

DISTRICT OF SOOKE

Minutes of the Regular Meeting of Council
held in the Council Chamber
at 2225 Otter Point Road, Sooke, BC
on January 9 , 2012
6:00 p.m., Closed Portion, Meeting Room
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

STAFF PRESENT

Evan Parliament, Chief Administrative Officer
Bonnie Sprinkling, Corporate Officer (Recorder)
Sue-Lin Tarnowski, Director of Finance
Gerard LeBlanc, Municipal Planner
Elisabeth Nelson, Municipal Engineer
Staff Sgt. Steve Wright

ABSENT: Councillor Maja Tait

CALL TO ORDER – Closed Portion

Mayor Milne called the meeting to order at 6:00 p.m. in the Municipal Meeting Room.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

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

CARRIED UNANIMOUSLY

CALL TO ORDER – Open Portion

Mayor Milne called the open portion of the Regular Council meeting to order at 7:00 p.m. in the Council Chambers

APPROVAL OF THE AGENDA

MOVED and seconded to approve the agenda as circulated.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Special Council meeting held on December 9, 2011 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on December 10, 2011 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Regular Council meeting held on December 12, 2011 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on December 12, 2011 be adopted as circulated.

CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

Gail Hall, Sooke Resident, requested that the RCMP report be moved to the beginning of the agenda for Council meetings. Council directed staff to prepare an amendment to the order of business in the Council Procedure Bylaw for the reports to be provided at the beginning of the meeting.

PUBLIC HEARINGS AND RELATED BYLAWS

PH-1 Report of Public Hearings – Beaton Road Residential CD Zone (CD5)

- **Bylaw No. 513, *Zoning Amendment Bylaw (500-01)***

Mayor Milne called the Public Hearing for Bylaw No. 513 to order at 7:05 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 hearings.

Public Submissions: There were no submissions from the public.

Mayor Milne called three times for submissions to the Public Hearing for Bylaw No. 513. Hearing none, he closed the public hearing at 7:06 pm.

Council consider third reading of Bylaw No. 513, *Zoning Amendment Bylaw (500-1)*

MOVED and seconded that Bylaw No. 513, *Zoning Amendment Bylaw (500-01)* be read a third time.

CARRIED UNANIMOUSLY

BYLAWS

B-1 Bylaw No. 514, *Council Remuneration and Benefits Amendment Bylaw (379-1)*

MOVED and seconded that Bylaw No. 514, *Council Remuneration and Benefits Amendment Bylaw (379-1)* be adopted.

CARRIED UNANIMOUSLY

B-2 Bylaw No. 515, *Delegation Bylaw Amendment Bylaw, 2012*

MOVED and seconded that Bylaw No. 515, *Delegation Bylaw Amendment Bylaw, 2012* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 515, *Delegation Bylaw Amendment Bylaw, 2012* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 515, *Delegation Bylaw Amendment Bylaw, 2012* be read a third time.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 Sale of Surplus Fire Truck

MOVED and seconded to authorize staff to sell the 1985 Mack Fire Truck subject to a minimum sale price of \$2,000 or to donate the Fire Truck to the Otter Point Fire Department if unable to arrange a sale above minimum amount.

CARRIED UNANIMOUSLY

RA-2 LGLA Elected Officials Seminar for AVICC

MOVED and seconded to authorize the following Council members to attend the LGLA Elected Official Seminar for AVICC:

Mayor Wendal Milne
Councillor Rick Kasper
Councillor Maja Tait
Councillor Kerrie Reay

CARRIED UNANIMOUSLY

RA-3 2012 Appointment to Sooke Community and Police Consultative Society

MOVED and seconded to endorse the appointment of Councillor Kerrie Reay as Council representative to the Sooke Community and Police Consultative Society for 2012.

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor Reports

Councillor Reay left the meeting at 7:15 pm for personal reasons.

MOVED and seconded that Council rescind following resolutions of December 12, 2011:

- **MOVED** and seconded that the Mayor establish a Standing Committee to review the *EPCOR Agreement* and review the current state of the system and report back to Council with the findings of the review;
AND FURTHER that the Mayor determine the Terms of Reference for the committee and appoint Councillors Bev Berger and Rick Kasper to the committee.
- **MOVED** and seconded that the Mayor establish a Standing Committee to review the Partnering Agreement between the District of Sooke and Prestige Sooke Holdings Ltd. and report back to Council with the findings of the review;
AND FURTHER that the Mayor determine the Terms of Reference for the committee and appoint Councillors Herb Haldane and Maja Tait to the committee.

CARRIED UNANIMOUSLY

MOVED and seconded that the Mayor assign Councillor Bev Berger and Councillor Rick Kasper to work with staff to review the EPCOR Agreement and review the current state of the system and to report back to the Finance and Administration Committee or Council with the findings of the review.

CARRIED UNANIMOUSLY

MOVED and seconded that the Mayor assign Councillor Herb Haldane and Councillor Maja Tait to work with staff to review the Partnering Agreement between the District of Sooke and Prestige Sooke Holdings Ltd. and report back to the Finance and Administration Committee or Council with the findings of the review.

CARRIED UNANIMOUSLY

RI-2 COUNCILLOR REPORTS

Councillor Reay returned to the meeting at 7:20 pm

Councillor Berger reported that she attended several meetings and as follows:

- Seaparc is proposing roof renovations to the facility
- Youth Council is setting goals and looking for a coordinator
- Sooke Region Community Health Initiative (CHI) is partnering with Sooke CASA to contract a coordinator to further develop the Volunteer Centre initiative. Funding is from the Victoria Foundation. The Sooke Region Resource Inventory website www.sookeregionresources.com has volunteer opportunities listings as part of this initiative.
- Sooke Family Resource Society is conducting a feasibility study for a Laundromat in Sooke as a social enterprise to generate revenue for the society's programs and services.
- Pacific Family Resources is looking for space for youth

Councillor Kasper reported that he and Councillor Berger started research as to the EPCOR sewer contract and are going to meet with representatives from EPCOR this week.

Councillor Pearson reported that he and Mayor Milne met with Langford Councillor Denise Blackwell and municipal planner, Matthew Baldwin, to discuss the Land Use committee terms of reference.

RI-3 RCMP Monthly Mayor Report – November 2011

Staff Sgt. Stephen Wright updated Council as to the recent murder incident and gave an overview of the monthly RCMP report; a discussion with Council will be upcoming as to policing priorities. Further discussion will occur on the protective services committee.

MOVED and seconded to receive the November 2011 RCMP monthly report for information.

CARRIED UNANIMOUSLY

RI-4 BC Ambulance Service Report – December 2011

MOVED and seconded to receive the BC Ambulance Services December 2011 report for information.

CARRIED UNANIMOUSLY

RI-5 Staff Reports

- Chief Administrative Officer

Evan Parliament reported that he has met with the Mayor to discuss municipal issues, including the upcoming budget review.

- Development Services Updates

Elisabeth Nelson gave a powerpoint presentation on the following:

- Town Centre Accessibility - TD Bank sidewalk alignment and Highway 14 roundabout
- Connector Road proposed preliminary design – first section Phillips Road to Charters Road – should be finalized by the end of January

Council discussed:

- the new cross walk at Townsend Road and suggested signage or lights to warn of the new crosswalks. Council directed staff to review the safety issues with the new crosswalks..
- Boulevard/bioswale in Highway 14 Road Section – storm water management
- Reduced the paved areas, while reducing maintenance for landscaping
- Town Centre Design guideline standards to be established

- Finance

- Proposed Schedule/Timeline for Five Year Financial Plan
 - Strategic Planning – January 19 (tentative)
 - First presentation to Finance and Administration Committee – Late January, February and March
 - March 26 – 2012 5 year Financial Plan presented to Council & public input
 - April 9 – 1st & 2nd reading for 2012 Five Year Financial Plan Bylaw
 - April 23 – 3rd reading for Bylaw and introduce Tax Rate bylaw – 1st, 2nd, 3rd reading
 - May 14 – Adoption of both bylaws

- 2012 BC Assessment notices
 - Property owners should have received the 2012 property assessment notices
 - Non market change 4.05%, market change -1.83%, overall growth 2.22%
 - New folios actually is 195, not 550.
- 2012 Business Licences
 - Renewal notices sent out December 1st

CORRESPONDENCE REQUIRING ACTION

C-1 Mayor’s Letter to Minister of Environment – Increase in Oil Tanker Traffic

MOVED and seconded to approve the Mayor’s letter to the Minister of the Environment re: Increase in Oil Tanker Traffic.
CARRIED UNANIMOUSLY

CORRESPONDENCE AND COUNCIL REPORTS FOR INFORMATION

I-1 Islands Trust – Derelict Vessels Follow Up

MOVED and seconded to file the correspondence from Islands Trust.
CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 8:03 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
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 January 23, 2012
6:00 p.m., Closed Portion, Meeting Room
7:00 p.m., Open Portion, Council Chamber

COUNCIL PRESENT

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

STAFF PRESENT

Evan Parliament, Chief Administrative Officer
Sue-Lin Tarnowski, Director of Finance
Gerard LeBlanc, Municipal Planner
Elisabeth Nelson, Municipal Engineer
Steve Sorensen, Fire Chief
Lisa Urlacher, Corporate Assistant
Staff Sgt. Steve Wright

ABSENT: Councillor Kevin Pearson

CALL TO ORDER – Closed Portion

Mayor Milne called the closed portion of the Regular Council meeting to order at 6:00 p.m. in the Municipal Meeting Room.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

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

- (c) labour relations or other employee relations;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED UNANIMOUSLY

CALL TO ORDER – Open Portion

Mayor Milne called the open portion of the Regular Council meeting to order at 7:00 p.m. in the Council Chambers.

APPROVAL OF THE AGENDA

MOVED and seconded to approve the agenda as amended:

RI-3 RCMP Monthly Mayor Report – December 2011 after minutes for adoption

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on January 9, 2012 be adopted as amended under item RI-2 report from Councilor Berger:

- Sooke Family Resource Society is conducting a feasibility study for a Laundromat in Sooke as a social enterprise to generate revenue for the society's programs and services.
- Sooke Region Community Health Initiative (CHI) is partnering with Sooke CASA to contract a coordinator to further develop the Volunteer Centre initiative. Funding is from the Victoria Foundation. The Sooke Region Resource Inventory website www.sookeregionresources.com has volunteer opportunities listings as part of this initiative.
- SEAPARC is proposing roof renovations to the facility.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on January 9, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

DELEGATIONS

D-1 JDF Community Trails Society - Sid Jorna

Sid Jorna provided a visual presentation of community trails in the Sooke area and overviewed the JDF Community Trails Society goals and mandate to provide advocacy, education and community service. Mr. Jorna stated that developing trails and recreation opportunities in the Sooke area benefits the District of Sooke. It was noted that the members were active in providing information for the Parks and Trails Master Plan and prepared a booklet brochure of the trails in the area. Mr. Jorna advised Council that this year the Society may ask for Council to assist with updating the trail booklet. In closing, Mr. Jorna stated that the Society envisions connecting trails between the District of Sooke and Otter Point as well as a trail system west of the Sooke River to Jordan River. Mr. Jorna invited Council to attend their AGM scheduled on February 18, 2012.

D-2 Sooke Food CHI – Phoebe Dunbar

Phoebe Dunbar provided an overview of the funding application submitted by Sooke Region Food Chi Society for the Walmart Evergreen Green Grant (\$10,000 request) for Sunriver Community Gardens under "Building Community".

MOVED and seconded to provide a letter of support to Sooke Food CHI for the following grant initiative:

- Walmart –Evergreen Green Grant - \$10,000 request
- Sunriver Community Gardens - "Building Community"

CARRIED UNANIMOUSLY

Council noted that Sooke Region Food CHI Society - Sunriver Allotment Gardens has a Licence of Occupation for the Community Garden.

PUBLIC QUESTION AND COMMENT PERIOD

Ellen Lewers, resident, inquired as to the 2011 budgeted amount for garbage provisions and asked for clarification as to the bus stop canopy installations. It was noted that there is line item for transit shelters and line item for garbage removal. Mayor Milne advised that there will be the opportunity to go through the budget line by line at the Finance and Administration Committee meeting.

Gail Hall, resident, expressed support as to holding a public hearing for the removal of the Sooke Harbour House restrictive covenant.

Jeff Bateman, resident, inquired as to Sooke's Emergency Preparedness Plan. Fire Chief Sorensen explained that at this time, the District of Sooke has an Emergency Program and volunteers. Mayor Milne explained that over the next 3-4 weeks the Protective Services Committee Terms of Reference will be reviewed.

Terrance Martin, resident, noted that a liaison with the Sooke School Board is an important asset for the Emergency Program.

RI-3 RCMP Monthly Mayor Report – December 2011

Staff Sergeant Wright overviewed the December 2011 report and noted that vehicle theft is up 20%. Staff Sergeant Wright asked that the Annual Performance Plan session with Members of Council be advertised in the paper. It was noted that Staff Sergeant Wright will provide the date. Mayor Milne reported that the Protective Services Committee may be asked to hold public input meetings every 3-4 months providing opportunity for residents to be engaged in Emergency Services. It was noted to invite Director Hicks to attend the Annual Performance Plan session.

MOVED and seconded to receive the RCMP Monthly Mayor Report – December 2011 for information.

CARRIED UNANIMOUSLY

PUBLIC HEARINGS AND RELATED BYLAWS

PH-1 Bylaw No. 515, *Delegation Amendment Bylaw, 2012*

Mayor Milne asked if any person has an interest in the proposed bylaw. Mayor Milne called three times for submissions, hearing none, the following resolution was made:

MOVED and seconded to waive the requirement of the public hearing under section 890 of the *Local Government Act*.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 515, *Delegation Amendment Bylaw, 2012* be adopted.

CARRIED UNANIMOUSLY

BYLAWS

B-1 Bylaw No. 513, *Zoning Amendment Bylaw (500-1) Beaton Road Residential CD Zone (CD5)*

MOVED and seconded that Bylaw No. 513, *Zoning Amendment Bylaw (500-1)* be adopted.

CARRIED UNANIMOUSLY

B-2 Bylaw No. 516, *Sooke Core Sewer Specified Area Amendment Bylaw (147-14)*

MOVED and seconded that Bylaw No. 516, *Sooke Core Sewer Specified Area Amendment Bylaw (147-14)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 516, *Sooke Core Sewer Specified Area Amendment Bylaw (147-14)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 516, *Sooke Core Sewer Specified Area Amendment Bylaw (147-14)* be read a third time.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 Sooke Hospice Society

MOVED and seconded to provide a \$100 grant to the Sooke Hospice Society using funds from the Council Contingency Fund.

CARRIED UNANIMOUSLY

RA-2 Garbage Collection on Municipal Properties and Transit Stops

Council discussed the responsibilities regarding road right-of-way as to garbage receptacles and noted that the Finance and Administration Committee will review the current relevant contracts.

MOVED and seconded to receive the Garbage Collection on Municipal Properties and Transit Stops for information.

CARRIED UNANIMOUSLY

RA-3 Release of Covenant and Option to Purchase/Right of First Refusal Agreement - Section 22, Sooke District, Plan VIS6921

Gerard LeBlanc provided an overview of the staff report.

MOVED to authorize the execution of the Option to Purchase/Right of First Refusal (RFR) Agreement by the Mayor and the Chief Administrative Officer for the affordable housing unit at Strata Lot 20, Section 22, Sooke District, Plan VIS6921;

AND TO authorize the Mayor and Chief Executive Officer to execute the release of covenant FB292647 registered on Strata Lots 1 to 26, Section 22, Sooke District, Plan VIS6921 on the condition that the Option to purchase/Right of First Refusal agreement (RFR) is registered to Strata Lot 20, Section 22, Sooke District, Plan VIS6921.

CARRIED UNANIMOUSLY

RA-4 Sooke Harbour House – Proposed Release of Restrictive Covenant EV120480

Gerard Le Blanc provided a power point presentation overviewing the release of the covenant.

MOVED and seconded to direct staff to schedule a public hearing for February 13, 2012 at the District of Sooke Council Chamber to receive comments from the public on the release of S. 219 covenant EV120480 which limits the number of outdoor events that can occur on the property to fifteen (15) per year applicable to 1528 Whiffin Spit Road; Lot 3, Section 6, Sooke District, Plan 16918; PID: 004-068-432; (Sooke Harbour House).

CARRIED UNANIMOUSLY

RA-5 Land Use and Environment Committee

MOVED and seconded to approve the Terms of Reference for the Land Use and Environment Committee as amended to include an alternate public member.

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor Report

Mayor Milne reported on the status of Committee appointments as to the Sooke Economic Development Commission, Sooke Program of the arts and the Protective Services Committee. It was explained that more discussion will take place regarding the objective to consolidate the overlapping groups. Mayor Milne reported that he attended the Treaty Negotiations and read to elementary students for Literacy Week.

REPORT OF IN CAMERA RESOLUTIONS

IC-1 Release of In Camera Resolution of January 19, 2012

2012 Council Committee Member Appointments – Finance and Administration Committee and Land Use and Environment Committee

MOVED and seconded to amend the Terms of Reference for the Finance and Administration Committee to include an alternate public member.

CARRIED UNANIMOUSLY

MOVED and seconded to appoint Lorne Christensen and Monica Scheianu to the Finance and Administration Committee;
AND to appoint David Matland as the alternate public member at large.
CARRIED UNANIMOUSLY

MOVED and seconded to amend the Terms of Reference for the Land Use and Environment Committee to include an alternate public member.
CARRIED UNANIMOUSLY

MOVED and seconded to appoint Andrew Haden and Geoff Steele to the Land Use and Environment Committee;
AND to appoint Adrian Cownden as the alternate public member at large.
CARRIED UNANIMOUSLY

RI-2 Councillor Reports

Councillor Reay reported that the Victoria Youth and Family Justice Committee was cancelled due to weather and that she will be attending the Nanaimo Library Board meeting this Saturday.

Councillor Berger reported on Literacy Week at the elementary schools and that the Sooke Youth Council have been discussing hosting more movie nights and a dance at the Sooke Community Hall.

Councillor Kasper reported that the first Finance and Administration Committee will be held on January 30, 2012.

Councillor Tait reported on meeting with the Executive Director at the Sooke Region Museum and advised that their AGM is this Sunday at 2:00 pm. Councillor Tait reported that she has been meeting with representatives regarding economic development. Councillor Tait noted that the CRD Regional Housing Trust Fund meeting will be held on February 21, 2012.

RI-4 Staff Reports

Evan Parliament provided information relating to the revitalization of the Town Centre and reported on the Colwood Corner ground breaking ceremony. Mr Parliament stated that the League Group is the new owner of Evergreen Mall.

CORRESPONDENCE REQUIRING ACTION

C-1 Sooke Region Chamber of Commerce

MOVED and seconded to provide a letter of support to the Sooke Region Chamber of Commerce for their submission to the BC Chamber of Commerce 2014 Conference and AGM.
CARRIED UNANIMOUSLY

CORRESPONDENCE AND COUNCIL REPORTS FOR INFORMATION

I-1 Small Modern Living and Eco Tech Homes - Affordable Housing

MOVED and seconded to direct staff to investigate display locations for the Small Modern Living and Eco Tech Homes.

CARRIED UNANIMOUSLY

I-2 Vancouver Island – Public input stage in 2012

MOVED and seconded to receive and file the correspondence.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 8:18 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
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 February 13, 2012 at 7:00 p.m.

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

Evan Parliament, Chief Administrative Officer
Bonnie Sprinkling, Corporate Officer
Sue-Lin Tarnowski, Director of Finance
Gerard LeBlanc, Municipal Planner
Elisabeth Nelson, Municipal Engineer
Steve Sorensen, Fire Chief
Lisa Urlacher, Corporate Assistant
Staff Sgt. Steve Wright (left 7:14 p.m.)

CALL TO ORDER

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

APPROVAL OF THE AGENDA

MOVED and seconded to remove the following items from the agenda:

- Item R-3 Sunriver Community Gardens
- Item RA-6 Video Surveillance of Municipal Property Policy, 2011

AND to add public submissions received for PH-1 Proposed Release of covenant EV120480 for the Sooke Harbour House and RA-1 Development Permit for Mariner's Village;

AND to move item RI-9 RCMP Mayors Monthly Report for February 2012 prior to the Public Hearing.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Committee of the Whole meeting held on January 16, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on January 19, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on January 19, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Regular Council meeting held on January 23, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on January 23, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

Ann Porter, resident, expressed concerns as to the requirement of sprinklers for the development located on Gillespie Road and expressed concerns as to the subdivision process. Ms. Porter stated that the cost for sprinklers for the development would be approximately ½ million dollars and that the area has a low fire rating as it is in a rainforest. Ms. Porter further stated that the development is less than four minutes from the closest fire hydrant and that there is a large pond located on the property. Ms. Porter noted that in the past the District of Sooke Council has waived the requirement of sprinklers for several other developments in Sooke.

R1-9 RCMP Monthly Mayor Report – February 2012

Staff Sergeant Wright provided an overview of the submitted report.

MOVED and seconded to receive February's RCMP Monthly Mayor report.

CARRIED UNANIMOUSLY

PUBLIC HEARINGS AND RELATED BYLAWS

PH-1 Proposed Release of Covenant EV120480 - 1528 and 1529 Whiffin Spit Road (Sooke Harbour House)

Mayor Milne called the Public Hearings for the Release of covenant to order at 7:14 p.m.

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

Gerard LeBlanc provided a summary of the staff report. Mr. Leblanc noted the submissions received from the public.

Public Submissions:

Jo-Anne Layton, resident, expressed opposition to the release of the covenant and expressed concern as to noise. Ms. Layton asked that Council consider the process of enforcement regarding the Bylaw Enforcement Officer and the RCMP and suggested that monthly statistics of noise complaints be reported in the RCMP Monthly report. Ms. Layton submitted her statement.

Dick Momsen, resident inquired as to the submission received from Dick Zandee and noted the misunderstanding of the amount of days in which the current covenant restricts the use. Mr. Momsen expressed opposition to the release of covenant and expressed concern as to noise.

Terry Slater, resident, expressed opposition to the release of covenant and concerns as to noise. Mr. Slater commented on the process for making a noise complaint.

Sally Brenton-Haden, resident expressed opposition to the release of covenant and concern as to noise.

Janet Tait, resident expressed opposition to the release of covenant and concerns as to noise.

Lorne Christensen, resident inquired as to whether the Prestige Hotel has the same restrictions imposed for their events.

Mayor Milne called three times for submissions to the Release of Covenant, Hearing none; he closed the public hearing at 7:41 pm.

Council discussed:

- When the Sooke Harbour House was established
- C2 Commercial Zoning
- Allowable uses
- Covenant being required under the expansion of the building
- Requirement to increase parking
- Development Permit and rezoning process
- Neighborhood concern – mitigation of noise
- Amendment to the covenant – mutual agreement
- Charitable events – no limit
- Profit events – limited under the covenant
- RCMP reports on past noise complaints

MOVED and seconded to postpone the decision of the release of the covenant and direct staff to discuss options with the applicant;

AND direct staff to further review the process for addressing noise complaints under the District of Sooke Bylaw with the Sooke Harbour House.

CARRIED UNANIMOUSLY

Council expressed concern as to noise complaints in respect to hosted events in the District of Sooke.

BYLAWS

B-1 **Bylaw No. 516, Sooke Core Sewer Specified Area Amendment Bylaw (147-14) - 7163**
Grant Road West

MOVED and seconded that Bylaw No. 516, *Sooke Core Sewer Specified Area Amendment Bylaw (147-14)* be adopted.

CARRIED UNANIMOUSLY

B-2 Bylaw No. 517, Revenue Anticipation Borrowing Bylaw, 2012

MOVED and seconded that Bylaw No. 517, *Revenue Anticipation Borrowing Bylaw, 2012* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 517, *Revenue Anticipation Borrowing Bylaw, 2012* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 517, *Revenue Anticipation Borrowing Bylaw, 2012* be read a third time.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 6569 Sooke Road – Mariner’s Village Phase 2 - Development Permit

Gerard LeBlanc provided a PowerPoint presentation and overviewed the Development Permit to construct a five-storey building fronting Sooke Road.

Council discussed:

- Visual presentation
- Implementation of OCP guidelines
- CD zoning
- View Corridors
- Public Space
- Transit Stop
- Landscaping agreement

MOVED and seconded to issue Development Permit PLN00922 for the purposes of constructing a mixed use commercial/residential building located on Lot A, Section 72, Sooke District, Plan EPP16476.

CARRIED UNANIMOUSLY

RA-2 2012 Corporate Priorities

MOVED and seconded to adopt the 2012 Corporate Priorities Report dated January 23, 2012;

AND to direct staff to include the 2012 Corporate Priorities in the preparation of the 2012 Five Year Financial Plan.

CARRIED UNANIMOUSLY

RA-4 Burning Regulation Review Committee

MOVED and seconded to establish a Burning Regulation Review Committee;
AND to approve the Terms of Reference for the Committee;
AND to appoint Councillor Herb Haldane as a member of the committee;
AND to direct staff to advertise for volunteer public members to the Committee.
CARRIED UNANIMOUSLY

RA-5 Water Supply for Fire Fighting

Mayor Milne explained that staff were directed to bring forward the report for discussion and to clarify the legality and authority of the requirement.

Laurie Wallace, resident, provided information as to previous Council decisions to not require the sprinkler covenants and stated that developers expressed concerns as to the cost. Ms. Wallace commented on low water pressure and power outages and suggested that there be alternate solutions.

John Brohman, resident, commented on water flow and pressure and suggested that the water provider ensure sufficient water flow to the developments.

Council discussed:

- Areas not serviced by CRD Water
- Development in Rural Areas
- Insurance costs
- Well issues
- 15 Communities in BC require sprinkler covenants
- Cost to developer
- Community Wildfire Assessment
- Building Code Requirements
- Fire Underwriters Survey – encouragement of sprinklers (not mandatory)

MOVED and seconded to receive the Water Supply for Fire Fighting report for information;
AND to direct staff to bring the discussion forward to an upcoming meeting.
CARRIED UNANIMOUSLY

RA-7 Protective Services Committee

MOVED and seconded to dissolve the Protective Services Committee;
AND to further direct the Fire Chief and RCMP to hold quarterly public meetings on protective services for the District of Sooke.
CARRIED UNANIMOUSLY

RA-8 2012 Conference

MOVED and seconded to confirm the Council members who will be attending the following conferences or conventions:

Council Member	AVICC	FCM	UBCM
Mayor Wendal Milne	X		X
Councillor Rick Kasper	X		X
Councillor Kerrie Reay	X		X
Councillor Bev Berger		X	X
Councillor Kevin Pearson	X		X
Councillor Herb Haldane	X	X	X
Councillor Maja Tait	X		X

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor

Mayor Milne reported on the Sooke Economic Development Commission and the consideration of amending the terms of reference to include the Sooke Regional Tourism Association, the Sooke Region Chamber of Commerce the Sooke Community Arts Council, and the Sooke Community Health Initiative/Volunteer Committee. It was noted that Council would be considering appointments.

Mayor Milne discussed appointing a Council member as a Council Operations Services Liaison to manage the emails and requests to staff from Council. Council suggested that the Acting Mayors serve as additional relief.

RI-2 Council Reports

Councillor Reay reported on the Vancouver Island Regional Library Board meeting, the CREST meeting and that she will be attending the Victoria Family Court and Youth Justice Committee meeting and the Sooke Community and Police Consultative Society meeting.

Councillor Haldane reported on attending the College Action Committee.

Councillor Berger reported on the activities of the Youth Council and that she attended the SEAPARC and CHI meeting.

Councillor Kasper reported on the Finance and Administration meetings and that he and Councillor Berger will be meeting with EPCOR.

Councillor Tait reported on attending the Sooke Region Historical Society AGM, Food CHI AGM and the EMCS Strategic Planning session. Councillor Tait asked for information regarding Sooke's Sister City.

Councillor Pearson reported on attending a meeting with the Sunriver Allotment Garden and on the upcoming Land Use and Environment Committee meeting.

Mayor Milne reported on attending the CRD Board meeting and their budget process.

RI-3 Committee/Commission and COW Reports

**Road Maintenance Contract
Finance and Administration Committee - February 6, 2012**

MOVED and seconded to direct staff to prepare a two year tender for Road Maintenance with provisions of monthly reporting for works and services completed;
AND to advertise on Civic Info and in other BC publications.
CARRIED UNANIMOUSLY

RI-4 Staff Reports

Evan Parliament reported on the VIRL proposal of a new library building and noted that Rosemary Bonanno, Executive Director would be coming forward as a delegation at an upcoming meeting to present the project.

RI-5 Year End Reports

MOVED and seconded to receive the following year end reports:

- Fire Department
- Corporate Services
- Development Services

CARRIED UNANIMOUSLY

RI-6 Subaru Sooke Triathlon - Triathlon Magazine Canada – January / February 2012

MOVED and seconded to receive the Subaru Sooke Triathlon - Triathlon Magazine Canada report for information.
CARRIED UNANIMOUSLY

RI-7 Watermark Magazine – Winter 2011

MOVED and seconded to receive the Watermark Magazine – Winter 2011 report for information.
CARRIED UNANIMOUSLY

RI-8 Sooke Region Chamber of Commerce Report – January 2012

MOVED and seconded to receive the Sooke Region Chamber of Commerce Report – January 2012 for information.
CARRIED UNANIMOUSLY

Council asked to receive the membership amount through the Sooke Economic Development Commission.

CORRESPONDENCE REQUIRING ACTION

C-1 Sooke Branch-Navy League of Canada - Sponsorship

MOVED and seconded to provide \$150 towards the purchase of a new “Keeper Award” trophy or plaque to the Sooke Branch-Navy League of Canada out of the government relations account;

AND that the Finance and Administration Committee investigate establishing a line item for a yearly donation of \$40 for repairs, maintenance and engraving of the award.

CARRIED UNANIMOUSLY

CORRESPONDENCE AND COUNCIL REPORTS FOR INFORMATION

I-1 Ministry of Children and Family Development – Child Care award of Excellence

MOVED and seconded to receive and file the correspondence received from the Ministry of Children and Family Development.

CARRIED UNANIMOUSLY

MOVED and seconded to recess the Regular Council Meeting at 9:20 p.m. to reopen the Committee of the Whole meeting.

CARRIED UNANIMOUSLY

MOVED and seconded to reconvene the Regular Council meeting at 9:23 p.m.

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:

(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;

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

(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

REPORT OF IN CAMERA RESOLUTIONS

REGULAR COUNCIL MEETING FEBRUARY 13, 2012

RA-2 Committee Appointments – Sooke Economic Development Commission

MOVED and seconded to appoint the following as members of the Sooke Economic Development Commission:

Councillor Maja Tait, Chair

Representative from Sooke Region Chamber of Commerce

Representative from Sooke Region Tourism Association
Representative from Sooke Community Arts Council
Representative from Sooke Community Health Initiative/Sooke Region Volunteer
Centre Committee
John Brohman
Steve Grundy
Michael Nyikes
Brenda Parkinson
Edward Stipp

AND FURTHER TO release the In Camera resolution as to the Sooke Economic
Development Commission member appointments to the public.

CARRIED UNANIMOUSLY

RA-3 Committee Appointments – Community Grant Review Committee

MOVED and seconded to appoint the following as members of the Community Grant
Review Committee:

Councillor Maja Tait
Jeff Bateman
Patricia Baye
Alexander Chandler
Allison Watson

AND FURTHER TO release the In Camera resolution as to the Community Grant Review
Committee member appointments to the public.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 10:30 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
Mayor

Bonnie Sprinkling
Corporate Officer

DISTRICT OF SOOKE

Minutes of the Special Meeting of Council
held in the Municipal Meeting Room
at 2205 Otter Point Road, Sooke, BC
on February 20, 2012 at 6:00 p.m.
Recessed to February 22, 2012 at 6:00 pm

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:

Nil

CALL TO ORDER

Meeting called to order on February 20, 2012 at 6:03 p.m.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

MOVED, seconded to close the meeting to the public under section 90(1) of the *Community Charter* for discussions concerning
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)(c) labour relations or other employee relations;
(90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

CARRIED UNANIMOUSLY

Meeting recessed at 7:00 pm to February 22, 2012 at 6:00 pm.

Meeting resumed and called to order at 6:10 pm on February 22, 2012.

ADJOURNMENT

MOVED, seconded to adjourn the meeting February 22nd, 2012 at 6:58 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
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 February 27, 2012
6:00 p.m., Closed Portion, Meeting Room
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

Evan Parliament, Chief Administrative Officer
Bonnie Sprinkling, Corporate Officer
Sue-Lin Tarnowski, Director of Finance
Gerard LeBlanc, Municipal Planner
Steve Sorensen, Fire Chief
Lisa Urlacher, Corporate Assistant

CALL TO ORDER

Mayor Milne called the meeting to order at 6:00 p.m. in the Municipal Meeting Room.

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

CARRIED UNANIMOUSLY

CALL TO ORDER – Open Portion

Mayor Milne called the open portion of the Regular Council meeting to order at 7:01 p.m. in the Council Chambers.

APPROVAL OF THE AGENDA

MOVED and seconded to approve the agenda with the addition of the following supplemental information:

B-3 – Letter received February 27, 2012, Rick Gates
RA-1 - Letter received February 27, 2012, Jo-Anne Layton

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on February 13, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on February 20, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

January 30, 2012	Finance and Administration Committee
February 2, 2012	Finance and Administration Committee
February 6, 2012	Finance and Administration Committee
February 9, 2012	Finance and Administration Committee
February 20, 2012	Land Use and Environment Committee

CARRIED UNANIMOUSLY

Gerard LeBlanc requested direction from Council for direction as to the secondary suite action item in the Land Use and Environment Committee minutes. A discussion ensued regarding the zoning amendment for CD zones.

MOVED and seconded to continue the discussion of secondary suites in all zones at the end of the meeting under New Business.

CARRIED UNANIMOUSLY

DELEGATIONS

D-1 Vancouver Island Regional Library (VIRL)

Rosemary Bonnano provided a PowerPoint presentation and overviewed the following:

- Mission, Vision and Values
- Governance – *BC Library Act*
- Legal and Moral obligations of appointed trustees
- Role of the Trustee
- Role of the Library Board
- Facilities

Ms. Bonnano reviewed the process of the new facilities policy, guidelines and the Strategic Planning for 2011-2015.

Adrian Maas provided an overview of the VIRL financials:

- Revenue sources
- Provincial funding
- Expenses by major categories
- Tax Levy 6.22%
- Contribution to long term reserves
- Facility Decision Process

Mr. Maas provided an overview of the Consolidated Facility Master Plan and detailed the changes approved by the board in June 2010 as well as the budget impacts.

Council discussed:

- Location options for new library - preferred in Town Centre as set out in OCP
- Council input will be accepted by VIRL
- Public input process

- RFP process - ownership options (public, private – lease, joint with municipal)
- Facility Policy guidelines

MOVED and seconded to direct staff to proceed with the VIRL facility decision process and jointly, with VIRL undertake public consultation using the Facility Policy Guidelines.
CARRIED UNANIMOUSLY

D-2 Greater Victoria Extreme Weather Protocol, Jen Brook

Jen Brook provided an overview of the Extreme Weather Program explaining that the program funds community based services to provide temporary emergency shelter. The program is designed to be time-limited. Ms. Brook overviewed:

- Program principles
- Roles and Responsibilities

Ms. Brook explained the need for people to access accommodation during extreme weather conditions and offered to assist in creating a response plan for the Sooke area. Ms. Brook suggested inviting stakeholders to discuss options for a response plan.

Ms. Brook reported on attending different meal that are provided in the Sooke area and estimate that 30 or more people are in need of emergency shelter options. Council explained that the District of Sooke held a Housing Forum in the Fall and determined that approximately 50 people are in need of shelter and 50 youth are “couch-surfing”. Families were undetermined. Ms. Brook explained that each community develops a response plan for there community base on their need and recourses.

Council thanked Ms. Brook for the information and asked that a discussion be brought forward to an upcoming meeting.

ACTION - Council to provide input to a community based response planning session led by Ms. Brook with other stakeholders such as the Sooke Community Health Initiative.

PUBLIC QUESTION AND COMMENT PERIOD

Jeff Bateman, Board member of the Sooke Transition Town Society, explained that the Society’s mandate is to develop a more resilient and sustainable community. Mr. Bateman asked that Sooke consider joining the ban on cosmetic pesticides.

ACTION – Council directed staff bring the discussion of cosmetic pesticides forward to an upcoming Land Use and Environment Committee meeting.

Resident, expressed support for the ban of pesticides and provided words of appreciation to staff and Council for their efforts.

Frederick Phillip, Sooke Harbour House, asked Council to support the removal or amendment of the covenant on the Sooke Harbour House properties. Ms. Phillip provided information as to noise being unfavourable to her business and assured Council that the Sooke Harbour House requires each client to abide by a code of conduct for their event. Ms. Phillip corrected a statement made at a previous meeting and stated that no event at the Sooke Harbour House involved Karaoke.

Jo-Anne Layton, Resident, expressed opposition to the amendment of the Sooke Harbour House covenant and asked that the vote on the decision be recorded. Ms. Layton invited Council to visit the neighbourhood during outdoor events and noted she had asked that the municipality begin to enforce the bylaw and that there has been no discussion regarding her request.

Loretta Boerkamp, Resident, provided information as to the need when purchasing a home to know the adjacent property uses. Ms. Boerkamp expressed support of the removal of the covenant on the Sooke Harbour House property.

BYLAWS

B-1 Bylaw No. 393, *Zoning Amendment Bylaw (270-54)* – Notts Brook

MOVED and seconded that first reading be rescinded for Bylaw No. 393, *Zoning Amendment Bylaw (270-54)*.

AND THAT second reading be rescinded for Bylaw No. 393, *Zoning Amendment Bylaw (270-54)*.

AND THAT Bylaw No. 393, *Zoning Amendment Bylaw (270-54)* be cancelled.

CARRIED UNANIMOUSLY

B-2 Bylaw No. 517, *Revenue Anticipation Borrowing Bylaw, 2012*

MOVED and seconded that Bylaw No. 517, *Revenue Anticipation Borrowing Bylaw, 2012* be adopted.

CARRIED UNANIMOUSLY

B-3 Bylaw No. 518, *Zoning Amendment Bylaw (500-2)* – 2120, 2110 and 2096 Church Road – Knox Centre

Gerard LeBlanc provided a PowerPoint presentation and gave a summary of the application to rezone three properties for the Knox Centre Comprehensive Development zone. Mr. Leblanc provided visual information as to the shadow study and stated that the issues of height and shadowing can be addressed that the Development Permit stage

Council discussed:

- Development Permit process – height restrictions relating to the shadowing issue
- Public Hearing for the residents and adjacent property owners
- Applicant Open House presentation; enhanced cemetery, senior needs, assisted living, laundry and shower facilities, commercial kitchen and religious component
- CTC1 and CTC2 mixed with businesses and residential
- Downtown Commercial
- Town Centre Plan
- Comprehensive Development zones – directly benefiting the community
- Provision of a road dedication (Anna Marie)
- Official Community Plan, Transportation Master Plan and Town Centre Plan relating to proposed road access

Mr. LeBlanc explained the proposed route for the extension of Grant Road East and where the Connector joins, noted that the turn radius has been taken off one of the Anna Marie Road properties and that it is proposed to address the matter of alternative road access. Mr. LeBlanc provided an explanation as to the Official Community Plan direction and policy guidelines for planning purposes.

MOVED and seconded that Bylaw No. 518, *Zoning Amendment Bylaw (500-2)* be introduced and read a first time.

CARRIED UNANIMOUSLY

Richard Thut, resident, suggested achieving a connecting road system through the sale of the property located behind Western Foods.

MOVED and seconded that Bylaw No. 518, *Zoning Amendment Bylaw (500-2)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded to schedule Public Hearing for Bylaw No. 518, *Zoning Amendment Bylaw (500-2)* in accordance with the requirements of the *Community Charter* and the *Local Government*.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 Sooke Harbour House – Proposed Release of Restrictive Covenant

Gerard LeBlanc provided a PowerPoint presentation as to the release of the covenant and noted that the Sooke Harbour House has an agreement with clients to ensure that clients understand the requirement for no amplified noise after 11:00 pm and that the events held are within the permitted uses. Mr. Leblanc provided an overview of the current tools to respond to noise complaints and explained the District of Sooke's approach for receiving, responding and the follow-up for complaints.

MOVED and seconded that Council, release Covenant EV120480 from title on the property located at 1528 Whiffin Spit Road; Lot 3, Section 6, Sooke District, Plan 16918; PID: 004-068-432; (Sooke Harbour House).

CARRIED Mayor Milne and Councillors Kasper and Tait opposed the motion

MOVED and seconded to authorize the Mayor and Chief Executive Officer to execute the release of Covenant EV120480 from title on the property located at 1528 Whiffin Spit Road; Lot 3, Section 6, Sooke District, Plan 16918; PID: 004-068-432; (Sooke Harbour House).

