



**Public Hearing
Information Package**

February 26, 2018 at 7:00 pm
Sooke Council Chamber
2225 Otter Point Road, Sooke, BC

6726 Eustace Road

Proposed Bylaw:	Bylaw No. 692, <i>Zoning Amendment Bylaw (600-52), 2018</i>
Zoning Amendment:	The purpose of Bylaw No. 692, <i>Zoning Amendment Bylaw (600-52), 2018</i> , is to amend the zoning at 6726 Eustace Road from Community Facility (P2) to General Commercial (C2).

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2. Bylaw No. 692, <i>Zoning Amendment Bylaw (600-52), 2018</i> at second reading.	2
3. Staff Report to Council, dated January 29, 2018. <ul style="list-style-type: none">o Report Covero Subject Property Mapo Ortho Mapo Bylaw No. 692o Site Plano Rationaleo Surrounding Land Useso C2 Zoning Information	4
4. Council details and resolution, dated January 29, 2018.	17

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



NOTICE OF PUBLIC HEARING

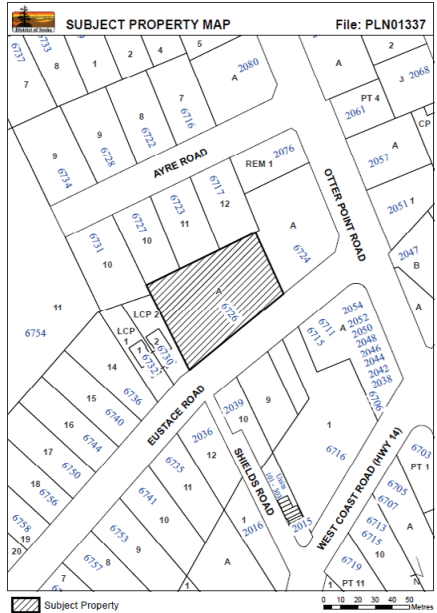
The Council of the District of Sooke will hold a Public Hearing pursuant to the provisions of the Local Government Act in the Council Chambers at 2225 Otter Point Road, Sooke, BC on **Monday, February 26th, 2018 commencing at 7:00 pm.**

Application Information:

- Bylaw:** Bylaw No. 692, Zoning Amendment Bylaw (600-52)
- File No:** PLN01337
- Civic Address:** 6726 Eustace Road (shown outlined in black and hatched on the subject map)
- Legal Description:** Lot A (DD D79952), Section 3, Sooke District, Plan 1540
- Applicant:** **Royal Canadian Legion- Sooke Branch #54**

Proposal:

The purpose of Bylaw No. 692, Zoning Amendment Bylaw (600-52) is to rezone 6726 Eustace Road from Community Facility (P2) to General Commercial (C2). The applicant has applied to rezone the subject .81-acre (.33 ha) property to permit the sale of alcohol on the premises to increase revenue that supports the organization as well as various community groups. The property is located within the Sewer Specified Area and is connected to CRD water.



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 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 February 14th, 2018 to and including February 26th, 2018.

Public Input:

All persons who believe their interests in property are affected by the proposed bylaw 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 or in person to the Corporate Officer at the District Municipal Offices no later than Monday, February 26th, 2018 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. 692**

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on the property known as 6726 Eustace Road from Community Facility (P2) to General Commercial (C2).

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

1. This bylaw is cited as *Zoning Amendment Bylaw No. 692 (600-52), 2018*.
2. The parcel of land legally described as Lot A (DD D79952), Section 3, Sooke District, Plan 1540 as shown boldly outlined and hatched on **Schedule A**, which is affixed to and forms part of this bylaw, is hereby rezoned from from Community Facility (P2) to General Commercial (C2).
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 29th day of January, 2018.

PUBLIC HEARING held the ___day of ____, 2018.

READ a THIRD time the ___day of ____, 2018.

