

2021 Alternative Approval Process

**LONG-TERM LEASE OF PORTION OF JOHN PHILLIPS
MEMORIAL PARK**

Public Information Package



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Project Information

The District of Sooke is conducting an Alternative Approval Process (AAP) **from August 12, 2021 to September 15, 2021** to obtain elector approval to proceed with a long-term lease for a portion of John Phillips Memorial Park pursuant to sections 84 and 86 of the Community Charter.

If successful, a subsequent lease arrangement between the District of Sooke and the Sooke Lions would allow the Sooke Lions to build and operate a multi-use community facility within the lease area. The facility would house:

- a daycare facility;
- a concession;
- a 300-person capacity hall;
- associated parking facilities;
- an outdoor stage/community events; and
- an emergency reception centre.

See project map on page 4.

Information is available digitally through the sooke.ca/aap.

The Alternative Approval Process (AAP)

The AAP asks the electors of Sooke whether the District can proceed with a long-term lease of a portion of John Phillips Memorial Park. The AAP will succeed if fewer than 10% of electors submit an elector response form indicating their disapproval of the proposed long-term borrowing. The AAP is taking place from August 12, 2021 to September 15, 2021. Closing time to receive elector response forms is 4:00 p.m. on September 15, 2021.

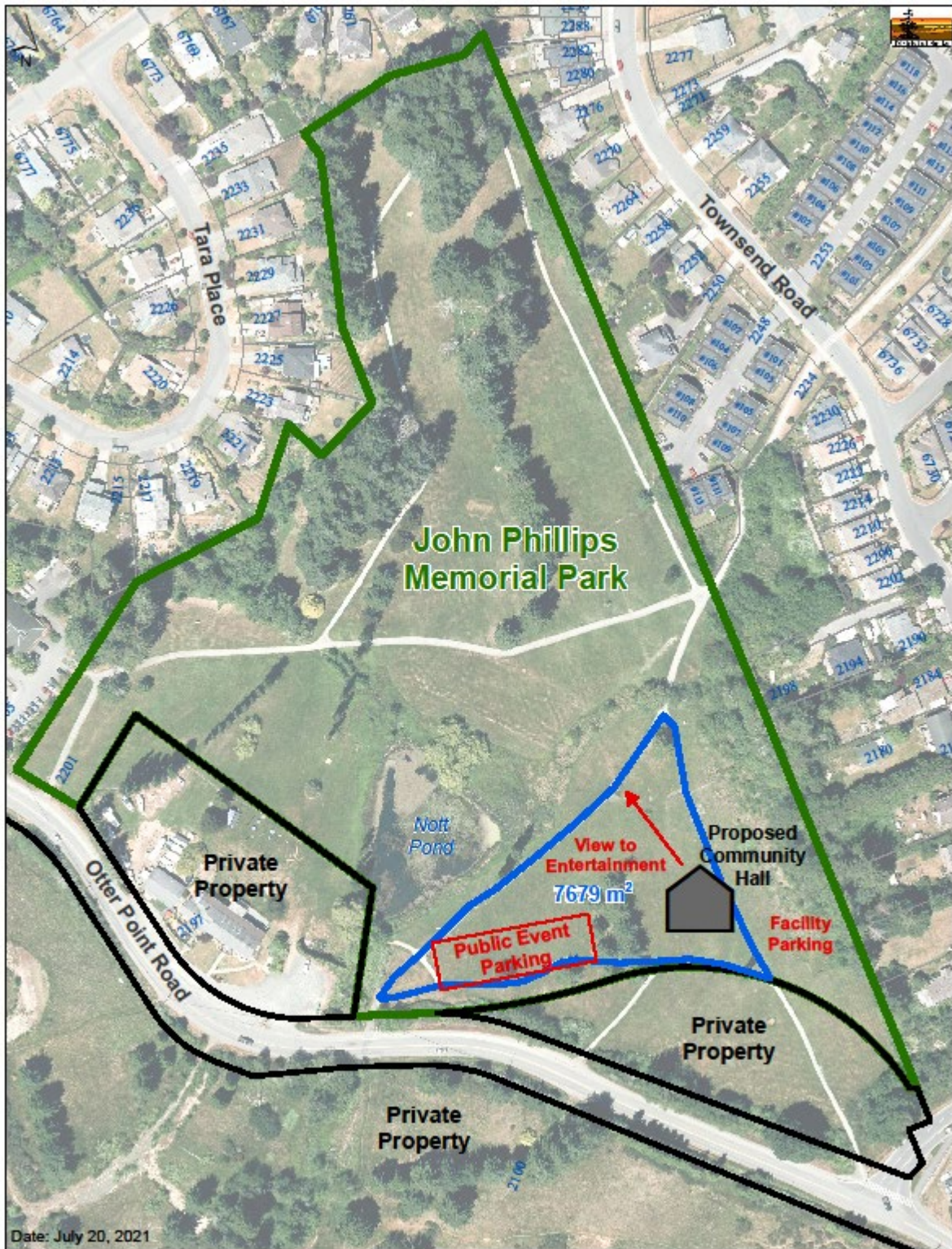
How to Participate

If you approve of the District of Sooke leasing a portion of John Phillips Memorial Park to the Sooke Lions, no action is needed. If you are opposed to the District leasing a portion of John Phillips Memorial park to the Sooke Lions, you may submit an Elector Response Form to the District of Sooke Municipal Hall (2205 Otter Point Road) during the AAP period of 8:30 a.m. August 12 to September 15, 2021 at 4:00 p.m. **No early or late submissions can be received.** Email and faxed Electoral Response forms will not be accepted. (See “Elector Response Form” on pages 10-11)

Electoral Response Form can be accessed during the AAP period:

