

## DISTRICT OF SOOKE

Minutes of the Regular Meeting of Council  
held in the Council Chamber  
at 2225 Otter Point Road, Sooke, BC  
on May 9 , 2011 at 7:00 p.m.

### 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

Evan Parliament, Chief Administrative Officer  
Bonnie Sprinkling, Corporate Officer  
Sue-Lin Tarnowski, Director of Finance  
Elisabeth Nelson, Municipal Engineer  
Al Fontes, Manager of Operations  
Steve Sorensen, Fire Chief  
Lisa Urlacher, Corporate Assistant

### CALL TO ORDER

Mayor Evans called the meeting to order at 8:19 p.m.

### APPROVAL OF THE AGENDA

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

- Supplemental information as to Item PI-1; the application to exclude land from the ALR
- Supplemental information as to Item B-1; the Phased Development Agreement for 2830 Phillips Road

**CARRIED UNANIMOUSLY**

### ADOPTION OF MINUTES

**MOVED** and seconded that the minutes of the Committee of the Whole meeting held on April 26, 2011 be adopted as circulated.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that the minutes of the Regular Council meeting held on April 26, 2011 be adopted as circulated.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that the minutes of the Special Council meeting held on May 3, 2011 be adopted as circulated.

**CARRIED UNANIMOUSLY**

### MINUTES FOR INFORMATION

**MOVED** and seconded that the minutes of the CRD Regional Parks Committee meeting held on March 16, 2011 be received for information:

**CARRIED UNANIMOUSLY**

## DELEGATIONS

### D-1 **KPMG Presentation by Randy Decksheimer and Donna Hobbs - 2010 Audited Financial Statements**

Mr. Decksheimer stated that the *Community Charter* sets out requirements for the auditor to make a presentation to Council and explained the change in audit standards in regards to Council accepting the audit statements prior to signing. Mr. Decksheimer highlighted the recommendations in his submitted report.

**MOVED** and seconded to accept the 2010 Audited Financial Statements; School Tax Audit Report and Provincial Home Owners Grant Audit Report.  
**CARRIED UNANIMOUSLY**

## PUBLIC QUESTION AND COMMENT PERIOD

There were no questions or comments from the public.

## PUBLIC INPUT MEETINGS AND RELATED REPORTS

### PI-1 **Application to Exclude Land from the ALR** 7031, 7051, 7055 and 7073 Grant Road West

Elisabeth Nelson provided an overview of the staff report.

Rob Howat, applicant representative, provided further information as to the soil analysis and reiterated compliance with the Official Community Plan. It was further noted that the lands are not agricultural in nature and not farmable.

Council discussed the proposed application and stated support for the proposed development of a tech park and the opportunity to discuss options on-site with the representatives from the ALC during the process.

#### **Public input:**

David Mallett, resident, expressed support for the proposed application and asked that a culinary or community garden be considered on the Class 3 lands.

Judith Ann Gato, resident, opposed the application for the reason that Grant Road West cannot take the wear and tear of the proposed development.

Patricia Bruce, resident, opposed the properties being removed from the ALR and expressed concerns regarding infrastructure.

**MOVED** and seconded to forward the application to the Agricultural Land Commission (ALC) with a recommendation to exclude the properties located at 7031, 7051, 7055 and 7073 Grant Road West from the Agricultural Land Reserve (ALR) as per the District of Sooke Official Community Plan.  
**CARRIED UNANIMOUSLY**

## BYLAWS

**B-1 Bylaw No. 442, Official Community Plan Amendment Bylaw (86-33)**  
– 2830 Phillips Road

**MOVED** and seconded that Bylaw No. 442, *Official Community Plan Amendment Bylaw (86-33)* be adopted.

**CARRIED UNANIMOUSLY**

**Bylaw No. 443, Zoning Amendment Bylaw (270-69)**

**MOVED** and seconded that Bylaw No. 443, *Zoning Amendment Bylaw (270-69)* be adopted.

**CARRIED UNANIMOUSLY**

**Bylaw No. 447, Phillips Phased Development Agreement Authorization Bylaw, 2010**

**MOVED** and seconded that Bylaw No. 447, *Phillips Phased Development Agreement Authorization Bylaw, 2010* be adopted.

**CARRIED UNANIMOUSLY**

**B-2 Bylaw No. 456, Zoning Amendment Bylaw (270-74) – 6978 West Coast Road**

**MOVED** and seconded that Bylaw No. 456, *Zoning Amendment Bylaw (270-74)* be adopted.

**CARRIED**

**Councillor Ron Dumont opposed the Motion**

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

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

**CARRIED**

**Councillor Ron Dumont opposed the Motion**

**B-3 Bylaw No. 479, Zoning Amendment Bylaw, (270-86) – Sun River**

Councillor Dumont left the meeting at 8:55 p.m. stating that he has a business relationship with the property owner.

**MOVED** and seconded that Bylaw No. 479, *Zoning Amendment Bylaw, (270-86)* be adopted.

**CARRIED UNANIMOUSLY**

Councillor Dumont returned to the meeting at 8:55 p.m.

**B-4 Bylaw No. 491, Five Year Financial Plan Bylaw, 2011**

**MOVED** and seconded that Bylaw No. 491, *Five Year Financial Plan Bylaw, 2011* be adopted.

**CARRIED**

**Councillors Haldane and Berger opposed the motion**

**Bylaw No. 492, Property Tax Rate Bylaw, 2011**

**MOVED** and seconded that Bylaw No. 492, *Property Tax Rate Bylaw, 2011* be adopted.

**CARRIED** Councillors Haldane and Berger opposed the motion

**B-5 Bylaw No. 486, Capital Asset Replacement Reserve Fund Bylaw, 2011**

**MOVED** and seconded that No. 486, *Capital Asset Replacement Reserve Fund Bylaw, 2011* be adopted.

**CARRIED UNANIMOUSLY**

**Bylaw No. 487, Sooke Core Sewer Specified Area Cost Recovery Amendment Bylaw (150-5)**

**MOVED** and seconded that Bylaw No. 487, *Sooke Core Sewer Specified Area Cost Recovery Amendment Bylaw (150-5)* be adopted.

