



TOWN OF SIDNEY

MINUTES OF REGULAR COUNCIL MEETING
Tuesday, February 13, 2018
Council Chambers
7:00 p.m.

- PRESENT:** Mayor S. Price
Councillors: E. Bremner-Mitchell, T. Chad, M. Lougher-Goodey, C. McLennan
and P. Wainwright
- ABSENT:** Councillor B. Fallot
- 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. **M. Rosko, 2045 Weiler Avenue** - referring to item 10bR2, provided information respecting the contamination and cleanup required on the site and the purposely designed ground floor's lower elevation, with 3 storeys on Beacon and the stepback of the 4th and 5th storeys; and stated the importance of having more residents in the downtown for the Town's overall economic prosperity.
2. **S. Garnett, 9583 Christine Place** – expressed concerns regarding the construction works on McDonald Park Road being undertaken at night.
3. **J. Gifford, 10048 Allbay Road** – stated was pleased that the Town's electric vehicle charging stations are being used, and stated would like to see a report on the usage of the Modo car share program.
4. **D. Calveley, 9655 First Street** – stated was pleased with the design changes made to the proposed building at the corner of Beacon Avenue and Fourth Street, and with APC's professional review of the development proposal.
5. **D. Gelinias, 2545 Oakville Avenue** – with Sidney's population projected at only 11,900 in 2038, questioned the validity of the CRD's RGS Bylaw.

Public Participation Period closed at 7:10 p.m.

2. APPROVAL OF AGENDA

2018.04.054 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the agenda be approved as presented.

MOTION CARRIED UNANIMOUSLY

3. ADOPTION OF MINUTES

a. Regular Council Meeting – January 22, 2018

2018.04.055 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that Minutes of the Regular Council Meeting of January 22, 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**

- a. **Councillor E. Bremner-Mitchell** - advising that the EduTech event has returned and is being held on Thursday, February 15 at the SHOAL Centre, noting participation from 18 vendors and encouraged the public to attend between 4:00 – 7:00 pm.

10. **COMMITTEE REPORTS**

- a. **Committee of the Whole – February 5, 2018**

2018.04.056 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the Minutes of the Committee of the Whole Meeting of February 5, 2018, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

2018.04.057 **R.1 2018-2022 Financial Plan**
Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that \$50,000 for the **West Side LAP Village Master Plan** be approved.

MOTION CARRIED UNANIMOUSLY

2018.04.058 **R.2**
Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the following items be deferred to 2019:
1. \$5,000 for the **Seagull Control Study**;
2. \$5,000 (of the \$10,000) for the **Council Chamber Upgrades**;
3. \$20,000 for the **Totem Park Shelter and Trees**; and
4. \$30,000 for **Bevan Sidewalk Replacement**.

MOTION CARRIED UNANIMOUSLY

2018.04.059 **R.3**
Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that \$30,000 for **Decorative Street Lighting** be removed from the budget for 2018.

MOTION CARRIED UNANIMOUSLY

2018.04.060 **R.4**
Moved by Councillor M. Lougher-Goodey, seconded by Councillor P. Wainwright, that \$30,000 for the **Ocean Avenue Curb Realignment** be funded from the Community Amenity Contribution Fund.

MOTION CARRIED UNANIMOUSLY

2018.04.061 **R.5**
Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that \$15,000 for the Skatepark Sidewalk and \$20,000 for **Resthaven Curb Returns – Allbay Road & Harbour Road** be funded from the Gas Tax Fund.

MOTION CARRIED UNANIMOUSLY

2018.04.062 **R.6**
Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that \$5,000 for the **2018 World Coastal Rowing Championships** be funded from the Economic Development Fund.

MOTION CARRIED UNANIMOUSLY

2018.04.063 **R.7** Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the **Water Operating and Capital** and the **Sewer Operating and Capital** budgets be approved as presented.

MOTION CARRIED UNANIMOUSLY

2018.04.064 **R.8** Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the **2018-2022 Financial Plan** be approved as amended.

MOTION CARRIED UNANIMOUSLY

2018.04.065 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the staff report dated February 6, 2018, to summarize the changes made to the 2018-2022 Financial Plan (noting a 2.43% general tax increase), be received for information.

MOTION CARRIED UNANIMOUSLY

2018.04.066 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the Special Council Meeting on Tuesday, February 20, 2018, be cancelled.

MOTION CARRIED UNANIMOUSLY

b. Advisory Planning Commission – February 6, 2018

2018.04.067 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the Minutes of the Advisory Planning Commission Meeting of February 6, 2018, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 Development Permit Application No. DP100733 & Development Variance Permit Application No. DV100246 (2348 Beacon Avenue)

(To allow fourth storey and additional height in order to construct a 4-storey, mixed-use building with ground floor commercial and 9 multi-family dwelling units).

