



loading and unloading.

- The proposal requires a variance to reduce the number of vehicle parking stalls, which is considered supportable because of the mitigating Transportation Demand Management measures proposed.
- The proposal requires a variance to increase the distance between the main entrance and the short term bicycle stalls, which is considered supportable due to the limited amount of ground floor space that is available for bicycle racks, zero building setback in the M-1 Zone, and limited sidewalk.

Alternate motions have been provided should Council wish to advance the application as proposed to an opportunity for public comment or to refer the application back to staff to require further revisions.

## **BACKGROUND**

### **Description of Proposal**

The proposal is for a new four-storey building primarily for warehousing and associated offices. Specific details include:

- a contemporary-style four-storey industrial building with no setbacks on all sides
- exterior finishes consisting of corrugated steel siding and concrete
- at-grade entrance angled towards the main vehicle entrance
- climbing vines along the sides of the building to soften the overall appearance.

The proposed variances are related to:

- reducing the number of loading stalls from one to nil
- reducing the number of vehicle parking stalls from 20 to 14
- increasing the distance between the main entrance and the short term bicycle stalls from 15m to 19.13m.

### **Sustainability**

As indicated in the applicant's letter dated July 9, 2021 the following sustainability features are associated with this application: low power consumption equipment for heating and cooling, water heating and electrical fixtures, as well as low-flow plumbing fixtures.

### **Active Transportation**

The application proposes to meet the minimum required number of long and short term bicycle stalls; however, a variance is required to the distance between the main entrance and the location of the short term bicycle stalls. This will be discussed further in the Regulatory Considerations section of this report.

### **Public Realm**

No public realm improvements beyond City standard requirements are proposed in association with this Development Permit with Variances Application.

### **Accessibility**

No accessibility improvements are proposed beyond what is required through the *British Columbia Building Code*.

## Existing Site Development and Development Potential

The site is presently vacant and used as storage for adjacent properties. Under the current M-1 Zone, Limited Light Industrial District, the property could be developed at a density of 3.0 Floor Space Ratio (FSR) and with heights up to 15m.

### Data Table

The following data table compares the proposal with the existing M-1 Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal	Existing M-1 Zone
Site area (m <sup>2</sup> ) – minimum	669	N/A
Density (Floor Space Ratio) – maximum	2.9	3.0
Total floor area (m <sup>2</sup> ) – maximum	1942	N/A
Height (m) – maximum	14.48	15
<b>Setbacks</b> (m) – minimum		
Front	0	0
Rear	0	3.0 or 0
Side (north)	0	3.0 or 0
Side (south)	0	3.0 or 0
Loading Stall	<b>0*</b>	1
Vehicle Parking Stalls – minimum	<b>14*</b>	20
Short Term Bicycle Parking Stalls – minimum	6	6
Long Term Bicycle Parking Stalls – minimum	2	2
Distance Between Main Entrance and Short Term Bicycle Parking Stalls (m) – minimum	<b>19.13*</b>	15

### Community Consultation

As this is a Development Permit with Variances Application without a concurrent rezoning, there is no requirement to participate in a Community Association Land Use Committee (CALUC) Meeting. However, the application was referred to the CALUC on March 4, 2021, and the CALUC was subsequently notified regarding revised plans on March 26, 2021, and July 14, 2021. A letter from the CALUC to the applicant was received and has been attached to 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* (OCP) identifies this property within Development Permit Area 13: Core Songhees. The key design guidelines for this area include: *Advisory Design Guidelines for Buildings, Signs and Awnings* (1981), *Guidelines for Fences, Gates and Shutters* (2010), and *Policy Plan and Design Guidelines for the Songhees Area of Victoria West* (2008). Staff believe the design of the building generally meets the relevant design guidelines. For instance, the proposal uses fenestration, different coloured materials and green screening to add visual interest to the front façade. The green screen also provides a nod and a transition to the neighbouring Ormond's Biscuit Factory building to the south. The applicant has indicated there is a possibility to add a mural to the exposed north façade.

### **Victoria West Neighbourhood Plan**

The *Victoria West Neighbourhood Plan* designates the subject property General Employment with Limited Residential. The Plan supports employment uses including light industrial and encourages flexibility in design of buildings to accommodate a range of uses and notes that at-grade space should be designed to accommodate a variety of uses. Relevant design guidelines include:

- design buildings to reduce residential overlook of loading, storage or working areas and minimize impacts on residential uses
- avoid blank walls adjacent to the street
- ensure sensitive transition to lower-density residential
- ensure the height is designed to frame the street and provide definition and enclosure.

