



**PH -2**

**Public Hearing  
Information Package**

**June 10, 2019 at 7:00 pm**

Sooke Council Chamber  
2225 Otter Point Road, Sooke, BC

---

**1939 Maple Avenue South**

<b>Proposed Bylaw:</b>	<b><i>Zoning Amendment Bylaw No. 736 (600-71), 2019</i></b>
<b>Zoning Amendment:</b>	The purpose of <i>Zoning Amendment Bylaw No. 736 (600-71), 2019</i> is to amend the zoning on the property located at 1939 Maple Avenue South from Large Lot Residential (R1) to Medium Lot Residential (R2).

---

**Information Package Contents:**

**Page No.**

- 
- |  |          |
|--|----------|
| 1. Notice of Public Hearing published in the Sooke News Mirror <ul style="list-style-type: none"><li>• May 29 and June 5, 2019</li></ul> | <b>1</b> |
| 2. <i>Zoning Amendment Bylaw No. 736 (600-71), 2019</i> at second reading.   | <b>3</b> |
| 3. Council minutes and resolution dated May 13, 2019   | <b>5</b> |
| 4. Staff report to Council dated May 13, 2019  | <b>7</b> |

---

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

Printed May 29, 2019

This page is left blank intentionally



# 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, June 10th, 2019** commencing at **7:00 p.m.**

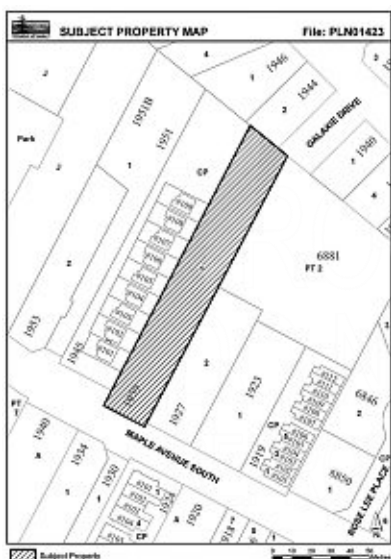
## Application Information:

**Bylaw:** Zoning Amendment Bylaw No. 736 (600-71), 2019

**Applicant:** Nyle Elder

**Proposed Amendment:** Rezoning from R1 Large Lot Residential to R2 Medium Lot Residential

Municipal Address	Legal Description
1939 Maple Ave S.	Lot 1, Section 3, Sooke Land District, Plan VIP5723



## Proposal:

The purpose of *Zoning Amendment Bylaw No. 736 (600-71), 2019* is to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* to change the zoning on the subject property 1939 Maple Avenue South from R1 Large Lot Residential to R2 Medium Lot residential resulting in three (3) new single-family dwelling lots (four lots total). A covenant will also be considered to further regulate the use of the lands and the buildings.

## Further Information:

Copies of the bylaw, relevant reports and 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 **May 29, 2019 to and including June 10, 2019.**

## 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, June 10, 2019 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.

This page is left blank intentionally



## **DISTRICT OF SOOKE ZONING AMENDMENT BYLAW NO. 736**

---

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on the property located at 1939 Maple Avenue South from Large Lot Residential (R1) to Medium Lot Residential (R2).

---

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

1. This bylaw is cited as *Zoning Amendment Bylaw No. 736 (600-71), 2019*.
2. The section of land legally described as Lot 1, Section 3, Sooke Land District, Plan VIP5723, is hereby rezoned from Large Lot Residential (R1) to Medium Lot Residential (R2).
3. Bylaw No. 600, *Sooke Zoning Bylaw, 2013*, as Amended, and Schedule A attached thereto, are amended accordingly.

READ a FIRST time the 13<sup>th</sup> day of May, 2019.

READ a SECOND time as amended the 13<sup>th</sup> day of May, 2019

PUBLIC HEARING held the      day of      , 2019.

READ a THIRD time the      day of      , 2019.