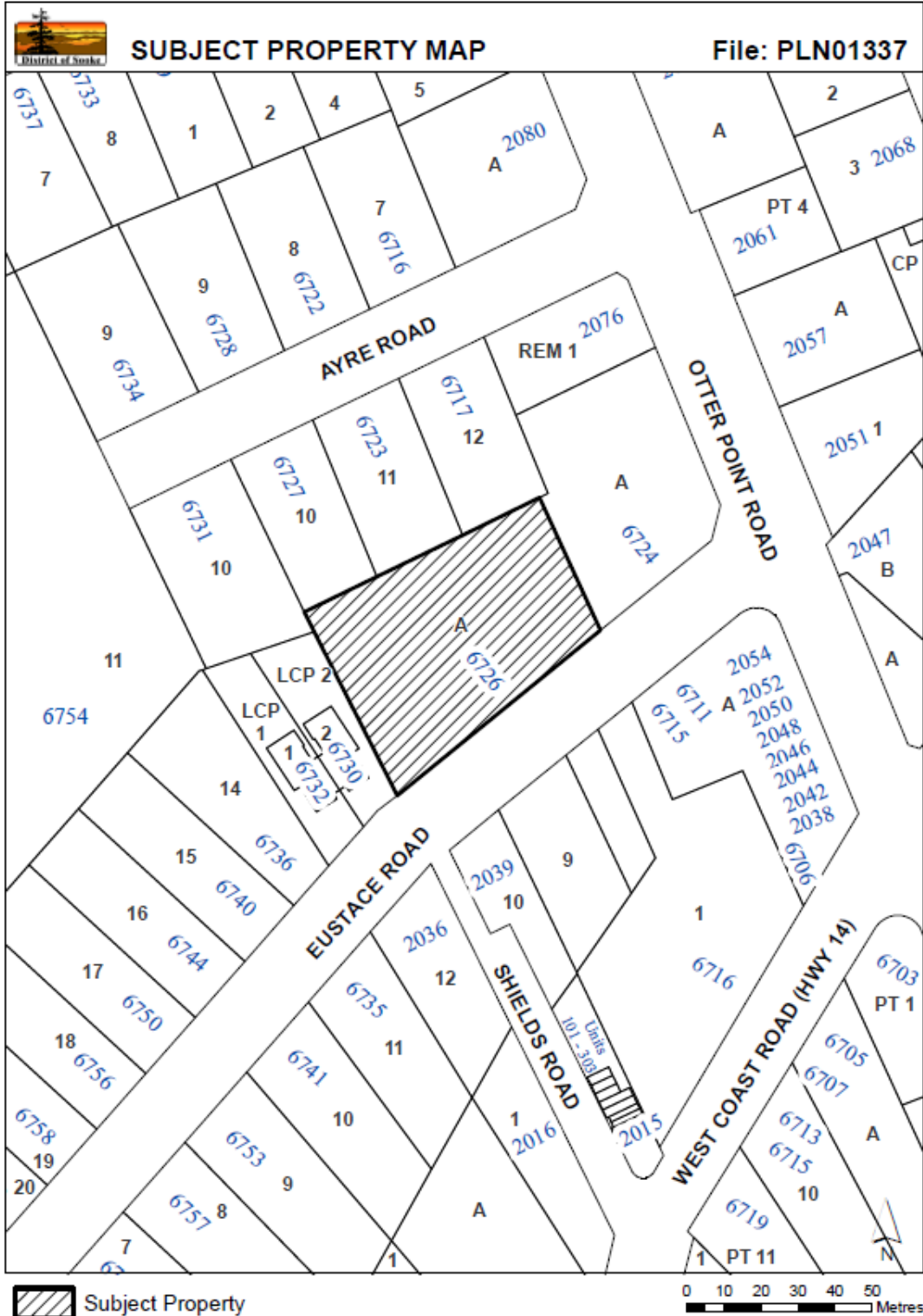
APPROVED by Ministry of Transportation and Infrastructure the ___day of ____, 2018.

ADOPTED the ___day of ____, 2018.

Maja Tait
Mayor

Carolyn Mushata
Corporate Officer

SCHEDULE A





Rezoning Application for 6726 Eustace Road

RECOMMENDATION:

THAT COUNCIL give First and Second reading to *Zoning Amendment Bylaw No. 692 (600-52)* to rezone 6726 Eustace Road from *Community Facility (P2)* to *General Commercial (C2)*.

AND THAT a Public Hearing be scheduled for the *Zoning Amendment Bylaw No. 692 (600-52)* in accordance with Section 466 of the *Local Government Act*.

Report Summary:

The applicant has applied to rezone the subject .81-acre (.33 ha) property from *Community Facility (P2)* to *General Commercial (C2)*. The owner, the Royal Canadian Legion, Sooke Chapter plans to permit the sale of alcohol on the premises to increase revenue that supports the organization as well as various community groups. The property is located within the Sewer Specified Area and is connected to CRD water.

Report:

DISTRICT OF SOOKE ZONING BYLAW 400

The applicant has applied to rezone the subject .81-acre (.33 ha) property from *Community Facility (P2)* to *General Commercial (C2)*. The owner, the Royal Canadian Legion, Sooke Chapter plans to permit the sale of alcohol on the premises to increase revenue that supports the organization as well as seniors, youth and veteran groups in the community.

In January 2017, the BC Liquor Control Licensing Board enabled service clubs to transition their *Liquor Primary Club* license to a *Liquor Primary* license allowing them access to a larger market. The new policy requires that clubs are in compliance with local zoning regulations and thus the applicants have applied to rezone from P2 to C2. The new C2 zone would permit the *Pub* use, allowing the Legion to sell to the general public. Presently, the alcohol sold in the Legion is for Legion members and guests only. As stated in the attached letter of intent, the Legion also aims to support Sooke's local breweries under the new zone.

The *General Commercial (C2)* zone permits a wide range of uses as outlined in the C2 zoning information provided. The minimum lot size for subdivision purposes is 900 square meters within the Sewer Specified Area, however, the Legion has no intention at this time of subdividing the property.

The applicant is required to meet the general requirements of the Zoning Bylaw which include parking, loading, screening and landscaping as well as signage.