Staff consider the proposal to be generally consistent with these goals and objectives.

### **Tree Preservation Bylaw and Urban Forest Master Plan**

There are no *Tree Preservation Bylaw* impacts with this application and there are no impacts to public trees with this application.

### **Regulatory Considerations**

The requested variance to reduce the number of loading stalls from one to nil is not considered supportable by staff. The applicant has indicated that the proposed use requires a secure area for loading, which could be completed within the parkade with standard vehicles not needing overhead clearances greater than passenger vehicles. However, staff have concerns service vehicles associated with the building will be reliant on the public right-of-way, which could add conflicts between service vehicles, pedestrians, cyclists, and general traffic. A loading space, as required in the M-1 Zone, would also ensure the long-term viability of a variety of industrial employment uses over the life of the building.

The proposal would also require a variance to reduce the number of vehicle parking stalls from 20 to 14. The applicant has provided end-of-trip facilities for cyclists including a shower, change

room and lockers. Staff believe this Transportation Demand Management program will help offset the parking shortfall. Although staff consider the variance supportable, there will likely be some impact to on-street parking availability in the area.

The final variance requested is to increase the distance between the main entrance and the short term bicycle parking stalls from 15m to 19.13m. Staff believe this variance to be supportable due to the limited amount of ground floor space that is available for bicycle racks due to the zero building setback of the M-1 Zone. Staff requested a 1.7m Statutory Right of Way (SRW) to meet the local road standard, which could have been utilized for short-term bike parking in lieu of the on-site bike parking requirement, however the applicant did not agree to this request and because this application is not a rezoning, the City has limited ability to require a SRW.

### **Advisory Design Panel**

The Advisory Design Panel (ADP) reviewed this application on May 26, 2021 (Attachment E). The following motion was made at the May 26<sup>th</sup> meeting:

*That the Advisory Design Panel recommend to Council that Development Permit with Variances Application No. 00163 for 235 Russell Street be approved with the following changes:*

- *Consideration of green screening on the side walls*
- *Consideration for additional fenestration from the fourth floor*
- *Consideration of mural on exposed cement block wall*
- *Consideration of anti-graffiti coating*
- *Screening details for rooftop mechanical details be provided at the DP stage*
- *Panel generally supports the variance request for loading because the applicant has made provision for internal loading.*

The applicant made design changes in response to comments provided by both ADP and staff. The changes include:

- adding green screening to the northwest and southwest walls
- adding windows to the fourth floor
- adding screening to the rooftop mechanical equipment.

### **CONCLUSIONS**

The proposed development is generally consistent with the relevant Design Guidelines and represents an appropriate fit within the neighbourhood. The applicant has made revisions to address comments from staff and the Advisory Design Panel. However, staff have concerns that the variance to eliminate the loading stall would push the loading onto the public street in the future. Therefore, staff recommend that Council consider declining this application. Two alternate motions have been provided for Council's consideration.

### **ALTERNATE MOTIONS**

#### **Option 1 (Advance application as is)**

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. 00163 for 235 Russell Street, in accordance with:

1. Plans date stamped July 13, 2021.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. reduce the number of loading stalls from 1 to nil
  - ii. reduce the number of vehicle parking stalls from 20 to 14
  - iii. increase the distance between the main entrance and the short term bicycle stalls from 15m to 19.13m.
3. The Development Permit lapsing two years from the date of this resolution.”

### **Option 2 (Refer back to staff)**

That Council refer the application back to staff to work with the applicant to:

1. Revise plans to include the loading stall as required in the M-1 Zone.
2. Reconsider providing a 1.7m Statutory Right-of-Way on Russell Street.
3. Consider additional Transportation Demand Management to address the vehicle parking shortfall.

Respectfully submitted,

Mike Angrove  
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Development Services Division

Karen Hoese, Director  
Sustainable Planning and Community  
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**Report accepted and recommended by the City Manager.**

### **List of Attachments**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped July 13, 2021
- Attachment D: Letter from applicant to Mayor and Council dated July 9, 2021
- Attachment E: Advisory Design Panel Meeting Minutes from May 26, 2021
- Attachment F: Letter from the Vic West Community Association Land Use Committee.