

DISTRICT OF SOOKE

Minutes of the Regular Meeting of Council
held in the Council Chamber
at 2225 Otter Point Road, Sooke, BC
on August 8, 2011 at 7:00 p.m.

COUNCIL PRESENT

Mayor Janet Evans
Councillor Sheila Beech
Councillor David Bennett
Councillor Maja Tait
Councillor Ron Dumont
Councillor Herb Haldane

STAFF PRESENT

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

ABSENT:

Councillor Bev Berger

CALL TO ORDER

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

APPROVAL OF THE AGENDA

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

- Information from the Concerned Residents of Sooke – BC Hydro Smart Meters
- Report for Information – Annual Costs for Five Year Sewer Operating and Maintenance Agreement
- Letter received from Silvercreek Development Corporation as to bylaw No. 480

CARRIED UNANIMOUSLY

MOVED and seconded to move Item B-2 prior to the Public Hearing to consider amendments.

CARRIED UNANIMOUSLY

MOVED and seconded to move the Public Hearings prior to Public Question and Comment Period

CARRIED UNANIMOUSLY

Mayor Evans announced that the time limit for Public Question and Comment Period would be extended to 30 minutes.

ADOPTION OF MINUTES

MOVED and seconded that the minutes of the Regular Council meeting held on July 11, 2011 be amended to read that Council Haldane was absent.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Special Council meeting held on August 2, 2011 be adopted as circulated.

CARRIED UNANIMOUSLY

MOVED and seconded that the minutes of the Committee of the Whole meeting held on August 2, 2011 be adopted as circulated.

CARRIED UNANIMOUSLY

MINUTES FOR INFORMATION

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

July 14, 2011	Sooke Program of the Arts
May 4, 2011	SEAPARC
June 15, 2011	Capital Regional District Board
June 22, 2011	CRD Planning, Transportation and Protective Services

CARRIED UNANIMOUSLY

DELEGATIONS

D-1 Concerned Residents of Sooke – BC Hydro Smart Meters

Catriona Wojtas presented material on the health, privacy and security concerns associated with BC Hydro Smart Meters and asked that Council under the *Public Health Act* advise the Minister of Health of the dangers associated with wireless smart meters.

D-2 BC Hydro Smart Meter Division

Fiona Taylor, Deputy Project Officer for the Smart Metering and Infrastructure Program, provided information as to radio frequency communications and expressed that BC Hydro is confident in the safety of the technology for Smart Meters. Ms. Taylor noted the key objectives for BC Hydro; improving safety and lowering rates.

D-3 Trevor Davies, CUPE 374 – EPCOR sewer contract

Mr. Davies, General Vice President CUPE 374 brought forward concerns regarding contracting for public services. Mr. Davies commented on the control of services and the development of in-house public owned operations and that corporations are required to maximize profits; social values of the community come second. In closing, Mr. Davies asked Council to consider a public utility for Sooke.

D-4 Don Brown - Wastewater Management Services Evaluation Proposal

Mr. Brown submitted three proposed alternatives to evaluate wastewater management; and suggested an objective evaluation of the following be considered: a five year agreement with EPCOR, a community cooperative option and a municipal operation. In closing, a transparent process made up of an independent steering committee to objectively look at the options was suggested.

BYLAWS

B-2 Bylaw No. 502, 6553 Helgesen Road Phased Development Agreement Authorization Bylaw, 2011- 6553 Helgesen Road

Gerard LeBlanc provided an overview of the staff report with respect to amending the servicing requirements of the development and the change of ownership.

MOVED and seconded that Council amend Bylaw No. 502, *6553 Helgesen Road Phased Development Agreement Authorization Bylaw, 2011* as to section 10.2 and section 15.1.
CARRIED UNANIMOUSLY

PUBLIC HEARINGS AND RELATED BYLAWS

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

PH-1 Report of Public Hearings - 2139 Church Road

- **Bylaw No. 498, *Zoning Amendment Bylaw (270-89) and;***
- **Bylaw No. 499, *2139 Church Road Phased Development Agreement Authorization Bylaw, 2011***

Mayor Evans called the Public Hearings for Bylaw No. 498, *Zoning Amendment Bylaw (270-89)* and Bylaw No. *Bylaw No. 499, 2139 Church Road Phased Development Agreement Authorization Bylaw, 2011* to order at 7:37 p.m.

