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**TOWN OF SIDNEY**

**MINUTES OF REGULAR COUNCIL MEETING**  
**Monday, May 27, 2019**  
**Council Chambers**  
**7:00 p.m.**

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**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  
A. Verhagen, Senior Manager of Current Planning  
C. Newcomb, Senior Manager of Long Range Planning  
B. DeMaere, Manager of Engineering  
B. Robinson, Manager of Public Works & Parks  
T. Restell, Manager of Finance  
S. Nelson, Corporate Officer

**1. CALL TO ORDER / PUBLIC PARTICIPATION PERIOD (maximum 20 minutes) / INTRODUCTIONS / PRESENTATIONS / PUBLIC HEARINGS**

**A. PUBLIC PARTICIPATION PERIOD**

1. **C. MacLure, 2063 Piercy Avenue** - requested Council’s consideration to amend the Town’s bylaw to allow chickens in backyards, noting the following: bylaw would need to include specific regulations (e.g. minimum lot size, appropriate type of coop, 3-4 chickens only, etc.); other municipalities have been successful; the petition indicates there is support in the community; would not negatively impact the Town; and encouraged Council to move this forward this evening.

Public Participation Period closed at 7:05 p.m.

**2. APPROVAL OF AGENDA**

2019.24.263 Moved by Councillor S. Garnett, seconded by Councillor B. Fallot, that the agenda be approved as presented.

**MOTION CARRIED UNANIMOUSLY**

**3. ADOPTION OF MINUTES**

**a. Regular Council Meeting – May 13, 2019**

2019.24.264 Moved by Councillor C. Rintoul, seconded by Councillor T. O’Keeffe, that Minutes of the Regular Council Meeting of May 13, 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**

## 9. COUNCILLORS' REPORTS

### a. Councillor S. Duncan

i. **CRD Regional Water Supply Commission** - advised of the following: Commission meetings are now being webcasted; the Salmon Restoration Society's request for bulk water supply for the new hatchery was approved (and will not affect the drinking water supply for the region); noted stage 1 water restrictions are in effect; and that the Advisory Committee is looking at how to better communicate to the public about the management of the watershed and the good position the region is in with respect to having an abundant water supply.

ii. **Criteria for Disbursement of Amenity Contributions** - noted the Town's Community Amenity Funds is divided into 2 funds (33% - General Amenity Reserve Fund and 66% - Attainable Housing Reserve Fund) and as Council had previously indicated the need for more direction regarding appropriate expenditures of funds, suggested Council consider setting criteria for disbursement of the funds prior to next year's budget process.

2019.24.265

Moved by Councillor S. Duncan, seconded by Councillor P. Wainwright, that Council meet as Committee of the Whole to discuss a proposed criteria for eligible projects for the disbursement of the General Amenity and Attainable Housing Reserve Funds prior to the start of the 2020 budget process.

**MOTION CARRIED UNANIMOUSLY**

iii. **Plastic Bag Ban** - advised that students from Deep Cove Elementary School surveyed the businesses on Beacon Avenue inquiring whether they would be in favour of a bylaw that would ban the use of plastics bags, and that the result was 49 out of 56 indicated they would be in favour of such a bylaw.

The Mayor noted that this matter was presented to the CRD Board a couple of years ago, and did not proceed, however stated it is an appropriate time to bring this back to the CRD and to have all 13 municipalities consider following the same bylaw regulations.

b. **Councillor B. Fallot** - advised was very pleased with the newly renovated Sidney/North Saanich Library and encouraged citizens to attend the official opening on June 15.

## 10. COMMITTEE REPORTS

### a. Committee of the Whole – May 21, 2019

2019.24.266

Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Minutes of the Committee of the Whole Meeting of May 21, 2019, be received for information.

**MOTION CARRIED UNANIMOUSLY**

Minutes contain recommendation(s) regarding:

**R.1 Development Variance Permit Application No. DV100282 (10455 Allbay Road)**  
(To relax maximum fence height to allow 2 gates at the single-family dwelling).

