



Committee of the Whole Report

For the Meeting of June 20, 2019

To: Committee of the Whole **Date:** June 6, 2019
From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development
Subject: Rezoning Application No. 00682 for 2330 Government Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in Rezoning Application No. 00682 for 2330 Government Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures; the density of the use of the land, building and other structures; the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 2330 Government Street. The proposal is to rezone from the M-G Zone, Government Light Industrial 2 District, to a new zone in order to permit a brewpub.

The following points were considered in assessing this application:

- the proposal is consistent with the *Official Community Plan*, which designates the subject property as Core Employment and supports light industrial, commercial and complementary retail uses
- the *Burnside Gorge Neighbourhood Plan* designates the subject property as Industrial Employment, which supports light industrial uses on the ground-floor, with ancillary retail or office uses limited to those that support the primary use
- the applicant would like to expand the existing brewery by adding a brewpub (i.e. tasting room/lounge) for patrons visiting the brewery. The applicant has applied for a Primary Liquor License, which is being dealt with in a separate Liquor License Application
- The proposed floor area of the brewpub is 72m² and would accommodate up to 40 guests.

BACKGROUND

Description of Proposal

The proposal is to rezone from the M-G Zone, Government Light Industrial 2 District, to a new zone in order to permit a brewpub.

Sustainability Features

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

Active Transportation Impacts

There is an existing bike rack for six bikes at the front entrance to the brewery.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Accessibility Impact Statement

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

Land Use Context

The area is characterized by mix of industrial, commercial and residential uses.

Existing Site Development and Development Potential

The site is presently occupied by a two-storey commercial building consisting of office, retail, personal services, manufacturing, warehouse and brewery uses. Under the current M-G Zone, the property could be developed into a five-storey building consisting of commercial (retail, restaurants and professional services), high tech, light industrial (testing, servicing and repair) and/or warehouse/wholesale uses.

Data Table

The following data table compares the proposal with the existing M-G Zone.

Zoning Criteria	Proposal	Existing M-G Zone
Site area (m ²) – minimum	5765.60	n/a
Density (Floor Space Ratio) – maximum	0.70:1	1.50:1
Total floor area (m ²) – maximum	4389.00	8648.40
Height (m) – maximum	existing (< 15m)	15
Parking – minimum	59	49

Zoning Criteria	Proposal	Existing M-G Zone
Bicycle parking stalls – minimum		
Long-term	n/a	n/a
Short-term	1 rack (6 bikes)	n/a

Community Consultation

Community Association Land Use Committee

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Burnside-Gorge CALUC at a Community Meeting held on November 28, 2017. A letter from the Community Association is attached to this report. The applicant did not apply for rezoning within the required six months of the formal Community Meeting; however, the CALUC decided to waive the requirement for a second meeting and provided a second letter dated August 20, 2018, which is also attached to this report.

Victoria Police Department Referral

A referral was sent to the Victoria Police Department to provide comments on this application's adherence to the Crime Prevention Through Environmental Design (CPTED) standards, including calls for service statistics and any other concerns related to the application. Correspondence dated June 2019 is attached to this report.

ANALYSIS

Official Community Plan

The *Official Community Plan* (2012) Urban Place Designation for the subject property is Core Employment, which supports light industrial, commercial and complimentary retail uses. A floor space ratio (FSR) up to approximately 3:1 is supportable. The current density on the subject property is 0.7:1 FSR and the applicant is not proposing to increase the floor area of the existing building. The proposed land use (brewpub) is appropriate for the area, as it supports the brewery operation and is consistent with the broader vision and changing land use trends in the Rock Bay area. The inclusion of the brewery has served as an employment generator in the neighbourhood.

Local Area Plans

The *Burnside Gorge Neighbourhood Plan* designates the subject property as Industrial Employment, which supports light industry, including production and distribution on the ground-floor, with ancillary retail or office uses limited to those that support the primary use. Vancouver Island Brewery currently employs approximately 32 people at this location. The proposal fits with the overall policy directions outlined in the Local Area Plan.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no impacts to public or private trees with this application.

Regulatory Considerations

The current M-G Zone allows for a wide range of light industrial and commercial uses, including brewery, distillery and restaurant; however, it does not permit a brewpub (lounge/tasting room), which allows alcohol to be served exclusively (no food). The proposed floor area of the brewpub is 72m² and the zoning amendment would limit the size of the brewpub to this proposed floor area. Any future deviations from the maximum floor area requirement for a brewpub would require a variance. There is currently liquor retail sales associated with the existing brewery; however, this use existed prior to the adoption of the *Liquor Retail Sales Policy*, and as a result, the liquor retail sales operations at this location are grandfathered and considered existing legal non-conforming.

CONCLUSIONS

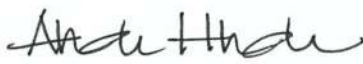
The proposal to rezone the subject property to allow a brewpub is consistent with the applicable land use policies and would allow for the applicant to grow the brewery operation at this location by expanding the public element of the business. Limiting the size of the floor area associated with the brewpub will ensure that it remains secondary to the light industrial and other commercial uses on the subject properties. Staff recommend for Council's consideration that the application advance to a Public Hearing.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00682 for the property located at 2330 Government Street.


Respectfully submitted,


Leanne Taylor
Senior Planner
Development Services Division


Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:


June 13, 2019

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped April 5, 2019
- Attachment D: Letters from applicant to Mayor and Council dated November 30, 2018
- Attachment E: Letters from Community Association Land Use Committee dated November 28, 2017 and August 20, 2018
- Attachment F: Referral Comments from the Victoria Police Department dated June 5, 2019.