



**Public Hearing
Information Package**

July 24, 2018 at 7:00 pm
Sooke Council Chamber
2225 Otter Point Road, Sooke, BC

6829 Grant Road West

Proposed Bylaw:	<i>Zoning Amendment Bylaw No. 695 (600-54), 2018</i>
Zoning Amendment:	The purpose of <i>Zoning Amendment Bylaw No. 695 (600-54), 2018</i> is to amend zoning on the property located 6829 Grant Road West from Small Scale Agriculture (RU3) to Small Lot Residential (R3) and Medium Density Multi Family 2 (RM2)

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2. <i>Zoning Amendment Bylaw No.695 (600-54), 2018</i> at second reading.	4
3. Council meeting minutes and resolution dated June 11 th , 2018.	6
4. Staff Report to Council, dated June 11 th , 2018. <ul style="list-style-type: none">○ Report Cover○ Bylaw – <i>Zoning Amendment Bylaw No. 695 (600-54), 2018</i>○ Current RU3 Zone○ Proposed Zoning R3 and RM2○ Concept Plan – showing park dedication○ Referral Summary	8

*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, July 24th, 2018** commencing at **7:00 pm**.

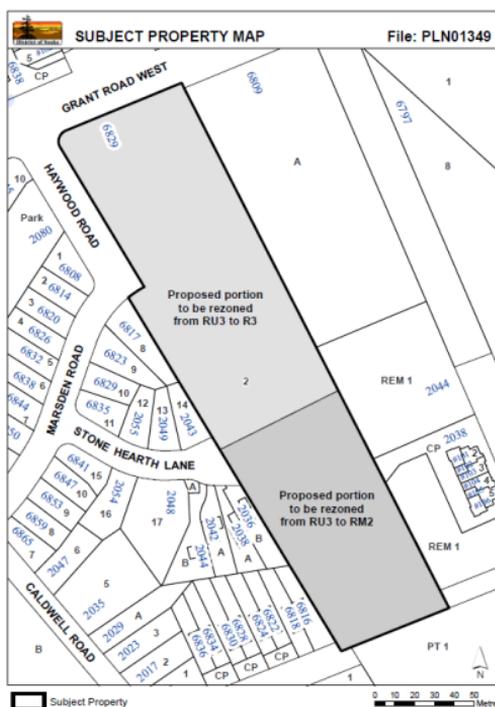
Application Information:

Bylaw: *Zoning Amendment Bylaw No. 695 (600-54), 2018*
File No: PLN01349
Civic Address: 6829 Grant Road West (shown outlined in grey on the subject map)
Legal Description: LOT 2, SECTION 3, SOOKE DISTRICT, PLAN 1516, EXCEPT PART IN PLAN VIP89038

Applicant: **Paul Clarkson and Roy Sinke**

Proposal: The purpose of *Zoning Amendment Bylaw No. 695 (600-54), 2018* is to rezone 6829 Grant Road West from Small Scale Agriculture (RU3) to a split zone of Small Lot Residential (R3) and Medium Density Multi-Family 2 (RM2) zones as shown on the subject map. Should the zoning be approved the R3 portion of the site would allow for single family lots, duplexes and secondary suites with minimum lot sizes of 350m². The RM2 portion of the site would allow for a maximum of 34 units in the form of duplex, cluster housing, town houses, apartment buildings or assisted living.

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 a.m. and 4:30 p.m., Monday to Friday (excluding statutory holidays), **commencing July 11, 2018 to and including July 24, 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 **Tuesday, July 24, 2018 at 12:00 p.m.** Please be advised that submissions to Council will become part of the public record and are subject to disclosure under the *Freedom of Information and Protection of Privacy Act (FOIPPA)*.

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



**DISTRICT OF SOOKE
ZONING AMENDMENT
BYLAW NO. 695**

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on the property known as 6829 Grant Road West from Small Scale Agriculture (RU3) Zone to Small Lot Residential (R3) and Medium Density Multi Family 2 (RM2).

