



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

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

Legislation Text

File #: 18-191, Version: 1

REQUEST FOR DECISION

DATE: May 2, 2018

Report No. DEV-18-027

TO: Laurie Hurst, Chief Administrative Officer

FROM: Karen Hay, Planner and Bill Brown, Director of Development Services

SUBJECT:

Official Community Plan Amendment Consultation - 1379 Esquimalt Road / 520 Foster Street (St. Peter and St. Paul's Church -) [PID 024-848-905; Lot A (DD EP75276), Suburban Lot 27, Esquimalt District, Plan 5092]

RECOMMENDATION:

1. That Council, having considered Sections 475 and 476 of the Local Government Act, authorize staff to circulate the Official Community Plan and Zoning Bylaw Amendment concept plan, attached as Appendix 'A', detailing the proposed development for 1379 Esquimalt Road / 520 Foster Street (St. Peter and St. Paul's Church) [PID 024-848-905; Lot A(DD EP75276), Suburban Lot 27, Esquimalt District, Plan 5092] to those persons, organizations and authorities identified in Appendix 'A' of Staff Report DEV-18-027.

RELEVANT POLICY:

Official Community Plan Bylaw, 2006, No. 2646

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

STRATEGIC RELEVANCE:

This Request for Decision supports the following specific strategic objective:

- Support community growth, housing and development consistent with our Official Community Plan.

BACKGROUND:

Appendix A: OCP Consultation List

Appendix B: Proposed Development Concept Plan

Purpose of the Application

CitySpaces Consulting on behalf of the owner of St. Peter and St. Paul's Church (the Anglican Synod of the Diocese of British Columbia), is requesting an amendment to the Official Community Plan Bylaw No. 2646, and a change to the property's zoning to facilitate the subdivision of the subject property into four separate parcels (three land parcels and one air space parcel). The 'Hermitage', an existing multiple unit residential building would occupy one land parcel, a small cemetery would be on a second land parcel, and the existing heritage church with a new 'ministry centre' would occupy the third land parcel. Twenty-four new, affordable rental housing units for seniors would be located above the new ministry centre in an air space parcel.

Official Community Plan [OCP] Consultation

The OCP's current designation for the property is "Institutional", which does not support an option for standalone residential uses. Therefore, the proposed amendment to the Official Community Plan would consist of an amendment to Schedule 'A' of the Official Community Plan, Bylaw No. 2646, being the Land Use Designation Map, by creating a site specific Land Use Designation for the subject site that would allow: exclusive medium density residential uses, and institutional uses (church, ministry centre and cemetery).

Section 475(1) of the *Local Government Act* states: 'During the development of an official community plan, or the repeal or amendment of an official community plan, the proposing local government must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected.' Section 475 (2) (b) provides the following list of organizations and authorities that Council must specifically consider whether consultation is required with:

- (i) The board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan;
- (ii) The board of any regional district that is adjacent to the area covered by the plan;
- (iii) The council of any municipality that is adjacent to the area covered by the plan;
- (iv) First Nations;
- (v) Boards of education, greater boards, and improvement district boards; and
- (vi) The Provincial and Federal governments and their agencies.

Staff has reviewed the requirements of Section 475 of the *Local Government Act* and has provided a tentative list (Appendix 'A') of persons, organizations, and authorities that it feels should be consulted pursuant to Section 475 of the *Local Government Act*.

In addition, Section 476 of the *Local Government Act* requires the mandatory consultation with any school districts that incorporate the subject property. The boards of both School District No. 61 and School District No. 93 have been included in the list to address this requirement.

Under Section 475(2)(a) of the *Local Government Act*, Council must also 'consider whether the opportunities for consultation ... should be early and ongoing.' There have already been consultation efforts by the owner, with local residents, and the recommendation of this report would provide for early efforts specifically with respect to the OCP amendment.

ISSUES:

1. Rationale for Selected Option

By law, Council must consider who should be consulted and how they should be consulted for all Official Community Plan amendments.

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

This Request for Decision has no significant sustainability or environmental implications.

5. Communication & Engagement

OCP Amendment Consultation

In addition to the consultation list provided in Appendix 'A', Council may decide to further consult persons, organizations, and authorities that it considers will be affected by the proposed amendment.

Public Notification

As this is an OCP amendment and a rezoning application, should it proceed to a Public Hearing, a notice would be mailed to tenants and owners of properties within 100m (328 ft) of the subject property. Signs indicating that the property is under consideration for a change in zoning have been placed on the Esquimalt Road, Foster Street, and Grafton Street frontages of the property and would be updated to reflect the date, time and location of the Public Hearing. Additionally, notice of the Public Hearing would be placed in two editions of the Victoria News.

Applicant neighbourhood meeting submission

The applicant has indicated that they held a public meeting (open house) and met with neighbours on June 27, 2017 in order to comply with the public consultation procedures of Development Application Procedures and Fees Bylaw, 2012, No. 2791.

ALTERNATIVES:

1. That Council, having considered Sections 475 and 476 of the Local Government Act, authorize staff to circulate the Official Community Plan and Zoning Bylaw Amendment concept plan, attached as Appendix 'A', detailing the proposed development for 1379 Esquimalt Road / 520 Foster Street (St. Peter and St. Paul's Church) [PID 024-848-905; Lot A(DD EP75276), Suburban Lot 27, Esquimalt District, Plan 5092] to those persons, organizations and authorities identified in Appendix 'A' of Staff Report DEV-18-027.
2. That Council amend the list in Appendix 'A' by adding or deleting persons, organizations, and authorities that it considers will be affected by the proposed amendment to the Official Community Plan prior to authorizing Alternative '1'.