



TOWN OF SIDNEY

MINUTES OF REGULAR COUNCIL MEETING Monday, June 22, 2020 Council Chambers 6:00 p.m.

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

ABSENT: Councillor B. Fallot

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 (*via electronically*)
C. Newcomb, Senior Manager of Long-Range Planning
S. Nelson, Corporate Officer

1. CALL TO ORDER

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

- 2020.27.334 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett:
1. That Council is holding this meeting without the members of the public in attendance due to the limited size of the Council Chambers and the inability to meet social distancing requirements and ensure public and staff safety; and
 2. That Council is ensuring openness, transparency, accessibility and accountability by allowing the public to submit written correspondence, participate by means of electronic communication and by live streaming this meeting.

MOTION CARRIED UNANIMOUSLY

2. TERRITORIAL ACKNOWLEDGEMENT

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

3. APPROVAL OF AGENDA

- 2020.27.335 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the agenda be approved with the following amendments:
1. item 4bi - 12 additional written submissions for Public Hearing for Bylaw No. 2196;
 2. addition of item 8ai - Special Council Meeting of June 15, 2020 - Amendment to Terms of Reference - COVID-19 Recovery Task Force;
 3. addition of item 8bi - Special Council In-Camera Meeting of June 15, 2020 - Appointments - COVID-19 Recovery Task Force;
 4. item 13a - correspondence from Councillor S. Duncan.
 5. addition of item 14a - correspondence from M. & C. Anderson, dated June, 21, 2020.
 6. addition of item 14b - correspondence from E. Davison-Crew, dated June 15, 2020, and R. Quaintance, dated June 16, 2020.
 7. moved item 16.4 to 14b - Correspondence.

MOTION CARRIED UNANIMOUSLY

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

No written submissions were received.

Electronic Participation:

1. **J. Treleven** - stated the importance of conducting the business survey multiple more times in the future; encouraged Council to set some hard deadlines for the new COVID-19 Recovery Task Force to return to Council with some actionable items; and suggested that perhaps property taxes should meet the 50% capacity cut that businesses are required to operate to ensure safe social distancing.

Public Participation Period closed at 6:13 p.m.

B. PUBLIC HEARINGS

Mayor C. McNeil-Smith noted the rules of the procedure for public hearing. The Chief Administrative Officer read the notice for the public hearing.

- i. **Bylaw No. 2196 - Zoning, Amendment No. 40**
(To prohibit all short-term rentals in Sidney).

(see Bylaw - item 5ai)

The following written submission(s) were received:

1. Email from J. Newman, dated May 10, 2020 - SUPPORT.
2. Email from Dr. D. Goering, dated May 11, 2020 - OPPOSED.
3. Email from B. MacKenzie, dated May 11, 2020 - OPPOSED.
4. Email from N. Rotman, Airbnb, dated May 12, 2020 - OPPOSED.
5. Email from D. Sheets, dated May 15, 2020 - OPPOSED.
6. Email from J. Lee, dated May 16, 2020 - OPPOSED.
7. Email from L. Ballman, dated May 20, 2020 - OPPOSED.
8. Email from K. Schmidt-Paborn, dated May 20, 2020 - OPPOSED.
9. Email from J. Jones, dated May 20, 2020 - OPPOSED.
10. Email from D. Schmidt-Paborn, dated May 20, 2020 - OPPOSED.
11. Email from L. Lightburn, dated May 20, 2020 - OPPOSED.
12. Email from K. Bovee, dated May 20, 2020 - OPPOSED.
13. Email from C. Levesque, dated May 25, 2020 - OPPOSED.
14. Email from C. Edwards, dated June 3, 2020 - OPPOSED.
15. Email from J. Fast, dated June 12, 2020 - OPPOSED.
16. Email from J. Gifford, dated June 15, 2020 - OPPOSED.
17. Email from B. Judson, dated June 17, 2020 - OPPOSED.
18. Email from D. Rich-Jones, dated June 18, 2020 - OPPOSED.
19. Email from T. Cumming, dated June 21, 2020 - OPPOSED.
20. Email from L. Wood, dated June 21, 2020 - OPPOSED.
21. Email from M. Kenney, dated June 21, 2020 - OPPOSED.
22. Email from D. Stevens, dated June 22, 2020 - OPPOSED.
23. Email from C. Szabo, dated June 22, 2020 - OPPOSED.
24. Email from G. Brown, dated June 22, 2020 - OPPOSED.
25. Email from D. Allan, dated June 22, 2020 - OPPOSED.
26. Email from E. Whitson, dated June 22, 2020 - OPPOSED.
27. Email from D. Wright, dated June 22, 2020 - OPPOSED.
28. Email from C. Bolt, dated June 22, 2020 - SUPPORT.
29. Email from G. Tripp, dated June 22, 2020 - OPPOSED.

