



Planning and Land Use Committee Report

Date: May 1, 2014
From: Jim Handy
Development Agreement Facilitator
Subject: Development Permit with Variance #000361 for 401 Bay Street
Proposed cement storage silo

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding an application for a Development Permit with variance at 401 Bay Street. The application proposes to construct a new storage silo at an existing cement plant and seeks a variance from the *Zoning Regulation Bylaw* as the proposed structure would be 18.36 m in height, exceeding the maximum height allowance of 15 m in the M-3 Zone, Heavy Industrial District.

The following points were considered in analyzing this application:

- As a result of site grades, much of the current site infrastructure, including several of the existing silos, would appear taller than the structure being proposed.
- The development is consistent with relevant City Policy and Design Guidelines.

In accordance with the City's *Land Use Procedures Bylaw*, because this Development Permit Application has a variance, it requires notification, sign posting and a Hearing.

Recommendations

That Council authorize the issuance of a Development Permit with variance for 401 Bay Street, in accordance with:

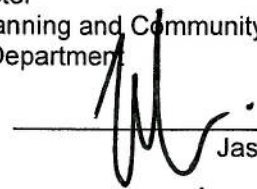
1. Plans stamped "Development Permit #000361" dated "April 1, 2014".
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - a. Section 7.3.3(1) – Height relaxed from 15.0 m to 18.36 m.
3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,


Jim Handy
Development Agreement Facilitator
Development Services


Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Jason Johnson
Date: May 1, 2014

JH:aw

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1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding an application for a Development Permit with variance at 401 Bay Street. The application proposes to construct a new storage silo at an existing cement plant and seeks a variance from the *Zoning Regulation Bylaw* as the proposed structure would be 18.36 m in height, exceeding the maximum height allowance of 15 m in the M-3 Zone, Heavy Industrial District.

2.0 Background

The application site is currently occupied by a cement plant and is located within an established heavy industrial area. The applicant states that the new silo is required for operational reasons.

2.1 Description of Proposal

The proposed silo would be used for the storage of cement. The structure would stand 18.36 m tall and would be located in close proximity to existing plant equipment.

2.2 Existing Site Development and Development Potential

The application site is currently in the M-3 Zone, Heavy Industrial District. Heavy industrial uses which may involve processing, assembly, storing, wholesaling, testing, servicing, wrecking or salvaging of certain goods and materials are permitted in this Zone.

2.3 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 is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard
Site area (m ²) – minimum	669	n/a
Total floor area (m ²) – maximum	18.29	n/a
Density (Floor Space Ratio) – maximum	n/a	3:1
Height (m) – maximum	18.36*	15.00
Setbacks (m) – minimum		
North (Bay Street)	21.00	3.00
South	10.00	0 or 3.00
East	7.00	0 or 3.00
West	4.50	3.00
Loading Zone – minimum	1	1
Parking – minimum	3	1

2.4 Land Use Context

The application site is located at the corner of Bay Street and Turner Street which extends down to the Upper Harbour. The immediate area is predominantly industrial in nature with heavy industrial activities situated adjacent to the harbour.

2.5 Legal Descriptions

- Lot 12, Block L, Section 4, Victoria District, Plan 16
- Lot 13, Block L, Section 4, Victoria District, Plan 16.

2.6 Consistency with City Policy and Design Guidelines

The *Official Community Plan 2012*, *Downtown Core Area Plan 2011* and *Burnside Neighbourhood Plan* all recognize the application site as part of a key employment area where there is support for the continuation of industries requiring shoreline access for their operations. The application site is currently occupied by a well-established cement plant and cement powder is barged to this location and stored in existing silos. The application proposes the construction of an additional silo at the cement plant.

In light of the above and considering the scale and nature of the proposal, it is considered that the development is consistent with relevant City Policy and Design Guidelines.

2.7 Community Consultation

In compliance with the Community Association Land Use Committee Procedures (CALUC) for Processing Variances, the application was referred to the Burnside Neighbourhood Association Land Use Committee on April 8, 2014, for 30-day comment period. No comments were received at the time of writing this report.

In accordance with the City's *Land Use Procedures Bylaw*, because this Development Permit Application has a variance, it requires notification, sign posting and a Hearing.

