



Committee of the Whole Report For the Meeting of September 21, 2017

To: Committee of the Whole **Date:** September 1, 2017
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: OCP Amendments to Align with Gonzales Neighbourhood Plan

RECOMMENDATION

That Council:

1. Consider consultation under Section 475(1) and 475(2) of the *Local Government Act* and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation, a public open house, and a meeting with owners of property within proposed heritage conservation areas, concurrent with public review of the proposed Gonzales Neighbourhood Plan.
2. Consider consultation under Section 475(2)(b) of the *Local Government Act* and direct staff:
 - a. to refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, the School District Board, the Council of Oak Bay, Island Health Board of Directors; and
 - b. that no referrals are necessary to the Capital Regional District Board, or the provincial or federal governments.
3. Direct staff to prepare Official Community Plan amendment bylaws following consultation to adjust urban place designations, adjust development permit area boundaries and guidelines, and create a new heritage conservation area in accordance with feedback received on the proposed Official Community Plan amendments.
4. Refer the proposed Gonzales Neighbourhood Plan to the meeting of Council at which the above Official Community Plan amendments Public Hearing is held, for consideration of final approval.
5. Following approval of the proposed Gonzales Neighbourhood Plan, rescind the Gonzales Neighbourhood Community Plan (2002).

EXECUTIVE SUMMARY

The purpose of this report is to advise Council on proposed amendments needed for the Official Community Plan (OCP) to ensure it aligns with the Gonzales Neighbourhood Plan, and for Council to turn their minds to consultation necessary for the proposed OCP amendments. Based on consultation on the draft Gonzales Neighbourhood Plan with the public, affected stakeholders, and Council, staff are preparing the final plan and parallel amendments to the OCP to align urban place designations and implement development permit areas (DPA) and heritage conservation areas (HCA).

In accordance with Section 475 of the *Local Government Act*, Council must turn their minds to appropriate public consultation for the proposed OCP amendments. This includes timing of the consultation (whether early, repeated, etc.), who will be affected, and therefore ought to be

consulted, and the extent of that consultation. It is recommended that consultation be in the form of online public consultation, outreach to key stakeholders, a public open house regarding the proposed plan and OCP amendments, and a homeowner's meeting regarding the proposed HCAs. Following this, the findings of the consultation and the proposed OCP amendments will be considered by Council. After readings of the OCP amendment bylaws, there will be a Public Hearing for the OCP amendments, and at the same Council meeting, consideration of the final Gonzales Neighbourhood Plan for approval.

PURPOSE

The purpose of this report is to seek Council's direction to consult with those affected by proposed amendments to the OCP as outlined in this report, concurrent with public review of the proposed Gonzales Neighbourhood Plan.

BACKGROUND

On July 13, 2017, Council considered the draft Gonzales Neighbourhood Plan and directed staff to:

1. Refer the draft Gonzales Neighbourhood Plan and draft Design Guidelines for Intensive Residential Development - Townhouse and Rowhouse to the Advisory Design Panel for comment.
2. Refer the draft Gonzales Neighbourhood Plan to the Heritage Advisory Panel for comment.
3. Direct staff to create Gonzales-specific guidelines or exemptions for the proposed Heritage Conservation Areas that address feedback from homeowners, community and Heritage Advisory Panel.
4. Invite further public comment to inform Council's consideration of the next iteration of the plan.

Following the Council workshop, staff made a number of revisions to the draft Gonzales Neighbourhood Plan, and are currently in the referral process with the Advisory Design Panel and Heritage Advisory Panel on the above items.

LEGISLATIVE AUTHORITY

Section 475 of the *Local Government Act* requires that during an amendment of an official community plan, the proposing local government must provide one or more opportunities it considers appropriate for consultation (in addition to the public hearing requirements later on in the process). In addition to the general requirement to consider appropriate consultation with persons, organizations and authorities it considers will be affected, the local government must specifically consider whether consultation is required with the following:

- 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
- the board of any regional district that is adjacent to the area covered by the plan
- the council of any municipality that is adjacent to the area covered by the plan
- first nations
- boards of education, greater boards and improvement district boards
- the provincial and federal governments and their agencies.

