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## TOWN OF SIDNEY

### MINUTES OF REGULAR COUNCIL MEETING Monday, August 13, 2018 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  
C. Newcomb, Acting Manager of Planning  
M. van der Linden, Manager of Engineering  
T. Restell, Manager of Finance  
M. Harman, Deputy Fire Chief  
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. **A. Kelly, Weiler Avenue** – referring to item 16.12, expressed concerns regarding BC Transit's service for West Sidney residents and their staff's lack of knowledge of the geography of the Peninsula when advised that West Sidney residents could walk to the hospital.
2. **A. Stibbe, 9717 First Street** – also expressed concerns regarding BC Transit's service, particularly the services to and from the ferry terminal (i.e. at the bus stop on Fifth Street) which is consistently overloaded with passengers and their suitcases, and suggested that local governments put pressure on BC Transit to at the very least enforce their own regulations of not being permitted to bring in items that are unable to fit on a passenger's lap.
3. **B. Collins, 2028 Westbrook Drive** – referring to item 11f, thanked the Town for the work done so far, however was disappointed that there is no definitive plan for the Reay Creek remediation and urged Council to take a decision this evening to keep the dam.
4. **J. Gifford, 10448 Allbay Road** – expressed support for Mr. Collin's comments regarding Reay Creek, and expressed concerns regarding the vision of deep shade that would be along Third Street should the proposed 6-storey developments be approved.
5. **J. Blair, 2312 Henry Avenue** – referring to the Council Meeting on June 25, 2018, and a resident's concerns regarding development, questioned why the written Minutes of the meeting does not include the Chair's response to that resident, and requested that the tone of the exchanges between the Chair and citizens during the public participation period be accurately and permanently recorded from now on.
6. **S. Garnett, 9583 Christine Place** – referring to item 11a, expressed concerns regarding low-income residents being displaced from their rental homes because of re-development and stated it's our society's and community's ethical and moral responsible to help those in need, and hopes the 2019 OCP review will do more to address this issue.

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

## B. PRESENTATIONS

*Councillor C. McLennan left the meeting room at 7:15 p.m., citing a potential conflict of interest as his company currently has a contract for maintenance of the property.*

**i. Development Permit Application No. DP100762 & Development Variance Permit Application No. DV100265 (9861 Third Street)**

(To allow balconies and eaves to project into setbacks, reduce the driveway aisle width and to change adaptable unit requirements in order to construct a 4-storey multi-family residential development).

*(see Report – item 11a)*

Mr. Gerald Rabbers, Architect, presented the proposal for a 4-storey multi-family development at the corner of Third Street and Sidney Avenue, highlighting on the following:

- 34 units (variety of sizes), all to Saanich's adaptable standards;
- lobby entrance on Third Street;
- access to parking off Sidney Avenue;
- underground parking (34 spaces, each with bicycle parking);
- sidewalk extension to the north and additional trees along Sidney Avenue; and
- cedar siding, cement panel siding, and metal roof.

He advised 4 variances are being requested: 1. to reduce width of driveway aisle; 2. to allow balconies to project into setbacks; 3. to allow eaves to project into setbacks; and 4. to allow changes to the adaptable units (to be at District of Saanich's standards).

Councillor E. Bremner-Mitchell questioned the need for the building to come down, what trees would be retained, how the driveway aisle would accommodate pedestrians, cyclists and vehicles, and expressed concerns regarding the blank south exterior wall and relocation of the tenants.

The owner of the property advised that they wish to create more housing in the area and would assist in the finding new homes for the current tenants.

*Councillor C. McLennan returned at 7:30 p.m.*

**ii. Development Permit Application No. DP100768 & Development Variance Permit Application No. DV100270 (9824 Third Street)**

(To allow an increase in height, number of storeys and lot area to be utilized for parking in order to construct a 6-storey mixed-use building consisting of ground floor commercial, 5 upper floors containing 12 dwellings units and a two level parking garage).

