

Memo

To: District of Sooke Committee of the Whole

From: Bev Suderman, Chris Hall & Michael Kelly
Island Planning Services Consortium

Date: March 14, 2011

Re: Sooke Zoning Bylaw Project 2011

Consultant Report

The purpose of this report is to update the District of Sooke's Committee of the Whole as to:

1. The process to date to develop the new Sooke Zoning Bylaw;
2. Key features of the new Sooke Zoning Bylaw;
3. Key policy areas the new Sooke Zoning Bylaw is intended to address;
4. Specific areas where further work will be needed to fully achieve the OCP and new Zoning Bylaw intent;
5. Next steps in the Sooke Zoning Bylaw project.

Please note that the consulting team will present at the March 21 meeting of the Committee of the Whole, and will be able to elaborate on the key points of this memo at that time.

Process

The consulting team has worked extensively with District of Sooke staff and with the members of the Council-appointed Technical Review Committee to identify those features of the existing Sooke Zoning Bylaw that are effective and should carry over into the new Zoning Bylaw, and those areas which need improvement:

- District of Sooke staff met in an all-day workshop in December, followed by opportunities to review preliminary draft work in January, February, and March.
- Technical Review Committee met for a half-day in February, followed by a full-day workshop on March 8 to review the draft bylaw. At its March 8 meeting, the Technical Review Committee passed the following motion:
Moved that the Zoning Bylaw Technical Review Committee recommend to Council that the draft Sooke Zoning Bylaw, as amended, be presented to the public for review and consultation. CARRIED.

At these meetings, suggestions for improvements ranged from improved wording in the definitions to major policy changes, as well as formatting changes. The consulting team has implemented these changes in a comprehensive way to the extent possible. Some suggestions were beyond the scope of this project, while others require policy decision-making by District of Sooke.

Draft Zoning Bylaw: Discussion

Key features of the new Sooke Zoning Bylaw:

The new Sooke Zoning Bylaw is organized somewhat differently from the 2006 bylaw. Features include:

- User guide to assist with navigating the document;
- Reduced number of zones, with clearer distinctions between rural zones (outside the Sewer Specified Area), community residential zones, and Town Centre zones;
- Simplified and more consistent terminology throughout the bylaw in the zone names, numerical codes, and permitted uses;
- Updated language and phraseology;
- Significant reorganization, so that all general regulations are located together.

Another significantly different feature is the intent to attach the bylaw material as a Schedule to the adoption bylaw, in a similar way to how the OCP was adopted. This will remove a lot of the confusing bylaw adoption related material from the substance of the zoning bylaw itself.

Please note that the marginal comments and highlighting or strike-throughs throughout the draft show where changes have been made, whether adding new material, reorganizing existing material, or deleting old material. We anticipate keeping the bylaw formatted in this way through the first round of public consultations, so that it will be clear what is changing between the existing bylaw and the proposed bylaw.

Key policy areas the new Sooke Zoning Bylaw is intended to address:

The new Sooke Zoning Bylaw is drafted to reflect policy direction as contained in the various plans adopted by Sooke in the past few years, as well as specific items from the project's Terms of Reference. Specifically, the Sooke Zoning Bylaw:

- Directs density to the Town Centre, and within the Sewer Specified Area;
- Introduces minimum frontages into all zones;
- Updates the Neighbourhood Commercial zone to meet the OCP requirements for commercial nodes;
- Upgrades the Manufactured Home Park zone to reflect community needs;
- Integrates food security, rainwater management, and green technologies into the zones in an appropriate way;
- Provides for a range of agricultural zones, allowing for young farmers to access land;
- Contains a new zone for Technical Industrial Business Parks;
- Provides for a range of residential zones with differing lot sizes to permit a variety of housing types in Sooke.

Specific areas where further work will be needed:

The Zoning Bylaw is only one tool in the District of Sooke's toolkit for policy implementation. Specific areas where further work will be needed, outside of the Zoning Bylaw, include:

- Refining the amenity policy to clarify how density will be calculated for subdivisions. Current policy uses residential units as the basis of calculating the charge. In the case of rezoning to permit greater lot density, however, the policy is not clear especially since some subdivision parcels can have more than one unit.
- Update subdivision bylaw to include subdivision design elements that will be considered by the approving officer (ie use of panhandle lots, lot lines perpendicular to road allowance, lot depth minimums, etc).
- Conduct a fuller analysis of parking tools for Town Centre and short/long term implications based on different combinations of tools. Currently there is a 50% parking reduction in the Town Centre, bonus for underground parking, and an option for 'cash in lieu'. The new bylaw also adds a maximum limit on how much is provided and a bike parking requirement. There may be other more attractive tools based on what Council wishes to achieve that are more appropriate given current circumstances (ie strong need for continued car use, lack of infrastructure in Town Centre).
- Restriction on commercial retail sizes to prevent 'big box' stores. What is the correct size?
- Implementing the agricultural strategy within the Zoning bylaw, once it has been completed.

Next Steps:

Assuming that the draft Sooke Zoning Bylaw meets with Committee of the Whole approval, next steps in the process are as follows:

1. Community consultation, including an on-line survey and 3 open houses, scheduled for the period from March 28-April 14;
2. Report back to Committee of the Whole on April 26;
3. Agency referral and legal review, anticipated to occur over a 3-week period from May 2 – May 24;
4. Report back to Committee of the Whole – date TBD (late May);
5. Formal adoption process in June, which will include a further community meeting/open house and public hearing.