



2205 Otter Point Road, Sooke, British Columbia, Canada V9Z 1J2

Phone: (250) 642-1634
email: info@sooke.ca

Fax: (250) 642-0541
website: www.sooke.ca

REGULAR COUNCIL MEETING AGENDA

Closed Portion at 6:00 p.m. in Municipal Meeting Room

Open Portion at 7:00 p.m. in Council Chamber

January 11, 2016

2225 Otter Point Road, Sooke, B.C.

Please note: The Open Portion of this meeting may be webcast live at www.sooke.ca Written and verbal submissions will become part of the public record and are subject to the Freedom of Information and Protection of Privacy Act.

(Please turn off your cellphones in the Council Chambers during the meeting)

CALL TO ORDER

MOTION TO CLOSE THE MEETING TO THE PUBLIC:

Motion to close the meeting to the public under section 90(1) of the *Community Charter* to discuss:

90(1)(a) 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;

90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

90(1)(l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report].

CALL TO ORDER - Open Portion

INTRODUCTION OF NEW BUSINESS/SUPPLEMENTARY INFORMATION

APPROVAL OF THE AGENDA

ADOPTION OF COUNCIL AND COW MEETING MINUTES:

December 7, 2015	Special Council Meeting	1
December 7, 2015	Committee of the Whole Meeting	3
December 12, 2015	Special Council Meeting	9
December 14, 2015	Regular Council Meeting	11

PUBLIC QUESTION AND COMMENT PERIOD

(10 minutes – 2 minutes time limit per person)

PUBLIC AND STATUTORY HEARINGS and third reading or adoption of bylaws where applicable after each hearing:

PH-1	<p>Bylaw No. 627, Official Community Plan Amendment Bylaw (400-8) Bylaw No. 628, Zoning Amendment Bylaw (600-21) – 2017 Idlemore Road</p> <ul style="list-style-type: none"> • Planning Department Report/ Presentation • Council to consider amendments to Bylaw No. 627 and Bylaw No. 628 • Mayor’s Public Hearing Statement • Public Hearing • Council to consider third reading of Bylaw No. 627 and Bylaw No. 628 as amended 	<p style="text-align: center;">25</p> <p style="text-align: right;">See Separate PH-1 Pkg</p>
------	---	---

BYLAWS

B-1	<p>Bylaw No. 622, Zoning Amendment Bylaw (600-19) - 2182 Church Road – Wadams Way Comprehensive Zone</p> <ul style="list-style-type: none"> • Planning Department Report/Presentation • Council to consider third reading of Bylaw No. 622 	<p style="text-align: center;">37</p>
B-2	<p>Bylaw No. 623, Zoning Amendment Bylaw (600-20) – 7000 Melrick Place</p> <ul style="list-style-type: none"> • Corporate Services Report/Presentation • Council to consider third reading of Bylaw No. 623 	<p style="text-align: center;">49</p>

REPORTS Requiring Action:

RA-1	<p>Residential Strata Title Conversion Application for 2072 Dover Street</p> <ul style="list-style-type: none"> • Engineering Department Report/Presentation • Council to consider recommendation 	<p style="text-align: center;">53</p>
RA-2	<p>Public Greenspace Maintenance Contract 2016-2018 Public Trails and Walkways Maintenance Contract 2016-2018 Request to Subcontract</p> <ul style="list-style-type: none"> • Engineering Department Report/Presentation • Council to consider recommendation 	<p style="text-align: center;">57</p>

REPORTS For Information – Council, Committees, COW and Commissions and Staff (CAO, Development Services)

RI-1	RCMP Monthly Mayor Report – November 2015	<p style="text-align: center;">59</p>
RI-2	Mayor and Council Reports (Verbal)	<p style="text-align: center;">--</p>

NEW BUSINESS

REPORT OF IN CAMERA RESOLUTIONS

ADJOURNMENT

DISTRICT OF SOOKE

Minutes of the Special Meeting of Council
held in the Council Chamber
at 2225 Otter Point Road, Sooke, BC
on December 7, 2015 at 6:00 p.m.

COUNCIL PRESENT

Kevin Pearson, Acting Mayor
Councillor Bev Berger
Councillor Rick Kasper
Councillor Ebony Logins
Councillor Brenda Parkinson
Councillor Kerrie Reay

STAFF PRESENT

Bonnie Sprinkling, Corporate Officer

ABSENT: Mayor Maja Tait

CALL TO ORDER

Acting Mayor Pearson called the meeting to order at 6:02 p.m.

APPROVAL OF AGENDA

MOVED and seconded to approve the agenda as circulated.
CARRIED UNANIMOUSLY

MOTION TO CLOSE THE MEETING TO THE PUBLIC

MOVED and seconded to close the meeting to the public under section 90(1)(l) of the *Community Charter* to discuss

- 90(1)(a) 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;
- 90(1)(l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [*annual municipal report*].

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 10:17 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Kevin Pearson
Acting Mayor

Bonnie Sprinkling
Corporate Officer



DISTRICT OF SOOKE
Committee of the Whole Minutes
Meeting held December 7, 2015
at 7:00 pm
Council Chamber, 2225 Otter Point Road

COUNCIL PRESENT

Councillor Kevin Pearson, Acting Mayor
Councillor Bev Berger
Councillor Rick Kasper
Councillor Ebony Logins
Councillor Brenda Parkinson

STAFF PRESENT

Michael Dillabaugh, Acting CAO
Bonnie Sprinkling, Corporate Officer
Tina Hansen, Corporate Assistant

ABSENT: Mayor Maja Tait, Councillor Kerrie Reay

1. **Call to Order**

The meeting was called to order at 7:03 p.m.

2. **Approval of Agenda**

MOVED to approve the agenda with the following as new business:

- NB-1-Correspondence dated November 20, 2015 from Sooke Lions Club
- NB-2-Presentation: Primary Health Care Services Working Group – Review of Sooke Diagnostic Imaging Analysis and Recommendation – Linda Nehra, South Island Division of Family Practice and Erica Kjekstad, Consultant

CARRIED UNANIMOUSLY

Acting Mayor Pearson took the opportunity to introduce and welcome Teresa Sullivan, newly hired Chief Administrative Officer for the District of Sooke.

3. **Presentation: Western Canada Marine Response Corp. – Oil Spill Geographic Response Strategies for the District of Sooke – Michael Lowry, Manager, Communications**

Michael Lowry, Manager of Communications provided a powerpoint presentation and addressed the Committee as to Marine Spill Response on the West Coast. Mr. Lowry overviewed Canada's spill response regime administered by Transport Canada. Mr. Lowry provided information on the Western Canada Marine Response Corporation (WCMRC), BC's spill response organization and provided information as to the Coastal Mapping Program and the Trans Mountain expansion project.

Committee discussed:

- The issue of oil tanker traffic and risk of marine oil spills off coastal BC is a passionate issue in Sooke
- Discussion as to potential locations for response base facilities being located at Beecher Bay and Port Renfrew
- Discussion that Sooke is not included as a location for a response base facility due to navigation challenges in/out of the Sooke Harbour and Basin

- Discussion as to whether there will be revisions as to response times made in the *Canada Shipping Act*
- WCMRC is providing presentations on Marine Spill Response on the West Coast to all coastal communities
- Discussion as to the number of people required to be on call in order to provide response in the allocated response times
- The District of Sooke would qualify to have an equipment cache that could be used for clean-up of anything that falls through but Sooke is well covered by the equipment stored at Beecher Bay

Public Input:

Jeff Bateman, Sooke resident stated that response plans are all partially conditional on the National Energy Board's (NEB) approval of the Trans Mountain pipeline. Mr. Bateman inquired as to whether we will be faced with an 18 to 72 hour response time until the time the Trans Mountain pipeline has been approved.

Larissa Sandy representing Sierra Club of BC inquired as to the WCMRC's Coastal Mapping Project and consulting processes with First Nations to identify sensitive midden sites. Ms. Sandy also commented as to her concerns of delayed oil spill response times due to extreme weather on the coast and concerns as to a low percentage rate of 10 to 15 that is considered to be successful clean-up of an oil spill.

Gail Armitage representing the Dogwood Initiative commented as to WCMRC's commitment to improve response times, and provided commented as to her concerns of the low percent rate of oil spill clean-up and the significant health risks associated with benzene.

Ralph Hull addressed the Committee as to his concerns of the oil business as he believes there are alternative, more environmentally sustainable types of energy. Mr. Hall also commented as to the recent oil spill in English Bay and concerns of Kinder Morgan's affiliation to WCMRC as shareholders.

Steve Unger, Sooke resident commented as to his concerns that 80 percent of oil is not being recovered and remains in the ocean following a spill. Mr. Unger believes that this should be the focus of concern moreover response times. Mr. Unger stated that we need to think about what we are doing by increasing the amount of oil being transported to the coast.

Acting Mayor Pearson took the opportunity to thank Mr. Lowry for his presentation.

4. Presentation: Royal Roads University Master of Tourism Management Program – Tourism Destination Development for the new Sooke Town Centre – Brian White, Director, School of Tourism and Hospitality

Brian White, Director School of Tourism and Hospitality addressed the Committee as to the Royal Roads University Master of Tourism Management Project for the District of Sooke. Mr. White advised that the presentation is focused on the Sooke Town Centre and what could be done in developing the downtown core. The presentation focused on what Sooke could be in terms of tourism and the theme "a great place to live is a great

place to visit.” The presentation wills overview the vision for Sooke, a sense of place, a brand for Sooke, amenities and recommendations.

Royal Roads University Masters students provided a powerpoint presentation and overview of “The Sooke Destination Framework Project.” The students summarized Sooke’s assets including natural resources such as the sea, forests and farming and cultural assets such as the Sooke Fine Arts Show and festivals. The presentation included marketing tourism, branding Sooke, waterfront design, renewable energy opportunities, a proposed brewpub design, development opportunities and recommendations.

Mr. White provided an overview of the recommendations to the Committee advising that Sooke is ready for a “Coalition of the willing” as he believes there is great opportunity in Sooke with its strong arts and culture and the positive changes occurring here.

The Committee acknowledged and thanked the Royal Road University Students for the presentation and for their enthusiasm, hard work and the vision that they had created for Sooke.

Public Input:

Geraldine McGuire, President Sooke Fine Arts Society stated that she enjoyed the Royal Roads University presentation. Ms. McGuire noted that the Sooke Fine Arts Show will be having their thirtieth anniversary next year and half million dollars remains in the community of Sooke from the Sooke Fine Arts Show each year

Sally Manning, Sooke Fine Arts Society took the opportunity to thank the Royal Roads University students for their research and for recognizing the arts and festivals in Sooke and their importance to the community.

Gail Armitage, Sooke resident provided comments on the Royal Roads University presentation stating that the arts are important and that Sooke has an amazing amount of artists in the area. Ms. Armitage also commented that she was happy to see the students include “sustainable energy” in their presentation.

Caryl Wilford, President Sooke Community Arts Council commented as to the Royal Roads University presentation advising that the students captured exactly how people feel about arts and culture in the community.

Ron Ramsay, Shirley resident provided comments as to the importance of tourism for Sooke and looking at the pristine old growth forests in the Walbran Valley to draw tourists to the area. Mr. Ramsay further commented that we should look at promoting Sooke as a gateway into Carmanah.

John Russell, Sooke resident advised that he has spent most of his life involved in the arts. Mr. Russell provided comments as to the large number of local artists and artisans in Sooke advising that Sooke and the arts has a great opportunity to develop and become recognized to a greater capacity. The Sooke Fine Arts Show is well known outside of the community and is one of the most important things that identify Sooke.

Ray Freeman, Associate Faculty of Royal Roads University and tourism industry consultant addressed the as to the importance of channelling passions and working together as a community to in order to be successful.

Nicky Logins, Otter Point resident believes there is a lot of potential in Sooke in the arts and culture and our natural resources although Sooke is not good at is acknowledging its own achievements. Ms. Logins stated that she challenges Council to promote Sooke's' many achievements as it is time they get out to the world.

Averol, Sooke resident addressed the Committee as to Sooke being a "bedroom community" and the importance of taking a pragmatic approach to the development of the community on a practical level by having a vision of what Sooke needs and have the gumption to go through with it.

Brian Zutz, Sooke resident provided comments as to making improvements to accessibility such as through Phillips Road to up island so that people can come here more as a destination.

Audrey, Sooke resident addressed Council as to her enjoyment of attending film festivals where she previously lived in Toronto and that she would like to see a theatre for similar productions in Sooke.

5. **Presentation: Primary Health Care Services Working Group – Review of Sooke Diagnostic Imaging Analysis and Recommendation – Linda Nehra, South Island Division of Family Practice and Erica Kjekstad, Consultant**

Linda Nehra, South Island Division of Family Practice provided an overview as to the Primary Health Care Service Working Group and its representation. Ms. Nehra advised the working group was formed two years ago with the main priority to look at the health care services concerns of the community and to try to move these issues forward. One of the issues the community has struggled with is with the inadequacy of the diagnostic services (x-ray) in terms of availability and in terms of quality. The South Island Division of Family Practice hired consultant Erica Kjekstad to do an analysis of the x-ray services in Sooke.

Erica Kjekstad provided a powerpoint presentation and overview of the South Island Division of Family Practice analysis of Sooke Diagnostic Services. Ms. Kjekstad reported that the current x-ray facility owned by West Coast Medical Imaging uses an analogue machine which was prevalent 25 years ago and scans taken at the facility are not able to be forwarded digitally to radiologist or physicians.

Ms. Kjekstad reported on statistics for the current demand of x-ray services in Sooke and x-ray demand with predicted population growth by the year 2030. This included an analysis of revenue for a facility in 2015 and 2030. The analysis showed a net income loss in 2015 and a net income profit in 2030. Ms. Kjekstad explained how Certificates of Approval were administered by the Ministry of Health for medical imaging facilities in British Columbia. Ms. Kjekstad summarized the following conclusions from the analysis:

- It is unlikely that a Certificate of Approval would be granted for a new upgraded diagnostic imaging facility in Sooke
- It is unlikely that upgrades will be made to the current Sooke x-ray facility
- The business case is weak for a profitable new facility
- The remaining lifespan of the current unit is unknown

Ms. Kjekstad discussed what the next steps could be for Sooke including investigation of alternate support solutions such as a driver services to x-ray facilities for residents without a vehicle and looking into ways for establishing “twinning” facilities.”

