
TOWN OF SIDNEY
MINUTES OF COMMITTEE OF THE WHOLE MEETING
Tuesday, May 22, 2018
Council Chambers

PRESENT: Chair: Councillor E. Bremner-Mitchell
Councillors: T. Chad, B. Fallot, C. McLennan and P. Wainwright

Absent: Mayor S. Price and Councillor M. Lougher-Goodey

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

The Chair called the meeting to order at 6:00 p.m.

2. APPROVAL OF THE AGENDA

Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that the agenda be approved as presented.

MOTION CARRIED UNANIMOUSLY

3. PRESENTATIONS

a. Quarterly Policing Report

S/Sgt. Wayne Conley, Sidney/North Saanich RCMP Detachment, provided a summary of the policing activities during the first quarter of 2018:

- 694 calls for service in Sidney (18 mental health; 12 impaired drivers);
- 658 traffic tickets issued; 0 fatalities;
- decrease in property crime – theft from vehicles;
- increase in theft of bikes and mischief, vandalism;
- slight increase in crimes against persons; and
- decrease in drug seizures.

S/Sgt. Conley advised that the detachment will be fully staffed as of June 1 and that their crime prevention team has been making presentations on fraud awareness to senior groups, and also working on the block watch initiative. He noted that there will be an increased police presence in public spaces, and in particular the Summer Street Markets.

b. Access Awareness Day

Brian Losie and Tara Munroe, Access Awareness Committee, advised of the upcoming Access Awareness Day being held on Saturday, June 2nd at The SHOAL Centre, noting it a campaign to raise awareness about disability, accessibility and inclusion. Mr. Losie advised of former Sidney Councillor Jeannette Hughes and her advocacy for persons with disabilities, and that an award will be presented in her honor to maintain her legacy. He requested Council to issue a proclamation declaring June 2, 2018, as Access Awareness Day in Sidney, and thanked Council for their continuing support of the event.

c. Project Update – Sculpture Walk & Sidney Experience

Ms. Susan Simosko, President of SBIA, provided an update on the “Sculpture Walk and Sidney Experience” project, for which the Town provided \$20,000 of funding towards. She advised that they have researched and learned from other sculpture festivals how they are organized, funded and managed. She advised they have developed and printed flat map for self-guided touring of all Sidney Sculptures and produced 12,500 rack cards that will soon be on the local ferries.

Mr. Brad Edgett, Executive Director of the Mary Winspear Centre and Vice-President of SBIA, advised of the upcoming “Sidney Sculpture by the Sea” festival that will be held from July to September 2018, which will include 27 artists, and that they will begin an advertising campaign at the end of May.

Ms. Simosko noted that this project has been difficult to manage, with the limited personnel and financial resources, and that the Town will need to consider how it wishes to proceed with the Sculpture Walk in the future. She did however make the following recommendations:

1. That the Mary Winspear Centre work with other arts and cultural groups;
2. That the Sidney Museum refurbish the historical plaques;
3. That the Shaw Centre for the Salish Sea develop, in collaboration with the Friends of Shoal Harbour, wildlife plaques for the waterfront; and
4. That the SBIA promote and market the full range of Sidney’s cultural assets.

4. ADMINISTRATION & FINANCE

5. PARKS & INFRASTRUCTURE

6. PROTECTIVE SERVICES

7. DEVELOPMENT & PLANNING

a. Official Community Plan Amendment No. OP100034; Zoning Amendment Application No. RZ100100; Development Permit Application No. DP100757; and Development Variance Permit Application No. DVP100262 (2325 Harbour Road)

(To amend the OCP designation from Neighborhood Residential (RES-1) to Multi-Family Residential (RES-3) and Zoning designation from Single-Family Low Density Residential (R1) to Multi-Family Low Density Residential (RM5) and to relax front, rear and side exterior setback requirements and to waive the adaptable dwelling unit requirement in order to construct a two storey, 3-unit multi-family townhouse development).

i. Presentation from Applicant

Jeff Causton, Designer, presented the development proposal for 3 townhouses at the corner of Harbour Road and Bowden Road, highlighting on the following:

- removal of existing single-family dwelling;
- construction of 3, two-storey townhouses (approx.. 1,600 sq. ft.);
- upper floor steps back from lower floor;
- west coast contemporary design; and
- new landscaping with outdoor living spaces.

Mr. Causton advised that in order to create a liveable floor plan variances are being requested to relax the front, rear and side setbacks, as well as waiving the requirement for an adaptable unit.

Councillor P. Wainwright stated the area is home to the great blue heron and that there are federal and provincial prohibitions against the disturbance and destruction of nests of these migratory birds.

ii. **Public Participation Period (*maximum 10 minutes*)**

1. **K. Bartesko, President of Strata at 2341 Harbour Road** - advised of the root heaving damage on their property from the trees along the east side of the property and stated that the Strata would support the development and the variance if the developer pays for 50% of the costs to deal with trees; and advised that noise does not bother the great blue herons, but rather it is the eagles.
2. **I. Tanner, 10456 Allbay Road** - opposed to the proposal as it will directly affect the use of their backyard, privacy and lifestyle and stated the following: 3 units is too big and is only to maximize profits; it is a drastic change to the OCP; the proposed parking would not nearly be sufficient; the owners have not made any effort to maintain the property in over 15 years; and that the proposal disregards the community plan and the neighborhood.
3. **S. Reid, Miraloma** - stated was no opposed to the look and feel of the proposed development, however stated it is oversized and expressed concerns regarding insufficient parking.
4. **S. Garnett, 9583 Christine Place** – noted the displacement of tenants and the request to waive the adaptable unit requirement, particularly in light of this evening’s presentation on accessibility awareness.

