



TOWN OF SIDNEY

MINUTES OF REGULAR COUNCIL MEETING Monday, August 17, 2020 Council Chambers 6:00 p.m.

PRESENT: Mayor C. McNeil-Smith
Councillors: S. Garnett and C. Rintoul
Councillors: S. Duncan, B. Fallot, T. O’Keeffe and P. Wainwright (*via electronically*)

Staff: R. Humble, Chief Administrative Officer
A. Hicik, Director of Corporate Services
J. Clary, Director of Engineering
B. Mikkelsen, Fire Chief
A. Verhagen, Senior Manager of Current Planning
S. Nelson, Corporate Officer

1. CALL TO ORDER

The Mayor called the meeting to order at 6:00 p.m.

The Mayor stated that Council Meetings continued to be closed to the public as the Council Chamber is not able to provide the required physical distancing, however that the meetings continue to be broadcast live, as well as recorded and posted on the Town’s website, and that public participation is available with further information on the Town’s website.

2. TERRITORIAL ACKNOWLEDGEMENT

The Mayor respectfully acknowledged that this evening’s meeting is being held on the traditional territory of the WSÁNEC First Nations.

3. APPROVAL OF AGENDA

2020.36.439 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the agenda be approved with the following additions:

1. item 5Bi - emails from I. Squire and B. Greig, dated August 16, 2020;
2. item 13L - revision to policy; and
3. item 16.12 - emails from A. Beddow and D. Thorlaciuss, dated August 16, 2020, and email from J. Campbell, dated August 17, 2020.

MOTION CARRIED UNANIMOUSLY

4. A. PUBLIC PARTICIPATION PERIOD (*maximum 20 minutes*)

There were no registered speakers.

Public submission(s) read aloud:

1. **D. Gelinis, 2545 Oakville Avenue** (email dated August 17, 2020) - stated this is not the time to spend tax dollars on public washrooms while the economy is on a downturn from the COVID-19 pandemic and suggested that a virtual Town Hall would provide an opportunity to ask residents for their input on public washrooms.
2. **D. Calveley, 9655 First Street** (email dated August 17, 2020) - stated that residents pay a lot of tax to the CRD and perhaps a detailed report on what Sidney actually receives would be nice; and suggested the CRD be requested to provide a boat launch ramp and parking area for all of the Peninsula residents.
3. **C. Bolt, 9659 Second Street** (email dated August 17, 2020) - referring to the Happy Buddha Cannabis Retail Licence application, questioned the rational and expected outcome for altering the standard notification process of inviting

comprehensive and numerous public input opportunities by singling out local schools, daycares and parent advisory groups for special attention.

4. **M. Brash, 9659 Second Street** (email dated August 17, 2020) - also referring to the Happy Buddha application, stated: that legal cannabis products are more carefully packaged than other legal drugs; that there are legal liquor establishments on Beacon Avenue during special events and near the vicinity of children; that liquor stores, grocery stores and pharmacies have legal non-prescription drugs; that cannabis is only sold to adults; and that it is not up to Council to judge the access to a legal and regulated product in a zone and location that allows it.

Public Participation Period closed 6:12 p.m.

SPECIAL PUBLIC PARTICIPATION OPPORTUNITY

- i. **2019 Annual Report** (see Report - item 13a)

There were no written submissions or public speakers.

**B. PUBLIC HEARINGS
C. PRESENTATIONS**

5. **A. BYLAWS**

- i. **Bylaw No. 2195 - Tree Preservation, Amendment No. 1**
(To allow waiving of permitting fees and replacement trees if the Town requests a protected tree be removed due to hazardous situation).

2020.36.440 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Bylaw No. 2195 - Tree Preservation, Amendment No. 1, be introduced and given first reading.

MOTION CARRIED UNANIMOUSLY

Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Bylaw No. 2195 - Tree Preservation, Amendment No. 1, be given second reading.

