



**Public Hearing
Information Package**

October 10, 2017 at 7:00 pm
Sooke Council Chamber
2225 Otter Point Road, Sooke, BC

7004 Melrick Place

Proposed Bylaw:	Bylaw No. 675, <i>Zoning Amendment Bylaw (600-39)</i>
Zoning Amendment:	The purpose of Bylaw No. 675, <i>Zoning Amendment Bylaw (600-39)</i> is to rezone 7004 Melrick Place, from “Rural (RU2)” and “Rural Residential (RU4)” to “Small Lot Residential (R3)”.

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3. Staff Report to Council, dated October 10, 2017. <ul style="list-style-type: none">○ Cover Page○ Subject Property Maps○ Parking & Concept Plan for Subdivision○ Small Lot Residential (R3) Zoning○ OCP – Policy Context○ Section 219 Covenant	5
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- Subject Property Maps
 - Referral Comments
 - Small Lot Residential (R3) Zone
 - Geotech Report (covenant area B)
 - Concept Plan for Subdivision
 - OCP – Relevant Sections for Rezoning Application
 - Bylaw No. 675, *Zoning Amendment Bylaw No. 675 (600-39)*

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



NOTICE OF PUBLIC HEARING

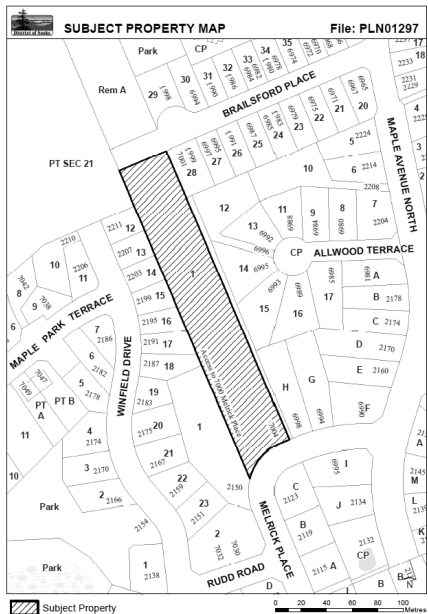
The Council of the District of Sooke will hold a Public Hearing pursuant to the provisions of the *Local Government Act* in the Council Chambers at 2225 Otter Point Road, Sooke, BC on **Tuesday, October 10, 2017** commencing at 7:00 pm.

Application Information:

- Bylaw:** Bylaw No. 675, *Zoning Amendment Bylaw (600-39)*
- File No:** PLN01297
- Civic Address:** 7004 Melrick Place (shown outlined in black and hatched on the subject map)
- Legal Description:** Lot 1 of Sections 21, Sooke District, Plan EPP63813
- Applicant:** Michael Volk

Proposal:

The purpose of Bylaw No. 675, *Zoning Amendment Bylaw (600-39)* is to rezone 7004 Melrick Place, which lies between Melrick Place and Brailsford Place, from "Rural (RU2)" and "Rural Residential (RU4)" to "Small Lot Residential (R3)" with the intent of subdividing the property to create up to 20 single family lots. The R3 zone permits a minimum lot size for subdivision of 350 square meters.



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 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) commencing September 27, 2017 to and including October 10, 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 **Tuesday, October 10, 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.



**DISTRICT OF SOOKE
ZONING AMENDMENT
BYLAW No. 675**

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on the property located at 7004 Melrick from Rural (RU2) and Rural Residential (RU4) 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 No. 675 (600-39)*.
2. The parcel of land legally described as Lot 1, Section 21, Sooke District, Plan EPP63813 as shown boldly outlined and hatched on Schedule A, which is affixed to and forms part of this Bylaw, is hereby rezoned from Rural (RU2) and Rural Residential (RU4) to Small Lot Residential (R3).
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 12th day of June, 2017.

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

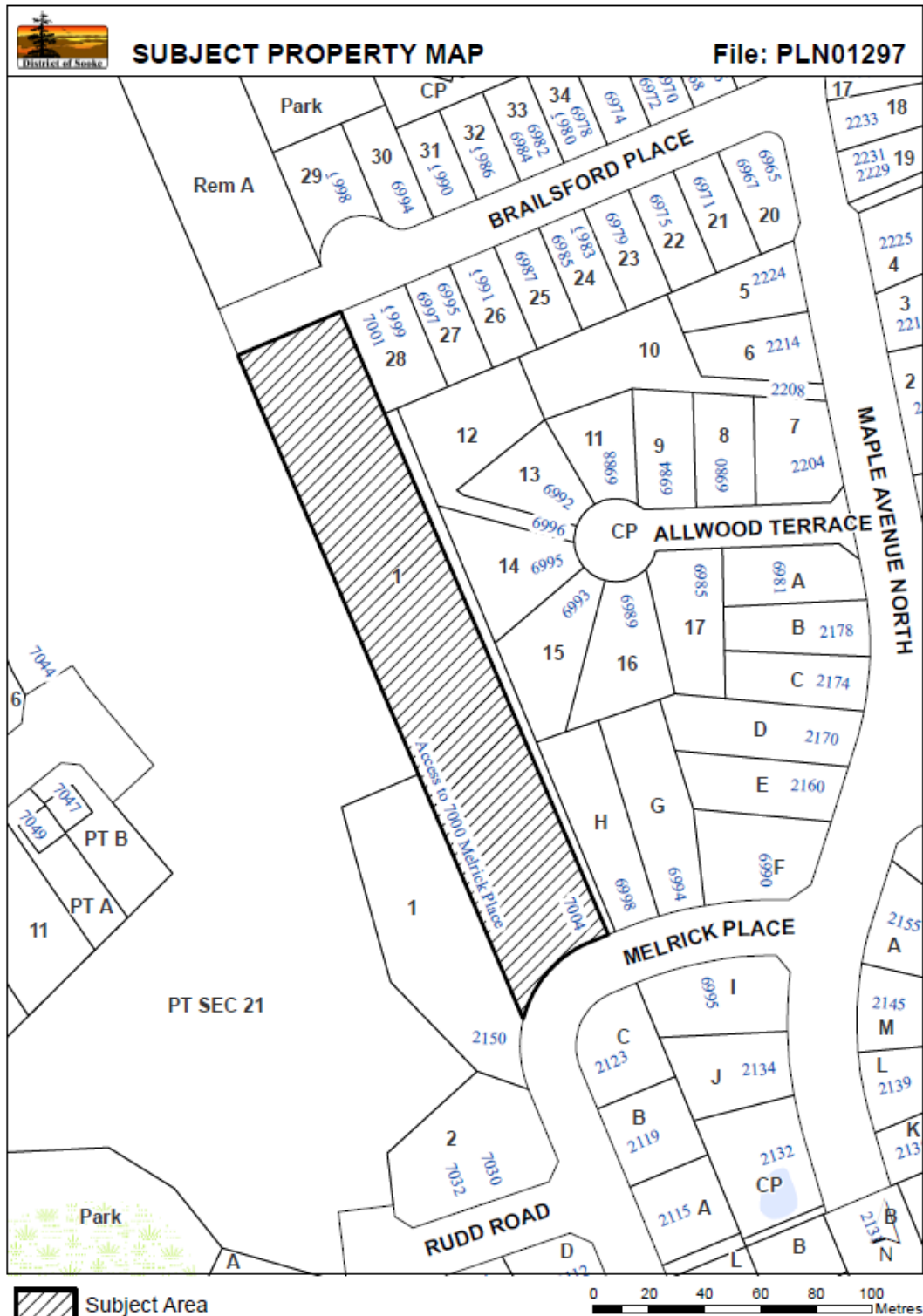
READ a THIRD time the ___ day of ____, 20__.

ADOPTED the ___ day of ____, 20__.

Maja Tait
Mayor

Carolyn Mushata
Corporate Officer

SCHEDULE A





7004 Melrick Place - Updated Report for Public Hearing October 10th

RECOMMENDATION:

THAT COUNCIL, should the rezoning be approved, direct that prior to final adoption of *Zoning Amendment Bylaw No. 675 (600-39)*, the owner enter into a section 219 covenant with the District of Sooke to ensure that at time of subdivision, the owner constructs a minimum of 15 off-street Visitor Parking spaces in addition to the number of parking spaces required on each residential lot as per the Zoning Bylaw for a single family dwelling and secondary suite.

Report Summary:

The applicant has applied to rezone 7004 Melrick Place from RU2/RU4 to Small Lot Residential (R3) with the intent of subdividing to create up to 17 or 18 bare-land strata lots and up to 2 fee simple lots. The applicant has also applied to include the property into the Sewer Specified Area (SSA).

Previous Council Action:

On September 11, 2017 Staff presented a report to Council to discuss the impact that small residential lots with suites can have on parking. Council authorized staff to enter into discussions with the applicant regarding a proposed parking plan that would provide at least 15 visitor parking spaces within the Common Property strata road. These spaces would be in addition to the number of parking spaces required in the Sooke Zoning Bylaw to be located within the lot upon which the single family dwelling and suite are to be located. Council also expressed the importance of ensuring the parking space to service the secondary suite be constructed on the lot in a location where it does not impede or cannot be impeded by another parking space.

On June 12, 2017 the bylaw to rezone 7004 Melrick Place to R3 received first and second reading. At the same meeting, first, second and third reading was given to Bylaw No. 669, *Sooke Core Sewer Specified Area Amendment Bylaw (147-32)*. Should the rezoning be given third reading, adoption of the sewer inclusion bylaw will be concurrent with adoption of the zoning amendment bylaw.

Report:

7004 Melrick Place is 2.46 acres and is surrounded by single family residential. The property slopes towards Melrick Place which is the proposed access for up to 17 bare-land strata lots and the second access at Brailsford Place is the proposed access for up to 2 fee simple lots.

The owner has provided a geotechnical report dated June 21, 2017 to address covenant EG102377 which states that no further residential development is permitted

on the land without further site specific geotechnical study. The geotechnical report states that the southern (lower) portion of the property will require removal of unsuitable fills/soft soils to re-establish design grades with engineered fill material. The geotechnical engineer states that the contemplated earthworks program is viewed as geotechnically significant and interaction with the civil engineer will be required on grading plans, construction specifications, subgrade review, review of fill material, placement and compaction, bearing review and input into any rock cuts required. A geotechnical review will also be required for the siting of structures that are placed on fills.

