

REPORTS OF COMMITTEES

3. Committee of the Whole – March 8, 2018

5. Temporary Use Permit Application No. 00007 for 629 and 635 Chatham Street

Motion:

It was moved by Councillor Loveday, seconded by Councillor Thornton-Joe, That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, authorize the issuance of Temporary use Permit Application No. 00007 for 635 Chatham Street in accordance with:

1. Plans date stamped December 22, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements
3. The applicant providing a landscape cost estimate for the entire cost of the onsite landscaping in accordance with the Landscape Plan prepared by Murdoch de Greeff Landscape Architects dated December 22, 2017, and a landscape security deposit in the amount of 120% of the Landscape Cost Estimate payable to the City prior to the issuance of the building permit
4. The Temporary use Permit lapsing three years from the date of this resolution.

Carried Unanimously

5. LAND USE MATTERS

5.1 Temporary Use Permit Application No. 00007 for 629 and 635 Chatham Street

Committee received a report dated February 22, 2018, from the Director of Sustainable Planning and Community Development regarding recommendations for the Temporary Use Permit Application for the property located at 629 and 635 Chatham Street to allow for surface parking for up to 38 stalls for up to three years.

Motion: It was moved by Councillor Isitt, that Council decline Temporary Use Permit Application No. 00007 for the property located at 629 and 635 Chatham Street.

Failed due to no seconder 18/COTW

Motion: It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council, authorize the issuance of Temporary use Permit Application No. 00007 for 635 Chatham Street in accordance with:

1. Plans date stamped December 22, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements
3. The applicant providing a landscape cost estimate for the entire cost of the onsite landscaping in accordance with the Landscape Plan prepared by Murdoch de Greeff Landscape Architects dated December 22, 2017, and a landscape security deposit in the amount of 120% of the Landscape Cost Estimate payable to the City prior to the issuance of the building permit.
4. The Temporary use Permit lapsing three years from the date of this resolution.

Committee discussed:

- The need for the retention of parking in the downtown.

CARRIED 18/COTW

For: Mayor Helps, Councillor Alto, Loveday, Lucas, Madoff, Thornton-Joe, and Young

Against: Councillor Isitt



Committee of the Whole Report

For the Meeting of March 8, 2018

To: Committee of the Whole **Date:** February 22, 2018

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

Subject: Temporary Use Permit Application No. 00007 for 629 and 635 Chatham Street

RECOMMENDATION

That Council decline Temporary Use Permit Application No. 00007 for the property located at 629 and 635 Chatham Street.

LEGISLATIVE AUTHORITY

In accordance with Section 493 of the *Local Government Act*, Council may issue a Temporary Use Permit. A Temporary Use Permit may allow a use not permitted by zoning, may specify conditions under which the temporary use may be carried on, and may allow and regulate construction of buildings and structures in respect of the use of which the permit is issued.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Temporary use Permit may include requirements respecting the character of the development, including landscaping and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Temporary Use Permit Application (TUP) for the property located at 629 and 635 Chatham Street. The proposal is to allow a surface parking lot for up to 38 stalls with associated landscaping for a period of up to three years.

The following points were considered in assessing this Application:

- the *Official Community Plan* (OCP) identifies the property within the Core Historic Urban Place Designation, which does not support surface parking lots; however, TUPs are permitted in the OCP throughout the whole City
- the *Downtown Core Area Plan* (DCAP) designates the subject property in the Historic Commercial District, which supports a diverse range of active commercial uses and complementary uses such as multi-residential, hotels, public institutions and tourist services. The Historic Commercial District in the DCAP does not support surface parking lot uses, although it does support the provision of short-term on-street parking

- the landscaping is consistent with the DCAP guidelines and Crime Prevention Through Environmental Design (CPTED) principles, which include goals related to well-designed landscaping that demarcates public and private areas and does not obstruct sightlines
- the Old Town Guidelines designate the property within the Old Commercial District, which encourages designs for buildings and landscapes that are strongly contextual, visually interesting and uplifting to use. The proposal is inconsistent with these guidelines.

The Application is not supportable given that it is inconsistent with the policy as summarized above. However, the proposal is for the temporary use of a vacant site and would marginally improve the streetscape experience with the introduction of soft landscaping. An alternate motion is provided should Council wish to advance consideration of this Temporary Use Permit, particularly given present concerns regarding a shortage of parking downtown.

BACKGROUND

Description of Proposal

The proposal is for a Temporary Use Permit Application (TUP) for the property located at 629 and 635 Chatham Street to allow a surface parking lot for up to 38 stalls with associated landscaping for a period of up to three years. Specific details include:

- 38 new surface parking stalls
- removal of the existing barrier walls
- a landscaped raingarden adjacent to the sidewalk at the front of the property.

Sustainability Features

As indicated in the applicant's letter date stamped November 8, 2017, sustainability features include a landscaped rain garden adjacent to the sidewalk along Chatham Street to assist with stormwater management.

Active Transportation Impacts

The proposal is for a surface parking lot for vehicles; therefore, the applicant has not identified any active transportation impacts associated with this Application.

Public Realm Improvements

No public realm improvements are proposed in association with this Temporary Use Permit Application.

Accessibility Impact Statement

The proposed surface parking lot will be accessible as there are no changes to the grades between the sidewalk and the subject property.

