



TOWN OF VIEW ROYAL NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to Sections 890 and 892 of the *Local Government Act* that a Public Hearing will be held at **Town of View Royal Town Hall, 45 View Royal Avenue, Victoria, B.C. at 7:00 p.m. on Tuesday, September 16, 2014** for the purpose of hearing representations concerning the proposed amendments to Official Community Plan Bylaw No. 811, 2011 and Land Use Bylaw, 1990, No. 35 generally described as follows:

A. Bylaw No. 893, 2014 proposes to amend Official Community Plan Bylaw No. 811, 2011, as follows:

1. By amending the “Community Development Framework” section to clarify that the development of future town center site and some of the future neighbourhood centers would be preceded by rezoning applications from the respective property owners rather than through a Town-initiated rezoning.
2. By amending the “Land Use Designations: Relationship to the Zoning Bylaw” section to clarify that the new Zoning Bylaw is not intended to address all inconsistencies with the Official Community Plan for every property and zone; however future rezoning must be consistent with the Official Community Plan.
3. By replacing “Land Use Designations: Density Bonusing and Phased Development Agreements” section to clarify that creation of site specific zones may be required in the new Zoning to address Floor Space Ratio and density figures supported in the Official Community Plan.
4. By replacing “Part 5 – Implementation, Policy Pl.1.1 Implementation Tools” section to clarify that the new Zoning Bylaw would be expected to update most but not all of the specific Official Community Plan policies, in particular leaving comprehensive development area designations to be updated at time of site-specific proposals.
5. By amending Schedule "L" Land Use Designations by redesignating lands owned by the Town of View Royal at **Thetis Cove - (no address) Hallowell Road** shown boldly outlined on the sketch plan attached hereto as “Schedule 1” and legally described as LOT 1, ESQUIMALT DISTRICT, PLAN VIP81967 from *Integrated Mixed-Use (IMU)* to *Parks, Open Space and Recreation (P)*.
6. By amending Schedule "L" Land Use Designations by redesignating lands at **Gibraltar Bay Common Property - (no address) Palmer Station** shown boldly outlined on the sketch plan attached hereto as “Schedule 2” and legally described as GIBRALTAR BAY – COMMON PROPERTY, PLAN VIS5123 from “*no designation*” to *Residential (R)*.
7. By amending Schedule "L" Land Use Designations by redesignating lands at **Mill Hill Regional Park - (no address) Island Highway** shown boldly outlined on the sketch plan attached hereto as “Schedule 3” and legally described as LOT 35, SECTION 98, ESQUIMALT DISTRICT, PLAN VIP748, EXCEPT PART IN PLAN VIP71970, from *Rural (RU)* to *Parks, Open Space and Recreation (P)*.

8. Amendment to Schedule "L" Land Use Designations by redesignating lands at **380 Kislingbury Lane** shown boldly outlined on the sketch plan attached hereto as "Schedule 4" and legally described as LOT 2, ESQUIMALT DISTRICT, PLAN VIP18995 from *Community Facility (CF)* to *Residential (R)*.

B. Bylaw No. 894, 2014 proposes to amend Land Use Bylaw 1990, No. 35, as follows:

1. By deleting Part 5 - Permits, Part 6 – Zoning, and Part 7 – Divisions 1 (Parking), 4 (Flood Plain) and 5 (Riparian Areas Regulation) in their entirety; and
2. By deleting Schedule 1 – Zoning Map, Schedule 6B – Application for Tree Cutting Permit, Schedule 7 – Off-Street Parking Covenant and Schedule 15 – Application for a Permit to Deposit or Remove Soil in their entirety.

C. Bylaw No. 900, 2014 proposes the following:

1. By adopting text and map schedules to form an integral part of a new Zoning Bylaw as Zoning Bylaw No. 900, 2014.

TAKE NOTICE that more detailed information concerning the subject bylaws and any other reports, studies or other documents that may be considered by Council can be obtained at the Town of View Royal Municipal Office, Development Services Department, 45 View Royal Avenue, Victoria, B.C. (Telephone: 250-479-6800) between the hours of 8:30am and 4:30pm Monday to Friday, September 3, 2014 to September 16, 2014.