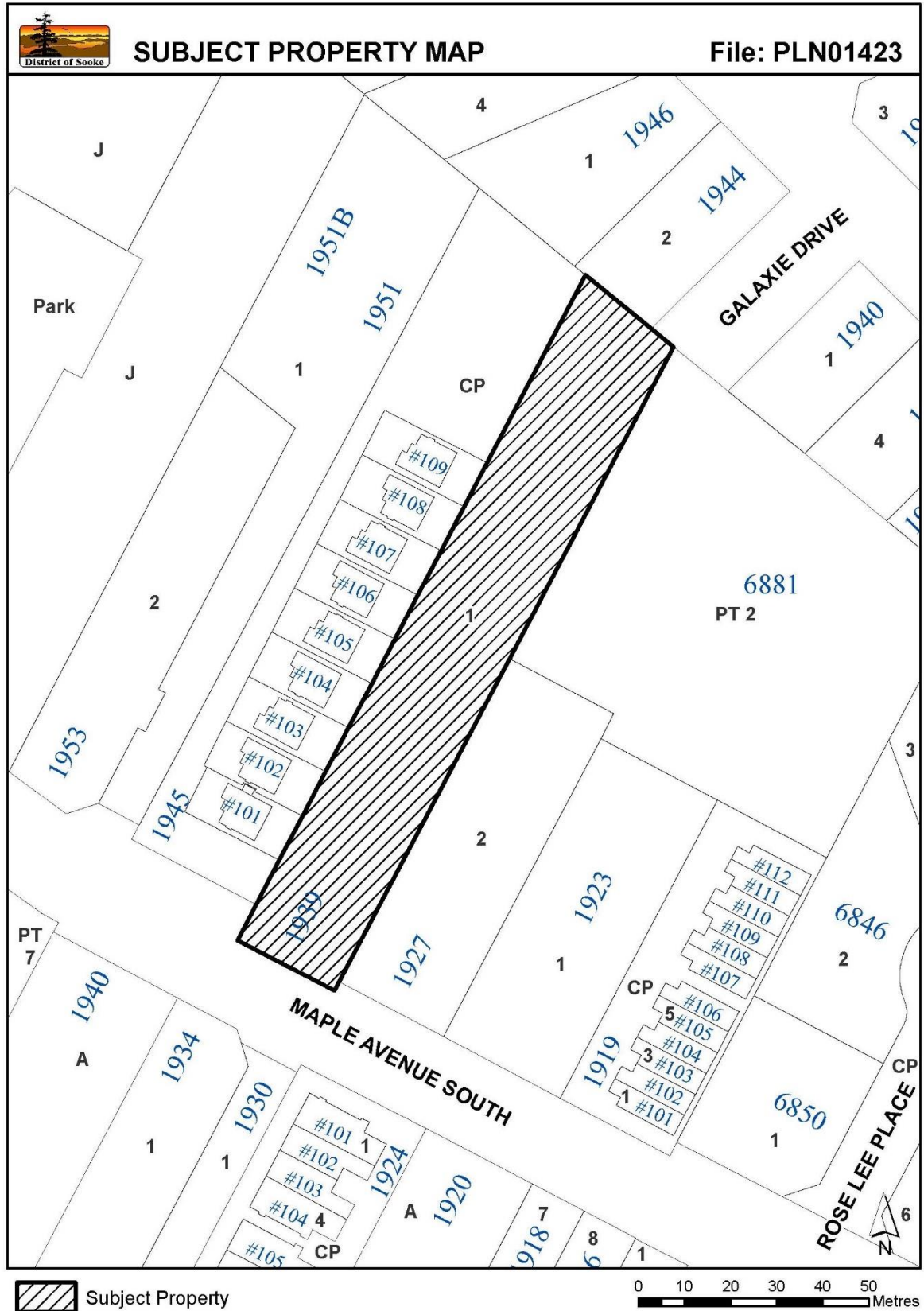
ADOPTED the      day of      , 2019.

---

Maja Tait  
Mayor

---

Carolyn Mushata  
Corporate Officer



10.2. **Zoning Amendment Bylaw No. 736 (600-71) - 1939 Maple Ave S Rezoning**

The Planner I provided a PowerPoint presentation and overview of the proposed zoning amendment for 1939 Maple Avenue South.

**Council discussion:**

- Discussion regarding Affordable Housing contribution.
- Note that Fire Department comments recommend an 8m wide access.

**2019-218**

**MOVED by Councillor Jeff Bateman, seconded by Councillor Al Beddows:**

THAT Council give First reading to *Zoning Amendment Bylaw No. 736 (600-71)* to rezone 1939 Maple Ave South from R1 Large Lot Residential to R2 Medium Lot Residential.

**CARRIED.**

**In Favour:** Mayor Maja Tait, Councillor Jeff Bateman, and Councillor Al Beddows

**Opposed:** Councillor Ebony Logins and Councillor Tony St-Pierre

**Absent:** Councillor Megan McMath and Councillor Brenda Parkinson

**2019-219**

**MOVED by Councillor Jeff Bateman, seconded by Councillor Al Beddows:**

THAT *Zoning Amendment Bylaw No. 736 (600-71)* be amended to include "the section of land known as Lot 1, Section 3, Sooke Land District, Plan VIP5763" is hereby rezoned from R1 Large Lot Residential to R2 Medium Lot Residential.

**CARRIED.**

**In Favour:** Mayor Maja Tait, Councillor Jeff Bateman, and Councillor Al Beddows

**Opposed:** Councillor Ebony Logins and Councillor Tony St-Pierre

**Absent:** Councillor Megan McMath and Councillor Brenda Parkinson

**2019-220**

**MOVED by Councillor Jeff Bateman, seconded by Councillor Al Beddows:**

THAT Council give second reading to *Zoning Amendment Bylaw No. 736 (600-71)*, as amended.

**CARRIED.**

**In Favour:** Mayor Maja Tait, Councillor Jeff Bateman, and Councillor Al Beddows

**Opposed:** Councillor Ebony Logins and Councillor Tony St-Pierre

**Absent:** Councillor Megan McMath and Councillor Brenda Parkinson

**2019-221**

**MOVED by Councillor Ebony Logins, seconded by Councillor Jeff Bateman:**

THAT a Public Hearing be scheduled for the Zoning Amendment Bylaw No. 736 (600-71) in accordance with Section 466 of the *Local Government Act*.

**CARRIED UNANIMOUSLY**

**In Favour:** Mayor Maja Tait, Councillor Jeff Bateman, Councillor Al Beddows, Councillor Ebony Logins, and Councillor Tony St-Pierre

**Absent:** Councillor Megan McMath and Councillor Brenda Parkinson

**2019-222**

**MOVED by Councillor Ebony Logins, seconded by Councillor Jeff Bateman:**

THAT prior to adoption of *Zoning Amendment Bylaw No. 736 (600-71)* the owner be required to enter into a Section 219 Covenant registered in priority of all other charges on title for affordable housing contributions.