3.0 Issues

Given the established industrial site context and the scale and nature of the proposed development, it is considered that the design of the silo does not, in itself, present any significant planning issues. Therefore, the key issue relating to this application is the proposed height of the silo as this is a variance from the *Zoning Regulation Bylaw*.

4.0 Analysis

4.1 Height of Proposed Structure

The application seeks a variance from the *Zoning Regulation Bylaw* as the proposed structure would be 18.36 m in height, exceeding the maximum height allowance of 15 m in the M-3 Zone, Heavy Industrial District. As a result of site grades, the proposed silo would not appear taller than existing infrastructure on the site; in fact some of the existing silos would appear significantly taller than the one being proposed. The new silo would also be located in close proximity to existing site infrastructure and would always be viewed in the context of the existing cement plant where several large silos already exist.

In light of the above, the proposed structure would not have a significant visual impact in the area and the proposed height variance is considered acceptable.

5.0 Resource Impacts

There are no resource impacts anticipated.

6.0 Conclusions

The proposal is consistent with the City's policies and design guidelines. The application proposes the construction of a silo within an existing concrete plant located in a well-established heavy industrial area. Staff recommend that Council approve this application.

7.0 Recommendations

7.1 Staff Recommendations

That Council authorize the issuance of a Development Permit with variance for 401 Bay Street, in accordance with:

1. Plans stamped "Development Permit #000361" dated "April 1, 2014".
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - a. Section 7.3.3(1) – Height relaxed from 15.0 m to 18.36 m.
3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

7.2 Alternate Recommendation

That Council decline the application.

8.0 List of Attachments

- Zoning map
- Aerial map
- Letter from applicant dated April 1, 2014
- Plans dated April 1, 2014.



401 Bay Street
Development Permit #000361





401 Bay Street
Development Permit #000361





CWA Engineers Inc.
Suite 380 - 2925 Virtual Way, Vancouver, BC V5M 4X5
T: 604.637.2275 F: 604.637.2276

DATE : April 2, 2014

PROJECT NO.: 13805

TO : Mayor Dean Fortin and Victoria City Council

FROM : Niall McPherson, EIT

SUBJECT : 401 Bay Street Development Permit Application

Dear Mayor Dean Fortin and Victoria City Council,

Lafarge Canada Inc (Lafarge) is proposing to construct one additional cement storage silo at their current site at 401 Bay Street. Lafarge and Butler Brothers Supplies Ltd (Butler) occupy two neighbouring sites on Bay Street. Two types of cement powder, Type 1 and Type 2, are barged to the Lafarge/Butler site and are used by both parties. Lafarge has a storage facility at 401 Bay Street for Type 1; however, to load Type 2 the Lafarge cement trucks must load on the Butler site. This proposed storage silo will allow Lafarge cement trucks to load on Lafarge property.

Project Benefits

The proposed silo will provide enhanced safety for both Butler and Lafarge in loading cement trucks with cement powder. Lafarge cement trucks will no longer need to drive on Butler property and navigate through the site and around loading Butler concrete trucks. The access to the proposed cement silo on the Lafarge site will be directly off Turner Street, minimizing truck traffic onsite.

During loading of a cement truck samples need to be taken to test the quality of the cement. Currently Lafarge uses an access platform that is separate from the loading area causing unnecessary site traffic and additional vehicle idling time. The proposed silo will have an attached access platform allowing sampling of cement while the truck is being loaded, thereby minimizing traffic and idling.

There will be less truck traffic on the Butler property resulting in a safer working environment for Butler and Lafarge employees.

The existing cement circulation system is powered with a diesel generator. The new system will be driven by an electric motor resulting in a smaller carbon footprint. The new motor will also reduce noise pollution caused by the existing diesel generator.

Neighbourhood

The neighbourhood around 401 Bay Street is currently heavy industrial. Butler and Lehigh Hanson Canada flank the site with visible industrial infrastructure (stockpiles, equipment, storage silos, etc.). Within nearby Rock Bay other waterside industrial facilities exist such as Ocean Concrete and Island Asphalt Co.

The Lafarge site currently contains a cement storage silo much taller and wider than the proposed silo; therefore, the new silo will not cause a large difference in the profile of the site and will not be visible from some angles on Bay Street. The proposed silo base is approximately 3.5m below Bay Street, this further minimizes the visibility of the silo.