All persons who believe that their interest in property is affected by the proposed Bylaws shall be afforded an opportunity to be heard in person, by a representative or by written submission on all matters contained therein at the above-noted time and place. If you are unable to attend the Hearing, written comments may be mailed, facsimiled, emailed or hand delivered to the Town of View Royal by **no later than 4:30pm on September 16, 2014**.

Mail: Development Services Department, Town of View Royal, 45 View Royal Ave,
Victoria, BC. V9B 1A6

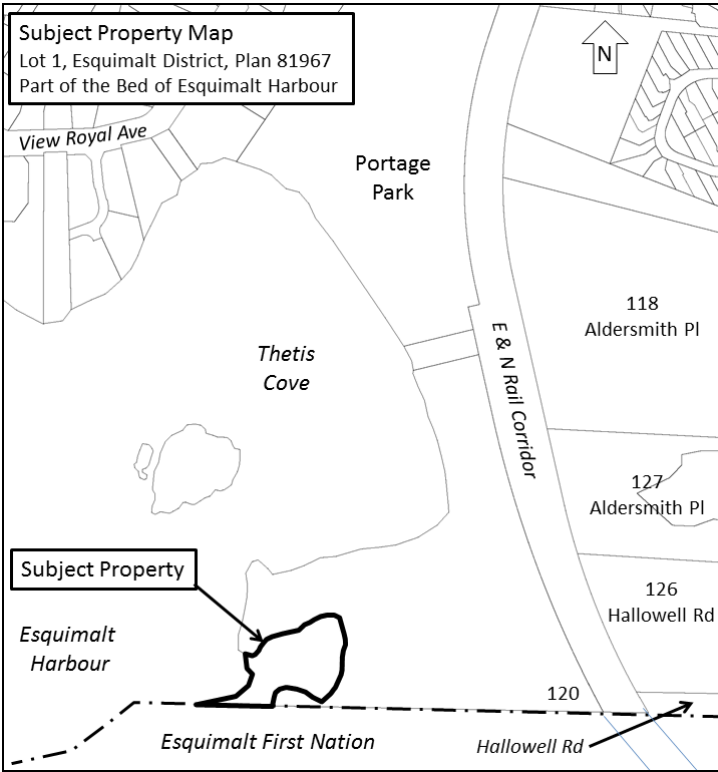
Facsimile: 250-727-9551

Email: info@viewroyal.ca

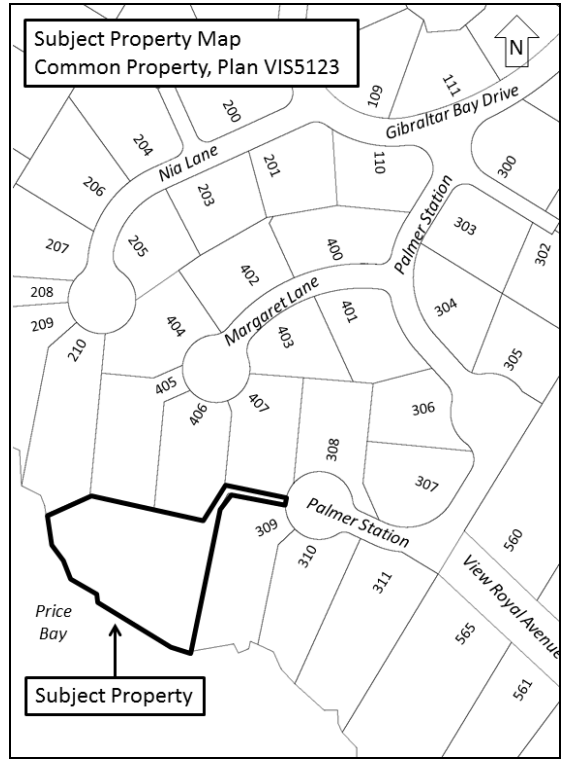
Please note that Council may not receive any further submissions concerning the subject Bylaws after the Public Hearing has concluded.

