



**PH-2**

**Public Hearing  
Information Package**

**September 12, 2016 at 7:00 pm**

Sooke Council Chamber  
2225 Otter Point Road, Sooke, BC

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**7021 Grant Road**

<b>Proposed Bylaw:</b>	<b>Bylaw No. 646, <i>Zoning Amendment Bylaw (600-31)</i></b>
<b>Zoning Amendment:</b>	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 a portion of Lot 5, Section 3, Sooke District, Plan 1185, Except Parcel A (DD 328549I), from Large Lot Residential (R1) to Manufactured Home Park (MHP).

**Information Package Contents:**

1. Notice of Public Hearing published in Sooke News Mirror August 31<sup>st</sup>, 2016 and September 7<sup>th</sup>, 2016. 1
2. Bylaw No. 646, *Zoning Amendment Bylaw (600-31)* at second reading. 3
3. Council resolution dated July 11, 2016. 5
4. Staff Report to Council dated July 11, 2016: 7
  - Application Summary
  - Referral Agency Comments
  - Zoning Information (R1 and MHP)
  - Draft Bylaw No. 646

*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](mailto:info@sooke.ca)  
website: [www.sooke.ca](http://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, September 12, 2016** commencing at 7:00 pm.

## Application Information:

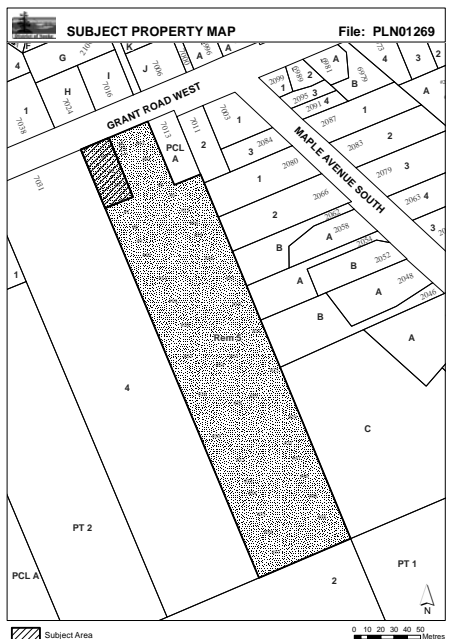
**Bylaw:** Bylaw No. 646, *Zoning Amendment Bylaw (600-31)*  
**File No:** PLN01269  
**Civic Address:** Portion of 7021 Grant Road (outlined in black and hatched on the subject map)  
**Legal Description:** A portion of Lot 5, Section 3, Sooke District, Plan 1185, Except Parcel A (DD 328549I) thereof  
**Applicant:** **John Sheldrake C/o- 430351 B.C. Ltd., Inc No, BC0430351** 756 Genevieve Road, Victoria BC, V8X 3R5

## Proposal:

The purpose of Bylaw No. 646, *Zoning Amendment Bylaw (600-31)* is to rezone a portion of 7021 Grant Road from "Large Lot Residential (R1)" to the proposed "Manufactured Home Park (MHP)" zone. The applicant intends to replace at least one mobile home on a portion of the property that has non-conforming zoning.

## Further Information:

Copies of the bylaw, 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](http://www.sooke.ca) or inspected at the District Municipal Office at 2205 Otter Point Road, Sooke, BC, between the hours of 8:30 am and 4:30 pm, Monday to Friday (excluding statutory holidays) beginning August 31<sup>st</sup>, 2016 up to and including September 12<sup>th</sup>, 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. 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](mailto:publichearing@sooke.ca) or in person to the Corporate Officer at the District Municipal Offices no later than **Monday, September 12<sup>th</sup>, 2016 at 12:00 p.m.** 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.**

Gabryel Joseph  
Acting Corporate Officer





## DISTRICT OF SOOKE

### BYLAW No. 646

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A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on a portion of the property legally described as Lot 5, Section 3, Sooke District, Plan 1185, Except Parcel A (DD328549I) thereof from Large Lot Residential (R1) to Manufactured Home Park (MHP).

