



PH-1

**Public Hearing
Information Package**

September 18, 2017 at 7:00 pm
Sooke Council Chamber
2225 Otter Point Road, Sooke, BC

2151 Allman Place

Proposed Bylaw:	Bylaw No. 681, <i>Zoning Amendment Bylaw (600-44)</i>
Zoning Amendment:	The purpose of Bylaw No. 681, <i>Zoning Amendment Bylaw (600-44)</i> is to rezone 2151 Allman Place from "Rural Residential (RU4)" to "Rural (RU2)" to allow for the construction of an additional single family dwelling with a suite.

Information Package Contents	Page #
1. Notice of Public Hearing published in the Sooke News Mirror September 6, 2017 and September 13, 2017.	1
2. Bylaw No. 681, <i>Zoning Amendment Bylaw (600-44)</i> , at second reading.	3
3. Council resolution, dated August 14, 2017.	5
4. Staff Report to Council, dated August 14, 2017. <ul style="list-style-type: none">o Report Covero Subject Property Mapso Summary of Referral Commentso Rural (RU2) Scheduleo Rezoning Rationaleo <i>Zoning Amendment Bylaw No. 681 (600-44)</i>	7

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

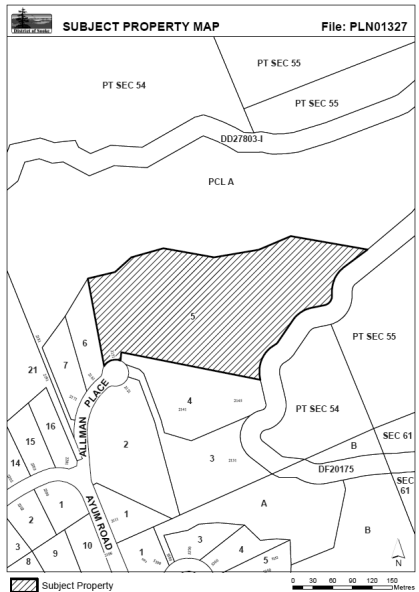
The Council of the District of Sooke will hold a Public Hearing pursuant to the provisions of the *Local Government Act* in the Council Chambers at 2225 Otter Point Road, Sooke, BC on **Monday, September 18, 2017** commencing at 7:00 pm.

Application Information:

- Bylaw:** Bylaw No. 681, *Zoning Amendment Bylaw (600-44)*
- File No:** PLN01327
- Civic Address:** 2151 Allman Place (shown outlined in black and hatched on the subject map)
- Legal Description:** Lot 5 of Sections 54 and 55, Sooke District, Plan VIP73950
- Applicant:** **Shawna and Joanne Yule**

Proposal:

The purpose of Bylaw No. 681, *Zoning Amendment Bylaw (600-44)* is to rezone 2151 Allman Place from "Rural Residential (RU4)" to "Rural (RU2)" to allow for the construction of an additional single family dwelling with a suite. Based on the lot size of 5.598 hectares, the RU2 zone would permit up to four single family dwellings on the subject property. Subdivision would not be possible for this property because the minimum lot size to subdivide in the RU2 zone is 4 hectares. The owners do not wish to subdivide as they would like to keep the property within the family.



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 September 6, 2017 to and including September 18, 2017.

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, September 18, 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.

Carolyn Mushata
Corporate Officer



**DISTRICT OF SOOKE
ZONING AMENDMENT
BYLAW NO. 681**

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on the property known as 2151 Allman Place from Rural Residential (RU4) to Rural (RU2).

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

1. This bylaw is cited as *Zoning Amendment Bylaw No. (600-44)*.
2. The parcel of land legally described as Lot 5 of Sections 54 and 55, Sooke District, Plan VIP73950 as shown boldly outlined and hatched on **Schedule A**, which is affixed to and forms part of this bylaw, is hereby rezoned from from Rural Residential (RU4) to Rural (RU2).
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 14 day of August, 2017.

PUBLIC HEARING held the ___day of ____, 2017.

READ a THIRD time the ___day of ____, 2017.

