



PH-1

**Public Hearing
Information Package**

April 24, 2017 at 7:00 pm
Sooke Council Chamber
2225 Otter Point Road, Sooke, BC

7000 Melrick Place

Proposed Bylaw:	Bylaw No. 663, <i>Zoning Amendment Bylaw (600-35)</i>
Zoning Amendment:	The purpose of Bylaw No. 663, <i>Sooke Zoning Bylaw (600-35)</i> is to rezone 7000 Melrick Place, the lot on the north side of Brailsford Place, from “Rural (RU2)” to “Rural Residential (RU4)”. The RU4 zone will permit a subdivision with a minimum lot size of 1 hectare (2.5 acres).

Information Package Contents:

Page #

1. Notice of Public Hearing published in the Sooke News Mirror April 12, 2017 and April 19, 2017. 1
2. Bylaw No. 663, *Zoning Amendment Bylaw No. 663 (600-35)*, at 2nd reading. 3
3. Council resolution, dated March 27, 2017. 5
4. Staff Report to Council, dated March 27, 2017. 7
 - Report cover
 - Application summary
 - Summary of Referral Comments
 - Subject Property Maps
 - RU4 – Schedule 104 (Rural Residential)
 - Draft Bylaw No. 663

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



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, April 24, 2017** commencing at 7:00 pm.

Application Information:

- Bylaw:** Bylaw No. 663, *Zoning Amendment Bylaw (600-35)*
- File No:** PLN01293
- Civic Address:** 7000 Melrick Place (shown outlined in black and hatched on the subject map)
- Legal Description:** Lot A, Section 21, Sooke District, Plan VIP57007
- Applicant(s):** Westbrook Consulting, Ian Laing, Michael Volk

Proposal:

The purpose of Bylaw No. 663, *Zoning Amendment Bylaw (600-35)* is to rezone 7000 Melrick Place, the lot on the north side of Brailsford Place, from "Rural (RU2)" to "Rural Residential (RU4)". The RU4 zone will permit a subdivision with a minimum lot size of 1 hectare (2.5 acres).

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 April 12, 2017 to and including April 24, 2017.

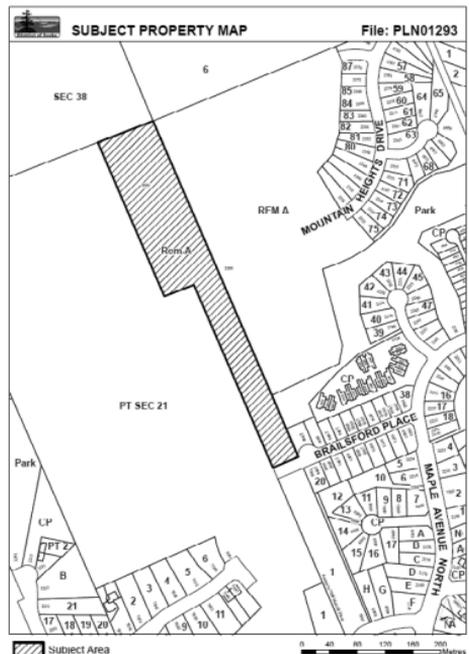
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Public Input:

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 publichearing@sooke.ca or in person to the Corporate Officer at the District Municipal Offices no later than **Monday, April 24, 2017 at 12:00 pm**. Please be advised that submissions to Council will become part of the public record and are subject to disclosure under the *Freedom of Information and Protection of Privacy Act (FOIPPA)*

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

Patti Rear
Acting Corporate Services





**DISTRICT OF SOOKE
ZONING AMENDMENT
BYLAW No. 663**

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on the property located at 7000 Melrick to Rural Residential Zone (RU4).

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

1. This Bylaw is cited as *Zoning Amendment Bylaw No. 663 (600-35)*.
2. The parcel of land legally described as Lot A, Section 21, Sooke District, Plan VIP57007 as shown boldly outlined and hatched on Schedule A, which is affixed to and forms part of this Bylaw, is hereby rezoned from Rural Zone (RU2) to Rural Residential Zone (RU4).
3. Bylaw No. 600, *Sooke Zoning Bylaw, 2013* as amended, and Schedule A attached thereto, are amended accordingly.

READ a FIRST and SECOND time the 27 day of March, 2017.

