REPORTS OF COMMITTEES

1. Committee of the Whole – July 6, 2017

1. Development Permit with Variances Application No. 00023 for 2770 Pleasant Street (Burnside)

Motion

It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, 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 Variances Application No. 00023 for 2770 Pleasant Street subject to registration of legal agreements on the properties' titles securing access across the site and addressing issues of the proposed building and equipment straddling the property line to the satisfaction of the City Solicitor, in accordance with:

- 1. Plans date stamped June 16, 2017.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce Class 1 bicycle space requirement from four to zero;
 - ii. relaxation to permit construction over the lot lines for the office trailer structure.
- 3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

3. CONSENT AGENDA

3.2 Development Permit with Variances Application No. 00023 for 2770 Pleasant (Burnside)

Committee received a report dated June 22, 2017, from the Director of Sustainable Planning and Community Development regarding an application to add a prefabricated office trailer and install a truck weigh-scale at an existing metals recycling yard.

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, 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 Variances Application No. 00023 for 2770 Pleasant Street subject to registration of legal agreements on the properties' titles securing access across the site and addressing issues of the proposed building and equipment straddling the property line to the satisfaction of the City Solicitor, in accordance with:

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 - ii. relaxation to permit construction over the lot lines for the office trailer structure.
- 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW

Committee of the Whole - July 6, 2017



Committee of the Whole Report For the Meeting of July 6th, 2017

To:

Committee of the Whole

Date:

June 22, 2017

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Development Permit with Variances Application No.00023 for 2770 Pleasant

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 Variances Application No. 00023 for 2770 Pleasant Street subject to registration of legal agreements on the properties' titles securing access across the site and addressing issues of the proposed building and equipment straddling the property line to the satisfaction of the City Solicitor, in accordance with:

- 1. Plans date stamped June 16, 2017
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce Class 1 bicycle space requirement from four to zero;
 - ii. relaxation to permit construction over the lot lines for the office trailer structure.
- 3. 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 *Official 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 Variances Application for the property located at 2770 Pleasant Street. The proposal is to add a prefabricated office trailer and install a truck weigh-scale at an existing metals recycling yard. The proposal requires two variances. The first variance would allow the office trailer to straddle two legal lots. The General Regulations of the *Zoning Regulation Bylaw* require that a building be wholly contained on one lot. The second variance is to reduce the required Class 1 bicycle parking from four to zero.

The following points were considered in assessing this Application:

- The proposed building design, landscaping and fencing is generally consistent with the Development Permit Area objectives and design guidelines.
- The variance to allow a building to straddle two properties is needed in this instance as
 the property owner does not want to consolidate the two properties into one; however,
 they are willing to register a legal agreement on title ensuring that the properties cannot
 be sold independently of each other unless the condition is rectified.
- The small size of the office trailer limits the feasibility of adding Class 1 secured bicycle
 parking within the building; however, this is addressed through a Class 2 four stall bike
 rack (only two stalls are required).
- The proposed development has minimal visibility from the street, waterfront and adjacent properties, including the heritage-designated Point Ellice House located three lots to the south.

BACKGROUND

Description of Proposal

The proposal is to install a 66.9m² pre-fabricated office trailer and truck scale in an existing metals recycling yard. Specific details include:

- pre-fabricated office trailer, with entry stairs and ramp constructed on site
- three parking stalls (one is required) and one loading bay
- four stall bike rack.

The proposed variances are related to:

- allowing the placement of the office trailer across more than one lot
- reducing the required Class 1 bicycle parking from four to zero.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Existing Site Development and Development Potential

The site is presently in the M-3 Zone. Under the current zoning the property could be developed at a density of 3:1 Floor Space Ratio (FSR) with a range of heavy industrial uses.

