

DISTRICT OF SOOKE

Minutes of the Regular Meeting of Council
held in the Council Chamber
at 2225 Otter Point Road, Sooke, BC
on August 24, 2009 at 7:00 p.m.

COUNCIL PRESENT

Mayor Janet Evans
Councillor David Bennett
Councillor Bev Berger
Councillor Ron Dumont
Councillor Herb Haldane
Councillor Maja Tait

STAFF PRESENT

Evan Parliament, Chief Administrative Officer
Bonnie Sprinkling, Corporate Officer
Al Fontes, Director of Engineering
Katherine Lesyshen, Planner
Sue-Lin Tarnowski, Deputy Director of
Finance
Acting Staff Sgt. Scott Hilderley

ABSENT: Councillor Sheila Beech

CALL TO ORDER

Mayor Evans called the meeting to order at 7:02 p.m.

APPROVAL OF THE AGENDA

MOVED and seconded to approve the agenda with the addition of the following items as Supplemental Information and New Business:

- **RA-1** Rhodonite Drive Proposed Bike Lanes – letter received August 20, 2009 (Fred Von Ilberg)
- **PI-1** Development Variance Permit – (1995 Caldwell) – letter received August 21, 2009 (Rick Armour)
- **SI-1** PH-1 Bylaw No. 410 – 6962 West Coast Road – letter received August 24, 2009 from Shaw
- **SI-2** RA-2 Sun River Speed Limit – letter received August 24, 2009 from Mallett
- **SI-3** B-1 Bylaw No. 351 & B-2 Bylaw No. 382 – 7010 Wright Road
 - Petition received 2008
 - Committee of the Whole Minutes October 20, 2008
 - Policy No. 11.5
- **NB-1** Consideration of Resolution

CARRIED UNANIMOUSLY

MOVED and seconded to place Item **NB-1** before “Business Arising from Minutes” on the Agenda.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on August 10, 2009 be adopted as circulated.

CARRIED

MINUTES FOR INFORMATION

MOVED and seconded that the following minutes be received for information:

July 22, 2009

Sign Bylaw Review Committee

August 11, 2009

Official Community Plan Review Committee

July 8, 2009

Capital Regional District Board

CARRIED

DELEGATIONS

D-1 Lorna Barry – District of Sooke Twinning with Port Townsend

Lorna Barry read and submitted a presentation on the twinning of the Capital Regional District with Port Townsend in 1992; including newspaper articles.

Neil Flynn, Chair of Sooke Region Tourism Association, stated that the Sooke tourism industry would benefit from reviving the partnership with Port Townsend.

Ms. Barry stated that the Capital Regional District is in support of this initiative. Council will discuss the Port Townsend twinning with the CRD.

BUSINESS ARISING FROM THE MINUTES

BA-1 Official Community Plan Review Committee

Ellen Lewers, Chair of the Official Community Plan Review Committee thanked the Committee for their dedication and hard work. On behalf of the Committee, Ms. Lewers also thanked Mazzoni and Associates and District of Sooke Staff for their contributions. Ms. Lewers presented Council with a Final Draft of the Official Community Plan 2009.

Mayor Evans on behalf of Council thanked the OCP Review Committee for their commitment and the considerable time and effort that they put into the process; Council is pleased to receive the draft OCP document from the Committee.

Felice Mazzoni stated that the OCP Review Committee and the residents of Sooke are to be congratulated for the production of this document; which will be an effective and efficient tool serving the community well for some time. The public input which formed a lot of the policy in the OCP document was considerable.

NEW BUSINESS

NB-1 Consideration of Resolution

Evan Parliament provided some background as to the proposed resolution for a report as to minimum lot size for the properties outside the sewer specified area; specifically in the proposed "Gateway Residential" designation.

MOVED and seconded to direct the Chief Administrative Officer to prepare a staff report that addresses minimum lot sizes for the proposed "Gateway Residential" designation; the

report must be consistent with both the LWMP recommendations and the new Sooke OCP designation(s).

CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

Gail Hall stated that as to Item RI-1, Council directed staff to bring back the issue at a Committee of the Whole meeting. Ms. Hall stated that she was opposed to tax payers being asked to slow down drivers in Sun River. We should reduce the speed limit everywhere in Sooke.

Jay Ryan spoke on behalf of some of the residents of Rhodonite Drive and submitted a petition; all but three residents were opposed to the bike lanes. Mr. Ryan stated that cyclist use on the road is low.

Roger Girouard spoke as to the Sun River speed limit, stating that this is not just a Sun River issue, this about safety throughout the community. Mr. Girouard requested a mix of measures to reduce speeds or introduce safety measures in neighbourhoods.

Vicki Stehle read and submitted a letter expressing her opposition to bike lanes on Rhodonite Drive.

Victor Wehmann, stated that he does not see cyclists on Rhodonite Drive, but sees a lot of pedestrians which would have to walk in traffic if there were bike lanes;sidewalks would be preferable.

Trudy, resident of Rhodonite Drive expressed her opposition to the bike lanes on Rhodonite Drive and recommended a bicycle path through the park.

Steve Mullin expressed his opposition to the bike lanes on Rhodonite Drive as his family needs to park on the street when they visit.

PUBLIC HEARINGS AND RELATED BYLAWS

Mayor Evans advised that any person who believes that their interest in property is affected by the proposed bylaws would be given a reasonable opportunity to be heard or to present written submissions at the public hearings.

PH-1 Bylaw No. 410, *Zoning Amendment Bylaw (270-58)* – 6962 West Coast Road

Katherine Lesyshen gave an overview of the application to rezone 6962 West Coast Road.

Public Input:

An adjoining property owner stated that too much was going onto that property and expressed her opposition to the development.

Mayor Evans called three times for submissions. Hearing none, she closed the public hearing at 7:39 pm.

MOVED and seconded that Bylaw No. 410, *Zoning Amendment Bylaw (270-58)* not be considered for third reading at this time.
CARRIED UNANIMOUSLY

PUBLIC INPUT MEETINGS AND RELATED REPORTS

PI-1 Development Variance Permit– 6660 Sooke Road

Al Fontes gave an overview of the report for a Development Variance Permit for 6660 Sooke Road.

Geoffrey Sherrott, lawyer for applicant, advised that MOTI approval has been received by District of Sooke for the subdivision and advised that the properties will be sold upon subdivision

The section 219 “no build” Covenant in favour of the District of Sooke and Ministry of Transportation and Infrastructure will require access and other works and services.

Public Input:

Mayor Evans called three times for submissions. Hearing none, she closed the public input for Item PI-1 at 7:54 pm.

MOVED and seconded to authorize the issuance of Development Variance Permit PLN00702 to allow for the subdivision of the property at 6660 Sooke Road, legally described as Lot 1, Section 10, Sooke District, Plan VIP67155 by varying Bylaw No. 65, *Subdivision and Development Standards Bylaw, 2003*, Section 10.1, without installation of required works and services at the time of subdivision and instead with registration of a s. 219 covenant on title of the new lot requiring the installation of all required works and services prior to issuance of a building permit or completion of a servicing agreement with the District.

CARRIED

PI-2 Development Variance Permit– 1995 Caldwell Road

Herb Haldane states that he does not have any pecuniary interest in this property, but does have dealings with the applicant and excused himself from the meeting at 7:57 pm.

Al Fontes gave an overview of the report for a Development Variance Permit for 1995 Caldwell Road. Council expressed concern:

- as to the maintenance of the boulevards;
- road names under Veterans road naming policy;
- possible turn-arounds on larger lots.

Public Input:

Mayor Evans called three times for submissions. Hearing none, she closed the public input for Item PI-2 at 8:05 pm.

