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**TOWN OF SIDNEY**  
**MINUTES OF COMMITTEE OF THE WHOLE MEETING**  
**Monday, July 13, 2020**  
**Council Chambers**  
**6:00 p.m.**

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

**Staff:** R. Humble, Chief Administrative Officer  
A. Hicik, Director of Corporate Services  
J. Clary, Director of Engineering  
A. Verhagen, Senior Manager of Current Planning/Recovery Director  
C. Newcomb, Senior Manager of Long Term Planning  
S. Nelson, Corporate Officer

**1. CALL TO ORDER**

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

**2. TERRITORIAL ACKNOWLEDGEMENT**

The Chair respectfully acknowledged that this evening's meeting is being held on the traditional territory of the WSÁNEĆ First Nations.

**3. APPROVAL OF AGENDA**

*Moved by Councillor C. Rintoul, seconded by Mayor C. McNeil-Smith, that the agenda be approved as presented.*

**MOTION CARRIED UNANIMOUSLY**

**4. APPROVAL OF MINUTES**

**a. Regular Committee of the Whole Meeting - March 16, 2020**

*Moved by Councillor C. Rintoul, seconded by Mayor C. McNeil-Smith, that the Minutes of the Regular Committee of the Whole Meeting of March 16, 2020, be approved as presented.*

**MOTION CARRIED UNANIMOUSLY**

**5. PRESENTATIONS**

**6. ADMINISTRATION & FINANCE**

**7. PARKS & INFRASTRUCTURE**

**a. Changes to Water Meters in New Multi-Family Condo Buildings**

J. Clary, Director of Engineering, advised staff are recommending developers of new multi-family condo buildings to only be required to install one bulk water meter at the property line for the Town to maintain, instead of meters at each individual unit. She expressed liability concerns, particularly with respect to staff accessing the suites and having to maintain the meters on private property.

*Moved by Mayor C. McNeil-Smith, seconded by Councillor B. Fallot, that the Committee recommend to Council that staff be directed to bring forward an amendment to Building Regulations Bylaw No. 2016 to require developers of multi-family buildings to install one appropriately sized water meter for the entire building, and individual water meters in each suite to be managed by the future strata.*

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

**8. PROTECTIVE SERVICES**

## 9. DEVELOPMENT & PLANNING

### a. Development Permit Application No. DP100817 (10478 Resthaven Drive)

(To construct two 2.5-storey, multi-family residential buildings, containing a total of 7 townhouse dwelling units).

Will Peereboom, Victoria Design Group, advised of the proposed 7-unit townhouse development at 10478 Resthane Drive, highlighting on the following:

- 7 units (3 units at front and 4 units at rear) each with patio area
- large garage for 1 vehicle - EV connection, additional room for storage, etc.
- access off Resthaven Drive to inner courtyard driveway
- contains accessible units
- traditional row housing with West Coast design
- landscaping includes two new boulevard trees

Mr. Peereboom advised that due to the response time by the Fire Department the windows in the stairwell will need to be removed. He noted the application meets all requirements of the Zoning Bylaw and therefore no variances are being requested.

*Moved by Councillor B. Fallot, seconded by Councillor C. Rintoul, that the Committee recommend to Council that Development Permit Application No. DP100817 (10478 Resthaven Drive) be forwarded to the Advisory Planning Commission for further review and comment, subject to the condition that prior to review by the Advisory Planning Commission, the applicant submit revised plans showing spatial separation calculations and design revisions that conform to the BC Building Code.*

**MOTION CARRIED UNANIMOUSLY**

### b. Development Variance Permit Application No. DV100296 (9650 Fifth Street)

(To relax maximum fence height).

Alistair MacKay, Owner/Applicant, advised that the fence was constructed to replace the dyeing hedge (9ft) along Orchard Avenue (to continue to provide privacy for their patio area), and unfortunately that he utilized the existing hedge perimeter as the property line and did not realize a permit was required to build a fence (6ft). With respect to the "sun deck", he noted there is an 8" raised patio above the concrete patio that is the same height as the step to the house, but does not have footings or railings.

Committee members had concerns regarding the fence not being on constructed on the property line, the height of the fence and the impact on site lines for vehicles at the intersection, etc.

*Moved by Mayor C. McNeil-Smith, seconded by Councillor C. Rintoul, that the Committee recommend to Council:*

1. *That the sundeck remain as constructed;*
2. *That the exterior side yard fence (along Orchard Avenue) remain at 1.9m in height, however relocated to the property line and be brought into conformance with Zoning Bylaw requirements for visual clearance at intersections;*
3. *That the existing front yard fence (along Fifth Street) remain, however be brought into conformance with Zoning Bylaw requirements for visual clearance at intersections;*
4. *That a land survey be completed;*
5. *That owners and tenants in occupation of property within 75 metres (246 feet) of 9650 Fifth Street be notified regarding Development Variance Application No. DV100296 (to vary the maximum permitted fence height in an exterior side yard and front yard and to vary the exterior side yard setback in order to legalize the existing patio structure) and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance.*

**OPPOSED: Councillors: S. Duncan, B. Fallot, S. Garnett, T. O'Keeffe,  
C. Rintoul & P. Wainwright  
MOTION DEFEATED 6:1**

*Moved by Councillor T. O'Keeffe, seconded by Councillor B. Fallot, that the Committee recommend to Council:*

1. *That the front yard fence (along Fifth Street) be brought into conformance with Zoning Bylaw No. 2015;*
2. *That the proposed exterior side yard fence (along Orchard Avenue) be redesigned as a 1.5 metre high fence, constructed of no more than 1.2 metres of solid panels topped with 0.3 metres of open lattice, in the exterior side yard of the subject property outside a 7.0 m setback from the southeast corner of the property to be in compliance with Zoning Bylaw requirements for visual clearance at intersections;*
3. *That a land survey be completed;*
4. *That the front yard hedge (along Fifth Street) be pruned to be in compliance with Zoning Bylaw requirements for visual clearance at intersections; and*
5. *That owners and tenants in occupation of property within 75 metres (246 feet) of 9650 Fifth Street be notified regarding Development Variance Application No. DV100296 (to vary the maximum permitted fence height in an exterior side yard and to vary the exterior side yard setback in order to legalize the existing patio structure) and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance.*

**OPPOSED: Mayor C. McNeil-Smith  
MOTION CARRIED 6:1**

**10. OTHER BUSINESS**

**11. NEW BUSINESS**

**12. MOTION TO GO "IN-CAMERA" (closed meeting) - Not required.**

**13. ADJOURNMENT**

*Moved by Councillor C. Rintoul, seconded by Mayor C. McNeil-Smith, that the meeting be adjourned at 7:33 p.m.*

**MOTION CARRIED UNANIMOUSLY**

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CHAIR

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CORPORATE OFFICER