Official Community Plan

The property is designated as Community Residential in the Official Community Plan, 2010 (OCP) (policy context attached). The proposal is consistent with the policies and objectives of the goals of the Community Residential designation, where existing municipal services can be accessed in an efficient manner. The proposed rezoning is providing infill and creating contiguous development to an area that is densifying. To the west is the Spiritwood Estates Zone and the owners of that property recently created 23 new single family lots known as "View Pointe Estates". To the north east is the development known as Stone Ridge Estates and to the east and south is existing single family.

One of the objectives of the OCP is to provide affordable and attainable housing opportunities (section 4.7.2). Providing secondary suites is seen as a way to fulfill this goal. Further to this objective, action item 4.7.4 states that: "*Minimum lot sizes for homes with secondary suites need to be able to accommodate parking and provision of private or shared open space for suite tenants.*" The developer has given consideration to parking requirements and will be providing at least 15 visitor parking stalls that will be in addition to the number of parking spaces required on a residential lot. At time of building permit, an owner will be required to provide 2 parking spaces for a single family dwelling and one additional parking space if there is a secondary suite. All three parking spaces shall be located within the lot upon which the single family dwelling and suite are to be located. If there is a secondary suite, Staff still has concerns that there will not be sufficient open space left on a proposed lot for both the owner-occupants of the house and the secondary suite tenant. The owner however, has assured staff that once "Spiritwood Estates" is fully developed, there will be more park and playground amenities in walking distance for the immediate surrounding neighbourhood residents to use.

Zoning Bylaw

The height of single family dwellings in the proposed R3 zone is restricted to 10.5 metres whereas the surrounding single family residential zones are permitted maximum heights of 12 metres and 13 metres. At time of Development Permit (DP), the applicant will be asked to provide drawings to ensure that there is appropriate stepping of new buildings to preserve viewscales as per OCP section 3.2.9(d) and 4.10.3(k).

Budget/Financial Impacts:

The developer is responsible for all costs associated with off site improvements in accordance with *Subdivision and Development Standards Bylaw* (Bylaw 404).

Strategic Relevance:

The application is consistent with the strategic priorities in Council's 2016 Corporate Strategic Plan.

Attached Documents:

[subject property maps 7004 Melrick](#)

[Parking Plan and Concept Plan for subdivision 7004 Melrick](#)

[Small Lot Residential R3 zone](#)

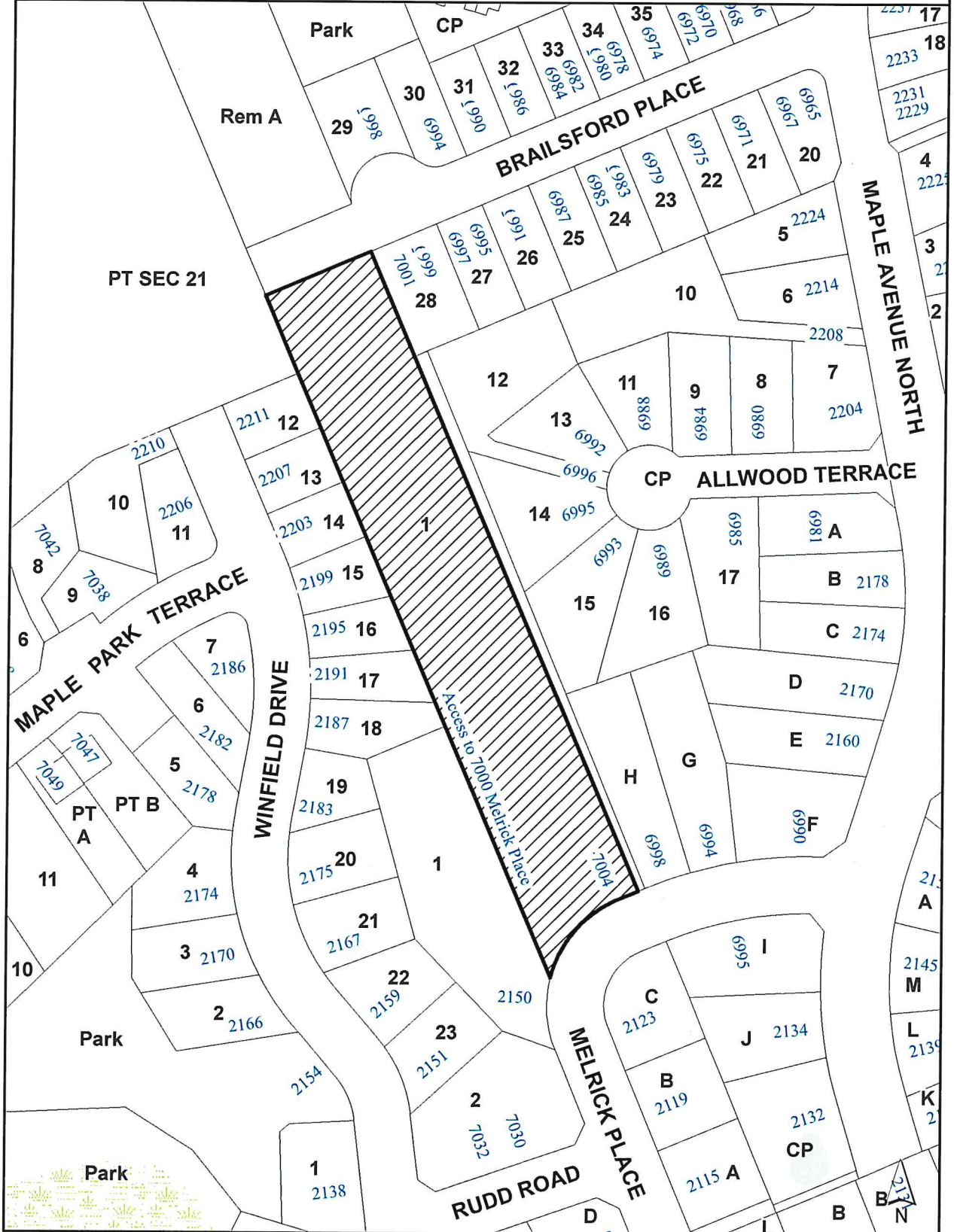
[OCP Policy Context 7004 MELRICK PLACE](#)

[S. 219 DEV AGREEMENT 7004 Melrick Parking](#)

