

**DISTRICT OF SOOKE**

Minutes of the Regular Meeting of Council  
held in the Council Chamber  
at 2225 Otter Point Road, Sooke, BC on February 14, 2011  
6:00 p.m., Closed Portion, Meeting Room  
7:00 p.m., Open Portion, Council Chamber

**COUNCIL PRESENT**

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

**STAFF PRESENT**

Bonnie Sprinkling, Corporate Officer  
Sue-Lin Tarnowski, Acting Director of Finance  
Gerard LeBlanc, Municipal Planner  
Al Fontes, Manager of Operations  
Elisabeth Nelson, Municipal Engineer  
Steve Sorensen, Fire Chief

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

**CALL TO ORDER**

Mayor Evans called the meeting to order at 6:00 p.m. in the Fire Hall Lounge.

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

**MOTION TO RE-OPEN THE MEETING TO THE PUBLIC**

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

**COUNCIL PRESENT**

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

**STAFF PRESENT**

Bonnie Sprinkling, Corporate Officer  
Sue-Lin Tarnowski, Acting Director of Finance  
Gerard LeBlanc, Municipal Planner  
Al Fontes, Manager of Operations  
Elisabeth Nelson, Municipal Engineer  
Steve Sorensen, Fire Chief  
Lisa Urlacher, Council Clerk  
Staff Sgt. Steve Wright

## APPROVAL OF THE AGENDA

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

- |   |  |
|---|--|
| NB-1 - <i>New Business</i>              | Mayor's Statement  |
| PI-1 - <i>Supplementary Information</i> | Development Variance Permit – 5677 Sooke Road <ul style="list-style-type: none"><li>• Written submission received February 14, 2011 from Rod &amp; Colleen Mackenzie</li></ul> |
| D-1 – <i>Delegations</i>                | Executive Summary and Direction Request  |

**AND THAT** item R-1 Memorandum of Understanding – Ministry of Transportation and Infrastructure – Highway 14 be removed from the agenda.

**CARRIED UNANIMOUSLY**

## ADOPTION OF MINUTES

**MOVED** and seconded that the minutes of the Regular Council meeting held on January 24, 2011 be adopted as circulated.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that the minutes of the Committee of the Whole meeting held on February 7, 2011 be adopted as circulated.

**CARRIED UNANIMOUSLY**

## MINUTES FOR INFORMATION

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

- |                   |  |
|-------------------|--|
| November 17, 2010 | CRD Regional Parks Committee                         |
| November 24, 2010 | CRD Planning, Transportation and Protective Services |
| January 19, 2011  | Sooke Economic Development Commission                |
| December 7, 2010  | Climate Change Action Committee                      |
| February 1, 2011  | Climate Change Action Committee                      |

**CARRIED UNANIMOUSLY**

## DELEGATIONS

### D-1 South Island Recreation Association (SIRA) - Terrance Martin

Terrance Martin provided a visual presentation of the proposed direction request:

- That Council authorize staff to issue a permit to the South Island Recreation Association (SIRA) and its members and agents for access and off-highway vehicle (OHV) trail establishment on the municipal right of way shown on the attached maps "A & B".
- That Council authorize staff to enter into negotiations with the land owner to secure public access to the municipal right of way across the private roadway shown on the attached maps "A & B".
- That Council designate a line item in the 2011-2015 budget to fund the OCP Action Item 5.8.4.c noted below.

Council asked that approval from the Province be provided and that the adjacent neighbour be notified of the proposed use prior to consideration.

## **PUBLIC QUESTION AND COMMENT PERIOD**

Roy Carver, Bluewolf Charters, addressed Council with concerns as to the allocation of quota for halibut and salmon sport fishing and its effects on local economy.

Christopher Boss, Chair of the Sport Fishing Advisory Board, which is an advisory body to Fisheries and Oceans Canada (DFO) on recreational issues. Mr. Boss explained the quota system as a fixed percentage and stated that recreational and sport fishing is an essential economic driver for Sooke. Mr. Boss expressed concerns as to the restrictions and closures and stated that a mechanism to create sustainable recreational fishing is needed in B.C.

