



**REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE
MEETING OF TUESDAY, NOVEMBER 20, 2012**

SUBJECT **ZONING AMENDMENT APPLICATION FOR LOTS 1, 2 & 3, SECTION 16, OTTER DISTRICT, PLAN VIS7096 – 7450 BUTLER ROAD**

ISSUE

The Capital Regional District (CRD) is proposing to locate and build a new multi-purpose administrative office within the Juan de Fuca Electoral Area.

BACKGROUND

The CRD is pursuing the development of a new office building to house Juan de Fuca services at 7450 Butler Road within the Sooke Business Park. The building would have offices, meeting space, storage facilities, parking and accessory uses. Prior to proceeding with the rezoning process for the project an option to purchase three subject parcels which comprise 0.313 ha was secured from the current property owner. The purchase agreement is subject the approval of rezoning and other due diligence (Appendix 1 and Appendix 2).

The parcels are located just inside the Business Park boundary and are adjacent to vacant General Industrial (M-2) parcels to the south and west, a 3 m trail separates Lot 1 and most of Lot 2 from the adjacent residential property to the west, and a portion of Lot 2 and all of Lot 3 back onto common property for the Business Park septic field. The properties are designated as Settlement Containment Area in the Official Community Plan (OCP) for Otter Point, Bylaw No. 3719 and are subject to a Commercial and Industrial development permit area. The properties are zoned M-2 in the Juan de Fuca Land Use Bylaw, 1992, Bylaw No. 2040 and are vacant.

The existing M-2 zone does not permit the full range of uses that might be accommodated in the building; therefore a new zone must be developed. Should rezoning be supported, a Commercial and Industrial development permit relating to the form and character of commercial and industrial development will be requested. The objective of this development permit is to encourage a building design theme that is complementary to and respectful of the natural setting.

Staff has prepared Bylaw No. 3870 which would rezone the three parcels from M-2 to a new Public Institutional P-4 Zone (Appendix 3).

ALTERNATIVES

1. Proceed with referral of the proposed Bylaw 3870, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 115, 2012" to agencies for comment.
2. Deny the application and do not proceed with referral.
3. Refer the application back to staff for more information.

LEGISLATIVE IMPLICATIONS

Pursuant to Section 879 of the *Local Government Act (LGA)*, an amendment to a zoning bylaw requires that the local government provide one or more opportunities for consultation it considers appropriate to the persons, organizations and authorities the local government considers may be affected by the adoption, repeal or amendment of a zoning bylaw.

Pursuant to Section 881 of the *LGA*, a proposed amendment to a zoning bylaw must be referred to the school district. Where an amendment or new land use and subdivision bylaw will apply to land within 800 m of a controlled access highway, the bylaw must be referred to the Ministry of Transportation and Infrastructure.

PUBLIC CONSULTATION IMPLICATIONS

The Advisory Planning Commissions were established to make recommendations to the Land Use Committee on land use planning matters referred to them relating to Part 26 of the LGA, therefore, the proposal should be referred to the Otter Point Advisory Planning Commission.

Should the proposal proceed, a public hearing pursuant to Section 890 of the LGA will be required subsequent to the amendments passing second reading by the CRD Board. Property owners within 500 m of the subject property will be sent a notice of the proposed bylaw amendments and it will be advertised in the local paper and on the website.

PLANNING ANALYSIS

The Otter Point OCP designates this land as Settlement Area and more specifically as Settlement Containment Area and a community facility is permitted in this area as section 4.2.1.2 (3) states:

- (3) *Community-sponsored facilities, programs and activities that serve to enhance the community's lifestyle may be considered.*

The Settlement Containment Area states that the desired parcel size for residential development should be in the 1 ha range; however, the minimum parcel size does not apply to the existing industrial zoned parcel.

The site is located within the Sooke Business Park and will use three lots just inside the Business Park boundary. The proposed office, assembly and potential retail and restaurant uses will be separated from adjacent rural residential development to the east by a 3 m trail and the rear yard setback. Extensive public parking will be provided on-site and traffic will use the new Butler Road access.

While the proposed zoning permits office, assembly and civic uses related to the Juan de Fuca Electoral Area services, it also permits a wide range of potential community uses that may occur on the site including assembly uses, civic uses, retail and restaurant (coffee sales).

As the proposed office and ancillary uses are compatible with the general industrial uses proposed and developing in the Business Park and should not create a significant impact on adjacent residential properties, staff recommends referring the proposed bylaw for comment.