- on the District website at sooke.ca/aap
- at the District of Sooke Municipal Hall, located at 2205 Otter Point Road, Monday to Friday 8:30 a.m. to 4:30 p.m. excluding statutory holidays.

Project Map



Lions Lease Proposal in John Phillips Memorial Park



In 2005/2006 a citizen's committee met and developed a vision for John Phillips Memorial Park. They hoped to see the Park grow and someday include a multi-purpose building.

The Sooke Lions have been active in the community for over 55 years and wish to continue their legacy of community support.

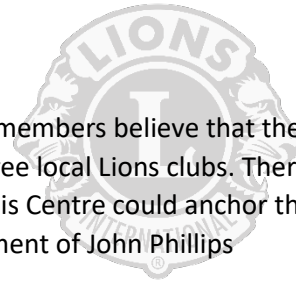
Prior to the District of Sooke being incorporated the Sooke Lions purchased and developed a Park on their Murray Rd property. Since the development of the Districts park system that private property park has become redundant. The Sooke Lions propose to sell the Murray Rd property to the District of Sooke for further community use. In the agreement to sell the Sooke Lions have negotiated a cash payment and a long-term lease on a section in John Phillips Memorial Park.

The plan is to embrace the earlier committee's vision and develop a multi-use building. To accomplish this goal we are going to have to proceed through a number of steps. Firstly, to complete the sale agreement with the District of Sooke. Secondly, to use some of the funds from this sale to finance a building design.

Sooke Lions business plan details the steps to complete a successful venture. We are planning on housing a daycare which will fill a community need and provide sustainable financing for the Centre. We also hope to construct a stage that would anchor any performances or celebrations in the Park in future years. The building would be a two-storey facility with a 300 person hall on the top floor, and a concession and offices on the main floor with the Daycare.

Before construction begins the Sooke Lions would be fundraising and applying for grants to pay for the building up front. We have navigated many issues in this fluent process. Adjustments are constantly made for the changing times. This is a large endeavour that is very doable with support of the Sooke community.

