



TOWN OF SIDNEY

MINUTES OF REGULAR COUNCIL MEETING Monday, November 25, 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
J. Clary, Director of Engineering
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
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**

Mayor called the meeting to order at 7:00 p.m.

A. PUBLIC PARTICIPATION PERIOD

1. **J. Gifford, 10448 Allbay Road** - referring to the updated Strategic Plan advised was pleased with inclusion of the following: investment in a tree planting program and working with community organizations on a Tree Appreciation Day; continued focus on Reay Creek and new commitment to addressing concerns at Tsehum Harbour; the State of the Environment report; focus on affordable housing and other primary areas of the OCP Review; and stated is looking forward to participating in community engagement on these issues.
2. **D. Gelin, 2545 Oakville Avenue** – referring to Zoning Amendment Bylaw No. 2176, which included a total of 41 amendments, suggested that it would be helpful to provide a “track changes” version of the document for greater transparency for citizens.
3. **J. Blair, 2312 Henry Avenue** – expressed concerns that the former tenants (at one of the last affordable housing buildings in Sidney - Seventh Street and Brethour Avenue) were not offered the “informal” help in relocating (other than an extension to their eviction notice) they were promised by the representative of Ravens Crossing Cohousing and suggested that the Town hold developers to account and obtain written documentation on the specifics of the assistance.
4. **S. Duck, 9805 Second Street** – acknowledged Council on completing their first year of service and expressed appreciation for their discussion, questions and sharing of information at the Council meetings, while also noting that the longer discussions have led to long meetings and expressed concerns on a couple of recent processes (i.e. a business application and a development application) and hoped that members are not getting buried in the weeds with the extended discussions; and stated the importance to ensure processes are fair to all and to continue to move the community forward.

Public Participation Period closed at 7:11 p.m.

2. APPROVAL OF AGENDA

2019.40.564 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that the agenda be approved with the following:

1. addition to item 11d - letter from Herold Engineering dated November 21, 2019;
2. move item 16.6 - letter from the Victoria Family Court and Youth Justice Committee to item 5a - New Business; and
3. move item 16.5 - letter from City of Victoria to item 15b - New Business;

MOTION CARRIED UNANIMOUSLY

3. ADOPTION OF MINUTES

a. Regular Council Meeting - November 12, 2019

2019.40.565 Moved by Councillor C. Rintoul, seconded by Councillor T. O'Keeffe, that Minutes of the Regular Council Meeting of November 12, 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 - November 12, 2019

- i. **2020 Citizen Appointments - Committees/Commissions/Boards** *(to be announced at the Council Organizational Meeting - Dec 2, 2019)*
- ii. **Update of the 2019-2022 Strategic Plan** *(see item 11a)*

6. DELEGATIONS

7. PETITIONS

8. MAYOR'S REPORT

9. COUNCILLORS' REPORTS

- a. **Councillor S. Duncan** - reported her attendance at the CRD Water Commission and advised: that new members were appointed to the Water Advisory Committee; that the interim PH corrosion study results indicate only 2 locations having a high potential and that the next phase of study is to further review those locations; and advised that 2019 has been the lowest fire season (1 incident) in 7 years.

10. COMMITTEE REPORTS

a. Economic Advisory Committee - October 31, 2019

2019.40.566 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Minutes of the Economic Advisory Committee dated October 31, 2019, be received for information.

MOTION CARRIED UNANIMOUSLY

b. Advisory Planning Commission - November 19, 2019

2019.40.567 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that Minutes of the Advisory Planning Commission dated November 19, 2019, be received for information.

MOTION CARRIED UNANIMOUSLY

Councillor C. Rintoul left the meeting room at 7:18 p.m., citing a potential conflict of interest as his wife works for AMICA.

Minutes contain recommendation(s) regarding:

R.1 Development Permit Application No. DP100806 (2315 Mills Road)

(To allow a partial demolition, renovation and construction of an addition to an existing 3-storey, multi-family residential assisted living facility).

