



TOWN OF SIDNEY

MINUTES OF REGULAR COUNCIL MEETING Monday, February 26, 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

Mayor S. Price called the meeting to order at 7:00 p.m.

A. PUBLIC PARTICIPATION PERIOD

1. **J. Cove, 2348 Beacon Avenue (applicant/owner – item 14c)** – stated progressive redevelopment with increased density is needed to bring more vibrancy in the downtown core; increased residential units are required to make project financially viable or no development will happen; building was designed to address the small sized lot as well as stepping-back the upper storeys on Beacon to meet Town policy; parking spaces not required in downtown core; and the need to inspire other landlords to revitalize properties for Sidney's success.
2. **A. Holroyd, 9830 Third Street (The Aranza)** – supports the proposed development (item 14d), however expressed concerns regarding the impact the north fire wall will have on the neighboring new building to the north.
3. **S. Bonet, (Architect – items 14c & 14d)** - stated the developments were designed based on their specific lot configuration; additional residential units are need to provide revitalization and support the local economy; item 14d provides a unique opportunity to replace derelict buildings; site contains environmental challenges which must be remediated; each residential units is provided 1 parking space; and the building will be 3 storeys on Beacon Avenue and steps-back to 5 storeys along Fourth Street.
4. **K. Elgresma** - stated the need to continue to support the building of the Town; need to support the local entrepreneurs who want to develop the community; may not like everything, but there is a need to create something new and vibrant in order to attract new people, families and visitors or if not run the risk of stopping.
5. **N. Hitchmough, 9805 Second Street** – stated is very upset with what has been going on and is waiting with anticipation for the election this year; small community is rapidly being turned into Langford and Victoria; very much opposed to the variances; already have a liberal 3 storey height restriction; and encouraged Council not to support the developments.
6. **C. Wood** – stated not against development, however is concerned developments are pushing the boundaries - too large, in the wrong place or contributing to loss of vegetation; and the design (of item 14d) does not fit the character of Sidney.
7. **M. Rosko (applicant/owner – item 14d)** – stated the development is long overdue; there are those that wish Sidney could stay within the 1930-1950s concept, however the old concept is not working; and that Sidney needs a new outlook with more people to support the retail stores.

2018.06.093 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor B. Fallot, that the Public Participation Period be extended by 20 minutes, subject to those who have not provided written submission being given the opportunity to speak.

MOTION CARRIED UNANIMOUSLY

8. **R. Flader (resident and local business owner)** – stated supports both developments; redevelopment of downtown core with residential units is vital to restore the vibrancy of the business community as the aging buildings and high rents are an impediment to business success; and it is important to provide an affordable place to live and conduct business.
9. **J. Trelevan, 10134 Third Street** – stated supports both developments; employers have expressed concerns regarding affordable housing for their employees; congratulated Council in changing the way downtown area is being developed and taking into accounts residents needs; downtown is ancient and must be replaced; and that Council has shown great courage in the long term interests in the community.
10. **S. Garnett, 9583 Christine Place** – stated not in favour of the developments; this will set perimeters for everything that follows and is worried how it will change the look of the Town; condos are not affordable; Sidney does need more housing and people; it will be difficult for businesses on Beacon with new Sidney Crossing development; and financial viability is not the community's responsibility – it's the developer's responsibility.
11. **D. Graham, 9835 Seaport Place** – stated supports both developments and that the scale of the building (item 14d) is quite good compared to other existing buildings such as The Pier, The Landmark and the Old Post Office building.
12. **C. McNeil Smith (resident and business owner, 2436 Beacon Ave)** – stated the existing buildings do not meet the needs of businesses and residents; there is desire for new mixed-use development, but this development (item 14d) doesn't make sense from a business or residential perspective; strongly requested Council not to approve it and to request the proponent revisit and address building height and storeys, as the residential component is too high to accommodate parking and loading needs and it does not address reasonable residential adjacencies.
13. **J. Blair, 2312 Henry Avenue** – stated was surprised that material was being handed out by the proponent (for item 14d) and that if this is setting the precedent then to expect other organizations to be advertising at Council meetings.

Public Participation Period closed at 7:30 p.m.

2. APPROVAL OF AGENDA

2018.06.094 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that the agenda be amended as follows:

1. that items 14c and 14d be moved to after item 9;
2. addition to items 14c and 14d – staff report dated February 26, 2018; and
3. additions to items 14c and 14d – various written public submissions.

MOTION CARRIED UNANIMOUSLY

3. ADOPTION OF MINUTES

a. Regular Council Meeting – February 13, 2018

2018.06.095 Moved by Councillor P. Wainwright, seconded by Councillor M. Lougher-Goodey, that Minutes of the Regular Council Meeting of February 13, 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**

14. **BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION**
 - c. **Development Variance Permit Application No. DV100246 and Development Permit Application No. DP100733 (2348 Beacon Avenue)**
(To relax height and number of storeys requirements in order to construct a 4-storey, mixed-use building with ground floor commercial and 9 multi-family dwelling units).

