

## DISTRICT OF SOOKE

Minutes of the Regular Meeting of Council  
held in the Council Chamber  
at 2225 Otter Point Road, Sooke, BC  
on October 24 , 2011at 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

Sue-Lin Tarnowski, Director of Finance  
Bonnie Sprinkling, Corporate Officer  
Gerard LeBlanc, Municipal Planner  
Elisabeth Nelson, Municipal Engineer  
Steve Sorensen, Fire Chief  
Lisa Urlacher, Corporate Assistant

### 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:

B-5 Remove and replace Report (pages 55-60) - Remove Petitions (page 61 and 63)

RA-4 Remove and replace Report (pages 85-86)

RI-2 2008-2011 Legal Costs - Email received October 21, 2011 – Terrance Martin

**CARRIED UNANIMOUSLY**

### ADOPTION OF MINUTES

**MOVED** and seconded that the minutes of the Regular Council meeting held on October 11, 2011 be adopted as circulated.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that the minutes of the Committee of the Whole meeting held on October 17, 2011 be adopted as circulated.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that the minutes of the Special Council meeting held on October 17, 2011 be adopted as circulated.

**CARRIED UNANIMOUSLY**

### MINUTES FOR INFORMATION

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

July 13, 2011 Capital Regional District SEAPARC

September 14, 2011 Capital Regional District Board

**CARRIED UNANIMOUSLY**

## **PUBLIC QUESTION AND COMMENT PERIOD**

Terrance Martin, resident, requested that a new map of the Sunriver Subdivision be provided to the public and suggested that it be made available on the website. This request was acknowledged and noted.

Fred Von Ilberg, resident, read an excerpt from the Sooke Voice News and the Sooke News Mirror regarding the statement as to the cost of legal opinions. Mr. Von Ilberg stated that the allegations are unsubstantiated and the statement is serious and damaging to the reputation and character of the four persons named in the article. Mr. Von Ilberg provided a history of his community services and asked for a public apology. Mr. Von Ilberg expressed objection to Item RA-4 and stated that there has been no public consultation as to the changing of covenant.

David Mallett, resident, expressed support for Bylaw No. 500, *Sooke Zoning Bylaw, 2011* and expressed support on behalf of the Sooke Elderly Housing Society. Mr. Mallett commented on being involved in the Sunriver School site process.

Gail Hall, resident, stated that she shares Mr Von Ilberg's concerns and asked for an apology and retraction of the statement made by Mayor Evans. Ms. Hall expressed concern as to the covenant changes running concurrently with the zoning.

Ellen Lewers, resident, expressed concern as to the size of the agenda stating that there is not enough time provided for the public to voice concerns. Ms. Lewers expressed concern as to the benches and allegations regarding legal fees. Ms. Lewers suggested that Council control the procurement of legal counsel. Ms. Lewers asked that the Mayor retract the defaming accusations and write a public apology. Ms. Lewers inquired as to obtaining quotes for the playing fields at Sunriver. Ms. Lewers submitted her statement.

## **BYLAWS**

### **B-1 Bylaw No. 506, *Permissive Tax Exemption Bylaw for Public Parks and Recreation Grounds, Not for Profit Corporations and Public Authority Amendment Bylaw (338-1)***

**MOVED** and seconded that Bylaw No. 506, *Permissive Tax Exemption Bylaw for Public Parks and Recreation Grounds, Not for Profit Corporations and Public Authority Amendment Bylaw (338-1)* be adopted.

**CARRIED UNANIMOUSLY**

### **B-2 Bylaw No. 507, *Traffic and Highway Regulation Amendment Bylaw (67-2)***

**MOVED** and seconded that Bylaw No. 507, *Traffic and Highway Regulation Amendment Bylaw (67-2)* be adopted.

**CARRIED UNANIMOUSLY**

### **B-3 Bylaw No. 508, *Records Management Bylaw, 2011***

**MOVED** and seconded that Bylaw No. 508, *Records Management Bylaw, 2011* be introduced and read a first time.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that Bylaw No. 508, *Records Management Bylaw, 2011* be read a second time.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that Bylaw No. 508, *Records Management Bylaw, 2011* be read a third time.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded to designate Lisa Urlacher as alternate Records Officer.

