



TOWN OF SIDNEY

MINUTES OF REGULAR COUNCIL MEETING

Monday, July 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. Verhagen, Senior Manager of Current Planning
B. DeMaere, Manager of Engineering
B. Robinson, Manager of Public Works & Parks
M. van der Linden, Manager of Special Projects
M. Harman, Deputy Fire Chief
S. Nelson, Corporate Officer

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

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. **D. McNamara** (Vice President of Strata Council, 9830 Second Street) - referring to item 11c, expressed appreciation to staff for addressing the replacement of the pad mounted transformer located on the Town's Third Street Parking Lot lands, and advised they are in complete concurrence with the staff report.

Public Participation Period closed at 7:01 p.m.

B. SPECIAL PUBLIC PARTICIPATION OPPORTUNITY

- i. **2018 Annual Report** *(see Report - item 11a)*

There were no public speakers or written submissions.

C. PRESENTATIONS

- i. **2020 Sidney Calendars**

Bob McLure, Chair of Calendar Committee for the Sidney Sister Cities Association, was pleased to present the 2020 Sidney wall and desk calendars, noting all of the photos are from local photographers. He advised they will be available for purchase at various retail outlets throughout Town, and that this is the 9th annual calendar prepared by the Association.

- ii. **Victoria Urban Reconciliation Dialogue**

Tanya Clarmont, Victoria Urban Reconciliation Dialogue (VURD), noted that the VURD is hosted by the Victoria Native Centre, which is celebrating 50 years of service in encouraging and promoting the well-being of urban Aboriginal people. She advised the VURD has completed its first year of development and has established its Core Values

(truth, justice, education, decolonization, sustainability and inclusivity) and 3 key areas of focus (support urban Indigenous voice, enable community engagement and generate ideas for tangible action). Ms. Clarmont advised the mandate of the VURD is to promote collaborative reconciliation led by the urban Indigenous community and that its central goal remains Dialogue. She recognized the Town engagement and looks forward to continued participation and conversations in this journey to reconciliation.

iii. Sidney 5K and 8K Road Race

Cathy Noel, Choice Events Ltd., advised that she did not want to see this year's event cancelled and therefore submitted a proposal to take over the management of the Sidney Seaside 5k/8K event, as per her experience organizing similar events (i.e. Victoria Marathon, TC 10K, etc.). She advised the proposal builds off from the past two years' events such as using the same route, but also includes increasing the number of race participants and community involvement (i.e. local businesses and charities, youth volunteers, etc.). Ms. Noel clarified the request for funding support from the Town -\$2,500 for 2019, \$1,250 for 2020 and \$0 for future years. She stated she would love to get involved and continue the event into the future.

2. APPROVAL OF AGENDA

2019.29.339 Moved by Councillor S. Garnett, seconded by Councillor B. Fallot, that the agenda be approved with the addition of the following items:

1. item 11f - Sidney 5K and 8K Road Race, and
2. item 11g - Assignment of New Incorporation - Sale of Fire Hall Lands.

MOTION CARRIED UNANIMOUSLY

3. ADOPTION OF MINUTES

a. Regular Council Meeting – June 24, 2019

2019.29.340 Moved by Councillor C. Rintoul, seconded by Councillor T. O'Keeffe, that Minutes of the Regular Council Meeting of June 24, 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

The Mayor was pleased to report on the following: June 29 - July 1 - Sidney Days/Canada Day - thanked all of the tremendous community organizations and volunteers for making the festivities such a success; July 4 - July 4th Parade in our Sister City of Anacortes; and July 7 - Bed Races on Beacon - event helped raise \$52,000 for the Saanich Peninsula Hospital Foundation.

The Mayor advised the Town is considering changing the start time of regular Council meetings to 6:00 p.m., from 7:00 pm, to be consistent with the regular Committee of the Whole meetings, and that an article will be in the next edition of Town Talk, welcoming the community's feedback.

9. COUNCILLORS' REPORTS

- a. Councillor C. Rintoul** - provided an update on the following: 1. Panorama Recreation – a CRD facility identified as their largest GHG emitter with the existing dehumidifier releasing 761kW of heat into the atmosphere, which could be recovered through a more efficient system saving \$81,000/year and reduce 364 GHG tonnes/year - CRD staff have been requested to include this in the 2020 budget; and 2. Memorial Park Society - advised long-term Board Chair Mr. Richard Paquette has stepped down and the new appointed Chair is Ms. Shelia Fea.

- b. **Councillor B. Fallot** - provided an update from ArtSea: creation of new website; upcoming Lantern Festival (on August 24); exploring additional funding sources (Imagine Canada); proposed art gallery at the airport could be difficult for ArtSea to participate with a 7-day/week schedule; Spring Studio Tour was very successful; and an anonymous donor purchased a SENĆOTEN language dictionary that will be displayed at the Gallery.
- c. **Councillor T. O’Keeffe** - provided an update from the Saanch Peninsula Chamber of Commerce: working with MOTI for more signage on Highway 17 to direct to local breweries and distilleries; working with BC Ferries and MLA Adam Olsen in utilizing MOTI lands behind the Chamber office for a trailer drop-off location; and starting to plan for the 3 initiatives (industry focus tour, career education for local schools and workshop for home based businesses) approved by the 3 peninsula municipalities, noting the \$60,000 funding will be used to hire a person to organize these events. Councillor T. O’Keeffe requested Council’s feedback in establishing performance measures respecting these initiatives.