Design and Development Permit Guidelines

The site layout is relatively unaltered due to the new silo being proposed in an area of site that was not used previously. The proposed silo will be located beside an existing cement storage silo. The cement trucks will continue to enter the site from Turner Street and have the option of loading from either silo.

The proposed silo will match existing features on site, such as two other cement storage silos. The proposed silo is neither taller nor wider than the main storage silo onsite.

The appearance of the site will remain industrial, as per the zoning M-3: Heavy Industrial District.

Height Relaxation Variance

The City of Victoria Zoning Regulation Bylaw (No. 80-159) states a *maximum height of any building shall not exceed 15m* in an area zoned M-3 Heavy Industrial. The proposed silo requires a maximum building height relaxation variance. The total silo height is 18.364m; however, the silo is situated 4.267m below the level of Bay Street making the height of silo relative to Bay Street only 14.097m. In addition, an existing adjacent silo onsite is 12.028m higher in elevation relative to Bay Street than the proposed silo.

Regards,



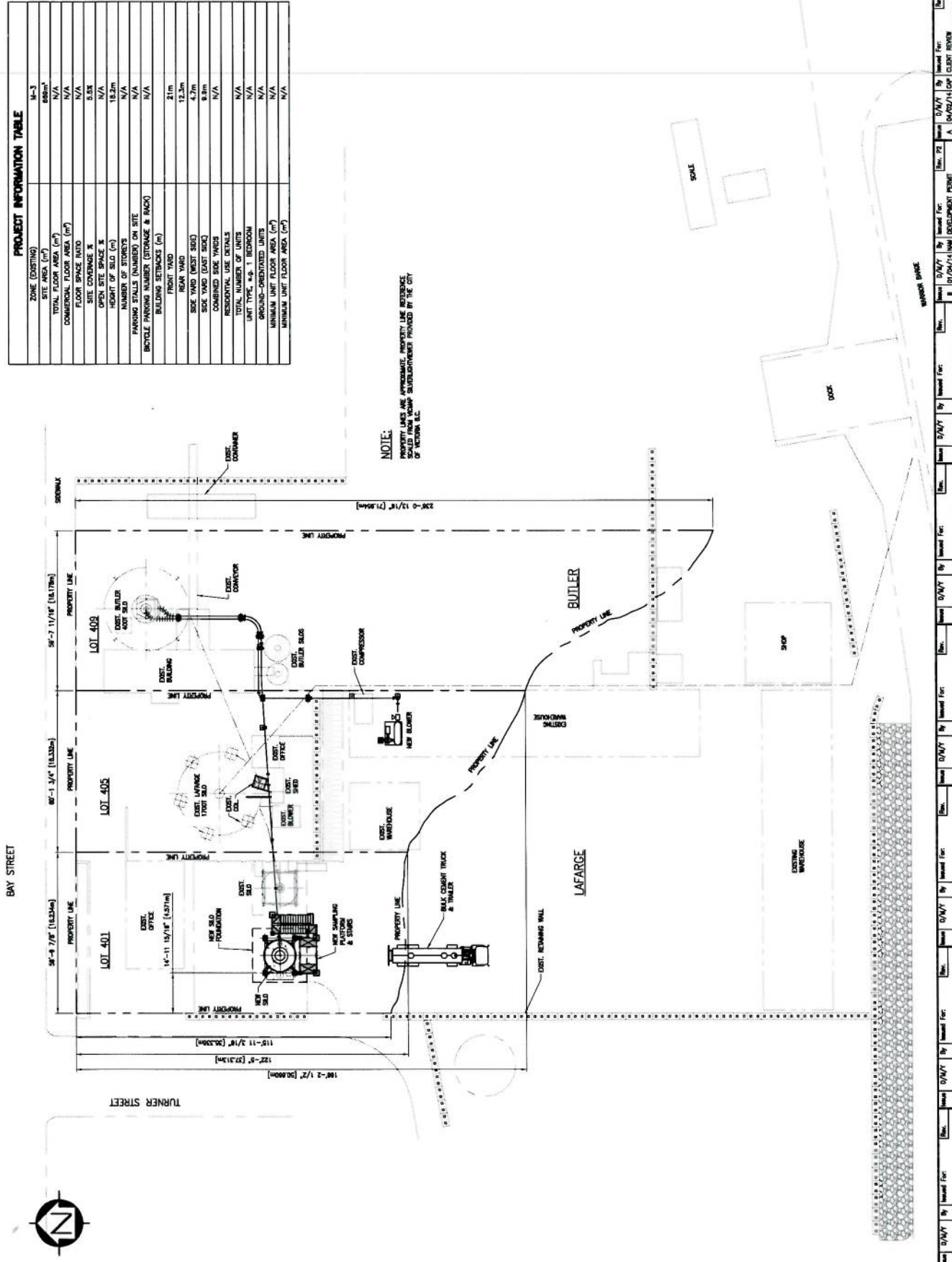
Niall McPherson, EIT

Structural Engineer

PROJECT INFORMATION TABLE

ZONE (DISTRICT)	1A-3
SITE AREA (AC)	886.24
TOTAL FLOOR AREA (SF)	N/A
COMMERCIAL FLOOR AREA (SF)	N/A
FLOOR SPACE (SQ FT)	N/A
SITE COVERAGE %	5.8%
OPEN SITE SPACE %	N/A
HEIGHT OF BUILD (FT)	18.2m
NUMBER OF STORIES	N/A
PARKING STALLS (NUMBER) ON SITE	N/A
BICYCLE PARKING NUMBER (STORAGE & RACK)	N/A
FRONT YARD	21m
REAR YARD	12.3m
SIDE YARD (WEST SIDE)	4.7m
SIDE YARD (EAST SIDE)	9.8m
COMBINED SIDE YARDS	N/A
RESIDENTIAL USE DETAILS	N/A
TOTAL NUMBER OF UNITS	N/A
UNIT TYPE, e.g., 1 BEDROOM	N/A
GROUND-ORIENTED UNITS	N/A
MINIMUM UNIT FLOOR AREA (SF)	N/A
MINIMUM UNIT FLOOR AREA (SF)	N/A

