

**REPORT OF PUBLIC HEARING**  
held in the District of Sooke Council Chamber, 2225 Otter Point Road, Sooke, BC  
February 9, 2010 at 7:00 p.m.

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**SUBJECT:** BYLAW NO. 3605, cited as "Sooke Land Use Bylaw, 1992, Amendment No. 97, 2009".

**PRESENT:** Director M Hicks, Chair by Resolution of the Capital Regional District Board on Wednesday, December 9, 2010  
CRD Staff: June Klassen, CRD Staff; Marian Brown, CRD Recording Secretary

**PURPOSE OF THE HEARING:**

- a) updating section 4.19 relating to secondary suites including changes to the water and septic regulations; and
- b) adding a new section 4.20 permitting a suite to be located in an accessory building.

**NOTICE:** Property owners and occupiers were given notice as set out under Section 892 of the *Local Government Act*. Notices were inserted in two (2) consecutive issues of the Sooke Mirror appearing on January 27 and February 3, 2010.

**ATTENDANCE:** There were approximately 10 people in attendance.

The Chair declared the Public Hearing open at 7:00 p.m. The guidelines and procedures of the Public Hearing and Notice of Public Hearing were read to those present and the Chair called for comments from those in attendance.

June Klassen, CRD staff, read the proposed amendments to Bylaw No. 3605 as outlined in red on the copies provided at the Public Hearing.

Paul Giroday, 271A View Royal Avenue Avenue  
Mr Giroday, a non-resident property owner in East Sooke, expressed his support for the proposed bylaw change.

Al Jones, Possession Point Road - BC Landowners Association  
Mr. Jones noted the need to establish affordable housing in the area. This is a good thing to do.

Zachary Doeding, East Sooke Road  
Mr. Doeding thanked the Director and staff for bringing this bylaw initiative forward.

An e-mail for the Public Hearing on Bylaw No. 3605 was received from Frank Mitchell, 530 Witty Beach Road, Metchosin, BC (Attachment No. 1 to the Public Hearing Minutes)

The Chair called three times for further discussion on the bylaw and hearing none closed the Public Hearing on Bylaw No. 3605 at 7:06 p.m.



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CHAIR, Director M. Hicks



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RECORDING SECRETARY, M. Brown

**Judie Robertson**

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**From:** Frank Mitchell [fhm@shaw.ca]  
**Sent:** Tuesday, February 02, 2010 3:15 PM  
**To:** jdf info  
**Subject:** (CRD Website Submission)

The following message was received through the contact form at [www.crd.bc.ca](http://www.crd.bc.ca). Neither the name or e-mail address can be confirmed as accurate.

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**Your Name:**  
Frank Mitchell

**Your E-mail Address:**  
[fhm@shaw.ca](mailto:fhm@shaw.ca)

**Subject:**  
Bylaw 3605

**Message:**  
Juan de Fuca Electoral Area Land Use Committee A  
February 2010 Public Hearing for Bylaw 3605

My earlier observations on Detached Suites still apply. In addition, the Committee may wish to reconsider whether the following two sections of the bylaw should be deleted for the reasons given below.

1. Section 4.0 GENERAL REGULATION (f) An owner of the lot must occupy either the secondary suite or the single family dwelling;

The purpose of this provision is clear: to provide some assurance to neighbours that renters will not create undue nuisance (noisy parties, unsightly waste, grow ops, etc). It is possible that this provision has led residents to approve secondary suites in the first place.

But is the Electoral Area in a position to enforce this provision? Certainly, local governments are allowed to decide USE. But can they also decide the USERS even if the USE is according to the bylaw? If not, this provision should be deleted.

If deletion is required, the EA may wish to decide whether to consult the public before finalising the revisions.

2. Section 4.0 GENERAL REGULATION (g) The keeping of boarders and lodgers shall not be permitted within a single family dwelling containing a secondary suite;

Presumably the intention of this provision is to limit population density, and renter density, in the area-- for whatever reason. If the EA is serious about this, however, how would it monitor and secure compliance? With what policies for inspections? penalties? and with what staff at what cost? While it may seem relatively simple (!) to monitor whether buildings have the characteristics of dwellings as described in the bylaw, determining whether those buildings are occupied, and by whom, is rather more complicated. Perhaps this item should be dropped unless it is accompanied by a statement of the policies and practices to be followed in ensuring compliance.

Yours sincerely,

Frank Mitchell  
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tel 250-478-1671 fax 478-1371

