



## **Committee of the Whole Report**

**For the Meeting of October 19, 2017**

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**To:** Committee of the Whole **Date:** October 5, 2017

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Rezoning Application No. 00569 for 540 Discovery Street and 2000 & 2010 Government Street

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### **RECOMMENDATION**

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.

### **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 properties located at 540 Discovery Street and 2000 & 2010 Government Street. The proposal is to amend the existing M-G-3 Zone, Government Light Industrial 3 District, by adding "brewpub" as a permitted use in the zone.

The following points were considered in assessing this application:

- the proposal is consistent with the *Official Community Plan*, which designates the subject properties as *Core Employment* and supports light industrial, commercial and complementary retail uses.
- the proposal is consistent with the *Downtown Core Area Plan*, which designates the subject properties as *Rock Bay District* and supports a range of commercial and light industrial businesses that provides a diversified and resilient employment base.
- the *Burnside Gorge Neighbourhood Plan* designates the subject properties as *Industrial Employment*, which supports light industry, including production and distribution on the ground floor, with ancillary retail or offices uses limited to those that support the primary

- use.
- the applicant has been operating a brewery at this location for over ten years, which currently employs approximately 65 people.
- 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 brewpub would have up to 134.

## **BACKGROUND**

### **Description of Proposal**

This Rezoning Application is to amend the existing M-G-3 Zone, Government Light Industrial 3 District, by adding “brewpub” as a permitted use in the zone.

### **Sustainability Features**

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

### **Active Transportation Impacts**

The applicant is proposing to install 16 new Class 1 (secure and enclosed) bicycle parking spaces and six new Class 2 bicycle parking spaces, which supports active transportation.

### **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 commercial, light industrial and residential uses.

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

The site is presently occupied by a brewery including a warehouse and wholesales, and a complimentary liquor retail store. Under the current M-G-3 Zone, the property could be developed into a five storey building consisting of commercial (retail, restaurants and professional services), light industrial (manufacturing, processing and assembly) and/or high tech uses.

### **Data Table**

The following data table compares the proposal with the existing M-G-3 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks are used to identify where the proposal is non-conforming.

<b>Zoning Criteria</b>	<b>Proposal</b>	<b>Existing Zone M-G-3 Zone</b>
Site area (m <sup>2</sup> ) - minimum	2681.70	n/a
Density (Floor Space Ratio) - maximum	0.82:1	1.5:1
Total floor area (m <sup>2</sup> ) - maximum	2204.04	4022.55
Total floor area for liquor retail store (m <sup>2</sup> ) - maximum	105.00	105.00
Height (m) - maximum	9.58	15.00
Storeys - maximum	2.00	n/a
<b>Setbacks (m) – minimum:</b>		
Front (Government Street)	Nil**	Nil – except 3m diagonal line from intersection
Rear	4.36	Nil
Side (north)	3.66	3.00 or nil
Side (south)	Nil**	Nil – except 3m diagonal line from intersection
Parking - minimum	5*	45
<b>Loading Zone (m) – minimum</b>		
Width	4.19	4.00
Depth	9.00	9.00
Access between a street	4.36*	5.00
Driveway within 3m of a street (degree angles)	0**	45°
<b>Bicycle parking stalls (minimum)</b>		
Class 1	16	n/a (existing building)
Class 2	6	n/a (existing building)

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Burnside Gorge CALUC at a Community Meeting held on February 20, 2017. A letter dated February 24, 2017 is attached to this report.

## **ANALYSIS**

### **Official Community Plan**

The Official Community Plan 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 applicant is not proposing to increase the floor area; therefore, no increase in the current FSR of 0.82:1. 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 to retain and strengthen the industrial heritage of the area while accommodating appropriate transitional uses.

### **Local Area Plans**

The *Downtown Core Area Plan* designates the subject properties as *Rock Bay District*, which supports a range of commercial and light industrial businesses that provide a diversified and resilient employment base. The brewery currently employs approximately 65 people at the Victoria location. The applicant has completed some exterior upgrades to the building, including the addition of large windows along the Discovery and Government Street frontages to activate the commercial street frontage.

The Burnside Gorge Neighbourhood Plan designates the subject properties as Industrial Employment, which supports light industry, including production and distribution on the ground floor, with ancillary retail or offices uses limited to those that support the primary use.

The proposal fits with the overall policy directions outlined in the Local Area Plans.

### **Regulatory Considerations**

The current M-G-3 Zone allows for a wide range of light industrial and commercial uses, including brewery, distillery, liquor retail store 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 tasting room/lounge is 173.6m<sup>2</sup>. The zoning amendment would limit the size of the brewpub to 200m<sup>2</sup>. Any future deviations from the maximum floor area requirement for a brewpub would require a variance.

## **CONCLUSIONS**

The proposal to amend to existing M-G-3 Zone to permit a brewpub is in compliance 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 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. 00569 for the property located at 540 Discovery Street and 2000 & 2010 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 February 25, 2017 and April 19, 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.