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## TOWN OF SIDNEY

### MINUTES OF REGULAR COUNCIL MEETING

Monday, October 26, 2020

Council Chambers

6:00 p.m.

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**PRESENT:** Mayor C. McNeil-Smith  
Councillors: S. Garnett and C. Rintoul  
Councillors: S. Duncan, B. Fallot, T. O’Keeffe and P. Wainwright (*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 (*electronically*)  
C. Newcomb, Senior Manager of Long Range Planning  
B. DeMaere, Manager of Engineering (*electronically*)  
T. Restell, Manager of Finance (*electronically*)  
P. Kully, Executive Assistant

#### 1. CALL TO ORDER

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

#### 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

2020.49.595 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the agenda be approved with the addition of item 14.b. request for letter of support from Sidney Lawn Bowling.

**MOTION CARRIED UNANIMOUSLY**

#### 4. A. PUBLIC PARTICIPATION PERIOD (*maximum 20 minutes*) (*Written submissions, if any, to be read aloud*)

There were no written submissions.

1. **Nancy Walsh - Lonetree Cafe & Bakery** – requested that Council allow for winterizing of outdoor seating immediately, as her business will not be able to survive the winter without allowances for additional seating. She noted that, Council has nothing put in place for winterizing yet. She has submitted for a temporary enclosure but was told the only option available is an awning, which will not work for her business.

The Mayor advised that the Town is working on having a plan in place for early November.

#### B. PUBLIC HEARINGS C. PRESENTATIONS

#### 5. A. BYLAWS B. DEVELOPMENT PERMITS & DEVELOPMENT VARIANCE PERMITS

**6. ADOPTION OF MINUTES**

**a. Regular Council Meeting - October 13, 2020**

2020.49.596 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that Minutes of the Regular Council Meeting of October 13, 2020, be adopted as presented.

**MOTION CARRIED UNANIMOUSLY**

**b. Special Council Meeting - October 19, 2020**

2020.49.597 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that Minutes of the Special Council Meeting of October 19, 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)*

**9. PETITIONS & DELEGATIONS**

**10. MAYOR'S REPORT**

The Mayor provided the following updates:

- CRD Board Highlights including the CAO's quarterly progress report that outlined corporate activities and initiatives.
- Details of the Elk/Beaver Lake Watershed Management Plan.
- Provided an overview of the October 14 Virtual Town Hall on Community Well-Being.
- Noted that he attended the last Rising Economy Task Force meeting and advised of the November 16-20 Rising Economy Forum that is open to the public.
- Attended the CRD Planning Transportation and Protective Services Committee meeting on October 21 where actions and budget for 2021 were reviewed.  
Attended the EAC meeting on October 23 where the committee reviewed recommendations from Council.

**11. COUNCILLORS' REPORTS**

- a. **Councillor P. Wainwright** – provided a review of the Saanich Peninsula Water Commission and Saanich Peninsula Wastewater Commission's Budget meetings of October 15 including the recommendation that their 2021 budget be adopted by the CRD. He noted that the pandemic did have an impact on both budgets but that both have no debt and have healthy reserve funds. Noted a media article about the City of Langley winning a human rights challenge because of flying the Pride flag. Langley won, but incurred \$62,000 in legal fees. This has set a precedence, which benefits all BC local governments.

2020.49.598 Moved by Councillor P. Wainwright, seconded by Councillor B. Fallot, that the Town of Sidney write a letter of appreciation to the City of Langley.

**MOTION CARRIED UNANIMOUSLY**

- b. **Councillor S. Duncan** – provided an overview of the CRD Water Commission Strategic Plan and Budget. The Regional Water Supply Strategic Plan mid-term progress report was received by the Commission and the associated Operating and Capital Budget for 2021 was approved. Provided information on flu shot clinics in the community. Provided an overview on the COVID-19 Town Response Survey, which was generally positive.

- c. **Councillor T. O'Keeffe** – provided an overview of the BIA's new free delivery service for downtown businesses. The service allows customers to call in or order online and have their order delivered free of charge to their residence. The program is for downtown businesses and doesn't apply to restaurant delivery. It is intended to encourage people to shop local.

## 12. COMMITTEE REPORTS

### a. Committee of the Whole - October 19, 2020

2020.49.599 Moved by Councillor B. Fallot, seconded by S. Garnett, that Minutes of the Committee of the Whole Meeting of October 19, 2020, be received for information.

**MOTION CARRIED UNANIMOUSLY**

Minutes contain recommendation(s) regarding:

#### R.1 Property Tax Distribution Policy

2020.49.600 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that the staff report dated October 13, 2020, regarding the Town's property taxation distribution policy, be received for information and considered at the next Committee of the Whole meeting.

**MOTION CARRIED UNANIMOUSLY**

#### R.2 Proposed Amendments to Off-Street Parking and Loading Bylaw No. 2140

2020.49.601 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that the staff report dated October 13, 2020, be received for information and that a bylaw to amend Off-Street Parking and Loading Bylaw No. 2140 be brought forward for Council's consideration.

