



PH-3

**Public Hearing
Information Package**

June 27, 2016 at 7:00 pm

Sooke Council Chamber
2225 Otter Point Road, Sooke, BC

7135 Grant Rd

Proposed Bylaw:	Bylaw No. 643, <i>Zoning Amendment Bylaw (600-29)</i>
Zoning Amendment:	A bylaw to amend Bylaw No. 600, <i>Sooke Zoning Bylaw, 2013</i> for the purpose of amending the zoning on the property legally described as Lot 1, Section 1, Sooke District, Plan 25816 from Large Lot Residential (R1) to Medium Lot Residential Zone (R2).

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| 3. | Council resolution dated June 13, 2016 | 5 |
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| | <ul style="list-style-type: none">• Proposed Plan• Subject Property Map• Orthophoto Map• Referral Agency Comments• Site Analysis Photos• Medium Lot Residential (R2) Zone• Draft Bylaw 643• Draft s. 219 Covenant• Powerpoint Presentation | |

*Please note that written and verbal submissions will
become part of the public record.*



2205 Otter Point Road, Sooke
Phone: 250-642-1634 Fax: 250-642-0541
email: info@sooke.ca
website: www.sooke.ca

NOTICE OF PUBLIC HEARING

The Council of the District of Sooke will hold a Public Hearing pursuant to the provisions of the Local Government Act in the Council Chambers at 2225 Otter Point Road, Sooke, BC on **Monday, June 27, 2016** commencing at 7:00 pm.

Application Information:

Bylaw: Bylaw No. 643, *Zoning Amendment Bylaw (600-29)*
File No: PLN01234
Civic Address: 7135 Grant Road (shown outlined in black and hatched on the subject map)
Legal Description: Lot 1, Section 1, Sooke District, Plan 25816
Applicant: **West Coast Design**
Box 568, Sooke, BC, V92 1H5

Proposal:

The purpose of Bylaw No. 643, *Zoning Amendment Bylaw (600-29)* is to rezone 7135 Grant Road from "Large Lot Residential (R1)" to the proposed "Medium Lot Residential (R2)" zone, which permits the creation of 600 square meter minimum lots when serviced by community sewer. The applicant plans to subdivide the existing property into three smaller lots.

Adoption of Bylaw No. 643 will be subject to a Section 219 Covenant being registered on title with regard to amenity contribution funds offered by the applicant to help offset some of the long term impacts that the increase in density will have on the Grant Road neighbourhood and overall community.

Further Information:

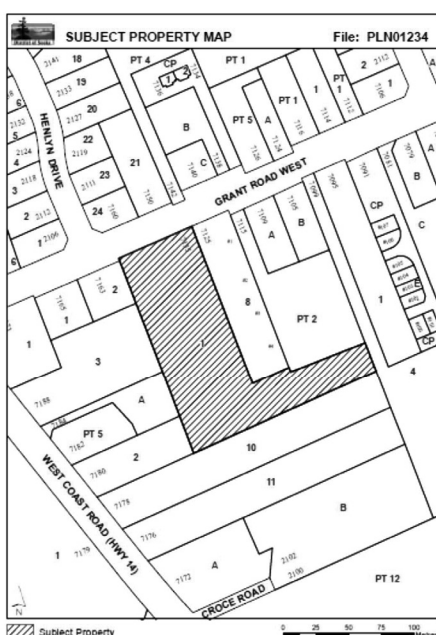
Copies of the bylaw(s), supporting written reports and any relevant background documentation may be viewed in the "Public Notices" section of the District of Sooke website www.sooke.ca or inspected at the District Municipal Offices at 2205 Otter Point Road, Sooke, BC, between the hours of 8:30 am and 4:30 pm, Monday to Friday (excluding statutory holidays), commencing June 15, 2016 to and including June 27, 2016.

Public Input:

All persons who believe their interests in property are affected by the proposed bylaw(s) will be afforded an opportunity to be heard at the Public Hearing on the matters contained in the proposed bylaw(s). Should you have any concerns or comments you wish to convey to Council, please submit in writing by fax to 250-642-0541, email gjoseph@sooke.ca or in person to the Corporate Officer at the District Municipal Offices no later than Monday, June 27, 2016 at 4:00 pm. Please be advised that submissions to Council will become part of the public record.

NOTE: Council cannot receive further information concerning this application after the Public Hearing has concluded.

Gabryel Joseph
Director of Corporate Services





DISTRICT OF SOOKE

BYLAW NO. 643

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on the property legally described as Lot 1, Section 1, Sooke District, Plan 25816 from Large Lot Residential (R1) to Medium Lot Residential Zone (R2).

The Council of the District of Sooke, in open meeting assembled, enacts as follows:

1. This bylaw is cited as *Zoning Amendment Bylaw (600-29)*.
2. Bylaw No. 600, *Sooke Zoning Bylaw, 2013* is amended in **Schedule A** by changing the zoning on the property legally described as Lot 1, Section 1, Sooke District, Plan 25816 as shown outlined in black and hatched on Schedule A from Large Lot Residential Zone (R1) to Medium Lot Residential Zone (R2).

Introduced and read a first time the 13 day of June, 2016.

Read a second time the 13 day of June, 2016.

Public hearing held the _____ day of _____, 2016.

Read a third time the _____ day of _____, 2016.

Approved by Ministry of Transportation and Infrastructure the _____ day of _____, 2016.

Adopted on the _____ day of _____, 2016.

Certified by:

Mayor

Corporate Officer

SCHEDULE "A"



B-3 Bylaw No. 643, Zoning Amendment Bylaw (600-29) - 7135 Grant Road

MOVED E. Logins – B. Parkinson

That Bylaw No. 643, *Zoning Amendment Bylaw (600-29)* be read a first time.

