

Public Hearing Binder

digital version

PURPOSE: Proposed "Colwood Land Use Bylaw No. 151, 1989, Amendment No. 180 (1764 Island Highway), Bylaw No. 1852, 2020" is to amend the current Colwood Land Use Bylaw No 151, 1989 to rezone from the Highway Commercial (CS2) Zone to a Mixed Use Employment Centre 2 (MUEC2) Zone to permit commercial and light industrial uses and development regulations for the subject property.

Within the binder, please find a copy of:

1. Notice of Development
2. Staff Report to Council (Aug. 30, 2021)
3. Staff Report to Committee of the Whole (June 21, 2021)
4. Proposed Bylaw
5. Council Resolution
6. Notice of Public Hearing
7. Public Input

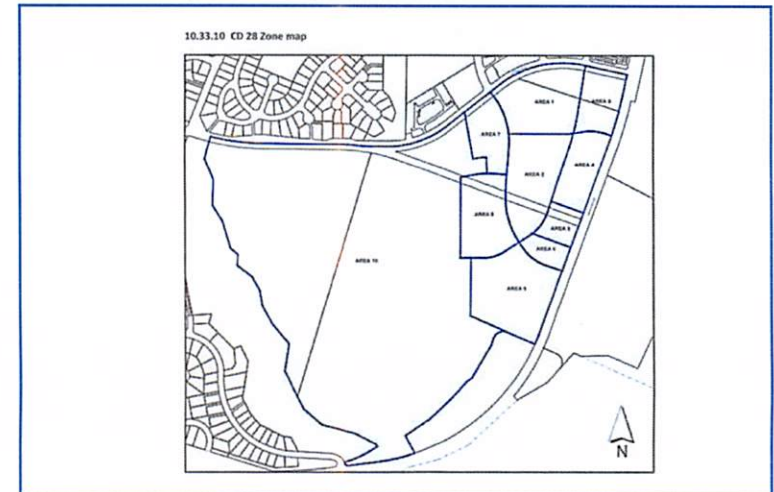
Minutes and videos of Council and Committee of the Whole meetings are publicly available, and can be accessed through the following link:

- [City of Colwood - Meeting Type List \(civicweb.net\)](#)

DEVELOPMENT APPLICATION

CD 28 Zone Amendment

PROPOSAL: Rezoning Application to amend the CD 28 Zone - Area 5 to extend the regulations from Area 4 regarding a care facility



APPLICANT: Latoria South Development LP

*This information is based on the initial application and is subject to change.
Please contact the Development Services Department for instream updates.*

**LEARN
MORE**

**For more information, public meeting
dates or to provide input:
City of Colwood Development Services
3300 Wishart Road
250-294-8153
www.colwood.ca/planning**



To: Regular Meeting of Council
Date: August 30, 2021
From: Dennis Carlson, Planner
RE: CD28 Zone (Area 5) – Latoria South Rescind Amendment No. 182 (Latoria South), Bylaw No.1892, 2021
File: RZ-21-004

RECOMMENDATION

THAT Council consider rescinding first and second reading of “Colwood Land Use Bylaw No. 151, 1989, Amendment No. 182 (CD28 Zone Area 5 - Latoria South), Bylaw No. 1892, 2021”

BACKGROUND

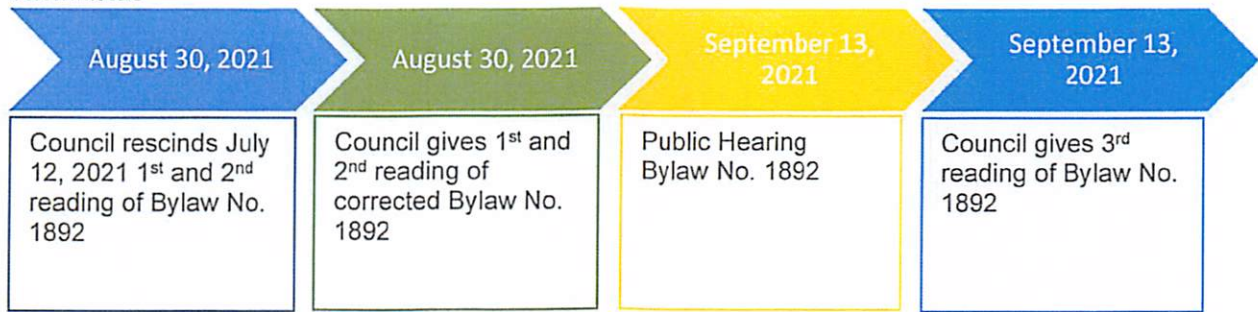
At its meeting of July 12, 2021 gave first and second reading to “Colwood Land Use Bylaw No. 151, 1989, Amendment No. 182 (CD28 Zone Area 5 - Latoria South), Bylaw No. 1892, 2021”.

Staff have identified that the incorrect bylaw was provided for Council consideration. Accordingly, staff have provided the correct bylaw on Council’s August 30 agenda for consideration of 1st and 2nd reading. This bylaw reflects the following resolution from Council’s July 12, 2021 meeting:

THAT the appropriate amendments to the *Land Use Bylaw* be prepared to include the following:

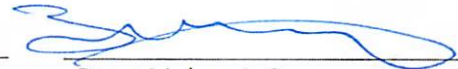
- a. Exclude Health Care Facility and Treatment Centre or Nursing Home in Area 5A from total permitted non-residential floor area;
- b. Include the following uses in Area 5A:
 1. Congregate housing, including visitor short-term suites
 2. Health care facility and treatment centre (public or private)
 3. Nursing home
- c. Include the regulations contained in Area 4 regarding Congregate housing/Health Care Facility and Treatment Centre in Area 5A;
- d. That a Section 219 covenant be prepared that would require that congregate housing, health care facility or nursing home comply with the relevant design guidelines contained in the Latoria South Sub Area Plan.

TIMELINES



Respectfully submitted,

For. 
Dennis Carlsen
Planner


Brent Molnar AsCt
Director of Engineering & Development Services

ADMINISTRATORS COMMENTS:

I have read the report and endorse the recommendation


Robert Earl
Chief Administrative Officer

Attachments:
APPENDIX 1: Bylaw No. 1892



CITY OF COLWOOD
BYLAW NO. 1892

A BYLAW TO AMEND BYLAW NO. 151 BEING THE "COLWOOD LAND USE BYLAW, 1989"

The City of Colwood Council, in open meeting assembled hereby enacts as follows:

1. CITATION

This bylaw may be cited as "Colwood Land Use Bylaw No. 151, 1989, Amendment No. 182 (CD28 Zone Area 5 - Latoria South), Bylaw No. 1892, 2021".

2. Bylaw No. 151, the "Colwood Land Use Bylaw, 1989" is amended as follows:

a) Replace Section 10.33.2 1) with the following:

"The total number of dwelling units permitted on lands shown on the CD28 Zone Map shall not exceed 2,100 dwelling units, excluding Congregate Housing and the total amount of permitted non-residential floor area excluding Health Care Facility and Treatment Centre or Nursing Home in Area 4 and Area 5A shall not exceed 40,000 m² in Areas 1,2,3,4,5,6,7,8 & 9."

b) Replace Section 10.33.2.3 e) with the following:

c) Within that area of land identified as Area 5 in the CD 28 Zone on the CD 28 Zone map:

Area 5A

- i. Animal hospital provided no overnight kenneling
- ii. Assembly and Entertainment Uses
- iii. Artist Studio
- iv. Bakery, not exceeding 200 m² in floor area
- v. Brewhouse
- vi. Brewery / Distillery
- vii. Colleges, Universities and Trade Schools
- viii. Congregate Housing, including visitor short-term stay suites
- ix. Day Care
- x. Eating and Drinking Establishment
- xi. Health Care Facility and Treatment Centre (public or private)
- xii. Limited light industries, including testing, servicing and repair but excluding manufacturing, processing or assembly.
- xiii. Live/Work Studio
- xiv. Nursing Home
- xv. Office, Medical

- xvi. Office, Professional
- xvii. Personal Service
- xviii. Pet Daycare
- xix. Printing & Publishing
- xx. Scientific or Technological Research Facility

