



TOWN OF SIDNEY

MINUTES OF REGULAR COUNCIL MEETING
Monday, January 28, 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
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 7:00 p.m.

A. PUBLIC PARTICIPATION

1. **R. Kemball, 9613 Eighth Street** – expressed concerns regarding the way development is proceeding (with increased height, removal of trees, etc.) and encouraged Council to get control and ensure development fits within the area.
2. **B. Collins, 2028 Wesbrook Drive** – referring to budget deliberations: 1. urged Council to allocated money in the budget to ensure both the Reay Creek pond and dam remain, and that if the dam has to be replaced that funding be provided for the necessary works identified by staff; and 2. stated, as a local business owner, that there are enough talented people on the Peninsula to properly dictate what happens to economic development and the specific needs of our region, and urged Council not to continue to provide funding to the South Island Prosperity Project.
3. **S. Smith, 10148 Bowerbank Road** – referring to item 14d, advised misinformation lead to the violation of the Zoning Bylaw and that staff advised amendments to the Bylaw will be forthcoming to address the gross floor area in the RM5 zones, but that until then an application for a variance is necessary.

Public Participation Period closed at 7:07 p.m.

B. PRESENTATIONS

i. 2018 Year End Policing Report

S/Sgt. Wayne Conley, Sidney/North Saanich RCMP, provided a year-end policing report for 2018, highlighting on the following:

1. Community Policing - new strategies with preventative perspective (re-establishment of block watch program, with use of email notifications – 13 groups in Sidney).
2. Restorative Justice Program - 15 volunteers; continue to provide for alternate resolutions.
3. Public Spaces Initiative – police officers making daily checks and increasing their presence in public spaces (Iroquois Park, Skatepark, Bevan Pier, Lochside Trail, etc.)
4. School Liaison – continue safety education (bike, social media, etc.)
5. Property Crime Prevention (theft from vehicles) – “No Valuables Inside” program, partnership with local Motor Vehicle Branch and businesses to encourage people to think more about what they are leaving in their vehicles.

6. Crime Statistics - decrease in the calls for service, but an increase in mental health calls, and increases in traffic violations, fraud and theft of bikes.

S/Sgt Conley advised of the three present focus areas in policing for the Detachment: 1. training officers in sobriety testing and drug impairment; 2. building cybercrime investigation capability; and 3. training in major case management.

2. APPROVAL OF AGENDA

- 2019.13.083 Moved by Councillor C. Rintoul, seconded by Councillor B. Fallot, that the agenda be approved with the amendment that item 16.4 be discussed under item 15 – New Business.

MOTION CARRIED UNANIMOUSLY

3. ADOPTION OF MINUTES

a. Regular Council Meeting – January 14, 2019

- 2019.13.084 Moved by Councillor S. Garnett, seconded by Councillor T. O’Keeffe, that Minutes of the Regular Council Meeting of January 14, 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 14, 2019

i. Resignation – Board of Variance

Resolution: that the correspondence from C. Bolt, dated December 19, 2018, advising of his resignation on the Board of Variance, be received for information.

6. DELEGATIONS

a. Request for Funding – SBIA Economic Development Function

Susan Simosko, President of the SBIA, provided some background with respect to establishment of the SBIA (in 2013) and the services they provide - promotion and marketing, event coordination, stakeholder engagement, and central hub of Sidney Business Community. She advised local businesses have recently expressed concerns regarding: inability to attract and retain employees; lack of coordinated business development services; lack of a long-term economic development strategy; and lack of readily available information about establishing or relocation a business to Sidney.

Donna Petrie, Executive Director of the SBIA, advised that the previous Council approved SBIA’s proposal to carry out a 6-month Economic Development Pilot Project (October to March) to start to address some of those issues, starting with the following initiatives:

1. Microsite –“Start up in Sidney” - why Sidney, success stories, resources, etc.
2. Business Attraction – through outdoor and digital advertising - BC Transit bus wraps, advertising in bus shelters, animated video clips, magazine page spreads, etc.
3. Talent (employee) Attraction – online Job Bank, free for all Sidney businesses, official launch on January 7.
4. Signage for Vacancy Window Wraps – aesthetically pleasing, and tells our story.