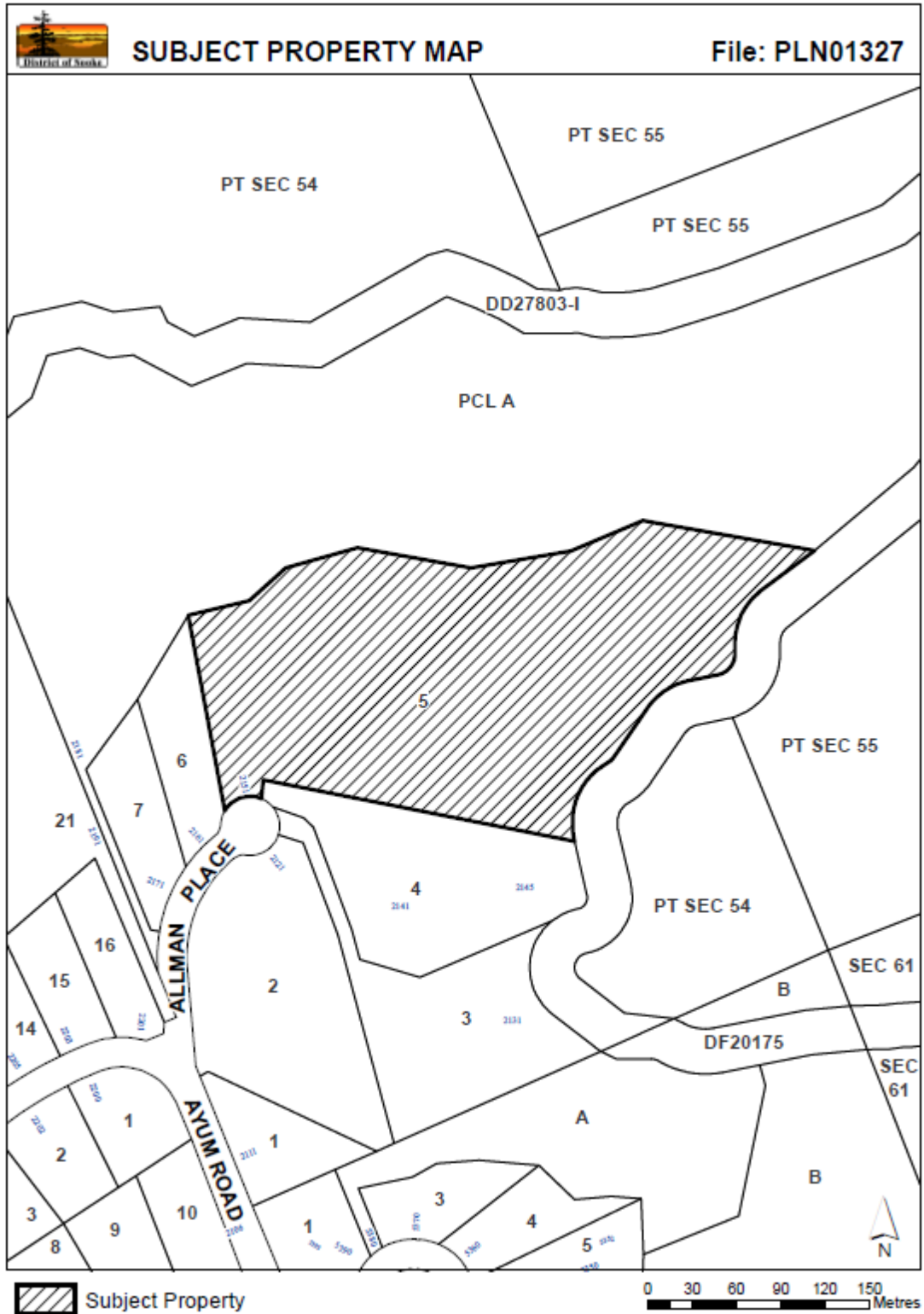
APPROVED by Ministry of Transportation and Infrastructure the ___day of ____, 2017.

ADOPTED the ___day of ____, 2017.

Maja Tait
Mayor

Carolyn Mushata
Corporate Officer

SCHEDULE A



Minutes for the Special Council Meeting of the District of Sooke - August 14, 2017

- 6.3. **Bylaw No. 681 (600-44) Zoning Amendment Bylaw - 2151 Allman Place**
RPT - 2017-0114, 3220-20, PLN01327

First and second reading of a bylaw to rezone from Rural Residential (RU4) to Rural (RU2).

