



Committee of the Whole Report

For the Meeting of April 18, 2024

To: Committee of the Whole **Date:** April 4, 2024

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No.00863 for 1011 Fort Street

RECOMMENDATION

Rezoning Application

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated April 18, 2024 for 1011 Fort Street.
2. That, after publication of notification in accordance with section 467 of the Local Government Act, first, second and third reading of the zoning regulation bylaw amendment be considered by Council.
3. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

LEGISLATIVE AUTHORITY

This report discusses a Rezoning Application. Relevant rezoning considerations include the proposal to amend the current zone to allow residential use on the ground floor of an existing building enabling the construction of two residential units.

Enabling Legislation

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 1011 Fort Street. The proposal is to rezone from the CA-42 Zone, Harris Green Commercial District, to a new zone to permit residential use on the ground floor of an existing building. The proposal is to allow the conversion of ground floor commercial space into two residential units fronting onto Meares Street, while maintaining the commercial use fronting onto Fort Street.

The following points were considered in assessing the Rezoning Application:

- The proposal is located within the Core Residential urban place designation in the Downtown Core Area of the *Official Community Plan, 2012* (OCP). This proposal is consistent with OCP objectives to enable and foster a greater range of housing options throughout the Downtown Core Area.
- The proposal is located within the Residential Mixed-Use District in the *Downtown Core Area Plan* (DCAP) which envisions multi-residential development appropriate to the context and function of each neighbourhood. The application to allow the proposed two residential units is consistent with these objectives.
- The property has dual frontage on Fort Street and Meares Street with Fort Street being the primary street frontage. The proposed zone would maintain the requirement for commercial use on Fort Street which is consistent with the OCP and DCAP which envisions Fort Street as a major commercial corridor.
- The site is in Development Permit Area 7B(HC): Corridors Heritage but a Development Permit is not required since there are no exterior alterations occurring with this proposal.

BACKGROUND

Description of Proposal

This proposal is to amend the CA-42 Zone, Harris Green Commercial District, to allow residential use on a portion of the ground floor that fronts on to Meares Avenue to permit the construction of two residential units. The existing four-storey building is currently being converted from an office building to a primarily residential building. The former offices on the second to fourth floors are being converted into a total of 15 residential units. The permitted commercial uses on the ground floor that fronts on to Fort Street would not change.

Land Use Context

The subject site has frontage on Fort Street which is characterized by a mix of commercial, office and residential uses. The site also has frontage on Meares Street which is characterized by primarily residential uses.



1011 Fort Street
Rezoning No.00863



Existing Site Development and Development Potential

The existing four-storey building is currently being converted from an office building to a primarily residential building. The former offices which were located on the second to fourth floors are being converted to a total of 15 residential units, consistent with the current zone, which allows for a mixed-use building with commercial uses on the ground floor and residential uses above. The ground floor fronting on Fort Street will remain a commercial use (currently a hair salon).

Under the current CA-42 Zone, Harris Green Commercial District, the building is at maximum development potential. Under this zoning, a wide range of commercial uses are permitted on the ground floor.

Data Table

The following data table compares the proposal with the existing CA-42 Zone, Harris Green Commercial District. An asterisk is used to identify where the proposed use does not meet the requirements of the existing Zone. A double asterisk indicates where the building currently does not meet the siting requirements of the existing Zone.

Zoning Criteria	Proposal	Zone Standard	Comments
Site area (m ²) – minimum	319.46	-	
Storeys – maximum	4	4	
Ground floor - uses	Commercial/ Residential*	Residential not permitted	
Setbacks (m) – minimum			Approved by Board of Variance (BOV00954)
Front (Fort St)	0.20**	3.0	
Rear (Meares St)	0.0	0.0	
Side (north)	0.0	0.0	
Side (south)	0.0	0.0	
Parking – minimum	0	Not required for lots less than 650m ²	
Bicycle parking stalls – minimum	0	Not required for existing building	

Sustainable Mobility

No sustainable mobility improvements beyond minimum City standards are proposed in association with this application.

Public Realm

No public realm improvements beyond City standard requirements are proposed in association with this application.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, prior to submission of the application, it was posted on the Development Tracker along with an invitation to complete a comment form on November 24, 2023. At the time of writing this report, a letter from the CALUC had not been received.

