



## Committee of the Whole Report For the Meeting of August 9, 2018

---

**To:** Committee of the Whole **Date:** August 7, 2018  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Development Permit with Variances Application No. 00087 for 727 and 733 Courtney Street

---

### RECOMMENDATION

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

"That, subject to confirmation that lot consolidation has occurred to the satisfaction of the City, Council authorize issuance of Development Permit with Variances Application No. 00087 for 727 and 733 Courtney Street, in accordance with:

1. Plans date stamped June 4, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
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 *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.

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 Development 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.

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances application for the properties located at 727 and 733

Courtney Street. The development proposal is to construct a two-storey vehicle rental office building on 727 and 733 Courtney Street in place of an existing one-storey building at 727 Courtney Street, with minor landscape alterations to the existing surrounding surface parking area. If Council approves the application, the consolidation of lots will be required prior to issuance of a Development Permit.

Subsequent to the submission of the application, the zoning for the site changed from CA-4 Zone, Central Area Commercial Office District, to the Central Business District-1 (CBD-1 Zone) in the Zoning By-Law 2018. The proposal previously conformed to the CA-4 Zone requirements; however, under the CBD-1 Zone, variances are required that relate to the location and siting of uses, and the location of motor vehicle parking outside a building.

The following points were considered in assessing this application:

- general consistency with the *Official Community Plan, 2012 (OCP)* to enhance the area with high-quality architecture and landscaping that reflects the function of a central business district. The proposal is not a high-density development identified in the plan for the Core Business area; however, it does not preclude future redevelopment
- general consistency with the *Downtown Core Area Plan* to support a safe, welcoming and pedestrian-oriented environment for the Central Business District, respecting the character of the area
- contribution to the *Urban Forest Master Plan* through the provision of two new street trees along the streetscape in front of the property
- the required variance to permit first-storey office use within 6m of the wall of the building is supported by staff as the proposed building provides two public entrances visible from the street, expansive clear glazing in the character of a retail storefront, and a customer service desk within the front area of the building, which will help to animate the street.
- the required variance to permit the display of rental automobiles outside of a building is supported by staff given the current use of part of the site as a surface parking lot, and the proposed landscape improvements to screen the vehicle storage area from the street
- the required variance to locate two motor vehicle parking stalls outside the building is supported by staff given the current use of part of the site as a surface parking lot, and the proposed landscape improvements to screen vehicle parking from the street.

## **BACKGROUND**

### **Description of Proposal**

The development proposal is to construct a two-storey vehicle rental office building on 727 and 733 Courtney Street in place of an existing one storey building at 727 Courtney Street, with minor alterations to the surrounding surface parking area. Specific details include:

- a new 169m<sup>2</sup> office building fronting onto Courtney Street with a customer service counter, private office space and bicycle storage
- an area behind the building for inspecting and washing the rental vehicles located under a cantilevered roof
- two bike racks and two surface parking stalls on the west side of the building
- a gated vehicle storage area behind the building with driveway access at 727 Courtney Street
- a vehicle storage area behind the building with driveway access at 733 Courtney Street
- on-site landscape improvements and streetscape improvements fronting the development on Courtney Street.

The proposed variances are related to the location and siting of uses to permit first-storey office use within 6m of the wall of any building that abuts a street, the display of automobile rentals outside of a building, and the location of motor vehicle parking outside a building.

### **Sustainability Features**

As indicated in the applicant's letter dated April 2, 2018, the following sustainability features are associated with this application:

- providing an alternative to personal vehicle ownership with a rental car and truck service
- green building design with operable windows for passive cross ventilation, an articulated roof overhang and louvered wall on the west elevation for sun screening, north facing glazed walls to maximize the use of natural light, and minimal south facing windows to control solar heat gain
- increasing the site landscaping and streetscaping.

### **Active Transportation Impacts**

The application proposes the following features which support active transportation:

- three Class 1 bicycle parking stalls in the storage room
- four Class 2 bicycle parking stalls (2 bike racks) in the northwest corner of the property, adjacent to Courtney Street.