OFFICIAL COMMUNITY PLAN, BYLAW 600, 2010 (OCP)

The District of Sooke *Bylaw 600 Official Community Plan (OCP)* designation for this parcel is *Town Centre (TC)* which is the heart of the community and is envisioned in the approved *District of Sooke Town Centre Plan (2009)*. This designation is *where the highest density residential*

development will occur while being the primary commercial hub of the community. Relative OCP goals for the Town Centre designation include:

- *Encourage a Town Centre that incorporates high quality public spaces and contributes to Sooke's history and sense of place.*
- *Promote a strong civic presence and high level of public amenity*
- *Ensure future and existing development minimizes impact on municipal infrastructure and staffing (e.g. Fire Department)*
- *Require that all new and renovated developments include rainwater management techniques to assist with rainwater detention and treatment of runoff waters.*

Development Permit Area #1- Town Centre

As the requirements of DPA #1, do not apply to this application unless the property is subdivided or significantly developed, the applicant is encouraged to improve the site's overall aesthetics in relation to the Town Centre. Future development of the site will provide the District of Sooke with the opportunity to require that the objectives of Development Permit Area (DPA) #1 are met. They are listed as follows:

- a. Land use and form and character guidelines shall be consistent with that of the Town Centre Plan;*
- b. To create a Town Centre that is strongly connected to the waterfront;*
- c. To create a coherent and identifiable "West Coast" character as a theme to promotes Sooke's natural beauty, cultural and maritime history;*
- d. To promote development that fosters an active and vibrant public realm with an emphasis on the pedestrian experience;*
- e. To ensure parking and vehicle access does not detract from the quality of the public realm;*
- f. To create a strong civic presence and a high level of quality building, design and public amenity;*
- g. Plan, design and build according to Sooke Smart Growth principals and environmental sustainability;*
- h. To recognize the importance of sign integration that considers the pedestrian experience;*
- i. To allow for a mix of uses, including high density residential.*

Referral Comments

There were no issues or concerns raised during the referral comment period for this application.

Recommendation

The applicant is required to meet the general requirements for landscaping, parking, public safety, and pedestrian circulation as outlined by the District of Sooke Zoning Bylaw.

Development Services is supportive of the rezoning of 6726 Eustace to permit the sale of alcohol on the premises to increase revenue that in turn supports the organization as well as a range of community groups within the District of Sooke.

Legal Impacts:

A valid Liquor License exists for this property.

Budget/Financial Impacts:

The applicant is aware of potential impacts to their existing Permissive Tax Exemption and the need to reapply in accordance with the *Permissive Tax Exemption Bylaw* and the intended change of use for 6726 Eustace Road.

Strategic Relevance:

This application meets Council's Strategic Direction to *enhance economic prosperity and fiscal sustainability within the District of Sooke*.

Attached Documents:

[PLN01337 Subject Property Map](#)

[PLN01337 Subject Property Map Ortho](#)

[Bylaw 692](#)

[Site Plan](#)

[Rationale](#)

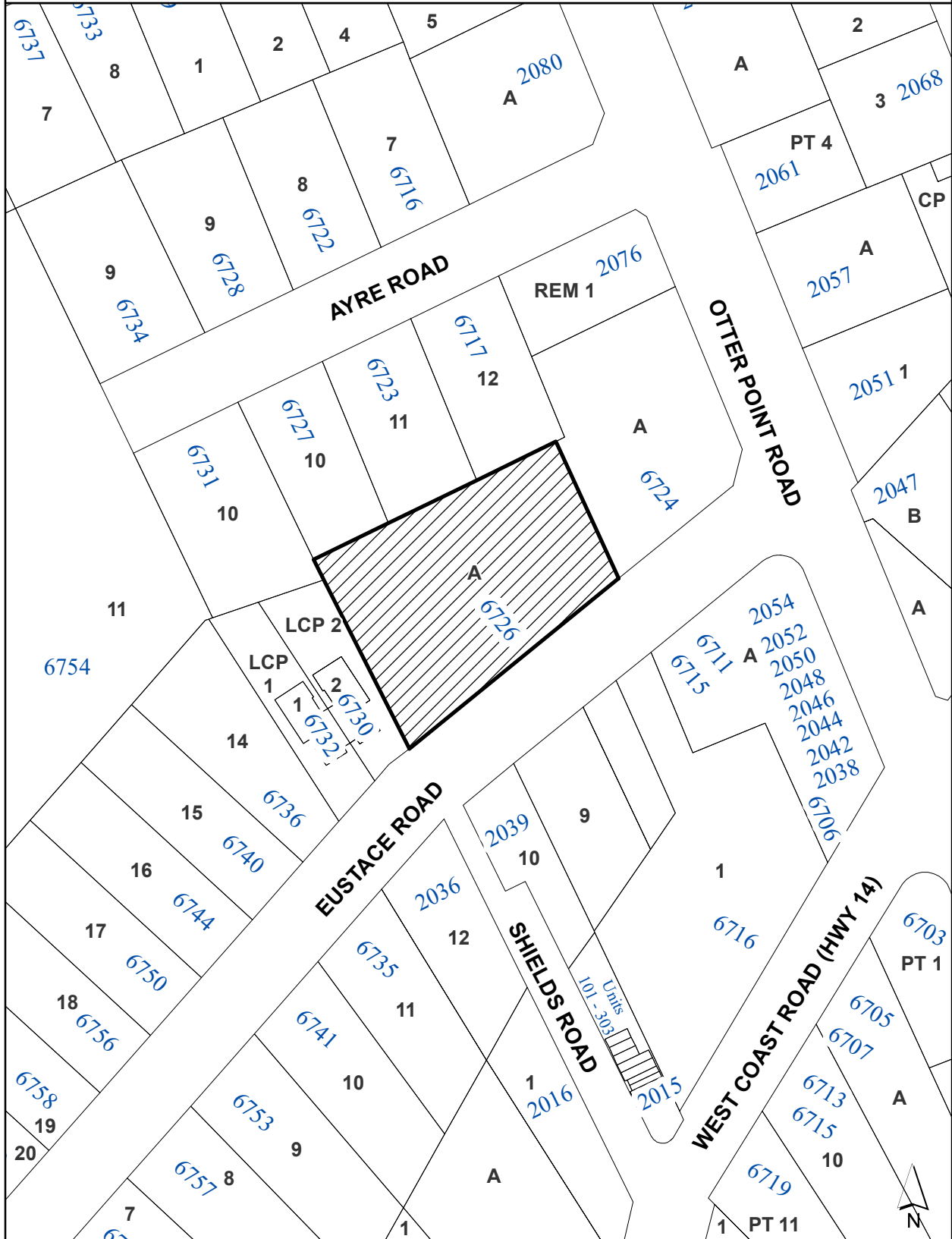
[Surrounding Land Uses](#)