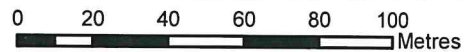


SUBJECT PROPERTY MAP

File: PLN01297



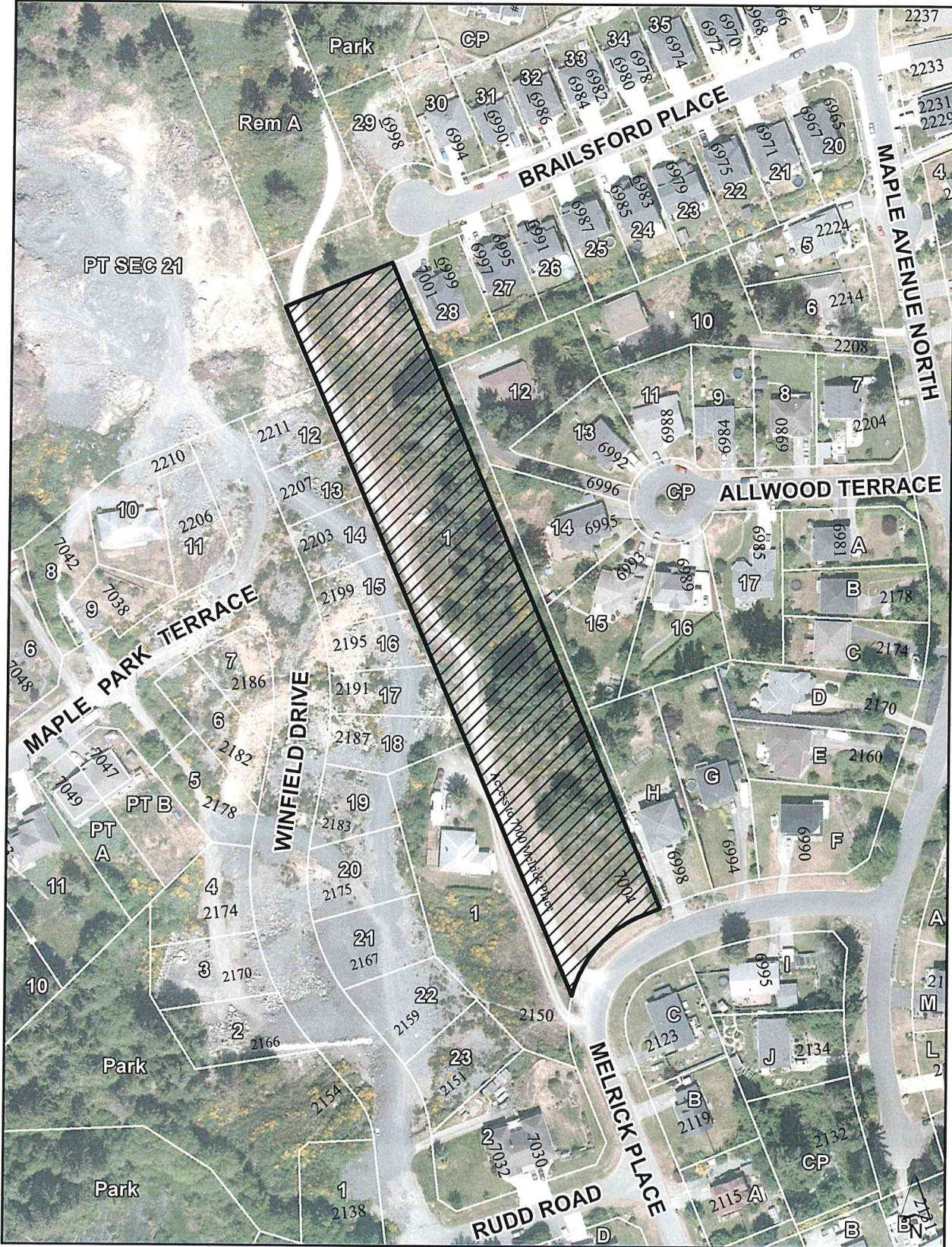
Subject Property



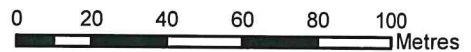


SUBJECT PROPERTY MAP

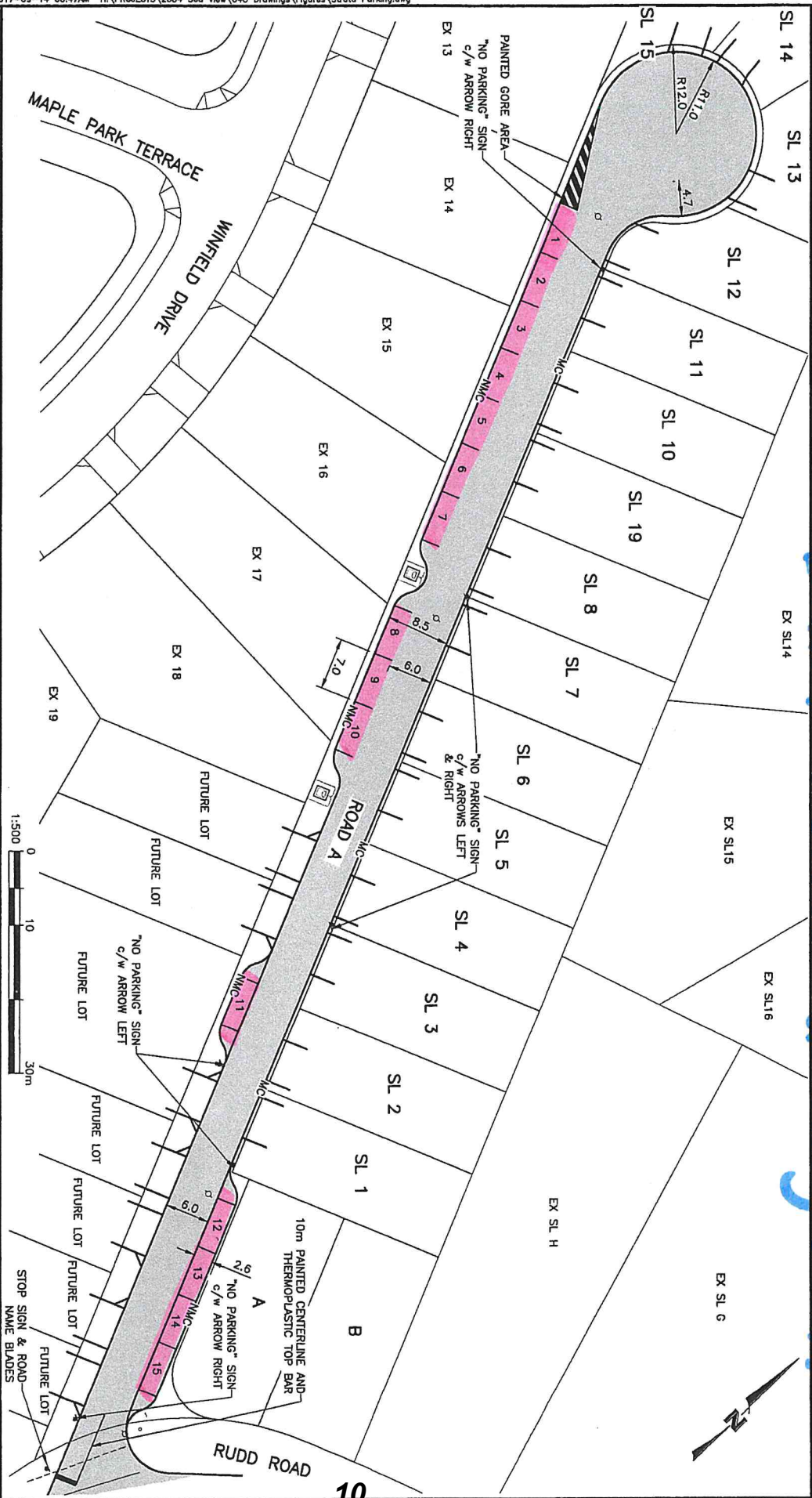
File: PLN01297



 Subject Property



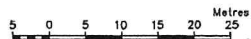
Draft Visitor Parking Plan



REVISIONS		DESIGNED		PROJECT		WESTBROOK PROJECT No.	
No.	DESCRIPTION	DATE	SIGN	DESIGNED	KKS	VIEWPOINTE ESTATES STRATA	2884
				DRAWN	BB	VIEWPOINTE ESTATES JV	
				CHECKED		PARKING PLAN	
				DATE	JULY 2017		
				B.M.			
				ELEV.			
				SCALE	Horz. Vert.		
					N/A		

<p>WESTBROOK Consulting Ltd.</p> <p>#115 - 866 Goldstream Ave., Victoria, BC V9B 0J3 Telephone: 250-391-8592 Facsimile: 250-391-8593</p>		<p>WESTBROOK PROJECT No. 2884</p> <p>GOVERNING AUTHORITY FILE No. WESTBROOK DRAWING No. FIGURE 1</p>	
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Sketch Plan of Proposed Subdivision of Part of
 Lot 1, Section 21,
 Sooke District,
 Plan EPP63813.



The intended plot size of this plan is 432 mm in width by 559 mm in height (C size) when plotted at a scale of 1:500

Legend:

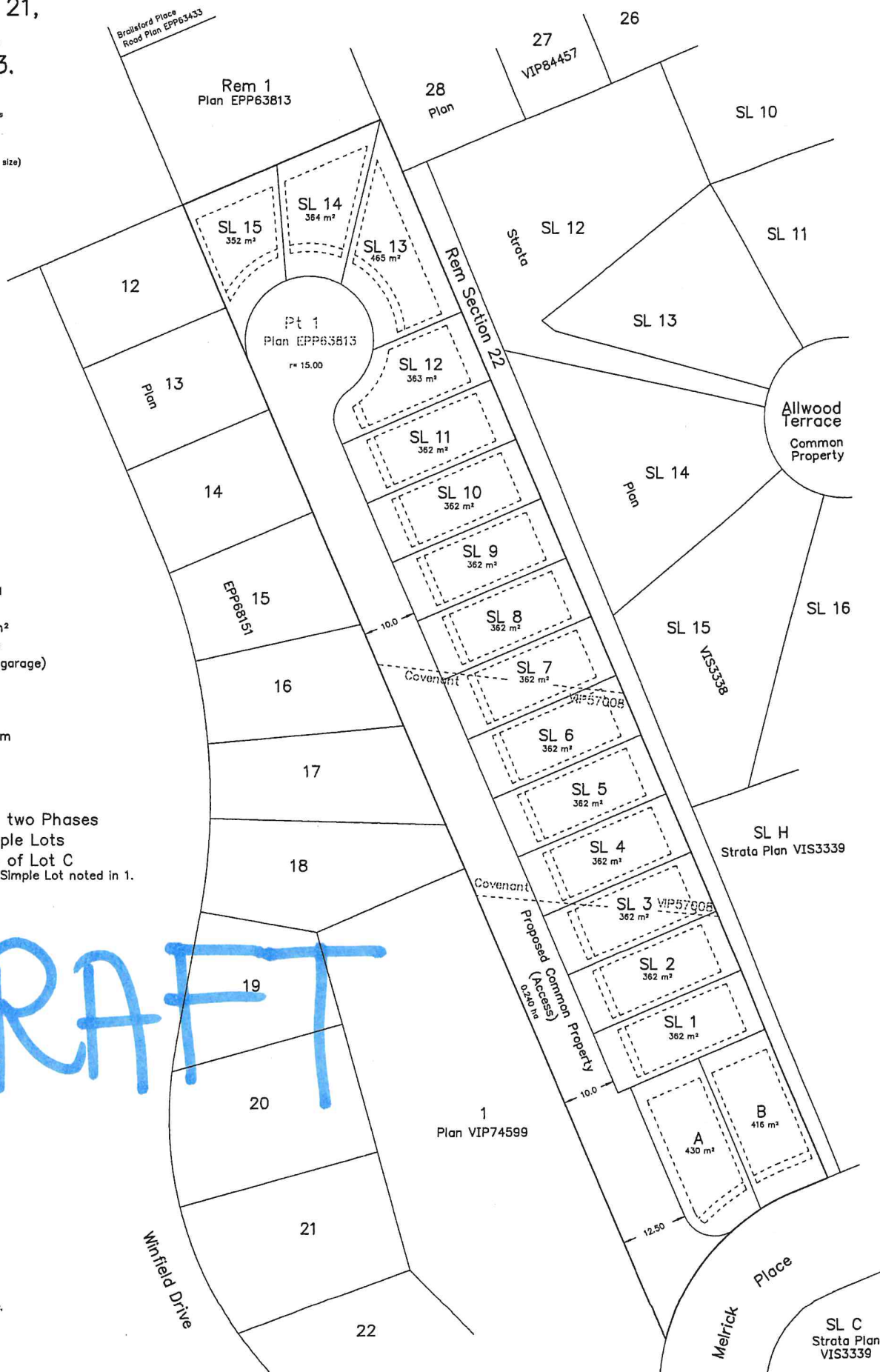


Site Area = 0.878 ha
 17 lots
 Minimum Lot Size = 350 m²
 Minimum Lot Width = 11 m
 Front = 4.5 m (6.0 m to garage)
 Flanking = 2.0 m
 Interior Side = 1.2 m
 Rear = 3.5 m

Parking Stall = 2.7m x 5.8 m

- Note: Subdivision in two Phases
1. Create 3 Fee Simple Lots
 2. Bare Land Strata of Lot C
 Subdivision of 3rd Fee Simple Lot noted in 1.

DRAFT



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)*

POLICY CONTEXT – 7004 MELRICK PLACE

OFFICIAL COMMUNITY PLAN, 2010 (BYLAW 400)

3.2.9 Preserving Sooke's Character

- (d) Encouraging view corridors to Sooke's natural features, including the harbor and waterfront areas;

4.3 Energy and Climate Change

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

4.7 Housing

- 4.7.3(f) Require that a minimum of 10% of the total of any proposed bare land or strata single family residential subdivisions are affordable housing lots as defined by the District of Sooke. Affordable housing lots shall be sold at an affordable rate through tools such as covenants and housing agreements;

- 4.7.3(g) Consider allowing developers the flexibility to provide their required affordable housing in different forms thus creating an 'affordable housing mix' in new developments, e.g. secondary suites, condominium rentals units, cash, or land in lieu to the District of Sooke towards on/off-site affordable housing.

- 4.7.4(a)(v) Amend the Zoning Bylaw to allow secondary suites in all single family residential zones. Minimum lot sizes for homes with secondary suites need to be able to accommodate parking and provision of private or shared open space for suite tenants.

