

ROAD CLOSURE AND LAND USE REDESIGNATION (EAU CLAIRE) BYLAWS 2C2014 AND 12D2014, CPC2014-013

EXECUTIVE SUMMARY

On 2014 February 10, Council gave first reading to bylaws 2C2014 and 12D2014 that together have the effect of closing a portion of 5 Street SW and granting it a land use consistent with the adjacent lands, thereby facilitating a comprehensive 2 block mixed-use development. Prior to second and third readings, Council directed that the necessary access and utility easement agreements be finalized. The easements and agreements have now been finalized and Administration is recommending that second and third readings be given to both bylaws.

ADMINISTRATION RECOMMENDATION(S)

1. That Council give second and third readings to Road Closure Bylaw 2C2014.
2. That Council give second and third readings to Land Use Redesignation Bylaw 12D2014.

PREVIOUS COUNCIL DIRECTION / POLICY

At the 2014 July 21 Combined Meeting of Council, Council adopted the recommendations of report LAS2014-30 (PROPOSED SALE AND ACQUISITION – (EAU CLAIRE) – WARD 07 (CLLR. DRUH FARRELL), FILE NO: 501 EAU CLAIRE AVENUE SW ROW ADJACENT TO (AD). This report and recommendations included the finalization of access and utility easement agreements over 5 Street SW.

At the 2014 February 10 Council meeting, Council gave first reading to Bylaws 2C2014 and 12D2014, but withheld second and third readings of both bylaws pending the finalization of access and utility easement agreements over 5 Street SW, which is proposed to be closed through Bylaw 2C2014.

BACKGROUND

Bylaw 2C2014 (Attachment 1) is a bylaw to close 0.182 ha \pm (0.450 ac \pm) of road (Plan 1313356, Area A) adjacent to 501 and 601 Eau Claire Avenue SW and 520 and 660 2 Avenue SW.

Bylaw 12D2014 (Attachment 2) is a bylaw to redesignate 2.55 ha \pm (6.30 ac \pm) of land located at 501 and 601 Eau Claire Avenue SW, 520 and 660 2 Avenue SW and the closed road (Plan 8110407, Block 2, Lots 1 and 2; Plan 8110407, Block 3, Lots 1 and 2; Plan 1313356, Area A) from DC Direct Control District and Undesignated Road Right-of-Way to DC Direct Control District to accommodate a mixed use residential, retail and commercial development. These lands are commonly referred to as the Eau Claire “B” lands.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

NORR Architects Planners, on behalf of BCIMC Realty Corporation has applied to close a portion of 5 Street SW between Eau Claire Street SW and 2 Avenue SW and redesignate 2.55 hectares from road right-of-way and DC Direct Control District ((108D2010) to a new DC Direct Control District.

The purpose of the land use redesignation is to keep the existing DC Direct Control Bylaw provisions and apply them on the section of 5 Street SW that currently bisects the two blocks.

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The applicant proposes to incorporate the road right-of-way (0.182Ha) into the land holdings on either side of this section of 5 Street SW into the development concept for a two block mixed use proposal, retaining the road, but providing a more pedestrian orientated characteristic. Council has given first reading to the bylaws but withheld second and third readings pending finalization of access and utility easement agreements. The access and utility easements agreements have been secured through the adoption of the recommendations contained in report LAS2014-30.

Stakeholder Engagement, Research and Communication

Both Bylaws 2C2014 and 12D2014 were the subject of a Council Public Hearing on 2014 February 10.

Strategic Alignment

Giving second and third readings to the subject bylaws are in alignment with Council's previous direction of 2014 February 10.

Social, Environmental, Economic (External)

Not applicable for this report.

Financial Capacity

Current and Future Operating Budget:

No impacts as a result of the recommendations contained in this report.

Current and Future Capital Budget:

No impacts as a result of the recommendations contained in this report.

Risk Assessment

There are no significant risks associated with this issue.

REASON(S) FOR RECOMMENDATION(S):

Administration and the applicant have finalized and Council has approved the necessary access and utility easement agreements as per previous Council direction. As a result, Administration is recommending second and third readings of both Bylaws 2C2014 and 12D2014.

ATTACHMENT(S)

1. Bylaw 2C2014
2. Bylaw 12D2014