The Planner II provided a PowerPoint presentation and overview of the written staff report.

2017-340

MOVED by Councillor Parkinson, seconded by Councillor Logins:

THAT Council grant First and Second readings to *Zoning Amendment Bylaw No. 681 (600-44)* to rezone 2151 Allman Place from Rural Residential (RU4) to Rural (RU2);

CARRIED.

In Favour: Mayor Tait, Councillor Berger, Councillor Logins, and Councillor Parkinson

Absent: Councillor Kasper, Councillor Pearson, and Councillor Reay

2017-341

MOVED by Councillor Parkinson, seconded by Councillor Logins:

THAT a Public Hearing be scheduled for *Zoning Amendment Bylaw No. 681 (600-44)*, for 2151 Allman Place, in accordance with Section 466 of the *Local Government Act*.

CARRIED.

In Favour: Mayor Tait, Councillor Berger, Councillor Logins, and Councillor Parkinson

Absent: Councillor Kasper, Councillor Pearson, and Councillor Reay



Rezoning Application - 2151 Allman Place

RECOMMENDATION:

THAT COUNCIL give First and Second readings to *Zoning Amendment Bylaw No. 681 (600-44)* to rezone 2151 Allman Place from Rural Residential (RU4) to Rural (RU2);

AND THAT a Public Hearing be scheduled for *Zoning Amendment Bylaw No. 681 (600-44)* in accordance with Section 466 of the *Local Government Act*.

Report Summary:

The purpose of this application is to rezone the property located at 2151 Allman Place from Rural Residential (RU4) to Rural (RU2) to allow for the construction of an additional single family dwelling for family. The property is approximately 5.598 hectares, and is not located within the Sewer Specified Area.

Report:

The surrounding uses around 2151 Allman Place include Allman Park to the north, CRD owned right-of-way (Flowline) to the east, and Rural Residential to the south and to the west. There is a single family dwelling and a small cottage existing on the property. The subject property is one of the last larger properties left in this area as many of the surrounding lots were subdivided based on the 1 hectare minimum lot size in the RU4 zone. The immediate surrounding properties are 1.8 hectares or less in size.

The owners wish to construct a second single family home with a suite on the property for family members. The proposed RU2 zone would allow this to occur. Based on the lot size of 5.598 hectares, the property could have up to four single family dwellings in the proposed RU2 zone whereas the RU4 zone permits one single family dwelling on a lot, regardless of its size.

The minimum lot size for subdivision is 4 hectares in the proposed RU2 zone whereas the minimum lot size for subdivision in the RU4 zone is 1 hectare. Looking at lot size only, the subject property could be subdividable under the current RU4 zone (potential of three or four new lots), whereas subdivision is not possible under the RU2 zone. The owners do not wish to subdivide as they would like to keep the property within the family.

The Official Community Plan (OCP) designates the property as *Gateway Residential* and the property falls within Sooke's Community Growth Area. The *Gateway Residential* designation is an area within which low density residential growth will occur. This designation is meant to preserve the mixed residential/rural character of the area while

still allowing for some increased density but limiting access along the highway corridor. One of the objectives is the *Gateway Residential* designation is to provide a range of high quality housing types, tenures and low densities, which can meet the diverse needs of, and attract, individuals and families of varying income levels and demographics. Planning has no concerns as the proposed zoning amendment is meeting the intent of the OCP.

Strategic Relevance:

The application is consistent with the 2016 Strategic Plan.

Attached Documents:

[subject property maps](#)

[Summary of Referral Comments PLN01327 2151 Allman Place](#)

[RU2 zone](#)

