



**PH-1**

**Public Hearing  
Information Package**

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

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**5651 Woodlands Road**

<b>Proposed Bylaw:</b>	<b>Bylaw No. 720, <i>Zoning Amendment Bylaw (600-64), 2018</i></b>
<b>Zoning Amendment:</b>	The purpose of Bylaw No. 720, <i>Zoning Amendment Bylaw (600-64)</i> is to amend Bylaw No. 600, <i>Sooke Zoning Bylaw, 2013</i> to rezone the property located at 5651 Woodlands Road from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5) for future subdivision and creation of 5 residential strata parcels.

<b>Information Package Contents</b>	<b>Page #</b>
1. Notice of Public Hearing published in the Sooke News Mirror November 14, 2018 & November 21, 2018.	<b>1</b>
2. Bylaw No. 720, <i>Zoning Amendment Bylaw (600-64), 2018</i> at second reading	<b>3</b>
3. Staff Report to Council, dated September 24, 2018.	<b>5</b>
4. Council minutes and resolution, dated September 24, 2018.	<b>15</b>

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

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2205 Otter Point Road, Sooke  
Phone: 250-642-1634  
Fax: 250-642-0541  
email: [info@sooke.ca](mailto:info@sooke.ca)  
website: [www.sooke.ca](http://www.sooke.ca)

## NOTICE OF PUBLIC HEARING

The Council of the District of Sooke will hold a Public Hearing pursuant to the provisions of the *Local Government Act* in the Council Chambers at 2205 Otter Point Road, Sooke, BC on **Monday, November 26th, 2018** commencing at **7:00 pm**.

### Application Information:

**Bylaw:** Bylaw No. 720, *Zoning Amendment Bylaw (600-64), 2018*

**File No:** PLN01385

**Civic Address:** 5651 Woodlands Rd (shown outlined in grey and hatched on the subject map)

**Land Descriptions:** Lot 6 Block 12 Section 65 Sooke District Plan 2434 Except Parcel A (DD150851) Therefore and Except Part in Plan 9312

**Applicant:** John Saleski

### Proposal:

The purpose of Bylaw No. 720, *Zoning Amendment Bylaw (600-64), 2018* is to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* to amend the zoning on the property located at 5651 Woodlands Road from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5) for future subdivision and creation of 5 residential strata parcels.



### Further Information:

Copies of the bylaw, supporting written reports and any relevant background documentation may be viewed in the "Public Notices" section of the District of Sooke website [www.sooke.ca](http://www.sooke.ca) or inspected at the District Municipal 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 November 14, 2018 to and including November 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](mailto:publichearing@sooke.ca) or in person to the Corporate Officer at the District Municipal Offices no later than **Monday, November 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

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## DISTRICT OF SOOKE ZONING AMENDMENT BYLAW NO. 720

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A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on the property located at 5651 Woodlands Road from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5).

---

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

### Citation

1. This bylaw is cited as *Zoning Amendment Bylaw No.720 (600-64),2018*.
2. The parcel of land legally described as Lot 6 Block 12 Section 65 Sooke District Plan 2434 Except Parcel A (DD15085I) Therefore and Except Part in Plan 9312, is hereby rezoned from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5).
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 24 day of September, 2018.

PUBLIC HEARING held the     day of     , 2018.

READ a THIRD time the     day of     , 2018.

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

ADOPTED the     day of     , 2018.