4.10 Environment

- 4.10.3(k) Preserve the environment and viewsapes of the Sooke Harbour and Basin, as seen from both land and sea, through:
 - i. Appropriate sizing and "stepping" of new buildings;
 - ii. Protection and integration of natural features in development design;

5.1 Community Residential

- 5.1.2(b) Provide affordable and attainable housing opportunities, to meet the needs of various age groups, family types, lifestyles and income groups;
 - (d) Provide the most efficient use of land and existing physical infrastructure in terms of infill/densification;
 - (f) Primarily concentrate new residential development in existing areas or neighbourhoods prior to expanding into new areas;
 - (h) Reduce impact on the natural environment and avoid hazardous land conditions and environmentally sensitive areas;

TERMS OF INSTRUMENT – PART 2

SECTION 219 COVENANT

THIS AGREEMENT, dated for reference _____, 201__ is made

BETWEEN:

Ian Laing Properties Ltd., Inc. No. BC0680822

C/O 402 – 707 Fort Street, PO Box 1231

Victoria, BC V8W 2T6

Silver Arrow Real Estate Ltd., Inc. No. BC0806069

565 David Street

Victoria, BC V8T 2C7

Island Red Brick Holdings Ltd., Inc. No. BC1050850

1091 San Marino Crescent

Victoria, BC V8W 3B3

(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 21, Sooke District, Plan EPP63813

(PID 030-071-160)

(the “Land”);

- B. The Owner proposes to develop the Land for a residential use;
- C. The Owner has requested the Municipality to adopt Bylaw No. 675, *Zoning Amendment Bylaw (600-39)* (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 each of 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) No building permit may be applied for, and the Municipality is not obliged to issue any building permit, in respect of the Land with exception of improvements to existing structures; and
 - (d) 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, 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. Prior to subdivision approval, the owner shall construct at least 15 off-street Visitor Parking spaces within the Common Property strata road. These spaces will be in addition to the number of parking spaces required in the Sooke Zoning Bylaw on each lot created for a single family dwelling and a secondary suite.
2. Any lot on which a single family dwelling with suite is to be constructed shall provide a minimum of two parking spaces for the primary residence and one additional parking space for the secondary suite. All three parking spaces shall be located within the lot upon which the single family dwelling and suite are to be located. The three parking spaces shall be in addition to the minimum 15 Visitor Parking spaces to be constructed on the Common Property strata road. Additionally, the parking space to be constructed to service the secondary suite shall be designed so it is independently accessible and will not be blocked by another parking space. All proposed parking spaces must be shown on the building permit application site plan for approval by the Director of Development Services prior to building permit issuance. All parking spaces must be fully constructed and ready for use prior to an Occupancy Certificate being granted.

END OF DOCUMENT

9.2 **7004 Melrick Place - Rezoning Application (Parking)**

The Planner II provided an overview of the written staff report, outlining three proposed parking schemes, none of which are recommended by staff due to safety and emergency vehicle access issues.

Council discussion:

- 18 single family dwellings, each with a suite permitted, are shown in the concept plan.
- The proposed zoning permits 350m² small lots, with three required parking stalls on each lot. Additional parking requirements are visitor stalls.
- Each lot has to provide on-site parking for the unit and suite.
- Discussion of mechanisms to control parking by strata, and merits of each proposed parking scheme.
- Possibility of painting lines indicating that the lane must be kept clear for emergency vehicles.
- Clarification that each lot must demonstrate that it meets the on-site parking requirements at the building permit stage.

364-2017

MOVED by Councillor Kasper, seconded by Councillor Pearson:

THAT Council invite the applicant to speak to the proposed development at 7004 Melrick Place.

CARRIED.

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

Opposed: Councillor Parkinson

Micheal Volk, applicant, provided an overview of each of the three proposed parking schemes included in the staff report, as well as a fourth scheme that allows for an additional four spots on Melrick Place, in addition to the 11 spots shown on parking scheme #2.

365-2017

MOVED by Councillor Reay, seconded by Councillor Parkinson:

THAT Council authorize staff to enter into discussions with the applicant with respect to proposed parking scheme #4 in conjunction with the affordable housing requirements identified in the Official Community Plan, 2010 that will be considered at a Public Hearing.

CARRIED.

In Favour: Councillor Berger, Councillor Kasper, Councillor Logins, Councillor Parkinson, Councillor Pearson, Councillor Reay, and Mayor Tait

Meeting Minutes to be adopted at October 10, 2017 Regular Council Meeting

366-2017

MOVED by Councillor Reay, seconded by Councillor Parkinson:

THAT Council authorize staff to enter into a covenant regarding the agreed upon parking scheme, as a condition of subdivision of 7004 Melrick Place.

CARRIED.

In Favour: Councillor Berger, Councillor Kasper, Councillor Logins, Councillor Parkinson, Councillor Pearson, Councillor Reay, and Mayor Tait

Meeting Minutes to be adopted at October 10, 2017 Regular Council Meeting



7004 Melrick Place - Report to be Addressed Prior to Public Hearing

RECOMMENDATION:

THAT COUNCIL discuss the applicant's proposed parking scheme in conjunction with the affordable housing requirements within the Official Community Plan, 2010 that will be considered at a Public Hearing.

Report Summary:

The applicant has applied to rezone 7004 Melrick Place to Small Lot Residential (R3). This report reviews the Applicant's proposed parking scheme for the property in terms of ensuring adequate parking for the proposed 18 bare-land strata lots.

Previous Council Action:

The bylaw to rezone 7004 Melrick Place from Rural (RU2) and Rural Residential (RU4) to Small Lot Residential (R3) received first and second reading on June 12, 2017. Council requested that prior to a Public hearing, a parking scheme be brought forward to address concerns with parking. During this meeting, Council also expressed a desire for affordable housing and determined that prohibiting suites on any of the lots by way of covenant to address parking concerns was not desirable.

Report:

Parking and Secondary Suites

The biggest challenge with 350 square metres in the Small Lot Residential (R3) zone is the impact suites can have on parking. The Zoning Bylaw requires 2 parking spots for a single family dwelling and 1 extra parking spot for a suite for a total of 3 on-site spots. In spite of these parking standards, an increase in on-street parking is almost inevitable when there are suites. No matter how many drivers live in a house with a suite, if the occupants own more than 1 or 2 cars or have recreational vehicles, some of the cars will be parked on the street. If the required on-site parking is in front of a garage, some home owners will still ask their tenants to park on the street to avoid having to move cars around. Many people use their garages for storage instead of the required parking. Whatever the reason, the end result is often congestion on residential streets affecting all users of the roads. There are a number of areas within Sooke experiencing parking problems and an example is in the Solent Road North, Harwick Lane and Dover Street neighborhoods where, in the past two years, the District has been dealing with significant issues as a result of no available parking.

It is very difficult to enforce on-site parking requirements as people simply park elsewhere for a few weeks and then come back to the neighborhood. Enforcing parking on strata roads would be even more difficult. Posting "Parking for Residents Only" signs

does not prevent parking by occupants of suites. "No Parking" signs simply relocates the parking congestion to nearby streets.

In urban centers like the City of Victoria, parking problems are off-set by the abundance of sidewalks. The amount of on-street parking can be less as many people rely on alternative forms of transportation such as bikes, walking and public transit. Fewer people require cars as work and services are close by. With a more dense population, bus service is more extensive than in smaller communities. Sooke does not have the same advantages as Victoria in terms of sidewalks and transportation options. This is why it is important to consider how to address parking as a direct result of secondary suites.

Due to the narrow shape of the subject property, the proposed reduced strata road width, the proposed small lot density and provision of secondary suites, planning staff had suggested that the provision of a common property lot would alleviate potential parking problems on the site. For example: 2260 Maple Avenue North, a 26 strata lot development called Trickle Creek has a 580 square metre common parking lot with 16 additional parking spaces for the Trickle Creek residents and visitors of the residents. This was to ensure that everyone had enough parking as a result of a reduced road width (6.7 metres) and small lots. Currently, there are no parking issues on this property, nor has there been any parking congestion spilling onto surrounding residential streets reported as a result of this development.

Proposed Parking Scheme #1 (see attached plan)

The applicant's first concept parking scheme showed 9 parking stalls arranged on a diagonal adjacent to Melrick Place road. The design of the stalls forced each vehicle to enter the parking stalls from Melrick Place, a public road. The design of the stalls were located on a rounded corner of Melrick Place and would create a situation where a vehicle would have to back out from the stall onto the public road, on a corner. Staff could not support this plan for multiple safety design reasons and this design has significant potential to create a negative impact on vehicle and pedestrian traffic that utilize Melrick Place. For this parking scheme to work, there must be only one point of entry into the proposed parking area from Melrick Place. To achieve this, a lot may be lost and the applicant does not wish to lose any lots.

Proposed Parking Scheme #2 (see attached plan)

The applicant's second concept parking scheme addresses visitor parking. The plan shows 11 visitor parking stalls to be placed along the west side of the internal strata road. The remaining strata road would be 6 metres wide, just wide enough to accommodate two 3 metre driving lanes. Staff reviewed this parking plan for visitor parking and accepted it, however, assurance is required that parking will not be permitted on the east side of the strata road. This can be achieved through a disclosure statement and the Approving Officer, at time of subdivision would require an undertaking from the applicant's lawyer committing to this. Although the "visitor parking" proposed is achievable, sufficient parking for secondary suites has not been adequately addressed.

To avoid parking congestion that spills out onto neighbouring residential streets and to provide an attractive development on this very narrow lot, staff would like the applicant to be open to providing a central common parking area. A common parking area would free up the already narrow internal strata road because the visitor parking could be placed within the central common parking area; future lot owners would have more space on their individual lots without cars taking up the whole front yard and residents would be able to walk down the strata road without dodging other cars. The end result is a quality, attractive, livable neighbourhood. The applicant however, has expressed no desire to provide a common property lot for parking because it will drive up the costs of the lots and they do not wish to sacrifice any of the lots in the project.

Conclusion

Staff and the applicant cannot mutually agree on a parking solution and staff is looking to Council for direction. If a satisfactory parking scheme cannot be achieved, staff has difficulty recommending the proposed development density of 18 lots as presented. For staff to recommend proposed parking scheme #2, which addresses visitor parking, but not secondary suite parking, the proposed number of lots would need to be reduced.

Option 1

Reduce the number of lots in the proposed development that accesses Melrick Place from 18 lots bare-land strata lots to 14 lots by way of covenant and accept parking scheme #2 showing visitor parking.

Option 2

Request the applicant to further review the parking and strongly encourage provision of a central common parking area that is large enough to accommodate visitor parking and suite parking for the proposed development.