2018.06.105 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that the staff report dated February 26, 2018, providing a summary of the letters received for the proposed developments at 2348 Beacon and 2420-2432 Beacon Avenue and 9812-9816 Fourth Street, be received for information.

MOTION CARRIED UNANIMOUSLY

Written Submission(s):

1. P. Classon, dated February 19, 2018.
2. B. Robillard, dated February 19, 2018.
3. M. Wood, Third Street, dated February 19, 2018.
4. J. Savage, Third Street, dated February 19, 2018.
5. K. & S. Groom, Fourth Street, dated February 19, 2018.
6. S. Fox, dated February 19, 2018.
7. J. Crowhurst, Seaport Place, dated February 20, 20 & 26, 2018.
8. S. Duck, dated February 20, 2018.
9. J. Blair, Henry Avenue, dated February 20, 2018.
10. A. Greene, Seaport Place, dated February 20, 2018.
11. G. Symington, dated February 20, 2018.
12. W. James, Seaport Place, dated February 20, 2018.
13. D. Hughes, Resthaven Drive, dated February 20, 2018.
14. M. Doyle, Resthaven Drive, dated February 20, 2018.
15. H. Watt, dated February 20, 2018.
16. H. Horie, dated February 20, 2018.
17. E. Diller, Resthaven Drive, dated February 20, 2018.
18. M. Billyard-Leake, Third Street, dated February 20, 2018.
19. C. Kollofrath, Resthaven Drive, dated February 20, 2018.
20. S. Vidal, dated February 21, 2018.
21. M. Marsh, Allbay Road, dated February 21 & 22, 2018
22. C. McRae, February 22, 2018.
23. B. Bussiers, Resthaven Drive, dated February 21, 2018.
24. M. Law, Seaport Place, dated February 22, 2018.
25. A. Kershaw, Resthaven Drive, dated February 22, 2018.
26. R. Dyck & F. Koenig, Fifth Street, dated February 23, 2018.
27. J. Biggs, Second Street, dated February 23, 2018.
28. B. Holmes, Tryon Road, dated February 23, 2018.
29. J. Bicknell, Third Street, dated February 25, 2018.
30. D. Thorlacius, dated February 26, 2018.
31. R. Quaintance & J. Hope, Waxwing Place, dated February 26, 2018.
32. Petition, dated February 23, 2018 (11 signatures/properties)
33. M. Speer & T. Chapman, dated February 26, 2018.
34. H. & I. Voermann, Beaufort Road, dated February 26, 2018.

2018.06.106 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Development Variance Application No. DV100246 (2348 Beacon Avenue - to relax height and number of storeys requirements in order to construct a 4-storey, mixed-use building with ground floor commercial and 9 multi-family dwelling units) be approved and that Development Permit Application No. DP100733 be approved, subject to conditions as per Council Resolution No. 2018.04.068.

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

- d. Development Variance Permit Application No. DV100247 and Development Permit Application No. DP100734 (2420-2432 Beacon Avenue and 9812-9816 Fourth Street)**
(To relax height and number of storeys requirements in order to construct a 5-storey mixed use commercial/residential development containing ground floor commercial and 35 multi-family residential units).

Written Submission(s):

