



# Staff Report to Council

---

**DATE:** Monday, October 23, 2023

**DEPARTMENT:** Planning

**APPLICATION NO.:** TUP20-0006

**SUBJECT:** Renewal of TUP20-0006 for additional Victoria Contracting & Municipal Maintenance Corporation employee parking at 988 McCallum Road.

---

## **BACKGROUND:**

At their regular meeting held December 7<sup>th</sup>, 2020, Council issued TUP20-0006 to allow for additional employee parking for Victoria Contracting & Municipal Maintenance Corporation (VCMC) at 988 McCallum Road subject to numerous conditions.

Graham Harrison of VCMC has applied on behalf of the property owner, Derek Harrison, to renew the temporary use permit TUP20-0006 to allow the use to continue at the subject property for an additional three years. The permit expires on December 7<sup>th</sup>, 2023. The staff report for the original application is attached as Appendix A with additional background information.

## **COMMENTARY:**

As noted above, the applicant wishes to renew TUP20-0006 to allow for the additional parking for VCMC operating out of a nearby site to be located on the residentially zoned property at 988 McCallum Road for an additional term of three years.

The TUP20-0006 was issued with the following terms and conditions:

- a. That the applicant must, prior to TUP issuance, complete the following:
  - i. Provide to the City, a landscape plan for the replanting and site remediation completed by Qualified Environmental Professional (QEP).
  - ii. Provide to the City, landscape bonding in the amount of the estimated works to be completed as per the landscape plan completed by the QEP.
- b. That only the portion of the property indicated in Figure 2 may be utilized for the employee parking;
- c. That all recommendations of the Environmental Professional Opinion Memorandum prepared by Craig Barlow, RPBio, are implemented and adhered to through the term of use for employee parking.

**Figure 1: Parking pad location of subject site**



The original report pertaining to the application has noted that the subject site will not be used for large automobiles related to the nearby work site and will only be used for personal vehicles of staff. At the time of issuance, Council did not deem it necessary to include limitations on which vehicles could park at the site as a condition. Given the proximity of the site to Florence Lake and permeable nature of gravel pad used for vehicle parking Council may wish to add a condition that limits the types of vehicles that can be parked on the subject property to staff personal vehicles and prohibit heavy equipment storage at the site. Council may also wish to note that condition “a” of the TUP20-0006 was completed prior to TUP issuance, as required.

This use has been operating at the location for nearly three years now. Over this time, the City’s Bylaw Enforcement Department has not received any complaints with regards to the operation, and staff are not aware of any instances of non-compliance with the conditions outlined in the TUP or Zoning Bylaw 300.

**FINANCIAL IMPLICATIONS:**

No financial implications associated with this TUP renewal application.

**LEGAL IMPLICATIONS:**

Pursuant to S. 497 of the *Local Government Act*, the City may issue a TUP for a period of up to three years. The *Local Government Act* also allows a temporary use permit to be extended for a maximum of an additional three years. If the holder of a TUP wishes to conduct the temporary use beyond 6 years, they are required to make a new application to Council for a TUP or apply for rezoning.

**OPTIONS:**

**Option 1**

THAT Council renew TUP20-0006 to allow for additional employee parking at 988 McCallum Road for a period of three years subject to the following conditions:

- a. That only the portion of the property indicated in Figure 1 may be utilized for the employee parking;
- b. That all recommendations of the Environmental Professional Opinion Memorandum prepared by Craig Barlow, RPBio, are implemented and adhered to through the term of use for employee parking; and
- c. That the lot is not use for parking of large automobiles related to the nearby work site and is only limited to personal vehicles of staff.

**Option 2**

THAT Council renew TUP20-0006 to allow for additional employee parking at 988 McCallum Road for a period of three years subject to the following conditions:

- a. That only the portion of the property indicated in Figure 1 may be utilized for the employee parking; and
- b. That all recommendations of the Environmental Professional Opinion Memorandum prepared by Craig Barlow, RPBio, are implemented and adhered to through the term of use for employee parking.

