

Bylaw 2805

**Proposed Amendments to Zoning Bylaw 1992
No. 2050**

February 18, 2014 Public Hearing

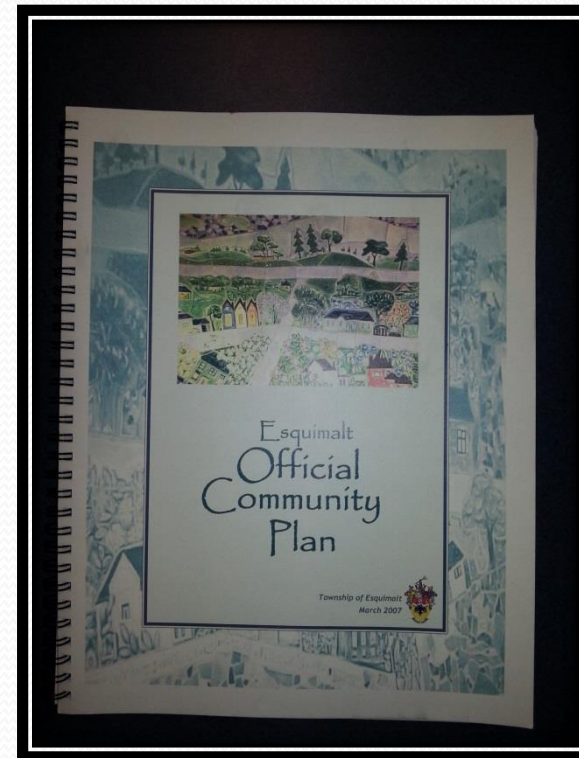
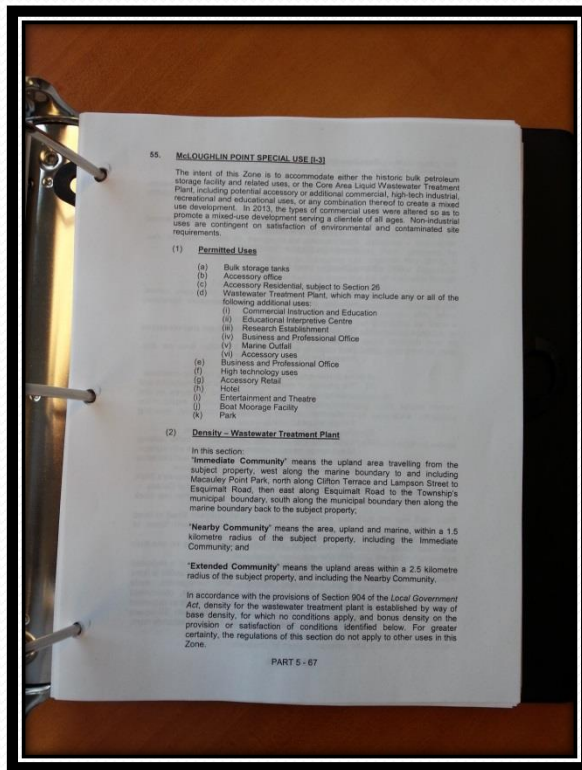
Township of
ESQUIMALT

The logo for the Township of Esquimalt features the words "Township of" in a small, white, sans-serif font above the word "ESQUIMALT" in a large, white, serif font. Below the text is a white, stylized wave graphic that curves under the letters.

Timelines

- January 30, 2013 – CRD submits OCP amendment application (becomes Bylaw 2804) and a rezoning application (becomes Bylaw 2805);
- June 24, 2013 - Bylaws 2804, 2805, and 2806 given 1st and 2nd readings;
- July 8th and 9th, 2013 – Public Hearing;
- July 15th, 2013 – Bylaws 2804 and 2806 given 3rd reading and adopted;
- July 15th, 2013 – Bylaw 2805 remains at second reading.