**CARRIED UNANIMOUSLY**

**In Favour:** Mayor Maja Tait, Councillor Jeff Bateman, Councillor Al Beddows, Councillor Ebony Logins, and Councillor Tony St-Pierre

**Absent:** Councillor Megan McMath and Councillor Brenda Parkinson





## 1939 Maple Ave S Rezoning

### RECOMMENDATION:

THAT Council give First and Second reading to *Zoning Amendment Bylaw No. 736 (600-71)* to rezone 1939 Maple Ave South from R1 Large Lot Residential to R2 Medium Lot Residential; and

THAT a Public Hearing be scheduled for the Zoning Amendment in accordance with Section 466 of the Local Government Act; and

THAT prior to adoption of *Zoning Amendment Bylaw No. 736 (600-71)* the owner be required to enter into a Section 219 Covenant registered in priority of all other charges on title for affordable housing contributions.

### Report Summary:

The purpose of this application is to rezone a 3,849 square meter property known as 1939 Maple Ave from Large Lot Residential (R1) to Medium Lot Residential (R2). The R2 zone permits horticulture, and single family or duplex dwellings. The purpose of the rezoning is to allow for the creation of a subdivision of four fee simple lots, measuring in size from 800 square meters to 844 square meters (excluding panhandles). Although included under Development Permit Area #2, development permits are exempted for subdivisions creating four or fewer lots. The property is located within the Sewer Specified Area.

### Report:

#### Site Context

The subject property is approximately 3,846 square meters in size, and is located on Maple Avenue South between Eve Grove and Rose lee Place, approximately 280 meters from West Coast Road (Highway 14). It is a long, narrow lot with a frontage of 23.7m on Maple Ave South, and 6.3m on Galaxie Drive, an unimproved road right-of-way opposite the Maple Ave frontage (Attachment 1). The subject property is approximately 150m long. It is bordered by properties zoned RM2 Medium Density Multi Family 2 and R1 Large lot Residential to the east and west. There are also properties zoned RU3 Small Scale Agriculture to the west and RM1 Low Density Multi Family 1 to the south of the subject property (Attachment 2). There is a small cluster of commercial-zoned properties at the intersection of Maple Ave South and West Coast Rd.

The topography of the subject property is general flat, with a slight change in elevation of 3m from the northwest corner to the southeast. The property currently contains one single family dwelling, one garage, and two deteriorating accessory structures. With the

exception of this small area the property is predominantly treed. Local amenities include Millenium Memorial Park (located 91m to the west of the subject property). Transit service is also available, with the nearest stop located 355m away, near the intersection of Maple Ave South and West Coast Rd. BC Transit Route 61 offers frequent service around Sooke and provides regional connections to Langford and Victoria from this stop.

## **Policy Context**

### Bylaw No. 400, *Official Community Plan, 2010 (OCP)*

The subject property is located within the Community Residential OCP land use designation, an area within the Community Growth Area in which low to medium density residential growth is directed. Residential growth is targeted here because municipal services can be provided or accessed in an efficient manner. Ensuring sustainable construction of single family dwellings, reducing residential sprawl, and ensuring that future and existing residential development minimizes the impact on municipal infrastructure are some of the goals of this designation, goals which are supportive of the type of "infill" development being proposed.

The OCP makes several references to supporting "infill" development, including the guiding principle of Sooke Smart Growth (Section 3.2.5.), which states that prioritizing infill through redevelopment and densification strategies is one of the methods with which the District wishes to utilize infrastructure more efficiently. Elsewhere, Section 5.1 (the Community Residential land use designation), mentions supporting infill development, where appropriate, as a goal of the Community Residential Area, and also features the objective of providing the most efficient use of land and existing physical infrastructure (5.1.2.d). More specifically, this section mentions supporting contiguous residential infill development to medium densities via rezoning (5.1.3.h). As the proposed rezoning is to a medium lot residential zone it complies with this section of the OCP.

As per Section 7.2.2.b) of Bylaw No. 400, *Official Community Plan, 2010* the proposed development on the subject property would be exempt from obtaining a Development Permit, as it would result in the creation of four or fewer lots. If successful with the subject rezoning application the applicant could proceed directly to the subdivision stage.

### Bylaw No. 600, *Sooke Zoning Bylaw, 2013*

The applicant is requesting to up zone from the Large Lot Residential (R1) zone to the Medium Lot Residential (R2) zone (Attachment 3, Attachment 4). Under the R2 zone the subject property could be subdivided into 6 lots, although the practicability of this is challenged by its long, narrow shape. Instead, the applicant is proposing a 4-lot subdivision with lots ranging in size from 800 square meters to 844 square meters (Attachment 5). Two of the proposed lots are panhandle lots, but as per Section 3.15 of Bylaw No. 600, *Sooke Zoning Bylaw, 2013* this area does not constitute part of the lot area for the purpose of subdivision. These lot sizes are well above the minimum lot size for subdivision in the R2 zone (600 square meters). The minimum lot size for subdivision in the existing R1 zone is 1000 square meters. The maximum residential

density permitted in the R2 zone is one single family dwelling, or one duplex per lot. As with most residential zones secondary suites or small suites are permitted on lots with a single family dwelling, at a rate of one or the other per lot. Secondary suites are not permitted in duplex's. As per Section 4.8 parking requirements to be addressed at the building permit stage include 2 spaces per single family home, and 1 space per secondary suite or small suite.