Existing Site Development and Development Potential

The site is presently a vacant lot. Under the current CA-3 Zone, Central Area Commercial District, the property could be developed at a density of 3:1 Floor Space Ratio (FSR) up to 15m in height. The Zone permits a range of uses including commercial and residential.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on September 5, 2017, the Application was referred for a 30-day comment period to the Downtown Residents Association CALUC. At the time of writing this report, a letter from the CALUC had not been received. In accordance with the City's *Land Use Procedures Bylaw*, this Application requires notice, sign posting and a meeting of Council to consider the Application.

ANALYSIS

The *Official Community Plan (OCP)* identifies the property within the Core Historic Urban Place Designation, which does not support surface parking lots; however, TUPs are permitted in the OCP throughout the whole City. A TUP would allow a surface parking lot for a period of up to three years, with the ability to extend the permit for another three years subject to Council approval.

The OCP also identifies this property within Development Permit Area 1 (HC): Core Historic. With respect to onsite landscaping, the existing concrete area fronting Chatham Street would be converted into a rain garden to improve the visual appeal of the neighbourhood and reduce the impacts to the stormwater system through onsite rainwater management. The owner would be responsible for maintaining the raingarden. The proposed landscaping fronting onto Chatham Street would improve the visual appeal along the street.

Local Area Plans

The Downtown Core Area Plan (DCAP) designates the subject property within the Historic Commercial District (HCD), which supports a diverse range of active commercial uses and complementary uses such as multi-residential, hotels, public institutions and tourist services. The HCD does not support surface parking lot uses, although short-term on-street parking is supported to help maintain the HCD as a focus for active commercial uses including retail and entertainment. The proposed changes to the landscaping are consistent with the DCAP guidelines and Crime Prevention Through Environmental Design (CPTED) principles, which include well-designed landscaping that demarcates public and private areas and does not obstruct sightlines.

The Old Town Guidelines designate the property within the Old Commercial District, which encourages building and landscape designs that are strongly contextual, visually interesting and uplifting to use. The proposal is inconsistent with these guidelines; however, it is worth noting that the existing condition of the property (a vacant site) does not meet these objectives either, and the proposal includes the addition of landscaping and improved storm water management. Council may therefore wish to consider the alternate motion in this instance.

Resource Impacts

There are no resource impacts associated with this proposal, as the rain garden is located on private property.

CONCLUSIONS

The proposal to temporarily change the use to allow a surface parking lot for a period of up to three years at the property located at 629 and 635 Chatham Street is inconsistent with the OCP, DCAP and Old Town Guidelines that encourage active uses in Old Town. Staff recommend for Council's consideration that the Application be declined; however, the alternate motion provided below would be appropriate if Council wished to consider approving it.

ALTERNATE MOTION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, authorize the issuance of Temporary use Permit Application No. 00007 for 635 Chatham Street in accordance with:

1. Plans date stamped December 22, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements
3. The applicant providing a landscape cost estimate for the entire cost of the onsite landscaping in accordance with the Landscape Plan prepared by Murdoch de Greeff Landscape Architects dated December 22, 2017, and a landscape security deposit in the amount of 120% of the Landscape Cost Estimate payable to the City prior to the issuance of the building permit
4. The Temporary use Permit lapsing three years from the date of this resolution.

Respectfully submitted,



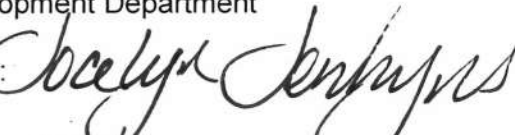
Miko Betanzo
Senior Planner – Urban Design
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

