



TOWN OF SIDNEY

MINUTES OF SPECIAL COUNCIL MEETING
Tuesday, February 19, 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
B. Mikkelsen, Fire Chief
C. Newcomb, Senior Manager of Planning
M. van der Linden, Acting Director of Engineering
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 7:13 p.m.

A. PUBLIC PARTICIPATION PERIOD

1. **K. Morgan, Saanich Peninsula Hospital & Healthcare Foundation** – referring to item 11d, advised that the date of event has changed and that the money raised (2018 = \$15,000) helps fund the youth clinic on the Peninsula and requested Council's continued support for the event.
2. **J. Blair, 2312 Henry Avenue** - referring to the proposed Raven's Co-Housing development on Brethour Avenue, expressed concerns regarding the displacement of tenants in the existing building and the continuing loss of affordable housing units in the community.

Public Participation Period closed at 7:20 p.m.

2. APPROVAL OF AGENDA

2019.11.058 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that the agenda be approved as presented.

MOTION CARRIED UNANIMOUSLY

3. ADOPTION OF MINUTES

a. Special Council Meeting – January 22, 2019

2019.11.059 Moved by Councillor P. Wainwright, seconded by Councillor C. Rintoul, that Minutes of the Special Council Meeting on January 22, 2019, be adopted as presented.

MOTION CARRIED UNANIMOUSLY

b. Regular Council Meeting – January 28, 2019

2019.11.060 Moved by Councillor S. Garnett, seconded by Councillor S. Duncan, that Minutes of the Regular Council Meeting on January 28, 2019, be adopted as presented.

MOTION CARRIED UNANIMOUSLY

c. Special Council Meeting – February 4, 2019

2019.11.061 Moved by Councillor T. O'Keeffe, seconded by Councillor S. Duncan, that Minutes of the Special Council Meeting on February 4, 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)

a. Council In-Camera Meeting – January 22, 2019

i. Update - Sale of Fire Hall & Adjacent Parking Lot

Resolution: *That the Memorandum of Understanding and Amendment No. 1 to the Contract of Purchase and Sale Agreement, between the Town and Fire Hall Developments Ltd., dated January 17 2019, be approved, subject to a request for the inclusion of "and purchase price" after the words "design concept" in paragraph three of the MOU, but regardless whether the insertion is agreeable that the MOU be approved.*

6. DELEGATIONS

7. PETITIONS

a. Traffic Concerns on Siddall Road

2019.11.062 Moved by Councillor P. Wainwright, seconded by Councillor S. Garnett, that the petition received from area residents, dated January 28, 2019, expressing traffic concerns on Siddall Road, be referred to staff for a report.

MOTION CARRIED UNANIMOUSLY

8. MAYOR'S REPORT

The Mayor expressed thanks to Town staff for their work during the recent snowfall event, noting there were some challenges (in this 1 in 10-20 year event) and that staff will be debriefing and reporting back to Council.

9. COUNCILLORS' REPORTS

Councillor P. Wainwright presented the Saanich Peninsula Stormwater Quality 2017 Annual Report and was pleased to report that there is only one high-level designated discharge area located in Sidney - Mermaid Creek (reduced from 6 in 2014). He advised that CRD staff continue to work with the Town to determine the source of the elevated materials.

10. COMMITTEE REPORTS

a. Emergency Planning Committee – January 23, 2019

2018.11.063 Moved by Councillor P. Wainwright, seconded by Councillor C. Rintoul, that the Minutes of the Emergency Planning Committee Meeting of January 23, 2019, be received for information.

MOTION CARRIED UNANIMOUSLY

b. Committee of the Whole – February 4, 2019

2018.11.064 Moved by Councillor P. Wainwright, seconded by Councillor S. Garnett, that the Minutes of the Committee of the Whole Meeting of February 4, 2019, be received for information.

MOTION CARRIED UNANIMOUSLY

11. STAFF REPORTS

a. Licence of Occupation – Entrance Feature (Beacon Avenue & Highway 17)

2019.11.065 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that the Licence of Occupation with the Airport Travelodge (0928818 BC Ltd.), for Town's use of the lands at the corner of Beacon Avenue and Highway 17 for a 2-year term (June 1, 2018 to May 31, 2020), be approved.

**OPPOSED: Councillor T. O'Keeffe
MOTION CARRIED 6:1**

b. Subdivision Application No. SA100195 – Parkland Dedication (10392 Allbay Road)

2019.11.066 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that cash in lieu of parkland dedication be required for Subdivision Application No. SA100195 (10392 Allbay Road).

MOTION CARRIED UNANIMOUSLY

c. Subdivision Application No. SA100196 – Waiver of Frontage Requirement (2097 Weiler Avenue West)

2019.11.067 Moved by Councillor C. Rintoul, seconded by Councillor T. O'Keeffe, 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 1 at 2097 Weiler Avenue West.

