



Committee of the Whole Report

For the Meeting of September 27, 2018

To: Committee of the Whole **Date:** September 12, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: **Approach for Updating Industrial Zoning in Rock Bay (Burnside)**

RECOMMENDATION

That Council:

1. Direct staff to develop new industrial zones to align with the Council approved land use policies for the Rock Bay employment sub-area as outlined in the *Burnside Gorge Neighbourhood Plan*.
2. Direct staff to develop the Rock Bay industrial zones premised on their implementation through a City-initiated rezoning process and conduct public engagement for feedback on the draft zones.
3. Direct staff to report back with the draft Rock Bay industrial zones and feedback collected from the public engagement process for Council's consideration prior to a public hearing.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with a proposed approach for developing and implementing new industrial zones within the Rock Bay employment sub-area as a means of realizing the related land use policies of the *Burnside Gorge Neighbourhood Plan*, which identifies the development of new zoning for Rock Bay as a high-priority short-term action.

The new industrial zones are anticipated to strengthen and support economic development and industrial activity within the Rock Bay employment sub-area as well as to help reduce the amount of existing industrial zones, provide updated use definitions with greater flexibility, provide a better distinction between light, medium and heavy industrial activities and reduce the need for site specific zones.

Staff will also undertake a public engagement process with key stakeholders to receive feedback and refine the draft zones prior to reporting to Council. Based on consultation with the Burnside Gorge Land Use Committee, staff recommend a City- initiated rezoning process to implement the new zones. Once approved the new zones will be contained within *Zoning Bylaw 2018* and the industrial properties within the Rock Bay employment area will only be subject to *Zoning Bylaw 2018* instead of *Zoning Regulation Bylaw (80-159)*.

PURPOSE

The purpose of this report is to present Council with a proposed approach for developing and implementing new industrial zones within the Rock Bay employment sub area as a means of realizing the industrial land use policies of the *Burnside Gorge Neighbourhood Plan*.

BACKGROUND

The *Burnside Gorge Neighbourhood Plan* was approved in July 2017 and provides detailed policies to guide future development and change in the neighbourhood over the next 25 years. One of the plan's key objectives is to strengthen and support economic development and industrial activity within the Rock Bay employment sub-area through the provision of updated land use policies and related zoning. In support of this objective, the plan identifies the importance of updating the zoning within Rock Bay as a high-priority short-term action. In response, staff are proposing to commence with the review and development of new industrial zones for Rock Bay generally within the lands identified as Industrial Employment and Marine Industrial through the *Burnside Gorge Neighbourhood Plan* (See map below).



The new industrial zones will be integrated as part of *Zoning Bylaw 2018* which was approved by Council in July 2018. This approach is consistent with the intent of expanding *Zoning Bylaw 2018* with new zones to eventually replace *Zoning Regulation Bylaw (80-159)*.

Staff are also seeking Council's endorsement to implement the new industrial zones through a City-initiated rezoning process within Rock Bay. This means that once the new industrial zones are developed, they will be presented to Council prior to a public hearing. Following a public

hearing and approval by Council, the industrial properties in Rock Bay would become subject to the new industrial zones and updated regulations (i.e. uses, density, building height, parking, etc.) contained in *Zoning Bylaw 2018* and *Zoning Regulation Bylaw (80-159)* would no longer apply to these properties.

Staff met with the Burnside Gorge Community Association Land Use Committee on June 11 and July 9, 2018 to present and discuss the proposed approach for developing and implementing the new industrial zones. The Land Use Committee has provided a letter of support (Attachment A) for an approach that is consistent with the proposed recommendation of this report and that includes a City-initiated rezoning process (public hearing) to replace the current industrial zoning regulations with new industrial zones that better align with the *Burnside Gorge Neighbourhood Plan*.

ISSUES & ANALYSIS

1. Guiding objectives for developing new industrial zones

The review and update of the Rock Bay industrial zones is predicated on achieving the following objectives:

- Generally retaining existing development rights while implementing the land use policies of the new neighbourhood plan, while providing new regulations that better support businesses and improve development application processes.
- Condensing the range of approximately 24 industrial zones into fewer zones while providing a more clear distinction between zones that support light industrial, medium industrial and heavy industrial uses and activities.
- Reducing the number of site specific industrial zones.
- Providing updated uses that reflect current activities and that provide greater flexibility and greater certainty.
- Creating regulations and appropriate uses to implement an 'Industrial Arts' concept that supports light industrial and artisan related activities along portions of Bridge Street and Government Street.
- Providing updated regulations to address the location and siting of buildings, landscaping, parking and mitigation of impacts on adjacent non-industrial areas.

