

AGENDA ITEM NO: 11.4.2

MEETING DATE: April 16, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Axiom Architecture Inc.
Development Variance Permit &
Development Permit / 43645 Industrial
Way DATE: April 12, 2023

DEPARTMENT: Planning Department
DVP01346 & DP001647 PREPARED BY: Adam Roberts/tr

1. SUMMARY OF ISSUE:

The applicant is seeking to increase the maximum permitted accessory office and sales space from 20% to 57% within the Zoning Bylaw.

The applicant is seeking approval of the 'form and character' of a new industrial development within the subject property. As the property is within Development Permit Area No. 7 (Industrial), a Development Permit is required.

2. RECOMMENDATION:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01346 with respect to property located at 43645 Industrial Way, subject to the recommendations as stipulated within the draft Development Variance Permit.

Recommendation that Council approve the issuance of Development Permit DP001647 with respect to property located at 43645 Industrial Way, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.


Gillian Villeneuve
Director of Planning

**3. CHIEF ADMINISTRATIVE OFFICER'S
RECOMMENDATION/COMMENTS:**

Supports recommendation.


Chris Crosman
Chief Administrative Officer

STAFF REPORT ON DEVELOPMENT VARIANCE PERMIT DVP01346 & DEVELOPMENT PERMIT DP001647

PREPARED BY: Adam Roberts DATE: April 12, 2023

POSITION: Planner II DEPARTMENT: Planning Department

1. DEFINITION OF ISSUE:

The applicant is seeking to increase the maximum permitted accessory office and sales space from 20% to 57% within the Zoning Bylaw.

The applicant is seeking approval of the 'form and character' of a new industrial development within the subject property. As the property is within Development Permit Area No. 7 (Industrial), a Development Permit is required.

2. PROPOSAL:

In summary the proposal includes:

- A new three-storey 10,715m² industrial building (14.9m in height) to house the new headquarters of *Southern Irrigation*;
- 169 parking spaces (169 spaces are required as per Zoning Bylaw);
- 1,042m² outdoor 3rd storey courtyard with landscaping and patio furniture; and,
- 73 trees (67 trees are required as per Tree Management Bylaw).

A separate Development Variance Permit (DVP01346) application has been submitted to increase the maximum permitted accessory office and sales space from 20% to 57% within the Zoning Bylaw.

3. DISCUSSION REGARDING PROPOSED VARIANCE:

Accessory Office and Sales

The applicant requests an increase to the maximum permitted percentage of accessory office and sales space from 20% to 57%. All industrial zones within the Zoning Bylaw permit accessory office and sales as an ancillary use to support the principal industrial use occurring on the property. The intent of this regulation is to ensure the majority (80%) of all structures are utilized for an industrial purpose while acknowledging an office and sales area is generally necessary to support the industrial operation on site. The calculation to determine the total percentage of accessory office and sales space is based on the gross floor area of the building, and as such, does not consider outdoor areas on a property, including outdoor amenity areas or open storage yards.

As *Southern Irrigation*, an irrigation supplier, wishes to construct their central headquarters on the subject property, a large portion of the building (57%) is intended to be used for office space. The remainder of the building and open storage area will be used for industrial activities associated with the business operations. Despite the large commercial component included within the development, given the industrial nature of the business, the requested variance to increase the accessory office space from 20% to 57%, is considered supportable in this instance.

In support of the proposal, the applicant has confirmed the building will be occupied by a single tenant (*Southern Irrigation*). As such, a condition has been included within the draft Development Variance Permit which requires a restrictive covenant be registered on title limiting the use of the property to a single tenant to ensure the proposed office space is used specifically in association with an industrial business operating on site thereby preventing the office area from use as a standalone multi-tenant commercial office space.

4. DEVELOPMENT PERMIT CONSIDERATIONS:

Overall, the design of the building and site is visually appealing and constitutes a positive addition to the area. Although the building design has a somewhat “box-like” appearance, the applicant has provided a mural on the southwest corner of the building to improve the development’s appearance from the Trans Canada Highway. As demonstrated by the attached checklist evaluation for DPA 7, the proposed industrial development substantially complies with intent of the Industrial Design Guidelines. A copy of the proposed site plan, landscape plan and colour elevations are attached within the draft Development Permit for information.

