



**Public Hearing
Information Package
December 11, 2023, at 7:00 p.m.**

Sooke Council Chambers
2225 Otter Point Road, Sooke, BC

**Zoning Amendment Bylaw No. 893 (600-98), 2023
2197 Otter Point Road**

Proposed Bylaw:	<i>Zoning Amendment Bylaw No. 886 (600-95), 2023</i>
Zoning Amendment:	The purpose of <i>Zoning Amendment Bylaw No. 886 (600-95), 2023</i> , is to amend the zoning on the property from Rural Residential (RU4) to RU5 Neighbourhood Residential (RU5).

Information Package Contents:

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| 3. Draft Council minutes and resolution dated November 14, 2023 | 5 |
| 4. Staff report to Council dated November 14, 2023 | 6 |

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

Printed November 28, 2023



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 Council Chambers at 2225 Otter Point Road, Sooke, BC on **Monday, December 11th** commencing at 7:00 pm with regard to the following proposed bylaw:

Bylaw:	Zoning Amendment Bylaw No. 893 (600-98), 2023
File No:	PLN01800
Civic Address:	2197 Otter Point Road, as shown on the site map below
Legal Description:	Lot 1, Section 24, Sooke District Plan VIP79955
Applicant:	2197 Otter Point Properties Holdings Ltd.

Proposal:

The purpose of Zoning Amendment Bylaw No. 893 (600-98) 2023 is to amend the text of the C1, Neighbourhood Commercial, to list "Private Club" as a permitted use for the property at 2197 Otter Point Road.

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 viewed 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 30th, 2023, to and including December 11th, 2023.

Public Input:

All persons who believe their interests in property are affected by the proposed bylaw(s) will be afforded an opportunity to be heard at the Public Hearing on the matters contained in the proposed bylaw(s). 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, December 11th, 2023, at 12:00 pm, noon.

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*. District of Sooke Council Meetings are open to the public to attend in-person, and electronic participation is not available.

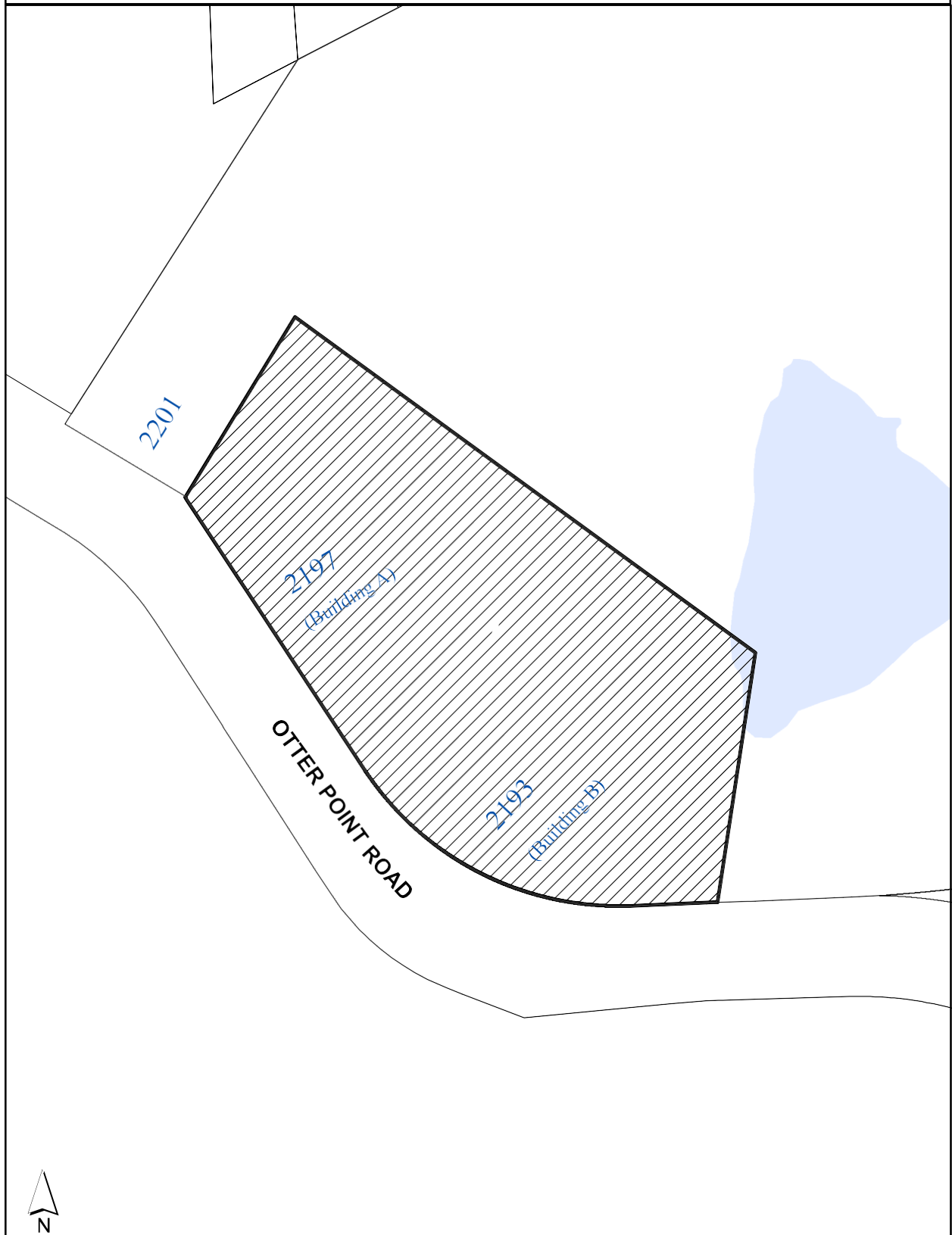
NOTE: Council cannot receive further information concerning this bylaw after the Public Hearing has concluded.

