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

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Legislation Details (With Text)

File #:	20-020	**Version:**	1	**Name:**	
Type:	Staff Report			**Status:**	Passed
File created:	1/2/2020			**In control:**	Council
On agenda:	1/20/2020			**Final action:**	1/20/2020
Title:	Official Community Plan Amendment and Rezoning Application - 899 Esquimalt Road, Staff Report No. DEV-20-002				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. Appendix A - Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw No. 2962, 2. Appendix B - Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2963, 3. Appendix C - Section 219 Covenant CA7965814, Priority Agreement CA7965816 [as registered]				

Date	Ver.	Action By	Action	Result
1/20/2020	1	Council	approved	Pass

REQUEST FOR DECISION

DATE: January 14, 2020 Report No. DEV-20-002

TO: Laurie Hurst, Chief Administrative Officer

FROM: Alex Tang, Planner and Bill Brown, Director of Development Services

SUBJECT:

Official Community Plan Amendment and Rezoning Application - 899 Esquimalt Road

RECOMMENDATION:

1. That Council adopts Amendment Bylaw No. 2962, as attached to Staff Report DEV-20-002 as Appendix A, which would amend the Official Community Plan Bylaw, 2018, No. 2922 by:

- adding the following text after the map under the heading “Height” at page 131 of the *Official Community Plan Bylaw, 2018, No. 2922:*

  “Notwithstanding the building heights indicated on the map above, up to 10 storeys may be permitted on the following property provided no portion of the development within 21.5 m of Wollaston Street exceeds three storeys:
  PID: 030-151-562, Lot A, Section 11, Esquimalt District, Plan EPP69557 [899 Esquimalt Road]”;

- changing Schedule ‘B’, being the Proposed Land Use Designations Map by changing the designation of PID 030-151-562, Lot A, Section 11, Esquimalt District, Plan EPP69557 [899 Esquimalt Road], shown cross-hatched on Schedule ‘A’ of Amendment Bylaw No. 2962, from a

powered by Legistar™

mix of 'Neighbourhood Commercial Mixed-Use' and 'Townhouse Residential' to 'Commercial/Commercial Mixed-Use'; and

- changing Schedule 'H', being the Development Permit Areas Map by changing the designation of PID 030-151-562, Lot A, Section 11, Esquimalt District, Plan EPP69557 [899 Esquimalt Road], shown cross-hatched on Schedule 'A' of Amendment Bylaw No. 2962, from a mix of Development Permit Area No. 4 - Commercial and Development Permit Area No. 6 - Multi-Family Residential to Development Permit Area No. 4 - Commercial.

2. That Council adopts Amendment Bylaw No. 2963, as attached to Staff Report DEV-20-002 as Appendix B, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of PID 030-151-562, Lot A, Section 11, Esquimalt District, Plan EPP69557 [899 Esquimalt Road], shown cross hatched on Schedule 'A' of Amendment Bylaw No. 2963, from a mix of C-2 [Neighbourhood Commercial] and RD-1 [Two Family Residential] to CD No. 120 [Comprehensive Development District No. 120].

RELEVANT POLICY:

Official Community Plan Bylaw, 2018, No. 2922
Zoning Bylaw, 1992, No. 2050
Declaration of Climate Emergency
Parking Bylaw, 1992, No. 2011
Development Application Procedures and Fees Bylaw, 2012, No. 2791
Advisory Planning Commission Bylaw, 2012, No. 2792
Subdivision and Development Control Bylaw, 1997, No. 2175
Green Building Checklist

STRATEGIC RELEVANCE:

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

BACKGROUND:

Appendix A: Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw No. 2962
Appendix B: Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2963
Appendix C: Section 219 Covenant CA7965814, Priority Agreement CA7965816 [as registered]

Purpose of the Application

Amendment Bylaw No. 2962 and Amendment Bylaw No. 2963 were given 1st and 2nd reading on May 27, 2019 with a Public Hearing held on July 8, 2019. On November 4, 2019, the amendment bylaws were rescinded and read anew a second time. A second Public Hearing was held on November 25, 2019 and the bylaws were given 3rd reading. Adoption of the bylaws was withheld subject to the registration of a Section 219 Covenant on title. The Section 219 Covenant has now been registered on title (Appendix C).

The covenant addresses the following items:

- Construction of a purpose built health clinic or facility with a minimum of 370 square metres of gross floor area;
- Clarity that the clinic has to have a minimum of four physicians licensed by the College of

Physicians and Surgeons of British Columbia.

- Subsidized rent for tenant(s) of health clinic or facility over first 10 years in the amount of $396,000;
- Annual lease hold and equipment improvement incentives valued at a total of $160,000;
- $54,000 cash contribution to be used in relation to health and community well-being matters, including but not limited to providing incentives or grants, undertaking or commission studies or reports, promotions and public information, and establishing temporary medical clinics;
- $150,000 cash contribution to be used for the provision and maintenance of a kayak dock within the Township;
- 5 free parking spaces with publicly available electric vehicle charging stations
- Built Green Canada Silver certification;
- Removal of BC Hydro pole on the southeast corner of Esquimalt Road and Head Street and burial of the power lines on the Esquimalt Road and Head Street frontage;
- Perpetual Statutory Right of Way for public access and expanded sidewalk on the northern 3.2 metres of the lot along Esquimalt Road;
- That there can be no non-residential land use along Wollaston Street;
- $30,000 cash contribution to be used for the provision and installation of 2 pedestrian activated crosswalk signals in the general vicinity of the subject parcel; and
- BC Transit passes for the Victoria Regional Transit System for the residents (up to a maximum of 66 transit passes for 1 year).

Staff confirms that the final registered Covenants CA7965814 adequately implements all of these items.

ISSUES:

1. Rationale for Selected Option
   The proposed development would include commercial space dedicated for a health clinic or facility. It will also provide increased residential density in a location within walking distance of amenities, consistent with Official Community Plan policies.

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
   The applicant has completed the Esquimalt Green Building Checklist, detailing green features that will be considered for inclusion in the development should it be approved. As part of the S.219 Covenant registered on title, the owner has offered to construct the building to Built Green Canada Silver Certification.

5. Communication & Engagement
   In accordance with post Public Hearing considerations, no further communications or engagements have been provided to Council.

ALTERNATIVES:

1. That Council adopts Amendment Bylaw No. 2962 and Amendment Bylaw No. 2963.

2. That Council defeats Amendment Bylaw No. 2962 and Amendment Bylaw No. 2963.