CARRIED

In favour:

Mayor Tait, Councillor Berger, Councillor Kasper, Councillor Logins, Councillor Parkinson, Councillor Pearson, Councillor Reay

MOVED E. Logins – B. Parkinson

That Bylaw No. 643, *Zoning Amendment Bylaw (600-29)* be read a second time.

CARRIED

In favour:

Mayor Tait, Councillor Berger, Councillor Kasper, Councillor Logins, Councillor Parkinson, Councillor Pearson, Councillor Reay

MOVED E. Logins – K. Pearson

That staff be directed to schedule a Public Hearing for Bylaw No. 643, *Zoning Amendment Bylaw (600-29)* in accordance with the requirements of the *Community Charter* and the *Local Government Act*.

CARRIED

In favour:

Mayor Tait, Councillor Berger, Councillor Kasper, Councillor Logins, Councillor Parkinson, Councillor Pearson, Councillor Reay



File No. PLN01234

REQUEST FOR DECISION
Regular Council Meeting
June 13, 2016

To: Teresa Sullivan, Chief Administrative Officer
From: Development Services
Re: **Rezoning Application – 7135 Grant Road**

SUGGESTED ACTION:

THAT COUNCIL give first and second reading to Bylaw No. 643, *Zoning Amendment Bylaw (600-29)*.

AND THAT COUNCIL direct staff to schedule a Public Hearing for Bylaw No. 643 in accordance with the requirements of the *Community Charter* and the *Local Government Act*;

AND FURTHER THAT COUNCIL direct that prior to adoption of Bylaw No. 643, staff ensure that a Section 219 Covenant be registered on the property to address amenity contributions towards the proposed development of the site.

1. Executive Summary:

The applicant has made an application to rezone the 12111 square meter (2.99 acre) Grant Road parcel from Large Lot Residential (R1) to Medium Lot Residential (R2). The owner plans to subdivide the existing property into three lots that could ultimately permit one single family dwelling or a duplex on each lot. The property is serviced with community water and sewer.

2. Background

Grant Road is primarily an area with mixed residential use with a variety of housing types including single family, duplexes, multi-family units and manufactured homes. The neighborhood has seen minimal development over the past 10 years with the ongoing transition from rural to urban development. The subject property is located approximately 1.5 km west of the Sooke Town Centre area, and is serviced by BC Transit buses and Canada Post boxes located at the lot line.

The lot is located on the south side of Grant Road. The proposed lots have been cleared and draining control works have begun on site to service future potential development.

3. Planning Analysis:

SOOKE ZONING BYLAW, 2013 (ZONING BYLAW)

Grant Road is primarily an area with mixed residential use. The overall street is characterized by a variety of housing types including single family, duplexes, multi-family and manufactured homes. The following tables provide an overview of some of the zoning elements related to the site.

Address	7135 Grant Road
Legal	Lot 1, Section 1, Sooke District, Plan 25816
Existing Zoning	Large Lot Residential (R1)
Proposed Zoning	Medium Lot Residential (R2)
OCP Designation	Community Residential (CR)
Parcel Size	2.99 acres = 12111m ²
Services	Water: CRD Water (at lot line) Sewer: District of Sooke Sewer Drainage: To be managed on site
Adjacent Land Uses	North: RU4 & MHP- Rural Residential and Manufactured Home Park South: RU4- Rural Residential East: R1- Large Lot Residential West: RU4- Rural Residential

Present Zoning and Proposed Zoning

ZONING SPECIFICATIONS	PRESENT	PROPOSED
	R1	R2
Minimum Lot Size for Subdivision	1000 m2	600 m2
Maximum Height of Principle Building	12 m	12 m
Maximum height accessory building	9 m	9 m
Maximum Lot Coverage	30%	40%

Referrals

Referrals regarding the proposed application were sent to internal departments and applicable external agencies for their review and comment. No major issues were identified.

Community Amenity Policy

The Developer has agreed to provide a monetary contribution based on single family dwelling density. The base density for the subject property is 14.4 dwelling units. (base density=12 units/ha x 1.2) All dwelling units above the 14.4 base density are recommended to contribute amenities. The amenity contribution will be based on the maximum density permitted under the R2 zone and will be allocated to the District of Sooke Amenity Contribution Fund prior to final approval by the approving officer of the Subdivision of Lands. For further development of any lot into a duplex, the Developer agrees to provide an additional monetary contribution of \$1400.00 per duplex dwelling unit, to be provided before issuance of a building permit.

OFFICIAL COMMUNITY PLAN, 2010 (OCP)

The District of Sooke *Official Community Plan* (OCP) designation for this parcel is *Community Residential* (CR) which encourages low to medium density residential growth along with

appropriately scaled commercial development. *“Residential development is targeted towards the Community Growth Areas, where municipal services can be provided or accessed in an efficient manner.”* This application is consistent with the *Community Residential* designation.

REGIONAL GROWTH STRATEGY (RGS)

The RGS includes strategic initiatives such as “Building Complete Communities” as key directions for the District of Sooke for long-term regional planning within the Capital Regional District. Adding density in sewer serviced areas helps to offset some of the infrastructural costs associated with increased density.

The RGS aims to “manage growth” and “keep urban settlement compact” through the goal of *“locating a minimum of 90 percent of the region’s new dwelling units...within the Regional Urban Containment and Servicing Policy Area”*.

4. Legal Impacts:

The property is presently free and clear of legal encumbrances. Should this application be approved by Council, a section 219 Covenant would be registered on title to address amenity contributions towards the proposed development of the site.

5. Strategic Relevance

From a strategic perspective, this application meets Council’s goal to *“work towards streamlining planning processes and to encourage investment and job growth in the community”*. Rezoning, subdivision and infilling along Grant Road follows the objectives of the OCP.

6. Financial Impacts:

The Developer will be responsible for all costs associated with site improvements. Development of these properties would incur Development Cost Charges (DCC) as outlined by DCC Bylaw No. 202 (2012).

