

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: May 10, 2021

TO: Land Use and Planning Committee

FROM: Carl Isaak, Director, Planning and Development Services

SUBJECT: Application for Zoning Amendment – 107-15181 Thrift Avenue (ZON 21-007)

RECOMMENDATIONS

THAT the Land Use and Planning Committee:

1. Recommend that Council give first and second readings to “*White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-16 – Mezzanine Floor Area Exemption) Bylaw, 2021, No. 2386;*” and
2. Recommend that Council direct staff to schedule the public hearing for “*White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-16 – Mezzanine Floor Area Exemption) Bylaw, 2021, No. 2386.*”

EXECUTIVE SUMMARY

The City has received an Application to amend the Zoning Bylaw to permit the construction of mezzanine space for patrons of 3 Dogs Brewing in their new location in the shops at the recently completed Phase 2 of Miramar Village (Unit 107-15181 Thrift Avenue). The current method of calculating maximum floor area (density) does not provide any exclusions for mezzanine space, and the building they are moving into is already built at the maximum floor area.

The Applicant has held a Public Information Meeting on March 31, 2021, and provided a summary of the responses to the questions posed in the meeting, and the summary is attached to this report as Appendix C. The Applicant has submitted a digital petition of support, attached to this report as Appendix D, and a separate physical petition received later is attached to this report as Appendix F. The application was circulated for interdepartmental comments and no concerns were raised.

Staff have drafted an amendment to the existing CD-16 zone which applies to the Miramar Village development. The draft bylaw, which would exclude enough mezzanine floor space to allow the 3 Dogs Brewing mezzanine to proceed, is attached to this report as Appendix E. Staff recommend that the bylaw be given first and second readings and that a public hearing be held.

PREVIOUS COUNCIL DIRECTION

On February 22, 2021, Council passed the following resolution regarding the early review of the zoning amendment application:

THAT Council direct staff to advance the zoning amendment proposed by 3 Dogs Brewing to enable mezzanine space to be utilized in their new location at Miramar Village, by: a. Directing the proponent to proceed to the next stage of the application process (i.e. a Public Information Meeting). [2021-082]

INTRODUCTION/BACKGROUND

White Rock Official Community Plan 2017, No. 2220 (OCP) designates the subject property as “Town Centre Mixed Use,” which is noted as the centre for cultural, civic, economic, and public life in the City, and is characterized by a diverse mix of uses. The objective of this land use policy area is to enable a concentrated mix of multi-unit and commercial uses to strengthen the heart of the city. The subject property is zoned ‘CD-16 Comprehensive Development Zone (Johnston, Thrift & Russell)’, which applies to the entire Miramar Village development, including the White Rock Community Centre. The intent of this zone is to accommodate the development of a phased commercial / residential development including civic uses in Town Centre area, and in addition to apartment, retail, and civic uses, a licensed establishment such as a brewery is a permitted use in the zone. In the CD-16 zone, the maximum density (gross floor area) was established for each phase of the development as proposed in the drawings, and did not consider the possibility of mezzanine levels being added within the commercial units.

Proposed Mezzanine

3 Dogs Brewing, a licensed manufacturer which currently operates a brewery and lounge at 1513 Johnston Road, is opening a new location in the recently completed commercial space at Miramar Village. As part of fitting out the commercial space for the new location, the business has proposed mezzanine space in their over-height commercial space to add room for more patrons. Due to the site already being at the maximum floor area allowed in the zoning bylaw, this request for mezzanine space, which is currently included in floor area calculations, requires an amendment to the Zoning Bylaw, despite there being no visible impact to the exterior massing of the building.

Drawings of the proposed mezzanine space are included in the previous staff report for this proposal, which is attached to this report as Appendix A.

Parking Considerations

The proposed floor area of the mezzanine space is 89 square metres (963 square feet), which would accommodate 46 seats. The parking requirements associated with this number of seats would be six (6) spaces, and the total number of commercial/civic spaces at Miramar Village already exceeds the minimum required by the Zoning Bylaw (there are 291 total spaces for commercial and community centre uses, whereas only 226 are required in the CD-16 zone). The landlord (Bosa Properties) has confirmed they will extend access to the commercial parking in the future to 11:00 p.m. or later, depending on the operating hours of the commercial tenants.

Further, it is noted that the Town Centre area is well-served by transit routes and taxi operators, and the Applicant notes that many of their customers live within walking distance of the Town Centre and do not require parking. Further, peak parking demands for a licensed establishment are more likely to occur in the evenings after other retail businesses and services close.

Staff consider that the parking capacity for the commercial uses at Miramar Village, given the context and other modes of transportation available, is sufficient to provide adequate parking for the business including the mezzanine space.

Overall Proposed Occupancy and Outdoor Patio

The proposed total number of customer seats for the business, including main level (46 seats), proposed mezzanine (46 seats), and proposed patio (30 seats), is 122 seats. There would also be 8 staff, for a total occupancy of 130 persons.

The proposed outdoor patio area would be required to obtain a Sidewalk Use Licence Agreement, as it is in an area where there is a Statutory Right of Way for public access. For 2021, the application and use fees for this patio area would be waived per Council's direction on sidewalk use fees, however the operator would still need to provide other elements required with the licence application (liability insurance, refundable damage deposit, etc.). The sidewalk use agreement would also require that the operator maintain and clean the licence area.