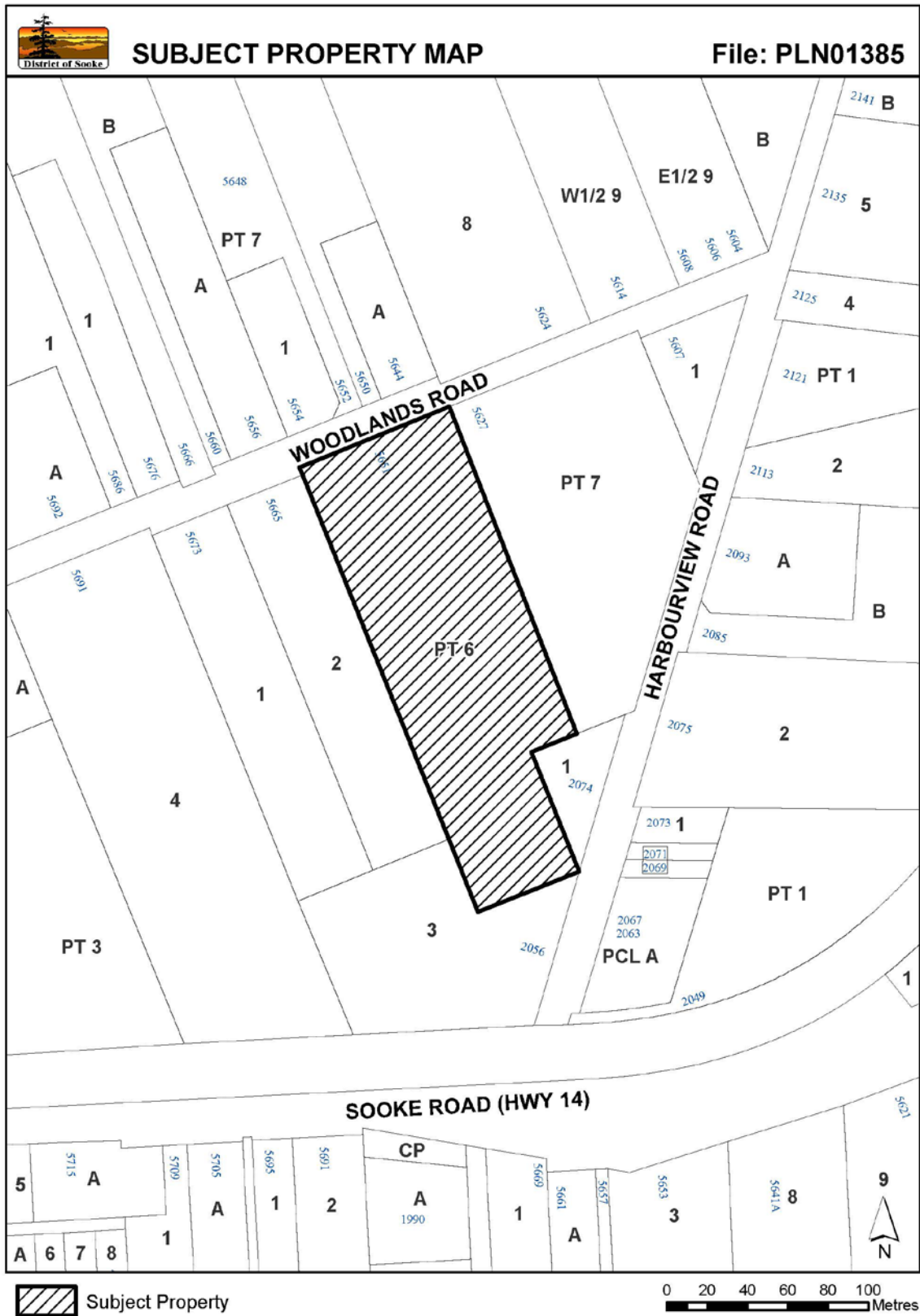
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Maja Tait  
Mayor

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Carolyn Mushata  
Corporate Officer

SCHEDULE A





## Zoning Bylaw Amendment - 5651 Woodlands Rd

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### **RECOMMENDATION:**

That Council give first and second reading to *Zoning Amendment Bylaw No. 720 (600-63), 2018* to amend the zoning on the property located at 5651 Woodlands Road from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5), and;

That Council schedule the public hearing for *Zoning Amendment Bylaw No. 720 (600-63), 2018* in accordance with Section 466 of the *Local Government Act*, and

That prior to final adoption of *Zoning Amendment Bylaw 720 (600-63), 2018*, the owner be required to enter into a section 219 covenant registered in priority of all other charges on title for a 4 metre road dedication along the property frontage of Woodlands Road and Housing Reserve Fund contributions of \$1000.00 per unit.