Area 5B

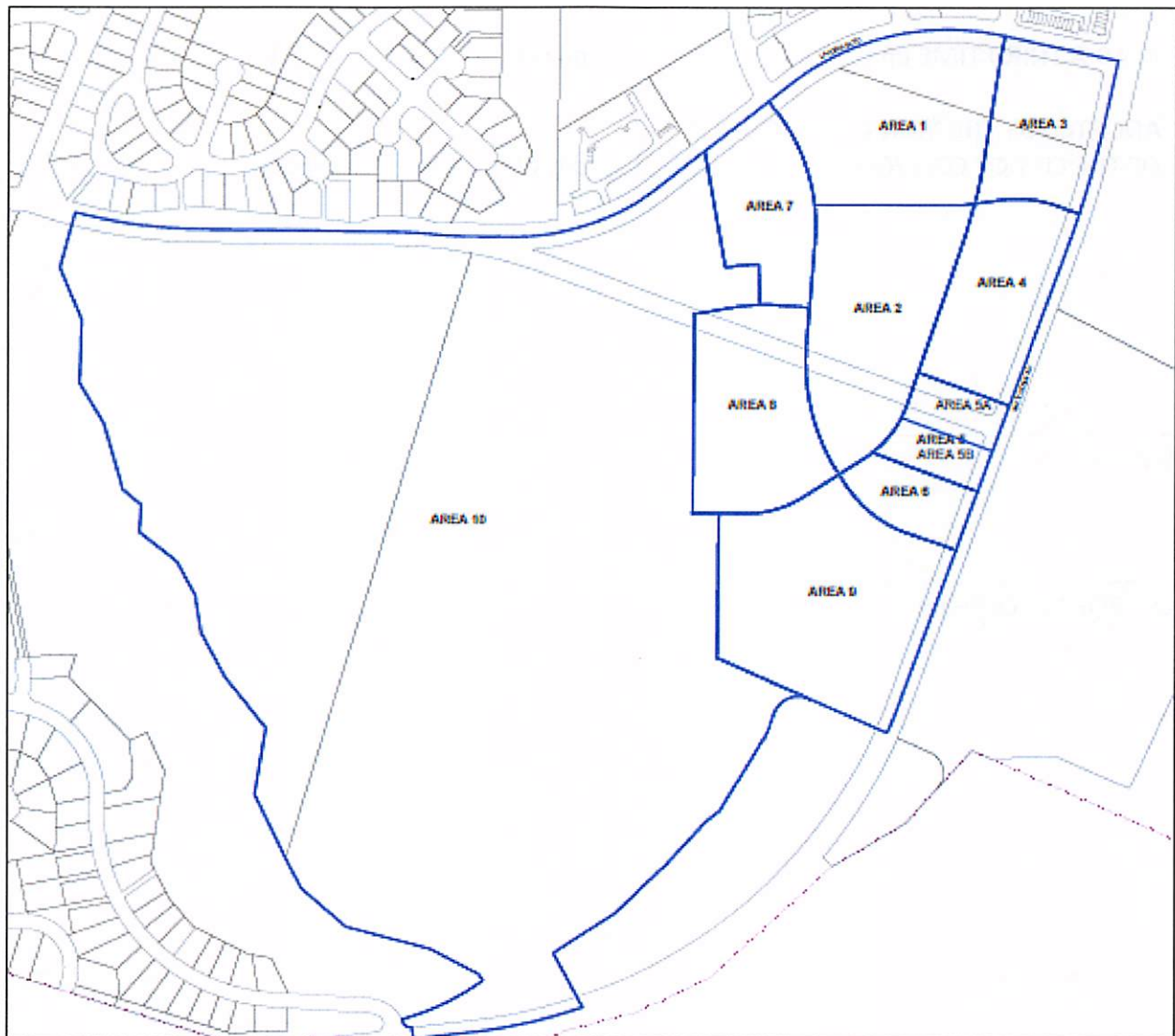
- i. Animal hospital provided no overnight kenneling
- ii. Assembly and Entertainment Uses
- iii. Artist Studio
- iv. Bakery, not exceeding 200 m² in floor area
- v. Brewhouse
- vi. Brewery / Distillery
- vii. Colleges, Universities and Trade Schools
- viii. Day Care
- ix. Eating and Drinking Establishment
- x. Limited light industries, including testing, servicing and repair but excluding manufacturing, processing or assembly.
- xi. Live/Work Studio
- xii. Office, Medical
- xiii. Office, Professional
- xiv. Personal Service
- xv. Pet Daycare
- xvi. Printing & Publishing
- xvii. Scientific or Technological Research Facility

d) Replace Section 10.33.5. 5) c) Regulation Table with the following:

Regulation	Area 5A		Area 5B
	General	Care Facility	General
Minimum Lot Area	1,800 m ²	1,800 m ²	1,800 m ²
Minimum Lot Width	20.0 m	20.0 m	20.0 m
Floor Area Ratio	2.0	3.0	2.0
Maximum Lot Coverage	50%	50% 80% for underground parking	50%
Minimum Open Site Space	10%	10%	10%
Maximum Building Height	15 m	26.0 m or 6 storeys	15 m

Maximum Accessory Buildings and Structures Height	4.5 m	4.5 m	4.5 m
Minimum Building Setbacks			
Front	3.0 m	3.0 m first 4 floors 4.5m above 4 floors	3.0 m
Side	3.0 m	3.0 m	3.0 m
Exterior side	3.0 m	3.0 m first 4 floors 4.5m above 4 floors	3.0 m
Rear	6.0 m	6.0 m	6.0 m

e) Replace Section 10.33.10 CD 28 Zoning Map with the following:



READ A FIRST TIME on this the 12TH day of JULY, 2021

READ A SECOND TIME on this the 12TH day of JULY, 2021

FIRST AND SECOND READING REPEALED 30TH day of AUGUST, 2021
on this the

READ A FIRST TIME as amended on this 30TH day of AUGUST, 2021
the

READ A SECOND TIME as amended on 30TH day of AUGUST, 2021
this the

PUBLIC HEARING held on this the day of , 2021

READ A THIRD TIME on this the day of , 2021

ADOPTED BY THE MUNICIPAL COUNCIL
OF THE CITY OF COLWOOD on this the day of , 2021

MAYOR

CORPORATE OFFICER



City of Colwood STAFF REPORT

To: Committee of the Whole
Date: June 21, 2021
From: Dennis Carlsen, Planner
RE: CD28 Zone (Area 5) – Latoria South
File: Zoning Amendment Application RZ 21-004

RECOMMENDATION

THAT Committee of the Whole recommend to Council

1. THAT the appropriate amendments to the *Land Use Bylaw* be prepared to include the following:
 - a. Exclude Health Care Facility and Treatment Centre or Nursing Home in Area 5 from total permitted non-residential floor area; **AND**
 - b. Include the following uses in Area 5:
 1. Congregate housing, including visitor short-term suites
 2. Health care facility and treatment centre (public or private)
 3. Nursing home; **AND**
 - c. Amend the regulations in Area 5 to include the regulations contained in Area 4 regarding Congregate housing/Health Care Facility and Treatment Centre; **AND**
 - d. That a Section 219 covenant be prepared that would require that congregate housing, health care facility or nursing home comply with the relevant design guidelines contained in the Latoria South Sub Area Plan.
-

1. SUMMARY

Gablecraft has applied on behalf of the Capital Regional Hospital District (CRHD) and Island Health to expand the site of the proposed assisted living/complex care facility in Latoria South to include approximately 0.4 ha (1 ac) of Area 5 in the CD28 Zone. Gablecraft has submitted a rationale letter in support of this application (**Appendix 1**). Area 5 does not currently include uses and regulations regarding a care facility and accordingly an amendment is being requested.

The CD28 Zone has undergone a number of amendments to accommodate the proposed CRD care facility including permitted uses, height and exemption from the non-residential floor area limit. These are described in Section 3.1 of the staff report.

The CRD has also requested that the parking standards be revised in the proposed parking bylaw update to accommodate the anticipated parking demand.

Under the regulations in the *Local Government Act* the City does not have the authority to issue a development permit regarding an institutional use such the proposed CRD care facility. Staff are recommending that as a condition of the rezoning that Committee of the Whole consider recommending to Council that a Section 219 covenant be prepared that would require that the CRD facility comply with relevant sections of the Latoria South Sub Area Plan design guidelines.

2. BACKGROUND

2.1. Proposal

Gablecraft has applied on behalf of the Capital Regional Hospital District (CRHD) and Island Health (**Appendix 1**) to expand the site of the proposed assisted living/complex care facility in Latoria South from 1.6 ha. (4 ac.) to 2.0 ha. (5 ac.) as illustrated in **Figure 1**. The increased site area is due to a change in the building program combined with building code requirements. The expanded site would extend 0.4 ha (1 ac) into Area 5. Accordingly, an amendment will be required to uses and regulations in Area 5 of the Comprehensive Development Zone CD28.

The applicant has also requested that Area 5 in the CD 28 Zone be amended to include the exemption of a Care Facility or Nursing Home from the limit of 40,000 m² of non-residential floor area. This regulation currently applies in Area 4.

Figure 1 – Care Facility Site



3. OVERVIEW

3.1. CD 28 Zone

The CD 28 Zone (Figure 2) includes ten sub areas which were created in order to provide definition of intent regarding implementation of the Sub Area Plan. In order to accommodate the CRD proposal, a range of long-term care uses were incorporated into Area 4 of the CD28 Zone.

At the time the draft CD28 Zone was being prepared, provisions were included regarding height and permitted uses for a potential CRD care facility.

The CD28 Zone was further amended by Council in February 2021 to exclude a health care and treatment centre in Area 4 from the 40,000 m² non-residential floor area limit.

The expansion of the proposed CRD care facility into Area 5 will require that the relevant uses and regulations in Area 4 as illustrated in **Table 1** also be incorporated. The remaining site in Area 5 will have the potential to be developed for a range of non-residential uses which are currently included in the Area 5 zoning regulations.