10. COMMITTEE REPORTS

11. STAFF REPORTS

a. 2018 Annual Report

2019.29.341 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the Town of Sidney 2018 Annual Report be approved as presented.

MOTION CARRIED UNANIMOUSLY

b. Proposed Regional Concept of Operation for Emergencies

2019.29.342 Moved by Councillor B. Fallot, seconded by Councillor C. Rintoul, that the Chief Administrative Officer be authorized to sign the Memorandum of Understanding that supports the Regional Concept of Operations during events of regional emergency significance.

MOTION CARRIED UNANIMOUSLY

c. Removal of Pad Mounted Transformer on Town Parking Lot (9821 Third Street)

2019.29.343 Moved by Councillor C. Rintoul, seconded by Councillor B. Fallot:

1. That \$27,090, from proceeds of the sale of the Fire Hall / Parking Lot, be allocated for the Town’s 50% portion of the costs associated with the removal of the Pad Mounted Transformer that is situated on the current parking lot at 9821 Third Street; and
2. That any required agreements / easements associated with this project may be executed by the Mayor and CAO.

MOTION CARRIED UNANIMOUSLY

d. Galaran Road Sidewalk Project

2019.29.344 Moved by Councillor P. Wainwright, seconded by Councillor S. Garnett, that staff be directed to:

1. complete the detail design drawings for the Galaran Road improvements, locating the sidewalk at the back side of the proposed curb and include the sidewalk construction with the proposed road works scheduled for 2023;
2. proceed with relocating the existing two Community Mail Boxes on Galaran Road to the east side of the street; and
3. paint a white fog line on the east side of Galaran Road, from Jahn Place to Mills Roads West.

MOTION CARRIED UNANIMOUSLY

e. Public Pathway - Eighth Street to Bevan Avenue

2019.29.345 Moved by Councillor B. Fallot, seconded by Councillor C. Rintoul, that the Eighth Street to Bevan Avenue Pathway Project be added to the 2019 Capital budget, with a budget of \$70,000 with funding from the Land Sale Reserve.

MOTION CARRIED UNANIMOUSLY

f. Sidney 5K and 8K Road Race

2019.29.346 Moved by Councillor S. Garnett, seconded by Councillor B. Fallot, that the proposal from Choice Events Ltd. for the Sidney 5k and 8k Running Race event as outlined in this staff report dated July 5, 2019, be accepted and that staff work with the proponent to continue making this event a success.

MOTION CARRIED UNANIMOUSLY

g. Assignment of New Incorporation - Sale of Fire Hall Lands

2019.29.347 Moved by Councillor C. Rintoul, seconded by Councillor B. Fallot, that staff be authorized to consent to the assignment to FHD Nominee Ltd. once satisfied with the form and content of the assignment agreement.

MOTION CARRIED UNANIMOUSLY

12. OTHER REPORTS

13. CORRESPONDENCE

a. Request for Letter of Support - Proposal for Multi-Use Trail Development

2019.29.348 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that the letter from the Nature Trails Society, dated June 21, 2019, be received and that the Town provide a letter of support for their proposal to the BC Real Estate Foundation to support sustainable multi-use trail development

MOTION DEFEATED UNANIMOUSLY

2019.29.349 Moved by Councillor S. Duncan, seconded by Councillor B. Fallot, that the Town reply to the Nature Trails Society advising that the Town would like to receive further details respecting the multi-use trail development proposal and see more consultation with First Nations prior to lending its support.

MOTION CARRIED UNANIMOUSLY

14. BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION

a. Bylaw No. 2174 - Zoning, Amendment No. 38
(To allow the retail sale of recreational cannabis).

2019.29.350 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that the staff report dated July 3, 2019, regarding the proposed bylaws and policy to regulate recreational cannabis, be received for information.

MOTION CARRIED UNANIMOUSLY

2019.29.351 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Bylaw No. 2174 - Zoning, Amendment No. 38, be introduced and given first reading.

MOTION CARRIED UNANIMOUSLY

2019.29.352 Moved by Councillor S. Duncan, seconded by Councillor T. O'Keeffe, that section 2(c) - "the processing, distribution or retail sale of cannabis edible products" be removed from Bylaw No. 2174, Amendment No. 38, and that second reading be given as amended.

MOTION CARRIED UNANIMOUSLY

2019.29.353 Moved by Councillor P. Wainwright, seconded by Councillor S. Garnett, that staff be instructed to advertise for a public hearing for Bylaw No. 2174 - Zoning, Amendment No. 38.