She advised of the positive results and feedback, and looks forward to sharing the final results at the end of the project.

Ms. Simosko stated the SBIA would like to continue moving forward with the 2-year economic development proposal and is requesting \$50,000 funding for 2019 and \$65,000 for 2020.

Council had some questions and discussion ensued regarding the following:

- housing and transportation are also relative issues for employee attraction and retention
- possibility of expanding SBIA's levy area or establishment of additional business improvement areas to promote like-minded businesses
- SBIA's on-line job postings are free and focused on Sidney businesses only, unlike the other online postings
- is there duplication with economic development information also on Town's website
- e-commerce and how local retailers are managing
- important to have starting benchmarks to determine results
- involvement of the new advisory group
- further details of SBIA's funding allocations and staffing resources

b. Request for Funding – Shaw Centre for the Salish Sea

Graham Debling, Chair of the New Marine Centre Society, advised that the Centre, in November 2017, alerted the Town that it has been unable (since its opening in 2009) to balance the books, revenue did not meet operational costs and reserves have significantly depleted, and that the Centre would close if financial support from the Town was not secured. In response, he advised the Town requested additional information (an engineering condition assessment, long-term capital investment plan, economic and market research, etc.), all of which have now been provided to the Town. Mr. Debling noted that the Centre, however, has exceeded its expectations with respect enhancing Sidney as a destination and attraction for visitors, as well as becoming a valued and vibrant community resource. He advised the funding request for \$205,000 is substantial, and that unless a significant amount of funding from the Town is received the Centre is unlikely to survive more than 24 months.

Pauline Finn, Executive Director of the Shaw Centre, advised of the plans and activities for stabilization of the Centre (immediate critical capital works, preventative maintenance for engineering systems, etc.) and that it would be followed by a commitment to improvements to exhibits, programs and communications. She advised the additional funding is critical for stabilization, but also to the future vibrancy of the Centre.

Council had some questions and discussion ensued regarding the following:

- other available funding opportunities (Central Saanich, North Saanich, etc.)
- other available advertising revenue (West Side businesses, etc.)
- expanding services specifically for families (kinder gym, etc.)
- initially, not a good business plan in place
- programing enhancements, including expansion of First Nations culture
- windup costs = \$100,000 and windup timeframe = 18-24 months
- request for specific details on 10 year financial forecast

7. PETITIONS

8. MAYOR'S REPORT

The Mayor reported on the Tsehum Harbour Round Table (held on Monday, May 21, 2019 at the SHOAL Centre) with various local stakeholders, including Mayor Geoff Orr from the District of North Saanich, MP Elizabeth May, MLA Adam Olsen and other government entities, to discuss jurisdictional authorities and how to deal with the emerging issues of derelict vessels at Tsehum Harbour. The Mayor advised that the two Chief Administrative Officers will hold a follow up meeting to move possible solutions forward.

9. COUNCILLORS' REPORTS

10. COMMITTEE REPORTS

a. Select Committee to Review the EDC – January 10, 2019

2019.13.085 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the Minutes of the Select Committee to Review the EDC Meeting of January 10, 2019, be received for information.

MOTION CARRIED UNANIMOUSLY

b. Advisory Planning Commission – January 15, 2019

2019.13.086 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that the Minutes of the Advisory Planning Commission Meeting of January 15, 2019, be received for information.

MOTION CARRIED UNANIMOUSLY

Councillor P. Wainwright advised that an APC member mentioned in some jurisdictions the APC Chair regularly presents the Commissions' recommendations to Council in order to provide a complete picture of APC's views, as they are not greatly detailed in the official Minutes. Councillor P. Wainwright did not make a motion, however saw merit in the suggestion and wanted to bring it to Council's attention.

c. Committee of the Whole – January 21, 2019

2019.13.087 Moved by Councillor P. Wainwright, seconded by Councillor T. O'Keeffe, that the Minutes of the Committee of the Whole Meeting of January 21, 2019, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 Development Permit Application No. DP100782 and Development Variance Permit Application No. DV100276 (2319 & 2325 Brethour Avenue and 9927 Seventh Street)

(To construct a 4-storey, 34-unit multi-family development with variance requests for entrance canopy, rooftop access and rooftop patio railing).