CARRIED Councillor Tait opposed the motion

RA-2 Sooke Community Association Agreement

MOVED and seconded to approve the amended 2012 Community Services Agreement with the Sooke Community Association requiring a Notice to Reader report;

AND to authorize the Mayor and the Chief Administrative Officer to execute the Agreement.

CARRIED UNANIMOUSLY

RA-3 Sooke Community Gardens

MOVED and seconded to approve the 2012 Licence of Occupation Agreement at the Sunriver Community Gardens with the Sooke Region Food CHI Society (S-54136);
AND to authorize the Mayor and the Chief Administrative Officer to execute the Licence of Occupation Agreement.

CARRIED UNANIMOUSLY

RA-4 Regional Composting Initiative

MOVED and seconded to direct staff to meet with Graeme Faris to determine the challenges and logistics of siting a composting facility in Sooke.

CARRIED UNANIMOUSLY

RA-5 2012 Council Committee Member Appointments – Sooke Economic Development Commission

Council discussed the reporting expectations for the Sooke Economic Development Commission and stated that Council would like to receive the objectives, budget and timelines for the Commission so that Council can consider them in the Financial Plan. In addition, quarterly reports from the Sooke Economic Development Commission are required; including the deliverables of the member groups as to contracted services.

MOVED and seconded to approve the amended Terms of Reference for the Sooke Economic Development Commission (“Sooke EDC”);

AND to direct staff to amend Bylaw No. 272, District of Sooke SEDC Delegation Bylaw and Bylaw No. 172, Sooke Program for the Arts (SPA) Reserve Fund Bylaw, 2004 to reflect the transfer of duties and responsibilities from the Sooke Program of the Arts Committee to the Sooke EDC;

AND to dissolve the Sooke Program of the Arts Committee subject to the transfer of duties to the Sooke EDC;

AND to endorse in its entirety the 2012 Council Committee Member Appointments.

CARRIED UNANIMOUSLY

RA-6 2012 Council Appointments

MOVED and seconded to endorse the appointment of Mayor Wendal Milne, Councillor Kevin Pearson, Evan Parliament (Staff Member) and Andrew Haden (Resident) to the CRD MOU Working Group under the Memorandum of Understanding Agreement with the Capital Regional District;

AND to endorse the appointment of Councillor Kevin Pearson to the ORV Local Government Working Group;

AND to endorse the appointment of Mayor Wendal Milne and Councillor Maja Tait as alternate to the Greater Victoria Coalition to End Homelessness.

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor and Council Reports

Councillor Pearson reported on attending the Intermunicipal Advisory Committee on Disability Issues and meeting with the Sunriver Allotment Gardens members.

Councillor Tait reported on attending the CRD Regional Housing Trust Fund, Sooke Region Tourism Association AGM and Sooke Economic Development Commission on goings. Councillor Tait noted that there will be an article about Sooke in BC magazine.

Councillor Kasper reported on the Finance and Administration Committee meetings and that he will be attending the CRD Board meeting as the alternate for Mayor Milne .

Mayor Milne provided an overview of the request for a letter of support for Sooke Region Food CHI.

MOVED and seconded to provide a letter of support for Sooke Region Food CHI Edible Tree project for the Sunriver Community Gardens Orchard grant.
CARRIED UNANIMOUSLY

Councillor Berger reported on the Sooke Youth Council and the grant for the Lacrosse Box.

Councillor Haldane reported on the Land Use and Environment Committee.

Councillor Reay reported on attending the Victoria Family and Youth Justice Committee, CREST meeting and that as acting Mayor she will be attending the Kick off Bloom Festival and the Sooke Harbour Chamber of Commerce business awards.

Elida Peers asked that the date in which the Sooke Community Association was formed be corrected to read April 30, 1935.

RI-2 Staff Reports

Evan Parliament noted that Council and Bonnie Sprinkling will be attending the AVICC Conference and requested Council to report back as to the best practices used for organizing the convention as the District of Sooke will be hosting the Conference in 2013.

CORRESPONDENCE AND COUNCIL REPORTS FOR INFORMATION

I-1 District of Central Saanich submission to AVICC – Deer Fencing

MOVED and seconded to receive and file the correspondence received from the District of Central Saanich regarding Deer Fencing.
CARRIED UNANIMOUSLY

NEW BUSINESS

Council continued the discussion regarding the suite issue in order for staff to move forward with direction:

- To include ALL zones in zoning bylaw amendment and defer special circumstances as to CD zones to staff
- To amend all residential zones in the zoning bylaw amendment and deal with CD zones as individual amendments

MOVED and seconded to follow the Official Community Plan Action Item # 5 which allows suites in all Single family zones.

DEFEATED

MOVED and seconded to direct staff to bring forward a report with a draft Zoning Bylaw amendment to allow secondary and small suites in all residential zones except CD Zones for consideration by the Land Use and Environment Committee.

CARRIED UNANIMOUSLY

ACTION – Council directed staff to bring forward a report regarding secondary and small suites in the individual CD zones to the Land Use and Environment Committee.

REPORT OF IN CAMERA RESOLUTIONS

In Camera portion Regular Council Meeting of February 27, 2012

MOVED and seconded to appoint the following as members of the Burning Regulation Review Committee:

Scott Kendrew
Ellen Lewers
Dave W. McClimon

AND to release the In Camera resolution as to the member appointments to the public.

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 9:40 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
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 March 12, 2012 at 7:00 p.m.

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

Evan Parliament, Chief Administrative Office
Bonnie Sprinkling, Corporate Officer
Sue-Lin Tarnowski, Director of Finance
Steve Sorensen, Fire Chief
Lisa Urlacher, Corporate Assistant

CALL TO ORDER

Mayor Milne called the meeting to order at 7:01 p.m.

APPROVAL OF THE AGENDA

MOVED and seconded to move item RI-3- RCMP Monthly Mayors Report, February 2012 prior to Public Question and Comment Period.

CARRIED UNANIMOUSLY

MOVED and seconded to add the following items to the agenda as new business:

NB-1 Sooke Preschool – Touch a Truck;

RA-3 Bylaw No. 137, *Emergency Program Bylaw, 2003*.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on February 27, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

DELEGATIONS

D-1 Sooke Slow Food Cycle – Bike Skills Park

Lee Hindrichs explained that Sooke Slow Food Cycle has partnered with four grassroots organizations in Sooke as well as the T'Sou-ke First Nations regarding the implementation of a Bike Skills Park. Ms. Hindrichs noted the following benefits of a Bike Skills Park:

- Developing cycling skills for on and off road.
- Designed for the use of all ages and levels of ability.
- Designed with progression of skills in mind.
- Centralized 'safe' skills park decreases the creation of ad-hoc skills areas in sensitive environments.

Ms Hindrichs highlighted the economic benefits and generated tourism that brands Sooke as the outdoor recreation hot spot for Vancouver Island south and noted that this type of infrastructure improves the quality of life for Sooke residents by increasing the choice of recreational opportunities, creates youth involvement and complements the Subaru Triathlon and Harbourview Mountain Bike Area. Ms. Hindrichs stated that the following have expressed support:

- Local businesses
- Local schools at all levels
- Local youth
- Grass root volunteer organizations
- User Groups

Ms. Hindrichs reported that meetings between Sooke Slow food Cycle, Sooke Bike Club and JDF Cycling Coalition have been conducted and that the volunteers would work closely with the district to keep them abreast of how things are progressing and to ensure that environmental standards are met. Ms. Hindrichs asked Council to endorse Sooke Slow Food Cycle, Sooke Bike Club and the JDF Cycling Coalition to begin working on this project and to provide the following:

- Provide surveying support to identify the exact area that we will utilize.
- Appoint DOS to work with the involved groups as required.
- Official grand opening day will be on September 23 2012 to correspond with the Sooke Slow Food Cycle.
- Local political presence at the opening to show a partnership between politics and volunteerism.
- Ground breaking and scheduling of implementation of staged construction to begin ASAP (end of march preferably)

Council Discussed:

- The surveys and type of use recommendations previously done by the John Phillips Memorial Park Committee
- Bike slalom park as an intended use
- Liability Insurance
- Total area of use
- Lease to the Society
- Community Grant Process
- Visibility for policing purposes

MOVED and seconded to direct staff to work with the Slow Food Cycle to bring forward a report to an upcoming meeting addressing the process for a Bike Skills Park at John Phillips Memorial Park.

CARRIED UNANIMOUSLY

RI-3 RCMP Monthly Mayors Report, February 2012

MOVED and seconded to receive the RCMP Monthly Mayors Report for February 2012.

CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

Gail Hall, resident, commented on zoning and uses for the location of the regional composting initiative and stated that the motion in the minutes should have included Council being involved in the discussions. Ms. Hall suggested that Dave Forgie be consulted regarding the Bio-Solids aspect as he was on the LWMP Committee. Mayor Milne explained that he will be included in the discussions with the Comox Valley representative during the preliminary stages and that Council will ensure that they are present and involved in the process.

Ellen Lewers, resident, expressed concern regarding the donation of Truck 204 and inquired about advertising, repair and life of the asset. Ms. Lewers commented on providing cover to protect the vehicles from the weather (Truck 204 and the Rescue Truck). Ms Lewers inquired as to the Emergency Kits for sale and the Royal Roads report on emergency services. Fire Chief Sorensen, explained that Royal Roads and UVic were approached for a graduate student to update the District of Sooke Emergency Plan and we were unsuccessful in acquiring a student. The Fire Truck was advertised through the Fire and Rescue site and that the cost to fix Truck 204 is approximately \$30,000. The personal preparedness kits are making a \$5 profit.

REPORTS REQUIRING ACTION

RA-1 BC Strategic Community Investment Funds Agreement

ACTION Council discussed the allocations over a three year period and suggested that the Finance and Administration Committee provide a recommendation as to the financial impact in the Five Year Financial Plan.

MOVED and seconded to approve the 2012-2014 Strategic Community Investment Funds Agreement;

AND to authorize the Mayor and Chief Administrative Officer to execute the agreement with the Province of British Columbia;

AND to include the payments by the Province of British Columbia as set out in the agreement in the 2012 Five-Year Financial Plan.

CARRIED UNANIMOUSLY

RA-2 Disposition of 1985 Fire Truck

Council discussed the disposition of the 1985 Fire Truck and asked that staff continue advertising. Council suggested using Crown Asset and Used Victoria. It was noted that the mechanics report that outlines the deficiencies should be made available to potential buyers.

AGREED by consensus to direct staff to advertise the disposition of the 1985 Fire Truck for an additional two months and report back to Council at an upcoming meeting.

RA-3 Sooke Emergency Plan

Council discussed the creation of an Emergency Planning Committee under Bylaw No. 137 and expressed the need for the region to be included in the process. The following stakeholders were identified:

- Emergency Social Services
- School District No. 62 (Sooke)
- RCMP
- BC Ambulance
- Juan de Fuca Electoral District
- District of Metchosin

MOVED and seconded to direct Fire Chief to start the process to establish an Emergency Planning Committee and report back to Council by the end of April 2012.

CARRIED UNANIMOUSLY

RA-4 Highway 14 Traffic Roundabout Project

Evan Parliament provided a visual overview of the design elements for the Highway 14 Traffic Roundabout and stated that the cost of flagging is dependant on weather and congestion. Mr. Parliament stated that the minimum budget is \$450,000 and the maximum is \$600,000 dependant on weather and materials. Mr. Parliament noted that the largest component for funding is through Gas Tax funds being 90-95% of the total cost and that \$50,000 is from the ICBC grant. Mr. Parliament stated that the tax implication will be approximately \$30,000. Mr. Parliament noted that the design elements have been submitted to MoTI and provided an overview of the land dedications.

Council discussed:

- Public Input Sessions
- Budgeting higher than \$30,000 and any unused could be reserve or contingency
- Reducing the consultant fees
- Full tender process for the construction
- Traffic Issues and congestion – impact on residents and local businesses
- Cost of replacing inadequate stormwater
- Beautification component
- Development of Water view

A discussion ensued as to how to move the project forward.

MOVED and seconded to direct staff to schedule a Public Information meeting for the Roundabout capital project in conjunction with the Financial Plan Public Information meeting.

CARRIED UNANIMOUSLY

MOVED and seconded to approve the roundabout capital project in principal and request that the Finance and Administration Committee budget for the expenditure subject to public participation.

CARRIED UNANIMOUSLY

RA-5 Sidewalk Improvements on Church Road

Evan Parliament provided a visual overview of the sidewalk improvements on Church Road and explained funding. Mr. Parliament noted that there is approximately 350 linear feet of sidewalk to be installed. Mr. Parliament noted that there is \$100,000 proposed in the 2012 capital budget (\$60,000 installation, \$30,000 stormwater management and contingency). Council discussed the connection of the existing sidewalks.

MOVED and seconded to approve in principle the design of Sidewalk Improvements on Church Road and to direct staff to continue with the design process.

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor and Council Reports

Mayor Milne reported on the opportunity for the Sooke Region to be featured in a “work, play and live” segment on the “Insights with Terry Bradshaw” show and explained that it would be a 5 piece and that the District of Sooke would maintain the video rights. The total cost is a \$28,000 service fee and Director Hicks has expressed that JDF Electoral would contribute \$8,000. There would be 35 airings in Canada on the Business News Canada Network and Discovery Network. Mayor Milne stated that he would provide further details if Council is interested in pursuing the show. Council discussed partnering with local businesses and SRTA.

MOVED and seconded to direct the Mayor to continue discussions with the representative of the “Insights with Terry Bradshaw” show.

CARRIED UNANIMOUSLY

Councillor Haldane reported on attending the CRD Water Commission meeting.

Councillor Berger reported on attending the Sooke Region Chamber of Commerce Awards with Councillor Reay and presented the framed award for Business Improvement.

Mayor Milne reported that he will be attending an upcoming meeting regarding the closure of the ferry service to Dockyard, the Johnson Street and Admiral Road closures and will report back to Council.

Councillor Kasper reported on attending the CRD Strategy session on February 29th, 2012.

Councillor Tait reported on attending the Transition Towns meeting, the Electric Car event and Mariners Village Grand Opening. Councillor Tait recognized the one year anniversary of the Tsunami that hit Sooke’s Sister City, Natori, Japan.

Councillor Pearson reported on attending the Grand Opening for Mariners Village.

Councillor Reay reported the 2014 Juno awards are proposed for Victoria and that the municipality is looking for support in principal with costs attached. Councillor Reay will follow up with the event requirements.

RI-4 BC Ambulance Service Community Report –2011

MOVED and seconded to receive the BC Ambulance Service Community Report - 2011 for information.

CARRIED UNANIMOUSLY

RI-5 BC Ambulance Service Community Report – January and February, 2012

MOVED and seconded to send a letter to BC Ambulance outlining the service issues and that the Sooke Fire Department statistic show 43% of callouts are medical related.

CARRIED UNANIMOUSLY

NEW BUSINESS

NB-1 Sooke Preschool – Touch a Truck

MOVED and seconded to support the attendance of the Sooke firefighters and truck at the Sooke Preschool “touch a truck” event.

CARRIED UNANIMOUSLY

CORRESPONDENCE FOR INFORMATION

I-1 Council Reader file – February 2012

MOVED and seconded to receive and file the correspondence.

CARRIED UNANIMOUSLY

MOVED and seconded to recess the Regular Council Meeting at 8:58 p.m. to the Committee of the Whole meeting.

CARRIED UNANIMOUSLY

MOVED and seconded to reconvene the Regular Council meeting at 9:10 p.m.

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

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 9:46 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

**Wendal Milne
Mayor**

**Bonnie Sprinkling
Corporate Officer**

DISTRICT OF SOOKE

Minutes of the Special Meeting of Council
held in the Municipal Meeting Room
at 2205 Otter Point Road, Sooke, BC
on March 13, 2012 at 6:45 pm

COUNCIL PRESENT

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

STAFF PRESENT:

Evan Parliament, Chief Administrative Officer
Lisa Urlacher, Corporate Assistant

ABSENT

Councillor Maja Tait

CALL TO ORDER

The meeting was called to order at 6:53 p.m.

APPROVAL OF AGENDA

MOVED, seconded to waive the requirement of meeting notice under section 127(4) of the *Community Charter*.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 "Insights with Terry Bradshaw" show

Mayor Milne provided copies of the Participation Agreement to members of Council and explained that the cost would be \$24,800.

Council discussed:

- Partnering to offset the cost
- JDF Electoral contribution
- Airing time guarantee
- SEDC budget
- Council contingency
- Economic benefits
- Business sponsorships
- Fiscal responsibility

Public Input:

Ellen Lewers, resident, commented on the tourism industry and the rise in ferry costs and stated that putting pressure on the Province is needed.

MOVED and seconded to authorize the Mayor and Chief Administrative Officer to execute the Participation agreement with the "Insights with Terry Bradshaw" show.
CARRIED UNANIMOUSLY

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED, seconded to adjourn the meeting at 7:21 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
Mayor

Bonnie Sprinkling
Corporate Officer

DISTRICT OF SOOKE

Minutes of the Special Meeting of Council
held in the Council Chambers
at 2205 Otter Point Road, Sooke, BC
on March 28, 2012 at 8:00 pm

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:

Evan Parliament, Chief Administrative Officer
Bonnie Sprinkling, Corporate Officer

CALL TO ORDER

Mayor Milne called the meeting to order at 8:00 p.m.

APPROVAL OF AGENDA

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

REPORTS REQUIRING ACTION

RA-1 Finance and Administration Recommendation of March 22, 2012

Mayor Milne extended his thank you to the Finance and Administration Committee and District Staff for their hard work on the budget and stated that the 2012 budget reaches the goal of 0% tax increase for 2012.

Public Input:

Gail Hall, resident, stated that there is no capital expenditure for the boat launch in the budget and referenced the staff request for the funding in December. Councillor Kasper stated that the funds are not in the budget. Ms. Hall inquired as to the arrangements for property purchases for the roundabout. Mayor Milne stated that there were no final arrangements with the property owners and apologized to those property owners that the budget included the item before negotiations had started. Ms. Hall thanked the Finance and Administration Committee for their hard work.

Discussion

Mr. Parliament stated that the proposed Five Year Financial Plan will have no increase in the tax rate from 2011 for all classes; the District did receive a drop in existing properties by 1.84 % but received an increase in taxes for new assessments of @\$250,000; from new homes and the Prestige hotel. Mr. Parliament stated that with more tax dollars, the District was able to freeze tax rate.

Mr. Milne stated there will be a small reduction in the EPCOR expenditures.

Councillor Tait inquired as to the process for the roundabout to move forward. Mayor Milne explained the process as follows:

- Council to approve project
- Meet with property owners to negotiate right of way
- Request for Proposal
- As much "in house" as possible

The preliminary design has provided an estimate as to the project construction cost funded out of Gas Tax funding. Councillor Kasper stated that in the Committee's discussion they did not want to embark on the roundabout project if it had an impact on traffic during the day; we would look at doing the project outside of business hours. Councillor Kasper thanked all the Committee members and stated that the Committee will look at a different format for the financial plan that is easier to review.

Councillor Berger stated that there will be some small clarifications in the financial plan; transfer to reserves, name consistency, DCC reserves showing funds coming out to be part of the Capital page.

MOVED and seconded that Council accept the 2012 Budget as presented by the Finance and Administration Committee and receive the 2012-2016 Financial Plan. **AND TO** direct the Finance and Administration Committee to finalize the 2012-2016 Financial Plan including capital projects and the calculation of the 2012 property tax rate. **CARRIED UNANIMOUSLY**

ADJOURNMENT

MOVED, seconded to adjourn the meeting at 8:20 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
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 April 10, 2012
6:00 p.m., Closed Portion, Meeting Room
7:00 p.m., Open Portion, Council Chamber

COUNCIL PRESENT

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

STAFF PRESENT

Evan Parliament, Chief Administrative Officer
Bonnie Sprinkling, Corporate Officer
Gerard LeBlanc, Municipal Planner
Elisabeth Nelson, Municipal Engineer
Steve Sorensen, Fire Chief
Lisa Urlacher, Corporate Assistant

ABSENT

Councillor Bev Berger

CALL TO ORDER – Closed Portion

Mayor Milne called the meeting to order at 6:00 p.m. in the Municipal Meeting Room.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

MOVED and seconded to close the meeting to the public under section:

- 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)(c) labour relations or other employee relations;
- 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)(g) litigation or potential litigation affecting 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*];
- 90(1)(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

CALL TO ORDER – Open Portion

Mayor Milne called the open portion of the Regular Council meeting to order at 7:03 p.m. in the Council Chambers

MOVED and seconded to add the following items to the agenda as new business:

- NB-1 Community Recreation Program – Contribution Agreement Project #16104 – Grant Road Multi-Use Trail
 - PH-1 Email received April 10, 2012 – Theresa Charne
 - PH-1 Traffic Impact Assessment for Knox Community Centre Development on Church Road dated October 12, 2010
 - RA-1 7044 Maple Park Terrace – Spiritwood Development
 - PH-1 Email received August 7, 2009 – Ministry of Transportation and Infrastructure
- CARRIED UNANIMOUSLY**

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Committee of the Whole meeting held on February 13, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on February 27, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on March 12, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Regular Council meeting held on March 26, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on March 26, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on March 28, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on March 28, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

February 14, 2012	Finance and Administration Committee
February 22, 2012	Finance and Administration Committee
March 22, 2012	Finance and Administration Committee

CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

Clive Kitchner, resident, commented on the traffic which is traversing at a respectable and considerate speed and stated that the current developer should be commended.

PUBLIC HEARINGS AND RELATED BYLAWS

PH-1 Bylaw No. 518, *Zoning Amendment Bylaw (500-02)* - Knox Centre CD

Mayor Milne called the Public Hearing for Bylaw No. 518, *Zoning Amendment Bylaw (500-02)* to order at 7:10 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 hearings.

Gerard LeBlanc provided a PowerPoint presentation of the proposed zoning amendment for an assisted care facility located at 2120, 2120 and 2096 Church Road and highlighted the changes brought forward by the applicant as a result of the concerns raised at the previous public hearing:

- Reducing the proposed maximum height from 20 metres to 15 metres
- Reducing the proposed maximum lot coverage to 50% from 60%
- 3 metre setback from front property line
- 2 metre setback from the flanking property line
- Proposed 5 metre pedestrian right-of-way

Mr. LeBlanc explained that the principle use is assisted living and all other uses are accessory.

Council discussed:

- 5 metres from adjacent property for road access
- Evergreen Mall access
- Adjacent property access and covenant
- Transportation Master Plan
- Connector route
- 15 metres vs. 4 stories
- CTC 1 vs. CD 11 zone

Silvia Bonnet, applicant architect, highlighted the following:

- SMART growth principles
- Specialized services
- Commercial, institutional and residential uses
- Principle uses in the CD11 zone
- Benefits to the community – campus of care, affordable, accessible housing, independent supportive living, home health care, worship and administration, laundromat, community centre, restaurant and community support
- Building envelope visual 50% lot coverage

- Bubble diagram showing 125 senior independent residency, meal area, worship, administration area and social services
- 4 storey height

Council discussed:

- Service access
- Underground parking
- Visual impact of structure
- 5 metre walkway or a one-way road access

Public Submissions:

Bonnie Sprinkling read and submitted a statement received from Dave and Yvonne Court expressing support for the proposed zoning amendment.

Doug Bexson, resident, expressed concern regarding access to Anna Marie Road and sufficient parking on-site for the development. Mr. Bexson further commented on the roadway access from Anna Marie Road to Church Road and Townsend Road to Otter Point Road showing on the Transportation Master Plan and the OCP and stated that he was unaware of the connector route being proposed through the Wadam's Farm. Mr. Bexson stated that he opposes the proposed 5 meter walking path and that the project should not be allowed unless there is road dedication.

Judith Anne Gatto, resident, expressed concern as to exiting Country Road and the shading of the large building as it is an elevated property.

Pam Day, resident, commented on Ayre Manor being a similar development and that there is no high demand for parking. Ms. Day stated that persons who reside in assisted living walk to the surrounding amenities.

Terry-Lynne Beaton, resident, explained that she is a person with disabilities and expressed support for the development. Ms. Beaton asked that Council support the amendment as the details can be considered during the next stage of development.

Dick Barwis, resident, expressed support for the project.

Resident, commented that the shadowing its at its worst mid-winter and that the trees in the area are much higher than the proposed structure.

Richard Winder, resident, commented on the need to address the details and the need for increased capacity for seniors living in Sooke.

Tom Myrick, resident, expressed support for the proposed zoning and commented on the need for assisted care and laundromat services in Sooke. Mr. Myrick stated that the services would benefit the residents of Sooke and the seniors as there is a social need.

Susan Bexson, resident, expressed support for the proposal and stated that Council must ensure that there is sufficient infrastructure in place before moving forward.

Larry Rumsby, resident, expressed support for the project and stated that Council must consider the parking requirements and provide the appropriate infrastructure.

Mayor Milne called three times for submissions to the Public Hearings for Bylaw No. 518, *Zoning Amendment Bylaw (500-02)*. Hearing none, he closed the public hearing at 8:25 pm.

Council expressed concern as to the 15 metres and access. Mr. LeBlanc stated that the applicant has provided assurance that they will limit the structure to 4 stories and that access to the Memorial Gardens will be from Anna Marie Road and all other traffic will be along Church Road.

MOVED and seconded that Bylaw No. 518, *Zoning Amendment Bylaw (500-02)* be amended.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 518, *Zoning Amendment Bylaw (500-02)* be read a third time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 518, *Zoning Amendment Bylaw (500-02)* be adopted.

CARRIED UNANIMOUSLY

BYLAWS

B-1 Bylaw No. 391, *Zoning Amendment Bylaw (270-53)* – 2075 Otter Point Road

MOVED and seconded to cancel and rescind first, second and third reading of Bylaw No. 391, *Zoning Amendment Bylaw (270-53)*.

CARRIED UNANIMOUSLY

B-2 Bylaw No. 498, *Zoning Amendment Bylaw (270-89)* – 2139 Church Rd.

MOVED and seconded that Bylaw No. 498, *Zoning Amendment Bylaw (270-89)* be adopted.

CARRIED UNANIMOUSLY

Bylaw No. 499, *Church Road Phased Development Agreement Authorization Bylaw, 2011*

MOVED and seconded that Bylaw No. 499, *Church Road Phased Development Agreement Authorization Bylaw, 2011* be adopted.

CARRIED UNANIMOUSLY

B-3 Bylaw No. 524, Zoning Amendment Bylaw (500-5) – Secondary/Small Suites

MOVED and seconded that Bylaw No. 524, *Zoning Amendment Bylaw (500-5)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 524, *Zoning Amendment Bylaw (500-5)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded to direct staff to schedule a public hearing for Bylaw No. 524, *Zoning Amendment Bylaw (500-5)* in accordance with the requirements of the *Community Charter* and the *Local Government Act*.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 7044 Maple Park Terrace – Spiritwood Development

Gerard LeBlanc provided a PowerPoint presentation and overviewed the following changes to the Development Permit:

- Making the condition of the tree survey less onerous
- Making the condition of the Maple Tree diameter less onerous
- Clarify the condition to require bonding subsequent to the completing of Phase 1

Jean-Pierre Langlois, applicant, addressed the changes to the Development Permit.

MOVED and seconded to authorize the issuance of Development Permit PLN00946 to permit land clearing and grading works to begin in a responsible and sustainable manner in close consultation with a Registered Professional Biologist and/or Qualified Environmental Professional and a registered Landscape Architect on the property legally described as Section 21, Sooke District, Except the Easterly 2 Chains and Except that Part Lying to the West of a Boundary Parallel to the Westerly Boundary of Said Section 21 and 198 Feet Perpendicularly Distant Therefrom and Except Those Parts in Plans 26856, 27504, 30520, 39897, VIP57007, VIP64014.

CARRIED UNANIMOUSLY

RA-2 Sooke Region Historical Society Endowment Fund

MOVED and seconded to agree with the removal of the endowment fund for the Sooke Region Historical Society from the Capital Regional District requisition;

AND TO the release of the endowment fund in its entirety to the Sooke Region Historical Society.

CARRIED UNANIMOUSLY

NEW BUSINESS

NB-1 Community Recreation Program – Contribution Agreement Project #16104 – Grant Road Multi-Use Trail

MOVED and seconded to authorize the Mayor and Chief Administrative Officer to execute the Contribution Agreement Project #16104 – Grant Road Multi-Use Trail
CARRIED UNANIMOUSLY

CORRESPONDENCE AND COUNCIL REPORTS FOR INFORMATION

I-1 Letter received from RCMP dated March 27, 2012 – Community Grant for Citizens on Patrol

MOVED and seconded to receive and file the correspondence.
CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor and Council Reports

Mayor Milne reported on meeting with Ayre Manor representatives.

Councillor Reay reported on attending the VIRL meeting.

Councillor Haldane reported on the Burning Bylaw Review Committee meeting.

Councillor Tait reported on the Sooke Economic Development Commission meeting and the following upcoming meetings; The Sooke Regional Historical Society, EMCS strategic session and fundraiser, T'Sou-ke Toonie Tribal Journey and EMCS love your planet.

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 9:06 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
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 April 23, 2012 at 7:00 p.m.

COUNCIL PRESENT

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

STAFF PRESENT

Evan Parliament, Chief Administrative Officer
Bonnie Sprinkling, Corporate Officer
Gerard LeBlanc, Municipal Planner
Steve Sorensen, Fire Chief
Lisa Urlacher, Corporate Assistant

ABSENT: Councillor Bev Berger

CALL TO ORDER

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

APPROVAL OF THE AGENDA

MOVED and seconded to move the RCMP Monthly Mayor Report RI-2 to immediately following Adoption of Minutes.

CARRIED UNANIMOUSLY

MOVED and seconded to add the following items to the agenda as new business:

PI-1 – Bylaw No. 526 – Replacement bylaw to add venting index amendment

B-1 – Bylaw No. 526 – Replacement bylaw to add venting index amendment

NB-1 – New Business - Appointment of Public Officer and Designated Employee.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on April 10, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on April 10, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

RI-2 Staff Reports RCMP Monthly Mayor report

Staff Sergeant Wright provided an overview of the RCMP Annual Performance Plan and 2012 Priorities.

MINUTES FOR INFORMATION

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

March 22, 2012	Board of Variance Meeting
April 4, 2012	Burning Regulation Review Committee Meeting
April 16, 2012	Land Use and Environment Committee Meeting
April 18, 2012	Sooke Economic Development Commission

CARRIED UNANIMOUSLY

Council asked that the Board of Variance minutes be included in the 6215 Marilyn Road Development Variance Permit when it comes forward for Council consideration.

A discussion ensued with members of Council and staff regarding the Board of Variance application process.

Ellen Lewers, Board of Variance Chair, provided information as to the applicant's request and clarified the mandate of the Board of Variance explaining that the Board of Variance does not have the authority to apply restrictions to the applicant's request.

DELEGATIONS

D-1 BC Hydro

Ted Olynyk, BC Hydro Representative, provided a PowerPoint presentation:

- The need for modernization
- What are the Smart Meter program benefits
- Cost savings (7 million dollars)
- How does the Smart metering system work
- What does BC Hydro see – concerns of privacy
- Privacy Legislation – OIC ruling on personal data – collection of consumption data
- In-home feedback tools (websites and mobile apps)
- Get lights on faster– pinpoints outages faster
- Deal with electricity theft
- Enabling grid modernization
- Radio frequency and safety
- Safety Code 6 certification
- World health organization
- Independent Third Party report
- 72% installed in the CRD

Council discussed:

- Determining peak hours for billing options – Mr. Olynyk stated that BC does not have capacity problems that would require the need to implement billing higher rates during peak times to reduce energy consumption.
- The right to decline a Smart Meter – Mr. Olynyk stated that a note on the meter will delay the installation and trigger customer service to contact the resident to discuss their concerns.

- Effectiveness of the moratoriums on the installation of Smart Meters – Mr. Olynyk explained that they were mandated under the *Clean Energy Act*.
- Request to remove the installed Smart Meter and re-install the regular meter– Mr. Olynyk stated that the request would not be granted as the old meters are destroyed upon removal.

Public Input:

David Matland, Sooke Resident, commented that 35 years ago asbestos was not considered harmful and that Crown Corporations are servants of the public.

Karen Weiss, soon to be Sooke Resident, expressed concerns as to the Smart Metering Program and electromagnetic hypersensitivity. Ms. Weiss acknowledged the need to modernize the grid and stated that wired meters can be used and that there should be a choice. Ms. Weiss commented on data hacking and asked that BC Hydro provide a legal guarantee in writing that this is not a possibility. Ms. Weiss provided information as to the reclassification of RF/EMF as a Group 2B Carcinogen.

Mayor Milne asked if BC Hydro has a written comment or statement in regards to vulnerable data infrastructure. Mr. Olynyk stated that the data collection is not connected to the internet and that there is no reason to hack the data collection. Mr. Olynyk provided guidelines set by the Privacy Commissioner regarding data collection and provided information as to the Danish study dated October 2011 regarding cancer rate statistics. The information is available on BC Hydro website.

Tammy Jusky, Colwood resident, expressed concern as to the questionable inaccurate statements made by BC Hydro and that there is no evidence to back up the statements. Ms. Jusky noted that professionals and experts in the field have set out to unequivocally state that the Smart Meter is a threat and a health risk. World Health Organization has declared that Smart Meters are on the cancer risk list and provided examples of court orders which upheld the Smart meter refusal and opt-out by residents as it is unjust and unreasonable to refuse residents who want to opt-out. Ms. Jusky explained how the meters chatter and that there is no evidence as to how much is too much and that Clean Energy Act does not specify wireless, residents should have a choice.

Don Brown, Sooke resident, expressed that there is a lot of misleading information from both sides and that there are two issues; a health and safety issue and a political issue. The real issue is health and safety; do we have enough information as both sides have contradictions which have created a very complex issue. Mr. Brown suggested that Council ask the BC Utility Commission to form an independent citizen council to look at the issue objectively and come up with clear conclusions.

Ted Dever, Sooke resident, expressed concerns as to his rights taken away as the Smart Meter was installed at his residence after he had refused by letter.

Ellen Lewers, Sooke resident, expressed concerns regarding the Smart Metering Program as to persons with pace-makers and defibrillators.

Derek Lewers, Sooke resident, asked if a customer refuses to pay the Hydro bill until the Smart Meter is removed, can BC Hydro cut off the power remotely. Mr. Olynyk stated that BC Hydro can disconnect power remotely with the Smart Meter.

Catriona Hamilton Wojtas, EMF consultant, explained the technical aspect of absorbing radiation and stated that residents should have the choice to be safe in their homes.

Jeff Bateman, Sooke resident, commented that caution is in order when considering the issue and asked about the process to have the old meter re-installed. It was confirmed that the old meters are destroyed once the Smart Meter is installed.

Derek Lewers, Sooke resident, commented on the statement of hacking not worth your time and stated that playing havoc is the reason for most hackers. Mr. Olynyk stated that they follow strict protocols for data collection.

Mary Cull, Sooke resident, commented on an airing, dated April 16th on CKNW, two IT specialists BC Hydro employees were interviewed regarding security and online issues pertaining to the smart meters. They stated that the smart meters are not un-hackable and that there is a potential for cyber-attacks resulting in blackouts.

MOVED and seconded that the District of Sooke send a letter to BC Health Minister, Michael DeJong calling for a moratorium on the mandatory installation of wireless smart meters until the major issues and problems identified regarding wireless smart meters are independently assessed and acceptable alternatives can be made available at no added cost to the customer;

AND further to recommend that the Smart Meter Program be referred to the BC Utility Commission to establish a public committee to review the issue objectively and come up with clear conclusions.

CARRIED UNANIMOUSLY

MOVED and seconded to send a letter to BC Hydro recommending that they stop destroying the old meters that have been replaced with Smart meters.

CARRIED UNANIMOUSLY

D-2 2014 JUNO Bid

Lynne Henderson provided a Power Point presentation overviewing the benefits of promoting the JUNO awards in the Capital Region area. The presentation provided the following information:

- Purpose of the Capital Region Music Awards Society
- Recognition of excellence in the music recording industry
- Significant economic, tourism and cultural promotional opportunities for the region
- Attract national and international media attention
- Events and venues
- Hotels – requirement of a minimum of 4500 rooms
- Provincial/municipal government financial support
- Community support
- Legacy – students to benefit from legacy opportunities associated with Juno awards

Council inquired whether there would be any venues in the western communities. Ms. Henderson stated that the Juno hockey game would be held at Bear Mountain. Council discussed the financial impact of the funding formula and noted that the Finance Committee has concluded the budget process.

MOVED and seconded to send a letter of support to the Canadian Academy of Recording Arts and Sciences for the Greater Victoria JUNO Award Bid.
CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

Don Brown, Sooke resident, invited the Mayor and Council to the May 9th season finale - Sooke Awareness Film Night celebrating International Year of the Cooperative.

PI-1 Bylaw No. 526, *Fire Protection Services Amendment Bylaw (292-3)*

Council discussed:

- Extending the burning period for the month of May in 2012 for burning dry materials
- Allow for burning when the ventilation index is both “fair” and “good” during the month of May

Public Input:

Don Brown, Sooke resident, expressed support for the proposed amendment to Bylaw No. 526, *Fire Protection Services Amendment Bylaw (292-3)*.

MOVED and seconded to introduce and give first reading to Bylaw No. 526, *Fire Protection Services Amendment Bylaw (292-3)*.
CARRIED UNANIMOUSLY

MOVED and seconded to give second reading to Bylaw No. 526, *Fire Protection Services Amendment Bylaw (292-3)*.
CARRIED UNANIMOUSLY

MOVED and seconded to give third reading to Bylaw No. 526, *Fire Protection Services Amendment Bylaw (292-3)*.
CARRIED UNANIMOUSLY

BYLAWS

B-1 Bylaw No. 519, *Zoning Amendment Bylaw (500-3)* – Nott Brook Bylaw No. 520, *Nott Brook Phased Development Agreement Authorization Bylaw, 2012*

Gerard LeBlanc overviewed the Land Use and Environment Committee recommendation for the rezoning and phased development for Nott Brook noting an amendment to the PDA - addition of item 6 in schedule C “allotment garden/community garden.”

Council inquired as to concerns that the recommendation information made no mention of the Grant/Thrup Road connector; shown different in the Transportation Master Plan. When projects change they become inconsistent with other District Plans – staff will have to identify when there is a conflict.

Council asked if the covenant is different from 7 years ago in order to accommodate 125 single family dwellings and whether suites would be permitted.

Staff reported that the form of development is taking a different approach. The developer does not want suites; the covenant is the Phased Development Agreement in which suites are not referred to specifically.

Council inquired as to whether the developer would be willing to enter into a covenant for single level houses with the exception to the lots bordering Amethyst Way.

The developer stated that the proposal was for 30 two-level homes and the remainder ranchers which do not have the ability to contain suites. The developer is willing to enter into a covenant that restricts suites.

Council inquired whether the restriction could be included in the main document. Staff confirmed that it would be cleaner to have the Phased Development Agreement covenant registered on title separately from a restrictive covenant regulating use as the PDA will eventually go away whereas the restrictive covenant will remain.

MOVED and seconded that Council introduce and give first reading to Bylaw No. 519, *Zoning Amendment Bylaw (500-3)*.
CARRIED UNANIMOUSLY

MOVED and seconded that Council give second reading to Bylaw No. 519, *Zoning Amendment Bylaw (500-3)*.
CARRIED UNANIMOUSLY

MOVED and seconded that Council introduce and give first reading to Bylaw No. 520, *Nott Brook Phased Development Agreement Authorization Bylaw, 2012*.
CARRIED UNANIMOUSLY

MOVED and seconded that Council give second reading to Bylaw No. 520, *Nott Brook Phased Development Agreement Authorization Bylaw, 2012*.
CARRIED UNANIMOUSLY

MOVED and seconded that Council authorize the Mayor and the Chief Administrative Officer to execute the release of Covenant EX97394 registered on the subject property legally described as *Parcel A (DD 143706I), Section 24, Sooke District, Except Plans 5572, 11961, 27456, 40462, VIP52601, VIP59223, VIP79955, VIP79956 and Part in Red on 610RW* subject to adoption of Bylaw No. 519 and Bylaw No. 520.
CARRIED UNANIMOUSLY

MOVED and seconded that Council direct staff to schedule a Public Hearing for Bylaw No. 519, Bylaw No. 520 and the release of Covenant EX97394 in accordance with the requirements of the *Community Charter* and the *Local Government Act*.
CARRIED UNANIMOUSLY

B-2 Bylaw No. 525, Zoning Amendment Bylaw (500-6) – 1836 Tominy Road

Councillor Pearson left the meeting at 8:56 p.m.