*(see Report – item 11b)*

Ms. Silvia Bonet, Architect, presented the proposal for a 6-storey, mixed-use development along Third Street, highlighting on the following:

- 12 units, with 1 commercial unit on ground floor;
- top floor stepped back;
- 10 ft property dedication (at the rear) to the Town for mid-block connections;
- lobby entrance and access to parking off Third Street;
- surface parking at rear and underground parking with vehicle lift (14 spaces);
- exterior colors to compliment the new Cameo building to the north;
- rock material, wood accents and sloped roof.

She advised 3 variances are being requested: 1. to increase height; 2. to increase number of storeys; and 3. to allow more than 50% of the lot area to be utilized for parking and vehicle access.

Councillor P. Wainwright questioned the need for the 6<sup>th</sup> storey; Councillor B. Fallot questioned whether the 2-way stop would need to be changed to deal with increased traffic flow; and Councillor E. Bremner-Mitchell stated the need for additional streetscape along Third Street for pedestrians and to minimize the visual impact of the garage doors.

## 2. APPROVAL OF AGENDA

- 2018.28.396 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the agenda be approved with the following additions:
1. item 14d – letter from E. Kirwin, Melville Drive, dated August 3, 2018;
  2. item 14d – email from P. & K. Blacker, McDonald Park Road, dated August 13, 2018; and
  3. item 16.8 – email from N. Hockey, dated August 11, 2018.

**MOTION CARRIED UNANIMOUSLY**

## 3. ADOPTION OF MINUTES

### a. Regular Council Meeting – July 9, 2018

- 2018.28.397 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that Minutes of the Regular Council Meeting of July 9, 2018, be adopted as presented.

**MOTION CARRIED UNANIMOUSLY**

### b. Special Council Meeting – July 30, 2018

- 2018.28.398 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that Minutes of the Special Council Meeting of July 30, 2018, 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 – July 12, 2018

- 2018.28.399 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that the Minutes of the Economic Development Commission Meeting of July 12, 2018, be received for information.

**MOTION CARRIED UNANIMOUSLY**

Minutes contain recommendation(s) regarding:

**R.1 Economic Development Officer**

**R.2 Economic Development Officer Projects**

Councillor E. Bremner-Mitchell advised that EDC's recommendations R.1 and R.2 do not require consideration by Council as the draft MOU (as per item 11c) addresses the issues raised by the EDC, and noted that the EDC, at their meeting on August 9, 2018, endorsed the proposed MOU.

### R.3 VISTA Conference

- 2018.28.400 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor B. Fallot, that the Town support bringing the Vancouver Island Sustainable Technology Association (VISTA) Conference to Sidney.

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

**b. Advisory Planning Commission – July 17, 2018**

2018.28.401 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the Minutes of the Advisory Planning Commission Meeting of July 17, 2018, be received for information.

**MOTION CARRIED UNANIMOUSLY**

Minutes contain recommendation(s) regarding:

**R.1 Development Permit Application No. DP100764 & Development Variance Permit Application No. DV100266 (2345 Oakville Avenue)**

(To relax lot coverage, accessory building setback, width and coverage, and parking dimensions to allow the construction of 2 single-family dwellings, each with a secondary suite).

2018.28.402 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan:

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. DV100266 (2345 Oakville Avenue - to relax the requirements for lot coverage, accessory building setback, width and coverage and parking dimensions) 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. DP100764 (to permit the construction of two small lot single-family dwellings with secondary suites) 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. DP100764, prior to the issuance of Building Permit the property owner shall:
  - a) Submit revised plans so that the configuration of the secondary suite entrance and surface parking in the front yard of Lot B matches that shown in the site plan; and
  - 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.

**MOTION CARRIED UNANIMOUSLY**

**R.2 Development Permit Application No. DP100739 & Development Variance Permit Application No. 100252 (2313 Oakville Avenue)**

(To relax lot coverage and side interior setbacks to allow the construction of 2 single-family dwellings, each with a secondary suite).