**CARRIED UNANIMOUSLY**

**B-4 Bylaw No. 509, Sooke Core Sewer Specified Area Amendment Bylaw (174-12)**  
Wright Road

**MOVED** and seconded that Bylaw No. 509, *Sooke Core Sewer Specified Area Amendment Bylaw (174-12)* be introduced and read a first time.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that Bylaw No. 509, *Sooke Core Sewer Specified Area Amendment Bylaw (174-12)* be read a second time.

**CARRIED UNANIMOUSLY**

Council discussed the capital expansion charges and process for being included in the sewer expansion area. It was noted that one of the property owners may ask to withdraw their petition.

**MOVED** and seconded that Bylaw No. 509, *Sooke Core Sewer Specified Area Amendment Bylaw (174-12)* be read a third time.

**CARRIED UNANIMOUSLY**

**B-5 Bylaw No. 510, Sooke Core Sewer Specified Area Amendment Bylaw (174-13)**  
Grant Road West

**MOVED** and seconded that Bylaw No. 510, *Sooke Core Sewer Specified Area Amendment Bylaw (174-13)* be introduced and read a first time.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that Bylaw No. 510, *Sooke Core Sewer Specified Area Amendment Bylaw (174-13)* be read a second time.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that Bylaw No. 510, *Sooke Core Sewer Specified Area Amendment Bylaw (174-13)* be read a third time.

**CARRIED UNANIMOUSLY**

## B-6 Bylaw No. 500, *Sooke Zoning Bylaw, 2011*

Gerard Leblanc acknowledged and thanked the Zoning Bylaw Review Committee, District of Sooke staff and the Island Planning Services Consortium zoning review committee for their work in the review and preparation of the draft zoning bylaw. Mr. LeBlanc provided an overview of the changes made since the last meeting:

- Any unnecessary references to provincial enactments and regulations have been deleted
- Definitions for *multi-family development* and *business park* have been added
- A Table of Offences for Municipal Ticket Information has been prepared
- The draft zoning bylaw has been edited for any spelling and grammar errors
- The document has been reviewed for consistency, particularly the use of terminology
- To improve its usability, set up the numbering and the sequencing of sections
- The Galloping Goose Trail has been zoned P-1
- A diagram showing the dimensions for disabled parking has been included along with the signage specifications for disabled parking signage
- A previously unzoned property in the vicinity of Kirby Road, Dixon Road and the Galloping Goose Trail has been zoned RU2.

Council discussed:

- Further definition of Flood Plane
- Calculation of 1 ½ parking spaces
- Definition of Heavy Equipment
- Creating zoning map sections for ease of review
- Sunriver Park
- Small Lot Residential
- Clarification of CTC1 zoning North and South of Sooke Road
- Mariner Village CD zone regarding Medical Clinic
- Prestige Hotel & Resort CD Zone – P1 zoning and permitted uses
- Public notice requirement for disposition of Land (Leases)
- Charters Creek should be Charters River

Council directed staff to make the following amendments:

- Reference to 203.8 Conditions of Use with 203.2 e) as to accessory use for secondary Suite in the Small Lot Residential Zone
- All references to Charters Creek be changes to Charter River

The following action items were noted:

- Provide map sections for the Public Hearing
- Provide a copy of the Boat Launch grant application and clarify the funding agreement as to commercial use.

**MOVED** and seconded that Bylaw No. 500, *Sooke Zoning Bylaw, 2011* be introduced and read as amended a first time.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that Bylaw No. 500, *Sooke Zoning Bylaw, 2011* be read a second time as amended.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded to direct staff to schedule a public hearing for November 7, 2011 in accordance with the requirements of the *Local Government Act* and the *Community Charter*.

**CARRIED UNANIMOUSLY**

## **REPORTS REQUIRING ACTION**

### **RA-1 Committee of the Whole Recommendations of October 17, 2011**

Councillor Beech stated that she owns a legal suite and left the meeting at 8:13 p.m.