### **Report Summary:**

The applicant has applied for rezoning of their 1.75 hectare (4.33 acre) property from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5) for the purposes of creating five new strata lots.

### **Report:**

#### **Site Context:**

The subject property is approximately 1.75 hectares and is located between Woodlands Road and Harbourview Road. It is accessed off of Woodlands Road and bounded by agricultural land reserve along the west and south property lines. The property is currently zoned RU4 Neighbourhood Rural Residential. The applicant intends to subdivide up to 5 strata lots.

#### **Servicing:**

Rain water management plan, erosion and sediment control plan and sanitary servicing study must be completed by a qualified professional and submitted at time of Development Permit. In the event a Development Permit is not required, the above plans must be submitted prior to subdivision approval.

It has been noted in the preliminary design brief submitted by Islander Engineering on July 25th, 2018 that a drainage connection through to the existing ditch on Harbourview Road would likely require an easement of the adjacent property to the east or south in favour of the proposed Strata.

In addition, section 105.9 of the Sooke Zoning Bylaw Conditions of Use state that a site specific soil analysis to determine soils capability to percolate for septic and must be prepared by a qualified professional. The applicant submitted a percolation test to Vancouver Island Health Authority (VIHA) or review and the response provided from VIHA was that they were satisfied that the soils were adequate for onsite septic systems and instructed that the applicant submits the appropriate filing to their office prior to system construction takes place.

Access:

A 4 metre road dedication will be required at time of subdivision along the property frontage of Woodlands Road and will be addressed through covenant prior to adoption of this rezoning bylaw. The road dedication is intended to provide a 10m wide road right of way from centerline as per the Rural Collector standard cross section in the *Subdivision and Development Standards Bylaw No. 404, 2014*, and the Transportation Master Plan, 2009.

The internal strata road must be a minimum of 6m in width in order to provide appropriate access to emergency services vehicles and align with the zoning bylaw requirements for driveway width.

**Policy and Bylaw Review**

*Official Community Plan, 2010:*

Section 4.5.3 Agricultural and Food Security Policies

(j) ensure sufficient buffers, including roads and right of ways, between agricultural lands and adjacent, non-agricultural properties; use of 'best practices' guides from the ALC should be considered during the planning or development processes, e.g. Ministry of Agriculture and Land's Guide to Edge Planning and Ministry of Agriculture and Land's Guide to Using and Developing Trails in Farm and Ranching Areas.

Section 5.7.3(d) Ensure sufficient buffers, between agricultural lands and adjacent, non-agricultural properties; use of 'best practices' guides from the ALC should be considered during the planning or development processes. The subject property abuts agricultural lands along its westerly and southerly boundaries. For this reason the Agricultural Land Commission is recommending a 5 metre landscaped buffer to protect the future residential development from potential disturbances from active farm properties.

Section 7.5 Development Permit Area (DPA) #2 - Form and Character d) vegetation shall be used to screen off street parking and service areas and generally enhance the appearance of the area and improve onsite rainwater management. 7.5.4.2

Environmental Protection - on undeveloped properties, existing trees and significant stands of trees, other native vegetation, and significant geophysical features are to be retained to the fullest extent possible.

The applicant is proposing to address the above policies by preserving a 6 metre depth of the existing tree stand along the entire perimeter of the site to the extent possible and along newly formed side property lines. A tree protection plan should be submitted with a future development permit application and registered through covenant prior to



issuance of an approved development permit. The covenant will state that at time of subdivision the tree protection plan must be implemented. See attached conceptual lot layout.

Section 4.7.3 Policies (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 single family lots shall be sold at an affordable rate through tools such as covenants and housing agreements; (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 rental units, cash, or land in-lieu to the District of Sooke towards on/off-site affordable housing. The applicant has opted to provide cash-in-lieu in the amount of \$1000.00 per unit to be paid prior to the issuance of a development permit. This condition will be captured through a Section 219 covenant and registered prior to adoption of rezoning.