MOVED and seconded that Council introduce and give first reading to Bylaw No. 525, *Zoning Bylaw Amendment (500-6)*.
CARRIED UNANIMOUSLY

MOVED and seconded that Council give second reading to Bylaw No. 525, *Zoning Bylaw Amendment (500-6)*.
CARRIED UNANIMOUSLY

MOVED and seconded that Council schedule a Public Hearing for Bylaw No. 525 and the release of Covenant FB250718 be scheduled in accordance with the requirements of the *Local Government Act* and *Community Charter*.
CARRIED UNANIMOUSLY

Councillor Pearson returned to the meeting at 8:59 p.m.

REPORTS REQUIRING ACTION

RA-1 Farm Employee House in the Agricultural Land Reserve – 2012 Penang Road

MOVED and seconded that Council forward the request for a dwelling for farm employees at 2012 Penang Road to the Agricultural Land Commission (ALC) with a recommendation for approval as the application meets the requirements of the ALC and supports the continuation of agriculture in Sooke
CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor and Council Reports

Mayor Milne reported on the upcoming community events in Sooke.

Councillor Pearson reported on attending the Land Use and Environment Committee meeting and the user group for motorized vehicle accessing Harbourview Road.

Councillor Tait reported on attending the Land Use and Environment Committee meeting, the Sooke Economic Development Commission meeting and the AVICC Convention.

Councillor Kasper reported on attending the AVICC Convention.

Councillor Haldane reported on attending the AVICC Convention and the Ecole Poirer DARE Program Graduation.

Councillor Reay reported on attending the Victoria Family Court and Justice Committee and the Sooke Community Policing Society meeting.

RI-2 Staff Reports

MOVED and seconded to receive the following reports for information.

CARRIED UNANIMOUSLY

- Fire Department
- Planning Department
- Geographic Information Services
- Approving Officer
- Engineering Department
- Parks and Environmental Services Department
- Building Department

CARRIED UNANIMOUSLY

NEW BUSINESS

NB-1 – New Business - Appointment of Public Officer and Designated Employee

MOVED and seconded to appoint Dave Gawley as Acting Director of Finance for the District of Sooke effective April 16, 2012.

CARRIED UNANIMOUSLY

CORRESPONDENCE FOR INFORMATION

I-1 Expert Panel Review of Business Taxation and Municipal Revenue Sources – Letters received from BC Municipalities

MOVED and seconded that a letter be sent to the BC Premier with copies being sent to the Minister responsible for Finance, Community, Sport and Cultural Development, the local MLA, the UBCM and the UBCM member municipalities, which requests that:

The expert panel appointed to review the municipal property taxation of business be amended to include local government representation through UBCM or specific individual local government;

The staff Municipal Revenue Resources Review at the ministry be a collaborative process involving local government representatives through Government Officers Finance Association of BC (GFOBABC), Local Government Management Association (LGMA) or specific municipalities.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 9:19 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
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 May 1, 2012 at 7:30 p.m.

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

Evan Parliament
Bonnie Sprinkling, Corporate Officer
Gerard LeBlanc, Municipal Planner
Elisabeth Nelson, Municipal Engineer
Tina Hansen, Corporate Assistant

CALL TO ORDER

Mayor Milne called the meeting to order at 7:31 p.m.

APPROVAL OF AGENDA

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

RA-1 Letter dated April 29, 2012 from Ingrid Johnston and Greg Hill

RA-1 Letter dated May 1, 2012 from Meredith DeGroat

CARRIED

BYLAWS

B-1 Bylaw No. 526, *Fire Protection Services Bylaw (292-3)*

MOVED and seconded that Bylaw No. 526, *Fire Protection Services Bylaw (292-3)* be adopted.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 1573 Dufour Road – Amendment of existing water tenure from “private moorage and floatplane” to “group moorage”

Gerard LeBlanc provided a Power Point presentation and summary of the amendment of existing water tenure from “private moorage and floatplane” to “group moorage” for 1573 Dufour Road.

- BC Front Counter application
- Current zoning for water lot is W2 under current Sooke Zoning Bylaw from W3 under previous bylaw, which permitted a marina and commercial use
- W3 zone is not consistent with the private dock water lease nor the upland residential property zone

- Complaints received as to noise and nuisance at the dock
- Bylaw No. 500 is silent on group moorage
- Do not recommend Council approval
- Council to consider options

Council discussed:

- Length of time original use was in place – under Zoning Bylaw No. 270 zoning was Marina (W3) zone
- Concerns of Council taking something away from someone by down-zoning
- Neighbouring property zoning was not changed at the same time – remained Marina (W-3) zone for commercial water lease and B&B
- Zoning Bylaw Review Committee – consultant recommendations
- Provincial government granted leases for certain uses – Local government cannot take away
- Neighbouring property zoned to allow Bed and Breakfast
- Property owners advised of change in zoning
- Group moorages in residential areas
- Individual water leases will be things of the past – Province working towards phasing out – people will be expected to share
- Province looks after water lot leases – local government looks after zoning
- Ensuring property owners are treated with same set of rules

Public Input

Terry Currie, resident and co-owner of 1573 Dufour Road, stated that he has been put at a disadvantage due to the down zoning of his property. Mr. Currie further expressed concerns of the lengthy application process with Front Counter BC and the financial implications in trying to amend the water lease to group moorage. Mr. Currie stated that attempts have been made to mitigate noise and nuisance complaints with neighbours. Mr. Currie provided a map to Council showing traffic (both land and marine) generated from neighbouring properties – two bed and breakfasts, a daycare and doggie daycare are all in the immediate area. The parking issue on his property has been dealt with as a new parking area accommodates 12 vehicles. The application was held up initially as the group originally applied under a numbered company and it was later determined the application should be under a society. Mr. Currie inquired as to whether the definition of group moorage can go to the Province as a way of defining it in the Zoning bylaw. Mr. Currie stated that he finds it offensive that they were down zoned and needs to go for a rezoning.

Council asked Mr. Currie whether the use of the dock from the time he purchased the property had ever stopped. Mr. Currie confirmed that the use has been the same over the past five years.

Council discussed:

- Legislation for continuation of non-conforming use – use has existed for a continued period of time
- Owners intention to have group moorage not commercial moorage

- Province is consolidating moorages and granting leases to groups to manage moorage
- Creating a zone that has “group moorage”
- Zoning Bylaw Review Committee decision
- Council has responsibility to amend zoning

Neil Flynn, Sooke resident, stated that he operates a Bed and Breakfast next door to the applicant’s property and has always gotten along with his neighbours and would like to continue to do so in the future. Since the applicant’s property was purchased in 2006, he feels the neighbourhood has been plagued with nuisances (noise and traffic) and the peaceful enjoyment of their homes has been taken away. When he moved to Sooke he purchased his property with a commercial lease already in place. He has always ensured restricted use of the dock and been responsive and dealt with concerns as they arise. He has made certain that operations are done in a quiet and respectful manner. He feels the foreshore activity at 1573 Dufour has increased and a dock expansion has been done without any permits. He has expressed his concerns to the owners, authorities, Province and the District without any resolve. Mr. Flynn read and submitted a statement stating he is opposed to the proposed use of the private dock at 1573 Dufour Road as a “group moorage” use as well as any changes to the related current zoning and bylaws.

David Clark, Sooke resident, stated that the zoning should be consistent with the water lease to be fair.

Ellen Lewers, Sooke resident inquired as to how long the W3 zone had been in place and could all the uses listed under Marina W3 be used now.

Terry Currie added that the dock expansion was done as a result of assuming the pilings in the water meant there had been a previous dock. It has since been removed.

Council discussed:

- Whether a bylaw cannot be punitive
- No compensation for down zoning
- Zoning on properties in 2006 was based on the use at the time
- Application for group moorage rests with the Province
- Concerns that, if the W2 zone is amended, all W2 zoned properties can apply for group moorage
- Notifying the Ministry in writing as to amending the zoning
- Appropriate time to send letter to Ministry
- Cost of rezoning – applicant should not be responsible
- Including language to protect community rights with regard to noise and nuisance

MOVED and seconded to direct staff to amend the Sooke Zoning Bylaw to add a definition for “group moorage” in the Definitions section and add “group moorage” into the Purpose and as a Principal Use within the W2 Zone.

CARRIED

**MAYOR MILNE, COUNCILLORS PEARSON, AND
COUNCILLOR REAY OPPOSED THE MOTION**

Councillor Reay stated that she did not have enough information to make a decision on this motion.

MOVED and seconded that the District of Sooke advise the Ministry of Forests, Lands and Natural Resource Operations that the application for group moorage at 1573 Dufour Road is still subject to the consideration of the amendments of the W2 zone to allow for group moorage.

DEFEATED

RA-2 RCMP Contract

Public Input

There was no input from members of the public.

Council discussed:

- Article 10.0 – Accommodation – District responsible for 100 per cent of all operating and maintenance costs for RCMP building and property

MOVED and seconded to authorize the Mayor and Chief Administrative Officer to sign the 2012 Municipal Police Unit Agreement (MPUA).

CARRIED UNANIMOUSLY

RA-3 Provision of Sanitary Sewer Servicing to T'Souke Nation IR2 Reserve Lands – Letter of Intent

Elisabeth Nelson provided a Power Point presentation and overview of the staff report for the provision of sanitary sewer to T'Souke Nation.

Council discussed:

- Sewer services included in MOU
- Look into implications/assessing volume and impact on sewer system
- Associated costs
- Zoning - T'Sou-ke Nation Land
- Concerns of taking staff time away from other projects – cost of staff time
- EPCOR or consultant to do an analysis of sewer system to see if it can accommodate T'Sou-ke Nation IR2 reserve lands

Public Input

David Matland, resident inquired as to whether there would be a public consultation process with regard to sewer servicing to T'Sou-ke Nation as he is concerned about development and changes to the IR2 lands which he lives next to.

MOVED and seconded to authorize the Mayor to sign and issue the attached letter of intent to the T'Sou-ke Nation to enter into discussions for the provision of sanitary sewer servicing to the IR2 reserve lands.

AND TO authorize staff to enter into discussions with the T'Sou-ke Nation to draft a sanitary sewer agreement to provide the owners and occupiers of IR2 lands with sanitary sewer servicing.
CARRIED

MOTION TO CLOSE THE MEETING TO THE PUBLIC:

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

- 90(1)(c) labour relations or other employee relations;
- 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)(g) litigation or potential litigation affecting the municipality; or
- 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:

MOVED and seconded to appoint the following as members of the Finance and Administration Committee:

David R. Matland
Jim Mitchell as Alternate

AND FURTHER TO release the In Camera resolution as to the Finance and Administration Committee member appointments to the public.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 9:45 p.m.
CARRIED

Certified Correct:

Wendal Milne
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 May 7, 2012 at 6:30 p.m.

COUNCIL PRESENT

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

STAFF PRESENT

Evan Parliament
Bonnie Sprinkling, Corporate Officer
Dave Gawley, Acting Director of Finance
Michael Dillabaugh, Manager of Finance
Tina Hansen, Corporate Assistant

ABSENT: Councillor Kerrie Reay

CALL TO ORDER

Mayor Milne called the meeting to order at 6:31 p.m.

APPROVAL OF AGENDA

MOVED and seconded to approve the agenda as circulated.
CARRIED

BYLAWS

Evan Parliament reported that the Finance and Administration Committee have worked with staff over the past several months to review the Five Year Financial Plan. The 2012 Five Year Financial Plan and Property Tax Rate bylaws are now before Council for the first three readings. On May 14th, 2012, Council will consider adoption of the bylaws and staff will begin the process of preparing the property tax notices for 2012.

Dave Gawley provided an overview of the proposed 2012 Five Year Financial Plan and Property Tax Rate Bylaws for Council consideration.

Council discussed:

- Residential property tax ratios reflect a change to a 0% increase
- Business property tax ratios reflect a change to a 1% decrease
- \$43, 680 increase in revenue to be allocated to the Council contingency fund
- DRAFT brochure to include with tax notices will be sent informally to Council for approval:
 - Including a separate line item for Library
 - Including a graph so residents understand the 0% increase
 - Send a positive message to the public

Public Input: There was no input from members of the public.

B-1 2012 Financial Plan and Tax Rate Bylaws

MOVED and seconded that Bylaw No. 522, *Five Year Financial Plan Bylaw, 2012* be introduced and read a first time.

CARRIED

MOVED and seconded that Bylaw No. 522, *Five Year Financial Plan Bylaw, 2012* be read a second time.

CARRIED

MOVED and seconded that Bylaw No. 522, *Five Year Financial Plan Bylaw, 2012* be read a third time.

CARRIED

MOVED and seconded that Bylaw No. 523, *Property Tax Rate Bylaw, 2012* be introduced and read a first time.

CARRIED

MOVED and seconded that Bylaw No. 523, *Property Tax Rate Bylaw, 2012* be read a second time.

CARRIED

MOVED and seconded that Bylaw No. 523, *Property Tax Rate Bylaw, 2012* be read a third time.

CARRIED

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 6:37 p.m.

CARRIED

Certified Correct:

Wendal Milne
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 May 14, 2012 at 7:00 p.m.

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

Evan Parliament, Chief Administrative Officer
Bonnie Sprinkling, Corporate Officer
David Gawley, Acting Director of Finance
Gerard LeBlanc, Municipal Planner
Elisabeth Nelson, Municipal Engineer
Steve Sorensen, Fire Chief
Michael Dillabaugh, Manager of Finance
Tina Hansen, Corporate Assistant

CALL TO ORDER

Mayor Milne called the meeting to order at 7:00 p.m.

APPROVAL OF THE AGENDA

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

PI-1 Development Variance Permit – 6215 Marilyn Road – Letter received May 14, 2012 from Rob and Debbie Turner.

PI-1 Development Variance Permit – 6215 Marilyn Road – Letter received May 14, 2012 from Marilyn Andreychuk.

CARRIED UNANIMOUSLY

Council inquired as to the status of the request for financial support to the Greater Victoria JUNO Awards bid. A letter of support has been provided to the Canadian Academy of Recording Arts and Sciences. Staff will contact the JUNO bids presenter and invite them to give a follow-up presentation at an upcoming meeting.

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on April 23, 2012 be adopted as amended on page 8.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on April 23, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Public Hearing held on April 30, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on May 1, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on May 1, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on May 7, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

April 2, 2012	Finance and Administration Committee
April 10, 2012	Finance and Administration Committee
May 2, 2012	Burning Regulation Review Committee

CARRIED UNANIMOUSLY

DELEGATIONS

D-1 Presentation – KPMG – Audited 2011 Financial Statements

Dave Gawley introduced Randy Decksheimer and Donna Hobbs of KPMG, the District of Sooke financial auditors.

Randy Decksheimer reviewed for Council the audited financial statements, School Tax Audit report, and Provincial Home Owner Grant Audit report for the District of Sooke. Mr. Deckheimer noted that the financial statements are still in draft form until they have been reviewed and accepted by Council. Mr. Decksheimer provided a summary of the financial assets, financial liabilities, net debt and accumulated surplus explaining that a net debt amount is typical of newer municipalities who must work toward a positive net debt. Mr. Decksheimer reported that accumulated surplus consists of individual fund surplus and reserve funds. The District has reserve funds for future spending purposes. Deferred revenue is funding received by the District which includes gas tax funding and grants. These are limited to spending for specified purposes.

Mr. Decksheimer explained budget to financial statement reconciliation items; transfers from reserve accounts for debt payments due to financial activities throughout the year. Mr. Decksheimer also reported on an adjustment to comparative numbers which was due to property not registered at Land Titles Office. When recording Tangible Capital Assets, some properties (right of ways) were missed but have now been recorded this year. Mr. Decksheimer advised of the recommendations from KPMG with regard to litigation issues; contribution of assets from developers, contractual arrangements, and recommendations in respect to accounting processes and systems.

David Gawley reported that the financial plan for the District of Sooke is compliant with public sector accounting standards (PSAB).

Council inquired as to commitments and contingent liabilities within the financial plan.

MOVED and seconded to accept and approve the 2011 Audited Financial Statements; the School Tax Audit Report and Provincial Home Owner Audit Report.

CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

Gail Hall, resident inquired as to the non-financial assets on page 41 and “other assets” on page 54 which represent developer cost charges owing in respect to an arrangement with a third party developer. Ms. Hall asked Council for confirmation as to whether the \$300,000 for conference bookings is paying development cost charges for Prestige Hotel and whether any of the previous Council members were aware of this at the time of the arrangement.

Mayor Milne advised that the issue of paying development cost charges for the Hotel has been turned over to the lawyers.

Council discussed:

- General Prohibition against assistance to a business under s. 25 of the *Community Charter*
- Whether development cost charges discussed at Council and through public process
- Legal opinions on how to deal with development cost charges

Ms. Hall inquired as to whether the District, at any time, did seek or agree to seek legal advice prior to agreeing to the Partnering Agreement.

Mayor Milne advised that the District will be getting advice from the lawyers; the first obligation is to ensure that Sooke is protected.

PUBLIC HEARINGS AND RELATED BYLAWS

PH-1 Report of Public Hearings – 1836 Tomlinny Road

- **Bylaw No. 525, Zoning Amendment Bylaw (500-6)**

Mayor Milne called the Public Hearings for Bylaw No. 525 to order at 7:29 p.m.

Councillor Pearson left the meeting at 7:30 p.m. declaring that he is a friend and business associate of the applicant.

Gerard LeBlanc gave a Power Point presentation and summary of the rezoning application for 1836 Tomlinny Road from Large Lot Residential to (R1) to West Coast Mixed Use (CD12).

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 hearings.

Public Submissions:

There was no input from members of the public.

Mayor Milne called three times for submissions to the Public Hearings for Bylaw No. 525. Hearing none, he closed the public hearing at 7:36 p.m.

Council considered third reading of Bylaw No. 525

MOVED and seconded that Bylaw No. 525, *Zoning Amendment Bylaw (500-6)* be read a third time.

CARRIED UNANIMOUSLY

Councillor Pearson returned to the meeting at 7:38 p.m.

PH-2 Report of Public Hearings – 2100 Otter Point Road

- **Bylaw No. 519, *Zoning Amendment Bylaw (500-3)***
- **Bylaw No. 520, *Nott Brook Phased Development Agreement Authorization Bylaw, 2012***

Mayor Milne called the Public Hearings for Bylaw No. 519 and Bylaw No. 520 to order at 7:38 p.m.

Gerard LeBlanc provided a Power Point presentation on the rezoning application and Phased Development Agreement for the Nott Brook development.

Council discussed:

- Timeline for bus bay or dedication of road
- Covenant – secondary suites not permitted
- Development supports the District's Transportation Master Plan
- Creates increased density in single family residential zone; improvements to Grant Road access; amenities contribution
- Secondary suites not suitable for development; does not meet parking requirements
- Retired population oriented

Gordon Cameron for the applicant, Canadian Horizons, reported that the housing design does not accommodate secondary suites as the bulk of the housing is one storey homes with some two storey homes along Amethyst Way.

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 hearings.

Public Submissions:

Jeff Bateman, Sooke resident, supported the application and stated that this type of development is necessary as we increase density but we have to continue to be aware of the remaining green spaces within the municipality.

Bob, Metchosin resident, stated that he was not against the development but had concerns as to increased traffic on Highway 14.

Lisa Dolson, Sooke resident and neighbour to the development stated that she was opposed to the application as she has concerns as to the redirection of Otter Point Road and the increase in traffic in the neighbourhood.

Council discussed:

- Projections say that 17% of retirees moving to southern Vancouver Island
- Highway 14 should withstand the increase in density
- Diagram shown during Land Use and Environment Committee showed topography – development works with the natural lay of the land
- Previous concerns of road width have been addressed
- Type of housing community needs

Mayor Milne called three times for submissions to the Public Hearings for Bylaw No. 519 and 520. Hearing none, he closed the public hearing at 8:02 pm.

Council considered third reading of Bylaw No. 519 and Bylaw No. 520

MOVED and seconded that Bylaw No. 519, *Zoning Amendment Bylaw (500-3)* be read a third time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 520, *Nott Brook Phased Development Agreement Authorization Bylaw, 2012* be read a third time.

CARRIED UNANIMOUSLY

MOVED and seconded to approve the registration of restrictive covenant for 2100 Otter Point Road to prohibit suites on all future single family lots within the Nott Brook development prior to adoption of Bylaw No. 519, *Zoning Amendment Bylaw (500-3)* and Bylaw No. 520, *Nott Brook Phased Development Agreement Authorization Bylaw, 2012*; **AND FURTHER** to approve the release of Covenant EX97394 concurrently with the registration of the restrictive covenant.

CARRIED UNANIMOUSLY

PUBLIC INPUT MEETINGS AND RELATED REPORTS

Councillor Haldane left the meeting at 8:02 p.m.

PI-1 Development Variance Permit – 6215 Marilyn Road

Gerard LeBlanc provided an overview of the development variance permit application for 6215 Marilyn Road. Mr. LeBlanc explained that the owners of the property, zoned Heavy Industrial (M3) have applied to Council to vary the setback distance between a building and the rear lot line from 15m to 0.9m. Two letters were received from members of the public as supplemental information; one opposed and one not opposed to the application.

Council discussed:

- Distance between the building and the closest residence
- 15m setback in Zoning Bylaw when located adjacent to residential zones
- Concerns of the wording “use” - *Local Government Act* s. 922.2 (a) – cannot vary “use”
- Concerns of storage of hazardous materials on site (automotive batteries)
- Application for building permit to erect structures
- Concerns with the number of buildings (five)
- Concerns that the buildings are on concrete foundations
- Variance for the side yard as well as the rear – the setback is required at the rear due to residential property to the south
- Concerns of noise for residential property owners
- Concerns of alternate (M3) permitted uses

Ted Lewis, applicant, explained that when he purchased the property in 1998 the property was used for scrap car storage. At that time, storage of vehicles was permitted to the fence line. They erected three buildings after deciding to go into the storage business and were approached shortly thereafter by Pacific Mobile Depot Recycling to recycle Styrofoam and other recyclables not taken through CRD. Mr. Lewis stated that he was advised by District staff that a building permit was not required for the buildings. Mr. Lewis feels that the motor to the recycling machine is electric and does not produce excessive noise.

Council inquired as to whether there was a cost to moving the structures and whether a covenant restricting the use could be placed on the property.

Mr. Lewis advised that he just spent \$30,000 on electrical wiring for the machine that recycles the Styrofoam.

Public Input:

Ellen Lewers, Board of Variance Chair, provided clarification of the Board of Variance decision as to the original application.

Bruce Cumming, adjacent property owner stated that he is trying to be a good neighbour but is opposed to all three of the options before Council as it is unreasonable to vary the setback distance from 45 feet to 3 feet. Mr. Cumming has concerns of potential environmentally hazardous materials being stored on site. Mr. Cumming wrote a letter at

the time the applicant applied to the Board of Variance and questioned why his submission was not forwarded to Council. At times, he has had to pick up debris in his yard that has blown over from the applicant's property. Mr. Cumming has concerns for his young children. He would like to come to a reasonable agreement with the applicant but does not trust a registered covenant.

Council inquired as to whether noise was a concern for Mr. Cumming. Mr. Cumming stated that noise did not seem to be a concern.

Council discussed:

- Broad range of uses in M3 Zone
- Building permits for structures
- Outside storage is a permitted use
- Referring back to staff to support applicant and neighbour

Ted Lewis, Sooke Resident, stated that there has been excessive storage of they Styrofoam recently but can guarantee that it will be gone and a fence erected within a month.

Stuart Cumming, Sooke resident stated that the setback distance of 15m for Heavy Industrial Zone should be adhered to; the buildings are portable – they should be moved.

MOVED and seconded to refer the Development Variance Permit for 6215 Marilyn Road back to staff to allow time for the applicant and the neighbours to come to an agreeable solution to both parties and to bring back the application at a future date.

CARRIED UNANIMOUSLY

Councillor Haldane returned to the meeting at 8:50 pm

PI-2 Bylaw No. 521, Zoning Amendment Bylaw (500-4) and Development Variance Permit PLN00942

Gerard LeBlanc provided a Power Point presentation on the rezoning application to rezone the former Talc Place Park from Public Recreation to Medium Lot Residential and Development Variance Permit PLN00942 to vary the minimum lot frontage for subdivision purposes.

Council discussed:

- Clarification as to whether the park disposal had been done
- Concerns of selling District land at fair market value
- Alternate Approval Process – included explanation that the property would have to go through rezoning
- Area 1 exceeds small lot size
- Previous Council not supportive of panhandles
- Zoning should remain consistent with neighbourhood
- Parks and Trails Master Plan – funds from the sale of parks to go into a parks acquisition reserve fund to strategically acquire parks
- New Zoning Bylaw made property non-conforming – no legal obligation to subdivide

- Honouring agreement with neighbours
- New Zoning Bylaw changed 12m minimum frontage to 15m

Public Input:

Peggy Little, Sooke resident and neighbour to Closed Talc Place Park, stated that she has concerns of having something built in front of her home and the affect it could have on devaluing her property. Ms. Little said she is willing to pay \$11,000 to purchase a portion of the park and asked Council to consider that price.

John Fitzner, Sooke resident and neighbour, stated that this has been a long and drawn out process. Council approached neighbours with a figure, Council should honour their commitments.

Dwayne Lampman, Sooke resident and neighbour, advised that he had just received the letter regarding the rezoning and development variance permit and stated that he was interested in purchasing Area 3.

MOVED and seconded that Bylaw No. 521, *Zoning Amendment Bylaw (500-4)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 521, *Zoning Amendment Bylaw (500-4)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded to direct staff to schedule a Public Hearing for Bylaw No. 521 in accordance with the *Community Charter* and the *Local Government Act*.

AND FURTHER to approve concurrently with the adoption of Bylaw No. 521, the issuance of Development Variance Permit PLN00942 to vary the minimum lot frontage for subdivision purposes.

CARRIED UNANIMOUSLY

PI-3 Bylaw No. 527, *Fire Protection Services Amendment Bylaw (292-4)*

Council discussed:

- Waiting for the month of May to be over prior to adopting Bylaw No. 527
- Burning Regulation Review Committee to review once month of May is over
- Permitting burning during month of May – future weather predictions for May
- Procedurally good idea to wait to review burning of “fair” days

Fire Chief Sorensen reported that the provincial fire rating has moved up to moderate and that there are currently seven significant wildfires in the province.

Public Input:

Brian Butler, Sooke resident, stated that he was in support of Bylaw No. 527.

MOVED and seconded to introduce and give first reading to Bylaw No. 527, *Fire Protection Services Amendment Bylaw (292-4)*.
CARRIED UNANIMOUSLY

MOVED and seconded to give second reading to Bylaw No. 527, *Fire Protection Services Amendment Bylaw (292-4)*.
CARRIED UNANIMOUSLY

BYLAWS

B-1 Bylaw No. 518, *Zoning Amendment Bylaw (500-2)* – Knox Centre

Mayor Milne requested that Council give reconsideration to Bylaw No. 518 under s. 131 of the *Community Charter* as the District has received legal advice that ministerial approval of a bylaw should be obtained between third reading and adoption of a bylaw. Since ministerial approval was received the same day of third reading and adoption of Bylaw No. 518, adoption should be rescinded and ministerial approval obtained prior to consideration of the adoption of Bylaw No. 518.

MOVED and seconded to rescind adoption of Bylaw No. 518, *Zoning Amendment Bylaw (500-2)*;
AND TO direct staff to obtain Ministry of Transportation and Infrastructure approval prior to adoption of the bylaw.
CARRIED UNANIMOUSLY

B-2 Bylaw No. 522, *Five Year Financial Plan Bylaw 2012* and Bylaw No. 523, *Property Tax Rate Bylaw, 2012*

Dave Gawley reported that the Property Tax Rate Bylaw must receive final approval by May 15th and advised that there will have to be an amendment to the Five Year Financial Plan as revenues and expenditures on Schedule A do not show the numbers approved by Committee of the Whole or the Finance and Administration Committee. Mr. Gawley stated that he will bring back an amendment to the bylaw and that this will not impact the expenditure program.

Mr. Gawley also reported that an information pamphlet has been put together to accompany the tax notices which will be sent out by the end of next week.

MOVED and seconded that Bylaw No. 522, *Five Year Financial Plan Bylaw, 2012* be adopted.
CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 523, *Property Tax Rate Bylaw, 2012* be adopted.
CARRIED UNANIMOUSLY

B-3 Bylaw No. 524, Zoning Amendment Bylaw (500-5) – Secondary and Small Suites

MOVED and seconded that Bylaw No. 524, *Zoning Amendment Bylaw (500-5)* be adopted.

CARRIED UNANIMOUSLY

B-4 Bylaw No. 528, Zoning Amendment Bylaw (500-7) – 7044 Maple Park Terrace – Amendments to Spiritwood Estates CD9 Zone

Gerard LeBlanc provided a Power Point presentation as to the amendment to the Spiritwood Comprehensive Development Zone (CD9).

Public Input:

There was no input from members of the public.

Council discussed:

- Terms of removal of gravel – consideration of increased truck traffic through residential areas
- Safety concerns
- Developer may require approval in writing from Ministry of Energy and Mines for extraction of materials
- Opportunity for non-profits to obtain gravel at low cost
- Public hearing for public input

Jean Pierre Langlois, developer, stated that they have not yet purchased the property and advised that they are requesting the amendment as the Ministry of Environment requires the sewer line be placed in a specific location and has provided a timeline of when the work can be done due to the SPEA. Mr. Langois had concerns with regard to the Ministry timelines, delays and increased taxes and requested that a decision to be made by Council. Mr. Langlois stated that there were no plans to have a gravel pit and agreed to seek written approval for extraction of materials from the Ministry of Energy and Mines.

MOVED and seconded to introduce and give first reading to Bylaw No. 528, *Zoning Amendment Bylaw (500-7)*.

CARRIED UNANIMOUSLY

MOVED and seconded to give second reading to Bylaw No. 528, *Zoning Amendment Bylaw (500-7)*.

CARRIED UNANIMOUSLY

MOVED and seconded to schedule a public hearing for Bylaw No. 528 in accordance with the requirements of the *Local Government Act* and the *Community Charter*.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 Video Surveillance Policy

Mayor Milne presented Policy No. 4.1, *Video Surveillance of Municipal Property Policy, 2011* for Council consideration.

Council discussed:

- Concerns of the number of people who would have access to video surveillance information under s. 7.1 of the policy
- Other municipalities who have video surveillance
- Video surveillance has been requested by staff and the Occupational Health & Safety Committee
- CAO will have to provide a business case of where surveillance will be
- Concerns of s. 4.4 and 6.1 how will needs in criteria be met
- Intrusive on people – negative feedback
- Video surveillance aids and saves people from dire situations – has caught dangerous criminals
- webcasting of meetings incorporated into policy
- Use should not be to monitor employees – does not create a healthy working environment
- Importance of having a policy in place

MOVED and seconded to refer Policy No. 4.1 *Video Surveillance of Municipal Property Policy, 2011* back to staff to review item 7.1 of the policy and provide a business case for video surveillance back for Council consideration.

CARRIED UNANIMOUSLY

RA-2 Appointment of Public Officer and Designated Employee

MOVED and seconded to appoint Tina Hansen as Corporate Assistant aka Deputy Corporate Officer for the District of Sooke to act in the absence of the Corporate Officer under section 148 of the *Community Charter*.

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor and Council Reports

Councillor Haldane reported on attending the CRD Water Board meeting last Wednesday and announced that there will be a tour of the dam and water plant in two weeks.

Councillor Berger reported on attending the Sooke CHI meeting and the SEAPARC meeting and advised of an upcoming Volunteer Fair at the high school and potential space at CASA for the Sooke seniors.

Councillor Pearson reported on the progress of the Land Use and Environment Committee and on attending the 75th Anniversary of the Sooke Community Hall where he was emcee for the event. Councillor Pearson also attended the Rotary fair. Councillor Tait reported on the upcoming Millennium Park dedication on June 2nd and also reported on the upcoming guest speaker presentation at the Sooke EDC meeting.

Councillor Kasper reported that the Finance and Administration Committee met last week to bring forward options on reporting methods for next year. Three members of the committee met with finance staff to discuss options and also discussed attaching fees to the boat launch.

Mayor Milne announced that the Forum of Councils was scheduled for Saturday, May 26th and reported on attending the dinner at the Fire Prevention Officers Association Conference at Prestige Hotel.

Councillor Reay reported on attending the Vancouver Island Library Board public consultation last week at the Sooke Community Hall.

MOVED and seconded to receive the Mayor and Councillor reports for information.
CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 10:15 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
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 May 28 , 2012
6:00 p.m., Closed Portion, Meeting Room
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

Bonnie Sprinkling, Corporate Officer
Gerard LeBlanc, Municipal Planner
Elisabeth Nelson, Municipal Engineer
Dave Gawley, Acting Director of Finance
Steve Sorensen, Fire Chief
Tina Hansen, Corporate Assistant
Staff Sgt. Steve Wright (left at 7:31 p.m.)

CALL TO ORDER

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

APPROVAL OF THE AGENDA

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

MOVED and seconded to move item RI-2 RCMP Monthly Mayor Report to immediately after adoption of Council and Committee minutes.
CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on May 14, 2012 be adopted as circulated.
CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on May 14, 2012 be adopted as circulated.
CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

May 7, 2012 Finance and Administration Committee as amended on page 17.
May 22, 2012 Land Use and Environment Committee as amended on page 23.

CARRIED UNANIMOUSLY

RI-2 RCMP Monthly Mayor Report – April 2012

Staff Sergeant Wright answered questions from Council with regard to the RCMP Monthly Mayor Report for April 2012.

MOVED and seconded to receive the RCMP Monthly Mayor report for information.
CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

There were no questions or comments from the public.

BYLAWS

B-1 Bylaw No. 518, Zoning Amendment Bylaw (500-2) – Knox Centre

Mayor Milne declared that he had received additional information on this rezoning application after the Public Hearing for Bylaw No. 518 and excused himself from the meeting at 7:12 p.m. Councillor Pearson acted as Chair in the absence of the Mayor.

Council discussed the receipt of additional information over the weekend by the Mayor and Councillor Herb Haldane and inquired as to whether this agenda item should be postponed to a future meeting. Staff advised that if the applicant wished to change the application, a second Public Hearing would be required.

Councillor Haldane declared that he had received additional information on this rezoning application after the Public Hearing for Bylaw No. 518 and excused himself from the meeting at 7:15 p.m.

MOVED and seconded that Bylaw No. 518, *Zoning Amendment Bylaw (500-2)* be adopted.

CARRIED UNANIMOUSLY

Mayor Milne and Councillor Haldane returned to the meeting at 7:16 p.m.

B-2 Bylaw No. 525, Zoning Amendment Bylaw (500-6) – 1836 Tomlinny Road

MOVED and seconded that Bylaw No. 525, *Zoning Amendment Bylaw (500-6)* be adopted.

CARRIED UNANIMOUSLY

Councillor Pearson advised that he should have excused himself prior to the adoption of Bylaw No. 525 and declared he may have a conflict of interest as to this rezoning application and left the meeting at 7:17 p.m.

MOVED and seconded to rescind adoption of Bylaw No. 525, *Zoning Amendment Bylaw (500-6)*.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 525, *Zoning Amendment Bylaw (500-6)* be adopted.

CARRIED UNANIMOUSLY

Councillor Pearson returned to the meeting at 7:17 p.m.

B-3 Bylaw No. 527, *Fire Protection Services Amendment Bylaw (292-4)*

MOVED and seconded that Bylaw No. 527, *Fire Protection Services Amendment Bylaw (292-4)* be read a third time.

CARRIED UNANIMOUSLY

**B-4 Bylaw No. 531, *Sooke Core Sewer Specified Area Amendment Bylaw (147-15)* –
Petition for Sewer Service – 7000 Melrick Place**

Council to consider Land Use and Environment Committee Recommendation - May 22, 2012

MOVED and seconded that Bylaw No. 531, *Sooke Core Sewer Specified Area Amendment Bylaw (147-15)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 531, *Sooke Core Sewer Specified Area Amendment Bylaw (147-15)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 531, *Sooke Core Sewer Specified Area Amendment Bylaw (147-15)* be read a third time.

CARRIED UNANIMOUSLY

B-5 Bylaw No. 529, *Zoning Amendment Bylaw (500-8)* and Bylaw No. 530, *2150 and 7000 Melrick Place Phased Development Agreement Authorization Bylaw, 2012*

Council to consider Land Use and Environment Committee Recommendation - May 22, 2012

MOVED and seconded that Bylaw No. 529, *Zoning Amendment Bylaw (500-8)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 529, *Zoning Amendment Bylaw (500-8)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 530, *2150 and 7000 Melrick Place Phased Development Agreement Authorization Bylaw, 2012* be introduced a read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 530, *2150 and 7000 Melrick Place Phased Development Agreement Authorization Bylaw, 2012* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded to direct staff to schedule a Public Hearing for Bylaw No. 529 and 530 in accordance with the requirements of the *Community Charter* and *the Local Government Act*.

AND FURTHER THAT the adoption of Bylaw No. 529 shall be concurrent with the adoption of Bylaw No. 531, *Sooke Core Sewer Specified Area Amendment Bylaw (147-15)*.

CARRIED UNANIMOUSLY

B-6 Bylaw No. 532, *Zoning Amendment Bylaw (500-9)* – Amendment to W2 Zone to Allow Group Moorage

Council to consider Land Use and Environment Committee Recommendation - May 22, 2012

MOVED and seconded that Bylaw No. 532, *Zoning Amendment Bylaw (500-9)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 532, *Zoning Amendment Bylaw (500-9)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded to direct staff to schedule a Public Hearing for Bylaw No. 532 in accordance with the requirements of the *Community Charter* and *the Local Government Act*.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 2012 Development Cost Charges (DCC) Review

Elisabeth Nelson provided a summary of the 2012 Development Cost Charges review and introduced DCC review consultant, Fraser Smith, Urban Systems. Fraser Smith, Urban Systems, gave a power point presentation on the DCC Review for the District of Sooke.

Council and Mr. Smith engaged in discussions over the following issues:

- Projected residential growth rate
- Concerns that some portions of the Throup Road extension have not been included
- Property acquisition for Throup Road widening required
- Affordability to District and taxpayers
- Inclusion of Goodmere Road extension and Waterview Street
- Concerns that bylaw does not include roads west of Charters and Phillips – how will these get built and paid for – to include the missing links will increase DCC's
- Keeping the fees the same and forecasting over a 15 year period
- Priority to complete connector from Otter Point to Phillips
- Look at long-term plan that reflects OCP and Transportation Master Plan
- Ensuring the end of Grant Road is fixed to accommodate developments in that area; Spiritwood and Beaton
- Lowering DCC funds and increasing wastewater funds when wastewater infrastructure is only 6 years old and roads require so much work – DCC funds cannot be moved from one program to the other (roads & wastewater)
- Studies based on amount of projected growth for wastewater were provided by EPCOR and staff
- Need to prioritize and focus on getting traffic through Sooke
- Timeline if additional roads are to be included in the bylaw
- Reducing sewer program and increasing roads program
- Absorption rate – sewer requires infrastructure
- Including growth comparisons with other communities in the CRD
- Costs per lot – other elements must be factored in for accurate comparisons
- Concerns with percentage of growth cost of 3.7% – would be more realistic around 3%
- Bylaw 408, *Sooke Town Centre Revitalization Bylaw, 2009* – need to look at LEEDS equivalent; amend bylaw to give incentive and provide something that is attainable
- Smaller developments need to be considered; ensure burden is not shifted onto them
- Using lower growth rates as a moderate approach
- Timeline – 10 year program vs 15 year program
- Priorities identified in 2004 have not started; original bylaw was over 10 years – extend to 15 year period and absorb capital costs
- Concerns of procrastination – use shorter time frame and prioritize
- Traffic congestion is a big issue in the community – seek public input
- Ability to change the program – sewer vs roads
- Require DCC program and bylaw to move forward with town centre

Council requested that staff work with Urban Systems to include the following additions within the DCC Bylaw Review for Council consideration at the next Regular Council meeting:

- Equalize wastewater and road DCC programs
- Decrease percentage of growth calculation
- Include portion of Grant Road Connector from Gatewood Road to Otter Point Road

RA-2 CRD Bylaw No. 3827, Sooke Region Historical Society Service Establishment Bylaw No. 1, 2011 Amendment Bylaw No. 1, 2012

MOVED and seconded to give consent to adoption of CRD Bylaw No. 3827, *Sooke Region Historical Society Service Establishment Bylaw No. 1, 2011 Amendment Bylaw No. 1, 2012*

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor and Council Reports

Mayor Milne reported on discussions with EPCOR on cost containment and revenue generation initiatives for the District of Sooke Wastewater system.

Mayor Milne advised that beginning January 2013 municipalities will be charged \$40 per tonne for kitchen waste disposal. The District is working with the CRD on composting in Sooke.