A discussion ensued between the Committee, Ms. Kjekstad and Ms. Nehra as to the following:

- Discussion as to the fees for service for x-rays and other diagnostic tests as established by the Ministry of Health
- Whether the short hours of operation of the x-ray facility is the reason for the low numbers of scans taken at the facility
- The Ministry of Health and Committee responsible for issuing the Certificates should see the Sooke x-ray facility and be made aware of its hours of operation
- The Sooke x-ray facility may not meet BC Ministry of Health regulations in the future
- Council to look at lobbying senior levels of government; the Primary Health Care Services Working Group has already lobbied senior levels of government

Acting Mayor Pearson took the opportunity to thank Ms. Nehra and Ms. Kjekstad for their presentation.

Public Input:

There was no input from members of the public.

6. Correspondence dated November 20, 2015 from Sooke Lions Club

Councillor Parkinson provided an update as to the Sooke Lions Club proposal for a joint revitalization project for the gateway to Sooke. Councillor Parkinson advised that the Sooke Lion's Club, Museum and Rotary Club will be working together in consultation with community stakeholders, the Ministry of Transportation and Infrastructure (MoTI), and T'Sou-ke First Nation to improve signage and the entrance to Sooke.

Committee discussed:

- This is a timely project with the recent improvements to the Town Centre
- Timeline of the consultation process
- Look at inviting the Sooke Lion's Club to attend an upcoming Council meeting and present to Council on the project and costs associated with the project once they have completed the consultation process
- This area is utilized as overflow parking during community events

ACTION ITEM: The Committee asked that staff invite the Sooke Lion's Club to present on the gateway revitalization project at an upcoming Council meeting once the consultation process for the project is complete.

7. **Public Input**

Linda Slater, Sooke resident addressed the Committee as to the Community Grant Review Committee recommendations to reduce funding to the arts community and read her public statement. Ms. Slater advised that she has been a volunteer and fundraiser in Sooke for many years and it is not always possible to fundraise as every organization is asking for financial support from local business.

Ellen Lewers, Sooke resident addressed the Committee as to the Sooke Lion's Club proposal for signage and improvements to the gateway to Sooke advising that she has invested a lot of time already researching digital signage for Sooke and is willing to provide this information to the Sooke Lion's Club. This would be a way for community groups to advertise events and generate some income. Ms. Lewers also read her public statement as to the arts community and its importance to the culture of Sooke.

Maureen Savoy, Sooke resident and Secretary, Sooke Community Arts Council read her public statement as to the Community Grant Review Committee's recommendations to discontinue funding to the Arts Council. Ms. Savoy advised of her concerns as to the impact that ceasing funds would have on the arts community, local business and employment in Sooke. Ms. Savoy clarified that the Arts Council does not distribute grants to other organizations from District of Sooke Funding and provided further information as to disbursement of funds by the Arts Council. Ms. Savoy asked that Council not approve the recommendations from the Community Grant Review Committee.

Patrick Grove, Sooke resident provided comments as to the Sooke Community Arts Council and Sooke Fine Arts Society and addressed the Committee as to the importance of volunteers in Sooke. Mr. Grove asked Council for "fairness" when it comes to the volunteers as many of them work hundreds/thousands of volunteer hours per year.

Loretta Boerkamp, Sooke resident read her public submission. Ms. Boerkamp requested that Council look at reducing costs for doggy waste bags instead of discontinuing funding to the arts community.

8. **Adjournment**

The meeting was adjourned at 9:41 p.m.

Certified Correct:

Kevin Pearson
Acting Mayor

Bonnie Sprinkling
Corporate Officer

DISTRICT OF SOOKE

Minutes of the Special Meeting of Council
held in the Council Chamber
at 2225 Otter Point Road, Sooke, BC
on December 12, 2015 at 9:15 a.m.

COUNCIL PRESENT

Kevin Pearson, Acting Mayor
Councillor Bev Berger
Councillor Rick Kasper (remote)
Councillor Ebony Logins (left at 9:25 a.m.)
Councillor Brenda Parkinson
Councillor Kerrie Reay

STAFF PRESENT

Bonnie Sprinkling, Corporate Officer

ABSENT: Mayor Maja Tait

CALL TO ORDER

Acting Mayor Pearson called the meeting to order at 9:17 a.m.

APPROVAL OF AGENDA

MOVED and seconded to approve the agenda as circulated.

CARRIED UNANIMOUSLY

MOTION TO CLOSE THE MEETING TO THE PUBLIC

MOVED and seconded to close the meeting to the public under section 90(1)(l) of the *Community Charter* to discuss

- 90(1)(a) 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

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 9:38 a.m.

CARRIED UNANIMOUSLY

Certified Correct:

Kevin Pearson
Acting Mayor

Bonnie Sprinkling
Corporate Officer



DISTRICT OF SOOKE

Minutes of the Regular Meeting of Council
held in the Council Chamber
at 2225 Otter Point Road, Sooke, BC
on December 14, 2015
6:00 p.m., Open Portion, Council Chamber

COUNCIL PRESENT

Kevin Pearson, Acting Mayor
Councillor Bev Berger
Councillor Rick Kasper
Councillor Ebony Logins
Councillor Brenda Parkinson
Councillor Kerrie Reay

STAFF PRESENT (Open Portion)

Teresa Sullivan, Chief Administrative Officer
Michael Dillabaugh, Director of Finance
Bonnie Sprinkling, Corporate Officer
Elisabeth Nelson, Engineer (left at 10:29 pm)
Steve Sorensen, Fire Chief
Katherine Lesyshen, Planner II (left at 10:29 p.m.)
Tina Hansen, Corporate Assistant

ABSENT: Mayor Maja Tait, Councillor Bev Berger

CALL TO ORDER

Acting Mayor Pearson called the meeting to order at 6:02 p.m.

APPROVAL OF THE AGENDA

MOVED and seconded to approve the agenda with the following as new business/supplemental information:

- NB/Supplemental Information Package 1
- NB/Supplemental Information Package 2
- NB/Supplemental Information Package 3

CARRIED UNANIMOUSLY

PRESENTATIONS OF EMPLOYEE SERVICE AWARDS

Acting Mayor Pearson presented service awards to District of Sooke employees with extended periods of service to the municipality.

The meeting recessed at 6:10 p.m. in order to hold a reception for the award recipients.

The meeting was called back to order at 7:00 p.m.

MOVED and seconded to move Agenda Item RA-1 Recommendations from Community Grant Review Committee to immediately following Public Question and Comment Period.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Committee of the Whole meeting held on November 16, 2015 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Regular Council meeting held on November 23, 2015 be adopted as circulated.
CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on November 30, 2015 be adopted as circulated.
CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

- November 5, 2015 Hiring Committee
- November 12, 2015 Climate Change Action Committee
- November 18, 2015 Community Grant Review Committee
- November 19, 2015 Sooke Community Centre Advisory Committee Workshop
- November 24, 2015 Emergency Planning Committee
- November 25, 2015 Sooke Program for the Arts Committee

CARRIED UNANIMOUSLY

DELEGATIONS

D-1 Heart and Stroke Foundation – Big Bike for Sooke – Jodi Gaiser, Community Development Coordinator

Jodi Gaiser provided a powerpoint presentation on the Heart and Stroke Foundation's Bike Bike Campaign and a proposal to bring the Bike Bike half day event to Sooke in June, 2016. Ms. Gaiser advised that she would work with the District on an event route in the town centre.

D-2 Sooke Region Food CHI – Category A Community Grant – Phoebe Dunbar, Vice-President

Phoebe Dunbar, Vice-President Sooke Region Food CHI, addressed Council as to the Community Grant Review Committee's recommendation to discontinue funding for the Sunriver Community Gardens "Grow a Row" charitable food production program. Ms. Dunbar provided clarification as to some of the issues raised by the Community Grant Review Committee including future sustainability of the "Grow a Row" program, clarification as to Food CHI's financial statements and clarification as to the paid coordinator position. Ms. Dunbar reported that the program provides a service to the community and that they would like to see Council continue to provide funding for the program until 2016 where they expect the program will be more sustainable.

Kim Metzger, Sooke Food Bank, addressed Council advising that Sooke Food CHI and the "Grow a Row" program helps to support the Sooke Food Bank. Ms. Metzger stated that the Food Bank is not being validated when community grants are turned down to organizations that provide support to the Food Bank.

D-3 EMCS Society/Youth Engagement – Category A Community Grant – Infinity Logan, Coordinator

Infinity Logan, Coordinator EMCS Society, and Ann Bell, EMCS Community School Coordinator, addressed Council as to the Community Grant Review Committee recommendation to reduce funding for the EMCS Youth Engagement Project. Ms. Bell

reported that the EMCS Society is a non-profit society and that any funds they receive are used for the purpose that they were applied for. Ms. Bell provided further clarification the society's business practices, financial statements and fiscal year end. Ms. Bell advised that with the recommended cuts to the society, it will be difficult to continue with the youth engagement program.

Ms. Logan provided additional clarification as to the Coordinator position with the EMCS Society Youth Engagement program. Ms. Logan advised that without funding for the Coordinator, they will have no one to supervise youth. Ms. Logan supports tax dollars being used toward the health and safety of youth.

D-4 Sooke Community Arts Council – Category A Community Grant – Caryl Wilford, President

Caryl Wilford, President Sooke Community Arts Council, addressed Council as to the Community Grant Review Committee's recommendation to discontinue funding to the Sooke Community Arts Council. Ms. Wilford advised that the Arts Council believes that the decision has been made through a misinterpretation of the District's *Community Grant Program Policy*. Ms. Wilford provided clarification as to the use of funds received from the District of Sooke and the use of funds received from the BC Arts Council. Ms. Wilford advised that the Arts Council is a non-profit organization that provides programs in the arts and culture that benefit the community and their activities are supported in the District of Sooke *Official Community Plan*. Ms. Wilford reported that if the group loses their funding from the District, within two years they will also lose the support of the matching grants from the BC Arts Council which will have an unfortunate domino effect to other organizations in the community that they help support.

D-5 Sooke Fine Arts Society – Category A community Grant – Catherine Keogan, Executive Director

Catherine Keogan, Executive Director Sooke Fine Arts Society, provided a PowerPoint presentation and addressed Council as to the Community Grant Review Committee's recommendations to reduce funding to the Sooke Fine Arts Society. Ms. Keogan reported on the Sooke Fine Arts Show and its community support of over 300 volunteers, local businesses, organizations and the District of Sooke. The Sooke Fine Arts Show provides programs that engage children, youth and seniors and brings nearly 7000 visitors to the community resulting in an economic impact of approximately \$600,000 each year.

Danny Huszar Sooke Fine Arts Society Board of Directors reported on the Sooke Fine Arts Show's financial statements and provided additional clarification as to employ staffing position salaries. Ms. Houzer asked that Council set aside the recommendations made by the Community Grant Review Committee and continue funding to the Sooke Fine Arts Society.

PUBLIC QUESTION AND COMMENT PERIOD

Geraldine McGuire, President Sooke Fine Arts Society, provided comments as to her concerns over the recommendations to reduce funding to the Sooke Fine Arts Society and Sooke Fine Arts Show and the negative impact it could have on the community. Ms. McGuire asked how we can justify cutting programs that brand Sooke when it was made clear at a presentation made by Royal Roads University students that the Sooke Fine Arts Show is a vital part of the community; this is what Sooke is about.

Nicky Logins, Otter Point resident, provided comments as to the Sooke Food CHI Society presentation and the importance of food security for the community which is a service that Sooke Food CHI is providing by supporting families that need to feed their children and themselves. Sooke Food CHI also supports other community organizations such as the Sooke Food Bank as they do not have the capacity to feed everyone. Ms. Logins would like to see Council support Sooke Food CHI in their request for funding.

Paula McCormick Sooke Food CHI member, spoke to the importance of the "Grow a Row" program and the positive affects it has on the many volunteers. Ms. McCormick advised that the program has been a great contribution to the community and she would like to see Council's support so that the program can continue.

Jeff Bateman, Sooke resident, addressed Council as to the importance of the Sooke organizations receiving the financial support of the District of Sooke. Mr. Bateman also inquired as to why Council did not decide to provide a letter of support to the Friends of Carmanah for the protection of Walbran Valley. Mr. Bateman requested clarification of the hiring process for the new Chief Administrative Officer.

Sandra Scathe, past president of the Sooke Fine Arts Society, addressed Council as to the various events that the Sooke Fine Arts Society holds each year and their importance to the community. Ms. Scathe advised that all the events are free to the public and involve children and youth. The events bring economic development to Sooke and with the support the District could continue to grow.

**RA-1 Recommendations from Community Grant Review Committee meeting held November 18, 2015:
Category A Grant Review:**

1. EMCS – Youth Engagement Project (requested amount \$7,000)

Councillor Logins declared a conflict of interest with the EMCS Youth Engagement Project as she is the person responsible for hiring for the Youth Engagement Coordinator position and left the meeting at 8:41 p.m.

MOVED and seconded to award the EMCS Youth Engagement Project a Category A grant in the amount of \$3,500 contingent upon Council's approval of the 2016-2020 Five Year Financial Plan.

CARRIED

Councillor Parkinson opposed the motion

Councillor Logins returned to the meeting at 8:47 p.m.

2. Sooke Residents in Need – Victims Services Program (requested amount \$8,323)

MOVED and seconded to award the Sooke Residents in Need Society – Victims Services Program a Category A grant in the amount of \$8,323 contingent upon Council's approval of the 2016-2020 Five Year Financial Plan;

AND FURTHER THAT COUNCIL advocate for other levels of government and governmental agencies, such as the Capital Regional District and the RCMP, to assist in funding this program.

CARRIED UNANIMOUSLY

3. Sooke Residents in Need Society – Sooke Crisis Centre (requested amount \$6,120)

MOVED and seconded to award the Sooke Residents in Need Society – Sooke Crisis Centre a Category A grant in the amount of \$6,120 contingent upon Council's approval of the 2016-2020 Five Year Financial Plan.

CARRIED UNANIMOUSLY

4. Sooke Region Food CHI (requested amount \$7,000)

MOVED and seconded **not** to award the Sooke Region Food CHI a Category A grant.
DEFEATED

MOVED and seconded to award the Sooke Region Food CHI a Category A grant in the amount of \$7,000 contingent upon Council's approval of the 2016-2020 Five Year Financial Plan.

CARRIED UNANIMOUSLY

5. Sooke Fine Arts Society (requested amount \$7,000)

MOVED and seconded to award the Sooke Fine Arts Society a Category A grant in the amount of \$3,500 contingent upon Council's approval of the 2016-2020 Five Year Financial Plan.

DEFEATED Councillors Logins, Parkinson and Pearson opposed the motion

MOVED and seconded to award the Sooke Fine Arts Society a Category A grant in the amount of \$7,000 contingent upon Council's approval of the 2016-2020 Five Year Financial Plan.