Figure 2 – CD 28 Zone Map

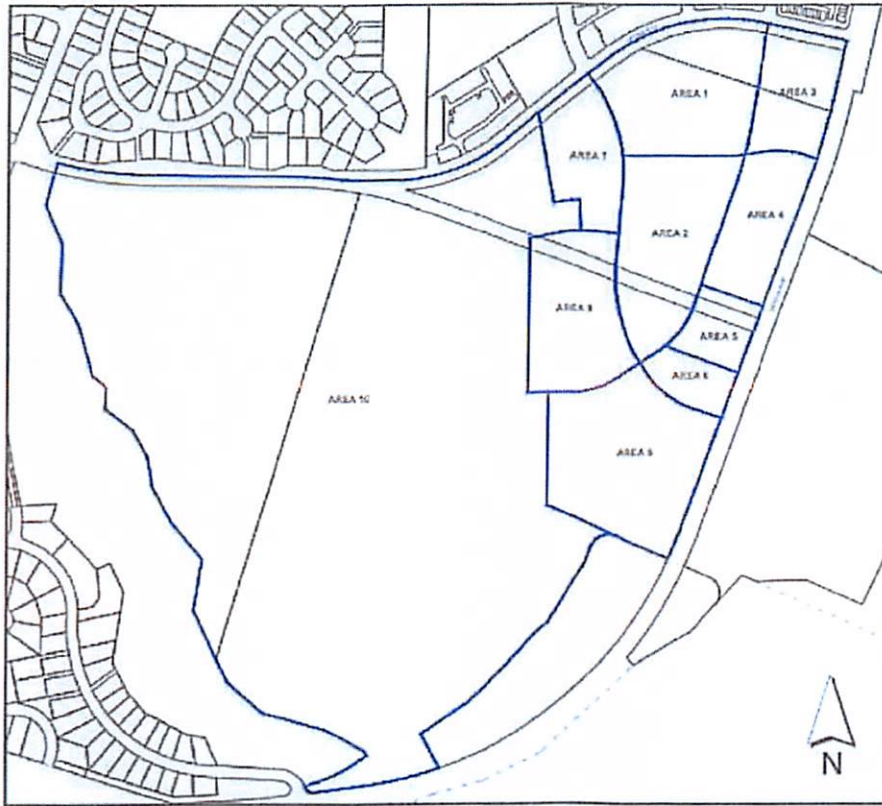


Table 1 - Care Facility Development Regulations

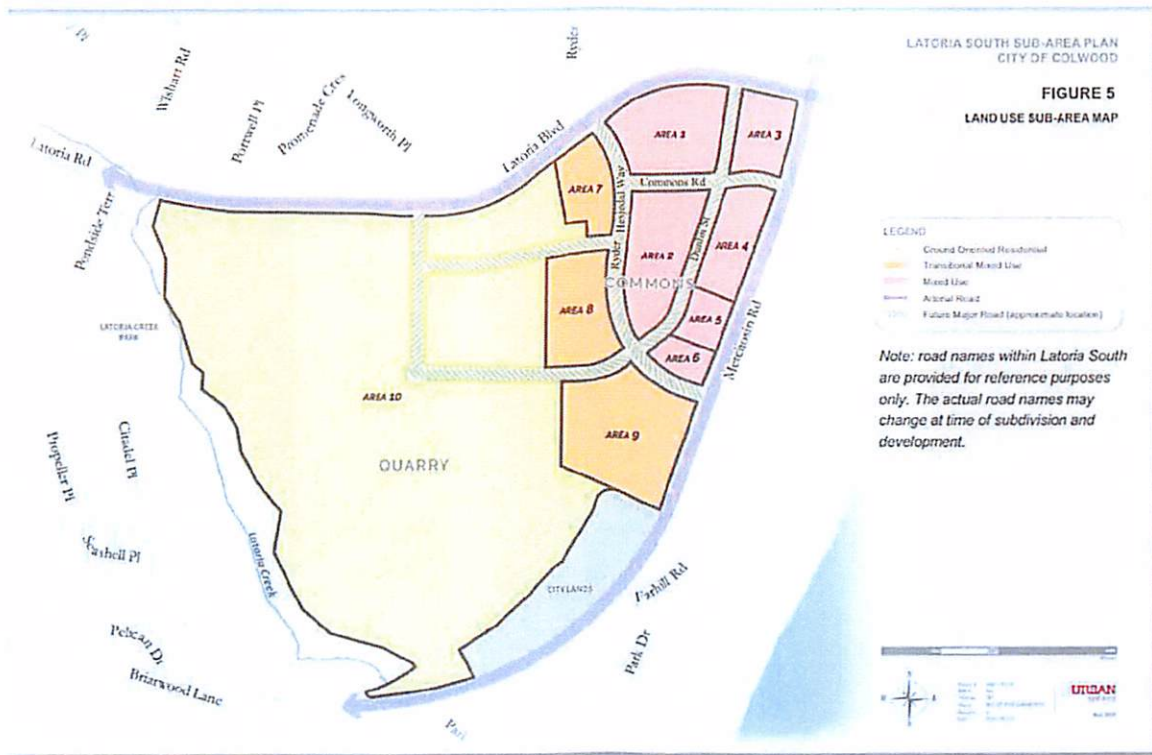
Regulation	CD28 -Area 4	CD28- Area 5 (Proposed)
Permitted Uses	Congregate Housing* Health Care Facility & Treatment Centre** Nursing Home**	Congregate Housing* Health Care Facility & Treatment Centre** Nursing Home**
Min. Lot Area (m ²)	1,800	1,800
Floor Area Ratio (max.)	3.0	3.0
Max. Lot coverage (%)	50/80 for underground parking	50/80 for underground parking
Height (max.)	26.0 m or 6 storeys	26.0 m or 6 storeys
Parking	1/3 beds***	1/3 beds***
*exempt from max. 2,100 dwelling units		
**exempt from max. 40,000 m ² non-residential		
***Parking standard to be reconsidered as part of update to parking regulations		

3.2. Latoria South Plan

The proposed care facility is proposed for Area 4 & 5 as shown on Latoria South Land Use Concept (Map 2). Area 4 is described as a site that *“starts to transition away from the core retail area of the Commons towards providing supporting residential, institutional and employment opportunities.”*

Area 5 is described as a site that continues *“the transition away from the core retail area towards opportunities for employment, service commercial, and institutional uses.”*

Map 2 - Latoria South Sub Area Plan



4. CONCLUSIONS

Staff are of the opinion that the expansion of the proposed CRD Care Facility to include 0.4 ha (1ac.) within Area 5 would be consistent with the Latoria South Sub-Area Plan.

The inclusion of a range of care facility uses in Area 5 of the CD 28 Zone would be considered compatible with the range of commercial and light industrial uses currently permitted.

As an institutional use the care facility would be exempt from the requirement of a development permit. Gablecraft has indicated that a condition of the sale of the site the CRD would be required to abide by the design guidelines contained in the Latoria South Sub Area Plan. However, because the City would not be a party to this agreement, staff are recommending that as a condition of the rezoning that Committee of the Whole consider recommending to Council that a Section 219 covenant be prepared that would require that the CRD facility comply with relevant sections of the Latoria South Sub Area Plan design guidelines.

Development Process – Next Steps

Should Council advance the application:

1. Council consideration of bylaws for 1st & 2nd reading of amendment to Area 5
2. Hold public hearing regarding proposed amendment bylaw.
3. Council consideration of bylaws for third reading and adoption

5. OPTIONS

In regard to rezoning application RZ 21-004 Committee of the Whole may recommend to Council:

(Recommended)

1. **THAT** the appropriate amendments to the *Land Use Bylaw* be prepared to include the following:
 - a. Exclude Health Care Facility and Treatment Centre or Nursing Home in Area 5 from total permitted non-residential floor area; **AND**
 - b. Include the following uses in Area 5:
 1. Congregate housing, including visitor short-term suites
 2. Health care facility and treatment centre (public or private)
 3. Nursing home; **AND**
 - c. Amend the regulations in Area 5 to include the regulations contained in Area 4 regarding Congregate housing/Health Care Facility and Treatment Centre; **AND**
 - d. That a Section 219 covenant be prepared that would require that congregate housing, health care facility or nursing home comply with the relevant design guidelines contained in the Latoria South Sub Area Plan; **OR**
2. **THAT** the appropriate amendments to the *Land Use Bylaw* be prepared to include the following:
 - a. Exclude Health Care Facility and Treatment Centre or Nursing Home in Area 5 from total permitted non-residential floor area; **AND**
 - b. Include the following uses in Area 5:
 1. Congregate housing, including visitor short-term suites
 2. Health care facility and treatment centre (public or private)
 3. Nursing home; **AND**
 - c. Amend the regulations in Area 5 to include the regulations contained in Area 4 regarding Congregate housing/Health Care Facility and Treatment Centre; **OR**
2. Recommend to Council that application be deferred for further information; **OR**

5. Recommend to Council that the application be denied.

6. COMMUNICATION

A development notification sign has been posted on the subject property as per Council Policy.

The City will mail notice to owners and occupants of properties within a 75m radius of the subject property prior public hearing, as well as place notice of public hearing advertisements within the two consecutive issues of the Goldstream Gazette.

7. FINANCIAL CONSIDERATION

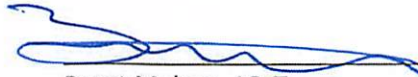
Staff do not anticipate that the proposed development will translate to additional costs to the City.

Respectfully submitted,

Reviewed By:



Dennis Carlsen
Planner



Brent Molnar, ASCT
Director of Engineering and Development Services

ADMINISTRATORS COMMENTS:

I have read the report and endorse the recommendation.


Robert Earl
Chief Administrative Officer

Attachments:

APPENDIX 1: Letter from Gablecraft Homes dated May 30, 2021

April 26, 2021

Kerri Clark,
Director of Development Services
City of Colwood

Rezoning Application for Royal Bay, Latoria South, Area 5

Kerri, please find attached the rezoning application to rezone Area 5 within Latoria South, for the purpose of enabling the design, approval and construction of an assisted living/complex care facility for Capital Regional Hospital District and Island Health. The application for, and securing of the Zoning permitted uses is a requirement for Gablecraft Homes as the landowner to achieve. CRHD is supporting Gablecraft in a secondary role, through the provision of information as to their land use requirements and design intent.

Land Use Summary from Gablecraft Homes

A significant part of the vision for Royal Bay is to create a vibrant and complete community that provides a continuum of housing options. A long term care facility is an important part of the vision to provide for a complete community, providing the opportunity for a full spectrum of housing options, and the very real option for people to age in place within their community. This applies both at the neighbourhood scale of Royal Bay, but is just as true for any Colwood resident: its vitally important for loved family members to be able to stay near their original homes and family connections as they age. With the current shortage of long-term care facility beds in the Region, this facility is desperately needed.

City of Colwood Staff introduced Gablecraft to CRHD/Island Health in early-mid 2020, and since that time, Gablecraft Homes has been working with CRHD/Island Health in good faith, to create a serviced and zoned parcel of land, for the purposes of building and operating a long term care facility at Royal Bay.

In consultation with CRHD/Island Health, Gablecraft Homes completed an OCP amendment and rezoning for Latoria South in late 2020 which includes a 4-acre site, specifically zoned for the desired long term care facility. However prior to the OCP and Zoning Bylaw amendment being adopted, CRHD/Island Health determined that the 4-acre site would no longer be large enough for the intended use, and that a 5-acre site would be required. Current pandemic health conditions are having immediate design impacts to new long-term care/Seniors and Congregate Care facility design, combined with unique building code requirements for what is essentially a hospital facility, have resulted in a need for a distributed/compartmentalized design that will require the additional land.