**MOVED** and seconded to send a letter to the Minister of Fisheries asking her to lease enough quota from the commercial sector to establish a limit on two per day and possession of two for recreational fishermen;  
**AND THAT** copies be sent to John Horgan, MLA and Mike Hicks, JDF Regional Director.  
**CARRIED UNANIMOUSLY**

Mayor Evans reported that the issue is on the CRD agenda for this Wednesday and she will be expressing support for the Notice of Motion being brought forward by Director Hicks regarding annual halibut quota.

## **PUBLIC HEARINGS AND RELATED BYLAWS**

### **PH-1 Report of Public Hearings - 2191 Townsend Road**

#### **Bylaw No. 482, *Zoning Amendment Bylaw (270-88)***

Mayor Evans called the Public Hearing to order at 7:45 p.m.

Mayor Evans 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 gave a powerpoint presentation and summary of the rezoning application for 2191 Townsend Road.

Bruce Lemire-Elmore, applicant, explained that the new church location on Townsend Road allows the parish to be in the centre of Sooke, which allows the members of the parish to serve and become the core of the community. The new building will create a meeting place with a variety of activities; art, music, cultural. Currently arrangements are being made with CASA to allow for shared meeting space and parking. Mr. Lemire-Elmore explained that during the process of developing he learned about ecological sustainability and introduced Cori Barraclough, Aqua-Tex Scientific Consulting Ltd.

Ms. Barraclough addressed fresh water ecology and provided a snap shot visual tour of the Nott Brook watershed explaining the altered hydrological cycle of natural and urban

watersheds. Ms. Barraclough noted that the Nott Creek tributary will be realigned on the Church property and restoration will result in an overall healthier condition. Also noted were the alder trees fronting the road allowance and the importance to retain the natural hydrological cycle, the applicant proposes to build a meandering sidewalk within the development to refrain from damaging the alder trees and exposing the church in the woods concept.

Andy Greery and Adam Fauks, HCMA architects, provided a visual description of the site and diagram of the interior detailing multi-functional space for different mass and meetings (multi purpose shared space).

**Council Discussed:**

- Youth stewardship with local schools
- Concerns with meandering sidewalk – grade/elevation
- Importance of continuing sidewalk throughout Townsend Road
- Sidewalk lighting standards
- Distance of meandering sidewalk from existing road
- Ownership and maintenance of sidewalk not on municipal property
- Cost effectiveness of developer building sidewalks
- Highway Transportation Plan for future sidewalks

**Public Submissions:**

Moonfist, resident, expressed support for the permeable walkway and suggested the use of bricks.

Larry Rumsby, resident, commented on the meandering path and agreed that the grade may be too steep and suggested that a bridge walkway would remedy the situation.

Mayor Evans called three times for submissions hearing none, she closed the public hearing at 8:01 p.m.

**Council consider third reading of Bylaw No. 482, *Zoning Amendment Bylaw (270-88)***

**MOVED** and seconded that Bylaw No. 482, *Zoning Amendment Bylaw (270-88)* be read a third time.

**CARRIED UNANIMOUSLY**

Council recessed the meeting at 8:11 p.m.  
The meeting resumed at 8:14 p.m.

**PUBLIC INPUT MEETINGS AND RELATED REPORTS**

**PI-1 Development Variance Permit – 5677 Sooke Road**

Mayor Evans advised that any person who believes that their interest in property is affected by the proposed application would be given a reasonable opportunity to be heard or to present written submissions during the public input portion.

Gerard LeBlanc, provided a powerpoint presentation and summary of the application for variance to allow for a 4 metre relaxation to Bylaw No. 65, *Subdivision and Development Standards, 2003* to allow for a 10 metre road right of way approximately 88.6m in length, for the proposed subdivision road as shown on the submitted concept plan.

