

## DISTRICT OF SOOKE

### LAND USE AND ENVIRONMENT COMMITTEE

Meeting Date: February 17, 2014  
7:00 p.m. Council Chambers  
2225 Otter Point Road, Sooke, B.C.

#### Committee Members Present:

Councillor Kevin Pearson (Chair)  
Councillor Bev Berger  
Councillor Maja Tait  
Councillor Rick Kasper (Acting Mayor/Ex-Officio)  
Andrew Haden

#### Staff:

Gord Howie, Chief Administrative Officer  
Bonnie Sprinkling, Corporate Officer  
Elisabeth Nelson, Municipal Engineer  
Gerard LeBlanc, Municipal Planner  
Tina Hansen, Corporate Assistant

#### Absent:

Mayor Wendal Milne (Ex-Officio)

#### ACTION

1. **Call to Order**

The meeting began at 7:02 p.m.

2. **Approval of Agenda**

The agenda was approved as circulated.

3. **Adoption of Minutes:**

**MOVED** and seconded to adopt the minutes of the Land Use and Environment Committee dated November 18, 2013.

**CARRIED**

Chair Pearson introduced Councillor Bev Berger, newly appointed member to the Land Use and Environment Committee. Chair Pearson announced that Councillor Haldane, Geoff Steele, and Adrian Cownden will no longer be serving as members of the Committee and took the opportunity to thank them for their time and dedication to the Committee.

#### REPORTS REQUIRING ACTION

4. **Rezoning Application – 6695 Rhodonite Drive**

Gerard LeBlanc provided a powerpoint presentation and summary of the staff report.

Committee discussion:

- Clarification as to the final number of square meters on the existing lot and the proposed new lot
- Confirmation that members of the public will have an opportunity to express any concerns they may have at a Public Hearing

**MOVED** and seconded to recommend Council introduce and give first and second reading to Bylaw No. 587, *Zoning Amendment Bylaw (600-10)* to rezone the property located at 6695 Rhodonite Drive to Small Lot Residential (R3) Zone;

**Council**

**AND RECOMMEND THAT COUNCIL** direct staff to schedule a Public Hearing for Bylaw No. 587, *Zoning Amendment Bylaw (600-10)* in accordance with the *Local Government Act* and the *Community Charter* notice requirements.

**CARRIED UNANIMOUSLY**

5. **Rezoning Application for 2346 & 2350 Sooke River Road**

Gerard LeBlanc provided a powerpoint presentation and summary of the staff report.

Committee discussion:

- Clarification as to the current status of the DVP application on the adjacent Heavy Industrial (M3) zone property on Marilyn Place
- Clarification as to existing panhandle and whether it becomes part of the proposed new lot
- Clarification as to access for the existing lots and the proposed new lot
- Clarification as to the types of industrial uses on lots 1 and 3 off Marilyn Road
- Concerns as to having heavy industrial use zoned properties adjacent to residential zoned properties and how it will affect the owners of the proposed new lot in the future
- Council chose not to issue the DVP for a 0.9m setback on lot 2 Marilyn Road in 2012
- Confirmation as to whether the existing structures on lot 2 can be moved in the future in order to adhere to the 15m setback requirements
- Clarification as to contamination migrating to the applicant's property as a result of the heavy industrial use on the neighbouring property and who would be responsible for remediation if it were required

**ACTION ITEM:** The Committee requested that staff bring the matter of the relaxation of setbacks on the Marilyn Place M3 zoned property back to Council.

**Planning**

**MOVED** and seconded to recommend Council introduce and give first and second reading to Bylaw No. 588, *Zoning Amendment Bylaw (600-11)* to rezone 2346 Sooke River Road and 2350 Sooke River Road to Neighbourhood Rural Residential (RU5);

**Council**

**AND RECOMMEND THAT COUNCIL** direct staff to schedule a Public Hearing for Bylaw No. 588, *Zoning Amendment Bylaw (600-11)* in accordance with the *Local Government Act* and the *Community Charter* notice requirements.

**CARRIED UNANIMOUSLY**

6. ***Subdivision and Development Standards Bylaw Review:***

Gord Howie reported on bylaw amendments the Committee have discussed to date including lot line adjustments, minimum frontage requirements, three net gain lots or less, and frontage improvements. Mr. Howie advised that a delegation bylaw has been drafted such that the Approving Officer is able to use delegated authority in respect to frontage requirements. Mr. Howie also advised

that staff have provided a report to the Committee for further discussion on street trees.