Moved by Councillor P. Wainwright, seconded by Councillor T. Chad, that the Committee recommend to Council that staff and the Advisory Planning Commission consider the following:

1. *that demolition and construction activities not commence until after the current nesting cycle (January 15th to September 15th) is complete;*
2. *that a construction management plan be provided with emphasis on completing the shell of the eastern townhome as practical before January 15th so as to provide a noise barrier between construction activities and the nesting area, and ensuring that activities which create significant noise occur to the extent practical at the western end of the parcel;*
3. *that protection of trees along the eastern property line be specifically addressed in a construction management plan; and*
4. *that variances to setbacks be provided to allow the development to be sited farther away from the eastern property line.*

MOTION CARRIED UNANIMOUSLY

Moved by Councillor P. Wainwright, seconded by Councillor C. McLennan, that the Committee recommend to Council that Official Community Plan Amendment Application No. OP100034, Zoning Amendment Application No. RZ100100, Development Variance Permit Application No. DV100262 and Development Permit Application No. DP100757 (2325 Harbour Road - to permit the construction of a 2 storey residential development with 3 multi-family dwelling units) be forwarded to the Advisory Planning Commission for review and comment.

MOTION CARRIED UNANIMOUSLY

b. **Development Permit Application No. DP100739 and Development Variance Permit Application No. DV100252 (2313 Oakville Avenue)**

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

Bhupinder Singh, Designer, advised of the proposal to subdivide the property into two lots and construct a single-family dwelling on each lot. He advised that the design includes a master bedroom on the main floor and therefore is requesting a variance to increase the lot coverage. Mr. Singh also advised that a variance is being requested to relax the side interior setback in order to allow the garages to be directly adjacent to one another, with no setback.

It was noted that the Development Review Committee identified a number of issues regarding the proposal.

Moved by Councillor B. Fallot, seconded by Councillor P. Wainwright, that the Committee recommend to Council that Development Permit Application No. DP100739 (2313 Oakville Avenue - to permit the development of two small-lot single-family residential dwellings) and Development Variance Permit Application No. DV100252, (to relax the maximum allowable lot coverage and side interior setbacks) be redesigned by the applicant and presented to Committee of the Whole once the following elements have been submitted by the applicant:

1. *A revised streetscape elevation drawing, drawn to scale;*
2. *Revised elevation drawings that address Intensive Single Family Residential Design Guideline No. 19.3.26 (side elevations) and 19.3.46 (hard surface materials);*
3. *Revised section drawings that show the proposed buildings;*
4. *A report from a certified Consulting Arborist report outlining the perceived impacts of the proposed retaining walls, raised grade, and service connections on Town-owned boulevard trees on Oakville Avenue and any adjacent trees on neighbouring properties; and*
5. *A detail drawing, completed by a Professional Engineer, of the proposed transition slope between the laneway and driveway.*

MOTION CARRIED UNANIMOUSLY

c. Development Permit Application No. DP100759 and Development Variance Permit Application No. DV100263 (2450 Ocean Avenue)

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

Tara Cumming, Designer, presented the proposal to subdivide the property into two lots and to construct a single-family dwelling on each lot. She advised the property is currently vacant and that the lot will require professional engineering to address the ground floor elevation. She noted that the main living area is on the upper floor, in order to take advantage of the ocean view, with the lower level providing for extra storage and bedrooms. Ms. Cumming advised that a variance is being requested to increase the lot coverage, as well as a relaxation of the side interior setback in order to allow the garages to be directly adjacent to one another, with no setback. She noted the noted the scale and massing fits in well with the neighborhood.

It was suggested that the front porch of the dwelling to the east be moved to the other side in order to take advantage of the view.

Moved by Councillor C. McLennan, seconded by Councillor B. Fallot, that the Committee recommend to Council that Development Permit Application No. DP100759 (to permit the development of two small-lot single-family residential dwellings) and Development Variance Permit Application No. DV100263, (2450 Ocean Avenue - to relax the maximum allowable lot coverage on the first storey, and side interior setbacks) be forwarded to the Advisory Planning Commission for further review and comment, subject to the following condition:

1. *That prior to proceeding to the Advisory Planning Commission, the applicant consult a qualified Professional Engineer and submit the following:*
 - a. *A detailed report establishing an appropriate flood construction level for this property;*
 - b. *A detailed turning template example shown on the site plan; and*
 - c. *Updated drawings, if required, to address the changes necessary to meet the recommended floor construction level, common wall construction, and turning templates.*

MOTION CARRIED UNANIMOUSLY

- 8. **OTHER BUSINESS**
- 9. **NEW BUSINESS**
- 10. **MOTION TO GO "IN-CAMERA" (closed meeting) - Not required.**
- 11. **ADJOURNMENT**

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

MOTION CARRIED UNANIMOUSLY

CHAIR

CORPORATE OFFICER