced and given first reading.

MOTION CARRIED UNANIMOUSLY

2018.16.204 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that Bylaw No. 2150 – Financial Plan 2018-2022 be given second reading.

MOTION CARRIED UNANIMOUSLY

2018.16.205 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that Bylaw No. 2150 – Financial Plan 2018-2022 be given third reading.

MOTION CARRIED UNANIMOUSLY

b. Bylaw No. 2151 – Tax Rate 2018

2018.16.206 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the staff report dated April 17, 2018, providing information on the proposed tax rates for 2018, be received for information.

MOTION CARRIED UNANIMOUSLY

2018.16.207 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2151 – Tax Rate 2018 be introduced and given first reading.

MOTION CARRIED UNANIMOUSLY

2018.16.208 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2151 – Tax Rate 2018 be given second reading.

MOTION CARRIED UNANIMOUSLY

2018.16.209 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2151 – Tax Rate 2018 be given third reading.

MOTION CARRIED UNANIMOUSLY

c. Bylaw No. 2152 - Zoning, Amendment No. 34 (9830, 9832, 9838, 9842 & 9844 Third Street)

(To amend the Downtown Commercial (C1) zone to add a site specific floor area exemption to allow for movie theatre use, to increase the height and number of storeys and relax parking requirements in order to construct a 6-storey mixed-use development consisting of ground floor commercial, including a theatre, and 5 upper floors containing a total of 45 multi-family dwelling units).

2018.16.210 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the staff report dated April 17, 2018, providing an update on Zoning Amendment, Development Permit and Development Variance Permit Applications for 9830, 9832, 9838, 9842 & 9844 Third Street, be received for information.

MOTION CARRIED UNANIMOUSLY

2018.16.211 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2152 – Zoning Amendment No. 34 (9830, 9832, 9838, 9842 & 9844 Third Street) be introduced and given first reading.

MOTION CARRIED UNANIMOUSLY

2018.16.212 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2152 – Zoning, Amendment No. 34 (9830, 9832, 9838, 9842 & 9844 Third Street) be given second reading and that staff be instructed to advertise for public hearing.

MOTION CARRIED UNANIMOUSLY

d. Bylaw No. 2153 – Land Use, Amendment No. 5
(To update development notification process and fees).

2018.16.213 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2153 – Land Use, Amendment No. 5, be introduced and given first reading.

MOTION CARRIED UNANIMOUSLY

2018.16.214 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2153 – Land Use, Amendment No. 5, be given second reading.

MOTION CARRIED UNANIMOUSLY

2018.16.215 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2153 – Land Use, Amendment No. 5, be given third reading.

MOTION CARRIED UNANIMOUSLY

e. Development Variance Permit Application No. DV100256 (2031 Courser Drive)
(To relax the maximum height of an accessory building in order to allow for the construction of an accessory building).

Written Public Submission(s):

1. J. Wilson, 10468 Resthaven Drive, dated April 22, 2018.

2018.16.216 Moved by Councillor M. Lougher-Goodey, seconded by Councillor T. Chad, that Development Variance Permit Application No. DV100256 for 2031 Courser Drive (to relax the maximum height of an accessory building in order to allow for the construction of an accessory building) be approved.

MOTION CARRIED UNANIMOUSLY

15. NEW BUSINESS

16. CORRESPONDENCE FOR INFORMATION

2018.16.217 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the following correspondence be received for information:

1. Various letters regarding parking in Sidney.
2. Letters from Peninsula Streams, ORCCA, and 676 Kittyhawk Squadron, thanking the Town for their 2018 grant-in-aid.
3. Email from Office of the Premier, advising receipt of the Town's letter regarding BC's proposed new Speculation Tax, dated April 5, 2018.
4. Letter from Catholic Diocese of Victoria, regarding housing the poor and social justice in the CRD, dated April 10, 2018.
5. Correspondence regarding regional sustainability and use of ALR lands, received April 12, 2018.
6. Proclamation: April 24, 2018 - Human Values Day.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

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

2018.16.218 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 a personal 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

2018.16.219 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the meeting be adjourned at 7:20 p.m.

MOTION CARRIED UNANIMOUSLY

MAYOR

CORPORATE OFFICER