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

1. This bylaw is cited as *Zoning Amendment Bylaw No. 695 (600-54), 2018*.

2. The parcels of land legally described as:

LOT 2, SECTION 3, SOOKE DISTRICT, PLAN 1516, EXCEPT PART IN PLAN VIP89038

as shown boldly outlined and shaded on Schedule A, which is affixed to and forms part of this bylaw, is hereby rezoned to Small Lot Residential (R3) and Medium Density Multi Family 2 (RM2).

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 11th day of June, 2018.

PUBLIC HEARING held the ___day of ____, 201 .

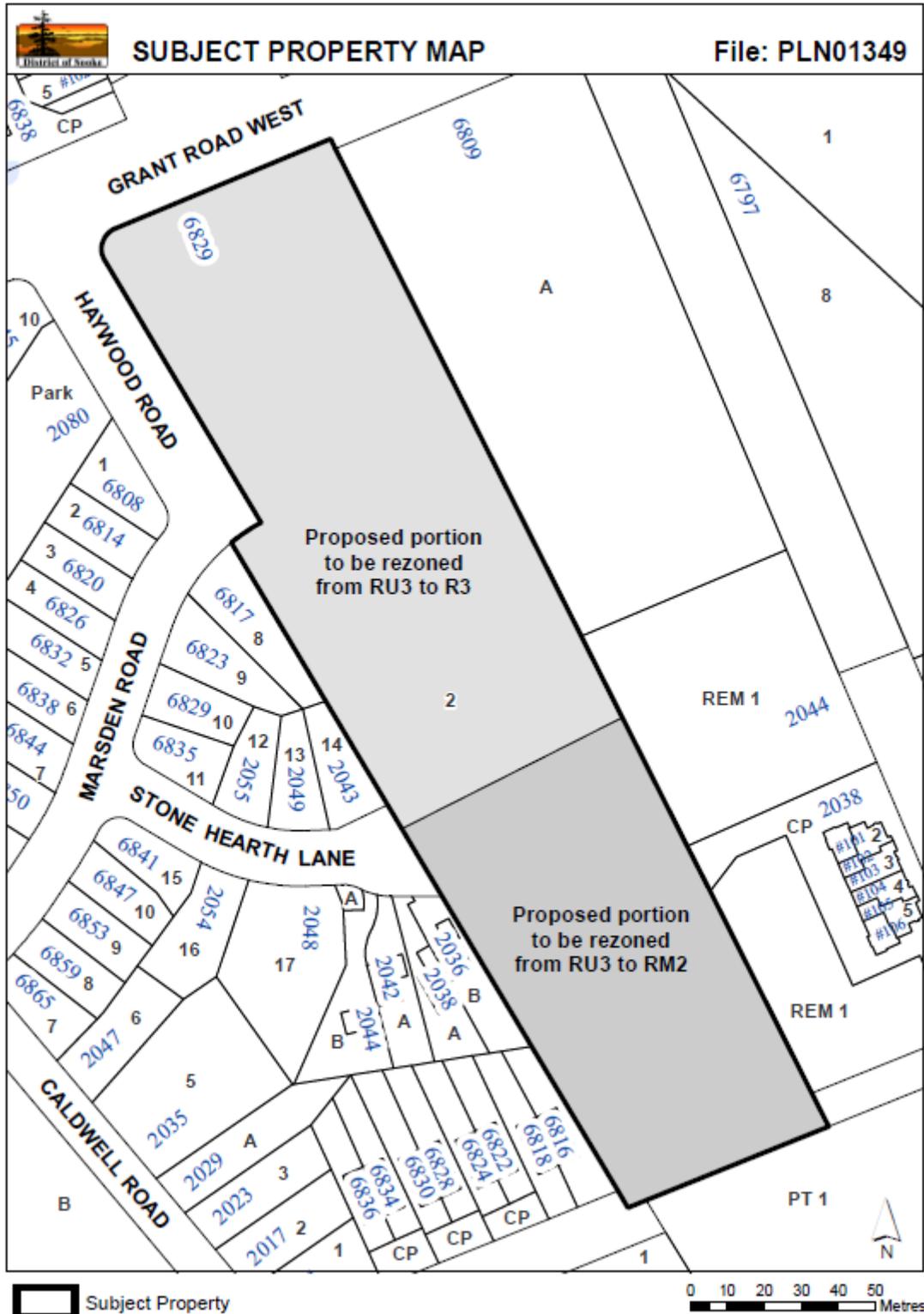
READ a THIRD time the ___day of ____, 201 .

