

Staff Report

To: Joe Fernandez, Chief Administrative Officer
Referral agencies
From: James van Hemert, Consulting Planner
Date: 8/20/2021
Re: Application for amending the Official Community Plan--21 Oak Lane



Application Request

The Town has received an application to amend the Official Community Plan (OCP), changing the Land Use Map designation for 21 Oak Lane from Institutional to Urban Neighbourhood Compact. The property is 4.67 ha in total area, of which 3.05 ha is developable.

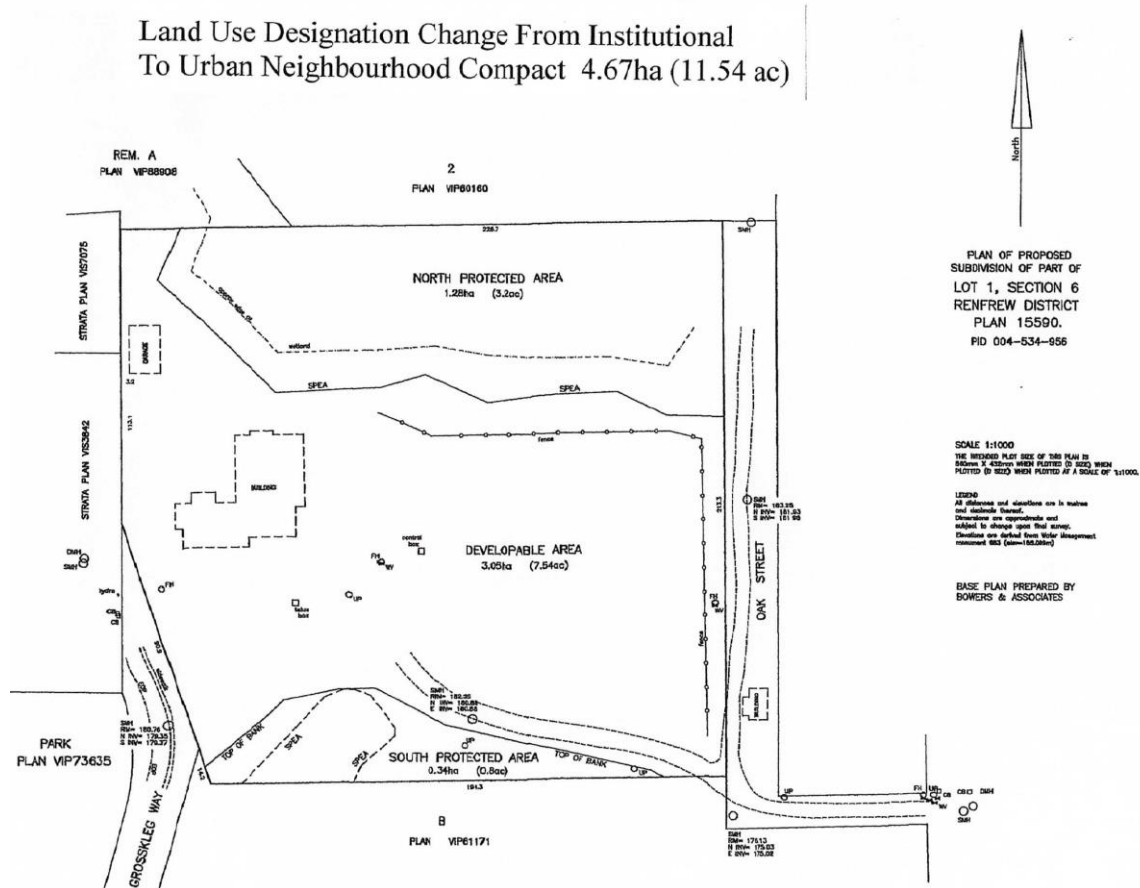


Figure 1 Property Details Presented in Application

Relevant Matters for Consideration

Background

The subject property was formerly owned by the Cowichan Valley School District and the closed building on the site served as the J.H. Boyd School and subsequently a maintenance facility. The land is used informally by residents for active recreation such as dog walking and jogging. Access is via a paved driveway at the western end of Oak Lane.

