



**Public Hearing
Information Package**

September 28, 2015 at 7:00 pm
Sooke Council Chamber
2225 Otter Point Road, Sooke, BC

6431 Sooke Road

Proposed Bylaw:	Bylaw No. 620, <i>Zoning Amendment Bylaw (600-18)</i>
Zoning Amendment:	A bylaw to amend Bylaw No. 600, <i>Sooke Zoning Bylaw, 2013</i> for the purpose of amending the zoning on a portion of the property located at 6431 Sooke Road from Large Lot Residential (R1) to Small Lot Residential (R3).

Information Package Contents:

	Page #
1. Notice of Public Hearing published in Sooke News Mirror September 16 th and September 23 rd , 2015.	1
2. Bylaw No. 620, <i>Zoning Amendment Bylaw (600-18)</i> at second reading.	3
3.. Council Resolution dated September 14, 2015 as to Bylaw No. 620.	5
4. Staff Report to Council dated September 14, 2015:	7
• Application Summary	
• Referral Agency Comments	
• Subject Property Map	
• Small Lot Residential (R3) Zone	
• Draft Bylaw No. 620	

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



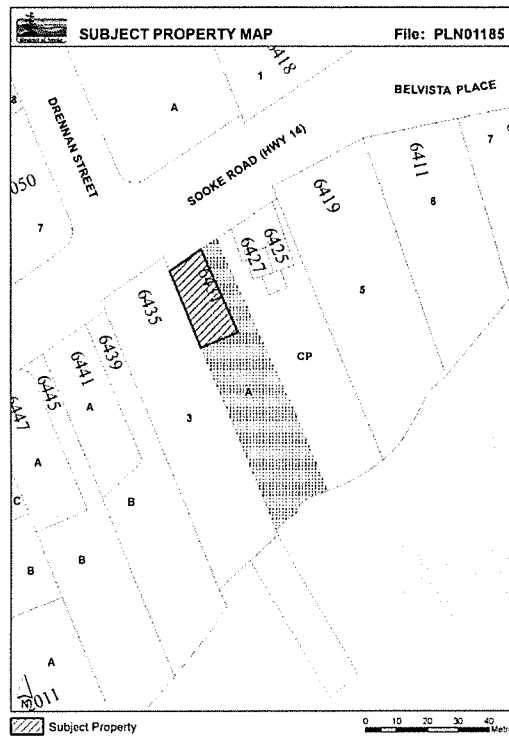
2205 Otter Point Road, Sooke
Phone: 250-642-1634 Fax: 250-642-0541
email: info@sooke.ca
website: www.sooke.ca

NOTICE OF PUBLIC HEARING

Public Hearings will be held in the Sooke Council Chambers at 2225 Otter Point Road, Sooke, BC on **Monday September 28, 2015 at 7:00 pm** to hear presentations on the following proposed bylaw:

Bylaw No. 620, Zoning Amendment Bylaw (600-18)

The intent and purpose of Bylaw No. 620, *Zoning Amendment Bylaw (600-18)* is to amend the zoning on a portion of the property at 6431 Sooke Road, legally described as Lot A, Section 14, Sooke District, Plan VIP88314 (PID 028-349-377) from Large Lot Residential (R1) to Small Lot Residential (R3) in order to create an additional 350m² residential parcel. The portion of the property at 6431 Sooke Road affected by this application is shown outlined in black and hatched on the attached subject property map.



All persons who believe their interests in property are affected by these proposed bylaws shall be afforded an opportunity to be heard or to present written submissions before Council on the matters contained in the proposed bylaws at the above time and place. If you are unable to attend the hearing, we ask that written submissions be provided prior to the close of the public hearing. Please be advised that submissions to Council will become part of the public record.

Copies of the proposed bylaws, and application, may be inspected at the offices of the District of Sooke Planning Department, 2205 Otter Point Road, Sooke, BC, between the hours of 8:30 am and 4:30 pm, Monday to Friday (excluding statutory holidays), commencing from September 16, 2015 to and including September 28, 2015.

If you have any questions regarding this application, please contact the Planning Department at (250) 642-1634.