ISSUES & ANALYSIS

Proposed OCP Amendments

The following OCP amendments are proposed to align with the land use and urban design directions in the Gonzales Neighbourhood Plan, which has been informed by public engagement during 2016-2017:

1. Revise urban place designations to reflect the following (Attachment A):
 - a. add opportunities for multi-unit buildings up to 3 storeys on Fairfield Road between St. Charles Street and Foul Bay Road, as part of the Traditional Residential Urban Place Designation in Figure 8: Urban Place Designations
 - b. designate properties at Fairfield Road, Wildwood Avenue and Lillian Street as "Small Urban Village."
2. Expand Development Permit Area 7A: Corridors, to include Fairfield Road between St. Charles Street and Foul Bay Road and apply the *Revitalization Guidelines for Corridors, Villages and Town Centres* with content specific to Gonzales added (Attachment A, B).
3. Propose a new Development Permit Area 15F: Intensive Residential - Townhouse and Rowhouse with new guidelines to apply to the entire Gonzales neighbourhood (Attachment C).
4. Create a new Heritage Conservation Area 2: Traditional Residential for portions of Redfern Street, Lower Foul Bay Road and Upper Foul Bay Road, with clear permit exemptions and guidelines for minor alterations to newer homes and to balance heritage conservation principles with energy efficiency retrofits (Attachment D).

The proposed OCP amendments are in the process of referral to Advisory Design Panel and Heritage Advisory Panel, and their input will be considered in making revisions to proposed amendments.

Recommended Consultation

To meet the requirements of the *Local Government Act* when OCP amendments are considered, staff propose online engagement and a public engagement event, anticipated as follows:

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| September: | Invite homeowners affected by the proposed HCAs to a meeting for information on the proposed OCP amendments. |
| October: | Initiate online public engagement, refer to the affected groups noted below. Hold a public open house and meeting with homeowners in the proposed HCAs.
Revise OCP amendments based on the results of public consultation |
| November: | Provide a summary of engagement to Council when the OCP amendment bylaws are introduced for readings. |
| December: | Hold a Public Hearing on the OCP amendments and consider approval of the final Gonzales Neighbourhood Plan. |

Referral to the following groups are recommended:

- Songhees Nation and Esquimalt Nation as the Gonzales neighbourhood is located within their traditional territories
- Island Health as adjustments to Urban Place Designations affect the Glengarry Hospital site
- the Greater Victoria School District Board (GVSD) as adjustments to an Urban Place Designation affect the Margaret Jenkins School site
- the Gonzales Neighbourhood Plan will be referred to District of Oak Bay as a courtesy due to the shared boundary with Gonzales.

Staff do not recommend referral to other groups including the Capital Regional District Board or the provincial and federal governments as the proposed OCP amendments do not impact these entities or the use of properties owned by these entities.

OPTIONS & IMPACTS

Accessibility Impact Statement

A design guideline that encourages accessibility in open space design was added to the Design Guidelines for Intensive Residential – Townhouse and Rowhouse on the recommendation of the Advisory Design Panel.

2015 – 2018 Strategic Plan

This milestone in the Gonzales Neighbourhood Plan process supports Strategic Plan, Objective 3: Strive for Excellence in Planning and Land Use, which contains actions and outcomes to undertake local area planning focused on urban villages and transportation corridors.

Impacts to Financial Plan

The proposed OCP amendments do not impact the Financial Plan as costs associated with public engagement are provided under the current project budget.

Official Community Plan Consistency Statement

While the draft Gonzales Neighbourhood Plan contains policy directions that are in line with the broad growth objectives and policies of the OCP, some amendments to the OCP are required to align the two plans given the finer grain of detail that emerged out of the neighbourhood plan process and to implement the urban design and heritage objectives.

CONCLUSIONS

Bringing forward proposed amendments to the OCP in parallel with the Gonzales Neighbourhood Plan will provide engagement efficiencies, meet the consultation requirements of the *Local Government Act*, and ensure both plans are aligned. Plan alignment will provide more clarity for the public, landowners and developers seeking to submit development proposals to the City, and for staff in providing development advice to applicants.

Respectfully submitted,



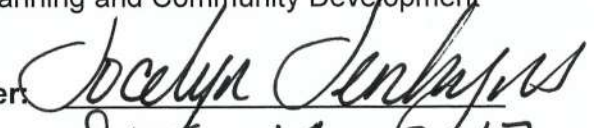
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Jonathan Tinney
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Report accepted and recommended by the City Manager

Date:


Sept. 14, 2017

List of Attachments

- Attachment A: Proposed OCP Amendments: Land Use and Development Permit Areas
- Attachment B: Draft Revitalization Guidelines for Corridors, Villages and Town Centres
- Attachment C: Draft Design Guidelines for Intensive Residential Development - Townhouse and Rowhouse
- Attachment D: Proposed OCP Amendment: Heritage Conservation Areas