The land was considered for an urban development designation in the latest update to the OCP in 2018/19, but the citizen working groups and Advisory Planning Commission advised that the land retain its *institutional* designation, given the limited amount of land within the Town designated institutional.

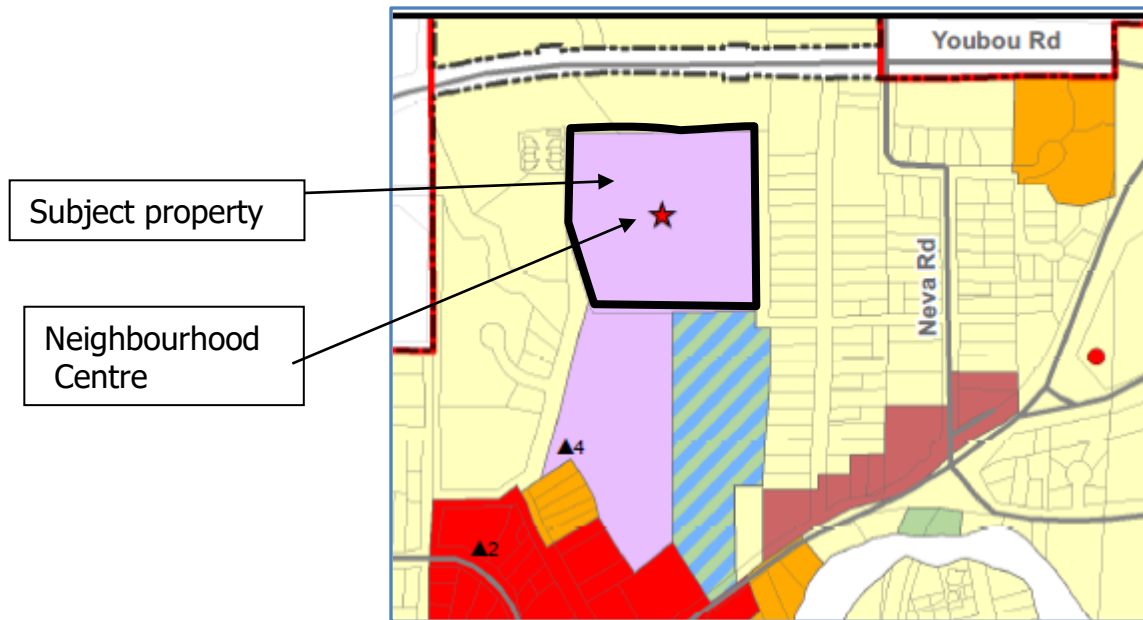


Figure 2 OCP Land Use Map

OCP Policy

1. Institutional use:

The goal and relevant supporting objectives for institutions are as follows:

5.3 Goal for Recreation, Parks and Institutions

A diverse range of recreational opportunities and institutional facilities and services is available for the enjoyment and needs of residents and visitors.

5.3.1 Objectives

- 1) *Provide active and passive recreational opportunities for people of all ages and capabilities.*
- 2) *Provide a comprehensive parks system emphasizing access to watercourses, walking, and cycling while ensuring adequate sports amenities, playgrounds, and green space.*
- 3) *Facilitate development of greenway corridors linking forests, parks, residential areas, and amenities within the Town, and linking the Town to adjacent Electoral Areas 'F' and 'I'. This will enable wildlife and people to move about easily and will provide recreational opportunities.*
- 4) *Provide institutional facilities and services in a central and neighbourhood locations, easily accessed by all.*
- 5) *Ensure all properties and facilities zoned as public use remain available for recreational and cultural activities, educational programmes, and community gardens.*

Commentary:

The concurrent applications (OCP and zoning amendments) do not incorporate any institutional facilities.

