

REPORTS OF COMMITTEES

3. Committee of the Whole – October 19, 2017

1. Rezoning Application No. 00569 and Development Permit with Variances Application No. 00044 for 540 Discovery Street and 2000 & 2010 Government Street

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto:

Rezoning Application No. 00569

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00569 for 540 Discovery Street and 2000 & 2010 Government Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variances Application No. 00044

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 005569, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00044 for 540 Discovery Street and 2000 & 2010 Government Street, in accordance with:

1. Plans date stamped July 13, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 7.45, Section 4(1): reduce the width of access at the street from 5m to 4.36m;
 - ii. Schedule C, Section C and D: reduce the required number of parking spaces from 45 to 5;
 - iii. Sign Bylaw No. 14-097, Part 4, Section 18(4): to allow the sign to project above and over the wall to which it is attached;
 - iv. Sign Bylaw No. 14-097 Part 4 Section 18(7): increase the width of a projecting sign at its base from 0.40m to 0.58m;
3. The Development Permit lapsing two years from the date of this resolution.
4. Register a Section 219 Covenant on the property located at 513 Pembroke Street to secure this lot for employee parking from the brewery located at 540 Discovery and 2000/2010 Government Street.

Carried Unanimously

3. CONSENT AGENDA

3.2 Development Permit with Variances Application No. 00044 for 540 Discovery Street and 2000 & 2010 Government Street

Committee received a report dated October 5, 2017, from the Director of Sustainable Planning and Community Development regarding an application for a new brewpub.

- Motion:** It was moved by Councillor Alto, seconded by Councillor Loveday, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 005569, if it is approved, consider the following motion:
"That Council authorize the issuance of Development Permit Application No. 00044 for 540 Discovery Street and 2000 & 2010 Government Street, in accordance with:
1. Plans date stamped July 13, 2017.
 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 7.45, Section 4(1): reduce the width of access at the street from 5m to 4.36m;
 - ii. Schedule C, Section C and D: reduce the required number of parking spaces from 45 to 5;
 - iii. Sign Bylaw No. 14-097, Part 4, Section 18(4): to allow the sign to project above and over the wall to which it is attached;
 - iv. Sign Bylaw No. 14-097 Part 4 Section 18(7): increase the width of a projecting sign at its base from 0.40m to 0.58m;
 3. The Development Permit lapsing two years from the date of this resolution.
 4. Register a Section 219 Covenant on the property located at 513 Pembroke Street to secure this lot for employee parking from the brewery located at 540 Discovery and 2000/2010 Government Street.

CARRIED UNANIMOUSLY 17/COTW



Committee of the Whole Report For the Meeting of October 19, 2017

To: Committee of the Whole **Date:** October 5, 2017
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: **Development Permit with Variances Application No. 00044 for 540 Discovery Street and 2000&2010 Government Street**

RECOMMENDATION

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 005569, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 00044 for 540 Discovery Street and 2000 & 2010 Government Street, in accordance with:

1. Plans date stamped July 13, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 7.45, Section 4(1): reduce the width of access at the street from 5m to 4.36m;
 - ii. Schedule C, Section C and D: reduce the required number of parking spaces from 45 to 5;
 - iii. Sign Bylaw No. 14-097, Part 4, Section 18(4): to allow the sign to project above and over the wall to which it is attached;
 - iv. Sign Bylaw No. 14-097 Part 4 Section 18(7): increase the width of a projecting sign at its base from 0.40m to 0.58m;
3. The Development Permit lapsing two years from the date of this resolution.
4. Register a Section 219 Covenant on the property located at 513 Pembroke Street to secure this lot for employee parking from the brewery located at 540 Discovery and 2000/2010 Government Street.”

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.

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 Application for the properties located at 540 Discovery Street and 2000 and 2010 Government Street. The proposal is to reduce the required number of parking spaces from 45 to 5 and a loading zone dimension as well as vary the signage requirements for a projecting sign to facilitate the construction of a new brewpub.

The following points were considered in assessing this application:

- the proposal is consistent with *Official Community Plan 2012 (OCP)*, *Downtown Core Area Plan 2011 (DCAP)* and the *Burnside Gorge Neighbourhood Plan 2017*
- the Applicant provided a parking study prepared by WATT Consulting Group concluding that the peak parking demand would be 21 vehicles during Friday and Saturday evenings for the brewpub and new liquor retail space. Five vehicles can be accommodated onsite and the other 16 vehicles would be seeking nearby on-street parking. Weekday parking would have a reduced parking demand.
- to offset the parking shortfall, the applicant would be providing 16 secure and enclosed bicycle parking spaces and six Class 2 bicycle parking spaces for visitors.
- the subject property is located in the downtown core and in close proximity to frequent transit services and bicycle amenities.
- Shipping containers previously installed in the rear yard to store materials, has triggered a loading zone variance. The applicant has demonstrated that the loading is still functional.
- the variances associated with the projecting sign are supportable as it would not impact pedestrian movements on the sidewalk or interfere with sightlines at the corner. Additionally, the sign would architecturally enhance the building and provide some visual interest at the corner.

