



Planning and Land Use Committee Report

For the Meeting of February 19, 2015

To: Planning and Land Use Committee **Date:** February 12, 2015

From: Charlotte Wain, Senior Planner - Urban Design

Subject: Rezoning Application No. 00475 for 838 Fort Street

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00475 for 838 Fort 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 903 (c) 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 838 Fort Street. The proposal is to amend the existing CA-42 Zone (Harris Green Commercial District) to increase the floor area of an existing vacant building and allow retail uses on the ground floor and offices above.

The following points were considered in assessing this application:

- The property is designated as Core Business in the *Official Community Plan 2012 (OCP)*.
- The proposal is consistent with the objectives of the OCP regarding use and density.
- The proposal is consistent with the design guidelines within *The Downtown Core Area Plan (DCAP)*.
- The proposal will allow for the renovation of an existing vacant building through the introduction of a street level café and offices above.

BACKGROUND

Description of Proposal

This Rezoning Application is to amend the existing CA-42 Zone (Harris Green Commercial District) to increase the floor area of an existing vacant building and allow retail uses on the ground floor and offices above.

The following differences from the standard CA-42 Zone are being proposed and would be accommodated in the new zone:

- increasing the permitted density from 2.5:1 Floor Space Ratio (FSR) to 2.8:1 FSR.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal. However, the proposal does include the retention and renovation of an existing vacant building.

Land Use Context

The area is characterized by a mixture of commercial and office buildings ranging in height from one to three storeys.

Existing Site Development and Development Potential

The site presently contains a vacant building. Under the current CA-42 Zone, the property could be developed up to 2.5:1 FSR with a maximum height of 15m. The range of uses permitted in the Zone includes but is not limited to restaurants, professional offices and retail sales.

Data Table

The following data table compares the proposal with the existing CA-42 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double asterisk is used to indicate where the building is legally non-conforming.

Zoning Criteria	Existing Building	Proposal	Zone Standard CA-42
Site area (m ²) - minimum	652.65	652.65	N/A
Density (Floor Space Ratio) - maximum	2.76**	2.80:1*	2.50:1
Total floor area (m ²) - maximum	1726.00**	1754.00*	1564.12
Height (m) - maximum	11.86	15.11	15.5
Storeys - maximum	3	4	4
Setbacks (m) - minimum			
Front (Fort Street)	1.2**	1.2*	3
Rear	0	0	N/A
Side (east)	0	0	N/A
Side (west)	0	0	N/A

Zoning Criteria	Existing Building	Proposal	Zone Standard CA-42
Parking - minimum	0	0	N/A

Community Consultation

The applicant has consulted with the Downtown Residents Association. The CALUC have agreed that due to the minor nature of the application, they are willing to waive the requirement for a formal CALUC meeting.

ANALYSIS

Official Community Plan

The *Official Community Plan 2012* (OCP) Urban Place Designation for the subject property is Core Business, which supports commercial (including office and retail) uses in buildings up to approximately 24 storeys.

The proposal is consistent with the objectives set out in the OCP in relation to land use and density.

Downtown Core Area Plan

Aligned with the OCP, the *Downtown Core Area Plan* (DCAP) has policies related to density and land use and also supports the location of commercial employment uses alongside complimentary uses such as restaurants and retail stores. The subject property is identified in the Central Business District (CBD), which encourages active commercial street-level uses along Fort Street to help increase pedestrian activity. The proposal is consistent with the objectives set out in the DCAP in relation to land use and density.

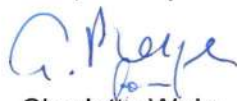
CONCLUSIONS

The proposal is aligned with the OCP and DCAP policies related to use and density and would allow the retention and renovation of an existing vacant building within the CBD.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00475 for the property located at 838 Fort Street.