2. Neighbourhood Centre

The Land Use Map identifies a neighbourhood centre for this land. The 2018/19 OCP update working groups recommended this centre here because of the lack of any such amenities on the north side of the Cowichan Lake and river. The purpose of neighbourhood centres is as follows:

4.3.1.3 Neighborhood Centre Policies

*The purpose of a neighborhood centre is to provide a community focal point that may include limited local commercial uses such as convenience stores, coffee shops, personal services **and civic or institutional uses.***

Commentary:

The applicant has not proposed any facilities that would comprise a neighbourhood centre. While a commercial oriented centre, which would include amenities such as coffee shop or other retail, may not be feasible so near downtown, a neighbourhood recreational facility would be appropriate. The venue for proposing such facilities initially lies within the accompanying zoning bylaw amendment. *For the purpose of this amendment it is staff's*

position that this designated neighbourhood centre remains on the land use map.

3. Mobility and Transportation

The plan (map 2) identifies a multi-purpose trail running along the southern edge of the subject property, linking Oak Lane with Grossleg Way. Neither this OCP amendment application nor the accompanying zoning map amendment application recognize an obligation to incorporate this trail into its proposal.

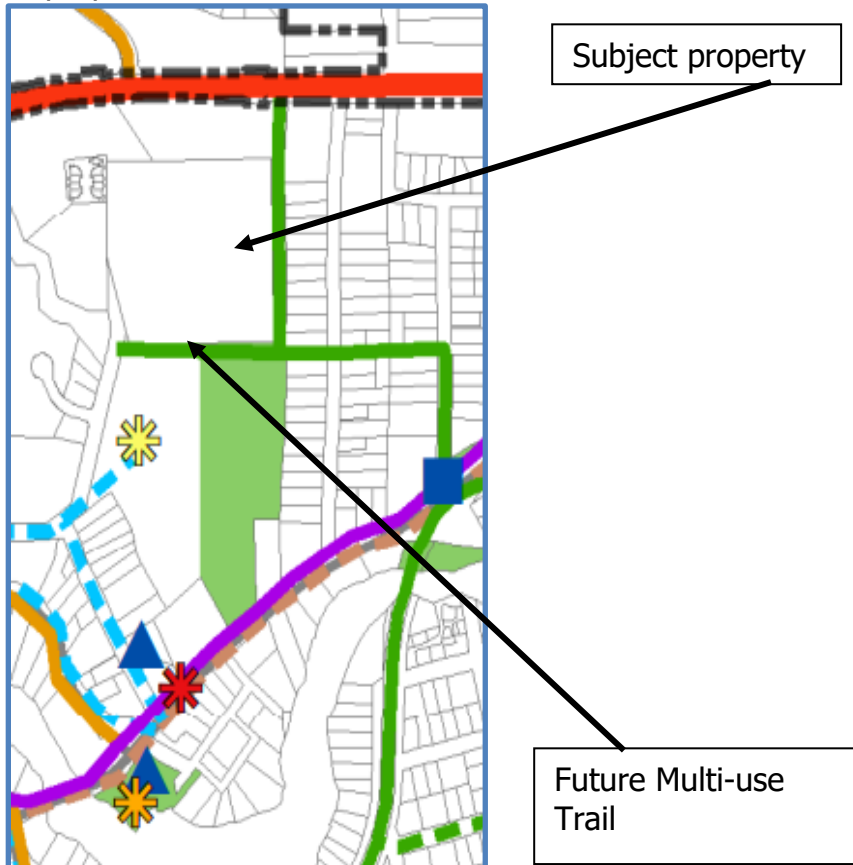


Figure 3 Excerpt of Map 2 Mobility and Transportation showing Multi-use Trail

Commentary

For the purpose of this amendment, it is staff's position that this multi-purpose trail designation remains on the Mobility and Transportation Plan map. It is an expectation that development proposals incorporate such facilities as shown in the plan.