Councillor Reay reported on attending the CREST annual general meeting in the middle of May and the Family Court and Youth Justice meeting.

Councillor Haldane reported on attending the Land Use and Environment Committee meeting and the CRD Forum of Councils strategic planning session.

Councillor Berger reported on the upcoming Community Volunteer Fair at EMCS on June 6th and the upcoming SEAPARC meeting.

Councillor Pearson reported on attending the Land Use and Environment Committee meeting.

Councillor Tait reported on an upcoming Community Grant Review Committee meeting and a recent EDC meeting presentation for the National Triathlon bid for 2013-2015. The EDC will be seeking a new public member.

Councillor Kasper reported on follow up discussions with EPCOR to review a number of issues with regard to the wastewater contract. Councillor Kasper also attended the CRD Forum of Councils strategic planning session.

Mayor Milne reported that he and staff met with MoTI to discuss a number of issues including Throup Road and the round-about. Mayor Milne also met with Rotary and a Rotary exchange member from India last week. Mayor Milne advised of potential changes with BC Transit within the CRD and reported on attending a Royal Roads meeting and Treaty Advisory Committee meeting.

RI-3 Sooke Millennium Park and Muirside Cemetery – Transfer of Ownership to the District of Sooke

MOVED and seconded to receive the Sooke Millennium Park and Muirside Cemetery report for information.
CARRIED UNANIMOUSLY

RI-4 EPCOR – Performance Highlights 2011

MOVED and seconded to receive the EPCOR – Performance Highlights 2011 report for information.
CARRIED UNANIMOUSLY

CORRESPONDENCE REQUIRING ACTION

C-1 Letter received from Eddison A. Stairs – Lease of boulevard

Council Discussion:

- Cedar fence would be on boulevard – may require highway use permit
- would have to go through lengthy disposition process
- Some municipalities require land owners to maintain boulevards in front of their residence

MOVED and seconded to receive and file the letter from Eddison A. Stairs.
CARRIED UNANIMOUSLY

C-2 Letter received from Sooke Slo-Pitch Association – Overflow Parking Sooke River Road Park

Council Discussion:

- Use of park will have to be determined through public process
- Ensuring fair treatment to organizations for park use

MOVED and seconded to direct staff to discuss options for overflow parking with Mr. Gibson for Council consideration.
CARRIED UNANIMOUSLY

REPORT OF IN CAMERA RESOLUTIONS

RA-4 Sooke Economic Development Commission – Resignation and Appointment of Public Member

MOVED and seconded to accept the resignation of Michael Nyikes from the Sooke Economic Development Commission;
AND to direct staff to advertise for a new public member to the Sooke Economic Development Commission;
AND to release this resolution to the public.
CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 9:00 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
Mayor

Bonnie Sprinkling
Corporate Officer

DISTRICT OF SOOKE

Minutes of the Special Meeting of Council
held in the Municipal Meeting Room
at 2205 Otter Point Road, Sooke, BC
on June 6, 2012 at 6:00 p.m.

COUNCIL PRESENT

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

STAFF PRESENT

Nil

ABSENT: Councillor Maja Tait

CALL TO ORDER

Mayor Milne called the meeting to order at 6:03 p.m.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

MOVED, 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)(c) labour relations or other employee relations; and
- 90(1)(g) litigation or potential litigation affecting the municipality;

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 7:45 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
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 June 25 , 2012
6:00 p.m., Closed Portion, Meeting Room
7:00 p.m., Open Portion, Council Chamber

COUNCIL PRESENT

Mayor Wendal Milne
Councillor Bev Berger
Councillor Rick Kasper
Councillor Kerrie Reay
Councillor Maja Tait
Councillor Kevin Pearson (left the meeting
at 7:00 pm)

STAFF PRESENT

Dave Gawley, Acting Director of Finance
Bonnie Sprinkling, Corporate Officer
Gerard LeBlanc, Municipal Planner
Elisabeth Nelson, Municipal Engineer
Steve Sorensen, Fire Chief
Tina Hansen, Corporate Assistant (Recorder)

ABSENT: Councillor Herb Haldane

CALL TO ORDER

Mayor Milne called the meeting to order at 6:05 p.m. in the Municipal Meeting Room.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

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

- (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;
- (c) labour relations or other employee relations;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- (g) litigation or potential litigation affecting the municipality.

CARRIED UNANIMOUSLY

CALL TO ORDER - OPEN PORTION

Mayor Milne called the open portion of the Regular Council meeting to order at 7:03 p.m. in the Council Chambers.

APPROVAL OF THE AGENDA

MOVED and seconded to approve the agenda as circulated with the removal of Pages 91 and 92.

CARRIED UNANIMOUSLY

MOVED and seconded to add the following items to the agenda as supplemental information:

- Item D-1 Sooke Horseshoe Club Petition – 134 signatures

- Item RA-1 Land Use and Environment Committee Recommendations of June 18th, 2012 - Alcatel-Lucent Monopole Radio Tower:
 - Email dated June 15, 2012 from Michael Nyikes
 - Email dated June 18, 2012 from Susan Bexson
 - Letter submitted June 18, 2012 to Land Use and Environment Committee from Sylvia Hallgren
 - Email dated June 19, 2012 from Dave Court
 - Email dated June 19, 2012 from Danica and Louis Fruttarol
 - Correspondence dated June 20, 2012 between Alcatel-Lucent Canada and Roy Osselton
 - Email dated June 21, 2012 from Ron and Marlene Barry
 - Correspondence dated June 21, 2012 between Alcatel-Lucent Canada and Sylvia Hallgren
 - Email dated June 25, 2012 from Katharina Gustavs
 - Letter received June 25, 2012 from Dereck Parkinson, The Mortgage Centre
 - Petition received June 25, 2012 - submitted by Laurie Wallace

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on June 11, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on June 11, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

June 18, 2012 Land Use and Environment Committee as amended on page 23.

June 20, 2012 Sooke Economic Development Commission

CARRIED UNANIMOUSLY

DELEGATIONS

D-1 Sooke Horseshoe Club

Tom Bligh, Sooke Horseshoe Club, provided an overview of the pros and cons of having horseshoe pitching courts at Sooke River Road Park or John Phillips Memorial Park. Mr. Bligh stated that horseshoes is a sport that people of all ages can play and having a place in the community would be a benefit to youth and old people alike.

Richard Hobday, Sooke Horseshoe Club advised that a lot of work went into the Sooke River Road Park project and that the organization received a District of Sooke Community

Grant in 2011 for the project which is on hold pending a suitable location. Mr. Hobday requested Council's support.

Tom Moffat, Vice President of Horseshoe Canada, advised that horseshoes is a sport that is enjoyed by all ages. As a Langford resident, he understands that residents must travel outside the community for the sport and this is a good opportunity for people to not have to travel to play the sport.

Council discussion:

- Park Plans not yet established for Sooke River Road Park
- Encourage user groups to work with Engineering staff
- Ensure public process and long term park plan is in place for use of the parks
- Refer matter to Land Use and Environment Committee for discussion
- Concerns of private organizations occupying public land for their own purpose
- All user groups should have access and be able to utilize the parks
- Concerns of exclusivity to particular groups or organizations – everyone should have access and use of land that Council has control of

MOVED and seconded to direct staff to work with the Sooke Horseshoe Club to determine a suitable location and development in John Phillips Memorial Park for horseshoe pitches; **SUBJECT TO** staff bring forward a report to the Land Use and Environment Committee to establish a long term plan for the use of the park including but not limited to off-leash/dog park, disc park, bike skills park, and horseshoe pitch.

CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

U-1 Council to consider Agenda items postponed from June 11, 2012 Meeting:

- **Item B-1 Bylaw No. 527, *Fire Protection Services Amendment Bylaw (292-4)***

MOVED and seconded that Bylaw No. 527, *Fire Protection Services Amendment Bylaw (292-4)* be adopted.

CARRIED UNANIMOUSLY

- **Item RA-6 Video Surveillance of Municipal Property Policy, 2011**

MOVED and seconded that Policy No. 4.1, *Video Surveillance of Municipal Property Policy, 2011* be adopted.

CARRIED UNANIMOUSLY

MOVED and seconded to accept the following suggested four locations for video surveillance in the municipal office:

C1- Reception facing front door

C2-Reception facing Corporate Services

C3-Finance Hallway

C4-Development Services

CARRIED UNANIMOUSLY

- **Item RI-1 Mayor and Councillor Reports**

MOVED and seconded to move the Mayor and Councillor Reports to RI-2 of the agenda.
CARRIED UNANIMOUSLY

- **Province of BC – 2012 Wildland Urban Interface Resource Request**

MOVED and seconded to receive the Wildland Urban Interface Resource Request for information.
CARRIED UNANIMOUSLY

- **Item RI-3 Galloping Goose – Sooke River Pedestrian Crossing – Phase 3 Preliminary Design Report**

MOVED and seconded to receive the Galloping Goose – Sooke River Pedestrian Crossing – Phase 3 Preliminary Design Report for information.
CARRIED UNANIMOUSLY

- **Item C-1 Vancouver Island Health Authority – Consider Motion to UBC re: Tobacco Control Act**

MOVED and seconded to receive and file the correspondence from the Vancouver Island Health Authority.
CARRIED UNANIMOUSLY

- **Item I-1 Resolution date May 31, 2012 from the Corporation of The City of North Vancouver – Protection of Fish Habitat in Waterways**

MOVED and seconded to receive and file the correspondence from the City of North Vancouver.
CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

Dick Thut, Sooke resident, commented on a parking area on the east side of Sooke River Road that could be used for additional parking.

Mike Gibson, Sooke Slo-Pitch Association, stated that he has had discussions with staff and has submitted a proposal to construct additional parking along Sooke River Road at no cost to the District.

Council by general consensus moved agenda item RA-2 - Sooke Slo-Pitch Association Proposal to Construct Angled Parking at Sooke River Road Park for discussion at this time.

Council discussion:

- Proposal will assist with parking and congestion on Sooke River Road

- No environmental impact
- Provides parking for public wanting to access park – helps utilize the park
- Receiving in-kind contributions from community for materials/labour
- Build to a permanent standard or temporary and be removed
- Financial impact of \$25,000 for permanent standard – not in this year's budget
- Concerns if temporary parking will be needed again next ball season

MOVED and seconded to authorize staff to work with the Slo-Pitch Association to construct a more appropriate durable angled parking fronting Sooke River Road Park to municipal standards up to a cost of \$25,000.

DEFEATED

MOVED and seconded to authorize staff to work with the Slo-Pitch Association to construct temporary angled parking fronting Sooke River Road Park.

CARRIED UNANIMOUSLY

PUBLIC HEARINGS AND RELATED BYLAWS

PH-1 Report of Public Hearings – Talc Place Park

- **Bylaw No. 521, *Zoning Amendment Bylaw (500-4)***

Gerard LeBlanc provided a summary and PowerPoint presentation on the rezoning of Talc Place Park from Public Recreation (P1) to Medium Lot Residential (R2).

Bonnie Sprinkling advised that Bylaw No. 521 must be amended to include the new legal description of the property.

Mayor Milne called the Public Hearings for Bylaw No. 521 to order at 7:55 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 hearings.

Public Submissions: There was no input from members of the public.

Mayor Milne called three times for submissions to the Public Hearings for Bylaw No. 521. Hearing none, he closed the public hearing at 7:57 p.m.

Council consider third reading of Bylaw No.521

MOVED and seconded that Bylaw No. 521, *Zoning Amendment Bylaw (500-4)* be amended.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 521, *Zoning Amendment Bylaw (500-4)* be read a third time.

CARRIED UNANIMOUSLY

PUBLIC INPUT MEETINGS AND RELATED REPORTS

PI-1 Annual Municipal Meeting

Bonnie Sprinkling advised that the purpose of the Annual Municipal Meeting is to provide an opportunity to receive public input on the 2012 Annual Municipal Report.

Public Input: There was no input from members of the public.

PI-2 Development Variance Permit – 2205 Tara Place

Public Input: There was no input from members of the public.

MOVED and seconded to authorize the issuance of Development Variance Permit PLN00958 for 2205 Tara Place, legally described as Lot A, Section 24, Sooke District, Plan VIP83004 to allow the following variances from section 202.7 in Bylaw No. 500, *Sooke Zoning Bylaw, 2011*:

1. Relax front lot line setback from 4.5m to 1.8m & relax rear lot line setback for house from 4.5m to 2.4m on proposed Lot 2 as shown on attached plan;
2. Relax front lot line setback from 4.5m to 2.7m & relax rear lot line setback from 4.5m to 2.1m on proposed Lot 3 as shown on attached plan.

CARRIED UNANIMOUSLY

PI-3 Development Variance Permit – 7247 Bethany Place

Gerard LeBlanc provided a summary of the development variance permit application for 7247 Bethany Place.

Public Input: There was no input from members of the public.

MOVED and seconded to authorize the issuance of Development Variance Permit PLN00955 for 7247 Bethany Place, legally described as Strata Lot 28, Section 17, Sooke District, Strata Plan VIS2968 Together with an interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form 1 to vary the following from Bylaw No. 500, *Sooke Zoning Bylaw, 2011*:

1. Vary section 104.7 to allow an addition to the existing garage to be 1.8 meters from the side western property line.

CARRIED UNANIMOUSLY

BYLAWS

B-1 Bylaw No. 537, Sooke Core Sewer Specified Area Amendment Bylaw (147-16) – 7188 West Coast Road

Elisabeth Nelson provided a summary of the staff report for the application for inclusion into the Sooke Core Sewer Specified Area (SSA) at 7188 West Coast Road.

MOVED and seconded that Bylaw No. 537, *Sooke Core Sewer Specified Area Amendment Bylaw (147-16)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 537, *Sooke Core Sewer Specified Area Amendment Bylaw (147-16)* be read a second time.
CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 537, *Sooke Core Sewer Specified Area Amendment Bylaw (147-16)* be read a third time.
CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 Land Use and Environment Committee Recommendations of June 18, 2012:

- **Solar Hot Water Ready Single Family Dwellings**

Council discussion:

- Having an incentive for those who choose to install solar hot water
- Not making it mandatory – allowing people to make the decision
- There may be more interest in the future from builders/homeowners – bylaw could be amended then
- Market place will initiate in the future – can be looked at then

MOVED and seconded to not consider a mandatory requirement for a new building regulation that will require all new single family homes within the District of Sooke to be built to accommodate a future installation of a new solar hot water system
CARRIED UNANIMOUSLY

- **Alcatel-Lucent Monopole Radio Tower**

Mayor Milne inquired as to whether Council has the authority to regulate the location of the tower.

Gerard LeBlanc advised that the applicant can come back to the table with a number of applications until they find a suitable site for the tower. The location of a tower is federally regulated and controlled. The federal government is not subject to zoning requirements or policies other than on a voluntary basis. There have been a number of public comments on this particular location. The applicant (Alcatel-Lucent) felt that the District's notification process satisfied Industry Canada, however, it is Mr. Leblanc's interpretation of the federal policy that it does not. Alcatel-Lucent will be initiating a notification process. The location of the Tower is inconsistent with the Town Centre Plan, if direction is received from Council, a letter is ready to be sent to the Alcatel-Lucent opposing the proposed location.

Council discussion:

- Ensuring message goes to Industry Canada before the deadline
- Alcatel-Lucent is working on behalf of WIND Mobile
- Ensuring strongest message of opposition is sent to applicant
- Ensuring copies of letter are forwarded to local MP as well as Vancouver Island North and Nanaimo-Alberni MP's

MOVED and seconded to send a letter to Alcatel-Lucent Canada strongly opposing the proposed location of the Alcatel-Lucent Monopole Radio Tower at 6631 Sooke Road; **AND TO** send a copy of the letter to Industry Canada, the Federal Minister, Randall Garrison, MP (Esquimalt-Juan de Fuca), John Duncan, MP (Vancouver Island North) and Dr. James Lunney, MP (Nanaimo-Alberni);

AND TO direct staff to work with the applicant to find a suitable location for the tower.

CARRIED UNANIMOUSLY

- **Proposed Strata Title Conversion of Previously Occupied Dwellings Located at 1810/1820 Connie Road**

MOVED and seconded to provide Approval in Principle of the strata title conversion of the previously occupied dwelling located at Lot 1, Section 116, Sooke District, Plan VIP58425 subject to meeting the requirements of Council Policy No. 8.6, *Residential Strata Title Conversion Policy, 2012*;

AND FURTHER TO direct staff to work with the applicant to finalize all technical details relating to the application before bringing it back before Council consideration of the final strata plan.

CARRIED UNANIMOUSLY

- **Subdivision in the Agricultural Land Reserve – 2727 Phillips Road**

MOVED and seconded to direct staff to forward this request for subdivision of one additional lot to the Agricultural Land Commission with a recommendation for approval.

CARRIED UNANIMOUSLY

- **Rezoning of Rural Residential Zone (RU4) Lands to Large Lot Residential Zone (R1) – Grant Road West**

MOVED and seconded to direct staff to draft a report to reinstate all previous Rural Residential Zone (RU4) properties to make the minimum lot size 2500m² outside the sewer specified area (SSA) effective 2012;

AND FURTHER THAT all previously established lots be zoned to reflect their current lot size or which ever zone is closest to their current lot size.

CARRIED UNANIMOUSLY

- **Town Centre Design Guidelines**

MOVED and seconded to endorse a “West Coast” theme for the District of Sooke Town Centre;

AND FURTHER TO direct staff to draft the necessary bylaws to amend the *Official Community Plan* (OCP) as follows:

1. Amendments to the OCP to strengthen the policy statements regarding a “West Coast” theme for the Town Centre.
2. Amendments to the OCP to include more guidelines in DPA #1 around architectural details, storefront design and building materials.
3. Staff to prepare an illustrative guide for developers based on the policies and guidelines of the OCP.

4. Amendments to the Subdivision and Development Standards Bylaw to include specific details on sidewalk colour/texture, street furnishing style/colour, lamp standards style/colour and street trees by street?
5. Consultation with developers on themes and DPA #1 guidelines prior to staff reporting back to Council.

AND FURTHER TO direct staff to prepare an illustrative hand-out outlining the characteristics of the theme when completed.

CARRIED UNANIMOUSLY

RA-3 Development Cost Charges

Elisabeth Nelson provided a summary of the staff report for the 2012 Development Cost Charges (DCC) Review.

Dave Gawley advised that the Consultant recommended that, although Council wanted wastewater to stay as close as possible as to what it is now, in order for the Province to agree with the new DCC bylaw, we must present a minimal change in the wastewater DCCs.

Council discussion:

- Separating the two DCC programs and amend Bylaw No. 202 to remove the road program and establish a new DCC bylaw for roads
- Current DCC Capital Plan for sewers would remain the same at this time as the amended Bylaw 202
- Concerns Phillips Road sewer DCC is strictly beneficial to Sunriver
- Revisit the sewer Capital Plan as District may not have the ability to make the financial contributions to complete these projects
- Sending bylaw for approval by provincial government – reasons they may not approve
- Sewer DCC bylaw should have been amended at the time sewer was built
- Establish a new DCC for roads with new capital plan and new DCC structure
- Current bylaw as it is related to roads is outdated

MOVED and seconded that Bylaw No. 202, *Development Cost Charge Imposition Bylaw, 2004* be amended to establish a new Development Cost Charge bylaw for roads with the new ten year capital plan and the new Development Cost Charge fee structure program subject to discussions with the province.

CARRIED UNANIMOUSLY

MOVED and seconded that the current sewer Development Cost Charge capital plan and fee structure as outlined in Bylaw No. 202, *Development Cost Charge Imposition Bylaw, 2004* remain the same until the modeling of the wastewater system is completed.

CARRIED UNANIMOUSLY

MOVED and seconded to direct staff to present the proposed Development Cost Charge program at a public consultation meeting on July 5, 2012.

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 RCMP Monthly Mayor Report – May 2012

MOVED and seconded to receive the report RCMP Monthly Mayor Report for May 2012 for information.

CARRIED UNANIMOUSLY

RI-2 Mayor and Councillor Reports

- Mayor Milne reported on attending the TD Bank grand opening on Saturday and the Treaty Advisory Committee meeting.
- Councillor Reay reported on attending three meetings this week.
- Councillor Berger reported on attending the Community Health Initiative meeting noting that CHI and CASA are considering amalgamation.
- Councillor Kasper reported on attending a tour of the Pacific Marine Circle Route through Lake Cowichan earlier in the day and on attending several meetings last week as Acting Mayor.
- Councillor Tait reported on attending the transfer of Millennium Park and the Sooke Museum open house. Councillor Tait also reported on the upcoming meetings for the Community Grants.

MOVED and seconded to receive the Mayor and Councillor reports for information.

CARRIED UNANIMOUSLY

REPORT OF IN CAMERA RESOLUTIONS

RA-3 Sooke Economic Development Commission (“Sooke EDC”) - Public Member Appointment

MOVED and seconded to appoint Jeff Bateman and Patrick Grove as public members at large to the Sooke Economic Development Commission;

AND to release the In Camera resolution as to the appointments to the public.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 8:50 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
Mayor

Bonnie Sprinkling
Corporate Officer

DISTRICT OF SOOKE

Minutes of the Special Meeting of Council
held at the Sooke Harbour House
at 1528 Whiffin Spit Road, Sooke, BC
on June 26, 2012 at 6:00 p.m.

COUNCIL PRESENT

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

STAFF PRESENT:

Dave Gawley, Acting Director of Finance
Bonnie Sprinkling, Corporate Officer
Steve Sorensen, Fire Chief
Elisabeth Nelson, Municipal Engineer
Michael Dillabaugh, Manager of Finance

CALL TO ORDER

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

APPROVAL OF THE 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)(i) of the *Community Charter* to discuss the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 10:30 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Mayor Wendal Milne
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 July 9, 2012
5:30 p.m., Closed Portion, Meeting Room
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

Dave Gawley, Acting Director of Finance
Bonnie Sprinkling, Corporate Officer
Gerard LeBlanc, Municipal Planner
Elisabeth Nelson, Municipal Engineer
Michael Dillabaugh, Manager of Finance
Steve Sorensen, Fire Chief
Tina Hansen, Corporate Assistant

CALL TO ORDER

Mayor Milne called the meeting to order at 5:34 p.m. in the Municipal Meeting Room.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

MOVED and seconded 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)(g) litigation or potential litigation affecting the municipality;
90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CALL TO ORDER - OPEN PORTION

Mayor Milne called the open portion of the Regular Council meeting to order at 7:02 p.m. in the Council Chambers.

APPROVAL OF THE AGENDA

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

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Special Council meeting held on June 6, 2012 be adopted as circulated.
CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on June 18, 2012 be adopted as circulated.
CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Regular Council meeting held on June 25, 2012 be adopted as circulated.
CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on June 25, 2012 be adopted as circulated.
CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on June 26, 2012 be adopted as circulated.
CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

May 30, 2012	Community Grant Review Committee
June 26, 2012	Emergency Planning Committee
June 27 & June 28, 2012	Community Grant Review Committee
July 3, 2012	Finance and Administration Committee

CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

There were no questions or comments from the public.

BYLAWS

B-1 Bylaw No. 521, *Zoning Amendment Bylaw (500-4)* Talc Place Park

MOVED and seconded that Bylaw No. 521, *Zoning Amendment Bylaw (500-4)* be adopted.

CARRIED UNANIMOUSLY

MOVED and seconded to authorize issuance of Development Variance Permit PLN00942.

CARRIED UNANIMOUSLY

B-2 Bylaw No. 537, *Sooke Core Sewer Specified Area Amendment Bylaw (147-16)* - 7188 West Coast Road

MOVED and seconded that Bylaw No. 537, *Sooke Core Sewer Specified Area Amendment Bylaw (147-16)* be adopted.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 Community Grant Review Committee Recommendations of July 27th, 2012 meeting:

Councillor Tait reported that the recommendations for funding by the Community Grant Review Committee were made based on three Committee meetings and several hours of

reviewing the community grant applications to ensure that the applicants qualified for a grant in accordance with the *Community Grant Program Policy*. Councillor Tait advised that the Committee will be meeting in the Fall to review and make recommendations on how to improve the eligibility criteria in the Policy and will meet again prior to the start of the 2013 Community Grant Program.

Council discussed concerns that some of the community grant applicants receive additional funding through a line item in the District of Sooke budget.

MOVED and seconded to consider each of the Community Grant Review Committee grant recommendations separately one at a time.

CARRIED UNANIMOUSLY

Sooke Canada Day Society

Council discussion:

- Sooke Canada Day Society receives a line item in the financial budget on an annual basis
- consider terms and conditions on how funds go out
- consider adding this amount to the line item for next year
- Community Grant committee considered recommending the line item for next year be increased but this was the event organizer's last year and the committee was unsure of what will happen next year
- Finance and Administration Committee may want to review with next year's budget
- Sooke Canada Day event draws over 7000 people
- Funds for D.J. no longer required

MOVED and seconded to fund the amount of \$1,500 to Sooke Canada Day Society.

CARRIED UNANIMOUSLY

Scouts Canada – Camp Barnard

MOVED and seconded to fund \$7,000 to Scouts Canada Camp Barnard.

CARRIED UNANIMOUSLY

Sooke Region Food CHI Society

MOVED and seconded to fund \$3,500 to Sooke Region food CHI Society to go towards the Sunriver Community Garden Native Wetland Garden.

CARRIED UNANIMOUSLY

EMCS Student Art Bus Shelter Project

MOVED and seconded to fund \$2,500 to the EMCS Student Art Bus Shelter Project.

CARRIED UNANIMOUSLY

Council agreed by general consensus to refer the following Community Grant Review Committee recommendation to the Finance and Administration Committee for consideration during budget review:

THAT the Finance and Administration Committee consider allocating \$3,000 as a line item in the 2013 budget for EMCS Student Art Bus Shelter Project;

AND FURTHER THAT the finance and Administration Committee consider funding the replacement of the existing glass panels on the bus shelter.

Ladybug Garden and Greenhouse

Councillor Tait confirmed that Ladybug Garden and Greenhouse received a community grant in 2011.

MOVED and seconded to fund \$1,000 to Ladybug Garden and Greenhouse to go towards capital improvements to the garden shelter.

CARRIED UNANIMOUSLY

Navy League of Canada – Sooke Branch

MOVED and seconded to fund \$5,000 to Navy League of Canada – Sooke Branch.

CARRIED UNANIMOUSLY

Addiction Recovery Coach of Canada Society

MOVED and seconded to fund \$800 to Addiction Recovery Coach of Canada Society to go towards the purchase of materials and supplies for a collage.

CARRIED UNANIMOUSLY

Sooke Elderly Citizens Housing Society

MOVED and seconded to fund \$3,000 to Sooke Elderly Citizen's Housing Society to go towards the wall mural.

CARRIED UNANIMOUSLY

Reflections of Fantasy Dance Society

MOVED and seconded to fund \$1,500 to Reflections of Fantasy Dance Society to go towards the purchase of costumes.

CARRIED UNANIMOUSLY

Sooke Boxing Club

Council inquired as to the start up fees under the project description and noted that the organization received a community grant last year and did not submit their year-end report. Councillor Tait clarified that the organization was a new group of volunteer coaches and members who have used their own funding to set up the boxing club. The group has ensured that a sustainability plan will be provided.

MOVED and seconded to fund \$2,000 to Sooke Boxing Club to be used toward the purchase of boxing equipment.

CARRIED UNANIMOUSLY

Sooke Fall Fair Association

MOVED and seconded to fund \$600 to Sooke Fall Fair Association to be used for tent rentals and keeper trophies.

CARRIED UNANIMOUSLY

Sooke Minor Fastball Association

Councillor Kasper declared a conflict of interest with this community grant application as his son is an umpire with Sooke Minor Fastball Association and left the meeting at 7:25 p.m.

MOVED and seconded to fund \$7,000 to Sooke Minor Fastball Association.
CARRIED UNANIMOUSLY

Councillor Kasper returned to the meeting at 7:26 p.m.

Juan de Fuca Swim Club – Sooke

MOVED and seconded to fund \$6,500 to Juan de Fuca Swim Club – Sooke to be used for the purchase of equipment for Sooke swimmers.
CARRIED UNANIMOUSLY

Sooke Animal Food and Recue Society

Councillor Tait advised that this community grant is conditional on the Society providing confirmation that its operation is legal to ensure that the District assumes no liability for the trapping of feral cats in public places.

MOVED and seconded to fund the amount of \$1,500 to the Sooke Animal Food & Rescue Society to go towards the purchase of traps and tools, provided that the Society provides written confirmation that the operations of the Society are legal and that they are acting in accordance with all federal, provincial and District of Sooke regulations and requirements; **AND THAT** confirmation be received in writing that the District assumes no liability for the activities of the Society;
AND FURTHER THAT the Society provides proof of liability insurance to the District of Sooke.
CARRIED UNANIMOUSLY

Royal Canadian Legion Housing Society

Councillor Reay declared that she may have a conflict of interest with this community grant application as she is on the Board of Directors and left the meeting at 7:29 p.m.

Council discussion:

- Whether this type of project is appropriate for a community grant
- Whether the outside beautification project fits with District downtown design standards

Councillor Tait clarified that the Royal Canadian Legion Housing Society is one of the only places in Sooke providing low income senior housing and are replacing interior blinds which would be considered capital upgrades.

MOVED and seconded to fund the Royal Canadian Legion Housing Society \$10,000 to be used towards capital improvements; replace blinds and planter boxes.
CARRIED UNANIMOUSLY

Councillor Reay returned to the meeting at 7:32 p.m.

Sooke Firefighter's Association

Councillor Berger declared that she may have a conflict of interest with this community grant application and left the meeting at 7:32 p.m.

Council discussion:

- Support for matching \$3,000 in funds that firefighter's have contributed toward this project – not recommended amount of \$7,100
- Ensuring public awareness that Firefighter's Association received an increase of \$5,000 in their allotment this year
- Ensuring fairness – taxpayers dollars
- Cuts have been made everywhere in the budget process
- Whether other organizations that met the criteria for a community grant were denied funding – all qualifying organizations received funding
- Where the fire truck will be stored – in the fire department

Councillor Tait clarified that this was the original fire truck for the District of Sooke. The fire truck went to the Town of Barrie under the condition that when Barrie no longer required the truck it would come back to Sooke. It is estimated the refurbishing of the fire truck will be approximately \$30,000. The Committee felt the recommended amount could cover off the funds associated with the bodywork and painting of the truck in hopes that it move them along for the Sooke Fire Department 100th Anniversary.

MOVED and seconded to fund \$7,100 to the Sooke Firefighter's Association.

CARRIED

Councillor Kasper opposed the motion

Councillor Berger returned to the meeting at 7:41 p.m.

Sooke Transition Town Society: Sooke Slow Food Cycle

MOVED and seconded to fund \$4,500 to Sooke Transition Town Society to be used towards the family bike ride and symposium.

CARRIED UNANIMOUSLY

Councillor Tait confirmed that the Community Grant Review Committee will meet in September 2012 to review the Terms of Reference for the funding and present their recommendations to the Finance and Administration Committee.

RA-2 Finance and Administration Committee Recommendations Meeting of July 3, 2012:

Municipal Liability Insurance

MOVED and seconded to change the comprehensive general liability insurance coverage to the Municipal Insurance Association of British Columbia (MIA) as soon as possible.

CARRIED UNANIMOUSLY

Galena Road Paving and Overlay

Council discussion:

- Galena Road is not in very bad shape – there are a number of other roads that are in need of repair and should take priority
- Ensure consideration of financial implications – where funds will come from; who and how many will benefit

- Staff should have discussions with CRD Water Board as to contributions to works already complete; ie. Sooke River Road

MOVED and seconded not to authorize the paving/overlay of Galena Road at this time.
CARRIED UNANIMOUSLY

Lease – Firefighter’s Lounge

MOVED and seconded to approve the 2012 Lease to the Sooke Fire Rescue Society (Inc. No. 0049842) for the Firefighters Lounge, 2225 Otter Point Road as amended in part 4(h) “Assign or Sublet”;

AND FURTHER THAT the Mayor and the Acting Chief Administrative Officer be authorized to sign the Lease on behalf of the District of Sooke.

CARRIED UNANIMOUSLY

Policy No. 5.2 Purchasing Policy

MOVED and seconded to direct staff to follow the existing municipal purchasing Policy No. 5.2 *Purchasing Policy* for budgeted expenditures;

AND THAT staff bring forward an amendment to the Policy No. 5.2 together with any necessary bylaw amendments, for review at the September 4th, 2012 Finance and Administration Committee meeting.

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

Mayor Milne reported on attending the Sooke Canada Day celebration and took the opportunity to publicly thank Judith Ann Gatto for her efforts in organizing the event over the past several years. Mayor Milne also reported on attending the opening ceremonies of the Sooke Fastball Association ladies softball tournament.

Councillor Reay reported on attending the Emergency Planning Committee meeting.

Councillor Haldane reported on attending the Canada Day celebration.

Councillor Berger reported on attending the Sooke Youth movie night and also on attending the Sooke Canada Day celebration.

Councillor Kasper reported on attending the Sooke Canada Day celebration and thanked the Sooke and Otter Point volunteer fire fighters for their work during the Canada Day event.

Councillor Tait congratulated the Sooke Harbour House for being rated number two as top resort in Canada in the Travel and Leisure Magazine and also congratulated Woodland Creek for earning the gold award for best website at the Construction Achievements and Renovations of Excellence (CARE) awards.

Councillor Pearson reported on attending the Sooke Canada Day celebration and also thanked Ms. Gatto for organizing the event and the Sooke Community Association for a good job in laying out the event at the Sooke flats.

Mayor Milne reported that Habitat for Humanity has an interest in getting something started for affordable housing in Sooke and would like Council to consider the start of a committee to work with Habitat for Humanity.

REPORTS REQUIRING ACTION

RA-1 City of Port Moody – Municipal Response to Comprehensive Economic and Trade Agreement (CETA)

Council discussion:

- Require further background information
- Timeline - objections must be registered by the end of July
- Effects on local government powers and administrative costs

MOVED and seconded to receive the report for information and wait for a report from the UBCM Committee.

CARRIED UNANIMOUSLY

RA-2 City of Fort St. John Council Resolution June 29, 2012 – Federal Infrastructure Funding

MOVED and seconded to receive the report for information.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 8:04 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
Mayor

Bonnie Sprinkling
Corporate Officer

DISTRICT OF SOOKE

Minutes of the Special Meeting of Council
held at T'Sou-ke Nation Band Hall
2154 Lazzar Road, Sooke, BC
on July 10, 2012 at 6:30 p.m.

COUNCIL PRESENT

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

STAFF PRESENT

Dave Gawley, Acting Director of Finance
Elisabeth Nelson, Municipal Engineer

ABSENT: Councillor Rick Kasper

CALL TO ORDER

Mayor Milne called the meeting to order at 6:30 p.m.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

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

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 8:30 p.m.
CARRIED

Certified Correct:

Wendal Milne
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 July 23 , 2012
6:00 p.m., Closed Portion, Meeting Room
7:00 p.m., Open Portion, Council Chamber

COUNCIL PRESENT

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

STAFF PRESENT

Dave Gawley, Acting Director of Finance
Bonnie Sprinkling, Corporate Officer
Gerard LeBlanc, Municipal Planner
Elisabeth Nelson, Municipal Engineer
Steve Sorensen, Fire Chief
Tina Hansen, Corporate Assistant

ABSENT

Councillor Bev Berger

CALL TO ORDER

Mayor Milne called the meeting to order at 6:02 p.m. in the Municipal Meeting Room.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

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

90(1)(g) litigation or potential litigation affecting the municipality;

90(1)(c) labour relations or other employee relations.

CARRIED UNANIMOUSLY

CALL TO ORDER - OPEN PORTION

Mayor Milne called the open portion of the Regular Council meeting to order at 7:03 p.m. in the Council Chambers.

APPROVAL OF THE AGENDA

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

- Item B-3 Bylaw No. 543, Zoning Amendment Bylaw, (500-13) - 7109/7111 West Coast Road
 - Correspondence received July 20, 2012 from David Matland
- Item RA-2 Public Boat Launch
 - Excerpt from District of Sooke Boat Launch Project Business Case – May 2009

- Item RA-5 Land Use and Environment Committee Recommendations of July 16, 2012: Minimum Statutory Frontage Exemption for Proposed Subdivision at 2700 Sunriver Way
 - Correspondence received July 22, 2012 from Ken Van, Patti Homer and Paul Homer
 - Correspondence received July 23, 2012 from Bruce Coleman
- Item NB-1 Municipal Insurance Association of BC

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on July 9, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the following amendment be made to page 5 of the minutes of the Regular Council meeting held July 9, 2012:

“Councillor Kasper declared a conflict of interest with this community grant application as his son is an umpire with Sooke Minor Fastball Association and left the meeting at 7:25 p.m.”

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on July 9, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on July 10, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

- July 16, 2012 Land Use and Environment Committee Meeting
- July 18, 2012 Sooke Economic Development Commission Meeting

CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

Phillip Buchanan, representative for Sunriver Estates and their application for a minimum statutory exemption for 2700 Sunriver Way provided a timeline for the proposed old school site stating that Sunriver is anxious to get this application resolved. Mr. Buchanan advised that an open house was held at Sunriver for area residents regarding the new school site where positive feedback was received. The applicants are expecting him to report back and he would like to know if there is Council support.

Jeff Bateman, Sooke resident, stated his concerns as to no sidewalks or bike lanes on Maple Avenue also noting that vehicles parked on the roadside leading up to Maple Avenue were a safety concern for electric scooters.

PUBLIC INPUT MEETINGS AND RELATED REPORTS

PI-1 Development Variance Permit – 6989 Grant Road West - Land Use and Environment Committee Recommendation to Council July 16, 2012

Mayor Milne inquired as to whether letters were received from neighbours to the applicant confirming they were not opposed to this development variance application. Gerard LeBlanc advised that letters were received from neighbours who supported the application including Mr. Donkergoed whose property abuts the rear yard to the applicant.

Public Input: There was no input from members of the public.

MOVED and seconded to authorize the issuance of Development Variance Permit PLN00962 for 6989 Grant Road West, legally described as Lot 2, Section 3, Sooke District, Plan VIP89042 to vary the following from Bylaw No. 500, *Sooke Zoning Bylaw, 2011*:

1. Vary section 203.7 to allow an existing deck to be extended to be located 2.0 meters from the rear property line.

CARRIED UNANIMOUSLY

BYLAWS

B-1 Bylaw No. 533, Development Cost Charges Imposition Amendment Bylaw (202-1)

Elisabeth Nelson provided a summary of the staff report.

MOVED and seconded that Bylaw No. 533, *Development Cost Charge Imposition Amendment Bylaw (202-1)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that No. 533, *Development Cost Charge Imposition Amendment Bylaw (202-1)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that No. 533, *Development Cost Charge Imposition Amendment Bylaw (202-1)* be read a third time.

CARRIED UNANIMOUSLY

B-2 Bylaw No. 541, Low-Speed Electric-Powered Vehicle Authorization Bylaw, 2012

Council discussion:

- Low-speed vehicle use for street speed limits less than 50km/h
- Low-speed vehicle must be equipped with equipment listed on page 48
- Operators must have a valid driver's licence and insurance
- City of Oak Bay did some time ago

MOVED and seconded that Bylaw No. 541, *Low-Speed Electric-Powered Vehicle Authorization Bylaw, 2012* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 541, *Low-Speed Electric-Powered Vehicle Authorization Bylaw, 2012* be introduced and read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 541, *Low-Speed Electric-Powered Vehicle Authorization Bylaw, 2012* be introduced and read a third time.

CARRIED UNANIMOUSLY

B-3 Bylaw No. 543, Zoning Amendment Bylaw (500-13) – 7109/7111 West Coast Road

MOVED and seconded that Bylaw No. 543, *Zoning Amendment Bylaw (500-13) – 7109/7111 West Coast Road* be referred to the Land Use and Environment Committee.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 6790 Grant Road West – Renewal of Development Permit PLN00761

MOVED and seconded to authorize a one-year renewal of Development Permit PLN00761 to July 13, 2013.

CARRIED UNANIMOUSLY

RA-2 Public Boat Launch

Mayor Milne advised that the District of Sooke public boat launch is taking business away from the two boat launch business owners in the vicinity. The original business case to the District of Sooke Boat Launch project stated that boat launch fees were anticipated. Council is trying to look for a temporary solution to protect the affected businesses.

Dave Gawley reported that the \$10 fee is a temporary fix to a long term solution. Council should decide whether they want to charge a \$10 fee for the sanitary sewer pump station or may wish to consider decreasing this fee in order to ensure environmental conformity to the Sooke Harbour being a no dump area. Council will also need to consider amending the fees bylaw. An RFP will be prepared this fall.