Attached Documents:

The following additional information is provided for your review:

Item	Appendix	Item	Appendix
Proposed Plan	A	Site Analysis Photos	E
Subject Property Map	B	Medium Lot Residential (R2)	F
Orthophoto Map	C	Draft Bylaw No. 643	G
Referral Agency Comments	D	Draft s. 219 Covenant	H

Respectfully Submitted,



Danica Rice, MEDS, MCIP, RPP
Planner II

Approved for Council Agenda
 Development Services
 Corp. Services
Financial Services
 CAO



Appendix B



Appendix C

Appendix D

SUMMARY OF COMMENTS RECEIVED FOR 7135 GRANT ROAD IN RESPONSE TO THE DISTRICT OF SOOKE REFERRAL SENT DECEMBER 17, 2015

REFERRAL SUMMARY	
AGENCY	COMMENTS
Shaw Cable	We have no concerns.
Vancouver Island Health Authority	This office has no objections to the rezoning provided that during the subdivision of the property all lots are serviced by the municipal sewer and drinking water system or referrals are sent to this office to assess each lots capability of sewage disposal and drinking water source.
BC Hydro	Referral Response Letter attached.
Ministry of Transportation	Please consider this email to be an official Ministry response for the proposed rezoning at 7135 Grant Road (Lot 1, Section 1, Sooke District, Plan 25816) from R1 to R2, your file PLN01234, Ministry file 2015-06362. The Ministry has no objections to the proposal and has no additional requirements for approval. Any necessary bylaw certification forms for the rezoning may be forwarded to this office at your convenience. If you require any additional information please feel free to contact me directly.
Canada Post, Sooke	Thank you for the opportunity to review your referral. The additional call will be added to an existing CMB.
BC Transit	Thank you for the opportunity to comment on this application. Please find a referral letter with comments attached. If you have any questions please contact me.
Beecher Bay First Nation	Beecher Bay has no comments or concerns regarding this referral.
CRD Water Department Technical Services Division	Please see attached letter in response to the District of Sooke's referral for 7135 Grant Road.
Sooke School District 62	At this time the School District does not have any concerns with this referral. The catchment schools for this development are, John Muir Elementary, Journey Middle and Edward Milne Secondary.
Fortis BC	We have reviewed the attached documents and do not make note of any conflicts. There are no existing gas pipelines in the area.
T'Souke Nation	T'Sou-ke Nation has no objection to rezoning application 7135 Grant Road to Medium Lot Residential (R2)
Archaeological Inventory Section of Ministry of Forests, Lands and Natural Resource Operations (FLNRO)	<p>Thank you for your referral regarding 7135 Grant Road, PID 002686945, L 1 SEC 1 SOOKE DISTRICT PL 25816. According to Provincial records there are no known archaeological sites recorded on the subject property. However, archaeological potential modeling indicates there is the possibility for unknown/unrecorded archaeological sites to exist on the property.</p> <p>Archaeological sites (both recorded and unrecorded, disturbed and intact) are protected under the Heritage Conservation Act and must not be altered or damaged without a permit from the Archaeology Branch.</p> <p>Prior to any land alterations (e.g., addition to home, property redevelopment, extensive landscaping, service installation), an Eligible Consulting Archaeologist should be contacted to review the proposed activities and, where warranted, conduct a walk over and/or detailed study of the property to determine whether the work may impact protected archaeological materials. An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage permit that allows them to conduct</p>

	<p>archaeological studies. Ask an archaeologist if he or she can hold a permit, and contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists can be contacted through the BC Association of Professional Archaeologists (www.bcapa.ca) or through local directories.</p> <p>If the archaeologist determines that development activities will not impact any archaeological deposits, then a permit is not required. Occupying an existing dwelling or building without any land alterations does not require archaeological study or permitting.</p> <p>In the absence of a confirmed archaeological site, the Archaeology Branch cannot require the proponent to conduct an archaeological study or obtain a permit prior to development. In this instance it is a risk management decision for the proponent.</p> <p>If any land-altering development is planned and proponents choose not to contact an archaeologist prior to development, owners and operators should be notified that if an archaeological site is encountered during development, activities must be halted and the Archaeology Branch contacted at 250-953-3334 for direction. If an archaeological site is encountered during development and the appropriate permits are not in place, proponents will be in contravention of the Heritage Conservation Act and face possible fines and likely experience development delays while the appropriate permits are obtained.</p> <p>Please review the screenshot of the property below (outlined in yellow). If this does not represent the property listed in the data request please contact me.</p>
Environmental Department, Ministry of Forests, Lands and Natural Resource Operations (FLNRO)	<p>On behalf of Grant Bracher, Ecosystem Biologist with the Ministry of Forests, Lands and Natural Resource Operations, the response to the above referral is:</p> <p>"Interests unaffected by proposed rezoning"</p>
RCMP, Sooke Detachment	No issues from the Sooke RCMP thanks.
Telus Communications	No problem. No objections here.
Sooke Fire Department	It would appear that based on the size of this property that the travel distance from the existing fire hydrants on Grant Road to some areas of this site are beyond the acceptable distance. As such it is unlikely that some sections of the site will qualify as hydrant protected without the installation of additional hydrant(s) at approved intervals. (200m spacing for residential)
District of Sooke Engineering	See letter attached regarding roadside improvements.
District of Sooke Planning/ Subdivision	There is a 2 lot subdivision proposal in progress on this property. The 2 lots being adjacent to Grant Road. Storm water drainage is being addressed for these lots only. An overall storm water drainage plan was prepared for the potential development of the entire property . The plan prepared gave a couple of options on how to facilitate storm water, but has not been accepted by the DOS.

Appendix E Site Analysis Photos



Appendix F

Schedule 201 – Medium Lot Residential (R2)

Medium Lot Residential

R2

202.1 Purpose: This zone is intended to apply to those residential parcels of land designated as Community Residential that are within the Sewer Specified Area.

