



PH-1

**Public Hearing
Information Package**

January 9, 2012 at 7:00 pm
Sooke Council Chamber
2225 Otter Point Road, Sooke, BC

Beaton Road Residential CD Zone (CD5)

Proposed Bylaws:	Bylaw No. 513, <i>Zoning Amendment Bylaw (500-01)</i>
Zoning Amendment:	A bylaw to amend Bylaw No. 500, <i>Sooke Zoning Bylaw, 2011</i> for the purpose of amending text in section 805.1 "Purpose" of Schedule 805 - Beaton Road Residential CD Zone (CD5).

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



2205 Otter Point Road, Sooke, British Columbia, V9Z 1J2
Phone: (250) 642-1634 Fax: (250) 642-0541

December 28, 2011
File No. 3360-20

**NOTICE TO THE PROPERTY OWNER AND/OR OCCUPIER
of a PUBLIC HEARING to be held on
Monday, January 9, 2012 at 7:00 pm
in the District of Sooke Council Chambers located at 2225 Otter Point Road,
Sooke, B.C. to hear representations from the public respecting
matters contained in the following proposed bylaw:**

Amendment to Bylaw No. 500, Sooke Zoning Bylaw, 2011

On November 14th, 2011 Council adopted the following resolution:

MOVED and seconded that Council, under section 929(2) of the *Local Government Act*, direct the Municipal Planner to prepare an amending bylaw to Bylaw No. 500, *Sooke Zoning Bylaw, 2011* that would have the effect, if adopted, of deleting section 805.1 of the Beaton Road Residential CD Zone (CD5) and substituting the following:

“805.1 Purpose: This zone is intended for a mixed residential use development that will include single, multi and affordable residential housing units, greenways and parkland.”

AND THAT Council further directs the Municipal Planner to deliver a copy of this resolution to the owners of real property in the area affected by the proposed zoning amendment (as owner is defined in the *Local Government Act*).

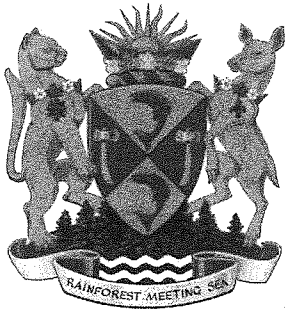
CARRIED UNANIMOUSLY

All persons who believe their interests in property are affected by these proposed bylaws shall be afforded an opportunity to be heard or to present written submissions before Council on the matters contained in the proposed bylaws at the above time and place. If you are unable to attend the hearing, written submissions must be provided to Council prior to the close of the public hearing. Please be advised that submissions to Council will become part of the public record.

Copies of the proposed bylaws, and relevant background documents, may be inspected at the offices of the District of Sooke Planning Department, 2205 Otter Point Road, Sooke, BC, between the hours of 8:30 am and 4:30 pm, Monday to Friday (excluding statutory holidays), commencing from December 28, 2011 to and including January 9, 2012.

If you have any questions regarding this application, please contact the Planning Department at 642-1634.

Gerard LeBlanc, MCIP
Municipal Planner



DISTRICT OF SOOKE

BYLAW No. 513

A bylaw to amend Bylaw No. 500, *Sooke Zoning Bylaw, 2011* for the purpose of amending text in section 805.1 "Purpose" of Schedule 805 - Beaton Road Residential CD Zone (CD5).

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

1. This bylaw is cited as *Zoning Amendment Bylaw (500-1)*.
2. Bylaw No. 500, *Sooke Zoning Bylaw, 2011* is amended in Schedule 805 - Beaton Road Residential CD Zone (CD5) by deleting and replacing section 805.1 "Purpose" in its entirety with the following:

"This zone is intended to provide for a mixed residential use development that will include single, multi and affordable residential housing units, greenways and parkland."

Introduced and read a first time the 12th day of December, 2011.

Read a second time the 12th day of December, 2011.

Public hearing held the day of , 2011.

Read a third time the day of , 2011.

Adopted on the day of 2011.

Wendal Milne
Mayor

Evan Parliament
Chief Administrative Officer

IC-1 Release of In Camera Resolution of November 14, 2011

Amendment to Bylaw No. 500, Sooke Zoning Bylaw, 2011

MOVED and seconded that Council, under section 929(2) of the *Local Government Act*, direct the Municipal Planner to prepare an amending bylaw to Bylaw No. 500, *Sooke Zoning Bylaw, 2011* that would have the effect, if adopted, of deleting section 805.1 of the Beaton Road Residential CD Zone (CD5) and substituting the following:

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AND THAT Council further directs the Municipal Planner to deliver a copy of this resolution to the owners of real property in the area affected by the proposed zoning amendment (as owner is defined in the *Local Government Act*).