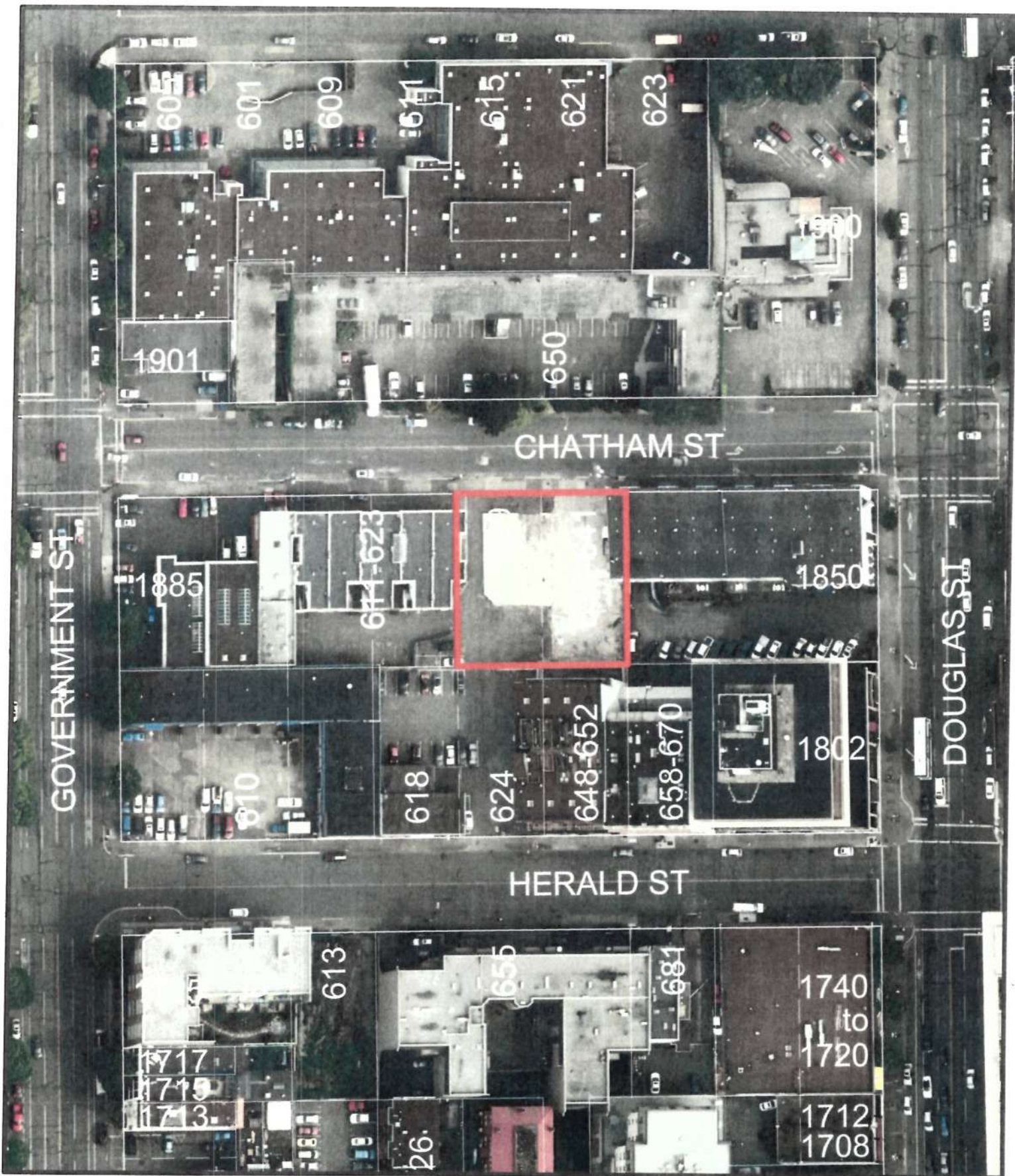
Date:



February 27, 2018

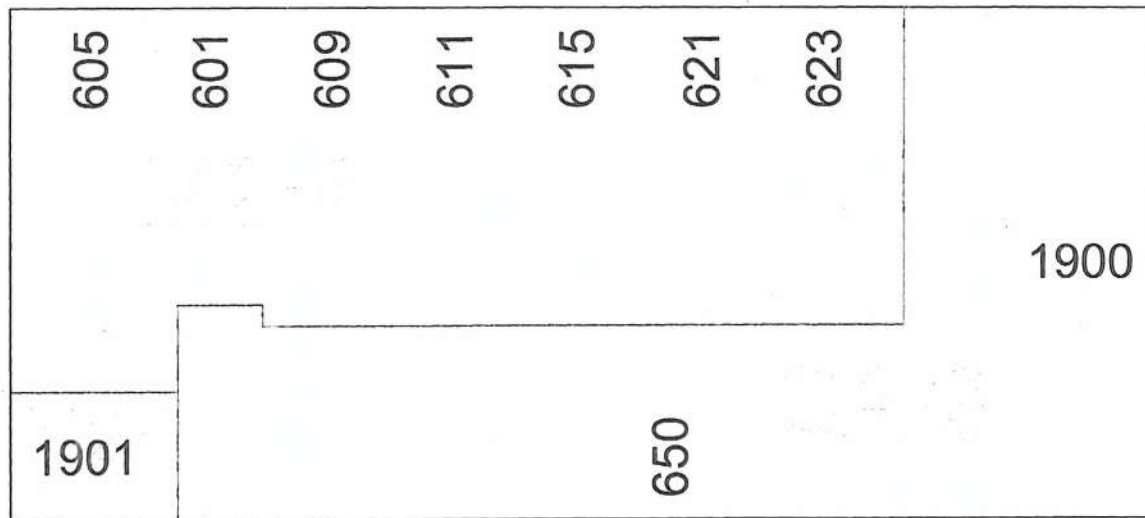
List of Attachments

- Attachment A: Aerial Map
- Attachment B: Subject Map
- Attachment C: Letter from applicant, date stamped November 8, 2017
- Attachment D: Plans date stamped December 22, 2017.