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

1. This bylaw is cited as *Zoning Amendment Bylaw (600-31)*.
2. Bylaw No. 600, *Sooke Zoning Bylaw, 2013* is amended in **Schedule A** by changing the zoning on the property legally described as Lot 5, Section 3, Sooke District, Plan 1185, Except Parcel A (DD328549I) thereof as shown outlined in black and hatched on Schedule A to this bylaw from Large Lot Residential (R1) to Manufactured Home Park (MHP).

Introduced and read a first time the 11<sup>th</sup> day of July, 2016.

Read a second time the 11<sup>th</sup> day of July, 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:

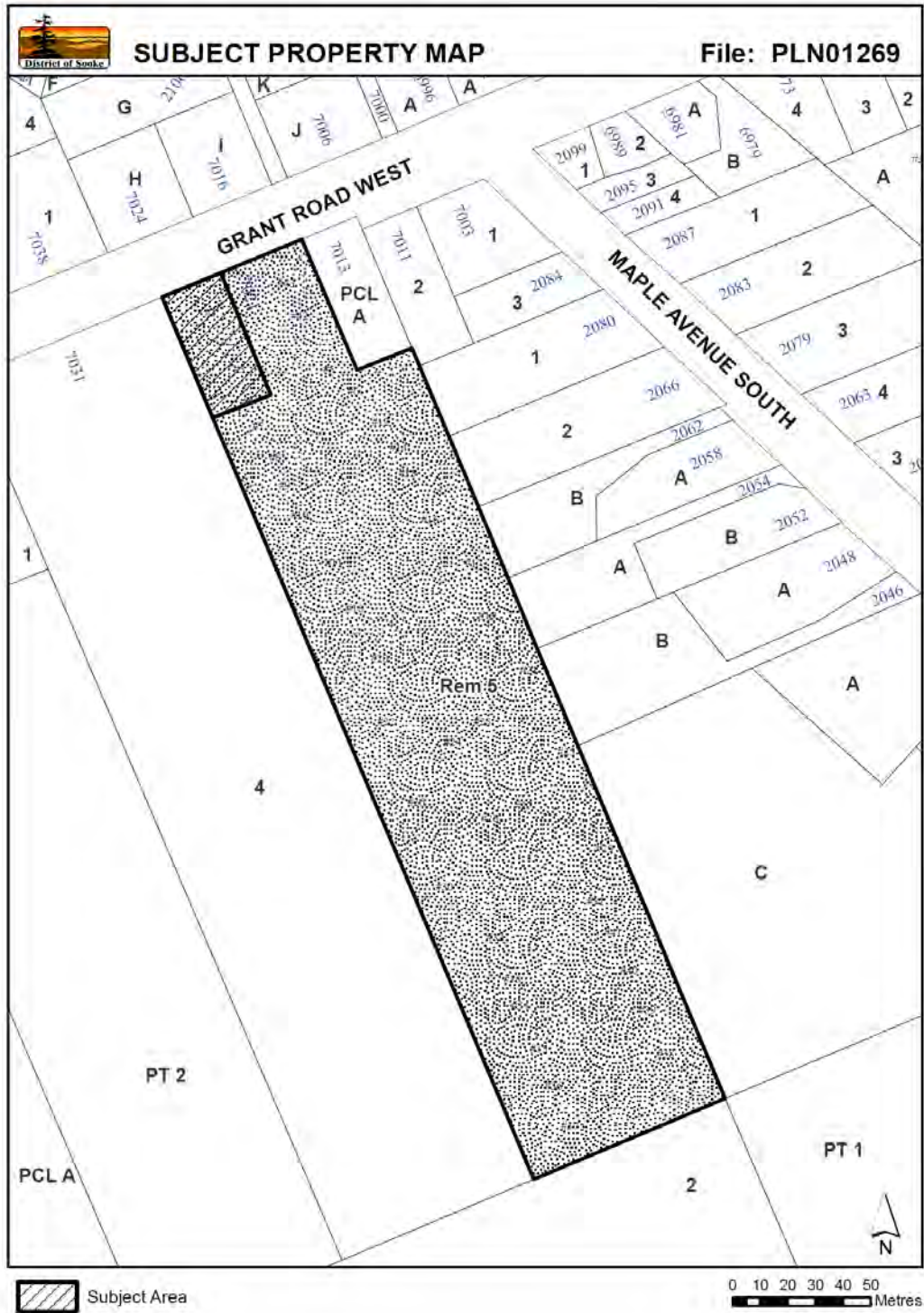
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Maja Tait  
Mayor