Council discussion:

- Consider no fee for sani-dump to encourage use to keep the Sooke Harbour clean – could revisit at a later date
- Concerns there are still parking issues
- Neighbouring business is assuming liability of people coming from District boat launch to use their washroom facilities, fish cleaning station and water
- We need to ensure washrooms and fish cleaning are available on District property or people will continue to use neighbours facilities
- In 2006, free boat launch facility was never the intention
- Traffic congestion on West Coast Road – need to have discussions with MoTI regarding parking – property owners close to the Hotel are affected
- Issue of pedestrians and cyclists/signage

MOVED and seconded to agree to temporary operation of the public boat launch facility by Jock's Dock;

AND FURTHER to amend the Fees Bylaw to include a rate of \$10 to launch a boat;

AND FURTHER to direct staff to prepare a Request for Proposal later this year so that a proper proposal call can be initiated for the longer term operation of this facility.

CARRIED UNANIMOUSLY

MOVED and seconded to direct staff to provide a report on the issue of washroom facilities, fish cleaning station and water at the Public Boat Launch;

AND FURTHER that staff enter into discussions with Ministry of Transportation and Infrastructure with regard to parking issues on West Coast Road.

CARRIED UNANIMOUSLY

RA-3 Road Maintenance Contract Status

Dave Gawley advised that the purpose of the staff report was to provide an update to Council on the status of the Mainroad Contract. The tender document for the road maintenance work will be going out to tender in approximately one month

MOVED and seconded to receive the report on the Road Maintenance Contract Request for Proposal for information.

CARRIED UNANIMOUSLY

RA-4 Sooke Fire Rescue Service – 100th Anniversary

Council discussion:

- Concerns that the Firefighter's Association was funded \$7,100 for a Community Grant when \$2,500 was requested
- Community Grant terms of reference to be reviewed in September as well as the general issue of grants to set out clear guidelines
- Alternate funding sources from Province – is this taken into account with grants
- Community Grants cannot fund operating expenses/funds not used must be returned
- Community Grant Committee supported the Firefighter's grant application
- Community Grant Program Terms of Reference are loose and need to be tightened up

MOVED and seconded to recognize the Year 2013 as the official 100th Anniversary of the Sooke Fire Rescue Service;

AND FURTHER recognize the heritage character of the 1942 International Bickle Fire Truck and the 1910 Hose Reel.

CARRIED UNANIMOUSLY

RA-5 Land Use and Environment Committee Recommendations of July 16, 2012 meeting:

Minimum Statutory Frontage Exemption for 2700 Sunriver Way

Mayor Milne advised that this application still needs to go through a rezoning process and feels that this request for statutory frontage exemption is premature as the transaction for the school site has not yet taken place. If it goes through the rezoning then this request can come up at that time; Council is willing to listen and wants to hear at the rezoning stage.

Council discussion:

- Council requires more clarity on the issues; \$300,000 for ALR Lands – concerns the onus is passed onto the District
- Issue with completion of Phillips Road – residents have been dealing with for 10-12 years
- Original agreement contained soccer field and baseball field – not included in the new negotiations
- Council needs to know who is responsible for what – need further information
- Uncertain of where we are in the process – Council requires timeline to get a sense of where we are at
- This application needs to go through rezoning process; public process; Council needs to make an informed decision
- Council is looking at ways to streamline statutory frontage exemptions – Land Use and Environment Committee (LUEC) discussing
- This requires a proper business or economic analysis to the agreement and commitment with regard to the field site; what the risks are to the District; when Phillips Road will be complete; any decision would have the effect of pre-judgement

Gerard LeBlanc advised that staff will report on the negotiation of the Land Development Agreement.

MOVED and seconded to table item RA-5 Minimum Statutory Frontage Exemption for Proposed Subdivision at 2700 Sunriver Way.

CARRIED UNANIMOUSLY

Minimum Statutory Frontage Exemption for 2727 Phillips Road

MOVED and seconded to, pursuant to Section 944(2) of the *Local Government Act*, exempt proposed Lot 2 of the proposed subdivision of Lot B, Section 31, Sooke District, Plan 24496 from compliance with the minimum statutory frontage requirement of 10% of the perimeter of the lot fronting on a highway, for the purpose of facilitating an application for subdivision.

CARRIED UNANIMOUSLY

Minimum Statutory Frontage Exemption for 6958/6960 Grant Road

MOVED and seconded to, pursuant to Section 944(2) of the *Local Government Act*, exempt proposed Lot A of the proposed subdivision of Lots 1 and 2, Section 22, Sooke

District, Plan 15789 from compliance with the minimum statutory frontage requirement of 10% of the perimeter of the lot fronting a highway, for the purpose of facilitating an application for subdivision.

CARRIED UNANIMOUSLY

Minimum Statutory Frontage Exemption for 2554 Sooke River Road

MOVED and seconded to, pursuant to Section 944(2) of the *Local Government Act*, exempt proposed lot 2 and proposed Lot 3 of the proposed subdivision of Lot 3, Section 47, Sooke District Plan 2553, Except Parts in Plans 3980 and 11566, Except Parcel A (DD884881) of the said lot, from compliance with the minimum statutory frontage requirement of 10% of the perimeter of the lot fronting on a highway, for the purpose of facilitating an application for subdivision.

CARRIED UNANIMOUSLY

Covenant Amendment FB217108 – 6882 West Coast Road and 1841 and 1843 Tomlinny Road

Council discussion:

- Concerns of item 6 in Section 219 covenant – applicant responsible to provide sidewalk in front of property not owned by applicant
- All District Plans show public use trail – not sidewalks; should be cash in lieu for public use trail
- Ensuring everyone is treated the same when collecting amenities – fairness

Gerard LeBlanc clarified that the walkway along Highway is an amenity to the community. The District has an established standard guided by an amenity policy that may be looked into further to ensure the same rules are applied to everybody. We need improved pedestrian access along Highway. The applicant entered into the agreement willingly.

Martin Kors applicant, CMV Holdings Ltd., stated that they agreed to the sidewalk as they felt they had no choice. It was originally to be asphalt sidewalk but has now been changed to concrete. He would be happy to have the funds returned and is not a hurry to move forward with the application.

MOVED and seconded to refer the report for Covenant Amendment FB217108 – 6882 West Coast Road and 1841/1843 Tomlinny Road back to staff to review the covenant requirement for sidewalk amenities for consistency with the *Amenities Policy*, Parks and Trails Master Plan and the Transportation Master Plan.

CARRIED UNANIMOUSLY

Assignment of Phased Development Agreement for 2205 Tara Place

MOVED and seconded to authorize the assignment of a one-half interest of a Phased Development Agreement under section 905.2(5)(c) of the *Local Government Act* to “Manchester Homes Ltd.” in Bylaw No. 453, *Tara Place Phased Development Agreement Authorization Bylaw, 2010* in order to reflect the current ownership of property;

AND FURTHER to authorize the Mayor and Chief Administrative Officer to execute on behalf of the District of Sooke an addendum agreement with the current landowners and the assignee to reflect the assignment.
CARRIED UNANIMOUSLY

RA-6 Council Meeting Webcasting

Council discussion:

- Concerns Council did not have the opportunity to discuss on how to implement Council meeting webcasting
- Concerns of using company from California – not using local companies
- Issues with agreement; automatically renews with increases; governed by California laws; minimum system requirements for viewers
- Webcasting was addressed in depth through Finance and Administration Committee – all information available to the public
- Can get out of contract within 18 months if it is not working
- Finance and Administration Committee looked at most cost effective webcasting and minute taking software – ensure clear concise transparent information is provided
- Will assist staff in having very accurate records of what occurs in meetings; what decisions are made; staff can retrieve information first hand; opportunity for staff to better utilize their time
- Provides more transparency – shows how business can be done differently in the organization
- This was included in the financial component of the financial plan – standard practice from administration side to get the tools to do a better job to serve the public
- Accountability and accessibility – important for people to have access; provides another opportunity to find out what is going on
- Implementing in the Community; concerns that people have other priorities

MOVED and seconded to approve the webcasting of Council Meetings to the public.

CARRIED

Councillor Tait opposed the motion

RA-7 2150 Melrick Place, 7000 Melrick Place and 7044 Maple Park Terrace

Gerard LeBlanc provided a summary of the staff report advising that the applicant has reached an agreement with the strata corporation for Allwood Terrace. The applicant is under time constraints and wants to move forward. Staff is trying to determine how to precede with this request.

Council discussion:

- Agreement with Melrick Strata – current status?
- Not all requirements can be met with all neighbours
- On-site crushing required in order to be feasible
- Project this size has to keep moving forward or dormant blasted area could become a liability
- Applicant seems to have done his due diligence in achieving Council's request

- Crushing will be regulated through noise bylaw

J.P. Langlois advised that he met Mr. Berlando who drafted the agreement and assisted with other neighbours. There is an agreement made with the Allwood Terrace strata but not the Melrick area residents. Has worked on moving the placement of the crusher; is not sure where to go from here.

Gerard LeBlanc advised that the response received through Mr. Berlando is that the agreement is satisfactory to their strata corporation. It seems to be fairly detailed in terms of content. The applicant is anxious to move forward and has made an effort to comply with Council's request.

Elisabeth Nelson reported that Council provided direction that the applicant achieve a private agreement with adjacent neighbours – this is too broad and staff require clear direction.

Mayor Milne advised Council's intent was to ensure that there was some comfort given to neighbours with regard to issues of blasting and dust and clean up.

MOVED and seconded to receive the information provided within the report;
AND TO agree that the applicant has satisfied Council's resolution of June 11, 2012 in achieving a private agreement with adjacent neighbours on the development works in the Spiritwood application, including but not limited to blasting notification, dust control and clean up, buffer zones (trees), and property erosion during excavation;
AND TO direct staff to work with the applicant to proceed with the development.
CARRIED UNANIMOUSLY

RA-8 Sooke Economic Development Commission Recommendation of July 18, 2012 meeting:

Mayor Milne advised that Council will be looking at all forms of grants that organizations receive under the requirements of the Community Charter to ensure all grant applicants are treated the same and provided clear information as to what the grant requirements are.

Council discussion:

- Original Fee for Service with Chamber in 2009 was vetted by District Solicitor, but Schedule A was added later; some items should not be included in a fee in the Chamber service agreement
- Must be cautious that we are not providing funds to organization or business to support them
- Chamber fee for service agreement was out of date. Members have shown measurables and outcomes – trying to get an understanding
- Agreement in place will cover off 2013 – EDC will wait for direction from Council – should have information by November
- grant application from SRTA - would council consider matching approved funding from province by and additional \$3,000 or could EDC fund

Kari Osselton, Sooke Chamber of Commerce, stated that the Chamber directory is available to every member of the community and the business information packages were provided last year. Ms. Osselton provided an overview of the services of the Chamber; if the Chamber did not provide the services, who will.

Mayor Milne stated that the District must be careful; cannot be seen as helping individual businesses. The onus is on Council to establish Terms and perhaps someone may be able to assist with putting the services agreements together. There needs to be further dialogue.

Jonathan Heerema, president SRTA, provided background to the projects outlined in the Provincial grant request; very diverse marketing mix to bring businesses and tourism into Sooke. SRTA requires an additional \$3,000 to match the Province's funding.

Councillor Kasper inquired as to funding from the electoral area. Mr. Heerema advised that \$6000 was received last year from the Juan de Fuca EDC, however, funding for this year is uncertain.

Council discussed funding under the Sooke EDC. The intent is to develop the service agreements and move ahead with a work plan.

Councillor Kasper stated his concerns that the District of Sooke is being asked to pay for everything; Sooke tax payers are affected while businesses in the electoral area will also be benefiting. Mr. Heerema stated that the majority of the benefits comes to the District.

MOVED and seconded to approve the Fee for Service Agreements with the Schedule A and all applicable attachments from the Sooke Region Chamber of Commerce and Sooke Region Tourism Association;

AND FURTHER honour the commitments for 2012 as per the approved 2012 Five Year Financial Plan.

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor and Council Reports

Councillor Tait reported on the Annual Consultants Fishing Derby which is to be televised by SHAW Television.

MOVED and seconded to receive the Mayor and Councillor reports for information.

CARRIED UNANIMOUSLY

RI-2 Committee/Commission Reports – Sooke Economic Development Commission Report – July 2012

MOVED and seconded to receive the Sooke Economic Development Commission report for information.
CARRIED UNANIMOUSLY

RI-3 Staff Reports – Quarterly Reports

MOVED and seconded to receive the Quarterly Reports for information.
CARRIED UNANIMOUSLY

CORRESPONDENCE REQUIRING ACTION

C-1 City of Langley Resolution – Medical Emergency Service Alarm (MESA) Calls Cost Recovery

MOVED and seconded to receive and file the correspondence.
CARRIED UNANIMOUSLY

NEW BUSINESS

NB-1 Municipal Insurance Association of BC

MOVED and seconded to authorize the Mayor and Chief Administrative Officer to execute the Insurance Agreement and Power of Attorney with the Municipal Insurance Association of British Columbia.
CARRIED UNANIMOUSLY

MOVED and seconded to receive the following Supplemental Information for Item RA-5 Minimum Statutory Frontage Exemption for Proposed Subdivision at 2700 Sunriver Way:

- Correspondence received July 22, 2012 from Ken Van, Patti and Paul Homer;
- Correspondence received July 23, 2012 from Bruce Coleman

CARRIED UNANIMOUSLY

REPORT OF IN CAMER RESOLUTIONS

July 23, 2012 In Camera Portion of Regular Council Meeting

Appointment of Director Finance

MOVED and seconded to appoint Michael Dillabaugh as Director of Finance effective September 1, 2012;

CARRIED UNANIMOUSLY

MOVED and seconded to release the resolution to the public at the August 13, 2012 Regular Council Meeting.

CARRIED UNANIMOUSLY

ADJOURNMENT

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

Certified Correct:

Wendal Milne
Mayor

Bonnie Sprinkling
Corporate Officer

DISTRICT OF SOOKE

Minutes of the Special Meeting of Council
held in the Municipal Meeting Room
at 2225 Otter Point Road, Sooke, BC
on July 31, 2012 at 6:30 p.m.

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

Nil

CALL TO ORDER

Mayor Milne called the meeting to order at 6:30 p.m.

APPROVAL OF AGENDA

MOVED and seconded to approve the agenda as circulated.
CARRIED

MOTION TO WAIVE THE 24 HOUR NOTICE REQUIREMENT

MOVED and seconded to waive the 24 hour notice requirement under section 127(4) of the *Community Charter*.
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;
CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 8:35 p.m.
CARRIED

Certified Correct:

Wendal Milne
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 August 13, 2012
6:00 p.m., Closed Portion, Meeting Room
7:00 p.m., Open Portion, Council Chamber

COUNCIL PRESENT

Councillor Tait (Acting Mayor)
Councillor Bev Berger
Councillor Herb Haldane
Councillor Kevin Pearson
Councillor Rick Kasper
Councillor Kerrie Reay

STAFF PRESENT

Dave Gawley, Acting Director of Finance
Michael Dillabaugh, Manager of Finance
Gerard LeBlanc, Municipal Planner
Elisabeth Nelson, Municipal Engineer
Steve Sorensen, Fire Chief
Mark Downton, Systems Analyst
Tina Hansen, Corporate Assistant

ABSENT

Mayor Wendal Milne

CALL TO ORDER

Acting Mayor Tait called the meeting to order at 6:03 p.m. in the Municipal Meeting Room.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

MOVED 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)(c) labour relations or other employee relations;

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)(g) litigation or potential litigation affecting the municipality.

CARRIED UNANIMOUSLY

CALL TO ORDER – OPEN PORTION

Acting Mayor Tait called the open portion of the Regular Council meeting to order at 7:04 p.m. in the Council Chambers.

APPROVAL OF THE AGENDA

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

- B-4 Bylaw No. 544, *Fees Amendment Bylaw (488-1)* – Boat Launch Fee
 - Correspondence received August 10, 2012 from D. Widrick

- RA-1 SITE SPECIFIC Text Amendment to the Town Centre Commercial 2 (CTC2) Zone to allow “Car wash” as a permitted use
 - Correspondence received August 13, 2012 from Rob Martin and Helen Ritts
- NB-1 Galena Road Paving and Overlay (Revised).

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on July 23, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on July 23, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on July 31, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

- July 24, 2012 Emergency Planning Committee Meeting
- July 30, 2012 Finance and Administration Committee Meeting

CARRIED UNANIMOUSLY

DELEGATIONS

D-1 Janet Christie – Addiction Recovery Coach of Canada Society – Request to modify use of Community Grant funds

Janet Christie, Addiction Recovery Coach of Canada Society, reported that the Society made an application to the District of Sooke in April for a community grant. A portion of the project was considered to be operational expenses therefore they received \$800 of the requested amount. ARCC Society is not able to continue with that particular project and is requesting to modify the use of the funds. They are using an art based approach and would like to use the funds for printed literature (printed arts cards, printed brochure, and banner) to assist in connecting with the community regarding the work that they do.

Acting Mayor Tait advised that applicants must come before Council when they are modifying the use of the funds.

MOVED and seconded to accept the amended changes to the use of funds for Addiction Recovery Coach of Canada Society.

CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

Terrance Martin, Sooke resident, inquired as to an invoice for expenses related to the District of Sooke backdrop display that was to be forwarded to the Finance and Administration Committee. Mr. Martin also inquired as to the Memorandum of Understanding with the CRD in particular to part 3.2 (ii) Land Use and Planning – planning for cross boundary roads transit services, cycling and trails as he has a personal interest in back country access and feels this is a good opportunity to bring the issue back to the table and have it addressed. Mr. Martin also advised on Glinz Lake Road which could provide a solution to the communication tower and provide a suitable alternative route to Harbourview Road.

ACTION ITEM: Staff to follow up on the status of the invoice Mr. Martin has referenced.

Mr. Martin will forward Glinz Lake Road information to Council.

Bob Seivewright, business owner of Sooke Harbour Taxi expressed his concerns as to the applications for weekend evening taxi licences in Greater Victoria. Mr. Seivewright feels that Council should notify the Passenger Transportation Board of their objection to the additional licences as he believes the licences will have a potential negative impact on the local taxi business.

Rob Martin, Sooke resident stated his concerns as to the rezoning application to allow car wash in the CTC2 zone and the collateral changes to roads in the neighbourhood. Mr. Martin feels that car wash in this zone is not consistent with the Official Community Plan. Mr. Martin is concerned over the issue of what may be allowed next as they will not be things that are consistent with the OCP. Mr. Martin has concerns of changes to traffic flow and the removal of the Lane off of the grid as designed in the OCP. Mr. Martin supports the proposal for a laundry mat as it is in the vision of the Town Centre Plan. Mr. Martin hopes the OCP can be adhered to and that these issues can be resolved.

Moonfist, Sooke resident, feels that the coordination of the costly services of water pumps being put together in these two projects in the town centre would be beneficial. Moonfist has also noticed a difference in Murray Road pedestrian traffic and the amount of buoyancy there. It does not seem to be as cut off anymore as it has been in the past with the opening of the board walk and Ed Macgregor Park.

BYLAWS

B-1 Bylaw No. 528, Zoning Amendment Bylaw (500-7) – 7044 Maple Park Terrace

Council asked for confirmation as to whether the matters between the developer and neighbours had been resolved.

Gerard LeBlanc advised that staff have received further confirmation that an agreement had been reached between the developer and Ms. White; staff feel that the requirements have been met.

MOVED and seconded that Bylaw No. 528, *Zoning Amendment Bylaw (500-7)* be adopted.

CARRIED UNANIMOUSLY

B-2 Bylaw No. 530, 2150 and 7000 Melrick Place Phased Development Agreement Authorization Bylaw, 2012

Council inquired as to whether there were accompanying bylaws with this application.

Gerard LeBlanc advised that there is a zoning bylaw amendment with this application which can be adopted by Council once the Phased Development Agreement is registered on title.

MOVED and seconded that Bylaw No. 530, *2150 and 7000 Melrick Place Phased Development Agreement Authorization Bylaw, 2012* be read a third time.

CARRIED UNANIMOUSLY

B-3 Bylaw No. 541, Low-Speed Electric-Powered Vehicle Authorization Bylaw, 2012

MOVED and seconded that Bylaw No. 541, *Low-Speed Electric-Powered Vehicle Authorization Bylaw, 2012* be adopted.

CARRIED UNANIMOUSLY

B-4 Bylaw No. 544, Fees Amendment Bylaw (488-1) – Boat Launch Fee

Council inquired as to whether consideration could be given to an annual fee for residents in Sooke. Dave Gawley advised that the amendment to the bylaw was a quick method of trying to correct something that is inequitable. Consideration to an annual fee may become part of the RFP process. There are also the side issues of parking and signage which will need to be dealt with.

Council discussion:

- Ensuring public is aware that Council is reviewing the process
- Consideration that public amenities are paid by taxpayers even though they may not be used by everyone (i.e. schools) – finding a solution to ensure both taxpayers and neighbours are not burdened
- Council will have further opportunity for discussion when the bylaw comes forward for another amendment
- Ensuring the DRAFT RFP goes through the Finance and Administration Committee
- One of the conditions that was part of the application for provincial and federal funding for the boat launch was that there would be a boat launch fee
- Concerns of parking and signage; RCMP cannot enforce parking due to absence of signage – staff will have to investigate what current bylaw requirements there are for parking on Highway 14
- Concerns over this being a public boat launch and private business is controlling the parking

- Concerns of hotel patrons are using parking spaces that should be used for boats and trailers

MOVED and seconded that Bylaw No. 544, *Fees Amendment Bylaw (488-1)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 544, *Fees Amendment Bylaw (488-1)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 544, *Fees Amendment Bylaw (488-1)* be read a third time.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 **SITE SPECIFIC Text Amendment to the Town Centre Commercial 2 – (CTC2) Zone to allow “Car wash” as a permitted principal use**

Gerard LeBlanc provided a summary of the staff report and a power point presentation for the rezoning application and text amendment to the Town Centre Commercial 2 (CTC2) Zone for “car wash.”

Council discussion:

- Traffic flow and parking – enter off Logan Lane and exit onto north-south road onto Lincroft
- Why specific text amendment apply to only the portion of the property that has the location of the car wash – does not stop large car wash as opposed to a portion of a car wash – requesting applicant to do improvements off site not related to the specific property – there is no legal description for one property
- Opportunity for two lanes coming off the north south exit of Logan Lane – would be beneficial to the community behind the complex
- What zones “car wash” is permitted – C2 and C3 zone (service commercial) and town centre zone – CTC1 zone but not permitted in CTC2 zone
- Concerns of forcing traffic from car wash down to Lincroft Road
- Smart growth principals in the OCP – need to provide services to the community
- Ensuring adjacent landowners are notified

Gerard LeBlanc clarified that the text amendment is adding the use to the uses permitted in the CTC2 zone. In order to do that we have to go through the public process of a public hearing and subsequent steps as required. This is a zoning bylaw amendment which would apply only this this specific property in the CTC2 zone.

Doug Wittich, applicant, provided a presentation for the proposed car wash and laundry mat at the corner of Logan Lane and Murray Road. Mr. Wittich reported that the laundry mat was designed with styling in mind and the car wash building will be constructed of cinder block material with a fancy face. Consideration has been given to noise from the operation of the car wash by including a solid wall next to the residential area. Mr. Wittich

provided information as to traffic flow and parking and stated that he has researched numerous car washes throughout the province and is incorporating recycling and treatment of water prior to output to the sewer system. The laundry mat will be a comfortable and safe place to go to do laundry; will be managed and include drop off pick-up dry cleaning.

MOVED and seconded that Bylaw No. 545, *Zoning Amendment Bylaw (500-14)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 545, *Zoning Amendment Bylaw (500-14)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded to schedule a public hearing for Bylaw No. 545, *Zoning Amendment Bylaw (500-14)* and the release of Covenant FB152757 in accordance with the requirements of the *Local Government Act* and the *Community Charter*

CARRIED UNANIMOUSLY

MOVED and seconded that prior to final adoption of Bylaw No. 545, *Zoning Amendment Bylaw (500-14)*, the owner must enter into a Development Agreement by way of a section 219 covenant with the District of Sooke;

AND FURTHER THAT prior to final adoption of Bylaw No. 545, *Zoning Amendment Bylaw (500-14)* authorize the Mayor and the Chief Administrative Officer to execute the Development Agreement.

CARRIED UNANIMOUSLY

MOVED and seconded to authorize the Mayor and the Chief Administrative Officer to execute the release of Covenant FB152757 registered on the subject property legally described as Lot A, Section 10, Sooke District, Plan VIP58444 (PID 018-674-089) and on Lot B, Section 10, Sooke District, Plan VIP58444 (PID 018-674-097) subject to adoption of Bylaw No. 545, *Zoning Amendment Bylaw (500-14)*;

AND FURTHER TO approve the Modification Agreement to Covenant FB152757 registered on the properties legally described as *Lot A, Section 10, Sooke District, Plan 11754 Except Parts in Plan 14552, 16276 and VIP71515 (PID 005-071-569)* and *Lot 5, Section 10, Sooke District, Plan 10069 (PID 005-448-051)* and authorize the Mayor and the Chief Administrative Officer to execute the Modification Agreement subject to adoption of Bylaw No. 545, *Zoning Amendment Bylaw (500-14)*;

CARRIED UNANIMOUSLY

RA-2 Transit Bench Advertising Agreement

Michael Dillabaugh provided a summary of the staff report to Council. Mr. Dillabaugh reported that the current Transit Bench Advertising Agreement was signed in August 2011 for a term of five years. The contract does not include a clause to amend the contract therefore any amendments would have to be agreed upon between the District and the proponent. The proponent is willing to increase the amount to cover the garbage disposal however they would require a new 5 year contract.

Council discussion:

- Considering decreasing the amount of garbage collection times for receptacles
- Obtaining a legal opinion of the contract to look into whether severing could be negotiated
- Contract was not discussed or approved by Council prior to signature of document
- Ensuring Council resolutions to approve and authorize the signing of contracts
- Concerns of renewing the contract
- Concerns of no sever clause in the contract
- Concerns of cost for changing signage
- Ensuring and RFP process – was not done previously
- Considering benches that are more attractive
- Concerns of ramifications for breaking contract – possibility of legal opinion – concerns of costs associated with legal opinion

MOVED and seconded to direct the Manager of Finance to get a legal opinion of the contract between the District of Sooke and Island Advertising Inc. as to whether or not the contract is enforceable and what the cost would be to break the contract.

CARRIED UNANIMOUSLY

RA-3 Emergency Planning Committee Recommendations from meeting July 24, 2012

Council asked for confirmation as to whether this position is a volunteer or paid position; and whether there will be any cost implications as when engaging services of a student, the requirements are usually an honorarium or some form of compensation applied to tuition fees.

Fire Chief Sorensen reported that any associated costs will be investigated and reported back to Council.

Council to consider Emergency Planning Committee Recommendations of July 24th, 2012:

MOVED and seconded to direct staff to investigate engaging a student from the Royal Roads University and/or University of Victoria Emergency Programs to assist with the review of the District of Sooke Emergency Plan.

CARRIED UNANIMOUSLY

RA-4 Finance and Administration Committee Recommendations from meeting July 30th, 2012

Canada World Youth Request for funding for Bus Passes

MOVED and seconded to fund up to \$2,000 from the Council contingency fund for Canada World Youth bus passes in conjunction with potential funding mitigation from the Social Planning Council.

CARRIED UNANIMOUSLY

Bylaw No. 408, Sooke Town Centre Revitalization Bylaw, 2009

Council inquired as to whether the amendment of Bylaw No. 408, Town Centre Revitalization Bylaw, 2009 would go to the Land Use and Environment Committee and what the process is for amending the bylaw. .

Dave Gawley advised that this is a recommendation made by the Finance and Administration Committee to delete section 10 from Bylaw 408; by default it would not include the Land Use and Environment Committee.

Councillor Kasper advised that the information presented to Council with regard to the cost implications of the current bylaw that any Development Cost Charges that were waived was paid by the general tax payers on any development that applied for a DCC reduction in the town revitalization area. The cost to the general tax payers is was not in the best interest of the municipality. In turn, the municipality would have to make up the shortfall and it is the general tax payers that are paying it. There is a three year grace period for the municipal portion of taxes that are granted to new developments and new owners of the property. It was falsely assumed the new occupiers of the development would make up the shortfall but it is paid by current tax payers in the current year the fees are deferred. An amendment to the Financial Plan is required for this year in the amount of \$40,000 to replenish the DCC funds that were not calculated over the last two years. The bylaw has financial implications and that is why it came to the Finance and Administration Committee.

Council discussion:

- Amendment to Bylaw will come forward to Council for readings and adoption – for open dialogue
- Council originally thought the bylaw would help development in the town centre – no intentions it would cost District of tax payers money to give the breaks – trying to close loophole on supplementing
- Ensuring taxpayer's are not responsible for paying – development community should pay for DCC's
- Council needs to consider how the amenities policy can affect this

MOVED and seconded that Bylaw No. 408, *Sooke Town Centre Revitalization Bylaw, 2009* be amended in regard to the Development Cost Charges component.

CARRIED UNANIMOUSLY

RA-5 Revised Memorandum of Understanding between the District of Sooke and the Capital Regional District

Council discussion:

- The MOU is a general working document 3.3 (ii) is broad sweeping
- Inclusion of access to backcountry lands in 3.3 (ii) of the MOU
- MOU Working Group can make determinations on in terms of discussion items facing both communities
- Concerns of how the changes were initiated – matters contained within the framework of the document – JDF Electoral Area and CRD has no statutory authority over highways, approvals from approving officers, linking trails

Gerard LeBlanc provided Council with an overview of the changes between the previous Memorandum of Understanding and the revised Memorandum of Understanding between the District of Sooke and the Capital Regional District

MOVED and seconded to approve the revised Memorandum of Understanding between the District of Sooke and the Capital Regional District as amended
AND FURTHER authorize the Mayor and Chief Administrative Officer to execute the amended Memorandum of Understanding.
CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor and Council Report

Councillor Pearson reported on participating in the Sooke Salmon Enhancement Society fishing derby which was well attended.

Acting Maja Tait reported on upcoming meetings with Habitat for Humanity and the Senior's Supportive Co-op Housing. Acting Mayor Tait acknowledged the volunteers, participants and artists for the Sooke Fine Art Show and also acknowledged the Sooke Subaru Triathlon community groups, volunteers, youth and participants. Acting Mayor Tait thanked the community for their cooperation on the road during the event.

NEW BUSINESS

NB-1 Galena Road Paving and Overlay (Revised)

Dave Gawley provided a summary of the staff report reported that when this report came forward one month ago, the cost for the paving would have been \$100,000 and the CRD was willing to contribute \$28,000 towards that cost. The CRD has subsequently changed its opinion and are now willing to give the District \$50, 000 toward the paving/overlay of Galena Road. This is coming back to Council because the facts have changed. The Capital Asset Replacement Reserve Fund has sufficient money to pay for the works.

MOVED and seconded to authorize the paving/overlay of Galena Road at this time to take advantage of concurrent CRD Water Services works;

AND TO authorize the amendment of the 2012 Financial Plan such that the funding for this project be allocated from the Capital Assets Replacement Reserve Fund I the amount of \$50,000.00.

CARRIED UNANIMOUSLY

CORRESPONDENCE REQUIRING ACTION

C-1 The Sooke Community Arts Council – Request for waiver of commercial use park fees

MOVED and seconded to waive the commercial park use fees for Sooke Community Arts Council "Art in the Park" for August 18th and 19th, 2012;

AND FURTHER forward next years request for waiver of commercial use park fees to the Finance and Administration Committee to include in the 2013 Financial Budget.

CARRIED UNANIMOUSLY

C-2 Applications for Weekend Evening Taxi Licences in Greater Victoria

Council discussion:

- Application is for additional licences for weekends only for all of the greater Victoria area over and above their current licence
- Financial implications to local business

MOVED and seconded that Council notify the Passenger Transportation Board of its opposition to the notices of applications by City and Country Taxi Services Ltd., Bluebird Cabs, and Victoria Taxi Transportation Ltd.

CARRIED UNANIMOUSLY

C-3 Request for Endorsement of Community Action Plan on Poverty

MOVED and seconded to endorse the Capital Region Community Action Plan on Poverty.

CARRIED UNANIMOUSLY

CORRESPONDENCE AND COUNCIL REPORTS FOR INFORMATION

I-1 Sunshine Coast Regional District – Provincial white paper Modernization of the Regulatory System and Certification of Building Officials

MOVED and seconded to receive and file the correspondence from the Sunshine Cost Regional District.

CARRIED UNANIMOUSLY

NOTICE OF MOTION

NM-1 Notice of Motion by Councillor Haldane

THAT COUNCIL direct staff to provide a report to the Land Use and Environment Committee on amending Policy 13.3, *Community Amenity Contribution Policy, 2010*.

REPORT OF IN CAMERA RESOLUTIONS

IN CAMERA PORTION OF THE REGULAR COUNCIL MEETING AGUSUT 13, 2012

MOVED and seconded to direct staff to publish a news release advising the public of Evan Parliament's resignation from the District of Sooke;

AND FURTHER to appoint David J. Gawley the Acting Chief Administrative Officer for the District of Sooke effective immediately;

AND FURTHER to release this resolution to the public.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 9: 15 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Maja Tait
Acting Mayor

Bonnie Sprinkling
Corporate Officer

DISTRICT OF SOOKE

Minutes of the Special Meeting of Council
held in the Municipal Meeting Room
at 2205 Otter Point Road, Sooke, BC
on August 27, 2012 at 5:00 p.m.

COUNCIL PRESENT

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

STAFF PRESENT

Dave Gawley, Acting Chief Administrative Officer
Bonnie Sprinkling, Corporate Officer (Recorder)
Elisabeth Nelson, Municipal Engineer
Gerard Leblanc, Municipal Planner

CALL TO ORDER

Mayor Milne called the meeting to order at 5:04 p.m.

APPROVAL OF THE AGENDA

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

MOTION TO CLOSE THE MEETING TO THE PUBLIC

MOVED, 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)(g) litigation or potential litigation affecting the municipality;

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED, seconded to adjourn the meeting at 7:50 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Mayor Wendal Milne

Bonnie Sprinkling
Corporate Officer

DISTRICT OF SOOKE

Minutes of the Special Meeting of Council
held in the Municipal Meeting Room
at 2205 Otter Point Road, Sooke, BC
on August 28, 2012 at 6:00 p.m.

COUNCIL PRESENT

Mayor Wendal Milne (recorder)
Councillor Bev Berger
Councillor Herb Haldane
Councillor Rick Kasper
Councillor Kevin Pearson
Councillor Kerrie Reay
Councillor Maja Tait (arrived at 6:15 pm)

STAFF PRESENT

NIL

CALL TO ORDER

Mayor Milne called the meeting to order at 6:05 p.m.

APPROVAL OF THE AGENDA

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

MOTION TO CLOSE THE MEETING TO THE PUBLIC

MOVED, 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)(g) litigation or potential litigation affecting the municipality; and,
- 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, seconded to adjourn the meeting at 7:40 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Mayor Wendal Milne

Bonnie Sprinkling
Corporate Officer

DISTRICT OF SOOKE

Minutes of the Special Meeting of Council
held in the Municipal Meeting Room
at 2205 Otter Point Road, Sooke, BC
on September 4, 2012 at 6:30 p.m.

COUNCIL PRESENT

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

STAFF PRESENT

David J. Gawley, Acting CAO
Bonnie Sprinkling, Corporate Officer (recorder)

CALL TO ORDER

Mayor Milne called the meeting to order at 6:30 p.m.

APPROVAL OF THE AGENDA

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

MOTION TO CLOSE THE MEETING TO THE PUBLIC

MOVED, 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;

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED, seconded to adjourn the meeting at 7:05 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Mayor Wendal Milne

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 September 10, 2012
6:00 p.m., Closed Portion, Meeting Room
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

Dave Gawley, Acting Chief Administrative Officer
Michael Dillabaugh, Director of Finance
Bonnie Sprinkling, Corporate Officer
Gerard LeBlanc, Municipal Planner
Elisabeth Nelson, Municipal Engineer
Steve Sorensen, Fire Chief (left at 9:45 pm)
Tina Hansen, Corporate Assistant

CALL TO ORDER

Mayor Milne called the meeting to order at 6:02 p.m. in the Municipal Meeting Room.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

MOVED to close the meeting to the public under section 90(1) of the *Community Charter* to discuss litigation or potential litigation affecting the municipality.

CARRIED UNANIMOUSLY

CALL TO ORDER – OPEN PORTION

Mayor Milne called the open portion of the Regular Council meeting to order at 7:00 p.m. in the Council Chambers

APPROVAL OF THE AGENDA

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

- **Item PI-1 – Development Variance Permit – 6215 Marilyn Road**
 - Correspondence received September 10, 2012 from Marilyn Andreychuk
 - Correspondence received September 10, 2012 from James Wilson
 - Correspondence received September 10, 2012 from Bruce and Kim Cumming
 - Correspondence received September 10, 2012 from Pat Swift
- **Item RA-1 – District of Sooke Agricultural Plan**
 - Correspondence received September 10, 2012 from Rick Gates
- **Item C-2 – Residential Waste Cooking Oil Collection – Letter of Support**
 - Supplemental Information received from Cowichan Energy Alternatives Society

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the following minutes be adopted as circulated:

August 13, 2012	Regular Council Meeting
August 13, 2012	Committee of the Whole
August 27, 2012	Special Council Meeting
August 28, 2012	Special Council Meeting
September 4, 2012	Special Council Meeting

CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

August 15, 2012	Sooke Economic Development Commission
August 21, 2012	Emergency Planning Committee
August 27, 2012	Land Use and Environment Committee
September 4, 2012	Finance and Administration Committee

CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

There were no questions or comments from the public.

PUBLIC HEARINGS AND RELATED BYLAWS

PH-1 Report of Public Hearings - Murray Road "Car Wash"

- **Bylaw No. 545, Zoning Amendment Bylaw (500-14)**

Gerard LeBlanc gave a power point presentation and summary of the rezoning application for the Murray Road "Car Wash".

Mayor Milne called the Public Hearings for Bylaw No. 545 to order at 7:10 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 hearings.

Public Submissions:

Rob Martin, Sooke resident, advised that he was against placing a car wash in the proposed location and addressed Council on the importance of following the District of Sooke Official Community Plan.

Helen Ritts, Sooke resident, submitted a petition with 72 signatures opposed to the car wash. Ms. Ritts stated that she is not against Sooke having a car wash but is against a car wash in this particular location. Ms. Ritts addressed Council on her concerns of the impact the car wash will have on the town centre.

Fleur Harvey-Kelly, Sooke resident, was in support of the car wash and addressed Council on concerns of the environmental impact that water and detergent have when going into drains from people washing vehicles at home and that it was important for the car wash to

be located in the sewer specified area. Ms. Harvey-Kelly stated the car wash proposal presents a plan that will decrease noise to the surrounding community yet provide infrastructure and jobs to the community.

Margaret Critchlow, Sooke resident, stated that she was here to speak as an advocate for a more livable town centre and more sustainable community and that she was opposed to amending the zoning bylaw to allow a car wash in this zone. Ms. Critchlow stated that she is not opposed to the Laundromat and submitted a written statement.

Gail Hall, Sooke resident, addressed Council as to her concerns of why Bylaw No. 545 should not be allowed to proceed including "site specific" permitted use in the CTC2 zone, statutory requirements set out in s. 884(2)(a) of LGA, objectives set out in the Town Centre Plan and OCP related to "Artisans' Alley;" traffic congestion on and around "Logan's Lane", and concerns of procedural fairness and legal issues. Ms. Hall submitted a written statement.

Mike Cooper, Sooke resident, stated that he was in support of the car wash as it is a needed amenity in Sooke; we need to support business and reinvest into the community in order for Sooke to prosper and grow.

Moonfist, Sooke resident, stated that he was in support of the car wash and laundromat and provided his reasons of why they are important to the community.

Lorne Christensen, Sooke resident, expressed his support for the car wash and laundromat stating that they are both something that has been missing in Sooke for a long time.

Dave Wood, Sooke resident, was in support of the car wash because it will help promote Sooke and advised that he does not have concerns with the location as it is a bonus to have a laundromat and car wash at the same location.

Sandy Jarvis, Sooke resident, stated that she was in favour of the car wash and laundromat.

Richard Phillips, Sooke resident, expressed his support for the proposed car wash location stating there are already two automotive service stations in the vicinity.

Jeff Bateman, Sooke resident, stated that there is a need for a car wash and Laundromat in the community but that the car wash should be located in the CTC1 zone north of highway 14.

Jan Stope, Sooke resident, addressed Council on her opposition to the car wash including concerns of the proposed site being a poor location and the affect it will have on the neighbourhood's roads.

Ellen Lewers, Sooke resident, advised, as a member of the OCP Review Committee that the Committee was looking at this area of the proposed town centre to include an art centre and country market; the proposed car wash is on the fringe of the proposed town centre.