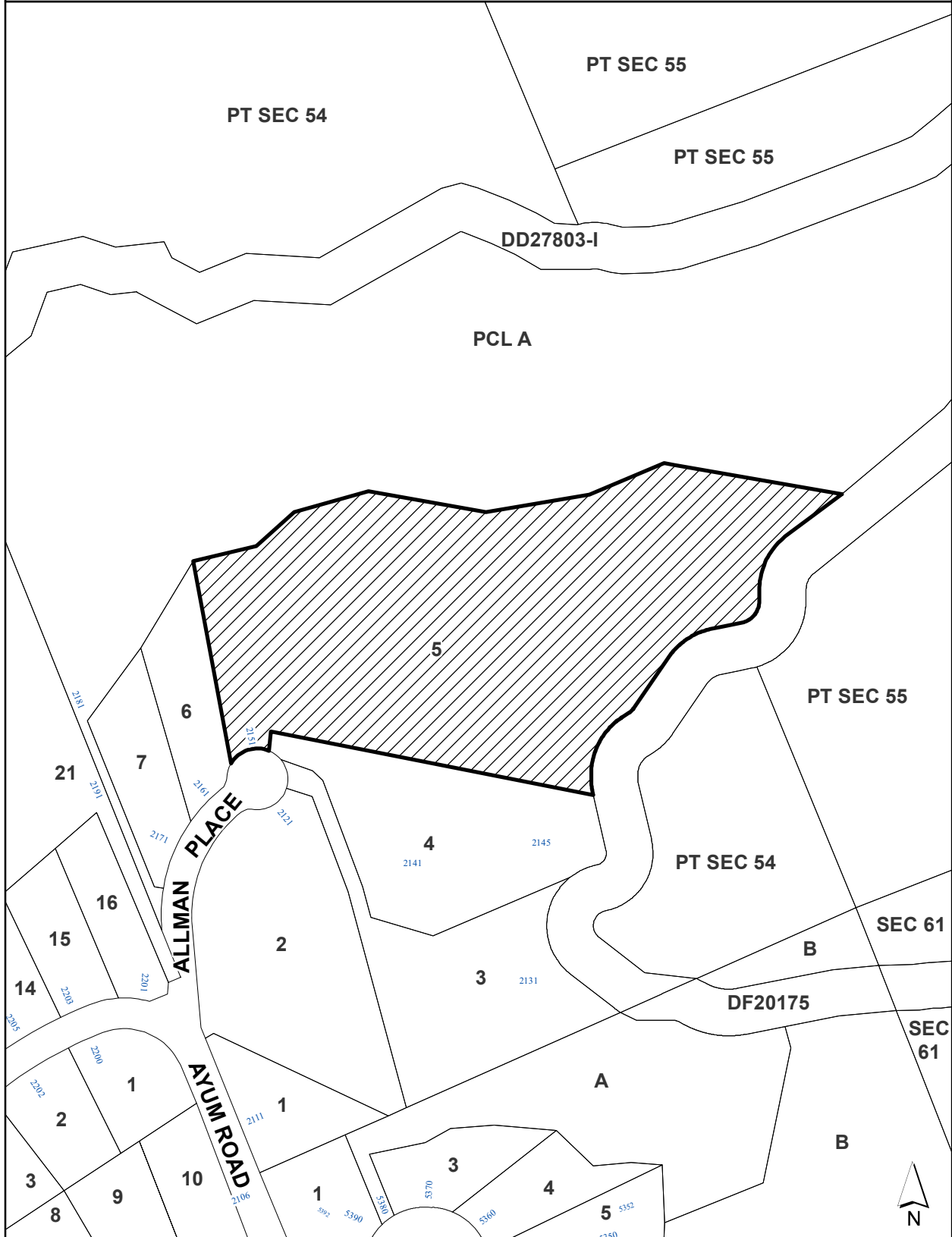
[Owners Rezoning rationale 2151 Allman Place](#)

[681-ZA\(600-44\)-RU4 to RU2-2151 Allman Place](#)