Respectfully submitted,



Charlotte Wain
Senior Planner - Urban Design
Development Services Division



Alison Meyer, Assistant Director
Development Services Division
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:



Jason Johnson

Date:

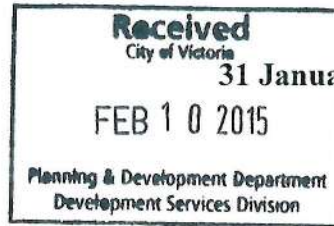
Feb. 12, 2015

CW/ljm

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List of Attachments

- Zoning map
- Aerial photo
- Letter from applicant, dated January 31, 2015
- Plans for Rezoning Application No. 00475 and Development Permit Application No. 000407.



Re: Rezoning Application at 838 Fort Street

Dear Mayor and Council,

We are pleased to submit this application for rezoning of the above-described property.

Project Description

The proposed development is located on the north side of Fort Street between Blanshard Street and Quadra Street. The property is currently zoned CA-42 and is in the Harris Green District. The property is improved with a three-storey building set back from the property line approximately 1.2 metres. A portion of the building (approximately 40%) is further setback from the property line creating a "dead space" which is presently enclosed with a black metal, picket-style fence. The building is currently 100% vacant. It is contemplated that the building will house a mix of retail and office on the main floor and office above.

The intention is to create a café at street level and a roof top patio. The above-described metal fence at street level would be replaced with a glazed storefront with multiple large doors opening onto a south-facing outdoor seating area. In addition to animating the building façade/street presence via the café and roof patio, showers and bike storage will be constructed in the basement. It is intended that the building will be a "technology hub" housing a number of Victoria's established and start-up tech companies.

Under the CA-42 zone, the maximum FSR is 2.5:1. The existing building is non-conforming at 2.74:1. The proposed work (i.e., replacing the metal fence with a glazed wall at street level and the roof patio) will increase the density to 2.80:1 and because the enclosed portion of the roof patio (i.e., landing at top of stairs) is considered to add a floor to the existing building, a front yard setback variance will be required. Further, the CA-42 zone requires retail uses to occupy a minimum of 75% of the building street frontage. Currently, 0% of the frontage is occupied by retail. The proposed café will occupy 45% of the frontage. The construction of the building (i.e., structural concrete columns at the west and east ends of the building and elevator lobby) preclude 75% of the frontage being occupied by retail use. The proposed 45% is the maximum retail frontage achievable. This application is being made in order to increase the density above that allowable, relax the front yard setback requirement triggered by the enclosed portion of the roof patio and to decrease the required retail frontage. The subject site is designated core business under the urban place designation.

Policy & Benefits

The project is consistent with the broad objectives of the land management and development policies of the official community plan. The project will revitalize an area, in part defined by vacant buildings. A vacant and neglected building will be transformed

into a vibrant and collaborative working space housing knowledge-based workers. The work force is made up predominantly of young well-educated (e.g., masters level computer engineering qualifications) urbanites who live, play and would like to work in the city core. Commuting will be predominantly by foot and bike. Given previous and existing uses, the project greatly improves the building and surrounding area without negatively affecting immediate neighbours.

Conclusion

Our plan to convert a vacant and uninviting building into an animated and welcoming modern collaborative working space will provide economic and social benefits to the City and neighbourhood. The project enhances the neighbourhood and the economic viability of the City of Victoria.

Included in this package are:

1. City of Victoria rezone application form.
2. Architectural drawings of proposed work (inc. survey and photograph of existing building).

Five sets of plans 64 x 91 cm (24" x 36")

Three sets of plans 22 x 28 cm (8.5" x 11")

One set of plans 28 x 44 cm (11" x 17")

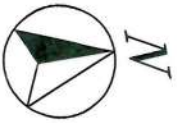
3. Letter to Mayor and Council providing a rationale for the rezoning.
4. Current Certificate of Title.
5. Project information table.

Further information is available upon request.