2018.28.403 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot:

1. That Development Permit Application No. DP100739 (2313 Oakville Avenue - for the form and character of two small lot single-family residential dwellings) and Development Variance Permit No. DV100252 (to relax the maximum allowable lot coverage and side interior setbacks) be redesigned by the applicant and presented at a future Advisory Planning Commission meeting once the following elements have been addressed:
  - a) Revise the site and landscape plans and elevation drawings to address Intensive Single Family Residential Design Guidelines No. 19.3.1 & 19.3.4 (east elevation architectural elements); No. 19.3.2 (harmonious integration with neighbouring properties); No. 19.3.10 (screening and appearance of balcony); No. 19.3.38 (usability/access of open space) and No. 19.3.40 (suite's hard surface connection and lighting), and;
  - b) Provide additional details on the proposed parking arrangement in the rear yard, including the measurements of all parking areas and garages, illustrating the depth of unobstructed approach

area and/or turning radius provided for maneuvering to each required parking space.

2. That the variance request to reduce the side interior setbacks be denied.

**MOTION CARRIED UNANIMOUSLY**

**c. Advisory Planning Commission – August 7, 2018**

- 2018.28.404 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the Minutes of the Advisory Planning Commission Meeting of August 7, 2018, be received for information.

**MOTION CARRIED UNANIMOUSLY**

Minutes contain recommendation(s) regarding:

**R.1 Development Permit Application No. DP100765 & Development Variance Permit Application No. DV100267 (9821 & 9837 Third Street)**

(To relax height, number of storeys, number and location of the 3-bedroom units, and parking requirements in order to construct a 6-storey, mixed-used building consisting of ground floor commercial and 82 units on 5 upper floors, and a 3-storey office building, with both buildings to be constructed on top of a shared underground parking garage).

- 2018.28.405 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the letter from D. Robbins, dated August 8, 2018, providing a rationale for the parking variance being requested for Development Permit Application No. DP100765 & Development Variance Permit Application No. DV100267 (9821 & 9837 Third Street), be received for information.

**MOTION CARRIED UNANIMOUSLY**

- 2018.28.406 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan:
1. That owners and tenants in occupation of property within 100m (328ft) of the property that is the subject of Development Variance Permit Application No. DV100267 (9821 & 9837 Third Street - to vary the requirements for height, number of permitted storeys, balcony setbacks, the number and location of required 3 bedroom units, and to reduce the parking requirement for the proposed development by the entire shortfall of 33 parking spaces) be notified regarding the proposed variances and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variances;
  2. That Development Permit Application No. DP100765 (for the form and character of a 6 storey mixed-use building consisting of ground floor commercial space and 82 dwelling units and a 3 storey commercial building) be brought before Council for consideration of approval if Council authorizes the issuance of the Development Variance Permit;
  3. That as conditions of approval of Development Permit Application No. DP100765, the property owner shall, prior to the issuance of Building Permit:
    - a) Address Design Guidelines No. 21.3.22 (roof treatment), No. 21.3.26 (restaurant venting), No. 21.3.40 (utility kiosk location and screening), No. 21.3.46 (site lighting), and 21.3.57 (signage) 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;
  4. That as conditions of approval of Development Variance Permit Application No. DV100267, the property owner shall, prior to the issuance of Building Permit:
    - a) Register a restrictive covenant on the title of the property with the Town as a signatory, prohibiting the future strata council from

passing any bylaws that may restrict occupancy of the building based on age; and

- b) Register a statutory right-of-way over the entire surface parking lot area and any pedestrian or vehicle accesses to or from it for use as a public parking lot.

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

**MOTION CARRIED 4:3**

**R.2 Development Permit Application No. DP100756 & Development Variance Permit Application No. DV100261 (9850, 9858-62 & 9866-68 Fourth Street)**

(To allow balconies to project into setbacks and 1 parking space to protrude into the exterior side setback in order to construct a 4-storey, 37-unit multi-family development).