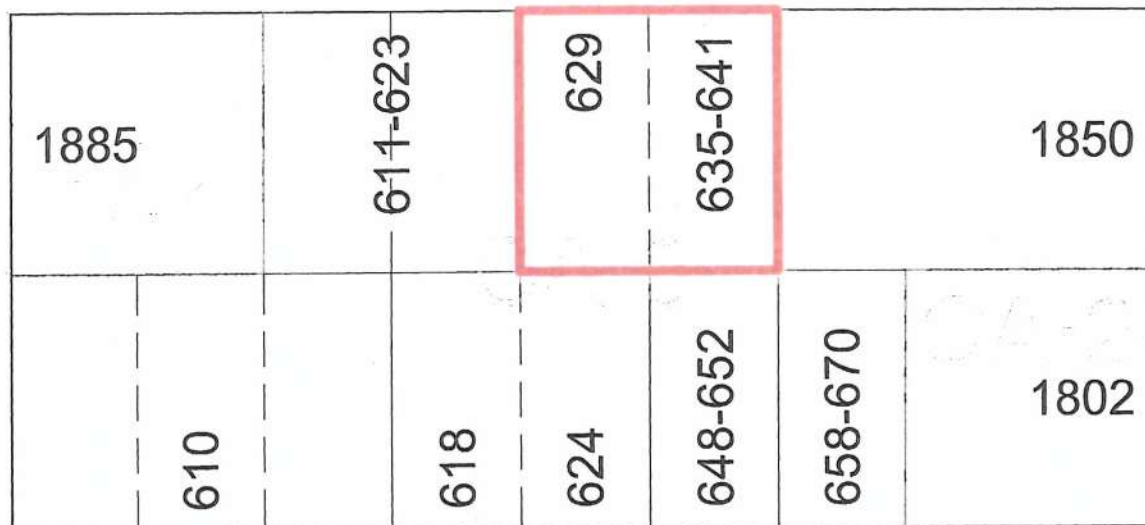
629 & 635 Chatham Street
Temporary Use Permit No. 00007





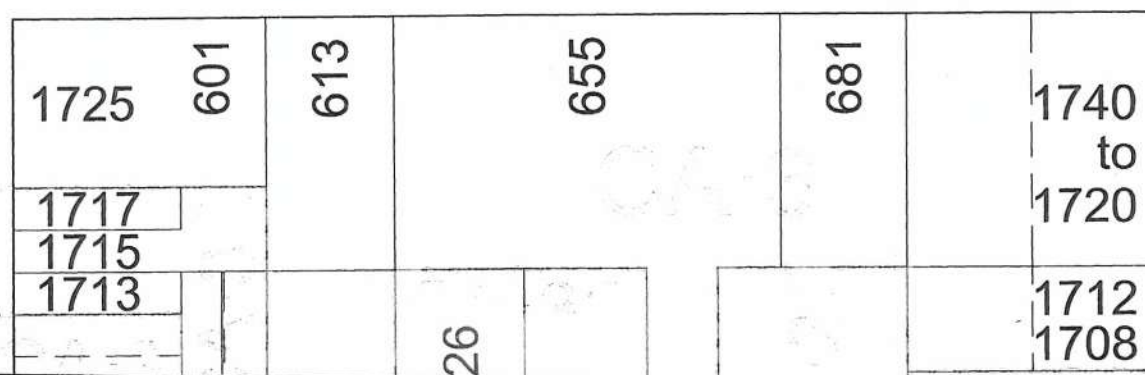
CHATHAM ST

GOVERNMENT ST



DOUGLAS ST

HERALD ST



629 & 635 Chatham Street
Temporary Use Permit No. 00007





Robbins Parking Service

Website: www.robbinparking.com
Email: park@robbinparking.com

ATTACHMENT C

Victoria, BC V8V 3K8
373 Albert Street
Nanaimo, BC V9R 2V8

Telephone (250) 382-4411
Facsimile (250) 380-7275
Telephone (250) 753-6789
Facsimile (250) 753-7858

Dear Mayor and Council,

Robbins Parking Service Ltd. is pleased to have the opportunity to submit a Temporary Use/Development Permit Application with the City of Victoria. We believe there is ample parking demand in the Downtown Victoria area to warrant the implementation of a temporary parking lot on the land of 635 Chatham Street. We feel this location is ideal for the many businesses in the area. The approval of this temporary permit would result in 38 additional parking spaces for commuters and visitors alike, as well as property improvements along the front facing side of the property, including landscaping.

The demand for further parking spaces in Downtown Victoria has never been greater, with the continuous closures of parking lots for housing development. In the next two years, the parking lot at 840 Yates Street and the parking lot at 525 Chatham Street will close. We anticipate with these closures that the downtown area will lose an additional 350 parking spaces due to the development boom. By adding the temporary lot at 635 Chatham Street, we will lessen the burden of this parking availability drought.

Upon approval of this application, we would add a rain garden to the front facing side of the property (along Chatham Street up to the driveway) this would require demolition of existing concrete and excavation/rough grading in the proposed rain garden area. A rain garden would increase the green urban appeal of the neighbourhood, as well as provide a storm water management solution to the property. There would be daylighting and reconfiguring of existing storm pipe on the property. We would utilize the existing driveway on far right facing the property, and make sidewalk repairs along the north property line where necessary.

We feel a temporary parking lot is an optimal and efficient use of the property of 635 Chatham Street, responding to current public concerns of parking availability and improving the appearance of the neighbourhood until further property development takes place.

Thank you for your consideration,

Dan Sawchuk

President

Robbins Parking Service Ltd.



Demolish redundant existing driveway crossings and replace with new full height curb gutter and sidewalk to City of Victoria standards.

Rain garden overflow drain. Concrete catch basin chamber with domed, beehive grate. Connect to existing storm system pipe as indicated.