2020.36.441 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the Town maintain the two replacement tree requirement, at the Town's cost.

**OPPOSED: Mayor C. McNeil-Smith & Councillors: B. Fallot, T. O'Keeffe
& C. Rintoul**

MOTION DEFEATED 4:3

The question was called on the original motion as follows:

2020.36.442 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Bylaw No. 2195 - Tree Preservation, Amendment No. 1, be given second reading.

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

2020.36.443 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Bylaw No. 2195 - Tree Preservation, Amendment No. 1, be given third reading.

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

- ii. **Bylaw No. 2199 - Service Connection Fees & Charges, Amendment No. 1**

2020.36.444 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that Bylaw No. 2199 - Service Connection Fees & Charges, Amendment No. 1, be adopted.

MOTION CARRIED UNANIMOUSLY

iii. Bylaw No. 2200 - Building Regulations, Amendment No. 9
(To amend municipal requirements for plumbing system for multi-family building).

2020.36.445 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Bylaw No. 2200 - Building Regulations, Amendment No. 9, be introduced and given first reading.

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

2020.36.446 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Bylaw No. 2200 - Building Regulations, Amendment No. 9, be given second reading.

MOTION CARRIED UNANIMOUSLY

2020.36.447 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Bylaw No. 2200 - Building Regulations, Amendment No. 9, be given third reading.

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

iv. Bylaw No. 2201 - Tax Sale Deferral
(To defer 2020 tax sale to 2021 due to impacts of COVID-19).

2020.36.448 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that Bylaw No. 2201 - Tax Sale Deferral be introduced and given first reading.

MOTION CARRIED UNANIMOUSLY

2020.36.449 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that Bylaw No. 2201 - Tax Sale Deferral be given second reading.

MOTION CARRIED UNANIMOUSLY

2020.36.450 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that Bylaw No. 2201 - Tax Sale Deferral be given third reading.

MOTION CARRIED UNANIMOUSLY

2020.36.451 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that Bylaw No. 2201 - Tax Sale Deferral be adopted.

MOTION CARRIED UNANIMOUSLY

B. DEVELOPMENT PERMITS & DEVELOPMENT VARIANCE PERMITS

i. Development Variance Permit Application No. DV100296 (9650 Fifth Street)
(To permit an over-height fence and a sundeck to be built in the exterior side yard)

Written Submission(s):

1. Email from K. Squire, Orchard Avenue, dated August 11, 2020.
2. Email from I. Squire, Orchard Avenue, dated August 16, 2020.
3. Email from B. Greig, Fifth Street, dated August 16, 2020.

2020.36.452 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the Development Variance Permit Application No. DV100296 (9650 Fifth Street) be approved, subject to conditions as per Council's Resolution No. 2020.34.406.

OPPOSED: Councillors: B. Fallot & T. O'Keeffe
MOTION CARRIED 5:2

6. ADOPTION OF MINUTES

- a. **Special Council Meeting - July 20, 2020**
- b. **Regular Council Meeting - July 20, 2020**

c. Special Council Meeting - August 5, 2020

2020.36.453 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that Minutes of the Special Council Meetings of July 20 and August 5, 2020, and the Regular Council Meeting of July 20, 2020, be adopted as presented.

MOTION CARRIED UNANIMOUSLY

7. BUSINESS NOT COMPLETED AT A PREVIOUS REGULAR MEETING

8. BUSINESS ARISING FROM MINUTES *(for information only)*

a. Special Council In-Camera Meeting - July 20, 2020

i. Resignation - Economic Advisory Committee

Resolution: that the email from B. Cina, dated July 9, 2020, advising of her resignation from the Economic Advisory Committee, be accepted and that a letter be sent to Ms. Cina thanking her for her service; and that the vacant position be advertised with the annual advertisement in October.

ii. Resignation - COVID-19 Recovery Task Force

Resolution: that the email from K. Bull-Tomer, dated July 17, 2020, advising of her resignation from the COVID-19 Recovery Task Force, be accepted and that a letter be sent to Mrs. Bull-Tomer thanking her for her service; and that another member of the Advisory Planning Commission be considered for an appointment to the Task Force.

iii. Resolution: that the Mayor and Chief Administrative Officer be delegated the authority to directly appoint a member from the Advisory Planning Commission to the COVID-19 Recovery Task Force.