Gerard LeBlanc gave a powerpoint presentation and summary of the rezoning application and phased development agreement for 2139 Church Road.

Public Submissions:

Gail Hall, Resident, expressed concern with the District of Sooke's interpretation of legislative requirements for phased development agreements (PDA).

Moonfist, Resident, provided information as to his experience with phased development agreements in other communities.

Mayor Evans called three times for submissions to the Public Hearings for Bylaw No. 498, *Zoning Amendment Bylaw (270-89)* and Bylaw No. 499, *2139 Church Road Phased Development Agreement Authorization Bylaw*. Hearing none, she closed the public hearing at 7:44 pm.

Council considered third reading of:

- **Bylaw No. Bylaw No. 498, *Zoning Amendment Bylaw (270-89) and;***
- **Bylaw No. 499, *2139 Church Road Phased Development Agreement Authorization Bylaw, 2011***

MOVED and seconded that Bylaw No. 498, *Zoning Amendment Bylaw (270-89)* be read a third time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 499, *2139 Church Road Phased Development Agreement Authorization Bylaw* be read a third time.

CARRIED UNANIMOUSLY

PH-2 Report of Public Hearings – 6553 Helgesen Road

- **Bylaw No. 501, *Zoning Amendment Bylaw (270-90)* and;**
- **Bylaw No. 502, *6553 Helgesen Road Phased Development Agreement Authorization Bylaw, 2011***

Mayor Evans called the Public Hearings for Bylaw No. 501, *Zoning Amendment Bylaw (270-90)* and Bylaw No. 502, *6553 Helgesen Road Phased Development Agreement Authorization Bylaw, 2011* to order at 7:47 p.m.

Gerard LeBlanc gave a powerpoint presentation and summary of the rezoning application and phased development agreement for 6553 Helgesen Road.

Public Submissions:

Mayor Evans called three times for submissions to the Public Hearings for Bylaw No. 501, *Zoning Amendment Bylaw (270-90)* and Bylaw No. 502, *6553 Helgesen Road Phased Development Agreement Authorization Bylaw*. Hearing none, she closed the public hearing at 7:54 pm.

Council considered third reading of:

- **Bylaw No. 501, *Zoning Amendment Bylaw (270-90)* and;**
- **Bylaw No. 502, *6553 Helgesen Road Phased Development Agreement Authorization Bylaw, 2011***

MOVED and seconded that Bylaw No. 501, *Zoning Amendment Bylaw (270-90)* be read a third time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 502, *6553 Helgesen Road Phased Development Agreement Authorization Bylaw, 2011* be read a third time.

CARRIED UNANIMOUSLY

PUBLIC QUESTION AND COMMENT PERIOD

David Mallett, resident, read and submitted his statement expressing support for a 5 year operating and maintenance agreement and stated that EPCOR has demonstrated their ability to manage and maintain our sewer system. Mr. Mallett commented on the Alternative Approval Process and democracy.

Carol Mallett, resident, stated that she is in favour of a 21 year agreement and that it is a decision to be reached via referendum, preferably not on the same day as the election, and that she supports EPCOR managing the sewer system.

Tom DeZang, resident, expressed support for a 5-10 year contract as well as a 21 year agreement and stated that EPCOR has the expertise.

Moonfist, (Myke Colbert), resident, provided supportive information as to EMF and classification 2B electromagnetic waves. Mr. Colbert expressed support for a referendum on the 21 year wastewater management agreement and suggested social media, personal interaction and other avenues to ensure that correct information is communicated prior to holding a referendum.

Michael Linehan, resident, expressed concern as to BC Hydro Smart Metering and the dangers of electromagnetic waves and offered to provide additional scientific information on the harmful effects and stated that this is a very real and critical issue.

Tom Merrik, resident, expressed support to hold a referendum on the 21 year sewer agreement in order to hear from the citizens who support the agreement and expressed concern as to the AAP process not being a secret ballot in which a referendum would be.

Terrance Martin, South Island Recreation and Resident, addressed the provincial off-road vehicle working group and its connection to the agreements in principle for access to Sooke Mountain Park and Beecher Bay access to the trail system on Garibaldi Hill. Mr. Martin suggested that the delegate appointed to the working group also work with South Island Recreation and requested that Council pass a resolution to appoint a delegate to the off-road vehicle working group and direct that delegate to act as the District's liaison to South Island Recreation.