CARRIED UNANIMOUSLY

6. NEED2 – Suicide Prevention, Education and Awareness (requested amount \$3,184)

MOVED and seconded to award NEED2 – Suicide Prevention, Education and Awareness a Category A grant in the amount of \$1,592 contingent upon Council's approval of the 2016-2020 Five Year Financial Plan

AND TO direct staff to write a letter to Island Health requesting support for NEED 2;
AND THAT Council engage with other municipalities in sending this letter of support;
AND FURTHER THAT the letter be copied to NEED2.

CARRIED

Councillor Logins opposed the motion

7. Sooke Food Bank Society – Milk Program (requested amount \$10,000)

MOVED and seconded to award the Sooke Food Bank Society – Milk Program a Category A grant in the amount of \$10,000 contingent upon Council's approval of the 2016-2020 Five Year Financial Plan.

CARRIED UNANIMOUSLY

8. Citizens on Patrol/Speedwatch Sooke (requested amount \$2,800)

MOVED and seconded to award the Citizens on Patrol/ Speedwatch Sooke a Category A grant in the amount of \$2,800 contingent upon Council's approval of the 2016-2020 Five Year Financial Plan.

CARRIED UNANIMOUSLY

- 9. EMCS Student Art Bus Shelter Project (requested amount \$1,925.87)**
MOVED and seconded **not** to award the EMCS Student Art Bus Shelter Project a Category A grant;
AND TO encourage the EMCS Student Art Bus Shelter to continue to apply as a Category B Community Grant in April 2016.
CARRIED UNANIMOUSLY
- 10. Greater Victoria Bike to Work Week Society (requested amount \$300)**
MOVED and seconded **not** to award the Greater Victoria Bike to Work Week Society a Category A grant.
CARRIED UNANIMOUSLY
- 11. JDF Regional Park Watch Society (requested amount \$5,000)**
MOVED and seconded to award the Juan de Fuca Park Watch Society a Category A grant in the amount of \$1,000 contingent upon Council's approval of the 2016-2020 Five Year Financial Plan.
CARRIED **Councillors Logins and Parkinson opposed the motion**
- 12. Sooke Community Arts Council (requested amount \$4,000)**
Councillor Kasper declared a conflict of interest with the Sooke Community Arts Council request for funding as he has recently become aware that he has a family member involved in an organization that received funding from the Sooke Community Arts Council in 2015 and left the meeting at 9:19 p.m.
- MOVED** and seconded to **not** award the Sooke Community Arts Council a Category A grant.
DEFEATED
- MOVED** and seconded to award the Sooke Community Arts Council a Category A grant in the amount of \$4,000 contingent upon Council's approval of the 2016-2020 Five Year Financial Plan.
CARRIED UNANIMOUSLY
- Councillor Kasper returned to the meeting at 9:28 p.m.
The meeting recessed at 9:28 p.m.
The meeting was reconvened at 9:32 p.m.
- 13. Sooke Lions Club – Canada Day (requested amount \$5,000)**
MOVED and seconded to award the Sooke Lions Club – Canada Day a Category A grant in the amount of \$5,000 contingent upon Council's approval of the 2016-2020 Five Year Financial Plan.
CARRIED UNANIMOUSLY
- 14. Sooke Family Resource Society (requested amount \$5,000)**
Councillor Logins declared a conflict of interest with the Sooke Family Resource Society request for funding as she has a family member that works for the Society and left the meeting at 9:35 p.m.
- MOVED** and seconded to award the Sooke Family Resource Society a Category A grant in the amount of \$2,000 for program materials and supplies for 2016 and 2017 only, contingent upon Council's approval of the 2016-2020 Five Year Financial Plan;

AND FURTHER TO award an additional \$600 for program transportation for 2016 and 2017 only, contingent upon Council's approval of the 2016-2020 Five Year Financial Plan,

subject to clarification of the program transportation funds supporting getting mothers and babies to prenatal programming;

AND FURTHER TO encourage Sooke Family Resource Society to seek provincial funding for prenatal services.

CARRIED UNANIMOUSLY

Councillor Logins returned to the meeting at 9:36 p.m.

15. Vancouver Island South Film and Media Commission (requested amount \$1,000)

MOVED and seconded to award the Vancouver Island South Film and Media Commission a Category A grant in the amount of \$500 contingent upon Council's approval of the 2016-2020 Five Year Financial Plan.

CARRIED

Councillors Logins and Parkinson opposed the motion

16. Sooke Transition Town Society (Wild Wise Sooke)

MOVED and seconded to award the Sooke Transition Town Society (Wild Wise Sooke) a Category A grant in the amount of \$2,925 contingent upon Council's approval of the 2016-2020 Five Year Financial Plan.

CARRIED UNANIMOUSLY

PUBLIC HEARINGS AND RELATED BYLAWS

PH-1 Report of Public Hearings – 2182 Church Road – Wadams Way Comprehensive Development Zone

• **Bylaw No. 622, Zoning Amendment Bylaw (600-19)**

Acting Mayor Pearson called the Public Hearings for Bylaw No. 622 to order at 9:40 p.m.

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

Katherine Lesyshen gave a powerpoint presentation and summary of the rezoning application for 2182 Church Road.

Public Submissions:

Gail Hall, Sooke resident, expressed her opposition to the rezoning application and provided comments as to her concerns of density bonusing and amenity contributions. Ms. Hall further commented as to Bylaw No. 622 and concerns that the bylaw did not reference amenities or the increase in density.

Ellen Lewers, Sooke resident, expressed her opposition for the rezoning application. Ms. Lewers also advised of her concerns as to the accuracy of the studies that have been completed on the property such as the Traffic Impact Assessment.

John Brohman, Otter Point resident, expressed his support for the rezoning application advising that the Wadams Way Comprehensive Zone is a good fit for Sooke and that it will provide flexibility for future developers of the property.

Ms. Hall further commented that the issue is not whether the property is a good location for development, it is that the bylaw is insufficient and that Council is bound to uphold the integrity of the process.

Acting Mayor Pearson called three times for submissions to the Public Hearings for Bylaw No. 622, hearing none; he closed the public hearing at 9:57 p.m.

Council to consider third reading of Bylaw No. 622

MOVED and seconded to refer Bylaw No. 622, *Zoning Amendment Bylaw (600-19)* back to staff for clarification as to the bylaw and the amenity contributions.

CARRIED UNANIMOUSLY

PUBLIC INPUT MEETINGS AND RELATED REPORTS

PI-1 Council Strategic Plan

Public Submissions:

Ellen Lewers, Sooke resident, commented that Council did not involve the public during their Strategic Planning process. Ms. Lewers indicated that members of the public should be invited to strategic planning sessions as they are the ones who know what the priorities should be for the community.

Jeff Bateman, Sooke resident, advised that he believes the 2016 District of Sooke Strategic Plan is a good document and includes an update to the *Official Community Plan* and an important piece around communications.

BYLAWS

B-1 Bylaw No. 623 *Zoning Amendment Bylaw (600-20)* and Bylaw No. 625, *7000 Melrick Place Phased Development Agreement Repeal Bylaw, 2015 - 7000 Melrick Place – Zoning Bylaw Reversal and Termination of Phased Development Agreement*

Katherine Lesyshen provided a powerpoint presentation and summary of the Zoning Bylaw Reversal and Termination of Phased Development Agreement for 7000 Melrick Place.

Bylaw No. 623

MOVED and seconded that Bylaw No. 623, *Zoning Amendment Bylaw (600-20)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 623, *Zoning Amendment Bylaw (600-20)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 623, *Zoning Amendment Bylaw (600-20)* be read a third time.

CARRIED UNANIMOUSLY

Bylaw No. 625

MOVED and seconded that Bylaw No. 625, *7000 Melrick Place Phased Development Agreement Repeal Bylaw, 2015* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 625, *7000 Melrick Place Phased Development Agreement Repeal Bylaw, 2015* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 625, *7000 Melrick Place Phased Development Agreement Repeal Bylaw, 2015* be read a third time.

CARRIED UNANIMOUSLY

MOVED and seconded to agree to terminate and discharge the Phased Development Agreement entered into with the owners of the property at 7000 Melrick Place at the time of rezoning.

CARRIED UNANIMOUSLY

MOVED and seconded to direct staff to give notice for waiver of the requirement for a public hearing in accordance with s. 893 of the *Local Government Act*.

CARRIED UNANIMOUSLY

B-2 Bylaw No. 624, Sooke Core Sewer Specified Area Amendment Bylaw (147-25) - Removal of 7000 Melrick Place from Sooke Core Sewer Specified Area

MOVED and seconded that Bylaw No. 624, *Sooke Core Sewer Specified Area Amendment Bylaw (147-25)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 624, *Sooke Core Sewer Specified Area Amendment Bylaw (147-25)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 624, *Sooke Core Sewer Specified Area Amendment Bylaw (147-25)* be read a third time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 624, be adopted concurrently with Bylaw No. 623, *Zoning Amendment Bylaw (600-20)* and Bylaw No. 625, *7000 Melrick Place Phased Development Agreement Repeal Bylaw, 2015*.

CARRIED UNANIMOUSLY

**B-3 Bylaw No. 627, Official Community Plan Amendment Bylaw (400-8)
Bylaw No. 628, Zoning Amendment Bylaw (600-21) - 2017 Idlemore Road**

Michael Dillabaugh provided a powerpoint presentation and summary of the Official Community Plan amendment and rezoning application for 2017 Idlemore Road.

Bylaw No. 627

MOVED and seconded that Bylaw No. 627, *Official Community Plan Amendment Bylaw (400-8)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 627, *Official Community Plan Amendment Bylaw (400-8)* be read a second time.

CARRIED UNANIMOUSLY

Bylaw No. 628

MOVED and seconded that Bylaw No. 628, *Zoning Amendment Bylaw (600-21)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 628, *Zoning Amendment Bylaw (600-21)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded to direct staff to schedule a Public Hearing for Bylaw No. 627 and Bylaw No. 628 in accordance with the requirements of the *Community Charter* and the *Local Government Act*;

AND THAT prior to final adoption of Bylaw No. 627 and 628, the owner enters into a Section 219 Covenant with the District of Sooke to address an amenity contribution towards the proposed construction of a trail along Idlemore Road;

AND FURTHER TO authorize the Mayor and Chief Administrative Officer to execute the Section 219 Covenant.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

Councillor Parkinson left the meeting at 10:28 p.m.

RA-2 Recommendations from Sooke Program for the Arts (SPA) Committee meeting held November 25, 2015:

2016 Communities in Bloom

MOVED and seconded to approve the District of Sooke's participation in the 2016 Communities in Bloom Program contingent on Council approval of the 2016-2020 Five Year Financial Plan.

CARRIED UNANIMOUSLY

RA-3 Island Health Funding for Sooke Region CHI

MOVED and seconded to approve the agreement between the District of Sooke and the Sooke Region Communities Health Network ("CHI") and the related agreement between the District of Sooke and the Vancouver Island Health Authority ("VIHA");

AND TO authorize the Mayor and the CAO to sign the two agreement documents on behalf of the District of Sooke.

CARRIED UNANIMOUSLY

Councillor Parkinson returned to the meeting at 10:30 p.m.

Councillor Logins left the meeting at 10:30 p.m.

RA-4 Sooke River Road Park and BikeBC Cycling Infrastructure Grant

Councillor Logins returned to the meeting at 10:34 p.m.

MOVED and seconded to proceed with the BikeBC multi-use trail project on Sooke River Road ("Project");

AND TO direct staff to proceed with the survey, design and construction of the multi-use trail from Kirby Road to Sooke Road, including through an area of the Park property, subject to Council approval of the trail location prior to construction;

AND THAT the multi-use trail project must not exceed \$150,000 in total costs.

CARRIED UNANIMOUSLY

MOVED and seconded to construct a parking area on the portion of the Sooke River Road Park that is not in the Agricultural Land Reserve;

AND TO direct staff to proceed with the survey, design and construction of a permeable surface parking area, subject to Council approval of the project prior to construction;

AND TO direct staff to include this project in the 2016 Capital Plan.

CARRIED UNANIMOUSLY

MOVED and seconded to direct staff to begin the process to amend the *Official Community Plan* and the *Sooke Zoning Bylaw* for Sooke River Road property to be designated and zoned a Park.

CARRIED UNANIMOUSLY

MOVED and seconded to authorize the Sooke Horseshoe Pitching Association to proceed with the construction of the Horseshoe Pitch on the Park property within the ALR;

AND TO direct staff to work with the Sooke Horseshoe Pitching Association to locate the horseshoe pitches in accordance with the Licence to Occupy Agreement and the ALR approval.

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 RCMP Monthly Mayor Report – October 2015

MOVED and seconded to file the RCMP Monthly Mayor Report for October 2015.

CARRIED UNANIMOUSLY

RI-2 Mayor and Council Reports (Verbal)

Councillor Logins reported on attending the Ecole Poirier Elementary School nature playground ceremony advising that the school expressed their appreciation to the District for its support.

Councillor Parkinson reported that she has participated a number of times in the Firefighters Help Fill a Fire Truck Campaign. Councillor Parkinson also attended the opening of the new East Sooke Fire Hall.

Councillor Kasper reported on attending a CRD Meeting with CRD Mayors and Minister Peter Fassbender in regard to the issues raised on the referendum question on amalgamation within the Capital Regional District. The topic of discussion was on Capital Region integrated services and governance initiatives and on trying to work collaboratively on the integration of ongoing and proposed new government services.

Councillor Reay reported that she was unable to attend the Vancouver Island Regional Library Board meeting in November. Councillor Reay attended the CREST Board meeting last week.

RI-3 Council Reader File – November 2015

MOVED and seconded to file the Council Reader File for November 2015.
CARRIED UNANIMOUSLY

CORRESPONDENCE REQUIRING ACTION

C-1 Correspondence dated November 20, 2015 from Victoria Family Court and Youth Justice Committee

MOVED and seconded to file the correspondence from the Victoria Court and Youth Justice Committee.
CARRIED UNANIMOUSLY

CORRESPONDENCE AND COUNCIL REPORTS FOR INFORMATION

I-1 Correspondence received November 18, 2015 from Union of British Columbia

Municipalities RE: Policy Update: Community Paramedicine Initiatives
MOVED and seconded to file the correspondence from the Union of British Columbia Municipalities RE: Policy Update: Community Paramedicine Initiatives.
CARRIED UNANIMOUSLY

I-2 Correspondence received November 27, 2015 from PRIMECorp RE: PRIMECorp's Annual Report

MOVED and seconded to file the correspondence from PRIMECorp RE: PRIMECorp's Annual Report.
CARRIED UNANIMOUSLY

NOTICES OF MOTION

NM-1 Notice of Motion by Councillor Kerrie Reay from November 23, 2015 Regular Council meeting for consideration by Council (section 41 of the *Council Procedure Bylaw*).

