TOWN OF SIDNEY

MINUTES OF REGULAR COUNCIL MEETING
Monday, March 25, 2019
Council Chambers
7:00 p.m.

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

ABSENT: Councillor C. Rintoul

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. DeMaere, Manager 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 PERIOD

1. M. Lounds - stated there is a need for a plan for aging in place and that living in isolation is not as safe as being in a “community”, such as a co-housing development which provides for communal living, eating, sharing of spaces, etc.

2. Resident – requested the name of the developer of the Fire Hall/Parking Lot lands, so as to not support any future proposal from the proponent, and expressed concerns regarding parking during construction of the new buildings; and requested whether there is going to be a pot shop in Sidney.

3. K. Wyckham, 2499 Rothesay Avenue – stated Sidney has been a great area for raising children and is going to be a good spot for active retirement; is excited about Ravens Crossing Co-Housing and that it should be used as a model; and that it is a wonderful match for Sidney.

4. J. Gifford, 10448 Allbay Road – commended the Town on the public consultation for the Galaran Road Sidewalk Project, stating it was exactly the kind of consultation the Sidney Community Association has been requesting (i.e. good notification, good location/time, included presentations and a question/answer period, etc.) and stated was pleased that the mailboxes would be moved in 2019.

5. I. Bruce, Executive Coordinator of Peninsula Streams Society – thanked Council for receipt of grant funding; advised 40 fish eggs have been found in Roberts Bay; stated looks forward to working on the Reay Creek remediation; requested a Council and staff liaison be appointed to the Society to maintain communications; and invited Council for a Reay Creek walk.

6. D. Calveley, 9655 First Street – requested clarity with respect to where Island Treats will and will not be able to operate; and was disappointed about the potential use of the employee parking lot being made available to the public.

7. P. Woodward, owner of Island Treats – requested Island Treats be granted permission to enter areas within the commercial downtown core (but remain restricted from retailing), as it would restrict them from transiting to and from their base of operations and use of public washrooms; and advised that CRD has confirmed they may use the Lochside Trail for transiting purposes, but is restricted from retailing along the path.
8. **T. Wright, 2355 Brethour Avenue** – expressed concerns regarding the Ravens Crossing Co-housing development stating it is too big for the area, will impact the neighborhood, only a few single-family dwellings remain, etc.; and is opposed to all variance being requested.

9. **C. Maclsaac, owner of Quince Café** – expressed concerns regarding Island Treats application as it directly conflicts with their ice cream business, of which sales are instrumental in allowing them to operate year round; stated as a local business - pays property taxes, donates to charity, support local events, etc. and that allowing such a business with similar product would negatively impact their sales; and requested some clarification with respect to compliance of regulations/conditions and enforcement.

10. **Z. Lace, a unit owner** - stated Ravens Crossing Co-Housing is an owner-builder type of development where the builders are future owners of the strata-title units; it is not for a profit development that provides for community living; its purpose is not to build to the maximum building envelope, but rather to build to maximize green space; and stated hopes the Town welcomes them.

Public Participation Period closed at 7:30 p.m.

**B. PRESENTATIONS**

**a. VAA's 2018 Report to Nominators**

Wendy Everson, Town's nominee, advised that the airport reached over 2 million passengers in 2018; that, to-date in 2019, there has been a decrease in passengers due to shift in service and weather events; and advised that the airport has only two sources of revenue - aviation and non-aviation activities.

Charles Lovallo, Town's nominee, advised that the airport achieved all goals of its operating and capital budgets and has no debt; noted 68% of total revenue comes from non-aviation activities (parking, restaurants, retail, etc.); the airport offers the lowest operating costs for airlines; 2018 revenue = $39.5 million with net income = $11.2 million; and advised of some of the upcoming 2019 projects.

Geoff Dickson, President, & CEO of the Victoria Airport Authority, advised that the February snowfall caused significant disruption to their operations and that the runway had to be closed twice. He provide details on some of the upcoming capital improvements - expansion of the lower departure area, apron extension, extension of taxi echo, etc. and some of the new services being offered – Air Canada services to Toronto and Montreal, new ultralow cost carriers, etc.

