

## DISTRICT OF SOOKE

Minutes of the Regular Meeting of Council  
held in the Council Chamber  
at 2225 Otter Point Road, Sooke, BC  
on January 10, 2011  
6:00 p.m., Closed Portion, Meeting Room  
7:00 p.m., Open Portion, Council Chamber

### COUNCIL PRESENT

Councillor Maja Tait (Acting Mayor)  
Councillor Sheila Beech  
Councillor David Bennett  
Councillor Bev Berger  
Councillor Ron Dumont  
Councillor Herb Haldane

### STAFF PRESENT

Evan Parliament, Chief Administrative Officer  
Bonnie Sprinkling, Corporate Officer  
Sue-Lin Tarnowski, Deputy 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

Regrets: Mayor Janet Evans

### CALL TO ORDER

Acting Mayor Tait 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:

- a) labour relations or other employee relations;
- 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;
- c) 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.

**CARRIED UNANIMOUSLY**

### CALL TO ORDER: Open Portion

Acting Mayor Tait 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 add the following items to the agenda as Supplemental Information:

- Item P-1:** Development Variance Permit – 2100 Otter Point Road
  - Public Submission – Liza Dawson-Whisker

- Item P-2:** Development Variance permit – 2151 French Road
  - Public Submission - Paul and Armand Corriveau
  - Public Submission – Gunter and Diana Rosinski

**Item B-2:** Bylaw No. 471, *Grant Road West Phased Development Agreement Authorization Bylaw, 2010*

**CARRIED UNANIMOUSLY**

**MOVED** and seconded to add Item C-4: Canada Post Service in the District of Sooke  
**CARRIED UNANIMOUSLY**

**ADOPTION OF MINUTES**

**MOVED** and seconded that the minutes of the Committee of the Whole meeting held on December 13, 2010 be adopted as circulated.

**CARRIED UNANIMOUSLY**

**MINUTES FOR INFORMATION**

**MOVED** and seconded that minutes of the Sooke Program of the Arts held on January 10, 2011 be received for information.

**AND THAT** that minutes of the CRD Hospital District held on November 10, 2010 and the CRD Hospital District sitting as the Committee of the Whole held on November 17, 2010 be received for information.

**CARRIED UNANIMOUSLY**

**PUBLIC QUESTION AND COMMENT PERIOD**

Gail Hall, resident, inquired as to who was supplying the rock for the boat launch project. Ms. Hall stated concerns regarding valid permits from the Ministry of Energy, Mines, and Natural Resources and cautioned that the grant money would be rescinded if in contravention of the Mines Act. Ms. Hall asked for clarification of a statement made during a presentation - 2.5 million being slashed in half by sole sourcing to the contractor.

Mr. Parliament explained that boat launch costs were reduced by having the contractor provide the land based works to prepare for the installation of services.

Ms. Hall cautioned Council as to using funds from a reserve fund which allows for a specific use only could result in a disqualification vote and personal liability.

Ellen Lewers, resident, asked for clarification as to who is paying for the lift station at the prestige site.

Mr. Parliament explained that the municipal service is the sani-station. It was further explained that Prestige is paying for the majority of the cost and the lift station as the District is responsible for a small proportionate amount to cover the sani-dump. Staff also explained the transfer of the Sunriver lift station.

Ms. Lewers asked for clarification of the vehicle replacement policy. Fire Chief Sorenson referenced Policy 14.2 *Sooke Fire Department 20-year Vehicle Upgrade and Replacement Program*.

Ms. Lewers questioned if the Building Canada Fund extension would provide enough time to finish the boat launch project. Ms. Lewers also asked if staff investigated the foreshore licence as noted in an earlier resolution. Mr. Parliament explained the extension process and the foreshore lease and license process.

## **BYLAWS**

### **B-1 Bylaw No. 452, Zoning Amendment Bylaw (270-71) – 2205 Tara Place-**

**MOVED** and seconded that Bylaw No. 452, *Zoning Amendment Bylaw (270-71)* be adopted.

**CARRIED UNANIMOUSLY**

### **Bylaw No. 453, Tara Place Phased Development Agreement Authorization Bylaw, 2010**

**MOVED** and seconded that Bylaw No. 453, *Tara Place Phased Development Agreement Authorization Bylaw, 2010* be adopted.