MOTION CARRIED UNANIMOUSLY

b. Bylaw No. 2175 - Cannabis & Liquor Licensing Fee
(To establish fees for cannabis and liquor license applications).

2019.29.354 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Bylaw No. 2175 - Cannabis & Liquor Licensing Fee be introduced and given first reading.

MOTION CARRIED UNANIMOUSLY

Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Bylaw No. 2175 - Cannabis & Liquor Licensing Fee be given second reading.

2019.29.355 Moved by Councillor C. Rintoul, seconded by Councillor T. O'Keefe, that section 3. Fees and Deposits of Bylaw No. 2175 - Cannabis & Liquor Licensing Fee be amended as follows:

1. item 3a - \$100.00 be amended to \$250.00; and
2. item 3c - \$450.00 be amended to \$1,000.00.

**OPPOSED: Mayor C. McNeil-Smith & Councillors: S. Duncan, B. Fallot,
S. Garnett & P. Wainwright**
MOTION DEFEATED 5:2

The question was called on the original motion as follows:

2019.29.356 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Bylaw No. 2175 - Cannabis & Liquor Licensing Fee be given second reading.

OPPOSED: Councillors: T. O'Keefe & C. Rintoul
MOTION CARRIED 5:2

2019.29.357 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Bylaw No. 2175 - Cannabis & Liquor Licensing Fee be given third reading.

OPPOSED: Councillors: T. O'Keefe & C. Rintoul
MOTION CARRIED 5:2

c. Development Permit Application No. DP100789 and Development Variance Permit Application No DV100283 (2355 Orchard Avenue)
(To relax maximum lot coverage in order to construct a small lot, single-family dwelling).
(No public written submissions received).

2019.29.358 Moved by Councillor B. Fallot, seconded by Councillor T. O'Keefe, that Development Variance Permit Application No. DV100283 (2355 Orchard Avenue - to relax maximum lot coverage in order to construct a small lot, single-family dwelling) be approved and that Development Permit Application No. DP100789 be approved, subject to conditions as per Council Resolution No. 2019.25.294.

MOTION CARRIED UNANIMOUSLY

d. Development Variance Permit Application No. DV100284 (10326 Menagh Place)
(To relax setback requirements to allow accessory structure in the rear yard).
(No public written submissions were received).

2019.29.359 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Development Variance Permit Application No. DV100284 (10326 Menagh Place - to relax setback requirements to allow accessory structure in the rear yard) be approved.

MOTION CARRIED UNANIMOUSLY

15. NEW BUSINESS

- a. Community Resiliency Investment Program - Wildfire Prevention Initiative**
(Notice of Motion from Councillor S. Duncan – Council Meeting of June 24, 2019).

2019.29.360 Moved by Councillor S. Duncan, seconded by Councillor B. Fallot, that Council direct staff to write a letter to the Capital Regional District and all member local governments indicating Council's interest in participating in a co-application submitted by the CRD on behalf of its members to UBCM's Community Resiliency Investment Program for the development of a regional vegetation management strategy.

MOTION CARRIED UNANIMOUSLY

16. CORRESPONDENCE FOR INFORMATION

2019.26.361 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that the following correspondence be received for information:

1. Letter from B. Head, requesting improvement be made to the pathway between the Town's Public Works Yard and Iroquois Park, dated May 5, 2019. Reply dated June 19, 2019.
2. Letter from Saanich Peninsula Folk & Fiddle Festival Society, expressing appreciation for the Town's support with the festival, dated June 7, 2019.
3. Letter from School District No. 62, expressing support for the Victoria Family Court Youth Justice Committee, dated June 13, 2019.
4. Letter from MP Elizabeth May, requesting support from the Minister of Infrastructure & Communities for repairs to Beacon Wharf and improved transportation between the ferry terminal and the airport, dated June 14, 2019.
5. Letter from UBCM, advising that the Town's resolution - Restoring Sustainable Provincial Library Funding Levels - will be presented for consideration at the 2019 Convention, dated June 18, 2019.
6. Letter K. Strand, expressing support for a ban on single-use plastic bags, received on June 19, 2019.
7. Letter from District of Houston, regarding provincial funding support for libraries, dated June 19, 2019.
8. Letter from CRD, providing a copy of the 2018 Arts & Culture Progress Report, dated June 20, 2019.
9. Letter from District of North Saanich, regarding their declaration of a climate emergency, dated June 20, 2019.
10. Letter from CRD, regarding an amendment to the 2018 Regional Growth Strategy, dated June 21, 2019.
11. Email from N. Ryder, regarding problems with exposures to Electromagnetic Radiation, dated June 24, 2019.
12. Letter from District of Sicamous, regarding provincial funding support for libraries, dated June 26, 2019.
13. Letter from City of White Rock, requesting a proposed vacancy tax, dated June 26, 2019.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

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

19. ADJOURNMENT

2019.29.362 Moved by Councillor S. Garnett, seconded by Councillor B. Fallot, that the meeting be adjourned at 8:51 p.m.

MOTION CARRIED UNANIMOUSLY