



PH - 2

**Public Hearing
Information Package**

February 22, 2020 at 7:00 pm
Sooke Council Chambers
2225 Otter Point Road, Sooke, BC

2109 Mowich Drive

Proposed Bylaw:	<i>Zoning Amendment Bylaw No. 807 (600-84), 2021</i>
Zoning Amendment:	The purpose of <i>Zoning Amendment Bylaw No. 807 (600-84), 2021</i> , is to amend the zoning on the property located at 2109 Mowich Drive from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5).

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• February 10 and 17, 2021. | 1 |
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*Please note that written and verbal submissions will
become part of the public record.*

Printed February 10, 2021



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 22, 2021** at 7:00 pm with regard to the following proposed Bylaw.

Application Information:

Bylaw: Zoning Amendment Bylaw No. 807 (600-84), 2021
File No: PLN01544
Civic Address: 2109 Mowich Drive (as shown outlined in black and hatched on the attached subject property map).

Legal Descriptions: Lot 1, Section 50, Sooke District, Plan VIP55679

Applicant: Coleen Heenan and Mark Lajeunesse

Proposal:

The purpose of Zoning Amendment Bylaw No. 807 (600-84), 2021 is to amend the zoning on the property located at 2109 Mowich Drive from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5). Subdividing the parent parcel, with one (1) new parcel and one (1) parcel remaining, for a total of two (2) lots.

Further Information:

Copies of the bylaws, 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 a copy can be picked up 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 **Wednesday, February 10, 2021** to and including **Monday, February 22, 2021**.

Public Input:

Due to the current COVID-19 environment, the Province has provided local governments directive in the form of Ministerial Order M192 enabling Councils to hold an electronic Public Hearing. The District is moving forward as per the Provincial directive and will be holding an electronic Public Hearing for the bylaw amendments and the proposed variance permit.

The electronic Public Hearing will follow the same format as an in-person Public Hearing. Meetings may be viewed on the District's live stream webcast at <https://sooke.ca/teamslive>. All persons who believe their interest in property is affected by the proposed bylaw will be given a reasonable opportunity to be heard at the Public Hearing on the matters contained in the proposed bylaw. You may indicate your support or opposition to a Public Hearing item in one of the following ways:

1. Submit written comments to Council

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 22, 2021 at 12:00 pm**.

2. Register to Speak Live

You can register to speak live via phone. Once registered, you will be provided with a phone number and instructions to call to join the live meeting. To register to speak live and to receive further instructions, email publichearing@sooke.ca or phone 250-642-1634. The deadline to register to speak live is **Monday, February 22, 2021 at 12:00 pm**.

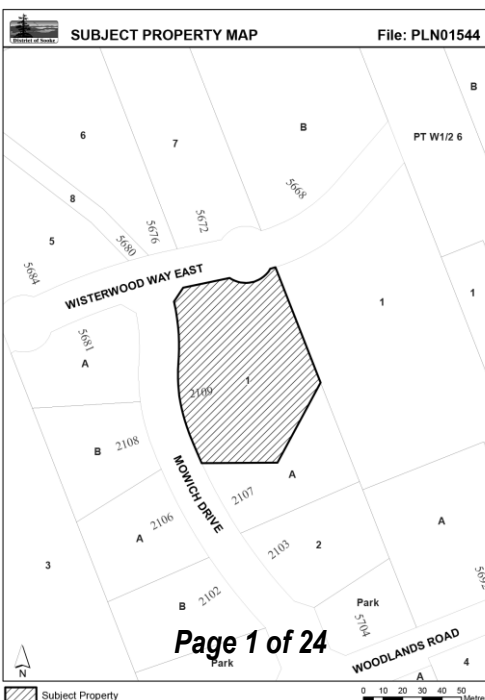
3. Register to Participate Electronically

If you have a webcam and microphone, you can register to participate via a Microsoft Teams Meeting with a valid email address. Once registered, an invitation to participate will be sent to your email. To register to participate electronically, email publichearing@sooke.ca or phone 250-642-1634. The deadline to register to speak live is **Monday, February 22, 2021 at 12:00 pm**.

Only registered participants will be admitted to the meeting. Please be advised that the opinions you express orally and any 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. 807

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of amending the zoning on the property located at 2109 Mowich Drive from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5).

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

1. This bylaw is cited as *Zoning Amendment Bylaw No. 807 (600-84), 2021*.
2. The section of land legally described as Lot 1, Section 50, Sooke District, Plan VIP55679, as shown boldly outlined and hatched on Schedule A, which is affixed to and forms part of this bylaw, 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 25 day of January, 2021.

PUBLIC HEARING held the day of , 2021.

APPROVED by Ministry of Transportation and Infrastructure the day of , 2021.