2019.13.088 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Development Variance Permit Application No. DV100279 and Development Permit Application No. DP100782 (2319 & 2325 Brethour Avenue and 9927 Seventh Street) be forwarded to the Advisory Planning Commission for further review and comment.

MOTION CARRIED UNANIMOUSLY

11. STAFF REPORTS

a. Tender Award - RCMP Boiler Replacement

2019.13.089 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the contract for RCMP Boiler Replacement be awarded to the low bidder, Trane Canada West, for the tendered price of \$156,860.50 plus taxes.

MOTION CARRIED UNANIMOUSLY

b. 2019 Bazan Bay 5KM Running Road Race

2019.13.090 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that Team West Coast Running and Triathlon Society be granted permission to close roads (as per approved traffic plan) between the hours of 11:00 a.m. to 12:00 noon, on Sunday, April 14th, 2019, for the purpose of hosting the 2019 Synergy Health Management Ltd. Bazan Bay 5KM Road Race in Sidney, subject to the following conditions:

1. That the Society provides the Town with proof of \$5,000,000 minimum liability insurance indemnifying the Town of Sidney of any liability;
2. That the Society receives written permission from the Ministry of Transportation and Infrastructure to use the routes within the Ministry's jurisdiction, and provides a copy of the approval to the Town;
3. That the Society notifies two weeks in advance all residents and businesses situated along the race route, and provides a copy of the notification and confirmation of delivery one week prior to the event to the Town;
4. That BC Transit, the Sidney Fire Department and the Ambulance Service be made aware of the event and the Society comply with any requirements they may have;
5. That the Society receives written permission from the RCMP including approval of the traffic management plan (a copy of approval to be submitted to the Town) and the Society to pay any fees/costs levied by the RCMP; and
6. That no costs are to be incurred, either directly or indirectly, by the Town for this event.

MOTION CARRIED UNANIMOUSLY

c. Monthly Building Permit Report – December 2018

- 2019.13.091 Moved by Councillor S. Garnett, seconded by Councillor T. O'Keeffe, that the Monthly Building Permit Report for December 2018 be received for information.

MOTION CARRIED UNANIMOUSLY

12. OTHER REPORTS

13. CORRESPONDENCE

a. Electric Vehicle & Electric Bike Infrastructure Planning Project

- 2019.13.092 Moved by Councillor P. Wainwright, seconded by Councillor C. Rintoul, that the letter from CRD, dated December 10, 2018, providing a copy of the Capital Region Local Government Electric Vehicle and Electric Bicycle Infrastructure Planning Guide and Backgrounder, be received for information.

MOTION CARRIED UNANIMOUSLY

14. BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION

a. Bylaw No. 2168 – Noise, Amendment No. 3
(To amend the permitted hours of construction).

- 2019.13.093 Moved by Councillor B. Falot, seconded by Councillor T. O'Keeffe, that Bylaw No. 2168 – Noise, Amendment No. 3 be given adoption.

MOTION CARRIED UNANIMOUSLY

b. 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).
(No written submissions were received).

- 2019.13.094 Moved by Councillor B. Falot, seconded by Councillor C. Rintoul, that Development Variance Permit Application No. DV100272 (2258 Markinch Place) be approved, subject to the condition as per Council Resolution No. 2019.03.013.

**OPPOSED: Mayor C. McNeil-Smith & Councillors: S. Duncan,
S. Garnett, T. O'Keeffe & C. Rintoul**
MOTION DEFEATED 5:2

2019.13.095 Moved by Councillor P. Wainwright, seconded Councillor C. Rintoul, that owners and tenants in occupation of property within 75m (246ft) of the property that is the subject of Development Variance Permit Application No. DV100272 (2258 Markinch Place – to allow for a fence at a maximum height of 2.4m (7.8ft) be notified of the proposed variance and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance.