CRD/Island Health has now completed purchase due diligence, and secured Capital Regional Hospital District Board approval to expend the funds to purchase a 5-acre site at Royal Bay. The

CRD Board approval is for a 5-acre site, and the architectural design program has settled on 5 acres, with no consideration being given to a 4 acre design. This amendment to the zoning bylaw is now required to realize the 5-acre proposed facility in Colwood at Royal Bay.

Long Term Care Facility - Royal Bay – CRHD/Island Health Proposed Concept

The 5-acre site at Royal Bay currently spans two distinct Zone “Areas” under Zoning Bylaw CD-28: Area 4 and Area 5. Area 4 permits Seniors and Congregate care, and the additional 1-acre sits within Area 5 of the CD-28 zoning bylaw. The request is for the City to amend their Bylaws to permit the Seniors and Congregate Care facility uses be added to Area 5.

In the research for this new significant development, Island Health studied various facilities, including those constructed in the Netherlands where the “Hogweyk” model for seniors and dementia care is considered a leading example. This includes lower height buildings with more extensive outdoor and activity space for the residents. This concept of the “Dementia Village” has some desirable design features for residents suffering from frailty and memory impairment, and the CRHD/Island Health team is looking to incorporate these where feasible into the concept for the Royal Bay facility.

The “Hogweyk” concept is to provide a village of buildings that provides a more residential concept and greater access by the residents to the landscaped outdoor grounds walking paths essential for their quality of life. The increased site area also allows for the buildings to be segregated into smaller building components, an aspect that allows for safe containment of resident populations in the event of ongoing or future pandemic conditions.

The Hogweyk ®

The Hogweyk is the outcome of an innovative and disruptive vision on living, care and wellbeing for people living with severe dementia. It means a paradigm shift in nursing home care. The traditional nursing home has been deinstitutionalized, transformed and normalized. The Hogweyk is just like any other neighborhood. A neighborhood that is part of the broader society... In The Hogweyk you will find houses where people live together based on similar lifestyles... The concept supports unique needs, lifestyles and personal preferences. Living in The Hogweyk puts boredom, loneliness and hopelessness in another perspective. It focusses on possibilities, not on disabilities. And it goes without say that this is all supported by trained professionals.

This application is for land use and not form and character. A specific design proposal will follow this land use application as part of future approval stages. The proposed design will include a preference for local materials such as wood frame and heavy timber constructed buildings, which is possible for a three-storey building of this type under the BC Building Code.

Anecdotal concerns have been raised by City representatives about adequate parking for the building, resulting from a perception that other facilities are under-parked. Parking was

addressed in the original CD-28 zone with appropriate parking ratios established at that time for Area 4. We are aware that the City is currently reviewing all City parking requirements and ratios City-wide. In response to the concerns expressed, CRHD/Island Health has committed to an extensive underground parking structure for this site which would address all reasonable requirements for parking. The indicative design has buildings constructed on a concrete podium which will be accessed at grade from Dunlin St. The space under the podium will form an extensive, large basement area that will provide approximately 200 parking stalls plus food services and storage functions. The 5-acre site allows for all staff and most visitor parking to be at this lower level. This would represent over double the parking provided at other similar sized facilities. BC Transit Exchange is slated for construction in Q1 of 2022 at Royal Bay within a 3 minute walk of the proposed facility, and the stop is identified as a Frequent Transit Network node in the BC Transit Futures Plan.

A further aspect of the overall development is that there should be over 300 full-time equivalent staff positions employed at the Royal Bay facility, across all 24-hour shifts. This represents an enormous job generator for the City of Colwood, providing a range of employment from cooks, cleaners and care aids, through doctors and nurses and physiotherapists – all located within a 10 minute walk of the entire community of Royal Bay, and situated within The Commons at Royal Bay, the long planned, and now fast emerging new Regional growth node.

Land Use Requirements and Amendments to City Bylaws

There are two required changes to the CD-28 zoning bylaw needed:

- The first is amend the permitted uses of Area 5 to permit the desired long term care facilities, mirroring Area 4, providing CRHD/Island Health a uniform zoning bylaw and land title upon which to design and construct their facility. There are two approaches possible to realize this – discussed below.
- The second change, as was case with Area 4, was to amend Section 10.33.2 Permitted Uses to ensure that the 40,000m² density cap excludes from its calculation any Health Care Facility and Treatment Centre, Nursing Home, or Congregate Care & Housing uses in Area 5, such that the proposed CRHD/Island Health facility does not consume any of the permitted non-residential density. Without this amendment, Gablecraft cannot permit this proposal on the basis that it would consume the remainder and more of the available non-residential density – further that this was the original intent of the CD-28 zone that was not realized as it was envisioned in the resulting final CD-28 bylaw (so this will correct the error).

There are several general approaches that could accomplish this objective of adding the desired long term care uses to Area 5. I have reviewed three options on the following pages, and the options are presented in order of applicant preference.

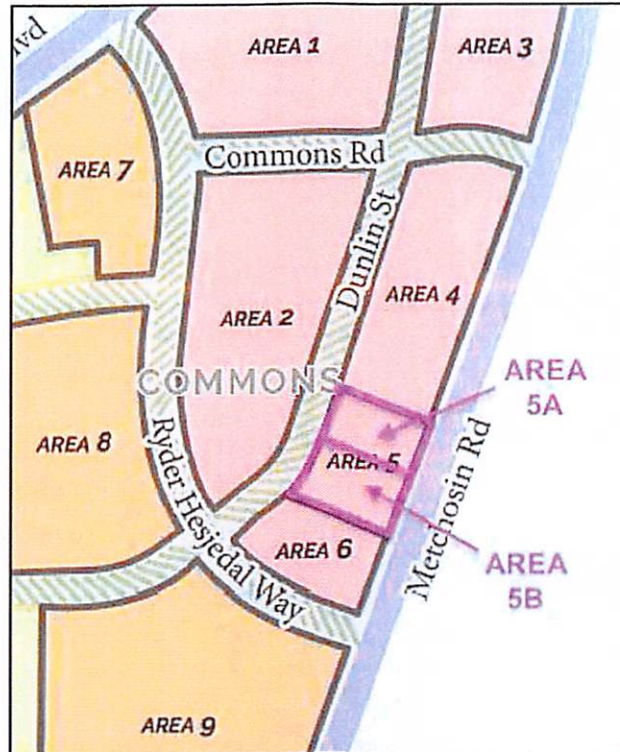
Approach #1 – Add the desired permitted uses to Area 5 in the CD-28 zone. Leaving the other permitted uses in Area 5 intact. Approach #1 would avoid the need to amend the OCP Areas map.

- e) Within that area of land identified as Area 5 in the CD 28 Zone on the CD 28 Zone map:
- i. Animal hospital provided no overnight kenneling
 - ii. Assembly and Entertainment Uses
 - iii. Artist Studio
 - iv. Bakery, not exceeding 200 m² in floor area
 - v. Brewhouse
 - vi. Brewery / Distillery
 - vii. Colleges, Universities and Trade Schools
 - viii. Day Care
 - ix. Eating and Drinking Establishment
 - x. Limited light industries, including testing, servicing and repair but excluding manufacturing, processing or assembly.
 - xi. Live/Work Studio
 - xii. Office, Medical
 - xiii. Office, Professional
 - xiv. Personal Service
 - xv. Pet Daycare
 - xvi. Printing & Publishing
 - xvii. Scientific or Technological Research Facility
- ADD Area 4 Assisted Living related uses:**
- Congregate Housing, including Visitor short-term stay suites
 - Health Care Facility and Treatment Centre (Public or private)
 - Nursing Home
 - Personal Service
 - Any other permitted use needed for the City to permit the intended use

Approach #1 – Add Assisted Living Uses to Area 5

<u>Benefit</u>	<u>Other Considerations</u>
- Amend Zoning Bylaw Only	- Adds the assisted living uses to All of Area 5
- No OCP Amendment needed	- Applicant preferred approach

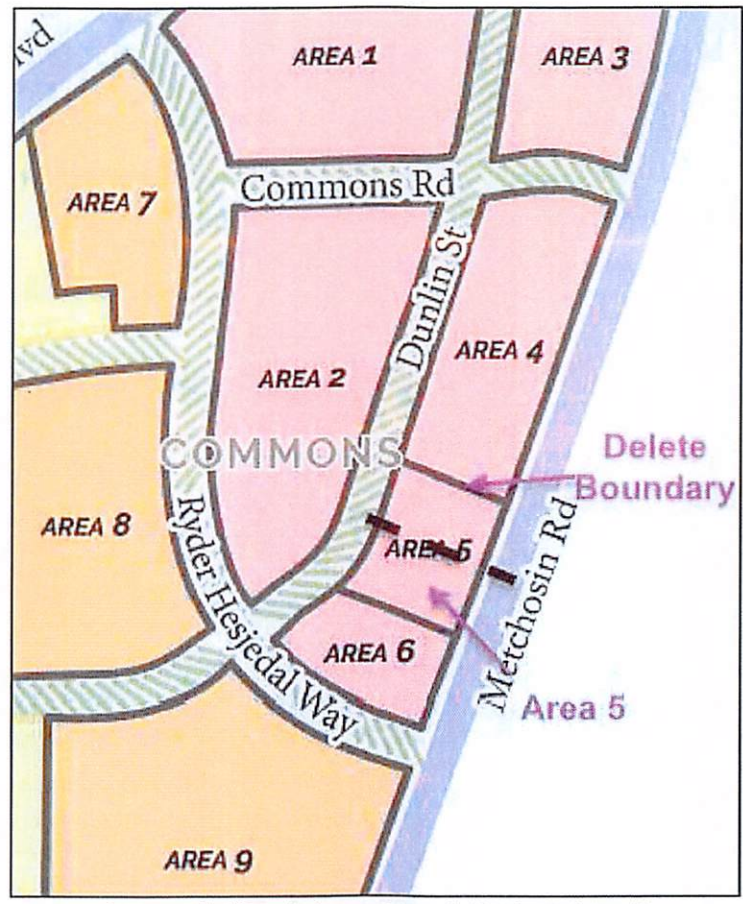
Approach #2 – Divide Zoning Area 5 into Zone Areas 5A and 5B. Add the desired permitted uses to Area 5A of the CD-28 zone, leaving Zone Area 5B as-is.