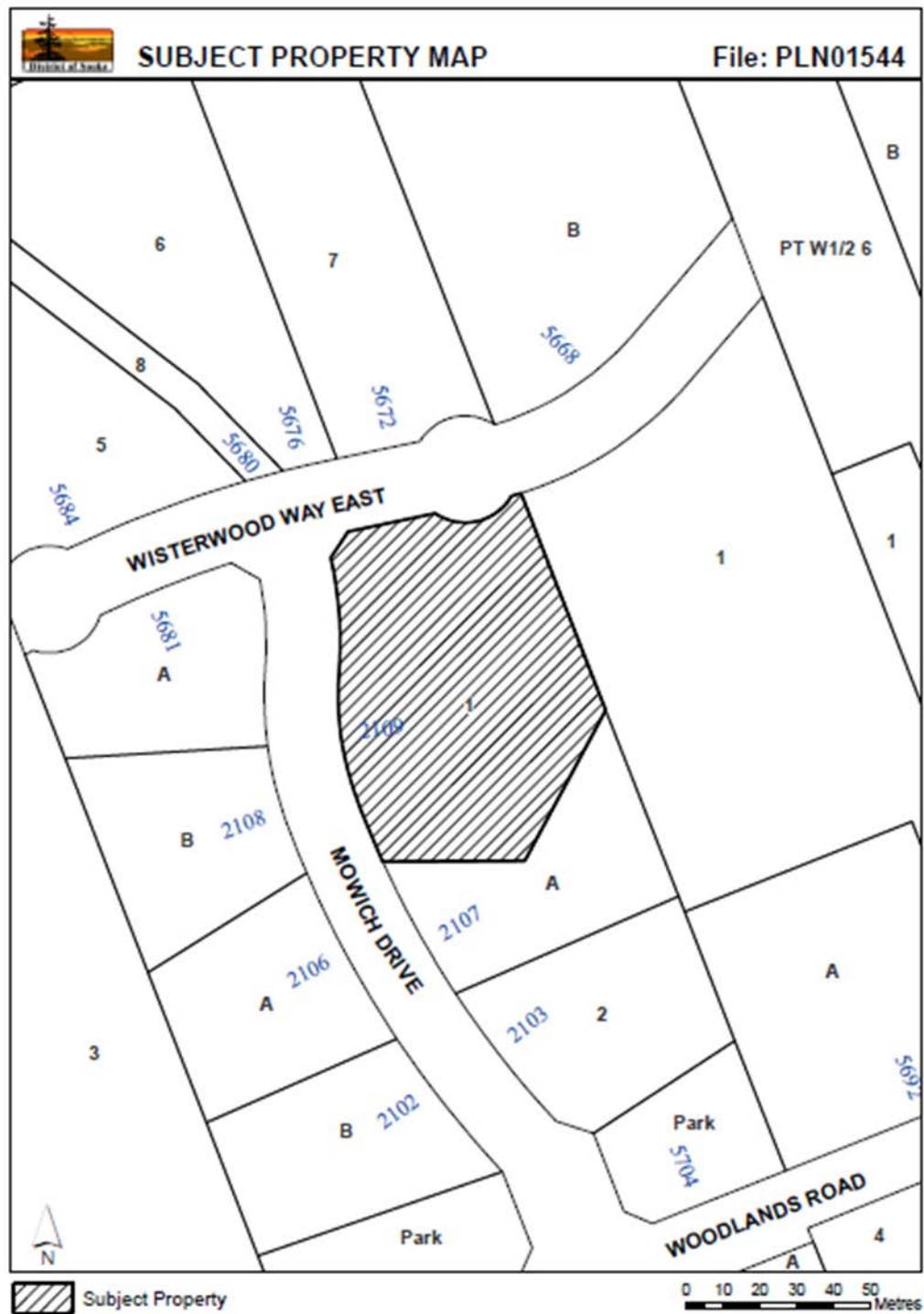
READ a THIRD time the day of , 2021.

ADOPTED the day of , 2021.

Maja Tait
Mayor

Carolyn Mushata
Corporate Officer

Schedule A



11.5. **Zoning Amendment Bylaw No. 807 (600-87), 2021 - 2109 Mowich Drive**

Councillor Lajeunesse declared a conflict of interest as he is related to the applicant and left the meeting at 8:19 p.m.

The Director of Planning & Development provided a PowerPoint presentation and overview of the written staff report, for the rezoning of the property at 2109 Mowich Drive to create two (2) separate lots from the existing lot.

2021-37

MOVED by Councillor Megan McMath, seconded by Councillor Tony St-Pierre:

THAT Council give First and Second reading to *Zoning Amendment Bylaw No. 807 (600-87), 2021* to amend the zoning on the property located at 2109 Mowich Drive from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5);

THAT Council authorize staff to schedule a Public Hearing for *Zoning Amendment Bylaw No. 807 (600-87), 2021* in accordance with Section 466 of the *Local Government Act*; and

THAT prior to final adoption of *Zoning Amendment Bylaw No. 807 (600-87), 2021* the owner enter into Section 219 covenants to address frontage improvements, servicing requirements, statutory rights-of-way, park maintenance, cash-in-lieu in the amount of \$3,000.00 for 10% affordable housing for residential developments and other necessary works and services.

CARRIED UNANIMOUSLY

In Favour: Mayor Maja Tait, Councillor Jeff Bateman, Councillor Al Beddows, Councillor Dana Lajeunesse, Councillor Ebony Logins, Councillor Megan McMath, and Councillor Tony St-Pierre

The meeting was recessed at 8:24 p.m.

Councillor Lajeunesse returned to the meeting which reconvened at 8:27 p.m.



Zoning Bylaw Amendment PLN01544 - 2109 Mowich Drive

RECOMMENDATION:

THAT Council give first and second reading to *Zoning Amendment Bylaw No. 807 (600-87), 2021* to amend the zoning on the property located at 2109 Mowich Drive from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5), and;

THAT Council authorize Staff to schedule a Public Hearing for *Zoning Amendment Bylaw No. 807 (600-87), 2021* in accordance with Section 466 of the *Local Government Act*;

AND THAT prior to final adoption of *Zoning Amendment Bylaw No. 807 (600-87), 2021* the owner enter into Section 219 covenants to address frontage improvements, servicing requirements, statutory rights-of-way, park maintenance, cash-in-lieu in the amount of \$3,000.00 for 10% affordable housing for residential developments and other necessary works and services.