Legal Impacts:

Policy statement 4.7.4 of the OCP states: "Minimum lot sizes for homes with secondary suites need to be able to accommodate parking and provision of private or shared open space for suite tenants." If Council desires to see secondary suites to be an option for property owners on all future single family lots on the subject property, there must be consideration given to parking requirements, servicing standards and open space for tenants.

Attached Documents:

[7004 Melrick Place subject property maps](#)

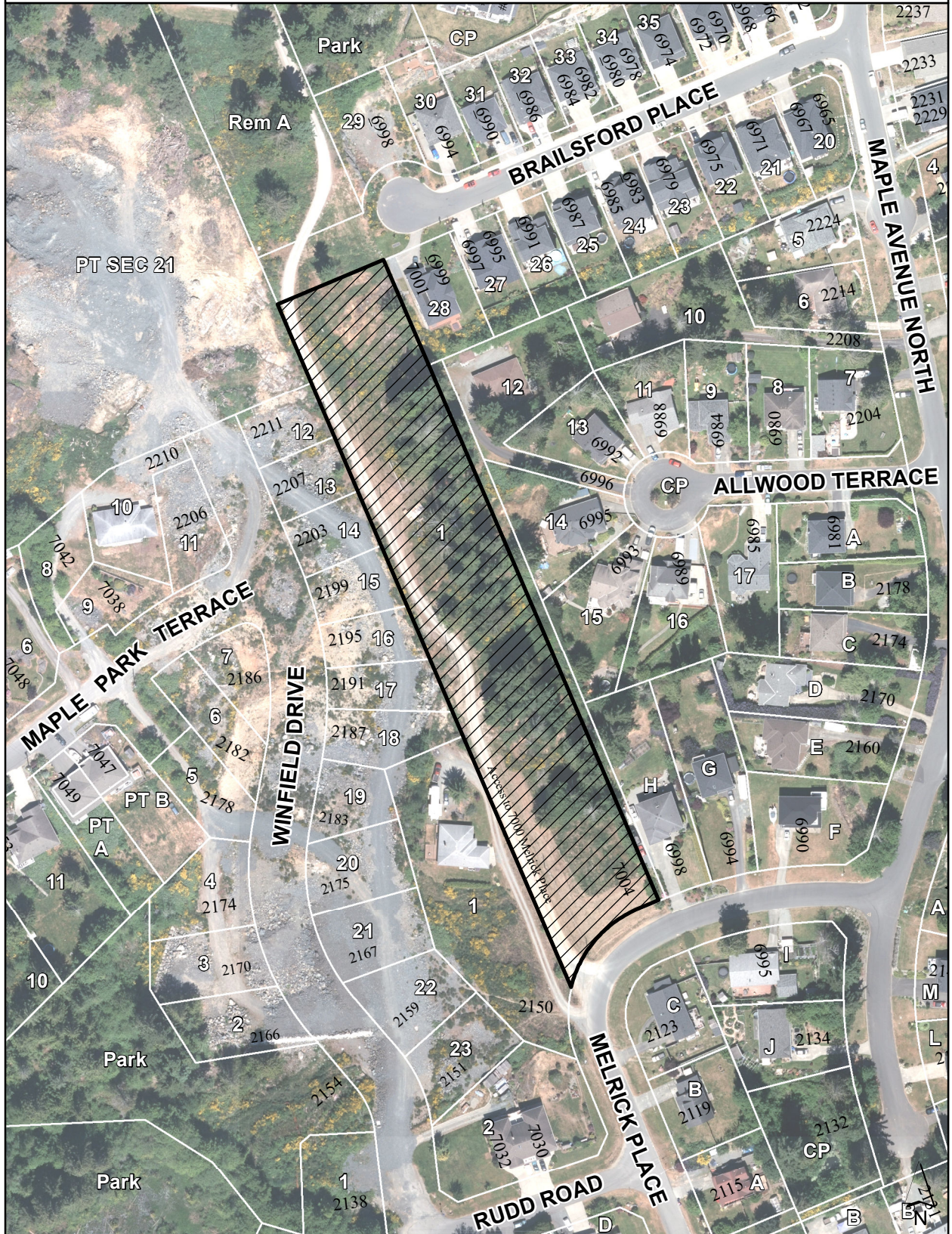
[Proposed Parking Scheme #1](#)


[Proposed Parking Scheme #2](#)

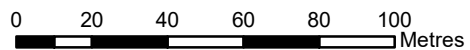


SUBJECT PROPERTY MAP

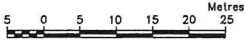
File: PLN01297



 Subject Property



Sketch Plan of Proposed Subdivision of Part of
 Lot 1, Section 21,
 Sooke District,
 Plan EPP63813.



The intended plot size of this plan is
 432 mm in width by 559 mm in height (C size)
 when plotted at a scale of 1:500

Legend:

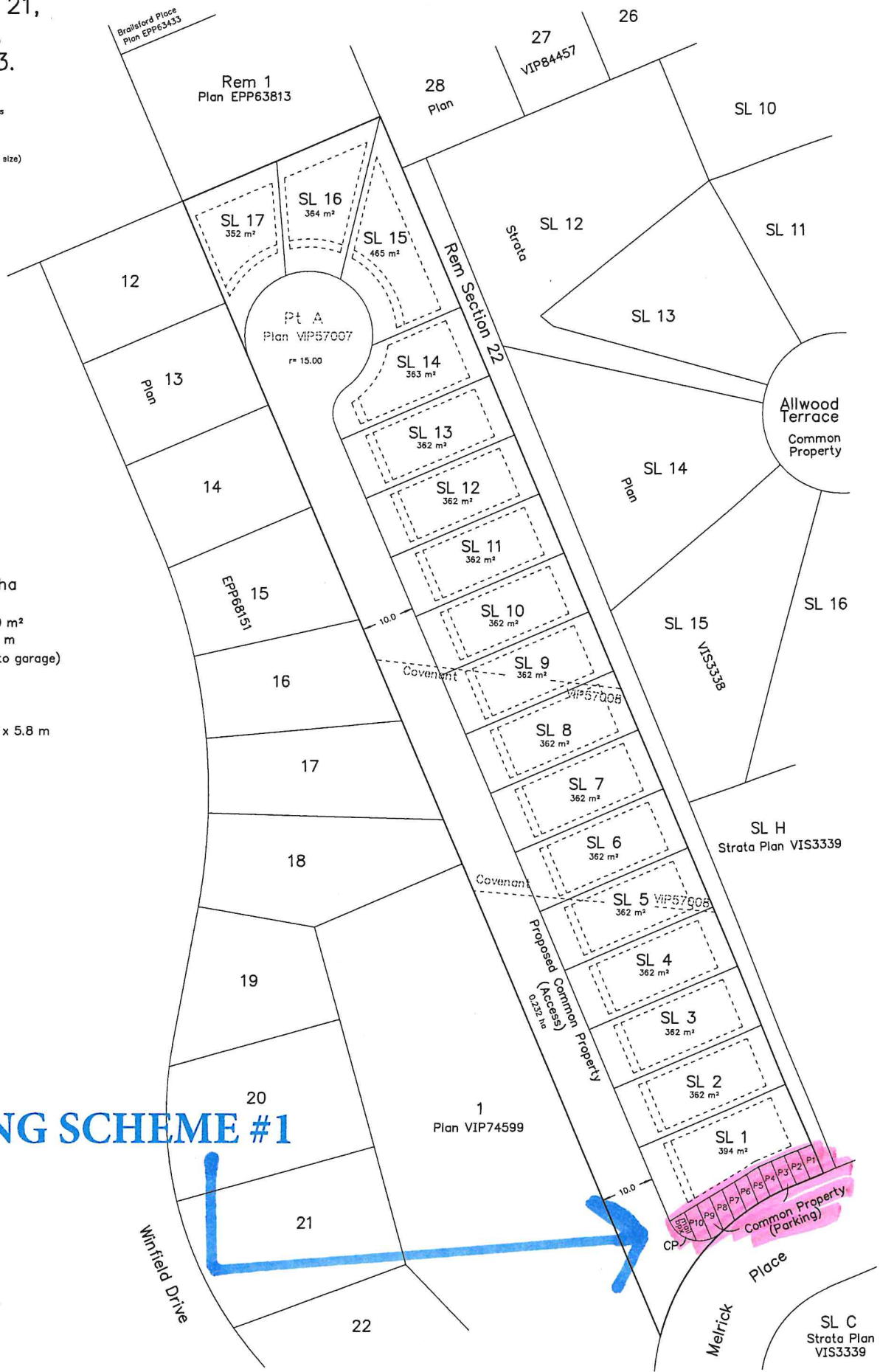


Site Area = 0.878 ha
 17 lots
 Minimum Lot Size = 350 m²
 Minimum Lot Width = 11 m
 Front = 4.5 m (6.0 m to garage)
 Flanking = 2.0 m
 Interior Side = 1.2 m
 Rear = 3.5 m

Parking Stalls are 2.7m x 5.8 m

PARKING SCHEME #1

21 June 2017
 McIlvaney Riley Land Surveying Inc.
 #113 - 2244 Sooke Road
 Victoria, B.C. V9B 1X1
 (250) 474-5538
 www.mrls.ca
 File: 4297SUBProp-SmallLots-20170621



12.3 **Zoning Amendment Bylaw No. 675 - 7004 Melrick Place**

RPT - 2017-0082, PLN01297

The Director of Development Services provided a PowerPoint presentation and overview of the written staff report. Providing details regarding the geotechnical report, proposed application details, concept plan, secondary suites, and identifying potential parking areas.

2017-237

MOVED by Councillor Kasper, seconded by Councillor Pearson:

THAT the applicant, specifically Michael Volk, be invited to address questions of Council regarding the application for 7004 Melrick Place.

CARRIED.

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

Absent: Councillor Logins

Council discussion:

- Covenant options may be restricting, regarding secondary suites:
 - Home size (rancher style, retirement options, may eliminate potential suites).
- Desire for affordable housing;
- Concerns with parking, congestion on road:
 - Common property lot within the area for parking.
 - Increased property parking.

Prior to the Public Hearing, a parking scheme is requested to be brought before Council. Staff are to meet with the applicant and address available options.

2017-238

MOVED by Councillor Kasper, seconded by Councillor Parkinson:

THAT Council give First and Second Readings to *Zoning Amendment Bylaw No. 675 (600-39)* for the purpose of amending the zoning on the property located at 7004 Melrick from Rural (RU2) and Rural Residential (RU4) to Small Lot Residential (R3);

AND THAT a Public Hearing be scheduled for *Zoning Amendment Bylaw No. 675 (600-39)*, in accordance with Section 466 of the *Local Government Act*.