Approach #2 – Zone Area Division

Benefit	Other Considerations
<ul style="list-style-type: none"> - Amend Zoning Bylaw Only 	<ul style="list-style-type: none"> - <i>Mitigates historical City concern of too much assisted living land</i>
<ul style="list-style-type: none"> - No OCP Amendment needed 	
<ul style="list-style-type: none"> - More precise than Approach #1 	

Approach #3 – Amend the OCP Areas Map and the CD-28 Zone Areas Map to shift the line between Area 4 and Area 5, such that Area 4 grows to a total of 5 acres, and Area 5 is reduced by correspondingly.



Approach #3 – Enlarge Area 4, Reduce Area 5

Benefit	Other Considerations
- Accomplishes the objective	- Requires amendment to OCP Area Map = OCP Bylaw Amendment
	- Most complex approach
	- Not supported by the applicant

Area 5 - Future Development Viability

City of Colwood Planner, Dennis Carlsen has asked that the applicant demonstrate that if a portion of Area 5 land is redesignated to permit Seniors Assisted Living facility, that the remaining portion of Area 5 is not compromised for its zoned use.

The scale of the site at Royal Bay is needed to be held in context. The remaining portion of Area 5 is approximately 1 acre in size. This is a relatively large site for the Greater Victoria market and would accommodate a variety of built forms under the existing CD-28 zone. Colliers International assures Gablecraft that should this Area 5B parcel ever hit the market, there would be extraordinary demand for its acquisition and development.

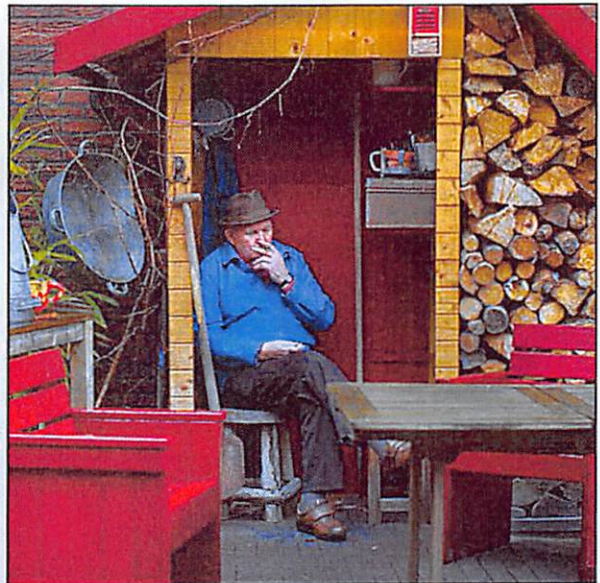


Area 5A
- Add Assisted Living
uses to enable
CRHD/NIHA facility

Area 5B
- Leave as-is to
facilitate employment
use

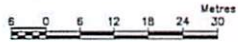


Hogeweyk Character Images



Sketch Plan of Parts of:

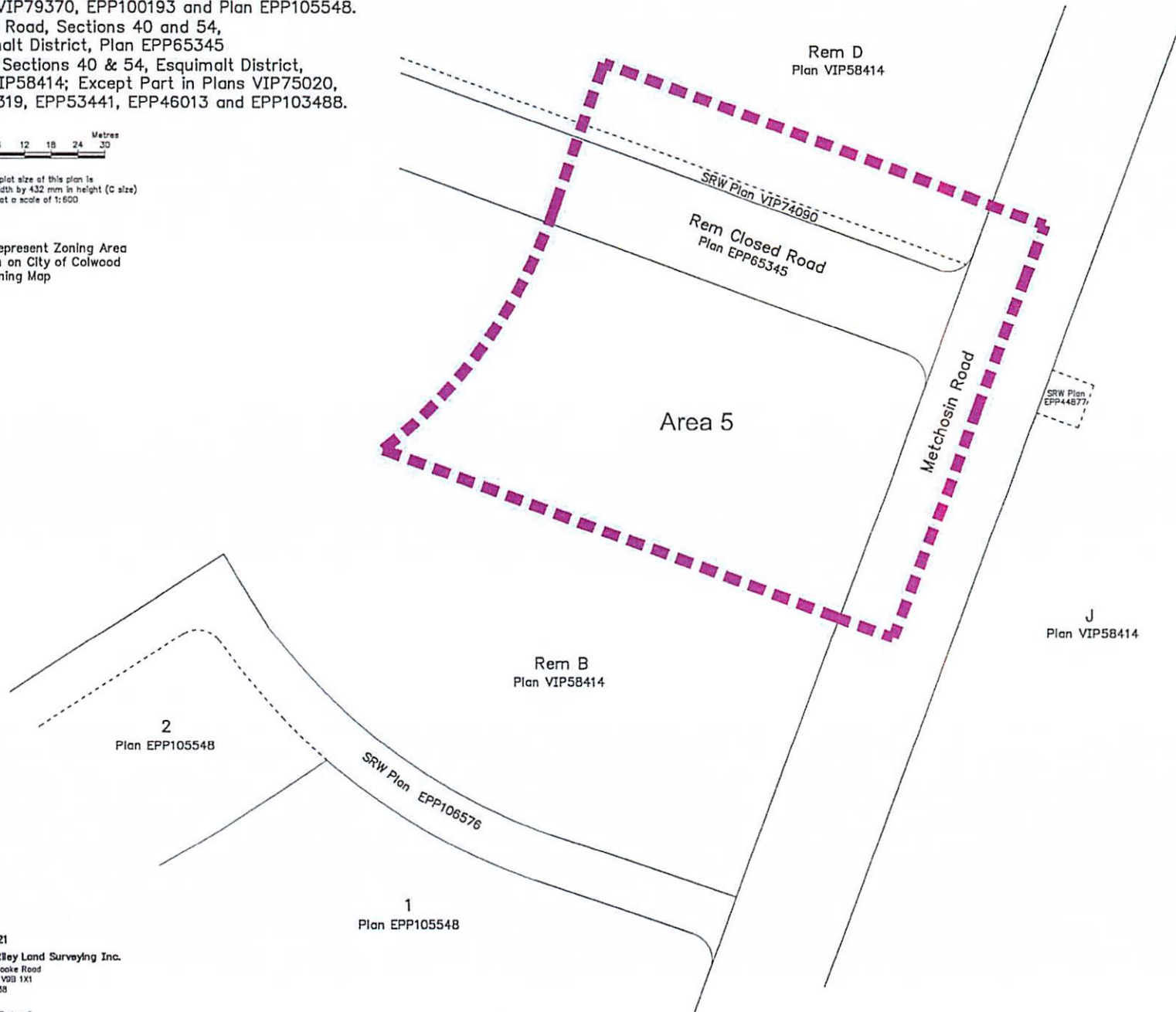
- Lot B, Sections 40, 41, 42, 51, 52, 53 and 54, Esquimalt District, Plan VIP58414; Except Part in Plans VIP79370, EPP100193 and Plan EPP105548.
- Closed Road, Sections 40 and 54, Esquimalt District, Plan EPP65345
- Lot D, Sections 40 & 54, Esquimalt District, Plan VIP58414; Except Part in Plans VIP75020, VIP82319, EPP53441, EPP46013 and EPP103488.



The intended plot size of this plan is 560 mm in width by 432 mm in height (C size) when plotted at a scale of 1:600

Legend:

Area 5 represent Zoning Area as shown on City of Colwood CD28 Zoning Map



12 April 2021

McIlvaney Riley Land Surveying Inc.
#113 - 2244 Sooke Road
Victoria, B.C. V0B 1X1
(250) 474-5538
www.mrls.ca

File: 60125KE_Area5



**CITY OF COLWOOD
BYLAW NO. 1892**

A BYLAW TO AMEND BYLAW NO. 151 BEING THE “COLWOOD LAND USE BYLAW, 1989”

The City of Colwood Council, in open meeting assembled hereby enacts as follows:

1. CITATION

This bylaw may be cited as **“Colwood Land Use Bylaw No. 151, 1989, Amendment No. 182 (CD28 Zone Area 5 - Latoria South), Bylaw No. 1892, 2021”**.