Council members had some questions regarding airlines use of fossil fuels and future transportation alternatives, impact of aircraft noise on surrounding neighborhoods, potential land leases/development proposals, and issues respecting yellow cab taxi service.

**b. Cycling Without Age**

Steve Duck, of Cycling Without Age, advised of the Sidney-based non-profit society that has established a cycling service for the elderly and less-able citizens in the community. Mr. Duck advised 1 Trishaw Bike (out of 6) has been purchased (cost = $14,000/each) to provide the tours (currently 2 rides per day). He advised riders are trained and must meet various requirements, and that the passenger must be accompanied by their caregiver. He advised two routes have been established through the community (to Roberts Bay and downtown piers) utilizing safe and quite roadways (not sidewalks). Mr. Duck noted that the society is seeking support through donations, sponsorships and volunteers and hopes to improve the lives of our citizens.
2. APPROVAL OF AGENDA

2019.17.160 Moved by Councillor B. Fallot, seconded by Councillor T. O'Keefe, that the agenda be approved as presented.

MOTION CARRIED UNANIMOUSLY

3. ADOPTION OF MINUTES

a. Regular Council Meeting – March 11, 2019

2019.17.161 Moved by Councillor B. Fallot, seconded by Councillor S. Duncan, that Minutes of the Regular Council Meeting of March 11, 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

a. Update – Acting Mayor's List

2019.17.162 Moved by Councillor S. Garnett, seconded by Councillor B. Fallot, that the updated 2019 Acting Mayor’s List be approved as presented.

MOTION CARRIED UNANIMOUSLY

Mayor C. McNeil-Smith reported on the following: 1. Town Hall on the Galaran Road Sidewalk Project – noted was an innovative, and successful, new approach to engaging the community and looks forward similar opportunities in the future; 2. CRD Budget – advised CRD’s 2019 operating and capital budgets were approved and would provide further information on how it will impact Sidney; and 3. Opening of 2019 Anacortes Ferry Run – invited all to attend the opening ceremony on Sunday, March 31 from 11:00 am to noon.

9. COUNCILLORS’ REPORTS

a. Councillor Terri O’Keeffe reported on the following: 1. Victoria Urban Reconciliation Dialogue (VURD) – advised of the key focus areas (support urban Indigenous voices, enabling community engagement and generating ideas for tangible actions) and discussions regarding relationship building, sharing best practices, local government’s role, etc.; and 2. Healthcare Working Group with Adam Olsen – advised 15,000 residents on the Peninsula and Gulf Islands don’t have a family doctor and that the Province is looking at establishing "Primary Care Networks"; including centres on the Peninsula.

b. Councillor B. Fallot reported on the following: 1. ArtSea – advised of the puzzle pieces project and that ArtSea is excited to administer the Sculpture Walk; and 2. Vancouver Island Regional Library (VIRL) – advised North Saanich and Sidney joined VIRL in 1966 and moved to the Resthaven location in 1982; renovations to be completed by May/June; rising construction costs may impact North Saanich’s satellite branch; and advised of the library’s fee changes (eg. no late return fees for children’s books and review of non-resident or visitor fees vs. fees for non-resident from a former VIRL area).

10. COMMITTEE REPORTS

a. Committee of the Whole – March 18, 2019

2019.17.163 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Minutes of the Committee of the Whole Meeting of March 18, 2019, be received for information.

MOTION CARRIED UNANIMOUSLY
Minutes contain recommendation(s) regarding:

R.1 2019 Grants-in-Aid – Approved

Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that the following 2019 grants-in-aid be approved:

1. Peninsula Figure Skating Club 500
2. Saanich Peninsula Folk & Fiddle Festival Society 1,000
3. Saanich Peninsula Piranha Swim Club 500
4. Saanich Peninsula Pipe Band 500
5. Sidney Concert Society 1,500
6. Crisis Intervention & Public Information Society 600
7. ORCCA (Oral Care for Children and Adolescents) 2,000
8. Saanich Marine Rescue Society 1,900
9. Peninsula Streams Society (Core Operations) 1,000
10. Peninsula Streams Society (School Programs) 500
11. The Greater Victoria Bike to Work Society 500
12. 676 Kittyhawk Sponsoring Committee Society 750
13. Navy League of Canada 750
14. Peninsula Dry Grad 1,000

Total $13,000

MOTION CARRIED UNANIMOUSLY

Mayor C. McNeil-Smith and Councillor S. Duncan left the meeting room at 8:42 p.m., citing a potential conflict of interest, as per their volunteer roles within the organizations.

