



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Legislation Details (With Text)

File #: 20-395 **Version:** 1 **Name:**
Type: Staff Report **Status:** Passed
File created: 8/12/2020 **In control:** Council
On agenda: 8/31/2020 **Final action:** 8/31/2020
Title: Official Community Plan Amendment and Rezoning Application - 616 & 620 Constance Avenue, 619 & 623 Nelson Street and 1326 Miles Street, Staff Report No. DEV-20-058
Sponsors:
Indexes:
Code sections:
Attachments: 1. Appendix A - Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw No. 2964, 2. Appendix B - Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2965, 3. Appendix C - Section 219 Covenant CA8354956, Priority Agreement CA8354957 [as registered]

Date	Ver.	Action By	Action	Result
8/31/2020	1	Council	approved	Pass

REQUEST FOR DECISION

DATE: August 12, 2020

Report No. DEV-20-058

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 - 616 & 620 Constance Avenue, 619 & 623 Nelson Street and 1326 Miles Street

RECOMMENDATION:

1. That Council adopts Official Community Plan Bylaw, 2018, No. 2922, Amendment Bylaw No. 2964, attached to Staff Report DEV-20-058 as Appendix A, which would:
 - amend Official Community Plan Bylaw, 2018, No. 2922 by changing Schedule 'B', being the Proposed Land Use Designations Map by changing the designation of 616 Constance Avenue [PID 000-713-465 Lot 95, Suburban Lot 44, Esquimalt District, Plan 2854], 620 Constance Avenue [PID 000-819-832 Lot 4, Suburban Lot 44, Esquimalt District, Plan 3135], 619 Nelson Street [PID 006-393-608 Lot 84, Suburban Lots 44 and 45, Esquimalt District, Plan 2854], 623 Nelson Street [PID 006-278-647 Lot 3, Suburban Lot 44, Esquimalt District, Plan 3135], and 1326 Miles Street [PID 006-375-723 Lot 96, Suburban Lot 44, Esquimalt District, Plan 2854] + [PID 006-375-693 Lot 85, Suburban Lot 44, Esquimalt District, Plan 2854], all shown cross hatched on Schedule 'A' of Bylaw No. 2964, from 'High Density Residential' to 'Commercial/Commercial Mixed -Use'; and
 - amend Official Community Plan Bylaw, 2018, No. 2922 by changing Schedule 'H', being the

Development Permit Areas Map by changing the designation of 616 Constance Avenue [PID 000-713-465 Lot 95, Suburban Lot 44, Esquimalt District, Plan 2854], 620 Constance Avenue [PID 000-819-832 Lot 4, Suburban Lot 44, Esquimalt District, Plan 3135], 619 Nelson Street [PID 006-393-608 Lot 84, Suburban Lots 44 and 45, Esquimalt District, Plan 2854], 623 Nelson Street [PID 006-278-647 Lot 3, Suburban Lot 44, Esquimalt District, Plan 3135], and 1326 Miles Street [PID 006-375-723 Lot 96, Suburban Lot 44, Esquimalt District, Plan 2854] + [PID 006-375-693 Lot 85, Suburban Lot 44, Esquimalt District, Plan 2854], all shown cross hatched on Schedule 'A' of Bylaw No. 2964, from Development Permit Area No.6 - Multi-Family Residential to Development Permit Area No.4 - Commercial; and

2. That Council adopts Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2965, attached to Staff Report DEV-20-058 as Appendix B, which would amend Zoning Bylaw, 1992, No. 2050 by changing the zoning designation of 616 Constance Avenue [PID 000-713-465 Lot 95, Suburban Lot 44, Esquimalt District, Plan 2854], 620 Constance Avenue [PID 000-819-832 Lot 4, Suburban Lot 44, Esquimalt District, Plan 3135], 619 Nelson Street [PID 006-393-608 Lot 84, Suburban Lots 44 and 45, Esquimalt District, Plan 2854], 623 Nelson Street [PID 006-278-647 Lot 3, Suburban Lot 44, Esquimalt District, Plan 3135], and 1326 Miles Street [PID 006-375-723 Lot 96, Suburban Lot 44, Esquimalt District, Plan 2854] + [PID 006-375-693 Lot 85, Suburban Lot 44, Esquimalt District, Plan 2854], all shown cross hatched on Schedule 'A' of Bylaw No. 2965, from RM-1 [Multiple Family Residential] to CD No. 121 [Comprehensive Development District No. 121].

RELEVANT POLICY:

Official Community Plan Bylaw, 2018, No. 2922

Zoning Bylaw, 1992, No. 2050

Local Government Act

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. 2964

Appendix B: Zoning Bylaw, 1992, No. 2050, Amendment Bylaw No. 2965

Appendix C: Section 219 Covenant CA8354956, Priority Agreement CA8354957 [as registered]

Chronology

November 23, 2018 - Rezoning Application submitted

January 9, 2019 - Design Review Committee

March 19, 2019 - Advisory Planning Commission

May 6, 2019 - Official Community Plan Amendment Consultation List approved by Council

August 19, 2019 - 1st and 2nd reading of bylaws

May 25, 2020 - Rescind 2nd reading, amend and read anew a second time of bylaws

July 13, 2020 - Public Hearing

Purpose of the Application

Amendment Bylaw No. 2964 and Amendment Bylaw No. 2965 were given 1st and 2nd reading on August 19, 2019. Second reading was rescinded, amended and read anew on May 25, 2020. The Public Hearing was held on July 13, 2020. 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:

- Lot consolidation of 616 Constance Avenue, 620 Constance Avenue, 619 Nelson Street, 623 Nelson Street, and 1326 Miles Street prior to development as the proposed CD No.121 Zone does not work unless the parcels are consolidated
- Undergrounding of the electric power lines along Constance Avenue and Nelson Street adjacent to the subject property
- 8 affordable dwelling units
- 3 special needs dwelling units
- Group daycare for children
- Building to be designed and constructed to conform to the requirements of Step 4 (R2000) of the BC Energy Step Code
- The building be constructed to include a minimum of six 3-bedroom (or more) dwelling units
- Right of way in the southeast corner to allow for privately owned publicly accessible open space
- Right of way and public walkway between Constance Avenue and Nelson Street on the northern part of the subject property
- A minimum of 17 visitor parking spaces will be provided and remain
- 100 shares for a membership for a shared vehicle service for the residents
- 88 bus passes for one year for residents
- 2 operational automobiles to be owned and maintained by the owner of the building for sole use of the residents at the building owner's expense.

Staff confirms that the final registered covenant CA8354956 adequately implements all of these items.

ISSUES:

1. Rationale for Selected Option

This proposed development is sited at an appropriate location for increased density as it is close to Esquimalt Road, BC Transit routes, and the CFB Esquimalt, one of the major employers in the Capital Regional District. This proposed development will increase the number of dwelling units in the Township in addition to creating a greater diversity in housing types. Moreover, over 150 square metres of interior space and 100 square metres of exterior space will be dedicated to a Group Children's Day Care Centre.

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. [Appendix E]

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. 2964 and Amendment Bylaw No. 2965.
2. That Council defeats Amendment Bylaw No. 2964 and Amendment Bylaw No. 2965.