2. Bylaw No. 151, the “Colwood Land Use Bylaw, 1989” is amended as follows:

a) Replace Section 10.33.2 1) with the following:

“The total number of dwelling units permitted on lands shown on the CD28 Zone Map shall not exceed 2,100 dwelling units, excluding Congregate Housing and the total amount of permitted non-residential floor area excluding Health Care Facility and Treatment Centre or Nursing Home in Area 4 and Area 5A shall not exceed 40,000 m² in Areas 1,2,3,4,5,6,7,8 & 9.”

b) Replace Section 10.33.2.3 e) with the following:

c) Within that area of land identified as Area 5 in the CD 28 Zone on the CD 28 Zone map:

Area 5A

- i. Animal hospital provided no overnight kenneling
- ii. Assembly and Entertainment Uses
- iii. Artist Studio
- iv. Bakery, not exceeding 200 m² in floor area
- v. Brewhouse
- vi. Brewery / Distillery
- vii. Colleges, Universities and Trade Schools
- viii. Congregate Housing, including visitor short-term stay suites
- ix. Day Care
- x. Eating and Drinking Establishment
- xi. Health Care Facility and Treatment Centre (public or private)
- xii. Limited light industries, including testing, servicing and repair but excluding manufacturing, processing or assembly.
- xiii. Live/Work Studio
- xiv. Nursing Home
- xv. Office, Medical

- xvi. Office, Professional
- xvii. Personal Service
- xviii. Pet Daycare
- xix. Printing & Publishing
- xx. Scientific or Technological Research Facility

Area 5B

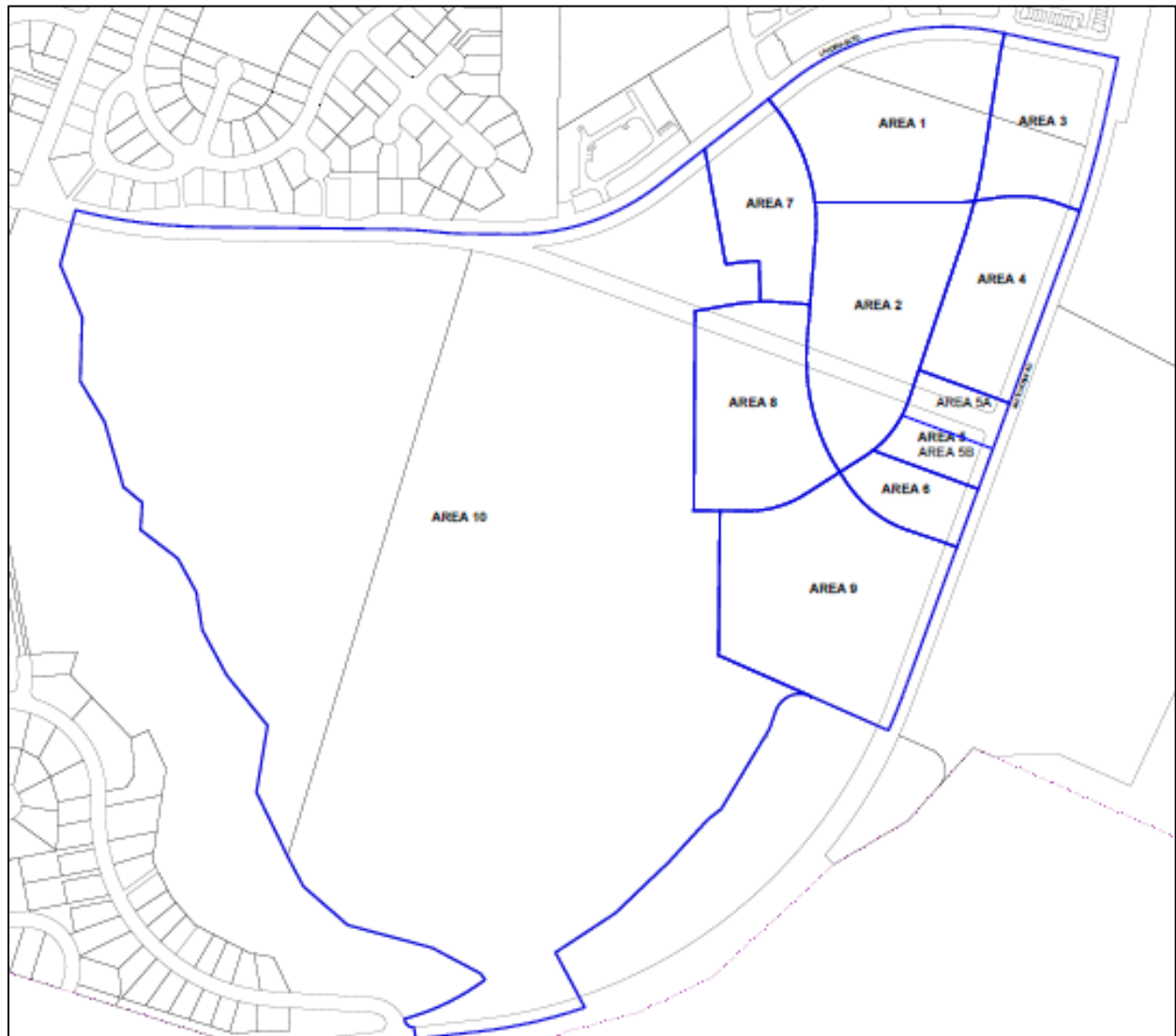
- i. Animal hospital provided no overnight kenneling
- ii. Assembly and Entertainment Uses
- iii. Artist Studio
- iv. Bakery, not exceeding 200 m² in floor area
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- vi. Brewery / Distillery
- vii. Colleges, Universities and Trade Schools
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- xi. Live/Work Studio
- xii. Office, Medical
- xiii. Office, Professional
- xiv. Personal Service
- xv. Pet Daycare
- xvi. Printing & Publishing
- xvii. Scientific or Technological Research Facility

d) Replace Section 10.33.5. 5) c) Regulation Table with the following:

	Area 5A		Area 5B
Regulation	General	Care Facility	General
Minimum Lot Area	1,800 m ²	1,800 m ²	1,800 m ²
Minimum Lot Width	20.0 m	20.0 m	20.0 m
Floor Area Ratio	2.0	3.0	2.0
Maximum Lot Coverage	50%	50% 80% for underground parking	50%
Minimum Open Site Space	10%	10%	10%
Maximum Building Height	15 m	26.0 m or 6 storeys	15 m

Maximum Accessory Buildings and Structures Height	4.5 m	4.5 m	4.5 m
Minimum Building Setbacks			
Front	3.0 m	3.0 m first 4 floors 4.5m above 4 floors	3.0 m
Side	3.0 m	3.0 m	3.0 m
Exterior side	3.0 m	3.0 m first 4 floors 4.5m above 4 floors	3.0 m
Rear	6.0 m	6.0 m	6.0 m

e) Replace Section 10.33.10 CD 28 Zoning Map with the following:



READ A FIRST TIME on this the 12TH day of JULY, 2021

READ A SECOND TIME on this the 12TH day of JULY, 2021

FIRST AND SECOND READING REPEALED 30TH day of AUGUST, 2021
on this the

READ A FIRST TIME as amended on this 30TH day of AUGUST, 2021
the

READ A SECOND TIME as amended on 30TH day of AUGUST, 2021
this the

PUBLIC HEARING held on this the day of , 2021

READ A THIRD TIME on this the day of , 2021

**ADOPTED BY THE MUNICIPAL COUNCIL
OF THE CITY OF COLWOOD** on this the day of , 2021

MAYOR

CORPORATE OFFICER

**6.12. Dennis Carlsen, Planner
RBCD Zone Amendment - Two Family Dwelling**

Dennis Carlsen, Planner, provided an outline of the RBCD Zone amendments in "Colwood Land Use Bylaw No. 151, 1989, Amendment No. 183 (RBCD5 Zone - Royal Bay), Bylaw No. 1893, 2021".

7. BYLAWS

**7.1. Bylaw No. 1892 - Land Use Bylaw Amendment CD28 Zone (Area 5) - 1st and 2nd Reading
Dennis Carlsen, Planner - CD28 Zone (Area 5) - Latoria South Rescind Amendment No. 182 (Latoria South), Bylaw No. 1892, 2021**

MOVED BY: COUNCILLOR LOGAN
SECONDED: COUNCILLOR JANTZEN

R2021-275 THAT 1st and 2nd Reading of Bylaw 1892, cited as "Colwood Land Use Bylaw No. 151, 1989, Amendment No. 182 CD28 Zone (Area 5), Bylaw No. 1892, 2021", be rescinded.

CARRIED

MOVED BY: COUNCILLOR LOGAN
SECONDED: COUNCILLOR JANTZEN

R2021-276 THAT Bylaw No. 1892, cited as "Colwood Land Use Bylaw No. 151, 1989, Amendment No. 182 CD28 Zone (Area 5), Bylaw No. 1892, 2021", be given 1st and 2nd Reading as amended.

CARRIED

7.2. Bylaw No. 1893 - Land Use Bylaw Amendment (RBCD5 Zone - Royal Bay) - 1st and 2nd Reading

MOVED BY: COUNCILLOR BAXTER
SECONDED: COUNCILLOR LOGAN

R2021-277 THAT Bylaw No. 1893, cited as "Colwood Land Use Bylaw No. 151, 1989, Amendment No. 183 (RBCD5 Zone - Royal Bay), Bylaw No. 1893, 2021", be given 1st and 2nd Reading.

CARRIED

3. ADOPTION OF THE MINUTES

3.1. Committee of the Whole - June 7, 2021

THAT the minutes of the Committee of the Whole meeting held June 7, 2021 be adopted as presented.

APPROVED BY UNANIMOUS CONSENT

4. PUBLIC PARTICIPATION

No written submissions were received, and no one registered to speak.

5. NEW BUSINESS

5.1. Jill Collinson, Senior Planner

Status of Checkout Bag Regulation Bylaw No. 1757, 2019

Iain Bourhill, Director of Community Planning, provided an update on the status of the Checkout Bag Regulation Bylaw.

Committee discussion ensued regarding the following:

- *Alternatives to single use plastic*
- *Reduction of use of plastic in City operations*
- *Regulating foam containers and plastic straws*
- *Importance of consultation and education*
- *Developing a communication plan*

5.2. Dennis Carlsen, Planner

CD28 Zone (Area 5) Amendment - Latoria South

Dennis Carlsen, Planner, presented the amendment of CD28 Zone (Area 5) in Latoria South.

Committee discussion ensued regarding the following:

- *Facility size and number of beds*
- *Tax status of the facility*
- *Parking requirements*
- *Concerns around extending the amendment to all of Area 5*
- *Options for removing the zoning from the remaining one acre*
- *Creation of well paid jobs*
- *Sewer and road capacity*
- *Enhancement fees and development cost charge responsibility*
- *Project timing restraints*

MOVED BY: COUNCILLOR PARKINSON

THAT the boundary of Area 4 be adjusted to include the CRD care facility.