9. PETITIONS & DELEGATIONS

10. MAYOR'S REPORT

The Mayor provided the following update:

- August 4 - met with MLA A. Olson and Mayors G. Orr and R. Windsor regarding a number of Peninsula matters, including the timing of our respective Official Community Plan reviews and received an update on the Bioregional Framework to provide an outline for environment management on the Saanich Peninsula.
- August 11 - met with other Mayors of Greater Victoria regarding how communities are recovering from the pandemic, noting impacts vary across the region, the opening of recreational pools, and homelessness challenges.
- August 12 - meeting of SIPP's Partners Committee to provide an update on recovery planning and review the partners funding request for 2021-2025.
- August 12 - meeting of CRD Board - advised 2 projects completed and reports available to local governments (on CRD's website) - Coastal Flood Inundation Mapping Project and Greenhouse Gas Emissions Inventory Study. The Mayor suggested staff bring forward a report on where Sidney in overall and per capita on reductions.
- August 14 - met with Peninsula Pickleball Association noting that they appreciate the Town's Parks Master Plan and the planned improvements and that they have some ideas and may bring forward requests for Council's consideration.

11. COUNCILLORS' REPORTS

- a. Councillor T. O'Keeffe** - provided the following update from the Chamber's meeting of July 29: that business is picking up, particularly those providing services; that tourist numbers are continuing to increase (primarily seeing visitors from the mainland); that the District of North Saanich approved funding for cleaning of washrooms at the highway rest stop for the next 6 months; that the BIA has prepared a "Welcome Back" campaign

including marketing staycation and participate in shop local sweepstakes and that SBIA is looking into providing an open source data tool to help stimulate the local economy.

- b. **Councillor B. Fallot** - provided the following update on the Vancouver Island Regional Library (VIRL): that inter-branch transport services have resumed; that late fees are being waived; and that VIRL is conducting an on-line survey to gather feedback on the collection and services at the library (survey available through the Town's website).

12. COMMITTEE REPORTS

a. Committee of the Whole - August 10, 2020

2020.36.454 Moved by Councillor S. Duncan, seconded by Councillor C. Rintoul, that Minutes of the Committee of the Whole Meeting of August 10, 2020, be received for information.

MOTION CARRIED UNANIMOUSLY

Minutes contain recommendation(s) regarding:

R.1 Budget Variance Report / Update on 2020 Capital Projects

2020.36.455 Moved by Councillor S. Duncan, seconded by Councillor C. Rintoul, that a letter be drafted from Mayor and Council to our local MLA outlining the impacts that COVID-19 has had on our bylaw enforcement.

MOTION CARRIED UNANIMOUSLY

R.2

2020.36.456 Moved by Councillor S. Duncan, seconded by Councillor S. Garnett, that the staff report, dated August 4, 2020, providing an update on the financial results for the first half of the 2020 fiscal year and the status of the 2020 Capital Projects, be received for information.

MOTION CARRIED UNANIMOUSLY

R.3 Cannabis Retail Store Referral - Happy Buddha Cannabis (2410 Beacon Ave)

2020.36.457 Moved by Councillor S. Duncan, seconded by Councillor C. Rintoul:

1. That staff be directed to gather the views of residents regarding the proposed Happy Buddha Cannabis retail store licence and report back to Council with the results.
2. That the method used to gather residents' views include the following and that any written correspondence received be forwarded to Council for consideration:
 - a) That owners and tenants in occupation of property within 100 metres (328 feet) of 2410 Beacon Avenue be notified by mail;
 - b) That advertisements be placed in two consecutive issues of the Peninsula News Review;
 - c) That signage consistent with Schedule D of Land Use Procedures Bylaw No. 1380 be placed in the storefront window of the proposed location for a period of not less than 14 days, and;
3. That Council provide a special public participation opportunity at the Council meeting where the public may speak to the proposed cannabis retail store licence.