2018.28.407

Moved by Councillor M. Lougher-Goodey, seconded by 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. DV100261 (9850, 9858-62 & 9866-68 Fourth Street - to allow balconies to project into required setbacks and to allow parking spaces in the exterior side setback) be notified regarding the proposed variances 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. DP100756 (to permit the construction of a 4 storey residential development with 37 multi-family dwelling units) be brought before Council for consideration of approval if Council authorizes the issuance of the development variance permit;
3. That as conditions of approval of Development Variance Permit Application No. DV100261, the property owner shall, prior to the issuance of Building Permit:
  - a) Register a restrictive covenant on the title of the property prohibiting the future strata council from passing any bylaws that may restrict occupancy of the building based on age;
  - b) Enter into an agreement with Modo Cooperative to provide permanent car share memberships for all units in the building as per Section 4.6.2 of Town of Sidney Off-Street Parking and Loading Bylaw No. 2140; and
4. That as conditions of approval of Development Permit Application No. DP100756, the property owner shall, prior to the issuance of Building Permit:
  - a) Address Design Guidelines 20.3.23 (hard-surfaced driveway materials), 20.3.29 (utility kiosk screening), and 20.3.31 (hard landscaping elements) to the satisfaction of the Director of Development Services, Engineering, Parks and Works;
  - b) Install tree protection fencing to the satisfaction of the Director of Development Services, Engineering, Parks and Works, keep the fencing in place until such time that all construction on the property is complete, and have all work inside the tree protection fencing to be undertaken under the direct supervision of a certified Consulting Arborist; and
  - c) 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.

**MOTION CARRIED UNANIMOUSLY**

**R.3 Development Permit Application No. DP100759 & Development Variance Permit Application No. DV100263 (2450 Ocean Avenue)**

(To relax lot coverage and side interior setback in order to construct 2 single-family, small lot dwellings).

2018.28.408

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

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. DV100263 (2450 Ocean Avenue - to relax the maximum allowable lot coverage and side interior setbacks) be notified regarding the proposed variances 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. DP100759 (to permit the construction of two small lot single-family dwellings) 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. DP100759, the property owner shall, prior to the issuance of Building Permit:
  - a) Provide a construction detail prepared by a structural engineer showing how the adjoining garage walls, roofs and railings would be constructed; and
  - 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.

**MOTION CARRIED UNANIMOUSLY**

**R.4 Development Permit Application No. DP100760 (10387-10389 & 10391 McDonald Park Road)**

2018.28.409

(To construct a 2.5 storey, 10-unit multi-family townhouse development).

Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Development Permit Application No. DP100760 (10387-10389 & 10391 McDonald Park Road - to permit the construction of a 2.5 storey townhouse development with 10 dwelling units) be approved, subject to the following conditions:

- a) That the applicant address Design Guidelines No. 20.3.11 (architectural details and articulation), No. 20.3.30 (fencing), 20.3.33 (tree retention) and 20.3.34 (tree canopy over public sidewalks) to the satisfaction of the Director of Development Services, Engineering, Parks and Works; and
- b) That the property owner 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**

*Councillor C. McLennan left the meeting room at 8:50 p.m., citing a potential conflict of interest as his company currently has a contract for maintenance of the property.*

**a. Development Permit Application No. DP100762 & Development Variance Permit Application No. DV100265 (9861 Third Street)**

(To allow balconies and eaves to project into setbacks, reduce the driveway aisle width and to change adaptable unit requirements in order to construct a 4-storey multi-family residential development).

2018.28.410

Moved by Councillor M. Lougher-Goodey, seconded by Councillor T. Chad, that Development Variance Permit Application No. DV100265 and Development Permit Application No. DP100762 (9861 Third Street - to allow balconies and eaves to project into setbacks, reduce the driveway aisle width and to change adaptable unit requirements in order to construct a 4-storey multi-family residential development) be forwarded to the Advisory Planning Commission for further review and comment.