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Gabryel Joseph  
Corporate Officer

## SCHEDULE A



**B-6 Bylaw No. 646, Zoning Amendment Bylaw (600-31) - A portion of 7021 Grant Road**

The Development Services department gave a PowerPoint presentation and summary of the proposed housekeeping bylaw. The Public Hearing for this bylaw would also be scheduled for September 12, 2016.

**MOVED** R. Kasper - B. Parkinson

THAT Bylaw No. 646, *Zoning Amendment Bylaw (600-31)* to rezone a portion of the property located at 7021 Grant Road West from Large Lot Residential Zone (R1) to Manufactured Home Park (MHP), be read a first time.

**CARRIED**

**In favour:**

Mayor Tait, Councillor Kasper, Councillor Logins, Councillor Parkinson

**MOVED** R. Kasper - B. Parkinson

THAT Bylaw No. 646, *Zoning Amendment Bylaw (600-31)* to rezone a portion of the property located at 7021 Grant Road West from Large Lot Residential Zone (R1) to Manufactured Home Park (MHP), be read a second time.

**CARRIED**

**In favour:**

Mayor Tait, Councillor Kasper, Councillor Logins, Councillor Parkinson

**MOVED** B. Parkinson - R. Kasper

THAT staff be directed to schedule a Public Hearing for *Bylaw No. 646*, in accordance with the requirements of the *Community Charter* and the *Local Government Act*.

**CARRIED**

**In favour:**

Mayor Tait, Councillor Kasper, Councillor Logins, Councillor Parkinson







File No. PLN01269

**REQUEST FOR DECISION**  
Regular Council Meeting  
July 11, 2016

To: Teresa Sullivan, Chief Administrative Officer  
From: Development Services  
Re: **Rezoning Application – A portion of 7021 Grant Road**

**SUGGESTED ACTION:**

**THAT COUNCIL** give first and second reading to Bylaw No. 646, *Zoning Amendment Bylaw (600-31)*.

**AND THAT COUNCIL** direct staff to schedule a Public Hearing for Bylaw No. 646 in accordance with the requirements of the *Community Charter* and the *Local Government Act*;

**1. Executive Summary:**

The property at 7021 Grant Road has been a long established manufactured home park consisting of 6.3 acres of land. The land is primarily zoned Manufactured Home Park (MHP), however, a small portion of the lot (1050m<sup>2</sup>) near Grant Road has been assigned a zoning of Large Lot Residential (R1). The property owners were unaware of this zoning issue until recently. The R1 zoning on this parcel dates back to zoning bylaws inherited from the Capital Regional District.

There are currently three mobile homes located on the affected portion of the mobile home park. The applicant wants to rezone this portion of the property to Manufactured Home Park (MHP) to bring the entire parcel into compliance with the existing use. The applicant intends on replacing one of the three units with a new manufactured home, but cannot move forward as the use is inconsistent with the current R1 Zone.





## **2. FAQ**

### **Why is a portion of the property zoned differently?**

The R1 Zone assigned to this part of the property goes back to the Capital Regional District bylaws. Staff are unsure why there is a zoning anomaly on this part of the site.