Report Summary:

The applicant has applied for rezoning of their property located at 2109 Mowich Drive from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5) for the purposes of creating two lots (consisting of one new lot and one remainder). The current parent parcel is approximately 0.56 ha (5,598 m²) in size and contains one single-family dwelling on the lot. The existing single-family dwelling will remain as part of the proposed new Lot B. The proposed new lot will be approximately 2,504 m² in size, with the remainder lot being approximately 3,094 m² in size. The subject property is within the Gateway Residential land use designation in the Official Community Plan Bylaw No. 400, 2010 (OCP), and is within the identified Community Growth Area. Re-zoning of the subject property aligns with the OCP. Staff recommend Council give first and second reading to Zoning Amendment Bylaw No. 807 (600-87), 2021.

Report:

Background

The subject property is a 0.56 ha (5,598 m²) parcel located in the North Saseenos neighbourhood of Sooke (see Attachment A). There is an existing home and a few accessory buildings on the property that will remain. The surrounding neighbourhood is a mix of rural, residential and agricultural. Generally, the surrounding neighbourhood is treed with clearings for house sites and small agricultural operations. This rezoning application requests that the subject property be rezoned from RU4 (Rural Residential) to RU5 (Neighbourhood Rural Residential). Rezoning of the subject parcel will allow for lot sizes to be a minimum of 2,500 m² and enable the creation of two new lots; consisting of one new lot and one remainder lot. (see Attachment C).

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

The subject property is designated Gateway Residential in the OCP. This is the area within which low-density residential growth will occur. Although this area is categorized as a growth area, the type of development that is targeted for this area is low-density infill. This designation is meant to preserve the mixed residential/rural character of the area while still allowing for some increased density but limiting access along the highway corridor. The goals of the Gateway Residential land use designation include encouraging a sustainable mix of small scale neighbourhood commercial, rural agriculture, single-family residential and limited multifamily uses, ensure future and existing residential development minimizes the impact on municipal infrastructure, and create a target for future growth through infill and re-development that complements the area and involves an arterial gateway to the community.

5.2 Gateway Residential

5.2.2 Objectives

- a. Provide a range of high-quality housing types, tenures and low densities, which can meet the diverse needs of, and attract, individuals and families of varying income levels and demographics;
- b. Provide affordable and attainable housing opportunities, to meet the needs of various age groups, family types, lifestyles and income groups;
- c. Promote safety and functionality to land uses adjacent to the main arterial route into town;
- d. Provide the most efficient use of land and existing physical infrastructure in terms of infill;
- e. Not support the creation of lots of less than 2500m²;
- f. Deter single-family residential sprawl development outside the Community Growth Boundary (CGB);
- g. Primarily concentrate new residential development in existing areas or neighbourhoods prior to expanding into new areas;
- h. Require safe and formalized pedestrian access to services from all residential areas including connections to amenities and commercial service areas;
- i. Create a more organized, environmentally attractive and aesthetically pleasing entrance to town;
- j. Reduce the impact on the natural environment and avoid hazardous land conditions and environmentally sensitive areas; and
- k. Enhance the character of existing neighbourhoods and protect the character of the gateway area.

The proposed zoning amendment meets the above objectives of the Gateway Residential land use designation. The applicant has applied to rezone to RU5 where the minimum lot size for subdivision purposes is 2,500 m².

The new lot proposed will provide low-density infill while preserving the rural character of the surrounding neighbourhood.

Affordable Housing

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; and (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.

Under action items in Section 4.7.4 (h) and (j) states that we must require affordable housing for residential developments and require 10% of the total number of any single-family proposed subdivision lots and spec-built subdivisions as affordable residential lots and/or affordable family homes respectively as defined by the District of Sooke. As quoted in previous staff reports and in the neighbouring community of the City of Langford, cash contributions required per Affordable Housing and Amenity Contribution Policy is \$1,000.00 single family equivalent for developments creating 15 lots or less. Cash-in-lieu amount is not formally defined in our current policies, but over the past year, for properties rezoning to Neighbourhood Rural Residential (RU5), applicants have volunteered to pay \$3,000.00 per new lot created.

The applicant has acknowledged the importance of affordable housing and has volunteered to contribute \$3,000.00 for the proposed new lot to the District of Sooke's affordable housing reserve fund. Staff support cash-in-lieu as proposed by the applicant.

Zoning Bylaw No. 600, 2013

The applicant is requesting to amend the current zoning at 2109 Mowich Drive from RU4 to RU5.

The key differences between the two zones are outlined in Table 1 below.

Table 1 - RU4 and RU5 Comparison Table

	Rural Residential (RU4)	Neighbourhood Rural Residential (RU5)
Minimum Lot Size for Subdivision Purposes	1 hectare (10,000 m ²)	2,500 m ²
Minimum Lot Size for Subdivision Purposes	15 metres	15 metres
Maximum Lot Coverage	30%	25%
Minimum Average Width of the Principal Building	N/A	7 metres, excluding accessory porches, sheds, garages and carports.

Site Servicing

The RU5 zone requires a site-specific analysis of the soils for properties outside the Sewer Specified Area (SSA). The analysis determined suitable soil conditions for an onsite sewage system. Vancouver Island Health Authority (VIHA) has stated that they have no objections to the rezoning application provided that they are referred to during the subdivision stage of development to ensure that the newly created lot is in compliance with the Island Health Subdivision Standards.

Organization and Intergovernmental Implications

No objections or concerns were received from internal Department and external Government Agency referrals. For a summary of the referral comments received regarding this application, please see Attachment D.

Applicant Rationale

As part of their application, the applicant provided a rationale for their rezoning amendment request stating that the piece of land they are proposing to subdivide meets the minimum criteria based on RU5 Gateway Residential rezoning of 2,500 m² as low-density residential development is outlined in the gateway residential plan. The proposed subdivision layout of creating one new lot with one lot remaining have no negative environmental impacts and aligns with the existing residential neighbourhood of single-family dwellings on Mowich Drive.