#### Bylaw No. 404, *Subdivision and Development Standards Bylaw, 2014*

As per referral comments from engineering staff (Attachment 6), any development on the subject property must be serviced in accordance with Bylaw No. 404, Subdivision and Development Standards Bylaw, 2014. This includes provision of a 2m wide sidewalk, as per the collector road cross section for Urban/Suburban Collector Roads. Maple Ave is designated as a collector road in the *Transportation Master Plan*.

### **Site Servicing**

#### Storm Water Management

Any proposed development on the subject property must be designed in accordance with Bylaw No. 404, *Subdivision and Development Standards Bylaw, 2014*, Schedule 6 (Rain Water Management). A Storm Water Management Plan will be required at the time of subdivision.

#### CRD Water

CRD Water is currently available from mains under both Maple Ave South and Powliuk Crescent. CRD Water has indicated that community piped water can be supplied to future development on the subject property.

#### Sewer Serviceability Review

The applicant has submitted a Sanitary Serviceability Review application, which was sent to Stantec Engineering. The Director of Development Services has indicated that since the potential future subdivision would be under 10 units, there is no issue with the sewer (provided the District receives the appropriate engineering and inspection at the time of building). Existing sewer lines run under both Maple Ave South, and Powliuk Crescent.

#### Galaxie Drive Improvements and Driveways

Proposed lots C and D of the tentative subdivision plan would be accessed from Galaxie Drive, a short, unimproved road right-of-way from Powliuk Crescent (Attachment 5). Based on referral comments from engineering staff (Attachment 6), staff are recommending that the applicant provide a minimum 4.5m wide paved driveway through this road right-of-way from Powliuk Crescent to the lot line, and that the applicant and future owners be aware that this driveway will not be maintained by the District. All driveways within public property are to be hard surfaced to the property line. This shall be addressed as a requirement of the applicant at time of subdivision.

### **Contributions**

### Affordable Housing

Section 4.7.3. policy item f) of Bylaw no. 400, *Official Community Plan*, 2010 requires that a minimum of 10% of the total of any proposed bare land or strata single family residential subdivisions be affordable housing lots, and allows developers the flexibility of providing this contribution in different forms, including cash- or land-in-lieu to the District to go towards on/off-site affordable housing. In Canada, housing is considered affordable if it costs less than 30% of a household's before-tax income.

The applicant is proposing an affordable housing contribution amount of \$1000 per unit, based on their rationale statement (Attachment 7). The contribution will be collected at time of subdivision. A Section 219 covenant must be registered prior to adoption of *Zoning Amendment Bylaw No. 736 (600-71)* addressing this.

### Sidewalk

The applicant is proposing a cash-in-lieu amount for the construction of a 2m wide sidewalk with a concrete curb along the entire Maple Ave South frontage of the lot. This contribution will be collected at time of subdivision.

### Parkland Dedication

As per Parks and Environmental Services referral comments (Attachment 6) the provision of cash-in-lieu for parkland dedication is recommended. This contribution will be collected at time of subdivision.

### Landscaping

Prior to subdivision approval, a tree planting plan must be approved by the District Parks and Environmental Services Coordinator. See referral comments (Attachment 6).

### **Budget/Financial Impacts:**

Contributions of up to \$8000 will be provided to *Housing Reserve Fund Bylaw No. 259* which has a balance of \$97,873 as of the date of this report.

### **Attached Documents:**

[Attachment 1 - Subject Property Map](#)

[Attachment 2 - Zoning Map](#)

[Attachment 3 - R1 Zone](#)

[Attachment 4 - R2 Zone](#)

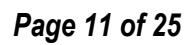
[Attachment 5 - Tentative Subdivision Plan](#)

[Attachment 6 - Referral Summary](#)

[Attachment 7 - Affordable Housing Rationale Statement](#)

[Attachment 8 - Rezoning Rationale Statement](#)

[Attachment 9 - 736 \(600-71\)-2019-1939 Maple Ave](#)







# Large Lot Residential

# R1

**201.1 Purpose:** This zone applies to those lots of land designated as Community Residential and intended for residential purposes, outside of the Town Centre, but within the Sewer Specified Area.

**201.2 Permitted Uses:**

**Principal Uses:**

- a. Horticulture
- b. Single family dwelling or one duplex per lot

**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

**201.3 Minimum Lot Size for Subdivision Purposes:** 1,000 m<sup>2</sup>

**201.4 Minimum Width for Subdivision Purposes:** 15 m

**201.5 Maximum Height:**

- a) Principal Buildings: 3 storeys to a maximum height of 12 metres
- b) Accessory Buildings: 9 m

**201.6 Maximum Lot Coverage:** 30%

**201.7 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	3 m	1.5 m	4 m	3 m
Accessory Building or Structure – 1 storey	7.5 m	3 m	1.2 m	1.2 m	0 m
Accessory Building or Structure – 2 storey	7.5 m	4.5 m	2 m	2 m	0 m

## Medium Lot Residential

## R2

**202.1 Purpose:** This zone is intended to apply to those residential parcels of land designated as Community Residential that are within the Sewer Specified Area.