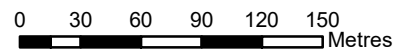


SUBJECT PROPERTY MAP

File: PLN01327



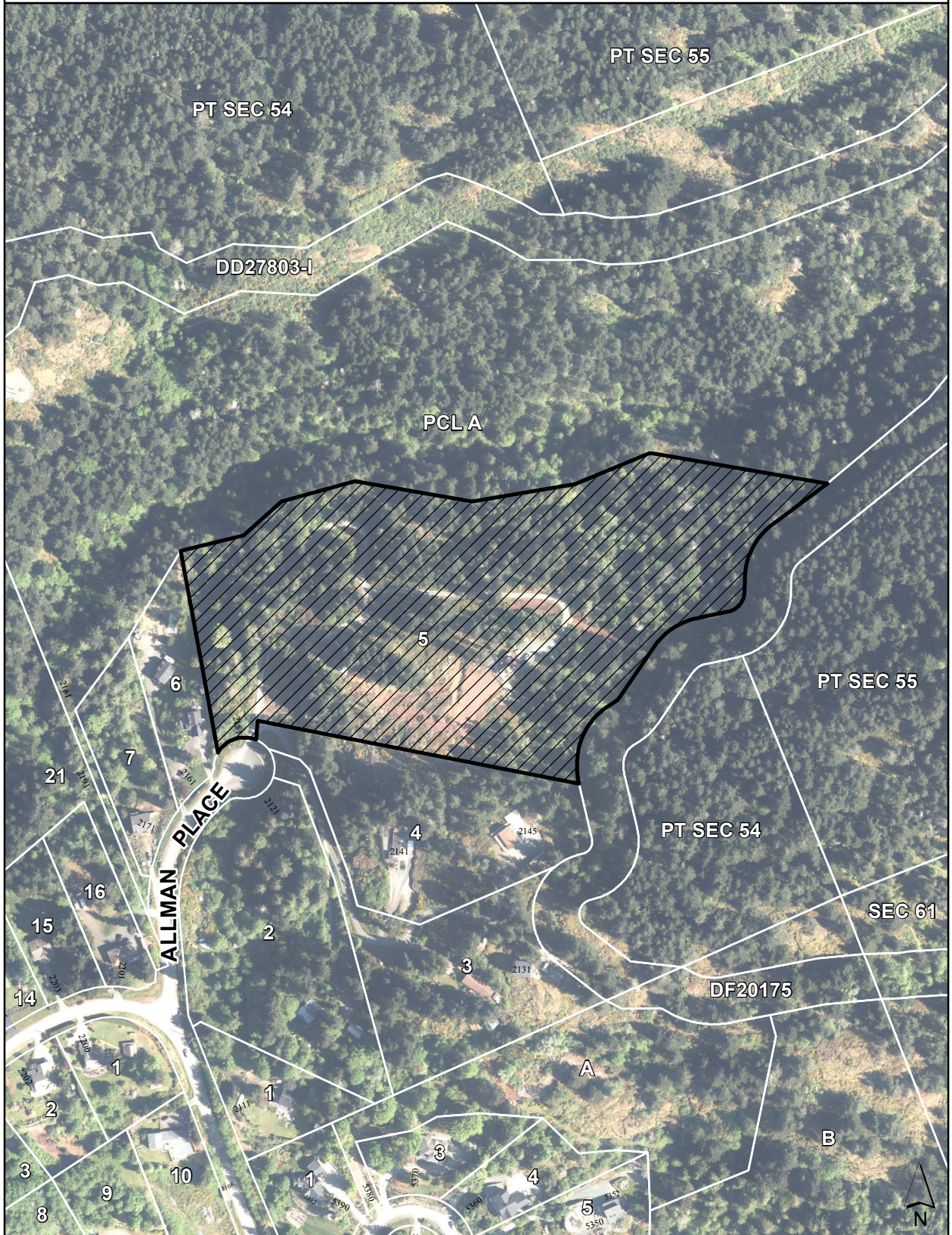
 Subject Property



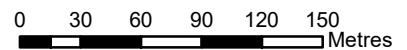


SUBJECT PROPERTY MAP

File: PLN01327



 Subject Property



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

SUMMARY OF COMMENTS RECEIVED for 2151 Allman Place IN RESPONSE TO DISTRICT OF SOOKE REFERRAL

EXTERNAL REFERRALS	
Agency	Comments
BC Hydro	No concerns
Ministry of Transportation and Infrastructure	No objections.
Canada Post	No response
BC Transit	No response
Beecher Bay	No response
CRD Water	Response on its way
SEAPARC	No response
T'souke Nation	No response
VIHA	Permit required at time of building permit
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>
School District #62	No concerns
Fortis BC	No objections.
Shaw Cable	No response
Telus	No concerns.
Building	No concerns
Fire	Maintain adequate road access for emergency vehicles and encourage the planning of Fire Smart Principles and Practices as this location is in the interface of the forest.
Engineering	The availability of suitable ground for sewage disposal may be a concern and should be looked into by the owner.
Environmental	No concerns

Rural

RU2

102.1 Purpose: This zone is intended to provide for varied rural uses on large rural tracts of land within the District of Sooke.