Sarah Temple
Acting Corporate Officer



SUBJECT PROPERTY MAP

File PLN01800





**DISTRICT OF SOOKE
ZONING AMENDMENT
BYLAW No. 893**

A bylaw to amend Bylaw No. 600, *Sooke Zoning Bylaw, 2013* for the purpose of adding “Private Club” as a permitted principal use under the C1 Neighborhood Commercial Zone for the property legally described as Lot 1, Section 24, Sooke District Plan VIP79955 (2197 Otter Point Road)

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

1. This bylaw is cited as “Zoning Amendment Bylaw No. 893 (600-98), 2023”.
2. Bylaw No. 600, *Sooke Zoning Bylaw, 2013* is amended in Schedule 401 - Neighbourhood Commercial (C1) by adding the following clause under “Conditions of Use” in Section 401.8:
 - k) “Notwithstanding the Permitted Uses set out in Section 401.2 for properties in the C1 zone, on the property identified as Lot 1, Section 24, Sooke District Plan VIP79955 (2197 Otter Pont Road) a Private Club is permitted as a Principal Use.”

READ a FIRST and SECOND time the 14th day of November 2023.

PUBLIC HEARING held the ___ day of ___, 2023.

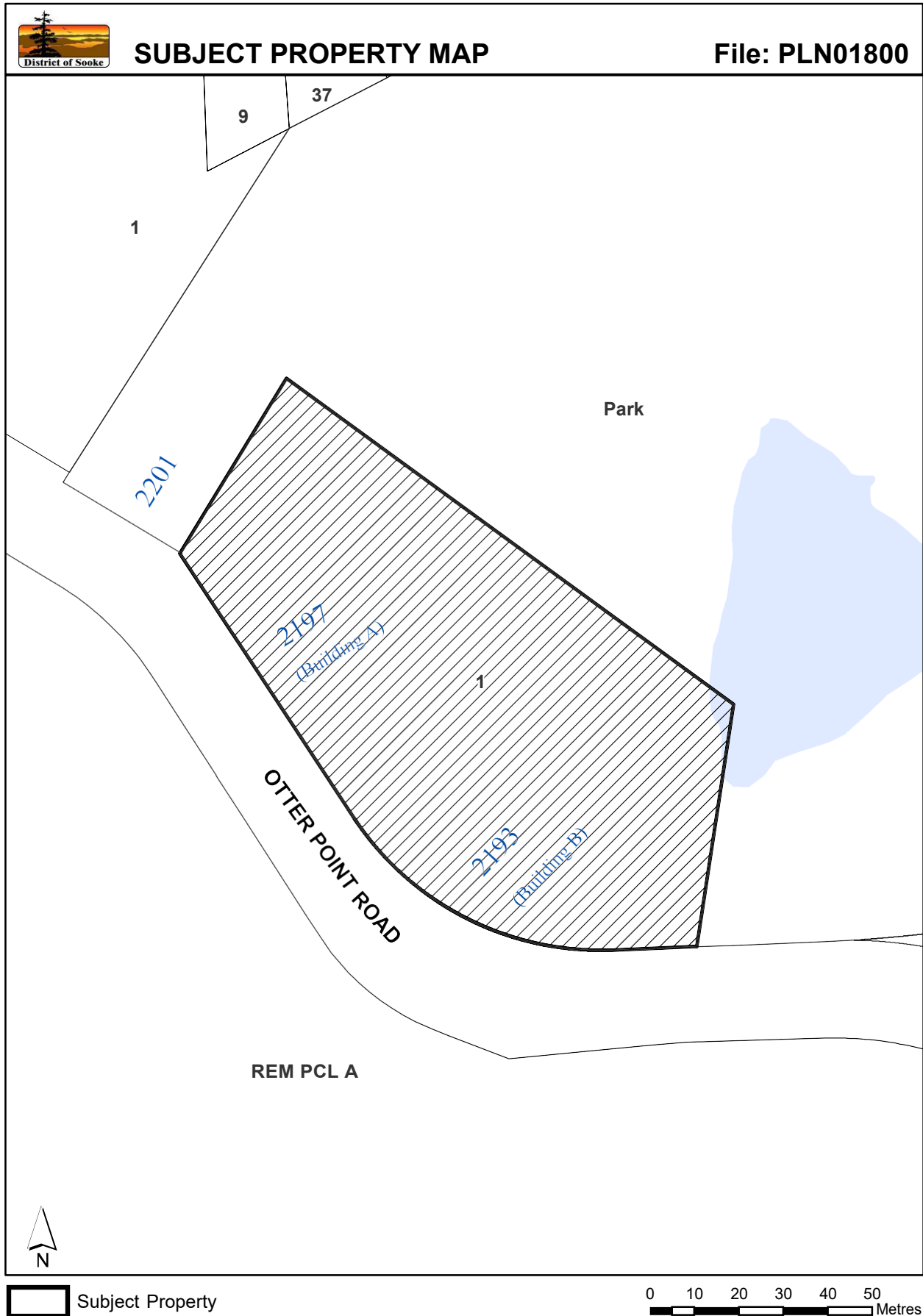
READ a THIRD time the ___ day of ___, 2023

APPROVED by the Ministry of Transportation and Infrastructure the ___ day of ___, 2023

ADOPTED the ___ day of ___, 2023

Maja Tait
Mayor

Sarah Temple
A/Corporate Officer



10. BYLAWS

10.1. **Bylaw No. 893 (600-98), Zoning Amendment Bylaw 2023 - 2197 Otter Point Road**