[C2 Zoning Information](#)

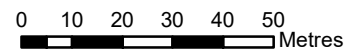


SUBJECT PROPERTY MAP

File: PLN01337



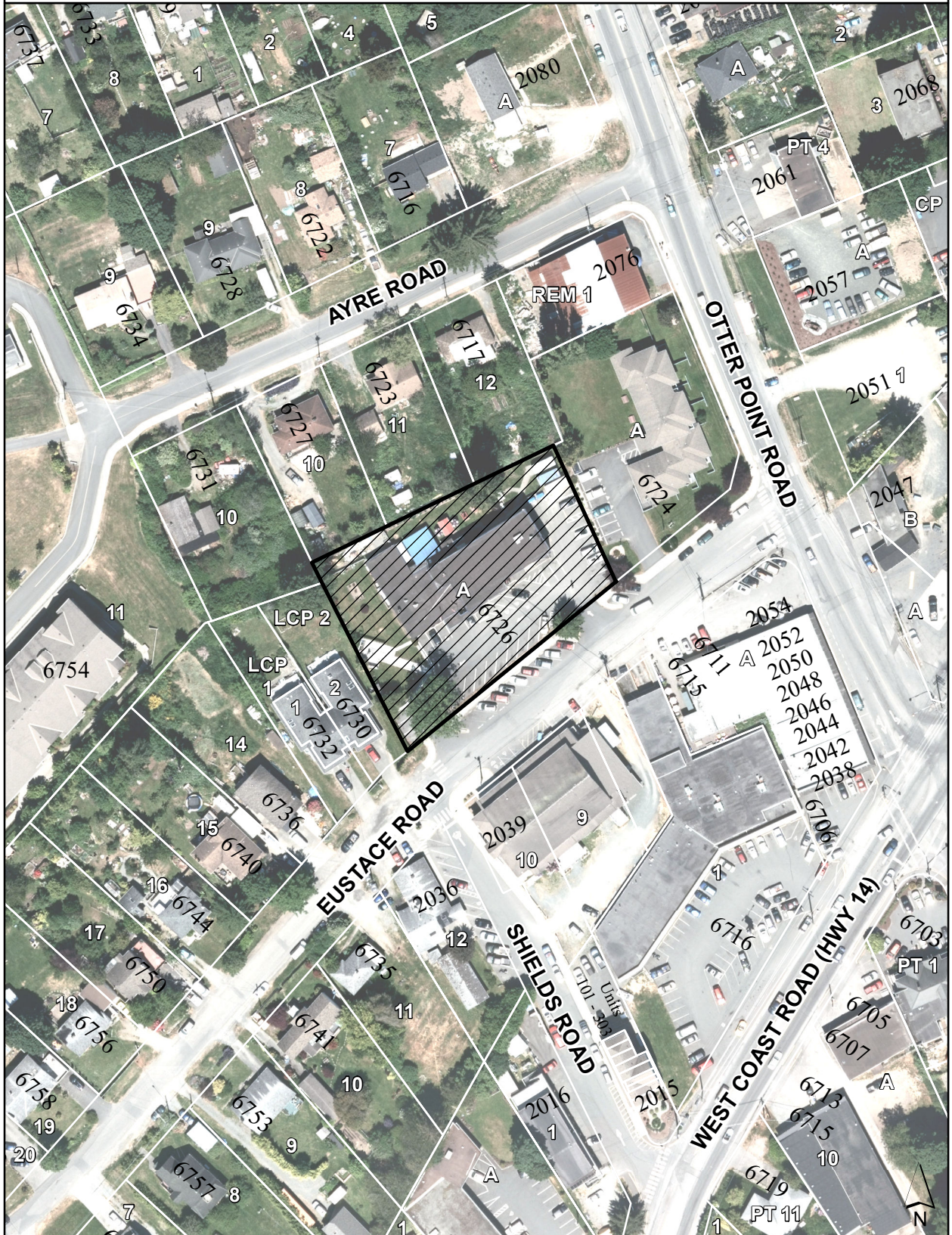
 Subject Property






SUBJECT PROPERTY MAP

File: PLN01337



 Subject Property





**DISTRICT OF SOOKE
ZONING AMENDMENT
BYLAW NO. 692**

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on the property located at 6726 Eustace Road from Public Institutional (P2) to General Commercial (C2).