Section 5.2 Gateway Residential - Although this area is designated a growth area, the type of development that is targeted for this area is low density infill. 5.2.2(e) The creation of lots less than 2500m<sup>2</sup> is not supported in the Gateway Residential area. The applicant is proposing RU5 which has a minimum lot size of 2500m<sup>2</sup> for subdivision. 5.2.2(f) Deter single family residential sprawl development outside the Community Growth Boundary (CGB). This application falls within the Community Growth Boundary.

Section 7.2.2(b) subdivisions creating four or fewer lots is exempt from the Development Permit process. In this case the applicant is anticipating the creation of five lots and therefore at the time of writing of this report a development permit would be required and would fall under the purview of the Head of Planning delegated authority. A development permit must be issued prior to entering into the subdivision process.

*Parks and Trails Master Plan, 2009:*

Park dedication is required for subdivisions creating 5 or more lots. The applicant has decided to pay cash-in-lieu prior to subdivision approval.

*Sooke Zoning Bylaw, 2013:*

For the purposes of subdivision the RU5 zone requires minimum lot sizes of 2500m<sup>2</sup> and minimum lot widths of 15 metres. This application is for zoning purposes only. The applicant was made aware of the above requirements through the application process and understands they will have to comply at time of development permit and/or subdivision. They will also be subject to additional zoning requirements for lot coverage and setbacks at time of building permit.

The application meets the requirements of District of Sooke policies and bylaw's and is therefore recommended for first and second reading as per the attached bylaw.

**Budget/Financial Impacts:**

The Housing Reserve Fund balance is \$113,331.

**Attached Documents:**

[Bylaw 720](#)

Conceptual Lot Layout



## DISTRICT OF SOOKE ZONING AMENDMENT BYLAW NO. 720

---

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on the property located at 5651 Woodlands Road from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5).

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

### Citation

1. This bylaw is cited as *Zoning Amendment Bylaw No.720 (600-64),2018*.
2. The parcel of land legally described as Lot 6 Block 12 Section 65 Sooke District Plan 2434 Except Parcel A (DD15085I) Therefore and Except Part in Plan 9312, is hereby rezoned from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5).
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 the Ministry of Transportation and Infrastructure the      day of      , 2018.

ADOPTED the      day of      , 2018.