Mr. Howie further reported that the drafting of the new Bylaw No. 404, *Subdivision and Development Standards Bylaw* is nearly complete. Staff will be completing the draft works and services schedules for the bylaw and there will be an additional meeting with the Approving Officer to review the final draft of the bylaw. The draft bylaw will be brought forward to the Committee at an upcoming meeting. Mr. Howie advised that the Approving Officer has been involved in both the drafting of the Bylaw and the proposed discretionary powers.

**ACTION ITEM:** The Committee requested that the Approving Officer attend the next Land Use and Environment Committee meeting for general discussion on the *Subdivision and Development Standards Bylaw Review*.

**CAO  
Approving  
Officer**

### **A. Frontage Improvement Delegation Bylaw**

Committee discussion:

- Clarification as to the discretionary powers of the Approving Officer and whether they apply to small subdivisions
- Whether the Approving Officer will have the discretion to look at the ambiance of a proposed subdivision and make adjustments to frontage improvements

**MOVED** and seconded to recommend that Council introduce and give first second and third reading to Bylaw No. 586, Delegation Amendment Bylaw (474-5).

**Council**

**CARRIED UNANIMOUSLY**

### **B. Street Trees**

Gord Howie reported that staff is looking for further direction from the Committee on changes they would like to see on requirements for street trees.

Committee discussion:

- There is not a clear cut solution to dealing with the requirements for street trees
- Concerns as to the time of year street trees may be planted (dry season) and consideration to timing within the requirements to ensure tree survival
- Consideration to changing the requirements for street trees to the Building Permit stage instead of at the subdivision stage
- Concerns as to downloading the responsibility of planting/caring for trees to the new owner of a lot
- Consideration to having an option for setting aside funds (value of a tree) and working with the property owner/builder on the timing for planting the tree
- Consideration as to the role of local government and the role of the public and what their responsibilities should be
- Trees have caused issues for developers due to the fact that servicing and building is not complete when the trees are planted

- Concerns as to the requirement of planting trees on public land since the District does not have the means to care for street trees
- Consideration to requiring the planting of trees on private property so that the homeowner can maintain/care for the tree
- Whether there is a need for tree requirements in the Subdivision and Development Standards bylaw
- Whether street trees are a requirement in other communities

Gord Howie explained that the Committee will need to decide whether they would like to see the requirement for trees to be put in by the developer or whether they should be planted at the building permit stage and the District can work with the contractor/home owner on the timing of planting trees.

Elisabeth Nelson provided background information as to the Committees discussion to date on street trees advising that staff have included information on the pros and cons for the requirement of street trees at the subdivision stage and building permit/occupancy stage. Ms. Nelson further advised that once this has been decided, staff would have to look at the best mechanism for the maintenance of the trees.

**MOVED** and seconded to direct staff to incorporate the recommended amendments to the draft *Subdivision and Development Standards Bylaw* and to the *Traffic and Highways Regulation Bylaw* outlined in the February 17<sup>th</sup>, 2014 staff report (Page 59 and 50, sections 1 and 2) and as discussed at this meeting for review by the Committee.

**Staff**

**CARRIED UNANIMOUSLY**

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

Gord Howie reported that the draft Bylaw No. 404, *Subdivision and Development Standards Bylaw, 2014* will be brought forward to the next Land Use and Environment Committee meeting.

**7. Sign Regulation Bylaw**

Gord Howie provided an overview of the staff recommendation for the Sign Regulation Bylaw to the Committee.

Committee discussion:

- Clarification as to whether there will be guidelines for signage on the Connector Road
- Clarification as to sandwich boards, third party signage, and realtors signs

**MOVED** and seconded to direct staff to enter into discussion with the Ministry of Transportation and Infrastructure as to the installation of wayfinding signage on Highway 14 (Sooke Road);

**Corporate Services**

**AND FURTHER** direct staff to work with the Sooke Region Chamber of Commerce to determine any issues with Bylaw No. 480, *Sign Regulation Bylaw* that require an amendment to Bylaw No. 480;

**AND FURTHER** direct staff to finalize the Town Centre Guidelines (public process) to determine any proposed changes to size or style of signs that require an amendment to Bylaw No. 480;

**AND FURTHER** upon obtaining a decision with MOTI as to the wayfinding signage and the identification of proposed amendments to the Bylaw No. 480 bring forward draft bylaw amendments to the Committee for review.  
**CARRIED UNANIMOUSLY**

## REPORTS FOR INFORMATION

### 8. **Strata Homes in the Rural Residential (RU4) Zone**

Gord Howie reported that the Mayor requested the a report on the issue of allowing Strata Homes in the Rural Residential (RU4) Zone be brought forward to the Committee for initial discussion to see if the Committee would like to recommend changes to the zoning bylaw for the RU4 zone.