MOVED and seconded that:

“WHEREAS the District of Sooke Council has heard from its residents in the Otter Point Road area of their significant problems with a depleted aquifer such that they must at times purchase potable water;

AND WHEREAS the end of the Juan de Fuca Water Distribution water line is located a short distance from the affected residents;

AND WHEREAS, within the identified Urban Growth Area of the District of Sooke Regional Context Statement, the District has indicated its intention to provide clean and treated potable water to all residents of Sooke within the District's municipal boundary;

NOWTHEREFORE the District of Sooke Council requests that the Juan de Fuca Water Distribution Commission extend their Otter Point water line to the municipal boundary, service all homes on route, and provide funding for the water servicing from their Development Cost Charge Fund.”

CARRIED UNANIMOUSLY

MOVED and seconded to continue the Regular Council meeting past 11:00 p.m. in accordance with section 33(1) of the *Council Procedure Bylaw*.
CARRIED UNANIMOUSLY

NEW BUSINESS

NB-1 Capital Regional District (CRD) Safe Routes to School Project – Active Transportation & Healthy Communities Program

MOVED and seconded to forward Council's support for the *Safe Routes to School Project under the Active Transportation and Healthy Communities Program* to the Capital Regional District stating that the Council's priority is the school linkages from Sunriver Estates to Journey Middle School and Ecole Poirier Elementary School.
CARRIED UNANIMOUSLY

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

- 90(1)(a) 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;
- 90(1)(e) 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;
- 90(1)(l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [*annual municipal report*].

CARRIED UNANIMOUSLY

REPORT OF IN CAMERA RESOLUTIONS

Release of In Camera Resolution of December 14, 2015

RA-1 Board of Variance Appointments

THAT COUNCIL appoint Travis Butler to the District of Sooke Board of Variance for a three year term commencing January 1, 2016;
AND THAT this resolution be released to the public.

ADJOURNMENT

MOVED and seconded to adjourn the open portion of the Regular Council meeting at 11:05 p.m.

CARRIED UNANIMOUSLY

The meeting adjourned at 11:30 p.m.

Certified Correct:

Kevin Pearson
Acting Mayor

Bonnie Sprinkling
Corporate Officer



File No. PLN01202

REQUEST FOR DECISION
Regular Council Meeting
January 11, 2016

To: Teresa Sullivan, Chief Administrative Officer
From: Planning Department
Re: **Rezoning Application – 2017 Idlemore Road**

RECOMMENDATION:

THAT COUNCIL amend Bylaw No. 627, *Official Community Plan Amendment Bylaw (400-8)* prior to the Public Hearing for the Bylaw;

AND FURTHER THAT COUNCIL amend Bylaw No. 628, *Zoning Amendment Bylaw (600-21)* prior to the Public Hearing for the Bylaw;

AND FURTHER THAT COUNCIL consider third reading of amended Bylaw No. 627 and Bylaw No. 628 after the Public Hearing for the Bylaws;

AND FURTHER THAT COUNCIL direct that prior to final adoption of Bylaw No. 627 and 628, the Owner enter into a Section 219 Covenant with the District of Sooke to address an amenity contribution towards the construction of a trail along Idlemore Road;

AND FURTHER THAT COUNCIL authorize the Mayor and Chief Administrative Officer to execute the Section 219 Covenant.


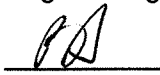
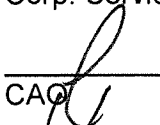
1. Executive Summary

Following the December 14th, 2015 Council meeting, administrative errors were noted in Bylaw No. 627 and Bylaw No. 628. These errors have been corrected and the revised versions of the Bylaws are attached to this report along with the relevant background information for the Section 219 Covenant for Council approval.

Attached Documents

1. S. 219 Covenant for trail construction
2. *Subdivision and Development Standards Bylaw* – Sample Multi-Use Trail Standard – Rural Collector
3. *Parks and Trails Master Plan Map*
4. Bylaw No. 627
5. Bylaw No. 628

Danica Rice, MCIP, RPP
Planner II

Approved for Council Agenda	
 Engineering	_____ Planning
 Corp. Services	_____ Finance
 CAO	

TERMS OF INSTRUMENT – PART 2

SECTION 219 COVENANT

THIS AGREEMENT, dated for reference _____, 2016 is made

BETWEEN:

SOOKE MOVING AND STORAGE LTD.

2018 Idlemore Road,
Sooke, BC
V9Z OA9

(the "Owner")

AND:

DISTRICT OF SOOKE, a municipality incorporated under the Local Government Act, R.S.B.C. 1996, c.323 and having its office at 2205 Otter Point Road, Sooke, BC V9Z 1J2

(the "Municipality")

GIVEN THAT:

- A. The Owner is the registered Owner in fee simple of the land in Sooke, British Columbia, legally described as:
Lot 4, Block 3, Section7, Sooke District, Plan 2434
(the "Land");
- B. The Owner proposes to develop the Land for service commercial use;
- C. The Owner has requested the Municipality to adopt Bylaw No. 628, *Zoning Amendment Bylaw (600-21)* (the "Rezoning Bylaw") rezoning the Land to permit the development proposed by the Owner, and
- D. The Council of the Municipality has determined that the adoption of the Rezoning Bylaw would, but for the covenants contained in this Agreement, not be in the public interest; and the Owner therefore wishes to grant pursuant to s.219 of the *Land Title Act*, and the Municipality wishes to accept, the covenants over the Land that are set out in this Agreement;

THIS AGREEMENT is evidence that in consideration of payment of \$1.00 by the Municipality to the Owner (the receipt of which is acknowledged by the Owner), the Owner grants to the Municipality in accordance with s.219 of the Land Title Act the following covenants:

1. The Owner covenants and agrees with the Municipality that:
 - (a) The Land must not be redeveloped beyond its current use;

- (b) The Land must not be subdivided;
- (c) Development of the Land, including by construction or placement of any building or structure on the Land is prohibited with exception of a temporary construction or real estate marketing office or improvements to existing structures;
- (d) No building permit may be applied for, and the Municipality is not obliged to issue any building permit, in respect of the Land; and
- (e) No occupancy permit may be applied for, and the Municipality is not obliged to issue any occupancy permit, in respect of the Land,

unless the use, subdivision, development, building or occupancy is in accordance with the Schedule of Restrictions attached as Schedule A.

2. Any opinion, decision, act or expression of satisfaction of the Municipality provided for in this Agreement is to be taken or made by the Municipality's Municipal Engineer or his or her delegate authorized as such in writing, in each case acting reasonably.
3. The Owner may, after the Rezoning Bylaw is adopted, request a discharge of any particular covenant granted in this Agreement in respect of any parcel into which the Land may be subdivided, and the Municipality shall execute and deliver a discharge in respect of any such covenant that has been, in the Municipality's opinion, fully satisfied by the Owner.
4. The Owner releases, and must indemnify and save harmless, the Municipality, its elected and appointed officials and employees, from and against all liability, actions, causes of action, claims, damages, expenses, costs, debts, demands or losses suffered or incurred by the Owner, or anyone else, arising from the granting or existence of this Agreement, from the performance by the Owner of this Agreement, or any default of the Owner under or in respect of this Agreement.
5. The parties agree that this Agreement creates only contractual obligations and obligations arising out of the nature of this document as a covenant under seal. The parties agree that no tort obligations or liabilities of any kind exist between the parties in connection with the performance of, or any default under or in respect of, this Agreement. The intent of this section is to exclude tort liability of any kind and to limit the parties to their rights and remedies under the law of contract and under the law pertaining to covenants under seal.
6. The rights given to the Municipality by this Agreement are permissive only and nothing in this Agreement imposes any legal duty of any kind on the Municipality to anyone, or obliges the Municipality to enforce this Agreement, to perform any act or to incur any expense in respect of this Agreement.
7. Where the Municipality is required or permitted by this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent, the Owner agrees that the Municipality is under no public law duty of fairness or natural justice in that regard and agrees that the Municipality may do any of those things in the same manner as if it were a private party and not a public body.

8. This Agreement does not:
 - (a) affect or limit the discretion, rights or powers of the Municipality under any enactment (as defined in the Interpretation Act, on the reference date of this Agreement) or at common law, including in relation to the use of the Land,
 - (b) affect or limit any enactment related to the use of the Land, or
 - (c) relieve the Owner from complying with any enactment, including in relation to the use of the Land.
9. Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted under s.219 of the *Land Title Act* in respect of the Land and this Agreement burdens the Land and runs with it and binds the successors in title to the Land. This Agreement burdens and charges all of the Land and any parcel into which it is subdivided by any means and any parcel into which the Land is consolidated. The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered Owner of the Land.
10. The Owner agrees to do everything reasonably necessary, at the Owner's expense, to ensure that this Agreement is registered against title to the Land with priority over all financial charges, liens and encumbrances registered, or the registration of which is pending, at the time of application for registration of this Agreement.
11. An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach in respect of which the waiver is asserted. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.
12. If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
13. This Agreement is the entire agreement between the parties regarding its subject.
14. This Agreement binds the parties to it and their respective successors, heirs, executors and administrators.
15. The Owner must do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instrument.
16. By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

As evidence of their agreement to be bound by the terms of this instrument, the parties hereto have executed the Land Title Office Form C that is attached hereto and forms part of this Agreement.

SCHEDULE "A"

SCHEDULE OF RESTRICTIONS

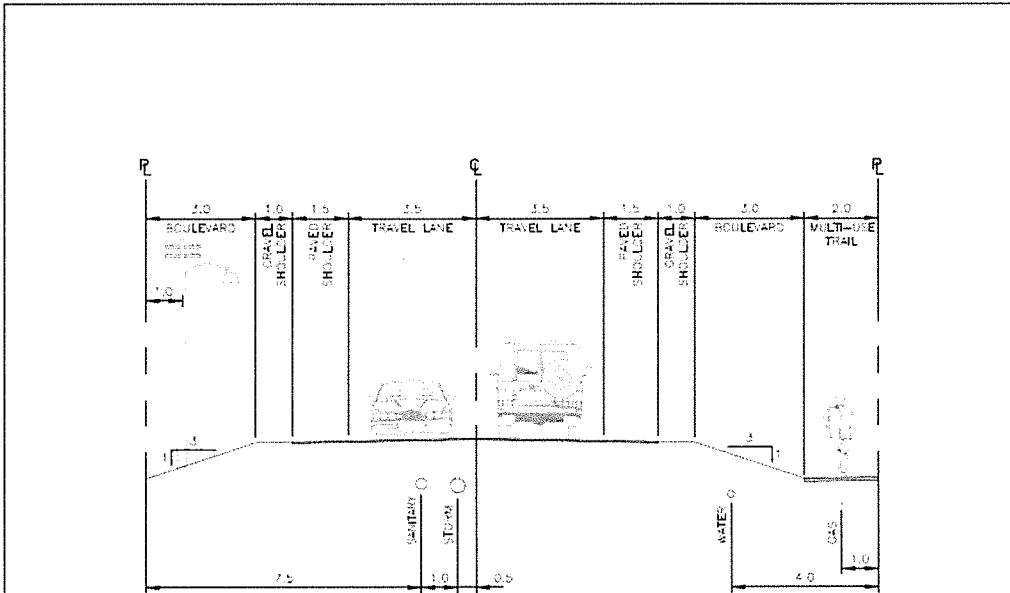
TRAIL DEVELOPMENT

Design and construction of a separated grade trail for Idlemore Road to a TWO (2) metre wide shoulder/pathway standard as prescribed by Bylaw No. 404, *Subdivision and Development Standards Bylaw (2014)* to improve pedestrian safety or cash in lieu to a value of \$5,000. The trail will be located within the Idlemore Road right of way as shown within Map D-5 of the *Parks and Trails Master Plan (2009)*.

Subdivision and Development Standards Bylaw

Rural Collector (SDD-R05)

Sample Trail Typology

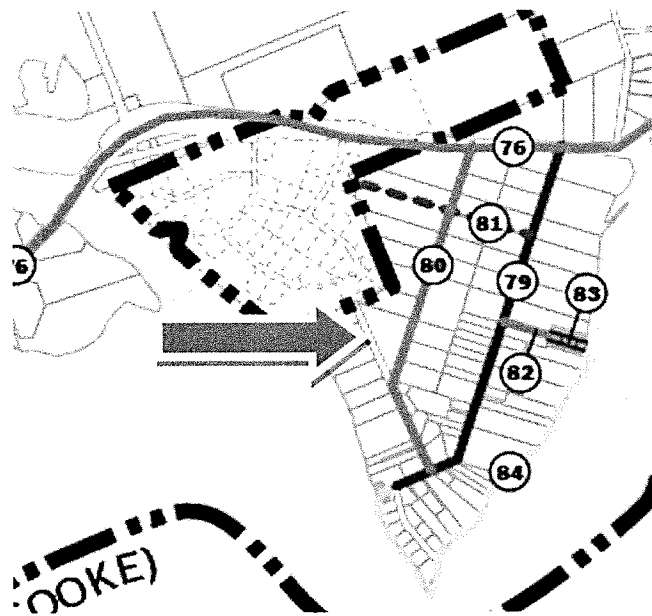
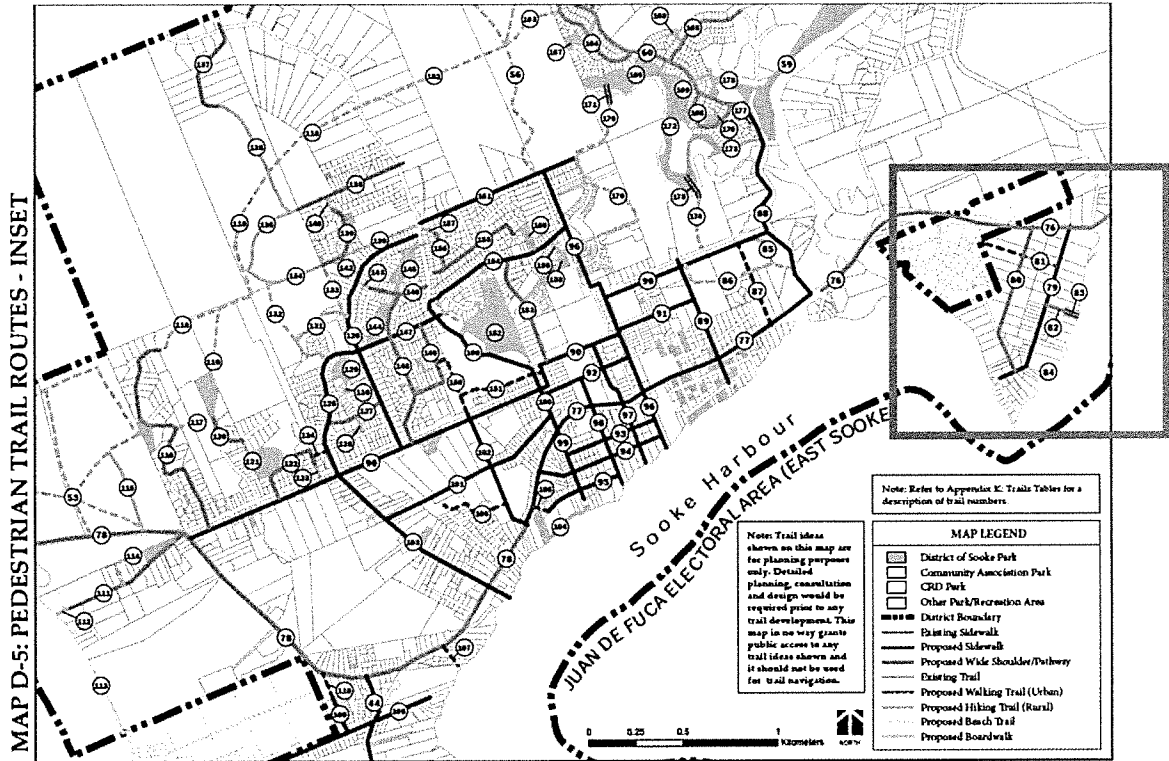


NOTES:

1. THIS SECTION IS A TYPICAL MID-BLOCK DESIGN. INTERSECTIONS ARE TO BE DESIGNED INDEPENDENTLY.
2. ALL CONSTRUCTION TO CONFORM TO MMCD SPECIFICATIONS AND DISTRICT OF SOOKE SUPPLEMENTS, AND BYLAWS.
3. 2m MULTI-USE TRAIL MAY BE ADDED TO THIS CROSS SECTION AS PER THE PARKS AND TRAILS MASTER PLAN. THE MULTI-USE TRAIL SHOULD BE SEPARATED FROM THE EDGE OF THE GRAVEL SHOULDER.