**CARRIED UNANIMOUSLY**

### **B-2 Bylaw No. 470, Zoning Amendment Bylaw (270-83) - 6718 Grant Road West**

**MOVED** and seconded that Bylaw No. 470, *Zoning Amendment Bylaw (270-83)* be adopted.

**CARRIED UNANIMOUSLY**

### **Bylaw No. 471, Grant Road West Phased Development Agreement Authorization Bylaw, 2010**

**MOVED** and seconded that Bylaw No. 471, *Grant Road West Phased Development Agreement Authorization Bylaw, 2010* be rescinded.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that Bylaw No. 471, *Grant Road West Phased Development Agreement Authorization Bylaw, 2010* be amended to transfer ownership from 0787497 BC Ltd. (Inc. No. BC0787497) to Champagne Ventures Ltd.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that Bylaw No. 471, *Grant Road West Phased Development Agreement Authorization Bylaw, 2010* be read a third time.  
be adopted.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that Bylaw No. 471, *Grant Road West Phased Development Agreement Authorization Bylaw, 2010* be adopted.

**CARRIED UNANIMOUSLY**

## **PUBLIC INPUT MEETINGS AND RELATED REPORTS**

Acting Mayor Tait advised that the Public Input meeting is being held to allow the public an opportunity to make submissions to Council on particular items on the agenda.

### **PI-1 Development Variance Permit – 2100 Otter Point Road**

Gerard LeBlanc provided an overview of the staff report for the proposed variance for the property located at 2100 Otter Point Road. The applicant intends to subdivide the property into 133 lots which will be accessed by local urban roads in which the minimum right-of-way width is being proposed for a reduction to 10.4m and 8.9m from 14m with a sidewalk. Mr. LeBlanc noted staff concerns.

Liza Dawson-Whisker, resident read and submitted her concerns as to the proposal of re-routing the Otter Point road allowance.

David Mallet, resident, expressed support for the staff recommendation and stated his objection to the narrow road proposal.

Alan Antoine, resident, asked for clarification of the zoning. It was explained that the current zone is RM-3. Mr. Antoine inquired as to the re-alignment of Otter Point Road. It was explained that it is required by the District within this proposal and that is part of the Road Network Plan as there are safety issues with the current road.

Staff clarified the public process for rezoning, Development Permits and other Public Input requirements.

Mr. Antoine expressed that this is the wrong plan for that area of Sooke and quoted the OCP statement to preserve, enhance and promote small town character.

Ellen Lewers, resident, expressed concern as to the road width. Ms. Lewers inquired as to the RM-3 zoning and concept plan. It was explained that that the 133 lot proposal is preliminary concept drawing.

Moonfist, resident, expressed concerns as to the proposed narrow roads and stated that sidewalks are desired by residents in Sooke. Moonfist noted the incorrect zoning information within the agenda which contributed to some confusion.

Gail Hall, resident, commented that the zoning should come first to allow for a fair process.

Liza Dawson-Whisker, resident, commented that the emphasis of the development should be on green designs and setbacks with buffer zones.

Gordon Cameron, Canadian Horizons, explained that this proposed concept is consistent with the earlier presentation to Council on May 17<sup>th</sup>, 2010 and provided addition visual boards of other communities in which narrow interior street lanes create ambiance within the development. Mr. Cameron explained the proposed road variance and addressed parking requirements and turning templates. Mr. Cameron stated that he was at a stalemate working with staff and this proposal is before Council to consider.

Richard Phillips, resident, commented on the numerous notifications that he received and expressed density concerns.

Dina Nicholson, resident, expressed concerns as to public consultation and conversation and the need for connecting the community.

David Mallett, resident, responded to the developer's presentation and stated that commented that Sooke is not a retirement community. It is a community with young working families. Mr. Mallett reiterated that the proposed interior roads are too narrow and expressed support for the reconfiguration of Otter Point Road as it is proven unsafe.

Moonfist, resident, expressed the community's need for sidewalks.