Dan McBeth, Sooke Water Watch, provided personal experience within another municipality as to not being able to hook-up to private sewer systems and stated that private services creates the haves and have nots in a community.

Giles La Rose, Campaign Co-ordinator for CUPE in Greater Victoria for the sewer, stated that the one thing that citizens in Greater Victoria want is a sewer system that is publicly run for the reasons of transparency and accountability. Mr. LaRose urged Council to investigate the public private partnership of running a sewer plant.

Ellen Lewers, resident, suggested that Council consider an objective evaluation looking at a five year agreement with EPCOR, a community cooperative option and a municipal operation through a steering committee.

Christine Shlatner, resident, expressed support for Council advising the Minister of Health of the dangers associated with wireless smart meters. Ms. Shlatner noted that there is a wired option which BC Hydro is opting not to proceed with and stated, there should be a choice.

Julia Cast, resident, expressed concern of the dangers of radiation with wireless Smart Meters and suggested that residents call the 1-800 number to hydro and express their concerns and ask to be put on the delay list.

Fiona Taylor, Deputy Project Officer for the Smart Metering and Infrastructure Program, addressed concerns and statements made regarding smart meters. Ms. Taylor clarified the wired option and that there is no delay or opt-out list.

Council recessed the meeting at 8:20 p.m. and resumed at 8:22 p.m.

BYLAWS

B-1 Bylaw No. 480, *Sign Regulation Bylaw, 2011*

Gerard LeBlanc, provided an overview of the staff report as to sandwich boards signs, portable signs and way-finding signs and presented recommended changes.

A discussion ensued as to the suggested changes and the following motion was made:

MOVED and seconded to make the following Staff recommended changes to draft Bylaw No. 480, *Sign Regulation Bylaw, 2011*:

1. Delete section 4.3.4 dealing with the removal of sandwich board signs;
2. Add a (xiii) to section 5.1.1(a) that says "a commercial or industrial business located outside the Town Centre that has no existing highway signage (includes way finding sign panel) shall be permitted one (1) sandwich board and/or portable sign located no further than the closest street intersection with Highway 14 for the purpose of advertising the commercial or industrial business";
3. Change section 6.15.1(a) to say " a commercial or industrial business premise located outside of the Town Centre that has no existing highway signage (includes way finding sign panel) shall be permitted one (1) sandwich board sign located no further than the closest street intersection with Highway 14 for the purpose of advertising the commercial or industrial business";
4. Change section 5.1.1(k) by deleting "or for any businesses fronting Highway 14";
5. Change section 6.15.1 to delete "not be located more than 3m (10 ft) away from the door to the business" and replace with "not be located more than 3m (10 ft) away from the business frontage, except";
6. Delete section 6.15.1(b); and
7. Delete section 5.2.1(j)(4) "a maximum of one (1) flag is permitted per parcel."

CARRIED UNANIMOUSLY

B-3 Bylaw No. 504, *Zoning Amendment Bylaw (270-91)* - 6826 Grant Road West and; Bylaw No 505, *6826 Grant Road West Phased Development Agreement Bylaw, 2011*

Gerard LeBlanc gave a powerpoint presentation and summary of the rezoning application and phased development agreement for 6826 Grant Road West.

MOVED and seconded that Bylaw No. 504, *Zoning Amendment Bylaw (270-91)* be introduced and read a first time.

CARRIED

MOVED and seconded that Bylaw No. 504, *Zoning Amendment Bylaw (270-91)* be read a second time.

CARRIED

MOVED and seconded that Bylaw No 505, *6826 Grant Road West Phased development Agreement Bylaw, 2011* be introduced and read a first time.

CARRIED

MOVED and seconded Bylaw No 505, *6826 Grant Road West Phased Development Agreement Bylaw, 2011* be read a second time.

CARRIED

MOVED and seconded to direct staff to schedule a Public Hearing for Bylaw No. 504, *Zoning Amendment Bylaw (270-91)* and Bylaw No. 505, *6826 Grant Road West Phased Development Agreement Authorization Bylaw, 2011* in accordance with the requirements of the *Community Charter* and the *Local Government Act*.

CARRIED UNANIMOUSLY

REPORTS REQUIRING ACTION

RA-1 Committee of the Whole Recommendations – August 2, 2011 meeting

1. Community Wildfire Protection Plan (CWPP)

MOVED and seconded to approve the recommendations as presented in the Community Wildlife Protection Plan;

AND to endorse the proposal to conduct a Fuel Management Demonstration Project in the Charters Creek area provided funding from a grant is obtained and approval is obtained from all stakeholders.

