



Committee of the Whole Report

For the Meeting of September 3, 2020

To: Committee of the Whole **Date:** August 20, 2020

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

Subject: Development Permit with Variance Application No. 00139 for 2800 Bridge Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00139 for 2800 Bridge Street, in accordance with:

1. Plans date stamped June 18, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. increase the height of a raw materials receiving and storage facility (silo) from 15m to 31.83m.
3. Registration of a legal agreement on the property's title to restrict the illumination levels and hours of operation (to midnight) of the light installation on the north elevation of the raw materials receiving and storage facility (silo), to the satisfaction of the Director of Community Planning and Sustainable Development.
4. The Development Permit lapsing two years from the date of this resolution."

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.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variance Application for the property located at 2800 Bridge Street. The proposal is for a raw materials receiving and storage facility (silo). The variance is related to height.

The following points were considered in assessing this application:

- The subject property is within Development Permit Area 16: General Form and Character, which encourages the integration of industrial buildings in a manner that is complementary to the established place character of the neighbourhood. The area consists predominantly of marine and light industrial uses and therefore, the proposal is compatible with the current context and the future vision of this industrial waterfront area.
- The *Burnside Gorge Neighbourhood Plan* supports heavy industry near the waterfront and encourages ongoing mitigation measures such as soundproofing and screening, to help reduce impacts on the surrounding business district from heavier industrial uses. The proposed silo and conveyor equipment are completely enclosed in order to reduce noise and dust impacts.
- The applicant is proposing an innovative and energy-efficient light art installation on the north elevation of the proposed silo.
- The applicant is requesting a variance to increase the height of the silo from 15m to 31.83m. The variance is supportable given that the proposed industrial design would enhance the visual appearance of the industrial waterfront area and have minimal impacts on the neighbouring properties.

BACKGROUND

Description of Proposal

The proposal is for a raw materials receiving and storage facility (silo). Specific details include:

- a contemporary-style industrial structure consisting of an angled roofline and exterior finishes, including powder coated and galvanized perforated metal siding screen, steel casing, metal roof and fabric covers
- an art light installation on the north elevation, which includes a LED lighting system consisting of 3,400 individually controlled LED lights behind a perforated metal screen
- a new barge unload conveyor and lift frame, bucket elevator and an aggregate loading conveyor to support the proposed silo.

The proposed variance is related to increasing the height of the silo.

Sustainability

The applicant submitted a Sustainability Assessment (attached) prepared by Synergy Enterprises. The key sustainability features include the following:

- reduced building footprint, through the use of a silo to store raw materials
- stormwater capture, treatment and re-use
- transportation of raw materials by barge, which the applicant indicates removes more than 2,500 heavy trucks from the road per year and reduces carbon dioxide emissions
- recycling of waste concrete
- production of low carbon concrete through use of Carbon Cure technology
- shoreline rehabilitation.

Existing Site Development and Development Potential

The site is presently occupied with a concrete plant.

Data Table

The following data table compares the proposal with the existing M-3 Zone, Heavy Industrial District. An asterisk is used to identify where the proposal does not meet the Zone standard.

Zoning Criteria	Proposal	M-3 Zone
Site area (m ²) – minimum	12,553.20	n/a
Density (Floor Space Ratio) – maximum	n/a	3:1
Total floor area (m ²) – maximum	n/a	n/a
Height (m) – maximum	31.83*	15
Setbacks (m) – minimum	0.00	0.00
Vehicle parking – minimum	18	18
Loading Space (m) – minimum		
Width	4	4
Length	9	9
Height	n/a	4.30
Setback from street	>3	3
Access from street	>5	5
Bicycle parking stalls – minimum		
Class 1	0	n/a
Class 2	0	n/a

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on February 20, 2020 the application was referred for a 30-day comment period to the Burnside Gorge CALUC. The Burnside Gorge CALUC mentioned to staff that a letter will be provided; however, it was not received at the time of writing this report.

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

Development Permit Area and Design Guidelines

The *Official Community Plan, 2012* (OCP) identifies this property within Development Permit Area 16 (DPA 16): General Form and Character. The DPA 16 encourages the integration of industrial buildings in a manner that is complementary to the established place character of the neighbourhood. This area consists predominantly of marine and light industrial uses; however, north and west of the subject property and across Selkirk Waters is Selkirk Village, which is a mixed-use development and contains residential uses. The subject property also abuts Garbally Landing, which is a migratory bird sanctuary. A letter dated August 14, 2020 from the Friends of Victoria Harbour Migratory Bird Sanctuary is attached to the report.

The applicant is proposing a contemporary-style industrial structure and an artistic light installation on the north elevation in order to enhance its visual interest and introduce an innovative approach to celebrate the industrial architecture along the waterfront. Even though the proposal for a light installation on the silo came from consultation with the neighbourhood (preference for a light installation instead of a mural), the applicant is willing to register a covenant on title that would restrict the illumination levels and hours of operation (to midnight) of the light installation, to the satisfaction of the Director of Community Planning and Sustainable Development.

Burnside Gorge Neighbourhood Plan

The *Burnside Gorge Neighbourhood Plan* designates the subject property Marine Industrial. The Plan supports heavy industry near the waterfront and encourages ongoing mitigation measures such as soundproofing and screening, to help reduce impacts on the surrounding business district from heavier industrial uses. The proposed silo and conveyor equipment are completely enclosed in order to reduce noise and dust impacts.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application.

Regulatory Considerations

Height Variance

The applicant is requesting a variance to increase the height of the silo from 15m to 31.83m in order to provide sufficient storage capacity of raw materials and maintain a relatively small building footprint for improved operations on the site. To mitigate the potential visual impacts of a higher structure within the industrial waterfront area, the applicant is proposing a modern industrial design approach that includes an angled metal roofline and high-quality industrial materials. The applicant provided several views (attached) to demonstrate how this structure would fit in with the neighbourhood context at several vantage points, including the Railyards, Selkirk Waterfront, and Johnson Street Bridge as well as at the intersections of Gorge Road and Bridge Street, Gorge Road and Jutland Road and Bay and Turner Street.

Other Considerations

The Advisory Design Panel (ADP) reviewed the Development Permit with Variance Application at their meeting on July 22, 2020 (minutes attached) and provided the following recommendation for Council's consideration:

"That the Development Permit with Variance Application No. 00139 for 2800 Bridge Street be approved as presented."

CONCLUSIONS

The proposal for a raw materials and storage facility is consistent with the applicable industrial design guidelines. The applicant has demonstrated how the proposed silo would enhance the industrial waterfront area in a more sustainable manner compared to the conventional ways of storing raw aggregate materials for processing purposes. The proposed height variance is also supportable given the design features on the structure that would soften its visual impact. Staff recommend for Council's consideration that the application proceed for an Opportunity for Public Comment.

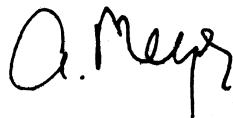
ALTERNATE MOTION

That Council decline Development Permit with Variance Application No. 00139 for the property located at 2800 Bridge Street.

Respectfully submitted,



Leanne Taylor
Senior Planner
Development Services Division



Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: August 27, 2020

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated June 18, 2020
- Attachment D: Letter from applicant to Mayor and Council dated February 7, 2020
- Attachment E: Sustainability Assessment dated September 24, 2020
- Attachment F: Correspondence from the applicant and Department of Fisheries and Oceans dated August 6, 2020
- Attachment G: Advisory Design Panel report dated July 15, 2020
- Attachment H: Minutes from the Advisory Design Panel meeting dated July 22, 2020
- Attachment I: Correspondence.