Sooke Lions Business Plan



1. Executive Summary

The Sooke Lions Club has been serving the community needs in Sooke for over fifty years. The members believe that there is a need in the community for a new community centre that would be a home base for the three local Lions clubs. There is also an interest in developing John Phillips Memorial Park into the community event spot. This Centre could anchor the event location. Any profits from the operation of the Centre would be utilized for the development of John Phillips Memorial Park.

1.1 Objectives

1. To explore the feasibility of building a Lions Centre in Sooke.
2. To create an ongoing revenue stream for the Centre
3. To have a home base to operate our Club from.
4. To invite our fellow Lions Clubs to utilize this building for their needs.
5. To provide a legacy for the Club members past, present, and future
6. To explore the viability of creating a new event location in Sooke
7. To explore the viability of using this Centre as an emergency response shelter

1.2 Mission

To investigate and develop a plan to build a Sooke Lions Centre

1.3 Keys to Success

To succeed in this venture we must:

- communicate openly amongst ourselves
- invite our fellow Lions Clubs to participate in the venture
- continue to maintain our excellent reputation in the community
- Encourage input from community members.
- securing financial sources
- work with the District of Sooke in developing John Phillips Memorial Park and this Centre

2. Lions in Sooke Summary

Lions Clubs International is a worldwide service organization. There are three Lions Clubs in Sooke: the Sooke Lions (since 1965), the Harbourside Lions (since 2003), and the District of Sooke Lionesses (since 1982). The Sooke Lions raise funds through the phone book, Sookarama and other events which enable us to support many community activities including financing the grade two swim program, school pancake breakfast program, school bursary program, Amber Academy, Sooke Christmas Bureau, and Sooke Food Bank to name a few. They also manage the Canada Day festivities, and the Santa Claus Parade on behalf of the District of Sooke.

3. Market Analysis

At present, Sooke, BC has a population of 13,001 people. Overall, the average population is growing at an average of 11.54% per year. In the last two census, its population grew by 1566 people (Statistics Canada. 2016 Census. Last Updated: February 2017). Is the need for another community Centre? There are few options in Sooke to rent a hall. See appendix 1. The current and historical event location in Sooke has been the Sooke Flats. That area is expanding their campgrounds and may not be feasible for event hosting long term. A recent study conducted by the District of Sooke has determined that Sooke has only 65% of the provincial average of day care spaces. This identifies a great need for more qualified day care spaces.

3.1 Market Segment



1. meeting space for Lions Clubs
2. storage space for Lions equipment
3. meeting space for youth and for seniors activities
4. the Masons have expressed an interest in selling their hall and partnering with this Centre
5. rental income to support building maintenance, club activities, and Park development
 - a. possible daycare centre during the day - The District of Sooke has completed a Childcare needs assessment which has determined that Sooke is a childcare desert.
 - b. weddings, and family parties
 - c. industrial kitchen rental
 - d. video conference centre
 - e. concession
6. outdoor stage
7. work with the DOS Emergency Support Services on making this Centre viable as a reception centre

4. Strategy Implementation

We will need a robust committee to examine various aspects of this venture.

4.1 Project Management Committee - to oversee the project. Consisting of a chairman, and the three leaders of the sub-committees

4.2 Building committee - to determine the size and nature of the building.

4.3 Operating Committee - Sooke Lions would maintain a controlling interest in the committee with representation from the other Lions Clubs and other community interest groups.

4.4 Finance Committee - to explore ways to fund the building through Club monies and grants.

Assumptions –

1. Sooke Lions will contribute their bequest monies to the building (\$120,000.00)
2. Sooke Lions will utilize the Murray Rd property assets towards the project
3. Sooke Lions will seek government funding grants
4. Sooke Lions will seek community partners who wish to invest in the venture

Milestones

1. determining the best use of the Murray Rd property
2. determining government grant availability
3. formation of Sooke Lions Centre Society
4. establishing a building committee
5. establishing an facility operating committee
6. establishing a finance committee

6. Management Summary

The Sooke Lions will establish a Club committee to explore the feasibility of this venture. That committee will report to the Club. The Club will determine if the venture proceeds further.