### **Why is a rezoning application necessary?**

The affected portion of the property contains three mobile homes. Those mobile homes are considered 'legal non-conforming', which means they can remain, provided no major changes occur to any of the units. Once a non-conforming use runs its course, any proposals must conform with current zoning. The owners want to replace one of the units with a new unit, which necessitates a rezoning.

## **3. Analysis:**

The Official Community Plan, 2010 provides the policy context for evaluating rezoning applications. This application falls within the 'Community Residential' designation, which encourages low to medium density residential growth along with appropriately scaled commercial development. The following objectives support residential infill

### **Section 5.1.2 Objectives**

- 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;
- b. Provide affordable and attainable housing opportunities, to meet the needs of various age groups, family types, lifestyles and income groups;
- c. Encourage a variety of housing types...;
- d. Provide the most efficient use of land and existing physical infrastructure in terms of infill and densification;
- e. Deter new residential subdivision development outside the Community Growth Area (CGA);
- f. Primarily concentrate new residential development in existing areas or neighbourhoods prior to expanding into new areas;
- i. Preserve and enhance the character of existing neighbourhoods;
- k. Allow for a variety of housing options within new and existing residential areas;

This application is consistent with the Community Residential land use designation and will bring the zoning into compliance with the existing uses.

This rezoning application does not trigger the amenity contribution policy.

## **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.

## **4. Legal Impacts:**

If the rezoning is not approved, the owner will not be permitted to replace the manufactured homes within the affected part of the property. The portion of the property will remain legal non-conforming.

**5. Financial Impacts:**

No financial impact to the District.

**6. Implication of Recommendation**

The rezoning application is consistent with the objectives of the Community Residential designation within the Official Community Plan, 2010 (OCP). Approval of this rezoning will bring the zoning into compliance with the existing uses.

**7. Strategic Relevance**

This proposal meets the following strategic priorities in Council's 2016 Corporate Strategic Plan: PLANNING – The District will work towards streamlining planning processes to encourage investment and job growth in the community.

**Attached Documents:**

1. Application Summary
2. Referral Agency Comments
3. R1 and MHP Zones
4. Draft Bylaw No. 646

Respectfully Submitted,



Katherine Lesyshen, MCIP, RPP  
Planner II

Approved for Council Agenda



Development  
Services

Corp. Services

Financial Services

CAO

### APPLICATION SUMMARY

<b>Address</b>	<b>7021 Grant Road</b>
<b>Legal</b>	Lot 5, Section 3, Sooke District, Plan 1185, Except Parcel A (DD 328549I)
<b>Existing Zoning</b>	Large Lot Residential (R1)
<b>Proposed Zoning</b>	Manufactured Home Park (MHP)
<b>OCP Designation</b>	Community Residential (CR)
<b>Parcel Size</b>	1050m <sup>2</sup> of 25,500m <sup>2</sup> or 0.26acres of 6.9 acres
<b>Services</b>	<b>Water:</b> CRD Water <b>Sewer:</b> Municipal Sewer <b>Drainage:</b> On site
<b>Adjacent Land Uses</b>	<b>North:</b> Residential <b>South:</b> Agricultural (ALR) <b>East:</b> Residential <b>West:</b> Agricultural (ALR)

### Present Zoning and Proposed Zoning

ZONING SPECIFICATIONS	PRESENT	PROPOSED
	R1	MHP
<b>Minimum Lot Size for Subdivision</b>	1000 m <sup>2</sup>	1ha and 325m <sup>2</sup> sites
<b>Maximum Height of Principle Building</b>	12 m	10 m
<b>Maximum height accessory building</b>	9 m	2.4 m on mhp sites
<b>Maximum Lot Coverage</b>	30%	45%