The following verbal submission(s) were received: None.

The Mayor asked three times if there were any other submissions. There being none, the Public Hearing for Bylaw No. 2196 was official closed at 6:18 p.m.

C. PRESENTATIONS

i. Special Update - COVID-19

EOC Director/Fire Chief Brett Mikkelsen advised that the Emergency Operations Centre will be transitioning into a recovery task force, with however some community support initiatives continuing (i.e. business liaison and enhanced bylaw presence) and that effective July 2 management and support to facilitate economic and community recovery will be coordinated by the various Town departments.

Chief Mikkelsen advised that signage was posted at Iroquois Park advising of the intended closure of the temporary shower facilities on or about July 1. He noted the facilities opened on April 2 (8am - 1pm) to assist the vulnerable population upon a Ministerial order and that there has been an average of 10 users/day.

2020.27.336 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the shower facilities at Iroquois Park be closed at the end of the month.

MOTION CARRIED UNANIMOUSLY

2020.27.337 Moved by Councillor S. Duncan, seconded by Councillor P. Wainwright, that Town staff approach North Saanich staff to initiate a discussion with the Memorial Park Society (MPS) about opening up the shower facilities at Blue Heron Park for the homeless population.

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

5. A. BYLAWS

**i. Bylaw No. 2196 - Zoning, Amendment No. 40
(To prohibit all short-term rentals in Sidney).**

2020.27.338 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that, as per the Public Hearing, that Bylaw No. 2196 - Zoning, Amendment No. 40, be given third reading.

**OPPOSED: Councillors: S. Duncan, T. O'Keeffe & C. Rintoul
MOTION DEFEATED 3:3**

B. DEVELOPMENT PERMITS & DEVELOPMENT VARIANCE PERMITS

6. ADOPTION OF MINUTES

- a. Regular Council Meeting - June 8, 2020**
- b. Special Council Meeting - June 15, 2020**

2020.27.339 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Minutes of the Regular Council Meeting of June 8, 2020, and the Special Council Meeting of June 15, 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 Meeting - June 15, 2020

i. Amendment to Term of Reference - COVID-19 Recovery Task Force

2020.27.340 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the COVID-19 Recovery Task Force Terms of Reference be approved as amended.

MOTION CARRIED UNANIMOUSLY

b. Special Council In-Camera Meeting - June 15, 2020

i. Appointments - COVID-19 Recovery Task Force

The Mayor announced the appointments to the COVID-19 Recovery Task Force:

1. Kelly Bull-Tomer, Chair, Advisory Planning Commission
2. David Calveley, Vice Chair - Economic Advisory Committee
3. Glenys Cavers, Manager - Beacon Community Services
(including SHOAL Centre & Peninsula Connections for Early Childhood)
4. Steve Duck, President - Sidney Community Association
5. Kirsten Norris, Communications Coordinator ArtSea - Sidney Events Advisory Group
6. Morgan Shaw, Executive Director - Sidney BIA
7. Denny Warner, Executive Director - Saanich Peninsula Chamber of Commerce

9. PETITIONS & DELEGATIONS

10. MAYOR'S REPORT

a. Council Appointment - COVID-19 Recovery Task Force

2020.27.341 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that Councillor B. Fallot be appointed to the COVID-19 Recovery Task Force.