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

*Councillor C. McLennan returned at 9:00 p.m.*

- b. Development Permit Application No. DP100768 & Development Variance Permit Application No. DV100270 (9824 Third Street)**  
(To allow an increase in height, number of storeys and lot area to be utilized for parking in order to construct a 6-storey mixed-use building consisting of ground floor commercial, 5 upper floors containing 12 dwellings units and a two level parking garage).
- 2018.28.411 Moved by Councillor M. Lougher-Goodey, seconded by Councillor T. Chad, that Development Variance Permit Application No. DV100270 and Development Permit Application No. DP100768 (9824 Third Street - to allow an increase in height, number of storeys and lot area to be utilized for parking in order to construct a 6-storey mixed-use building consisting of ground floor commercial, 5 upper floors containing 12 dwellings units and a two level parking garage) be forwarded to the Advisory Planning Commission for further review and comment.
- MOTION CARRIED UNANIMOUSLY**
- c. Proposed MOU for Economic Development Pilot Project**
- 2018.28.412 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor B. Fallot, that the Memorandum of Understanding between the Town of Sidney and Sidney Business Improvement Area Society, for the delivery of an economic development pilot project(s) be approved for the period of September 1, 2018 to February 28, 2019.
- MOTION CARRIED UNANIMOUSLY**
- d. Renovations at Sidney Library**
- 2018.28.413 Moved by Councillor P. Wainwright, seconded by Councillor T. Chad, that the requests from VIRL for funding of certain elements related to the library renovation, as well as the 10-month suspension of lease payments, be approved.
- MOTION CARRIED UNANIMOUSLY**
- e. Town Talk Special Parking Edition - Summary of Public Feedback**
- 2018.28.414 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the staff report dated August 7, 2018, providing a summary of the public feedback received from the February 2018 Special Parking Edition of *Town Talk*, be received for information.
- OPPOSED: Councillor E. Bremner-Mitchell**  
**MOTION CARRIED 6:1**
- f. Reay Creek Pond & Dam – Update**
- 2018.28.415 Moved by Councillor P. Wainwright, seconded by Councillor T. Chad, that the staff report dated August 7, 2018, providing an update on the Reay Creek Pond and Dam remediation, be received for information.
- MOTION CARRIED UNANIMOUSLY**
- g. Skatepark Seating Project**
- 2018.28.416 Moved by Councillor C. McLennan, seconded by Councillor T. Chad, that the Skatepark Seating Area Plan be approved and that a letter of thanks be sent to the Kiwanis Club of Sidney for their fundraising efforts.
- MOTION CARRIED UNANIMOUSLY**
- h. Extension of Term Positions**
- 2018.28.417 Moved by Councillor T. Chad, seconded by Councillor C. McLennan, that a 2-year extension to the term position in the Engineering Department be approved.
- MOTION CARRIED UNANIMOUSLY**



**i. Budget Variance Report – First Half of 2018**

2018.28.418 Moved by Councillor C. McLennan, seconded by Councillor T. Chad, that the staff report dated July 31, 2018, providing an update on the Town's financial results for the first half of the 2018 fiscal year, be received for information.

**MOTION CARRIED UNANIMOUSLY**

**j. Monthly Building Permit Report – June 2018**

2018.28.419 Moved by Councillor C. McLennan, seconded by Councillor B. Fallo, that the Monthly Building Permit Report for June 2018 be received for information.

**MOTION CARRIED UNANIMOUSLY**

**12. OTHER REPORTS**

**13. CORRESPONDENCE**

**a. CRD Bylaw No. 4255 – Arts & Culture Support Services Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 5, 2018**

2018.28.420 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallo, that the letter from Capital Regional District (CRD), dated July 16, 2018, be received and that Council consent to the adoption of CRD Bylaw No. 4255 – Arts & Culture Support Services Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 5, 2018.