The Director of Planning and Development summarised the written staff report regarding a text amendment to permit "Private Club" use within the Neighbourhood Commercial Zone (C1), at 2197 Otter Point Road, to allow for a private 24-hour gym to locate within the available commercial space.

Council Discussion:

- Clarification that the proposed 24-hour gym would take up the entire commercial space available in Building B at 2197 Otter Point Road.
- This text amendment is for a 24-hour gym and does not include access for park use.

2023-340

MOVED by Councillor Kevin Pearson, seconded by Councillor Al Beddows:

THAT Council give first and second reading to the Zoning Amendment Bylaw No. 893 (600-98), 2023 to amend Section 401.8 of the C1, Neighbourhood Commercial Zone of Zoning Bylaw, 2013, Bylaw No. 600 to include "Private Club" as a primary permissible use on the property legally described as Lot 1, Section 24, Sooke Land District, Plan VIP79955 (2197 Otter Point Road).

CARRIED UNANIMOUSLY

In Favour: Mayor Maja Tait, Councillor Jeff Bateman, Councillor Al Beddows, Councillor Dana Lajeunesse, and Councillor Kevin Pearson

Absent: Councillor Megan McMath and Councillor Tony St-Pierre

2023-341

MOVED by Councillor Kevin Pearson, seconded by Councillor Dana Lajeunesse:

THAT Council direct staff to schedule a Public Hearing for Zoning Amendment Bylaw No.893 (600-98), 2023, in accordance with Section 466 of the *Local Government Act*.