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

1. This Bylaw is cited as *Zoning Amendment Bylaw No. 692 (600-52), 2018*.
2. The parcel of land legally described as Lot A (DD D79952), Section 3, Sooke District, Plan 1540 as shown boldly outlined and hatched on Schedule A, which is affixed to and forms part of this bylaw, is hereby rezoned from from Public Institutional (P2) to General Commercial (C2).
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 ____, 2018.

PUBLIC HEARING held the __ day of ____, 2018.

READ a THIRD time the __ day of ____, 2018.

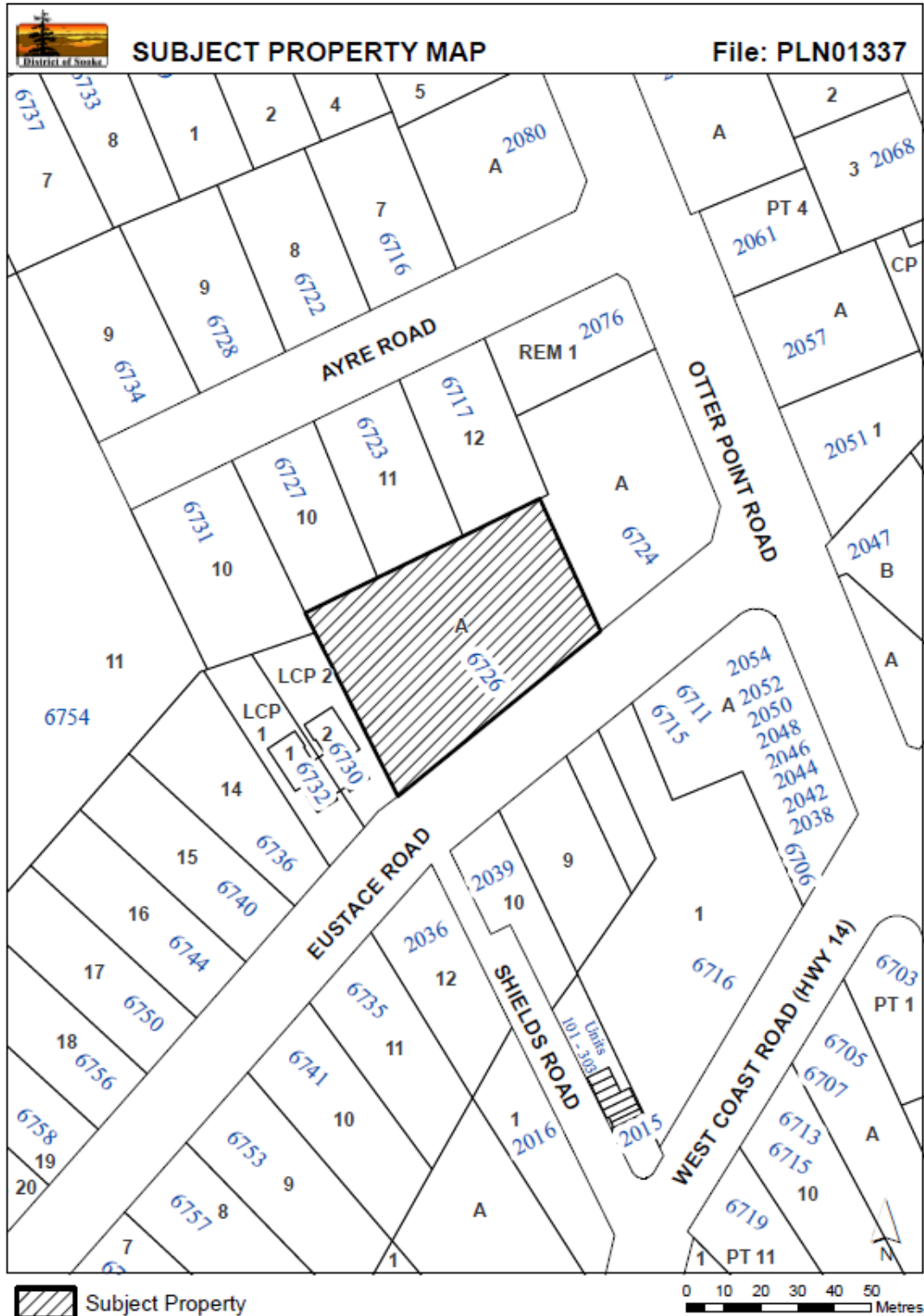
APPROVED by Ministry of Transportation and Infrastructure the __ day of ____, 2018.