DEFEATED UNANIMOUSLY

MOVED BY: MAYOR MARTIN

THAT Committee of the Whole recommend to Council,

THAT the appropriate amendments to the Land Use Bylaw be prepared to include the following:

- a. Exclude Health Care Facility and Treatment Centre or Nursing Home in Area 5 from total permitted non-residential floor area;
- b. Include the following uses in Area 5:
 1. Congregate housing, including visitor short-term suites
 2. Health care facility and treatment centre (public or private)
 3. Nursing home
- c. Amend the regulations in Area 5 to include the regulations contained in Area 4 regarding Congregate housing/Health Care Facility and Treatment Centre;
- d. That a Section 219 covenant be prepared that would require that congregate housing, health care facility or nursing home comply with the relevant design guidelines contained in the Latoria South Sub Area Plan.

AND THAT staff return to Council with options to exclude a Health Care and Treatment Centre or Nursing Home from the zoning of the remaining one acre of Area 5 not proposed for the CRD care facility.

CARRIED

6. NEXT MEETING

The next meeting of the Committee of the Whole is scheduled to be held Monday, July 5, 2021.

PUBLIC HEARING NOTICE

Colwood Land Use Bylaw No. 151, 1989, Amendment No. 182
CD28 Zone (Area 5), Bylaw No. 1892, 2021

DATE: Monday, September 13, 2021

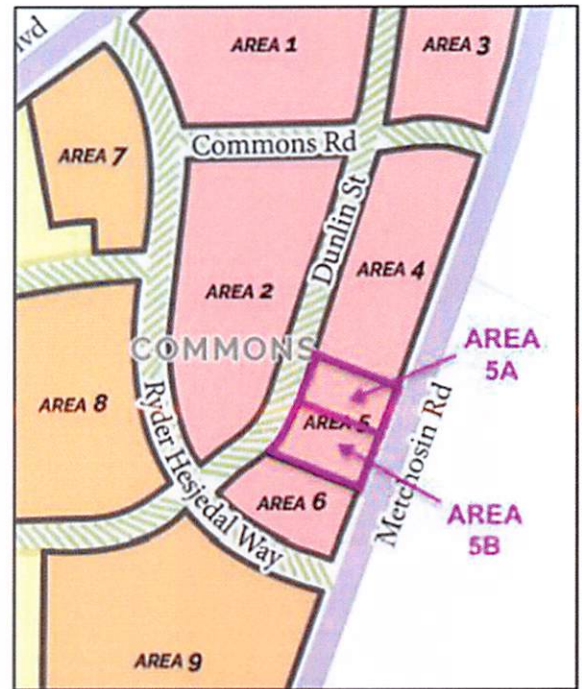
TIME: 5:30 pm

PLACE: Electronically at www.colwood.ca/Meetings

PURPOSE: To rezone the subject property to create Area 5A and Area 5B in Royal Bay. Uses and regulations regarding congregate care, treatment centre and nursing home would be limited to Area 5A.

This bylaw only applies to the land legally described as: Lot B, Sections 40, 41, 42, 51, 52, 53 & 54, Esquimalt District, Plan VIP 58414 Except Lot 54 Esquimalt District, Plan EPP65345- Lot D, Sections 40 & 54, Esquimalt District.

Copies of the proposed bylaw and related materials can be viewed at www.colwood.ca/publicnotices or in person at Colwood City Hall between August 30, 2021 and September 13, 2021. City Hall is open Monday to Friday between 8:30am and 4:30 pm.



We want to hear from you!

WRITE TO US

- Email publichearing@colwood.ca
- Mail City of Colwood, 3300 Wishart Road, Colwood, BC V9C 1R1
- Drop off in the drop box at the main entrance to Colwood City Hall

Deadline: Written submissions must be received prior to noon on September 13, 2021. Correspondence received after the deadline will not be considered by Council.

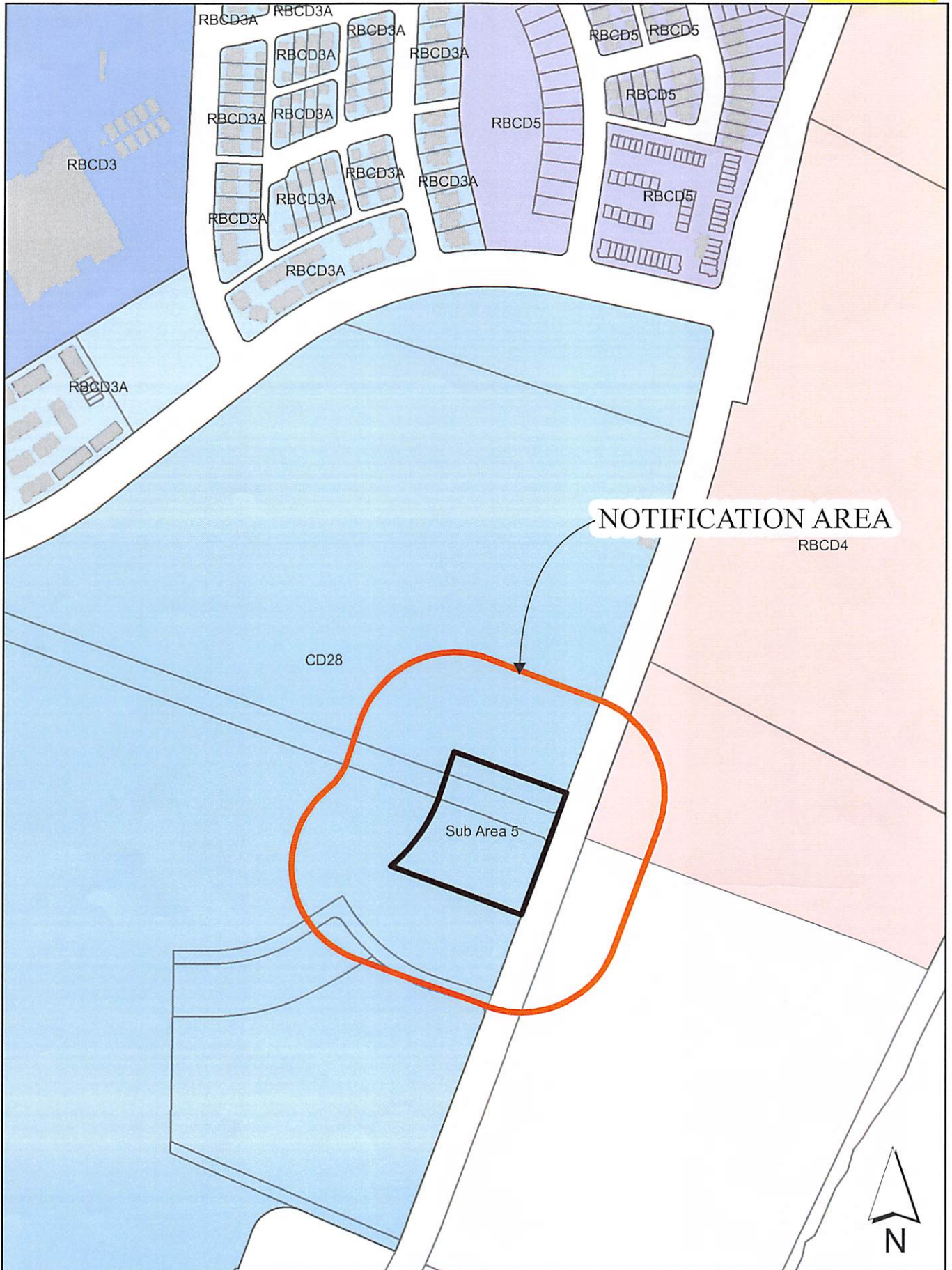
SPEAK TO COUNCIL

Speak at the Public Hearing by calling 1-855-703-8985 using Meeting ID: 836 5424 2516 and Passcode: 851451. Instructions for speaking live via phone at the electronic hearing is available on the agenda at www.colwood.ca/Meetings.

NEED MORE INFORMATION?

Visit www.colwood.ca/PublicHearing or contact Colwood Development Services by calling 250-294-8153 or emailing publichearing@colwood.ca.

Marcy Lalande, CMC
Interim Corporate Officer
250-478-5999





The 153rd running of the Saanich Fair on Labour Day weekend will have some aspects scaled down due to the ongoing pandemic. (Black Press Media file photo)

Saanich Fair scales back for 2021

Fewer farm animals, reduced indoor aspects being planned for September fair

Jake Romphr
News Staff

The 153rd running of the Saanich Fair over the Labour Day weekend will have some aspects scaled down due to the ongoing pandemic.

Organizers told Black Press Media that most of the fair's pieces are falling into place, but it's been no small task to compress a planning process that usually starts in January into two months.

"It's a roller coaster, but we're having fun," said Shirley Butler, president of the North and South Saanich Agricultural Society.

Fairs and festivals that have a communicable disease plan in place can return to normal under Step 3 of B.C.'s reopening plan. The Saanich Fair is still trying to recruit volunteers as more are needed to ensure the event is as safe as can be.

"We're going to have volunteers at every door going into buildings just to make sure that people understand to keep moving," Butler said.

Masking up will be up to each attendee, but the fair will be asking staff to wear them if they're not fully vaccinated.

"We are going to do our very best to protect everybody," Butler said. "We're really on top of being cautious and aware that we are not out of the pandemic yet, but we definitely want to give people fun at the fair."

The amount of entries will be reduced this year, especially for indoor departments like baking and the arts.

"Anything in buildings, we are minimizing and making sure that people can have a quick little look and then move on out," Butler said.

Attendees will again get to see different kinds of farm animals, but there will be fewer of them this year. The midway, run by West Coast Amusements, will be back and also has its own strict COVID-19 protocols. A kids' zone will run activities like tractor rides and sack races, entertainment will be on the main stage throughout every day and the fairgrounds will once again have all sorts of concession and commercial booths on hand.

"We're truly looking forward to representing agriculture like we usually do and I know that the people in town love to come out to the country fair," Butler said.