CARRIED.

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

Absent: Councillor Logins



7004 Melrick Place Zoning Amendment Bylaw No. 675

RECOMMENDATION:

THAT COUNCIL give First and Second Readings to *Zoning Amendment Bylaw No. 675 (600-39)* for the purpose of amending the zoning on the property located at 7004 Melrick from Rural (RU2) and Rural Residential (RU4) to Small Lot Residential (R3); AND THAT a Public Hearing be scheduled for *Zoning Amendment Bylaw No. 675 (600-39)*, in accordance with Section 466 of the *Local Government Act*.

THAT COUNCIL, at time of Public Hearing, discuss prohibiting suites by way of a covenant on 75 percent of all future single family lots located at 7004 Melrick Place, to address parking on the subject property;
AND THAT this covenant be registered prior to adoption of *Zoning Amendment Bylaw No. 675 (600-39)*.

Report Summary:

The applicant has applied to rezone 7004 Melrick Place from Rural (RU2) and Rural Residential (RU4) to Small Lot Residential (R3) with the intent of subdividing the property to create 18 bare-land strata lots and 2 fee simple lots.

The applicant has applied to include the property into the Sewer Specified Area. This application was in process prior to Council's resolution not to approve inclusions until the fees bylaw was amended.

Report:

The 2.46 acre subject property is surrounded by single family residential. The property slopes downwards towards Melrick Place, which is its current access and there will be a second access via Brailsford Place. At present, there are trees lining the eastern property line and no structures.

Geotechnical Requirement

There is a covenant (EG102377) from 1993 that affects part of the subject property and is shown as "Covenant Area B" on reference plan VIP57008 and it states that no further residential development is permitted on the land without further site specific geotechnical study. The applicant has engaged a geotechnical engineer who has walked the property and will be doing further testing but does not anticipate any significant geotechnical issues. Prior to proceeding to public hearing, a geotechnical study is required because rezoning to allow higher density residential development cannot be supported when there is uncertainty on whether the land is suitable for the intended land use. The applicant and the geotechnical engineer have confirmed that the geotechnical study will be submitted prior to public hearing.

Brailsford Road Dedication

In February 2017, the owner of 7000 Melrick Place 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 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.

Referrals

Referrals were sent to internal and applicable external agencies for review and comment. No major issues were identified with the exception of the geotechnical study requirement. There will be consideration given to the internal road design due to the narrow shape of the lot to ensure safety and fire access.

A. OFFICIAL COMMUNITY PLAN 2010 (OCP)

The property is designated as Community Residential (CR) in the OCP. The goals of the CR designation are to ensure sustainable single family and multi-family construction, reduction of sprawl, and provision of municipal services in an efficient manner. The relevant OCP sections applicable to this application are attached to this report. This rezoning meets the applicable sections in the following ways:

The proposed rezoning is providing infill and creating contiguous development to an area that is densifying. To the west is the Spiritwood Estates Zone and the owners of that property recently created 23 new single family lots known as "View Pointe Estates". Stone Ridge Estates is to the north east. The existing single family lots along Brailsford Place are not less than 550 square metres and are not permitted secondary suites as per the Beaton Road Residential Comprehensive Development (CD5) zone. There are also existing single family lots to the east and south.

The height of single family dwellings in the proposed Small Lot Residential (R3) zone is restricted to 10.5 metres whereas the surrounding single family residential zones are permitted maximum heights of 12 metres and 13 metres. At time of Development Permit (DP), the applicant will be asked to provide drawings to ensure that there is appropriate stepping of new buildings to preserve views as per OCP section 3.2.9(d) and 4.10.3(k).

The applicant will be providing a site specific geotechnical study prior to the Public Hearing for the purpose of ensuring that the subject property does not have hazardous land conditions and will be safe for further residential development. This satisfies covenant EG102377 and OCP section 5.1.2(h).

The applicant has proposed to meet the affordable housing contributions required within section 4.7.3 of the OCP by providing secondary suites for the rental market.

Affordable Housing, Parking and Secondary Suites

The biggest challenge with 350 square metres in the Small Lot Residential (R3) zone is the impact suites can have on parking. The Zoning Bylaw requires 2 parking spots for a single family dwelling plus 1 extra spot for a suite for a total of 3 on-site spots. In spite of these parking standards, an increase in on-street parking is almost inevitable when there are suites. No matter how many drivers live in a house with a suite, if the occupants own more than 1 or 2 cars or have recreational vehicles, some of the cars will be parked on the street. If the required on-site parking is in front of a garage, some home owners will still ask their tenants to park on the street to avoid having to move cars around. Many people use their garages for storage instead of the required parking.

To avoid parking problems on this property as a result of the proposed reduced road width (strata road) and the increase in density, planning has suggested that, if secondary suites are to be permitted on every lot, that in addition to meeting the 3 on-site parking spots, the applicant provide a common property lot for visitor parking on the property. Example: 2260 Maple Avenue North, a 26 strata lot development called Trickle Creek has a 580 square metre common parking lot with 16 additional parking spaces for the Trickle Creek residents and visitors of the residents. This was to ensure that everyone had enough parking as a result of a reduced road width (6.7 metres) and small lots.

The applicant for 7004 Melrick Place has responded to address parking concerns by placing a covenant on title to prohibit suites on 75 percent of the lots. The applicant proposes that 25 percent of the largest lots will have a secondary suite.

If 25 percent of the proposed lots are permitted secondary suites and the remaining lots are prohibited suites, staff is concerned that the affordable housing component is not being satisfied. The applicant's argument is that the OCP requires 10 percent of the development to be affordable housing lots, which for a 20 lot development would be 2 lots. The OCP also considers flexibility to allow developers to provide affordable housing in the form of suites. As a result, the applicant believes that the proposal to provide secondary suites in 25 percent of proposed 20 lot development would meet the 10 percent OCP requirement.

B.ZONING BYLAW, 2013

The minimum lot size permitted in the Small Lot Residential (R3) zone is 350 square metres. The applicant has proposed to create 18 bare-land strata lots which would access from Melrick Place and 2 fee simple lots that would access from Brailsford Place.

An important attribute of a single family dwelling is open space for both the owner-occupants of the house as well as the secondary suite tenants. On smaller residential lots such as the ones proposed, much of the front yard is used for parking and the 1.2 metre wide side yards are too narrow for yard space, leaving the rear yard as the only available open space. Based on the applicant's proposed concept plan, prohibiting secondary suites on 75 percent of the future small lots could be a solution to ensuring adequate open space and reducing parking congestion on streets.

Legal Impacts:

To prohibit secondary suites on 75 per cent of future single family lots will require a covenant to be registered on the property. It will be the responsibility of the applicant's legal solicitor to prepare the covenant and the covenant would need to be registered prior to adoption of the zoning amendment bylaw.

Strategic Relevance:

One of the objectives of the OCP is to provide affordable and attainable housing opportunities (section 4.7.2). Providing secondary suites is seen as a way to fulfill this goal. Further to this objective, action item 4.7.4 states that: "*Minimum lot sizes for homes with secondary suites need to be able to accommodate parking and provision of private or shared open space for suite tenants.*" If Council wishes to permit secondary suites on all future single family lots on the subject property, to ensure compliance with the OCP, it must give consideration to parking requirements, servicing standards and open space for tenants.

Attached Documents:

[subject property map 7004 melrick](#)

[referral comments 7004 melrick](#)

[Small Lot Residential Zone](#)

[geotech 7004 melrick covenant area B](#)

[concept plan for subdivision](#)

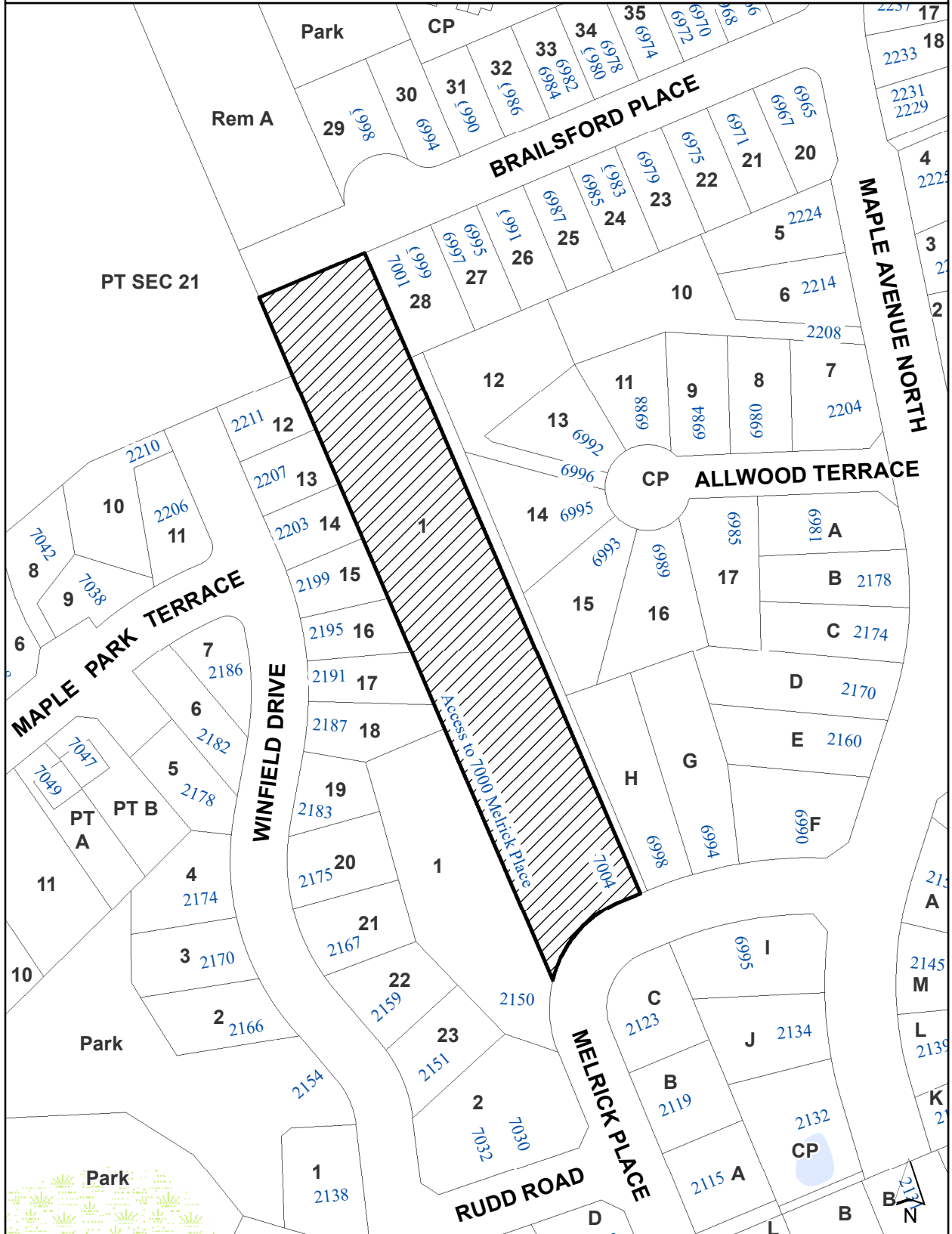
[OCP sections 7004 Melrick](#)