Summary and CPTED Review

In support of the application, the applicant has submitted a CPTED (Crime Prevention Through Environmental Design) report prepared by *AMR Systems*. The report concluded that the proposed development will be a positive activity generator for the area and is compatible with surrounding development. A summary of the CPTED assessment is shown in the table below:

CPTED Elements	Recommendations	
	✓ included in the design	✗ not included in the design
Natural Access Control	✓ The building utilizes a clear front entrance, signage and mural to create a welcoming entrance for customers. This also ensures it is obvious when people are loitering.	
Natural Surveillance	✓ Sightlines from within the building, in particular the front office and showroom space, creates “eyes on the street”.	

Territoriality	✓ The development has evenly spaced streetlights along the frontage to provide an even wash of lighting along the site. The proposed development has extensive landscaping along Industrial Way, promoting ownership of the site and clear delineation between public and private space.
Maintenance	✓ The fencing and vegetation on the site should be maintained to provide long sightlines from the street and ensure public and private spaces are well defined. Any damage or vandalism should be repaired within a timely manner.
*The consultant noted that the property would benefit from additional measures such as a garbage enclosure, signage on the building and CCTV. As such, the applicant has provided a garbage enclosure and signage on the building. The applicant noted the property owner will confirm if CCTV will be installed.	

5. DESIGN REVIEW AND ADVISORY COMMITTEE:

The application was reviewed by the Design Review Advisory Committee (DRAC) on March 14, 2023, at which time the application was referred back to staff to address the following:

1. That additional trees be provided throughout the parking area to provide visual interest and reduce the overall impact of the parking lot on the site design;
2. That additional detail be provided within the landscape plan for the third storey common amenity area to clearly indicate any shaded areas;
3. That all windows/glazing on the south and west elevations be treated to limit reflection to ensure vehicles on the Trans Canada Highway are not impacted by the development; and,
4. As the west elevation of the structure is very visible from the Trans Canada Highway and functions as a gateway to the City, that additional architectural features or unique design elements be included on the western elevation design.

In response, the application was revised to provide additional trees, shadowing details for the common amenity area, non-reflective glazing and a mural on the south and west elevations. The proposed mural (attached within draft Development Permit) was forwarded to the Public Art Advisory Committee (PAAC) on March 31, 2023, and ultimately supported. Given this, a condition has been included within the draft Development Permit to ensure a mural is provided prior to completion of the final inspection of the development by the Planning Department.

Given these revisions, the application was reviewed by the Design Review Advisory Committee (DRAC) for a second time on April 11, 2023. Based on this meeting, the following recommendation was made:

There was no quorum during the time DP001647 was reviewed. Those members present had a discussion and noted no concerns with the staff recommendations and suggested additional conditions for Council consideration:

1. *that a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas and pedestrian entrances;*
2. *that an irrigation system be incorporated throughout all landscape areas within the property;*
3. *that a Traffic Impact Assessment which addresses the proposed increase in office space on site be submitted prior to issuance of a Building Permit;*
4. *that all utility equipment be screened from public view through the installation of landscaping, fencing or vinyl wrapping;*
5. *that any rooftop equipment such as heaters, mechanical units, air conditioners, etc. should be located near one another, buffered to reduce noise and screened from view;*
6. *that all windows/glazing on the south and west elevations be treated to limit reflection to ensure vehicles on the Trans Canada Highway are not impacted by the development;*
7. *that a mural design, approved by the Public Art Advisory Committee, be installed on the west and south elevations, prior to completion of the final inspection of the development by the Planning Department; and,*
8. *that lighting be installed surrounding the mural on the south and west building elevations to accentuate the mural.*

The applicant was present at the meeting and agreed to the above-noted conditions.

6. FACTORS:

6.1 2040 Official Community Plan (OCP) / Land Use

OCP: "General Industrial" as designated within the 2040 Official Community Plan.

Land Use: Vacant.

6.2 Neighbourhood Character

The subject property is located in an established industrial area within the Village West Neighbourhood and is surrounded by industrially zoned properties within the CD-10 (Comprehensive Development-10) Zone, M5 (Industrial Salvage) Zone and M3 (General Industrial) Zone. The CN Railway is located immediately to the north of the subject property and Industrial Way and the Trans Canada Highway are located immediately to the south.