Rob Martin, Sooke resident, stated that he agrees that there is a need for a car wash and laundromat in Sooke and advised of other businesses with appropriate zoning where a car wash could be located. Mr. Martin addressed Council on using the OCP as a guide and adhering to it.

Gail Hall, Sooke resident, showed a map of Town Centre Plan noting Artisan's Alley near Murray Road and Logan Lane planned for the year 2020. Ms. Hall advised that this is in the Community Plan that we follow.

Helen Ritts, Sooke resident, stated that the rezoning of the property is not fair on people who make financial decisions when buying their property. Ms. Ritts inquired as to the rezoning process and covenants which concern her along with concerns of the new road, traffic on the residential streets and changes to the street grid.

Gerard LeBlanc clarified that the intent of the covenant is to better manage the site. There are already existing covenants that need to be released on one property and amended for the other property.

Ms. Ritts stated her uncertainty with regard to the process of the public hearing and the covenants and believes the Traffic Impact Study should be redone as it should be based on the current conditions.

Mayor Milne inquired as to the covenants from the August 13th, 2012 meeting and asked for clarification. Gerard Leblanc advised that there is currently a covenant registered over several properties owned by the applicant which would require a release. A s.219 Covenant - Development Agreement as to the subject property and a Modification of Agreement – Development Agreement for the remainder properties is also required. Notice for the release of covenant has been published; there is no requirement to provide notice for the s.219 covenant.

Councillor Reay inquired as to the width of Logan's Lane and whether the specifications require the Lane to be widened to include a sidewalk.

Gerard LeBlanc reported that a sidewalk has been discussed and confirmed that the road width is 15m.

Helen Ritts, also inquired as to whether there would be a sidewalk as she has concerns as to no sidewalks.

Doug Wittich, representing JCB Holdings, advised that sidewalks will not be part of the road allowance but will be built on the property instead due to the narrow width of the road. The sidewalk will extend the entire property and the potential new road and also in front of Murray Road.

Gail Hall, Sooke resident, asked for clarification as to a new covenant being attached to the Bylaw.

Gerard LeBlanc advised that there is a new covenant for the car wash proposal and that part of the original covenant is being released and modified. The covenants are considered as part of this Public hearing and are included in the Public Hearing package.

Jeff Bateman, Sooke resident, stated that the visionaries for the OCP in 2008 probably felt that a bowling alley or cinema may be more suited for the location. Mr. Bateman provided a written submission with further comments.

Rob Dyble, Sooke resident, stated that he supports the car wash and feels that if it is not supported, there could be a less desirable development built there in the future.

Mayor Milne advised that Council will not be rendering a decision tonight until they receive further clarification on the issue related to the covenants to ensure that everything is done correctly.

Ellen Lewers Sooke resident, inquired as to road locations on the site plan stating that it should be in line with the Transportation Master Plan.

Gerard LeBlanc clarified that the motion from the August 13th Council meeting was that Council schedule a Public Hearing for Bylaw No. 545 and release of covenant in accordance with the requirements of the *Local Government Act*. The subsequent motion was that prior to final adoption of Bylaw No. 545, the owner must enter into a development agreement. Mr. LeBlanc advised that the process was correct; Council is following what was adopted on August 13th.

Mayor Milne stated that the discussion tonight is for the release of the existing covenant; the other covenant will be dealt with at another public hearing.

Moonfist, Sooke resident, referenced a diagram of the area with 4 units on it noting it was an example map from previous.

Gail Hall, Sooke resident, stated that we are not discussing a development permit; this is about the developer entering into a development agreement prior to adoption of the Bylaw. Ms. Hall asked for further clarification as to whether the new covenant was included in the Public Hearing Notice and whether the covenant could be discussed this evening.

Mayor Milne asked staff for confirmation as to proper Notice for the Public Hearing process.

Bonnie Sprinkling clarified that the covenants formed part of the public hearing package and may be discussed tonight.

A discussion ensued between Council and staff as to the development agreement and covenants.

Al Jones, Sooke resident, addressed Council on the previous car wash that went out of business at the Payless location and that a car wash may jeopardize the efforts of youth groups fundraising through washing cars on weekends.

Jan Stope, Sooke resident, stated that she was hoping for a pedestrian friendly town centre with the least amount of industrial business.

Councillor Reay inquired as to Ms. Hall's comments regarding statutory requirements advising that Council should take the opportunity to look further into the issue.

Councillor Haldane clarified comments with regard to compensation to land owners for down zoning and provided background on zoning in the town centre prior to Zoning Bylaw No. 500.

Councillor Berger inquired as to legal ramifications with site specific zoning.

Mayor Milne asked staff how to continue the Public Hearing in the case that Council are not able to make a decision tonight due to questions around legal issues that need to be clarified.

Bonnie Sprinkling advised that if there is new information coming forward, Council is required to have a new Public Hearing. If there is no new information, just clarification, a new Public Hearing would not be required.

Rob Martin, Sooke resident, addressed Council on the vision of the OCP; alternate properties zoned for "car wash" and keeping a buffer between commercial and residential zones.

Gail Hall inquired as to the process to recess and reconvene the Public Hearing.

Helen Ritts quoted a section of Bylaw No. 500 as to grandfathering of past uses. Ms. Ritts stated that she is uncomfortable as to fixing a previous discrepancy with the zoning.

Mayor Milne announced that he will recess the Public Hearing for issues of clarification to ensure the District is legally on solid ground with regard to Ms. Hall's concerns and clarification in respect to the covenant.

A discussion ensued as to a date and time for the Public Hearing to reconvene.

Gerard LeBlanc advised that Council must state the date and specific time the Public Hearing will continue so people in attendance are aware of when the Public Hearing will reconvene.

Mayor Milne requested a motion to recess the Public Hearing for Bylaw No. 545 to Tuesday, September 18th, 2012 at 7:00 p.m.

Mayor Milne cautioned that people should not be emailing or talking with Council with regard to this issue after the close of the Public Hearing.

MOVED and seconded to recess the Public Hearing for Bylaw No. 545, *Zoning Amendment Bylaw (500-14)* and that the Public Hearing be reconvened on Tuesday, September 18th at 7:00 pm.

CARRIED UNANIMOUSLY

PUBLIC INPUT MEETINGS AND RELATED REPORTS

PI-1 Development Variance Permit – 6215 Marilyn Road

Councillor Haldane declared a possible conflict of interest and excused himself from the meeting at 8:43 p.m.

Gerard LeBlanc provided a power point presentation and summary of the Development Variance Permit for 6215 Marilyn Road to vary the setback distance from 15m to 0.9m from a building on the rear lot line.

Mayor Milne inquired as to whether Council can issue a Development Variance Permit that does not carry with the land. The neighbours fear that the current recycling moves out, an alternate use could be carried with the land and they would be faced with other issues.

Gerard LeBlanc clarified that typically a Development Variance Permit carries with the land but if you put it specific to the use, only the use that is exactly the same as Option 1 could be located on that site legally and would form part of the Development Variance Permit and be registered on title.

Councillor Berger reported on the neighbours' concerns of not wanting anything placed on their title. Councillor Berger inquired as to a Temporary Use Permit.

Staff advised that the proposed variance varies the setback, not the use. The setback is from 15m to 0.9m.

Council inquired as to concerns of a heavy industrial use 0.9m from the property line if something were to change with ownership or use.

Staff advised that the applicants can apply for a Temporary Use Permit which is good for 3 years and a one time renewal for another 3 years. The issue of the setback is one that could permit the use legally by granting the variance but it would be placed on title. The recommendation is to allow the building that is being used for recycling to be set back to 0.9m. Any building where the use would change could not be located there.

Mayor Milne inquired as to whether that description would be placed on title in the case that the property were sold. Gerard LeBlanc confirmed that it would be registered on title – it would be an encumbrance on title.

Councillor Kasper confirmed the permitted use under the M3 zone for waste management and recycling on the site, whether or not the applicants are given a variance for the setback. Councillor Kasper asked staff if it were possible for a compromise to accommodate the business owners and the neighbours by issuing a DVP that has a specific timeline so that in the event there is a problem, then it can be revisited.

Councillor Pearson advised that the M3 zone has setbacks from the residential properties that should be adhered to.

Councillor Tait reported that this matter has been through the Board and Variance and to Council and the parties have come to an agreement, the concern is what could happen if the property is sold. Councillor Tait inquired as to what protection the neighbouring property owners have in the case of someone else coming in with a different use and whether Option 1 would satisfy the concerns raised with the neighbours.

Mayor Milne advised that he would like to look at the option of a Temporary Use Permit.

Gerard LeBlanc requested that if Council is wishing to grant a Temporary Use Permit, could consideration be given to some form of relief to the applicant for fees associated with the permit

Kieth Brooks, Sooke resident and neighbour to 6215 Marilyn Road stated that the buildings are portable and he does not have an issue with the location of the buildings but has an issue with the setback changing from 15m to 0.9m and does not want anything registered on the title of his property.

Dave Gawley advised that it was unclear whether a Temporary Use Permit could deal with setback issues as opposed to use issues and therefore there should be clarification to this in the form of legal advice.

Ted Lewis, owner of 6215 Marilyn Road stated that Council requested that they make an agreement with the neighbour, which has been done. Since then, they have had the property resurveyed and added 100 feet of cedar fencing. Mr. Lewis stated that the neighbours have inspected everything and have no problem with the recycling operation and have signed a document to this affect as long as they are designated as non-conforming buildings. Mr. Lewis inquired as to why this cannot happen.

Councillor Kasper asked that staff to look into issuing a Temporary Development Variance Permit.

Mr. Lewis stated that he has concerns as to something that would be temporary due to difficulties it would cause in getting a long term tenant with a temporary permit.

Councillor Reay inquired as to whether a legal opinion can be applied to Option 1 to confirm that Option 1 meets the statutory requirements.

Councillor Berger quoted s. 921 (c) of the *Local Government Act* as to Temporary Use Permits.

Staff advised that Council would still need to deal with the variance in the case of a Temporary Use Permit.

Councillor Tait reported that there were no objections with the neighbours with the operation; the owners of the property have had expenses associated with the application process. If future issues were to arise they could be dealt with through bylaw enforcement based on the District receiving two complaints.

Keith Brooks stated that he was okay with the way things are now but does not want the setback changed from 15m to 0.9m. .
Council discussed referring the issue back to staff for a legal opinion and clarification on the matter.

Moonfist, Sooke resident, stated that a portion of page 61, item 3.a. of the Development Variance Permit was not read in its entirety.

Mayor Milne closed the Public Input portion of the Regular Council meeting at 9:26 p.m.

MOVED and seconded that Council not authorize issuance of the Development Variance Permit PLN00947 for 6215 Marilyn Road.

DEFEATED

MOVED and seconded to refer Development Variance Permit PLN00947 back to staff to confirm whether Option 1 is considered legal.

CARRIED

Councillor Haldane returned to the meeting at 9:29 p.m.

Mayor Milne called a recess of the Regular Council meeting at 9:29 p.m.

Mayor Milne called the meeting back to order at 9:33 p.m.

BYLAWS

B-1 Bylaw No. 542, *Delegation Amendment Bylaw (474-3)*

Council to consider Finance and Administration Committee recommendation of September 4, 2012.

MOVED and seconded to add in section 5 Direct Acquisition of Policy No. 5.2, *Purchasing and Disposal of Assets Policy, 2012* the words "subject to s. 17.1."

CARRIED UNANIMOUSLY

MOVED and seconded that Policy No. 5.2, *Purchasing Policy* be rescinded.

CARRIED UNANIMOUSLY

MOVED and seconded that Policy No. 5.6, *Purchasing Policy and Disposal of Assets Policy, 2012* be adopted as amended in section 5.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 542, *Delegation Amendment Bylaw (474-3)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 542, *Delegation Amendment Bylaw (474-3)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 542, *Delegation Amendment Bylaw (474-3)* be read a third time.

CARRIED UNANIMOUSLY

MOVED and seconded to move item RA-5 Development Permit Application: Sooke Bay Townhouse Community Proposal (6402/6518 Sooke Road) to this point of the agenda.

CARRIED UNANAMOUSLY

RA-5 Development Permit Application: Sooke Bay Townhouse Community Proposal (6402/6518 Sooke Road)

Gerard LeBlanc provided a power point presentation on the Development Permit application for 6402 and 6418 Sooke Road.

MOVED and seconded to authorize issuance of Development Permit (PLN00961) to construct a 52-unit multi-family development at 6402 and 6418 Sooke Road, legally described as (P.I.D. 027-985-652) Lot 1, Section 73, Sooke District, Plan EPP3626; **AND TO** authorize the Mayor and the Acting Chief Administrative Officer to execute the s. 219 covenant associated with the development.

CARRIED UNANIMOUSLY

MOVED and seconded to move item B-6 Bylaw No. 550 to this point in the agenda.

CARRIED UNANIMOUSLY

B-6 Bylaw No. 550, *Permissive Tax Exemption Bylaw for Public Parks and Recreation Grounds, Not for Profit Corporations and Public Authority Amendment Bylaw (338-2)* and Bylaw No. 551, *Property Tax Exemption for Church Halls and Church Land Amendment Bylaw (337-1 – Amendment of Permissive and Property Tax Exemption Bylaws*

Michael Dillabaugh provided a summary of the staff report for Council.

Councillor Reay declared a possible conflict of interest with this agenda item as she is a member of the Board of Directors for one of the applicants and left the meeting at 9:56 p.m.

MOVED and seconded that Council not consider a tax exemption for Property #3 and Property #4 referred to in the staff report.

CARRIED **Councillor Tait and Councillor Berger opposed the motion**

MOVED and seconded that Bylaw No. 550, *Permissive Tax Exemption Bylaw for Public Parks and Recreation Grounds, Not for Profit Corporations and Public Authority Amendment Bylaw (338-2)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 550, *Permissive Tax Exemption Bylaw for Public Parks and Recreation Grounds, Not for Profit Corporations and Public Authority Amendment Bylaw (338-2)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 550, *Permissive Tax Exemption Bylaw for Public Parks and Recreation Grounds, Not for Profit Corporations and Public Authority Amendment Bylaw (338-2)* be read a third time.

CARRIED UNANIMOUSLY

MOVED and seconded Bylaw No. 551, *Property Tax Exemption for Church Halls and Church Land Amendment Bylaw (337-1)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded Bylaw No. 551, *Property Tax Exemption for Church Halls and Church Land Amendment Bylaw (337-1)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded Bylaw No. 551, *Property Tax Exemption for Church Halls and Church Land Amendment Bylaw (337-1)* be read a third time.

CARRIED UNANIMOUSLY

MOVED and seconded to direct staff to publish Notice as to Bylaw No. 550 and Bylaw No. 551 in accordance with section 227 of the *Community Charter*.

CARRIED UNANIMOUSLY

MOVED and seconded to refer Policy No. 5.3, *Statutory and Permissive Tax Exemption Policy* to the Finance and Administration Committee for review.

CARRIED UNANIMOUSLY

Councillor Reay returned to the meeting at 10:18 p.m.

MOVED and seconded to move item C-3 Sooke Horseshoe Club – Community Grant Extension Request to this part of the agenda.

CARRIED UNANIMOUSLY

C-3 Sooke Horseshoe Club – Community Grant Extension Request

MOVED and seconded to approve the Sooke Horseshoe Club extension request for 2011 grant funding.

CARRIED UNANIMOUSLY

B-2 Bylaw No. 544, Fees Amendment Bylaw (488-1)

MOVED and seconded that Bylaw No. 544, *Fees Amendment Bylaw (488-1)* be adopted.

CARRIED UNANIMOUSLY

B-3 Bylaw No 546, *Delegation of Exemption from Minimum Frontage Requirement Bylaw, 2012*

MOVED and seconded that exemptions for minimum frontage requirements be brought directly to Council.

DEFEATED **Councillor Tait and Councillor Kasper opposed the motion**

MOVED and seconded that Bylaw No. 546, *Delegation of Exemption from Minimum Frontage Requirement Bylaw, 2012* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 546, *Delegation of Exemption from Minimum Frontage Requirement Bylaw, 2012* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 546, *Delegation of Exemption from Minimum Frontage Requirement Bylaw, 2012* be read a third time.

CARRIED UNANIMOUSLY

B-4 Bylaw No. 547, *Sooke Town Centre Revitalization Amendment Bylaw (408-3)*

MOVED and seconded that Bylaw No. 547, *Sooke Town Centre Revitalization Amendment Bylaw (408-3)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 547, *Sooke Town Centre Revitalization Amendment Bylaw (408-3)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that staff publish notice of Bylaw No. 547 in accordance with Section 227 of the *Community Charter*.

CARRIED UNANIMOUSLY

B-5 Bylaw No. 548, *Official Community Plan Amendment Bylaw (400-3)* and Bylaw No. 549, *Zoning Amendment Bylaw (500-15) – Cluster Dwelling Units*

MOVED and seconded that Bylaw No. 548, *Official Community Plan Amendment Bylaw (400-3)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 548, *Official Community Plan Amendment Bylaw (400-3)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 549, *Zoning Amendment Bylaw (500-15)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 549, *Zoning Amendment Bylaw (500-15)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded to schedule a Public Hearing for Bylaw No. 548 and Bylaw No. 549 in accordance with the requirements of the *Community Charter* and the *Local Government Act*.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 District of Sooke Agricultural Plan

MOVED and seconded to extend the Regular Council meeting past 11:00 p.m.

CARRIED UNANIMOUSLY

MOVED and seconded to adopt the District of Sooke Agricultural Plan and provide staff comments on *Section Five: Conclusions and Next Steps*;

AND FURTHER direct staff to initiate a discussion of *Conclusion 5.1.1* of the *Agricultural Plan* with staff from the Agricultural Land Commission (ALC) to resolve conflicts between the Official Community Plan (OCP) and ALR requirements

CARRIED UNANIMOUSLY

MOVED and seconded to move agenda item RA-3 to this point in the Regular Council meeting.

CARRIED UNANIMOUSLY

RA-3 Mai Mai's Bistro Liquor Licence Amendment – 6672 Sooke Road

MOVED and seconded to support Mai Mai's Bistro application for a Food-Primary entertainment endorsement from the District of Sooke as:

- 1) The current zoning and location in the downtown core permits live entertainment use;
- 2) There is no proposed increase in the maximum number of patrons permitted for the existing Food-Primary Licence, and no increase in parking requirements, and on that basis;
- 3) There will likely be only minimal potential for noise, and;
- 4) There will likely be only minimal impact on the Community with the endorsement, and therefore;
- 5) There is not a need for gathering views of the residents in the surrounding area.

CARRIED UNANIMOUSLY

MOVED and seconded the following items be referred to the October 9th, 2012 Regular Council meeting:

- RA-2 – Residential Sanitary Sewer Pump Requirements
- RA-4 – Finance and Administration Committee Recommendations of September 4th, 2012:
 - Policy No. 3.1, *Vehicle Use Policy, 2012*
 - Sewer Fund Interfund Loan and Repayment

- Reserve Funds, Accounts and Surpluses
- Firefighter Personal Protective Gear Replacement
- RI-1 - Mayor and Councillor Reports
- C-1 – North Vancouver District and Village of Granisle – Protection of Fish Habitat
- C-2 – Residential Waste Cooking Oil Collection – Letter of support
- I-1 – Sooke Youth Council 2011 and 2012 Annual Report

CARRIED UNANIMOUSLY

REPORT OF IN CAMERA RESOLUTIONS

IC-1 Report of In Camera Resolutions – Meeting of September 4, 2012:

Hiring Process for Chief Administrative Officer

MOVED and seconded to proceed with the hiring of James R. Craven and Associates for \$12,000 to pursue applicants for the position of Chief Administrative Officer for the District of Sooke.

CARRIED UNANIMOUSLY

MOVED and seconded to proceed with the hiring of James R. Craven and Associates for \$2,500 to carry out a review of exempt staff salaries for the District of Sooke.

CARRIED UNANIMOUSLY

Sale of Talc Place Park Properties

MOVED and seconded to approve the proposed sale price of \$14,000 under the terms and conditions set out in the Contract of Purchase and Sale of a portion of the closed Talc Place Park identified as Area 1 to Charles Clark Ogilvie and Margeurite Bertha Little;

AND FURTHER THAT COUNCIL approve the minimum sale price of \$5,000 for the rectangular portion identified as Area 3 of closed Talc Place Park;

AND FURTHER THAT COUNCIL approve the minimum sale price of \$1,000 for the triangular portion identified as Area 4 of closed Talc Place Park;

AND FURTHER THAT COUNCIL authorize staff to proceed with the negotiations for the sale of a portion of Area 3 of closed Talc Place Park with Duane Noyes and Shelley Musgrave;

AND FURTHER THAT COUNCIL authorize staff to proceed with the negotiations for the sale of Area 4 and a portion of Area 3 of closed Talc Place Park with the Provincial Rental Housing Corporation.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 11:02 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
 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 TUESDAY, October 9, 2012
5:30 p.m., Closed Portion, Meeting Room
7:00 p.m., Open Portion, Council Chamber

COUNCIL PRESENT

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

STAFF PRESENT

Dave Gawley, Acting Chief Administrative Officer
Michael Dillabaugh, Director of Finance
Bonnie Sprinkling, Corporate Officer
Elisabeth Nelson, Municipal Engineer
Steve Sorensen, Fire Chief
Tina Hansen, Corporate Assistant
Staff Sgt. Steve Wright

ABSENT

Councillor Bev Berger

CALL TO ORDER

Mayor Milne called the meeting to order at 5:33 p.m.

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)(g) litigation or potential litigation affecting the municipality;

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

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

CALL TO ORDER – OPEN PORTION

Mayor Milne called the open portion of the Regular Council meeting to order at 7:04 p.m. in the Council Chambers.

APPROVAL OF THE AGENDA

The Mayor requested the following Agenda Items be postponed to an upcoming meeting:

- Adoption of October 1, 2012 Committee of the Whole minutes
- Item RA-4 (UB-1 Unfinished Business) – Sewer Fund Interfund Loan and Repayment
- Item RA-7 Community Grant Review Committee Recommendations from September 27, 2012 meeting
- Item RA-9 Climate Change Action Committee Recommendations from October 2, 2012 meeting

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

- Item RA-1 – John Phillips Memorial Park – Bike Skills Park Licence of Occupation Agreement: Proof of Liability Insurance and Public Submissions.
- NB-1 Bylaw No. 533, *Development Cost Charge Imposition Amendment Bylaw (202-1)*
- NB-2 Halloween Fireworks – Fire Chief Verbal Report

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on September 10, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on September 10, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Public Hearing held on September 10, 2012 reconvened to September 18, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

September 17, 2012	Land Use and Environment Committee
September 19, 2012	Sooke Economic Development Commission
September 20, 2012	Board of Variance
September 25, 2012	Emergency Planning Committee
September 27, 2012	Community Grant Review Committee
October 1, 2012	Finance and Administration Committee

CARRIED UNANIMOUSLY

Mayor Milne requested that agenda item RI-2 RCMP Monthly Mayor Reports be moved to this point of the agenda.

RI-2 RCMP Monthly Mayor Reports for June, July, August and September

Staff Sergeant Wright addressed Council on the RCMP Monthly Mayor Reports for June, to September 2012 and provided an overview of the various police occurrences in the District of Sooke during the noted months. Staff Sergeant Wright reported that the detachment has had good success with the initiatives they have in place and they will continue to pursue these initiatives.

MOVED and seconded to receive the RCMP Monthly Mayor Reports.
CARRIED UNANIMOUSLY

DELEGATIONS

D-1 Ayre Manor Expansion Plans – Sandy Pedneault, Chair – Sooke Elderly Citizen’s Housing Society, Andrew Butler, Consultant, and Don Brown, Architect

Sandy Pedneault, Chair Sooke Elderly Citizen’s Housing Society addressed Council on a proposal for a 56 bed expansion at Ayre Manor advising that the Society has been serving the community since 1968 and is a non-profit association whose purpose is to facilitate the provision of a range of high quality housing and care options on the Ayre Manor property, primarily to allow the residents of the Sooke Region to age in place, surrounded by friends and family.

Ms. Pedneault introduced members of the project team, Andrew Butler and Don Brown who both worked with the Society during the first build of Ayre Manor. Ms. Pedneault advised that the Society is seeking Council’s support in waiving development cost charges to assist in keeping the costs of the expansion down.

Andrew Butler, Consultant provided conceptual drawings of the the Ayre Manor expansion and addressed Council on the benefits the expansion will have to the community.

Don Brown, Architect, provided information on the design, layout and exterior finishing of the proposed buildings.

MOVED and seconded to direct staff to provide a report to the October 22nd, 2012 Council meeting with regard to District of Sooke support for the Ayre Manor expansion project and the applicability of Bylaw No. 408, including development cost charges for the project.
CARRIED UNANIMOUSLY

U-1 UNFINISHED BUSINESS

Agenda items postponed from September 10, 2012 Regular Council Meeting:

- **Item RA-2 Residential Sanitary Sewer Pump Requirements**

MOVED and seconded to direct staff to use the residential sanitary sewer pump requirements provided in Option 3 of the staff report.

Councillor Haldane and Councillor Kasper agreed to withdraw the motion

MOVED and seconded to refer the report back to staff to provide an option that will allow homeowners to choose their own residential sanitary sewer pump pumps that meet District of Sooke standards.

CARRIED UNANIMOUSLY

- **Item RA-4 Finance and Administration Committee Recommendations of September 4th, 2012:**

Policy No. 3.1, *Vehicle Use Policy, 2012*

MOVED and seconded to adopt Policy No. 3.1, *Vehicle Use Policy, 2012* as amended by the addition of a clause that prohibits smoking in municipal vehicles.

CARRIED UNANIMOUSLY

Reserve Funds, Accounts and Surpluses

MOVED and seconded to receive the Reserve Funds, Accounts and Surpluses report for information.

CARRIED UNANIMOUSLY

Firefighter Personal Protective Gear Replacement

MOVED and seconded to allocate \$7,500 to purchase up to an additional three complete sets of firefighter gear for the 2012 recruit class.

CARRIED UNANIMOUSLY

- **Item C-1 North Vancouver District and Village of Granisle – Protection of Fish Habitat**

MOVED and seconded to receive and file the correspondence.

CARRIED UNANIMOUSLY

- **Item C-2 Residential Waste Cooking Oil Collection – Letter of support**

MOVED and seconded to invite a representative from the Cowichan Energy Alternatives Society to make a presentation on Residential Waste Cooling Oil Collection to the Land Use and Environment Committee.

CARRIED UNANIMOUSLY

- **Item I-1 Sooke Youth Council 2011 and 2012 Annual Report**

MOVED and seconded to accept the Sooke Youth Council 2011 and 2012 Annual Report.

CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

Margaret Halsy, The Land Conservancy of BC, addressed Council on a request for a permissive tax exemption for the Sooke Potholes park property. Ms. Halsy provided information to Council on the financial challenges the TLC is facing and advised that they are working on addressing these financial challenges.

Larry Umbach, Sooke resident, addressed Council on his concerns as to the location of the John Phillips Memorial Park Bike Skills Park next to a residential area.

Moonfist, Sooke resident, inquired as to the report from the Cowichan Energy Alternatives Society on the residential waste cooking oil collection and provided a submission to Council on Corporate Priorities and Development Cost Charges.

PUBLIC HEARINGS AND RELATED BYLAWS

PH-1 Report of Public Hearings – Cluster Dwelling Units - Amendment

- **Bylaw No. 548, *Official Community Plan Amendment Bylaw (400-3)***
- **Bylaw No. 549 *Zoning Amendment Bylaw (500-15)***

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 hearings.

Mayor Milne called the Public Hearings for Bylaw No. 548 and Bylaw No. 549 to order at 8:10 p.m.

Public Submissions:

Adrian Cownden, asked for clarification as to the illustrations of Cluster Dwelling Units for Bylaw No. 549 and inquired whether the illustrations are only suggested illustrations or whether they are intended to form regulations subsequent to the legislation. Mr. Cownden asked whether it was necessary to include the illustrations as part of the bylaw.

Staff advised that the illustration is just an example not a part of the Zoning bylaw.

Moonfist, Sooke resident, asked for clarification as to the illustrations in the bylaw and suggested that maybe better pictures would be advisable.

Mayor Milne called three times for submissions to the Public Hearings for Bylaw No. 548 and Bylaw No. 549 Hearing none; he closed the public hearing at 8:16 pm.

Council discussed:

- Concerns of interpretation – consider removing the illustrations
- Cluster dwellings offer an opportunity for affordable rental housing in Sooke

Council consider third reading of Bylaw No. 548 and Bylaw No. 549

MOVED and seconded that Bylaw No. 548, *Official Community Plan Amendment Bylaw (400-3)* be read a third time.

CARRIED UNANIMOUSLY

MOVED and seconded to amend Bylaw No. 549, *Zoning Amendment Bylaw (500-15)* to replace the existing definition of TOWNHOUSE with the following definition:

“TOWNHOUSE” means a residential building comprised of three or more dwelling units separated from one another by party walls extending from foundations to roof, with each dwelling having a separate direct entrance; includes Row Houses. For the purposes of

the District of Sooke Development Cost Charge Imposition Bylaw, as amended from time to time, a Cluster Dwelling is defined as a Townhouse.”

AND FURTHER to remove the “Illustration of Cluster Dwelling Unit Types”;

AND FURTHER that Bylaw No. 549, *Zoning Amendment Bylaw (500-15)* be read a third time as amended.

CARRIED UNANIMOUSLY

BYLAWS

B-1 Bylaw No. 542, *Delegation Amendment Bylaw (474-3)*

MOVED and seconded that Bylaw No. 542, *Delegation Amendment Bylaw (474-3)* be adopted.

CARRIED UNANIMOUSLY

B-2 Bylaw No. 546, *Delegation of Exemption from Minimum Frontage Requirement Bylaw, 2012*

MOVED and seconded that Bylaw No. 546, *Delegation of Exemption from Minimum Frontage Requirement Bylaw, 2012* be adopted.

CARRIED UNANIMOUSLY

B-3 Bylaw No. 550, *Permissive Tax Exemption for Public Parks and Recreation Grounds, Not for Profit Corporations and Public Authorities Amendment Bylaw (338-2)* and;

Bylaw No. 551, *Property Tax Exemption for Church Halls and Church Land Amendment Bylaw (337-1)*

MOVED and seconded that Bylaw No. 550, *Permissive Tax Exemption for Public Parks and Recreation Grounds, Not for Profit Corporations and Public Authorities Amendment Bylaw (338-2)* be adopted.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 551, *Property Tax Exemption for Church Halls and Church Land Amendment Bylaw (337-1)* be adopted.

CARRIED UNANIMOUSLY

B-4 Bylaw No. 554, *Five Year Financial Plan Amendment Bylaw (522-1)*

Council to consider Finance and Administration Committee Recommendation from October 1, 2012 meeting:

MOVED and seconded that Bylaw No. 554, *Five Year Financial Plan Amendment Bylaw (522-1)* be introduced as amended in Schedule A.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 554, *Five Year Financial Plan Amendment Bylaw (522-1)* be read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 554, *Five Year Financial Plan Amendment Bylaw (522-1)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 554, *Five Year Financial Plan Amendment Bylaw (522-1)* be read a third time.

CARRIED UNANIMOUSLY

B-5 Bylaw No. 555 *Permissive Tax Exemption for Public Parks and Recreation Grounds, Not for Profit Corporations and Public Authorities Amendment Bylaw (338-3)*

MOVED and seconded that Bylaw No. 555 *Permissive Tax Exemption for Public Parks and Recreation Grounds, Not for Profit Corporations and Public Authorities Amendment Bylaw (338-3)* be introduced and read a first time.

DEFEATED

Councillor Haldane, Councillor Kasper and Councillor Pearson opposed the motion

REPORTS REQUIRING ACTION

RA-1 John Phillips Memorial Park – Bike Skills Park Licence of Occupation Agreement

MOVED and seconded to enter into the Licence of Occupation Agreement with the Sooke Bike Club (S-0053863) at the John Phillips Memorial Park;

AND TO authorize the Mayor and the Chief Administrative Officer to execute the Licence of Occupation Agreement.

CARRIED UNANIMOUSLY

RA-2 Modification to Covenant FB217108 – 6882 West Coast Road and 1841 and 1843 Tomlinny Road

MOVED and seconded to approve the Modification Agreement to remove items 3, 6, 12, and 13 within Covenant FB217108 registered on the subject property legally described as *Lot 1, Section 3, Sooke District, Plan EPP9309 and Strata Lot 1 and Strata Lot 2, Section 3, Sooke District, Strata Plan 359, Together with an interest in the Common Property in Proportion to the Unit Entitlement of the Strata Plan as show on Form 1;*

AND TO authorize the Mayor and the Chief Administrative Officer to execute the Modification Agreement.

CARRIED UNANIMOUSLY

RA-3 Disposition of Municipal Property – Closed Talc Place Park

MOVED and seconded to approve the Contracts of Purchase and Sale received for Areas 1, 3 and 4 of the recently closed Talc Place Park legally described as *That part of Section 23, Sooke District Shown as Closed Park on Plan VIP89409* (“Closed Talc Park”) as follows:

- a. Area 1 to Margeurite Bertha Little and Charles Clark Ogilvie (“Little/Ogilvie”) for the sum of \$14,000;
- b. Area 3 to Shelley Jocelyn Musgrave and Duane Douglas Noyes (“Musgrave/Noyes”) for the sum of \$2,500; and
- c. Area 4 to the Provincial Rental Housing Corporation (“BC Housing Corp.”) for the sum of \$3,500;

AND FURTHER TO authorize the Mayor and Chief Administrative Officer to execute the Contracts of Purchase and Sale for Little/Ogilvie, Musgrave/Noyes and BC Housing Corp. and all other documents required to finalize the disposition of the three municipal properties;

CARRIED UNANIMOUSLY

ACTION ITEM: Staff to confirm whether funds from the sale of Closed Talc Park have been included in the 2013 budget.

MOVED and seconded to direct staff to maintain Area 2 of the Closed Talc Park until such time as Council directs further action on the property.

CARRIED UNANIMOUSLY

RA-4 Restructure of Sooke Economic Development Commission

Mayor Milne provided an overview of the restructure of the Sooke Economic Development Commission into three public advisory panels.

MOVED and seconded to dissolve the current Sooke Economic Development Commission (“Sooke EDC”) and rescind all Council and public member appointments to the Sooke EDC;

AND FURTHER rescind the Terms of Reference for the Sooke Economic Development Commission;

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 552, *District of Sooke Delegation Amendment Bylaw (272-1)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 552, *District of Sooke Delegation Amendment Bylaw (272-1)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 552, *District of Sooke Delegation Amendment Bylaw (272-1)* be read a third time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 553, *Sooke Program for the Arts (SPA) Reserve Fund Amendment Bylaw (172-3)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 553, *Sooke Program for the Arts (SPA) Reserve Fund Amendment Bylaw (172-3)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 553, *Sooke Program for the Arts (SPA) Reserve Fund Amendment Bylaw (172-3)* be read a third time.
CARRIED UNANIMOUSLY

MOVED and seconded to rescind the Sooke Outdoor Arts Program (SOAP).
CARRIED UNANIMOUSLY

MOVED and seconded to reconsider the structure and function of the Sooke Economic Development Commission at a future date as determined by the Mayor.
CARRIED UNANIMOUSLY

RA-5 Land Use and Environment Committee Recommendations from September 17, 2012 meeting;

Proposed Uses of John Phillips Memorial Park – Public Input Opportunity

MOVED and seconded to direct staff to work with the Horseshoe Club and bring forward a report to establish a horseshoe pitch at John Phillips Memorial Park;

AND FUTHER direct staff to work with the Off-Leash Dog Park advocates and bring forward a report to establish an Off-Leash Dog Park at John Phillips Memorial Park.

AND FURTHER direct staff to prepare an outline for a public consultation process to address these and all other issues with respect to the development of John Phillips Memorial Park.

CARRIED UNANIMOUSLY

RA-6 Sooke Economic Development Commission Recommendations from September 19, 2012 meeting:

Sooke Starlight Cinema

MOVED and seconded to direct staff to provide a report for the overall plan for Sooke Starlight Cinema for 2013 including a process for determining non-profit groups to operate the event and receive concession and admission proceeds.

CARRIED UNANIMOUSLY

Mountain Bike Tourism Association Annual Partner Fee

MOVED and seconded to authorize the Sooke Economic Development Commission to join the Mountain Biking BC Annual Partner Fee in the amount of \$1,680.

CARRIED UNANIMOUSLY

Member Group Reports

MOVED and seconded to receive the Sooke Economic Development Commission Member Group reports for information.

CARRIED UNANIMOUSLY

RA-8 Finance and Administration Committee Recommendations from October 1, 2012 meeting:

MOVED and seconded to direct staff to proceed with the tendering process for the purchase of a sound system for the Council Chambers webcasting;

AND TO allocate funding up to \$9,000 for the purchase of the sound system from the Council Travel and Conference line item in the 2012 Budget.

CARRIED UNANIMOUSLY

RA-10 Proposed Federal Electoral Boundary Change

MOVED and seconded to direct staff to provide a written submission to the Federal Electoral Boundaries Commission opposing the proposed Federal Boundary changes.
CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor and Councillor Reports

Mayor Milne reported on attending the Sooke Fall Fair, Woodland Creek Park opening and advised that he has spent some time speaking to local businesses. Mayor Milne reported on positive feedback from businesses on the bus stop advertising benches.

Councillor Reay reported on attending the Vancouver Island Regional Library Board meeting and the CREST Board meeting advising that both Boards have accepted their 5 year financial plans. Councillor Reay advised that there will be significant increases to the tax payer with the Vancouver Island Regional Library Board financial plan.

Councillor Haldane reported on attending several meetings over the past weeks.

Councillor Kasper reported on participating in the COPS for Cancer golf tournament and get out of jail fundraisers and also on attending the UBCM Convention.

Councillor Tait took the opportunity to recognize and thank the outgoing members of the Sooke EDC, and the volunteers and organizers of various groups who have hosted events within the community over the past months. Councillor Tait also reported on the Urban Development Institute (UDI) WestShore Tour and the Tourism Vancouver Island AGM and Conference in September and announced that she has been appointed as community director of the Leadership Council to the Greater Victoria Coalition to End Homelessness. Councillor Tait also attended the Small Communities Forum at UBCM.

Councillor Pearson reported on attending the UBCM Convention.

Councillor Reay announced that Fire Prevention Week is October 10th to October 17th Sooke Fire Rescue Service Open House is October 11th, and the Great BC Shakeout will be on October 18th.

NEW BUSINESS

NB-1 Bylaw No. 533, *Development Cost Charge Imposition Amendment Bylaw (202-1)*

MOVED and seconded that Bylaw No. 533, *Development Cost Charge Imposition Amendment Bylaw (202-1)* be adopted.
CARRIED UNANIMOUSLY

NB-2 Halloween Fireworks – Fire Chief Verbal Report

Fire Chief Sorensen reported that other municipalities in the capital region are considering a fire works ban on Halloween due to the dry weather and extreme risk of fires. Fire Chief

Sorensen advised that the same ban will be considered for the District of Sooke depending on what the weather does over the next week or so.

CORRESPONDENCE AND COUNCIL REPORTS FOR INFORMATION

- I-1 Correspondence dated September 28, 2012 from Vancouver Island Health Authority – Support for increased residential capacity in the Sooke area**
MOVED and seconded to file the correspondence from Vancouver Island Health Authority.
CARRIED UNANIMOUSLY

REPORT OF IN CAMERA RESOLUTIONS

Resolutions of October 9th, 2012 In Camera Regular Council Meeting:

Organization of the Finance Department

MOVED and seconded to direct staff to:

- a. Start the hiring process for a new full time Deputy Director of Finance;
- b. Start the hiring process to replace one front counter clerk position;
- c. To postpone discussion on the evaluation of the rate of pay for the Accounting Assistant I position until the job review is completed.

CARRIED UNANIMOUSLY

Delegation Bylaw

MOVED and seconded to direct staff amend Bylaw No. 474, *Delegation Bylaw, 2010* to include a section that specifically states that salary increases (other than step increments of a previously approved salary grid system) must be approved by Council.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 9:34 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
Mayor

Bonnie Sprinkling
Corporate Officer

DISTRICT OF SOOKE

Minutes of the Special Meeting of Council
held in the Council Chamber
at 2205 Otter Point Road, Sooke, BC
on October 15, 2012 at 6:00 p.m.

COUNCIL PRESENT

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

STAFF PRESENT:

Dave Gawley, Acting Chief
Bonnie Sprinkling, Corporate Officer, recorder
Elisabeth Nelson, Municipal Engineer
Tracy Olson, Planner II

CALL TO ORDER

Mayor Milne called the meeting to order at 6:06 p.m.

