



## DISTRICT OF SOOKE

Minutes of the Regular Meeting of Council  
held in the Council Chamber  
at 2225 Otter Point Road, Sooke, BC  
on October 27, 2014  
7:00 p.m., Open Portion, Council Chamber

### COUNCIL PRESENT

Mayor Wendal Milne  
Councillor Bev Berger  
Councillor Herb Haldane  
Councillor Kevin Pearson  
Councillor Rick Kasper  
Councillor Kerrie Reay  
Councillor Maja Tait

### STAFF PRESENT (Open Portion)

Michael Dillabaugh, Director of Finance  
Bonnie Sprinkling, Corporate Officer  
Elisabeth Nelson, Municipal Engineer  
Steve Sorensen, Fire Chief  
Katherine Lesyshen, Planner II (left at 7:51 p.m.)  
Tara Johnson, Planner II (left at 8:06 p.m.)  
Tina Hansen, Corporate Assistant

### CALL TO ORDER

Mayor Milne called the meeting to order at 7:04 p.m.

### APPROVAL OF THE AGENDA

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

**Item PH-1 Supplemental Information – Bylaw No. 534, *Official Community Plan Amendment Bylaw (400-2)* and Bylaw No. 535, *Zoning Amendment Bylaw (600-14)* – Sun River Development – Exchange of Lands for School Site:**

- Council resolution dated October 14, 2014 as to Bylaw No. 534 and Bylaw No. 535
- Staff Report to Council dated October 14, 2014

**Item PI-1 Supplemental Information – Development Permit and Development Variance Permit – 1931 Goodridge Road**

- Correspondence received October 23, 2014 from Bryan Mooney, E-Fish-Ent Fish Company Ltd.

**NB-1 2015 Age-Friendly Community Planning & Project Grant Application  
CARRIED UNANIMOUSLY**

### ADOPTION OF MINUTES

**MOVED** and seconded that the minutes of the Committee of the Whole meeting held on October 14, 2014 be adopted as circulated.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that the minutes of the Regular Council meeting held on October 14, 2014 be adopted as circulated.

**CARRIED UNANIMOUSLY**

### DELEGATIONS

**D-1 Sooke Food Bank Society Request for Funding of \$7,000 for Christmas Bureau Hampers – Kim Metzger, Secretary, Sooke Food Bank Society**

Kim Metzger, Sooke Food Bank Society addressed Council as to the Sooke Food Bank Society's request for \$7,000 to assist with this year's Sooke Christmas Bureau Christmas

hampers. Ms. Metzger reported that the Sooke Food Bank received \$8,000 in funding for the Christmas hampers through the Community Grant Program in 2013.

**MOVED** and seconded to fund \$7,000 from the 2014 Community Grant Program budget for the Sooke Food Bank Society/Christmas Bureau hampers.  
**CARRIED UNANIMOUSLY**

**D-2 Mayor's Public Advisory Panel on Arts and Beautification**

Phoebe Dunbar and Sandy Jarvis addressed Council as to the 2014 Communities in Bloom Committee Wrap up Report as submitted. Ms. Dunbar took the opportunity to thank Council for their support of the 2014 Communities in Bloom. Ms. Dunbar reviewed the highlights of this year's event which included the adoption of flower barrels by local business, a "best garden" selection program, and the Thursday Night Market hosted by the Museum. Ms. Dunbar and Ms. Jarvis presented Council with the 2014 Communities in Bloom Five Bloom Status Banner and asked for Council's support with the 2015 Communities in Bloom program.

Mayor Milne took the opportunity to thank Brenda Parkinson, Chair of the Mayor's Advisory Panel for Arts and Beautification and the Communities in Bloom Committee for their work with the 2014 Communities in Bloom Program.

**MOVED** and seconded to support in principal the 2015 Communities in Bloom initiative contingent on the new Council forming.  
**CARRIED UNANIMOUSLY**

Ms. Jarvis provided an update as to the Mayor's Advisory Panel on Arts and Beautification proposed projects as submitted. Ms. Jarvis reported on the Signage Project for John Phillips Memorial Park and asked for Council's consideration for a "Call out to Carver" in the amount of \$10,000.

