



Committee of the Whole Report For the Meeting of July 15, 2021

To: Committee of the Whole **Date:** June 30, 2021

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00785 for Gorge Waterway Park

RECOMMENDATIONS

1. That first and second reading of the Zoning Regulation Bylaw Amendment outlined in Rezoning Application No. 00785 for Gorge Waterway Park be considered by Council and a Public Hearing date be set.
2. That Council advance this matter for ratification at the July 15, 2021 daytime Council meeting and proceed with giving the bylaws introductory readings at this same meeting so that a Public Hearing can be scheduled for August 5, 2021.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a rezoning application for Gorge Waterway Park. The proposal is to amend the GWP Zone, Gorge Waterway Park District to allow public docks, wharfs and piers, which would allow for the expansion of the existing Gorge Waterway Park swim dock.

The following points were considered in assessing this application:

- The proposal would facilitate the expansion of an existing recreational amenity.
- The proposal is consistent with the Marine designation within the *Official Community Plan*, which envisions recreational activities as well as moorage structures.
- The proposal is consistent with the *Victoria West Neighbourhood Plan*, which envisions improving existing public docks, wharfs and other public access for neighbourhood swimming.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone from the GWP Zone, Gorge Waterway Park District to a site-specific zone to allow public docks, wharfs and piers, which would facilitate the expansion of the existing swim dock within Gorge Waterway Park.

Sustainability

The City commissioned Golder Associates Inc. to complete an Aquatic Effects Assessment (AEA). This study reviewed the potential adverse consequences of construction in this aquatic environment and intertidal zone and recommended measures to mitigate such impacts. The consultant concluded that, with proper mitigation measures, the expansion of the existing dock and placement of proposed swim buoy anchors are unlikely to negatively impact the marine habitat.

Public Realm

This rezoning would facilitate the improvement of a public amenity at Banfield Park.

Accessibility

This rezoning application is specifically for the change of use to allow for public docks. Improved accessibility within Banfield Park will be included within future park improvement projects.

Land Use Context

Gorge Waterway Park is located adjacent to Banfield Park and the Selkirk Trestle, at the north end of Victoria harbour. The lands surrounding the park are generally occupied by single family dwellings and Craigflower Village at the south, and single-family dwellings to the northwest as well as multi-unit residential to the northeast.

Existing Site Development and Development Potential

The site is the water lot adjacent Banfield Park and has an existing public swim dock installed on the shoreline. Under the current GWP Zone, Gorge Waterway Park District, the property is intended to be used as a park with water related recreational activities.

Relevant History

On May 27, 2021, Council passed the following motion:

That Council direct staff to:

- 1. Prepare amendments to the Gorge Waterway Park Zoning Regulation Bylaw in order to facilitate the expansion of the Banfield Park swimming dock;*
- 2. Waive the requirement for pre-submission Community Association Land Use Committee consultation;*
- 3. Direct staff to initiate development of the Gorge Waterway Park Management Plan, with input from representatives of the Gorge Swim Fest Society; and*
- 4. Direct staff to report back on the feasibility of enhancing Banfield Park for access to the shoreline in the 2022 Strategic Plan.*

The amendments to the Gorge Waterway Park Zoning have been prepared (Attachment D). The recommended motion would allow Council to proceed to first and second readings of the bylaw and a Public Hearing.

Community Consultation

On May 27, 2021, Council waived the requirement to participate in a *Community Association Land Use Committee (CALUC)* meeting for this application. The application was forwarded to the Victoria West CALUC for comment on June 17, 2021. At the time of writing this report, a letter from the CALUC had not been received.

ANALYSIS

Official Community Plan

The subject property is designated as Marine within the *Official Community Plan*. This urban place designation envisions recreational activities and moorage structures and seeks to protect recreational attributes of the Marine waters of Juan de Fuca Strait east of the Ogden Point Breakwater and the Gorge Waters north of the Selkirk Trestle. In addition, the strategic directions for Victoria West include providing enhanced access to the waterfront.

Victoria West Neighbourhood Plan

The proposal is consistent with the *Victoria West Neighbourhood Plan*, which speaks to updating the existing park amenities including docks:

“Support community-led efforts in partnership with the City to create new and/ or improve existing public docks, wharves and other public access for neighbourhood swimming and/or watercraft with possible locations at Banfield Park, subject to habitat and environmental considerations.”

Tree Preservation Bylaw and Urban Forest Master Plan

There are no *Tree Preservation Bylaw* impacts associated with this application and there are no impacts to public trees.

CONCLUSIONS

The proposal to amend the GWP Zone to allow for public docks is consistent with the OCP and the *Victoria West Neighbourhood Plan*. The rezoning would facilitate the expansion of the existing dock and improve the recreational amenities in the area.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00785 for Gorge Waterway Park.

Respectfully submitted,

Mike Angrove
Senior Planner
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Committee of the Whole Report from the May 27, 2021 meeting
- Attachment D: Proposed Bylaw No. 21-072.