2019.24.267

Moved by Councillor C. Rintoul, seconded by Councillor T. O'Keeffe:

1. That the applicant redesign the proposed gates to a maximum height of 1.8 metres; and
2. That upon submission of a redesigned drawing set, owners and tenants in occupation of property within 75m (246ft) of 10455 Allbay Road be notified regarding Development Variance Permit Application No. DV100282 (to increase the permitted height of front yard fence gates from 1.2m to 1.8m) and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance.

**OPPOSED: Councillor S. Garnett**  
**MOTION CARRIED 6:1**

**R.2 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).

2019.24.268

Moved by Councillor C. Rintoul, seconded by Councillor B. Fallo, that Development Variance Permit Application No. DV100283 and Development Permit Application No. DP100789 (2355 Orchard Avenue - to relax maximum lot coverage in order to allow for the construction of a single-family dwelling in the Intensive Single- family Development Permit Area) be forwarded to the Advisory Planning Commission for further review and comment.

**MOTION CARRIED UNANIMOUSLY**

**11. STAFF REPORTS**

**a. District of North Saanich Referral – Proposed Zoning Bylaw Amendment (Bylaw No. 1479)**

2019.24.269

Moved by Councillor S. Garnett, seconded by Councillor T. O'Keeffe, that staff respond to the District of North Saanich regarding proposed Bylaw No. 1479 with the following comments:

1. That the Town of Sidney has no comments on proposed zoning bylaw amendments related to accessible parking regulations, agricultural land, affordable housing parking requirements or zoning definitions;
2. That prior to initiating a zoning amendment to the CS-1 zone, the District of North Saanich, the Town of Sidney, the Victoria Airport Authority and the Ministry of Transportation and Infrastructure meet to discuss long-term land use and transportation planning considerations for the area; and
3. That the Town of Sidney requests that the District of North Saanich consult with the Town of Sidney prior to any future redevelopment of the affected CS-1 zoned parcels in order to proactively work together to manage issues relating to the shared road right-of-way of McDonald Park Road and implications on the surrounding street network including Beacon Avenue West.

**MOTION CARRIED UNANIMOUSLY**

**b. CRD Regional Foodland Access Program**

2019.24.270

Moved by Councillor P. Wainwright, seconded by Councillor S. Garnett, that staff respond to the CRD indicating that:

1. The Town of Sidney does support the CRD operation of a foodlands trust in partnership with a non-profit organization;
2. The Town of Sidney does not have land available to contribute to a regional foodland access program; and
3. Is not willing to participate in funding the CRD operation of a foodlands trust until an opportunity has been provided to review additional information related to the trust operation and associated costs.

**MOTION CARRIED UNANIMOUSLY**

**c. Seagull Study**

2019.24.271

Moved by Councillor B. Fallo, seconded by Councillor C. Rintoul, that the seagull study prepared by David Bird, Ph.D., dated September 4, 2018, be received for information and that staff bring forward a budget item for Council consideration for the 2020 budget deliberations to implement some or all of the recommended measures contained within the report.

**MOTION CARRIED UNANIMOUSLY**

**d. Kid's Don't Float Program**

2019.24.272 Moved by Councillor S. Garnett, seconded by Councillor B. Fallot, that Council approve the installation of an additional Kids Don't Float PFD Station to be located on the seawall between the beach access at the vicinity of Glass Beach and that staff be authorize to determine the exact location and assist with the installation.

**MOTION CARRIED UNANIMOUSLY**

**e. Sidney Museum Exhibit - Opening Ceremony**

2019.24.273 Moved by Councillor T. O'Keeffe, seconded by Councillor C. Rintoul, that the Sidney Museum be granted permission to use the Beacon Avenue sidewalk and road (to center line), fronting 2423 Beacon Avenue, for the Chief Dan George Exhibit's opening ceremony on June 21, 2019 from 9:00am to 11:30am, on the following conditions:

1. That the Sidney Museum 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 the Sidney Museum conform to all Town Bylaws;
3. That the Sidney Museum provide and follow a professional pedestrian and traffic control Management Plan that has been accepted by the Town. Plan to be submitted 14 days prior to the event;
4. That the Sidney Museum arrange a meeting with Town staff, the Fire Department and the RCMP to review safety/traffic requirements at least 7 days prior to the event.
5. That the Sidney Museum send out notices to affected residents/businesses advising of the event on June 21 and provide a contact number should there be any concerns/questions (at least 2 weeks prior to the event); and
6. That no costs are to be incurred by the Town in relation to this event.