**CARRIED UNANIMOUSLY**

**Bylaw No. 488, Fees Bylaw, 2011**

**MOVED** and seconded that Bylaw No. 488, *Fees Bylaw, 2011* be adopted.

**CARRIED UNANIMOUSLY**

**Bylaw No. 490, Development Procedures Bylaw, 2011**

**MOVED** and seconded that Bylaw No. 490, *Development Procedures Bylaw, 2011* be adopted.

**CARRIED UNANIMOUSLY**

**B-6 Bylaw No. 494, Wastewater Franchise Agreement Approval Bylaw, 2011**

**MOVED** and seconded to approve the form and content of the Wastewater Franchise Agreement with EPCOR WATER (WEST) INC. for staff to proceed with drafting a bylaw for the agreement with an alternate approval process for elector assent.

**CARRIED** Councillors Haldane and Berger opposed the motion

**MOVED** and seconded to give first reading to Bylaw No. 494, *Wastewater Franchise Agreement Approval Bylaw, 2011*.

**CARRIED** Councillors Haldane and Berger opposed the motion

**MOVED** and seconded to give second reading to Bylaw No. 494, *Wastewater Franchise Agreement Approval Bylaw, 2011*.

**CARRIED** Councillors Haldane and Berger opposed the motion

**MOVED** and seconded to direct staff to proceed with approval of the electors by an Alternate Approval Process under the provisions of section 86 of the *Community Charter* for Bylaw No. 494.

**CARRIED** Councillors Haldane and Berger opposed the motion

**MOVED** and seconded to establish Monday, June 27th, 2011 at 9:00 a.m. as the deadline for receiving elector responses.

**CARRIED** **Councillors Haldane and Berger opposed the motion**

**MOVED** and seconded to make a fair determination that the total number of electors of the District of Sooke is 9749.

**CARRIED** **Councillors Haldane and Berger opposed the motion**

**MOVED** and seconded to approve the elector response form as presented.

**CARRIED** **Councillors Haldane and Berger opposed the motion**

**MOVED** and seconded to direct staff to publish notice of the alternative approval process in accordance with section 86 of the *Community Charter* on Wednesday, May 18th, 2011 and on Wednesday, May 25th, 2011.

**CARRIED** **Councillors Haldane and Berger opposed the motion**

**MOVED** and seconded to direct staff to schedule a Public Information Session for Bylaw No. 494 on May 25th, 2011.

**CARRIED** **Councillors Haldane and Berger opposed the motion**

## **REPORTS REQUIRING ACTION**

### **RA-1 Code of Ethics Policies**

#### **Policy No. 7.10, *Code of Ethics Policy, 2011***

**MOVED** and seconded to adopt Policy No. 7.10, *Code of Ethics Policy, 2011*.

**CARRIED UNANIMOUSLY**

#### **Policy No. 7.11, *Respectful Workplace Policy, 2011***

**MOVED** and seconded to adopt Policy No. 7.11, *Respectful Workplace Policy, 2011*.

**CARRIED UNANIMOUSLY**

#### **Policy No. 7.12, *Whistle Blower Policy, 2011***

**MOVED** and seconded to adopt Policy No. 7.12, *Whistle Blower Policy, 2011*.

**CARRIED UNANIMOUSLY**

#### **Policy No. 7.13, *Anti-Harassment Policy, 2011***

**MOVED** and seconded to adopt Policy No. 7.13, *Anti-Harassment Policy, 2011*.

**CARRIED UNANIMOUSLY**

#### **Policy No. 7.14, *Complaint Resolution Policy, 2011***

**MOVED** and seconded to adopt Policy No. 7.14, *Complaint Resolution Policy, 2011*.

**CARRIED UNANIMOUSLY**

**Policy No. 7.15, Conflict of Interest Policy, 2011**

**MOVED** and seconded to adopt Policy No. 7.15, *Conflict of Interest Policy, 2011*.  
**CARRIED UNANIMOUSLY**

**RA-2 Committee of the Whole Recommendation – April 26, 2011**

**MOVED** and seconded to forward, as amended the draft District of Sooke Bylaw No. 500, Sooke Zoning Bylaw, 2011 for a three week period of agency and legal review, to start no later than May 2, 2011 and end no later than May 24, 2011;

**AND** direct staff to bring a report to an upcoming Committee of the Whole meeting as to the results of the agency and legal review no later than May 31, 2011.

**CARRIED UNANIMOUSLY**

**REPORTS FOR INFORMATION**

**RI-1 Mayor and Council Reports**

Councillor Dumont reported on the Library Executive meeting with the Mayor and the Chief Executive Officer and the tour of Mariners Village.

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

**CARRIED UNANIMOUSLY**

**RI-2 Council Reader File – April 2011**

**MOVED** and seconded to receive the April 2011 Council Reader File report for information.

**CARRIED UNANIMOUSLY**

**ADJOURNMENT**

**MOVED** and seconded to adjourn the meeting at 9:12 p.m.

**CARRIED UNANIMOUSLY**

**Certified Correct:**

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**Janet Evans**  
Mayor

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**Bonnie Sprinkling**  
Corporate Officer