



Committee of the Whole Report

For the Meeting of April 26, 2018

To: Committee of the Whole **Date:** April 12, 2018

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: **Development Permit with Variance Application No. 00070 for 2670 Fifth Street & 2625-2637 Quadra Street**

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00070 for 2670 Fifth Street and 2625-2637 Quadra Street in accordance with:

1. Plans date stamped March 21, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the maximum floor area of a liquor retail store from 200m² to 594m²
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variance Application for the property located at 2670 Fifth Street and 2625-2637 Quadra Street. The proposal is to relocate the existing liquor retail store from a retail unit located towards the centre of the property, to a different unit located in the northeast portion of the property to allow for an increase in the floor area. The variance is related to increasing the floor area above the maximum floor area permitted in the current zone.

The following points were considered in assessing this Application:

- the proposal is generally consistent with the *Quadra Village Design Guidelines*
- the *Hillside-Quadra Neighbourhood Plan* identifies the property within Areas of Potential Change, within which the subject property is envisioned to have commercial uses

- fronting Quadra Street and residential uses fronting Fifth Street
- the proposal is generally consistent with the *Liquor Retail Stores Rezoning Policy*, which notes that stores larger than 275m² are to be considered on a case-by-case basis.

BACKGROUND

Description of Proposal

The proposal is to relocate the existing liquor retail store from a retail unit located towards the centre of the property to a different unit located in the northeast portion of the property, in order to increase the retail floor area. The exterior of the building will be refinished and new landscape planters will be installed. Associated signage will be approved at a later date as part of a Sign Permit.

The proposed variance is related to the increase in maximum floor area of a liquor retail store from 200m² to 594m².

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this proposal.

Public Realm Improvements

No public realm improvements are proposed in association with this Development Permit with Variance Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Existing Site Development and Development Potential

The site is presently a one-storey commercial building within an existing commercial plaza. Under the current C1-QV1 Zone, Quadra Village Commercial District, the property could be developed at a density of 1.4 to 1 floor space ratio (FSR) and a height of four storeys, with a variety of commercial uses, including commercial-residential.

Data Table

The following data table compares the proposal with the existing C1-QV1 Zone, Quadra Village Commercial District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Existing C1-QV1 Zone
Liquor retail store floor area (m ²) - maximum	594*	200

Zoning Criteria	Proposal	Existing C1-QV1 Zone
Vehicle parking stalls - minimum	140	122

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on March 5, 2018 the application was referred for a 30-day comment period to the Hillside Quadra Neighbourhood Action Group CALUC. In addition, the applicant attended and presented at the January 8, 2018 CALUC meeting. The minutes from that meeting are attached to this report.

Consistent with the *Liquor Retail Stores Rezoning Policy*, the application was referred to School District No. 61 and the Victoria Police Department on April 4, 2018. No comments had been received at the time of writing this report.

Prior to submitting the Application, the applicant conducted additional methods of consulting the community, including circulating a petition and flyer, obtaining support from neighbouring businesses, holding a community open house, and publishing an article in the Hillside-Quadra News. More information about the consultation process can be found in Attachment F: Consultation Summary.

This Application proposes variances; therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variance.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* identifies this property within Development Permit Area 5, Large Urban Villages, within which the *Quadra Village Design Guidelines* are applicable. The proposal is generally consistent with the Guidelines. New lighting and a more permeable storefront will increase security, as well as make for a more pleasant pedestrian experience. The inclusion of planters will break up the large blank façade and increase green landscaping in the commercial plaza. Finally, relocating the existing liquor store to this location will bring increased activity to an unoccupied portion of the property.

Local Area Plans

The *Hillside-Quadra Neighbourhood Plan* identifies the subject property within Areas of Potential Change. The Plan envisions the subject property to be fully redeveloped with street retail facing onto Quadra Street with housing on upper storeys. Housing would be favoured along Fifth Street; however, at this time no redevelopment is occurring and the liquor retail store would be moving from one existing building to another existing building on-site.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts, and no impacts to public trees with this Application.

Liquor Retail Stores Rezoning Policy

Although not strictly applicable to a Development Permit with Variance Application, Staff used the *Liquor Retail Stores Rezoning Policy* to assess the Application. The Application meets most of the General Characteristics of the policy, including locating in an existing retail location, distance from a school, and minimum parking requirements. The Policy notes the most restrictive distance between liquor retail stores should be used, which in this case, is the Province of BC's one kilometre distance. The proposal is within one kilometre of another liquor retail store (337m); however, since the address of the proposal is the same as the existing liquor store, the Application has been given preliminary approval. Finally, the proposal notes that liquor retail stores in excess of 275m² are to be considered on a case-by-case basis. In this instance, the large store is within a Large Urban Village, which supports ground-oriented commercial uses including full-service grocery store, or equivalent combination of food retail uses and destination retail. Therefore, Staff believe a larger liquor retail store is supportable.

CONCLUSIONS

The proposal to relocate and expand the existing liquor store at 2670 Fifth Street and 2625-2637 Quadra Street would aesthetically improve an existing commercial building and bring activity to a vacant area of the property. In this instance, a liquor retail store larger than 275m² is acceptable by Staff due to the location of the property within an existing commercial plaza in the Large Urban Village designation and meeting the other characteristics found within the *Liquor Retail Stores Rezoning Policy*. Staff therefore recommend that Council consider supporting the Application.

ALTERNATE MOTION

That Council decline Development Permit with Variance Application No. 00070 for the property located at 2670 Fifth Street and 2625-2637 Quadra Street.

Respectfully submitted,



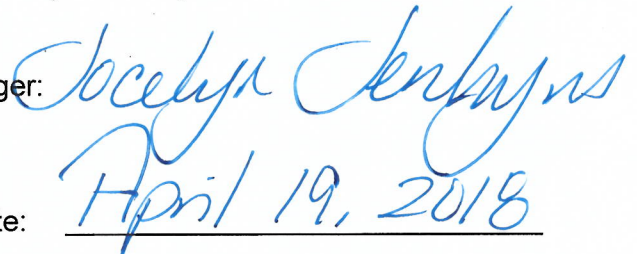
Michael Angrove
Planner
Development Services

JH



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

April 19, 2018

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped March 21, 2018
- Attachment D: Letter from applicant to Mayor and Council dated February 16, 2018
- Attachment E: Community Association Land Use Committee Draft Minutes dated January 8, 2018
- Attachment F: Consultation Summary
- Attachment G: Preliminary Approval from the Liquor Control and Licensing Branch