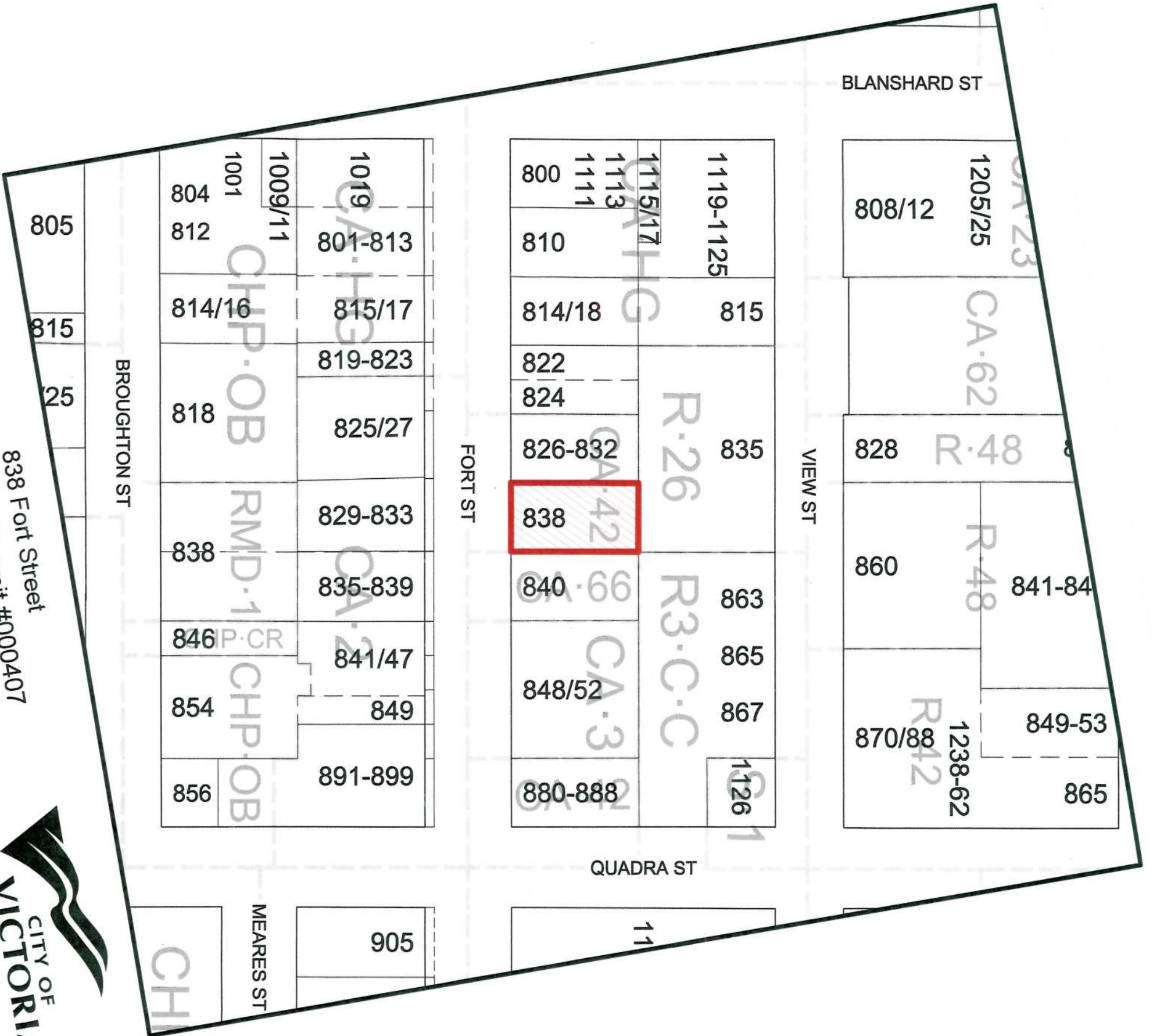
Sincerely yours,



Daniel Robbins



838 Fort Street
Development Permit #000407



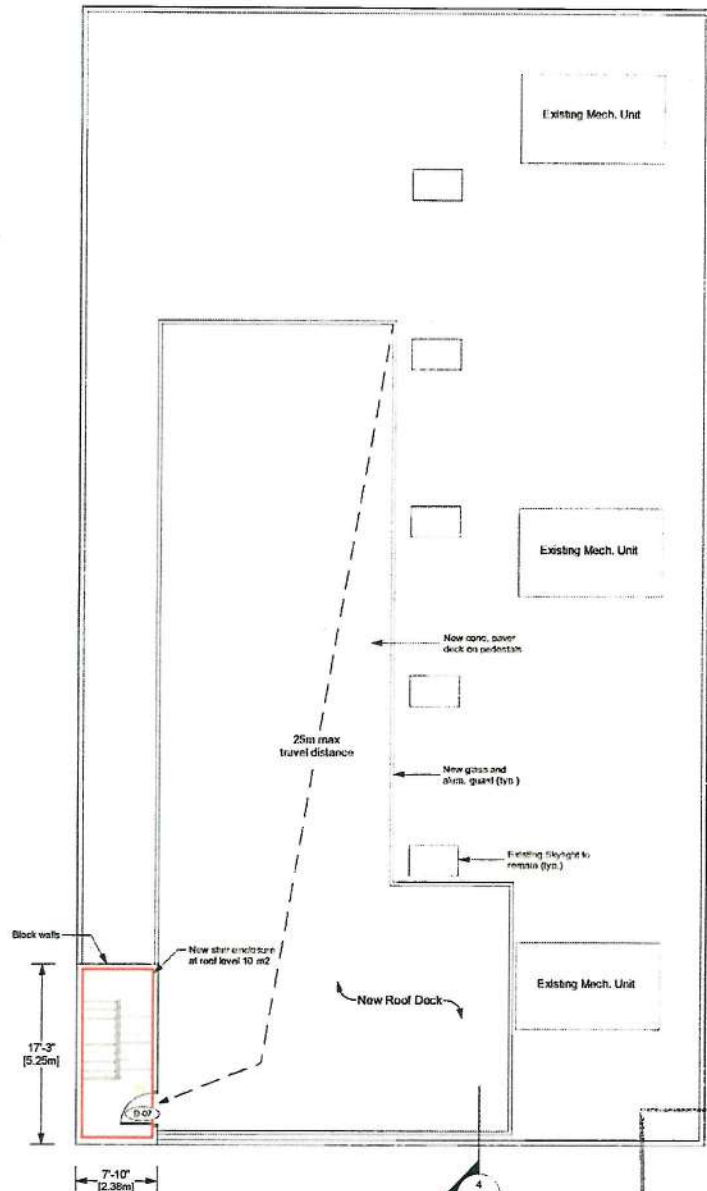


838 Fort Street

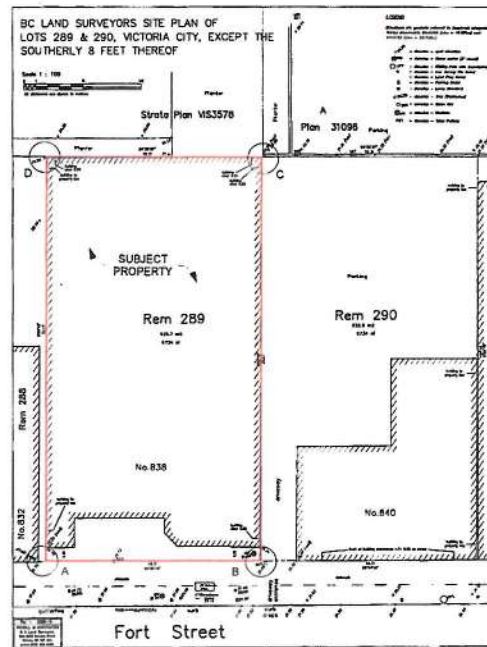
Development Permit #000407



<p> 1. The first step in the process of... 2. The second step is to... 3. The third step is to... 4. The fourth step is to... 5. The fifth step is to... </p>	<p> A1 </p>	<p> 1 </p>
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1 Roof Plan
A2 Scale: 1:100