6.3 Technical Issues

Floodplain: The subject property is located within the protected floodplain and subject to the Floodplain Regulation Bylaw.

Watercourses: There are no known watercourses within or in the immediate vicinity of the subject property.

Geotechnical Issues: The property is not subject to any known geotechnical hazards or earthquake related risks.

6.4 Condition of Issuance

Staff support the requested variance as proposed by the applicant and recommend approval of the draft DVP and DP, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Variance Permit and Development Permit.

7. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01346 with respect to property located at 43645 Industrial Way, subject to the recommendations as stipulated within the draft Development Variance Permit.

Recommendation that Council approve the issuance of Development Permit DP001647 with respect to property located at 43645 Industrial Way, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.

Substantiation:

The requested variance is supportable in this instance as it is anticipated to support a principal industrial use on the subject property.

The proposed industrial development meets the intent of the Design Guidelines for Development Permit Area No. 7 through the use of extensive landscaping and a neutral building design with an attractive street-facing mural.

8. DEVELOPMENT PERMIT AREA NO. 7 DESIGN GUIDELINE CHECKLIST:

	Design Guidelines	Yes/No	Comments
1.	Building form and character		
1.1	All structures are comprehensively planned and architecturally coordinated	Yes	The proposed development is architecturally coordinated and creates an easily identifiable façade that integrates well with neighbouring industrial developments.
1.2	Consideration is given to relationship between buildings and open space, circulation patterns, and design compatibility with surrounding buildings and streets	Yes	The proposed building and associated landscaping have been designed to ensure a positive relationship between the building, open spaces, surrounding properties and the street.
1.3	Building(s) are oriented toward the street with an emphasis on glazing, and designed to create visually enhanced streetscapes	Yes	The front entrance to the building is oriented to the street and signage is utilized to emphasize the business and address. The use of landscaping and a pedestrian connection to Industrial Way creates a welcoming entrance for pedestrians.
1.4	Building design, materials, exterior finishes and landscaping support the creation of an attractive, high quality estate industrial environment	Yes	Overall, the architectural design and materials used achieves an attractive and high-quality industrial development.

1.5	Building design, layout, siting, landscaping, screening and buffering are designed to mitigate noise from Hwy#1 and between industrial/commercial uses	Yes	Extensive landscaping is utilized along Industrial Way to both screen the open storage yard from Highway 1 and buffer noise from the highway for the subject property.
1.6	Buildings on corner lots, or fronting more than one road, give design consideration to each frontage	Yes	The property is located on a corner and backs onto the CN Railway with neighbouring industrial buildings to the north of the railway. As such, a consistent design has been utilized on all four elevations to maintain a presence along all frontages. The office and showroom are located at the front entrance and are easily accessible from Industrial Way.
1.7	Low profile building designs are incorporated, particularly adjacent to Hwy#1	Partial	The property is located adjacent to Highway 1 and the proposal includes a 14.9m tall building with a 4,346m ² footprint. As such, a low-profile building design is not achieved. To soften the impact of the building's massing, extensive landscaping along the front property line has been provided. In addition, the front elevation includes a mural along the second and third storeys to provide visual interest from the Trans Canada Highway.
1.8	Box-like structures with little surface articulation and long expanses of uninterrupted roof lines are avoided	No	The proposed street-facing façade includes a mural on the second and third storey to break up the façade fronting Industrial Way. Despite this, the roofline is flat for the entire building. Considering the front façade includes articulation, glazing and landscaping, the impact of the uninterrupted roofline is softened.
1.9	Loading bays and service compounds are screened or minimally visible from the public view	Partial	The loading bay doors along the rear of the building are screened and not visible from public view. The loading bay along the east side of the building is screened from public view by landscaping along Industrial Way; however, this elevation will be very visible from Highway 1.
1.10	Materials are of high quality, untreated or unfinished concrete, metal and/or prefabricated metal structures are not used	Yes	The exterior of the building is primarily concrete; however, the southwest corner of the building has been treated with a mural to add visual interest. The concrete is painted in white and grey with no concrete left untreated.
1.11	Roof top equipment is positioned to minimize exposure or properly screened	No	The plans do not indicate if any rooftop equipment is proposed. As such, a recommended condition requires that any rooftop equipment should be positioned to minimize exposure or be adequately screened.
1.12	Public entrance is clearly identified and accessible from the street	Yes	The use of landscaping within the front setback area and the pedestrian sidewalk from Industrial Way creates a welcoming entry for pedestrians. The use of signage makes for a clearly identifiable entrance.
1.13	Garish or neon colours are not used	Yes	A neutral colour scheme is proposed.
2.	General		
2.1	Buildings and open space are well integrated; Minimize untreated space	Yes	The site has been comprehensively planned and is well integrated with no "leftover" space.
2.2	Vehicle and pedestrian routes are clearly defined	Yes	Vehicle parking and maneuvering spaces are clearly separated from pedestrian routes through the use of landscaping beds and curbing. Pedestrian routes are identified by raised sidewalks with letdowns to direct pedestrian traffic.
2.3	Garbage and recycling facilities located away from street and screened from public view	Yes	The garbage and recycling facilities are located away from the street, along the north property line, and screened from view by an enclosure.