4. Access

The subject property's future use is currently hampered by an inadequate second access point from Oak Lane. This second access point is necessary for public safety for any future development and requires purchase of land from the School District. The District is a willing seller. The applicant has been notified that it is his responsibility to approach the District and conclude a sale of land that would subsequently be provided to the Town for a public right of way. Further details and discussion on this point are provided in the accompanying application and report for rezoning.

5. Affordable Housing

Affordable housing is addressed comprehensively in the OCP. Specifically, relevant OCP policies include the following:

5.2.1.3 Affordable housing policies

- 1) Affordable housing may be provided by the private, non-profit, cooperative, and public sectors separately or through partnership models.
- 2) Affordable housing may be provided using a variety of tenure models including ownership, rental, co-housing, and cooperative.
- 4) In rezoning for increased density, a minimum 20% of housing units should be affordable in accordance with the density bonus policies.

Commentary

The applicant has verbally acknowledged the responsibility to address affordable housing and has offered in a separate e-mail to staff to provide \$500 per unit to an affordable housing fund. Should the OCP land use designation be amended to Urban Neighbourhood Compact, the specific vehicle for addressing this is the amending zoning bylaw (see accompanying rezoning application and report for details).

6. Geographical Extent of Land Use Designation Change

The application proposes a redesignation to Urban Neighbourhood Compact for the entire parcel of 4.67 ha, however, only 3.05 is developable. The remaining 1.62 acres is environmentally sensitive land adjacent to streams. The figure below identifies a more appropriate area that may be considered for redesignation.

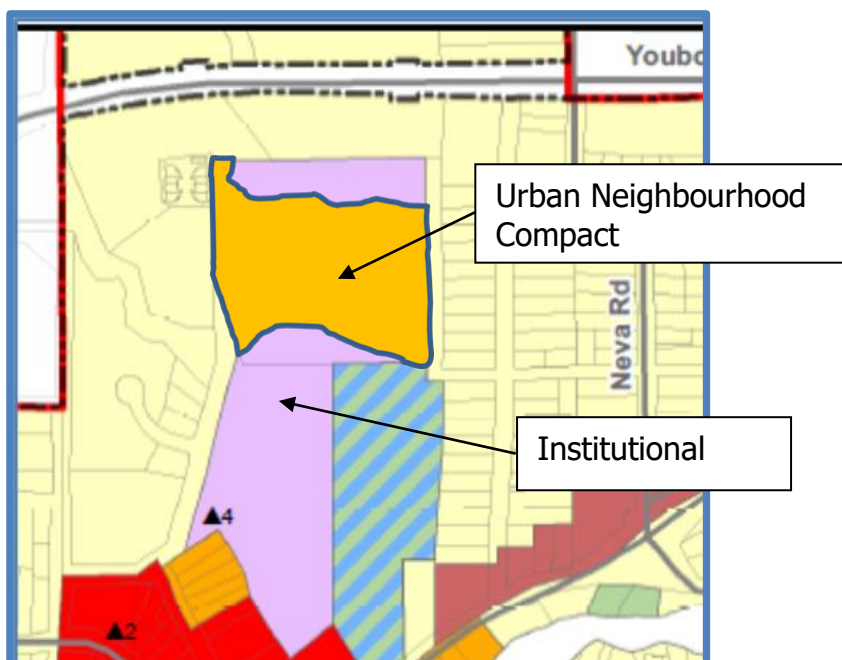


Figure 4 Land Use Designation Limited to Developable Area

7. Discussion

Approving an amendment request could be supported when the necessary supporting rationale and elements are evident in the implementing zoning bylaw amendment. In this case, that is to fully provide for public safety (second access), public amenities (trail, neighbourhood centre), and a robust affordable housing program, as detailed in the Official Community Plan maps and policies. These elements are not evident in the accompanying rezoning application.

8. Recommendation

Given the recent deliberation of the Advisory Planning Commission to retain the Institutional land use designation and the lack of an adequate second point of access from Oak Lane, there are sufficient grounds to deny this application to amend the OCP's Land Use Map to Urban Neighbourhood Compact.



James van Hemert, MCIP, RPP

Consulting Planner