**MOTION CARRIED UNANIMOUSLY**

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

**a. Bylaw No. 2162 – Tax Exemption**

(To permit a 4-year tax exemption for Rest Haven Lodge at 2281 Mills Road).

2018.28.421 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2162 – Tax Exemption (2281 Mills Road) be introduced and given first reading.

**MOTION CARRIED UNANIMOUSLY**

2018.28.422 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2162 – Tax Exemption (2281 Mills Road) be given second reading.

**MOTION CARRIED UNANIMOUSLY**

2018.28.423 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2162 – Tax Exemption (2281 Mills Road) be given third reading.

**MOTION CARRIED UNANIMOUSLY**

**b. Bylaw No. 2163 - Zoning, Amendment No. 37**

(To regulate short-term vacation rentals).

2018.28.424 Moved by Councillor P. Wainwright, seconded by Councillor M. Lougher-Goodey, that the presented alternate version of Bylaw No. 2163 – Zoning, Amendment No. 37, be introduced and given first reading.

**MOTION CARRIED UNANIMOUSLY**

2018.28.425 Moved by Councillor P. Wainwright, seconded by Councillor C. McLennan, that the presented alternate version of Bylaw No. 2163 – Zoning, Amendment No. 37, be given second reading and that staff be directed to advertise for a public hearing.

**MOTION CARRIED UNANIMOUSLY**

2018.28.426 Moved by Councillor P. Wainwright, seconded by Councillor M. Lougher-Goodey, that staff proceed with the public outreach process, as per the staff report dated August 7, 2018, to inform residents of Bylaw No. 2163 – Zoning, Amendment No. 37.

**MOTION CARRIED UNANIMOUSLY**

**c. Development Permit Application No. DP100753 & Development Variance Permit Application No. DV100258 (9633 Eighth Street)**

(To relax requirements for lot coverage and size of the second storey in order to allow the construction of a couplet house).

*(No written submissions were received).*

2018.28.427 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Development Variance Permit Application No. DV100258 (9633 Eighth Street - to relax requirements for lot coverage and size of the second storey in order to allow the construction of a couplet house) be approved and that Development Permit Application No. DP100753 be approved, subject to conditions as per Council Resolution No. 2018.25.369.

**MOTION CARRIED UNANIMOUSLY**

**d. Development Variance Permit Application No. DV100269 (2002 Melville Avenue)**

(To relax fence height to allow for an existing fence to remain on the property).

Written submission(s):

1. Letter from E. Kirwin, Melville Drive, dated August 3, 2018;
2. Email from W. & C. Barker, McDonald Park Road, dated August 8, 2018; and
3. Email from P. & K. Blacker, McDonald Park Road, dated August 13, 2018.

2018.28.428 Moved by Councillor M. Lougher-Goodey, seconded by Councillor T. Chad, that Development Variance Permit Application No. DP1000269 (2002 Melville Avenue - to relax fence height to allow for an existing fence to remain on the property) be approved, subject to the condition as per Council Resolution No. 2018.25.375.

**OPPOSED: Councillors: B. Fallot & P. Wainwright**  
**MOTION CARRIED 5:2**

**15. NEW BUSINESS**

**a. Downtown Streetscape and Urban Design Standards**

*(Notice of Motion from Councillor P. Wainwright - Regular Council Meeting on July 9, 2018).*

2018.28.429 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that future staff reports to Council, Committee of the Whole and to the Advisory Planning Commission which present an analysis of development proposals include a section which considers consistency with the Downtown Streetscape & Urban Design Standards.

**MOTION CARRIED UNANIMOUSLY**

**b. Special Council Meeting – September 4, 2018**

(As the Council meeting on September 10 has been cancelled for UBCM and the next meeting is not until September 24, it is recommended that a special Council meeting be held prior to UBCM).

2018.28.430 Moved by Councillor M. Lougher-Goodey, seconded by Councillor T. Chad, that the regular Committee of the Whole Meeting scheduled for September 4 be cancelled and that a Special Council Meeting be held at 7:00pm on September 4, 2018.