Moved by Councillor P. Wainwright, seconded by Councillor S. Garnett, that the following 2019 grants-in-aid be approved:

1. Cycling Without Age 1,000
2. Sidney & Peninsula Literary Festival 500
3. Sidney Guide & Scout Hall Society 500

Total $2,000

MOTION CARRIED UNANIMOUSLY

Mayor C. McNeil-Smith and Councillor S. Duncan returned to the meeting room 8:43 p.m.

R.2 2019 Grants-in-Aid - Churches

Moved by Councillor P. Wainwright, seconded by Councillor S. Garnett, that the three churches: Peace Lutheran Church, St. Andrew's Anglican Church and St. Elizabeth's Church continue to each receive $500 for a total of $1,500 in grants-in-aid in perpetuity.

MOTION CARRIED UNANIMOUSLY

R.3 2019 Grants-in-Aid – Denied

Moved by Councillor P. Wainwright, seconded by Councillor T. O'Keefe, that the following 2019 grants-in-aid be denied:

1. Peninsula Baseball & Softball Association 1,500
2. Sidney Museum 500
3. BC Aviation Museum Society 8,000
4. Percy's Clubhouse Society 16,000
5. The Farmlands Trust 5,000
6. Wounded Warriors Canada 1,000
7. Sidney Preschool Cooperative 1,763

MOTION CARRIED UNANIMOUSLY
R.4  ORCCA (Oral Care for Children and Adolescents)
2019.17.168  Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Council advise ORCCA (Oral Care for Children and Adolescents) that grants-in-aid funding to ORCCA will be phased out over time.

**OPPOSED: Councillor S. Garnett**
**MOTION CARRIED  5:1**

R.5  Vancouver Island South Film & Media Commission
2019.17.169  Moved by Councillor P. Wainwright, seconded by Councillor T. O’Keeffe, that Vancouver Island South Film & Media Commission be approved for a grant to be taken from the Economic Development Fund in the amount of $500.

**OPPOSED: Councillors: B. Fallot & P. Wainwright**
**MOTION CARRIED  4:2**

R.6  Development Variance Permit Application No. DV100275 (2396 Amelia Ave)
(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).
2019.17.170  Moved by Councillor P. Wainwright, seconded by Councillor T. O’Keeffe:
1. That owners and tenants in occupation of property within 75m (246ft) of 2396 Amelia Avenue be notified regarding the Development Variance Permit Application No. DV100275 (to increase the non-conformity of the front yard setback through the addition of a roof parapet and decorative columns) and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance; and
2. That if approved, only the area of the roof further than 7.5 metres from the south property line be used as a rooftop deck.

**MOTION CARRIED UNANIMOUSLY**

R.7  Request for Street Vending Licence - Island Treats
2019.17.171  Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Island Treats be granted approval for a Business Licence to operate up to four vending carts for the purpose of retail sales of ice cream products from public property, subject to the following conditions:
1. That the applicant meets all requirements of Street Vending Policy (DV-010);
2. That prior to issuance of the Business License, the applicant provide proof of Vancouver Island Health Authority approval and the required liability insurance;
3. That waste generated by the business operator be prohibited from being deposited in municipal waste containers; and
4. That the Business Licence be limited to the retail sale of ice cream products only.

**MOTION CARRIED UNANIMOUSLY**

2019.17.172  Moved by Councillor P. Wainwright, seconded by Councillor S. Garnett, that the vending carts remain mobile at all times, and only stop to make a sale.