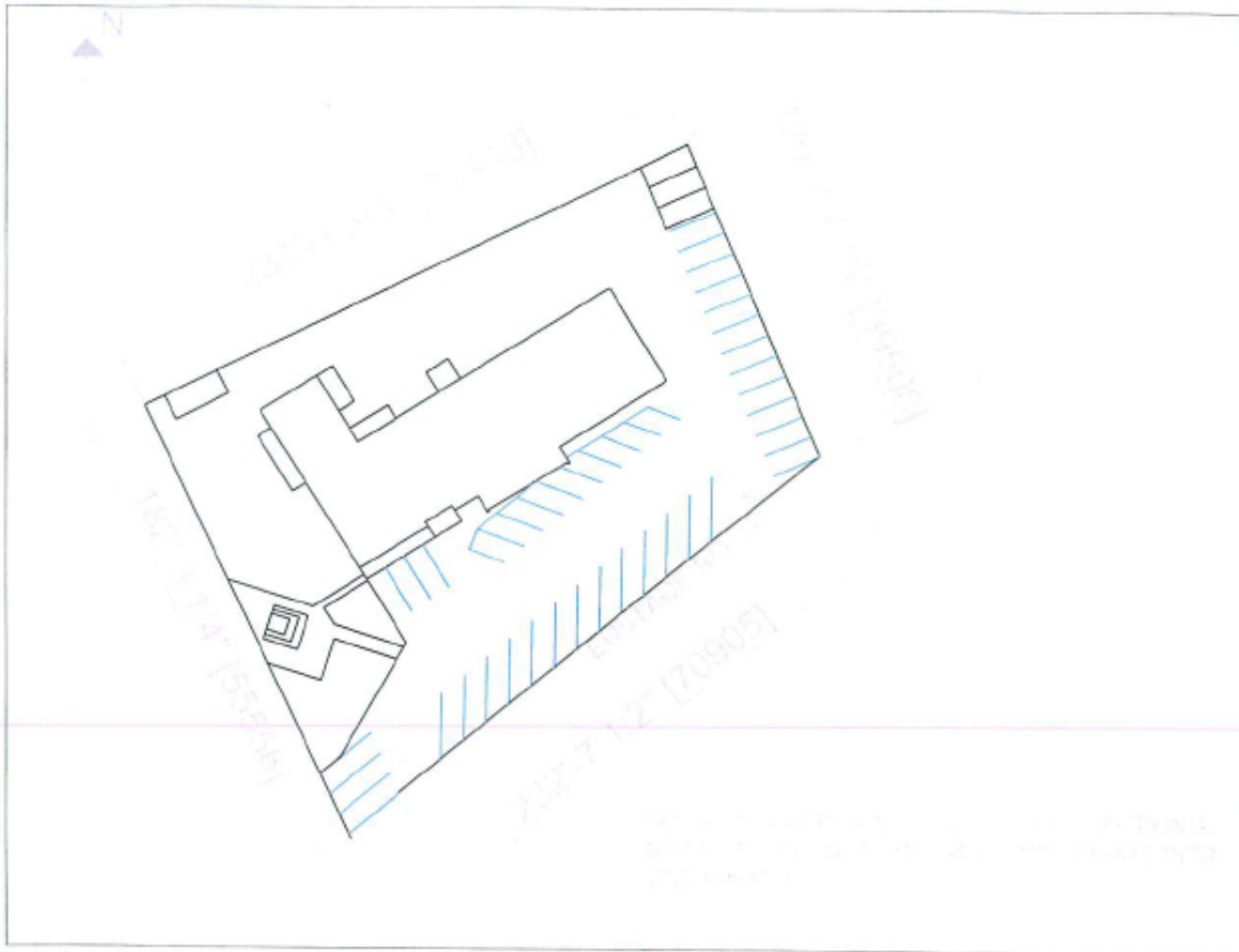
ADOPTED the __ day of ____, 2018.

Maja Tait
Mayor

Carolyn Mushata
Corporate Officer

SCHEDULE A





ROYAL CANADIAN LEGION
SOOKE BRANCH
DRAWING 3 OF 3



The Royal Canadian Legion Branch 54
PO Box 337, Sooke, BC V9Z-1G1
Email: secretary@rcl54.shawbiz.ca
Telephone: 250-642-2052 and Fax: 778-352-3333

Sooke Branch #54 of the Royal Canadian Legion are requesting rezoning from P2 Community Facilities to C2 General Commercial. The primary purpose for the rezoning request is to transition our liquor license from Liquor Primary – Club to Liquor Primary.

Lot A (DD D79952), Section 3, Sooke District, Plan 1540; Sooke (Pacific No. 54) Branch of the Royal Canadian Legion 6726 Eustace Rd., Sooke, BC