### **Public Realm Improvements**

The following public realm improvements are being offered by the applicant in association with this Development Permit application. They will be secured as off-site improvements as a condition of a Building Permit, as required, but not limited to, what is shown on the Landscape Plan:

- two new street trees, tree grates and tree guards along Courtney Street
- sidewalk replacement fronting the development along Courtney Street.

### **Accessibility Impact Statement**

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

### **Existing Site Development and Development Potential**

727 Courtney Street is presently occupied by a single-storey building surrounded by asphalt paving for vehicle circulation and parking. 733 Courtney Street is presently an open asphalt paved area used for vehicle circulation and parking. Consolidation of the two lots will be required prior to the issuance of a Development Permit in order to construct the proposed building, which currently straddles the two lots. The neighbouring property at 739 Courtney Street is currently accessed by a driveway shared with 733 Courtney Street.

The Central Business District-1 (CBD-1 Zone) permits buildings with a maximum density of 3.0:1 and a maximum height of 43.0m. Equipment Rental is a permitted use within this zone.

### **Data Table**

The following data table compares the proposal with the existing Central Business District-1 (CBD-1 Zone) and the previous CA-4 Zone, Central Area Commercial Office District. An asterisk is used to identify where the proposal is less stringent than the existing CBD-1 Zone.

Zoning Criteria	Proposal	Previous Zone CA-4	Zone Standard CBD-1
Site area (m <sup>2</sup> ) – minimum	1005.00	n/a	n/a
Total floor area (m <sup>2</sup> ) – maximum	169.00		3015.00
Density (Floor Space Ratio) – maximum	0.17	3.00	3.00
Height (m) – maximum	9.14	43.00	43.00
Storeys – maximum	2.00	n/a	n/a
<b>Setbacks (m) – minimum</b>			
Street massing (north)	0.00	0.00	0.00
Rear (south)	23.30	0.00	0.00
Interior (west)	12.12	0.00	0.00
Interior (east)	3.18	0.00	0.00
Vehicle parking stalls – minimum	2*	0	0
Parking location	Exterior side*	n/a	Within a building
Driveway / parking slope (%) – maximum	< 8	8.00	8.00
Driveway / parking material	Asphalt	Hard surfaced	Hard surfaced
<b>Bicycle parking – minimum</b>			
Long term (class 1)	3	3	1
Short term (class 2)	4	3	1

### Relevant History

Subsequent to the submission of the application, the zoning for the site changed from CA-4 Zone, Central Area Commercial Office District to the Central Business District-1 (CBD-1) zone in the Zoning By-Law 2018. The proposal conformed to the previous CA-4 zone requirements, however under the CBD-1 zoning, variances are now required that relate to the location and siting of uses and the location of motor vehicle parking outside a building.

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on August 2, 2018 the application was referred for a 30-day comment period to the Downtown Residents Association CALUC. Any

comments received by the Downtown Residents Association will be included for consideration at the Opportunity for Public Comment.

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 variances.

## **ANALYSIS**

### **Development Permit Area and Design Guidelines**

The *Official Community Plan, 2012* (OCP) identifies this property within DPA 2 (HC): Core Business. The objectives of this DPA include the revitalization of a central business district with high-rise commercial and low-to-medium rise residential mixed-use buildings; and the enhancement of the Core Business area through high-quality architecture, landscape and urban design. The new two-storey building, proposed to replace an existing one-storey building, is designed to represent an urban commercial district through its architectural expression and use of materials. On-site and off-site landscape improvements are proposed to enhance the character of the area and mitigate the impact of surface vehicle storage and parking from the street. The proposed two-storey building is a low-intensity use of the land in an area identified in the OCP for high-density commercial development; however, the proposal does not preclude future redevelopment of the site.