Pursuant to section 464(3) of the Local Government Act, Council is prohibited from holding a public hearing when a rezoning application is consistent with the OCP and residential uses comprise at least half of the gross floor area of all buildings and other structures proposed as part of the development. However, notice must still be sent to all owners and occupiers of adjacent properties prior to introductory readings of the bylaws.

ANALYSIS

Rezoning Application

Official Community Plan

The *Official Community Plan, 2012* (OCP) designates the property within the Core Residential urban place designation which envisions a mix of uses including residential in a range of low-, mid-, and high-rise multi-unit buildings. The proposal to allow two residential units on the ground floor of an existing four storey building is consistent with OCP objectives to enable and foster a greater range of housing options throughout the Downtown Core Area.

Downtown Core Area Plan

The *Downtown Core Area Plan* (DCAP) designates the property within the Residential Mixed-Use District which envisions multi-residential development appropriate to the context and function of each neighbourhood. The Downtown Core is also envisioned to accommodate a significant share of the forecast new population and housing growth earmarked for the Urban Core over the next 30 years. The proposal to allow residential use on the ground floor of an existing building to permit the construction of two residential units is consistent with these objectives.

Housing

The application, if approved, would add two new residential units, which would increase the overall supply of housing in the area and contribute to the targets set out in the *Victoria Housing Strategy*.

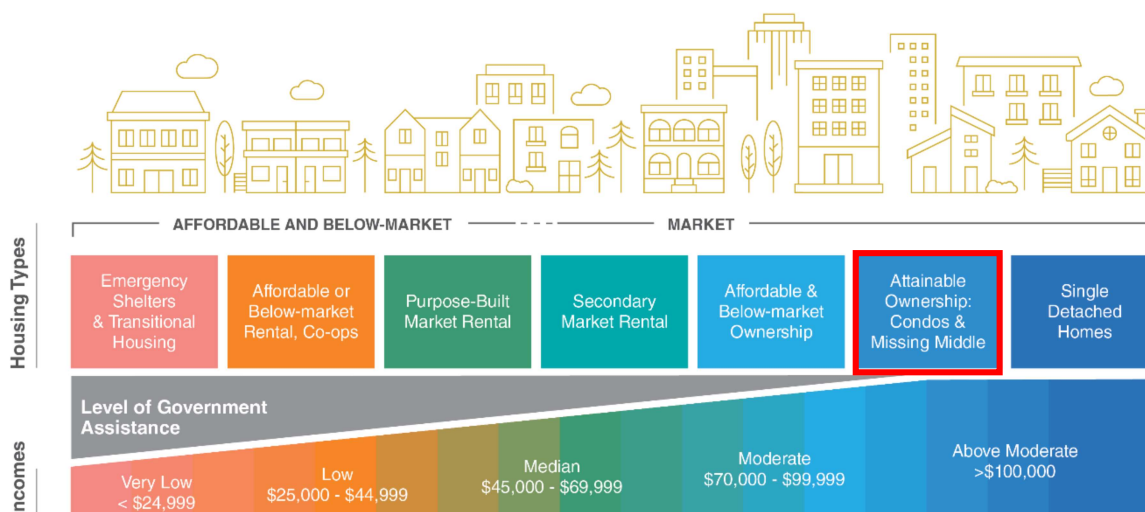


Figure 1. Housing Continuum

Housing Mix

At present there is no policy that provides targets regarding housing mix and providing minimum unit types is not mandated by the City. However, the OCP identifies a mix of units as an objective and identifies the need for a diverse range of housing units including family housing. As submitted, this application proposes two studio dwelling units.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no impacts to public trees with this application.

CONCLUSIONS

The proposal to rezone the subject property to allow residential use on the ground floor of the building that fronts on to Meares Street is consistent with the objectives in the OCP and the DCAP. The rezoning would permit the construction of two residential units that would fit in with the Meares Street frontage of the building with minimal impact. It is therefore recommended that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00863 for the property located at 1011 Fort Street.

Respectfully submitted,

Gerry Hamblin
Senior Planner
Development Services Division

Karen Hoesel, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Plans date stamped November 1, 2023
- Attachment B: Letter from applicant to Mayor and Council dated March 20, 2024
- Attachment C: Correspondence