Committee discussion:

- Whether there is any additional historical information available on the RU4 zone that staff could provide to the Committee
- Several changes have been made to the RU4 zone through the different zoning bylaws since incorporation
- There are currently properties in the District that have existing four on ten subdivisions
- There are currently properties in the District that are smaller than what the RU4 designation allows in the zoning bylaw
- Whether there is an inventory of how many properties in the RU4 zone do not meet the minimum lot size requirements
- Look at having further discussion on the RU4 zone

**MOVED** and seconded to receive the report on Strata Homes in the Rural Residential (RU4) Zone for information;  
**AND TO** direct staff to provide a report that addresses the concerns raised by the Committee.

**Staff**

**CARRIED UNANIMOUSLY**

### 9. **Monthly Development Services Application Status Reports**

**MOVED** and seconded to receive the Monthly Development Services Application Status Reports for information.

**CARRIED UNANIMOUSLY**

### 10. **Amenity Policy**

- Section 5.0 of Bylaw No. 400, *Official Community Plan 2010*
- Section 3.7 of Bylaw No. 600, *Sooke Zoning Bylaw, 2013*

Chair Pearson reported that he had asked staff to provide this information to the Committee following Council discussion on the Amenity Policy.

Mr. Howie reported that staff was instructed by Council to make the necessary changes to the Amenity Contribution Policy and to come back to Council with the Policy and bylaw changes.

Committee discussion:

- The Smart Growth document that the provincial government has for best practices on density bonusing and amenities
- The Coriolis Consulting Corp provides reports to municipalities on bonus density uplift being based on the current zoning of the subject property
- There should be no reference made to the *Official Community Plan* (OCP) base density
- Developers or individuals can always apply to rezone property if they are not satisfied with the ten percent lift
- Density bonusing and amenities is an open ended process between the municipality and the developer
- Look at Including a list of the different amenities the community would like to see
- The zoning bylaw lays out base density and anyone wanting a lift in density would be referred to a density bonusing guideline on a case by case basis; amenities should be listed in the guidelines

**MOVED** and seconded to receive the information on the Amenity Policy.  
**CARRIED UNANIMOUSLY**

11. **Public Input:**

There was no input from members of the public.

12. **Next Meeting:** March 17, 2014

13. **Adjournment**

The meeting adjourned at 8:46 p.m.

Certified by:

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Kevin Pearson  
Chair

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Bonnie Sprinkling  
Corporate Officer

## DISTRICT OF SOOKE

### LAND USE AND ENVIRONMENT COMMITTEE

Meeting Date: April 22, 2014  
7:00 p.m. Council Chambers  
2225 Otter Point Road, Sooke, B.C.

#### Committee Members Present:

Councillor Kevin Pearson (Chair)  
Councillor Kerrie Reay  
Mayor Wendal Milne  
Andrew Haden

#### Staff:

Gord Howie, Chief Administrative Officer  
Bonnie Sprinkling, Corporate Officer  
Elisabeth Nelson, Municipal Engineer  
Gerard LeBlanc, Municipal Planner  
Rob Howat, Approving Officer  
Sarah Temple, Finance and Administration Assistant (recorder)

#### Absent:

Councillor Maya Tait  
Councillor Bev Berger

#### ACTION

1. **Call to Order**  
The meeting began at 7:02 p.m.
2. **Approval of Agenda**  
The agenda was approved as circulated.
3. **Adoption of Minutes:**  
**MOVED** and seconded to adopt the minutes of the Land Use and Environment Committee dated February 17, 2014.  
**CARRIED**

#### REPORTS REQUIRING ACTION

4. **Development Permit Application – 6639 Sooke Road**  
Gerard LeBlanc provided a powerpoint presentation and summary of the staff report.

##### Committee discussion:

- Concerns as to financial implications for Developers associated with off-site works related to the proposed roundabout and Water Street.
- The Committee would like to see more features added to façade fronting Sooke Road; the Waterview street façade has more visual appeal. This building is an important anchor in the Town Centre and it should have visual elements in line with the Town Centre Design Guidelines.
- Cameron Evans, architect for the developer, suggested that additional wood features could be added in the form of a hardscape feature, such as a freestanding pergola or trellis.