ADOPTED the ___day of ____, 201 .

Maja Tait
Mayor

Carolyn Mushata
Corporate Officer

SCHEDULE A



10. BYLAWS

10.1. Bylaw No. 695, Zoning Amendment Bylaw (600-54), 2018 - 6829 Grant Road

A Bylaw to amend zoning on the property at 6829 Grant Road West from Small Scale Agriculture (RU3) to Small Lot Residential (R3) and Medium Density Multi Family 2 (RM2).

The Head of planning provided a Power Point presentation and overview of the written staff report, highlighting affordable housing contribution of cash in lieu (\$500 per unit), park dedication with an urban walking trail and road dedication with connection to Eustace Road.

Council Discussion:

- Appreciation for the road network enhancements.
- Confirmation that the park dedication will connect with walking trails.
- Assurance that adequate parking will be planned.

2018-269

MOVED by Councillor Pearson, seconded by Councillor Reay:

THAT Council grant First and Second reading to *Zoning Amendment Bylaw No. 695 (600-54), 2018*.

CARRIED.

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

Absent: Councillor Kasper

2018-270

MOVED by Councillor Pearson, seconded by Councillor Reay:

THAT a Public Hearing be scheduled for *Zoning Amendment Bylaw No. 695 (600-54), 2018*, in accordance with section 466 of the Local Government Act.

CARRIED.

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

Absent: Councillor Kasper

2018-271

MOVED by Councillor Reay, seconded by Councillor Berger:

THAT prior to final adoption of *Zoning Amendment Bylaw 695 (600-54), 2018*, the owner be required to enter into section 219 covenants registered in priority of all other charges on title for parks and trail dedication and construction, road dedications and Affordable Housing Reserve Fund contributions as determined by the Head of Planning.

CARRIED.

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

Absent: Councillor Kasper



6829 Grant Road - Rezoning

RECOMMENDATION:

That Council grant first and second reading to *Zoning Amendment Bylaw No. 695 (600-54), 2018*; and

That a Public Hearing be scheduled for *Zoning Amendment Bylaw No. 695 (600-54), 2018*, in accordance with section 466 of the Local Government Act; and

That prior to final adoption of *Zoning Amendment Bylaw 695 (600-54), 2018*, the owner be required to enter into section 219 covenants registered in priority of all other charges on title for parks and trail dedication and construction, road dedications and Affordable Housing Reserve Fund contributions as determined by the Head of Planning.

Report Summary:

The District of Sooke has received an application to amend the zoning of 6820 Grant Road from Small Scale Agriculture (RU3) to a split zone of Small Lot Residential (R3) and Medium Density Multi-Family 2 (RM2) zones.

The applicant is proposing to rezone the site with the dividing line occurring at Stone Hearth Lane (as shown in Attachment 1 Schedule A). Between Grant Road and Stone Hearth Lane, the R3 Small Lot Residential zone is being proposed with a concept plan for approximately 16 single family lots with a minimum lot size of 350m² per the R3 zone. South of Stone Hearth Way the applicant is proposing Medium Density Multi-Family 2 (RM2) zoning. The RM2 zone would allow for approximately 34 units total of either Duplex, Cluster Dwelling units, Townhouses, Apartment building or Assisted Living Facility or a combination thereof. Staff support this zoning application as it complements the surrounding development, is in alignment with District of Sooke policies and bylaws and increases density in an otherwise underutilized parcel of land.