CONCLUSION

The CRD is proposing to locate and build a new multi-purpose administrative office within the Juan de Fuca Electoral Area. Staff recommends referring the proposed bylaw to relevant CRD departments, the Otter Point Advisory Planning Commission, and other agencies for comment.

RECOMMENDATION

That the Juan de Fuca Land Use Committee recommend that staff be directed to refer the November 20, 2012 staff report and proposed Bylaw No. 3870 for Lots 1, 2 and 3, Section 16, Otter District, Plan VIS7096, to the appropriate CRD departments and the following agencies for comment:

BC Hydro
District of Sooke
Otter Point Advisory Planning Commission
Otter Point Fire Department
Ministry of Transportation and Infrastructure

RCMP
Sooke School District #62
T'Sou-ke First Nation
Vancouver Island Health Authority

Original Signed _____
June Klassen
Manager, Local Area Planning

Original Signed _____
Robert Lapham, MCIP
General Manager, Planning & Protective Services

Appendices:

1. Location
2. Site Plan
3. Proposed Bylaw No. 3870

Appendix 1: Location



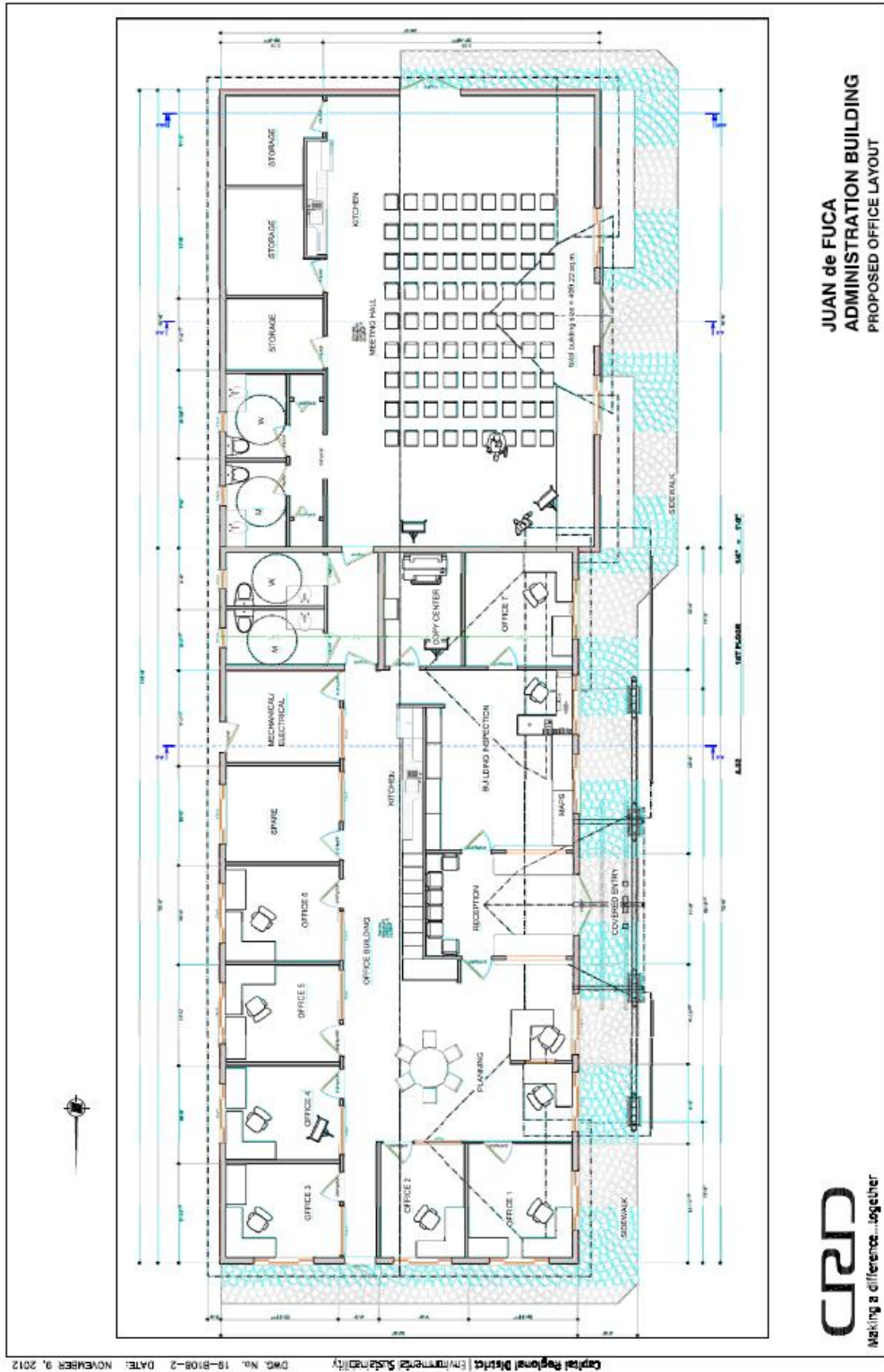
Important
This map is for general information purposes only. The Capital Regional District (CRD) makes no representations or warranties regarding the accuracy or completeness of this map or the suitability of the map for any purpose. This map is not for navigation. The CRD will not be liable for any damage, loss or injury resulting from the use of the map or information on the map and the map may be changed by the CRD at any time.