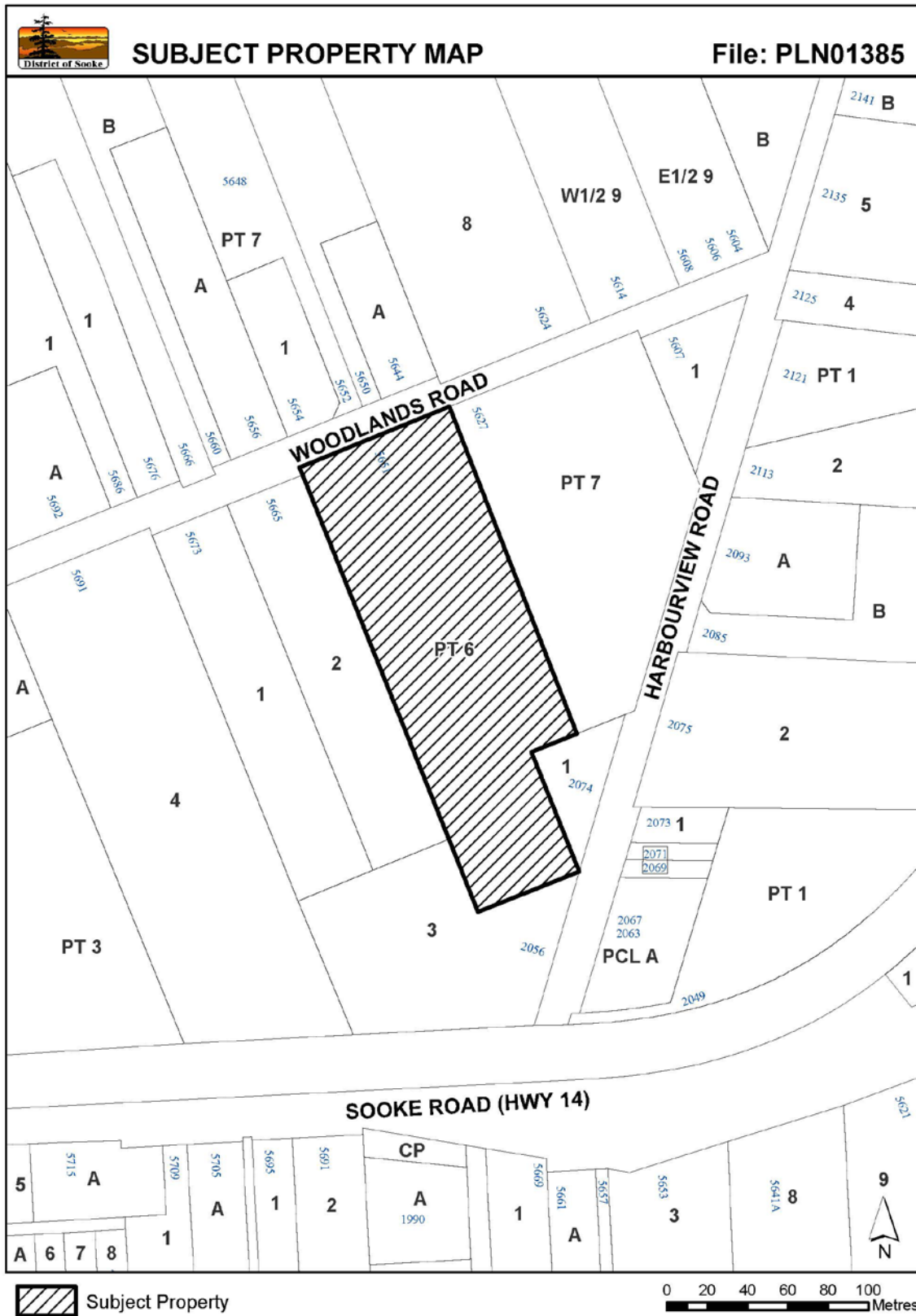
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Maja Tait  
Mayor

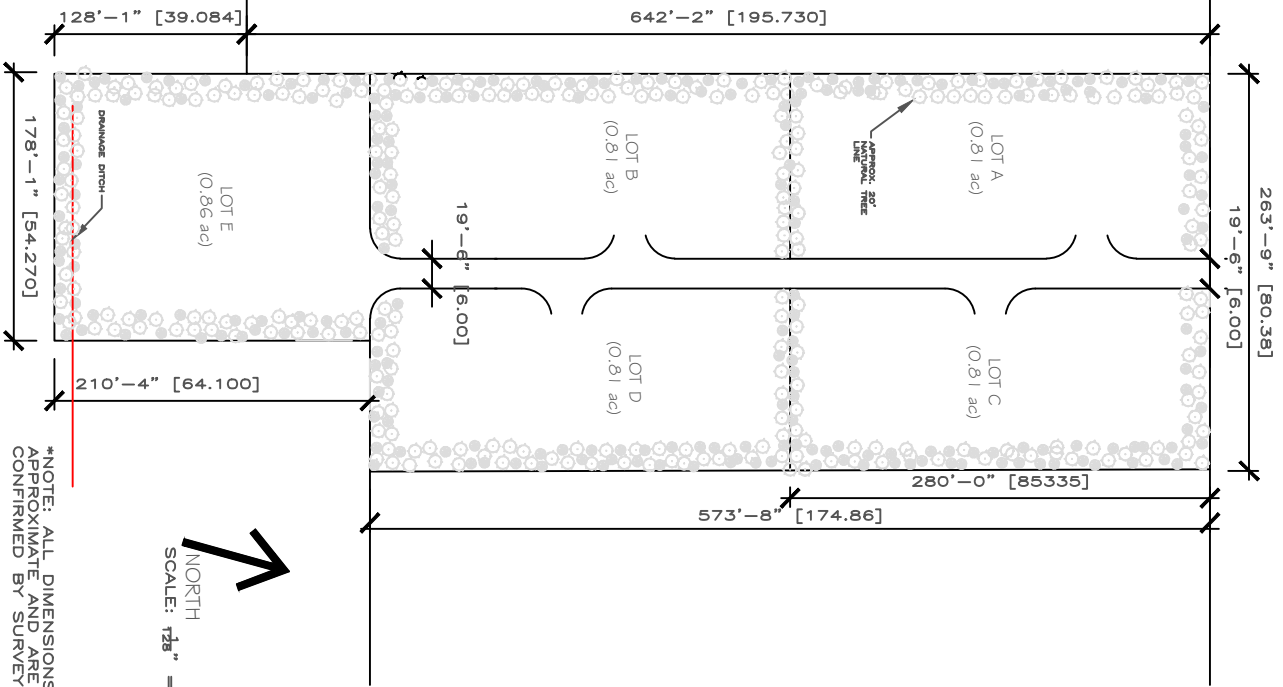
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Carolyn Mushata  
Corporate Officer