2019.40.568

Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that Development Permit Application No. DP100806 (2315 Mills Road - for the form and character of a 3-storey addition to an existing 3-storey multi-family residential assisted living development) be approved, subject to the following conditions:

1. That the applicant submit additional information on the height, location, and screening of rooftop mechanical equipment addressing Design Guideline No. 20.3.17 to the satisfaction of the Senior Manager of Current Planning, and;
2. That prior to the issuance of Building Permit the property owner shall:
 - a. Pay to the Town a deposit in the amount of 115% of the estimated cost to complete the hard and soft landscaping for the development, and;
 - b. Register a flood hazard covenant on the title of the property referencing the submitted Engineer's report.

MOTION CARRIED

Councillor C. Rintoul returned to the meeting at 7:21 p.m.

11. STAFF REPORTS

a. Updated 2019-2022 Strategic Plan

2019.40.569 Moved by Councillor B. Fallot, seconded by Councillor T. O'Keeffe, that the 2019-2022 Strategic Plan be amended as follows:

- on page 6, under Community Engagement, item 3:

"3. Collaboration with neighbouring local governments"

MOTION CARRIED UNANIMOUSLY

2019.40.570 Moved by Councillor T. O'Keeffe, seconded by Councillor S. Garnett, that the updated Town of Sidney Strategic Plan 2019 – 2022 be approved, as amended, and disseminated to the community via the Town's website, social media outlets, *Town Talk* and media release.

MOTION CARRIED UNANIMOUSLY

b. Conversion of Sidney's Light Duty Fleet to Electric Vehicles

2019.40.571 Moved by Councillor P. Wainwright, seconded by Councillor S. Duncan:

1. That the staff report, dated November 19, 2019, be received for information; and
2. That staff be directed to apply for grants and/or rebates to install new EV charges at the Works Yard and bring forward a budget item for 2020 budget deliberations.

MOTION CARRIED UNANIMOUSLY

2019.40.572 Moved by Councillor P. Wainwright, seconded by Councillor C. Rintoul, that the Town's Climate Action Plan be referred to a future Committee of the Whole for discussion.

MOTION CARRIED UNANIMOUSLY

c. Response to Siddall Road Petition

2019.40.573 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that staff be directed to bring forward an option for reducing the speed limit on Siddall Road.

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

2019.40.574 Moved by Councillor C. Rintoul, seconded by Councillor S. Duncan, that staff be directed to provide response letters to Mr. Gelens and Mr. Kirkendale indicating why the Town will not install speed humps on Siddall Road.

MOTION CARRIED UNANIMOUSLY

d. Award of Beacon Wharf Repair Contract

2019.40.575 Moved by Councillor P. Wainwright, seconded by Councillor S. Garnett, that the contract for the Beacon Wharf repair work be awarded to Pacific Industrial & Marine Ltd., in the amount of \$100,845.36.

MOTION CARRIED UNANIMOUSLY

e. Award of Janitorial Services Contract #2019-007

2019.40.576 Moved by Councillor S. Duncan, seconded by Councillor T. O'Keeffe, that Contract No. 2019-007 - Janitorial Services for Municipal Facilities covering two years (2020 and 2021) be awarded to Commercial Building Cleaning.

MOTION CARRIED UNANIMOUSLY

12. OTHER REPORTS

13. CORRESPONDENCE

a. Traffic Safety Concerns - Amherst Avenue and Third Street

2019.40.577 Moved by Councillor C. Rintoul, seconded by Councillor B. Fallot, that the letter from T. Kluge, dated October 10, 2019, expressing traffic safety concerns on Amherst Avenue and Third Street, be referred to staff for a report and recommendation to Council.

MOTION CARRIED UNANIMOUSLY

14. BYLAWS / DEVELOPMENT PERMITS / VARIANCES / SUBDIVISION

a. Bylaw No. 2181 - Advisory Planning Commission

2019.40.578 Moved by Councillor S. Garnett, seconded by Councillor P. Wainwright, that the staff report dated November 19, 2019, regarding the proposed new Advisory Planning Commission Bylaw No. 2181, be received for information.

