



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall
1229 Esquimalt Road
Esquimalt, B.C. V9A 3P1

Legislation Text

File #: 21-464, Version: 1

REQUEST FOR DECISION

DATE: September 22, 2021

Report No. DEV-21-068

TO: Laurie Hurst, Chief Administrative Officer

FROM: Bill Brown, Director of Development Services

SUBJECT:

Cash in Lieu of Parkland Dedication - 916 and 920 Old Esquimalt Road

RECOMMENDATION:

That Council accept \$36,250.00 as cash in lieu of parkland dedication based on five percent (5%) of the appraised value of the \$725,000.00 (Appendix D) for the proposed five-lot subdivision as proposed in Plan EPS6543 (Appendix C) and that the funds be deposited in to the Parkland Acquisition Reserve Fund.

RELEVANT POLICY:

Declaration of a Climate Emergency

Local Government Act

Official Community Plan Bylaw, 2018, No. 2922

Zoning Bylaw, 1992, No. 2050

Parking Bylaw, 1992, No. 2011

Development Application Procedures and Fees Bylaw, No. 2791, 2012

Subdivision and Development Control Bylaw, 1997, No. 2175

STRATEGIC RELEVANCE:

Strategic Goal: Enhance opportunities for Parks & Recreation

Operational Strategy: Continue with opportunity to replenish Parkland Acquisition Fund.

BACKGROUND:

Appendices

Appendix A: Section 510 of the *Local Government Act*

Appendix B: Subject Property Map, Air Photo, OCP Maps

Appendix C: Proposed subdivision

Appendix D: Appraisal report

Timeline

September 11, 2019 - Subdivision Application Received (the application was submitted prior to rezoning bylaw being adopted).

June 22, 2020 - Zoning Bylaw 2948 adopted.

March 12, 2021 - Development Permit Application (Subdivision) received.

June 14, 2021 - Council approves the subdivision Development Permit.

July 12, 2021 - Council approves payment of fifty percent (50%) of the cost of the appraisal.

August 25, 2021 - Appraisal report received.

Purpose of the Application

The owners of the subject properties have applied to have it subdivided into five lots and a common property access [Appendix C]. Because more than two additional lots are being created and because staff can find no evidence that parkland dedication has occurred through an earlier subdivision, parkland dedication is now due. The *Local Government Act* allows for Council to take a dedication of either five percent of the land area or five percent of the “average market value” of the land. In this case, the parcels are too small to create a viable park so cash-in-lieu is recommended. To determine the “average market value”, an appraisal was completed [Appendix D]. The appraised value was \$725,000.00. Five percent would be \$36,250.00. It should be noted that the money can only be used for parkland acquisition.

Context

Applicant: Arthur G. Winter

Owner: A. H. Winter & Son Construction Ltd., Inc. NO. 0899153]

Property Size: 1785 square metres [19,213 square feet]

OCP Land Use Designation:

Present Land Use: Low Density Residential

Proposed Land Use: Townhouse Residential

Zone: Comprehensive Development District No. 115 [CD-115]

Existing Land Use: Vacant

Proposed Land Use: Single Family Residential [Infill]

Surrounding Land Uses:

North: Single Family/ Two Family Residential

South: School/ Park

East: Two Family residential

West: Single Family Residential

ISSUES:

1. Rationale for Selected Option

The value of cash in lieu of parkland dedication is based on an appraisal that was completed by the applicant.

2. Organizational Implications

There are no significant organizational implications.

3. Financial Implications

The \$36,250.00 must be used for parkland acquisition.

4. Sustainability & Environmental Implications

The acquisition of parkland has a myriad of environmental and health benefits including absorption of high energy solar emissions, provision of wildlife habitat (including introduction of species such as grey squirrels), stress reduction, and absorption of rain fall and snow melt.

5. Communication & Engagement

There are no statutory requirements for communications or engagement associated with the determination of “average market value”.

ALTERNATIVES:

1. That Council accept \$36,250.00 as cash in lieu of parkland dedication for the proposed subdivision and that the funds be deposited in to the Parkland Acquisition Reserve Fund.
2. That Council instruct staff to determine an alternative amount and report back to Council.