**MOTION CARRIED UNANIMOUSLY**

**f. 2018 Year End Financial Results**

2019.24.274 Moved by Councillor S. Duncan, seconded by Councillor S. Garnett, that the staff report dated May 21, 2019, providing information on the 2018 operating results and status of the Town's accumulated operating surplus, be received for information.

**MOTION CARRIED UNANIMOUSLY**

**g. Staff Expense Policy**

2019.24.275 Moved by Councillor S. Garnett, seconded by Councillor B. Fallot, that the Staff Expense Policy No. FN-004 be approved as amended.

**MOTION CARRIED UNANIMOUSLY**

**h. Monthly Building Permit Report - April 2019**

2019.24.276 Moved by Councillor B. Fallot, seconded by Councillor C. Rintoul, that the Monthly Building Permit Report for April 2019 be received for information.

**MOTION CARRIED UNANIMOUSLY**

**12. OTHER REPORTS**

**13. CORRESPONDENCE**

**a. Request for Bylaw Amendment for Urban Hens in Sidney**

2019.24.277 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Council not proceed with amending the Animal License and Control Bylaw to allow the raising of chickens in the Town of Sidney.

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

**14. BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION**

**a. Bylaw No. 2164 – Miscellaneous Fees & Charges, Amendment No. 17**

2019.24.278 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that Bylaw No. 2164 - Miscellaneous Fees & Charges, Amendment No. 17 be adopted.

**MOTION CARRIED UNANIMOUSLY**

**15. NEW BUSINESS**

**a. Victoria Family Court & Youth Justice Committee**

*(Notice of Motion from Councillor B. Fallot – Council Meeting of May 13, 2019).*

2019.24.279 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett:

WHEREAS Councillor Heather Gartshore from the District of North Saanich and Councillor B. Fallot have become increasingly concerned about a number of issues related to the Victoria Family Court and Youth Justice Committee, including whether or not the Committee is in fact meeting its own mandate, how effective it is in doing so, whether or not it continues to be relevant, and the appropriateness of this being a Committee of the Capital Regional District Board,

THEREFORE BE IT RESOLVED that Council direct Mayor Cliff McNeill-Smith to work with Mayor Geoff Orr of the District of North Saanich to seek the CRD Board's endorsement of a review of the Victoria Family Court and Youth Justice Committee as soon as possible.

**MOTION CARRIED UNANIMOUSLY**

**16. CORRESPONDENCE FOR INFORMATION**

2019.24.280 Moved by Councillor B. Fallot, seconded by Councillor T. O'Keeffe, that the following correspondence be received for information:

1. Letter from R. Moorby, requesting a letter from Council unequivocally assuring, that when there are cars parked on both sides of James White Boulevards, that there will be fast and prompt access to emergency services, dated May 4, 2019. Reply dated May 14, 2019.
2. Letter from Ministry of Municipal Affairs & Housing, regarding the Building BC funds and programs, dated May 7, 2019.
3. Email from L. Lawford, requesting more bicycle racks on Beacon Avenue, dated May 12, 2019. Reply dated May 16, 2019.
4. Email from T. Cattell, regarding the plaque for Community Safety Building, dated May 13, 2019. Reply dated May 21, 2019.
5. Email from V. Harding, regarding the plaque for Community Safety Building, dated May 13, 2019. Replay dated May 21, 2019.

**MOTION CARRIED UNANIMOUSLY**

**17. NOTICES OF MOTION**

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

**19. ADJOURNMENT**

2019.24.281 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the meeting be adjourned at 8:35 p.m.

**MOTION CARRIED UNANIMOUSLY**