

AGENDA ITEM NO: 11.4.1

MEETING DATE: November 7, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Titan Construction Co Ltd
Development Variance Permit &
Development Permit / 44199 Progress
Way DATE: October 18, 2023

DEPARTMENT: Planning Department
DVP001321 & DP001648 PREPARED BY: Caitlyn Wiltsie / mb

1. SUMMARY OF ISSUE:

The applicant is seeking to vary the following Zoning Bylaw standards to facilitate a proposed industrial building within the subject property:

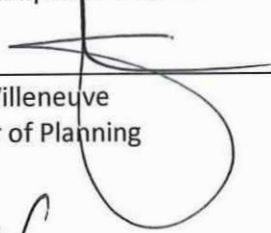
- reduce the minimum landscape area / buffer requirement for parcels in the CD-12 (Comprehensive Development-12) Zone that are adjacent to residential use on properties in the AL (Agricultural Lowland) Zone from 10m to 1m; and,
- reduce the minimum siting distance requirement for buildings and structures sharing a common lot line with properties in the AL (Agricultural Lowland) Zone from 10m to 6m.

The applicant is also seeking approval of the 'form and character' of a new industrial building within the subject property. As the subject property is within Development Permit Area (DPA) 7 (Industrial), a Development Permit is required.

2. RECOMMENDATION:

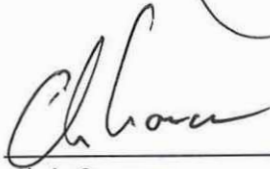
Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP001321 with respect to property located at 44199 Progress Way, subject to the recommendations as stipulated within the draft Development Variance Permit.

Recommendation that Council approve the issuance of Development Permit DP001648 with respect to property located at 44199 Progress 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 DVP001321 &
DEVELOPMENT PERMIT DP001648**

PREPARED BY: Caitlyn Wiltsie DATE: October 18, 2023
POSITION: Planner I DEPARTMENT: Planning Department

1. DEFINITION OF ISSUE:

The applicant is seeking to vary the following Zoning Bylaw standards to facilitate a proposed industrial building within the subject property:

- reduce the minimum landscape area / buffer requirement for parcels in the CD-12 (Comprehensive Development-12) Zone that are adjacent to residential use on properties in the AL (Agricultural Lowland) Zone from 10m to 1m; and,
- reduce the minimum siting distance requirement for buildings and structures sharing a common lot line with properties in the AL (Agricultural Lowland) Zone from 10m to 6m.

The applicant is seeking approval of the 'form and character' of a new industrial building within the subject property. As the subject property is within Development Permit Area (DPA) 7 (Industrial), a Development Permit is required.

2. PROPOSAL:

In summary the proposal includes:

- A two unit 2,224m² industrial building;
- A modern building design with a neutral colour scheme;
- A staff amenity area with a picnic table;
- 38 parking spaces (36 required);
- 3 short-term bicycle parking spaces (3 required); and
- 13 trees (13 required).

A separate Development Variance Permit application (DVP01321) has been submitted to be reviewed concurrently with the subject Development Permit application. A discussion in relation to the proposed variances is provided below.

3. DISCUSSION REGARDING PROPOSED VARIANCES

Landscape Buffer

The applicant is seeking to reduce the landscape area / buffer requirement for properties adjacent to residential use in the AL Zone from 10m to 1m. The applicant's rationale for this request is that

the impacted property is designated as “General Industrial” under the Official Community Plan so future development is likely to align with the industrial nature of the area, rendering the buffer unnecessary. The requested variance is considered supportable in this instance as the primary function of the buffer is to protect the privacy of adjacent residential use and the impacted property owner has provided a letter of support for the proposal. Furthermore, the 1m wide landscape buffer provides adequate screening between the proposed industrial building and existing residential use.

Setback Reduction

The applicant is seeking to reduce the minimum siting distance requirement for buildings and structures sharing a common lot line with properties in the AL Zone from 10m to 6m. The applicant’s rationale for this request is that it facilitates a more functional building design and landscaping has been provided to soften the building’s impact on the surrounding neighborhood. The requested variance is supportable in this instance as the primary function of this requirement is to protect the privacy of adjacent residential use which is accomplished through reduced windows on the north face of the building and a 1m wide landscape buffer along the rear lot line that provides screening between uses.

1. DEVELOPMENT PERMIT CONSIDERATIONS:

Overall, the proposed development is a high-quality addition to the area. The design of the building and site is visually appealing and matches architecturally with the surrounding developments on Progress Way. As demonstrated by the attached checklist evaluation for DPA 7, the proposed industrial development substantially complies with the Industrial Design Guidelines. A summary of these guidelines can be found in the checklist table below.