### **Downtown Core Area Plan**

The proposed architecture and landscape support a pedestrian-oriented environment envisioned for the Central Business District with the provision of an active commercial street-level use and public realm improvements. The new building massing is oriented along Courtney Street to maximize the street frontage of the small building. To support and encourage pedestrian activity, a two-storey storefront addresses the street with an expanse of transparent glazing. Two prominent public entrances, articulated with decorative metal archways, are provided on the north and south elevations of the building at high visibility locations that are connected to the sidewalk. New landscaping is introduced along the street frontage to mitigate the visual impact of the two surface parking stalls on the streetscape. An aluminum gate and fence facing the street, designed to complement the architectural character of the building, separates the vehicle storage area from the two surface parking stalls and provides some visual screening from the street. Two street trees with tree grates and guards will be planted along Courtney Street as public realm improvements.

### **Tree Preservation Bylaw**

There are no Tree Preservation Bylaw impacts with this application.

### **Urban Forest Master Plan**

Within the Right-of-Way, the existing street tree fronting 727 Courtney Street will be preserved. Two new street trees will be planted to extend the boulevard tree planting eastwards across the property frontage to help to achieve regularly-spaced street trees along Courtney Street, and the objectives established in the Urban Forest Master Plan. These two additional street trees are a key component of the public street and will be required to conform to City of Victoria Standards.

## Regulatory Considerations

Equipment Rental is a permitted use in the Central Business District-1 of the 2018 Zoning Bylaw. Variances are required to permit first-storey office use within 6m of the wall of the building that abuts a street, for the display of rental automobiles outside of a building and to locate two motor vehicle parking stalls outside a building. The required variance to permit first-storey office use is supported by staff as the proposed building provides extensive clear glazing like a retail storefront; two public entrances visible from the street; and a customer service desk within the front area of the building, which will contribute to the animation of Courtney Street. The required variances to permit the display of rental automobiles outside of a building, and to permit two motor vehicle parking stalls outside a building, are supported by staff given the current use of part of the site as a surface parking lot and the proposed landscape improvements to screen the vehicle storage area and surface parking stalls from the street.

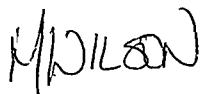
## CONCLUSIONS

In order to meet the objectives and guidelines of the *Official Community Plan* and the Downtown Core Area Plan, the development proposal for a new two-storey vehicle rental office building proposes a high-quality architectural expression to reflect the character and function of the Central Business District and to enhance the public realm as a pedestrian-oriented environment. Although the proposal is not a high-density development as identified in the plan for the Core Business area, it does not preclude future redevelopment for more efficient use of the land. Equipment Rental is a permitted use within the Central Business District-1; however, variances are required to permit first-storey office use within 6m of the wall of a building that abuts a street, for the display of automobile rentals outside of a building, and for the location of two motor vehicle parking stalls outside a building. Staff support the variances given the current use of part of the site as a surface parking lot; the provision of screening for the surface parking and vehicle storage area to mitigate their impact on the street; and the architecture of the building which is designed to engage with and enhance the area. Additionally, the proposal contributes to the *Urban Forest Master Plan* by planting two new street trees that will help to achieve the plan for regularly spaced street trees along both sides of Courtney Street.

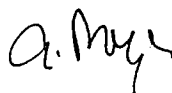
## ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00087 for the property located at 727 and 733 Courtney Street.

Respectfully submitted,



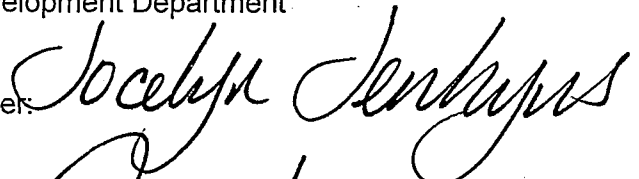
Moira Wilson,  
Senior Planner – Urban Design  
Development Services



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

Date:

  
August 7, 2018

**List of Attachments:**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped June 4, 2018
- Attachment D: Applicant's letter to Mayor and Council dated April 9, 2018