Data Table

The following data table compares the proposal with the existing M-3 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard M-3		
Site area (m²) - minimum	2837.6	N/A		
Building wholly on one lot	No *	Contained on one lot		
Height (m) - maximum	New Office Trailer - 3.51 New Truck Scale - 0.48	15.00		
Setbacks, Office Trailer (m) - minimum:				
Front (East)	7.05	3.00 or 0.00		
Rear (West)	62.20	3.00 or 0.00		
Side (North)	0.00	3.00 or 0.00		
Side (South)	3.00	3.00 or 0.00		
Parking - minimum	3	1		
Bicycle parking stalls (minimum)				
Class 1	0*	4		
Class 2	4	2		

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on December 13th, 2016 the Application was referred for a 30-day comment period to the Burnside-Gorge CALUC. The CALUC did not have any comments regarding this Application. Correspondence confirming this, dated January 7th, 2017, is 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, Design Guidelines and Local Area Plans

The Official Community Plan (OCP) identifies this property within DPA 16. This Development Permit Area designation enables Council to review and approve the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

The *OCP* and *Burnside Neighbourhood Plan* both recognize the application site as part of a key employment area where there is support for the continuation of industrial uses and industries requiring shoreline access for their operations. The proposal is consistent with this vision. Further, allowing the construction across two lots without consolidating them retains flexibility for future development or changes in industrial activity.

The proposed development is generally consistent with the policies in the *Design Guidelines of Multi-Unit Residential*, *Commercial and Industrial Development*, 2012 which are referenced in

DPA 16. These guidelines recommend placing bike parking near entryways for safety and convenience. The proposed bike rack has been placed in a prominent place, close to the front entry of the building. These design guidelines also recommend shielding the visual impact of loading areas. The loading bay has been placed between the proposed trailer and a new Quonset hut on the east portion of the property, limiting the visual impact from both the water and the street.

Because the parking and loading is located on one of the two lots but serves both, a registered easement is required to secure access to these spaces for as long as the office structure remains on site. Additionally, an easement is required to secure the construction across the lots. This would prevent the lots from being sold separately or altering the easement area without first addressing issues related to the structures. As with the easement for access, the easement would end if the office and weigh scale were to be removed and the area restored.

CONCLUSIONS

The proposal is consistent with the City's policies and design guidelines. The Application proposes the construction of an office trailer and truck scale within a well-established heavy industrial area. Allowing the construction across two lots without consolidating them retains flexibility for future development or changes in industrial activity. The variance to eliminate the required Class 1 bicycle parking is acceptable given the small amount of interior space and the provision of a four stall bike rack. Staff recommend that Council approve the Application subject to registration of legal agreements on the properties' titles securing access across the site and addressing issues of the proposed building straddling the property line to the satisfaction of the City Solicitor.

ALTERNATE MOTION

That Council decline the Development Permit with Variances Application No.00023 for the property located at 2770 Pleasant. Street.

