



TOWN OF SIDNEY

MINUTES OF REGULAR COUNCIL MEETING

Monday, April 8, 2019

Council Chambers

7:00 p.m.

PRESENT: Mayor C. McNeil-Smith
Councillors: S. Duncan, B. Fallot, S. Garnett, T. O'Keeffe, C. Rintoul and P. Wainwright

Staff: R. Humble, Chief Administrative Officer
A. Hicik, Director of Corporate Services
M. van der Linden, Acting Director of Engineering
A. Verhagen, Senior Manager of Current Planning
B. Robinson, Manager of Public Works & Parks
S. Nelson, Corporate Officer

1. CALL TO ORDER / PUBLIC PARTICIPATION PERIOD (maximum 20 minutes) / INTRODUCTIONS / PRESENTATIONS / PUBLIC HEARINGS

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

A. PUBLIC PARTICIPATION PERIOD

1. **S. Simosko, President of SBIA** - thanked Council for taking into consideration other businesses concerns regarding Island Treats' mobile vending request; explained that the purpose of the Start Up in Sidney campaign (an initiative from the Economic Development Pilot Project) was not about attracting mobile businesses or food trucks, but rather about attracting permanent businesses into the downtown core and filling up vacancies; and advised that a final report would be forthcoming respecting all of the initiatives under the Pilot Project.

Public Participation Period closed at 7:03 p.m.

2. APPROVAL OF AGENDA

2019.18.191 Moved by Councillor S. Duncan, seconded by Councillor B. Fallot, that the agenda be approved with the amendment that item 16.6 be moved to item 15 – New Business.

MOTION CARRIED UNANIMOUSLY

3. ADOPTION OF MINUTES

a. Regular Council Meeting – March 25, 2019

2019.18.192 Moved by Councillor T. O'Keeffe, seconded by Councillor S. Garnett, that Minutes of the Regular Council Meeting of March 25, 2019, be adopted as presented.

MOTION CARRIED UNANIMOUSLY

4. BUSINESS NOT COMPLETED AT A PREVIOUS REGULAR MEETING

5. BUSINESS ARISING FROM MINUTES (for information only)

6. DELEGATIONS

7. PETITIONS

8. MAYOR'S REPORT

Mayor C. McNeil-Smith advised the Town received notification from Transport Canada that the Reay Creek Pond Remediation Project will not proceed this year, as there is insufficient time to complete all of the necessary preparatory work prior to DFO's work window of June 15, 2019. He

advised Transport Canada is not able to confirm when the project will proceed, but have advised that their goal is to complete the project in the summer / fall of 2020. The Mayor noted that this does, however, allow sufficient time for the Town to proceed this fall with community engagement regarding whether or not the existing dam structure should be retained, as well as determining what additional park improvements might be deemed desirable by residents.

9. COUNCILLORS' REPORTS

- a. **Councillor S. Duncan** - advised of her attendance at the CRD Inter-Municipal Taskforce Meeting – regarding initiatives under the CRD's Regional Climate Action Plan; advised of BC Hydro's rebate program available to the public for converting to electric heat pumps (up to \$3,000); advised of Central Saanich's implementation of the BC Step Code, starting at Step3; and receipt of a presentation from Clean BC outlining the Province's new plan to lower emissions (BC Climate Leadership Plan).
- b. **Councillor S. Garnett** - advised of his attendance at the Sidney/North Saanich RCMP Community Consultative Committee – stressing, once again, the importance of locking up your vehicles, and advised of the upcoming Crime Prevention Open House being held on June 30 at the Mary Winspear Center. He stated that if anyone has any safety concerns in their neighborhood to contact him and he would pass it along to the RCMP.
- c. **Councillor T. O'Keeffe** – advised of her attendance at the following meetings: 1. MPS Board - looking forward to meeting with the Town to discuss some of the concerns expressed by Council regarding the use of the employee parking lot; 2. Peninsula Celebrations Society – looking to boost their brand and establishing a higher profile in the community and noted their Opportunity Fund has been able to assist with funding other events in Sidney; 3. Metis Reconciliation Workshop (hosted by Holy Trinity Anglican Church) – noted the steps the Church is making on reconciliation (bringing groups together and to become more educated on the topic) and advised of a video called "Doctrine of Stolen Lands, Strong Hearts" which provides first hand stories of Indigenous people and the negative impacts of colonial practices; and 4. VAA Noise Committee – advised noise complaints decreased in 2018 due to the decommissioning of the Sea Kings, but that it is expected to increase once the new Cyclone helicopters are in operation.