7. Financial Plan

1. promote use of Sooke businesses where economically viable
2. manage resources to make the facility sustainable



DISTRICT OF SOOKE
PARK DISPOSITION BYLAW No. 820

A bylaw to dispose of interest in parkland through a lease.

WHEREAS, pursuant to Section 29 of the *Community Charter*, land in a municipality that is dedicated to the public for the purpose of a park by a subdivision plan, explanatory plan or reference plan deposited in the land title office is vested in the municipality for that purpose;

AND WHEREAS, pursuant to Section 27(2)(a) of the *Community Charter*, a council may, by bylaw adopted with the approval of the electors, dispose of a portion of such park land;

AND WHEREAS the Council of the District of Sooke deems it expedient to dispose of an area measuring approximately 7,679 square metres portion of the park dedicated by Plan VIP79956 estimated as outlined in blue on the map attached hereto as Schedule A (the "Park Land");

AND WHEREAS the Park Land will be disposed of by the grant of a lease to the Sooke Lions.

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

Citation

1. This Bylaw is cited as *Park Disposition Bylaw No. 820, 2021*.

Authority

2. Attached to this Bylaw as Schedule A and forming part of this Bylaw is a sketch of the Park Land.
3. The District hereby authorizes the disposal of the Park Land by granting a 50-year lease (with two-25 year options to renew) to the Sooke Lions Club to construct and operate a two-storey multi-use facility that shall include a daycare facility, concession, 300-person capacity hall, outdoor stage and parking facilities in exchange for \$1.00.
4. The Mayor and Chief Administrative Officer are authorized to execute documentation necessary to effect this park disposition.

Effective Date

5. This Bylaw shall come into full force and effect on the date of adoption.

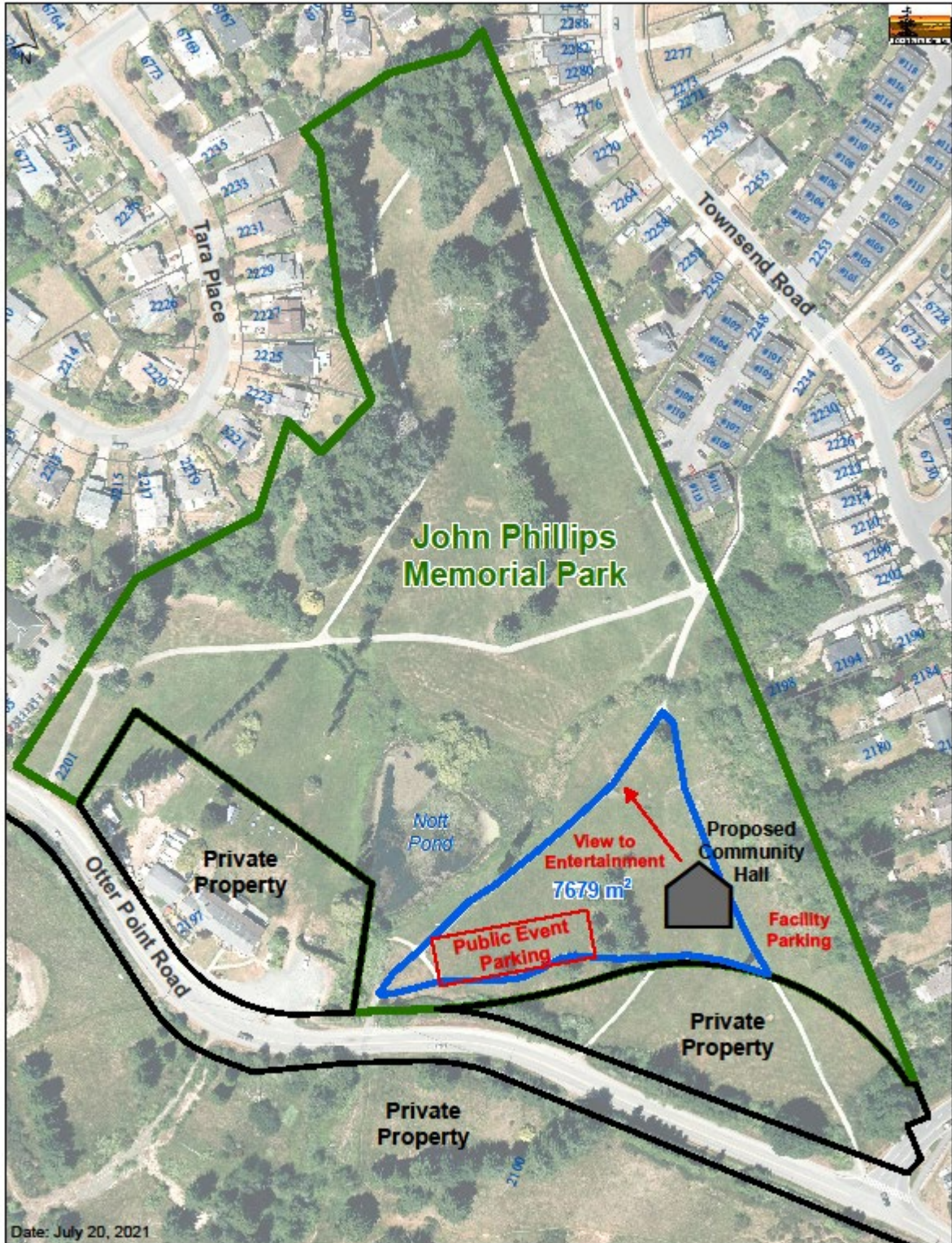
READ a FIRST, SECOND and THIRD time the 26 day of July, 2021.