<p>RURAL COLLECTOR</p>	DATE	DRAWN	<p>District of Sooke</p> <p>CWC No. SDD-R05</p>
	AUGUST 2014		
	SCALE	APPROVED	
	N.T.S.		

**TRAIL WITHIN THE IDLEMORE ROAD RIGHT OF WAY AS SHOWN WITHIN THE
PARKS AND TRAILS MASTER PLAN (2009)**





DISTRICT OF SOOKE

BYLAW No. 627

A bylaw to amend Bylaw No. 400, *Official Community Plan Bylaw, 2010* for the purposes of amending the land use designation for the property legally described as Lot 4, Block 3, Section 7, Sooke District Plan 2434 from Community Residential (CR) to Technical Industrial (TI).

The Council of the District of Sooke, in open meeting assembled, enacts as follows:

1. This Bylaw is cited as *Official Community Plan Amendment Bylaw (400-8)*.
2. Bylaw No. 400, *Official Community Plan Bylaw, 2010* is amended in Map 1 and Map 1C by deleting from the Community Residential (CR) designation and adding to the Technical Industrial (TI) Designation that property legally described as Lot 4, Block 3, Section 7, Sooke District Plan 2434 shown outlined in black and hatched on Schedule A to this bylaw.

Introduced and read a first time the 14th day of December, 2015

Read a second time the 14th day of December, 2015

Amended the day of 2016

Public Hearing held the day of 2016

Read a third time the day of 2016

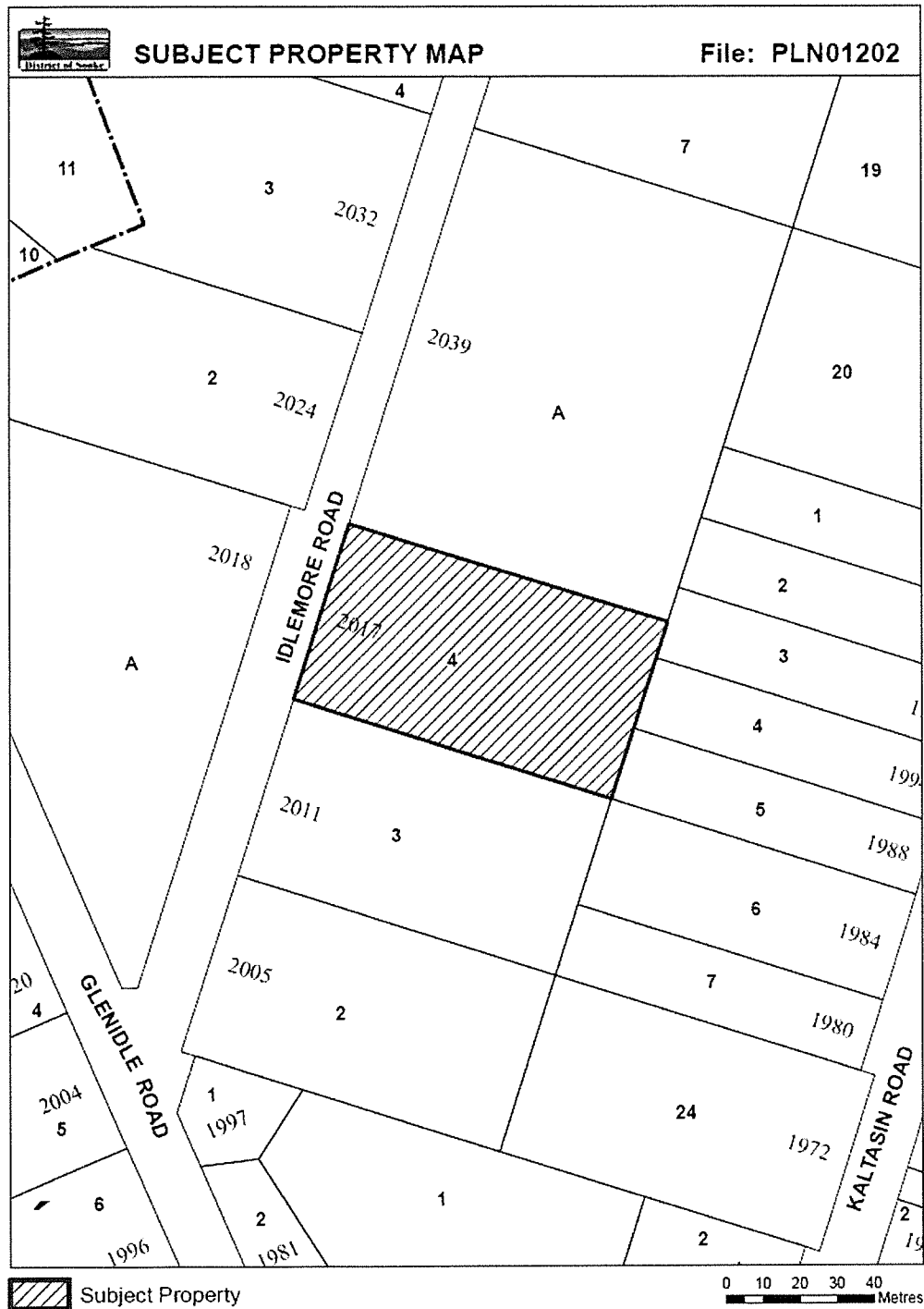
Adopted on the day of 2016

Certified:

Kerrie Reay
Acting Mayor

Bonnie Sprinkling
Corporate Officer

SCHEDULE "A"





DISTRICT OF SOOKE

BYLAW No. 628

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purposes of amending the zoning of property legally described as Lot 4, Block 3, Section 7, Sooke District Plan 2434 from Rural Residential (RU4) to Service Commercial (C3).

The Council of the District of Sooke, in open meeting assembled, enacts as follows:

1. This Bylaw is cited *Zoning Amendment Bylaw (600-21)*.
2. Bylaw No. 600, *Sooke Zoning Bylaw, 2013* is amended in **Schedule A** by changing the zoning from Rural Residential Zone (RU4) to Service Commercial Zone (C3) that property legally described as Lot 4, Block 3, Section 7, Sooke District Plan 2434 as shown outlined in black and shaded with hatching on Schedule A to this bylaw.

Introduced and read a first time the 14th day of December, 2015.

Read a second time the 14th day of December, 2015

Amended the day of 2016

Public Hearing held the day of 2016

Read a third time the day of 2016

Approved by the Ministry of Transportation and Infrastructure the day of , 2016.

Adopted on the day of 2016.

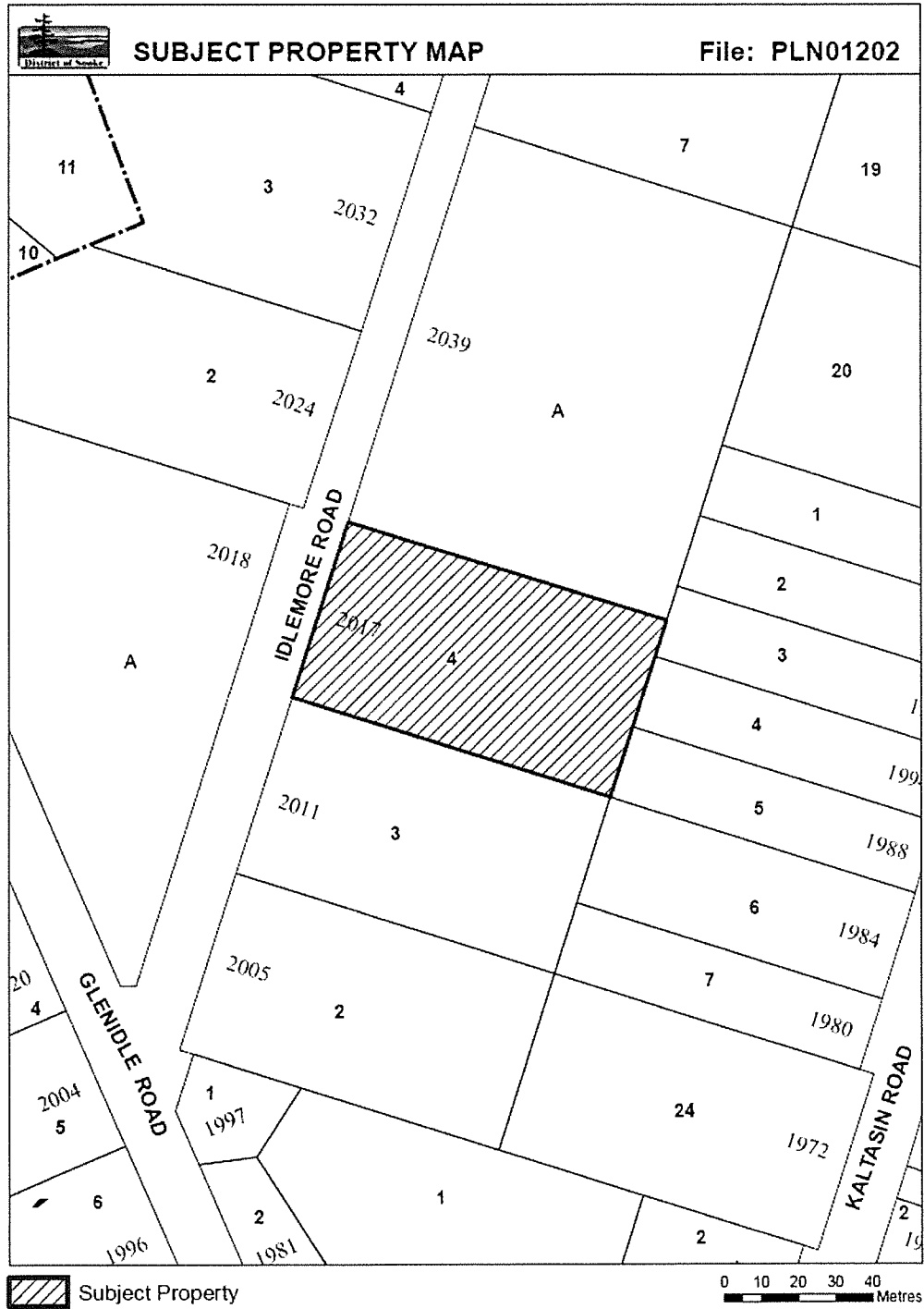
Certified:

 Kerrie Reay
 Mayor

 Bonnie Sprinkling
 Corporate Officer

FOR INFORMATION ONLY: Section 219 Covenants registered in the Victoria Land Titles office under numbers **

SCHEDULE "A"





REQUEST FOR DECISION

Regular Council

Meeting Date: January 11, 2016

To: Teresa Sullivan, Chief Administrative Officer

From: Planning Department

Re: **2182 Church Road – Proposed Wadams Way Comprehensive Development Zone**

RECOMMENDATION:

THAT COUNCIL give third reading to Bylaw No. 622, *Zoning Amendment Bylaw (600-19)*.

Summary of Information as to 2182 Church Road

Current Status:

On November 23rd, 2015, Council introduced and gave first and second reading to Bylaw No. 622, *Zoning Amendment Bylaw (600-19)*. Council held a Public Hearing for Bylaw No. 622 on December 14, 2015. It is now in order for Council to consider third reading of Bylaw No. 622.

Proposal:

The purpose of Bylaw No. 622 is to change the property from R1 Zoning to the proposed *Wadams Way Comprehensive Development Zone (CD14)*. The new Zone includes a significant amount of flexibility and a range of single family and multiple family residential uses, to a maximum of 133 residential dwelling units. Adoption of Bylaw No. 622 will be subject to the registration of Section 219 Covenants relating to road dedication, improvements and affordable housing.

Confirmation of Legal Review:

The draft Wadams Way CD14 Zone was reviewed by the municipal lawyer prior to the rezoning application moving forward for Council consideration.

At the December 14, 2015 Public Hearing, Council asked that a legal opinion be obtained to confirm that using covenants, rather than a density bonus written into the bylaw, is a legitimate way to secure amenities and affordable housing. As well, the draft covenants used are templates that have incorporated details related to this specific application. These templates have already been reviewed by the municipal lawyers.

The legal review by Bill Buholzer of Young Anderson has confirmed that the use of S. 219 covenants to secure affordable housing and amenities is a legitimate tool through the rezoning process (Letter dated December 16, 2015 – attached).

Confirmation of Amenity Contribution:

- The amenity contribution was initially calculated as follows:

Base Density: 12 units per ha x 4.21 ha = 50.4

The Maximum Density Proposed = 133 (for the entire site of 4.21 ha)

- Difference between maximum density and base density: 133 – 50.4 = 82.6
- Amenity Contribution as per policy: 82.6 x \$5000 = \$413,000

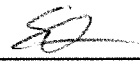


The applicant was initially unsatisfied with the contribution as outlined in the *Community Amenity Contribution Policy*, as they felt that they had already contributed an amenity to the community in the form of the Wadams Way road transaction in 2012, because the Owners perceived an undervaluation of the previous land transaction. The Owners wrote a letter to Council in this regard, and the amenity contribution was discussed at the September 8, 2015 COW. From this discussion, the Committee directed staff to continue negotiations for amenities such that "the applicant to dedicate the required land for a potential future roundabout at the Church Road/Thrup Road intersection, and complete upgrades to an interim standard to improve vehicular and pedestrian safety, and allow this work to count towards the amenity contribution as it provides clear community benefit."