Respectfully submitted,

Chloe Tunis

Planning Technician

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

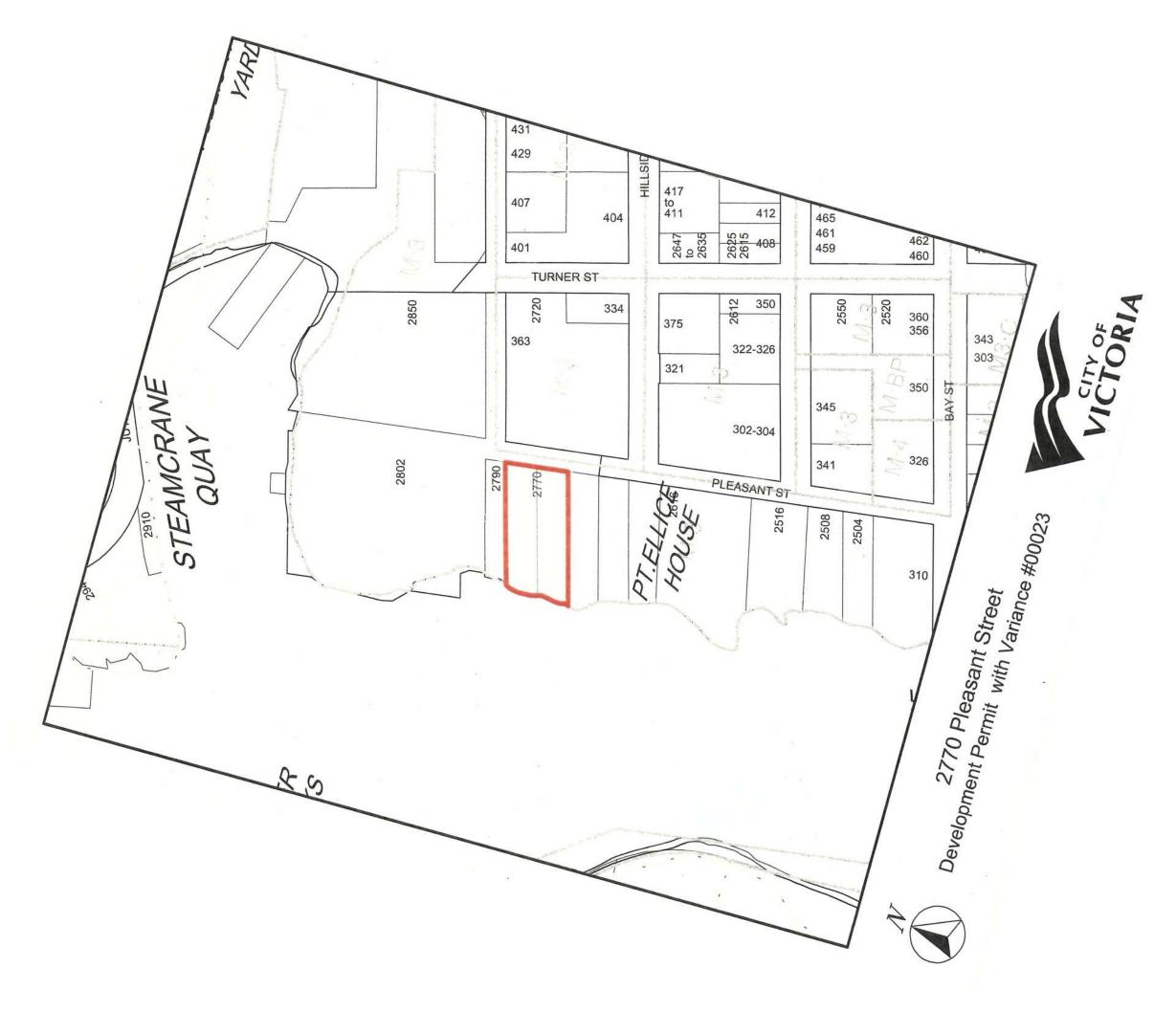
Report accepted and recommended by the City Manager:

Date:

June 28, 2017.

List of Attachments

- Subject Map
- Aerial Map
- Plans dated/date stamped June 16, 2017
- Letter from applicant to Mayor and Council dated June 14, 2017
- Community Association Land Use Committee comments dated January 7, 2017.







SCHNITZER STEEL CANADA LTD. NON-FERROUS REDEVELOPMENT PROJECT 2770 PLEASANT STREET, VICTORIA, B.C.

DRAWING LIST

DRAWING NUMBER	DESCRIPTION
3951-003 S01	COVER SHEET, DRAWING INDEX AND GENERAL NOTES
3951-003 S02	GENERAL ARRANGEMENT - WITH ORTHOPHOTO
3951-003 S03	GENERAL ARRANGEMENT - WITHOUT ORTHOPHOTO
3951-003 S04	ABOVE GROUND TRUCK SCALE FOUNDATION PLAN, ELEVATION AND SECTIONS
3951-003 S05	BRITCO TRAILER FOUNDATION PLAN AND SECTION WITH STRUCTURE ELEVATION
3951-003 S06	BRITCO TRAILER WHEELCHAIR RAMP AND LANDING
3951-003 S07	BRITCO TRAILER STAIR ACCESS AND LANDING