#### **Secondary and Small Suites Policy**

**MOVED** and seconded to direct staff to proceed with the *Secondary and Small Suites Policy* with the amendment as to 12 months for decommissioning of suites and as to the addition of provisions for septic tanks and fields.

**CARRIED UNANIMOUSLY**

**MOVED** and seconded that Council revisit allowing suites in all zones providing that they meet BC Building Code and municipal parking regulations concurrently with the consideration of the *Secondary and Small Suites Policy*.

**DEFEATED**

Councillor Beech returned to the meeting at 8:15 p.m.

#### **Proposed Road Closure, Removal of Highway Dedication, and Sale of Excess Grant Road Right of Way at 6826 Grant Road**

**MOVED** and seconded to direct staff to proceed with the road closure, removal of highway dedication and sale of undeveloped Grant Road right of way fronting on 6826 Grant Road (Lot 2, Section 23, Sooke District, Plan 1849, Except Parcel A (DD 1273411) and Except part in Plans 47404 and 47833).

**CARRIED UNANIMOUSLY**

### **RA-2 Change of Schedule for November Meetings**

**MOVED** and seconded to cancel the November 28<sup>th</sup>, 2011 Regular Council meeting.

**CARRIED UNANIMOUSLY**

### **RA-3 Community Grant – Food CHI**

**MOVED** and seconded to approve the alternate funding use request from the Sooke Food CHI.

**CARRIED UNANIMOUSLY**

### **RA-4 Amend and Revise Section 219 Covenant; Sun River Estates**

Councillor Dumont stated he has a working relationship with the owner and left the meeting at 8:17 p.m.

**MOVED** and seconded to release Shambrook Hills Dev. Corp. from portions 3.5 (i) and (ii) of *Section 219* covenant ET136519 as it relates to development of the former school site for the development in Sun River Estates and that Council direct staff to prepare a revised *Section 219* covenant with Shambrook Hills Dev. Corp.

**AND TO** hold a public input meeting for the residents of Sunriver.

**CARRIED UNANIMOUSLY**

Councillor Dumont returned to the meeting at 8:38 p.m.

## **REPORTS FOR INFORMATION**

### **RI-1 RCMP Mayor Report – August and September 2011**

**MOVED** and seconded to receive the August and September 2011 RCMP Mayor report for information.

**CARRIED UNANIMOUSLY**

### **RI-2 2008-2011 Legal Costs**

Terrance Martin, resident, inquired as to the Harbourview/OHV. It was explained that they are rolled into one line item expenditure line general government. Mr. Martin commented on the request for legal counsel being premature.

**MOVED** and seconded to receive the 2008-2011 Legal Costs report for information.

**CARRIED UNANIMOUSLY**

### **RI-3 Financial Forecast Report (third quarter)**

Sue-Lin Tarnowski informed Council of the \$150,000 shortfall as a result of a decrease in building permit revenue and reported on the plan to achieve savings through re-designing the connector road and a request for grant money for the multi-use trail.

**MOVED** and seconded to receive the Financial Forecast third quarter report for information.

**CARRIED UNANIMOUSLY**

## **CORRESPONDENCE AND COUNCIL REPORTS FOR INFORMATION**

### **I-1 BC Communities in Bloom**

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

**CARRIED UNANIMOUSLY**

### **I-2 Decoda Literacy Solutions**

**MOVED** to invite the literacy contact in the community to come forward and present the literacy initiatives for Sooke.

**CARRIED UNANIMOUSLY**

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

**I-3 Statistics Canada**

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

**NOTICES OF MOTION**

**NM-1 Mayor to Acknowledge Notice of Motion by Councillor Herb Haldane**

**MOTION** to direct staff to prepare a bylaw to rescind sections 3 and 4 of *Bylaw No. 474, Delegation Bylaw, 2010*.

**ADJOURNMENT**

**MOVED** and seconded to adjourn the meeting at 9:09 p.m.  
**CARRIED UNANIMOUSLY**

**Certified Correct:**

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**Janet Evans**  
**Mayor**

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