Council discussed:

- The common property road – strata
- Concern for ample parking if it is a District road
- Future development and future dedicated and connector roads

**ACTION ITEM** - Council asked that staff provide an informational report to clarify the common property road.

**Public Input:**

There was no public participation.

**MOVED** and seconded to authorize the issuance of a Development Variance Permit PLN00862 to allow for the subdivision of the property at 5677 Sooke Road legally described as Lot 5, Block 11, Section 65 and 66, Sooke District, Plan 2434 by varying Bylaw No. 65, *Subdivision and Development Standards, 2003*, Schedule B, Section R, Part 2 to allow the minimum road right-of-way for the proposed subdivision road to be 10 metres instead of 14 metres

**CARRIED UNANIMOUSLY**

**BYLAWS**

**B-1 Bylaw No. 447, *Phillips Road Phased Development Agreement Authorization Bylaw* 2830 Phillips Road**

Gerard LeBlanc provided a powerpoint presentation summarizing the application for a request to amend the phased development agreement as a result of changes to the servicing requirements.

Scott Kendrew, applicant explained that cost is the reasoning for the amendment as the previous design will exceed the cost of one of the lots. Mr. Kendrew explained that the road will benefit the Fernwood subdivision and confirmed that Douglas Christie has an existing easement and that this will provide access to the property. It was confirmed that the District retains the right-of-way.

**MOVED and** seconded to rescind third reading of Bylaw No. 447, *Phillips Road Phased Development Agreement Authorization Bylaw, 2010*.

**CARRIED UNANIMOUSLY**

**MOVED and** seconded to amend Bylaw No. 447, *Phillips Road Phased Development Agreement Authorization Bylaw, 2010* as to section 10.2 and Schedule A.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded to schedule a Public Hearing for Bylaw No. 447 to be held in accordance with the requirements of the *Community Charter* and the *Local Government Act*.

**CARRIED UNANIMOUSLY**

**B-2 Bylaw 456, Zoning Amendment Bylaw (270-74)**

**MOVED** and seconded that Bylaw 456, *Zoning Amendment Bylaw (270-74)* be adopted  
**CARRIED UNANIMOUSLY**

**Bylaw No. 461, 6978 West Coast Road Phased Development Agreement  
Authorization Bylaw, 2010 – 6978 West Coast Road**

**MOVED** and seconded that Bylaw No. 461, *6978 West Coast Road Phased Development  
Agreement Authorization Bylaw, 2010* be adopted.  
**CARRIED UNANIMOUSLY**

**B-3 Committee of the Whole Recommendation – February 7, 2011  
Sun River Estates Zone (CD-2) (2455 Phillips Road):**

Councillor Dumont left the meeting at 8:42 p.m. declaring that he has a working  
relationship with the applicant.

**MOVED** and seconded to introduce and give first reading to Bylaw No. 479, *Zoning  
Amendment Bylaw (270-86)*.  
**CARRIED UNANIMOUSLY**

**MOVED** and seconded to give second reading to Bylaw No. 479, *Zoning Amendment  
Bylaw (270-86)*  
**CARRIED UNANIMOUSLY**

**MOVED** and seconded to schedule a Public Hearing for Bylaw No.479, *Zoning  
Amendment Bylaw (270-86)* in accordance with the requirements of the *Community  
Charter* and the *Local Government Act*.  
**CARRIED UNANIMOUSLY**

Councillor Dumont returned to the meeting at 8:44 p.m.