Staff Recommendation

The rezoning amendment application meets the requirements of the District of Sooke's bylaws and policies. Staff recommends first and second reading to amend the zoning from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5) as per the attached Bylaw and to proceed with scheduling a public hearing allowing for public input on the proposal.

Strategic Relevance:

- Manage long-term growth while enhancing community identity, vitality and safety - Continue to address housing affordability and accessibility for all income levels
- Manage long-term growth while enhancing community identity, vitality and safety - Develop a regulatory framework to promote more sustainable land use patterns and development practices

Attached Documents:

[Attachment A - Map of Subject Property](#)

[Attachment B - Proposed Subdivision Design Layout](#)

[Attachment C - Applicant Rationale Letter](#)

[Attachment D - PLN01544 Summary of Referral Comments Package](#)

[Attachment E - DRAFT Zoning Amendment Bylaw No. 807](#)

Approved by

Matthew Pawlow, Director of Planning & Development

Approved - 19 Jan 2021

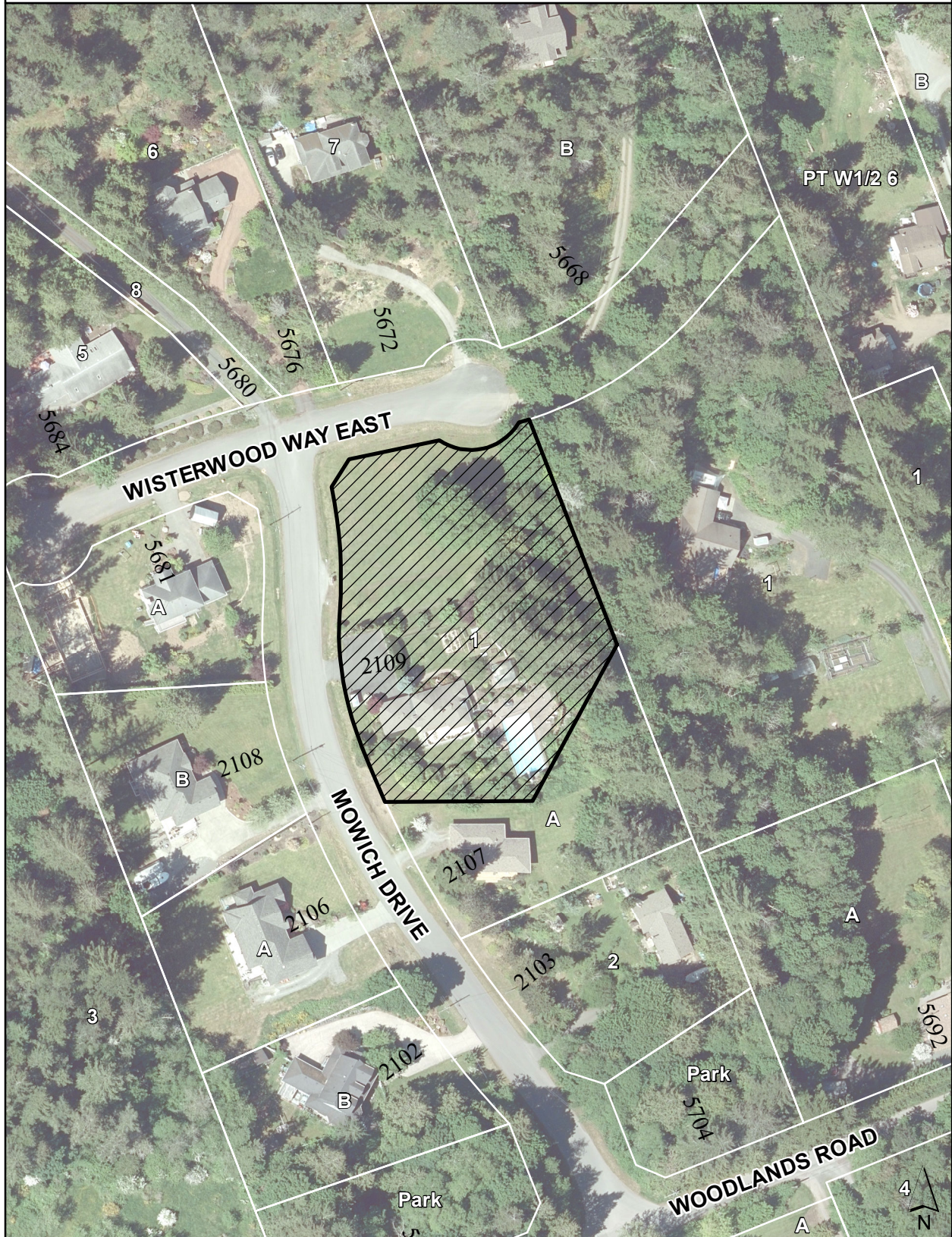
Carolyn Mushata, Corporate Officer
Norm McInnis, Chief Administrative Officer

Approved - 20 Jan 2021
Approved - 20 Jan 2021



SUBJECT PROPERTY MAP

File: PLN01544



Subject Property

0 10 20 30 40 50
Metres

PROPOSED SUBDIVISION OF LOT 1, SECTION 50, Sooke District, Plan VIP55679.



NOTE: Lot dimensions, offsets, and area shown may vary upon completion of a comprehensive legal survey.
Elevations shown are based upon a ASSUMED datum.

This plan is for application purposes only and is for the exclusive use of our client. This plan shall not be used to define property lines or property corners. Unregistered interests have not been included or considered.