**202.2 Permitted Uses:**

**Principal Uses:**

- a) Horticulture
- b) Single family dwelling or one duplex per lot

**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

**202.3 Minimum Lot Size for Subdivision Purposes:** 600 m<sup>2</sup>

**202.4 Minimum Width for Subdivision Purposes:** 15 m

**202.5 Maximum Height:**

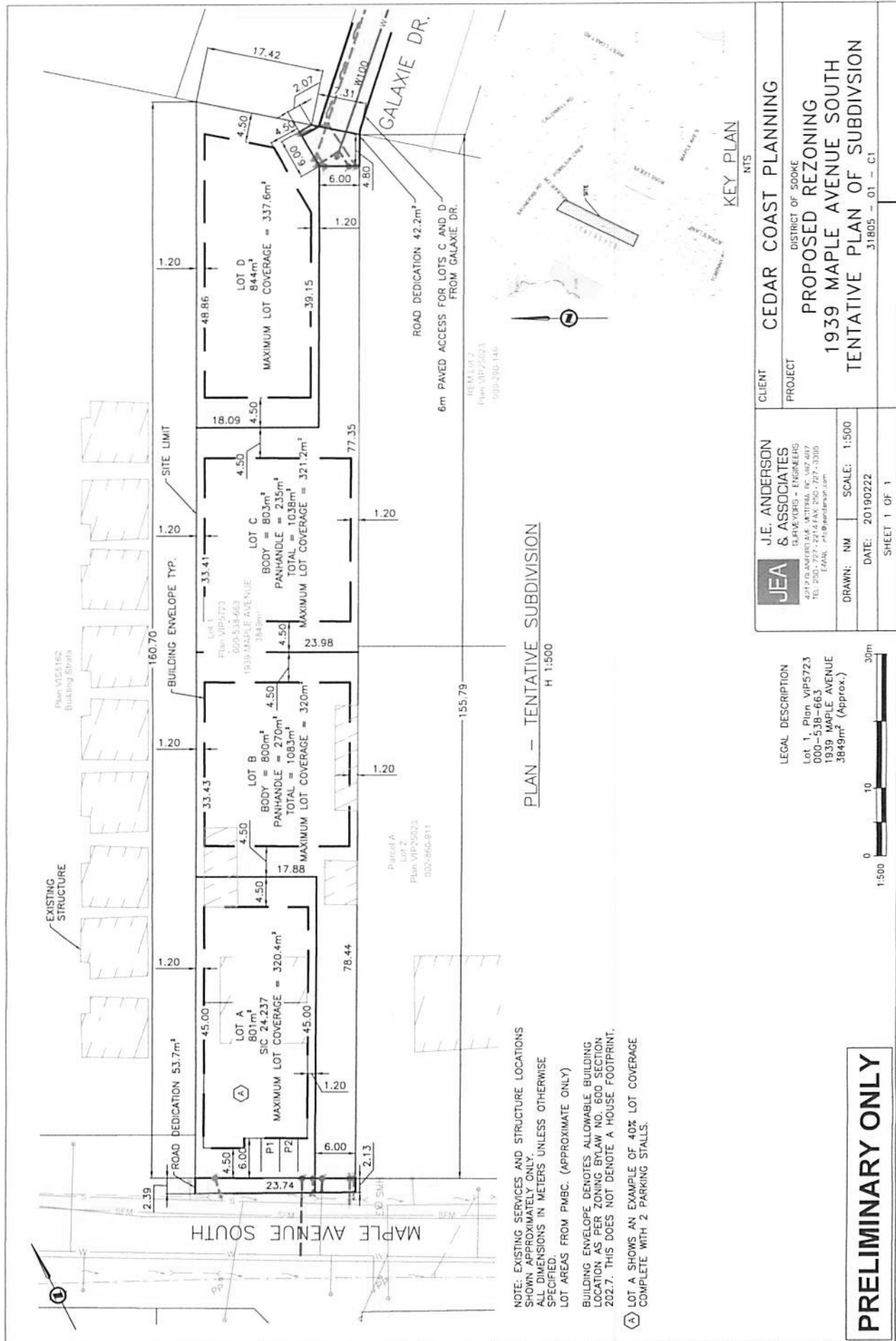
- a) Principal Buildings: 3 storeys up to a maximum height of 12 metres *(added by Bylaw No. 583 adopted February 11, 2014)*
- b) Accessory Buildings: 9 m

**202.6 Maximum Lot Coverage:** 40%

**202.7 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	4.5 m	1.2 m	4.5 m	4.5 m
Accessory Building or Structure – 1 storey	7.5 m	4.5 m	1.2 m	1.5 m	0 m
Accessory Building or Structure – 2 storey	7.5 m	4.5 m	2 m	2 m	0 m





**SUMMARY OF COMMENTS RECEIVED FOR PLN01423 (1939 Maple Ave S Rezoning)  
IN RESPONSE TO DISTRICT OF SOOKE REFERRAL SENT March 4, 2019**