To meet policies in the *Official Community Plan*, staff recommend that prior to final adoption of the proposed zoning bylaw amendment, that the owner enter into a section 219 covenant with the District of Sooke to secure a cash contribution to the District's Affordable Housing Reserve Fund (Bylaw 259), parkland and pathway dedication and construction, and road dedications.

Previous Council Action:

There has been no previous council action regarding these lands.

Report:

Site Context:

The subject site is just under 5 acres in size. It is located along the south side of Grant Road West, just east of Haywood Road. The current zoning is RU3 Small Scale Agricultural with an existing single-family dwelling located approximately at the mid-point of the lot.

Nott Creek bisects the northern portion of the site in an east westerly direction connecting to Nott Brook Park. The surrounding zoning includes medium and high density residential to the east, agricultural land reserve zoned RU3 Small Scale Agricultural to the south and Small Lot Residential (R3) to the west. The site is also immediately adjacent to the Town Centre zone. The proposed zoning does not conflict with existing development surrounding the site.

Official Community Plan:

The site is located within the Sewer Specified Area and designated as "Community Residential" in the District of Sooke Bylaw 400, *Official Community Plan (OCP)*. This designation promotes the following goals and objectives:

- 1. Ensure the sustainable construction of single family and multiple family residential dwellings;*
- 2. Provide a range of high quality housing types, tenures and densities, which can meet the diverse needs of, and attract, individuals and families of varying income levels and demographics;*
- 3. Provide affordable and attainable housing opportunities, to meet the needs of various age groups, family types, lifestyles and income groups;*
- 4. Require safe and formalized pedestrian access to services from all residential areas, including connections to amenities and commercial service areas;*
- 5. Allow for a variety of housing options within new and existing residential areas.*

The proposed increase in density on the site is consistent with adjacent residential development. The applicants are proposing to provide affordable housing in the form of cash-in-lieu. The site will be divided into two distinct residential forms, single family and medium density multi-family thereby providing some variety in housing form. The pathway along Nott Creek will provide pedestrian amenity for all citizens in Sooke to enjoy.

District of Sooke Zoning Bylaw, Bylaw 600

It is important to note the actual subdivision layout will be reviewed in detail as subdivision and development applications are received. The proposed application provides conceptual detail for approximately 16 single family lots and 34 medium density multi-family units, parkland dedication, pathway dedication and roads dedications.

The proposed R3 zoning permits a minimum lot size of 350m², duplexes on lots over 600m² and secondary or small suites. The RM2 zone permits a maximum of 50 units per hectare in forms such as duplex, cluster housing, town houses, apartment buildings or assisted living. An amenity area of a minimum of 8% will be required for the development of the RM2 portion of the site.

Servicing:

Sanitary - The site is within the Sewer Specified Area (SSA). An assessment determined sufficient capacity within the existing system to accommodate additional flows from the proposed development into the SSA. Any additional flows from the site would likely tie into the existing system on Haywood Road to the northwest of the site.

Rainwater/Storm - The increase in impervious surface area throughout the site requires rainwater detention and controlled release into the municipal drainage system. Source control will be provided on all newly created lots in the R3 area through a subsurface detention system and through a subsurface detention tank in the common property for the RM2 portion of the site.

Water - The entire site is serviceable by Capital Regional District water. Services to the site will be extended from existing mains located within Haywood Road, Stone Hearth Lane, and Eustace Road respectively. The design and construction of all proposed water servicing will be coordinated and approved by the District of Sooke and CRD Integrated Water Services. Fireflows will be confirmed in accordance with the Fire Underwriters Survey.

Traffic Impact:

Access - As noted in the Traffic Impact Assessment (TIA) completed by WATT Consulting Group access will be extended from the existing Haywood Road, Stone Hearth Lane and Eustace Road respectively. North-south roads will be constructed through the site.

Road Dedications - The development concept includes proposed road dedication for all of the above roads as well as a partial dedication along Grant Road for future improvements as per the Transportation Master plan. Eustace Road will be built to connect to Eustace Road West in a standard satisfactory to the Approving Officer until such time as development occurs on the parcel to the South.