**MOVED** and seconded to table consideration of the John Phillips Memorial Park Signage Project "Call out to Carver" to later in the meeting following discussions on Agenda Item RA-3 Proposed Horseshoe Pitch – 2250 Sooke River Road (Sooke River Road Park).  
**CARRIED UNANIMOUSLY**

Ms. Jarvis provided an overview of the Festival of Trees project to display decorated Christmas trees in the SEAPARC lobby. Ms. Jarvis advised that funds raised during this event will go to the BC Children's Hospital. The Committee is requesting that Council consider sponsorship in the amount of \$250 for the Festival of Trees.

**MOVED** and seconded to provide funding in the amount of \$250 for the sponsorship of the SEAPARC Festival of Trees.  
**CARRIED UNANIMOUSLY**

Ms. Jarvis provided an update as to the Christmas Light-up project for the Christmas tree light-up in the town centre. Ms. Jarvis reported that this year, the Committee would like to include an additional tree in front of the Sooke Legion. The Committee is requesting that Council consider funding \$4,000 towards the purchase of Christmas tree lights for the new tree, bows for Christmas swags and two honorariums for the installation of the decorations, lights and required electrical.

**MOVED** and seconded to fund the Christmas Light Up project in the amount of \$2,900 from the SPA Reserve Account.

**CARRIED UNANIMOUSLY**

### **PUBLIC QUESTION AND COMMENT PERIOD**

Gail Hall, Sooke resident addressed Council as to Agenda item RA-3 Proposed Horseshoe Pitch – 2250 Sooke River Road (Sooke River Road Park) and concerns that the property is in the Agricultural Land Reserve and is not designated as “park”. Ms. Hall spoke to concerns of using park funds towards the start-up of the horseshoe pitch with the small membership of the Sooke Horseshoe Pitch Association.

Brenda Parkinson, Sooke resident clarified the Mayor’s Advisory Panel on Arts and Beautification Christmas Light Up project explaining that the funding request was for the purchase of bulbs and decorations for a third tree and for the provision of on-site electrical.

### **PUBLIC HEARINGS AND RELATED BYLAWS**

#### **PH-1 Report of Public Hearings – Sun River Development – Exchange of Lands for School Site**

- **Bylaw No. 534, *Official Community Plan Amendment Bylaw (400-2)***
- **Bylaw No. 535, *Zoning Amendment Bylaw (600-14)***

Councillor Berger declared a potential conflict of interest with this Agenda item as her husband is a sub-contractor for Citta Construction who is a contractor for Sun River Estates and left the meeting at 7:33 p.m.

Mayor Milne called the Public Hearing for Bylaw No. 534 and Bylaw No. 535 to order at 7:33 p.m.

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

#### **Public Input:**

Scott McMahan, Sooke resident, advised that he moved to Sunriver because of the proposed school site within the Sunriver Development and he hopes the School District is able to move forward with a school in this location. Mr. McMahan advised that he supports the zoning amendment.

Ellen Lewers, Sooke resident, inquired as to the requirement for the District of Sooke to provide fencing and a 5 meter buffer along the trail of the agricultural land. Ms. Lewers feels that the District should know what these costs for the buffer will be prior to moving forward with the Sunriver Land Development Amendment Agreement.

Darcy Abell, Sooke resident, advised that he is happy to see the issue of the Sun River Development Agreement moving forward. Mr. Abell expressed concerns as to Agenda Item RA-4 Cash Contribution from Sun River Estates and the potential for these funds to go towards a variety of purposes or lands. Mr. Abell believes that these funds should be used for what they were originally intended; improvements to Lots 2 and 4. Mr. Abell noted that it does not have to be specifically for sports fields but could be for a mix of naturalized areas, open fields and trails. Mr. Abell advised that it is important that the funds go towards what was originally intended, something for the residents of Sunriver.