APPROVAL OF THE AGENDA

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

MOTION TO CLOSE THE MEETING TO THE PUBLIC

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

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

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED, seconded to adjourn the meeting at 9:29 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Mayor Wendal Milne

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 October 22 , 2012
6:00 p.m., Closed Portion, Meeting Room
7:00 p.m., Open Portion, Council Chamber

COUNCIL PRESENT

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

STAFF PRESENT

Dave Gawley, Acting Chief Administrative Officer
Michael Dillabaugh, Director of Finance
Bonnie Sprinkling, Corporate Officer
Gerard LeBlanc, Municipal Planner
Elisabeth Nelson, Municipal Engineer
Steve Sorensen, Fire Chief
Tina Hansen, Corporate Assistant

ABSENT

Councillor Kevin Pearson

CALL TO ORDER

Mayor Milne called the meeting to order at 6:10 p.m. in the Municipal Meeting Room.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

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

- (a) Personal information about an identifiable individual who holds or is being considered for a position of an officer, employee or agent of the municipality or another position appointed by the municipality;
- (b) Labour relations or other employee relations.

CARRIED UNANIMOUSLY

CALL TO ORDER – OPEN PORTION

Mayor Milne called the open portion of the Regular Council meeting to order at 7:00 p.m. in the Council Chambers

APPROVAL OF THE AGENDA

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

- Adoption of Minutes – Supplementary Information: October 9, 2012 Regular Council Meeting – Permissive Tax Exemption
 - Written submission received on or before October 22, 2012
- Item RA-1 Development Variance Permit – 6215 Marilyn Place
 - Written submissions received on or before October 22, 2012
- Item RA-4 Sooke Zoning Bylaw
 - Written submissions received on or before October 22, 2012
- Item RA-5 Tourism Victoria Membership
 - Council Report

- Item RA-8 John Phillips Memorial Park – Bike Skills Park Licence of Occupation Agreement
 - Report October 9th, 2012
 - Minutes Land Use and Environment Committee meeting September 17th, 2012
 - Report March 26th, 2012
 - Council Resolution October 9th, 2012
 - Proposed Licence of Occupation – addition of Schedule A Site Map (reviewed by Municipal Solicitors)
 - Alpine Bike Skills – ParkStart Program
 - Written submissions received on or before October 22, 2012:

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Committee of the Whole meeting held on October 1, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Regular Council meeting held on October 9, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on October 15, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

MOVED and seconded that the following minutes be received for information:
October 2, 2012 Climate Change Action Committee

CARRIED UNANIMOUSLY

DELEGATIONS

D-1 How Regional Districts Operate – Robert Lapham, General Manager of Planning & Protective Services, CRD

Bob Lapham, Capital Regional District, provided a power point presentation and overview of Regional Districts including the history, role, and key components of legislation that make regional districts unique. Mr. Lapham addressed Council on the services delivered by the Capital Regional District and the 2012-2014 Strategic Priorities.

UNFINISHED BUSINESS

U-1 Council to consider agenda items postponed from October 9, 2012 Regular Council Meeting:

- **Finance and Administration Recommendation September 4, 2012**

Sewer Fund Interfund Loan and Repayment

MOVED and seconded that the Sewer Parcel Tax Rate Fund be increased to repay the Interfund Loan.

CARRIED

Councillor Tait opposed the motion

- **Community Grant Review Committee Recommendations from September 27, 2012 meeting:**

MOVED and seconded to postpone to an upcoming meeting the consideration of the agenda item UB-1 Community Grant Review Committee Recommendations from September 27, 2012 meeting.

CARRIED UNANIMOUSLY

- **Climate Change Action Committee Recommendations from October 2, 2012 meeting:**

Corporate Carbon Neutrality and Integrated Corporate Energy Emissions Plan

MOVED and seconded to refer the Climate Change Action Committee recommendations on *Corporate Carbon Neutrality* and the *Integrated Corporate Energy Emissions Plan* to the Finance and Administration Committee.

CARRIED UNANIMOUSLY

Carpooling

MOVED and seconded to direct staff to provide information on the BC Transit – Jack Bell Foundation Ride-Share program through the District of Sooke website and at the next Open House.

CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

Lorien Arnold, president, Sooke Bike Club, read out a letter he submitted to Council regarding the Bike Skills Park.

Loretta Boerkamp, Sooke resident, addressed Council on her concerns of health implications for Sunriver residents due to smoke from burning Class A fires in Sunriver.

Rosemary Jorna, Otter Point resident, addressed Council on the issue of The Land Conservancy and its relief from property taxation and provided information on the TLC as a not-for-profit society. Ms. Jorna requested that Council reconsider the TLC request for a permissive tax exemption.

Michael Linehan, Sooke resident, expressed his support for the Sooke Bike Club and requested that Council not reconsider their previous decision and allow the project to move forward for the benefit of the community.

Terrance Martin, South Island Recreation Association, supports the need for a bike park in Sooke and addressed Council on the existing bike park at SEAPARC, a more suitable

location for a bike skills park and expanding the scope of the bike park to include a slow speed ATV skills training track for kids.

Chris Bain, Sooke resident, provided information as to who the Sooke Bike Club is advising that the membership is made up of both kids and adults who enjoy riding bikes. Mr. Bain is in support of the Sooke Bike Club.

Sid Jorna, president, Juan de Fuca Community Trails Society, advised of his support for the Sooke Bike Club and bike skills park.

Keith Hoath, Sooke resident, stated that he was in favour of a bike park but not in the proposed location. Mr. Hoath addressed Council on concerns of the park being next to a residential area and noise issues.

Linda Slater, Sooke resident, provided reasons for her support for the Sooke Bike Club and the need for a bike park for youth close to the town centre.

Sheila Bain, treasurer, Sooke Bike Club, addressed Council on the bike skills park project, the need for Council support and need to have a land deal in place before the project is able to move forward.

Allen Krutz, Sooke resident, addressed Council as to who the Bike Club was advising that some of the executive board members are small business owners who have experience and support with financial matters.

Stephen Hindrichs, Sooke resident, thanked Mayor and Council for the webcasting of Council meetings, expressed his support for the bike skills park, and encouraged Council to reconsider the tax exemption for The Land Conservancy.

Corrine Bains, Sooke resident, expressed her opposition to the proposed location of the bike skills park and addressed Council as to concerns of unsightly, dust, noise, emergency vehicle access and policing issues.

Ellen Lewers, Sooke resident, stated that she agrees with Ms. Bains comments and addressed Council on the existing bike skills park at SEAPARC. Ms. Lewers also reported on the expense for residents having to truck in water who are not on CRD water supply.

Daniel Cammiade, Sooke resident, Secretary, Sooke Bike Club expressed his support for the bike skills park and support for the proposed location of the park in the event emergency services were required. Mr. Cammiade encouraged Council to move forward with the process.

Rick Gates, Sooke resident, addressed Council on the zoning bylaw review and concerns as to the OCP not reflecting community values and community support.

David Matland, Sooke resident, advised that he would like to speak as to Bylaw No. 500. Mr. Matland will bring his concerns forward during Committee of the Whole public input.

Stuart Nicholson, Sooke resident, expressed his support for the bike skills park.

Norm Slater, Sooke resident, addressed Council as to concerns of his subdivision and how it will be affected by the zoning bylaw review and inquired as to a timeline for the review. Mr. Slater will contact staff for further information.

Lee Hindrichs, Sooke resident, expressed her support for the bike skills park and addressed Council on the business aspect of having a bike skills park of this calibre in a Sooke park making Sooke a destination for tourism, bike skills, and mountain biking.

Jeff Bateman, Sooke resident, provided comments as to the following agenda items; Zoning Bylaw Review - OCP as a visionary document, increase to the parcel tax, car and dog wash and The Land Conservancy - potholes. Mr. Bateman expressed his support for the bike skills park, youth in the community and a respectful process with the neighbours.

Mark Ferrol, Sooke resident expressed his opposition to the bike skills park and inquired as to the following issues; plans for fencing, public access, cost of the park, funding deadlines, and planting of trees as a screen for neighbouring properties.

Russ Campbell, Victoria resident, expressed support for the bike skills park and addressed Council on the competency and experience of Alpine Bike Parks for the design of the park.

There was no further input from members of the public.

MOVED and seconded to move item RA-8 John Phillips Memorial Park – Bike Skills Park Licence of Occupation Agreement to this point in the agenda.
CARRIED UNANIMOUSLY

RA-8 Mayor to require Council reconsideration of a matter under section 131 of the *Community Charter*:

Mayor Milne addressed members of the public on the John Phillips Memorial Park – Bike Skills Park public consultation process and the need for further information prior to signing the Licence of Occupation Agreement.

MOVED and seconded to repeal Motion of October 9th, 2012 to enter into the Licence of Occupation Agreement with Sooke Bike Club.
CARRIED UNANIMOUSLY

MOVED and seconded to provide funding up to \$3,600 from the Council Contingency Fund to the Sooke Bike Club to engage Alpine Bike Parks for the design of the John Phillips Memorial Park Bike Skills Park.
CARRIED UNANIMOUSLY

MOVED and seconded to provide the Sooke Bike Club with a letter of support in principle for the Bike Skills facility.
CARRIED UNANIMOUSLY

BYLAWS

**B-1 Bylaw No. 529, Zoning Amendment Bylaw (500-8) and;
Bylaw No. 530, 2150 and 7000 Melrick Place Phased Development Agreement
Authorization Bylaw, 2012**

MOVED and seconded to rescind third reading of Bylaw No. 529, *Zoning Amendment Bylaw (500-8)* and Bylaw No. 530, *2150 and 7000 Melrick Place Phased Development Agreement Authorization Bylaw, 2012*.

AND TO schedule a Public Hearing to remove 2150 Melrick Place from Bylaw No. 529 *Zoning Amendment Bylaw (500-8)* and Bylaw No. 530, *2150 and 7000 Melrick Place Phased Development Agreement Authorization Bylaw, 2012* in accordance with the requirements of the *Community Charter* and the *Local Government Act*.

AND THAT the adoption of Bylaw No. 529 shall be concurrent with the adoption of Bylaw No. 531, *Sooke Core Sewer Specified Area Amendment Bylaw (147-15)*.

CARRIED UNANIMOUSLY

B-2 Bylaw No. 545, Zoning Amendment Bylaw (500-14) – Car Wash

MOVED and seconded that Bylaw No. 545 *Zoning Amendment Bylaw (500-14)* be adopted.

CARRIED

Councillor Tait opposed the motion

**B-3 Bylaw No. 547, Sooke Town Centre Revitalization Amendment Bylaw (408-3) – DCC
Waiver**

MOVED and seconded to rescind first and second reading of Bylaw No. 547, *Sooke Town Centre Revitalization Amendment Bylaw (408-3)*;

AND FURTHER to cancel Bylaw No. 547, *Sooke Town Centre Revitalization Amendment Bylaw (408-3)*.

CARRIED UNANIMOUSLY

**B-4 Bylaw No. 548, Official Community Plan Amendment Bylaw (400-3) and;
Bylaw No. 549, Zoning Amendment Bylaw (500-15) – Cluster Dwelling Units**

MOVED and seconded that Bylaw No. 548, *Official Community Plan Amendment Bylaw (400-3)* be adopted.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 549, *Zoning Amendment Bylaw (500-15)* be adopted.

CARRIED UNANIMOUSLY

B-5 Bylaw No. 552, SEDC Delegation Amendment Bylaw (272-1)

MOVED and seconded that Bylaw No. 552, *SEDC Delegation Amendment Bylaw (272-1)* be adopted.

CARRIED UNANIMOUSLY

B-6 Bylaw No. 553, Sooke Program for the Arts (SPA) Reserve Fund Amendment Bylaw (172-3)

MOVED and seconded that Bylaw No. 553, *Sooke Program for the Arts (SPA) Reserve Fund Amendment Bylaw (172-3)* be adopted.
CARRIED UNANIMOUSLY

B-7 Bylaw No. 554, Five Year Financial Plan Amendment Bylaw (522-1)

MOVED and seconded that Bylaw No. 554, *Five Year Financial Plan Amendment Bylaw (522-1)* be adopted.
CARRIED UNANIMOUSLY

B-8 Bylaw No. 556, Delegation Amendment Bylaw (474-4)

MOVED and seconded that Bylaw No. 556, *Delegation Amendment Bylaw (474-4)* be introduced and read a first time.
CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 556, *Delegation Amendment Bylaw (474-4)* be read a second time.
CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 556, *Delegation Amendment Bylaw (474-4)* be read a third time.
CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 Development Variance Permit – 6215 Marilyn Place

Councillor Haldane declared that he may have a conflict of interest with this agenda item as he has a relationship with the neighbours and excused himself from the meeting at 8:34 p.m.

MOVED and seconded that Council not enforce the minimum set back requirements under section 503.7 *Sooke Zoning Bylaw* for 6215 Marilyn Road for a term one year.
CARRIED Councillor Kasper and Councillor Berger opposed the motion

Councillor Haldane returned to the meeting at 9:06 p.m.

RA-2 Development Permit Application – 6731 West Coast Road – Car & Dog Wash

MOVED and seconded to issue Development Permit PLN00975 for the purposes of constructing a car and dog wash commercial building located at 6731 West Coast Road.
CARRIED UNANIMOUSLY

RA-3 Sooke Food CHI Land Improvement Request – Sunriver Community Garden

MOVED and seconded to give consent to the construction of an apple shack and root cellar on the Sunriver Community Garden property provided a building permit is secured for the structure.

CARRIED UNANIMOUSLY

RA-4 Sooke Zoning Bylaw

Mayor Milne addressed members of the public on concerns from the review of Bylaw No. 500, *Sooke Zoning Bylaw, 2011* and on the public process for a new zoning bylaw.

MOVED and seconded to direct staff to prepare a new zoning bylaw to replace Bylaw No. 500, *Sooke Zoning Bylaw, 2011* and initiate the public consultation process and inter-agency review.

CARRIED UNANIMOUSLY

RA-5 Tourism Victoria Membership

MOVED and seconded to renew the Municipal membership in *Tourism Victoria* in the amount of \$519 for 2012 and approximately \$2,100 for 2013.

DEFEATED

Mayor Milne, Councillor Berger, Councillor Haldane, Councillor Reay, and Councillor Tait opposed the motion

RA-6 Consent for CRD Bylaw No. 3854, *Emergency Communication Dispatch Service Establishment Bylaw No. 1, 2012*

MOVED and seconded to give consent to the adoption of CRD Bylaw No. 3854, *Emergency Communication Dispatch Service Establishment Bylaw No. 1, 2012*.

CARRIED UNANIMOUSLY

RA-7 2013-2017 Corporate Priorities

MOVED and seconded to adopt the 2013-2017 Corporate Priorities; as amended **AND TO** direct staff to include the Corporate Priorities in the preparation of the draft 2013 Five Year Financial Plan.

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor and Council Reports

The Mayor requested that Council provide their Council Reports at the next Regular Council meeting. The Mayor advised that Mayor and Council reports will be provided at the first Regular Council of each month and will be reports on the liaison duties of Council members.

RI-2 Review of Service Contracts and Agreements

MOVED and seconded to receive the Review of Service Contracts and Agreements report for information as to the commencement of a review of current and future fee for service agreements with local non-profit organizations.
CARRIED UNANIMOUSLY

RI-3 Quarterly Reports

MOVED and seconded to receive the Fire Department Quarterly Report for information.
CARRIED UNANIMOUSLY

MOVED and seconded to receive the Development Services Quarterly Report for information.
CARRIED UNANIMOUSLY

MOVED and seconded to receive the Corporate Services Quarterly Report for information.
CARRIED UNANIMOUSLY

CORRESPONDENCE AND COUNCIL REPORTS FOR INFORMATION

I-1 Correspondence dated October 11th, 2012 from the District of Maple Ridge – FCM Campaign “Target 2014; Building our Future.”

MOVED and seconded to file the correspondence on the FCM Campaign “Target 2014: Building our Future”.
CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 9:56 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
Mayor

Bonnie Sprinkling
Corporate Officer

DISTRICT OF SOOKE

Minutes of the Special Meeting of Council
held in the Municipal Meeting Room
at 2205 Otter Point Road, Sooke, BC
on November 5, 2012 at 6:00 p.m.

COUNCIL PRESENT

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

STAFF PRESENT

David J. Gawley, Acting CAO

ABSENT: Councillor Maja Tait

CALL TO ORDER

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

APPROVAL OF THE AGENDA

MOVED and seconded to approve the agenda as circulated.

CARRIED UNANIMOUSLY

MOTION TO CLOSE THE MEETING TO THE PUBLIC

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

- 90(1)(c) labour relations or other employee relations;
- 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED UNANIMOUSLY

REPORT OF IN CAMERA RESOLUTIONS

Special In Camera Meeting November 5, 2012:

RA-1 Hiring of CAO Update (Verbal)

MOVED and seconded to approve the selection of Gordon M. Howie for the position of Chief Administrative Officer for the District of Sooke;

AND TO release this resolution to the public.

CARRIED UNANIMOUSLY

MOVED and seconded to authorize the Mayor and Acting Chief Administrative Officer to sign the new three-year employment agreement for Gordon M. Howie;

AND TO release this resolution to the public.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED, seconded to adjourn the meeting at 7:03 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Mayor Wendal Milne

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 Tuesday, November 13, 2012
6:00 p.m., Closed Portion, Meeting Room
7:00 p.m., Open Portion, Council Chamber

COUNCIL PRESENT

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

STAFF PRESENT

Dave Gawley, Acting Chief Administrative Officer
Michael Dillabaugh, Director of Finance
Bonnie Sprinkling, Corporate Officer
Gerard LeBlanc, Municipal Planner
Elisabeth Nelson, Municipal Engineer
Tracy Olsen, Planner II
Steve Sorensen, Fire Chief (left at 8:38 pm)
Tina Hansen, Corporate Assistant

ABSENT

Councillor Rick Kasper

CALL TO ORDER

Mayor Milne called the meeting to order at 6:02 p.m. in the Municipal Meeting Room.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

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

- Section 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;
- Section 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; and
- Section 90(1)(g) litigation or potential litigation affecting the municipality.

CALL TO ORDER - OPEN PORTION

Mayor Milne called the open portion of the Regular Council meeting to order at 7:04 p.m. in the Council Chambers

APPROVAL OF THE AGENDA

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

- NB-1 Motion to Close the Meeting to the Public under section 90(1)(a) of the *Community Charter*.
- PH-1 Supplemental Information package 1 and 2

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on October 22, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on October 22, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on November 5, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

November 5, 2012 Finance and Administration Committee

October 23, 2012 Emergency Planning Committee

CARRIED UNANIMOUSLY

DELEGATIONS

D-1 Sooke Region Food CHI Society, Phoebe Dunbar

- **Fee for Service Agreements – Core funding**
- **Fiscal Host – Grant Applications**

Phoebe Dunbar, introduced members Anita Wasiuta and Erica Rolston and provided an overview of the Sooke Region Food CHI Society's 2012-2013 Programs and Projects. Ms. Dunbar addressed Council on a request for the District of Sooke to be a fiscal host for proposed funding applications to the TD Friends of the Environment Foundation and Epicure Foundation. Ms. Dunbar also requested Council consideration of providing \$10,000 in secured annual core funding to Sooke Region Food CHI Society to sustain strategic food security initiatives in the District of Sooke as recommended in the OCP and Agricultural Plan

MOVED and seconded to authorize the District of Sooke to be fiscal host for the Sooke Region Food CHI Society grant applications to TD Friends of the Environment and Epicure Foundations.

CARRIED UNANIMOUSLY

ACTION ITEM: To refer the Sooke Region Food CHI Society's Core Funding request in the amount of \$10,000 to the Finance and Administration Committee for review in the 2013 budget.

PUBLIC QUESTION AND COMMENT PERIOD

Jeff Bateman, Sooke resident advised of an upcoming forum on November 24th hosted by the Sooke Transition Town Society and addressed Council on concerns over recent changes to Council committees.

PUBLIC HEARINGS AND RELATED BYLAWS

PH-1 Report of Public Hearings – 2150 Melrick Place and 7000 Melrick Place

- **Bylaw No. 529, *Zoning Amendment Bylaw (500-8)***
- **Bylaw No. 530, *2150 and 7000 Melrick Place Phased Development Agreement Authorization Bylaw, 2012***
- **Bylaw No. 531, *Sooke Core Sewer Specified Area Amendment Bylaw (147-15)***

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 hearings.

Mayor Milne called the Public Hearings for Bylaw No. 529, Bylaw No. 530 and Bylaw No. 531 to order at 7:25 p.m.

Gerard LeBlanc gave a powerpoint presentation and summary to amend the rezoning application and phased development agreement by removing 2150 Melrick Place from Bylaw No. 529 and Bylaw No. 530.

Public Submissions:

Allan Barr, Sooke resident, addressed Council on concerns that residents on Brailsford Place purchased their homes believing that the street would remain a cul-de-sac. Mr. Barr also advised of concerns over traffic and safety.

Vivianne Jefferies, Sooke resident, addressed Council on concerns of the frequent use and traffic going to Broomhill Park and inquired as to how traffic signage for the playground would be addressed.

Crystal Quiroz-Borrero, Sooke resident, advised that the reason they purchased their home was because they thought Brailsford Place was going to remain a cul-de-sac.

Camille Svoboda, Sooke resident, inquired as to the gravel crushing pit, and addressed Council on concerns of gravel truck traffic along Brailsford Place, concerns of noise and safety for children and residents. Staff advised that the rock crushing operation will be on the adjacent property.

Council discussion:

- Traffic flow leading through to Grant Road
- Brailsford Place has always been projected to go through
- Ensuring measures to limit traffic on Brailsford Place
- Installation of barriers – emergency access only
- Traffic directed towards Grant Road from Firwood Road
- Ensuring traffic flow through Sooke – long term planning
- Traffic calming
- Increase in truck traffic occurring during construction phase
- Phasing of developments – blocking road during construction
- Design, build and construct, then close Brailsford Place and open over time to regular traffic – keep access for emergency vehicles

J.P. Langlois, representative for the applicant, suggested leaving the width of the road narrower and to include speed bumps.

Allan Barr, Sooke resident, stated that he understands the need for growth and services in the community and reiterated his concerns as to traffic and speed noting that traffic calming will not solve these issues. Mr. Barr would like to see this as an emergency access only.

Mayor Milne called three times for submissions to the Public Hearings for Bylaw No. 529, Bylaw No. 530 and Bylaw No. 531. Hearing none, he closed the public hearing at 8:06 pm.

Council to consider amendment and third reading of Bylaw No. 529 and Bylaw No. 530

MOVED and seconded that Bylaw No. 529, *Zoning Amendment Bylaw (500-8)* be amended as to the removal of 2150 Melrick Place and read a third time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 530, *7000 Melrick Place Phased Development Agreement Authorization Bylaw, 2012* be amended as to the removal of 2150 Melrick Place;

AND THAT Bylaw No. 530 be further amended in part 10.2(d) with the following:

“Design and construct the Brailsford Place extension within the property (from the west property line to the east property line) with appropriate traffic calming measures and signage regarding vehicle restrictions and temporary closure being installed to the same standard as the existing road within the neighbouring Stone Ridge development.”;

AND THAT Bylaw No. 530 be read a third time.

CARRIED UNANIMOUSLY

PUBLIC INPUT MEETINGS AND RELATED REPORTS

PI-1 NEW SOOKE ZONING BYLAW

a. Setbacks and Density in the Manufactured Home Park Zone

Tracy Olsen provided a summary of the staff report for Setbacks and Density in the Manufactured Home Park Zone.

Council discussion:

- Distance between manufactured home units - concerns of noise (change from 20 feet to 10 feet)
- Older parks are “grandfathered” for setbacks and density
- Ensuring manufactured home parks are practicable – affordable housing
- Existing mobile home parks – concerns of increase in density, lot size – look at going back to Bylaw No. 377, *Mobile Home Parks Bylaw, 1977*
- Option 5 increase required width – due to new models becoming wider – concerns of footprint not fitting due to setbacks. – issues with turning radius’
- There are provincial regulations and standards but the District is permitted to set their own setbacks and zoning

- Outcome of repealing Bylaw No. 377 – opportunity to look at what was taken out of the bylaw
- Some other municipalities still refer to parts of Bylaw No. 377
- Obligation to support residents rights from what was taken away
- Explore parking requirements per unit in new zoning bylaw – look into issue of parking spaces

Public Input:

David Matland, Sooke resident, addressed Council on what manufactured home park residents lost when Bylaw No. 377 was repealed including parking spaces for visitors, storage for recreational vehicles, garbage and refuse disposal by park owners, and installation and maintenance of street lighting.

ACTION ITEM: to direct staff to include Option 1: Reduce the density in the MHP zone from the current 22 units per hectare to 20 units per hectare in the new zoning bylaw.

b. Reduction of Minimum Lot Size in the Rural Residential Zone

Tracy Olsen provided a summary of Reduction of Minimum lot size in the Rural Residential Zone (RU4) and the impacts by neighbourhood.

Council discussion:

- Changes to the minimum lot size in the RU4 zone outside the SSA
- 2500m² minimum lot size for septic fields outside the SSA is possible
- VIHA regulations on lot size for septic fields
- Returning zoning back to residents that changed with Bylaw No. 500 to what was in place before
- Concerns of property values decreasing due to changes from old R1 zone to RU4 zone – assessed values are determined through BC Assessment Authority

Public Input:

Robert Smith, Sooke resident, addressed Council on concerns of his property being rezoned to RU4 and concerns that he was not notified at the time.

Brian Butler, Sooke resident advised that a “one size fits all” solution may cause further issues and addressed Council on concerns of residents’ property assessments and taxes increasing due to changes in zoning. Mr. Butler requested that Council look at the issue carefully prior to making any changes.

Brigg Low, Sooke resident, addressed Council on minimum lot sizes, concerns with setbacks in the RU4 zone and requested more flexibility.

Elida Peers, Sooke resident, inquired as to how the RU4 zone would affect her property. Staff explained that Ms. Peers’ property is conforming but that setbacks may have changed and would have to be confirmed on an individual basis.

ACTION ITEM: to direct staff to prepare a report that provides further information on setbacks and lot size in the RU4 zone including the applicability of the OCP, LWMP and VIHA regulations on a neighbourhood by neighbourhood basis.

AND FURTHER to include geographic maps of each of the areas.

RA-1 Age Friendly Grant Application

MOVED and seconded to move item RA-1 to this section of the agenda.
CARRIED UNANIMOUSLY

Nicky Logins, Sooke Community Health Initiative provided an overview of the 2013 Age-Friendly Community Planning and Project grant application through the UBCM Seniors' Housing & Support Initiative to support community planning initiatives and/or community projects focused on age-friendly communities. The District of Sooke will be the fiscal host and the Sooke Community Health Initiative will manage the project.

MOVED and seconded to endorse the grant application for \$20,000 under the *UBCM 2013 Age-Friendly Community Planning & Project Grants Program* to be used for the Seniors Volunteer Connections project;

AND THAT subject to receipt of grant funding, Council authorizes staff to proceed with the Sooke Community Health Initiative to carry out the project in accordance with District of Sooke policies and bylaws, in particular the 2008 report "An Age-Friendly Sooke; What We Can Do" and section 4.6 of the *Official Community Plan*;

AND FURTHER THAT upon successful completion of the project, Council supports the ongoing operation and maintenance of the Sooke Volunteer Connections project identified as the responsibility of the District.

CARRIED UNANIMOUSLY

PI-1 NEW SOOKE ZONING BYLAW (continued)

c. Council to consider recommended action New Zoning Bylaw – Miscellaneous Proposed Changes

Tracy Olsen provided an overview of the staff report for Miscellaneous Proposed Changes to the New Zoning Bylaw.

Public Input:

There was no input from members of the public.

ACTION ITEM: to direct staff to include the following Options in the new zoning bylaw

A. Number of Consecutive Camping Days

Option 2: Increase the number of camping days to 180 in the new zoning bylaw.

B. Charters River Salmon Enhancement Centre

Option 1: Assign the Public Recreation Zone (P1) to the Charters River Salmon Enhancement Centre, add nature centre as a permitted use to the P1 zone, add office as an accessory use in a nature centre and delete the Charters River Stewardship Zone (CD10) from the new zoning bylaw.

C. Temporary Use Permit Areas

Option 1: Add a section to the new zoning bylaw designating lands zoned commercial or industrial including those areas in a comprehensive development zone that permit commercial uses as temporary use permit areas.

D. Subdivision Requirements for Strata Lot Averaging

Option 1: Do not include section 3.30 (e) in the new zoning bylaw

E. Flood Construction Levels

Option 1: Review section 3.12 of Bylaw 500 in the context of the relevant provincial regulations to ensure that the new zoning bylaw is consistent.

Option 2: Add a clause to the new zoning bylaw regarding site specific exemptions to alert members of the public of this process.

BYLAWS

B-1 Bylaw No. 556, *Delegation Amendment Bylaw (474-4)*

MOVED and seconded that Bylaw No. 556, *Delegation Amendment Bylaw (474-4)* be adopted.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-2 Finance and Administration Committee Recommendations from November 5, 2012 Meeting

Sooke Region Historical Society Contract

MOVED and seconded that the funding for the Sooke Region Historical Society Contract be included in the 2013 Five Year Financial Plan;

AND THAT a renewal 5 year agreement be prepared for the Sooke Region Historical Society with a cost of living or inflation factor.

CARRIED UNANIMOUSLY

Highway Maintenance Contract 2012-2014

MOVED and seconded that the District of Sooke enter into negotiations for the Highway Maintenance Contract with Mainroad South Island Contracting;

AND TO authorize the Mayor and Chief Administrative Officer to sign the two-year contract with Mainroad South Island Contracting once final amounts are known.

CARRIED UNANIMOUSLY

RA-3 2013 Council Conventions

MOVED and seconded to confirm attendance to the 2013 Conventions as follows:

Council Member	LGLA	AVICC	FCM	UBCM
Mayor Wendal Milne		X		X
Councillor Rick Kasper		X	X	X
Councillor Kerrie Reay		X	X	X
Councillor Bev Berger		X	X	X
Councillor Kevin Pearson		X		X
Councillor Herb Haldane	X	X	X	X
Councillor Maja Tait		X	X	X

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor and Council Monthly Reports

Councillor Pearson reported on attending the CRD Forum of Councils and the Remembrance Day ceremony.

Councillor Tait, advised of an upcoming Sooke EDC Panel meeting, the EMCS Society AGM Report and the Sooke Region Historical Society Moss Cottage Christmas event on December 2nd.

Mayor Milne reported on attending the CRD meetings, the Sooke Fire Rescue Open House and commended Sooke Fire Rescue on the Halloween Haunted House.

Councillor Berger reported on the Sooke Youth Council, SEAPARC budget and CASA merger.

Councillor Haldane reported on attending the CRD Water Board meeting and provided Council with information on water usage and water rates.

Councillor Reay reported on attending a Sooke Community and Police Consultative Society meeting, the Sooke Fire Rescue Open House and Remembrance Day parade.

CORRESPONDENCE REQUIRING ACTION

C-1 District of Sooke – DRAFT letter to Ministry of Forests, Lands and Natural Resources

- **Section 17 Designation of parts of water beds of the Sooke Harbour and Basin**

MOVED and seconded to approve and send the Mayor's letter regarding Section 17 Designation of parts of water beds of the Sooke Harbour and Basin to the Ministry of Forests, Lands and Natural Resources.

CARRIED UNANIMOUSLY

CORRESPONDENCE AND COUNCIL REPORTS FOR INFORMATION

I-1 Mayor Milne to B.C. Transit – copy of email dated October 19, 2012

MOVED and seconded to file the correspondence from Mayor Milne to B.C. Transit dated October 19, 2012.

CARRIED UNANIMOUSLY

REPORT OF IN CAMERA RESOLUTIONS

Regular Council - In Camera Meeting November 13, 2012

RA-1 Legal Update on Prestige Hotel Negotiations

MOVED and seconded to approve the final agreement with Prestige Hotels and Resorts as to the Sooke Prestige Oceanfront Resort ("*Prestige*");

AND FURTHER TO authorize the Mayor and the Chief Administrative Officer to sign all documents required to finalize the agreement with Prestige on behalf of the District of Sooke;

CARRIED UNANIMOUSLY

MOVED and seconded to authorize the Mayor to release excerpts from the legal opinions received from Lidstone and Company as to the agreement with Prestige for use in a news release;

AND FURTHER TO authorize the Mayor to draft the news release and distribute the same upon approval by the municipal lawyers and *Prestige*.

CARRIED UNANIMOUSLY

MOVED and seconded to release the resolutions of this meeting as to the *Prestige* agreement to the public.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 10:34 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
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 November 26, 2012
6:00 p.m., Closed Portion, Meeting Room
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 Maja Tait

STAFF PRESENT

Michael Dillabaugh, Director of Finance
Bonnie Sprinkling, Corporate Officer
Gerard LeBlanc, Municipal Planner
Tracy Olsen, Planner II
Steve Sorensen, Fire Chief
Tina Hansen, Corporate Assistant

ABSENT

Councillor Kerrie Reay

CALL TO ORDER

Mayor Milne called the meeting to order at 6:02 p.m. in the Municipal Meeting Room.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

MOVED to close the meeting to the public under section 90(1)(e) of the *Community Charter* to discuss 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.

CARRIED UNANIMOUSLY

CALL TO ORDER - OPEN PORTION

Mayor Milne called the open portion of the Regular Council meeting to order at 7:01 p.m. in the Council Chambers.

APPROVAL OF THE AGENDA

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

- PI-2 New Zoning Bylaw – Minimum Lot Size in the Rural Residential Zone
- NB-1 Mai Mai's Liquor Licence Amendment: 6676 Sooke Road; Temporary Change to a Liquor Licence

CARRIED UNANIMOUSLY

MOVED and seconded that the following agenda items be moved to immediately following agenda item PI-1:

- RA-1 Ayre Manor Expansion
- RA-5 Atwater Landing Wastewater Management Options Letter of Support

- NB-1 Mai Mai's Liquor Licence Amendment: 6676 Sooke Road; Temporary Change to a Liquor Licence.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on November 13, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on November 13, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on November 19, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

November 19, 2012 Land Use and Environment Committee

CARRIED UNANIMOUSLY

DELEGATIONS

D-1 Sooke Harbour Players Society – Bobbi-jo Petersen, President, Kate Robertson, Treasurer, Christine McGuinness, Director – Request for funding

Bobbi-jo Peterson introduced Kate Robertson, Treasurer of Sooke Harbour Player Society and addressed Council on the Society's financial situation to date. Ms. Petersen reported on a sponsorship program the Society has recently initiated in order to collect funding from businesses in exchange for recognition on their website and at shows. Sooke Harbour Players Society has been in Sooke for 32 years and tries to provide a fall show and two dinner theatres per year. The Society engages youth and has a youth mentor program. Ms. Petersen requested Council's support on an annual basis if possible.

Council requested that Sooke Harbour Player's Society provide a brief letter to the Finance and Administration Committee on the Society's sponsorship program including information on what the Society is wishing to accomplish.

PUBLIC QUESTION AND COMMENT PERIOD

There were no questions or comments from members of the public.

PUBLIC INPUT MEETINGS AND RELATED REPORTS

PI-1 Development Variance Permit – 2174 & 2176 French Road South

Gerard LeBlanc Provided a summary of the staff report for a Development Variance Permit at 2174 & 2176 French Road South.

Public Input

There was no input from members of the public.

Council to consider Land Use and Environment Committee recommendation from November 19, 2012 meeting:

MOVED and seconded to authorize the issuance of Development Variance Permit PLN00977 for 2174 & 2176 French Road South required for a proposed subdivision, to allow the following variances from section 202.7 Minimum Setbacks in Bylaw No. 500, *Sooke Zoning Bylaw, 2012*:

1. Relax front lot line setback for garages from 6m to 4.9m for proposed Strata Lot 1 & Lot 2 as show on attached plan;
2. Relax rear lot line setback for the principle building from 4.5m to 4.4m for proposed Strata Lot 1 & 2 as shown on the attached plan.

CARRIED UNANIMOUSLY

RA-1 Ayre Manor Expansion

MOVED and seconded to endorse the letter of support for the Ayre Manor Expansion proposal.

CARRIED UNANIMOUSLY

RA-5 Atwater Landing Wastewater Management Options Letter of Support

MOVED and seconded to authorize the Mayor to sign and issue the letter of support to the Ministry of Environment so that Atwater Landing may enter into discussions with the Ministry for pre-registration of a satellite treatment plant.

CARRIED UNANIMOUSLY

NB-1 Mai Mai's Liquor Licence Amendment: 6676 Sooke Road; Temporary Change to a Liquor Licence

MOVED and seconded to support Mai Mai's Bistro application for a Temporary Change to a Liquor Licence as:

- 1) The current zoning and location in the downtown core permits the use;
- 2) There is no proposed increase in the maximum number of patrons permitted in the existing Food-Primary Licence, and not increase in parking requirements, and on that basis;
- 3) There will likely be only minimal potential for noise, and;
- 4) There will likely be only minimal impact on the community therefore;
- 5) There is not a need for gathering views of the residents in the surrounding area, and
- 6) Recommend to the LCLB that the application be approved.

CARRIED UNANIMOUSLY

PI-2 NEW ZONING BYLAW

a. Commercial Zones In the New Zoning Bylaw

Sooke Harbour House Parking Lot

Tracy Olsen provided a summary of the portion in the staff report related to Commercial Zones in the New Zoning Bylaw.

Public Input

There was no input from members of the public

MOVED and seconded that staff not make any changes to the C2 zone in the New Zoning Bylaw.

CARRIED UNANIMOUSLY

Uses Permitted in the Neighbourhood Commercial Zone (C1)

Tracy Olsen provided a summary of the portion in the staff report related to uses permitted in the Neighbourhood Commercial Zone.

Council discussion:

- Ensuring zoning bylaw process is less onerous on land owners
- Whether property owners requested a zoning change with the adoption of bylaw No. 500
- Whether property taxes have been affected with the zoning change – contact BC Assessment to find out the difference before and after Bylaw No. 500
- Further information is required on the neighbourhood commercial zone (C1) and how it affects property owners prior to Council making any changes in the new zoning bylaw

Public Input

Jay Ryan, resident and owner of Buffy's Pub addressed Council on a portion of his property that could potentially be developed in the future and also advised of his concerns of how a change in zoning from C1 to C4 will affect his property taxes.

Council suggested that Mr. Ryan contact BC Assessment Authority to advise them of the changes in zoning and increase in uses that were made to his property and inquire as to how these changes have affected his property taxes.

Content of Commercial Recreational Zone (C4)

Tracy Olsen provided an overview of the portion in the staff report related to Content of the Commercial Recreational Zone.

Council discussion:

- Supporting conditions of use limiting commercial schools to the C4 zone
- Anyone else wanting this process would require a text amendment

Public Input

Sifu Moonfist, Sooke resident addressed Council on concerns of limiting restrictions for allowing commercial schools in the C4 zone.

Ellen Lewers, Sooke resident, inquired as to whether prohibited uses in the C4 zone for structural additions included fences. Staff advised that it pertains to erecting sheds or structures in a campground space but would have to clarify whether fencing was defined as a structure.

MOVED and seconded to add a condition of use to the C4 zone limiting commercial schools to Stickleback property only.

CARRIED

Councillor Tait opposed the motion

Commercial Service Uses Not Permitted in the CTC2 Zone

Tracy Olsen provided a summary of the portion in the staff report related to Commercial Service Uses Not Permitted in the CTC2 Zone.

Council discussion:

- 22 lots on south side of Sooke Road with C2 zone had permitted uses
- Concerns of taking property rights away by dividing zones (north/south)
- Concerns of making decision due to conflict with Bylaw 500 (trying to be in accordance with OCP)
- Revisiting this issue to make sure Council is not in conflict with provisions of the OCP and statutory requirements – that Council is not mandated to implement what is in the OCP
- Basis for change in the CT1 and CT2 was to be in accordance with OCP – both north and south side of Sooke Road
- Prior to Council making a decision get confirmation from lawyer and make CTC1 and CTC2 equal – north and south side of Sooke Road
- Look at what Council wants for the community – vision in the OCP
- Receiving further clarity around the C2 zones
- Making less commercial zones – create one town centre zone for commercial
- Making growth easier to occur in the down town
- Difference in permitted uses – commercial servicing
- Ensuring protection of Sooke Harbour during growth of the town centre
- Stimulate growth in the town centre by removing restrictions off properties
- Look at maximum height with bylaws in the CTC1 and CTC2 zones

Public Input

Randy Clarkston, Sooke resident, addressed Council on property owners not being aware of, or in agreement to, the split in the CTC1 and CTC2 zones and the changes in use to these properties.

Ellen Lewers, Sooke resident advised that the vision of the OCP Committee was that gas bars, service stations and vehicle repair would not be something they wanted to see on the south side of Sooke Road.