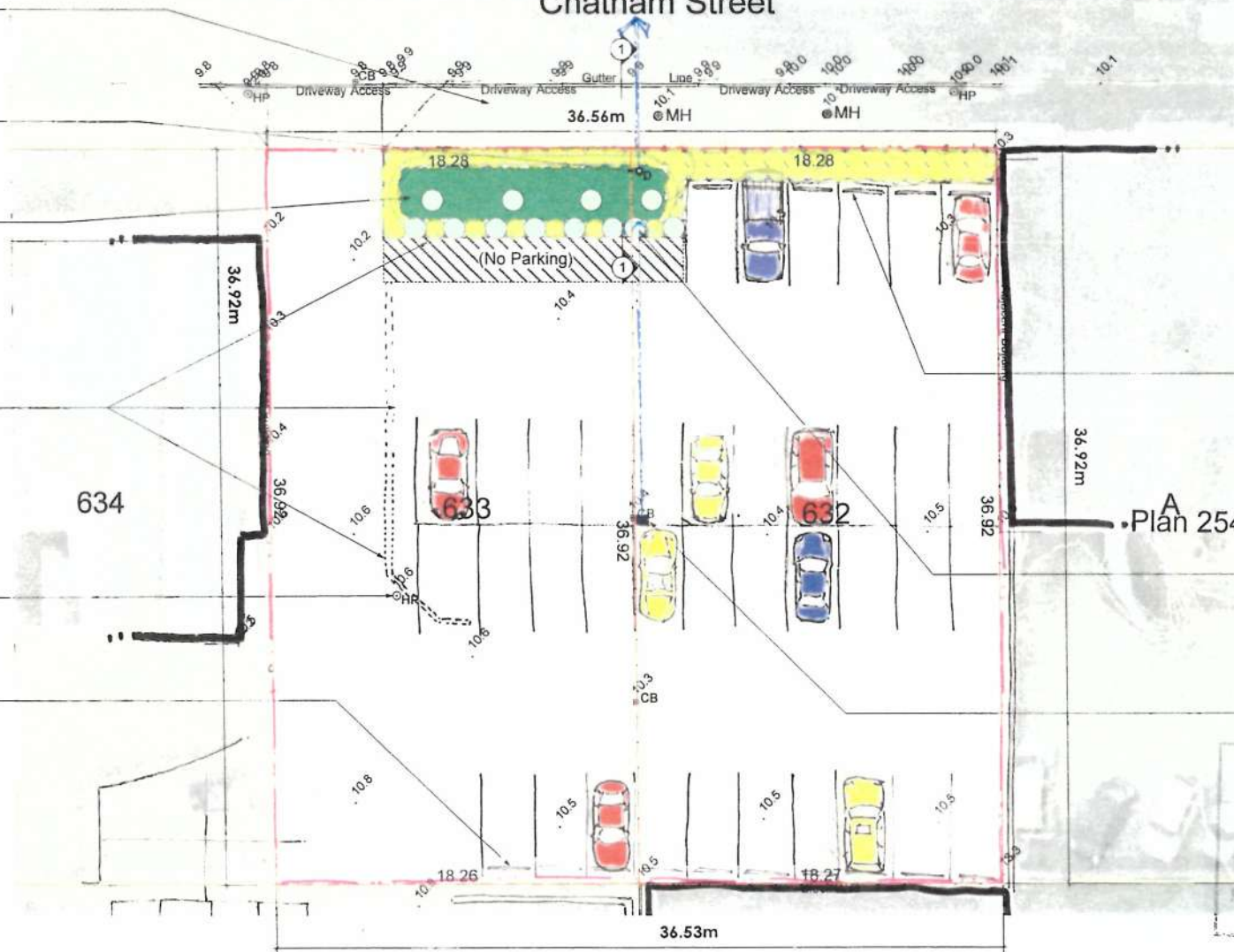
Rain garden treats existing hard surface runoff from the site by intercepting stormwater from existing catch basin as indicated.

All existing concrete walls to be demolished.

Existing hydro pole to remain.

Install wheel stops along this edge to the City of Victoria, Schedule C - Off Street Parking bylaw requirements. Not less than 1m from the front end of the parking space.

Chatham Street



GENERAL NOTES:

1. DO NOT SCALE DRAWING. Verify all property lines and existing structures to remain, prior to commencing work.
2. All plan dimensions are in metres.
3. Existing onsite pavement grades and drainage slopes to be maintained. Proposed parking stalls drain to existing catch basins as indicated. All drive aisles and parking stalls maintain a <3.5% slope.
4. All parking stalls, drive aisles and wheel stops proposed conform to the standard of the City of Victoria, Schedule C - Off Street Parking bylaw requirements. Refer Layout Plan for additional information.

Install wheel stops along this edge to the City of Victoria, Schedule C - Off Street Parking bylaw requirements. Not less than 1m from the front end of the parking space.

Daylight existing storm pipe to allow for interception and treatment of stormwater within rain garden.

Existing catch basin.