MOTION CARRIED UNANIMOUSLY

2019.40.579 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Bylaw No. 2181 - Advisory Planning Commission be introduced and given first reading.

MOTION CARRIED UNANIMOUSLY

2019.40.580 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Bylaw No. 2181 - Advisory Planning Commission be given second reading.

**OPPOSED: Councillors: S. Garnett & T. O'Keeffe
MOTION CARRIED 5:2**

2019.40.581 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that Bylaw No. 2181 - Advisory Planning Commission be given third reading.

**OPPOSED: Councillors: S. Garnett & T. O'Keeffe
MOTION CARRIED 5:2**

b. Bylaw No. 2182 - Council & Committees Procedure, Amendment No. 2

(To amend the start time of Council Meetings, the Order of Business on the Agenda, the adjournment time of Council meetings; the summer meeting schedule and to address other housekeeping item).

2019.40.582 Moved by Councillor P. Wainwright, seconded by Councillor C. Rintoul, that Bylaw No. 2182 - Council & Committees Procedure, Amendment No. 2, be adopted.

OPPOSED: Councillors: S. Garnett & T. O'Keeffe
MOTION CARRIED 5:2

15. NEW BUSINESS

a. VFCYJ Committee - Truth and Reconciliation

(Item 16.6 - Email from Victoria Family Court & Youth Justice Committee, regarding calls to action from the Truth and Reconciliation Commission, dated November 13, 2019.)

Councillor B. Fallot suggested that the Town respond to the Victoria Family Court & Youth Justice Committee providing feedback on the Town's actions/initiatives respecting truth and reconciliation.

2019.40.583 Moved by Councillor B. Fallot, seconded by Councillor P. Wainwright, that the email from Victoria Family Court & Youth Justice Committee, regarding calls to action from the Truth and Reconciliation Commission, dated November 13, 2019, be received and referred to staff for a response with a copy to Mayor and Council.

MOTION CARRIED UNANIMOUSLY

b. City of Victoria's Resolutions regarding Opioid Crisis

(Item 16.5 - Email from City of Victoria, requesting support for resolution regarding the opioid crisis, dated November 12, 2019.)

Councillor S. Duncan suggested that the Town support City of Victoria's resolutions regarding the opioid crisis.

2019.40.584 Moved by Councillor P. Wainwright, seconded by Councillor S. Duncan, that Council sees merit in the motion related to an alternative to toxic drug supplies and provision of safe consumption sites, but are concerned that the motions presented are not well crafted and can't support them as written.

**OPPOSED: Mayor C. McNeil-Smith & Councillors: B. Fallot, S. Garnett,
T. O'Keeffe & P. Wainwright**
MOTION DEFEATED 5:2

16. CORRESPONDENCE FOR INFORMATION

2019.40.585 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that the following correspondence be received for information:

1. Email from VRIL, providing a copy of their newsletter, dated November 5, 2019.
2. Letter from B. Latimer, regarding the Land Use Contract for Summergate Village, dated November 6, 2019. Reply dated November 14, 2019.
3. Email from L. Janie, regarding School District No. 63 strike, dated November 7, 2019. Reply dated November 7, 2019.
4. Email from J. Gifford, regarding use of Community Amenity Contributions, dated November 11, 2019. Reply dated November 14, 2019.
5. *(Already dealt with - see item 15b).*
6. *(Already dealt with - see item 15a).*
7. Emails expressing concerns regarding horse-drawn carriages rides in Sidney. Replies dated November 20, 2019.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

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

2019.40.586 Moved by Councillor S. Garnett, seconded by Councillor B. Fallot, that it is in the opinion of Council that the public interest requires that persons other than members of the Council and Officers be excluded from the meeting to consider confidential matters respecting a legal matter, pursuant to section 90.1 (g) of the *Community Charter* and that the Council continue the meeting in closed session.

MOTION CARRIED UNANIMOUSLY

19. ADJOURNMENT

2019.40.587 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that the meeting be adjourned at 8:04 p.m.

MOTION CARRIED UNANIMOUSLY

MAYOR

CORPORATE OFFICER