The TIA concluded that no upgrades of existing roads would be required due to the development proposed. All internal roads will conform to District road standards. Staff support this recommendation.

Environmental:

Nott Creek protection - At time of subdivision the applicant will dedicate 13.5m on either side of Nott Creek for parkland dedication.

Nott Creek Parks Pathway connection - A pathway will be constructed prior to subdivision along the southern boundary of the park dedicated lands. It shall be constructed per the 'Urban Walking Trail' standards found in the District of Sooke's Parks and Trails Master Plan.

The applicant is dedicating approximately 11.5% of the total site to park dedication for protection of the creek and provision of a pathway that will fill a gap in the Nott Creek Park pathway system crossing Grant Road.

Affordable Housing:

The rezoning process provides the District with an opportunity to implement policies aimed to improve affordable housing within the District. The applicant has volunteered to contribute \$500.00 per unit towards the Affordable Housing Reserve Fund (Bylaw 259), creating a potential contribution of approximately \$25,000.

Recommendation:

This application is supported by existing Policies and Bylaws and the applicant has provided an acceptable proposal therefore Planning is supportive of this rezoning application to create R3 lots and RM2 units.

Legal Impacts:

A section 219 Covenant will be registered on title of all lands and will include Affordable Housing Reserve Fund contributions, road dedications, park dedication and trail dedication and construction.

Budget/Financial Impacts:

The addition of approximately 50 units to the District of Sooke will positively impact the property tax base.

Contributions to Reserve Fund 259 of \$500 per unit will provide approximately \$25,000.00 to the fund depending on the final number of units. The current balance of the fund is \$86,330.81.

Strategic Relevance:

Enhancing Community Livability - this proposal will initiate a parks and pathway connection that has remained a gap for several years in the pathway system and will act to protect Nott Creek.

Attached Documents:

[Attachment 1 - Bylaw 695](#)

[Attachment 2 - Current RU3 Zone](#)

[Attachment 3 - Proposed Zoning R3 and RM2](#)

[Attachment 4 - Concept Plan Showing Park Dedication](#)

[Attachment 5 - Referral Summary](#)



**DISTRICT OF SOOKE
ZONING AMENDMENT
BYLAW NO. 695**

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

1. This bylaw is cited as *Zoning Amendment Bylaw No. 695 (600-54), 2018*.

2. The parcels of land legally described as:

LOT 2, SECTION 3, SOOKE DISTRICT, PLAN 1516, EXCEPT PART IN PLAN VIP89038

as shown boldly outlined and shaded on Schedule A, which is affixed to and forms part of this bylaw, is hereby rezoned to Small Lot Residential (R3) and Medium Density Multi Family 2 (RM2).

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 ____, 201 .

READ a THIRD time the __day of ____, 201 .

ADOPTED the __day of ____, 201 .

Maja Tait
Mayor

Carolyn Mushata
Corporate Officer

Small Scale Agriculture

RU3

103.1 Purpose: This zone is intended to provide for small scale agricultural uses of land within the District of Sooke.

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

Principal Uses:

Accessory Uses:

- a) Agriculture
- b) Agriculture – intensive *
- c) Aquaculture
- d) One single family dwelling or duplex per lot

- e) Bed and breakfast
- f) Boarding and lodging
- g) Home-based business
- h) One additional dwelling unit for farm employees may be permitted per the provisions of the *Agricultural Land Commission Act* or one small suite on a lot with a single family dwelling providing the land is not in the Agricultural Land Reserve
- i) One secondary suite on a lot with a single family dwelling
- j) Vacation accommodation unit

**See conditions of use.*

(k) Notwithstanding the generally permitted uses on RU3 zoned properties, on the property identified as PID 025-686-054 (Lot E, Sections 27, 28, and 29, Sooke District, Plan VIP75447), the only permitted uses are agriculture and park by authority of ALC Resolution #2678/2010 (Sunriver Agricultural Land Reserve Exclusion).