202.2 Permitted Uses:

Principal Uses:

- a) Horticulture
- b) Single family dwelling or one duplex per lot

Accessory Uses:

- c) Bed and breakfast
- d) Boarding and lodging
- e) Home-based business
- f) One secondary suite or one small suite on a lot with a single family dwelling
- g) Vacation accommodation unit

202.3 Minimum Lot Size for Subdivision Purposes: 600 m²

202.4 Minimum Width for Subdivision Purposes: 15 m

202.5 Maximum Height:

- a) Principal Buildings: 3 storeys up to a maximum height of 12 metres *(added by Bylaw No. 584 adopted February 11, 2014)*
- b) Accessory Buildings: 9 m

202.6 Maximum Lot Coverage: 40%

202.7 Minimum Setbacks:

Use	Front Lot Line	Flanking Lot Line	Side Lot Line	Rear Lot Line	Lane Lot Line
Principal Building or Structure	4.5 m – house portion 6 m – garage/ carport portion	4.5 m	1.2 m	4.5 m	4.5 m
Accessory Building or Structure – 1 storey	7.5 m	4.5 m	1.2 m	1.5 m	0 m
Accessory Building or Structure – 2 storey	7.5 m	4.5 m	2 m	2 m	0 m



Appendix G

DISTRICT OF SOOKE

BYLAW No. 643

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on the property legally described as Lot 1, Section 1, Sooke District, Plan 25816 from Large Lot Residential (R1) to Medium Lot Residential Zone (R2).

The Council of the District of Sooke, in open meeting assembled, enacts as follows:

1. This bylaw is cited as *Zoning Amendment Bylaw (600-29)*.
2. Bylaw No. 600, *Sooke Zoning Bylaw, 2013* is amended in **Schedule A** by changing the zoning on the property legally described as Lot 1, Section 1, Sooke District, Plan 25816 as shown outlined in black and hatched on Schedule A from Large Lot Residential Zone (R1) to Medium Lot Residential Zone (R2).

Introduced and read a first time the day of , 2016.

Read a second time the day of , 2016.

Public hearing held the day of , 2016.

Read a third time the day of , 2016.

Approved by Ministry of Transportation and Infrastructure the day of , 2016.

Adopted on the day of , 2016.

Certified by:

Mayor

Corporate Officer

SCHEDULE "A"



Appendix H

TERMS OF INSTRUMENT – PART 2
SECTION 219 COVENANT

THIS AGREEMENT, dated for reference _____, 2016 is made
BETWEEN:

**Martin Swift,
7135 Grant Road
Sooke, BC,
VoS 1NO**

(the "Owner")

AND:

DISTRICT OF SOOKE, a municipality incorporated under
the Local Government Act, R.S.B.C. 1996, c.323 and having
its office at 2205 Otter Point Road, Sooke, BC V9Z 1J2
(the "Municipality")

GIVEN THAT:

- A. ***The Owner is the registered Owner in fee simple of the land in Sooke, British Columbia, legally described as:***
Lot 1, Section 1, Sooke District, Plan 25816
(the "Land");
- B. ***The Owner proposes to develop the Land for service residential use;***
- C. ***The Owner has requested the Municipality to adopt Bylaw No. 643, Zoning Amendment Bylaw (600-29) (the "Rezoning Bylaw") rezoning the Land to permit the development proposed by the Owner, and***
- D. ***The Council of the Municipality has determined that the adoption of the Rezoning Bylaw would, but for the covenants contained in this Agreement, not be in the public interest; and the Owner therefore wishes to grant pursuant to s.219 of the Land Title Act, and the Municipality wishes to accept, the covenants over the Land that are set out in this Agreement;***

THIS AGREEMENT is evidence that in consideration of payment of \$1.00 by the Municipality to the Owner (the receipt of which is acknowledged by the Owner), the Owner grants to the Municipality in accordance with s.219 of the Land Title Act the following covenants:

1. The Owner covenants and agrees with the Municipality that:
 - (a) The Land must not be redeveloped beyond its current use;
 - (b) The Land must not be subdivided;

- (c) **Development of the Land, including by construction or placement of any building or structure on the Land is prohibited with exception of a temporary construction or real estate marketing office or improvements to existing structures;**
 - (d) **No building permit may be applied for, and the Municipality is not obliged to issue any building permit, in respect of the Land; and**
 - (e) **No occupancy permit may be applied for, and the Municipality is not obliged to issue any occupancy permit, in respect of the Land,**
unless the use, subdivision, development, building or occupancy is in accordance with the Schedule of Restrictions attached as Schedule A.
2. Any opinion, decision, act or expression of satisfaction of the Municipality provided for in this Agreement is to be taken or made by the Municipality's Municipal Engineer or his or her delegate authorized as such in writing, in each case acting reasonably.
 3. The Owner may, after the Rezoning Bylaw is adopted, request a discharge of any particular covenant granted in this Agreement in respect of any parcel into which the Land may be subdivided, and the Municipality shall execute and deliver a discharge in respect of any such covenant that has been, in the Municipality's opinion, fully satisfied by the Owner.
 4. The Owner releases, and must indemnify and save harmless, the Municipality, its elected and appointed officials and employees, from and against all liability, actions, causes of action, claims, damages, expenses, costs, debts, demands or losses suffered or incurred by the Owner, or anyone else, arising from the granting or existence of this Agreement, from the performance by the Owner of this Agreement, or any default of the Owner under or in respect of this Agreement.
 5. The parties agree that this Agreement creates only contractual obligations and obligations arising out of the nature of this document as a covenant under seal. The parties agree that no tort obligations or liabilities of any kind exist between the parties in connection with the performance of, or any default under or in respect of, this Agreement. The intent of this section is to exclude tort liability of any kind and to limit the parties to their rights and remedies under the law of contract and under the law pertaining to covenants under seal.
 6. The rights given to the Municipality by this Agreement are permissive only and nothing in this Agreement imposes any legal duty of any kind on the Municipality to anyone, or obliges the Municipality to enforce this Agreement, to perform any act or to incur any expense in respect of this Agreement.
 7. Where the Municipality is required or permitted by this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent, the Owner agrees that the Municipality is under no public law duty of fairness or natural justice in that regard and agrees that the Municipality may do any of those things in the same manner as if it were a private party and not a public body.
 8. This Agreement does not:

- (a) affect or limit the discretion, rights or powers of the Municipality under any enactment (as defined in the Interpretation Act, on the reference date of this Agreement) or at common law, including in relation to the use of the Land,**
 - (b) affect or limit any enactment related to the use of the Land, or**
 - (c) relieve the Owner from complying with any enactment, including in relation to the use of the Land.**
- 9. Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted under s.219 of the Land Title Act in respect of the Land and this Agreement burdens the Land and runs with it and binds the successors in title to the Land. This Agreement burdens and charges all of the Land and any parcel into which it is subdivided by any means and any parcel into which the Land is consolidated. The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered Owner of the Land.
- 10. The Owner agrees to do everything reasonably necessary, at the Owner's expense, to ensure that this Agreement is registered against title to the Land with priority over all financial charges, liens and encumbrances registered, or the registration of which is pending, at the time of application for registration of this Agreement.
- 11. An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach in respect of which the waiver is asserted. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.
- 12. If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- 13. This Agreement is the entire agreement between the parties regarding its subject.
- 14. This Agreement binds the parties to it and their respective successors, heirs, executors and administrators.
- 15. The Owner must do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instrument.
- 16. By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

As evidence of their agreement to be bound by the terms of this instrument, the parties hereto have executed the Land Title Office Form C that is attached hereto and forms part of this Agreement.

SCHEDULE "A"

SCHEDULE OF RESTRICTIONS

1. The Developer covenants and agrees to provide the District's Municipal Engineer and Municipal Planner, a monetary contribution based on single family dwelling density. The contributions will be allocated to the District of Sooke Amenity Contribution Fund prior to final approval by the approving officer of the Subdivision of Lands.
2. For further development of any lot into a duplex, the Developer covenants and agrees to provide the District's Municipal Engineer and Municipal Planner, an additional monetary contribution of \$1400.00 per duplex dwelling unit, to be provided before issuance of a building permit.
3. The amenity contributions will be made in accordance with the following schedule:

Phase of development	Amount of Contribution
Prior to final approval by the approving officer of the Subdivision of Lands	\$28,000.00
Building permit phase for a duplex	\$1400.00