**SUMMARY OF COMMENTS RECEIVED FOR 7021 GRANT ROAD  
IN RESPONSE TO THE DISTRICT OF SOOKE REFERRAL SENT May 19, 2016**

<b>REFERRAL SUMMARY</b>	
<b>AGENCY</b>	<b>COMMENTS</b>
Shaw Cable	No concerns.
BC Hydro	No concerns.
Ministry of Transportation	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.
ALC	No objections.
Canada Post	No comment
BC Transit	No comment
Beecher Bay FN	No comment
CRD Water	The existing property is currently serviced with water by a 19mm (3/4") water service and a 50mm (2") water service located at the property frontage on Grant Road. If an increase in the level of service is required for this development, it can be provided the owner is willing to pay the necessary costs and fees 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.
SD 62	No comments
Fortis BC	No concerns
T'Souke Nation	No comments
Archaeological Inventory Section of Ministry of Forests, Lands and Natural Resource Operations (FLNRO)	<p>According to Provincial records there are no known archaeological sites recorded on the subject property. However, archaeological potential modeling that there are some small areas of potential at the south end of the property. The potential areas are not dense enough to warrant an archaeological investigation or permitting, but is mentioned so property owners know that there is possibility albeit a small one, of there being an archaeological site present.</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>
RCMP, Sooke Detachment	No comments
Telus Communications	No comments
Sooke Fire Department	No concerns
Sooke Engineering	No concerns
Sooke Building	No comments

## Large Lot Residential

**R1**

**201.1 Purpose:** This zone applies to those lots of land designated as Community Residential and intended for residential purposes, outside of the Town Centre, but within the Sewer Specified Area.

**201.2 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

**201.3 Minimum Lot Size for Subdivision Purposes:** 1,000 m<sup>2</sup>

**201.4 Minimum Width for Subdivision Purposes:** 15 m

**201.5 Maximum Height:**

- a) Principal Buildings: 3 storeys to a maximum height of 12 metres
- b) Accessory Buildings: 9 m

**201.6 Maximum Lot Coverage:** 30%

**201.7 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	3 m	1.5 m	4 m	3 m
Accessory Building or Structure – 1 storey	7.5 m	3 m	1.2 m	1.2 m	0 m
Accessory Building or Structure – 2 storey	7.5 m	4.5 m	2 m	2 m	0 m

## Manufactured Home Park

## MHP

- 301.1 Purpose:** This zone provides for manufactured homes on rental, lease or strata lots within manufactured home parks.
- 301.2 Permitted Uses:**
- | <b>Principal Uses:</b>              | <b>Accessory Uses:</b>   |
|-------------------------------------|--|
| a) Manufactured home park           | c) Accessory utility service structures and buildings              |
| b) CSA Certified manufactured homes | d) One accessory single family dwelling per manufactured home park |
|                                     | e) Home-based business   |
|                                     | f) Recreation area and building                                    |
- 301.3 Minimum Lot Size for Subdivision Purposes:** 1 ha  
In the case of stratification of a manufactured home park, the minimum lot size for individual manufactured home site lots is 325 m<sup>2</sup>.
- 301.4 Minimum Lot Width for Manufactured Home Park Subdivision Purposes:** 60 m
- 301.5 Minimum Lot Width per Manufactured Home Site:**  
15 m, or in the case of a cul de sac or panhandle lot, 6 m
- 301.6 Maximum Permitted Density:** 20 dwelling units/ha
- 301.7 Minimum Permitted Area for a Manufactured Home Site within Park:** 325 m<sup>2</sup>
- 301.8 Maximum Height:**
- a) Principal Buildings: 10 m
  - b) Accessory Buildings for park purposes: 9 m
  - c) Accessory Buildings on manufactured home site: 2.4 m
- 301.9 Maximum Coverage per Manufactured Home Site:** 45%, exclusive of carports
- 301.10 Amenity Area:** Not less than 5% of the manufactured home park lot area must be developed as an amenity area for residents.