Gail Hall, Sooke resident, expressed her opposition to the bylaw amendments and addressed Council as to concerns of the Sunriver Land Development Agreement. Ms. Hall believes that the land will not be useful for community gardens or municipal use and would have to be extensively remediated due to the materials that were dumped there. Ms. Hall also expressed concerns to the fencing and buffer along the Agricultural Land and the costs to the District. Ms. Hall indicated that the District would have to have permission from the ALC in order to establish the land as “park.”

Rob Barry, Sooke resident, advised that he agrees that the Sunriver Land Development Amendment Agreement is not a good deal for the tax payers of Sooke. Ms. Barry addressed Council as to concerns that the lands are of no value to the community.

Bob Campbell, Sooke resident, expressed concerns as to the \$400,000 cash contribution from Sunriver Estates. Mr. Campbell supports the location of the original school site and believes that parking and access would be better in this location rather than the Phillips Road location. Mr. Campbell also expressed concerns as to moving forwards with the Agreement prior to knowing costs associated with infrastructure on the land.

Phil Buchanan, representing Sunriver Estates, clarified that the proposal will provide the District of Sooke with \$400,000 to use as they wish. The property that will be provided to School District is 2 hectares and the District of Sooke will receive a 4 hectare site to use at their discretion as well as 0.2 hectares for a future fire hall site.

Ellen Lewers, Sooke resident, asked for clarification as to the Land Development Amendment Agreement and whether it has already been approved by Council. Ms. Lewers expressed concerns as to the costs for remediation of the lands and the costs for the fencing and buffer requirement.

Mayor Milne called three times for submissions to the Public Hearings for Bylaw No. 534 and Bylaw No. 535 Hearing none; he closed the public hearing at 7:51 p.m.

**Council consider third reading of Bylaw No. 534 and Bylaw No. 535**

**MOVED** and seconded that 534, *Official Community Plan Amendment Bylaw (400-2)* be read a third time.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that Bylaw No. 535, *Zoning Amendment Bylaw (600-14)* be read a third time.

**CARRIED UNANIMOUSLY**

Councillor Berger returned to the meeting at 7:56 p.m.

**PUBLIC INPUT MEETINGS AND RELATED REPORTS**

**PI-1 Development Permit and Development Variance Permit – 1931 Goodridge Road**

Tara Johnson provided a powerpoint presentation and overview of the Development Permit and Development Variance Permit for 1931 Goodridge Road.

Joe Kadar, representing the applicant clarified that the property to the east of 1931 Goodridge Road is owned by the applicant.

**Public Input:**

Ron Dumont, Sooke resident inquired as to whether the District of Sooke has considered the issue of raising seawater levels on the property and whether there is concern the area may be a potential tsunami zone.

**MOVED** and seconded to issue Development Variance Permit PLN01116 to vary the following sections of Bylaw No. 600, *Sooke Zoning Bylaw, 2013*:

1. Section 4.6(m) to allow for a reduced setback from the south and east property lines for parking stalls from 1.5m to 0m;
2. Section 4.8 to allow for a reduction in the number of parking stall requirements for a warehouse/office from nine stalls to seven stalls; and
3. Section 502.7 to allow for a reduced rear lot line setback for a warehouse/office from 15 meters to 10 meters

**AND TO** issue Development Permit PLN01112 for the purposes of constructing a warehouse/office located on Lot B, Section 65, Sooke District, Plan VIP69160

**CARRIED UNANIMOUSLY**

**BYLAWS**

**B-1 Bylaw No. 607, *Permissive Tax Exemption Bylaw for Public Parks and Recreation Grounds, Not for Profit Corporations and Public Authority Amendment Bylaw(338-4)***

**MOVED** and seconded that Bylaw No. 607, *Permissive Tax Exemption Bylaw for Public Parks and Recreation Grounds, Not for Profit Corporations and Public Authority Amendment Bylaw (338-4)* be adopted.