Summary and CPTED Review

In support of the application, the applicant has also submitted a CPTED (Crime Prevention Through Environmental Design) report prepared by *AMR Systems*. 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	✓ Achieved through the placement of landscaping, signage, and connections to the existing sidewalk along Progress Way.	
Natural Surveillance	✓ Achieved through site design, windows on all sides of the building, and passing traffic promoting passive surveillance. *	

Territoriality	✓ Achieved through building ownership and ongoing landscape maintenance that clearly defines private space from public space along Progress Way.
Maintenance	✓ Achieved through the prompt repair to any damage or vandalism to the building or property.
<p>* The consultant noted that the property would benefit from the addition of windows along the eastern elevation. Since the CPTED report was completed, the applicant has included windows along this elevation to facilitate improved natural surveillance on the property.</p>	

5. DESIGN REVIEW ADVISORY COMMITTEE (DRAC):

The application was reviewed by the Design Review Advisory Committee (DRAC) on October 17, 2023. Based on this, the following recommendation was made:

That the Design Review Advisory Committee supports DP001648 and recommend Council approve the application subject to the following conditions:

- *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 elevations of the building;*
- *That all utility equipment be screened from public view through installation of landscaping fencing, or vinyl wrapping; and*
- *That an irrigation system be included into the landscaped areas within the site.*

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 / Community Engagement

OCP: "General Industrial".

Land Use: Vacant lot.

Community Engagement: The applicant has engaged with the affected property owner to the north (8404 Chilliwack Mountain Road) who has provided a letter of support for the proposal. A copy of the letter has been included as part of the public record.

6.2 Neighbourhood Character

The subject property is located in the Village West neighborhood, surrounded by CD-12 (Comprehensive Development-12) Zoned industrial properties to the south and east, *McDermott Ditch* to the west, and a residential lot within the AL (Agricultural Lowland) Zone to the north.

6.3 Technical Issues

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

Watercourses: *McDermott Ditch*, a Class "A" watercourse is located to the west of the subject property within a City owned detention area. The proposed development is located outside of the detention area and associated riparian setback.

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

6.4 Conditions 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 Permit and Development Variance Permit.

7. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01321 with respect to the property located at 44199 Progress Way, subject to the recommendations of the Design Review Advisory Committee and the condition as stipulated within the draft Development Variance Permit.

Recommendation that Council approve the issuance of Development Permit DP001648 with respect to property located at 44199 Progress Way, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.

Substantiation:

The requested variances are supportable as landscaping and building design minimize the visual impact of the development for the adjacent residential use. Furthermore, a letter of support for the proposal has been received from the impacted property owner to the north of the subject property.

The proposed industrial development meets the intent of the Design Guidelines for Development Permit Area 7 through the use of attractive landscaping, clearly defined pedestrian routes, and articulated building design.

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 compliments neighbouring industrial developments on Progress Way
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. This includes a 1m wide landscaped buffer along the rear lot line and reduced windows along the northern face of the building to protect the privacy of the adjacent residential property to the north.
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 each unit is oriented to the west side lot line. Despite this, the street facing façade is treated with glazing and awning features to aid user navigation of the site. Ample landscaping is also provided in the front setback area to enhance the streetscape. The use of landscaping and a pedestrian connection to Progress 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.	N/A	
1.6	Buildings on corner lots, or fronting more than one road, give design consideration to each frontage.	N/A	The property is not located on a corner lot.
1.7	Low profile building designs are incorporated, particularly adjacent to Hwy #1	Yes	Although the property is not located adjacent to Highway 1, the proposed building is low profile (10.67m in height) and within the maximum height requirements of the Zoning Bylaw
1.8	Box-like structures with little surface articulation and long expanses of uninterrupted roof lines are avoided.	Yes	The proposed building design includes a series of roof articulations, 0.6m in height, along the western and southern facades to ensure there are no uninterrupted rooflines. The north and east facades have reduced articulation as they function primarily for staff use including truck loading and offloading.
1.9	Loading bays and service compounds are screened or minimally visible from the public view.	Yes	The loading bay doors are screened from view by the front landscaped area, use colours that match the building face, and are not oriented to the street to minimize their visual impact.
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 proposed building is primarily concrete; however, the entrances have been treated with a canopy feature to create visual interest for pedestrians.