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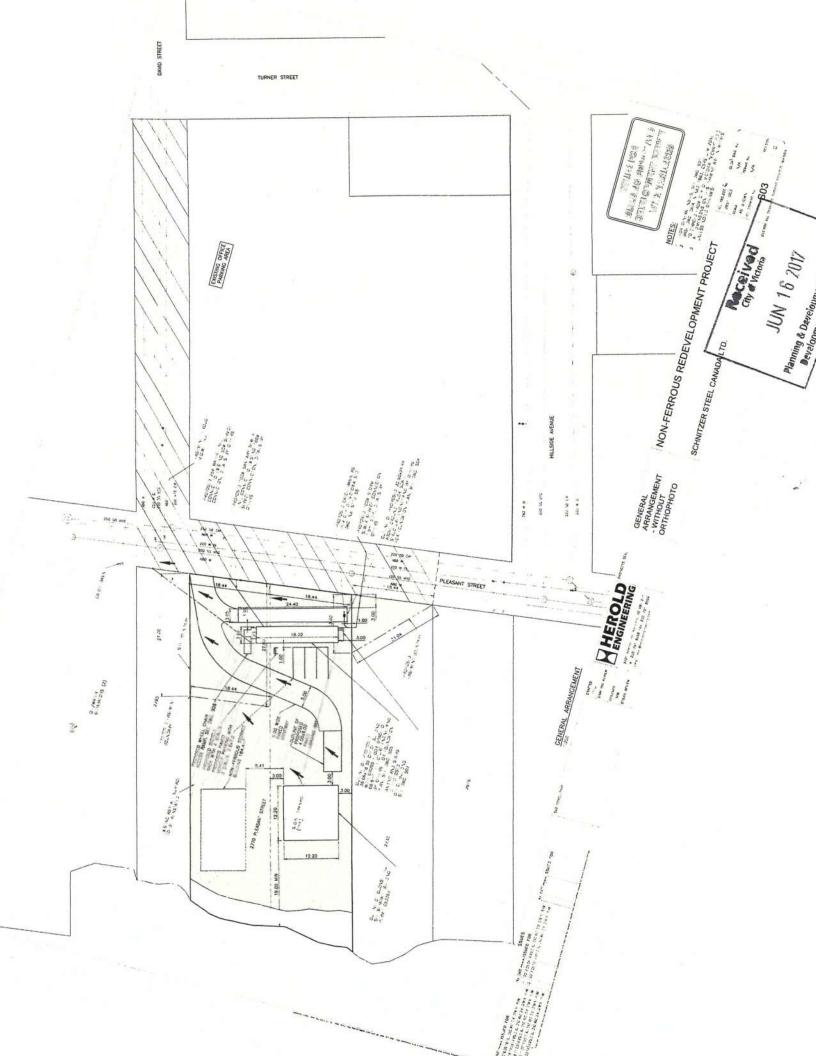
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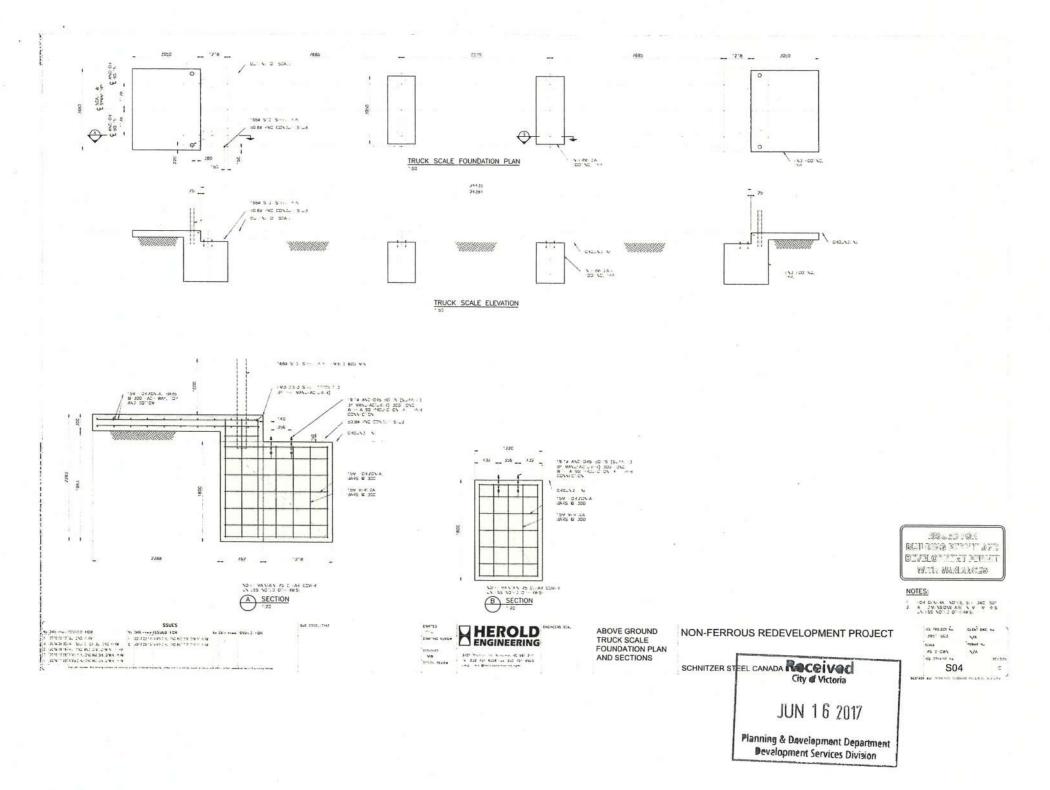
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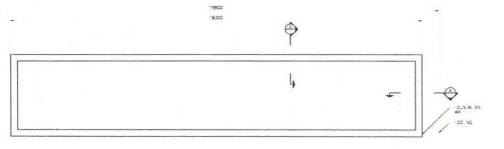
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Planning & Davelopment Department Development Services Division