PUBLIC HEARING held the ___ day of ____, 20__.

READ a THIRD time the ___ day of ____, 20__.

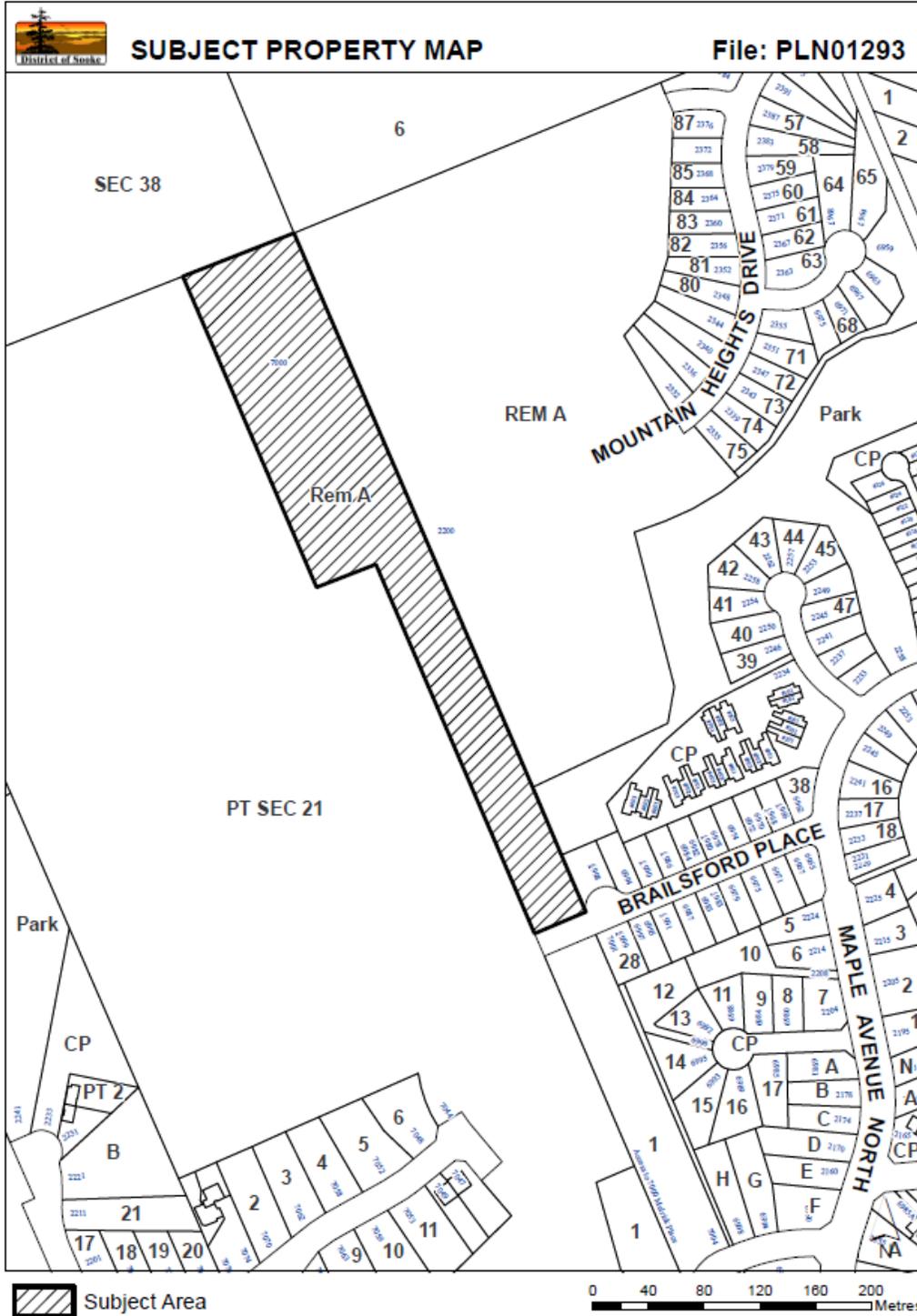
ADOPTED the ___ day of ____, 20__.