**OPPOSED: Councillor: S. Duncan, B. Fallot, S. Garnett, T. O’Keeffe & P. Wainwright**
**MOTION DEFEATED  5:1**

2019.17.173  Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that the vending carts be limited to operating only within the Town of Sidney and that the carts be restricted from retail sales in areas designated as COM-1 in the Town’s Official Community Plan, as well as Beacon Park, Bevan Park, East View Park and pedestrian trails and sidewalks.

**OPPOSED: Mayor C. McNeil-Smith**
**MOTION CARRIED  5:1**
R.8 Employee Parking Lot Discussion
2019.17.174 Moved by Councillor P. Wainwright, seconded by Councillor S. Garnett, that the Council Liaison and Town staff for the employee parking lot project meet with the Mary Winspear Centre to discuss the concerns raised by Council.

OPPOSED: Councillor S. Duncan
MOTION CARRIED 5:1

11. STAFF REPORTS

a. Grant Application – Community Emergency Preparedness Fund Application – Emergency Operations Centre (EOC) and Training Stream
2019.17.175 Moved by Councillor S. Garnett, seconded by Councillor B. Fallot, that Council support a $75,000 joint application between the Districts of North and Central Saanich and the Town of Sidney for the Community Emergency Preparedness Fund – EOC and Training Stream, and authorize the Fire Chief and Deputy Fire Chief to execute any agreements related to a successful grant application.

MOTION CARRIED UNANIMOUSLY

b. Debrief on Snow Removal
2019.17.176 Moved by Councillor S. Duncan, seconded by Councillor S. Garnett, that the staff report dated March 19, 2019, providing information regarding the 7-day snow fall event this past February, be received for information.

MOTION CARRIED UNANIMOUSLY

c. Peninsula Celebrations Society 2019 Events
2019.17.177 Moved by Councillor T. O'Keeffe, seconded by Councillor B. Fallot, that Peninsula Celebrations Society (PCS) be authorized to conduct road closures and use Town facilities to hold their 2019 events (as outlined in the staff report dated March 25, 2019), subject to the following conditions:
1. That PCS obtain approval from the RCMP to ensure traffic control is approved and in place to their satisfaction;
2. That PCS obtain approval and a parks use permit for the use of Beacon Park for all Sidney/Canada Days events, Summer Sounds events and the Sparkles Parade;
3. That PCS conform to all Town Bylaws;
4. That PCS arrange a meeting with Town staff, the RCMP and the Sidney Fire Department to review safety requirements (at least 4 weeks prior to each event); and
5. That PCS send out notices (at least 2 weeks prior to each event) to affected residents and businesses advising of the events and provide a contact number should there be any concerns/questions.

MOTION CARRIED UNANIMOUSLY

d. Monthly Building Permit Report – February 2019
2019.17.178 Moved by Councillor S. Garnett, seconded by Councillor T. O'Keeffe, that the Monthly Building Permit Report for February 2019 be received for information.

MOTION CARRIED UNANIMOUSLY

12. OTHER REPORTS
13. CORRESPONDENCE

a. Climate Emergency Declaration

2019.17.179 Moved by Councillor S. Duncan, seconded by Councillor S. Garnett, that the letter from Capital Regional District, dated February 26, 2019, be received and that Council declare a climate emergency and continue to work towards achieving carbon neutrality both in the community and corporate level.

OPPOSED: Councillor T. O'Keeffe
MOTION CARRIED 5:1

b. Sculpture Walk Administration

2019.17.180 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that the letter from ArtSea Community Arts Council, dated March 8, 2019, be received and that staff draft a Memorandum of Understanding between the Town and ArtSea outlining the Terms of Reference of the administration of the Sculpture Walk.

MOTION CARRIED UNANIMOUSLY

c. 2019 Community Child Care Planning Program

2019.17.181 Moved by Councillor S. Garnett, seconded by Councillor S. Duncan, that the letter from the District of Saanich, dated March 18, 2019, be received and that Council approve the District of Saanich as the primary applicant to apply for, receive and manage the Community Child Care Planning Program grant funding on Council’s behalf.