<b>EXTERNAL REFERRALS</b>	
<b>Agency</b>	<b>Comments</b>
Shaw Cable	
Telus Communications	No Concerns
Fortis BC	We have reviewed the attached documents and do not make note of any conflicts; however, gas pipelines exist within the Road Allowance(s) fronting the Development. The Developer is to contact BC 1 Call at 1-800-474- 6886 a minimum of 48 hours ahead of any excavations within the Road allowances to obtain gas location records.
BC Hydro	No Concerns
Vancouver Island Health Authority	
CRD Parks & Community Services	
Juan de Fuca EAP Office	
ALR Commission	
Ministry of Transportation and Infr.	No Concerns
Canada Post, Sooke	
BC Transit	
Beecher Bay	Beecher Bay has no concerns regarding this matter, but would like to state should any Archaeological issues come up, that all the appropriate process' be taken and the Tsouke Nation be appraised and included in the process.
CRD Water Department	<p>If CRD receives an application to supply water, and if the owner(s) is prepared to pay the necessary costs and fees, community piped water can be supplied to this proposed rezoning subject to:</p> <ul style="list-style-type: none"> <li>• Owner pays for supply and installation of water distribution system</li> <li>• Owner pays all connection fees</li> <li>• Owner(s) pay for the supply and installation of a water main along the full length of Galaxie Drive from Powliuk Crescent to the frontage of proposed lots C and D</li> </ul>
CRD Real Estate Services	
Dept. Fisheries & Oceans	
Ministry of Forests, Lands and Natural Resource	
SEAPARC	
Sooke School District #62	At this time the school district does not have any concerns with this referral. The catchment schools for this development are Sooke Elementary, Journey Middle and Edward Milne Secondary.

T'sou-ke Nation	
Archaeological Inventory Section; Ministry of Tourism, Sports & the Arts	<p>According to Provincial records there are no known archaeological sites recorded on the subject property.</p> <p>There is always a possibility for unknown archaeological sites to exist on the property. Archaeological sites (both recorded and unrecorded) are protected under the Heritage Conservation Act and must not be altered or damaged without a permit from the Archaeology Branch. If any land-altering development is planned for the property, 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.</p>
RCMP Sooke Dept	
<b>INTERNAL REFERRALS</b>	
<b>Department</b>	
Building	No Concerns
Engineering	<ol style="list-style-type: none"> <li><b>1) General</b> – service the new development in accordance with the District of Sooke Subdivision and Development Standards Bylaw No. 404 requirements.</li> <li><b>2) Sanitary Sewer</b> – completion of a Sanitary Serviceability Review. Note that Engineering staff have not reviewed any proposed servicing and will leave specific comments to Wastewater staff.</li> <li><b>3) Maple Avenue Road Dedication</b> – to be provided to match the dedication at the adjacent property at 1927 Maple Ave. S.</li> <li><b>4) Driveways</b> – all driveways within public property are to be hard surfaced to the property line.</li> <li><b>5) Stormwater Management</b> – a rainwater management plan should be obtained prior to amending the zoning designation on this property. The report should also include a sediment and erosion control plan to be implemented prior to construction.</li> <li><b>6) Maple Ave. S. Improvements</b> – provision of cash-in-lieu of 3m wide asphalt multi-use trail complete with boulevard seeding and grading. <ol style="list-style-type: none"> <li>a) 2m sidewalk as long as a concrete curb (April 9 Revision)</li> </ol> </li> <li><b>7) Galaxie Drive Improvements</b> – provision of a minimum 6m wide paved driveway access to the proposed new lots to be completed prior to subdivision approval. Highway Use Permit will be required prior to construction commencing. <ol style="list-style-type: none"> <li>a) 4.5m wide driveway is sufficient (April 9 Revision)</li> <li>b) the applicant and future owners should be cognizant that the access proposed to be within the right of way of Galaxie Road will not be maintained by the District as it will be to the District standard required for a public Road</li> </ol> </li> </ol>
Fire	<ul style="list-style-type: none"> <li>• Unsure where the parking is for the pan handle lots? No parking in this laneway?</li> </ul>

	<ul style="list-style-type: none"> <li>• Consideration for apparatus turnaround for the pan handle lots</li> <li>• Does not look like one can drive through to Galaxie?</li> <li>• Fire hydrant access seems acceptable</li> </ul>
Environmental	<p><b>8) Landscaping</b> - Street trees shall be planted as District of Sooke <i>Bylaw 404, Subdivision and Development Standards Bylaw, 2014</i>. Provision of a Tree Planting Plan must be approved by the District of Sooke Parks and Environmental Services Coordinator prior to Development Permit or Subdivision approval. The tree planting plan must include:</p> <ol style="list-style-type: none"> <li>a. tree species list with botanical and common names;</li> <li>b. size, quantity of trees and spacing of trees for Otter Point Road and proposed road frontages;</li> <li>c. location of trees, utilities and sight-lines;</li> <li>d. protection buffer for existing trees; and</li> <li>e. staking and guying techniques.</li> </ol> <p><b>Parkland Dedication</b> – Please work with Council to consider the provision of cash-in-lieu to be required at the subdivision stage.</p>
Wastewater	As the project is under 10 units there is no issue with the sewer provided we receive the appropriate engineering and inspection at the time of building .
Planning	

## **Affordable Housing Contribution Rationale for 1939 Maple Avenue South (PLN01423)**

Based on an interpretation of the *Sooke Affordable Housing & Social Housing Policy, 2007*, this proposed rezoning is required to provide affordable housing, or an equivalent alternative. A goal of the policy states:

### **5.2 Goal # 2 – Increasing the Supply of Safe & Accessible Affordable Housing**

#### **5.2.1 Inclusionary Policy**

##### *Subdivision*

All new subdivisions, for ten or more single-family residential lots, shall provide small lots for affordable housing units or multi-family units. For each group of ten lots, the developer must provide one lot to be used for affordable housing.