**OR Option 3**

THAT Council take no action with respect to renewing TUP20-0006 at 988 McCallum Road until such time as the following items are addressed and reviewed by the Sustainable Development Advisory Committee:

- a. \_\_\_\_\_;
- b. \_\_\_\_\_;
- c. \_\_\_\_\_;

**SUBMITTED BY: Anastasiya Mysak, Planning Technician**

**Concurrence:** Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

**Concurrence:** Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

**Concurrence:** Donna Petrie, Senior Manager of Business Development and Events

**Concurrence:** Yari Nielsen, Director of Parks, Recreation and Facilities

**Concurrence:** Katelyn Balzer, P.Eng., Director of Engineering and Public Works

**Concurrence:** Michael Dillabaugh, CPA, CA, Director of Finance

**Concurrence:** Marie Watmough, Deputy Director of Corporate Services

**Concurrence:** Braden Hutchins, Director of Corporate Services

**Concurrence:** Darren Kiedyk, Chief Administrative Officer



## Staff Report to Council

**Date:** October 5, 2020  
**Department:** Planning  
**Application No.:** TUP20-0006  
**Subject:** Application to Allow for the additional parking at 988 McCallum Rd.

### **PURPOSE**

Graham Harrison of Victoria Contracting & Municipal Maintenance Corporation (VCMC) has applied on behalf of the property owner, Derek Harrison, to allow parking as a temporary use, under a Temporary Use Permit at 988 McCallum Rd.

### **BACKGROUND**

Due to an influx of summer labour and a need for additional employee parking, VCMC has already converted a grass field in the front setback of the 988 McCallum Rd into a gravel parking lot. This area was used intermittently as residential parking for 988 McCallum and the conversion work was completed without benefit of permits or zoning due to a misunderstanding in regards to whether additional a parking within the R2 zone would be permissible. A parking facility is not a permitted use in the R2 zone, and requires either a temporary use permit or rezoning is to legalize what has already taken place.

The site is within both the 200 year Floodplain as well the Riparian and Wetland DP areas. The conversion of the grass area into a gravel parking area has made no change to the elevation or drainage characteristics of the site.

Council may, pursuant to Sec. 3.27 of Zoning Bylaw No. 300, issue a Temporary Use Permit for any use on any property within the City.

**Table 1: Site Data**

<i>Applicant</i>	Graham Harrison
<i>Owner</i>	Derek Harrison
<i>Civic Address</i>	988 McCallum Rd.
<i>Legal Description</i>	LOT B SECTION 112A ESQUIMALT DISTRICT PLAN VIP68496
<i>Size of Property</i>	1.45 Acres (5866 m <sup>2</sup> )
<i>DP Areas</i>	200 Year Flood Plain, Riparian, Wetland

Zoning	Existing: R2	Proposed: R2
OCP Designation	Existing: Neighbourhood	Proposed: Neighbourhood

**SITE AND SURROUNDING AREA**

The site currently hosts a single-family dwelling covering roughly 150m<sup>2</sup> and is situated on a partially cleared lot with ample amounts of level grass landscaping. This site is bordered by forested green space on the North and Eastern boundaries that Strachan Trail runs through. The green space, due to its dense vegetation screens uses from neighbouring residential properties located on the Eastern side of Florence Lake Rd. All of the surrounding land uses are consistent with the R2 (One-and Two-Family Residential) Zoning.

**Figure 1: Subject Property**



---

#### OFFICIAL COMMUNITY PLAN

The Official Community Plan (OCP) designates this property as 'Neighbourhood' which is described as:

- Predominantly residential precinct that supports a range of low and medium-density housing, including secondary suites;
- This area allows for residential and mixed-use commercial intensification of street that connect centres and/or are serviced by transit;
- Schools, community facilities and other institutional uses are permitted throughout the area;
- Home-based businesses, live-work housing is encouraged;
- Parks, open spaces and recreational facilities are integrated throughout the area;
- This area allows for *Neighbourhood Centres* to emerge in the form of medium density mixed-use nodes at key intersections; and
- Transit stops are located where appropriate.