Timelines Con't



Timelines Continued

- July 22nd, 2013 – Minister of the Environment and Minister of Community, Sports, and Cultural Development encourage the Township and the CRD to negotiate an agreement.
- July 25th, 2013 – Negotiations commence;
- October 11th, 2013 – Negotiations successfully completed;

Timelines Continued

- November 12th, 2013 – Special Council meeting to process amended bylaw 2805 cancelled;
- November 13th, 2013 – CALWMP Committee sends CRD staff back to negotiate away mandatory bargaining and renegotiate heights and setbacks;
- November 19th, 2013 – Negotiating group reconvenes to discuss bargaining;

Timelines Continued

- December 3rd, 2013 – Negotiating group reconvenes to discuss heights and setbacks;
- December 4th, 2013 – Public Hearing does not go ahead as planned;
- December 20th, 2013 – CRD submits a revised bylaw 2805 and several revisions to the two agreements;

Timelines Continued

- January 6th, 2014 – Staff presents revisions to Council – Council instructs staff to send revisions to DRC and APC for review;
- January 8th, 2014 – DRC passes motion that recommends that Esquimalt Council adhere to the 7.5 m setback;
- January 14th, 2014 – APC recommends that the CRD's proposed amendments be denied;

Timelines Continued

- January 20th, 2014 – CRD requests two additional amendments to bylaw 2805.
- January 20th, 2014 – Esquimalt Council rescinds second reading of Bylaw 2805 and gives it a new second reading as amended.
- Council authorizes staff to schedule a public hearing.
- February 13th, 2014 – CRD officially submits proposed Section 219 Covenant to govern building setbacks.

OCP Regional Context Statement

- “The Township’s outstanding natural amenity – its saltwater shoreline – is of regional significance and will be carefully protected through the municipality’s land use and regulatory measures, while allowing for access and enjoyment by the region’s residents and visitors.”

OCP Consistency Test

- 884 (2) “All bylaws or works undertaken by a council, board, or greater board,...after the adoption of an official community plan... must be consistent with the relevant plan.”

What Are The Proposed Amendments?

- Permitted Uses:
 - Delete: “Bulk storage tanks”, “Accessory office”, and “Accessory Residential, subject to Section 26”;
 - Add: “Sewage pumping facility”, “Assembly Use”, and “Accessory Use”.

What Are The Proposed Amendments Con't?

- Delete the entire density section (i.e. Bonus Density Levels 1 to 3).
- Add a new “Density” section.
- Bonus Density =
 - FAR 0.15,
 - Maximum floor area 4,500 m²,
 - Maximum site coverage 75%
- Maximum discharge rate and maximum plant capacity removed.

What Are The Proposed Amendments Con't?

- Bonus Density Conditions:
 - Development Consistent with the Development Permit Guidelines;
 - Road Upgrades to precondition or better;
 - Lyall Street Enhancement – up to \$950,000.00;
 - Education and Interpretive Centre – minimum 75 m²;
 - Public Access and Public Walkway;

What Are The Proposed Amendments Con't?

- Bonus Density Conditions Con't
 - Boat Moorage:
 - Temporary Barge Facility,
 - Permanent watercraft landing for public and emergency access;
 - Public Open Space – Observation Point;
 - Public Art – Minimum \$100,000.00
 - Public Open Space Improvements (e.g. benches);
 - CRD Facilities Upgrade Macaulay upgraded to Craigflower standard.

What Are The Proposed Amendments Con't?

- Clarity on the meaning of “site coverage”.
- All Building heights start at 7.0 m above the High Water Mark.



Setback		Building Height		Coverage	
2050	2805	2050	2805	2050	2805
≤7.5 m from HWM	2.0 m to 7.5 m	0.0 m	10.5 m	0%	10%
≤7.5 m from the front yard	0.0 m	0.0 m	12 m to 15 m	0%	?
≤4.5 m from N side	≤4.5 m from N	0.0 m	0.0 m	0%	0%
7.5 m to 20.0 m		5.0 m	12.0m up to 35% coverage and 35% length of shoreline and 5.0 m for 65%	75% at Bonus Level 3	75% at Bonus Density
> 20.0 m		10.0 m	12.0 m to 15.0 m (up to 15% of total area)		

What Are The Proposed Amendments Con't?

	2050	2805
Landscaping	4.0 m buffer along coast	20% of the area is left in a natural state, hard or soft landscaping, or covered with a green roof.
	2.5 m buffer along front and side setbacks	
Design Guidelines	N/A	Building design and finish to enhance pedestrian walkway.