2. Implementation of new industrial zones

The new industrial zones will provide updated industrial uses and development regulations for building height, setbacks, siting and location of uses, off-street parking and other development requirements that are reflected in the neighbourhood plan. The implementation of the new industrial zones will be primarily achieved through a City-initiated rezoning process that replaces current zoning with new zones. The key benefits of this approach include:

- New industrial zones can be implemented immediately for all industrial properties rather than relying on separate owner-initiated rezoning applications.
- Replaces older outdated zoning with new zones that better align with the new neighbourhood plan.
- Retains Councils ability to consider public comments through a public hearing process.
- Reducing the amount of existing site specific zones.
- New development will still require a development permit and would be subject to design guidelines for industrial buildings.

3. Public Engagement

Once the draft zones are prepared, staff will undertake a public engagement process where key stakeholders such as property owners, businesses, community associations and the development industry will have multiple opportunities to provide input and feedback on the draft zones and their proposed distribution. Feedback received will be considered for additional refinements to the zones before presenting the draft zones to Council for their consideration. Engagement tools will include a project website, email, meetings with individual stakeholder organizations and open houses. The development of new zones is largely a technical exercise therefore the public engagement will be structured to seek detailed feedback on the development regulations and will not be used to revisit the Council approved policies contained in the *Burnside Gorge Neighbourhood Plan* (2017).

OPTIONS AND IMPACTS

Option 1: City-initiated rezoning process (Recommended)

Direct staff to develop new industrial zones for the Rock Bay employment sub area premised on an approach where the new zones will be implemented through a City-initiated rezoning process that includes a public hearing and consideration by Council.

This option allows land owners, businesses and the City of Victoria to begin using the new updated industrial zones immediately after they are approved for inclusion within *Zoning Bylaw 2018*. The updated zones will generally retain existing development rights, provide better alignment with the policies of the *Burnside Gorge Neighbourhood Plan* while supporting economic development and helping to reduce barriers for businesses.

Option 2: Property owner-initiated rezoning process

Develop new industrial zones for inclusion in *Zoning Bylaw 2018* as 'destination zones', where property owners would need to apply for the new zoning through individual rezoning processes. This means that industrial properties would continue to be subject to the older zones, development regulations and definitions contained in *Zoning Regulation Bylaw (80-159)*. This approach would mean that many properties may not transition to the new industrial zones as land owners may not be willing to undertake a rezoning process because of the additional process, time, cost and uncertainty. This approach would also continue to maintain zoning regulations that do not align with the Council approved policies of the *Burnside-Gorge Neighbourhood Plan*.

Accessibility Impact Statement

The development of new industrial zones do not have any impacts on accessibility.

2015 – 2018 Strategic Plan

This project supports Objective 3: Strive for Excellence in Planning and Land Use, as the updated industrial zones and other regulations and definitions contained in the new *Zoning Bylaw 2018* are anticipated to contribute to streamlining application processes by reducing the need for site-specific zones. This project also supports Objective 5: Create Prosperity through Economic Development, as the new industrial zones serve to facilitate increased investment and development within the Rock Bay employment area.

Impacts to Financial Plan

Implementation of the new Rock bay industrial zones will not have any impacts to the *Financial Plan*.

Official Community Plan Consistency Statement

This project is consistent with the *Official Community Plan* which supports the role of the Zoning Bylaw to help implement plan objectives, land uses, built forms and densities (policy 6.3).

CONCLUSIONS

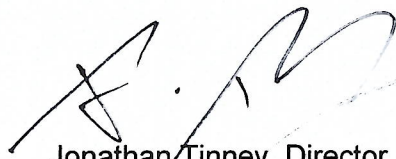
The process for developing new updated industrial zones for the Rock Bay employment sub-area includes a public engagement component to refine the draft zones prior to consideration by Council through a public hearing. The proposed implementation through a City-initiated rezoning process will allow the new zones to take effect and to better support the land use policies contained in the *Burnside Gorge Neighbourhood Plan*.

Respectfully submitted,



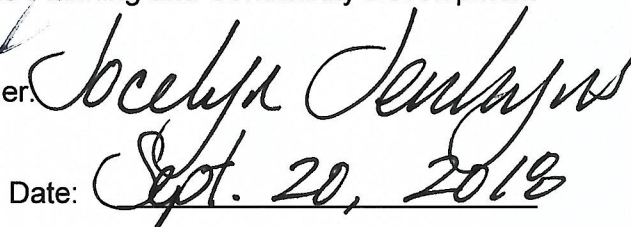
Robert Batallas, Senior Planner
Community Planning Division

Alt.



Jonathan Tinney, Director
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager.



Date:

Sept. 20, 2018

List of Attachments:

- Attachment A: Burnside Gorge Letter