MOTION CARRIED UNANIMOUSLY

2020.36.458 Moved by Councillor S. Duncan, seconded by Councillor C. Rintoul:

4. That local schools, daycares and parent advisory groups in Sidney and North Saanich be notified and invited to share the notice with parents so that they may submit their views to the Town.

OPPOSED: Councillors: S. Duncan, S. Garnett & P. Wainwright

MOTION CARRIED 4:3

13. STAFF REPORTS

a. 2019 Annual Report

2020.36.459 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the Town of Sidney 2019 Annual Report be approved as presented.

MOTION CARRIED UNANIMOUSLY

b. Remedial Action - 2110 James White Boulevard West

2020.36.460 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul:

1. That pursuant to section 74 of the *Community Charter*, Council declare the property at 2110 James White Blvd West a nuisance due to ongoing issues of unsightliness and debris on the property.
2. That pursuant to section 73 of the *Community Charter*, Council consider the following conditions present on the property at 2110 James White Blvd West to be unsafe conditions, contraventions of the BC Building Code and contrary to Town of Sidney Building Regulations Bylaw No. 2016:
 - i. Presence of black mold in the dwelling.
 - ii. Removal of interior walls, including structural and load-bearing walls, without a Building Permit.
 - iii. Open electrical wiring.
 - iv. Rot and damage due to excessive moisture.
 - v. Lack of fire protection between dwelling units.
 - vi. Penetration of the building envelope.
 - vii. Removal of coverings (e.g. drywall) on walls and ceilings.
 - viii. Removal of electrical outlets and lighting.
 - ix. Significant work and alterations conducted on the property without any Building Permit being issued to authorize that work.
3. That as a result of the nuisance declaration and unsafe conditions, contraventions of the BC Building Code and Town of Sidney Building Regulations Bylaw No. 2016, that pursuant to sections 72 of the *Community Charter*, Council authorize and impose a remedial action requirement on the registered owner of 2110 James White Blvd West.
4. That staff be directed to prepare a registered letter to the registered owner of 2110 James White Blvd West, pursuant to section 77 of the *Community Charter*, advising the registered owner of the nuisance, unsafe conditions, contraventions of the BC Building Code and Town of Sidney Building Regulations Bylaw and Council's imposition of a remedial action requirement against each of them, and state that remedial action must be completed within 90 days of the date of the letter.
5. That pursuant to section 77 of the *Community Charter*, notice of the remedial action requirement also be served on any holder of a registered charge in relation to the property whose name is on the assessment roll, and any occupier of the property.
6. That pursuant to sections 72, 73, 74, and 77 of the *Community Charter*, the registered owner of the property be required in the letter to take the following specific remedial actions on the property by the specified deadline:
 - a. Remedy the nuisance caused by the unkempt state of the property by removing any discarded debris on the property and trimming the grass and shrubbery to a standard commensurate with the surrounding residential area;
and
 - b. Remedy the hazardous conditions, contraventions of the Building Code and Building Regulation Bylaw No. 2016, and nuisance conditions other than the unkempt state of the property, by either:
 - i. In accordance with Building Regulation Bylaw No. 2016 and other applicable Town of Sidney Bylaws, obtain a Demolition Permit for the single-family dwelling on property and demolish the structure and clear the property of any construction debris, including the foundation of the building;