DISTRICT OF SOOKE

BYLAW No. 620

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on a portion of the property located at 6431 Sooke Road from Large Lot Residential (R1) to Small Lot Residential (R3).

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

1. This bylaw is cited as *Zoning Amendment Bylaw (600-18)*.
2. Bylaw No. 600, *Sooke Zoning Bylaw, 2013* is amended in Schedule A by changing the zoning on a portion of the property legally described as Lot A, Section 14, Sooke District, Plan VIP88314, as shown outlined in black and shaded with hatching on Schedule A to this bylaw from Large Lot Residential (R1) to Small Lot Residential (R3).

Introduced and read a first time the 14th day of September, 2015

Read a second time the 14th day of September, 2015

Public hearing held the day of , 2015

Read a third time the day of , 2015

Approved by the Ministry of Transportation the day of , 2015

Adopted on the day of , 2015

Maja Tait,
Mayor

Gord Howie,
Chief Administrative Officer

SCHEDULE A



B-2 Bylaw No. 620, Zoning Amendment Bylaw (600-18) – 6431 Sooke Road

MOVED and seconded that Bylaw No. 620, *Zoning Amendment Bylaw (600-18)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 620, *Zoning Amendment Bylaw (600-18)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded to schedule a Public Hearing for Bylaw No. 620, *Zoning Amendment Bylaw (600-18)* in accordance with the requirements of the *Community Charter* and the *Local Government Act*.

CARRIED UNANIMOUSLY



File No. PLN01185

REQUEST FOR DECISION

Regular Council Meeting
September 14, 2015

To: Gord Howie, Chief Administrative Officer
From: Planning Department
Re: **Rezoning Application – 6431 Sooke Road**

SUGGESTED ACTION:

THAT COUNCIL introduce and give first and second reading to Bylaw No. 620, *Zoning Amendment Bylaw (600-18)*;

AND schedule a Public Hearing for Bylaw No. 620, *Zoning Amendment Bylaw (600-18)* in accordance with the requirements of the *Community Charter* and the *Local Government Act*.

1. **Executive Summary:**

The purpose of this application is to rezone a portion of the property at 6431 Sooke Road from Large Lot Residential (R1) to Small Lot Residential (R3) in order to create one new parcel with a minimum lot size of 350m². The entire property is approximately 0.43 acres (1728m²) in size, and is located within the Sewer Specified Area.

2. **Background:**

The subject property is located on the south side of Sooke Road and extends down to the Sooke Harbour. The property contains an existing house and a small shed. The applicant is proposing to create one additional lot of approximately 350m² that will have frontage along Sooke Road. The remainder lot will remain R1, and continue to meet the minimum lot size of 1000m² for that zone.

The property currently shares an access point onto Sooke Road with the neighbouring property by way of easement. The proposed new lot will also share this access point.

There is a covenant area shown on the site plan, which is an area where no structure may locate without permission from the Ministry of Transportation and Infrastructure (MoTI). There is still a significant portion of land within the proposed new lot that will be buildable.

3. Analysis:

The property is within the Sewer Specified Area, and is designated Community Residential in the *Official Community Plan, 2010* (OCP). The proposal is consistent with the policies and objectives of the *Community Residential* designation, where municipal services can be accessed in an efficient manner.

Referrals of the proposed project were sent to internal departments and applicable external agencies for their review and comment. No major issues were identified. The referral summary is attached for reference.

A. Sooke Official Community Plan 2010 (OCP)

The OCP designates the property as *Community Residential* (CR) and it falls within the *Community Growth Area* (CGA). The goals of this designation are to ensure sustainable single family and multiple family construction, reduce sprawl, and provide municipal services in an efficient manner so that there is minimal impact on municipal infrastructure. The following are relevant sections of the OCP that support this rezoning application:

4.3 ENERGY AND CLIMATE CHANGE

4.3.3 (f) Create contiguous development (avoiding gaps of undeveloped properties);

4.6 HEALTH AND QUALITY OF LIFE

4.6.2 (d) Create safe, walkable neighbourhoods;
(h) Reduce Sooke's travel dependence on the automobile;

