

REQUEST FOR DECISION

DATE: October 27, 2015

Report No. DEV-15-054

TO: Laurie Hurst, Chief Administrative Officer

FROM: Karen Hay, Planner

SUBJECT:

Council consultation with persons, organizations, and authorities it considers may be affected by the proposed amendment to the Official Community Plan for 616 and 620 Lampson Street, [PID 005-988-446, Lot 5, Section 11, Esquimalt District, Plan 4618 and PID 005-988-497, Lot 6, Section 11, Esquimalt District, Plan 4618].

RECOMMENDATION:

That Council, having considered Sections 879 and 881 of the *Local Government Act*, authorize staff to circulate the Official Community Plan and Zoning Bylaw Amendment concept plan [Appendix 'B'] describing the proposed development for 616 and 620 Lampson Street, [PID 005-988-446, Lot 5, Section 11, Esquimalt District, Plan 4618 and PID 005-988-497, Lot 6, Section 11, Esquimalt District, Plan 4618] to those persons, organizations and authorities identified in Appendix 'A' of Staff Report DEV-15-54.

RELEVANT POLICY:

Sections 879 and 881 of the *Local Government Act*

STRATEGIC RELEVANCE:

This Request for Decision does not directly relate to a specific strategic objective.

BACKGROUND:

Attachments:

Appendix 'A': List of proposed persons, organizations, and authorities to be consulted;
Appendix 'B': Proposed Development Concept Plan stamped 'Received October 28, 2015'.

Purpose:

Ron Warrington, Van-Isle Property Management Ltd. Inc. No. BC0653345 and Gary Jackson, Gary R. Jackson Law Corporation, Inc. No. BC0870211, the owners of 616 and 620 Lampson Street, have applied to the Township for an amendment to the Official Community Plan [OCP] and a change in Zoning to allow 12 townhouse units on the subject property.

The OCP's current designation for the property is 'Multi-Unit, Low-Rise Residential', which does not support an option for townhouse residential uses. Therefore, the proposed Official Community Plan amendment would include:

An amendment to Schedule 'A' of the Official Community Plan, Bylaw No. 2646, being the Land Use Designation Map, changing the Land Use Designation for the subject site from 'Multi-Unit, Low-Rise Residential' to 'Townhouse Residential', and

An amendment to Schedule 'C' of the Official Community Plan, Bylaw No. 2646, being the Development Permit Areas Map is not required as the Development Permit Area for the subject property continues as 'Development Permit Area No. 1 – Multi-Unit Residential'.

The proposed Development Concept Plan stamped 'Received October 28, 2015' is attached as Appendix 'B' to this report.

Section 879(1) of the *Local Government Act* states: 'During the development of an official community plan, or the repeal or amendment of an official community plan, the proposing local government must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected.' Section 879 (2) (b) provides the following list of organizations and authorities that Council **must** 'specifically consider whether consultation is required with:

- The board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan;
- The board of any regional district that is adjacent to the area covered by the plan;
- The council of any municipality that is adjacent to the area covered by the plan;
- First Nations;
- School district boards, greater boards, and improvement district boards, and
- The Provincial and Federal governments and their agencies.

Staff has reviewed the requirements of Section 879 of the *Local Government Act* and has provided a tentative list (Appendix 'A') of persons, organizations, and authorities that it feels should be consulted pursuant to Section 879 of the *Local Government Act*.

In addition, Section 881 of the *Local Government Act* requires the mandatory consultation with any school districts that incorporate the subject property.

Under Section 879(2)(a) of the *Local Government Act*, Council must also ‘consider whether the opportunities for consultation ... should be early and ongoing.’ There have already been consultation efforts by the owner, with local residents and resident associations, and the recommendation of this report would provide for early efforts specifically with respect to the OCP amendment.

ISSUES:

1. Rationale for Selected Option
By law, Council must consider who should be consulted and how they should be consulted.
2. Organizational Implications
There are no extraordinary organizational implications.
3. Financial Implications
There are no extraordinary financial implications.
4. Sustainability & Environmental Implications
There are no extraordinary sustainability or environmental implications.
5. Communication & Engagement
In addition to the consultation list provided in Appendix ‘A’, Council may decide to further consult persons, organizations, and authorities that it considers will be affected by the proposed amendment.

The applicant held a public open house and met with various neighbours and neighbourhood association members on October 7, 2015 in order to comply with the public consultation procedures of Development Application Procedures and Fees Bylaw No. 2971, 2012.

A statutory public hearing will also be required.

ALTERNATIVES:

1. That Council, having considered Sections 879 and 881 of the *Local Government Act*, authorize staff to circulate the Official Community Plan and Zoning Bylaw Amendment concept plan [Appendix ‘B’] describing the proposed development for 616 and 620 Lampson Street, [PID 005-988-446, Lot 5, Section 11, Esquimalt District, Plan 4618 and PID 005-988-497, Lot 6, Section 11, Esquimalt District, Plan 4618] to those persons, organizations, and authorities identified in Appendix ‘A’ of Staff Report DEV-15-54.
2. That Council amend the list in Appendix ‘A’ by adding or deleting persons, organizations, and authorities that it considers will be affected by the proposed amendment to the Official Community Plan prior to authorizing alternative ‘1’.