**MOTION CARRIED UNANIMOUSLY**

2020.49.602 Moved by Councillor C. Rintoul, seconded by Councillor T. O'Keeffe, that staff review Section 4 of Bylaw No. 2140 regarding Vehicle Off-Street Parking and Loading Requirements, and include in the proposed amending Bylaw, to make it a requirement in commercial and mixed use developments with commercial space of a certain minimum size, that the calculated requirements for commercial parking spaces, and loading zone must be allocated and available to those public uses in the development.

**MOTION CARRIED UNANIMOUSLY**

#### R.3

2020.49.603 Moved by Councillor B. Fallot, seconded by Councillor S. Garnett, that staff bring back Bylaw No. 2197, an amendment to the Off-street Parking and Loading Bylaw, which allowed outdoor seating for Class 1 and Class 2 restaurants, in October of 2021 for consideration of rescinding the bylaw.

**MOTION CARRIED UNANIMOUSLY**

## 13. STAFF REPORTS

### a. OCP Review Project - Background & Recommendations Report Review

2020.49.604 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the Background and Recommendations Report be referred to the Advisory Planning Commission and the OCP Review Committee for review and comment.

**MOTION CARRIED UNANIMOUSLY**

### b. New Cannabis Retail Store Licence Referral- Buds Cannabis (9775 Second Street)

2020.49.605 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that staff be directed to respond to the LCRB indicating that the Town of Sidney will commence its process to make a recommendation on the application of a cannabis retail store licence at 9775 Second Street (Buds Cannabis) subject to the LCRB completing an Applicant's Suitability Assessment and notifying the Town that the applicant is suitable and submission of a complete application by Buds Cannabis to the Town.

**MOTION CARRIED UNANIMOUSLY**

**c. UBCM Active Transportation Planning Grant for OCP Review Project**

2020.49.606 Moved by Councillor S. Garnett, seconded by C. Rintoul:

1. That Council support an application for the UBCM Active Transportation Planning Grant Program in order to provide additional focus in this area as part of the Town's Official Community Plan Review and Update Project; and
2. That staff provide overall grant management for the project.

**MOTION CARRIED UNANIMOUSLY**

**d. Budget Variance Report - Third Quarter Financial Reports**

2020.49.607 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the staff report dated October 21, 2020, providing the financial results of the first three quarters of the 2020 fiscal year, be received for information.

**MOTION CARRIED UNANIMOUSLY**

**e. Engineering Consultant Services RFP Award**

2020.49.608 Moved by Councillor S. Garnett, seconded by C. Rintoul, that the consulting contract for Engineering Consultant Services be awarded to Onsite Engineering Ltd.

**MOTION CARRIED UNANIMOUSLY**

**14. CORRESPONDENCE**

**a. Request for Letter of Support - Economic Recovery Infrastructure Program**

2020.49.609 Moved by Councillor T. O'Keeffe, seconded by Councillor S. Garnett, that the email from Sidney Business Improvement Area Society, dated October 20, 2020, be received and that the Town provide a letter of support to the SBIA for their application for the Community Economic Recovery Infrastructure Program.

**MOTION CARRIED UNANIMOUSLY**

**b. Request for Letter of Support – New Horizons for Seniors Program**

2020.49.610 Move by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the email from the Sidney Lawn Bowling Club, dated October 22, 2020 be received and that the Town provide a letter of support to the Sidney Lawn Bowling Club for their application for the New Horizons for Seniors Program.

**15. NEW BUSINESS**

**16. CORRESPONDENCE FOR INFORMATION**

2020.49.611 Moved by Councillor S. Garnett, seconded by Councillor C. Rintoul, that the following correspondence be received for information:

1. Email from E. Diller, regarding the environmental performance of transportation options and the South Island Transportation Strategy, dated October 2, 2020. Reply dated October 7, 2020.
2. Letter from District of Saanich, regarding federal funding for affordable housing, dated October 8, 2020.
3. Email from M. Johnson, regarding homelessness and bylaw enforcement, dated October 13, 2020. Reply dated October 13, 2020.
4. Email from Island Health regarding seasonal events, dated October 14, 2020.
5. Letter regarding the removal of the Arbutus Tree at Fourth Street and Sidney Avenue, dated October 18, 2020. Reply dated October 19, 2020.
6. Letter from D. Willows, regarding proposed changes to accessible parking requirements in Sidney, dated October 18, 2020. Reply dated October 19, 2020.

7. Email from J. Alf, regarding the roundabout at Fifth Street and Ocean Avenue, dated September 29 and October 2, 2020. Reply dated October 21, 2020.
8. Emails (7) regarding cannabis retail stores in Sidney.

**MOTION CARRIED UNANIMOUSLY**

**17. NOTICES OF MOTION**

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

- 2020.49.612 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 legal/potential litigation issue, pursuant to section 90.1 (g) of the *Community Charter* and that Council continue the meeting in closed session.

**MOTION CARRIED UNANIMOUSLY**

**19. ADJOURNMENT**

- 2020.49.613 Moved by Councillor C. Rintoul, seconded by Councillor S. Garnett, that the open meeting be adjourned at 7:40 p.m. with the In-Camera portion to immediately follow.

**MOTION CARRIED UNANIMOUSLY**

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MAYOR

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CORPORATE OFFICER