An alternative approval process in relation to this Bylaw was provided in accordance with the requirements of section 86 of the *Community Charter* and the elector response was certified as not having exceeded 10% of the electors of the District of Sooke on the day of , 2021.

ADOPTED the day of , 2021.

Maja Tait
Mayor

Carolyn Mushata
Corporate Officer



Sample Elector Response Form

An Elector Response Form can be submitted to the District of Sooke Municipal Hall at 2205 Otter Point Road during the APP period of 8:30 a.m. August 12 to September 15, 2021 at 4:00 p.m. ONLY. No early or late submissions can be received. Emailed and faxed response forms will not be accepted. NO EXCEPTIONS

Alternative Approval Process: John Phillips Memorial Park Long-Term Lease

Pursuant to sections 84 and 86 of the *Community Charter*, the District of Sooke is seeking the assent of the electors of the District of Sooke through an alternative approval process. The question before the electors is whether they are opposed to the District of Sooke, by bylaw adopted under section 27(2)(b) of the *Community Charter*, entering into a 50-year lease (with two 25-year options to renew) with the Sooke Lions Club for approximately 1.9 acres of dedicated parkland in John Phillips Memorial Park to construct a multi-use facility.

INSTRUCTIONS:

1. If you are opposed to the District entering into the lease and **you qualify as an elector of the District of Sooke**, you can sign and return an elector response form by **4:00 p.m. on September 15, 2021** (see reverse).
2. If you are NOT opposed to the District entering into the lease, you do not need to do anything.
3. To sign an elector response form, you MUST meet the qualifications as either a Resident Elector or a Non-Resident Property Elector. Non-resident Property Electors must have the written consent of a majority of the property owners to sign the response form on their behalf (see reverse). Property owned in whole or in part by a corporation does not qualify under the non-resident property elector provisions.
4. Each Elector Response Form may be signed by one elector of the District of Sooke.

