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**TOWN OF SIDNEY**

**MINUTES OF REGULAR COUNCIL MEETING**  
**Tuesday, October 9, 2018**  
**Council Chambers**  
**7:00 p.m.**

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**PRESENT:** Mayor S. Price  
Councillors: T. Chad, B. Fallot, M. Lougher-Goodey, C. McLennan and P. Wainwright

**ABSENT:** Councillor E. Bremner-Mitchell

**Staff:** R. Humble, Chief Administrative Officer  
T. Tanton, Director of Development Services, Engineering, Parks & Works  
C. Newcomb, Acting 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. **B. Losie, 10051 Third Street** – acknowledge the efforts and dedication of this Council over the past 4 years and expressed best wishes to the two long-term retiring members - Councillor T. Chad and Councillor M. Lougher-Goodey.
2. **B. Collins, 2028 Wesbrook Drive** - advised of the upcoming Sidney Summit on November 10<sup>th</sup> at the Mary Winspear Centre, an event bringing various stakeholder and organizations together for a collective conversation on habitat and the environment and how to improve natural spaces in our community and raise awareness to save our planet.

Public Participation Period closed at 7:05 p.m.

**B. PRESENTATION**

- i. **Request for Filming - “Christmas Bells are Ringing”**

*(see Staff Report – item 11a)*

Paul Raymond & Terry Hayes, Christmas Bells Productions Ltd./ Front Street Productions, advised of their plans to film a Hallmark film called “Christmas Bells are Ringing” in Sidney on Beacon Avenue and at Beacon Park. Mr. Raymond requested Council to consider relaxing the Town’s Noise Bylaw for five nights during filming. Mr. Hayes noted that the affected businesses have been contacted and that all responses have been positive, and hopes that the Town is able to work with them.

**2. APPROVAL OF AGENDA**

2018.33.499 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that the agenda be approved as presented.

**MOTION CARRIED UNANIMOUSLY**

**3. ADOPTION OF MINUTES**

**a. Regular Council Meeting – September 24, 2018**

2018.33.500 Moved by Councillor P. Wainwright, seconded by Councillor C. McLennan, that Minutes of the Regular Council Meeting of September 24, 2018, be adopted as presented.

**MOTION CARRIED UNANIMOUSLY**

**4. BUSINESS NOT COMPLETED AT A PREVIOUS REGULAR MEETING**

**5. BUSINESS ARISING FROM MINUTES**

**a. Council In-Camera Meeting – September 24, 2018**

**i. Appointment - Economic Development Commission**

**Resolution:** that Richard Flader be appointed to the Economic Development Commission as the alternate representative for the Saanich Peninsula Chamber of Commerce until December 2018.

**6. DELEGATIONS**

**7. PETITIONS**

**8. MAYOR'S REPORT**

Mayor S. Price thanked this Council for their dedication and hard work over the past 4 years and for making many very important decisions, none more so than voting to build a new Community Safety Building (CSB), noting citizens' safety is of Council's primary concern, and provided further details regarding the timing, costs and funding for the project. Noting the upcoming election, Mayor S. Price encouraged electors to consider the future of the Town and elect those individuals for Council that can make the right decisions for the community.

**9. COUNCILLORS' REPORTS**

**a. Councillor B. Falot** – thanked the residents and citizens who came out and took part in democracy in your Town and for allowing her the honour of serving the community over the past 4 years.

**10. COMMITTEE REPORTS**

**a. Advisory Planning Commission – October 2, 2018**

2018.33.501 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Minutes of the Advisory Planning Commission Meeting of October 2, 2018, be received for information.

**MOTION CARRIED UNANIMOUSLY**

Minutes contain recommendation(s) regarding:

**R.1 Development Permit Application No. DP100773 (9989 & 9991 Fifth Street)**

(To construct a 4-storey, 19-unit multi-family building with underground parking).

2018.33.502 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Falot, that Development Permit Application No. DP100773 for 9989 & 9991 Fifth Street (to regulate the form and character of a 19-unit multi-family residential building) be approved, provided the property owner shall, prior to the issuance of Building Permit, meet the following conditions:

1. Address Design Guidelines No. 20.3.23 (hard-surfaced driveway materials/design) and No. 20.3.31 (hard landscaping elements: fence/retaining wall height and pergola design) to the satisfaction of the Director of Development Services, Engineering, Parks and Works;

2. Install tree protection fencing to the satisfaction of the Director of Development Services, Engineering, Parks and Works. Fencing must be kept 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;
3. Adhere to the Tree Preservation Plan for the development, including all recommended measures to protect the Cherry and Douglas Fir trees;
4. Pay to the Town a deposit of \$2,000 for the costs associated with removing the two protected trees located at 9975 Fifth Street, were said trees to die or suffer significant damage during construction. The deposit will be held by the Town for two years following occupancy of the building to ensure the survival of the protected trees;
5. Pay to the Town a deposit of \$3,000 for four (4) potential replacement trees, to be held by the Town for two years following occupancy of the building to ensure the survival of the protected trees located at 9975 Fifth Street;
6. 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
7. 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.

**MOTION CARRIED UNANIMOUSLY**

**b. Economic Development Commission – August 9, 2018**

2018.33.503 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that Minutes of the Economic Development Commission Meeting of August 9, 2018, be received for information.

**MOTION CARRIED UNANIMOUSLY**

**c. Economic Development Commission – October 4, 2018**

2018.33.504 Moved by Councillor C. McLennan, seconded by Councillor M. Lougher-Goodey, that Minutes of the Special Economic Development Commission Meeting of October 4, 2018, be received for information.

**MOTION CARRIED UNANIMOUSLY**

Minutes contain recommendation(s) regarding:

**R.1 Sidney BIA Pilot Project Process - Budget & Timeline**

2018.33.505 Moved by Councillor C. McLennan, seconded by Councillor T. Chad, that the Sidney BIA Pilot Project Process, Budget & Timeline proposal be approved as presented.