[675-ZA-7004 Melrick-RU2-RU4 to R3-2017](#)

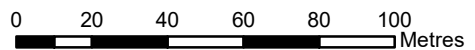


SUBJECT PROPERTY MAP

File: PLN01297



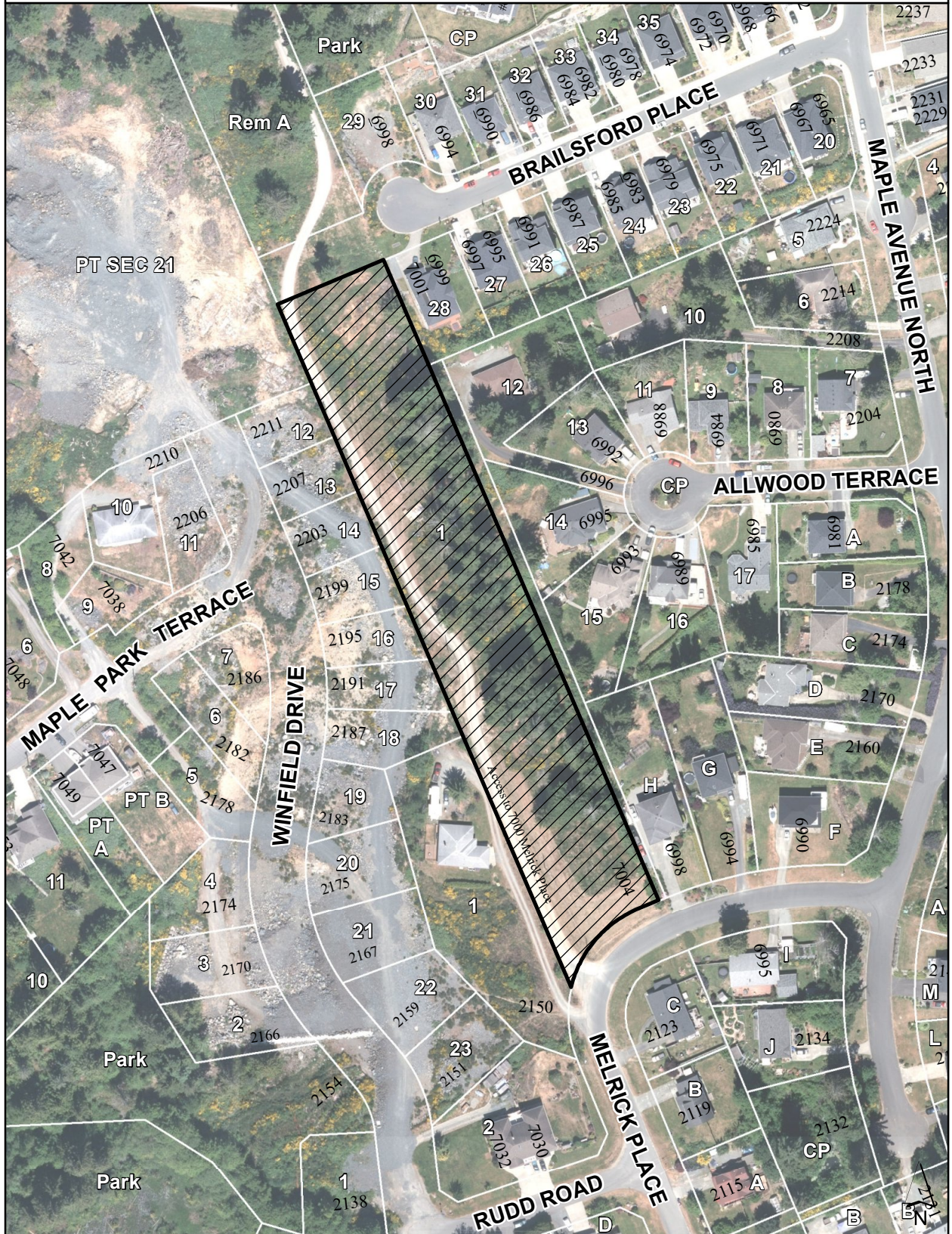
 Subject Property



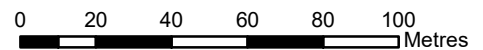


SUBJECT PROPERTY MAP

File: PLN01297



 Subject Property



**SUMMARY OF COMMENTS RECEIVED
IN RESPONSE TO DISTRICT OF SOOKE REFERRAL**

EXTERNAL REFERRALS	
Agency	Comments
BC Hydro	No concerns
Ministry of Transportation and Infrastructure	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.
Canada Post	No response
BC Transit	No response
Beecher Bay	Should there be any archaeological finds that protocol be followed and that T'Souke Nation be contacted.
CRD Water	See attached letter dated April 11, 2017
CRD JdFEA	N/A
SEAPARC	No response
T'souke Nation	No response
VIHA	N/A
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 a possibility for unknown/unrecorded archaeological sites to exist on the property. 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> <p>See attached referral response dated April 28, 2017.</p>
RCMP	No concerns
School District #62	No concerns
Fortis BC	No objections or concerns.
Shaw Cable	No response
Telus	No objections. Request for TELUS requirements at time of construction planning can be made by contacting 310-4DEV or 4DEV@TELUS.com
Building	No concerns at this time. Will review again at time of subdivision.
Fire	No concerns. Ensure safe access.
Engineering	Road dimensions for proposed bulb and draft preliminary cross section for internal strata road.



Integrated Water Services
479 Island Highway
Victoria, BC, Canada V9B 1H7

T: 250.474.9600
F: 250.474.4012
www.crd.bc.ca

April 11, 2017

File: 3360-20-JDFSK-17-004
Your File: PLN01297

via e-mail

Ms Tara Johnson
District of Sooke
2205 Otter Point Road
Sooke, BC V9Z 1J2

Dear Ms Johnson:

**RE: PROPOSED REZONING OF LOT 1, SECTION 21, SOOKE DISTRICT, PLAN EPP63813
(7004 MELRICK PLACE)**

Thank you for your rezoning referral received March 29, 2017, which requests that we examine the above mentioned proposal with regard to the water supply regulations and policies of the Capital Regional District (CRD) Integrated Water Services as established for the Juan de Fuca Water Distribution Commission.

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 development, subject to the following:

1. The Owner(s) pays for the supply and installation of a water distribution system capable of meeting all domestic requirements and provide fire flows to Fire Underwriters Survey (FUS) requirements, all designed in accordance with CRD Water Services Engineering Specifications and Standard Drawings. The Owner(s) also pays for all upgrades to the existing water distribution system to meet the conditions stated above, if required.
2. The Owner(s) pays all applicable connection fees for the new lots created by this subdivision. The existing dwelling is presently provided with water through a 19mm (3/4") service connection located at the frontage of the proposed access road on Melrick Place. The Owner(s) pays for the installation of a new service at the proposed lot frontage on Brailsford Place for the existing dwelling. The Owner(s) pays to abandon the existing service if it will not be required for this development.



3. The Owner(s) pays for the supply and installation of a water main along the proposed Brailsford Place extension, from the existing 200mm PVC main located at the westerly end of Brailsford Place, throughout the full length of the proposed road extension (Plan EPP63433). Type and size of the water main to be installed is subject to the approval of the CRD.
4. The Owner(s) pays for the supply and installation of a water main throughout the full length of the proposed road created by this development. Type and size of the water main to be installed is subject to the approval of the CRD.
5. The Owner(s) pays for the supply and installation of a water main through a statutory right-of-way, from the Brailsford Place water main extension noted in Item 3 to the northerly end of the proposed water main extension noted in Item 4. Type and size of the water main to be installed is subject to the approval of the CRD. Please note that the water main connection from Brailsford Place is required in order to meet the minimum pressure requirement of 276 kPa (40 psi) as per the CRD Engineering Specifications.
6. The Owner(s) pays for the supply and installation of a check valve on the proposed water main noted in Item 4, near the intersection with Melrick Place.
7. The Owner(s) shall submit a disinfection and flushing plan to the CRD for review and approval prior to the start of waterworks construction. The plan shall be prepared by a professional civil engineer, and is to be submitted to the CRD at the same time as the design drawings. The disinfection and flushing plan is to include details for the initial and final flushing of the new waterworks, as well as details for the annual flushing of the water mains by the CRD for maintenance purposes. The plan shall ensure that a scouring velocity of 1.5 m/s will be provided.
8. The Owner(s) pays for the supply and installation of flush valves in locations as shown on design drawings approved by the CRD and as noted in the disinfection and flushing program provided by the engineer.
9. The CRD will provide personnel to supervise and inspect the flushing of the new waterworks. The Owner(s) shall pay all costs for the inspection services.
10. The Owner(s) shall submit a chlorination and de-chlorination plan to the CRD for review prior to the start of construction.
11. 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.
12. The Owner(s) pays for pavement restoration if it becomes necessary to cut and remove pavement in order to install any of the works.
13. The Owner(s) pays for drilling and blasting of rock, if necessary for the installation of the proposed works.
14. The Owner(s) shall provide and register a right-of-way in favour of the CRD for a width of no less than 6.0 m for the water main required in Item 5 above.

