
TOWN OF SIDNEY
MINUTES OF COMMITTEE OF THE WHOLE MEETING
Monday, December 9, 2019
Council Chambers

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

Staff: R. Humble, Chief Administrative Officer
A. Hicik, Director of Corporate Services
J. Clary, Director of Engineering
B. Mikkelsen, Fire Chief
A. Verhagen, Senior Manager of Current Planning
C. Newcomb, Senior Manager of Long Range Planning
S. Nelson, Corporate Officer

1. CALL TO ORDER

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

2. TERRITORIAL ACKNOWLEDGEMENT

The Chair respectfully acknowledged that this evening's meeting is being held on the traditional territory of the WSÁNEĆ people.

3. APPROVAL OF AGENDA

Moved by Councillor S. Garnett, seconded by Councillor B. Fallot, that the agenda be approved as presented.

MOTION CARRIED UNANIMOUSLY

4. APPROVAL OF MINUTES

5. PRESENTATIONS

6. ADMINISTRATION & FINANCE

7. PARKS & INFRASTRUCTURE

a. Proposed Amendments to Right of Way Permit Fee

With the current level of development, staff are proposing an amendment to the Town's road right of way permit fees in order to limit the amount of public parking being impacted by construction. The fee will include \$25/day to work in municipal road allowances and \$15/day for occupation of each parking space taken away from public use.

Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the Committee recommend to Council that the staff report dated November 29, 2019, regarding a proposed right of way permit fee amendment, be received for information.

MOTION CARRIED UNANIMOUSLY

8. PROTECTIVE SERVICES

9. DEVELOPMENT & PLANNING

- a. **Official Community Plan Amendment Application No. OC100035, Zoning Amendment Application No. RZ100102, Development Permit Application No. DP100809 and Development Variance Permit Application No. DV100288 (2140 Skylark Lane)** (To allow the construction of a 3 storey, mixed use commercial/residential development with 2 live-work units and 10 multi-family residential dwelling units).

i. Presentation from Applicant

Robert Pringle, Senior Technologist at Joe Newell Architect Inc., presented the proposal for a 3-storey, mixed-use commercial/residential development, highlighting on the following:

- demolition of existing single family home
- construction of 3-storey purpose built rental building for workforce housing
- 12 units (2 live-work on ground floor)
- 12 parking spaces (5 partial covered by 2nd storey)
- storage units, bicycle parking and EV charging stations
- durable exterior materials (brick, sheet metal, etc.)
- east hedging to be retained, sunken front patios and intensive landscaping

He advised 3 variances are being requested - to reduce width of driveway aisle, reduce size of storage units for bicycle parking, and to reduce number of bicycle parking spaces.

Mr. Pringle noted that the West Side Local Area Plan (WSLAP) identifies a mixed-use village concept for the area, which includes a mix of light industrial, hi-tech, etc. uses and higher residential density. He also noted that the recent Housing Needs Assessment identified that the greatest need in Sidney is rental units at different affordability levels.

Mr. Pringle advised an Open House was held for area residents and the following concerns were raised: 1. insufficient parking and increased traffic; 2. not the appropriate placement for a 3-storey building in the neighborhood; and 3. possible use as short-term rentals units. He noted that the development is aimed to provide housing for the local workforce and thereby reducing the need for vehicles; the WSLAP includes 3-storey, mixed-used buildings in this industrial zoned area; and that an agreement would be established to not allow for future stratification of the units or use as short term rentals.

Committee members had several questions regarding rental rates, parking and traffic, accessibility, storage facilities, the WSLAP, etc.

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

1. **J. Stewart, 2134 Skylark Lane** – expressed concerns regarding loss of privacy, particularly with respect to the parking lot, and due to the serious contradiction to the OCP and WSLAP, which states all redevelopment must happen from north to south; and stated that the new Council promised a reasonable approach to development and requested Council to reject this proposal until something suitable comes forward.
2. **S. Howarth, 2162 Jahn Place** - questioned what impact increased density would have on the sewer and water systems; advised notification of the Open House was provide in short notice and had an address for a property in Victoria; and requested that Council decline the proposal.
3. **K. Hayes, 2127 James White Boulevard West** – expressed concerns regarding privacy, particularly from a child's safety perspective, and that the neighboring properties would be in shade about half of the year.

4. **M. Scharf, 2117 Skylark Lane** – stated there are too many units and not enough storage space, and expresses concern regarding the WSLAP and potential for other properties to presented similar proposals.
5. **M. Hunter, 2141 Skylark Lane** – expressed concerns regarding privacy, transient housing, increased traffic, etc., and stated is not against densification, but redevelopment should occur from the outside in, not placed in the middle of a neighborhood.
6. **J. Pelton, 2116 James White Boulevard West** – stated understands densification is going to happen, however noted it is supposed to occur north to south and from the outside in.