1. A. Holroyd, Fourth Street, dated January 15 & February 20, 2018.
2. H. Evans, dated January 30, 2018.
3. S. Palmer, Summerset Place, dated February 17, 2018.
4. W. & I. Wallace, Jocelyn Place, dated February 18, 2018.
5. S. Fox, dated February 19, 2018.
6. B. Robillard, dated February 19, 2018.
7. M. Wood, Third Street, dated February 19, 2018.
8. J. Savage, Third Street, dated February 19, 2018.
9. K. & S. Groom, Fourth Street, dated February 19, 2018.
10. J. MacDonnell, Amelia Avenue, dated February 19, 2018.
11. B. & G. Reid, Seaport Place, dated February 20, 2018.
12. J. Blair, Henry Avenue, dated February 20, 2018.
13. J. Wilson, Harbour Road, dated February 20, 2018.
14. D. & T. Rendle, Summerset Place, dated February 20, 2018.
15. S. Duck, dated February 20, 2018.
16. J. Crowhurst, Seaport Place, dated February 20, 20 & 26, 2018.
17. J. Finley, Summerset Place, dated February 20, 2018.
18. A. Greene, Seaport Place, dated February 20, 2018.
19. G. Symington, dated February 20, 2018.
20. W. James, Seaport Place, dated February 20, 2018.
21. D. Hughes, Resthaven Drive, dated February 20, 2018.
22. M. Doyle, Resthaven Drive, dated February 20, 2018.
23. H. Watt, dated February 20, 2018.
24. H. Horie, dated February 20, 2018.
25. E. Diller, Resthaven Drive, dated February 20, 2018.
26. M. Billyard-Leake, Third Street, dated February 20, 2018.
27. C. Kollofrath, Resthaven Drive, dated February 20, 2018.
28. S. Vidal, dated February 21, 2018.
29. M. Marsh, Allbay Road, dated February 21 & 22, 2018.
30. J. & B. Emms, Malaview Avenue, dated February 21, 2018.
31. L. Acker, Harbour Road, dated February 22, 2018.
32. M. Scott, Central Saanich Road, received February 22, 2018.
33. H. Mowat, Swartz Bay Road, dated February 22, 2018.
34. R. Holmes, Blue Heron Road, dated February 23, 2018.
35. N. Hitchmough, Second Street, dated February 22, 2018.
36. W. Everson, Fifth Street, dated February 22, 2018.
37. P. Shapka, dated February 23, 2018.
38. D. Paquette, First Street, dated February 26, 2018.
39. B. Bussiers, Resthaven Drive, dated February 21, 2018.
40. M. Law, Seaport Place, dated February 22, 2018.
41. A. Kershaw, Resthaven Drive, dated February 22, 2018.

42. R. Dyck & F. Koenig, Fifth Street, dated February 23, 2018.
43. J. Biggs, Second Street, dated February 23, 2018.
44. B. Holmes, Tryon Road, dated February 23, 2018.
45. J. Bicknell, Third Street, dated February 25, 2018.
46. C. Blackie, dated February 25, 2018.
47. D. & S. Loepky, Third Street, dated February 25, 2018.
48. R. Viggers, Brookwood Drive, dated February 25, 2018.
49. J. Cove, (Applicant/Owner– 2348 Beacon Avenue), dated February 26, 2018.
50. C. Lohrisch, Third Street, dated February 26, 2018.
51. D. Thorlacius, dated February 26, 2018.
52. K. Hartmann, Beaufort Road, dated February 26, 2018.
53. R. Quaintance & J. Hope, Waxwing Place, dated February 26, 2018.
54. Petition, dated February 23, 2018 (11 signatures/properties)
55. L. Rosko (applicant/property owner), dated February 25, 2018.
56. I. Michel, Weiler Avenue West, dated February 25, 2018.
57. B. Bauer, Lannon Way, dated February 26, 2018.
58. Crease Harman LLP (on behalf of the property owners of 2418 Beacon Avenue), dated February 26, 2018.
59. D. & M. Owen, dated February 26, 2018.
60. R. MacLeod, dated February 26, 2018.
61. M. Walker, 2532 Beaufort Road, dated February 25, 2018.
62. H. & I. Voermann, Beaufort Road, dated February 26, 2018.

2018.06.107 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Development Variance Application No. DV100247 (2420-2432 Beacon Avenue and 9812-9816 Fourth Street - to relax height and number of storeys requirements in order to construct a 5-storey mixed use commercial/residential development containing ground floor commercial and 35 multi-family residential units) be approved and that Development Permit Application No. DP100734 be approved, subject to conditions as per Council Resolution No.2018.04.069.

**OPPOSED: Councillors: E. Bremner-Mitchell, B. Fallot & P. Wainwright
MOTION CARRIED 4:3**

10. COMMITTEE REPORTS

a. Economic Development Commission – January 25 & February 8, 2018

2018.06.096 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that the Minutes of the Economic Development Commission Meetings of January 25 and February 8, 2018, be received for information.

MOTION CARRIED UNANIMOUSLY

b. Committee of the Whole – February 19, 2018

2018.06.097 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the Minutes of the Committee of the Whole Meeting of February 19, 2018, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 Development Permit Application No. DP100747 and Development Variance Permit Application No. DV100254 (10490 Resthaven Drive)

(To relax front and rear yard setbacks and the setback for the location of parking spaces in order to construct a 2 storey, 8 unit multi-family townhouse development).

2018.06.098 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that Development Variance Permit Application No. DV100254 and Development Permit Application No. DP100747 (to relax the front yard, rear yard, and parking

setback requirements in order to permit the construction of a 2 storey townhouse development with 8 dwelling units at 10490 Resthaven Drive) be forwarded to the Advisory Planning Commission for review and comment, subject to the condition that prior to the Advisory Planning Commission meeting, the applicant provides the following to staff:

1. Redesigned floor plans that meet the adaptable unit requirements as per section 7.0 of Zoning Bylaw No. 2015; and
2. An updated landscape plan that addresses the visitor parking areas, screening, and site landscaping.