5.1 COMMUNITY RESIDENTIAL

5.1.2(a) Provide a range of high quality housing types, tenures and densities, which can meet the diverse needs of, and attract individuals and families of varying income levels and demographics;
(d) Provide the most efficient use of land and existing infrastructure in terms of infill/densification;
(f) Primarily concentrate new residential development in existing areas or Neighbourhoods prior to expanding into new areas;
(g) Require safe and formalized pedestrian access to services from all residential Areas, including connections to amenities and commercial service areas;
(k) Allow for a variety of housing options within new and existing residential areas

Provision of infill of an additional lot is a compatible use with surrounding development and helps to avoid gaps of undeveloped properties.

Rezoning this property will facilitate the creation of one small residential lot in an area of Sooke that is within walking distance to all town centre services (retail, library, medical), Sooke Elementary School, SEAPARC, and is well situated for residents to use public transit.

The existing neighbourhood contains primarily single family residential uses. This proposal intensifies the land use in a sustainable manner, as there is existing infrastructure in place to service the site. The proposed lot will have good access to transit services, and is located within walking distance to many services in the community.

4. Legal Impacts:

There is an existing covenant affecting the area to be rezoned. The covenant is with MoTI and the District, and restricts a portion of the property (parallel with Sooke Road) as a no-build area. The covenant still allows adequate area for constructing a dwelling, however, the owner will need to design on the site with the covenant in mind.

A contribution under the *Community Amenity Contribution Policy* is not triggered by the proposed rezoning, as the owner could not create more than four new residential units on the land following an approved rezoning. Therefore, no amenity contribution has been discussed with the applicant.

5. Strategic Relevance:

Providing infill development in an area with infrastructure in place shows support for sustainable development and SMART growth, as well as long-term fiscal responsibility, as more people will be sharing in the costs associated with capital infrastructure, such as sewer.


6. Financial Impacts:

The Developer will be responsible for all costs associated with site improvements, and all works will be in accordance with Bylaw No. 404, *Subdivision and Development Standards Bylaw, 2014*.

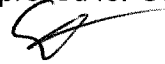



Attached Documents:

- 1. Application Summary
- 2. Referral Agency comments
- 3. Subject Property Map
- 4. Small Lot Residential (R3) Zone
- 5. Draft Bylaw No. 620

Respectfully Submitted,



 Katherine Lesyshen, MCIP, RPP
 Planner II

Approved for Council Agenda	
	
Engineering	Planning
	
Corp. Services	Finance
	
CAO	

Application Summary

Address	6431 Sooke Road
Legal	Lot A, Section 14, Sooke District, Plan VIP88314
Existing Zoning	Large Lot Residential (R1)
Proposed Zoning	Small Lot Residential (R3)
Current OCP	Community Residential
Parcel Size	0.43 acres = 1728 m ²
Services	Water: CRD Water Sewer: Municipal Sewer Drainage: On-site
Adjacent Land Uses	North: Residential South: Sooke Harbour East: Residential West: Residential

Present Zoning and Proposed Zoning

	R1	R3
Minimum Lot Size for Subdivision	1000m ²	350m ²
Maximum Height of Principle Building	3 Storeys up to a maximum height of 12m	10.5m
Maximum height accessory building	9 m	4m
Maximum Lot Coverage	30%	45%

