



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

## Legislation Details (With Text)

**File #:** 19-546      **Version:** 1      **Name:**  
**Type:** Staff Report      **Status:** Passed  
**File created:** 11/21/2019      **In control:** Council  
**On agenda:** 12/2/2019      **Final action:** 12/2/2019  
**Title:** Rezoning Application - 524 Admirals Road, Staff Report No. DEV-19-111  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Appendix A Bylaw 2976 (524 Admirals) Adoption

Date	Ver.	Action By	Action	Result
12/2/2019	1	Council	approved	Pass

## REQUEST FOR DECISION

**DATE:** November 21, 2019      Report No. DEV-19-111  
**TO:** Laurie Hurst, Chief Administrative Officer  
**FROM:** Tricia deMacedo, Planner 2 - Policy and Bill Brown, Director of Development Services  
**SUBJECT:**  
Rezoning Application - 524 Admirals Road

### RECOMMENDATION:

That Council resolves that Bylaw No. 2976 (Appendix A), which would change the zoning designation of 524 Admirals Road (PID 001-031-066, Lot 179, Suburban Lot 39, Esquimalt District, Plan 2854), shown cross-hatched on Schedule 'A' of Bylaw No. 2976, from the Core Commercial Zone (C-3) to a Comprehensive Development District (CD-127), be adopted.

### RELEVANT POLICY:

#### *Local Government Act*

Declaration of Climate Emergency, 2019

Official Community Plan Bylaw, 2018, No. 2922

Zoning Bylaw, 1992, No. 2050

Parking Bylaw, 1992, No. 2011

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

### STRATEGIC RELEVANCE:

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

## **BACKGROUND:**

Appendix A: Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2976

### **Purpose of the Application**

This rezoning application is to allow for the retail sale of cannabis in an existing building. The applicant has applied to rezone the property located at 524 Admirals Road to a site specific (CD-127) zone. The proposal is for unit no. 522 on the ground floor of a mixed use building.

### **Context**

Applicants: Mary Anne Emmott, Alternative Aromatics

Owners: Kuntai Holding Inc.

Property Size: 689.4 m<sup>2</sup>

Existing Land Use: One apartment and two commercial units.

Surrounding Land Uses:

North: Multi-family residential (C-3)

South: Multi-family residential (RM-1)

West: Multi-family/Commercial (C-3)

East: Commercial (C-6)

Existing Zoning: Core Commercial (C-3)

Proposed Zoning: Comprehensive Development (CD)

Existing OCP Designation: Commercial/Commercial Mixed Use

### **Timeline**

Application date: December 17, 2018

Neighbourhood meeting: April 1, 2019

APC meeting: July 16, 2019

Council first and second reading: August 19, 2019

Public Hearing: October 7, 2019

Third reading to the bylaw was given on October 28, 2019. Final adoption of the bylaw was withheld until an occupancy permit was obtained for the removal and restoration of a portion of the residential suite built without a permit. The applicant has received final approval of the demolition and restoration work on the suite and would like complete the rezoning process for the site.

## **ISSUES:**

### **1. Rationale for Selected Option**

This application is consistent with the Land Use Designation of the subject property and the other existing uses of the site. The location is well suited to customers arriving on foot or by transit and this type of use is not expected to generate excess traffic in the neighbourhood. The building is outside of the 500 m 'prohibition zone' around schools that is required in the Business Licensing and Regulation Bylaw. The applicant has also agreed to operate the store during the hours as stipulated in the Business Licensing and Regulation Bylaw (9 am to 6 pm).

### **2. Organizational Implications**

This Request for Decision has no organizational implications.

3. Financial Implications

This Request for Decision has no financial implications.

4. Sustainability & Environmental Implications

Providing local services prevents residents traveling to other municipalities to purchase products. The location is within the 'downtown' core of Esquimalt and within easy walking distance for many residents.

5. Communication & Engagement

As per legislation, there have been no further opportunities for public input since the public hearing.

**ALTERNATIVES:**

1. That Council resolves that Bylaw No. 2976 (Appendix A), which would change the zoning designation of 524 Admirals Road (PID 001-031-066, Lot 179, Suburban Lot 39, Esquimalt District, Plan 2854), shown cross-hatched on Schedule 'A' of Bylaw No. 2976, from the Core Commercial Zone (C-3) to a Comprehensive Development District (CD-127), be adopted.
2. Council defeat Zoning Amendment Bylaw No. 2976