LEGEND

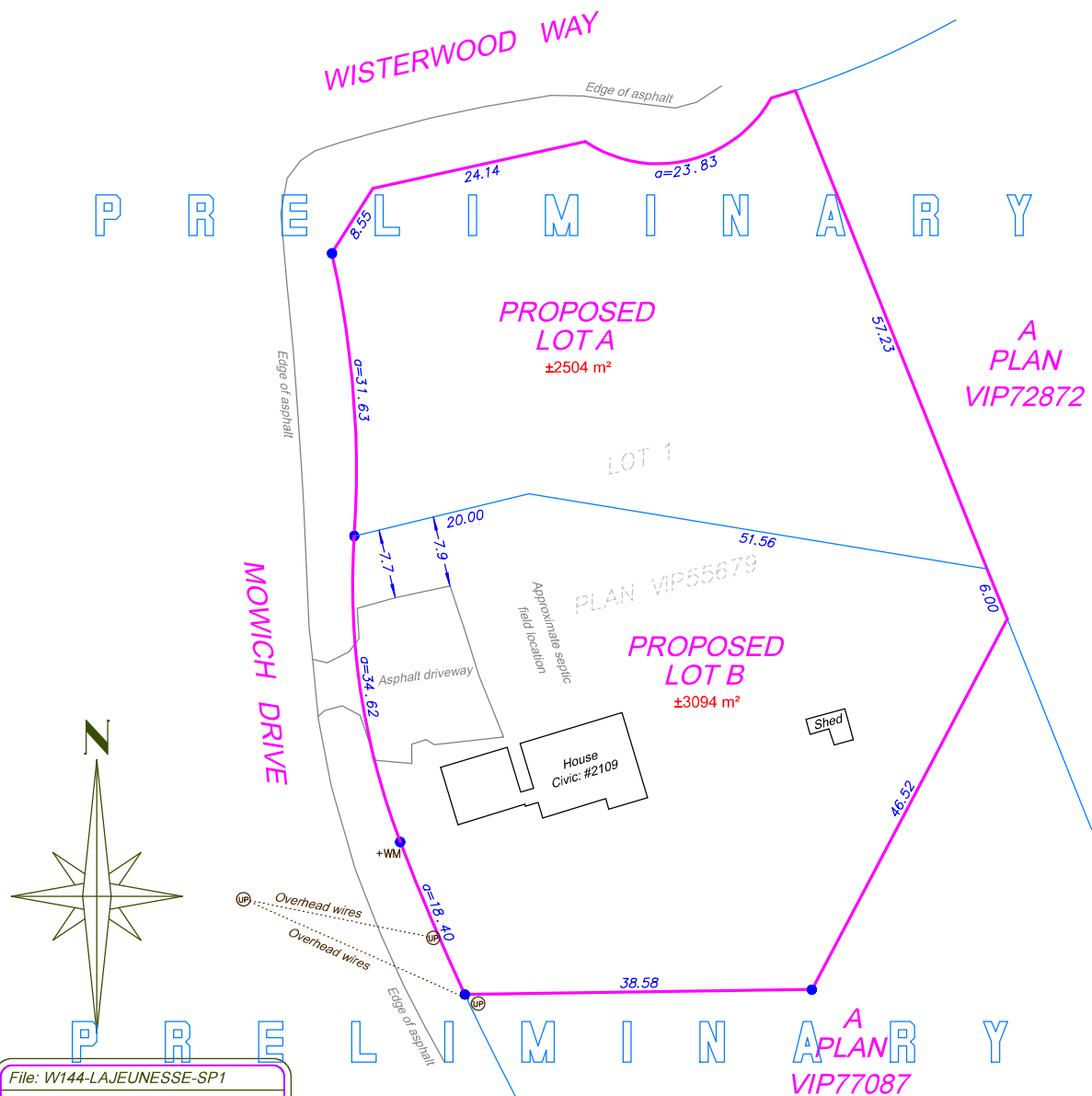
UP Denotes utility pole
+WM Denotes water meter

Field survey dated April 23rd, 2020.

PID: 018-062-431

This parcel is subject to charges:

- Covenant EF170758
- Statutory Building Scheme EF170759



File: W144-LAJEUNESSE-SP1
Date: May 7, 2020
Island Land Surveying Ltd.
#117-693 Hoffman Avenue
Victoria B.C. V9B 4X1
TEL 250.475.1515 FAX 250.475.1516
www.islandsurveying.ca PBD

Rezoning rationale to address the affordable housing policies within the official community plan (OCP)

For 2109 Mowich Dr. Lot 1 Block 50, VIP 55679

Coleen Heenan, Mark Lajeunesse property owners

Policy 4.7.3 (f) require that a minimum of 10% of the total of any proposed bare land or strata single family residential subdivisions are affordable housing lots as defined by the District of Sooke.

- The piece of land we are proposing to subdivide meets the minimum criteria based on RU5 gateway residential rezoning (2500m²). Low density residential development is outlined in the gateway residential plan. There is no additional bare land (to meet the 10% criteria) to add additional/affordable housing. The intent is to divide the existing lot to create one lot to provide one single family home for family as principal use, permits.
- The street is currently a cul de sac which contains single family dwellings, there are no rental houses, townhomes, apartment buildings on the street in keeping with the low density gateway residential development in the OCP. Maximum lot coverage is 25%.
- This is a rural residential location with much wildlife, deer, hares, bears, birds in the area, (see riparian report) additional density to permit affordable housing does not fit within this aspect of RU5 or the OCP.
- The zoning is for septic fields, the sewer does not come to this region. Thus, no ability for higher density housing.
- protect the character of the gateway residential area (5.2.2 (k))
- The piece of land is not part of a strata or subdivision, so this part of the policy does not apply.