**B-4 Bylaw No. 481, Zoning Amendment Bylaw (270-87) – 2039 Idlemore**

**MOVED** and seconded that Bylaw No. 481, *Zoning Amendment Bylaw (270-87)* be  
adopted.  
**CARRIED UNANIMOUSLY**

**B-5 Bylaw No. 483, Revenue Anticipation Borrowing Bylaw, 2011**

**MOVED** and seconded that Bylaw No. 483, *Revenue Anticipation Borrowing Bylaw, 2011*  
be adopted.  
**CARRIED UNANIMOUSLY**

## REPORTS REQUIRING ACTION

### RA-2 Change of Acting Mayor for February 19<sup>th</sup> to 28<sup>th</sup>, 2011

**MOVED** and seconded to appoint Councillor Sheila Beech as Acting Mayor for the period of February 19<sup>th</sup> to and including February 28<sup>th</sup>, 2010 in the event of the Mayor's absence.  
**CARRIED UNANIMOUSLY**

## REPORTS FOR INFORMATION

### RI-1 Mayor and Council Reports

Councillor Tait inquired as to the CRD Forum of Councils on March 5<sup>th</sup> and reported that the Sign Bylaw Committee recommendations are being vetted through municipal lawyers and that Council should be cognisant of signage as they will be considering the committee's recommendations in the near future.

Councillor Berger reported on the success of the Youth Council concert event and their enthusiasm for moving forward with other plans.

**MOVED** and seconded to receive Mayor Evans and Councillor Bennett's reports for information.  
**CARRIED UNANIMOUSLY**

### RI-2 RCMP Monthly Mayor Report – January 2011

**MOVED** and seconded to receive the RCMP Monthly Mayor Report – January 2011 for information.  
**CARRIED UNANIMOUSLY**

### RI-3 Victoria Family Court and Youth Justice Committee 2010 Annual Report

**MOVED** and seconded to receive the Victoria Family Court and Youth Justice Committee 2010 Annual Report for information.  
**CARRIED UNANIMOUSLY**

### RI-4 MYST Annual Report 2010

**MOVED** and seconded to receive the MYST Annual Report 2010 report for information.  
**CARRIED UNANIMOUSLY**

### RI-5 Zoning Bylaw Technical Review Committee – Interim Report

**MOVED** and seconded to receive the Zoning Bylaw Technical Review Committee Interim Report for information.  
**CARRIED UNANIMOUSLY**

**RI-6 Council Reader File – January 2011**

**MOVED** and seconded to receive the report for information.  
**CARRIED UNANIMOUSLY**

**NEW BUSINESS**

Mayor Evans read the submitted statement as to the boat launch contract award.

**CORRESPONDENCE REQUIRING ACTION**

**C-1 Mary Lake Conservancy**

**MOVED** and seconded to receive and file the correspondence received from the Mary Lake Conservancy.  
**CARRIED UNANIMOUSLY**

**C-2 Sooke Branch-Navy League of Canada –Sponsor and Fund Award**

Merle Fulton, secretary Sooke Branch Navy league, explained the “Best Ordinary Cadet” award and asked Council for sponsorship.

**MOVED** and seconded that the District of Sooke authorize the ongoing sponsorship and funding for the “Best Ordinary Cadet” award for the Sooke Branch Navy League of Canada.  
**CARRIED UNANIMOUSLY**

**C-3 Roy Carver – Halibut and Salmon Fishing Regulations**

**MOVED** and seconded to receive the correspondence requesting support changes to halibut and salmon fishing regulations.  
**CARRIED UNANIMOUSLY**

**NOTICES OF MOTION**

**REPORT OF IN CAMERA RESOLUTIONS**

**NM-1 Mayor to acknowledge Notice of Motion by Councillor Herb Haldane for consideration by Council at the February 28<sup>th</sup>, 2011 Regular Council meeting (section 41 of the *Council Procedure Bylaw*).**

**THAT COUNCIL** direct staff to investigate the legitimacy of the Heavy Metal Marine statements in Schedule C of the boat launch proposal.

Councillor Haldane provided clarification as to the intent of the notice of motion requesting the contractor to come forward and explain the reason of including the statement in schedule C.

Mr. Parliament stated that Brian Freethy would be invited to an upcoming meeting or provide a written statement.

**ADJOURNMENT**

**MOVED** and seconded to adjourn the meeting at 9:15 p.m.  
**CARRIED UNANIMOUSLY**

**Certified Correct:**

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**Janet Evans**  
**Mayor**

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