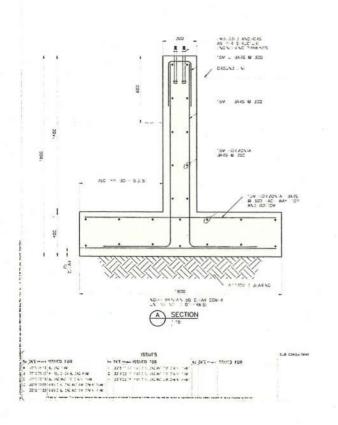




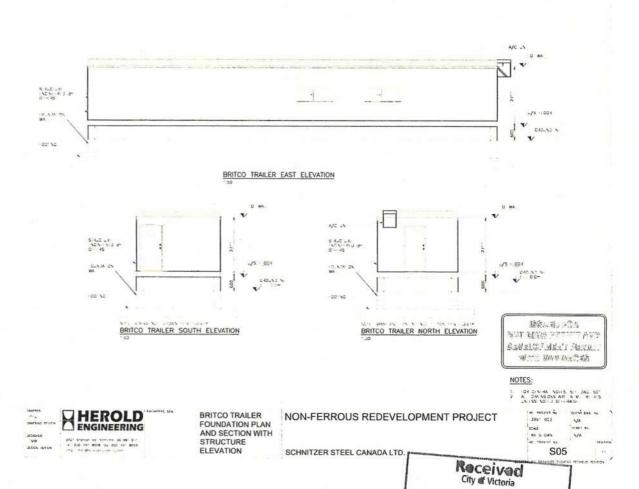




BRITCO TRAILER FOUNDATION PLAN

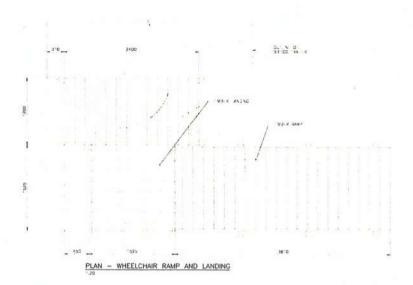


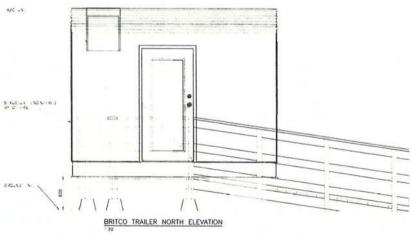
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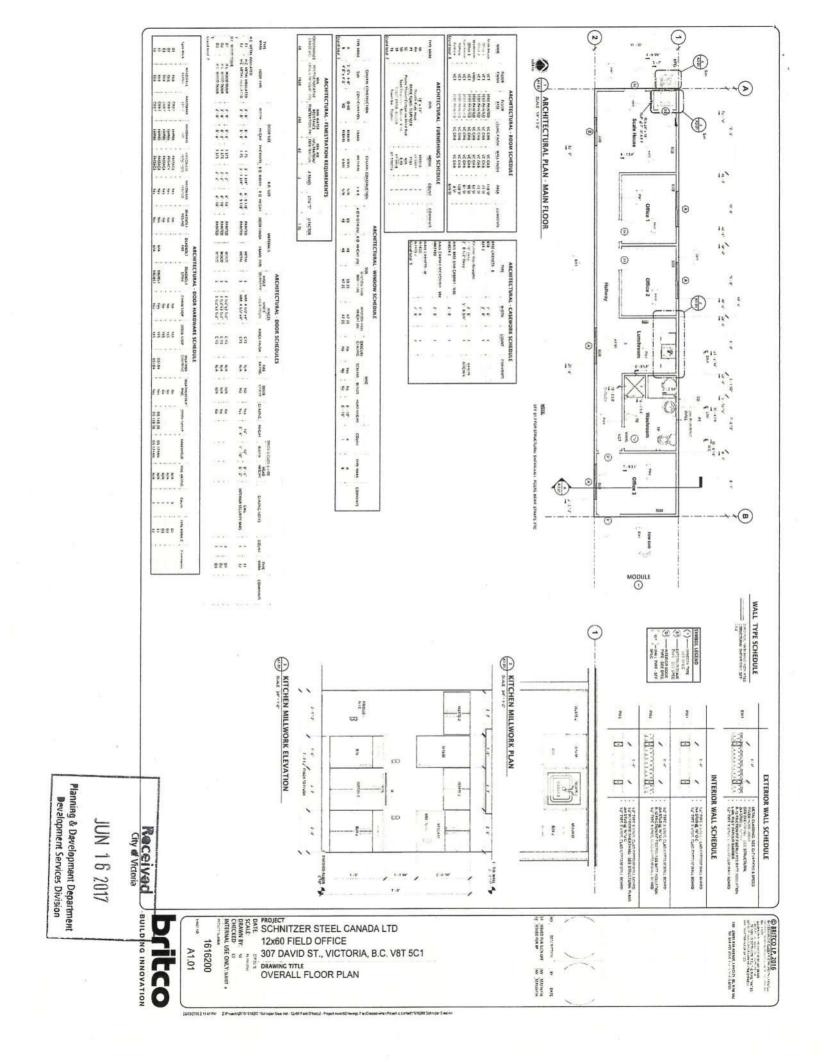
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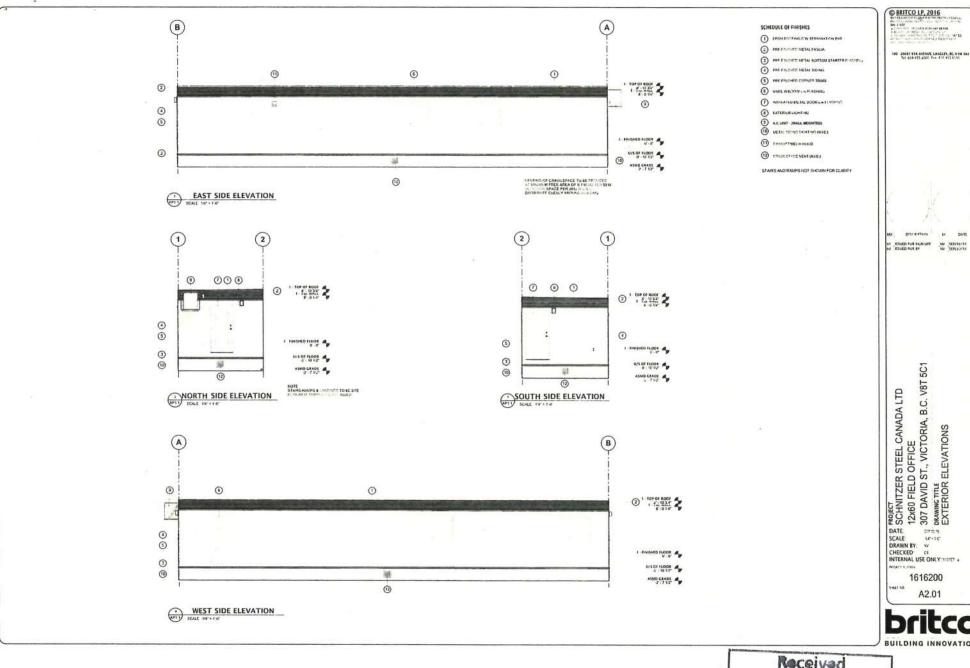
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Received City of Victoria

JUN 16 2017

Planning & Davelopment Department Development Services Division





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Received City & Victoria

JUN 16 2017

Planning & Davelopment Department **Development Services Division**



June 14, 2017

Mayor and Council
City of Victoria
C/O Sustainable Planning & Community Development Department
Development Services Division
1 Centennial Square
Victoria, BC V8W-1P6

Dear Mayor and Council;

Re: Schnitzer Steel Canada Ltd. Victoria Facility - 2770 Pleasant Street -

Development Permit with Variances Application

Revised Information

Schnitzer Steel Canada (Schnitzer) hereby makes application to the City of Victoria for a Development Permit with Variances for the above-referenced property. This letter updates the additional documents from the original submission dated November 24, 2016.