CARRIED UNANIMOUSLY

access &
word

BYLAWS

B-1 Bylaw No. 513, *Zoning Amendment Bylaw (500-1)*

MOVED and seconded that Bylaw No. 513, *Zoning Amendment Bylaw (500-1)* be introduced and read a first time.

CARRIED UNANIMOUSLY

MOVED and seconded that Bylaw No. 513, *Zoning Amendment Bylaw (500-1)* be read a second time.

CARRIED UNANIMOUSLY

MOVED and seconded to Schedule a Public Hearing for January 9, 2012 for Bylaw No. 513, *Zoning Amendment Bylaw (500-1)* in accordance with the requirements of the *Community Charter* and the *Local Government Act*.

CARRIED UNANIMOUSLY



File No. 3360-20

REQUEST FOR DECISION
Regular Council
Meeting Date: December 12, 2011

To: Evan Parliament, Chief Administrative Officer
From: Gerard V. LeBlanc, Municipal Planner
Date: December 6, 2011
Re: **Amendment to Bylaw No. 500, Sooke Zoning Bylaw 2011**

SUGGESTED ACTION:

THAT Council introduce and give first and second reading to Bylaw No. 513, *Zoning Amendment Bylaw (500-1)*;

AND TO schedule a Public Hearing for January 9, 2012 for Bylaw No. 513, *Zoning Amendment Bylaw (500-1)* in accordance with the requirements of the *Community Charter* and the *Local Government Act*.

1. Executive Summary:

The purpose of this zoning bylaw amendment is to correct duplicity between two zones in Bylaw No. 500, *Sooke Zoning Bylaw 2011*. Sections 804.1 and 805.1 of Bylaw No. 500 have duplicity in their wording. Section 805.1 requires amending in order to establish the intended purpose of the *Beaton Road Residential CD Zone (CD5)*.

2. Background:

Information regarding duplicity in the preambles of sections 804.1 and 805.1 arose following the close of the public hearing and third reading of Bylaw No. 500. As Council could not receive any new information subsequent to the close of the public hearing on Bylaw No. 500 staff brought a report forward to Council on November 14, 2011 recommending an amendment be adopted..

Notice to affected landowners was provided under S. 929(2) of the *Local Government Act*, in accordance with advice from the District's solicitor. The notice given under S. 929 (2) enabled landowners to file building permit applications within seven (7) days of the date of the letter, November 18, 2011 but subsequently "froze" development in the zone for thirty (30) days following the termination of the required period. The District's building department received four (4) applications for building permits during the seven-day grace period which are currently being processed by staff. No additional building permit applications have been received since the week-long period elapsing.

3. Analysis:

This amendment will establish the intended regulatory provisions for the *Beaton Road Residential CD Zone (CD5)* and enable development to occur on the affected lands. The zoning map already zones the affected lands in the appropriate category and does not require correction.

4. Legal Impacts:

As noted this zoning bylaw amendment will resolve the issue of the inadvertent duplicity created by the inaccurate wording of the *CD-5* zone. Landowners in the affected area have been notified of the intent to adopt a zoning bylaw amendment however statutory notification requirements established under the *Local Government Act* for zoning amendments must be met. As a result, in addition to requesting the adoption of first and second reading, staff is also requesting that Council establish January 9, 2012 as the date for the required public hearing.

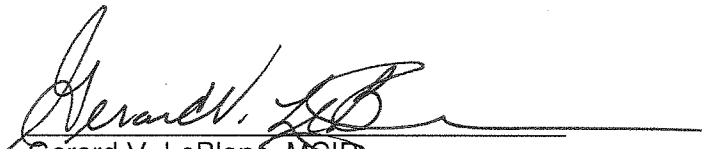
6. Strategic Relevance:





The adoption of first and second reading and scheduling of the public hearing on the proposed amendment will enable staff to initiate the process to establish the intended use and density provisions of section 805.1 to be applied to the affected lands.