Z-05-12 - CRD

Subject Property

Intramap 2.0
Capital Regional District
gis@crd.bc.ca
<http://www.crd.bc.ca>





**JUAN de FUCA
ADMINISTRATION BUILDING
PROPOSED OFFICE LAYOUT**

CRP
Making a difference...together

Capital Regional District | Environmental Sustainability | DWG. No. 19-B108-2 DATE: NOVEMBER 9, 2012

Capital Regional District

Bylaw No. 3870

A BYLAW TO AMEND BYLAW NO. 2040, THE "JUAN DE FUCA LAND USE BYLAW, 1992"

The Capital Regional District Board, in open meeting assembled, enacts as follows:

1. Bylaw No. 2040 being the "Juan de Fuca Land Use Bylaw, 1992" is hereby amended:
 - (a) Part 1, TABLE OF CONTENTS, PART 2 – ZONING DISTRICTS add the following:
 - i. By adding "P-4 Public Institutional" after "P-3 Public Utility"
 - (b) Part 1, 3.0 ADMINISTRATION AND ENFORCEMENT, Section 3.07 ZONES
 - i. By adding "32A.0 Public Institutional – P-4" to the list of zones after "P-3 Public Utility"
 - (c) Part 2 – ZONING DISTRICTS
 - i. By creating a new zone, Public Institutional Zone – P-4, to be inserted after Section 32.0, and to read as follows:

32A.0 PUBLIC INSTITUTIONAL P-4

32A.01 Permitted Uses

In addition to the uses permitted by Section 4.15 of Part 1 of this Bylaw, the following uses and no others are permitted in the Public Institutional P-4 Zone:

- a) Business Office and support services;
- b) Assembly uses;
- c) Civic uses;
- d) Commercial uses including retail sales and restaurant uses;
- e) Enclosed and unenclosed storage;
- f) Recreation; and
- g) Vehicle parking

32A.02 Minimum Lot Size for Subdivision Purposes

Minimum lot size is 900 m².

32A.03 Lot Coverage

Lot coverage shall not exceed 50 percent

32A.04 Height

Maximum height shall be 12 m.

32A.05 Yard Requirements

- (a) Front yards shall be a minimum of 3 m
- (b) Side yards shall be 0 m;
- (c) Flanking yards shall be a minimum of 3 m CTS
- (d) Rear yards shall be a minimum of 3 m

- (d) Part 4 – SIGNS
 - i. By amending Section 1.12 SIGN AREAS subsection (c) by adding “PUBLIC INSTITUTIONAL”.
 - (e) Schedule B ZONING MAPS
 - i. By amending Map 2: Otter Point Zoning to incorporate the amendment as shown on Map 1 attached to and forming part of this bylaw.
 - (f) By deleting from the General Industrial (M-2) zone, and adding to the Public Institutional (P-4) zone, for the purpose of permitting CRD administration building and ancillary uses on Lots 1, 2, and 3, Section 16, Otter District, Plan VIS7096, as shown on Plan No. 1, attached to and forming part of this bylaw.
2. This bylaw may be cited as Bylaw 3870, "Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 115, 2012".

READ A FIRST TIME THIS	day of	, 2012.
READ A SECOND TIME THIS	day of	, 2012.
READ A THIRD TIME THIS	day of	, 2012.
APPROVED by the Minister of Transportation and Infrastructure THIS	day of	, 2012.
ADOPTED THIS	day of	, 2012.

CHAIR

CORPORATE OFFICER

Plan No. 1 of Bylaw 3870

Lots 1, 2, and 3, Section 16, Otter District, Plan VIS7096 shown on this plan attached to and forming part of this bylaw.