MOTION CARRIED UNANIMOUSLY

14. BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION

a. Bylaw No. 2169 – Water Utility Rates & Charges

2019.17.182 Moved by Councillor P. Wainwright, seconded by Councillor T. O'Keeffe, that Bylaw No. 2169 – Water Utility Rates & Charges, be adopted.

MOTION CARRIED UNANIMOUSLY

b. Bylaw No. 2170 – Water Parcel Rate, Amendment No. 17

2019.17.183 Moved by Councillor P. Wainwright, seconded by Councillor S. Duncan, that Bylaw No. 2170 – Water Parcel Rate, Amendment No. 17, be adopted.

MOTION CARRIED UNANIMOUSLY

c. Bylaw No. 2171 – Sewer Parcel Rate, Amendment No. 9

2019.17.184 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Bylaw No. 2171 – Sewer Parcel Rate, Amendment No. 9, be adopted.

MOTION CARRIED UNANIMOUSLY

d. Development Variance Permit Application No. DV100276 (9690/9692 First Street)

(To allow for the modification of the strata plan by legalizing the existing non-conforming duplex’s floor plan).

Written Submission(s):
2. Emails from C. Kelsey, dated February 6 and March 8, 2019.

2019.17.185 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that Development Variance Permit Application No. DV100276 (9690 / 9692 First Street - to allow for the modification of the strata plan by legalizing the existing non-conforming duplex’s floor plan) be approved.

MOTION CARRIED UNANIMOUSLY
e. Development Permit Application No. DP100782 & Development Variance Permit Application No. DV100279 (2319 & 2325 Brethour Avenue & 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).

Written Submission(s):
4. Email from C. Bowes, dated March 17, 2019.

2019.17.186 Moved by Councillor B. Fallot, seconded by Councillor S. Duncan, that Development Variance Permit Application No. DV100279 (2319 & 2325 Brethour Avenue & 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) be approved and that Development Permit Application No. DP100782 be approved, subject to conditions as per Council Resolution No. 2019.14.105.

MOTION CARRIED UNANIMOUSLY

15. NEW BUSINESS

2019.17.187 Moved by Councillor B. Fallot, seconded by Councillor P. Wainwright, that item 16.5 - letter from Muffet Louisa, dated March 13, 2019, be moved to item 15 - New Business.

MOTION CARRIED UNANIMOUSLY

2019.17.188 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that the letter from Muffet Louisa, dated March 13, 2019, requesting a variance respecting placement of sandwich board signs, be received for information.

MOTION CARRIED UNANIMOUSLY

16. CORRESPONDENCE FOR INFORMATION

2019.17.189 Moved by Councillor B. Fallot, seconded by Councillor T. O'Keeffe, that the following correspondence be received for information:

1. Letter from Greater Victoria Coalition to End Homelessness, providing information on their work to address housing affordability and homelessness – Community Plan Phase 2 Year 2: 2018-19; Creating Homes – A Community Guide to Affordable and Supportive Housing Development; and Submission to the Government of BC.
3. Email from City of Victoria, regarding four resolutions (1. extension of vacancy taxation authority to local governments, 2. recovering municipal costs arising from climate change; 3. provincial universal school food program, and 4. permanent residents to vote in BC municipal elections) to be forwarded to AVICC for consideration, dated March 11, 2019.
7. Email from Steve Duck, regarding a video link relative to a presentation to Council, dated March 14, 2019.
8. Email from Christine Havelka, Manager of Legislative Services City of Victoria, regarding City of Victoria resolutions, dated March 15, 2019.
9. Email from Newton Hockey, regarding the Grant-in-Aid to Peninsula Streams Society.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

a. Climate Action

With respect to the regional climate emergency declaration, Councillor P. Wainwright gave notice of the following motion to be considered at the next regular Council meeting:

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;

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.
18. **MOTION TO GO “IN-CAMERA” (CLOSED MEETING)** – not required.

19. **ADJOURNMENT**

2019.17.190 Moved by Councillor B. Fallot, seconded by Councillor P. Wainwright, that the meeting be adjourned at 10:05 p.m.

MOTION CARRIED UNANIMOUSLY

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MAYOR                                      CORPORATE OFFICER