MOTION CARRIED UNANIMOUSLY

b. Update on SIPP - Rising Economy Task Force

The Mayor is waiting for further information and will report to Council, as well as to North Saanich and Central Saanich Councils.

11. COUNCILLORS' REPORTS

- a. Councillor S. Duncan** - advised the CRD Water Commission is applying for a federal stimulus program and if approved would provide upgrades and connections on the Peninsula, with construction to begin in 2022 (\$13m Peninsula municipalities and \$6m First Nations); and that testing of the water source and mains throughout the CRD have found no led (only in minor isolated municipal connections) and that the last phase of testing, i.e. selected household tap water, would start in the last quarter of this year.
- b. Councillor P. Wainwright** - advised the Saanich Peninsula Wastewater Commission received the final audit report on the Liquid Waste Management Plan, noting overall results were good with 15 commitments identified as non-compliant (Sidney with 1 which staff are aware of and is in progress) and that the Commission will be contacting municipalities and requesting consideration of the information and to provide a response.
- c. Councillor S. Garnett** - advised the Sidney Museum has been working with the Town's EOC on a phased re-opening for June 24, which will include enhanced safety protocols; that they have been successful in receiving \$100,000 of grant funding and anticipate no financial concerns for the remainder of the year; and advised of the new Snapshots of Canada exhibit that will be running from July 16 to mid-December.

12. COMMITTEE REPORTS

13. STAFF REPORTS

a. Summary of EOC Business Survey Responses

2020.27.342 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the results of the EOC business survey be forwarded to the Recovery Task Force and Economic Advisory Committee for consideration.

MOTION CARRIED UNANIMOUSLY

b. Expanding Repurposed Pedestrian Space on Beacon Avenue

2020.27.343 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett:

1. That signage be placed adjacent to the one open on-street parking space on the south side of Beacon between Second St and First St indicating that it will be closed and receive feedback for one (1) week; and
2. If no significant concerns to repurposing the parking space are raised, staff repurpose the last on-street parking space on the south side of Beacon between Second St and First St; OR
3. If significant concerns to repurposing the parking are raised, staff to present these concerns to Council.

MOTION CARRIED UNANIMOUSLY

c. OCP Review - Draft Work Plan & Community Engagement Plan

2020.27.344 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the OCP Review Project Work Plan and Community Engagement Plan be received for information.

MOTION CARRIED UNANIMOUSLY

Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the 2021 fiscal year budget for the OCP Review and Update Project be increased to \$100,000.

2020.27.345 Moved by Councillor P. Wainwright, seconded by Councillor C. Rintoul, that the above motion be **tabled** until after input is received from the OCP Review Advisory Committee and a full Council is in attendance.

MOTION CARRIED UNANIMOUSLY

2020.27.346 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the OCP Review Project Work Plan and Community Engagement Plan be referred to the OCP Review Advisory Committee for additional review and comment.

MOTION CARRIED UNANIMOUSLY

d. Reay Creek Pond Remediation Update - Impact on Trees

2020.27.347 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul:

1. That the staff report dated June 16, 2020, advising of the impact the Reay Creek Pond remediation project will have on the surrounding trees, be received for information; and
2. That staff notify WSANEC Leadership Council and surrounding residents about anticipated impacts to trees.

MOTION CARRIED UNANIMOUSLY

Councillor P. Wainwright left the virtual meeting at 8:40 p.m., citing a potential conflict of interest as he is a host on Radio Sidney.

e. Project Proposal for the 2020 PlanH Healthy Communities Grant Program

2020.27.348 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett:

1. That Council see merit in the proposed application to the 2020 Community Connectedness Grant Program to produce a 5-episode radio show in partnership with Radio Sidney and the Vancouver Island Health Authority; and
2. That staff be directed to provide communication, grant, and report writing support, as well as provide financial administration of the grant funds received for this project.