I am **OPPOSED** to the District of Sooke disposing of approximately 1.9 acres of dedicated parkland in John Phillips Memorial Park by entering into a 50 year lease (with two 25 year options to renew) with the Sooke Lions Club for the purpose of constructing a two-storey multi-use facility to accommodate:

- a daycare facility;
- a concession;
- a 300-person capacity hall;
- associated parking facilities;
- an outdoor stage/community events; and
- an emergency reception centre.

I SIGN THIS FORM CERTIFYING THAT:

- a) I am a Canadian citizen; and
- b) I am 18 years of age or older; and
- c) I have resided in British Columbia for at least six months; and
- d) I have resided in, OR have been a registered property owner of real property in the District of Sooke for at least the last 30 days; and
- e) I am not disqualified by law from voting in local elections; and
- f) I am entitled to sign this elector response form, and have not previously signed an elector response form related to this matter.

Elector's Full Name (print) :

Residential Address (AND mailing address if different from residential address)

Choose One:

- I am a resident elector
- I am a non-resident property elector who lives in another community and owns property in the District of Sooke located at: _____

Signature of Elector

REGISTERED OWNERS CONSENT TO A PERSON REGISTERING AS A NON-RESIDENT PROPERTY ELECTOR

Note: Complete this side of the form if there is more than one registered owner.

A majority of the registered owners must provide consent to the person registering as a Non-Resident Property Elector. The person designated as the Non-Resident Property Elector must be one of the owners of the property and must be one of the individuals granting consent.

WE, together with the person registering as a non-resident property elector, constitute a majority of registered owners of real property situated in the District of Sooke, and hereby give consent to:

Surname, Given Name(s) of Person Designated to be the Non-Resident Property Elector

to be registered as the Non-Resident Property Elector for the jointly-owned property described on the other side of this form.

Registered Owner's Surname, Given Name

Signature

Registered Owner's Surname, Given Name

Signature

Registered Owner's Surname, Given Name

Signature

Registered Owner's Surname, Given Name

Signature

IMPORTANT INFORMATION

<p>All Elector Response Forms must be received by the District of Sooke on or before 4:00 p.m. on September 15, 2021 to be considered.</p> <p>Elector responses must be given in this Elector Response Form. Additional Elector Response Forms are available at the District municipal hall. The only persons entitled to sign this form are electors of the District of Sooke.</p> <p>No faxed or emailed elector response forms will be accepted; must be original signatures.</p>	<p>Council of the District of Sooke may proceed with this matter unless, by 4:00 p.m. on September 15, 2021, at least 10% of the electors of the area indicate that Council must obtain the assent of electors before proceeding.</p> <p>The number of electors in the District of Sooke is estimated to be 11,238. If ten (10%) percent [1,123] of the estimated number of electors in the District of Sooke sign an elector response form in opposition to the lease, the District of Sooke cannot proceed without receiving the assent of the electors by assent vote (referendum).</p>	<p>For further information, please contact:</p> <p>Carolyn Mushata Director of Corporate Services 250-642-1607 cmushata@sooke.ca</p> <p>OR</p> <p>Sarah Temple Deputy Corporate Officer 250-642-1616 stemple@sooke.ca</p> <p>Return forms to: District of Sooke 2205 Otter Point Road Sooke, BC V9J 1J2</p>
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Notice to Electors of an Alternative Approval Process (AAP)

This notice is to advise electors in the District of Sooke of the intention of Council to enter into a 50-year lease (with two 25-year options to renew) with the Sooke Lions Club for approximately 1.9 acres of dedicated parkland in John Phillips Memorial Park to construct a multi-use facility. A copy of the bylaw and a summary of the proposal are available on the District's website at www.sooke.ca/aap or from the District Office, 2205 Otter Point Road, during regular business hours, 8:30 to 4:30 p.m., Monday to Friday, excluding statutory holidays.

Council proposes to undertake the lease unless, by 4:00 p.m. on September 15, 2021, at least 10 percent of the electors in the District of Sooke sign an elector response form opposing the implementation of the proposal unless the District of Sooke Council hold a vote.