It is possible that this goal, which forms the basis for District objectives and policies for social and affordable housing, exempts this rezoning from the requirement to provide an affordable housing or equivalent contribution as it is for less than 10 lots. Further, a repealed District policy exempted rezoning applications permitting four (4) or fewer dwelling units within the Community Residential land use designation area from the policy.

Nonetheless, the applicant in this rezoning is proposing a cash-in-lieu contribution of \$1,000 per lot based on principles established by the District for want of a more definitive policy or bylaw identifying specific requirements as outlined below.

The applicant has researched affordable housing contribution requirements for different local governments on Vancouver Island. The table at the end of this summary is an informal summary of approaches and initiatives taken by various municipalities surveyed by the applicant in March 2019. What has been found is that the requirement to provide for affordable housing is either non-existent, very low, forms part of an overall Municipal Community Amenity Contribution policy or has a specific calculation methods, as with the Town of Comox or in the District of Squamish. Although Sooke has its *Sooke Affordable Housing & Social Housing Policy, 2007* there is no specific cash-in-lieu per unit/percentage amount stated in the policy, thus the applicant presents this rationale for the proposed \$1,000/lot contribution in the rezoning for 1939 Maple Avenue.

An important principle to consider in requiring amenity or affordable housing contributions, as noted by the province, several municipalities contacted and the Urban Development Institute, is the “lift”, or increase in density permitted of a successful residential rezoning. The “lift” is the increased number of units (density) permitted on a property as a result of an “up-rezoning”.

In the case of 1939 Maple Avenue, a 3,846 m<sup>2</sup> property, the proposed rezoning is from Large Lot Residential (R1) Zone to Medium Lot Residential (R2) Zone. Under the current zoning the applicant has development rights, subject to satisfying subdivision requirements, to developing three (3) 1,000+ m<sup>2</sup> lots on the property. Based on the proposed rezoning the maximum

density achievable on the property is for five (5) additional lots at subdivision. It is not possible to achieve the maximum potential density, 5 additional lots, on the property because of lot configuration limitations, access issues and cost considerations. Realistically, the applicant can only develop four (4) lots or one additional lot over what is currently permitted.

The theoretical “lift” for this property is thus one (1) lot; going from a potential of 3 lots under current zoning to the 4 lots that can practically be developed under the proposed R2 zoning.

Based on this minimal lift, the applicant is proposing a cash-in-lieu of affordable housing contribution of \$1,000/lot for the 4 lots to be created at subdivision. This will result in a total contribution of \$4,000. If the applicant were to abandon the rezoning and proceed directly to subdivision no affordable housing requirement could be imposed as there would be no increase in density, i.e., through rezoning. It is an increase in density that initiates the requirement for a contribution of this nature, or for other amenities.

The applicant, based on previous discussions, is prepared to make a cash-in-lieu of affordable housing of \$1,000 per lot for the four lots proposed subsequent to rezoning. As the actual increase in density resulting from this rezoning is limited to one (1) lot, the proposed \$4,000 cash-in-lieu of affordable housing contribution is seen by the applicant to be fair and equitable.

<b>MUNICIPALITY</b>	<b>AFFORDABLE HOUSING CONTRIBUTION</b>
North Cowichan	\$500 per unit
Campbell River	None, density bonusing tied to lower rents is used; vacancy rate in CR is 0.4%
Central Saanich	\$2,000 per unit
Comox	Legalization of secondary suites, creation of a 350m <sup>2</sup> single-family zone and an allowance for coach houses. In addition, application procedures, application fees and processing times have been streamlined for secondary suite and coach house developments; will also consider cash-in-lieu contributions at 10% based on value of the land lift and affordable units; providing rentals; providing mortgage assistance; providing options to young families and for aging-in-place.
Courtenay	Use a policy approach that supports various alternatives (small lots, inclusive housing, staff housing, etc.), plus cash-in-lieu based on lot size: Up to 650 m <sup>2</sup> \$1,000; 651 - 850 m <sup>2</sup> \$1,500; 851 – 1250 m <sup>2</sup> \$2,000 and increases based on lot size to \$5,000 for lots between 4,000 m <sup>2</sup> and 1 ha.
Lantzville	No official affordable housing policy; contribution is part of the Community Amenity Contribution along with land purchases, trails, child care & other elements
Cumberland	None
Esquimalt	None
Ladysmith	\$1,000 per unit
Parksville	None
Qualicum Beach	Can be part of Community Amenity Contribution which, overall, is tied to the lift in land value. Amenities can be the provision of housing (affordable) units, staff housing, covenants supporting affordable/rental housing, cash contributions (tied to land lift). Amenities can also include multi doctor medical/clinics & health facilities, trails & pathways, parkland & waterfront walkways
Tofino	\$2,000 per unit, with one to have price-restrictive covenant on subsequent resales on one (1) of every five (5) dwellings permitted; affordable housing includes staff housing at resorts and can include cash contributions, harbourfront walkway, indoor recreation facility, public art.
Langford	\$1,000 per unit