It is anticipated that any electricity or other utilities for the patio space would be supplied by the business' own services from within the building, and their contribution to the overall maintenance of the plaza area would be included in their lease with the landlord. Other users of the plaza area, specifically the Farmer's Market, do provide a voluntary contribution to the Miramar Plaza Management Committee to compensate the use of common water and electricity and the loss of parking revenue (\$150/day), but those costs are not applicable in this case. A copy of the current proposed patio layout is attached to this corporate report as Appendix B.

Additional Future Liquor Licence Applications

For this location, 3 Dogs Brewing will also require a "lounge endorsement" application (referral from the Liquor and Cannabis Regulation Branch) in order to operate a lounge in conjunction with the manufacturer's licence there. This particular type of application has been delegated to staff to respond to the LCRB regarding the lounge endorsement, after receiving written comments from the public (no public hearing/meeting required), since 3 Dogs already has a manufacturer's licence with Council approval of the lounge endorsement at the existing location.

For the existing location at 1513 Johnston Road, 3 Dogs Brewing has submitted an application to convert that space with an existing manufacturing licence to a Liquor Primary licence where they would continue to operate as "Taps on Johnston;" as the manufacturing will no longer be occurring in that location. This type of application, as it is a Liquor Primary application, requires a Public Hearing before Council to obtain public input and a resolution from Council either in support or opposed to the issuance of the licence. A report regarding this application will be coming forward to Council in a future meeting.

Proposed Changes in Draft Bylaw No. 2386 (Amendment to CD-16 Zone)

The current CD-16 zone uses a definition of gross floor area that does not provide an exclusion for mezzanine floor spaces. In the draft amendment Bylaw No. 2386, attached to this report as Appendix E, the table of the CD-16 zone that regulates maximum floor areas is proposed to be amended to include a provision that excludes the proposed mezzanine by noting that for gross floor area, this:

... Further excludes 100 m² of floor area in a mezzanine space used for commercial purposes within Phase 3, provided the mezzanine complies with the requirements of mezzanine spaces in the BC Building Code.

As the proposed mezzanine space for 3 Dogs Brewing is 89 square metres, this exclusion would enable a mezzanine for 3 Dogs (rounded for flexibility).

Additionally, while "licensed establishments" such as liquor manufacturers are a permitted use in the zone, the list of commercial/civic uses in the density table does not currently specify a maximum density for this type of commercial use (only "retail service group 1 uses" are listed), even though it would be intended that licensed establishments fit within the maximum density

for commercial uses. The draft Bylaw No. 2386 proposes to add “licensed establishments” to the density table as a housekeeping amendment to improve the clarity of the bylaw.

FINANCIAL IMPLICATIONS

Not applicable.

LEGAL IMPLICATIONS

Not applicable.

COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS

The Applicant held a digital public information meeting (PIM) on March 31, 2021, and between five and nine members of the public were present during the PIM. If Council provides first and second readings of the Zoning Amendment Bylaw, a public hearing will offer an opportunity for direct written and verbal comments to be provided to Council.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The rezoning Application was circulated to internal City departments and no concerns were received.

CLIMATE CHANGE IMPLICATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES

This topic is not directly aligned with a project in Council’s Strategic Priorities, though adding mezzanine spaces in commercial space does offer an opportunity to improve the prosperity of local businesses, in alignment with the “Our Economy” goal to “support the prosperity and diversification of the City’s economic base.”

OPTIONS / RISKS / ALTERNATIVES

The Land Use and Planning Committee can recommend that Council:

1. Defer consideration of the Application and refer it to staff to address any issues identified by Council; or
2. Reject the proposed bylaw amendment.

Staff recommend giving first and second reading to the draft bylaw and directing staff to schedule a public hearing.

CONCLUSION

3 Dogs Brewing has applied to amend the Zoning Bylaw to permit the construction of mezzanine space in their new location at Miramar Village (Unit 107-15181 Thrift Avenue). The current method of calculating maximum floor area (density) does not provide any exclusions for mezzanine space, and the building they are moving into is already built at the maximum floor area. It is considered that the amount of parking for commercial uses on site is sufficient for the additional occupancy that would result from this mezzanine space. Staff have drafted an amendment to the existing CD-16 zone, which would exclude enough mezzanine floor space to

allow the 3 Dogs Brewing mezzanine to proceed and recommend that the bylaw be given first and second reading and a public hearing be held.

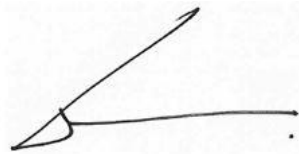
Respectfully submitted,



Carl Isaak, RPP, MCIP
Director, Planning and Development Services

Comments from the Chief Administrative Officer

I concur with the recommendations of this corporate report.



Guillermo Ferrero
Chief Administrative Officer

- Appendix A: Corporate Report dated February 22, 2021 titled “Early Review of Zoning Amendment Application - Mezzanine Space in Floor Area Calculations (3 Dogs Brewery)
- Appendix B: Patio Drawings
- Appendix C: Applicant’s Summary of Questions and Answers from Public Information Meeting
- Appendix D: Digital Petition of Support provided by Applicant
- Appendix E: Draft Bylaw No. 2386
- Appendix F: Hard Copy Petition of Support provided by Applicant