- or
- ii. In accordance with Building Regulation Bylaw No. 2016 and other applicable Town of Sidney Bylaws, obtain a Building Permit and remediate the single-family dwelling on the property to address the aforementioned unsafe conditions and contraventions of the BC Building Code and Town of Sidney Bylaws.
7. Furthermore, if any remediation required by this resolution is not completed by the specified date, that staff be authorized to:
- a. in accordance with Section 17 of the *Community Charter*, take all necessary action to undertake and fulfill the requirements of this Resolution to bring the property into compliance with the requirements of this Resolution, which work will be conducted at the expense of the registered owner of the property, and further to treat the cost of fulfilling the requirements of this Resolution as a debt owed to the Town, including without limitation to treat that debt if unpaid by the end of this calendar year, to be added to the property taxes in relation to the Property pursuant to section 258 of the *Community Charter*, and collected in the same manner as property taxes in arrears;
 - b. or sell the property and retain sufficient proceeds of the sale to pay for the costs of sale and to compensate the Town for its costs in fulfilling the remedial action requirement, before returning any surplus to the property owner.
 - c. In addition to and without limiting the Town's ability to take the steps above, staff is further authorized to engage legal counsel and commence legal proceedings to enforce compliance with the requirements of this Resolution pursuant to section 274 of the *Community Charter*.

MOTION CARRIED UNANIMOUSLY

c. Remedial Action - 9971 Resthaven Drive

2020.36.461

Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett:

1. That pursuant to section 74 of the *Community Charter*, Council declare the property at 9971 Resthaven Drive a nuisance due to ongoing issues of unsightliness and debris on the property.
2. That pursuant to section 73 of the *Community Charter*, Council consider the following conditions present on the property at 9971 Resthaven Drive to be unsafe conditions, contraventions of the BC Building Code and contrary to Town of Sidney Building Regulations Bylaw No. 2016:
 - i. Presence of black mold in the dwelling.
 - ii. Removal of interior walls, including structural and load-bearing walls, without a Building Permit.
 - iii. Open electrical wiring.
 - iv. Rot and damage due to excessive moisture.
 - v. Flammable materials attached to the wood-burning appliance.
 - vi. Penetration of the building envelope.
 - vii. Removal of coverings (e.g. drywall) on walls and ceilings.
 - viii. Removal of electrical outlets and lighting.
 - ix. Lack of proper fire protection and venting for cooking equipment.
 - x. Significant work and alterations conducted on the property without any Building Permit being issued to authorize that work.
3. That as a result of the nuisance declaration and unsafe conditions, contraventions of the BC Building Code and Town of Sidney Building Regulations Bylaw No. 2016, that pursuant to sections 72 of the *Community Charter*, Council authorize and impose a remedial action requirement on the registered owners of 9971 Resthaven Drive.
4. That staff be directed to prepare a registered letter to the registered owners of 9971 Resthaven Drive, pursuant to section 77 of the *Community Charter*, advising the registered owners of the nuisance, unsafe conditions, contraventions of the BC Building Code and Town of Sidney Building Regulations Bylaw and Council's imposition of a remedial action requirement against each of them, and state that remedial action must be completed within 90 days of the date of the letter.
5. That pursuant to section 77 of the *Community Charter*, notice of the remedial action requirement also be served on any holder of a registered charge in relation to the property whose name is on the assessment roll, and any occupier of the property.