MOVED and seconded to authorize the issuance of a Development Variance Permit PLN00724 to allow for the subdivision of the property at 1995 Caldwell Road legally described as Lot 4, Section 3, Sooke District, Plan 1516 Except that part in Plan VIP79485 and VIP82714 by relaxing Bylaw No. 65, Subdivision *and Development Standards, 2003*, Schedule B, Section R, Part 2 to allow the minimum road right-of-way for the extension of Caldwell Road to be 12 metres instead of 14 metres.

CARRIED

Councillor Haldane returned to the meeting at 8:06 pm.

REPORTS REQUIRING ACTION

RA-1 Rhodonite Drive Proposed Bike Lanes

Al Fontes gave an overview of the report; considerable public opposition has been received. Mr. Fontes stated that sidewalks are planned, but are not in the budget for this year. Some options for Rhodonite Drive are:

- multi-use trail in the right of way; 3 metre paved trail with pedestrian and bicycle lanes
- creation of a parking lane
- install sidewalks

Council discussed:

- make parking spaces available on boulevard
- bike lanes on other roads, such as Throup, Otter Point, etc.
- vehicle speeds
- create more connecting trails under the Parks & Trails Master Plan before bicycle lanes
- shared bicycle/vehicle road signage
- make Rhodonite Drive pedestrian friendly road first

MOVED and seconded to direct staff not to proceed at this time with the installation of bike lanes on Rhodonite Drive between Church Road and Otter Point Road.

CARRIED UNANIMOUSLY

MOVED and seconded to direct staff to bring back a report to Council on the installation of "share-arrow" signage on District of Sooke collector roads.

CARRIED UNANIMOUSLY

RA-2 Sun River Speed Limit

Council discussed traffic calming options for Sun River:

- 40 kmh rather than 30 kmh
- traffic buttons installed by developer
- crosswalks and trail crossing signs
- digital speed boards
- residential programs
- public education
- volunteers for Speed Watch
- reminder signs “Watch for Children”

Al Fontes states that he estimates 90% of the residents of Sun River Way speed at this time, partly due to the road grade.

Acting Staff Sgt. Hilderley supports the reduction in the speed limit on Sun River Way.

MOVED and seconded to direct staff to reduce the speed limit in Sun River to 40 kmh and the installation of speed limit signage at the entrances to Sun River.

CARRIED

MOVED and seconded to direct staff to report back to Council as to the cost of a digital vehicle speed display board.

CARRIED

RA-3 Whistle Blower Policy

Sue-Lin Tarnowski stated that the auditors recommended that a *Whistle Blower Policy* be instituted.

MOVED and seconded to approve Policy No. 7.10, *Whistle Blower Policy, 2009* with an amendment to section 4.2 as to dismissal for staff only.

DEFEATED

MOVED and seconded to direct staff to bring back Policy No. 7.10 with changes to make the “Policy Statement” less vague and to amend section 4.2 to reflect dismissal for staff only.

CARRIED

REPORTS FOR INFORMATION

RI-1 To amend lot size for duplex to 600m² from 800m² in Sewer Specified Area – Notice of Motion

Council discussed the reduction of lot sizes for duplexes as to:

- affordable housing and development
- density and infill
- parking concerns

- mixed use to provide diversity
- review proposed OCP before amending Zoning Bylaw

MOVED and seconded to direct staff to bring back a report to an upcoming Committee of the Whole to amend the *Sooke Zoning Bylaw* to permit duplexes within the sewer specified area on lots of a minimum 600m².

CARRIED

MAYOR AND COUNCIL REPORTS

Councillor Bennett read and submitted his Council report.

Mayor Evans advised that the provincial government has announced funding for BC Libraries.

CORRESPONDENCE FOR INFORMATION

I-1 Capital Regional District – Proposed New Landfill Bans

MOVED and seconded to file the correspondence as to proposed new landfill bans.