**CARRIED UNANIMOUSLY**

**REPORTS REQUIRING ACTION**

**RA-1 Sooke Harbour Players – Community Grant Application**

**MOVED** and seconded to award the Sooke Harbour Players Society \$5,865 in funding from the 2014 Category B Community Grant Program budget.

**CARRIED UNANIMOUSLY**

**RA-2 Site Specific Floodplain Exemption – 2287 Phillips Road**

**MOVED** and seconded to accept the report submitted by Brimmell Engineering Ltd and consider a Site Specific Floodplain Exemption from Bylaw No. 561, *Flood Regulation Bylaw, 2013* to reduce the floodplain setback from 30 meters from the natural boundary of Demamiel Creek for a farm building at 2287 Phillips Road to 15 meters with the condition that a Section 219 Covenant is registered on the property title as per Bylaw No. 561.

**CARRIED UNANIMOUSLY**

**RA-3 Proposed Horseshoe Pitch - 2250 Sooke River Road (Sooke River Road Park)**

**MOVED** and seconded to approve the use of municipal lands located at 2250 Sooke River Road by the Sooke Horseshoe Association for 8 horseshoe courts, plus parking within the Sooke River Road right of way;

**AND TO** direct staff to draft an agreement with the Sooke Horseshoe Association for the approved location of the Horseshoe Pitch at 2250 Sooke River Road for Council approval and notice to the adjacent property owners.

**CARRIED**

**Councillor Berger opposed the motion**

**RA-4 Cash Contribution from Sun River Estates**

**MOVED** and seconded to direct staff to draft a Reserve Fund Bylaw for Council consideration for the \$400,000 cash contribution received from Sun River Estates to be used for the specified purpose of playing fields;

**AND** to direct staff look at the feasibility of including in the reserve bylaw the proceeds from the potential sale of the property received from Sun River Estates under the Land Development Amendment Agreement.

**CARRIED UNANIMOUSLY**

**REPORTS FOR INFORMATION**

**RI-1 2014 Budget vs Actual Report as at September 30, 2014**

**MOVED** and seconded to receive the 2014 Budget vs Actual Report as at September 30, 2014 for information.

**CARRIED UNANIMOUSLY**

**RI-2 Sooke Fire Rescue Service Monthly Staffing Report – September 2014**

**MOVED** and seconded to receive the Sooke Fire Rescue Service Monthly Staffing Report for information.

**CARRIED UNANIMOUSLY**

**NEW BUSINESS**

By general consensus, Council agreed to take from the table the request by the Mayor's Advisory Panel on Arts and Beautification for funding for the John Phillips Memorial Park Signage Project "Call out to Carver."

**MOVED** and seconded to direct staff to issue a tender for the John Phillips Memorial Park Sign project;

**AND** to bring back a report to Council as to the costs and design of the park sign for funding allocation and approval.

**CARRIED UNANIMOUSLY**

**NB-1 2015 Age-Friendly Community Planning & Project Grant Application**

**MOVED** and seconded to endorse the grant application for \$8,400 under the *UBCM 2015 Age-Friendly Community Planning & Project Grants Program* for an Age Friendly Action Plan;

**AND TO** authorize the District of Sooke as the financial manager of the Grant.

**CARRIED UNANIMOUSLY**

**MOTION TO CLOSE THE MEETING TO THE PUBLIC**

**MOVED** and seconded to close the meeting to the public under section 90(1) and 90(2) of the *Community Charter* to discuss:

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

(90)(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

**CARRIED UNANIMOUSLY**

**ADJOURNMENT**

**MOVED** and seconded to adjourn the open portion of the Regular Council meeting at 8:51 p.m.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded to adjourn the meeting at 9:37 p.m.

**CARRIED UNANIMOUSLY**

**Certified Correct:**

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**Wendal Milne**  
**Mayor**

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**Bonnie Sprinkling**  
**Corporate Officer**