Schnitzer is proposing the following works:

- Installation of a 12ft. x 60 ft. Britco office/scale trailer; and
- Installation of a 10 ft. x 80 ft. truck scale adjacent to the Britco trailer.

The variances requested are:

- 1. a relaxation to Section 19 of the Zoning By-law's General Regulations, to permit our proposed Britco office trailer to cross two property parcels.
- a relaxation in the Class 1 Off Street Bicycle Parking Spaces provided from 4 to 0. Note that 4 stalls of Class 2 Bicycle Parking will be provided.

The subject property is located within Development Permit Area #16 – General Form and Character and Zoning Area M3 – Heavy Industrial. The additional building and truck scale are in keeping with the General Form and Character of the surrounding neighborhood and will not affect the neighboring streetscape.

Enclosed herewith are the revised documents to accompany the Schnitzer's Development Permit with Variances application and supplementary information as outlined below:

- Revised Site/Elevation plans illustrating the current depiction of the property and layout of the proposed structures on the subject property;
- A Transmittal listing the revisions requested by the City of Victoria with numbers corresponding to the changes;
- 3. Recommendation for Site Profile Release from the Ministry of Environment. The project does not involve disturbance or excavation of soil.
- 4. An Explanatory Plan will be provided from Powell and Associates to accompany the Easement Agreement for the variances shown on the drawings.

The signed and sealed drawings to accompany the Schedule B Letters of Assurance have been delivered to the Building Permits Department to support the Building Permit Application for the works.

Schnitzer thanks you for your consideration of this application. If there are any questions, please do not hesitate to contact Nures Kara at 604-586-6765 or nkara@schn.com.

Sincerely,

Allison Bergman, P.Eng., Herold Engineering Ltd.

On behalf of : Mr. Nures Kara

Senior Environmental/Project Manager - Schnitzer Steel Canada Ltd.

Cc: Chloe Tunis – City of Victoria Planning Technician – Sustainable Planning and Community Development

Encl.

Laura Wilson

From:

Carolyn Gisborne landuse@burnsidegorge.ca

Sent:

Saturday, Jan 7, 2017 6:47 PM

To:

caluc@victoria.ca

Cc:

Nures Kara

Subject:

Re: 2770 Pleasant Street - DPV No. 00023

Dear Mayor and Council,

The Burnside Gorge Land Use Committee has reviewed the application for 2770 Pleasant Street and do not have comments on the variances as described below.

We appreciate the opportunity to comment.

Best regards,

Carolyn Gisborne

Chair, Burnside Gorge Land Use Committee

On Tue, Dec 13, 2016 at 1:18 PM, Quinn Anglin <qanglin@victoria.ca> wrote:

Dear Carolyn Gisborne,

Re: 2770 Pleasant Street - DPV No. 00023

City staff have completed a plan check on the submitted plans and have identified the following *Zoning Regulation Bylaw* variances:

- Part 7.3.8 (2) Relaxation for the minimum side yard setback (south) from 3.0m to 1.0m for the truck scale.
- Part 7.3.9 (1) Relaxation for a loading space from one to none.
- Schedule C Section 17 (2) Relaxation for bicycle spaces required from 4 Class 1 to 0.

The details of this application can be found on the Development Tracker at <u>2770 Pleasant Street</u>. You will also be notified of any further revisions to the plans.

If your Land Use Committee has comments it would like considered by City Council, please submit them to Mayor and Council with a copy to the Sustainable Planning and Community Development Department within 30 days from the date of this email.

Yours truly,

Quinn

Quinn Anglin

Secretary

Advisory Design Panel & Board of Variance

Planning & Development Services

1 Centennial Square

Victoria, BC V8W 1P6

T: 250-361-0329

F: 250-361-0386

E: qanglin@victoria.ca