In the spirit of the *Community Amenity Contribution Policy*, negotiations occurred between staff and the Owners as per the COW direction, where the Owners provided an offer that included the land for a future roundabout, a cash contribution towards interim improvements at the Church Road and Thrup Road intersection and an affordable housing contribution to a total value of \$309,835. As this offer was in line with the COW direction the offer was taken forward for Council's consideration.

Attachments:

1. Letter dated December 16, 2015 from Bill Buholzer
2. Bylaw No. 622
3. Frequently Asked Questions

Katherine Lesyshen, MCIP, RPP
Planner II

Approved for Council Agenda	
 Engineering	_____ Planning
 Corp. Services	_____ Finance
 CAO	

REPLY TO: VANCOUVER OFFICE

VIA EMAIL: klesyshen@sooke.ca

December 16, 2015

Katherine Lesyshen
Planner
District of Sooke
2205 Otter Point Road
Sooke, BC V9Z 1J2

Dear Ms. Lesyshen:

Re: Amenity and Affordable Housing Covenants
Our File No. 00203-0080

You have provided copies of draft s. 219 covenants dealing with certain infrastructure improvements and affordable housing obligations, that have been prepared in connection with proposed Bylaw 622, a zoning amendment bylaw that would establish the Wadams Way CD Zone.

We confirm our verbal opinion that the existence of the amenity and affordable housing density bonus provisions in s. 904 of the *Local Government Act* does not preclude the Council from conditioning its approval of a zoning amendment bylaw on the granting of covenants of this general type. We have not reviewed the covenants for enforceability or registrability.

Yours truly,

YOUNG ANDERSON



Bill Buholzer
buholzer@younganderson.ca

BB/dg

WWW.YOUNGANDERSON.CA

1416 - 808 Nelson Street, Box 12147 Nelson Square, Vancouver, BC V6Z 2H2 | tel: 604.689.7400 | fax: 604.689.3444 | toll free: 1.800.665.3540
201 - 1452 St. Paul Street, Kelowna, BC V1Y 2E6 | tel: 250.712.1130 | fax: 250.712.1180



DISTRICT OF SOOKE

BYLAW No. 622

A bylaw to amend Bylaw No. 600 *Sooke Zoning Bylaw, 2013* for the purpose of creating the Wadams Way Comprehensive Development Zone (CD14) and to amend the zoning of properties located at 2182 Church Road from Large Lot Residential (R1) to Wadams Way Comprehensive Development Zone (CD14).

The Council of the District of Sooke, in open meeting assembled, enacts as follows:

1. This bylaw is cited as *Zoning Amendment Bylaw (600-19)*.
2. Bylaw No. 600, *Sooke Zoning Bylaw, 2013* is amended by adding immediately following Schedule 813 in **Part 5 – Zones** the following as Schedule 814 - *Wadams Way Comprehensive Development Zone (CD14)*:

"Schedule 814 – Wadams Way (CD14)

Wadams Way CD Zone

CD14

814.1 Purpose: This zone provides for a variety of residential uses that will include single and multiple family residential housing units with varying lot sizes.

814.2 Permitted Uses:

General Uses:

Gravel extraction for on-site development and on-site and off-site municipal services directly attributable to the on-site development shall be permitted.

**Principal Uses Area A:
Single Family Residential**

- a) Horticulture
- b) One single family dwelling or one duplex per lot*
- c) One temporary construction and real estate marketing office in Area A

**Principal Uses Area B:
Single Family/Multi Family Residential**

- a) Apartment building*
- b) Assisted living facility*
- c) Cluster dwelling units*
- d) Horticulture
- e) Townhouse*
- f) One single family dwelling or one duplex per lot*
- g) One temporary construction and real estate marketing office in Area B

**Principal Uses Area C:
Multi Family Residential**

- a) Apartment building*
- b) Assisted living facility*
- c) Cluster dwelling units*
- d) Townhouse*

* See conditions of use

Principal Uses Area D:

- a) Park
- b) Institutional accessory to a park use
- c) Assembly
- d) Playground

Accessory Uses:

On a lot with Apartments, Cluster dwelling units, Townhouses:

- a) Limited home-based business

On a lot with one single family dwelling or one duplex:

- a) Bed and breakfast*
- b) Boarding and lodging
- c) Home-based business
- e) Vacation accommodation unit

On a lot with one single family dwelling:

- a) One secondary suite

814.3 Conditions of Use for Area A:

- a) Single family dwelling permitted on lots 11 m or more in width;
- b) Bed and breakfast permitted on lots 600 m² or larger;
- c) Duplex permitted on lots 600 m² or larger in area and 11 m or more in width;

814.4 Conditions of Use for Area B:

- a) Single family dwelling permitted on lots 11 m or more in width;
- b) Bed and breakfast permitted on lots 600 m² or larger in a single family dwelling or duplex;
- c) Duplex permitted on lots 600 m² or larger in area and 11 m or more in width;
- d) Apartment building, assisted living facility, cluster dwellings and townhouses are permitted on lots 1000m² or larger in area and 30 m or more in width;

- e) Single family dwellings and duplexes are not permitted on a lot containing an apartment, assisted living facility, cluster dwelling units or townhouses.

814.5 Conditions of Use for Area C:

- a) Apartment building, assisted living facility, cluster dwellings and townhouses are permitted on lots 1000m² or larger in area and 30 m or more in width;

814.6 Subdivision Regulations:

- a) Minimum lot area for Areas A and B - 350 m²
- b) Minimum lot area for Area C – 1,000 m²
- c) Panhandle lots are not permitted

814.7 Maximum Dwelling Unit Density: The number of dwelling units of all types in Areas A, B and C shall not exceed 133, and for this purpose a bed-sitting room in an assisted living facility constitutes a dwelling unit, but a secondary suite does not constitute a dwelling unit.

814.8 Maximum Height:

- a) Single family dwelling or Duplex - 10.5 m
- b) Apartment, assisted living facility, cluster dwelling units or townhouses – 20m
- c) Accessory buildings – 4 m

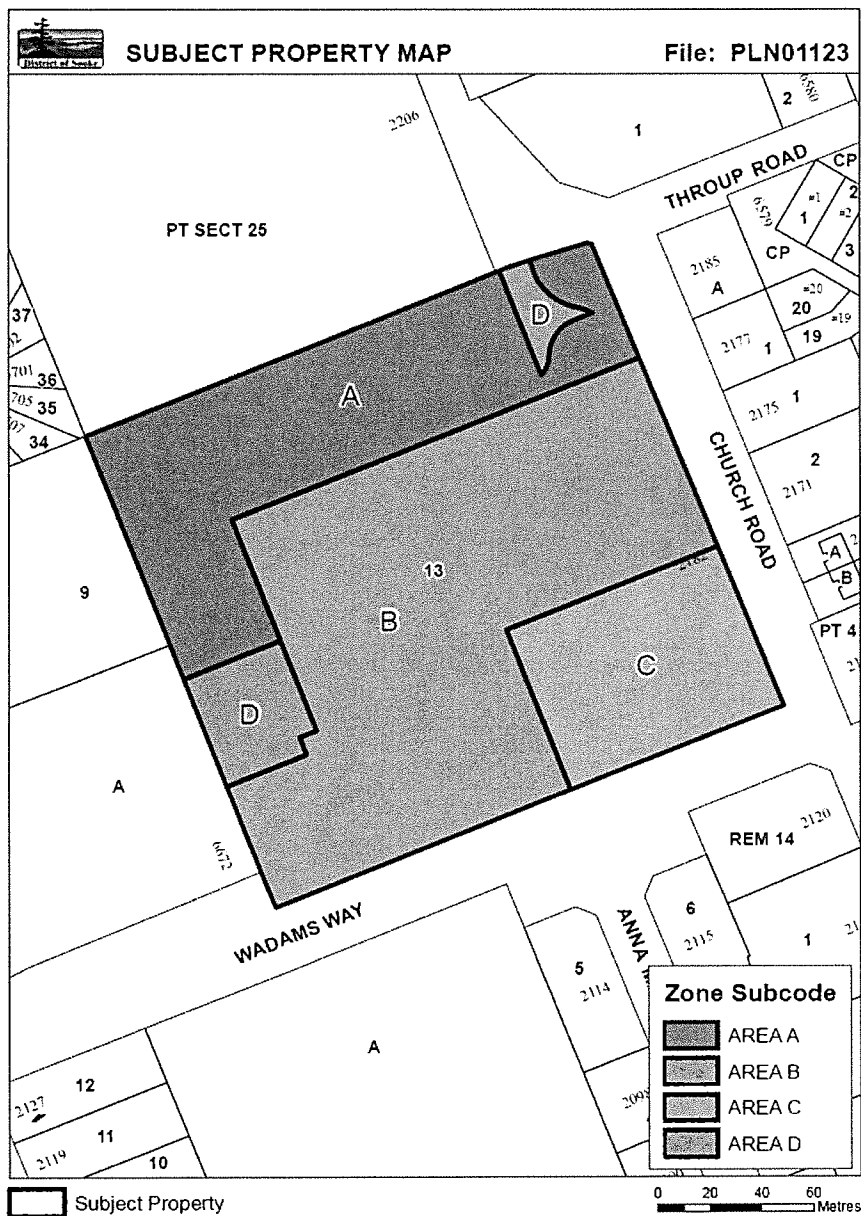
814.9 Maximum Lot Coverage: 45%

814.10 Minimum Setbacks:

Use	Front Lot Line	Flanking Lot Line	Side Lot Line	Rear Lot Line	Lane Lot Line
Single family or Duplex	4.5 m – dwelling portion 6 m – garage/ carport portion	2 m	1.2 m	3.5 m	1 m
Apartment, Assisted Living Facility, Cluster dwelling units, Townhouse	3 m	3 m	3 m	4.5 m	1 m
Accessory Building or Structure	7.5 m	4.5 m	1.2 m	4.5 m	0 m

814.11 Minimum Amenity Area for Areas B and C: 8%, for lots containing apartments, assisted living facility, cluster dwelling units or townhouses.

814.12 Subject Property Map: The official map for this CD Zone is kept by the Corporate Officer, and forms part of this bylaw. The Subject Property Map is provided for information purposes only.



3. Bylaw No. 600, *Sooke Zoning Bylaw, 2013* is further amended in **Schedule A – Zoning Map** by changing the zoning from *Large Lot Residential (R1)* to *Wadams Way Comprehensive Development Zone (CD14)* on the property shown hatched and outlined in black on Schedule A to this bylaw and legally described as:

Lot 13, Section 10, Sooke District, Plan 1057, Except .036 of an acre thereof conveyed to the crown for road purposes as shown on explanatory plan deposited under No 684041 and except part in Plan EPP32377

4. Bylaw No. 600, *Sooke Zoning Bylaw, 2013* is further amended in the table in section 5.1, "Zones" of **Part 5 – Zones** by adding the following in the "Comprehensive Development & Mixed Use (CD) Zones" section:

Wadams Way	CD14	814
------------	------	-----

5. If any portion of this bylaw is set aside by a Court of competent jurisdiction, the portion is severed and the valid remainder shall remain in force and effect.

Introduced and read a first time the 23rd day of November, 2015.

Read a second time the 23rd day of November, 2015.

Public Hearing held the 14th day of December, 2015.

Read a third time the day of 2016.

Approved by the Ministry of Transportation and Infrastructure the day
of , 2016.

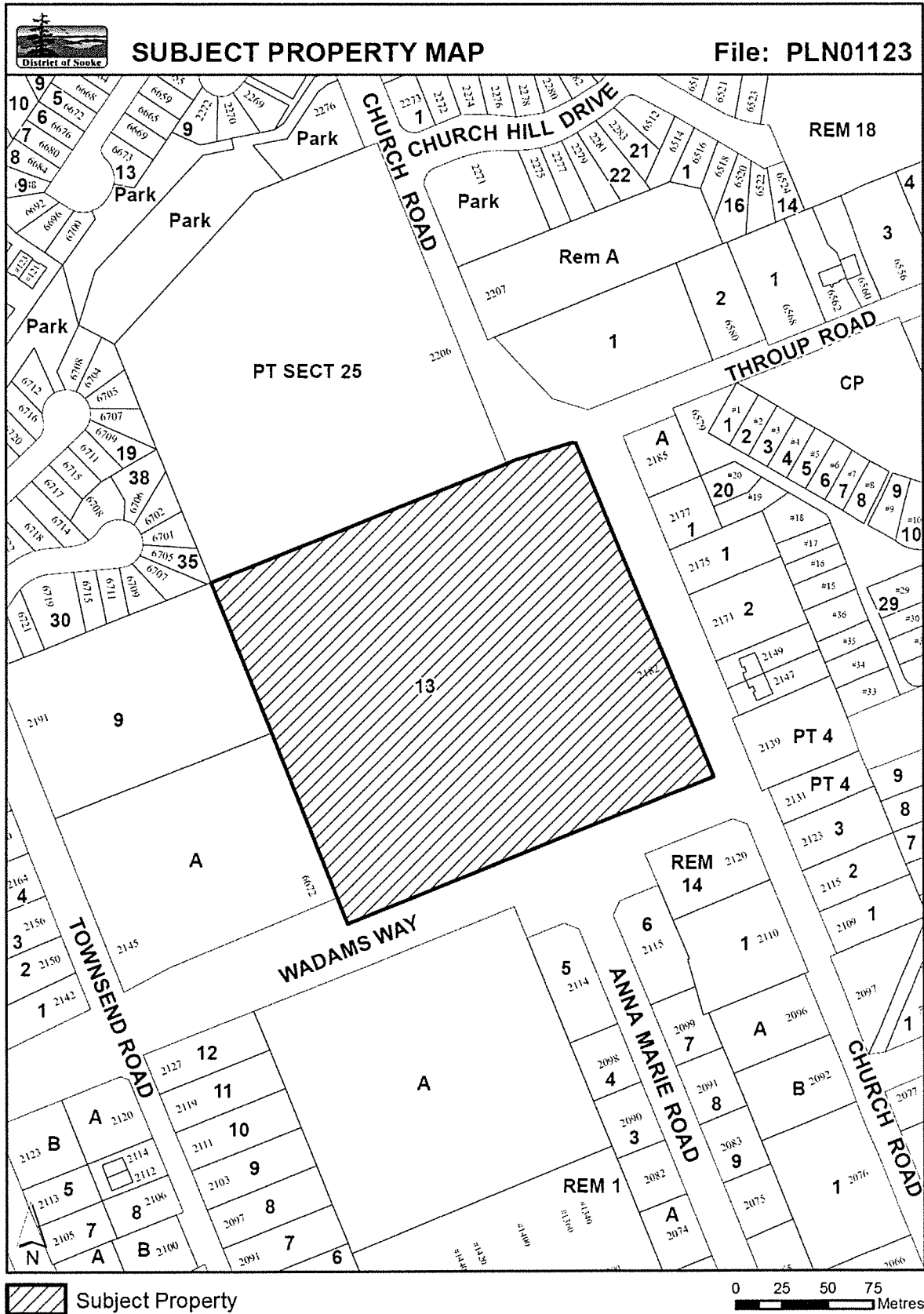
Adopted on the day of , 2016.