CARRIED UNANIMOUSLY

2. Amendments to Development Application Procedures Policy

MOVED and seconded to approve the amended Policy No. 8.4, *Development Application Procedure Policy, 2011*;

AND that Policy No. 8.1, *Agricultural Land Reserve Application Procedure Policy* be rescinded;

AND that Policy No. 8.2, *Consultation Process Regarding Official Community Plan* be rescinded;

AND that Policy No. 8.3, *Processing of ALR Applications* be rescinded.

CARRIED UNANIMOUSLY

3. Application for Non-Farm Use in the ALR – 2250 Sooke River Rd

MOVED and seconded to forward the application to the Agricultural Land Commission (ALC) with a recommendation to support the non-farm use proposed for 2250 Sooke River Road.

CARRIED UNANIMOUSLY

RA-2 Options for sewer operation and maintenance

A discussion ensued involving the discussion of options and the following motion was made:

MOVED and seconded to direct staff to negotiate a five year operating and maintenance agreement with EPCOR effective October 1, 2011.

CARRIED

Council recessed the meeting at 9:47 p.m. and resumed the meeting at 9:49 p.m.

REPORTS FOR INFORMATION

RI-1 Mayor and Council Reports - Councillor Bennett

MOVED and seconded to receive Councillor Bennett's report for information.

CARRIED UNANIMOUSLY

Councillor Tait reported on attending the E&N Rail Trail meeting and the restorative Justice Process.

Councillor Beech reported on attending the Sooke Region Tourism meeting, the Sooke Fine Arts Show, the Triathlon and Art in the Park. Councillor Beech highlighted the Cultural Highway located at www.art-bc.com.

Mayor Evans expressed thanks to all volunteers who helped with the Sooke Fine Arts Show and the Triathlon. Mayor Evans stated that the events this summer have helped put Sooke in a wonderful position with enormous economic benefits. Special thanks to staff members Laura Byrne, Steve Sorensen and Sarah Temple for their volunteer contributions and great job helping organize the Triathlon and community volunteers.

Fire Chief Sorensen announced that TSN clips will air five days in September and that a pre-release will be sent to the District of Sooke. Also a thank you party for the Triathlon volunteers will be organized for the end of August.

RI-2 RCMP Monthly Mayor Report – June 2011

MOVED and seconded to file the RCMP Monthly Mayor Report for June 2011 for information.

CARRIED UNANIMOUSLY

Council asked that the RCMP Monthly report submission for June 2011 and the Police Report Resources in 2009 report be brought forward to an upcoming meeting and that the Staff Sergeant be invited to interpret the information.

CORRESPONDENCE REQUIRING ACTION

C-1 CBC Broadcast Licence

MOVED and seconded to send a letter of support explaining the District of Sooke summer schedule as the deadline for submission has expired.

CARRIED UNANIMOUSLY

C-2 Old Age Pensioners' Organization

MOVED and seconded to file the correspondence received from the Old Age Pensioners' Organization.

CARRIED UNANIMOUSLY

It was noted that the issue will come forward at the UBCM conference in September.

CORRESPONDENCE AND COUNCIL REPORTS FOR INFORMATION

I-1 Ida Chong, Minister of Community, Sport and Cultural Development Strategic Community Investment Funds

MOVED and seconded to file the correspondence.

CARRIED UNANIMOUSLY

I-2 Gas Tax/Public Transit Management Services – Community Work Fund Payment

MOVED and seconded to file the correspondence.

CARRIED UNANIMOUSLY

I-3 ORV Local Government Working Group – Terms of Reference

MOVED and seconded to file the correspondence.

CARRIED UNANIMOUSLY

I-4 Greater Victoria Film Commission – Community Grant Program

MOVED and seconded to file the correspondence.

CARRIED UNANIMOUSLY

I-5 Sooke Canada Day Society - Community Grant Program

MOVED and seconded to file the correspondence.

CARRIED UNANIMOUSLY

I-6 Pacific Centre Family Services Association – Annual Report

MOVED and seconded to file the correspondence.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED and seconded to adjourn the meeting at 10:11 p.m.
CARRIED UNANIMOUSLY

Certified Correct:

Janet Evans
Mayor

Bonnie Sprinkling
Corporate Officer