Policy 4.7.3 (g) consider allowing developers the flexibility to provide their required affording housing in different forms thus creating an “affordable housing mix” in new developments, eg; secondary suites, condominium rental units, cash or land in lieu to the District of Sooke towards on/off site affordable housing.

- Mowich Dr. is not a new development, the last new home was built on the street approx. 10 years ago. The lot we are proposing to subdivide is the last remaining empty lot on the street.
- We understand that historically for properties zoned neighbourhood rural residential, applicants have been proposing contributions of \$3000.00 cash in lieu per each new lot created. We would like to make a similar proposal of \$3000.00 cash in lieu for the one lot we are proposing to create.

Thank you for your consideration,

Coleen Heenan and Mark Lajeunesse

October 27, 2020

2109 Mowich Drive

Application #: Rezoning Amendment Bylaw PLN01544

Referrals Sent On: Wednesday, December 16th, 2020

Deadline for Comments: Friday, January 15th, 2021

The application has been referred to the following groups and agencies for comment.

EXTERNAL REFERRALS	
Name of External Agency	Comments Received from Agency
Shaw Cable and Internet	No comments have been received to date.
Vancouver Island Health Authority (VIHA)	VIHA requests that a subdivision referral is sent to Island Health when the applicant applies for the subdivision under Section 514 of the <i>Local Government Act</i> ; otherwise, VIHA have no concerns with the application.
B.C. Hydro and Power Authority	B.C. Hydro have no concerns.
Ministry of Transportation and Infrastructure (MOTI)	MOTI have no concerns with the application.
Canada Post, Sooke	No comments have been received to date.
BC Transit	No comments have been received to date.
Sc'ianew (Cheanuh) First Nations'	No comments have been received to date.
CRD Integrated Water Services	*Please see attached Letter response.
CRD Real Estate Services	No comments have been received to date.
Sooke School District #62	Sooke School District #62 have no concerns.
Fortis BC	Fortis BC have no concerns.
T'Sou-ke First Nation	T'Sou-ke First Nations have no concerns.

SUMMARY OF COMMENTS RECEIVED IN RESPONSE TO DISTRICT OF SOOKE REFERRAL

Archeological Branch: Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD)	*Please see attached Letter response.
RCMP, Sooke Detachment	No comments have been received to date.
Telus Communications	Telus Communications have no concerns.
INTERNAL REFERRALS	
DOS Parks and Environmental Services	The Parks/ES Department have no concerns.
DOS Operations and Engineering	*Please see attached Letter response.
DOS Building	The Building Department have no concerns.
DOS Fire	The Fire Department have no concerns.

January 11, 2021

File: 3360-20-JDFSK-20-017
Your File: PLN01544

via e-mail

Ms. Kasha Janota-Bzowska
District of Sooke
2205 Otter Point Road
Sooke, BC V9Z 1J2

Dear Ms. Janota-Bzowska:

**RE: PROPOSED REZONING OF LOT 1, SECTION 50, SOOKE DISTRICT, PLAN VIP55679
(2109 MOWICH DRIVE)**

Thank you for your rezoning referral received December 16, 2020, which requests that we examine the above mentioned proposal with regard to the water supply regulations and policies of the Capital Regional District (CRD) Integrated Water Services as established for the Juan de Fuca Water Distribution Commission.

Community piped water can be supplied to this proposed development provided that the Owner(s) is prepared to pay the necessary costs and fees as authorized under CRD Bylaw No. 4190, for the supply and installation of a water distribution system capable of meeting all domestic and fire flow requirements, designed in accordance with CRD Specifications and Standard Drawings.

The existing property is presently serviced with water by a 19mm (3/4") water service located at the proposed Lot B frontage on Mowich Drive. The Owner(s) shall pay all costs to abandon this service if it will not be required for this development. A new service connection shall be installed at the frontage of proposed Lot A on Mowich Drive.

The hydraulic computer model maintained by the CRD shows that a fire flow of 4,415 L/min (970 lpm) with 138 kPa (20 psi) residual pressure is presently available to this development in the water main adjacent to the fire hydrant (SFD125) located at the intersection of Mowich Drive and Wisterwood Way.

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

In stating the fire flow available, the CRD expresses no opinion as to the adequacy of the stated fire flow to provide fire protection and if applicable, recommends that the Owner(s) take the appropriate steps to confirm the available fire flow by means of a field hydrant flow test (if required the hydrant flow test will be carried out by CRD staff at the Owner(s) expense). Results of the field hydrant flow test may have to be adjusted to reflect a maximum day demand.

The Owner's Engineer will be required to calculate the fire flow requirements to Fire Underwriters Survey (FUS) standards for the development and confirm in writing to both the CRD and the District of Sooke that the available flow from the CRD system is sufficient. It is recommended the Owner's Engineer contact the District of Sooke to discuss hydrant location and orientation.

If an increase in the level of fire protection is required to meet CRD Engineering Specifications and Standard Drawings, FUS or to meet the requirements of the District of Sooke, the Owner(s) would be responsible for all costs associated with designing and upgrading the distribution system to the extent necessary to provide the required flows.

Depending on the intended use of the property, a Development Cost Charge may apply to each of the new lot created by this development.

This letter is for the purpose of providing you with information regarding the services available from the CRD, and should not be construed as either approval or rejection of the proposed rezoning by the CRD.

These conditions are valid for 180 days from date of writing. However, if at any time there is a change in legislation, regulations and CRD Bylaw No. 4190, which would cause any of the above conditions to be non-conforming, then the CRD reserves the right to revise any or all of the conditions accordingly, at any time during the 180 day period.