MOTION CARRIED UNANIMOUSLY

d. Bed Races on Beacon Avenue

2019.11.068 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that the Saanich Peninsula Hospital and Healthcare Foundation be granted permission to close Beacon Avenue, from Fifth Street to Third Street, between the hours of 9:00 am to 5:00 pm on Sunday, July 7, 2019, subject to the following conditions:

1. That SPHFF provide the Town with proof of \$5,000,000 liability insurance naming the Town of Sidney as a third party insured during the course of the events;
2. That SPHFF conform to all Town Bylaws;
3. That SPHFF arrange a meeting with Town staff, the Fire Department and the RCMP to review safety/traffic requirements at least 30 days prior to the event;
4. That SPHFF send out notices to affected residents/businesses advising of the event on July 7, 2019 and provide a contact number should there be any concerns/questions (at least 2 weeks prior to the event); and
5. That no costs are to be incurred by the Town in relation to this event.

MOTION CARRIED UNANIMOUSLY

e. Monthly Building Permit Report – January 2019

2019.11.069 Moved by Councillor T. O'Keeffe, seconded by Councillor S. Garnett, that the Monthly Building Permit Report for January 2019 be received for information.

MOTION CARRIED UNANIMOUSLY

12. OTHER REPORTS

13. CORRESPONDENCE

a. BC Speculation Tax and Health Payroll Tax

2019.11.070 Moved by Councillor T. O'Keeffe, seconded by Councillor B. Fallot, that the email from D. Butler, dated January 30, 2019, regarding the BC Speculation Tax and Health Payroll Tax, be received for information.

MOTION CARRIED UNANIMOUSLY

b. Rail & Bus Rapid Transit on the South Island

2019.11.071 Moved by Councillor P. Wainwright, seconded by Councillor S. Garnett, that the letter from City of Victoria, dated February 6, 2019 and the letter from the Office of the Premier, dated February 12, 2019, regarding rail and bus rapid transit on the South Island, be received for information.

MOTION CARRIED UNANIMOUSLY

14. BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION

a. Development Variance Permit Application No. DV100272 (2258 Markinch Place)
(To allow for a recently built over-height fence to remain along the rear lot line).

Written Submission(s):

1. Letter from L. & M. Inkster, Markinch Place, dated February 5, 2019.

2019.11.072 Moved by Councillor P. Wainwright, seconded by Councillor C. Rintoul, that Development Variance Permit Application No. DV100272 (2258 Markinch Place – to allow for a recently built over-height fence to remain along the rear lot line) be approved.

OPPOSED: Councillor B. Fallot
MOTION CARRIED 6:1

b. Development Variance Permit Application No. DV100278 (2348 Beacon Ave)
(To relax zoning requirements for the previously approved mixed-use building proposed for the property).
(No written submissions were received).

2019.11.073 Moved by Councillor C. Rintoul, seconded by Councillor P. Wainwright, that Development Variance Permit Application No. DV100278 (2348 Beacon Avenue - to relax zoning requirements for the previously approved mixed-use building proposed for the property) be approved.

OPPOSED: Councillors: B. Fallot & S. Garnett
MOTION CARRIED 5:2

15. NEW BUSINESS

16. CORRESPONDENCE FOR INFORMATION

2019.11.074 Moved by Councillor P. Wainwright, seconded by Councillor C. Rintoul, that the following correspondence be received for information:

1. Letter from Peace River Regional District, regarding caribou recovery update to UBCM resolution B116, dated November 29, 2019.
2. Letter from City of Victoria, requesting the Ministry of Health to increase funds for mental health and addition services throughout the province, dated January 16, 2019.
3. Email from Pacific Animal Foundation, regarding cat licensing, dated January 20, 2019.
4. Email from T. Banks, regarding provincial rental bylaw, dated January 19, 2019. Reply dated January 23, 2019.
5. Letter from Farmlands Trust (Greater Victoria) Society, regarding the preservation of farmland and protection of local and regional food security, dated January 21, 2019.
6. Email from BCSPCA, regarding results of their public poll on animal bylaws, dated January 23, 2019.
7. Email from J. Webster, regarding cat licensing, dated January 27 & 28, 2019.
8. Letter from A. Waugh, regarding rental restrictions in strata-properties, dated January 28, 2019.
9. Email from R. & N. Kembal, regarding building variance in the Orchard neighborhood, dated January 28, 2019. Reply dated February 4, 2019.
10. Email from Vancouver Orphan Kitten Rescue, regarding cat licensing, dated January 28, 2019.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

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

2019.11.075 Moved by Councillor S. Garnett, seconded by Councillor T. O'Keeffe, 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, pursuant to section 90.1 (e) of the *Community Charter* and that Council continue the meeting in closed session.

MOTION CARRIED UNANIMOUSLY

19. ADJOURNMENT

2019.11.076 Moved by Councillor B. Fallo, seconded by Councillor S. Garnett, that the meeting be adjourned at 8:37 p.m.

MOTION CARRIED UNANIMOUSLY

MAYOR

CORPORATE OFFICER