A discussion ensued involving questions and comments from members of Council

These discussions included the following concerns:

- Pedestrian safety and traffic flow
- Parking
- Enclosed community in the heart of Sooke
- Emergency vehicle access
- Sidewalks and trails

**MOVED** and seconded to direct staff to work with the applicant to incorporate wider road rights-of-way for all roads within the property located at 2100 Otter Point Road, 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 to address concerns with paved road surface width, vehicular circulation, pedestrian movements and emergency vehicle access as well as the location of municipal and utility services within a right-of-way of appropriate width.

**CARRIED UNANIMOUSLY**

**PI-2 Development Variance Permit – 2151 French Road South**

Gerard LeBlanc provided a power point presentation and summary of the Development Variance Permit application for 2151 French Road South.

Diana Rosinski, resident, read and submitted her concerns as to the proposed variances. Ms. Rosinski commented that the current bylaw do not take into account the kind of housing in long established neighbourhoods and that in fills should reflect the character and look of the neighbourhood.

Council discussed the proposed Development Variance permit and referenced the concern as to the neighbouring retainer wall.

**MOVED** and seconded to issue Development Variance Permit PLN00853 at 2151 French Road South (PID 003-629-503) to vary the rear lot line of proposed Lot 1 from 4.5m to 3.0m.

**CARRIED UNANIMOUSLY**

**PI-3 Development Permit with 2 proposed Variances- 6718 Grant Road West**

Gerard LeBlanc provided a power point presentation and summary of the Development Permit application for 6718 Grant Road West. It was noted that the siding will be Hardi-plank instead of vinyl.

Gail Hall, resident, asked for clarification as to the amenity contribution. It was explained that the \$7,500 contribution is separate from the proposed variances.

Moonfist, resident, asked for clarification as to the public area. It was explained that it is specific to the four units.

Council discussed the proposed Development Permit with two variances and made the following motion:

**MOVED** and seconded to issue Development Permit (PLN00846) to construct a row house at 6718 Grant Road West, legally described as Lot 13, Section 24, Sooke District, Plan 5572 with the following variances: (1) to vary the definition of “amenity area” to allow the 10% amenity area to be in the form of a rear yard and (2) to vary the required setback of 1.5m for a parking space from the side property line 10 0m.

**CARRIED UNANIMOUSLY**

**REPORTS REQUIRING ACTION**

**RA-1 CRD Agreement for Silver Spray Fire Protection**

**MOVED** and seconded approve the Fire Prevention and Suppression Service and Emergency Response Agreement with the Capital Regional District for 2011;  
**AND** authorize the Chief Administrative Officer and Mayor to execute the agreement  
**CARRIED UNANIMOUSLY**

**RA-2 Third Extension of EPCOR Wastewater Services Agreement**

**MOVED** and seconded to approve the Third Extension Agreement with EPCOR Water Services Inc. for operations and maintenance of the wastewater treatment system effective the first day of January, 2011;

**AND** authorize the Chief Administrative Officer and Mayor to execute the agreement.

**CARRIED UNANIMOUSLY**

**RA-3 Purchase of Utility Vehicles**

**MOVED** and seconded to receive this report on the purchase of utility vehicles;

**AND THAT COUNCIL** approve the purchase of one new vehicle for the fire department, two used vehicles for the engineering department for a total of \$63,000 (excluding taxes).

**CARRIED UNANIMOUSLY**

**RA-4 Local Government Leadership Academy 2011 Leadership Forum**

**MOVED** and seconded to authorize Councillor Haldane to attend the Local Government Leadership Forum held in Richmond, BC February 16-18, 2011.

**AND THAT** the expenses for the Forum come out of the 2011 Council Conference budget.

**CARRIED UNANIMOUSLY**

**RA-5 2011 FCM Sustainability Communities Conference**

**MOVED** and seconded to authorize Mayor Janet Evans to attend the 2011 FCM Sustainable Communities Conference on February 8<sup>th</sup> to 10<sup>th</sup>, 2011;

**AND THAT** the expenses be reimbursed in accordance with the District of Sooke expense policy.

**CARRIED UNANIMOUSLY**

**RA-6 Towns for Tomorrow Grant**

**MOVED** and seconded to endorse the District of Sooke application to the 2010 TOWNS FOR TOMORROW grant program to secure funding for the multi-use trails and bioswale project as part of the Phillips Road to Charters Road connector;

**AND THAT** the grant funding be utilized as a source of funding towards the multi-use trails and bioswale of the Phillips Road to Charters Road Phase 1 Connector

**AND THAT** upon successful completion of the project, Council support the operation and maintenance of the infrastructure improvements as the responsibility of the District of Sooke.