Certified by:

Maja Tait
Mayor

Patti Rear
Acting Corporate Officer

SCHEDULE A



6. BYLAWS

6.2. 7000 Melrick Place - Rezoning

The Planning department provided a PowerPoint presentation and an overview of the written staff report.

2017-108

MOVED by Councillor Reay, seconded by Councillor Pearson:

THAT COUNCIL give first reading to Bylaw No. 663, *Zoning Amendment Bylaw (600-35)* to rezone 7000 Melrick Place from Rural (RU2) to Rural Residential (RU4).

CARRIED.

In Favour: Mayor Tait, Councillor Berger, Councillor Kasper, Councillor Pearson, Councillor Reay

Absent: Councillor Logins, Councillor Parkinson

2017-109

MOVED by Councillor Reay, seconded by Councillor Kasper:

THAT Bylaw No. 663, *Zoning Amendment Bylaw (600-35)* be Read a Second time.

CARRIED.

In Favour: Mayor Tait, Councillor Berger, Councillor Kasper, Councillor Pearson, Councillor Reay

Absent: Councillor Logins, Councillor Parkinson

2017-110

MOVED by Councillor Reay, seconded by Councillor Pearson:

THAT a Public Hearing be scheduled for Bylaw No. 663 in accordance with section 466 of the *Local Government Act*.

CARRIED.

In Favour: Mayor Tait, Councillor Berger, Councillor Kasper, Councillor Pearson, Councillor Reay

Absent: Councillor Logins, Councillor Parkinson



7000 Melrick Place - Rezoning

RECOMMENDATION:

THAT COUNCIL give first reading to Bylaw No. 663, *Zoning Amendment Bylaw (600-35)* to rezone 7000 Melrick Place from Rural (RU2) to Rural Residential (RU4) and;

THAT Bylaw No. 663, *Zoning Amendment Bylaw (600-35)* be Read a Second time;

AND THAT a Public Hearing be scheduled for Bylaw No. 663 in accordance with section 466 of the *Local Government Act*.

Report Summary:

The applicant has applied to rezone 7000 Melrick Place, the lot on the north side of Brailsford Place, from Rural (RU2) to Rural Residential (RU4) with the intent to subdivide +/- 1.71 hectares for the purposes of maintaining the owners existing home site.

Report:

The owners of 7000 Melrick are not able to meet the 2 hectare minimum lot size for subdivision in the current RU2 zone which is why an application to rezone to RU4 was submitted. The RU4 zone permits a minimum lot size of 1 hectare for lots outside the sewer specified area (SSA). Since this property will be maintaining a rural zone, it is not mandatory for the owner to apply to be included into the SSA.

In February 2017, the owner provided road dedication to facilitate the extension of Brailsford Place. A subsequent subdivision application was approved separating the property at the new Brailsford road dedication. The parent property (7000 Melrick) remains north of the Brailsford extension and will continue to access the property through the newly created lot south of Brailsford Place (7004 Melrick) until the owners of 7004 Melrick Place complete construction of the Brailsford Place road extension. Once that road construction is complete, the owners of 7000 Melrick Place will be able to access their property from Brailsford Place.

7000 Melrick Place is designated as Community Residential by the Official Community Plan, 2010 (OCP) and the rezoning application is consistent with the Plan. There have been no objections received from referral agencies or staff to the rezoning proposal.

Legal Impacts:

Staff are not aware of any legal impacts.

Budget/Financial Impacts:

As this rezoning proposal is for less than five dwelling units, it is exempt from the Community Amenity Contribution Policy.

Strategic Relevance:

This proposal is consistent with the 2016 Strategic Plan.

Attached Documents:

[Application Summary 7000 Melrick RZ](#)

[Summary of Referral Comments PLN01293 7000 Melrick
subject property maps](#)

[RU4 zone](#)

[draft zoning amendment bylaw 663](#)

Application Summary

Address	7000 Melrick Place
Legal	Lot A, Section 21, Sooke District, Plan VIP57007
Existing Zoning	Rural (RU2)
Proposed Zoning	Rural Residential (RU4)
Existing OCP	Community Residential
Proposed OCP	n/a
Parcel Size	+/- 3.25 ha = 8.03 ac
Services	Water: CRD Water Sewer: On-site Drainage: On-site
Adjacent Land Uses	North: Rural South: Brailsford Place East: Beaton Road Residential Comprehensive Development Zone West: Spiritwood Estates Comprehensive Development Zone