Dated September 2, 2014

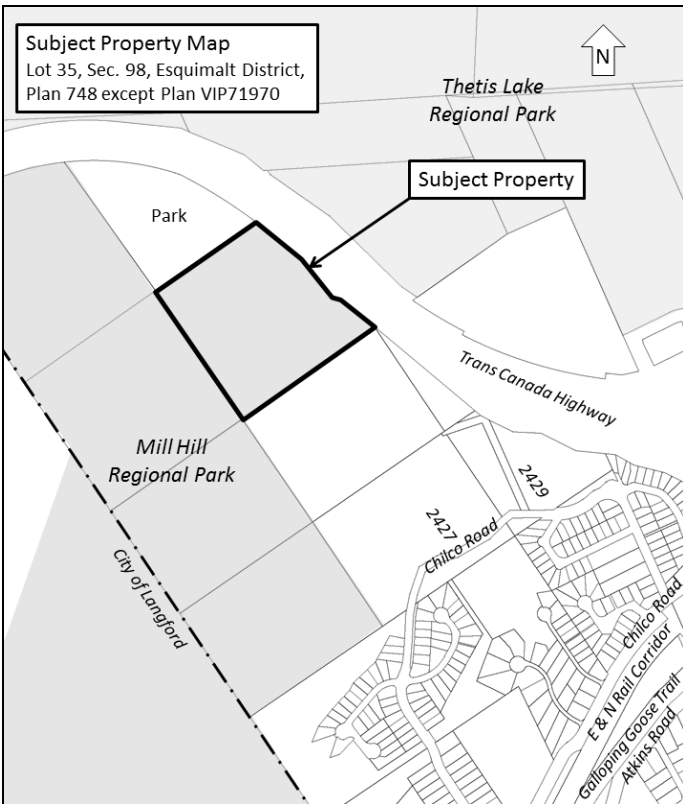
SCHEDULE 1



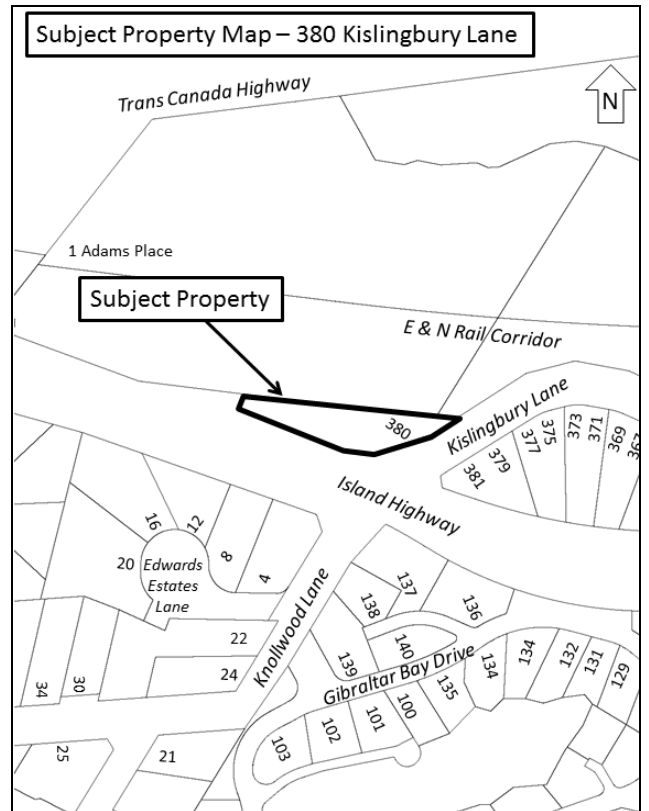
SCHEDULE 2



SCHEDULE 3



SCHEDULE 4





TOWN OF VIEW ROYAL COUNCIL REPORT

TO: Council

DATE: September 9, 2014

FROM: Lindsay Chase, RPP
James Davison, RPP

MEETING DATE: September 9, 2014

FILE NO.:

Zoning Bylaw Review

RECOMMENDATION:

THAT Council amend Bylaw No. 893, 2014 to amend Schedule "L" Land Use Designation by re-designating lands at Gibraltar Bay Common Property - (no address) Palmer Station shown boldly outlined on the sketch plan attached hereto as "Schedule 1" and legally described as Common Property, Plan VIS5123 to Residential (R);

AND THAT, having considered appropriate consultation, both early and ongoing, with various persons, organizations and authorities considered to be potentially affected, with the current change considered relatively minor to the previous referral of the OCP Amendment Bylaw, including with the School Board of School Districts #61 and 62, all in consideration of and compliance with the *Local Government Act*, Staff be directed to email a copy of the amended OCP Amendment Bylaw to the same referral agencies, and the Bylaws continue to Public Hearing on September 16, 2014:

AND THAT the OCP Amendment Bylaw No. 893, 2014 is considered in accordance with the Town's financial plan and relevant waste management plans.

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

I concur with the recommendation.

PURPOSE OF REPORT:

To correct an administrative mapping error.

TIME CRITICAL:

Yes. The public hearing has been scheduled and notifications have gone out.

BACKGROUND:

The July 9, 2014 report from the Director of Development Services included an erroneous mapping change to the common property at Gibraltar Bay. In that report it was suggested that the land be designated as Park, however this is not consistent with the current or proposed zoning for this site. I also note that this is not consistent with how other common property within strata development is treated and is inconsistent with the Towns Financial Plan (i.e. we have not set aside funds to purchase said lands). Finally, public access to this site is already secured via a SRW and additional steps to secure the property are not required.

PROJECT INFORMATION:

See above.

BUDGET IMPLICATIONS:

None.

POLICY IMPLICATIONS:

With consideration of an amendment to the OCP, and pursuant to S. 879 of the *Local Government Act*, the local government must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. The local government must:

- a) consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing, and
- b) 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. school district boards, greater boards and improvement district boards, and
 - vi. the Provincial and federal governments and their agencies.

Staff note that the notice of public hearing and the public hearing itself are considered an opportunity for public consultation. As this map amendment is perceived to be very minor, staff will provide email notice to the groups that previously received a referral in July. A Council resolution is however required, as highlighted in the recommendations section. Staff also note that pursuant to Section 882(3)(a) of the *Local Government Act* none of the lands impacted by any of the OCP amendments are in the Agricultural Land Reserve and therefore additional referrals to that agency are not warranted.

ALTERNATIVES TO STAFF RECOMMENDATION:

If Council wishes to designate the lands at Gibraltar bay as Park Land under the OCP, a different Public Hearing Date must be selected and the financial plan should be amended to allow for the purchase of the lands.

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SUBMITTED BY:

