



TOWN OF SIDNEY

MINUTES OF REGULAR COUNCIL MEETING
Monday, March 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
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. **R. Kirkham, 9461 Braun Crescent** – referring to item 11b, stated the natural habitat of Raey Creek has been neglected and damaged, however believes it can be fixed and supports funding for restoration of this environmentally sensitive area.
2. **J. Treleven, 10134 Third Street** – referring to item 17a, expressed support for the Town to seek an exemption from the new BC Speculation Tax.

Public Participation Period closed at 7:08 p.m.

2. APPROVAL OF AGENDA

2018.12.149 Moved by Councillor B. Fallot, seconded by Councillor M. Lougher-Goodey, that the agenda be approved as presented.

MOTION CARRIED UNANIMOUSLY

3. ADOPTION OF MINUTES

a. Regular Council Meeting – March 12, 2018

2018.12.150 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that Minutes of the Regular Council Meeting of March 12, 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. Advisory Planning Commission – March 20, 2018

2018.12.151 Moved by Councillor M. Lougher-Goodey, seconded by seconded by Councillor T. Chad, that the Minutes of the Advisory Planning Commission Meeting of March 20, 2018, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 Development Permit Application No. DP100746 (2413 Orchard Avenue & 9647 Fifth Street)

(To construct a 2 storey, 6 unit multi-family townhouse development).

2018.12.152 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Development Permit Application No. DP100746 for 2413 Orchard Avenue and 9647 Fifth Street (to permit the construction of a 2 storey townhouse development with 6 dwelling units) be approved, subject to the following conditions:

1. That the applicant address Design Guidelines No. 20.3.23 (hard surfacing), 20.3.29 (utility kiosk screening) and 20.3.34 (tree canopy over public sidewalks) to the satisfaction of the Director of Development Services, Engineering, Parks and Works prior to the issuance of Building Permit;
2. The property owner shall register a restrictive covenant on the title of the property prior to the issuance of Building Permit, prohibiting the future strata council from passing any bylaws that may restrict occupancy of the building based on age; and
3. 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

R.2 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).

2018.12.153 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot:

1. That owners and tenants in occupation of property within 75m (246ft) of 10490 Resthaven Drive be notified regarding Development Variance Permit Application No. DV100254 (to relax the front yard, rear yard, and parking setback requirements) 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. DP100747 (to permit the construction of a 2 storey townhouse development with 8 dwelling units) 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. DP100747, the property owner:
 - a. Address Design Guidelines No. 20.3.23 (driveway materials) to the satisfaction of the Director of Development Services, Engineering, Parks and Works.
 - b. Register a restrictive covenant on the title of the property prior to the issuance of Building Permit, prohibiting the future strata council from passing any bylaws that may restrict occupancy of the building based on age.

- 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 prior to the issuance of Building Permit.

MOTION CARRIED UNANIMOUSLY

11. STAFF REPORTS

a. Renewal of Occupancy Agreement with the RCMP

- 2018.12.154 Moved by Councillor T. Chad, seconded by Councillor C. McLennan, that the Occupancy Agreement with the RCMP for occupation of the joint Sidney/North Saanich Detachment be approved for a five-year period beginning on January 1, 2018.

MOTION CARRIED UNANIMOUSLY

b. Reay Creek Pond and Dam Update

- 2018.12.155 Moved by Councillor P. Wainwright, seconded by Councillor E. Bremner-Mitchell:
1. That Council direct staff to proceed with the Fish Habitat Assessment by LGL Limited as described in the proposal dated March 14, 2018; and
 2. That Council direct staff to proceed with public consultation after the engineering and fish studies are complete, and then report back to Council.

MOTION CARRIED UNANIMOUSLY

c. Monthly Building Permit Report – February 2018

- 2018.12.156 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that the Monthly Building Permit Report for February 2018 be received.

MOTION CARRIED UNANIMOUSLY

12. OTHER REPORTS

13. CORRESPONDENCE

a. New Employer Health Tax

- 2018.12.157 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that the letter from MLA Adam Olsen, dated March 2, 2018, regarding the new Employer Health Tax, be referred to staff to respond on impacts.

MOTION CARRIED UNANIMOUSLY

14. BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION

15. NEW BUSINESS

16. CORRESPONDENCE FOR INFORMATION

- 2018.12.158 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that the following correspondence be received for information:
1. Letter from City of Courtney, regarding AVICC 2018 Resolution – Asset Management, dated February 13, 2018.
 2. Letter from Township of Spallumcheen, regarding AVICC 2018 Resolution – Asset Management, dated February 22, 2018.
 3. Letter from Town of Ladysmith, regarding cannabis sales revenue sharing, dated February 28, 2018.
 4. Letter from UBCM, providing an update on the Working Group on Responsible Conduct – Local Government Elected Officials, dated March 6, 2018.
 5. Letter from Harrison Hot Springs, regarding cannabis sales revenue sharing, dated March 6, 2018.

6. Letter from Harrison Hot Springs, regarding new municipal tax classes, dated March 6, 2018.
7. Various correspondence, regarding the special Town Talk edition on parking, dated March 7, 2018. Reply dated March 12, 2018.
8. Letter from District of North Saanich, regarding inter-municipal cooperation in managing moored boats in Tsehum Harbour, dated March 8, 2018. Reply dated March 13, 2018.
9. Letter from Township of Spallumcheen, regarding Human Trafficking Task Force, dated March 8, 2018.
10. Email from BC Honours & Awards, regarding Order of BC – 2018 Call for Nominations, dated March 9, 2018.
11. Copy of the Victoria Family Court & Youth Justice Committee's 2017 Annual Report.
12. Letter from City of Maple Ridge, regarding the new Employer Health Tax, dated March 14, 2018.
13. Various correspondence, regarding the proposed redevelopment of the Cedarwood Inn.
14. Report to CRD Environmental Services Committee, regarding BC Energy Step Code – Regional Education and Engagement, dated February 7, 2018.
16. Email from J. Cook regarding proposed property speculators tax.
17. Correspondence from Hans Dysarsz, BC HEROS Executive Director regarding BC's prehospital system and request for support of online petition, dated March 13, 2018.
18. Email from Margaret Corps regarding buildings in downtown, dated March 15, 2018.
19. Letter from CREST, regarding Capital Region's emergency communications system, date March 12, 2018.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

a. Councillor T. Chad - New Speculation Tax

- 2018.12.159 Moved by Councillor T. Chad, seconded by Councillor C. McLennan, that the Mayor write a letter to Premier Horgan that Sidney respectfully request that the Town of Sidney be excluded from the proposed new speculation tax and to encourage the Province to re-evaluate the proposed tax.

MOTION CARRIED UNANIMOUSLY

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

- 2018.12.160 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 a land issue and information held in confidence relating to negotiations between the municipalities and the federal government, pursuant to section 90.1 (e) and 90.2 (b) of the *Community Charter* and that Council continue the meeting in closed session.

MOTION CARRIED UNANIMOUSLY

19. ADJOURNMENT

- 2018.12.161 Moved by Councillor B. Fallot, seconded by Councillor T. Chad, that the meeting be adjourned at 7:30 p.m.

MOTION CARRIED UNANIMOUSLY

MAYOR

CORPORATE OFFICER