2018.04.068 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan:

1. That owners and tenants in occupation of property within 75m (246ft) of 2348 Beacon Avenue be notified regarding Development Variance Permit Application No. DV100246 (to relax the number of storeys and height requirements), 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. DP100733 (to permit the construction of a 4-storey, mixed-use development consisting of ground floor commercial and 9 multi-family dwelling units) be brought before Council for consideration of approval if Council authorizes the issuance of the Development Variance Permit; and
3. That as conditions of approval of Development Permit Application No. DP100733 and Development Variance Permit Application No. DV100246, and prior to the issuance of Building Permit, the property owner shall:
 - a. Register a restrictive covenant on the subject property which would ensure that the future strata council may not restrict occupancy in the building based on age;
 - b. Address Development Permit Guideline No. 21.3.27 (canopies and awnings) and 21.3.40 (utility kiosks) to the satisfaction of the Director of Development Services, Engineering, Parks and Works; 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.

- d. Utilize a portion of the Payment in Lieu of Parking funds toward the purchase of 11 permanent car-share memberships registered to the residential and commercial units in the proposed development and provide proof of purchase from the car share operator.

MOTION CARRIED UNANIMOUSLY

R.2 Development Permit Application No. DP100734 & Development Variance Permit Application No. DV100247 (2420–2432 Beacon Avenue and 9816 Fourth Street)

(To construct a 5 storey mixed use commercial/residential development containing ground floor commercial and 35 multi-family residential units).

2018.04.069

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

1. That the request for a variance to the Parking Bylaw to reduce the required number of parking spaces from 44 spaces to 40 spaces be denied;
2. That owners and tenants in occupation of property within 75m (246ft) of the properties at 2420-2432 Beacon Avenue and 9812-9816 Fourth Street be notified of Development Variance Permit Application No. DV100247 (to relax the maximum height and number of storeys), and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variances;
3. That Development Permit Application No. DP100734 (to permit the construction of a 5-storey, mixed-use development consisting of ground floor commercial space and 35 multi-family dwelling units) be brought before Council for consideration of approval if Council authorizes the issuance of the Development Variance Permit;
4. That as a condition of approval of Development Permit Application No. DP100734, the property owner shall:
 - a. Prior to the issuance of Building Permit, address Development Permit Guidelines No. 21.3.21 (side elevations), 21.3.27 (canopies and awnings), 21.3.39 (landscaping details), and 21.3.40 (utility kiosk screening) to the satisfaction of the Director of Development Services, Engineering, Parks and Works; and
 - b. Prior to the issuance of Building Permit, 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; and
5. That as a condition of approval of Development Variance Permit Application No. DV100247, the property owner shall, prior to the issuance of Building Permit, register a restrictive covenant on the subject property which would ensure that the future strata council may not restrict occupancy in the building based on age.

MOTION CARRIED UNANIMOUSLY

11. STAFF REPORTS

a. CRD Regional Growth Strategy Bylaw No. 4017 Referral

2018.04.070 Moved by Councillor P. Wainwright, seconded by Councillor M. Lougher-Goodey, that staff be directed to respond to the Capital Regional District with a statement of acceptance for Regional Growth Strategy Bylaw No. 4017.

MOTION CARRIED UNANIMOUSLY

b. McDonald Park Road Construction – Sandown Development

2018.04.071 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that the contractor be permitted the following:

1. that work may proceed at night on McDonald Park Road between the hours of 10pm to 7am subject to no significant concerns from residents;

2. that if the Town receives significant resident concerns regarding noise, approval for work at night be cancelled;
3. that McDonald Park Road be permitted to be closed to through traffic for 5 consecutive nights with the exception of residents that live within the industrial area and that all weather lane remain available and open for all emergency services vehicle types at all times during the closure;
4. that a Permit to Work on McDonald Park Road right-of-way be acquired by the contractor including the required insurance coverage;
5. that the contractor give written and timely notice to all industrial park businesses with access from McDonald Park Road;
6. that the contractor advertise the night time disturbance and road closures with a notice placed in the Peninsula News Review one week prior to the start of construction. The notice to be reviewed and approved by Town staff; and
7. that the contractor inform residents by mail within 100m of the site of the works and road closures.

MOTION CARRIED UNANIMOUSLY

c. BC Ambulance Lease – Community Safety Building

- 2018.04.072 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor M. Lougher-Goodey, that the lease agreement with BC Emergency Health Services, for colocation of a BC Ambulance station at the Community Safety Building, be approved.

MOTION CARRIED UNANIMOUSLY

d. Electric Vehicle Charging Stations – 2017 Usage

- 2018.04.073 Moved by Councillor T. Chad, seconded by Councillor C. McLennan, that the staff report dated February 5, 2018, providing information on the usage of the Town's four publicly accessible electric vehicle charging stations up to the end of 2017, be received for information.

MOTION CARRIED UNANIMOUSLY

e. Appointment of 2018 Election Officers

- 2018.04.074 Moved by Councillor C. McLennan, seconded by Councillor E. Bremner-Mitchell, that Sandi Nelson be appointed the Chief Election Officer and Paula Kully be appointed the Deputy Chief Election Officer for the Town of Sidney 2018 Local Government Election.