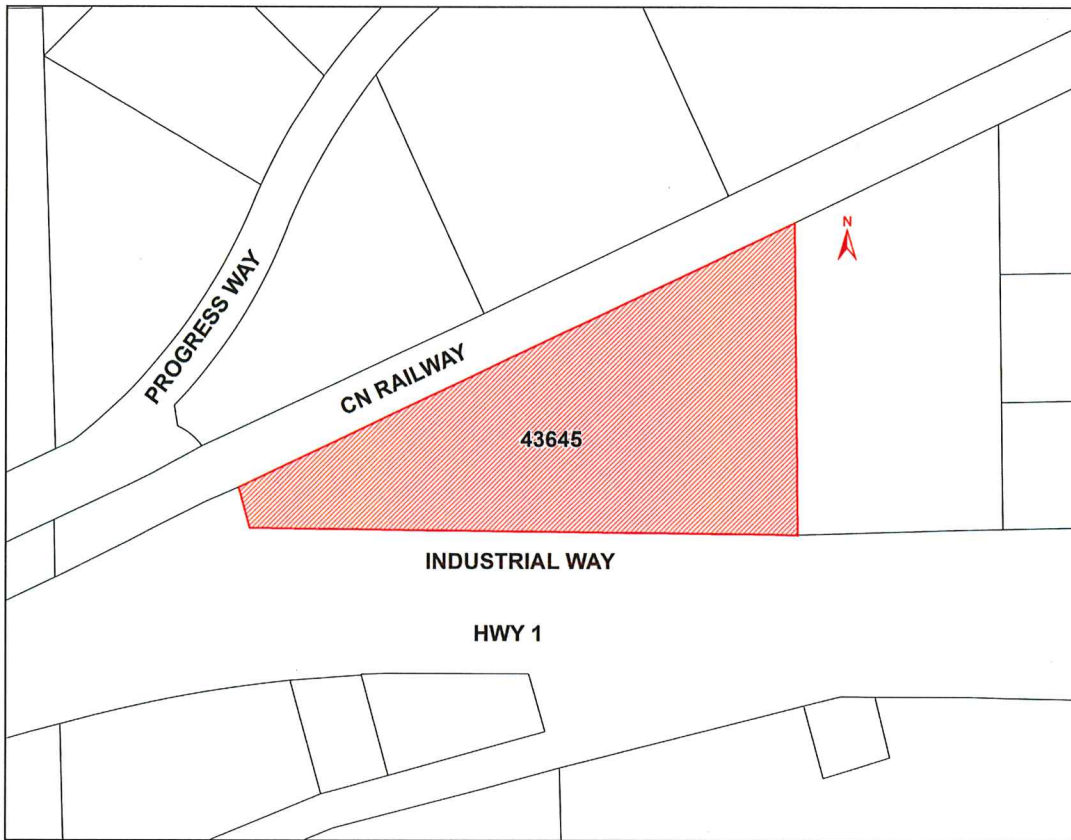
3.	Parking		
3.1	Parking provided at back and side of property	Partial	The majority of parking spaces are located along the side of the building. However, some spaces are located between the front entrance and front lot line. Despite this, extensive landscaping is provided within the front setback area to screen vehicle parking.
3.2	Parking and loading areas facilitate safe and efficient vehicle and pedestrian movement	Yes	Pedestrian routes are clearly defined by sidewalks located close to parking spaces to ensure efficient vehicle and pedestrian movement.
3.3	Parking areas screened from street	Yes	The parking area is screened from the street by the front landscaped area. Sightlines of the parking area will only be possible through the front driveways.
4.	Screening & Landscaping		
4.1	Berms, shrubs, beds, low walls and plantings used to screen unaesthetic features	Yes	The proposed landscaping is in excess of standard landscaping requirements associated with industrial developments, including substantial vegetation along Industrial Way to screen the open storage area from public view.
4.2	Landscaping creates visual interest along the street frontage and entire development with variety throughout the year	Yes	The landscaping is varied and creates year-long interest through the use of a variety of trees and ground cover plants.
4.3	Landscaping creates an attractive high quality development	Yes	The proposed landscaping is attractive and has a positive impact on the development.
4.4	Street trees along road frontage are in compliance with the Tree Management Bylaw	Yes	The proposal includes 73 trees that are approved as per the Tree Management Bylaw (67 trees are required).
4.5	Landscaping includes decorative fence design (black chain-link fencing hidden within landscaping may be provided, plain chain-link fencing along street frontage is avoided)	Yes	Black vinyl chain link fencing is provided along the street frontage. Landscape beds are provided along the south and east property lines to soften the impact of the fencing. Plain galvanized chain-link fencing is proposed along the east and north property lines where not adjacent to a street.
4.6	Natural vegetation or berming adjacent to Hwy#1 not removed unless approved by Development Permit	N/A	
4.7	Adjacent to Hwy#1, where no vegetation exists of, vegetation that is permitted to be altered, is replaced by a combination of landscaping and berming	N/A	
4.8	Outside storage areas are screened. Screening along Hwy#1 does not compromise the visibility of the building(s) on site	Yes	Substantial screening in the form of fencing and landscaping is provided around the open storage area. Given the height of the building, this screening does not compromise the visibility of the building from the street.
5.	Lighting		
5.1	Adequate lighting of all pedestrian and vehicle movement areas to ensure security and public safety	No	A recommended condition requires that a lighting plan be submitted prior to the issuance of a Building Permit to ensure adequate lighting is provided for the building and parking area.
6.	Crime Prevention Through Environmental Design (CPTED)		
6.1	Application of CPTED principals for building design, lighting, signage, etc.	Yes	As outlined in the attached CPTED Assessment, prepared by <i>AMR Systems</i> , the proposal incorporates key CPTED principles into the design.