Summary of Referral Agency Comments [originals are in the file)

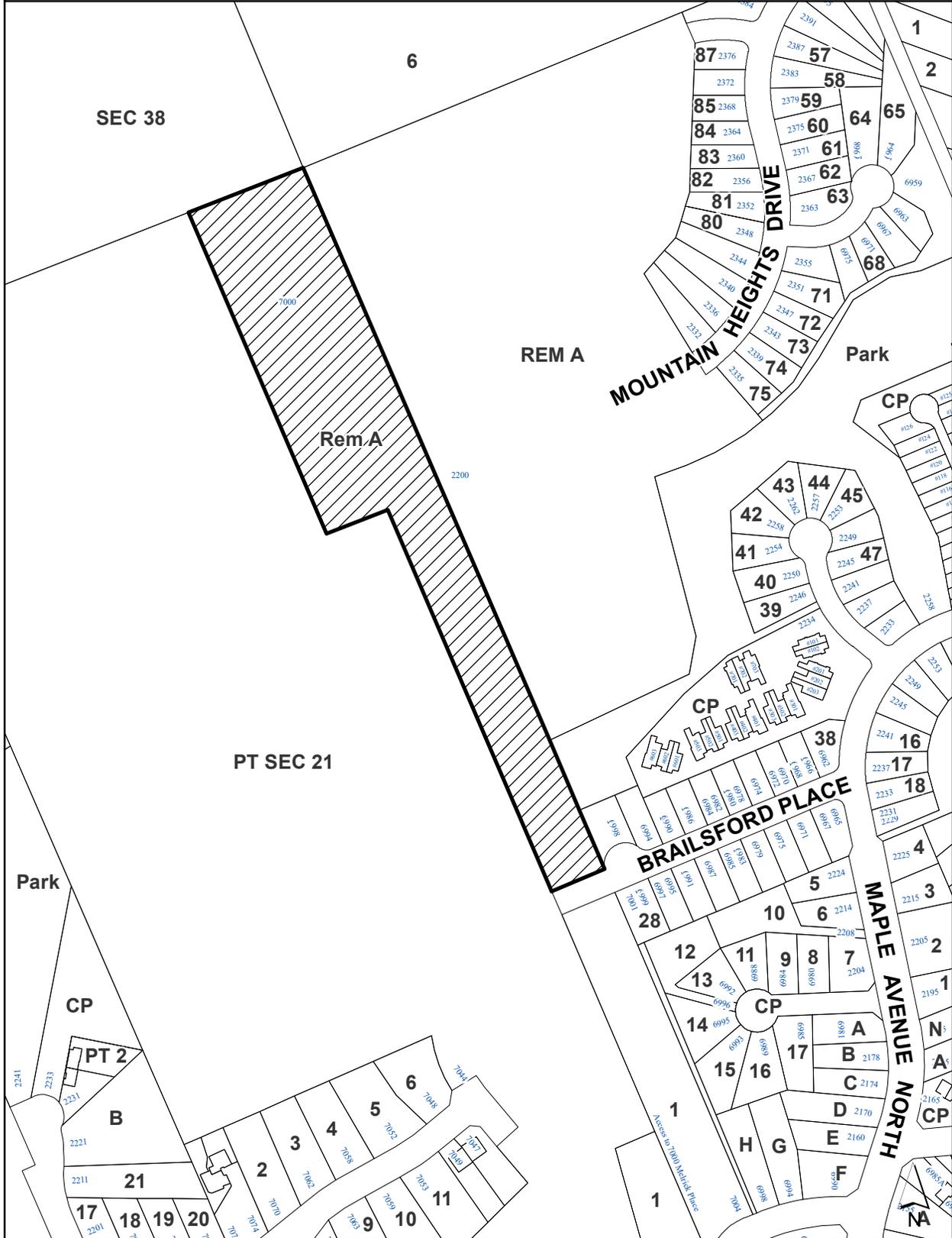
SUMMARY OF COMMENTS RECEIVED IN RESPONSE TO DISTRICT OF SOOKE REFERRAL

EXTERNAL REFERRALS	
Agency	Comments
BC Hydro	No concerns
Ministry of Transportation and Infrastructure	Property is located beyond 800m from a Ministry road (Highway 14) so the property is outside of the controlled area of Highway 14.
Canada Post	No response
BC Transit	No response
Beecher Bay	No issues. Should there be any archaeological finds that protocol be followed and that T'Souke Nation be contacted.
CRD Water	Community piped water can be supplied to this proposed development provided the owner is prepared to pay the necessary costs and fees as authorized under CRD Bylaw No. 3889 for the supply and installation of a water distribution system capable of meeting all domestic and fire flow requirements, designed in accordance with CRD specifications and standard drawings. The remaining requirements/comments are in the file and a copy has been provided to the applicant.
CRD JdFEA	N/A
SEAPARC	No response
T'souke Nation	No response
VIHA	No objections
Archeological Branch	<p>According to Provincial records there are no known archaeological sites recorded on the subject property. However, archaeological potential modeling for the area indicates there is the possibility for unknown/unrecorded archaeological sites to exist on the property. 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 <i>Heritage Conservation Act</i> and likely experience development delays while the appropriate permits are obtained.</p>
RCMP	No concerns
School District #62	No concerns
Fortis BC	No objections or concerns.
Shaw Cable	No response
Telus	No concerns.
Building	No concerns at this time. Will review again at time of subdivision.
Fire	Ensure access to property is suitable.
Engineering	No concerns at this time.
Environmental	No concerns



SUBJECT PROPERTY MAP

File: PLN01293



 Subject Area





SUBJECT PROPERTY MAP

File: PLN01293



 Subject Area



Rural Residential

RU4

104.1 Purpose: This zone applies to those lots that are rural in nature, intended for residential purposes, and are not within the Sewer Specified Area of the District of Sooke.

104.2 Permitted Uses:

Principal Uses:

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

Accessory Uses:

- d) Bed and breakfast