15. The Owner(s) shall provide a solicitor's letter of undertaking that the statutory right-of-way noted above and as shown on the approved design drawings will be registered in favour of the CRD in a form acceptable to the CRD. Also, once the statutory right-of-way has been registered through the Land Titles Office, a copy of the statutory right-of-way document is to be submitted to the CRD.
16. The Owner(s) shall engage a professional civil engineer, registered in the Province of British Columbia, for the purpose of preparing design drawings for the above required waterworks. The drawings are to be submitted to the CRD for approval prior to the start of construction. Submission of the drawings shall be subject to an administrative charge payable to the CRD in advance of the initial review of the drawings.
17. The Owner(s) shall retain the Engineer of Record to provide layout, inspection and to certify the Work was constructed in accordance with the approved Design Drawings. A minimum of twenty hours per week is required. The Engineer of Record shall provide certified Daily Inspection Reports. The requirements are detailed in the CRD Water Services Engineering Specifications and Standard drawings and related Appendices.
18. The Owner(s) will be required to enter into an agreement with the CRD prior to the start of construction, at which time a deposit equal to the total of all applicable fees, charges and the estimated cost of work to be performed by the CRD, shall be paid to the CRD.
19. Upon completion of the distribution system, the CRD will conduct a final inspection of the works. The inspection and subsequent issuance of a Construction Completion Certificate shall be subject to a service charge.
20. 'As Constructed' drawings of the completed works shall be provided to the CRD in digital AutoCAD format complete with plot style table (CTB file), DWF file containing all drawings and a reproducible copy to NAD83 UTM coordinates where available.

The hydraulic computer model maintained by the CRD shows that the following fire flows with 138 kPa (20 psi) residual pressure are presently available to this property in the water main adjacent to the noted fire hydrants:

Hydrant Number	Location	Fire Flows at Max Day Demand
SFD372	Mountain Heights Drive	9,450 L/min (2,080 lgal/min)
SFD278	Bralisford Place	10,260 L/min (2,257 lgal/min)
SFD054	Melrick Place	12,480 L/min (2,745 lgal/min)

Please note that the fire flows stated above do not account for the maximum allowable velocity of 3.5 m/s in the water mains under fire flow conditions permitted by the CRD. Depending on the fire flow requirements of the development, upgrading of the existing water distribution system may be required.

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). Results of the field hydrant flow test may have to be adjusted to reflect a maximum day demand.

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)*

This plan lies within the Capital Regional District



COVENANT AREA A
12 842 M

SECTION

21

LOT A

PART SECTION 22

PLAN VIP

PLAN

LOT 1

16781

REFERENCE PLAN OF COVENANT UPON LOT A,
SECTION 21, SOOKE DISTRICT, PLAN VIP
PREPARED PURSUANT TO SECTION 99-1-8,
LAND TITLE ACT.

SCALE = 1 : 1000 ALL DISTANCES ARE IN METRES. BCGS 82B.032

- LEGEND
- Asymptotic bearings are to the Plan 1972
- PLAN BOUNDARY
- Quarter Section from Plan
 - Standard Cadastre Plan

geotech →
Covenant
Area B

COVENANT AREA B
12 842 M

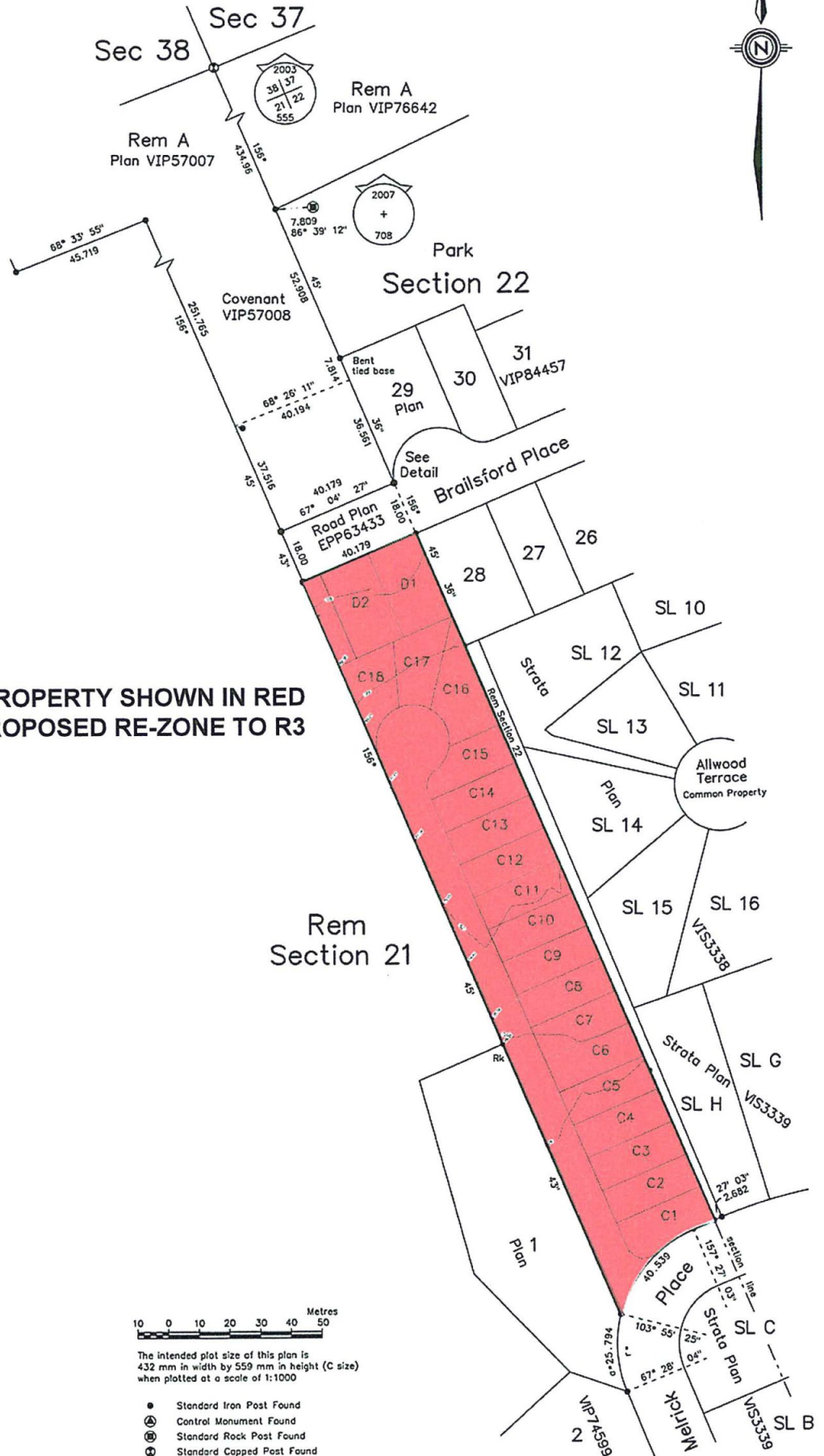
PLAN 82B-032
APPROX. 10-11-72

BOOK OF REFERENCE

C. Leonard Lewis Division, a British Columbia Land Surveyor
BY VICTORIA, BRITISH COLUMBIA, CERTIFICATE NO. 1 AND PRODUCE OF
AND AUTHORITY UNDER THE ACTS REFERRED TO BY THIS PLAN

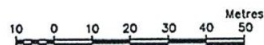
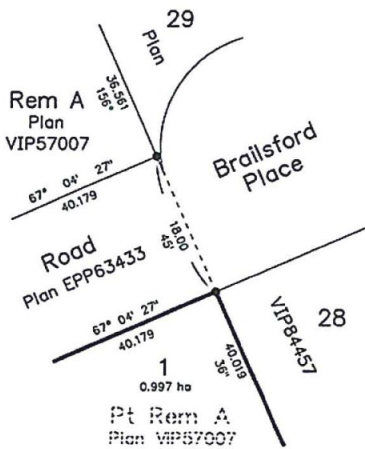
CONCEPT PLAN - 7004 Melrick Drive

LEGAL DESCRIPTION: Lot 1, Section 21, PLAN EPP63813; PID 030-171-160



**SUBJECT PROPERTY SHOWN IN RED
PROPOSED RE-ZONE TO R3**

Detail
Not to Scale



The intended plot size of this plan is 432 mm in width by 559 mm in height (C size) when plotted at a scale of 1:1000

- Standard Iron Post Found
- ⊕ Control Monument Found
- ⊙ Standard Rock Post Found
- ⊖ Standard Capped Post Found
- ▲ GNSS Observation Point
- Rk Denotes Rock Iron Post drilled in rock

**Official Community Plan, 2010 (OCP) relevant sections for rezoning application
PLN01297**

3.2.9 Preserving Sooke's Character

- (d) Encouraging view corridors to Sooke's natural features, including the harbor and waterfront areas;

4.3 Energy and Climate Change

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

4.7 Housing

- 4.7.3(f) Require that a minimum of 10% of the total of any proposed bare land or strata single family residential subdivisions are affordable housing lots as defined by the District of Sooke. Affordable housing lots shall be sold at an affordable rate through tools such as covenants and housing agreements;

- 4.7.3(g) Consider allowing developers the flexibility to provide their required affordable housing in different forms thus creating an 'affordable housing mix' in new developments, e.g. secondary suites, condominium rentals units, cash, or land in lieu to the District of Sooke towards on/off-site affordable housing.

- 4.7.4(a)(v) Amend the Zoning Bylaw to allow secondary suites in all single family residential zones. Minimum lot sizes for homes with secondary suites need to be able to accommodate parking and provision of private or shared open space for suite tenants.

4.10 Environment

- 4.10.3(k) Preserve the environment and viewsapes of the Sooke Harbour and Basin, as seen from both land and sea, through:
 - i. Appropriate sizing and "stepping" of new buildings;
 - ii. Protection and integration of natural features in development design;

5.1 Community Residential

- 5.1.2(b) Provide affordable and attainable housing opportunities, to meet the needs of various age groups, family types, lifestyles and income groups;
 - (d) Provide the most efficient use of land and existing physical infrastructure in terms of infill/densification;
 - (f) Primarily concentrate new residential development in existing areas or neighbourhoods prior to expanding into new areas;
 - (h) Reduce impact on the natural environment and avoid hazardous land conditions and environmentally sensitive areas;



**DISTRICT OF SOOKE
ZONING AMENDMENT
BYLAW No. 675**

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on the property located at 7004 Melrick from Rural (RU2) and Rural Residential (RU4) 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 No. 675 (600-39)*.
2. The parcel of land legally described as Lot 1, Section 21, Sooke District, Plan EPP63813 as shown boldly outlined and hatched on Schedule A, which is affixed to and forms part of this Bylaw, is hereby rezoned from Rural (RU2) and Rural Residential (RU4) to Small Lot Residential (R3).
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 ____, 20__.

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