CARRIED UNANIMOUSLY

In Favour: Mayor Maja Tait, Councillor Jeff Bateman, Councillor Al Beddows, Councillor Dana Lajeunesse, and Councillor Kevin Pearson

Absent: Councillor Megan McMath and Councillor Tony St-Pierre



Text Amendment to the C1, Neighborhood Commercial, zone to add "Private Club" to the list of permissible uses for the property at 2197 Otter Point Road

RECOMMENDATION:

THAT Council give first and second reading to the Zoning Amendment Bylaw No. 893 (600-98), 2023 to amend Section 401.8 of the C1, Neighbourhood Commercial Zone of Zoning Bylaw, 2013, Bylaw No. 600 to include "Private Club" as a primary permissible use on the property legally described as Lot 1, Section 24, Sooke Land District, Plan VIP79955 (2197 Otter Point Road);

AND THAT Council direct staff to schedule a Public Hearing for Zoning Amendment Bylaw No.893 (600-98), 2023, in accordance with Section 466 of the *Local Government Act*.

Report Summary:

The applicant has applied for a site-specific text amendment to permit "Private Club" use within the C1, Neighbourhood Commercial Zone on the property located at 2197 Otter Point Road. The purpose of this proposal is to allow for a private 24-hour gym to locate within the available commercial space on the property. If the proposed amendment bylaw is adopted, any use that falls within the Zoning Bylaw's definition of "Private Club" would be permitted to operate within the commercial spaces of the buildings.

Report:

Site Context:

The subject property is located at 2197 Otter Point Road (Attachment 1), 0.87 ha (8,770.22 m²), and zoned C1, Neighbourhood Commercial (Attachment 2). The site is bounded to the north and west by John Phillips Memorial Park, to the northeast by Nott Pond, and to the east by Nott Creek. Otter Point Road is located at the southern property boundary and provides access to the site. The subject property is within walking distance to town centre amenities, the library, the future development of Lot A, the Sooke Child, Youth, and Family Centre, John Phillips Memorial Park, and the Municipal Hall, as well as new and established residential neighbourhoods.

In April of 2021, Council authorized the issuance of a Development Permit with variances through PLN01527 and PLN01577 to allow for the development of two mixed-use residential and commercial buildings with a reduction to the required amount of parking, an increase to the maximum allowable building height and floor area, and a reduction to the required building setbacks to an adjacent watercourse. The

development is currently under construction and will be comprised of 77 residential units above eight commercial units accessible at grade.

Description of Proposal:

The application is proposing a site-specific text amendment to the C1 zone to permit Private Club use to accommodate a 24-hour gym within the building's commercial space. Gyms and other recreational businesses are otherwise not permitted within the C1 Zone. Rezoning to permit Private Club use would allow for any business operation that fell under the scope of the Zoning Bylaw definition of Private Club to be permitted within the commercial space of the buildings, which may also include martial arts classes, scouts and private youth clubs, and space for private lessons and schools. Council should note that a Private Club use may be licensed; however, this would require the necessary Provincial approvals and be subject to the District's *Liquor License Application Procedure Policy*. Private Club also allows for "assembly use", which permits additional uses under its definition within the Zoning Bylaw, 2013.

Definitions within Section 2 of the Zoning Bylaw No. 600, 2013:

PRIVATE CLUB means a use providing for the meeting, social or recreational activities of members of a philanthropic, social service, athletic, business or fraternal organization, may include rooms for eating, drinking and assembly; may include licensed premises.

ASSEMBLY USE means the use or occupancy of a structure or a part thereof for the gathering of persons for civic, political, social, charitable, philanthropic, cultural, private recreational or private educational purposes.

Staff support the applicant's request to amend the text of the Zoning Bylaw, 2013 No. 600, to include Private Club to the list of primary permissible uses within Section 401.8 of the C1, Neighbourhood Zone. The purpose statement for the C1 Zone cites that small-scale commercial businesses that serve the local area are appropriate uses within the zone. The uses permitted as Private Club will provide space for group recreation, lessons, and gathering and are not anticipated to have a negative impact on the neighbourhood. In addition, the property is within close walking distance to the Sooke Town Centre, connected via park pathways, sidewalks and to a future transit hub across from Lot A and the library. This well-connected site is determined to be an appropriate location for the proposed use that can adequately provide a service to the immediate and surrounding neighbourhoods.