**OPPOSED: Councillors: B. Fallot & P. Wainwright**

**MOTION CARRIED 4:2**

**11. STAFF REPORTS**

**a. Filming - "Christmas Bells are Ringing"**

2018.33.506 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that Christmas Bells Productions Ltd. (CBPL) be granted the approval to film in Sidney on October 11<sup>th</sup> and 16<sup>th</sup> to 19<sup>th</sup>, 2018, subject to the following conditions:

1. That CBPL provide the Town with proof of \$3,000,000 liability insurance naming the third party insured as the Town of Sidney;
2. That CBPL provide the Town with a \$10,000 damage deposit for any clean-up work required by the Town once the filming is complete;
3. That CBPL be permitted to temporarily delay traffic for up to two minutes on Beacon Avenue with certified traffic controllers;

4. That CBPL hand deliver notices immediately to the adjacent businesses and residents advising of the filming and that CBPL work with the businesses to minimize the filming impacts as much as possible;
5. That CBPL provide adequate signage on Beacon Avenue at both Third Street and Second Street indicating that all the businesses within the block area are open for business;
6. That CBPL be approved for a relaxation of the Noise Bylaw until 12am midnight for October 11<sup>th</sup> and 16<sup>th</sup> to 19<sup>th</sup> with regards to filming in Beacon Park and on Beacon Avenue; and
7. That no costs are to be incurred by the Town in relation to this event.

**MOTION CARRIED UNANIMOUSLY**

**b. Subdivision Application No. SA100198 – Waiver of Frontage Requirement (2360 Beacon Avenue)**

- 2018.33.507 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that Section 4.1 of Subdivision and Development Bylaw No. 1390 (that no parcel of land has less than 10% of its perimeter fronting on a street) be waived for proposed Lot 2 of the subdivision of 2360 Beacon Avenue.

**MOTION CARRIED UNANIMOUSLY**

**c. Bylaw Enforcement Officer Position - Proposed Changes**

- 2018.33.508 Moved by Councillor M. Lougher-Goodey, seconded by Councillor T. Chad, that the conversion of the Part-Time Senior Bylaw Enforcement Officer to Full-Time Bylaw Enforcement Officer, along with the necessary increase in funding, be approved.

**MOTION CARRIED UNANIMOUSLY**

**12. OTHER REPORTS**

**13. CORRESPONDENCE**

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

**a. Bylaw No. 2151 – 2018 Tax Rate**

- 2018.33.509 Moved by Councillor M. Lougher-Goodey, seconded by Councillor C. McLennan, that Bylaw No. 2151 – 2018 Tax Rate be adopted.

**MOTION CARRIED UNANIMOUSLY**

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

(To allow the construction of 2 single-family dwellings, each with a secondary suite).

*Note: Application amended, no variances are being requested.*

- 2018.33.510 Moved by Councillor M. Lougher-Goodey, seconded by Councillor B. Fallot, that that Development Permit Application No. DP100739 (2313 Oakville Avenue - to allow the construction of 2 single-family dwellings, each with a secondary suite) be approved, subject to the conditions as per Council Resolution No. 2018.31.472.

**MOTION CARRIED UNANIMOUSLY**

**15. NEW BUSINESS**

**16. CORRESPONDENCE FOR INFORMATION**

- 2018.33.511 Moved by Councillor B. Fallot, seconded by Councillor C. McLennan, that the following correspondence be received for information:

1. Email from J. Novackova, Patricia Place, regarding the Ardwell Sanitary Sewer Replacement Project, dated August 9, 2018. Reply dated September 25, 2018.

2. Email from Saanich Peninsula Literacy, providing a copy of the 2018 Program Report for their Open Air Library program, dated September 19, 2018.
3. Email from J. Quinn, Second Street, regarding the parkway garden, dated September 21, 2018. Reply dated September 25, 2018.
4. Letter from the Victoria Residential Builders Association, regarding the Step Code and Radon, dated September 21, 2018.
5. Letter from C. Robertson, regarding installation of the new rainbow crosswalk, dated September 27, 2018.
6. Proclamation: Waste Reduction Week – October 15 – 21, 2018.

**MOTION CARRIED UNANIMOUSLY**

#### **17. NOTICES OF MOTION**

At this time, Mayor S. Price provided an opportunity for our two long-term retiring Councillors to say a few departing words.

- a. **Councillor M. Lougher-Goodey** (10 years of service) – stated it has been a highlight serving 10 years on Council; noted the importance of the friendship with fellow politicians as they understand the pressures and the difficulties in making tough decisions; thanked the CAO and other Town staff for their service; noted he served two Mayors and appreciated their trust in appointments to various Committees; and thanked his wife, Connie, for all her support.
- b. **Councillor T. Chad** (22 years of service) - advised of his first term on Council in 1988 and continuing terms serving four Mayors and noted the change of Council's term from 3 to 4 years as a positive change; advised he decided not to run as he didn't feel his age would allow him to serve in full capacity; noted the many changes in Town since arriving in 1973 - from a population of 4,000 to now almost 12,000 and the many new amenities and facilities in the community - Sidney has not stood still and is in the forefront of progress; stated his 22 years on Council and on many Committees has been gratifying and thanked everyone who voted for him; and, lastly, stated the importance of municipal government as it is the closest thing we can be to participation in democracy.

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

#### **19. ADJOURNMENT**

2018.33.512 Moved by Councillor C. McLennan, seconded by Councillor B. Fallot that the meeting be adjourned at 7:45 p.m.

**MOTION CARRIED UNANIMOUSLY**

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MAYOR

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CORPORATE OFFICER