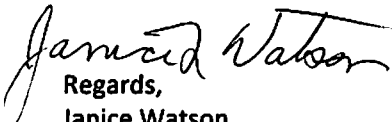
1. The lot A located at 6726 Eustace Rd. is currently operating as a Liquor Primary – Club, offering food and alcoholic beverages to members and guests in the lounge, and hall rentals to members, guests, and the community.
2. As of January 2017, the BCLCLB has enabled Liquor Primary – Clubs to transition their liquor license to a Liquor Primary allowing them access to a larger market. The new policy provides that an applicant for a liquor primary license must take their completed application to the local government for sign off prior to submitting it to the branch. Applicants should ensure they meet all local government requirements before submitting their application.
3. The current P2 zoning does not allow liquor primary licenses which will require Branch #54 to apply for rezoning to C2 zoning.
4. On April 18th, 2017, a special general meeting was held at branch #54 at which the membership voted in favor of applying for rezoning to C2 and applying to transition the liquor license to liquor primary.
5. The Royal Canadian Legion Branch #54 is a non-profit organization that has been located in Sooke since 1926 and has supported the Community, Veterans, Seniors and Youth extensively with over \$42,000 being contributed in 2016 alone.
6. By transitioning our liquor license to allow the community to enter the lounge and hall, it will enable us to continue to expand our local giving to the many senior and youth organizations as well as our veterans.
7. Over the last ten years, the Royal Canadian Legion organization has continued to open the doors wider and wider to welcome members of the public. In this new era of expanded drinking locations, and decreasing alcohol consumption, legions are falling behind in revenues and are facing extinction. In November of 2016, the BCLCLB changed licensing to permit restaurants to serve alcohol without food

service, effectively making every restaurant into a pub. In January of 2017, the liquor branch introduced a new policy that will permit any business, except those that operate in a motor vehicle or are primarily directed at minors, can now apply for a liquor primary license. Local craft breweries are also permitted to operate a liquor primary area.

8. The current licensed operating hours and days will not change.

9. The Legion will continue to encourage membership.

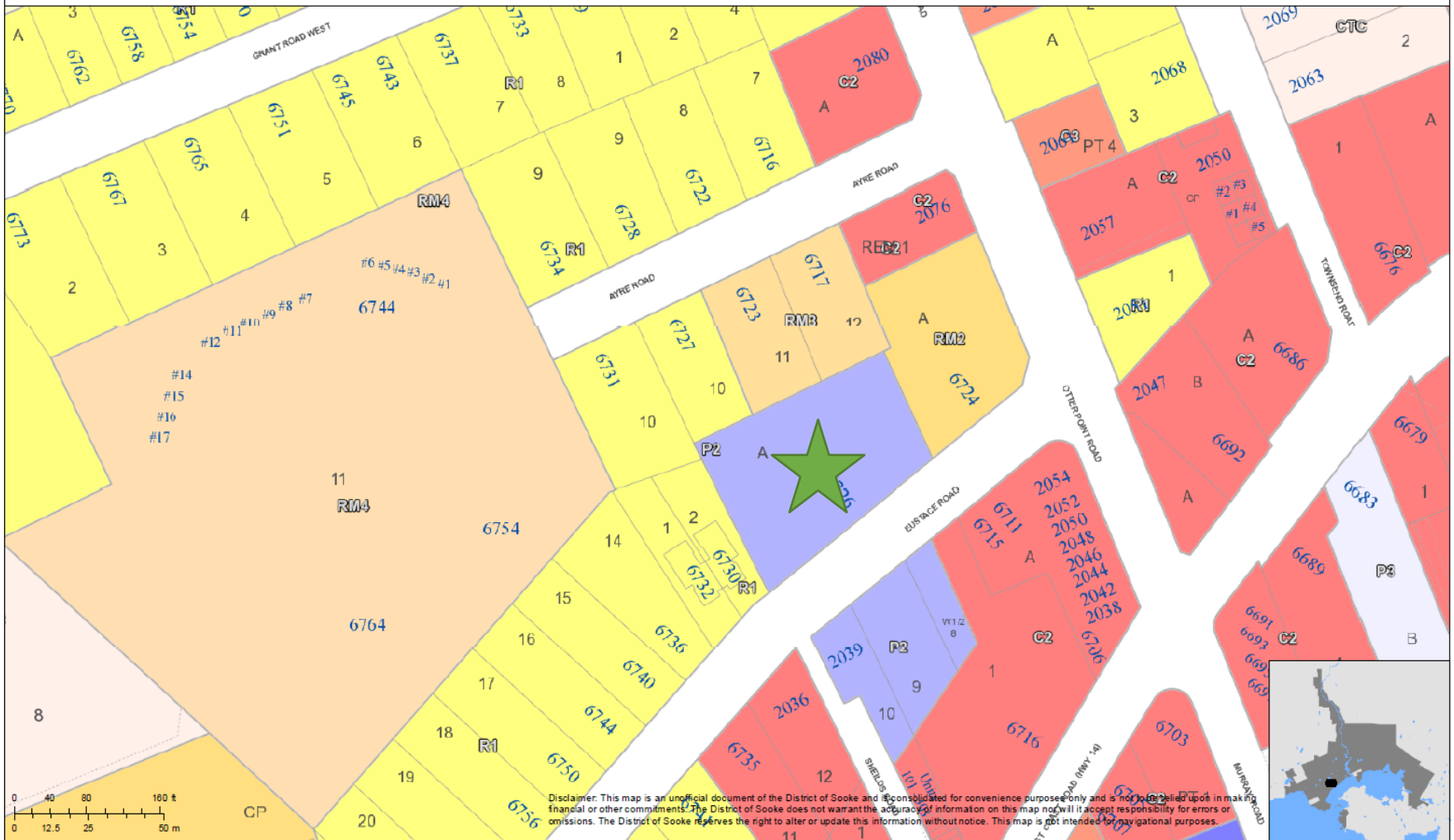
10. The Legion will continue to hold community events, dances, activities, and fund raising for local organizations and veterans.