Yours truly,



Joseph Marr, P.Eng.
Manager, Water Distribution Engineering and Planning
Infrastructure Engineering
Integrated Water Services

Jm:eu

cc: Ian Jesney, Senior Manager, Infrastructure Engineering
Christine Condon, Real Estate Services, Corporate Services
Kenn Mount, Fire Chief, District of Sooke

Thank you for your referral regarding rezoning for 2109 Mowich Drive, Sooke, PID 018062431, LOT 1, SECTION 50, SOOKE DISTRICT, PLAN VIP55679. Please review the screenshot of the property below (outlined in yellow) and notify me immediately if it does not represent the property listed in your referral.

Results of Provincial Archaeological Inventory Search

According to Provincial records, there are no known archaeological sites recorded on the subject property.

However, archaeological potential modelling for the area indicates there is high potential for previously unidentified archaeological sites to exist on the property, as indicated by the brown area shown in the screenshot below. Archaeological potential modelling is compiled using existing knowledge about archaeological sites, past indigenous land use, and environmental variables. Models are a tool to help predict the presence of archaeological sites but their results may be refined through further assessment.

Archaeology Branch Advice

If land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) are planned for the subject property, a Provincial heritage permit is not required prior to commencement of those activities.

However, a Provincial heritage permit will be required if archaeological materials are exposed and/or impacted during land-altering activities. Unpermitted damage or alteration of a protected archaeological site is a contravention of the *Heritage Conservation Act* and requires that land-altering activities be halted until the contravention has been investigated and permit requirements have been established. This can result in significant project delays.

Therefore, the Archaeology Branch strongly recommends engaging an eligible consulting archaeologist prior to any land-altering activities. The archaeologist will review the proposed activities, verify archaeological records, and possibly conduct a walk-over and/or an archaeological impact assessment (AIA) of the project area to determine whether the proposed activities are likely to damage or alter any previously unidentified archaeological sites.

Please notify all individuals involved in land-altering activities (e.g., owners, developers, equipment operators) that if archaeological material is encountered during development, they **must stop all activities immediately** and contact the Archaeology Branch for direction at 250-953-3334.

Rationale and Supplemental Information

- There is high potential for previously unidentified archaeological deposits to exist on the property.
- Archaeological sites are protected under the *Heritage Conservation Act* and must not be damaged or altered without a Provincial heritage permit issued by the Archaeology Branch. This protection applies even when archaeological sites are previously unidentified or disturbed.
- If a permit is required, be advised that the permit application and issuance process takes approximately 8-12 weeks; the permit application process includes referral to First Nations and subsequent engagement.
- The Archaeology Branch must consider numerous factors (e.g., proposed activities and potential impacts to the archaeological site[s]) when determining whether to issue a permit and under what terms and conditions.

- The Archaeology Branch has the authority to require a person to obtain an archaeological impact assessment, at the person's expense, in certain circumstances, as set out in the *Heritage Conservation Act*.
- Occupying an existing dwelling or building without any land alteration does not require a Provincial heritage permit.

How to Find an Eligible Consulting Archaeologist

An eligible consulting archaeologist is one who can hold a Provincial heritage permit to conduct archaeological studies. To verify an archaeologist's eligibility, ask an archaeologist if he or she can hold a permit in your area, or contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists are listed on the BC Association of Professional Archaeologists website (www.bcapa.ca) and in local directories.

Questions?

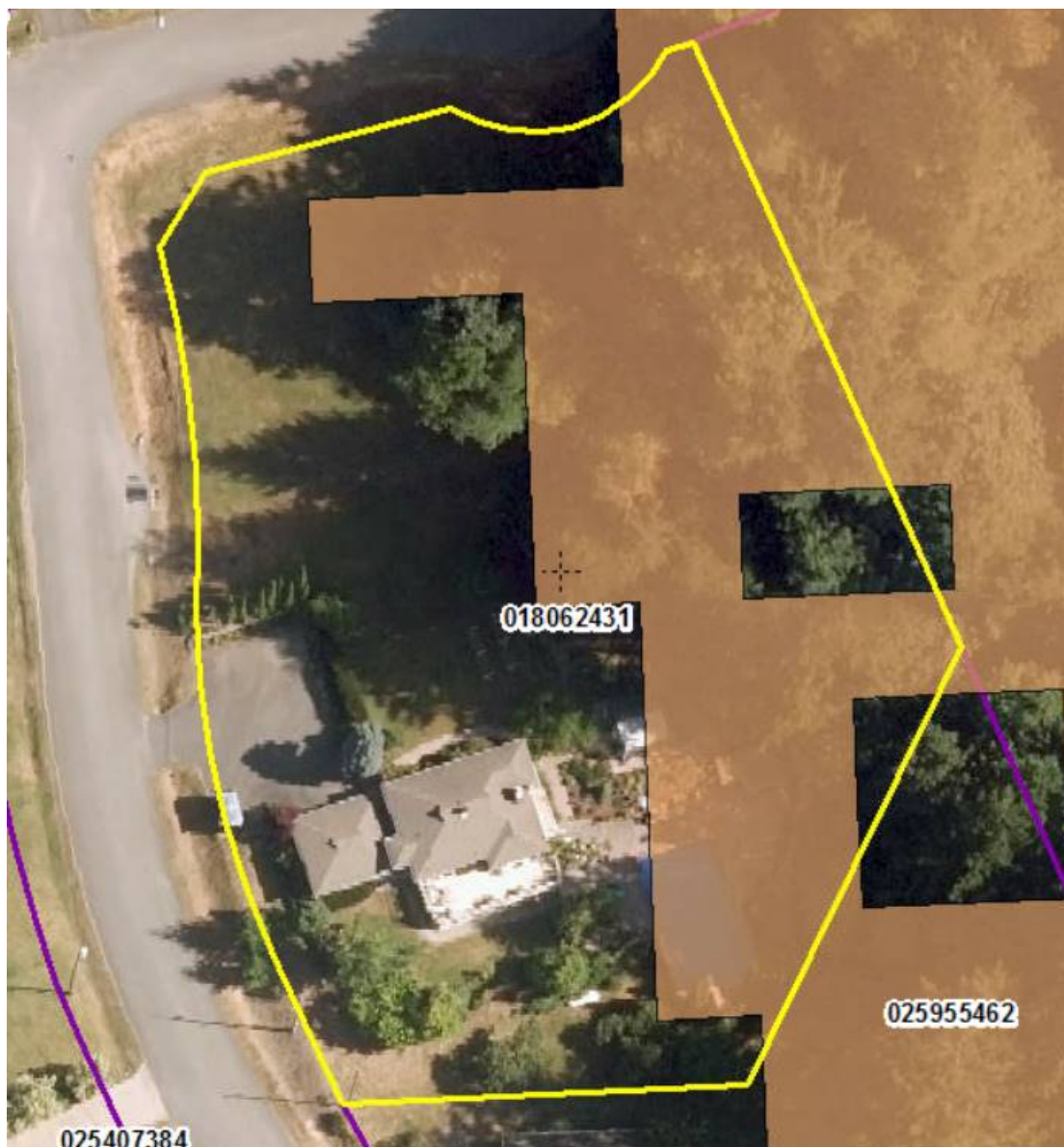
For questions about the archaeological permitting and assessment process, please contact the Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.