Sandy Jarvis, Sooke resident inquired as to how Council feels about marine gas stations on the Sooke Harbour and also asked that consideration be given to east bound travellers having to cross the road to get into a service station.

MOVED and seconded to refer the Commercial Service Uses not permitted in the CTC2 Zone back to staff for clarification from the municipal solicitor along with the C2 zone issue and whether they are in compliance with the Official Community Plan.

CARRIED UNANIMOUSLY

b. Community Care Facilities in the New Zoning Bylaw

Tracy Olsen provided a summary of the staff report for Community Care Facilities in the New Zoning Bylaw.

Community Care and Assisted Living

Council discussion:

- Small daycares should be allowed in RU4 and RU5 zones
- Daycares and assisted living facilities should be allowed in other zones too

MOVED and seconded that zones RU4 and RU5 be considered single family residential for the purpose of the *Community Care and Assisted Living Act*.

CARRIED UNANIMOUSLY

Residential Shelters

MOVED and seconded to reword the definition of residential shelter to mean “a form of residential accommodation for the purpose of a temporary residence providing emergency and support services for more than six people leaving physically, psychologically, or sexually abusive relationships or who are without a home.”

CARRIED UNANIMOUSLY

MOVED and seconded to add community care facilities to the definition of “Institutional” use.

CARRIED UNANIMOUSLY

MOVED and seconded to add Residential shelters to the definition of Assisted Living Facility.

CARRIED UNANIMOUSLY

Public Input

There was no input from members of the public.

c. Minimum Lot Size in the Rural Residential Zone

Tracy Olsen provided a summary of the staff report for Minimum Lot Size in the Rural Residential Zone.

Council discussion:

- Implications of Liquid Waste Management Plan – Ministry policy for future funding of sewer connection projects
- Receiving confirmation in writing from the Ministry as to 1 hectare lot size
- Previous (2006) Council discussions on MOE requirements in regard to new rezoning and subdivisions outside the SSA – stipulations regarding minimum treatment standards for smaller lot sizes outside the SSA (section 946 LGA)
- MOE letter states they do not have statutory authority to regulate lot size in the municipality and refer to VIHA and the Ministry of Community Development as appropriate regulatory bodies
- Clarification as to OCP, LWMP requirements, VIHA and MOE being consistent with one another
- Not looking at future funding for expansion of sewer system at this time
- Sticking with the OCP – gateway residential to 2500m² zone and give people an opportunity to subdivide if they wish – allow VIHA to decide
- Simplify things for land owners – go back to the way it was
- Concerns of jeopardizing future funding

MOVED and seconded to refer the Minimum Lot Size in the Rural Residential Zone back to staff and to have the Mayor and the Land Use and Environment Committee Chair enter into discussions with the appropriate agencies to resolve issues of minimum lot size in the RU-4 zone.

CARRIED UNANIMOUSLY

Public Input

There was no input from members of the public.

d. Marine Zones for the New Zoning Bylaw

Tracy Olsen provided a summary of the staff report for Marine Zones in the New Zoning Bylaw.

Council discussion:

- Intended purpose of water lease is indicated on the lease
- Ensuring the same standards/criteria for landowners with water leases
- Majority of the 39 previously unrecognized water leases zoned W1 should be recognized by adding them to the W2 zone
- At least one of these water leases is for commercial use
- There are no plans to rezone the upland attached to any of these leases with the new zoning bylaw
- W3 category taken away from 1573 Dufour Road under Bylaw 500 and should be reinstated
- Permitted uses in the W3 zone
- New information from the Integrated Land Management Branch on the lease on Dufour Road – correspondence advised there has been an application for group moorage
- Number of other properties downzoned including the one on Dufour Road

- Concerns of downzoning from W3 to W2 zones – water lease and upland zones should be the same between properties – needs to be rectified
- Ensuring fairness to everyone
- Group moorage vs. commercial marina

Public Input

Randy Clarkston, Sooke resident inquired as to whether every property in W1 zone would have to apply for a zoning change to W2. Staff advised that not for existing leases. If Council assigned W2 to them in the new zoning bylaw, people applying for new leases would also have to make application for rezoning.

Mr. Clarkston reported that in the past no one who has ever applied for a wharf has applied for a zoning change. There will be costs and time incurred and this will be adding a lot more to the process.

Sifu Moonfist addressed Council on land owners living next to each other with similar properties and docks not necessarily requiring the same rights.

MOVED and seconded to assign the 39 water leases currently zoned W1 to a zone compatible with the uses permitted by the lease and to clarify the uses of the lease at 1573 Dufour Road.

CARRIED UNANIMOUSLY

MOVED and seconded to include a definition and create a zone for Group Moorage in the new zoning bylaw.

CARRIED UNANIMOUSLY

MOVED and seconded that the Mayor, Land Use and Environment Committee Chair and staff enter into discussions with the Integrated Land Management Branch to clarify whether lease area #105716 should be assigned a zone that allows group moorage.

CARRIED UNANIMOUSLY

Bonnie Sprinkling requested that Council consider rescinding Bylaw No. 532, *Zoning Amendment Bylaw (500-9)* to put group moorage in the W2 zone at this time as a Public Hearing has been held for Bylaw No. 532 and Council will be considering group moorage in the new zoning bylaw.

BYLAWS

B-1 Bylaw No. 532, *Zoning Amendment Bylaw (500-9)*

MOVED and seconded to rescind first and second reading of Bylaw No. 532, *Zoning Amendment Bylaw (500-9)*;

AND FURTHER to cancel Bylaw No. 532, *Zoning Amendment Bylaw (500-9)*.

CARRIED UNANIMOUSLY

e. New Zones for the Town Centre

Tracy Olsen provided a summary of the staff report for New Zones for the Town Centre.

Town Centre Apartment Zone

Council discussion:

- Downtown centre zones are a consolidation of a wide range of commercial and residential uses
- Difference between Town Centre Apartment Zone and the CTC zones is that the apartment zone does not have a commercial use component
- How does the number of units per hectare affect the size of units in a development
- In this new zone, Council is envisioning studio size units along with 1 and 2 bedroom units
- Developer applying for strata title within the complex to allow units to be sold as there is not a large market for apartments
- Number of stories (4 or 6) should dictate density and would create affordable units
- Provide options based on height, lot coverage, and parking restrictions
- Create more opportunities for developers who want to build in the downtown and stimulate affordable housing
- Anyone in the CTC1 or CTC2 is eligible to make application for rezoning
- Concerns over abundance of secondary suites and high vacancy levels
- Exploring options for a mix of commercial and residential
- Basing density on height and lot coverage

Public Input

Randy Clarkston, Sooke resident provided a senior's home as an example explaining that a 1000m² lot would be tied to a density of 15 units. In order to increase the density they would have to apply for a CD zone which opens up the opportunity for the municipality to request extra things. Mr. Clarkston reported that the move to smaller units is where things have been going over the last few years. Mr. Clarkston advised that consideration should be given to density in the town centre that makes sense on 1000m² lots not one hectare lots.

MOVED and seconded to include the new Town Centre Apartment Zone in the New Zoning Bylaw that uses height and lot coverage to control density.

CARRIED UNANIMOUSLY

New Townhouse Zone

Tracy Olsen provided a summary of the staff report for the New Townhouse Zone.

Council discussion:

- Incorporating a drive through situation with a 0 lot line provision on the side lines with a raised platform (Peatt Road in Langford) to meet parking requirements
- Look at Townhouse Zone similar to Langford as concerns of having more restrictive standards in Sooke when we are already at a competitive disadvantage
- Ensuring consideration is given to the market
- Consider something similar to Langford before embracing something that is in Sidney
- Lower minimum lot size for subdivision purposes for row style housing

Public Input

There was no input from members of the public.

MOVED and seconded to include the new Town Centre Townhouse Zone in the New Zoning Bylaw with the inclusion of an investigation of what is being done in Langford with Townhouses;

AND FURTHER direct staff to look into a lower minimum lot size for the purpose of developing townhouses.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-2 Lease of Kaltasin Works Yard

MOVED and seconded to direct staff to negotiate a lease of areas of Kaltasin Works Yard ('KWY') with Juan de Fuca Marine Rescue Society, Sooke Region CHI/Volunteer Centre, Sooke Community Arts Council and Canada Signal Company Inc. ("KWY Leases");

AND TO direct staff to commence the appropriate rezoning of KWY property to allow for the intended uses under the proposed KWY Leases;

AND TO bring back a report to Council on the proposed rezoning and leases for consideration.

CARRIED UNANIMOUSLY

RA-3 Community Parks and Public Places Donation Program – Capacity Issues at Whiffin Spit Park

MOVED and seconded to direct staff to develop a bench donation policy for municipal parks including benches on road right of ways;

AND FURTHER direct staff to provide a report on options for the establishment of a memorial area at Whiffin Spit Park.

CARRIED UNANIMOUSLY

RA-4 Land Use and Environment Committee Recommendations from November 19, 2012 meeting;

District of Sooke Stormwater Quality Annual Report 2011

MOVED and seconded to receive the District of Sooke Stormwater Quality Annual Report 2011 for information.

CARRIED UNANIMOUSLY

Development Permit Amendment 2363 Demamiel Drive

MOVED and seconded to authorize the issuance of Development Permit Amendment PLN00979 for the purpose of amending the Development Permit for 2363 Demamiel Drive as to Buildings 7 & 8 with a new floor plan and a location change for driveways and garages, necessitating minor amendments to the site plan and landscape plan.

CARRIED UNANIMOUSLY

RA-6 2013 Council Appointments

MOVED and seconded to endorse the 2013 Council re-appointments to Regional Boards and Commissions, including the following:

- Re-appointment of Councillor Maja Tait to the Capital Region District – *Regional Housing Trust Fund Commission* for 2013;
- Re-appointment of Councillor Bev Berger as Council Member for 2013 to the *Sooke and Electoral Area Parks and Recreation Commission*;
- Re-appointment of Councillor Kerrie Reay as Representative and Councillor Herb Haldane as Alternate Representative to the Vancouver Island Regional Library Board for the year 2013;

AND TO endorse the Council Liaison re-appointments to 2013 *Regional and Community Committees and Societies* as attached.

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Review of the Sinking of Commercial Fishing Vessel October 9, 2012 North of Goodridge Island in Cooper Cove

MOVED and seconded to receive the Review of the Sinking of Commercial Fishing Vessel October 9, 2012 report for information and to send a letter to the appropriate authority overseeing the Sooke Coast Guard Auxiliary with a copy of the letter to the Minister of Environment.

CARRIED UNANIMOUSLY

CORRESPONDENCE REQUIRING ACTION

C-1 Sooke Dance Studio – Request for funding support – “Nutcracker in a Nutshell Production”

Councillor Berger declared that she was in conflict of interest with this agenda item as both her daughters attend the Sooke Dance Studio and left the meeting at 10:40 p.m.

MOVED and seconded to refer the Sooke Dance Studio request for funding support to the Finance and Administration Committee.

CARRIED UNANIMOUSLY

Councillor Berger returned to the meeting at 10:45 p.m.

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 10:46 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
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 3, 2012 at 6:00 p.m.

COUNCIL PRESENT

Mayor Wendal Milne
Councillor Bev Berger (departed 7:44 pm)
Councillor Herb Haldane
Councillor Kevin Pearson (arrived 6:03 pm)
Councillor Rick Kasper
Councillor Kerrie Reay
Councillor Maja Tait (arrived 6:13 pm)

STAFF PRESENT

Michael Dillabaugh, Director of Finance
Bonnie Sprinkling, Corporate Officer
Gerard LeBlanc, Municipal Planner
Tracy Olsen, Planner II
Tina Hansen, Corporate Assistant

CALL TO ORDER

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

APPROVAL OF AGENDA

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

RECEIPT OF COUNCIL AND COW MEETING MINUTES FOR INFORMATION

MOVED and seconded that the minutes of the Regular Council Meeting and the minutes of the Committee of the Whole meeting held on November 26, 2012 be received for information.
CARRIED UNANIMOUSLY

PUBLIC INPUT AND INFORMATION MEETING

PI-1 New Zoning Bylaw

Review of Changes Requested by Council

Tracy Olsen provided a power point presentation and summary of the staff report.

Council discussion:

- Assessed values based on best and highest use in the C1 zone and whether neighbourhood pub is considered best use
- Building height on the north and south side of Sooke Road
- Whether the Town Centre Townhouse zone setbacks are similar to the new Town Centre Mixed Use zone
- Town of Sidney's OCP allows up to 260 units per hectare in the downtown which provides options for developers
- Ensuring higher density to encourage development in the downtown
- Ensuring the OCP is applied equally to all development
- Ensuring "view corridor" regulations in the OCP are followed
- C2 zone changed in Bylaw 500 and no longer permits service stations in C2 zone at all

- Concerns about C2 properties now being legal non-conforming which needs to be corrected
- Ensuring OCP policies regarding traffic are looked at with permitted uses on the north and south side of Sooke Road
- Importance of view corridor guidelines as the views to the Sooke Harbour are an asset to the community and should be included in the CTC2 zone
- Concerns that view corridor guidelines were not followed in the CD7 zone (Mariner's Village)
- Ensuring consistency with zoning – look at splitting the C2 zone and have no service facilities or gas bars on the south side of Sooke Road
- Possibility of taking C2 zone properties and adding in the legal descriptions with a blanket clause instead of leaving them as non-conforming
- Provide a new zone for the C2 zoned properties with a new town centre zone that provides for a variety of uses
- Dealing with the C2 properties outside of the new zoning bylaw process as concern for timing and legal implications
- Ensuring proper notification process to C2 property owners
- Not supporting changes to the CTC1 and CTC2 zones
- Mariner's Village development was looked at by previous Council on an individual basis
- Lot coverage and height in the Town Centre Apartment Zone
- Concerns of setbacks for principal building or structure in the Town Centre Townhouse zone as they seem quite onerous
- Whether parking under the centre of the building would be permitted in the Town Centre Townhouse zone or whether it would require a variance
- Reinstating automotive uses in the C2 zone on the north side of Sooke Road and ensure they are not put as non-conforming use by the adoption of the new bylaw – ensuring proper notification to the property owners

Public Input:

John Brohman, Sooke resident, addressed Council on concerns with rushing the process for the new zoning bylaw. Mr. Brohman would like to see the existing zones that were changed during the Bylaw 500 process put back to the zoning that existed at the time of Bylaw No. 270. Mr. Brohman advised that 1000m² lots would not be beneficial to economic development for the community.

MOVED and seconded to approve the changes outlined for the Town Centre Apartment Zone (RM5), Town Centre Townhouse Zone (RM6) and Town Centre Mixed Use Zone (CTC);

AND TO direct staff to proceed with these changes in the new zoning bylaw.

CARRIED

Councillor Haldane opposed the motion

MOVED and seconded that the automotive uses such as gas stations and automotive repairs be reinstated on the C2 zoned properties where those uses currently exist.

CARRIED

Councillor Tait opposed the motion

Small Lot Rural Residential Zone

Tracy Olsen provided a power point presentation and summary of the staff.

Council discussion:

- Concerns of sewer expansion potential in the future and a minimum lot size of 1000m² may cause subdivision applications without a consultation process
- Maximum lot size in RU4 zone that can be subdivided should be 5000m² (amend Option 1)
- Concerns of destroying the rural character of Sooke without a consultation process for subdivision
- Concerns of the blanket zone allowing parks in all zones
- Ensuring consistency with zoning
- Concerns of rushing the process for new zoning bylaw
- Why MoTI does not have concerns over automatic subdivision of properties in the RU4 zone to 1000m² when they join the SSA but are concerned over lots outside the SSA (Gateway Residential zone)
- MoTI should have a say with properties in the RU4 zone
- Ensure clarification with MoTI over small rural lots outside the SSA
- Concerns about flooding the market with more lots without a public process and neighbours not having an opportunity to voice their concerns
- Concern of creating small lots north of Sooke as it will not support economic development in Sooke – more people not actively engaged in the community
- Following the Regional Growth Strategy and keeping Gateway Residential a rural area
- Maximum lot size of 5000m² for parent properties zoned Rural Residential (RU4) that join the SSA in order to be able to subdivide to 1000m² - no more than 3 lots to be created
- Consideration to lots not serviced by the community water system will need a lot size of 1 hectare for subdivision

Public Input

Brian Butler, Sooke resident, addressed Council as to concerns that small lot sizes in the RU4 zoned properties will have a negative effect on the rural character of Sooke. He raised concerns over assessed values with the BC Assessment Authority and taxation. Mr. Butler noted in particular that three areas; Gateway Residential, Otter Point and Pascoe Roads and Ella Roads would be negatively effected. Mr. Butler advised of concerns over the democratic public process and urged Council to take the time to review this issue from all perspectives and to complete the process properly.

MOVED and seconded to add a minimum lot size of 1000m² for properties zoned Rural (RU4) that join the Sewer Specified Area subject to the parent parcel being 5000m² or less.

CARRIED

Councillor Tait opposed the motion

MOVED and seconded to add a provision to the RU4 zone enabling reduced setbacks for lots 1000m² or smaller in area.

CARRIED

Councillor Tait opposed the motion

MOVED and seconded to re-name the Gateway Residential (RU5) zone.

CARRIED UNANIMOUSLY

MOVED and seconded to re-write the purpose statement of the RU5 zone to include residential properties designated Gateway Residential and Community Residential and include relevant information from the Stage 2 Liquid Waste Management Plan.
CARRIED UNANIMOUSLY

MOVED and seconded to reduce the minimum lot size of the parent parcel for a subdivision pursuant to section 946 of the *Local Government Act* from one hectare to 5000m².
CARRIED UNANIMOUSLY

Flood Hazard Management Bylaw

Tracy Olsen provided a summary of the staff report.

Public Input:

There was no input from members of the public.

MOVED and seconded to direct staff to exclude the flood hazard management bylaw from the New Zoning Bylaw and prepare a separate flood hazard management bylaw to deal with these matters.
CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 7:51 p.m.
CARRIED

Certified Correct:

Wendal Milne
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 10, 2012
6:00 p.m., Closed Portion, Meeting Room
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

STAFF PRESENT (Open Portion)

Dave Gawley, Acting Chief Administrative Officer
Bonnie Sprinkling, Corporate Officer
Gerard LeBlanc, Municipal Planner
Tracy Olsen, Planner II
Tina Hansen, Corporate Assistant
Staff Sgt. Steve Wright

ABSENT

Councillor Maja Tait

CALL TO ORDER

Mayor Milne called the meeting to order at 6:01 p.m. in the Municipal Meeting Room.

MOTION TO CLOSE THE MEETING TO THE PUBLIC

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

CALL TO ORDER - OPEN PORTION

Mayor Milne called the open portion of the Regular Council meeting to order at 7:00 p.m. in the Council Chambers.

APPROVAL OF THE AGENDA

MOVED and seconded to move the following Agenda Items to immediately following Public Question and Comment Period:

- Item RI-2 RCMP Monthly Mayor Report – October 2012
- Item B-1 Bylaw No. 529, 530 and 531
- Item RA-1 2013 Regular Council Meeting Schedule
- Item RA-2 2013 Acting Mayor Appointments
- Item RI-1 Mayor and Council Reports

CARRIED UNANIMOUSLY

MOVED and seconded to add the following items to the agenda as supplemental information:

- **Item PI-1 Bylaw No. 600, Sooke Zoning Bylaw, 2013**
 - Correspondence received December 6, 2012 from Terrance Martin

- Correspondence received December 6, 2012 from Brian D. Perry-Whittingham
- Correspondence received December 6, 2012 from Brian H. Butler
- Correspondence received December 6, 2012 from Dave Bertoia
- Correspondence received December 10, 2012 from Larry and Valerie Hutchings

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on November 26, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on November 26, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on December 3, 2012 be adopted as circulated.

CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

November 27, 2012	Emergency Planning Committee
December 3, 2012	Finance and Administration Committee

CARRIED UNANIMOUSLY

DELEGATIONS

D-1 Fred Von Ilberg – John Phillips Memorial Park

Fred Von Ilberg, Sooke resident, addressed Council on John Phillips Memorial Park and concerns that residents have not been consulted with information from the John Phillips Memorial Park Trust Committee's Final Report. Mr. Von Ilberg quoted the Terms of Reference for the Committee, Park Philosophy, Summary and Committee Recommendations from the Final Report. Mr. Von Ilberg advised of concerns that the bike skills park will be a continued construction site over five years and also advised of concerns over taxation implications, enjoyment issues and property devaluation. Mr. Von Ilberg stated that it would be a grave mistake for decades to come to develop John Phillips Memorial Park and that it must remain within the recommendations of the 2006 Committee. A new permanent passive recreation for the space must be considered in the form of public hearings. Mr. Von Ilberg submitted a synopsis of emails and letters he has received from residents regarding the proposed uses for the Park.

PUBLIC QUESTION AND COMMENT PERIOD

Lorien Arnold, Sooke resident, owner of Sooke Mountain Cycle addressed Council on the support that he has provided to the community over the past several years and of

concerns over a letter submitted to the newspaper that alleged Sooke Mountain Cycle was in conflict with the Bike Skills Park.

Anne Fredette, Sooke resident, addressed Council on concerns of three treaties' that are being proposed that will effect procurement for municipalities and other levels of government. Ms. Fredette advised of concerns for tax payer's dollars and asked for Council to consider contacting municipal associations to find out what the legal rights are with these treaties and to voice their concerns to local MLA's and MP's.

Christina Schlatner, Sooke resident and interim secretary for Sooke Bike Club advised that the Sooke Bike Club would like to work with Council, staff and members of the public to come to an arrangement on a bike skills park for Sooke and encouraged Council to continue moving forward with the project.

Fred Von Ilberg, Sooke resident, clarified Mr. Arnold's concerns over a letter he had written in November 2011. Mr. Von Ilberg advised that he submitted a map from the BC Land Registry of the plan submitted by the Sooke Bike Club which shows how much of the best usable land will be used for the bike skills park and that the remaining swampy land will be left over for the community.

REPORTS FOR INFORMATION

RI-2 RCMP Monthly Mayor Report – October 2012

Staff Sergeant Wright reported that there has not be a decrease in the amount of files the detachment has been working on this year and provided information to Council as to current staffing levels, finances and necessary upgrades to office equipment. Staff Sergeant Wright answered questions from Council relating to responses to Motor Vehicle Incidents and speeding in playground zones. Information will be provided to the newspapers to impress on the community the safety of children and the amount of fines for speeding in playground zones.

MOVED and seconded to receive the RCMP Monthly Mayor Report - October 2012 for information.

CARRIED UNANIMOUSLY

BYLAWS

- B-1** **Bylaw No. 529, *Zoning Amendment Bylaw (500-8) – 7000 Melrick Place***
Bylaw No. 530, *7000 Melrick Place Phased Development Agreement Authorization Bylaw, 2012*
Bylaw No. 531, *Sooke Core Sewer Specified Area Amendment Bylaw (147-15)*

MOVED and seconded that Bylaw No. 529, *Zoning Amendment Bylaw (500-8)* be adopted.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 530, *7000 Melrick Place Phased Development Agreement Authorization Bylaw, 2012* be adopted.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 531, *Sooke Core Sewer Specified Area Amendment Bylaw (147-15)* be adopted.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 2013 Regular Council Meeting Schedule

MOVED and seconded to approve the 2013 Regular Council meeting schedule as follows:

January 14, 2013

July 8, 2013

January 28, 2013

July 22, 2013

February 12, 2013 (Tuesday)

August 12, 2013

February 25, 2013

March 11, 2013

September 9, 2013

March 25, 2013

April 8, 2013

October 15, 2013 (Tuesday)

April 22, 2013

October 28, 2013

May 13, 2013

November 12, 2013 (Tuesday)

May 27, 2013

November 25, 2013

June 10, 2013

December 9, 2013

June 24, 2013

CARRIED UNANIMOUSLY

RA-2 2013 Acting Mayor Appointments

MOVED and seconded to appoint the following members of Council as Acting Mayor in the event of the Mayor's absence for the period specified in the year 2013:

January-February

Councillor Rick Kasper

March-April

Councillor Kerrie Reay

May - June:

Councillor Kevin Pearson

July - August:

Councillor Maja Tait

September - October:

Councillor Herb Haldane

November - December:

Councillor Bev Berger

CARRIED UNANIMOUSLY

REPORTS FOR INFORMATION

RI-1 Mayor and Council Reports

Mayor Milne reported on attending the Emergency Preparedness Open House and Sooke Transition Town Society economics forum open house in November. Mayor Milne also attended Ecole Poirier Elementary School with Councillor Berger to discuss governance with grade five students, judged the SEAPARC Sooke festival of trees for BC Children's Hospital, the Chamber of Commerce swearing in, a meeting with staff and the Agricultural Land Commission, attended the New Zoning Bylaw Open Houses, RCMP detachment meeting, and EMCS awards dinner.

Councillor Reay reported on attending the Victoria Family Court and Youth Justice Committee meeting, CREST meeting, Vancouver Island Cadets awards meeting and Zoning Bylaw Open Houses.

Councillor Haldane reported on attending the CRD Water Board meeting, the Sooke Santa Claus parade and a meeting with the Agricultural Land Reserve.

Councillor Berger reported on the Sooke Youth Council movie night, and on attending the Mayors Advisory Panel meeting which focussed on seniors and the need for a drop in centre. Councillor Berger also attended a facilitated workshop for the CHI and CASA merger.

Councillor Kasper reported that the Finance and Administration Committee budget deliberations began last week with staff presentations on December 3rd and December 11th. The Committee will continue reviewing the budget after the Christmas break.

Councillor Pearson reported on attending the New Zoning Bylaw Open Houses and a meeting to review the Fee for Service agreements. Councillor Pearson also attended the Santa Claus parade.

PUBLIC INPUT MEETINGS AND RELATED REPORTS

PI-1 Bylaw No. 600, *Sooke Zoning Bylaw, 2013*

Tracy Olsen provided an overview of changes requested by Council that have been incorporated into Bylaw No. 600, *Sooke Zoning Bylaw 2013*. Ms. Olsen summarized the notification process and public hearing process for Bylaw No. 600. Ms. Olsen provided feedback on a case by case basis for the supplemental information submissions received from members of the public.

Council discussion:

- Section 3.3(d) "horse trails" is permitted use in any zone
- Whether rezoning application for 6535 Grant Road could run concurrent with zoning bylaw
- Ensuring staff send a response to property owner of 6535 Grant Road to advise they would be required to apply for rezoning

- Concerns of blanket zoning for “parks” and the effects on the municipalities tax base when CRD purchases property and can automatically turn into park without public process for rezoning
- Alternative would be that people would have to apply to rezone if they wanted “park”
- Concerns of lands designated as “park” in the OCP north of Harbourview Road
- OCP states to work with CRD in providing motorized recreation vehicle users access to lands beyond Harbourview Road
- Ensuring MoTI looks at and provides input on Road access
- Concerns of Rural lands north of Sooke River Road and CRD blocking access through automatic rezoning
- Concerns of rezoning to park and taking away previous use
- Concern that possible road infrastructure and improvements are lost by having no referral process
- Local governments should go through a proper referral process to rezone to “park”
- Concerns for the effect changes could have on Charters Creek zoning

MOVED and seconded to not allow park use in all zones in Bylaw No. 600, Sooke Zoning Bylaw, 2013.

DEFEATED

Councillor Reay, Councillor Berger and Mayor Milne opposed the motion

Setbacks and Density in the Manufactured Home Park Zone

Council discussion:

- Concerns over setbacks and lot size requirements

MOVED and seconded to reduce the minimum lot size for subdivision in the MHP zone from two hectares to one hectare.

CARRIED UNANIMOUSLY

MOVED and seconded to reinstate a required setback between manufactured home units to six meters.

CARRIED UNANIMOUSLY

MOVED and seconded to increase the size for a manufactured home site from 275m² to 325m²

CARRIED UNANIMOUSLY

MOVED and seconded to increase the required width for a manufactured home site from 11 meters to 15 meters.

CARRIED UNANIMOUSLY

PART 1 – Interpretation & Administration – Bylaw No. 600

Council discussion:

- Amending section 1.2 Purpose by removing “that supports the implementation of the District of Sooke’s Official Community Plan”

MOVED and seconded to amend section 1.2 of Bylaw No. 600, *Sooke Zoning Bylaw, 2013* by removing the words “that supports the implementation of the District of Sooke’s Official Community Plan.”

CARRIED UNANIMOUSLY

Rural Residential (RU4) and Neighbourhood Rural Residential (RU5)

MOVED and seconded to add section 105.9 “Conditions of Use” to the Rural Residential (RU4) zone.

CARRIED UNANIMOUSLY

Beaton Road Residential CD Zone (CD5)

ACTION ITEM: No reference to definition of area C in Bylaw No. 600 - staff to obtain a copy of the affordable housing component that was dedicated to the District of Sooke.

General Commercial Zone (C2)

Council discussion:

- Ensuring “car wash’ is added to C2 zone
- Ensuring consistency with the OCP

Neighbourhood Commercial Zone (C1)

Council discussion:

- Concern of properties developed (duplex) that are in conflict with the BC Building Code on Govenlock Place and Banner Road – change to RM1 zone to correct

MOVED and seconded to direct staff to include seniors home and/or facility or senior’s housing with a commercial component in the Neighbourhood (C1) Commercial zone.

CARRIED UNANIMOUSLY

MOVED and seconded to direct staff to look into changing the zoning of three properties on Govenlock Place and Banner Road to RM1 zone to ensure they are in compliance with the BC Building Code and that the use is legitimate.

CARRIED UNANIMOUSLY

Group Moorage

Council discussion:

- New W4 zone for “group moorage” has been created
- W4 zone could be given to water lease area associated with 1573 Dufour Road
- Ensuring property owners still deal directly with Natural Resources
- Upland property at 1573 Dufour Road is residential which is the same zoning as the neighbour – should both have W3 zone
- Accommodating property owner of 1573 Dufour to continue existing use

MOVED and seconded that a W4 category group moorage be designated to the water lease area attached to 1573 Dufour Road.

CARRIED

Councillor Reay opposed the motion

Service Commercial (C3) Zone

Council discussion:

- Allowing permitted uses in General Commercial in Service Commercial zone
- Would benefit the community and encourage growth and opportunity if more uses are permitted in the Service Commercial (C3) zone
- Ensuring the District receives water access to the Sooke Harbour through development and ensure access is identified on mapping
- Service Commercial (C3) permits restaurant

MOVED and seconded that the Service Commercial (C3) zone uses encompass the General Commercial (C2) zone uses in Bylaw No. 600, *Sooke Zoning Bylaw, 2013* but not vice-versa.

DEFEATED

Mayor Milne, Councillor Kasper and Councillor Reay opposed the motion

MOVED and seconded to refer the General Commercial (C2) and Service Commercial (C3) Zone permitted uses to the Land Use and Environment Committee

CARRIED

Public Input

Sifu Moonfist, Sooke resident, addressed Council on the process for new zoning bylaw stating that it shows the complexity of zoning and that he appreciates how much care Council is taking when considering zoning issues.

Council discussion:

- Ensuring Council is able to meeting the legislative requirements for advertising and notification to property owners affected by zoning changes
- Ensuring no other public meeting the day of the Public Hearing

REPORT OF IN CAMERA RESOLUTIONS

MOVED and seconded to release the following In Camera Resolution of December 10, 2012:

To re-appoint the following public members to the Land Use and Environment Committee for 2013:

- *Andrew Haden*
- *Geoff Steele*
- *Adrian Cownden (Alternate)*

To re-appoint the following public members to the Finance and Administration Committee for 2013:

- David Matland
- Lorne Christensen
- Jim Mitchell (Alternate)

To appoint the following public members to the Board of Variance for a three year term 2013 to 2016:

- Ellen Lewers
- Travis Butler
- Brenda Hay

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 10:01 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Wendal Milne
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 17, 2012 at 6:00 p.m.

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

Dave Gawley, Acting Chief Administrative Officer
Bonnie Sprinkling, Corporate Officer
Elisabeth Nelson, Municipal Engineer
Tracy Olsen, Planner II
Tina Hansen, Corporate Assistant

CALL TO ORDER

Mayor Milne called the meeting to order at 6:01 p.m.

APPROVAL OF AGENDA

MOVED and seconded to approve the agenda as circulated with supplemental information package.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 Prestige Sooke Holdings Ltd. ("Prestige") Settlement

Council discussed the settlement agreement:

- Statutory right of way explanatory plan is to be determined
- Development Permit amendment to be processed
- Development of Prestige marina and fuel dock to the benefit or approval of District
- Tourism Victoria may come back to Council for consideration
- Parking and servicing access for Prestige

Public Input

Ellen Lewers, Sooke Resident, questioned where the electrical building is situated; if the building is on fill in the foreshore lease area, it should not have been built there as it is on provincial property. Also, when the hotel building was built, changes were made that were not brought forward to Council; height increased. There are still issues that need to be rectified.

Fred Von Ilberg, Sooke Resident, thanked Council for the results in re-negotiating the Prestige agreement and stated that these are tax payer's funds and now that the release is public, it should be known that the Council members of the day did not investigate the issues at the time.

Council confirmed that all current Council members participated in the review of the partnering agreement with the Prestige.

Gail Hall, Sooke Resident, questioned what will happen after the fifth year of the agreement and what happened to the 3 metre foreshore strip. Ms. Hall stated that the agreement seems to be all about Prestige; parking is not available on the boat launch property and the blanket easement is taxable and the District should go after that.

Ellen Lewers, Sooke Resident, questioned which of the 2 piers were built by Prestige and stated that they were built off the 3 metre frontage that belongs to the District. Council advised that both the Prestige Pier and boat wharf belong to the District.

Fred Von Ilberg, Sooke Resident, stated that he was fully aware of the role of Councillor Haldane in the review.

Council to Consider Recommendation

MOVED and seconded that Council approve the **Release Agreement** (Settlement Agreement Schedule A and B) between the Prestige Sooke Holdings Ltd. ("Prestige") and the District of Sooke;

AND THAT COUNCIL approve the **Partnering Agreement** (Schedule A Statutory Right of Way) for 2013 to 2017 between Prestige Sooke Holdings Ltd. and the District of Sooke subject to section 24 (notice) of the *Community Charter*;

AND THAT COUNCIL approve the proposed **Statutory Right of Way** with Prestige subject to finalization of the explanatory plan of right of way;

AND THAT COUNCIL authorize the Mayor and Chief Administrative Officer to sign the Release Agreement, Partnering Agreement and Statutory Right of Way upon finalization of details and statutory requirements and upon acceptance and signature by Prestige;

AND THAT COUNCIL direct staff to proceed with an amendment to the Development Permit for the Sooke Prestige Hotel as set out in the Release Agreement.

CARRIED UNANIMOUSLY

RA-2 Bylaw No. 600, Sooke Zoning Bylaw, 2013

Staff Report:

Tracy Olsen provided an overview of the staff report and reminded Council that if the public hearing notice goes to publication but there are further changes to land use or density, then the hearing notice will have to be re-published.

2.a Park Use

Council discussed:

- Park dedication under subdivision process
- CRD as a local government does not pay property taxes, but would pay development fees

Council agreed by consensus to permit park use in all zones.

2.b Manufactured Home Park Zone

Council discussed changes to section 301.12(d) as to the distance of six metres between manufactured homes.

- Variances for setbacks
- Protect existing manufactured homes

MOVED and seconded to change section 301.12(d) to “Notwithstanding section 301.11, a minimum distance of six metres is required between all manufactured homes on the properties legally known as Lots A and 3, Section 2, Sooke District, Plan VIP56614”.

CARRIED UNANIMOUSLY

Public Input:

David McClimon, Sooke Resident, owner of Lannon Creek Park, stated that he has no problem with 20’ distances for installation of new Manufactured Homes, but some existing homes are 10’ apart and if anything happened to those homes, they would not be able to replace the homes.

2.c C1 Zones – Senior Centres

Council discussed cooperative housing and staff advised that there is a need to ensure there is a good definition for non-profit development.

MOVED and seconded to add a definition for Cooperative Housing;

AND TO add Cooperative Housing and Community Care Facilities as a permitted use in section 401.2;

AND TO add in section 401.8(g) to limit Cooperative Housing and Community Care Facilities to lands in the sewer specified area.

CARRIED UNANIMOUSLY

2.d Car Washes in C2 and CTC zones

Council agreed by consensus to have car washes as a permitted use on both sides of the highway in the C2 and CTC zones.

2.e Auto Service Facility

MOVED and seconded to delete section 405.2(oo) from the CTC zone in favour of auto service facility.

CARRIED UNANIMOUSLY

2.f Vehicle Sales

Council discussed the second part of the OCP policy statement 4.4.3(f) regarding pedestrian friendly as to vehicle sales south of the highway.

MOVED and seconded to add vehicle sales as a permitted use to section 402.2 of the C2 Zone.

CARRIED Mayor Milne and Councillors Tait and Reay opposed the motion.

2.g Gas Bars

Council discussed the gas bars as a permitted use in C2 zone properties.

MOVED and seconded to add gas bars as a permitted use in section 402.2 of the C2 zone with a clause in section 402.8(d) restricting this use to north of Highway #14.

CARRIED **Councillor Tait opposed the motion**

2.h CTC Zones

Council discussed services outside the town centre on the way to Victoria. Need to address vehicle repair as permitted use to Saseenos auto services properties zoned C1.

MOVED to amend the following resolution to add "outside the town centre"

CARRIED **Councillor Tait opposed the motion**

MOVED and seconded to add auto service facility as a permitted use to section 402.2 of the C2 Zone outside the Town Centre with a clause in section 402.8(e) restricting auto service facilities to the north side of Highway #14 with the exception of the property known as Lot 1, Section 3, Sooke District, Plan VIP1536 (PIC 003-789-411).

CARRIED **Councillor Tait opposed the motion**

2.i Beaton Road Residential CD Zone

MOVED and seconded to amend the CD zone as follows:

- o 805.2(a) replace institutional use in Areas A and B with Areas A and C
- o 805.2(e) to read "Single family dwellings in Area A
- o 805.2(g) to read "Townhouses in Areas B &C"
- o 805.2(h) to read "Apartments in Areas B & C"
- o 805.2 add boarding and lodging as a permitted use in all areas

CARRIED UNANIMOUSLY

New Items

Council discussed:

- adding vehicle repair as a permitted use in the Neighbourhood Commercial zone in the Saseenos area
- amending 1573 Dufour Road water zone
- change to zoning water use and designation was different at time of purchase

Public Input:

Terry Curry, owner of 1573 Dufour Road, provided a brief history of the zoning for the water lot and advised that the province has suggested that returning to W3 zone will provide greater options.

Staff advised that if the zoning is changed, the map would have to be manually changed.

MOVED and seconded to change the zoning for the water lot at 1573 Dufour Road from W4 to W3.

CARRIED **Councillors Tait and Reay opposed the motion**

Legal Changes

Council discussed:

- Section 946 changes in Bylaw 600
- Campground and temporary accommodation to not conflict

MOVED and seconded to make the legal changes as recommended by the municipal lawyer to Bylaw No. 600, *Sooke Zoning Bylaw, 2013* prior to first and second reading subject to review of campground and temporary accommodation definition.

CARRIED UNANIMOUSLY

Public Input:

Terrance Martin, Sooke Resident, expressed his concern that the process for Bylaw 600 is going too quickly. Mr. Martin spoke as to his correspondence submitted to Council on Harbourview Park and the public notice requirements under Bylaw No. 500; questioned what the zoning is for Harbourview Park and possible non-confirming status and zoning fees required if CRD were to rezone - requirements for access under rezoning process and access to lands beyond. Mr. Martin stated that the new zoning bylaw could have a zone for municipal parks rather than regional parks and negotiate access under rezoning. Mr. Martin referenced a recent court decision as to zoning bylaw compliance with Official Community Plans.

Bylaw No. 600, *Sooke Zoning Bylaw, 2013*

Council discussed:

- blanket zoning for parks
- zoning for Charters Creek interpretative centre property
- changes to Zoning bylaw more than originally proposed at the outset of new zoning process
- section 946 amendments to be addressed at the Public Hearing
- review of Zoning Bylaw No. 500 and changes made by Council

MOVED and seconded to introduce and give first reading to Bylaw No. 600, *Sooke Zoning Bylaw, 2013* as amended prior to first and second reading at the December 17th, 2013 Special Council meeting;

CARRIED

Councillor Tait and Haldane opposed the motion

MOVED and seconded to introduce and give second reading to Bylaw No. 600, *Sooke Zoning Bylaw, 2013*;

CARRIED

Councillor Tait and Haldane opposed the motion

MOVED and seconded to direct staff to schedule a public hearing for January 15, 2013 in accordance with the requirements of the *Local Government Act* and *Community Charter*.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 8:04 p.m.
CARRIED

Certified Correct:

Wendal Milne
Mayor

Bonnie Sprinkling
Corporate Officer