- Bev Winjack, landscape architect for the developer, spoke to the landscaping plans which include plantings of large caliper trees, which add significant vertical elements to Sooke Road facing elevation.

**MOVED** and seconded to recommend that Council issue Development Permit PLN01082 for the purpose of constructing a commercial building located on Lot A, Section 10, Sooke District, Plan VIP64715;

**AND FURTHER TO RECOMMEND THAT COUNCIL** add the following conditions to Development Permit PLN01082;

- a) That the streetscape appearance of the building elevation fronting Sooke Road be improved with landscaping and building enhancements;
- b) As per the Town Centre Plan, the sidewalk will be brick pavers to the satisfaction of the Municipal Engineer;
- c) Changes to any off-site improvements/designs that affect the Site Plan in Schedule A, or affect the landscaping plans in Schedule F are accepted as part of this Permit as long as the changes are directed from Ministry of Transportation and Infrastructure and/or the Municipal Engineer;
- d) Landscaping for the site shall be completed generally in accordance with the Landscape Plan in Schedule F and any changes are accepted as a result of DP conditions (a), (b) and/or (c).

**CARRIED UNANIMOUSLY**

5. **Bylaw No. 404, *Subdivision and Development Standards Bylaw, 2014 – Preliminary Draft***

Gord Howie provided an overview of the staff report.

Committee Discussion:

- Concerns as to the separation of the delegation bylaws and Bylaw No. 404, *Subdivision and Development Standards Bylaw, 2014*. The Committee would like to ensure that both Bylaws have very clear language regarding delegation authority, as per advice received from legal counsel.
- Staff provided additional clarification on the delegated authority to the Approving Officer and the granting of technical discretion included in Bylaw No. 404.
- Clarification on to when street trees are to be planted. Bylaw No. 404 addresses the timing of street trees and staff will update Bylaw No. 67, *Traffic and Highways Regulation Bylaw, 2002* to reflect this.
- The *Transportation Master Plan* and *Parks and Trails Master Plan* may require updating due to changes in Bylaw No. 404.
- Concerns as to the width of sidewalks. Committee would like to see sidewalks that are wide enough to accommodate mobility scooters downtown.

**ACTION ITEM:** Section 4.2 - Definition of Contractor to include the addition of “and / or” materials; and definition of Medical Health Officer to be changed to reflect the new name of “Island Health”.

**STAFF**

**ACTION ITEM:** An index comparing the changes to Bylaw No. 65 in Bylaw No. 404 with a reference to page numbers, to be included with the presentation of the final draft Bylaw. **STAFF**

**ACTION ITEM:** Staff to complete additional Schedules of Bylaw No. 404 in the coming month. An additional COW meeting will be scheduled for May 20<sup>th</sup>, 2014 at 6:30 pm for all Council members to review changes to date. **STAFF**

**MOVED** and seconded to receive the preliminary drafts of Part 1 – Interpretation and Administration, Schedule 5 – Sanitary Sewage System, Schedule 8 – Sidewalks and Trails, and Schedule 9 – Street Trees, of proposed Bylaw No. 404, *Subdivision and Development Standards Bylaw, 2014*.

**CARRIED UNANIMOUSLY**

## REPORTS FOR INFORMATION

### 6. *Traffic and Highways Regulation Bylaw*

**ACTION ITEM:** Bylaw No. 67, *Traffic and Highways Regulation Bylaw, 2002* to be updated to reflect changes in street tree regulation as amended in Bylaw No. 404, *Subdivision and Development Standards Bylaw, 2014*. **STAFF**

**MOVED** and seconded to receive the Traffic and Highways Regulation Bylaw for information.

**CARRIED UNANIMOUSLY**

### 7. *Building Regulation Bylaw*

Gord Howie provided an overview of the amendments to the Building Regulation Bylaw, 2014 which aims to reduce liabilities upon municipalities. This draft is based on the Municipal Insurance Association of BC template, with some changes to reflect local conditions.

**MOVED** and seconded to receive the amended Building Regulation Bylaw for information.

**CARRIED UNANIMOUSLY**

8. **Public Input:** There was no input from members of the public.

9. **Next Meeting:** May 20, 2014

### 10. **Adjournment**

The meeting adjourned at 8:02 p.m.

Certified by:

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Kevin Pearson  
Chair

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Bonnie Sprinkling  
Corporate Officer