**CARRIED UNANIMOUSLY**

**RA-7 Consent for CRD Bylaw 3751**

**MOVED** and seconded to give consent to the adoption of CRD Bylaw 3751, *Sooke Region Museum Service Establishment Bylaw No.1, 2011* and CRD Bylaw 3760, *Sooke Region Museum Service Establishment Bylaw No.1, 2008, Amendment Bylaw No. 1, 2011* in accordance with section 801.4 of the *Local Government Act*.

**CARRIED UNANIMOUSLY**

**RA-8 Building Canada Fund – Sooke Boat Launch Project**

**MOVED** and seconded

**WHEREAS** the federal and provincial governments will make a one-time extension of the deadline for funding of projects under the Building Canada Fund – Communities Top-Up from March 31, 2011 to October 31, 2011;

**AND WHEREAS** all funding from the Government of Canada and the Province will cease after October 31, 2011;

**AND WHEREAS** the District of Sooke has asked the provincial government for an extension to October 31, 2011 for Project #27961 – Sooke Boat Launch as follows:

Total eligible cost                      \$908,653

Federal contribution                      \$302,884

Provincial contribution                      \$302,884

**THEREFORE BE IT RESOLVED THAT** the District of Sooke attests that it will continue to contribute its share of the required funding for the aforementioned project;

**AND BE IT FURTHER RESOLVED THAT** actual claims for all eligible costs incurred by March 31, 2011, for the aforementioned project must be and will be submitted no later than April 15, 2011 to the Province;

**AND BE IT FURTHER RESOLVED THAT** the District of Sooke will ensure that the project will be completed.

**CARRIED UNANIMOUSLY**

**REPORTS FOR INFORMATION**

**RI-1 Mayor and Council Reports – Councillor Bennett**

Council Dumont reported on the Library Executive meeting on January 7<sup>th</sup> and announced that there is a new manager for the Sooke branch.

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

**CARRIED UNANIMOUSLY**

**RI-2 RCMP Monthly Mayor Report – November 2010**

**MOVED** and seconded to receive the RCMP Monthly Mayor Report – November 2010 for information.

**CARRIED UNANIMOUSLY**

**RI-3 Council Reader File – December 2010**

**MOVED** and seconded to receive the Council Reader File report - December 2010 for information.

**CARRIED UNANIMOUSLY**

## **CORRESPONDENCE REQUIRING ACTION**

- C-1 Bill M – 2010 Manufactured Home Park Tenancy Amendment Act, 2010** – letter of support

**MOVED** and seconded to send a letter of support for Bill M – 2010 Manufactured Home Park Tenancy Amendment Act, 2010 to Honourable Rich Coleman, Minister of Public Safety and Solicitor General (Minister Responsible for Housing).

**CARRIED UNANIMOUSLY**

- C-2 Victoria Cool Aid Society** – request for support

**MOVED** and seconded to receive and file the correspondence received from the Victoria Cool Aid Society.

**CARRIED UNANIMOUSLY**

- C-3 Intermunicipal Advisory Committee on Disability Issues** - submissions

**MOVED** and seconded to direct staff to bring forward a report on the Intermunicipal Advisory Committee on Disability Issues for consideration.

**CARRIED UNANIMOUSLY**

## **CORRESPONDENCE FOR INFORMATION**

- I-1 Minister of Indian Affairs and Northern Development**

**MOVED** and seconded to receive and file the correspondence.

**CARRIED UNANIMOUSLY**

- I-2 Minister of Community, Sport and Cultural Development**

**MOVED** and seconded to receive and file the correspondence.

**CARRIED UNANIMOUSLY**

- I-3 CRD Water Services – Water Distribution Local Service Conditions, Fees and Charges Bylaw**

**MOVED** and seconded to receive and file the correspondence.

**CARRIED UNANIMOUSLY**

**ADJOURNMENT**

**MOVED** and seconded to adjourn the meeting at 9:53 p.m.  
**CARRIED UNANIMOUSLY**

**Certified Correct:**

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**Acting Mayor Tait**  
**Mayor**

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