Received
City of Victoria

DEC 22 2017

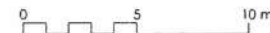
Planning & Development Department
Development Services Division

**629 & 635 Chatham Street
LANDSCAPE CONCEPT PLAN**

DATE : 22.12.2017

SCALE : 1:100 @ 24x36

PRELIMINARY
NOT FOR CONSTRUCTION

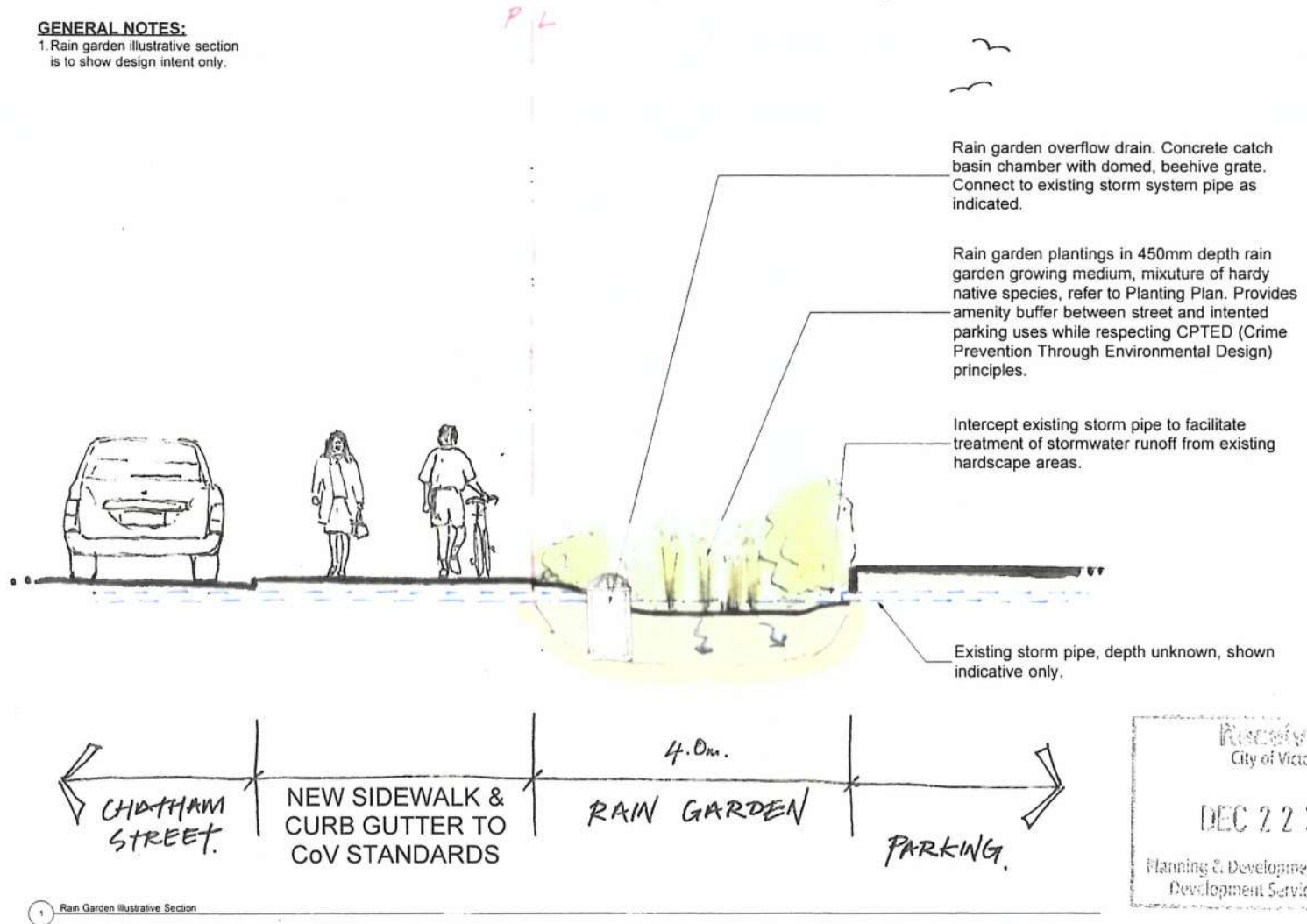


**Murdoch
de Greeff INC**
Landscape Planning & Design

200 - 524 Caledonia Road Phone: 250.412.2891
Victoria, BC V8Z 1G1 Fax: 250.412.2892

GENERAL NOTES:

1. Rain garden illustrative section is to show design intent only.



629 & 635 Chatham Street
LANDSCAPE ILLUSTRATIVE SECTION

DATE : 22.12.2017

SCALE : NTS

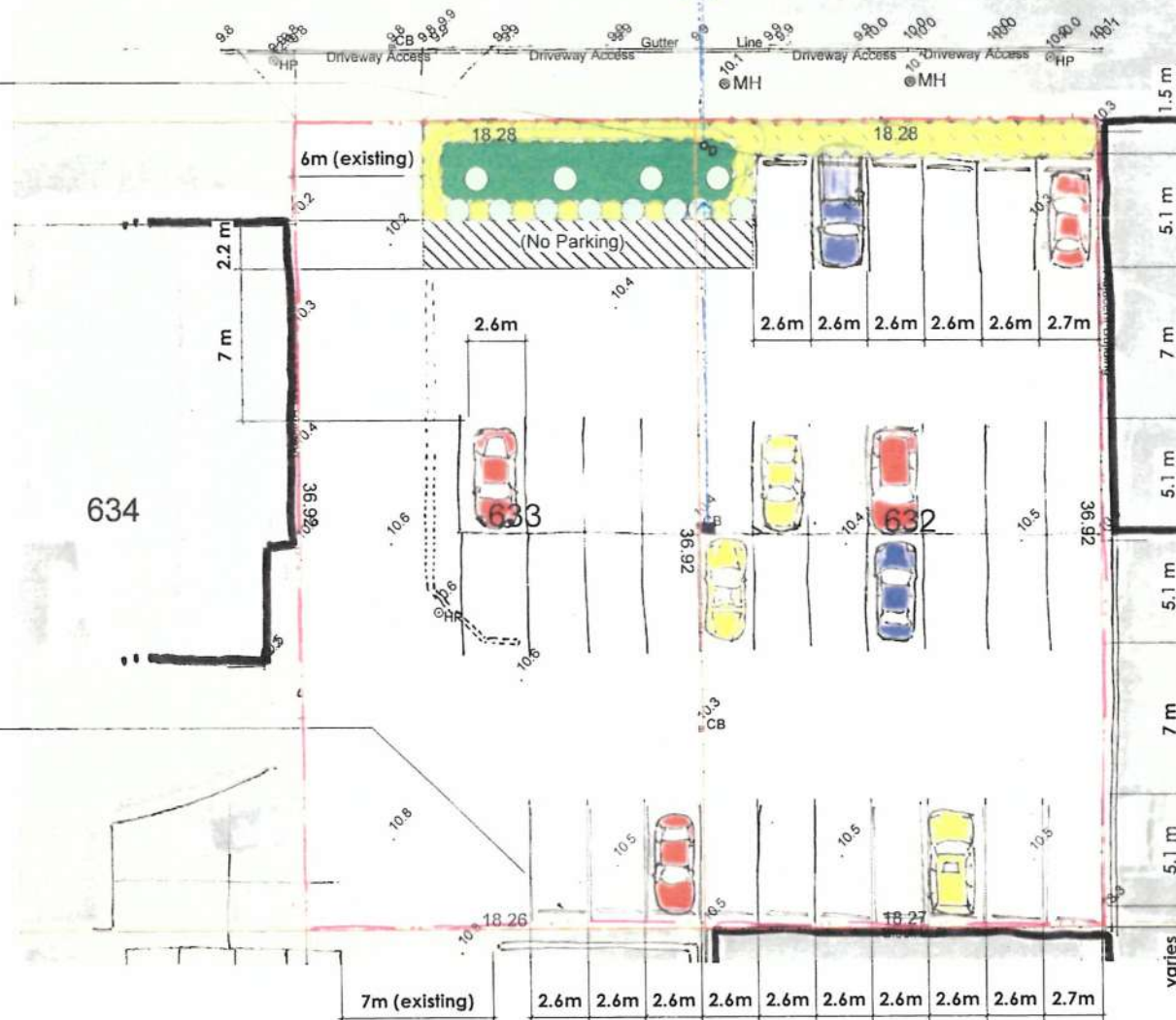
PRELIMINARY
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Fax: 250.412.2892

Chatham Street

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Install wheel stops along this edge to the City of Victoria, Schedule C - Off Street Parking bylaw requirements. Not less than 1m from the front end of the parking space.

GENERAL NOTES:

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2. All plan dimensions are in metres.
3. Existing pavement grades and drainage slopes to be maintained. Proposed parking stalls drain to existing catch basins as indicated. All drive aisles and parking stalls maintain a <3.5% slope.
4. All parking stalls, drive aisles and wheel stops proposed conform to the standard of the City of Victoria, Schedule C - Off Street Parking bylaw requirements. Refer Layout Plan for additional information.
5. Typical Parkings Stall Dimensions as per City of Victoria-Schedule C. 90 degree stalls = 2.6m width typical. 90 degrees stall adjacent to wall = 2.7m width typical.
6. All proposed wheel stops shall be installed as per City of Victoria, Schedule C - Off Street Parking bylaw requirements. Refer layout.