#### DEVELOPMENT PERMIT AREAS

The proposed temporary use occurs in three development permit areas as identified by the City of Langford; 200 Year Flood Plain, Riparian, and Wetland. As a requirement of these environmentally sensitive development permit areas, the applicant was required to consult with a Registered Professional Biologist (RPBio) regarding the property's environmental characteristics and to ensure that there are no adverse effects to the floodplain due to the placement of loose gravel in the parking area. The RPBio, Craig Barlow, concluded that the crushed gravel material used to construct the parking pad will allow for rainfall to permeate directly to the ground material below mitigating drainage related issues. Additionally, it is recommended to ensure the long-term health and functionality of the riparian and floodplain areas that:

- The parking pad be maintained and not expanded without supplemental environmental advice;
- Avoid removal, alteration, pruning or otherwise damaging the adjacent riparian community along the Strachan Trail corridor without approval and acceptance from the property owner and/or the City, including plants that may overhang the property line;
- Ensure that all users of this parking pad area (no large construction vehicles) are aware of the environmental sensitivities of this site as it relates to the Florence Lake Riparian and Floodplain DPAs. In this regard, require all staff users to ensure their vehicles are free of leaks of any petrochemicals;
- In the event of an accidental spill of petrochemical products (oil, fuel etc.), VCMCC must remediate the spill quickly as reasonably possible to ensure those toxic materials are contained and do not ultimately drain to the adjacent aquatic environment;
- Provide a trash receptacle for staff use; and
- Once the use of this site for parking is no longer required, remove the parking pad crush material and restore the area to the pre-existing condition and elevations.

#### PEDESTRIAN, CYCLING AND MOTORIST NETWORK

The Strachan Trail runs along the Eastern boundary of the property, connecting pedestrians and cyclists from McCallum road to the trail running adjacent Florence Lake Rd. The proposed parking area will use the existing driveway resulting in no additional intersections with McCallum Rd. There should be no adverse impacts on the pedestrian, cycling or motorist networks.

#### INFRASTRUCTURE

There will be no infrastructure as per the proposal. In addition, the RPBio concluded that there would be no adverse drainage implications by the use of crushed gravel for the parking pad.

**COMMENTS**

DEVELOPMENT PROPOSAL

The applicant is proposing that 988 McCallum Rd. be used for additional employee parking of which are working on nearby site. The proposed use of this property includes the creation of a gravel parking pad, further explained previously. The additional parking intended to mitigate the day-time stress on nearby streets and local parking lots. The Lot will not be used for large automobiles related to the nearby work site, rather it will be solely used for personal vehicles. Due to the permeable nature of the gravel surface, as per the RPBio report, it is recommended that vehicles utilizing this lot are to be monitored for leaks of petrochemicals in order to mitigate impact on the sensitive environment.

**Figure 2: Scope of Site Work**



Council is being asked to consider the temporary use of a R2 residential zone property for additional parking. This use is not permitted under the R2 zoning, however, as the prior sections of this report will indicate, the proposed use does not negatively impact the adjacent properties or environmentally sensitive areas. The use of this property for employee parking will alleviate the usage of local street and business parking for the time being.

## **OPTIONS**

### **Option 1**

That Council:

1. Proceed with consideration of issuing a Temporary Use Permit for a period of 3 years at 988 McCallum Road for additional employee parking, subject to the following terms and conditions:
  - a) That the applicant must, **prior to TUP issuance**, complete the following:
    - i. Provide to the City, a landscape plan for the replanting and site remediation completed by Qualified Environmental Professional (QEP).
    - ii. Provide to the City, landscape bonding in the amount of the estimated works to be completed as per the landscape plan completed by the QEP.
  - b) That only the portion of the property indicated in Figure 2 may be utilized for the employee parking; and
  - c) That all recommendations of the Environmental Professional Opinion Memorandum prepared by Craig Barlow, RPBio, are implemented and adhered to throughout the term of use for employee parking;

### **OR Option 2**

2. Take no action at this time with respect to this application for a Temporary Use Permit at 988 McCallum Road.

Submitted by:	Wolfgang Schoenefuhs, Planning Technician - approved
Concurrence:	Matthew Baldwin, MCIP, RPP, Director of Planning - approved
Concurrence:	Marie Watmough, Manager of Legislative Services - approved
Concurrence:	Chris Aubrey, Fire Chief - approved
Concurrence:	Lorne Fletcher, Manager of Community Safety and Municipal Enforcement - approved
Concurrence:	Cory Manton, Manager of Parks and Recreation - approved
Concurrence:	Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering - approved
Concurrence:	Leah Stohmann, MCIP, RPP, Deputy Director of Planning- approved
Concurrence:	Michael Dillabaugh, CPA, CA, Director of Finance - approved
Concurrence:	Braden Hutchins, Director of Corporate Services - approved
Concurrence:	Darren Kiedyk, Chief Administrative Officer - approved

:WCS