## CEDAR COAST PLANNING CONSULTANTS

---

February 25, 2019

District Of Sooke  
2205 Otter Point Road  
Sooke BC, V9Z 1J2

Attention: Teunesha Evertse, Planner  
Development Services Department

**Re.: Rezoning of 1939 Maple Avenue South, Sooke, BC: Lot 1, Section 3, Plan VIP5723,  
Sooke Land District: PID 000-538-063**

---

Attached is an application for the rezoning of the property located at 1939 Maple Avenue South. The property has been owned by Nyle Elder since 1984 and has an existing single family residence and accessory buildings located on it. The property has an area of 3,846 m<sup>2</sup> (0.3846 ha). It is designated Community Residential and is located in the Large Lot Residential (R1) Zone.

Mr. Elder wishes to rezone the property from R1 to the Medium Lot Residential (R2) Zone to facilitate the development of a four-lot subdivision. Residential development in the area is generally residential in character and ranges from large, single residential lots such as this one and 6881 Galaxie Drive to the east. Lands to the north are developed as medium-sized residential lots in the R2 Zone. The property located at 1927 Maple Avenue South has recently been rezoned to permit smaller residential lots. Lands abutting the property to the west are developed with multi-family residences on lands zoned Medium Density Multi Family 2 (RM2).

With the exception of commercial uses located near the intersection of West Coast Road and Maple Avenue South, the area is primarily residential in nature. The proposed rezoning would complement the residential use character in the area and would add new housing stock in an area within walkable distance to the Town Centre. The site is less than half-a-kilometre from the BC Transit stops located on West Coast Road near Maple Avenue South.

Mr. Elder wishes to develop the property into four (4) residential lots; two of the lots will be accessed from Maple Avenue South, with one having a panhandle access; a similar lot access configuration is proposed for Galaxie Drive to the east. The accompanying preliminary *Tentative Plan of Subdivision* forming part of this application shows the accesses as well as proposed road dedications, servicing lot configuration, building envelopes, etc.

Galaxie Drive is an unimproved road right-of-way (r.o.w.) connecting this property to Powliuk Crescent to the north. The residence located at 6881 Galaxie Drive, adjacent to the Elder

---

10482 West Coast Road, Shirley, BC, V9Z 1G8  
Telephone: (250) 646-2791  
Email: cedarcoastplan@shaw.ca



property, is accessed over the unimproved road r.o.w. to a private driveway. Access to the proposed lots on the Elder property fronting off Galaxie Drive will be provided by a 7.0-metre access on the existing Galaxie Road r.o.w. The 7.0-metre access reflects the width of the subject property's frontage on Galaxie Drive. Vehicular access to the two lots on this portion of the property will be over a 6.0 m paved surface within the Galaxie Road r.o.w. Drainage will be provided within the 7.0-metre access on the north side of the improved surface.

The property is relatively level falling only 3 metres from east to west, from 30 metres to 27 metres in elevation, over a distance of roughly 150 metres. The site is treed with second growth mixed forest. There are no streams on site nor have any sensitive terrestrial or avian species been identified as being present.

It is proposed that four lots, each in excess of 800 m<sup>2</sup> will be created with a future subdivision. Given the 40% coverage permitted in the R2 Zone, potential building footprints from 320 m<sup>2</sup> to 337 m<sup>2</sup> will be available on the lots. In addition, there will be sufficient space for two parking spaces on each lot, provided either in a garage or outside or as a combination of both.

Existing services are provided to the residence currently on site. It is proposed to remain for some time but will eventually be demolished and a new residence constructed. DCCs for three lots - CRD water, Sooke sewer, roads, sidewalks and school sites - are anticipated and a cash-in-lieu of parkland contribution is proposed for payment at subdivision.

One new sewer service will be required from Maple Avenue South to the new lot to be created from it with two (2) new sewer and water services will be constructed to the lots adjacent to Galaxie Drive. The *Tentative Plan of Subdivision* shows a 100 mm water main being installed on Galaxie Drive to service the two 'easterly' lots. This may need adjustment based on CRD requirements. Sewer services will also be constructed in the r.o.w. at Galaxie as well. Access to all of the lots will be provided via 6-metre lanes. Finally, a road dedication will be provided along the Maple Avenue South r.o.w. at subdivision.

Please contact me if you have any questions.

Yours truly,



Gerard V. LeBlanc, MCIP, RPP



## **DISTRICT OF SOOKE ZONING AMENDMENT BYLAW NO. 736**

---

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on the property located at 1939 Maple Avenue South from Large Lot Residential (R1) to Medium Lot Residential (R2).

---

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

1. This bylaw is cited as *Zoning Amendment Bylaw No. 736 (600-71), 2019*.
2. The section of land legally described as:  
  
Lot 1, Section 3, Sooke Land District, Plan VIP5723
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      , 2019.

PUBLIC HEARING held the      day of      , 2019.

READ a THIRD time the      day of      , 2019.

ADOPTED the      day of      , 2019.

---

Maja Tait  
Mayor

---

Carolyn Mushata  
Corporate Officer