Strategic Relevance:

- Manage long-term growth while enhancing community identity, vitality and safety - Strengthen local economic development and tourism

Attached Documents:

[Attachment 1: Site Map](#)

[Attachment 2: Neighborhood Commercial Zone](#)

[Attachment 3: 893 \(600-98\) Zoning Amendment Bylaw- C1 Text Amendment](#)

Approved by

Jayden Riley, Director of Planning & Development

Matthew Pawlow, Director of Planning & Development

Sarah Temple, Deputy Corporate Officer

Raechel Gray, Director of Financial Services

Approved - 06 Nov 2023

Approved - 08 Nov 2023

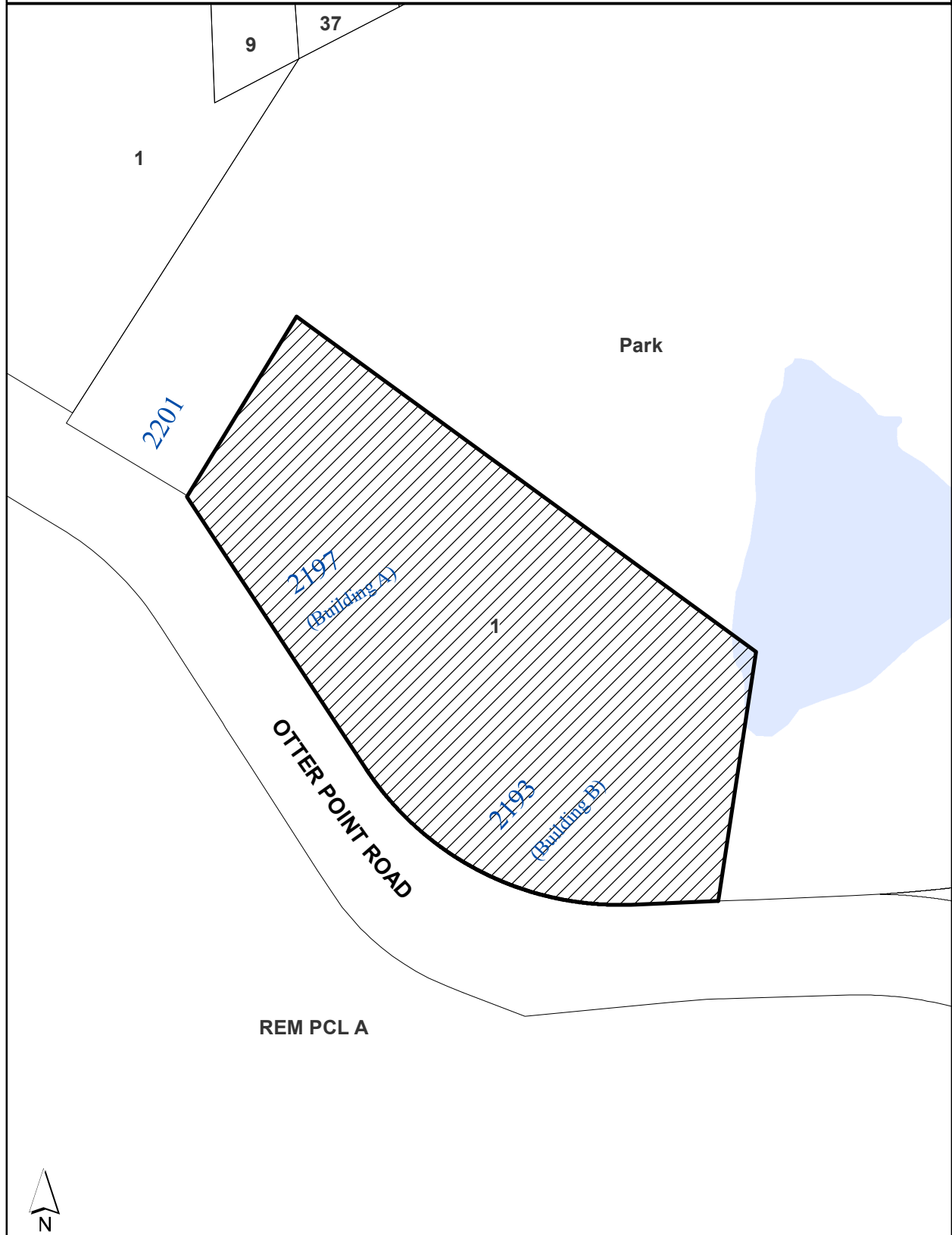
Approved - 08 Nov 2023

Approved - 09 Nov 2023



SUBJECT PROPERTY MAP

File: PLN01800



 Subject Property

0 10 20 30 40 50
Metres

Neighbourhood Commercial

C1

401.1 Purpose: This zone provides for small-scale commercial uses in local neighbourhoods within the District of Sooke.

401.2 Permitted Uses:

Principal Uses:

- a) Artisan Industry [Added by Bylaw 630 (600-22)
Adopted March 21, 2016]
- b) Bakery *
- c) Brew pub
- d) Community care facility*
- e) Convenience store *
- f) Cooperative housing*
- g) Gas bar
- h) Health services
- i) Micro Brewery [Added by Bylaw 630 (600-22)
Adopted March 21, 2016]
- j) Office *
- k) Personal services
- l) Place of worship
- m) Pub
- n) Residential above the first floor
- o) Restaurants*
- p) Retail *
- q) Veterinary clinic in an enclosed building

Accessory Uses:

- r) Accessory dwelling unit, one per lot [Added by Bylaw 630 (600-22)
Adopted March 21, 2016]
- s) Limited home-based business
- t) Employee housing*

** See conditions of use.*

401.3 Minimum Lot Size for Subdivision Purposes:

- a) Within Sewer Specified Area: 600 m²
- b) Outside Sewer Specified Area: 1 ha

401.4 Minimum Width for Subdivision Purposes: 15 m

401.5 Maximum Height:

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

Schedule 401 - Neighbourhood Commercial (C1)

401.6 Maximum Lot Coverage:

- a) Within Sewer Specified Area: 70%