BACKGROUND

Description of Proposal

The proposal is to reduce the required number of parking spaces and a loading zone dimension as well as vary the signage requirements for a projecting sign to facilitate the construction of a new brewpub. Specific details include:

- the new brewpub would contain approximately 134 seats
- the existing retail area would be converted into a reception and brewery experiential room
- the new liquor retail store area would be relocated next to the proposed brewpub for better visibility from the street
- the exterior finishes of the art deco building include stucco, aluminium fascia trim, cedar soffits and horizontal wood trim
- there are five existing parking spaces onsite in front of the building
- two shipping containers were installed in the rear yard to store materials.

The proposed variances are related to:

- reducing the required number of parking spaces from 45 to 5
- reducing the width of the access at the street from 5m to 4.36m
- allowing a sign to project above and over the wall to which it is attached
- increasing the width of a projecting sign at its base from 0.40m to 0.58m.

Sustainability Features

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

Active Transportation Impacts

The applicant is proposing to install 16 secure and enclosed bicycle parking spaces and a bicycle rack to accommodate six bicycles for visitors to support active transportation.

Public Realm Improvements

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

Accessibility Impact Statement

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

Existing Site Development and Development Potential

The site is presently occupied by a brewery including warehouse and wholesales, and a complimentary liquor retail store.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on July 26, 2017 the application was referred for a 30-day comment period to the Burnside Gorge CALUC. A letter dated February 24, 2017, is attached to this report, which is also associated with the concurrent Rezoning Application.

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

Parking and Loading Zone Variances

The Applicant is proposing to reduce the required number of parking spaces from 45 to 5. The Applicant has an agreement with the property owner of 513 Pembroke Street to allow employees of the brewery to park on this adjacent lot. There are approximately 31 employees who use the parking lot, which has a total of 46 parking spaces. The Applicant and property owner are willing to enter a Section 219 Covenant to secure this parking for employees on condition that if the brewery were to shut down or relocate the covenant would be discharged

from title (sunset clause) so that the land could be redeveloped in the future in accordance with the OCP, DCAP and the *Burnside Gorge Neighbourhood Plan*.

The Parking Study prepared by WATT Consulting Group concluded that the peak parking demand would be for 21 vehicles and experienced during Friday and Saturday evenings for the brewpub and new liquor store retail space. Five vehicles can be accommodated onsite and the other 16 vehicles would be seeking nearby on-street parking. Weekday parking would have a reduced parking demand; however, the study does state that the subject site would likely contribute to parking spillover of up to one vehicle during the weekday between 2:00pm – 5:00pm. This is also considered a peak parking time period for the brewery where on-street parking would be utilized.

To off-set the parking shortfall, the Applicant would be providing 16 Class 1 (secure and enclosed) bicycle parking spaces and six Class 2 bicycle parking spaces for visitors. The subject property is also in close proximity to frequent transit services and bicycle amenities to encourage alternative modes of transportation.

The Applicant installed two shipping containers in a loading area in the rear yard of the subject property. This has triggered a variance for the loading zone by reducing the width of access at the street from 5m to 4.36m; however, it is a minor variance and the applicant has demonstrated that the loading area is functional.

Sign Variances

The Applicant is proposing to install a projecting sign on the corner of the roof of the existing building. Variances to allow a sign to project above and over the wall to which it is attached and increase the width of a projecting sign at its base from 0.40m to 0.58m are being requested by the Applicant. The clearance between the sidewalk and the sign is nearly three metres, which would not impact pedestrian movement on the sidewalk or interfere with sightlines at the corner. The proposed sign accentuates the existing art deco building and provides some visual interest at the corner.

CONCLUSIONS

The proposal to reduce the required number of parking spaces and loading zone dimensions as well as vary the signage requirements for a projecting sign to facilitate the construction of a new brewpub is supportable. Even though there is a shortage of parking onsite, there appears to be sufficient parking in the neighbourhood to offset a parking shortfall. The Applicant is also providing additional bicycle parking for employees and visitors. The minor sign variances will allow the Applicant to install a unique sign that would accentuate the corner of the building and provide some visual interest at the street corner. Staff recommend for Council's consideration that the Application advance to an opportunity for public comment.

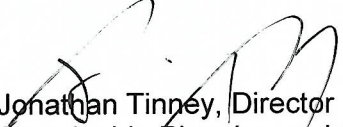
ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00044 for the property located at 540 Discovery Street and 2000/2011 Government Street.

Respectfully submitted,


Leanne Taylor
Senior Planner
Development Services Division




Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager



Date:

Oct 11, 2017

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped July 13, 2017
- Attachment D: Letters from applicant to Mayor and Council dated July 13, 2017
- Attachment E: Parking Study prepared by WATT Consulting Group dated *October 4, 2017*
- Attachment F: Community Association Land Use Committee Comments dated February 24, 2017.