- e) 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

104.3 Minimum Lot Size for Subdivision Purposes:

- a) Outside the Sewer Specified Area: 1 ha
- b) Inside the Sewer Specified Area: 1000 m² providing the parent parcel at the time of joining the Sewer Specified Area is 5000m² or less in area.

104.4 Minimum Width for Subdivision Purposes: 15 m *(amended by Bylaw No. 583 adopted February 11, 2014)*

104.5 Maximum Height:

- a) Principal Buildings: 12 m
- b) Accessory Buildings: 9 m

104.6 Maximum Lot Coverage:

- a) 30%
- b) Where Agricultural production is carried out in greenhouses, the maximum lot coverage is 75%.

Schedule 104 – Rural Residential (RU4)

104.7 Minimum Setbacks for Lots Over 1000 m² in Area:

Use	Front Lot Line	Flanking Lot Line	Side Lot Line	Rear Lot Line	Lane Lot Line
Principal Building or Structure	7.5 m	4.5 m	3 m	4.5 m	4.5 m
Accessory Building or Structure	7.5 m	4.5 m	3 m	4.5 m	0 m
Farm Building or Structure	10 m	10 m	10 m	10 m	0 m

Minimum Setbacks for Lots 1000 m² or Less in Area:

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	3 m	1.2 m	4 m	4 m
Accessory Building or Structure	7.5 m	4.5 m	1.2 m	1.2 m	0 m
Farm Building or Structure	10 m	10 m	10 m	10 m	0 m

104.8 Conditions of Use:

- a) Agriculture only permitted beyond 30 m from a watercourse.
- b) Septic systems for each lot must be determined by and installed in accordance with the requirements of the appropriate approval authority.

Please be aware that the District of Sooke Stage 2 (Sanitary) Liquid Waste Management Plan, October 2005 contains soils mapping showing those areas outside the Sewer Specified Area which are well-suited to lot sizes of less than one hectare as well as other important information regarding subdivision outside of the Sewer Specified Area. Copies of this report can be viewed at the District's offices or on the District's website at: www.sooke.ca The information in the report is general in nature and a site specific analysis will be required as part of any rezoning application. This italicized paragraph is not part of Bylaw No. 600 and has only been provided for the convenience of the reader.



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ZONING AMENDMENT
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ADOPTED the __day of ____, 20__.

Certified by:

Maja Tait
Mayor

Gabryel Joseph
Corporate Officer

SCHEDULE A