6. That pursuant to sections 72, 73, 74, and 77 of the *Community Charter*, the registered owners of the property be required in the letter to take the following specific remedial actions on the property by the specified deadline:
 - a. Remedy the nuisance caused by the unkempt state of the property by removing any discarded debris on the property and trimming the grass and shrubbery to a standard commensurate with the surrounding residential area;
 - and
 - b. Remedy the hazardous conditions, contraventions of the Building Code and Building Regulation Bylaw No. 2016, and nuisance conditions other than the unkempt state of the property, by either:
 - i. In accordance with Building Regulation Bylaw No. 2016 and other applicable Town of Sidney Bylaws, obtain a Demolition Permit for the single-family dwelling on property and demolish the structure and clear the property of any construction debris, including the foundation of the building;
 - or
 - ii. In accordance with Building Regulation Bylaw No. 2016 and other applicable Town of Sidney Bylaws, obtain a Building Permit and remediate the single-family dwelling on the property to address the aforementioned unsafe conditions and contraventions of the BC Building Code and Town of Sidney Bylaws.
7. Furthermore, if any remediation required by this resolution is not completed by the specified date, that staff be authorized to:
 - a. in accordance with Section 17 of the *Community Charter*, take all necessary action to undertake and fulfill the requirements of this Resolution to bring the property into compliance with the requirements of this Resolution, which work will be conducted at the expense of the registered owners of the property, and further to treat the cost of fulfilling the requirements of this Resolution as a debt owed to the Town, including without limitation to treat that debt if unpaid by the end of this calendar year, to be added to the property taxes in relation to the Property pursuant to section 258 of the *Community Charter*, and collected in the same manner as property taxes in arrears;
 - b. or sell the property and retain sufficient proceeds of the sale to pay for the costs of sale and to compensate the Town for its costs in fulfilling the remedial action requirement, before returning any surplus to the property owners.
 - c. In addition to and without limiting the Town's ability to take the steps above, staff is further authorized to engage legal counsel and commence legal proceedings to enforce compliance with the requirements of this Resolution pursuant to section 274 of the *Community Charter*.

MOTION CARRIED UNANIMOUSLY

d. Remedial Action - 9973 Resthaven Drive

2020.36.462

Moved by Councillor S. Duncan, seconded by Councillor C. Rintoul:

1. That pursuant to section 74 of the *Community Charter*, Council declare the property at 9973 Resthaven Drive a nuisance due to ongoing issues of unsightliness and debris on the property.
2. That pursuant to section 73 of the *Community Charter*, Council consider the following conditions present on the property at 9973 Resthaven Drive to be unsafe conditions, contraventions of the BC Building Code and contrary to Town of Sidney Building Regulations Bylaw No. 2016:
 - i. Presence of black mold in the dwelling.
 - ii. Removal of interior walls, including structural and load-bearing walls, without a Building Permit.
 - iii. Open electrical wiring.
 - iv. Rot and damage due to excessive moisture.
 - v. Penetration of the building envelope.
 - vi. Removal of coverings (e.g. drywall) on walls and ceilings.
 - vii. Removal of electrical outlets and lighting.

- viii. Significant work and alterations conducted on the property without any Building Permit being issued to authorize that work.
3. That as a result of the nuisance declaration and unsafe conditions, contraventions of the BC Building Code and Town of Sidney Building Regulations Bylaw No. 2016, that pursuant to sections 72 of the *Community Charter*, Council authorize and impose a remedial action requirement on the registered owners of 9973 Resthaven Drive.
4. That staff be directed to prepare a registered letter to the registered owners of 9973 Resthaven Drive, pursuant to section 77 of the *Community Charter*, advising the registered owners of the nuisance, unsafe conditions, contraventions of the BC Building Code and Town of Sidney Building Regulations Bylaw and Council's imposition of a remedial action requirement against each of them, and state that remedial action must be completed within 90 days of the date of the letter.
5. That pursuant to section 77 of the *Community Charter*, notice of the remedial action requirement also be served on any holder of a registered charge in relation to the property whose name is on the assessment roll, and any occupier of the property.
6. That pursuant to sections 72, 73, 74, and 77 of the *Community Charter*, the registered owners of the property be required in the letter to take the following specific remedial actions on the property by the specified deadline:
 - a. Remedy the nuisance caused by the unkempt state of the property by removing any discarded debris on the property and trimming the grass and shrubbery to a standard commensurate with the surrounding residential area;
 - and
 - b. Remedy the hazardous conditions, contraventions of the Building Code and Building Regulation Bylaw No. 2016, and nuisance conditions other than the unkempt state of the property, by either:
 - i. In accordance with Building Regulation Bylaw No. 2016 and other applicable Town of Sidney Bylaws, obtain a Demolition Permit for the single-family dwelling on property and demolish the structure and clear the property of any construction debris, including the foundation of the building;
 - or
 - ii. In accordance with Building Regulation Bylaw No. 2016 and other applicable Town of Sidney Bylaws, obtain a Building Permit and remediate the single-family dwelling on the property to address the aforementioned unsafe conditions and contraventions of the BC Building Code and Town of Sidney Bylaws.
7. Furthermore, if any remediation required by this resolution is not completed by the specified date, that staff be authorized to:
 - a. in accordance with Section 17 of the *Community Charter*, take all necessary action to undertake and fulfill the requirements of this Resolution to bring the property into compliance with the requirements of this Resolution, which work will be conducted at the expense of the registered owners of the property, and further to treat the cost of fulfilling the requirements of this Resolution as a debt owed to the Town, including without limitation to treat that debt if unpaid by the end of this calendar year, to be added to the property taxes in relation to the Property pursuant to section 258 of the *Community Charter*, and collected in the same manner as property taxes in arrears;
 - b. or sell the property and retain sufficient proceeds of the sale to pay for the costs of sale and to compensate the Town for its costs in fulfilling the remedial action requirement, before returning any surplus to the property owners.
 - c. In addition to and without limiting the Town's ability to take the steps above, staff is further authorized to engage legal counsel and commence legal proceedings to enforce compliance with the requirements of this Resolution pursuant to section 274 of the *Community Charter*.