Written Submission(s):

1. Email from C. Getty, dated November 25, 2019
2. Email from M. & M. Hunter, dated November 27, 2019.
3. Letter from B. & L. Derrien, received November 26, 2019.
4. Letter from J. Juricic, S.P. Chamber of Commerce, dated November 18, 2019.
5. Letter from K. Nikolaisen, received November 27, 2019.
6. Letter from K. Day, Calibre Doors & Millwork, received November 27, 2019.
7. Letter from K. McCune, received November 27, 2019.
8. Email from J. & J. Stewart, dated December 1, 2019.
9. Letter from Peden RV, dated November 25, 2019.
10. Email from R. Richardson, RPR Consulting, dated December 4, 2019.
11. Letter from Scotty Manufacturing, dated December 2, 2019.
12. Email from S. Howarth, dated December 5, 2019.
13. Email from C. Patterson & K. Hayes, dated December 9, 2019.
14. Email from A. Banks, dated December 7, 2019.
15. Email from G. Randall, dated December 8, 2019.

Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the Committee recommend to Council that Official Community Plan Amendment Application No. OP100035, Zoning Amendment Application No. RZ100102, Development Variance Permit No. DV100288 and Development Permit Application No. DP100809 (2140 Skylark Lane - to reduce the width of a 2-way drive-aisle and to change/reduce the requirements for class I and II bicycle parking in order to permit the construction of a 3 storey mixed use commercial/residential development containing 2 live-work units and 10 multi-family residential apartment dwellings) be denied.

**OPPOSED: Councillors: S. Duncan, B. Falloot & P. Wainwright
MOTION CARRIED 4:3**

b. Tenant Assistance Policy

With increased redevelopment and many displaced tenants finding it difficult to find suitable replacement rental units, staff were directed to bring forward a tenant assistance policy for Council's consideration. While the proposed policy would require developers to provide a financial compensation package and relocation assistance to affected tenants, it would only potentially affect 11 active purpose built rental buildings in Sidney and only if the redevelopment requires a zoning amendment, as per provincial legislation.

Moved by Councillor S. Duncan, seconded by Councillor S. Garnett, that the Committee recommend to Council that the Tenant Assistance Policy DV-016 be adopted and that the policy be reviewed biennially to assess its performance and necessity.

MOTION CARRIED UNANIMOUSLY

c. Proposed Approach to the OCP Review

Mr. Corey Newcomb, Senior Manager of Long Range Planning, gave an overview of the proposed approach to the comprehensive Official Community Plan Review project, highlighting on the following:

1. **Work Plan and Public Engagement Strategy** - work with consultant to prepare a work plan and robust engagement strategy that will be used to guide in carrying out the project.
2. **Context and Background Research** - staff to prepare “whitepapers” to serve as context pieces, particularly regarding specific challenges Sidney is facing.
3. **Early Stage Legislative Requirements** - consideration of legislative requirements in the development and adoption process for the OCP, i.e. to consult with the public early and ongoing.
4. **Key Focus Areas** - to include additional focus areas (i.e. integration of Local Area Plans, housing affordability, climate action and adaptation, environmental preservation and enhancement, etc.).

Mr. Newcomb stated this is to be a two-year project, with the kick-off to begin in April / May 2020. He welcomed feedback on the general approach as well as any additional specific direction, and looks forward to moving forward with issuing an RFP in January to engage a consultant to assist with the review.

Members had questions regarding the projected timeline, the public engagement process, costs/funding for the project, etc. It was noted that more funding for the project would likely be required, particularly to undertake the robust public engagement process.

Moved by Councillor C. Rintoul, seconded by Councillor B. Fallot, that the Committee recommend to Council:

1. *That staff be directed to proceed with developing and issuing a Request for Proposals for consultant services to assist with a comprehensive review and update to Sidney’s Official Community Plan.*
2. *That Mayor and Council send letters following project kick-off to affected organizations advising them of the Town of Sidney’s intent to undertake a comprehensive review of the OCP and inviting them to provide early feedback as well as providing information on additional opportunities for consultation as the project progresses.*
3. *That a small working group comprised of the Mayor, Councillor P. Wainwright, the Chief Administrative Officer, and the Senior Manager of Long-Range Planning develop a Terms of Reference and establish the membership for an OCP Steering Committee and bring it forward to Council for their information.*

MOTION CARRIED UNANIMOUSLY

10. OTHER BUSINESS

11. NEW BUSINESS

12. MOTION TO GO “IN-CAMERA” (closed meeting) - Not required.

13. ADJOURNMENT

Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that the meeting be adjourned at 8:43 p.m.

MOTION CARRIED UNANIMOUSLY