10. COMMITTEE REPORTS

a. **Select Committee to Review the EDC – March 7 & March 14, 2019**

2019.18.193 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Minutes of the Select Committee to Review the EDC Meetings of March 7 and March 14, 2019, be received for information.

MOTION CARRIED UNANIMOUSLY

b. **Committee of the Whole – April 1, 2019**

2019.18.194 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that Minutes of the Committee of the Whole Meeting of April 1, 2019, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 Concept Plans for Resthaven, Rathdown & Brethour Parks

2019.18.195 Moved by Councillor B. Fallot, seconded by Councillor P. Wainwright:

- 1. That the Rathdown, Resthaven and Brethour Park Concept Plans report by Barefoot Consulting, dated April 1, 2019, be received; and
- 2. That staff analyze potential action items from the concept plans and bring forward potential projects for consideration as part of annual fall strategic planning and subsequent budget processes.

MOTION CARRIED UNANIMOUSLY

- R.2 Development at Fire Hall/Parking Lot Lands – Request to Consider Affordable Housing Proposal (9837 Third Street, 2477 Sidney Avenue & 9821 Third Street)**
- 2019.18.196 Moved by Councillor B. Fallot, seconded by Councillor P. Wainwright, that Council support, in- principle, the affordable rental housing as a component of the project.
MOTION CARRIED UNANIMOUSLY
- 2019.18.197 **R.3** Moved by Councillor B. Fallot, seconded by Councillor T. O’Keeffe, that the developer confirm in writing that the affordable rental housing proposal in no way impacts the timing of the August 1, 2019 closing date as noted in the Contract of Purchase and Sale.
MOTION CARRIED UNANIMOUSLY
- 2019.18.198 **R.4** Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that prior to consideration of the requests for Town support (10-year tax exemption for the residential component and waiving of all remaining development related fees), the developer provide staff with a detailed development pro-forma that includes the potential CMHC financing component and 10-year rental term and provide details of the criteria for eligibility for the non-market rental units and details of who would be overseeing the eligibility of applicants.
MOTION CARRIED UNANIMOUSLY
- 2019.18.199 **R.5** Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that once staff have received sufficient detailed information from the developer, they report back to Council with recommendations regarding the developer’s request for Town support.
MOTION CARRIED UNANIMOUSLY
- R.6 Development Variance Permit Application No. DV100281 (2344 Orchard Ave)**
(To increase lot coverage and reduce interior side setback to retroactively legalize accessory structure).
- 2019.18.200 Moved by Councillor B. Fallot, seconded by Councillor T. O’Keeffe, that Development Variance Permit No. DV100281 (2344 Orchard Avenue - to increase the maximum allowable lot coverage and reduced accessory building setback) be denied.
MOTION CARRIED UNANIMOUSLY
- R.7 Sign Proposal for ArtSea Gallery - Development Variance Permit Application No. DV100271 (Tulista Park)**
(To install new signage and request a variance to allow for a non-permitted sign type to be installed).
- 2019.18.201 Moved by Councillor B. Fallot, seconded by Councillor T. O’Keeffe, that the sign proposal for the ArtSea Gallery at Tulista Park (9565 Fifth Street) be referred back to staff for further review.
MOTION CARRIED UNANIMOUSLY

11. STAFF REPORTS

a. Sidney SBIA Merchants Sidewalk Sale

- 2019.18.202 Moved by Councillor C. Rintoul, seconded by Councillor B. Fallot, that the Sidney Business Improvement Area Society (SBIA) be granted permission to close the following downtown streets on June 30, 2019 from 7:00 a.m. to 6:00 p.m. for the Merchants Sidewalk Sale:
1. Beacon Avenue from Fifth Street to the west side of the First Street roundabout;
 2. Beacon Avenue from the east side of the First Street roundabout to the Beacon Wharf;