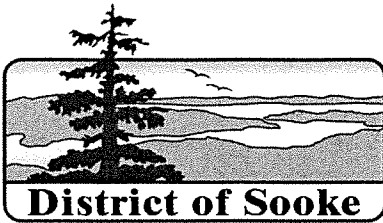
Mayor

Bonnie Sprinkling
Corporate Officer

FOR INFORMATION ONLY: Section 219 Covenants registered in the Victoria Land Titles office under numbers **

SCHEDULE A





Frequently Asked Questions: Amenity Contribution

How does the District calculate the amenity contribution?

The District applies the *Community Amenity Contribution Policy* as follows:

- A. The base density for the entire site is determined by using the per hectare value from the Policy and multiplying it by the total site area.
- B. The maximum density is calculated for the entire site area.
- C. The difference between the base density and the maximum density for the site is determined. ($B - A =$ number of additional units).
- D. The number of additional units is multiplied by the set value of either \$2500 (applications inside the Town Centre) or \$5000 (applications outside the Town Centre).

Why are amenity contributions important?

New development can place a burden on existing community facilities, infrastructure, amenities and housing affordability. Council has an obligation to review a rezoning application based on the fiscal impact it has on the community ie. whether taxes will need to increase to offset the impacts of the development on the community.

Applicants must consider how they would like to address amenities and affordable housing. The *Community Amenity Contribution Policy* gives the applicant a value to work towards when putting together an offer. Some developments may be perceived to have a larger burden on the community depending the location and proposed density. For example, development that is lower density, and located outside areas currently serviced with community infrastructure.

Why have a policy for amenities?

The Policy provides a formula and gives both parties (the District and the applicant) a consistent starting point in discussions. It provides the District with a baseline, and gives applicants the assurance that the starting point is both fair and consistent. This also provides the applicant with more certainty as it helps to establish the costs related to the project.

Why are suites not included in the overall site density calculation?

Although not outlined in the Policy, the District has consistently excluded suites only for the purpose of density calculations in single family subdivisions. In other words, the District considers the new lot as able to support a single family dwelling (sfd) (1 unit, on a lot less than 600m²) OR a duplex (2 units, on a lot greater than 600m²) – regardless of what the developer/owner intends to build. Developers would contribute significantly more toward amenities if the District included suites in the formula. To date, this has been part of the negotiation between the applicants and the District, and was meant to provide consistency and fairness in applying the policy.

Opportunities:

Review the existing *Community Amenity Contribution Policy* in terms of the current values used, the locations amenities are applied, the way they are calculated and the tools used to obtain amenities.

Create more robust Development Cost Charges (DCC) that requires contributions toward parks acquisition and improvements as well as drainage infrastructure. Amenities must be considered separately from DCC's.



File No. 3900-01

REQUEST FOR DECISION

Regular Council

Meeting Date: January 11, 2016

To: Teresa Sullivan, Chief Administrative Officer
From: Bonnie Sprinkling, Corporate Officer
Re: **Bylaw No. 623, Zoning Amendment Bylaw (600-20) – 7000 Melrick Place**

RECOMMENDATION:

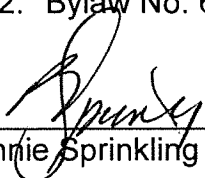
THAT COUNCIL rescind third reading and give third reading to Bylaw No. 623, *Zoning Amendment Bylaw (600-20)*.

On December 14th, 2015, Council gave first, second and third reading to Bylaw No. 623, *Zoning Amendment Bylaw (600-20)*, Bylaw No. 624, *Sooke Core Sewer Specified Area Amendment Bylaw (147-25)*, and Bylaw No. 625, *7000 Melrick Place Phased Development Agreement Repeal Bylaw, 2015*. At the same meeting, Council waived the holding of a Public Hearing for Bylaw No. 623 in accordance with section 890(4) of the *Local Government Act*.

Notice to waive the Public Hearing in accordance with section 893 of the *Local Government Act* and section 892(8) of the *Community Charter* was mailed to adjacent property owners and published in the *Sooke News Mirror* the 30th day of December 2015 and the 6th day of January, 2016. As third reading of the bylaws must be given following the Notice to waive the Public Hearing, it is now in order for Council to consider third reading of the bylaw.

Attached Documents:

1. Notice to Waive Public Hearing
2. Bylaw No. 623

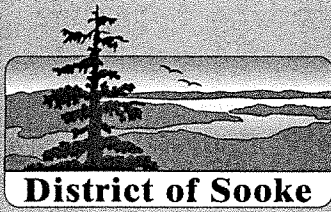


Bonnie Sprinkling

Approved for Council Agenda



CAO



2205 Otter Point Road, Sooke
Phone: 250-642-1634 Fax: 250-642-0541
email: info@sooke.ca
website: www.sooke.ca

NOTICE OF WAIVER OF PUBLIC HEARING Proposed Bylaw No.623

The District of Sooke gives notice that Council has waived the holding of a Public Hearing with respect to proposed Bylaw No. 623, *Zoning Amendment Bylaw (600-20)*.

The *Local Government Act* (section 890) permits the Council to waive the holding of a public hearing for a zoning bylaw amendment that is consistent with the municipality's Official Community Plan, and the zoning bylaw amendment is consistent with Bylaw No. 400, *Official Community Plan Bylaw, 2010*.

Bylaw No. 623 amends Bylaw No. 600, *Sooke Zoning Bylaw, 2013* to restore the previous zoning on property located at 7000 Melrick Place to its original split zoning of Rural (RU2) and Rural Residential (RU4). The property was rezoned by Bylaw No. 529 in 2012 to Small Lot Residential (R3).

Bylaw No. 623 has been given first and second readings and it is at the intention of the Council of the District of Sooke to give the bylaw further consideration at the Regular Council meeting scheduled for 7:00 pm, **MONDAY, JANUARY 11, 2016** in the Council Chamber of the Municipal Hall, 2225 Otter Point Road, Sooke, B.C.

Copies of the proposed bylaw, and relevant background documents, may be inspected at the offices of the District of Sooke Planning Department, 2205 Otter Point Road, Sooke, BC, between the hours of 8:30 am and 4:30 pm, Monday to Friday (excluding statutory holidays), commencing from December 30, 2015 to and including January 11, 2016 until 4:00 pm.

If you have any questions regarding this application, please contact the Planning Department at (250) 642-1634.

Bonnie Sprinkling,
Corporate Officer



DISTRICT OF SOOKE

BYLAW No. 623

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on a portion of the property known as 7000 Melrick Place (approximately 2.4 ha) from Small Lot Residential (R3) to a split zone of Rural (RU2) and Rural Residential (RU4), as depicted in Schedule A.

The Council of the District of Sooke, in open meeting assembled, enacts as follows:

1. This bylaw is cited as *Zoning Amendment Bylaw (600-20)*.
2. Bylaw No. 600, *Sooke Zoning Bylaw, 2013* is amended in Schedule A by changing the zoning on a portion of the property legally described as *Lot A, Section 21, Sooke District, Plan VIP57007*, as outlined in black and shown shaded on Schedule A from Small Lot Residential (R3) to a split zone of Rural (RU2) and Rural Residential (RU4).
3. Bylaw No. 600, *Sooke Zoning Bylaw, 2013* is further amended in Schedule 102 – Rural (RU2), by deleting Section 102.9 (b) in its entirety.

Introduced and read a first time the 14th day of December, 2015.

Read a second time the 14th day of December, 2015.

Read a third time the 14th day of December, 2015.

Notice of Waiver of Public Hearing published December 30, 2015 and January 6, 2016.

Rescind third reading the day of , 2016.

Read a third time again the day of , 2016.

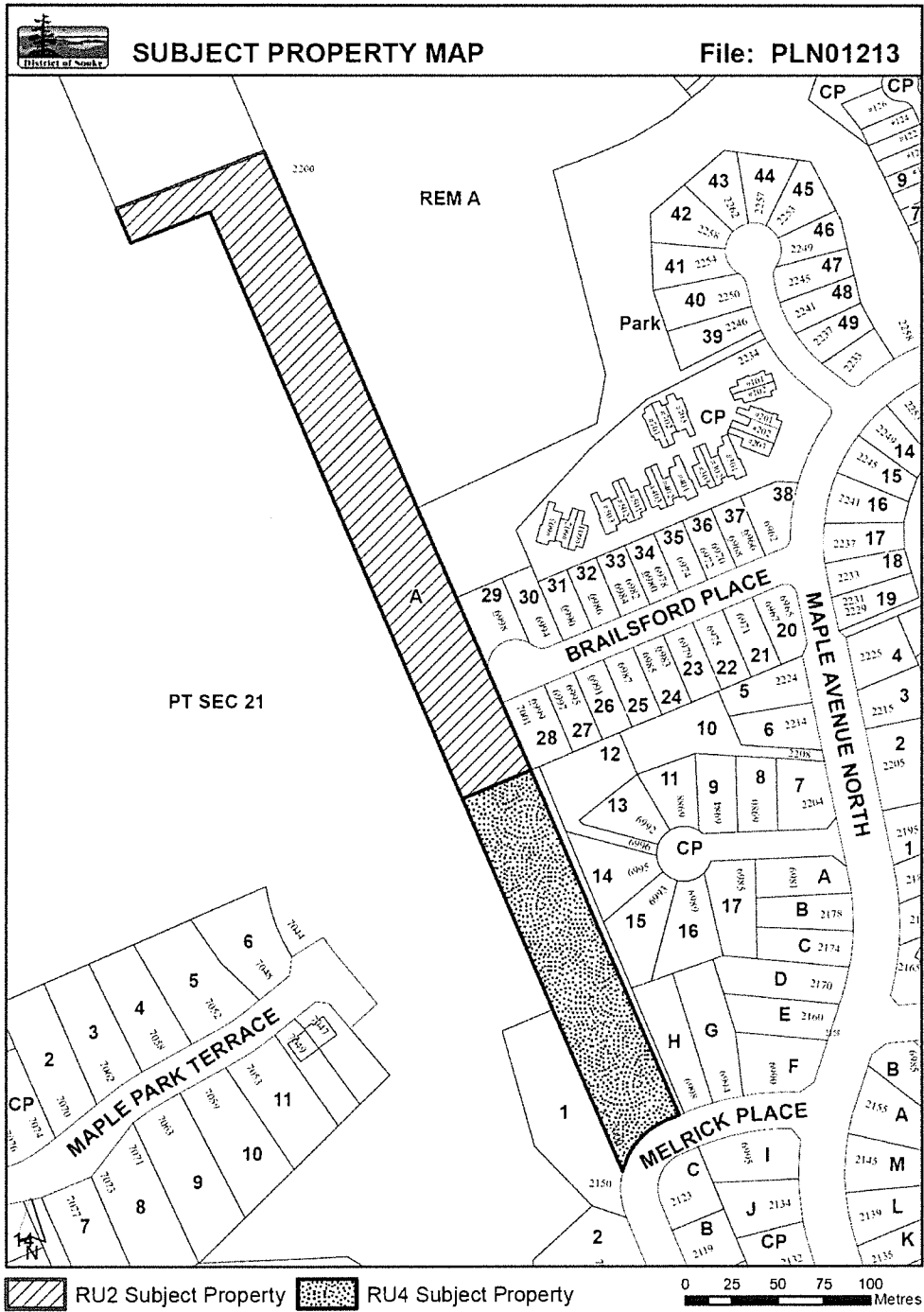
Approved by the Ministry of Transportation this day of , 2016.

Adopted on the day of , 2016.

Kerrie Reay
Acting Mayor

Teresa Sullivan
Chief Administrative Officer

SCHEDULE A





File No. ENG02280

REQUEST FOR DECISION
REGULAR COUNCIL
Meeting Date: January 11, 2016

To: Teresa Sullivan, Chief Administrative Officer
From: Engineering Department
Re: **Residential Strata Title Conversion Application for 2072 Dover St.**

RECOMMENDATION:

THAT COUNCIL provide Approval in Principle for the strata title conversion of a property legally described as Lots 5 and 6, Block 16, Section 14, Sooke District, Plan 217 (2072 Dover Street) to allow for approval of a strata plan following the conversion of an existing two dwelling unit structure into a strata titled duplex, subject to all technical requirements being satisfactorily addressed.

1. Executive Summary:

The applicant proposes converting the existing two units into a strata-titled side-by-side duplex with the registration of a strata plan in the Victoria Land Title Office. Council is the Approving Authority for the conversion of previously occupied dwellings into strata units. Policy No. 8.6, *Residential Strata Title Conversion Policy, 2010*, provides the applicant with opportunity to seek Approval in Principle from Council prior to engaging professionals to provide the information required to obtain strata plan approval. This step in the process saves the applicant from the added expense of meeting the policy requirements without confirmation that Council, as Approving Authority, will allow the final approval of a strata plan.

2. Analysis:

In 2008, the subject property underwent renovation following damage from a structure fire. The property consists of two attached dwelling units (see attached) on two tent lots. The applicant proposes converting the two units to strata title lots with associated Common Property and private yard areas. Exact layout measurements will be finalized by legal survey should Council accept this proposal.

The application is subject to the requirements of Policy No. 8.6 *Residential Strata Title Conversion Policy, 2010*, and the *Strata Property Act*. Both the *Strata Property Act* (s. 242(6)) and Policy No. 8.6 require that in making its decision, Council consider:

- a. the priority of rental accommodation over privately owned housing in the area,
- b. any proposals for the relocation of persons occupying a residential building,
- c. the life expectancy of the building,
- d. projected major increases in maintenance costs due to the condition of the building, and
- e. any matters that, in its opinion, are relevant.”

Council is the approving authority for the proposed strata conversion of this previously occupied structure. As the approving authority, Council can approve the application without conditions, approve it with conditions, or refuse it.