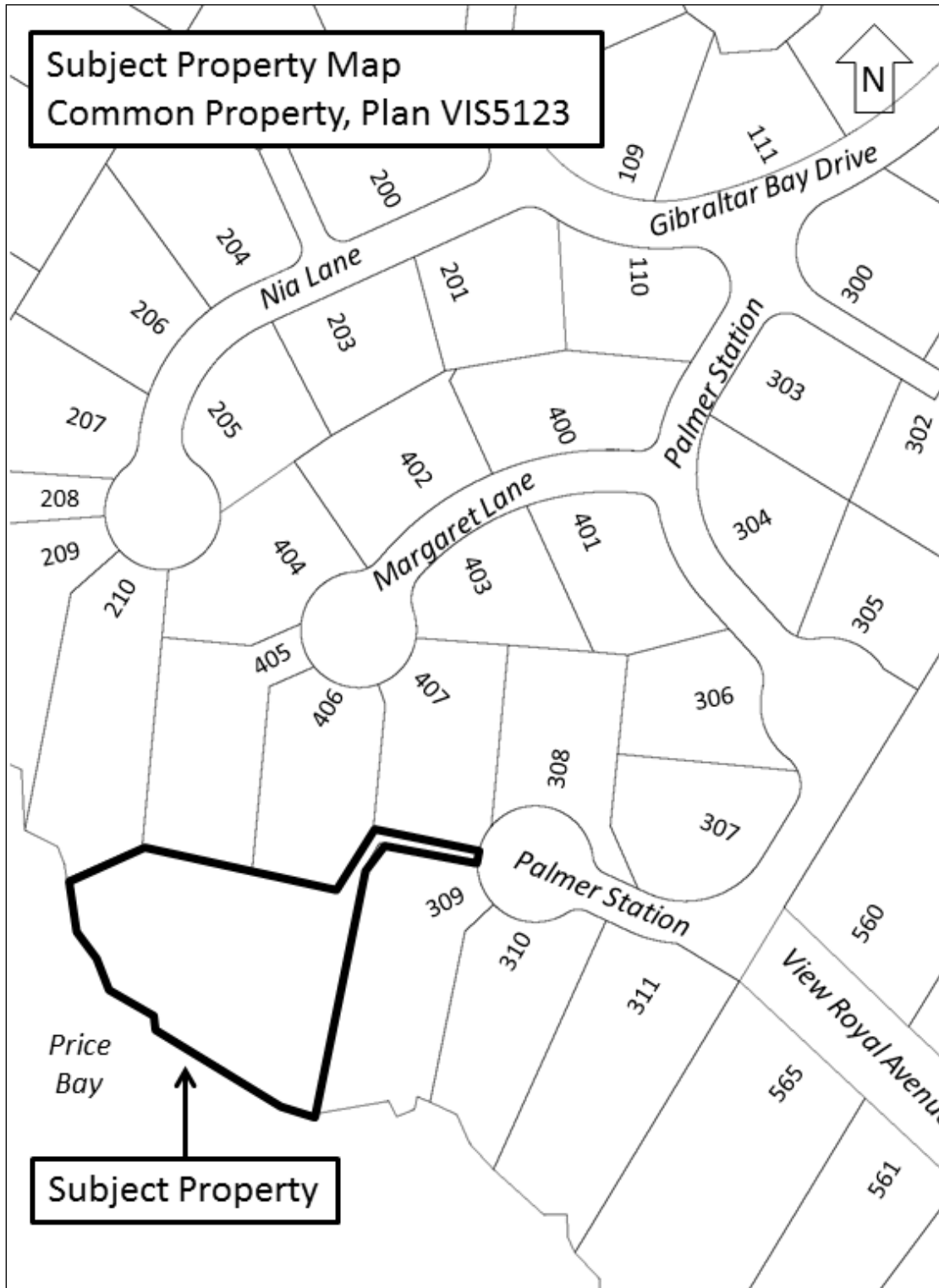
Lindsay Chase, Director of Development Services