MOTION CARRIED UNANIMOUSLY

Councillor P. Wainwright returned to the meeting at 8:46 p.m.

f. BC Building Code Spatial Separation Requirements & First Response Time

2020.27.349 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the staff report dated June 16, 2020, providing information on BC Building Code requirements for limiting distance, fire department response time and changes in permitted unprotected openings, be received for information.

MOTION CARRIED UNANIMOUSLY

g. Community Safety Building Project Final Report

2020.27.350 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the staff report dated June 16, 2020, providing a final summary of the Community Safety Building project, be received for information.

MOTION CARRIED UNANIMOUSLY

h. Status Update - Outstanding Council Action items

2020.27.351 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that Council resolution No. 2019.38.536 of November 12, 2019 (electric vehicle charging stations matter referred to staff to issue a RFEOI for the operation and maintenance of EV charging station) be rescinded.

MOTION CARRIED UNANIMOUSLY

2020.27.352 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the staff report dated June 10, 2020, providing an update on the list of outstanding action items, be received for information.

MOTION CARRIED UNANIMOUSLY

i. Monthly Building Permit Report - May 2020

2020.27.353 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the Monthly Building Permit Report for May 2020 be received for information.

MOTION CARRIED UNANIMOUSLY

14. CORRESPONDENCE

a. Summergate Village

2020.27.354 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the correspondence from M. & C. Anderson, dated June 21, 2020, regarding the termination of the Land Use Contract Bylaw No. 627 for Summergate Village, be received, and that staff write to the Strata President requesting him to gather questions from the residents and that the Strata Council forward the questions to Town staff such that they can respond.

MOTION CARRIED UNANIMOUSLY

b. Sidney/North Saanich Library

2020.27.355 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the Mayor write a letter directly replying to the following 6 letter writers, regarding the Sidney/North Saanich Library, and that the letters be placed back under correspondence:

1. Email from D. Walton, dated June 5, 2020;
2. Email from D. & K. Bracken, dated June 9, 2020;
3. Email from L. Jaehrlich, dated June 7, 2020;
4. Email from L. Meyer, dated June 7, 2020;
5. Email from E. Davison-Crews, dated June 15, 2020; and
6. Email from R. Quaintance, dated June 16, 2020.

MOTION CARRIED UNANIMOUSLY

15. NEW BUSINESS

16. CORRESPONDENCE FOR INFORMATION

2020.27.356 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the following correspondence be received for information:

1. Email from A. Kanczula, regarding speeding on Bowerbank Road, dated May 12, 2020. Reply dated June 4, 2020.
2. Emails from L. Posten, regarding Reay Creek remediation, dated May 26 and June 4, 2020. Reply dated June 4, 2020.
3. Email from J. Carroll, regarding playgrounds in Sidney, dated June 5, 2020. Reply dated June 9, 2020.
4. *(Already dealt with - see item 14b).*
5. Email from W. van Linden Tol, regarding an idea for a "Noise Free Sunday", dated June 8, 2020. Reply dated June 15, 2020.
6. Email from M. Mayers, BC Real Estate Association, regarding actions to assist in COVID-19 economic recovery, dated June 8, 2020.
7. Letter from Sidney Guide & Scout Hall Society, expressing appreciation for receipt of the Town's 2020 grant-in-aid, dated June 8, 2020.
8. Email from C. & E. Lamothe, regarding backyard chickens in Sidney, dated June 11, 2020.
9. Email from B. Gibbons, regarding UBCM 2019 B154 Groundwater Resolution, dated June 15, 2020.
10. Email from Citizens of Safe Technology, providing information on 5G installation, dated June 14, 2020.
11. Email from Central European University, requesting completion of climate survey, received on June 15, 2020.

MOTION CARRIED UNANIMOUSLY

17. NOTICES OF MOTION

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

2020.27.357 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 confidential matters relating to personal information, pursuant to section 90.1 (a) of the *Community Charter* and that Council continue the meeting in closed session.

MOTION CARRIED UNANIMOUSLY

19. ADJOURNMENT

2020.27.358 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the meeting be adjourned at 9:20 p.m.

MOTION CARRIED UNANIMOUSLY

MAYOR

CORPORATE OFFICER