Should Council provide Approval in Principle, staff will work with the applicant to address all policy requirements required to be met prior to the completion of a final strata plan. This will include provision of a *B.C. Building Code* Compliance Report and completion of any upgrades required, as well as any servicing requirements identified through the policy review process.

Once those requirements have been met, staff will bring the application before Council for consideration of final approval of the strata plan.




Attached Documents:

- 1. Proposed Strata Plan
- 2. Location Map

Respectfully,



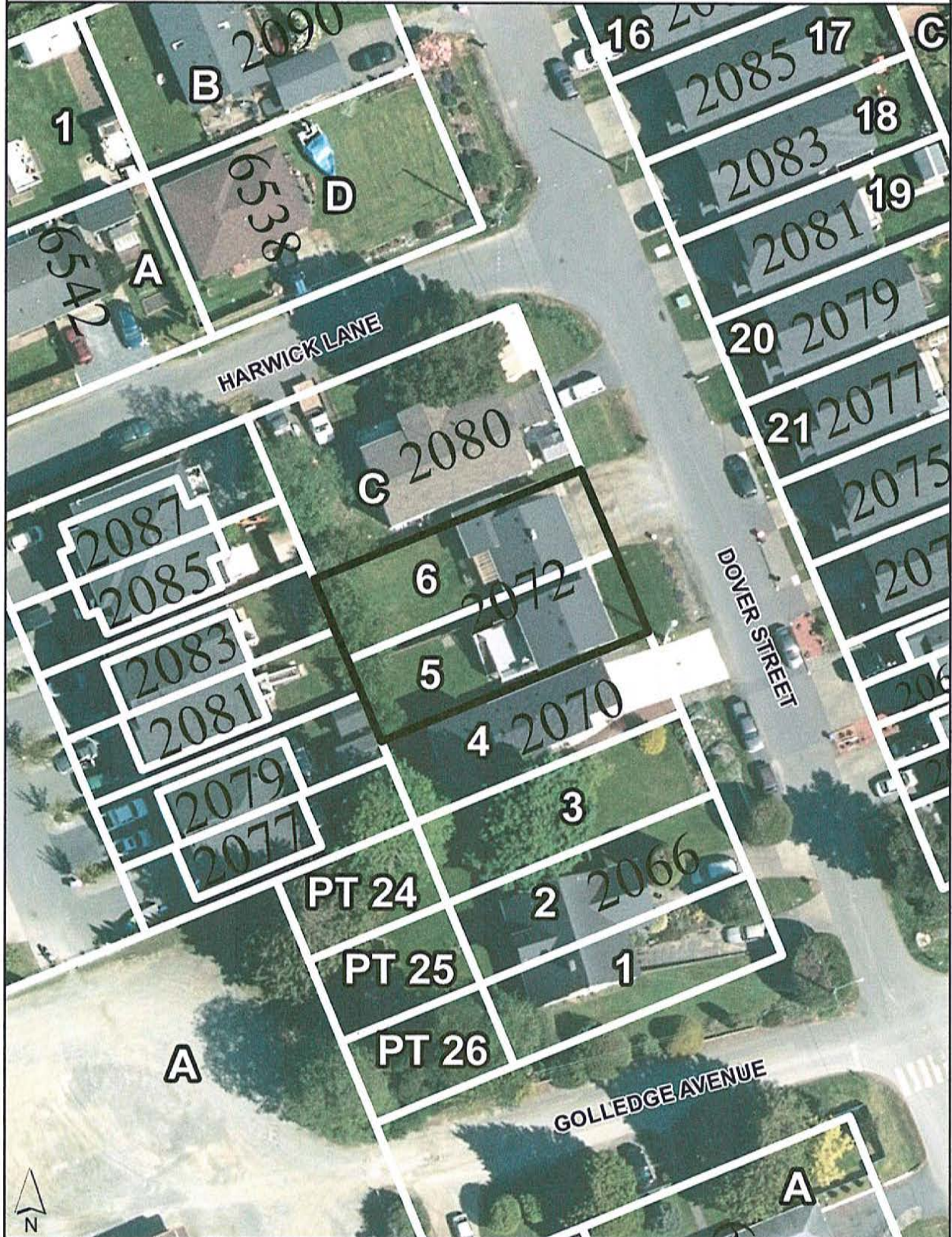
Nikki Lewers, Land Development Technician

Approved for Council Agenda	
 _____	_____
Engineering	Planning
 _____	_____
Corp. Services	Finance
 _____	
CAO	

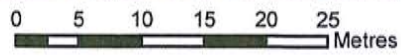


SUBJECT PROPERTY MAP

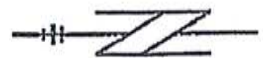
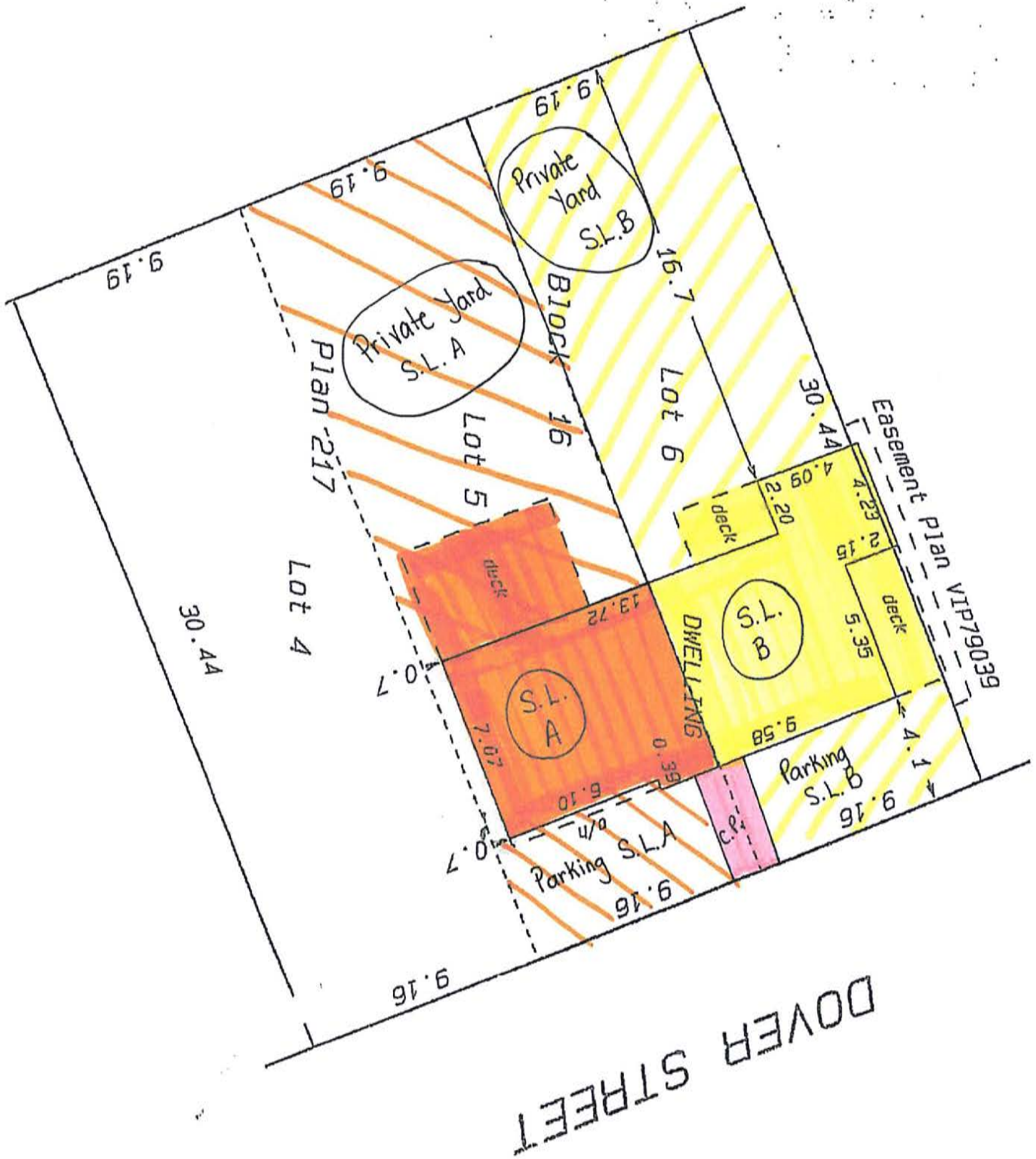
File: ENG02280

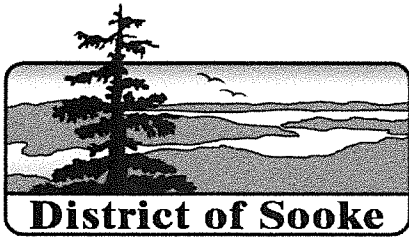


 Subject Property



Proposed Strata Conversion- 2072 Dover





File No. 2240-20

REPORT FOR DIRECTION
Meeting Date: January 11, 2016

To: Teresa Sullivan, Chief Administrative Officer
From: Engineering Department
Re: **Public Greenspace Maintenance Contract 2016-2018**
Public Trails and Walkways Maintenance Contract 2016-2018
Request to Subcontract Work

RECOMMENDATION:

THAT COUNCIL approve R & C Groundskeeping subcontract 50% of the Public Greenspace Maintenance Contract to Coastal Green and Clean;

AND THAT COUNCIL approve R & C Groundskeeping to subcontract 50% of the Public Trails and Walkways Maintenance Contract to Coastal Green and Clean.

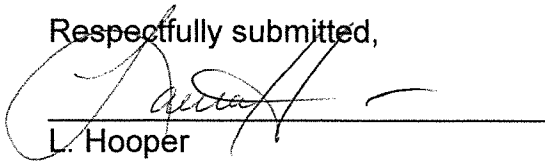
R & C Groundskeeping is requesting permission from the District of Sooke Council to subcontract 50% of the Public Greenspace Maintenance contract and 50% of the Public Trails and Walkways Maintenance contract to Coastal Green and Clean of Victoria, BC. Each contract will utilize two employees from Coastal Green and Clean.




The General Services Agreement requires that contractors request consent from the District of Sooke should they intend to subcontract any work as per the following:

9.0 Subcontracting

- 9.1 *The Contractor shall not subcontract any obligation under this Agreement, other than to persons or firms listed in this Agreement, without the prior written consent of the District of Sooke.*
- 9.2 *The District of Sooke may, for reasonable cause, object to the use of a proposed subcontractor and require the Contractor to retain another qualified subcontractor.*
- 9.3 *No subcontract, whether consented to or not, shall relieve the Contractor of any obligations under this Agreement.*
- 9.4 *The Contractor shall ensure that any subcontractor fully complies with this Agreement when performing the subcontracted Services.*

Respectfully submitted,


L. Hooper

Approved for Council Agenda	
 Engineering	Planning
 Corp. Services	Finance
 CAO	



Royal Canadian
Mounted Police

Gendarmerie royale
du Canada

Security Classification/Designation
Classification/désignation sécuritaire

Sooke Detachment
2076 Church Road, Box 40
Sooke, B.C.
V9Z 0E4

District of Sooke
DEC 15 2015
Received

Your File - Votre référence

7580-20

Our File - Notre référence

Mayor Maja Tait
District of Sooke
2205 Otter Point Road
Sooke, B.C.
V9Z 1J2

Date

COPY

December 4, 2015

Re: Monthly Mayor Report – November 2015

There were three hundred and sixty-seven (367) calls or occurrences (year to date calls – 4009) received during the month of November in the District of Sooke. Below is an overview of various police occurrences for the month and from previous years.

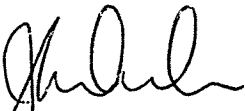
Occurrences	This Month	2015 YTD	2014 YTD	2013 YTD	2012 YTD
Sexual Assaults	0	9	4	5	5
Assaults	6	80	46	44	44
Break & Enter – Business	5	25	22	10	9
Break & Enter - Residence	3	26	28	23	19
Break & Enter – Other	1	9	9	10	5
Theft of Vehicle	5	14	16	6	12
Theft fm Vehicle - Over \$5000	0	0	0	0	0
Theft fm Vehicle - Under \$5000	16	80	92	136	76
Theft Over \$5000	0	9	6	1	2
Theft Under \$5000	10	118	153	105	79
Mental Health Act	16	124	112	96	116
Mischief/Property Damage Over	0	0	0	1	0
Mischief/Property Damage Under	13	132	142	119	128
Total Calls for Service	367	4009	3920	4127	3771

There were four hundred and seventy-three (473) calls or occurrences received by Sooke Detachment for the month of November (year to date - 5345).

Also, please find information as noted below for the month of November.

! Traffic Report
! Guardroom statistics: 25
! Criminal record check statistics: Paid – 28 Volunteer - 40

Sincerely,



Staff Sergeant Jeff McArthur
Non Commissioned Officer in Charge
Sooke Detachment

Monthly Mayor's Report Traffic Statistics November-2015

STATISTICS	This Month	Previous Month	YTD
Total MVI's:	14	22	226
Fatals	0	1	1
Injury MVI's	0	6	59
Non-Injury MVI's	14	15	166

215 /IRP's	5	2	57
Impaired Drivers/Drive Over .08	0	1	9
Liquor Act Charges	0	1	13

Prohibited Drivers	4	0	15
Road Checks	2	0	20
Traffic Warnings	3	8	148
Vehicle Impounds	6	2	51

Total Violation Charges:	20	29	306
Fail to Stop for School Bus	0	1	2
Cross Double Solid Line	0	2	11
Unnecessary Noise	0	0	1
Drive Contrary to Restrictions	1	1	4
Drive too Fast for Conditions	0	1	7
Drive Without Consideration	0	1	8
Drive Without Due Care & Attention	3	0	11
Fail to Yield	0	1	8
Pass When Unsafe	0	0	3
Fail to Display "L" Sign	0	1	2
Fail to Display "N"	0	0	5
Fail to Keep Right	0	0	2
Fail to Obey Traffic Control Device	1	0	4
Parking Offences	0	0	1
Fail to Produce Drivers Licence	0	0	6
Fail to Produce Insurance	2	0	5
Tinted Windows	0	0	1
Fail to Stop for Police	0	0	1
Reverse when Unsafe	0	0	1
Fail to Wear Seatbelt	0	0	15
Insecure Load	0	0	2
Follow Too Closely	0	0	4
Illegal Plate	0	0	1
Improper Turn at Intersection	0	0	1
No Drivers Licence	2	2	29
Fail to Change Address on Licence	1	0	2
No Insurance	4	0	22
Fail to Yield to Emergency Vehicle	0	0	3
Fail to Remain Scene of Accident	1	0	2
Pass on Right	0	0	3
Speeding	4	2	104
Stop Sign	1	17	27
Use Electronic Device While Driving	6	0	8