MOTION CARRIED UNANIMOUSLY

- e. OCP Review Collaboration with Peninsula Municipalities**
- 2020.36.463 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that a letter be sent to the District of North Saanich and the District of Central Saanich requesting inter-municipal cooperation during our respective OCP review processes in the areas identified in the staff report dated August 11, 2020 as well as consideration for undertaking a tri-municipal approach for consultation with School District 63 and the Peninsula Recreation Commission.
- MOTION CARRIED UNANIMOUSLY**
- f. Concerns Regarding Tulista Boat Launch Impacts**
- 2020.36.464 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the staff report dated August 11, 2020 providing an update on the growing concerns about the operation of the Tulista Boat Launch, be received for information.
- MOTION CARRIED UNANIMOUSLY**
- g. Port Sidney Marina Lease and Sublease**
- 2020.36.465 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul:
1. That the 30-year Lease with the Province for the water lot portion of Port Sidney Marina be approved; and
 2. That the 30-year sub-lease with Port Sidney Marina Inc. be approved.
- MOTION CARRIED UNANIMOUSLY**
- h. 2019 Statement of Financial Information**
- 2020.36.466 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the Statement of Financial Information for the Town of Sidney for the year ended December 31, 2019, be approved.
- MOTION CARRIED UNANIMOUSLY**
- i. Reay Creek Dam Renovation Update**
- 2020.36.467 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Council confirm the direction to enter into a time and materials unit rate contract with QM Environmental for the renovation of Reay Creek Dam in 2020, and allocate an additional \$150,000 in budget for the project, funded from the Land Sale Reserve.
- MOTION CARRIED UNANIMOUSLY**
- j. COVID-19 EOC Activation Conclusions and Insights**
- 2020.36.468 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the staff report dated August 11th, 2020, be received for information and that staff be authorized to conduct a Town of Sidney COVID-19 Response Survey.
- OPPOSED: Councillor T. O'Keeffe**
MOTION CARRIED 6:1
- k. Amendment to Policy CC-010 Webcasting of Council Meetings**
- 2020.36.469 Moved by Councillor P. Wainwright, seconded by Councillor C. Rintoul, that Policy CC-010 - Webcasting of Council Meetings be referred to staff to bring back at a future meeting.
- MOTION CARRIED UNANIMOUSLY**
- l. Amendment to Policy AD-003 - Legal Counsel**
- 2020.36.470 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that Policy AD-003 - Legal Counsel be approved as amended.
- MOTION CARRIED UNANIMOUSLY**

m. Monthly Building Permit Report - July 2020

2020.36.471 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the Monthly Building Permit Report for July 2020 be received for information.