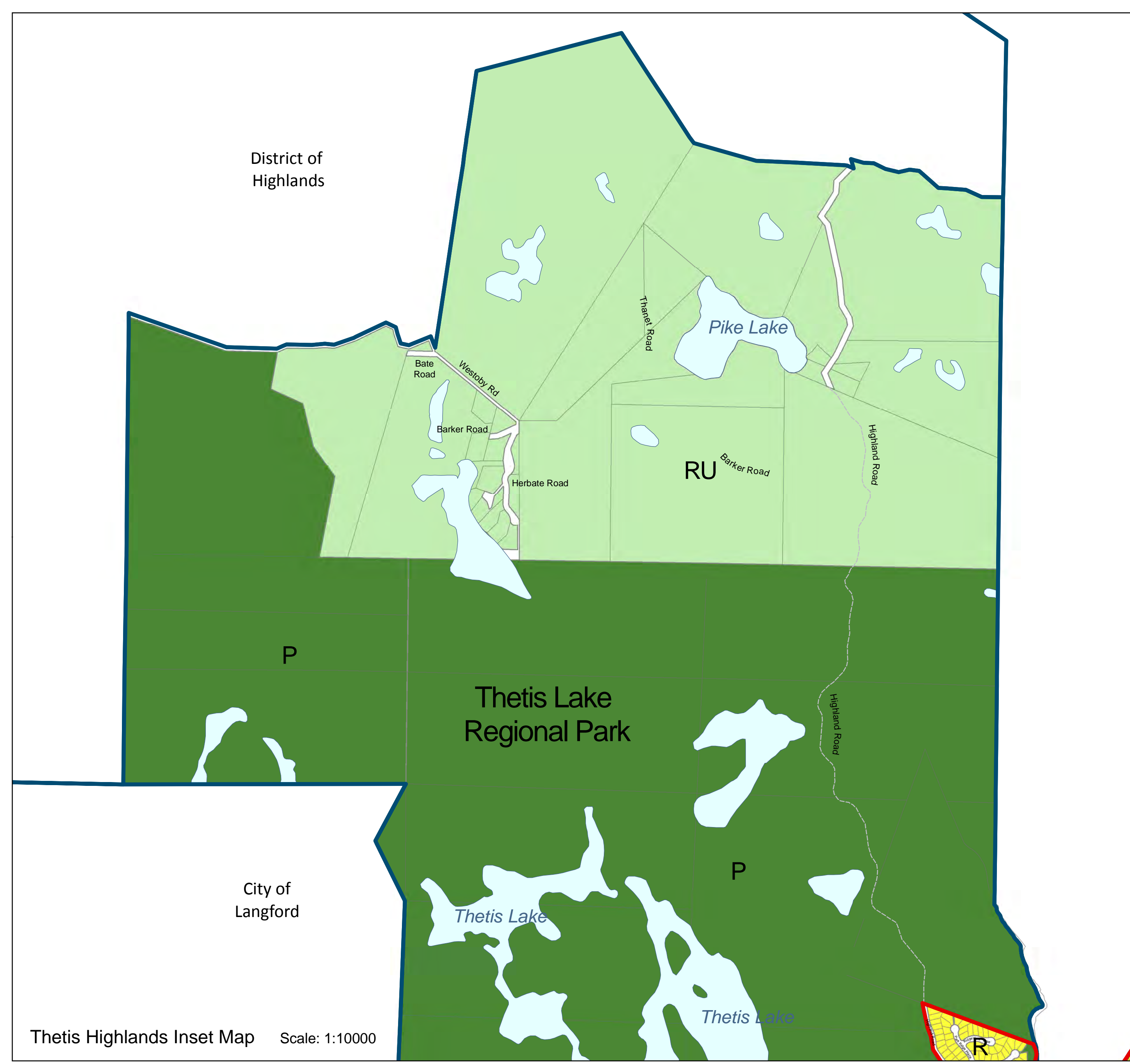
REVIEWED BY:

Kim Anema, Chief Administrative Officer

Attachments

- 1. Subject Property Map—Common Property Gibraltar Bay Strata**





- Galloping Goose Regional Trail
- Railway
- Trans Canada Highway
- Major Roads
- Municipal Boundaries
- Water Features
- Commercial (C)
- Community Facility (CF)
- Intensive Mixed Use (IMU)
- Mixed Residential (M-R)
- Neighbourhood Mixed-Use (NMU)
- Park, Open Space, Recreation (P)
- Residential (R)
- Large Lot Residential (R-L)
- Rural (RU)



TOWN OF VIEW ROYAL

OFFICIAL COMMUNITY PLAN

LAND USE DESIGNATIONS

Schedule L of Official Community Plan Bylaw No. 811