MOTION CARRIED UNANIMOUSLY

11. STAFF REPORTS

a. Henry Avenue Crosswalk Project

2018.06.099 Moved by Councillor E. Bremner-Mitchell, seconded by Councillor C. McLennan, that the Henry Avenue Crosswalk Project, with funding to come from the Amenity Reserve, be approved.

MOTION CARRIED UNANIMOUSLY

b. Peninsula Fire & Emergency Program Mutual Aid Agreement

2018.06.100 Moved by Councillor T. Chad, seconded by Councillor B. Fallot, that section 6 (f) of the Peninsula Fire & Emergency Program Mutual Aid Agreement be revised to the following:

The provision of Emergency Resources shall only occur if officially requested by the Fire Chief for his/her fire protection area, with the exception of Automatic Aid events, which include structure fires and pre-identified high risk occupancies mutually agreed to by the North Saanich, Central Saanich, and Sidney Fire Chiefs.

MOTION CARRIED UNANIMOUSLY

c. Fire Dispatch & Communications Services Agreement Extension

2018.06.101 Moved by Councillor T. Chad, seconded by Councillor C. McLennan, that the amending agreement for Fire Dispatch and Communications Services with the District of Saanich ending April 30, 2018, be approved.

MOTION CARRIED UNANIMOUSLY

d. Monthly Building Permit Report – January 2018

2018.06.102 Moved by Councillor C. McLennan, seconded by Councillor T. Chad, that the Monthly Building Permit Report for January 2018 be received for information.

MOTION CARRIED UNANIMOUSLY

12. OTHER REPORTS

13. CORRESPONDENCE

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).

2018.06.103 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2145 – Off-Street Parking & Loading, Amendment No.1, be adopted.

MOTION CARRIED UNANIMOUSLY

b. Bylaw No. 2149 – Municipal Ticket Information, Amendment No. 11

(To amend various sections to bring the bylaw up to date).

2018.06.104 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2149 – Municipal Ticket Information, Amendment No. 11, be adopted.

MOTION CARRIED UNANIMOUSLY

c. Development Variance Permit Application No. DV100246 and Development Permit Application No. DP100733 (2348 Beacon Avenue)

(To relax height and number of storeys requirements in order to construct a 4-storey, mixed-use building with ground floor commercial and 9 multi-family dwelling units).

(Item already dealt with – after item 9).

d. Development Variance Permit Application No. DV100247 and Development Permit Application No. DP100734 (2420-2432 Beacon Avenue and 9812-9816 Fourth Street)

(To relax height and number of storeys requirements in order to construct a 5-storey mixed use commercial/residential development containing ground floor commercial and 35 multi-family residential units).

(Item already dealt with – after item 9).

15. NEW BUSINESS

16. CORRESPONDENCE FOR INFORMATION

2018.06.108 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the following correspondence be received for information:

1. Various correspondence regarding development in Sidney.
2. Letters from Village of Chase and District of Sicamous, regarding revenue from cannabis sales.
3. Letter from Village of Chase, regarding prevention of Quagga and Zebra Mussels, dated January 18, 2018.
4. Letters from City of Colwood and District of Metchosin, regarding CRD Transportation Service Bylaw.
5. Letter from Sidney Community Association, regarding the Town's development application process and providing further feedback on improvements, dated February 8, 2018. Reply dated February 9, 2018.
6. Letter from City of Victoria, requesting the Province take a leadership role in housing affordability, dated February 8, 2018.
7. Letter from Chamber of Commerce, expressing support for the Gulf Islands inter-island passenger ferry pilot project business case, dated February 9, 2018.
8. Letter from Wilderness Committee, providing a copy of their latest paper to stop the Kinder Morgan's Pipeline project, dated February 9, 2018.
9. Letter from Friends of Shoal Harbour Society, regarding protection of foreshore trees, dated February 9, 2018. Reply letter dated February 15, 2018.
10. Letter from Friends of Shoal Harbour Society, regarding derelict boats ashore in Tsehum Harbour, dated February 13, 2018.
11. Letter from Town of Oliver, regarding Alberta – BC trade war, dated February 16, 2018.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

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

2018.06.109 Moved by Councillor B. Fallot, seconded by Councillor M. Lougher-Goodey, 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 personal and land issues, pursuant to section 90.1 (a) and 90.1 (e) of the *Community Charter* and that Council continue the meeting in closed session.

MOTION CARRIED UNANIMOUSLY

19. ADJOURNMENT

2018.06.110 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that the meeting be adjourned at 8:28 p.m.

MOTION CARRIED UNANIMOUSLY

MAYOR

CORPORATE OFFICER