Attached Documents:

- 1. Subject Area Map
- 2. Bylaw No. 513, *Zoning Amendment Bylaw (500-1)*

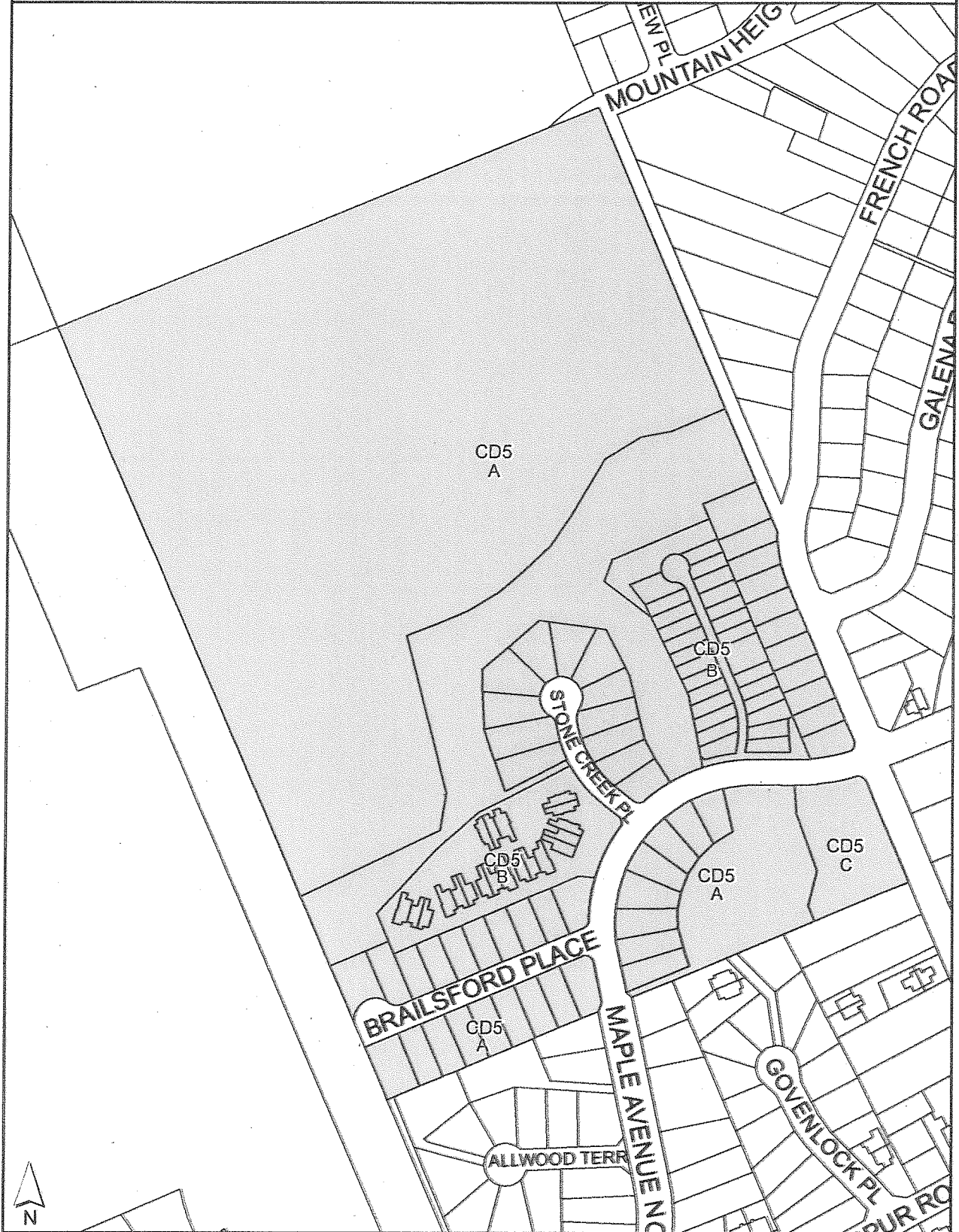
Respectfully Submitted,


Gerard V. LeBlanc, MCIP
Municipal Planner

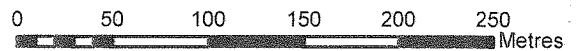
Approved for Council Agenda:	
 Engineering	 Planning
 Corp. Service	 Finance
 CAO	

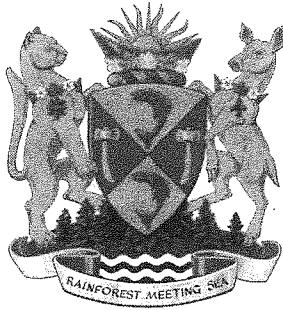


BEATON ROAD RESIDENTIAL ZONE (CD5)



Beaton Road Residential (CD5)





DISTRICT OF SOOKE

BYLAW NO. 513

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