Regards,

Janice Watson

RCL Br 54 President



General Commercial

402.1 Purpose: This zone provides for a wide range of commercial uses.

402.2 Permitted Uses:*

Principal Uses:

- | | |
|---|---|
| a) Amusement facility – indoor | s) Household equipment sales, service & repair |
| b) Artisan Industry <i>[Added by Bylaw 630 (600-22) Adopted March 21, 2016]</i> | t) Institutional use |
| c) Assembly use | u) Micro Brewery <i>[Added by Bylaw 630 (600-22) Adopted March 21, 2016]</i> |
| d) Auction rooms, including storage in accessory buildings | v) Office |
| e) Auto service facility* | w) Pub |
| f) Bakery | x) Parking lot, parkade |
| g) Brew pub | y) Personal services |
| h) Bus depot | z) Place of worship |
| i) Car wash | aa) Plant nursery |
| j) Convenience store | bb) Private club |
| k) Commercial exhibit | cc) Residential above the first floor |
| l) Commercial school | dd) Restaurant |
| m) Country market | ee) Retail |
| n) Financial institution | ff) Shopping centre |
| o) Funeral home | gg) Theatre |
| p) Gas bar* | hh) Vehicle sales/rentals <i>(amended by Bylaw No. 583 adopted February 11, 2014)</i> |
| q) Health services | ii) Veterinary clinic in an enclosed building |
| r) Hotel and/or motel | |

* See conditions of use.

Accessory Uses:

- jj) Accessory dwelling unit, one per lot *[Added by Bylaw 630 (600-22) Adopted March 21, 2016]*
- kk) Employee housing *

402.3 Minimum Lot Size for Subdivision Purposes:

- a) Within Sewer Specified Area: 900 m²
- b) Outside Sewer Specified Area: 1 ha

402.4 Minimum Width for Subdivision Purposes: 15 m

Schedule 402 - General Commercial (C2)

402.5 Maximum Height: *See conditions of use.

- a) Principal Buildings: 14 m
- b) Accessory Buildings: 9 m

402.6 Maximum Lot Coverage: 60% within Sewer Specified Area; 40% outside SSA
Schedule 402 - General Commercial (C2)

402.7 Minimum Setbacks:

Use	Front Lot Line	Flanking Lot Line	Side Lot Line	Rear Lot Line	Lane Lot Line
First storey of Building or Structure	0 m	0 m	0 m	6 m	0 m
Adjacent to residential zones, including CD zones	0 m	0 m	4.5 m	4.5 m	0 m

402.8 Conditions of Use:

- a) Notwithstanding the permitted uses, all except "parking lot, parkade" are prohibited on Lot 68, Section 6, Sooke District, Plan 26921 (PID 002-472-503). The maximum height of a parking lot, parkade on this site is 6 m.
- b) Gross floor area for a single retail use other than grocery must not exceed 2200 m². Gross floor area for a grocery store must not exceed 3000 m².
- c) Accessory dwelling units must be located above or to the rear of the principal use. *[Amended by Bylaw 630 (600-22) Adopted March 21, 2016]*
- d) Gas bars are only permitted north of Highway #14.
- e) On lands designated as Town Centre by the Official Community Plan, auto service facilities are only permitted north of Highway #14 with the exception of the property legally described as Lot 1, Section 3, Sooke District, Plan VIP1536 (PID 003-789-411).
- f) Gross floor area for a Micro Brewery must not exceed 500m². *[Added by Bylaw 630 (600-22) Adopted March 21, 2016]*
- g) Gross floor area for Artisan Industry must not exceed 200m². *[Added by Bylaw 630 (600-22) Adopted March 21, 2016]*

10.2. **Bylaw No. 692, Zoning Amendment Bylaw (600-52) - 6726 Eustace Road**

The Planner II provided a PowerPoint presentation and overview of the proposed application to rezone the subject property from *Community Facility (P2)* to *General Commercial (C2)*.

Council discussion:

- Potential impact on the Legion's eligibility for a Permissive Tax Exemption. Staff provided clarification that a change of use would need to be considered by Council, and that the Legion would need to reapply and demonstrate they still provide a public benefit in line with the requirements for a Permissive Tax Exemption.
- Council invited the applicant forward to discuss whether other Legions are making this transition.
- Jan Watson, representing the Royal Canadian Legion Branch No. 54, stated that the Sooke branch is one of the first branches to apply, but that there are others on Vancouver Island who intend to rezone in an effort to increase advertising opportunities and diversify clientele.

2018-44

MOVED by Councillor Kasper, seconded by Councillor Berger:

THAT COUNCIL give First and Second reading to *Zoning Amendment Bylaw No. 692 (600-52)* to rezone 6726 Eustace Road from *Community Facility (P2)* to *General Commercial (C2)*.

CARRIED.

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

Absent: Councillor Logins, Councillor Parkinson, and Councillor Reay

2018-45

MOVED by Councillor Kasper, seconded by Councillor Pearson:

AND THAT a Public Hearing be scheduled for the *Zoning Amendment Bylaw No. 692 (600-52)* in accordance with Section 466 of the *Local Government Act*.

CARRIED.

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

Absent: Councillor Logins, Councillor Parkinson, and Councillor Reay