- b) Outside of Sewer Specified Area: 50%

401.7 Minimum Setbacks:

Use	Front Lot Line	Flanking Lot Line	Side Lot Line	Rear Lot Line	Lane Lot Line
Buildings or Structures	4.5 m	4.5 m	3 m	3 m	0 m

401.8 Conditions of Use:

- a) Retail businesses, other than grocery stores, will not exceed 100 m² in floor area.
- b) Grocery stores must not exceed 1,000 m² in floor area.
- c) Bakery use not to exceed a total of 100 m² in floor area.
- d) Drive-in or drive-thru restaurants not permitted.
- e) Office use not to exceed 100 m² in floor area.
- f) Accessory dwelling units must be located above or to the rear of the principal use. *[updated by Bylaw 630 (600-22) Adopted March 21, 2016]*
- g) Community care facilities and cooperative housing are only permitted on lands within the Sewer Specified Area.
- h) Gross floor area for a Micro Brewery must not exceed 500m². *[Added by Bylaw 630 (600-22) Adopted March 21, 2016]*
- i) Gross floor area for Artisan Industry must not exceed 200m². *[Added by Bylaw 630 (600-22) Adopted March 21, 2016]*
- j) Notwithstanding the Permitted Uses set out in section 401.2 for properties in the C1 zone, on the property identified as Lot 1, Sections 63 and 64, Sooke District, Plan 8295, Except That Part in Plan VIP57390 (5490 Sooke Road), a Veterinary Clinic is permitted as a Principal Use and the following uses are prohibited: Brew pub, Community care facility, Convenience store, Cooperative housing, Gas bar, Micro brewery, Personal services, Place of worship, Pub. *[Added by Bylaw 743 (600-74) Adopted September 9, 2019]*



**DISTRICT OF SOOKE
ZONING AMENDMENT
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READ a FIRST and SECOND time the ___ day of ___, 2023.

PUBLIC HEARING held the ___ day of ___, 2023.

READ a THIRD time the ___ day of ___, 2023

APPROVED by the Ministry of Transportation and Infrastructure the ___ day of ___, 2023

ADOPTED the ___ day of ___, 2023

Maja Tait
Mayor

Sarah Temple
A/Corporate Officer