3. Fourth Street from Beacon Avenue north to the first driveway access (approx. midblock);
4. Third Street from 9813 south to and including 9787;
5. Second Street from Beacon Avenue to 9781 Second Street; and that in addition to the above street closures, the SBIA is also required to complete to the following items:
 - a. Provide proof of \$5,000,000 liability insurance naming the third party insured as the Town of Sidney for this event;
 - b. That the SBIA conform to all Town Bylaws;
 - c. That the SBIA arrange a meeting with Town staff, the Fire Department and the RCMP to review safety/traffic requirements (at least 4 weeks prior to the event);
 - d. That the SBIA send out notices (at least 4 weeks prior to the event) to affected residents/businesses advising of the event on June 30 and provide a contact number should there be any concerns/questions;
 - e. That the SBIA acquire the necessary event license from the BC Liquor Control Board for the proposed beer garden and provide all necessary security; and
 - f. That no costs are to be incurred by the Town in relation to this event.

MOTION CARRIED UNANIMOUSLY

b. Dinner en Rouge – Beacon Park

2019.18.203 Moved by Councillor S. Garnett, seconded by Councillor S. Duncan, that the following be approved:

1. The closure of Beacon Avenue from the easterly roundabout to the wharf from 11am to 11pm on June 29th;
2. That alcohol be permitted to be served in Beacon Park for the Dinner en Rouge on June 29th;

subject to the following conditions:

- a. That the event organizers hold a meeting with Emergency Services and the Town's Public Works to coordinate at least 4 weeks prior to the event;
- b. That the businesses on the Beacon Wharf be given 30 days advance notice of the road closure;
- c. That the event organizers provide the Town with \$5,000,000 proof of liability insurance coverage that also names the Town as an additional insured;
- d. That the organizers acquire a Special Occasion Liquor License for the consumption of wine in Beacon Park; and
- e. That no costs are to be incurred by the Town.

MOTION CARRIED UNANIMOUSLY

12. OTHER REPORTS

13. CORRESPONDENCE

a. Technology Renewal Update

2019.18.204 Moved by Councillor C. Rintoul, seconded by Councillor B. Fallot, that the letter from CREST, dated March 26, 2019, providing an update on their technology renewal project, be received for information.

MOTION CARRIED UNANIMOUSLY

b. Report on the Green Team Event in Sidney

2019.18.205 Moved by Councillor S. Duncan, seconded by Councillor B. Fallot, that the email from Greater Victoria Green Team, dated April 2, 2019, providing a report on the Green Team eco-restoration project on March 31, 2019, at Robert's Bay Park, be received for information.

MOTION CARRIED UNANIMOUSLY

14. BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION

a. Bylaw No. 2172 – Financial Plan 2019-2023

2019.18.206 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Bylaw No. 2172 – Financial Plan 2019-2023 be introduced and given first reading.

MOTION CARRIED UNANIMOUSLY

2019.18.207 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Bylaw No. 2172 – Financial Plan 2019-2023 be given second reading.

MOTION CARRIED UNANIMOUSLY

2019.18.208 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Bylaw No. 2172 – Financial Plan 2019-2023 be given third reading.

MOTION CARRIED UNANIMOUSLY

b. Development Variance Permit Application No. DV100275 (2396 Amelia Avenue)

(To allow for a new roof and decorative columns to be constructed on an existing legal non-conforming portion of a residence which projects into the front yard setback area).

Written Submission(s):

1. Email from C. & M. Lougher-Goodey, dated March 28, 2019.
2. Letter from A. Taylor, dated April 2, 2019.
3. Letter from M. Marchenski, dated April 8, 2018.
4. Letter from A. & D. Campbell, dated April 8, 2018.
5. Letter from M. & S. Donais, dated April 8, 2019.
6. Letter from S. Helgason, dated April 8, 2019.
7. Letter from J. Rooke, dated April 8, 2019.
8. Letter from K. & H. Crossfield, dated April 8, 2019.
9. Letters (2) from G. Pearson, dated April 8, 2019.
10. Letter from P. & C. Gistt, dated April 8, 2019.
11. Letter from M. & L. Maher, dated April 8, 2019.

2019.18.209 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that Development Variance Permit Application No. DV100275 (2396 Amelia Avenue - to allow for a new roof and decorative columns to be constructed on an existing legal non-conforming portion of a residence which projects into the front yard setback area) be approved, subject to conditions as per Council Resolution No. 2019.17.170.

