



Staff Report to Council

Date: July 20, 2020
Department: Planning
Application No.: Z19-0029
Subject: Bylaw No. 1885 - Application to Rezone 1100 McCallum Road and 2780 Spencer Road to a new Mixed Use Employment Zone (MUE3) to Allow for Residential, Multi-Family, and Commercial Developments

At their Regular Meeting of February 18, 2020 Council passed the following resolution with respect to the properties at 1100 McCallum Road and 2780 Spencer Road:

That Council:

1. *Proceed with consideration of Bylaw No. 1885 to amend the zoning designation of the property located at 1100 McCallum Road and 2780 Spencer Road from R2 (One- and Two- Family Residential), CD12 (Comprehensive Development – South Skirt Mountain), RR4 (Rural Residential 4), RH1 (Mobile Home Park), and CT1 (Tourist Commercial – Motel) to a new MUE3 (Mixed-Use Employment 3) Zone subject to the following terms and conditions:*
 - a) *That the applicant provides, **as a bonus for increased density**, the following contribution prior to issuance of a building permit or subdivision approval: (SECURED IN BYLAW)*
 - i. *The dedication to the City of at least 4.0 hectares of land in a form and location to the satisfaction of the Director of Planning; and*
 - ii. *The dedication to the City, or the registration of a non-disturbance covenant, of any additional lands that a qualified professional determines should be protected as per their analysis of the development permit areas; and*
 - iii. *The construction of an 93m² (1,000 ft²) amenity building within Area 5 shown in Appendix A for the use of the residents of the mobile home park to the satisfaction of the Director of Planning.*

-
- b) That the applicant provides, **prior to Public Hearing**, the following: **(COMPLETE)**
- i. A technical memo from an engineer that verifies storm water can be adequately managed on-site for the proposed development, to the satisfaction of the Director of Engineering.
- c) That the applicant provides, **prior to Bylaw Adoption**, a Section 219 covenant, registered in priority of all other charges on title, that agrees to the following: **(COMPLETE)**
- i. That an overall mixed use concept plan implementing the objectives of the Mixed-Use Employment Centre OCP designation for each area identified in Appendix A be provided to the satisfaction of the Director of Planning prior to issuance of a Form and Character Development Permit for that area; and
 - ii. That a no-build and non-disturbance covenant be registered on Area 5 identified in Appendix A that restricts the use to a mobile home park only until the mobile home residents and Council approves a compensation plan for home owners per Council's Manufactured Home Park Redevelopment Policy; and
 - iii. That a qualified archaeologist assess the site prior to any site disturbance, and that the applicant complete the recommendations of the archeologist's report as a condition of development; and
 - iv. That all road dedication of new roads and/or widening of existing roads is provided prior to issuance of a building permit or subdivision approval, whichever is first, to the satisfaction of the Director of Engineering and Approving Officer; and
 - v. That a Traffic Impact Assessment (TIA) be completed prior to issuance of a master plan development permit to the satisfaction of the Director of Engineering for the proposed development, and that the recommendations of the TIA be implemented; and
 - vi. That a Statutory Right of Way be provided on 1121 McCallum Road (identified as Area 1 on Appendix A) for access to lands to the west prior to issuance of a building permit or subdivision approval, whichever is first; and
 - vii. That all frontage improvements to Bylaw 1000 standards are provided prior to issuance of a building permit or subdivision approval, whichever is first, to the satisfaction of the Director of Engineering;
 - viii. That a storm water management plan be provided prior to issuance of a building permit or subdivision approval, whichever is first, and implemented as per Bylaw 1000, all to the satisfaction of the Director of Engineering; and
 - ix. That the required parking stalls for this development are allocated for the use by individuals in each unit, as required by Bylaw 300 and designed accordingly, and that parking stalls are not rented out individually;

COMMENTS

The applicant's lawyer has provided a section 219 covenant that has been signed by the owner along with an undertaking that states they will register the covenant against the title of the subject properties as soon as it has been signed by the City. This covenant agrees to items i – ix of Section C in Council's resolution of February 18, 2020.

Bylaw No. 1885 was signed by the Minister of Transportation on May 8, 2020

OPTIONS

That Council:

1. Adopt Bylaw No. 1885.

OR

2. Take no action at this time with respect to Bylaw No. 1885.