After being born and raised on a farm, Butler's favourite part of the fair is seeing the animals and getting transported back to farm life for a weekend. She said people are what makes the fair, with many frequenting the event every September.

The Saanich Fair's opening ceremonies will start at noon Saturday (Sept. 4) and will feature performances from local First Nations groups.

Tickets for the fair are available at saanich-fair.ticketit.ca.

Attendees are encouraged to take photos featuring themselves with a product from B.C. farmers, producers and processors for a chance to win prizes, through a Buy B.C. contest. More info can be found at bcfaairs.ca.

WING'S RESTAURANT

TAKE OUT

Combination Dinners for 1 to 8
Seafood and Deluxe Dishes

Licensed Premises
Open 11 am - 10 pm daily
90 Gorge Rd. West 250-385-5564

Capital Regional District CRD

Hartland Landfill Labour Day Closure

Hartland Landfill will be closed on Monday, September 6, 2021.

Know before you go...

Propane cylinders, chemicals and cleaners can be dangerous if they end up in the garbage or down the drain. Return them for FREE at Hartland depot.

www.crd.bc.ca/hhw

NOTICE TO WAIVE PUBLIC HEARING

Colwood Land Use Bylaw No. 351, 1989, Amendment No. 184
2021 Omnibus Amendments, Bylaw No. 1897, 2021

NOTICE is hereby given, that Council of the City of Colwood has elected to waive the holding of the public hearing in relation to proposed Bylaw No. 1897 and amendment to the Colwood Land Use Bylaw No. 152, 1989, Amendment No. 184 (2021 Omnibus Amendments) proposing administrative corrections to the Land Use Bylaw:

- Add the following legal description "Lot A, Section 1, Esquimalt District, Plan V1936299" to definitions associated with the MUC2 Zone;
- Update header and legal description for the Comprehensive Development requirements in the CSI Zone; and
- Correct the section reference number for the BUCDS Zone.

Council will consider giving third reading to the proposed Bylaw at its Special Meeting of Council commencing at 7:00 pm on Monday, September 13, 2021.

INSPECTION OF MATERIALS: Copies of the proposed bylaw and related materials can be viewed at www.colwood.ca/publichearing or in person at Colwood City Hall between August 30, 2021, and September 13, 2021. City Hall is open Monday to Friday between 8:30am and 4:30 pm.

We want to hear from you!

WRITE TO US

- Email corporate.services@colwood.ca
- Mail City of Colwood, 3300 Wilchart Road, Colwood, BC V9C 1R1
- Drop off in the drop box at the main entrance to Colwood City Hall

SPEAK TO COUNCIL

To pre-register to speak at the September 13, 2021, Special Meeting of Council please contact corporate.services@colwood.ca up until noon on the day of the meeting.

NEED MORE INFORMATION?

Visit contact Colwood Development Services by calling 250-294-8153 or emailing planning@colwood.ca.

Marcy Island, CMC
Interim Corporate Officer
250-478-5995

www.colwood.ca/PublicHearing

PUBLIC HEARING NOTICE

Colwood Land Use Bylaw No. 351, 1989, Amendment No. 182
CDZB Zone (Area 5), Bylaw No. 1892, 2021

DATE: Monday, September 13, 2021
TIME: 5:30 pm
PLACE: Electronically at www.colwood.ca/Meeting

PURPOSE: To rezone the subject property to create Area 5A and Area 5B in Royal Bay. Uses and regulations regarding congregative care, transient care and nursing home would be limited to Area 5A.

This bylaw only applies to the land legally described as: Lot B, Sections 40, 41, 42, 51, 52, 53 & 54, Esquimalt District, Plan V1936299 (except Lot 56 Esquimalt District, Plan EPP65345- Lot D, Sections 40 & 54, Esquimalt District.

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SPEAK TO COUNCIL

Speak at the Public Hearing by calling 1-855-763-6985 using Meeting ID: 83654242514 and Passcode: 851451. Instructions for speaking live via phone at the electronic hearing is available on the agenda at www.colwood.ca/Meeting

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Marcy Island, CMC
Interim Corporate Officer
250-478-5995

www.colwood.ca/PublicHearing

PUBLIC HEARING NOTICE

Colwood Land Use Bylaw No. 151, 1989, Amendment No. 182
CD28 Zone (Area 5), Bylaw No. 1892, 2021

DATE and TIME:	Monday, September 13, 2021, 5:30 pm
PLACE:	Electronically at www.colwood.ca/Meetings

PURPOSE: To rezone the subject property to create Area 5A and Area 5B in Royal Bay. Uses and regulations regarding congregate care, treatment centre and nursing home would be limited to Area 5A.

This bylaw only applies to the land legally described as: Lot B, Sections 40, 41, 42, 51, 52, 53 & 54, Esquimalt District, Plan VIP 58414 Except Lot 54 Esquimalt District, Plan EPP65345- Lot D, Sections 40 & 54, Esquimalt District.

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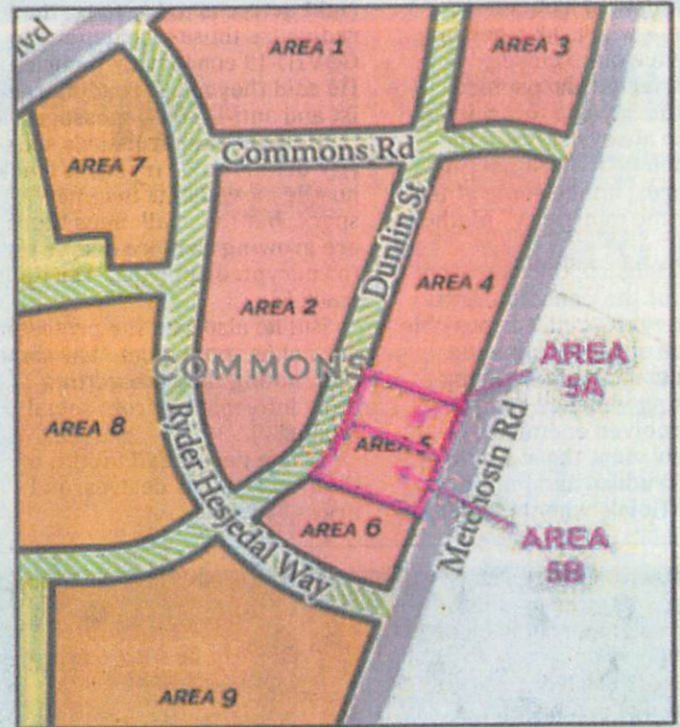
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Marcy Lalande, CMC
Interim Corporate Officer
250-478-5999



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Call toll-free 1-855-703-8985

Meeting ID: 836 5424 2516/Passcode: 851451

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CD28 Zone (Area 5), Bylaw No. 1892, 2021

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PLACE:	Electronically at www.colwood.ca/Meetings

PURPOSE: To rezone the subject property to create Area 5A and Area 5B in Royal Bay. Uses and regulations regarding congregate care, treatment centre and nursing home would be limited to Area 5A.

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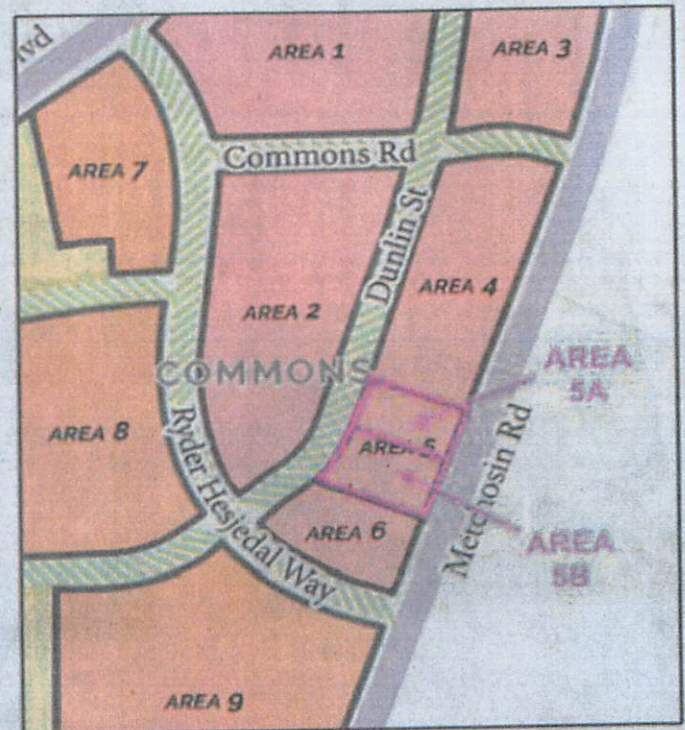
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Marcy Lalande, CMC
Interim Corporate Officer
250-478-5999



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COMMENTS RECEIVED AFTER THE
AGENDA
WAS PUBLISHED AND UP TO 12 NOON
ON
MONDAY SEPTEMBER 13, 2021

Pat Taylor

From: Carol McLurg [REDACTED]
Sent: Monday, September 13, 2021 10:41 AM
To: Public Hearing
Subject: Royal Bay Nursing Home

[EXTERNAL EMAIL] Use Caution!

City of Colwood re: Meeting September 13th

I would like to see council to start with a Seniors Residence being built My suggestion is to make it a Four Level Home

Fourth level - Seniors residence for active Seniors

Third level - Seniors that need help with medication but are still active

Second level - Seniors that need more nursing care

First level - Seniors that need total nursing care

There is nothing worse, getting settled in a Seniors Home and having to be moved to a Nursing home because resident needs more care

Having all Four levels makes such a difference as you get to know other seniors and are familiar with the Residence as the Senior has to move down to each new level and also knows the Staff

The Residence should have central dining room, game and exercise room, including library, sun room and outdoor patio.

Fourth and Third floor Residences have balconies and small kitchenettes

All rooms should be private and have private bathrooms

Thank you for reading my my suggestions

Carol McLurg
Residence of Colwood

Sent from my iPad