

**DISTRICT OF SOOKE**  
Committee of the Whole Minutes  
Meeting held March 1, 2010 at 7:00 p.m.  
Council Chamber, 2225 Otter Point Road

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**COUNCIL PRESENT**

Mayor Janet Evans  
Councillor David Bennett  
Councillor Ron Dumont  
Councillor Herb Haldane

**STAFF PRESENT**

Evan Parliament, Chief Administrative Officer  
Dave Devana, Director of Finance  
Bonnie Sprinkling, Corporate Officer  
Gerald Christie, Director of Planning  
Elisabeth Nelson, Municipal Engineer

**ABSENT:**

Councillor Sheila Beech  
Councillor Bev Berger  
Councillor Maja Tait

1. **Call to Order**

The meeting was called to order at 7:00 p.m.

2. **Approval of Agenda**

**MOVED** to approve the agenda as circulated.

**CARRIED**

3. **7044 Maple Park Terrace**

Gerald Christie introduced the applicant, Terry Mogensen, and consultants for the Spiritwood development, Mike Wignall and Jared Steingard.

On behalf of the applicants, Mike Wignall gave a powerpoint presentation on the proposed development for 7044 Maple Park Terrace. Studies have been undertaken, including a riparian assessment, and neighbourhood meetings held.

- Developers dedicating @22% of the property for open space
- Amenity contributions total @\$2,116,146

Prior to Phase 1

- dedication of 4 ha of open space to Sooke and construction (\$550,000)
- construction of Grant Road W sewer (\$130,000)
- construction of Firwood Place and Maple Park Terrace sewers (\$707,064)
- construction of Winfield Road curb, gutter, sidewalk and street lights (\$181,000)

Prior to Phase 8 and Phase 12 completion

- Construction of 2 m wide hiking trail (\$395,040)

Prior to Phase 4 completion

- Dedication of 1100 m<sup>2</sup> park (\$91,000)

Prior to Phase 6 completion

- Installation of playground equipment (\$62,042)

Affordable housing: 41 units

- Response to Neighbour Concerns:
  - Blasting impacts – pre-blast survey will be carried out
  - Storm water – Focus has completed a rainwater management plan and recommended drainage solutions for Maple Park Terrace, will monitor erosion and sediment control during construction, and will include bio-swales in street design.
  - Traffic Impact – Boulevard Transportation Group has completed a traffic study of 6 major intersections; current traffic concerns were identified as well as for 2019. Improvements have been proposed by the Boulevard.
  - Landscape screening will be placed between adjacent properties
  - Some were opposed to commercial site
  - Biological integrity of the pond on Winfield – provincial regulations will be followed
- Neighbourhood likes:
  - Reduced development
  - Presence of commercial site
  - Potential for a seniors building or 55+ building
  - Installation of sewers along Grant Road
- The developer will install sewer on Grant Road West and the water service will be upgraded with new water main

Council discussed with the applicant:

- Possible west entrance at West Coast and Grant Road for traffic flow to development due to 40k speed limit on Grant Road;
- Issue of drainage flow directed to agricultural land south of Grant Road must be considered under *Agricultural Land Reserve Act*;
- Possibility of area for sports field – property does not have a flat area;
- Has Boulevard looked at the cumulative effect of development north of Grant Road – Nott's Creek, Maple Park, etc – Boulevard has done most of the traffic studies in the area;
- Funding amount for playground equipment and for park land preparation;
- Water flow for firefighting needs;
- Alternate access route through Cedar Park Terrace, difficult connection due to topography;
- Concern as to intersection at Otter Point Road and Highway 14;
- Blasted rock and drainage challenges; curtain drains may be used, sewer lines may provide some drainage;
- Traffic increases envisioned in the proposed Official Community Plan;
- Possible future access through to Brailsford Road; property owners have been approached;
- Construction coordination for blasting;
- Development of Winfield pond under stormwater management plan.

**Public Input:** None

### **Petition for Sewer Service – Proposed Bylaw No. 426**

**MOVED** to recommend that Council introduce and give first, second, and third reading to Bylaw No. 426, *Sooke Core Sewer Specified Area Amendment Bylaw (147-9)*;

**AND THAT** the adoption of Bylaw No. 429 be concurrent with the adoption of Bylaw No. 426, *Sooke Core Sewer Specified Area Amendment Bylaw 147-9*.