MOTION CARRIED UNANIMOUSLY

- c. Development Variance Permit Application No. DV100273 (2345 Oakville Avenue)**
(To relax the height and storey requirements for the two approved single-family dwellings proposed for the property).

Written Submission(s):

1. Letter from J. Gibb, J. Russell, J. Graddock, dated January 28, 2019.
2. Letter from K. Recalma, L. Farmer, J. Simpson, C. & E. Hagen & D. Kilner, dated January 28, 2019.

2019.13.096 Moved by Councillor C. Rintoul, seconded by Councillor P. Wainwright, that Development Variance Permit Application No. DV100273 (2345 Oakville Avenue) be approved.

OPPOSED: Mayor C. McNeil-Smith & Councillor S. Garnett
MOTION CARRIED 5:2

- d. Development Variance Permit Application No. DV100277 (10148 Bowerbank Road)**
(To relax the gross floor area requirement of the second storey of the single-family dwelling to allow for a new secondary suite).
(No written submissions were received).

2019.13.097 Moved by Councillor P. Wainwright, seconded by Councillor C. Rintoul, that Development Variance Permit Application No. DV100277 (10148 Bowerbank Road) be approved.

MOTION CARRIED UNANIMOUSLY

15. NEW BUSINESS

- a. Item 16.4 – Email G. Thompson, dated January 2, 2019**

Referring to this item and past concerns expressed by Sidney retailers, Councillor C. Rintoul inquired into what resources are available within the budget to provide additional garbage collection in the downtown core and along the Lochside Trail (near the Mary Winspear Center and the new Community Safety Building).

B. Robinson advised that the Town responds to specific complaints of excessive areas of garbage. He also advised that there is an opportunity to have a garbage receptacle installed at the CRD's new bicycle station along the Lochside Trail (near the Mary Winspear Centre) and also consider a receptacle near the fast food outlets.

2019.13.098 Moved by Councillor S. Duncan, seconded by Councillor S. Garnett, that item 16.1 be discussed under item 15 – New Business.

MOTION CARRIED UNANIMOUSLY

- b. Item 16.1 - Letter from West Coast Environmental Law, dated December 10, 2018**

While Councillor S. Duncan did not support the Town joining in with other BC Communities on a class action lawsuit, she did however suggest that the Town consider sending Climate Accountability Letters to 20 of the world's largest fossil fuel companies demanding that they pay a share of the costs of climate change.

Mayor C. McNeil-Smith suggested that this matter be referred to Strategic Planning for more discussion as part of the Town's Climate Action Plan.

16. CORRESPONDENCE FOR INFORMATION

2019.13.099 Moved by Councillor B. Fallot, seconded by Councillor T. O'Keeffe, that the following correspondence be received for information:

1. Letter from West Coast Environmental Law, regarding local climate change impacts and the fossil fuel industry, dated December 10, 2018.
2. Letter from E-Comm 911, regarding new initiative called Next Generation 911, dated December 10, 2019.
3. Letter from Telus, regarding the roll-out of some of their new programs, dated December 14, 2018.
4. Email G. Thompson, expressing concerns regarding impact rain has on infrastructure and the amount of garbage accumulating on our streets, dated January 2, 2019. Reply dated January 10, 2019.
5. Letter from P. Lambert, Victoria Natural History Society, regarding implementation of cat licensing, dated January 4, 2019. Reply dated January 16, 2019.
6. Letter from P. Hurley, regarding state of trees in Resthaven Island Linear Park, dated January 5, 2019. Reply dated January 15, 2019.
7. Email from D. Hazelhurst, requesting consideration of "sun shadow" on Beacon Avenue and new multi-storey development, dated January 4, 2019. Reply dated January 9, 2019.
8. Email from AVICC, regarding Resolutions and Nominations deadline, dated January 11, 2019.
9. Email from L. Sutherland, regarding construction at 9716 Third Street, dated January 14, 2019.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

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

19. ADJOURNMENT

2019.13.100 Moved by Councillor S. Garnett, seconded by Councillor T. O'Keeffe, that the meeting be adjourned at 9:56 p.m.

MOTION CARRIED UNANIMOUSLY

MAYOR

CORPORATE OFFICER