7.	Public Open Space and Recreational Pathways		
7.1	Open space areas should be designed for passive and active recreational opportunities for employees	N/A	No open/left-over space is identified within the site, which would make it difficult to incorporate outdoor recreation space for employees.
7.2	Outside employee amenity area provided (an encouragement)	Yes	An outdoor employee amenity area complete with seating, tables and landscaping has been provided within the third storey courtyard (this area does not have a roof).
7.3	Secure bicycle storage provided (an encouragement)	Yes	Eight bicycle parking racks are located at the east entrance of the building and easily accessible from the sidewalk.
8.	Outdoor Storage		
8.1	Outdoor storage areas should be located at the rear or side of the building and visually buffered.	Yes	The open storage area is located at the side of the building and screened with substantial landscaping.
9.	Signage		
9.1	Signage is architecturally coordinated with the overall design of the building and landscaping	Yes	A Sign Permit is required for new signage as per the Sign Bylaw.
9.2	Complies with the Sign Bylaw	Yes	Same as above.

9. SOURCES OF INFORMATION:

- Rezoning Application (RZ001661) – August 4, 2022
- Development Permit Application (DP001647) – January 3, 2023
- Development Variance Permit Application (DVP01346) – March 13, 2023
- Development Application Review Team (DART) Minutes – January 19, 2023
- CPTED Report, prepared by *AMR Systems* – November 22, 2022

Location Map



Ortho Photo