7135 GRANT ROAD

REZONING APPLICATION

June 13th, 2016

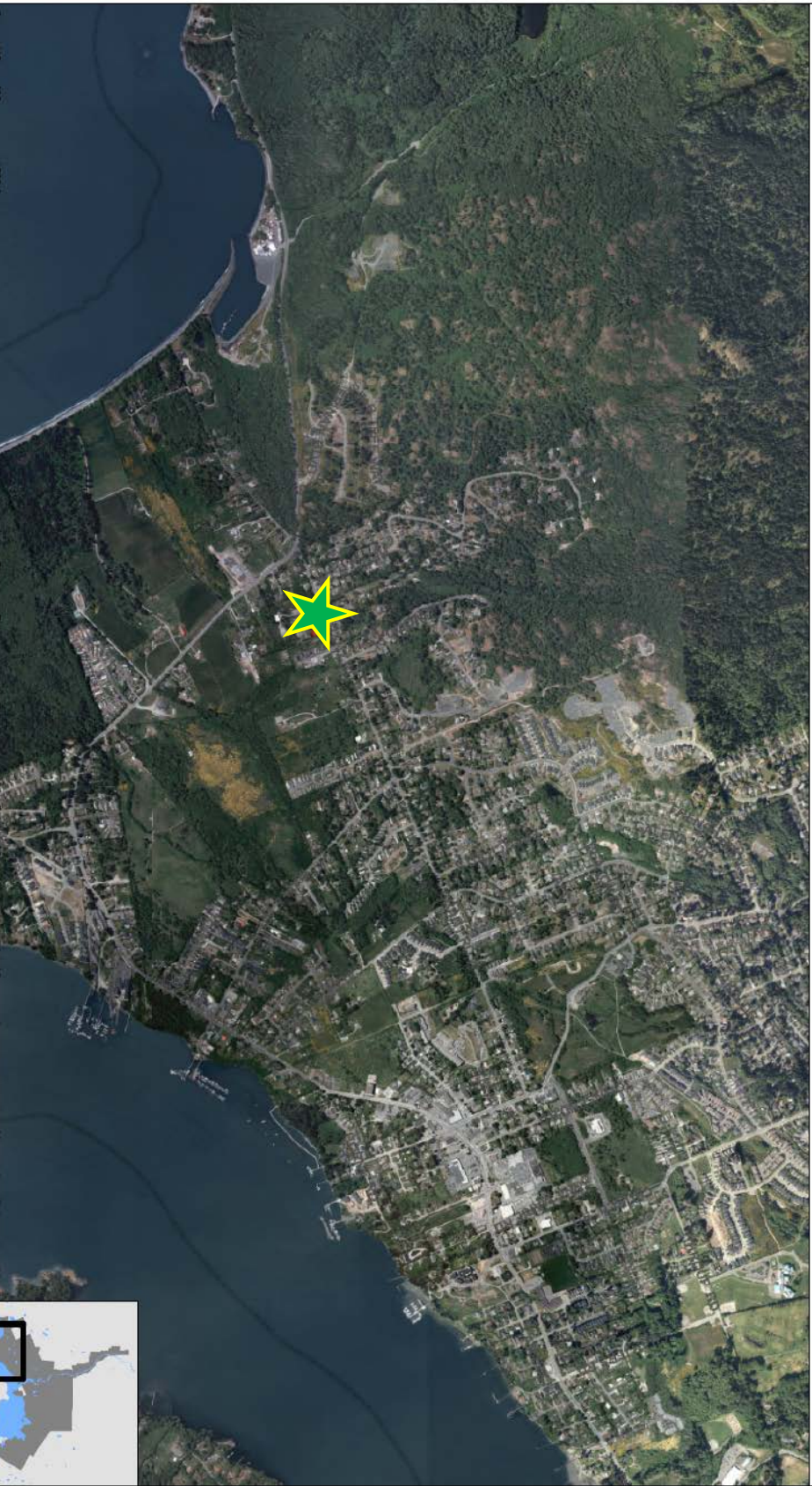
1st and 2nd
Reading

SITE LOCATION



District of Sooke

March 7, 2016
12:14:57 PM



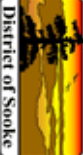
EXECUTIVE SUMMARY



The applicant has made an application to rezone the 12111 square meter (2.99 acre) Grant Road parcel from Large Lot Residential (R1) to Medium Lot Residential (R2).

The owner plans to subdivide the existing property into three lots that could ultimately permit one single family dwelling or a duplex on each lot. The property is serviced with community water and sewer.

Address	7135 Grant Road
Legal	Lot 1, Section 1, Sooke District, Plan 25816
Existing Zoning	Large Lot Residential (R1)
Proposed Zoning	Medium Lot Residential (R2)
OCP Designation	Community Residential (CR)
Parcel Size	2.99 acres = 12111m ²
Services	Water: CRD Water (at lot line) Sewer: District of Sooke Sewer Drainage: To be managed on site under a rainwater management plan
Adjacent Land Uses	North: RU4 & MHP- Rural Residential and Manufactured Home Park South: RU4- Rural Residential East: R1- Large Lot Residential West: RU4- Rural Residential



**PROPOSED REZONING APPLICATION OF LOT 1, SECTION 1,
SOOKE DISTRICT, PLAN 25816.**

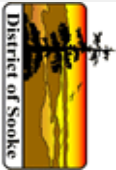


PAGE 2

ADJACENT ZONINGS AND LAND USE



ZONING SPECIFICATIONS		PRESENT	PROPOSED
Minimum Lot Size for Subdivision		1000 m2	600 m2
Maximum Height of Principle Building		12 m	12 m
Maximum height accessory building		9 m	9 m
Maximum Lot Coverage		30%	40%



ZONING AMENDMENT

Schedule 201 – Medium Lot Residential (R2)

Medium Lot Residential

R2

202.1 Purpose: This zone is intended to apply to those residential parcels of land designated as Community Residential that are within the Sewer Specified Area.

202.2 Permitted Uses:

Principal Uses:

- a) Horticulture
- b) Single family dwelling or one duplex per lot

Accessory Uses:

- c) Bed and breakfast
- d) Boarding and lodging
- e) Home-based business
- f) One secondary suite or one small suite on a lot with a single family dwelling
- g) Vacation accommodation unit

202.3 Minimum Lot Size for Subdivision Purposes: 600 m²

202.4 Minimum Width for Subdivision Purposes: 15 m

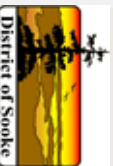
202.5 Maximum Height:

- a) Principal Buildings: 3 storeys up to a maximum height of 12 metres (added by Bylaw No. 584 adopted February 11, 2014)
- b) Accessory Buildings: 9 m

