



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Legislation Details (With Text)

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Title: Temporary Use Permit Application - 856 & 858 Esquimalt Road
Sponsors:
Indexes:
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Attachments: 1. Appendix A - Aerial Map, 2. Appendix B - Traffic Management Plan

Date	Ver.	Action By	Action	Result
11/17/2020	1	Advisory Planning Commission	denied	Pass

REQUEST FOR DECISION

DATE: November 4, 2020 Report No. APC-20-016
TO: Chair and Members of the Advisory Planning Commission; Design Review Committee
FROM: Alex Tang, Planner and Bill Brown, Director of Development Services
SUBJECT:

Temporary Use Permit Application - 856 & 858 Esquimalt Road

RECOMMENDATION:

That the Esquimalt Advisory Planning Commission [APC] recommends to Council to either approve, approve with conditions, or deny the application for a Temporary Use Permit authorizing the site at 856 Esquimalt Road [PID: 026-691-418; Lot A Section 11 Esquimalt District Plan VIP80973] and 858 Esquimalt Road [PID: 002-925-966, Lot 2 Section 11 Esquimalt District Plan 23904] to be temporarily used as a 'Construction Laydown Site'.

RELEVANT POLICY:

Declaration of Climate Emergency
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
Advisory Planning Commission Bylaw, 2012, No. 2792
Subdivision and Development Control Bylaw, 1997, No. 2175
Local Government Act

STRATEGIC RELEVANCE:

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

BACKGROUND:

Appendix A: Aerial Map

Appendix B: Traffic Management Plan

PURPOSE OF APPLICATION:

The purpose of this Temporary Use Permit is to allow the site at 856 & 858 Esquimalt Road to be temporarily used as a construction laydown site for two years during the construction of the new residential building at 687 Admirals Road. The proposed site will be used for the storage of lumber, rebar, and other construction materials. Moreover, it will be used to store skid steers, trucks and secured storage containers.

The Esquimalt Zoning Bylaw allows Council to consider approving a commercial or industrial land use on a temporary basis for a period up to 2 years, with appropriate notification, as required by the Local Government Act. The temporary land use permit may be renewed once beyond the initial term.

CONTEXT:

Applicant: Terry Hoff [WestUrban Developments Ltd.]

Owners: 856 Esquimalt Road Ltd. [856 Esquimalt Road]
858 Esquimalt Road Ltd. [858 Esquimalt Road]

Property Size: 856 Esquimalt Road Metric: 5923.8 m² Imperial: 63763 ft²
858 Esquimalt Road Metric: 1098.5 m² Imperial: 11824 ft²

OCP Land Use Designation: Commercial/Commercial Mixed-Use

Zone: CD No. 80

Existing Land Use: Commercial

Surrounding Land Uses:

North: Multiple-Family Residential

South: Multiple-Family Residential

East: Multiple-Family Residential

West: Commercial

The Local Government Act allows the local government to 'specify conditions under which the temporary use may be carried on'.

Staff recommends the following conditions as part of the Temporary Use Permit:

a) 'Construction Laydown Site' means a site used by the 'Development Company' (WestUrban Developments, Ltd.) and sub-contractors, for the following uses; for the duration of and specifically for the construction of the building at 687 Admirals Road (The Project), subject to the following conditions:

- i) Parking and operation of heavy equipment required for The Project;
- ii) Storage of and loading of construction materials for The Project.

b) Permit shall be valid until _____, 2022 [2 years from the date of approval].

c) Hours of operation shall be limited by the Esquimalt "Maintenance of Property and Nuisance Regulation Bylaw, 2014, No. 2826".

Notwithstanding Bylaw No. 2826, the site will only be used:

Weekdays: 7:00 am to 7:00 pm.

Saturdays: 9:00 am to 7:00 pm, and

Sundays and Statutory Holidays: 9:00 am to 5:00 pm.

d) Fencing shall be in place at all times, and gates shall be locked after hours.

e) Lighting shall be directed into the site and not spill over onto residential properties.

f) There shall be no overnight camping on the site.

g) There shall be no rock crushing or breaking of asphalt on the site.

h) Dust shall be controlled at all times, and a dust control mesh [scrim] will be attached to the temporary [construction] fencing.

i) No diesel, gasoline, propane, or natural gas powered generators shall be used on the site.

j) The site must be kept free of rubbish and debris, and maintained in an acceptable manner.

k) All work on the site shall meet WorkSafeBC Act and Regulations at all times.

ISSUES:

Is the temporary use of a construction laydown site appropriate for the subject property?

ALTERNATIVES:

1. Forward the application for a Temporary Use Permit to Council with a recommendation of approval including reasons for the recommendation.

2. Forward the application for a Temporary Use Permit to Council with a recommendation of approval including specific conditions.

3. Forward the application for a Temporary Use Permit to Council with a recommendation of denial including reasons for the recommendation.