**SUMMARY OF COMMENTS RECEIVED FOR 6431 Sooke Road
IN RESPONSE TO DISTRICT OF SOOKE REFERRAL SENT June 25, 2015**

EXTERNAL REFERRALS	
Agency	Comments
EPCOR	<ol style="list-style-type: none"> 1) Typically an LPS connection is done with use of a vac truck on nearest BO/PO port and also (upstream) branch connection (isolation valve) in this section, the upstream properties should be contacted and asked not to use water appliances during connection process and vac truck positioned at point of new connection. 2) As for future serviceability, the typical municipal connection, when constructed as per detail on Map #29 of as built, there are no concerns. 3) EPCOR should be onsite to witness connection.
BC Hydro	No objections to the rezoning application.
Ministry of Transport and Infrastructure	<p>The ministry has no objections in principle to the proposed rezoning for the intended creation of a single family lot. The following points of clarification are made</p> <ul style="list-style-type: none"> - The Ministry will conduct a standard subdivision application review for the new proposed lot when an application is made. - Approval of this rezoning does not constitute approval of any future subdivision applications. - Approval of this rezoning does not constitute approval of any future controlled access permit applications. <p>Please forward the certified bylaw forms to our office for completion at your convenience. Please reference Ministry file number 2015-03866.</p>
Canada Post	No response.
BC Transit	No concerns
Beecher Bay	No response.
CRD Water	<p>If the CRD receives an appropriate application to supply water, and if the Owner(s) is prepared to pay the necessary costs and fees as authorized under CRD Bylaw No. 3889, community piped water can be supplied to this proposed subdivision, subject to the following:</p> <ol style="list-style-type: none"> 1. The Owner(s) pays all applicable connection fees for the new lot created by this subdivision. The existing dwelling is presently provided with water through a 12mm (1/2") service connection located at the frontage of the proposed Lot 1. The Owner(s) pays to upgrade the existing non-conforming 12 mm service to 19 mm (3/4") service to comply with current minimum service standards. A new service connection shall be installed at the frontage of proposed Remainder Lot A on Sooke Road. 2. The Owner(s) pays for the supply and installation of a fire hydrant(s), if required, in a location approved by the District of Sooke Fire Department and CRD Integrated Water Services. 3. The Owner(s) shall be responsible for all additional or extraordinary costs for any procedure deemed necessary by the CRD for the installation of the water service connections noted above. Procedures requiring additional costs may include, but are not limited to the following: <ul style="list-style-type: none"> • Auguring or boring under the pavement where the authority having jurisdiction will not grant permission to open cut the pavement. • Cutting and restoration of pavement in excess of a width of 11m; or where

	<p>the authority having jurisdiction requires asphalt restoration of a thickness in excess of 100mm; or for a width in excess of the trench width.</p> <ul style="list-style-type: none"> • Drilling and blasting of rock. • Archeological monitoring of the excavation site. <p>The hydraulic computer model maintained by the CRD shows that a fire flow of 15,000 L/min (3,300 gpm) with at least 138 kPa (20 psi) residual pressure is presently available to this subdivision in the water main adjacent to the fire hydrant (SFD026) located at the intersection of Sooke Road and Drennan Street.</p> <p>In stating the fire flow available, the CRD expresses no opinion as to the adequacy of the stated fire flow to provide fire protection and if applicable, recommends that the Owner(s) take the appropriate steps to confirm the available fire flow by means of a field hydrant flow test (if required the hydrant flow test will be carried out by CRD staff at the Owner(s) expense). The Owner's Engineer will be required to calculate the fire flow requirements (to Fire Underwriters Survey (FUS) standards) for the development and confirm in writing to both the CRD and the District of Sooke that the available flow from the CRD system is sufficient. It is recommended the Owner's Engineer contact the District of Sooke to discuss hydrant location and orientation. If an increase in the level of fire protection is required to meet CRD Engineering Specifications and Standard Drawings, FUS or to meet the requirements of the District of Sooke, the Owner(s) would be responsible for all costs associated with designing and upgrading the distribution system to the extent necessary to provide the required flows.</p> <p>Depending on the intended use of the property, a Development Cost Charge may apply to the new lot created by this subdivision. This letter is for the purpose of providing you with information regarding the services available from the CRD, and should not be construed as either approval or rejection of the proposed subdivision by the CRD.</p> <p>These conditions are valid for 180 days from date of writing. However, if at any time there is a change in legislation, regulations and CRD Bylaw No. 3889, which would cause any of the above conditions to be non-conforming, then the CRD reserves the right to revise any or all of the conditions accordingly, at any time during the 180 day period.</p>
SEAPARC	No response.
T'souke Nation	No response.
Archeological Branch	<p>Provincial records indicate there are no known archaeological sites recorded on the property. However, archaeological potential mapping for the area indicates that the property has potential to contain unknown archaeological sites, and there is a large archaeological site located 15m east of this property.</p> <p>Archaeological sites (both recorded and unrecorded) are protected under the Heritage Conservation Act and must not be altered or damaged without a permit from the Archaeology Branch. Given the potential to contain unknown archaeological sites, an Eligible Consulting Archaeologist (ECA) should be engaged prior to any land-altering activities to determine if development activities are likely to impact unknown archaeological sites. An Eligible Consulting Archaeologist is one who is able to hold a Provincial heritage</p>