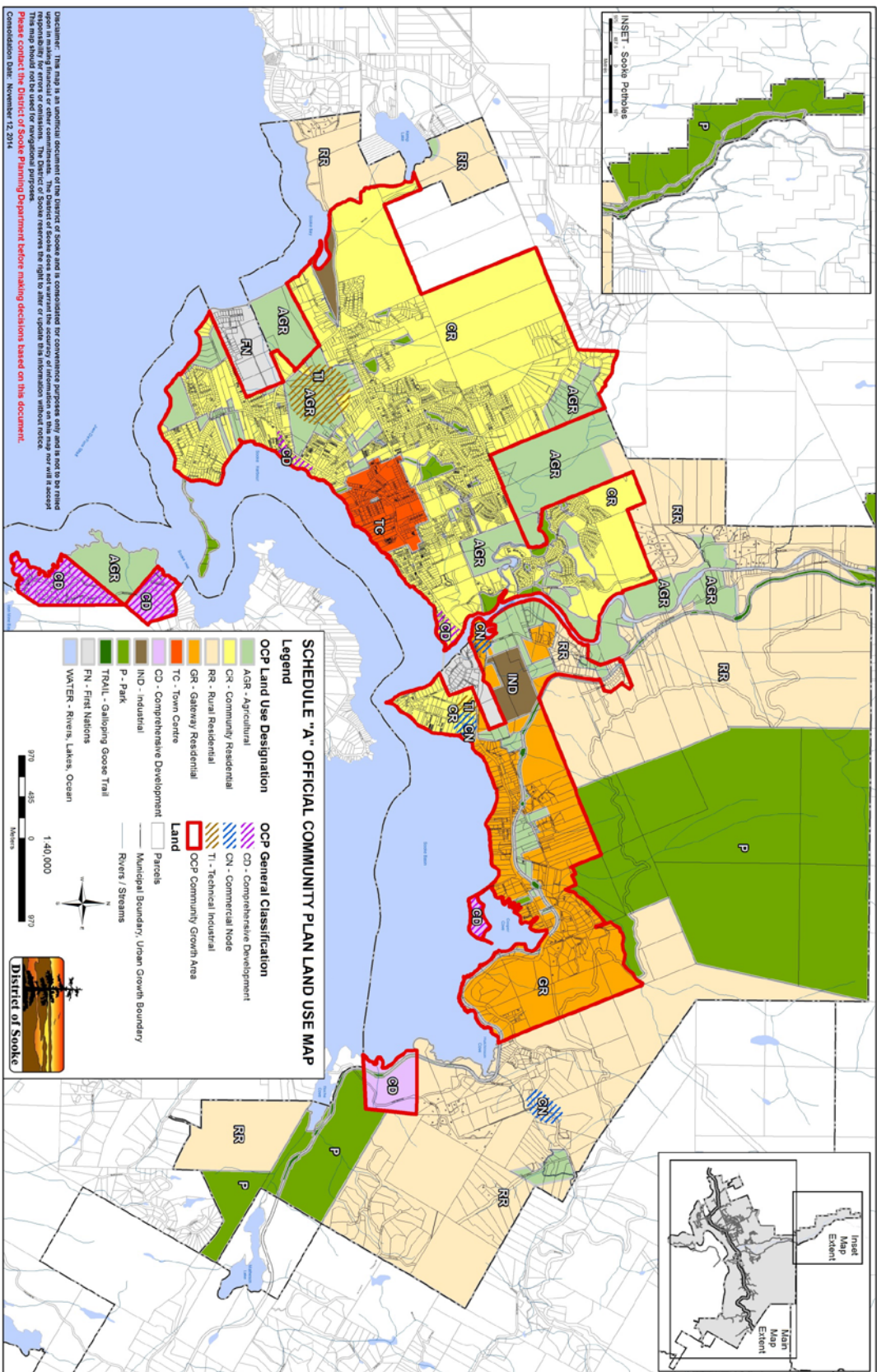
202.6 Maximum Lot Coverage: 40%

202.7 Minimum Setbacks:

Use	Front Lot Line	Flanking Lot Line	Side Lot Line	Rear Lot Line	Lane Lot Line
Principal Building or Structure	4.5 m – house portion 6 m – garage/ carport portion	4.5 m	1.2 m	4.5 m	4.5 m
Accessory Building or Structure – 1 storey	7.5 m	4.5 m	1.2 m	1.5 m	0 m
Accessory Building or Structure – 2 storey	7.5 m	4.5 m	2 m	2 m	0 m



OFFICIAL COMMUNITY PLAN



OFFICIAL COMMUNITY PLAN

COMMUNITY RESIDENTIAL DESIGNATION (CR) Section 5.5

The Community Residential (CR) designation provides support for;

"low to medium density residential growth along with some associated and appropriately-scaled commercial development. Residential development is targeted towards the Community Growth Areas, where municipal services can be provided or accessed in an efficient manner. All new development shall be challenged by the creation of a District of Sooke "build green" checklist.. "



33

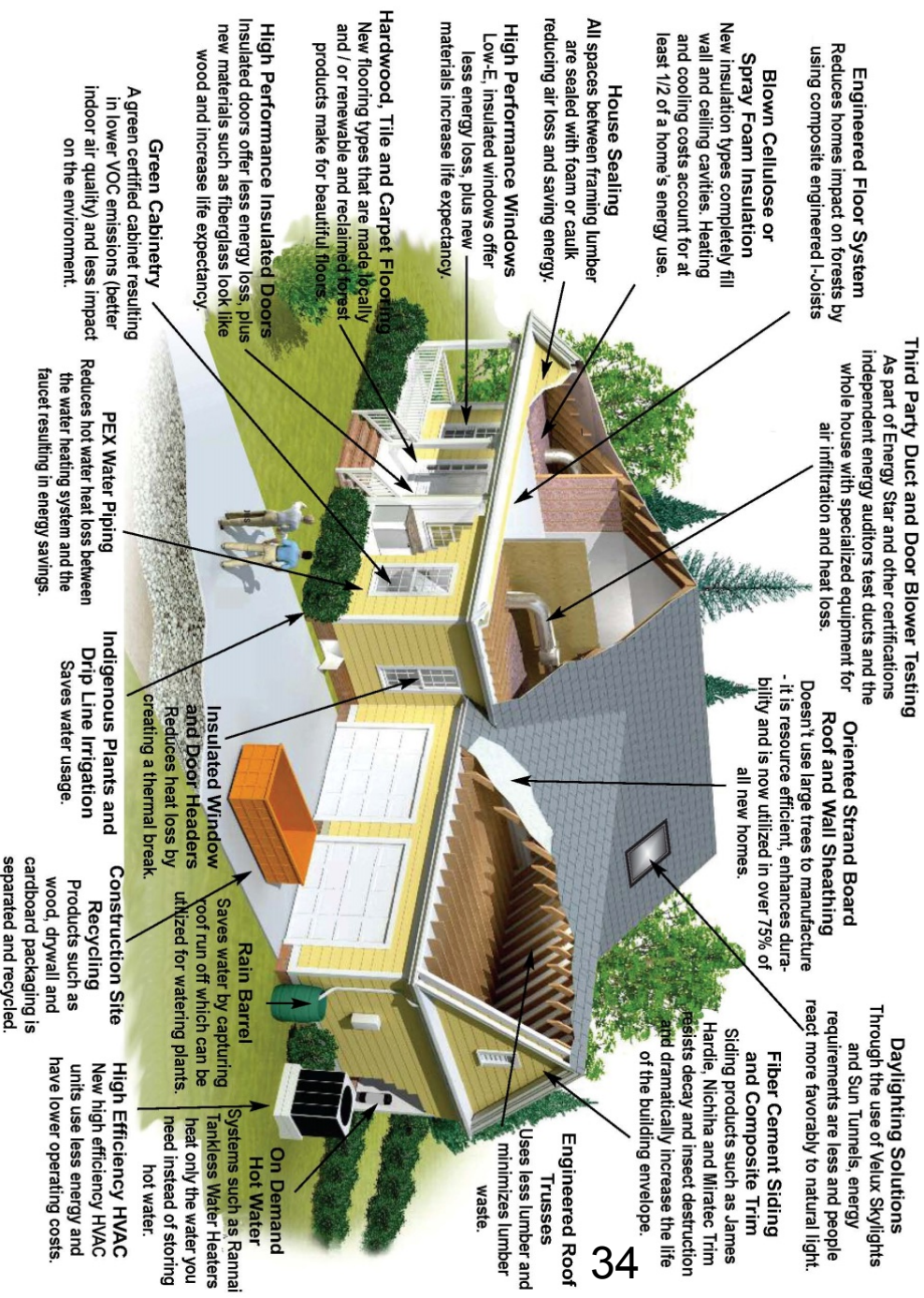
Examples of small lot houses



OCP DPA #2 COMMUNITY GROWTH AREA GOALS:

- Promote a high level of design and design creativity for buildings in the CGA
- Integrate innovations for building and site design that promotes green and sustainable developments
- Promote excellent pedestrian connectivity throughout the district and within new developments
- Protect development from slope instability

Here are just a few things we can do to enhance your new home...