CARRIED

I-2 British Columbia Ambulance Service – response to letter of June 29, 2009

MOVED and seconded to file the correspondence as to BC Ambulance Service.

CARRIED

I-3 Scouts Canada – 2009 Apple Day

MOVED and seconded to send a letter to Scouts Canada 2009 Apple Day authorizing their event and to provide copy to Chamber of Commerce.

CARRIED

BYLAWS

B-1 Bylaw No. 351, *Zoning Amendment Bylaw (270-37)* - 7010 Wright Road

Council discussed:

- amenities available through zoning or works and services agreement
- turn-around for fire vehicles
- left turn up to highway
- water pressure
- sidewalk up to Whiffin Spit Road

MOVED and seconded that Bylaw No. 351, *Zoning Amendment Bylaw (270-37)* be introduced and read a first time.

CARRIED

MOVED and seconded that Bylaw No. 351, *Zoning Amendment Bylaw (270-37)* be read a second time.

CARRIED

MOVED and seconded that a public hearing be scheduled for Bylaw No. 351, *Zoning Amendment Bylaw (270-37)* in accordance with the requirements of the *Community Charter* and the *Local Government Act*.

CARRIED

Bylaw No. 381, Sooke Core Sewer Specified Area Amendment Bylaw (147-7) – 7010 Wright Road

MOVED and seconded that Bylaw No. 381, *Sooke Core Sewer Specified Area Amendment Bylaw (147-7)* be introduced and read a first time.

CARRIED

MOVED and seconded that Bylaw No. 381, *Sooke Core Sewer Specified Area Amendment Bylaw (147-7)* be read a second time.

CARRIED

MOVED and seconded that Bylaw No. 381, *Sooke Core Sewer Specified Area Amendment Bylaw (147-7)* be read a third time.

CARRIED

MOTION TO EXTEND MEETING

MOVED and seconded to extend the meeting past 10:00 pm.

CARRIED

B-2 Bylaw No. 352, Zoning Amendment Bylaw (270-38) – 2089 Maple Ave

Council discussed the driveway access to the proposed lots; a radius can be put in without affecting the lot.

MOVED and seconded that Bylaw No. 352, *Zoning Amendment Bylaw (270-38)* be introduced and read a first time.

CARRIED

MOVED and seconded that Bylaw No. 352, *Zoning Amendment Bylaw (270-38)* be read a second time.

CARRIED

MOVED and seconded that a public hearing be scheduled Bylaw No. 352, *Zoning Amendment Bylaw (270-38)* in accordance with the requirements of the *Community Charter* and the *Local Government Act*.

CARRIED

MOTION TO CLOSE THE MEETING TO THE PUBLIC

MOVED and seconded to close the meeting to the public under section 90 of the *Community Charter* to discuss:

- a. the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

- b. litigation or potential litigation affecting the municipality;
- c. personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality.

CARRIED UNANIMOUSLY

REPORT OF IN CAMERA RESOLUTIONS

Regular Council August 24, 2009 In Camera Resolutions:

R-4 Land Swap – Sooke River Road

MOVED and seconded to direct staff to proceed with the proposed land exchange for Sooke River Road and Pineridge/Rhodonite Park in accordance with the *Community Charter* and other relevant provincial legislation and subject to an Archaeological Assessment of the Sooke River Road property.

CARRIED UNANIMOUSLY

MOVED and seconded to release the resolution as to the Land Swap – Sooke River Road In Camera Item to the Public.

CARRIED UNANIMOUSLY

R-5 Penang Road Right of Way

MOVED and seconded to direct staff to proceed with the proposed closure and sale of the Penang Road right of way in accordance with the *Community Charter* and other relevant provincial legislation.

CARRIED UNANIMOUSLY

MOVED and seconded to release the resolution as to the Penang Road In Camera Item to the Public.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 11:00 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Janet Evans
Mayor

Bonnie Sprinkling
Corporate Officer