MOTION CARRIED UNANIMOUSLY

12. OTHER REPORTS

13. CORRESPONDENCE

a. Saanich Peninsula Wastewater Commission – Integrated Resource Management

- 2018.04.075 Moved by Councillor T. Chad, seconded by Councillor P. Wainwright, that the letter from CRD, dated January 25, 2018, advising of the CRD's new direction with respect to pursuing Integrated Resource Management, be received for information.

MOTION CARRIED UNANIMOUSLY

b. Request for Funding – Wounded Warriors Run BC

- 2018.04.076 Moved by Councillor T. Chad, seconded by Councillor M. Lougher-Goodey, that the email from Wounded Warriors Run, dated January 25, 2018, be received and that the request for funding be referred to the 2018 grants-in-aid meeting.

MOTION CARRIED UNANIMOUSLY

14. BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION

a. Bylaw No. 2145 – Off-Street Parking & Loading, Amendment No. 1
(To include a maximum fine of \$10,000).

2018.04.077 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2145 – Off-Street Parking & Loading, Amendment No. 1, be introduced and given first reading.

MOTION CARRIED UNANIMOUSLY

2018.04.078 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2145 – Off-Street Parking & Loading, Amendment No. 1, be given second reading.

MOTION CARRIED UNANIMOUSLY

2018.04.079 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2145 – Off-Street Parking & Loading, Amendment No. 1, be given third reading.

MOTION CARRIED UNANIMOUSLY

b. Bylaw No. 2149 – Municipal Ticket Information, Amendment No. 11
(To amend various sections to bring the bylaw up to date).

2018.04.080 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2149 – Municipal Ticket Information, Amendment No. 11, be introduced and given first reading.

MOTION CARRIED UNANIMOUSLY

2018.04.081 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2149 – Municipal Ticket Information, Amendment No. 11, be given second reading.

MOTION CARRIED UNANIMOUSLY

2018.04.082 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2149 – Municipal Ticket Information, Amendment No. 11, be given third reading.

MOTION CARRIED UNANIMOUSLY

c. Development Permit Application No. DP100724 & Development Variance Permit Application No. DV100234 (2471 Orchard Avenue)
(To relax lot coverage in order to construct 2 single-family dwellings on 2 new lots to be created by subdivision).
(No written public submissions were received).

2018.04.083 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Development Variance Permit Application No. DV100234 for 2471 Orchard Avenue (to relax lot coverage in order to construct 2 single-family dwellings on 2 new lots to be created by subdivision) be approved and that Development Permit Application No. DP100724 be approved, subject to conditions as per Council Resolution No.2018.02.031.

MOTION CARRIED UNANIMOUSLY

d. Development Variance Permit Application No. DV100251 (2069 Piercy Avenue)
(To relax rear setback in order to construct a two-family dwelling).
(No written public submissions were received).

2018.04.084 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Development Variance Permit Application No. DV100251 for 2069 Piercy 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

2018.04.085 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the following correspondence be received for information:

1. Letter from Township of Spallumcheen, regarding adoption of a flexible ride-sharing regulation, dated January 16, 2018.
2. Letters from District of Kent & Town of Spallumcheen, regarding cannabis sales revenue sharing, dated January 16, 2018.
3. Email from the Sidney Business Improvement Area Society, regarding worker parking restrictions, dated January 18, 2018. Reply dated January 18, 2018.
4. Letter from Amalgamation Yes, invitation to Town Hall meeting on Citizens' Assemblies, dated January 22, 2018. Reply dated January 30, 2018.
5. Letter from R. Moorby, Bessredge Place, regarding public input on the design of the new pedestrian overpass, dated January 23, 2018. Reply dated February 5, 2018.
6. Letter from G. Thompson, regarding waterfront walkways, library and Lochside Trail, dated January 29, 2018. Reply dated February 5, 2018.
7. Letter from Recycling Council of BC, regarding annual Zero Waste Conference, dated January 26, 2018.
8. Letter from P. Shapka, Allbay Road, regarding the preservation of trees at 10383 Allbay Road, dated January 29, 2018. Reply dated February 7, 2018.
9. Email from M. Brash, Second Street, supporting the Town's position regarding Amalgamation Yes, dated January 30, 2018.
10. Email from B. Mathews, Bevan Avenue, regarding request for underground hydro, dated January 30, 2018. Reply dated February 1, 2018.
11. Letter from District of Saanich, presenting the 2017 Annual Report for the Saanich Fire Dispatch Centre, dated February 7, 2018.
12. Proclamation: Chamber of Commerce Week – February 19-23, 2018.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

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

2018.04.086 Moved by Councillor P. Wainwright, 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 confidential information and municipal services, pursuant to section 90.1 (j) and 90.2 (b) of the *Community Charter* and that Council continue the meeting in closed session.

MOTION CARRIED UNANIMOUSLY

19. ADJOURNMENT

2018.04.087 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that the meeting be adjourned at 7:57 p.m.

MOTION CARRIED UNANIMOUSLY

MAYOR

CORPORATE OFFICER