NEIGHBOURHOOD ANALYSIS

NEIGHBOURHOOD DESIGN OBSERVATIONS:

- Mix of architectural styles from vacant land to Manufactured Home Parks
- Range of 60's, 70's, 80's, 90's infill housing patterns
- Affordable housing opportunities
- Some rental units and suites
- Straight road, 1.5 k from town
- Post boxes nearby
- Serviced by bus system
- Mainly new R2 housing in the area (consistent with what applicant is asking for)
- Many new applications within close proximity to the site have filed for rezoning (mostly R3)
- OCP supports growth and densification to offset the cost of existing sewer infrastructure

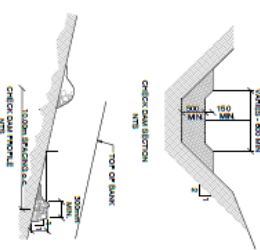


SITE ANALYSIS

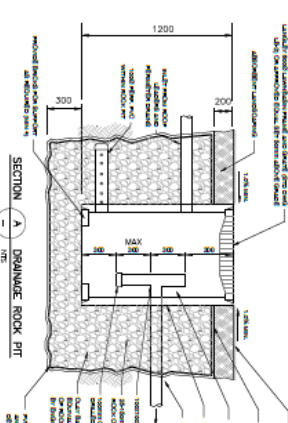


SITE DESIGN OBSERVATIONS:

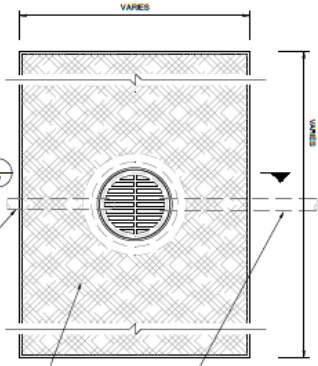
- **SLOPE:** Sloping lot with initial drop from Sooke Road.
- **SITE COVER:** Site was formerly covered with trees and has been cleared to begin development activities
- **LOT CONFIGURATION:** New lots have been prepared and include site leveling and new drainage works.
- **DRAINAGE:** An engineering report has been prepared that provides a rainwater management plan that will be implemented at subdivision if this application is approved.



DETAIL 1 TYPICAL STONE CHECK DAM
- NTS



- **NOTE:**
- **EVALUATION AND SUBMISSION OF WORKS TO E**



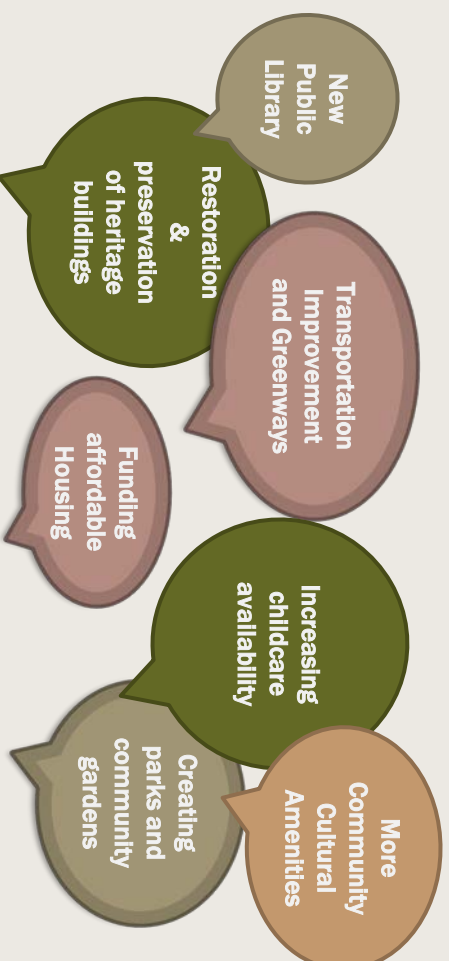
DETAIL 2 DRAINAGE ROCK PT
- NTS

[illegible]

LEGAL IMPLICATIONS

Community Amenity Policy

The Developer has agreed to provide a monetary contribution based on single family dwelling density. The base density for the subject property is 14.4 dwelling units. (base density=12 units/ha x 1.2) All dwelling units above the 14.4 base density are recommended to contribute amenities.



The property is presently free and clear of legal encumbrances.

Should this application be approved by Council, a section 219 Covenant would be registered on title to address amenity contributions towards the proposed development of the site.

STAFF RECOMMENDATION

THAT COUNCIL give first and second reading to Bylaw No. 643, *Zoning Amendment Bylaw (600-29)*.

AND THAT COUNCIL direct staff to schedule a Public Hearing for Bylaw No. 643 in accordance with the requirements of the *Community Charter* and the *Local Government Act*;

AND FURTHER THAT COUNCIL direct that prior to adoption of Bylaw No. 643, staff ensure that a *Section 219 Covenant* be registered on the property to address amenity contributions towards the proposed development of the site.

AND FURTHER THAT COUNCIL authorize the Mayor and Chief Administrative Officer to execute the *Section 219 Covenant*.