MOTION CARRIED UNANIMOUSLY

14. CORRESPONDENCE

a. Support for Provincial Rest Stop

2020.36.472 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the email from Saanich Peninsula Chamber of Commerce, dated July 20, 2020, be received and that the Town provide a letter of support regarding the Chamber's request to the Province to designate the site at 10382 Patricia Bay Highway as a provincial rest stop with public washroom facilities.

MOTION CARRIED UNANIMOUSLY

b. Request for Ban of Anticoagulant Rodenticides

2020.36.473 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the email from District of Saanich, dated July 3, 2020, requesting a ban of anticoagulant rodenticides, be referred to staff for a report.

MOTION CARRIED UNANIMOUSLY

15. NEW BUSINESS

16. CORRESPONDENCE FOR INFORMATION

2020.36.474 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the following correspondence be received for information:

1. Email from Country Bee, regarding the benefits of beekeeping and bylaw changes, dated June 23, 2020. Replies dated August 4 and 5, 2020.
2. Letter from Victoria EV Association, regarding access to EV charging in multiple unit residential buildings, dated July 2, 2020. Reply dated August 6, 2020.
3. Email from K., Rolfe, regarding chickens in Sidney, dated July 6, 2020. Reply dated July 24, 2020.
4. Email from C. Reid, regarding pickleball courts, dated July 8, 2020. Reply dated July 24, 2020.
5. Email from S. Scollard, regarding beach access on Beaufort Road, dated July 8, 2020. Reply dated July 22, 2020.
6. Email from L. Morris Sr., regarding grant in aid for Geronimo Canoe Club, dated July 21, 2020. Reply dated July 23, 2020.
7. Letter from Lower Island Soccer Association, regarding unsafe return to play practices on municipal sport fields, dated July 17, 2020. Reply dated July 28, 2020.
8. Letter from Victoria Residential Builders Association, regarding added costs building to the BC Step Code, dated July 22, 2020.
9. Email from B. Pires, request to urge provincial government to proclaim new inclusive name for our province and adopt a new flag and coat of arms, dated July 1, 2020. Reply dated July 24, 2020.
10. Letter from CRD, regarding the 2019 Arts & Culture Progress Report, received on July 20, 2020.
11. Email from S. Berg, requesting immediate re-opening of our libraries, dated July 26, 2020. Reply from VIRL dated July 28, 2020.
12. Emails (15) requesting the banning of use of rodenticides. (*See also item 14b*).
13. Email from AVICC, regarding Executive Nomination Report, BC Marine Trails, and southern resident Kill Whales Regulations, dated July 29, 2020.
14. Letter from Cowichan Energy Alternatives, regarding the creation of a Vancouver Island Bio-Economy Cluster, received on August 4, 2020.

15. Letter from City of Fort St. John, regarding BC Hydro's Application to Amend the Net Metering Service under Rate Schedule 1289, dated July 31, 2020.
16. Email from D. Dixon, requesting a bylaw for the mandatory wearing of fascial masks in public places in Sidney, dated August 2, 2020. Reply dated August 5, 2020.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

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

- 2020.36.475 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that it is in the opinion of Council that the public interest requires that persons other than members of Council and Officers be excluded from the meeting to consider a confidential matter relating to a personnel issue, pursuant to section 90.1 (c) of the *Community Charter* and that Council continue the meeting in closed session.

MOTION CARRIED UNANIMOUSLY

19. ADJOURNMENT

- 2020.36.476 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the open meeting be adjourned at 8:25 p.m. with the In-Camera portion to immediately follow.

MOTION CARRIED UNANIMOUSLY

MAYOR

CORPORATE OFFICER