Host 5-Year Agreement

- Barging;
- Traffic Management Plan;
- LEED[®] Gold Operations and Maintenance Building;
- Odour-reducing Improvements;
- Design Review Process;
- Restoration of roads;
- Resource Recovery System - \$7.5 M Capital Contribution;

5 – Year Agreement Con't

- \$200,000 reimbursement for due diligence costs if Esquimalt accepts the heat loop;
- Water System Upgrades;
- Conduits;
- Additional traffic integration improvements;
- Emergency and Public Seasonal Access;
- Lyall Street improvements;

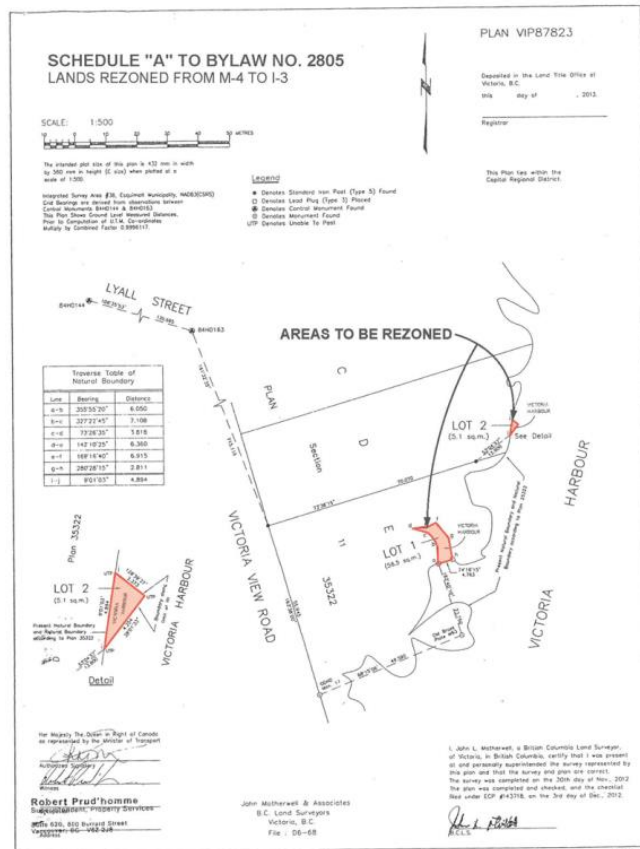
5-Year Agreement Con't

- \$100,000 public art contribution;
- Macaulay Point Pump Station Upgrade;

Community Impact Mitigation & Operating Agreement

- \$55,000 per year + CPI;
- \$55,000 does not apply after Esquimalt accepts the heat loop if it accepts the heat loop;
- Liaison committee to be established;
- No biosolids treatment plant; and
- CRD to deal with all odour problems expeditiously.

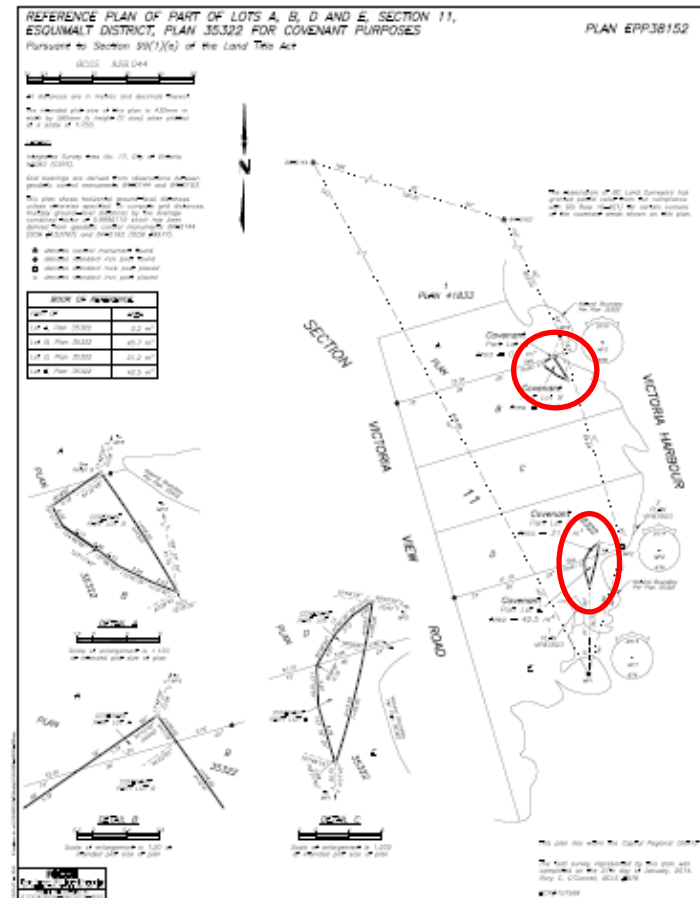
Two Additional Small Lots



Township of
ESQUIMALT

Section 219 Covenants

- Proponent 3



Questions