The number of elector responses required to prevent the local government from proceeding unless a vote is held is estimated to be 1,123. A report respecting the basis on which this determination was made is available upon request from the District office.

Elector responses are required to be submitted to the District of Sooke on forms that can be obtained during regular business hours from the District of Sooke municipal office, 2205 Otter Point Road. The form can also be downloaded from the District's website at: www.sooke.ca/aap. The only elector response forms that will be accepted by the local government are the ones provided by the District of Sooke, or an accurate copy of the form.

Only electors of the District of Sooke are eligible to sign the elector response forms. There are two types of electors – resident electors and non-resident property electors.

Resident Elector: When signing an elector response form during an AAP, a resident elector must: be 18 years of age or older; be a Canadian citizen; have lived in British Columbia for at least six months; have lived in the jurisdiction (District of Sooke) for at least 30 days; and, not be disqualified under the *Local Government Act*, or any other enactment from voting in a local election, or be otherwise disqualified by law.

Non-Resident Property Elector: When signing an elector response form during an AAP, a non-resident property elector must: be 18 years of age or older; be a Canadian citizen; have lived in British Columbia for at least six months; have owned property in the jurisdiction (District of Sooke) for at least 30 days; and, not be disqualified under the *Local Government Act*, or any other enactment from voting in a local election, or be otherwise disqualified by law.

Note: Only one non-resident property elector may sign an elector response form per property, regardless of how many people own the property; and, that owner must have the written consent of a majority of the other property owner(s) to sign the response form on their behalf. **Property owned in whole or in part by a corporation does not qualify under the non-resident property elector provisions.**

Resident electors signing the elector response form must provide their name and address.

Non-resident property electors must provide their name and address of the property in relation to which they are entitled to register as a non-resident property elector. The local government will not share the information on the form with anyone other than the Corporate Officer, or other person designated by the Corporate Officer.

For more information on elector qualifications, please contact the District of Sooke or see the *Voter's Guide to Local Government Elections in B.C.*, available from the Ministry of Municipal Affairs and Housing or online at: https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/governance-powers/voter_guide_english.pdf

Further information about the proposal is available on the District's website at www.sooke.ca/aap or from the District Office, 2205 Otter Point Road, during regular business hours, 8:30 to 4:30 p.m., Monday to Friday, excluding statutory holidays.

For further information, please contact the District of Sooke at 250-642-1634 or via email at info@sooke.ca.

Carolyn Mushata
Corporate Officer

Determination of Estimated Number of Eligible Electors

The purpose of this report is to show the basis for determining the total number of electors in relation to the proposed long-term lease for parkland at John Phillips Memorial Park that is subject to an alternative approval process (AAP).

Section 86(3) of the Community Charter requires the council to make a fair determination of the total number of electors of the area to which the approval process applies. In addition, the council must make available to the public, on request, a report respecting the basis on which the determination was made.

The number of people eligible to be a resident elector or a non-resident elector is determined based on those individuals who when signing an elector response form:

- are 18 years of age;
- are a Canadian citizen;
- have lived in British Columbia for at least six months;
- have lived or owned property in the District of Sooke for at least 30 days;
- live, or own property in the area defined for the AAP; and,
- are not disqualified under the Local Government Act, or any other enactment from voting in a local election, or be otherwise disqualified by law.

Corporate Services has utilized the same process used for determining the estimated number of eligible voters in a local election to estimate the number of eligible voters for the purpose of the AAP. The District of Sooke's Election Procedures Bylaw states that the most current available Provincial list of voters prepared under the Elections Act shall become the register of resident electors for the District of Sooke. The list was extracted from the provincial list on June 16, 2021. As provincial voting boundaries do not align with District of Sooke boundaries, some adjustments are made to remove voters living outside of the District of Sooke's boundaries. The list of estimated eligible electors has been calculated as follows:

1. Number of voters on the provincial list extracted June 16, 2021:	13,6702
2. Minus number of voters residing outside of District of Sooke boundaries:	2,4623
3. Plus the number of registered non-resident electors (maintained by District)	<u>30</u>
Estimated total number of eligible electors in the area defined for the AAP	<u>11,238</u>
Ten percent of the total number of eligible electors is estimated to be:	1,123

Frequently Asked Questions

What to do if you are not opposed?