MOTION CARRIED UNANIMOUSLY

15. NEW BUSINESS

With respect to item 16.6, Councillor S. Duncan suggested that the Town consider joining the Local Government Survivor Climate Challenge, a challenge put out by the District of Highlands to all of the AVICC Local Governments. She noted this involves each participating Council to measure their average "One-Planet Living" footprint (www.footprintcalculator.org) of the Council members prior to April 22, 2019 (Earth Day) and then take steps in their daily lives over the next year to reduce their average footprint and measure their average again prior to April 22, 2020.

Council members expressed interest in participating and that Administration staff would be able to provide assistance.

a. Conversion of Town's Light Duty Fleet to Electric Vehicles

(Notice of Motion from Councillor P. Wainwright – Council Meeting of March 25, 2019).

2019.18.210 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot:
WHEREAS on February 14, 2019 the CRD Board unanimously voted to declare a climate change emergency;

Sidney's OCP states:

- “14.4.1 The Town will endeavour to reduce greenhouse gas emissions from the community as a whole by 15% below 2007 levels by the year 2020; 30% below 2007 levels by the year 2030; and 80% below 2007 levels by the year 2050.
- 14.4.2 The Town will endeavour to reduce greenhouse gas emissions from its own corporate operations in an effort to reach and maintain a state of carbon neutrality.
- 14.4.3 The Town will work to achieve the reduction targets by implementing the policies and actions contained within the Town's Climate Action Plan.”

Sidney's 2010 Climate Action Plan established GHG reduction targets for corporate operations: 15% below 2009 by 2015 and 20% below 2009 by 2020 (2009 GHG emissions were 343 tCO₂e);

Sidney's 2010 Climate Action Plan estimated 221 tCO₂e emissions due to our fleet of vehicles out of 343 tCO₂e from corporate operations in 2009 (64.4%);

Sidney's 2010 Climate Action Plan (p. 17) advocates that the Town “Lead by Example (Town Operations)”;

In 2017 Sidney reported direct GHG emissions from corporate operations as 311.25 tCO₂e, a reduction of 9.25% (Sidney's corporate GHG emissions were reported as carbon neutral due to reductions and offsets from household organic waste composting);

There are now several Canadian and American manufacturers of EV pickup trucks, buses and medium duty trucks; and

Central Saanich has resolved to convert its light duty fleet of vehicles to electric in 2019, North Saanich currently has 3 EV vehicles in its fleet, while Sidney currently has only 1 EV vehicle in its fleet;

THEREFORE BE IT RESOLVED that staff investigate and report to council on the merits and options for accelerating the conversion of Sidney's light duty fleet to electric vehicles.

MOTION CARRIED UNANIMOUSLY

16. CORRESPONDENCE FOR INFORMATION

2019.18.211 Moved by Councillor B. Fallo, seconded by Councillor S. Garnett, that the following correspondence be received for information:

1. Letter from City of Vernon, requesting a letter of support to acknowledge February 1st as RCMP Appreciation Day in BC, dated February 28, 2019.
2. Letter from W. & D. Simpson, regarding litter and cigarette butts on the streets of Sidney, dated March 20, 2019. Reply dated April 1, 2019.
3. Email from L. Comer, regarding the Green Team stewardship project, dated March 20, 2019. Reply dated March 27, 2019.
4. Letter from City of Kitimat, requesting a letter of support to implement the “Graduated Licensing Program for Motorcycles”, dated March 25, 2019.
5. Email from City of Port Moody, requesting support for their resolution regarding “Greenhouse Gas Limits for New Buildings”, dated March 27, 2019.
6. Letter from District of Highlands, regarding Local Government Survivor Climate Challenge, dated February 26, 2019.
7. Letter from District of Metchosin, regarding the Regional Vegetation Management Strategy, dated March 27, 2019.
8. Email from C. Peters, providing public awareness to the issue of human trafficking in BC communities, dated April 1, 2019.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

18. MOTION TO GO "IN-CAMERA" (CLOSED MEETING) – not required.

19. ADJOURNMENT

2019.18.212 Moved by Councillor B. Fallot, seconded by Councillor C. Rintoul, that the meeting be adjourned at 7:55 p.m.

MOTION CARRIED UNANIMOUSLY

MAYOR

CORPORATE OFFICER