NOTE:
PROPERTY LINES ARE APPROXIMATE PROPERTY LINE REFERENCES
SHOULD BE VERIFIED BY THE CITY
OF VICTORIA B.C.



PRELIMINARY
NOT FOR CONSTRUCTION

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This drawing has been prepared for the exclusive
use of the client and is not to be used for any other
purpose without the written consent of the company.
Project Number: 13805

Rev.	By	Date	Desc.
1	DAW	03/03/14	Issue for Review
2	DAW	03/03/14	Issue for Review
3	DAW	03/03/14	Issue for Review
4	DAW	03/03/14	Issue for Review
5	DAW	03/03/14	Issue for Review
6	DAW	03/03/14	Issue for Review
7	DAW	03/03/14	Issue for Review
8	DAW	03/03/14	Issue for Review
9	DAW	03/03/14	Issue for Review
10	DAW	03/03/14	Issue for Review

**LAFARGE NORTH AMERICA
CEMENT**
401 BAY STREET, VICTORIA B.C.

**VICTORIA TRANSFER STATION
GENERAL ARRANGEMENT
SITE PLAN**

Drawing No. **13805-S-001**
Rev. **P2**

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1	DAW	03/03/14	Issue for Review	1	DAW	03/03/14	Issue for Review	1	DAW	03/03/14	Issue for Review
2	DAW	03/03/14	Issue for Review	2	DAW	03/03/14	Issue for Review	2	DAW	03/03/14	Issue for Review
3	DAW	03/03/14	Issue for Review	3	DAW	03/03/14	Issue for Review	3	DAW	03/03/14	Issue for Review
4	DAW	03/03/14	Issue for Review	4	DAW	03/03/14	Issue for Review	4	DAW	03/03/14	Issue for Review
5	DAW	03/03/14	Issue for Review	5	DAW	03/03/14	Issue for Review	5	DAW	03/03/14	Issue for Review
6	DAW	03/03/14	Issue for Review	6	DAW	03/03/14	Issue for Review	6	DAW	03/03/14	Issue for Review
7	DAW	03/03/14	Issue for Review	7	DAW	03/03/14	Issue for Review	7	DAW	03/03/14	Issue for Review
8	DAW	03/03/14	Issue for Review	8	DAW	03/03/14	Issue for Review	8	DAW	03/03/14	Issue for Review
9	DAW	03/03/14	Issue for Review	9	DAW	03/03/14	Issue for Review	9	DAW	03/03/14	Issue for Review
10	DAW	03/03/14	Issue for Review	10	DAW	03/03/14	Issue for Review	10	DAW	03/03/14	Issue for Review