SCHEDULE A



WOODLANDS ROAD



\*NOTE: ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE CONFIRMED BY SURVEYOR.

NORTH  
SCALE: 1/25" = 1'-0"

5651 WOODLANDS ROAD  
Site Plan of:  
Lot 6, Block 12, Section 65,  
Sooke District  
1.75 hectares  
(4.33 acres)



Phone: 306-612-2054  
PO Box 141  
Saskatoon, SASK. S7K 3K4

PROJECT NAME:  
Woodlands Road  
Sooke, BC  
DRAWING NAME:  
PROPOSED SUBDIVISION PLAN

DATE:  
August 30, 2018  
PROJECT NO:  
2018-02  
DRAWN:  
TRS  
A-1.0





**MINUTES**  
**District of Sooke**  
**Regular Council Meeting**  
**September 24, 2018 7:00 PM**  
**Council Chamber**  
**2225 Otter Point Road**  
**Sooke, BC**

**COUNCIL PRESENT:**

Mayor Tait  
Councillor Parkinson  
Councillor Pearson  
Councillor Reay

**STAFF PRESENT:**

Brent Blackhall, Interim CAO & Director of Finance  
Rob Howat, Director of Development Services  
Kenn Mount, Fire Chief & Director of Community Safety  
Carolyn Mushata, Director of Corporate Services  
Ivy Campbell, Head of Planning  
Teunesha Evertse, Planner II  
Nicholas Deibler, Planner I  
Sarah Temple, Corporate Services Assistant

**ABSENT:**

Councillor Berger  
Councillor Kasper  
Councillor Logins

8.3. **Bylaw No. 720, Zoning Bylaw Amendment (600-63), 2018 - 5651 Woodlands Rd**

The Planner II gave a PowerPoint Presentation and overview of the application to amend the zoning on the property located at 5651 Woodlands Road from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5).

**Council discussion:**

- Confirmation that a maximum of 5 homes can be located on the subject property.

**2018-478**

**MOVED by Councillor Parkinson, seconded by Councillor Pearson:**

THAT Council give first and second reading to *Zoning Amendment Bylaw No. 720 (600-63), 2018* to amend the zoning on the property located at 5651 Woodlands Road from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5), and;

THAT Council schedule the public hearing for *Zoning Amendment Bylaw No. 720 (600-63), 2018* in accordance with Section 466 of the *Local Government Act*, and

THAT prior to final adoption of *Zoning Amendment Bylaw 720 (600-63), 2018*, the owner be required to enter into a section 219 covenant registered in priority of all other charges on title for a 4-metre road dedication along the property frontage of Woodlands Road and Housing Reserve Fund contributions of \$1000.00 per unit.

**CARRIED.**

**Minutes for the Regular Council Meeting of the District of Sooke - September 24, 2018**

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