102.2 Permitted Uses: (may be subject to approval by the Provincial ALC)

Principal Uses:

Accessory Uses:

- | | |
|---|---|
| <ul style="list-style-type: none"> a) Agriculture b) Agriculture – intensive * c) Aquaculture d) Single family dwelling or duplex | <ul style="list-style-type: none"> e) Bed and breakfast f) Boarding and lodging g) Home-based business h) One secondary suite or one small suite per single family dwelling i) Vacation accommodation unit |
|---|---|
- *See conditions of use.

102.3 Minimum Lot Size for Subdivision Purposes: *4 ha
* See conditions of use.

102.4 Minimum Width for Subdivision Purposes: 85 m

102.5 Maximum Permitted Density:

Lot Size	Number of dwelling units
0.4 ha or less	1 single family dwelling or one duplex
0.41 ha – 0.799 ha	2 single family dwellings or 1 duplex
0.8 ha – 3.99 ha	3 single family dwellings or 1 duplex
4 ha – 15.99 ha	4 single family dwellings or 2 duplexes
16 ha – 31.99 ha	5 single family dwellings or 2 duplexes
32 ha or greater	8 single family dwellings or 4 duplexes

Schedule 102 – Rural (RU2)

102.6 Maximum Height:

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

102.7 Maximum Lot Coverage:

- a) 35%
- b) Where Agricultural production is carried out in greenhouses, the maximum lot coverage is 75%.

102.8 Minimum Setbacks:

Use	Front Lot Line	Flanking Lot Line	Side Lot Line	Rear Lot Line
Principal Building or Structure	7.5 m	4.5 m	3 m	4.5 m
Accessory Building or Structure	7.5	4.5 m	3 m	4.5 m
Farm Building or Structure	10 m	10 m	10 m	10 m
Aquaculture or Intensive Farm Building or Structure	30 m	30 m	30 m	30 m

102.9 Conditions of Use:

- a) Agriculture-intensive only permitted on lots 2 ha or larger.
- b) *[deleted by Bylaw No. 623 (600-20) adopted on January 25, 2016]*

Rezoning Rationale

The applicants would like to rezone the property located at 2151 Allman Place (herein known as 'the property') from its current zoning of RU4 to RU2.

Description of Surrounding Area

The property is located on a cul-de-sac and backs on to CRD land and Parkland. Neighboring properties off of Ludlow Road are currently RU4 zoning and RU2 zoning for properties located off of Sooke Road. There is also RU3 zoning on the properties located near Ludlow Road. Ayum Creek is located behind the property, and is a protected area due to the salmon spawning.

Purpose of Rezoning

The purpose of rezoning the property from RU4 to RU2 is to allow for the construction of additional homes. The property has been purchased by a family who would like to keep it as one property and not sub-divide. At this time, the family would like to construct one additional dwelling with a carriage house. The property currently has one home and cottage. RU2 zoning would allow up to four dwellings on the property without sub-division.

How the application relates to the goals and objectives of the Official Community Plan

The application to rezone to RU2 relates to the goals and objectives of Sooke's OCP as it fits with the Gateway Residential Plan of large lot residential and limited multi-family, to promote low density development.

The property is one of the last large parcels left in this area. Many of the other property owners have sub-divided their properties within the limitations of the current RU4 zoning, such as with Basinview Heights. While they have still maintained a low density development, they have broken up many of the last large parcels available.

As Sooke continues to develop and urbanize, there are less areas and properties available in this size. It is important to protect the roots that Sooke was built on; family, the ability to eat and grow local, recreation and the environment.

It is also important that Sooke is able to attract new residents who will put money back into the local economy. With rezoning, there will be different generations living on the property and contributing to the Sooke economy; children will be attending the schools; families will be investing in the community.



DISTRICT OF SOOKE ZONING AMENDMENT BYLAW NO. 681

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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 __day of ____, 2017.

PUBLIC HEARING held the __day of ____, 2017.

READ a THIRD time the __day of ____, 2017.

APPROVED by Ministry of Transportation and Infrastructure the __day of ____, 2017.

ADOPTED the __day of ____, 2017.

Maja Tait
Mayor

Carolyn Mushata
Corporate Officer

SCHEDULE A