(l) Notwithstanding the Permitted Uses set out in Section 103.2, on the property identified as Lot A, Sections 7 and 11, Sooke District, Plan 31841, shown shaded on “Schedule A”, ‘Community Care Facility’ is a permitted use subject to necessary approvals from the Agricultural Land Commission (ALC). (*amended by Bylaw No. 647, 2016 on November 28, 2016*)

Schedule 103 – Small Scale Agriculture (RU3)

103.3 Minimum Lot Size for Subdivision Purposes: 4 ha

103.4 Minimum Width for Subdivision Purposes: 60 m

103.5 Maximum Height:

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

103.6 Maximum Lot Coverage:

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

103.7 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 m	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

103.8 Conditions of Use:

Agriculture-intensive only permitted on lots 2 ha or larger.

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)*

Medium Density Multi Family 2

RM2

303.1 Purpose: This zone provides for medium density multi family development in the Sewer Specified Area, to regulate existing Townhouse or other Medium Density Multi-Family outside the Sewer Specified Area at the time of adoption of this Bylaw.

303.2 Permitted Uses:

Principal Uses:

- a) Apartment building
- b) Assisted living facility
- c) Duplex
- d) Cluster dwelling units
- e) Townhouse

Accessory Uses:

- f) Limited home-based business

303.3 Minimum Lot Size for Subdivision Purposes: 1,000 m²

303.4 Minimum Width for Subdivision Purposes: 30 m

303.5 Maximum Density: 50 dwelling units/ha

303.6 Maximum Height:

- a) Principal Buildings: 20 m
- b) Accessory Buildings: 9 m

303.7 Maximum Lot Coverage: 45%

303.8 Amenity Area: A minimum of 8% of the lot area must be developed as an amenity area for the residents.

303.9 Minimum Setbacks:

Use	Front Lot Line	Flanking Lot Line	Side Lot Line	Rear Lot Line	Lane Lot Line
Principal Building or Structure	3 m	3 m	3 m	4.5 m	1 m
Principal Building adjacent to RM1, RM2, RM3, or RM4	3 m	3 m	0 m	4.5 m	1 m
Accessory Building or Structure – 1 storey	7.5 m	4.5 m	1.2 m	4.5 m	0 m

**SUMMARY OF COMMENTS RECEIVED FOR __PLN01349__
IN RESPONSE TO DISTRICT OF SOOKE REFERRAL SENT __January 15, 2018__**

EXTERNAL REFERRALS	
Agency	Comments
Shaw Cable	No comments received.
Telus Communications	No objections.
Fortis BC	No objections. Call ahead of excavations within road allowances to obtain gas location records.
BC Hydro	No objections. Developer to submit an application for service with BC Hydro Express Connect Department. Note of overhead electrical infrastructure adjacent property.
CRD Parks & Community Services	No comments received.
ALR Commission	No comments received.
Ministry of Transportation and Infr.	No objections. Additional comments will be made at time of subdivision.
Canada Post, Sooke	No comments received.
BC Transit	No comments received.
Beecher Bay	No objections.
CRD Water Department	Community water will be supplied to development if fees are paid as authorized under CRD Bylaw No 4190. Owner to pay all costs to abandon ¾" water line service if not required. Detailed water servicing design drawings will be required along with a detailed statement of conditions prior to development. Fire Flow requirements to be calculated by owner engineer. DCC may apply to each of the new lots created.
SEAPARC	No comments received.
Sooke School District #62	No objections.
T'sou-ke Nation	No comments received.
Archaeological Branch, Ministry of Forests	No known archeological sites recorded on the subject property.
RCMP Sooke Dept	No comments received
INTERNAL REFERRAL	
Department	Comments
Building	No objections.
Engineering	High level rainwater management plan will be required. Engineering of access points required.
Fire	No immediate concerns. Preference would be a loop through the site connecting to Stone Hearth way but a hammer head is also acceptable.
Environmental	Riparian Area to be dedicated as park and consistent with neighboring Nott Brook park dedications. Trail connection to be dedicated. Discourage access from lots into the SPEA. Driveway and culverts to be removed and area remediated by QEP if there is no access intended. All to be addressed through future subdivision.