**OPPOSED: Councillors: B. Fallot & P. Wainwright**  
**MOTION CARRIED 5:2**

2018.28.431 Moved Councillor P. Wainwright, seconded by Councillor B. Fallot, that the above motion be amended by adding to the end *“and that there be no consideration at the meeting of any matters related to developments which have not been presented to Council prior to August 13, 2018”*.

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

**MOTION DEFEATED: 4:3**

The question was called on the main motion and was carried.

**c. Cancellation of Council Meeting – October 22, 2018**

(Municipal Election held on October 20, therefore no Council meeting recommended until after Inauguration of New Council, on November 5).

2018.28.432 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that the regular Council Meeting on October 22, 2018 be cancelled.

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

**MOTION DEFEATED: 5:2**

**d. Cancellation of Committee of the Whole Meeting – November 5, 2018**

(To amend date of New Council Inauguration, as it must be held in November).

2018.28.433 Moved by Councillor P. Wainwright, seconded by Councillor M. Lougher-Goodey:

1. that the regular Committee of the Whole Meeting on November 5 and the Special Council Inaugural Meeting on December 3, 2018, be cancelled; and
2. that the Special Council Inaugural Meeting be held on November 5 and that a regular Council Meeting be held on December 3, 2018.

**MOTION CARRIED UNANIMOUSLY**

**16. CORRESPONDENCE FOR INFORMATION**

2018.28.434 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the following correspondence be received for information:

1. Letters from District of North Saanich, regarding public hearing for rezoning application for properties on Lochside Drive and Bakerview Place, dated July 5 and 11, 2018.
2. Email from S. Coghill, regarding adaptable housing and proposed developments requesting variances for adaptable units, dated June 14, 2018. Reply dated July 9, 2018.
3. Email from Ministry of Children & Family Development, regarding Childcare BC new spaces fund announcement, dated July 6, 2018.
4. Email from CRD Arts Development Service, providing a full list of arts events and initiatives that received CRD grant funding, dated July 9, 2018.
5. Letter from Regional District of Bulkley Nechako, regarding support for BC's Caribou Recovery Program, dated July 10, 2018.
6. Letter from Township of Langley, regarding a moratorium on facilities growing cannabis on Township lands, dated July 10, 2018.
7. Email from AVICC, seeking expressions of interest from communities who would like to be the host for their 2020 and 2021 Conventions, dated July 11, 2018.
8. Letter from R. Duquette, 9924 Third Street, regarding parking in residential areas, dated July 16, 2018. Reply dated July 26, 2018.
9. Letter from City of Pitt Meadows, providing letter of support for a moratorium on cannabis cultivation, dated July 17, 2018.
10. Letter from City of Williams Lake, regarding Employer Health Tax Impact on Local Government, dated July 17, 2018.
11. Letter from District of Houston, regarding BC's Caribou Recovery Program, dated July 23, 2018.

12. Letter from A. Kelly, 2040 Weiler Avenue, regarding changes to transit service for West Sidney, dated August 1, 2018. Reply dated August 3, 2018.
13. Letter from BC Wildlife Federation, regarding the recent shooting in Toronto and gun control, dated August 2, 2018.
14. Email from M. Law, 9809 Seaport Place, submitting a complaint regarding the decibel level of the music being performed on August 6 in Beacon Park, dated August 7, 2018. Reply dated August 8, 2018.
15. Email from Garden City Electronic Music, regarding their music performance on August 6 in Beacon Park, dated August 8, 2018.

**MOTION CARRIED UNANIMOUSLY**

**17. NOTICES OF MOTION**

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

- 2018.28.435 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 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**

- 2018.28.436 Moved by Councillor B. Fallot, seconded by Councillor E. Bremner-Mitchell, that the meeting be adjourned at 9:44 p.m.

**MOTION CARRIED UNANIMOUSLY**

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MAYOR

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CORPORATE OFFICER