	<p>permit that allows them to conduct 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 site alteration permit is not required. I am informing you of this archaeological potential so proponents are aware of the potential risk for encountering a site if they choose to conduct any land-altering activities on the property. Proponents should contact an archaeologist prior to development to conduct an in-field assessment and/or detailed review of the property. However, the Archaeology Branch is not requiring the proponent conduct an archaeological study or obtain a permit prior to development of this property. 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>If you or project proponents have questions please visit the FAQ page at http://www.for.gov.bc.ca/archaeology/faq.htm and the Property Owners and Developers web page at http://www.for.gov.bc.ca/archaeology/property_owners_and_developers/index.htm.</p> <p><u>No further studies are required at this time.</u></p>
RCMP	No response.
School District #62	No concerns
Fortis BC	No conflicts have been identified.
Shaw Cable	No response.
Telus	No response.
Building	No comments.
Fire	No concerns with this proposed rezoning, however any development created on a small lot will likely require careful attention to setbacks from property lines as referred to in the BC Building Code and its relation to the 10 minute response time requirement for fire departments.
Engineering	<p>No engineering concerns.</p> <p>The owner needs to follow Bylaw 404 for servicing and access. A joint driveway access for the current and newly created lot would be preferred; which is to be coordinated with MoTI.</p> <p>No concerns from parks and environmental perspective.</p>



Small Lot Residential

R3

203.1 Purpose: This zone is intended to provide a range of lot sizes to residential parcels of land that designated as Community Residential within the Sewer Specified Area.

203.2 Permitted Uses:

Principal Uses:

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

*See conditions of use.

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

203.3 Minimum Lot Size for Subdivision Purposes*: 350 m²

203.4 Minimum Width for Subdivision Purposes: 11 m

203.5 Maximum Height:

- a) Principal Buildings: 10.5 m
- b) Accessory Buildings: 4 m

203.6 Maximum Lot Coverage: 45%

203.7 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	2 m	1.2 m	3.5 m	1 m
Accessory Building or Structure – 1 storey	7.5 m	2 m	1.2 m	1.2 m	0 m

Schedule 203 – Small Lot Residential (R3)

203.8 Conditions of Use:

- a) Bed and breakfast permitted on lots 600 m² or larger;
- b) Duplex permitted on lots 600 m² or larger;
- c) No panhandle lots permitted;
- d) Notwithstanding the permitted uses on R3 zoned properties, on the property identified as PID 000-133-817 (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, an amenity area for assembly use is permitted as an accessory use. *(added by Bylaw No. 584 adopted February 11, 2014)*



DISTRICT OF SOOKE

BYLAW No. 620

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on a portion of the property located at 6431 Sooke Road from Large Lot Residential (R1) to Small Lot Residential (R3).

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

1. This bylaw is cited as *Zoning Amendment Bylaw (600-18)*.
2. Bylaw No. 600, *Sooke Zoning Bylaw, 2013* is amended in Schedule A by changing the zoning on a portion of the property legally described as Lot A, Section 14, Sooke District, Plan VIP88314, as shown outlined in black and shaded with hatching on Schedule A to this bylaw from Large Lot Residential (R1) to Small Lot Residential (R3).

Introduced and read a first time the day of , 2015

Read a second time the day of , 2015

Public hearing held the day of , 2015

Read a third time the day of , 2015

Approved by the Ministry of Transportation the day of , 2015

Adopted on the day of , 2015

Maja Tait,
Mayor

Gord Howie,
Chief Administrative Officer

SCHEDULE A