*Schedule 301 - Manufactured Home Park (MHP)*

**301.11 Minimum Setbacks: \*** *(See diagram. \*See conditions of use.)*

Use	Front Lot Line	Flanking Lot Line	Side Lot Line	Rear Lot Line	Lane Lot Line
For each manufactured home site	1.8 m	1.8 m	1.5 m	1.5 m	1.5 m
Accessory building or structure for park purposes	8 m	5 m	5 m	5 m	5 m
Accessory building or structure on manufactured home site	1.8 m	1.8 m	1.5 m	1 m	1 m

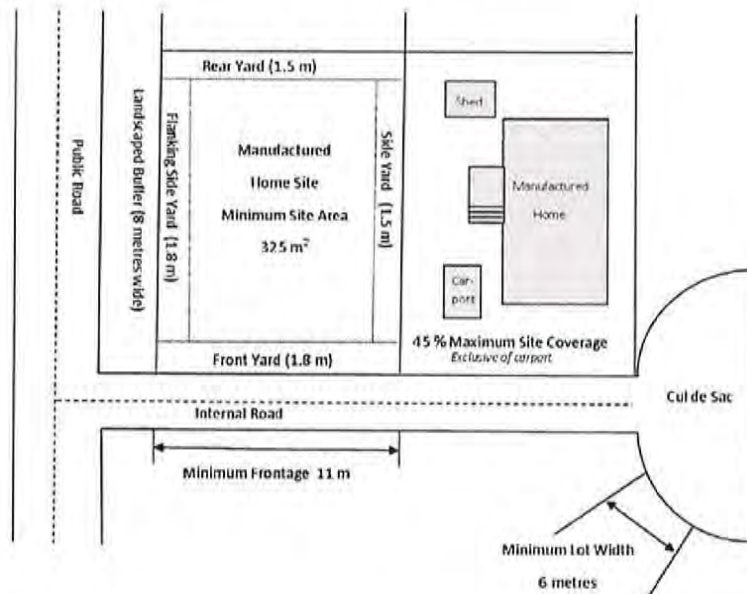


Diagram 12: Manufactured Home Site Setbacks and Yards



*Schedule 301 - Manufactured Home Park (MHP)*

**301.12 Conditions of Use:**

- a) Outside of designated Sewer Specified Area, septic systems for each lot must be determined by and installed in accordance with the requirements of the appropriate approval authority.
- b) A landscaped buffer, which is separate from the individual manufactured homesites, must be provided of not less than 8 m in width along any frontage on a highway (except lanes), and not less than 5 m in width from any other lot line. Within this buffer area, no buildings or dwellings, nor parking, nor storage of motor vehicles, nor roadways other than perpendicular crossing must be permitted.
- c) All additions must be of a similar design, quality and finish to the main structure.
- d) Notwithstanding section 301.11, a six metre setback is required between all manufactured homes with the exception of a manufactured home being installed to replace a manufactured home which was in existence at the time of adoption of this bylaw and which was lawfully sited at the time it was originally installed, regardless of the width of the new home or its location on the site. This exemption does not include accessory buildings or attachments to the manufactured home which are not deemed to be part of the principal building.



## DISTRICT OF SOOKE

### BYLAW No. 646

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A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on a portion of the property legally described as Lot 5, Section 3, Sooke District, Plan 1185, Except Parcel A (DD328549I) thereof from Large Lot Residential (R1) to Manufactured Home Park (MHP).

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

1. This bylaw is cited as *Zoning Amendment Bylaw (600-31)*.
2. Bylaw No. 600, *Sooke Zoning Bylaw, 2013* is amended in **Schedule A** by changing the zoning on the property legally described as Lot 5, Section 3, Sooke District, Plan 1185, Except Parcel A (DD328549I) thereof as shown outlined in black and hatched on Schedule A to this bylaw from Large Lot Residential (R1) to Manufactured Home Park (MHP).

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:

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Mayor

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Corporate Officer

## SCHEDULE A