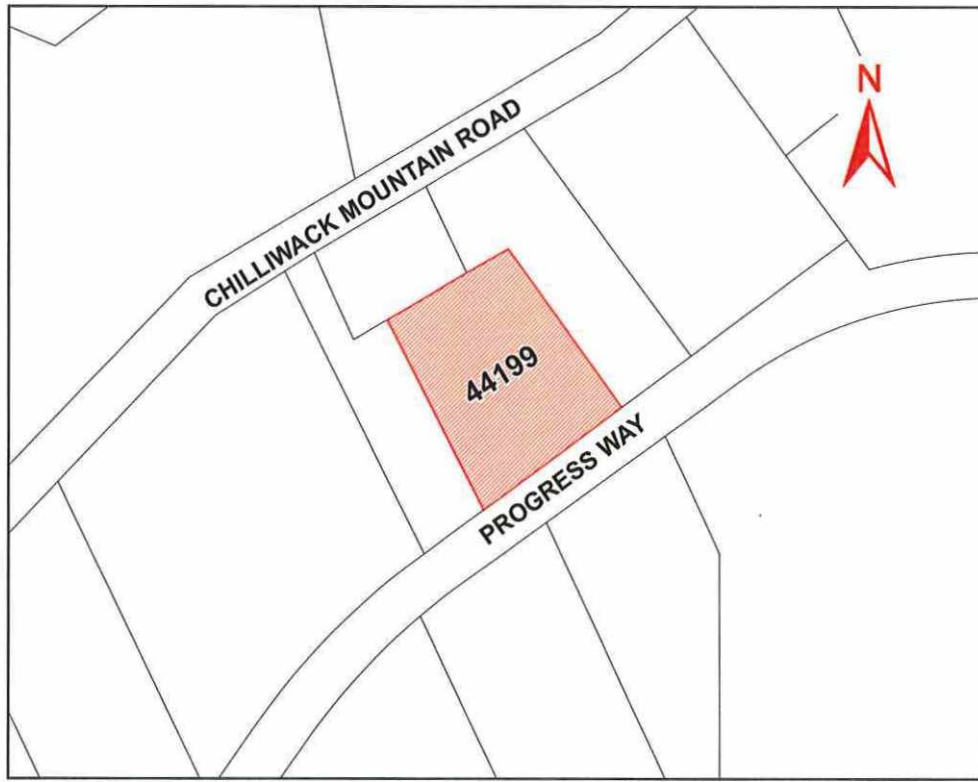
			Aluminum accents are used to break up the large expanses of concrete and glass. The concrete is painted in three shades of grey with wood accents along the south-western corner fronting Progress Way.
1.11	Roof top equipment is positioned to minimize exposure or properly screened.	N/A	A recommended condition requires that any additional rooftop equipment visible from the street be positioned to minimize exposure or 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 a pedestrian connection to Progress Way creates a welcoming entrance for pedestrians.
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, curbing and pedestrian pathways. Pedestrian routes are identified by raised sidewalks with letdowns near building entrances.
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 and screened from view by building walls.
3.	Parking		
3.1	Parking provided at back and side of property.	Yes	Parking is located along the west and east property lines fronting the building. There is no parking between the front entrance and front property line ensuring the building has a strong street presence.
3.2	Parking and loading areas facilitate safe and efficient vehicle and pedestrian movement.	Yes	Pedestrian routes are clearly defined by sidewalks providing efficient vehicle and pedestrian movement.
3.3	Parking areas screened from street.	Yes	Parking areas are 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 exceeds landscaping requirements associated with industrial developments. Unaesthetic features including the electrical kiosk in the front landscaped area are screened from 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 13 trees, including 6 trees along Progress Way, that are approved as per the Tree Management Bylaw (13 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	Fencing is not proposed along the street frontage. Black chain link vinyl fencing with privacy slats is proposed along the storage yard at the rear of the property to separate it from the rest of the development.
4.6	Natural vegetation or berming adjacent to Hwy #1 not removed unless approved by	N/A	

	Development Permit.		
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	2.5m tall black vinyl chain link fencing with privacy slats is provided along the storage yard at the rear of the property
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 (CEPTD)		
6.1	Application of CEPTD principals for building design, lighting, signage, etc	Yes	As outlined in the 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 a picnic table and a bench has been included.
7.3	Secure bicycle storage provided (an encouragement)	Yes	One bicycle parking rack providing three parking spaces is located adjacent to the front entrance of the building and easily accessible from the front walkway
8.	Outdoor Storage		
8.1	Outdoor storage areas should be located at the rear or side of the building and visually buffered	Yes	The proposed outdoor storage yard is located at the rear of the property and visually buffered through the use of black vinyl chain link fencing with privacy slats
9.	Signage		
9.1	Signage is architecturally coordinated with the overall design of the building and landscaping.	Yes	A freestanding sign is proposed at the south-west corner of the street frontage. The sign color and materials architecturally compliment the overall building design.
9.2	Complies with the Sign Bylaw	Yes	A Sign Permit is required for new signage as per the Sign Bylaw.

9. SOURCES OF INFORMATION:

- Development Permit Application (DP001648) – November 25, 2022
- CPTED Report, prepared by *AMR Systems* – October 6, 2022
- Development Variance Permit Application (DVP001321) – November 25, 2022
- Development Application Review Team (DART) Minutes – August 10, 2023

Location Map



Ortho Photo