If you would like to the District to proceed with the lease of a portion of John Phillips Memorial Park to the Sooke Lions, no action is required.

What to do if you are opposed?

If you are opposed to the District proceeding with the lease of a portion of John Phillips Memorial Park to the Sooke Lions, submit an Electoral Response Form available on the District of Sooke website (sooke.ca/aap) or in person at the District of Sooke Municipal Hall during the approved AAP period of 8:30 a.m. on Thursday, August 12, 2021 to 4:00 p.m. on Wednesday, September 15, 2021. Please be advised:

- No early or late submissions can be received, NO EXCEPTIONS.
- Forms will be made available to the public on the District website by 4:30 p.m. on August 11, 2021 and in-person at the municipal hall as of 8:30 a.m. August 12, 2021.
- The approved Electoral Response Form is the ONLY method accepted to express opposition.

The form must have an original signature. Faxed, imaged, or emailed signed forms cannot be counted. The form must be received:

- by mail BEFORE 4:00 p.m. September 15, 2021;
- on-site drop slot at the District of Sooke Municipal Hall, 2205 Otter Point Road, 24 hours per day, seven days per week during the approved AAP period (8:30 a.m. on August 12, 2021 to 4:00 p.m. on September 15, 2021); OR
- in-person at the District of Sooke Municipal Hall, 2205 Otter Point Road, during regular hours of operation 8:30 to 4:30 p.m., Monday to Friday, excluding statutory holidays during the approved AAP period (8:30 a.m. on August 12, 2021 to 4:00 p.m. on September 15, 2021).

Who can sign an Electoral Response Form?

Only eligible electors may sign an Elector Response form. Eligible electors must meet the following qualifications:

- a Canadian citizen;
- an individual over the age of 18;
- a resident of British Columbia for at least the past 6 months;
- a District of Sooke resident or residential property owner for at least the past 30 days; and
- not disqualified from voting by the Local Government Act or any other enactment.

Corporations are not entitled to submit Elector Response forms.

For non-resident electors, individuals owning land within the District of Sooke but not residing in the District, only one non-resident owner may submit the Elector Response form for the property.

What happens after September 15, 2021?

The Corporate Officer will verify the response forms and provide a report to Council on September 20, 2021.

If a lease is provided to the Sooke Lions, what will the facility include? What will the lease rate be?

Bylaw NO. 820 specifies granting a 50-year lease (with two-25 year options to renew) to the Sooke Lions Club to construct and operate a two-storey multi-use facility that shall include a daycare facility, concession, 300-person capacity hall, outdoor stage and parking facilities in exchange for \$1.00.

With the sale of the Murray Road property to the District of Sooke, what will the District of Sooke do with the Murray Road property?

As the property at 2008 Murray Road would be purchased from the Parks Reserve Fund. The Park Reserve Fund specifies how any purchases made with these funds can be used. Purchases made from the Park Reserve Fund are strictly for the purpose of “acquiring park land”(Bylaw No. 47).

Parks are permitted in all zones within the District of Sooke. 2008 Murray Road is currently zoned P1 (Public Recreation). Other principal uses under this zoning include:

- a) Agriculture
- b) Amusement facility – outdoor
- c) Assembly use
- d) Campground (conditions of use apply)
- e) Ecosystem preservation
- f) Institutional uses accessory to public parks
- g) Nature centre
- h) Playground
- i) Private club

Please refer to schedule 601 in the [Zoning Bylaw No.600](#) for more information (pp.115-116).