Received
City of Victoria

DEC 22 2017

Planning & Development Department
Development Services Division

629 & 635 Chatham Street LAYOUT PLAN

DATE : 22.12.2017

SCALE : 1:100 @ 24x36

PRELIMINARY
NOT FOR CONSTRUCTION

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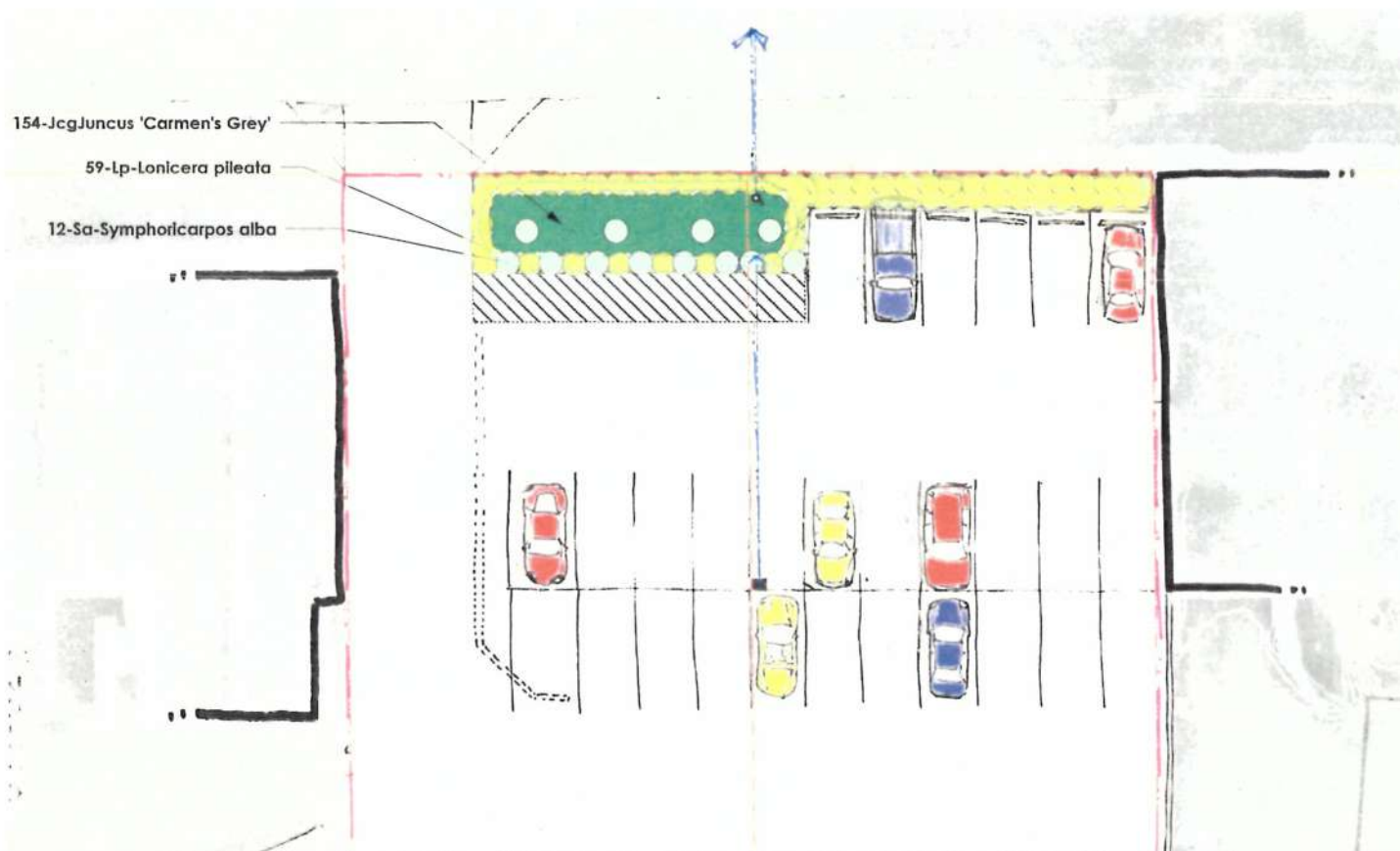


Murdoch
de Greeff INC
Landscape Planning & Design

200 524 Cuddehne Road Phone: 250.412.2891
Victoria, BC V8T 1G1 Fax: 250.412.2892

PLANTING NOTES

1. Plant quantities and species may change between issuance of DP and Construction due to plant availability and design changes.
2. Irrigation of planting areas will be through hand watering at the owners responsibility.



PLANT LIST

Sym	Qty	Botanical Name	Common Name	Schd. Size / Plant Spacing
RAINGARDEN:				
Jcg	154	Juncus 'Carmen's Grey'	Soft Common Rush	Sp3
Lp	59	Lonicera pileata	Privet Honeysuckle	#1 pot
Sa	12	Symphoricarpos alba	Snowberry	#1 pot
	0			

629 & 635 Chatham Street

SCHEMATIC PLANTING PLAN

DATE : 22.12.2017

SCALE : 1:100 @ 24x36

PRELIMINARY
NOT FOR CONSTRUCTION

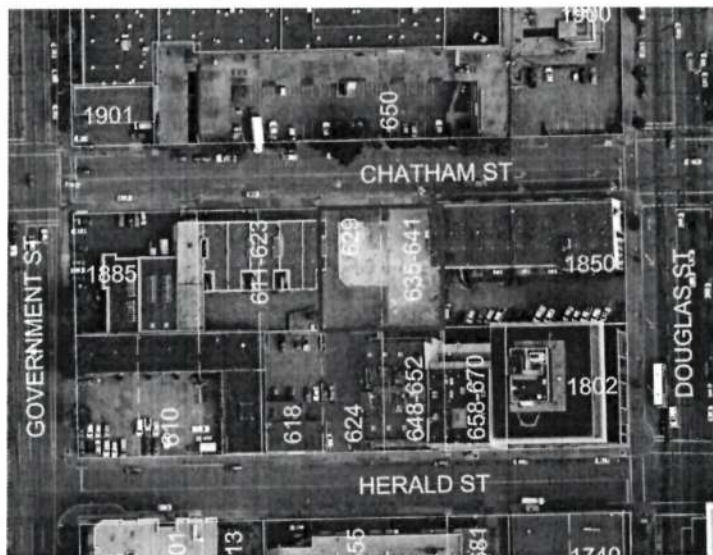
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Temporary Use Permit
Application
for
629 and 635 Chatham St.



Existing Site



Existing Site



Context



Context



Context



Context