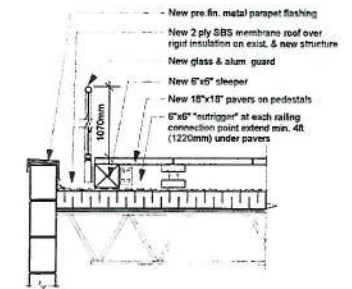


AVERAGE GRADE CALCULATIONS				
SIDE	DISTANCE	GRADE	Dx(G/2) =	
AB	18.31m	(21.78x21.71)	398.15m	
BC	34.17m	(21.71x20.90)	727.89m	
CD	18.31m	(20.90x20.55)	379.47m	
DA	34.17m	(20.55x21.78)	723.21m	
TOTAL	104.96m		2228.82m	
AVERAGE			21.23m	

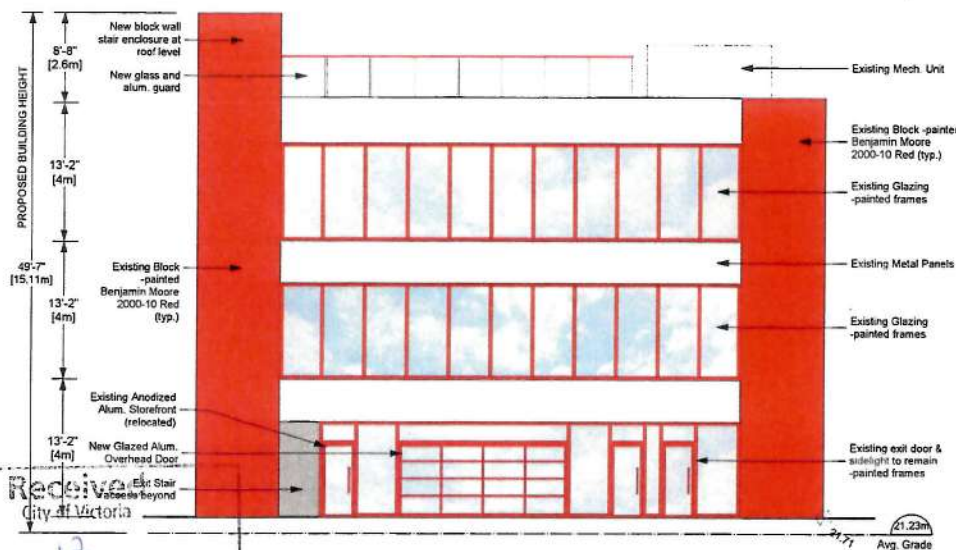
5 Survey
A2 Not To Scale



3 Existing Streetview
A2 showing security fence to be removed



4 Roof Deck - Typ. Detail
A2 Scale: 1:20



2 Proposed Elevation
A2 Scale: 1:100

DOOR SCHEDULE

- EXIST Existing Door to remain.
- DOOR 914mm HC metal door in metal frame, c/w closer & weatherstripping.

NO.	DATE	DESCRIPTION	BY	CHECKED
1	11 FEB 2015	Revised Door Schedule		
2	22 FEB 2015	Revised for Remodeling		
3	11 FEB 2015	Revised for Remodeling		
4				
5				
6				
7				
8				
9				
10				

NOT: All dimensions are in feet and inches.

de Hoog & Kierulff architects

617 Fort Street
Victoria BC
V8V 2A3

Tel: 250-688-3367
Fax: 250-688-3367

Tenant Improvements
838 Fort Street
Victoria BC

Roof Plan & Elevation

Scale: 1:100

Sheet: A2

Page: 1

FEB 05 2015

Planning & Development Department
Development Services Division

NOTE: 2ND & 3RD FLOOR PLANS
NOT SHOWN AS NO CHANGES TO
ANY INTERIORS