For more general information, visit the Archaeology Branch website at www.gov.bc.ca/archaeology.

Please let me know if you have any questions regarding this information.

Kind regards,

A handwritten signature in cursive script, appearing to read "Diana".



Please note that subject lot boundaries (yellow) and areas of archaeological potential (brown) indicated on the enclosed screenshot are based on information obtained by the Archaeology Branch on the date of this communication and may be subject to error or change.



Diana Cooper
Archaeologist/Archaeological Information Administrator
Archaeology Branch | [Ministry of Forests, Lands, Natural Resource Operations and Rural Development](#)
Phone: [\(250\) 953-3343](tel:250-953-3343) | Email: diana.cooper@gov.bc.ca | Website www.gov.bc.ca/archaeology



INTERNAL MEMORANDUM

Date: January 15, 2021 **File No.** PLN01544

To: Kasha Janota-Bzowska, B.A.
Planner I **From:** Brian Derrick
Engineering Technologist

Re: 2109 Mowich Drive
Rezoning
Engineering Comments

Listed below is the Engineering Department referral response for the application to rezone the property noted above.

General

1. The new development is located within the Suburban area as defined in the District of Sooke Subdivision and Development Standards Bylaw, 2014 (Bylaw 404) and is to be serviced in accordance with Bylaw 404.
2. Further road dedication is not required for this property.

Surface Improvements

1. Per Bylaw 404, driveway access to residential properties is limited to one driveway.
2. All driveways within public property are to be hard surfaced to the property line complete with a culvert with headwall as per Bylaw 404.
3. Boulevards to be landscaped with soil and sod complete with street trees as per Bylaw No. 404.

Rain Water Management

1. Applicant is to ensure that the swale along the lot frontage remains un-impeded.
2. Stormwater storage complete with overland flow route to be provided on each lot as per bylaw 404 requirements. Design to be submitted at time of building permit application.

Sanitary Sewer

1. The subject property is outside of the Sewer Specified Area and will not require connection to the municipal system.
2. Each lot will require an onsite septic system to be designed and constructed to meet all applicable Island Health and provincial requirements/guidelines.

Water Servicing

1. Per the Subdivision and Development Standards Bylaw 404, all lots created by subdivision or being developed and located in areas serviced by a Water Utility must be connected to the Water Utility distribution system.

INTERNAL MEMORANDUM

Re: 2109 Mowich Drive
Rezoning
Engineering Comments

If you have any questions with regard to the above please do not hesitate to contact the undersigned prior to forwarding these comments to the applicant.

Respectfully submitted,

Brian Derrick
Engineering Technologist

c. Nikki Zerr, Land Development Technician
Jeff Carter, Director of Operations



DISTRICT OF SOOKE
ZONING AMENDMENT
BYLAW NO. 807

A Bylaw of the District of Sooke to amend Zoning Bylaw No. 600, 2013 for the purpose of amending the zoning on a property located at 2109 Mowich Drive from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5).

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

Citation

1. This Bylaw is cited as Zoning Amendment Bylaw No. 807 (600-84), 2021.
2. The parcel of land legally described as Lot 1, Section 50, Sooke District, Plan VIP55679, as shown boldly outlined and hatched on Schedule A, which is affixed to and forms part of this bylaw, is hereby rezoned from Rural Residential (RU4) to Neighbourhood Rural Residential (RU5).
3. District of Sooke Zoning Bylaw No. 600, 2013, as amended, and Schedule A attached thereto, are amended accordingly.

READ a FIRST and SECOND time the ___ day of ___, 20__.

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

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

APPROVED by Ministry of Transportation and Infrastructure the ___ day of ___, 20__.

ADOPTED the ___ day of ___, 20__.

Maja Tait
Mayor

Carolyn Mushata
Corporate Officer

FOR INFORMATION ONLY: Section 219 Covenants registered in the Victoria Land Titles office under numbers _____ on the ____ day of _____, 2021.

Schedule A