**CARRIED**

Staff advised that they will provide Council with a report as to sewer connection for properties on Grant Road.

### **Rezoning Application – Proposed Bylaw No. 429**

**MOVED** and seconded that the Committee of the Whole recommend to Council to introduce and give first and second reading to Bylaw No. 429, *Zoning Amendment Bylaw (270-65)*;

**AND TO** schedule a Public Hearing for Bylaw No. 429, *Zoning Amendment Bylaw (270-65)* in accordance with the requirements of the *Community Charter* and the *Local Government Act*;

**AND THAT** prior to adoption of Bylaw No. 429, *Zoning Amendment Bylaw (270-65)*, the owner shall enter into a Development Agreement with the District of Sooke;

**AND THAT** the adoption of Bylaw No. 429 shall be concurrent with the adoption of Bylaw No. 426, *Sooke Core Sewer Specified Area Amendment Bylaw (147-9)*.

**CARRIED**

#### **4. Secondary and Small Suites Legalization Policy**

Gerald Christie gave an overview of the staff report as to secondary suites. Staff requests Council direction as to enforcement for illegal secondary suites, whether they are currently zoned appropriately to allow secondary suites and whether they are not.

Council discussed:

- Public education and notice as to new policy;
- Start of 12-month period to begin after public education period;
- Notice out of new policy sent out with tax notice;
- Suites conforming to building code;
- Policy applied consistently and equally to all, new and existing suites;
- Enforcement strategy;
- Legal opinion as to liability;
- Staffing required, costs to the District;
- Six months rather than one year deadline;
- Registration rather than legalization;
- Consultation with Esquimalt, Colwood;
- Advantages for registration of suites;
- Need for affordable housing;
- Solutions required for those who may be displaced;
- Concern as to safety of illegal suites.

**Public Input:**

Troy Lovbakke, stated that the District needs to be careful about the property owner's registration of suites, which will be inspected and the cost to upgrade identified, the high cost to upgrade may deter others to register.

John Brohman, stated that the zoning bylaw should be amended to allow secondary suites; most homes with illegal suites have been built in accordance with the building code.

**MOVED** that the Committee of the Whole to recommend Council adopt the *Secondary and Small Suites Policy*, 2009 with the changes proposed by Committee of the Whole and the following:

- a. If the property owner does not have the proper zoning, extend the conformance period to 12 months from 3 months to allow the owner time to try and rezone; and,
- b. that properties not connected to municipal sewer must obtain approval from VIHA for the secondary or small suite prior to occupancy being granted from the DOS Building Department.

**CARRIED**

5. **Community Amenity Contribution Policy**

Dave Devana gave an overview of the timeline from September 2007 for the *Community Amenity Contribution Policy* and the proposed amendments to the Policy.

Council discussed:

- Base density provisions under proposed amended Policy;
- Timing for amenity contributions;
- Voluntary component under legislation for amenity contributions;
- Amenity contributions for current rezoning applications;
- Development community to be consulted;
- Council needs all information, including past reports, when discussing policy issues;
- Legal review upon COW approval of policy concept and input from development community;
- Phased Development Agreements under the *Local Government Act* as a tool for amenities and density bonusing in relation to case law; "selling density";
- OCP as a guide to density and amenity bonusing.

Councillor Herb Haldane submitted a written statement as attached to these minutes.

**Public Input:**

Troy Lovbakke, stated that a development needs to be affordable for the developer and the actual cost of the amenities seems like the District wants more money out of the developer; agrees with concept, but the District needs to work with the development community;

Don Smith, stated that he likes new proposal, but that every time costs are added to a development the person who buys property pays more; we have to relate to this and keep costs down to keep work in town.

**MOVED** that the Committee of the Whole to direct staff to seek a legal opinion on the proposed amendment to Policy No. 13.3, *Community Amenity Contribution Policy, 2009*; **AND** to direct staff to consult with the development community on the proposed amendments to Policy No. 13.3;  
**AND** to recommend that Council approve the amendments to Policy No. 13.3 subject to receipt of a legal opinion and consultation with the development community.  
**CARRIED**

**6. Adjournment**

The meeting was adjourned at 9:00 p.m.

**Certified Correct:**

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**Janet Evans**  
Mayor

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**Bonnie Sprinkling**  
Corporate Officer