

# Staff Report

**To:** Chief Administrative Officer

**From:** Consulting Planner

**Date:** March 31, 2022

**Re:** Application for Lot 4 Section 6 Renfrew District, Plan VIP6253, with street address of 88 Lake Cowichan Road, for the following:

- 1) **Development Permit** in accordance with the Downtown, Uptown, Neighbourhood Centre, Tourism Areas and Commercial Development Permit Area (DPA 4) and Natural Hazard Lands –Wildfire Area (DPA 2) of the Official Community Plan. and
- 2) **Development Variance Permit** in accordance with the Zoning Bylaw.



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## Application Request

The Town has received an application for construction of a 414 square metre commercial building at 88 Cowichan Lake Road.

The proposal is subject to the guidelines of the Downtown, Uptown, Neighbourhood Centre, Tourism Areas and Commercial Development Permit Area (DPA 4) and Natural Hazard Lands –Wildfire Area (DPA 2) of the Official Community Plan.

The proposal seeks to obtain variances to the standards of the C-1 General Commercial Zone of the Zoning Bylaw. The variances include the following:

1. Reduce the minimum height requirement of two stories by one story to allow for a single-story building.
2. Increase the requirement that a maximum 50% of the front or exterior side of a building shall be set back further than the maximum setback by 10% to allow for a maximum of 60%.
3. Reduce the minimum number of car parking spaces by one to allow for 11 spaces instead of the required 12.
4. Eliminate the requirement for a commercial loading space.
5. Reduce the minimum parking lot landscaping of 15% to 2.5%.

## Review of Development Permit

### Official Community Plan

Downtown, Uptown, Neighbourhood Centre, Tourism Areas and Commercial Development Permit Area (DPA 4)

## Section 6.5.4 Guidelines

All guidelines are cited below. Comments are provided when pertinent.

- 1) New development should be brought as close to the street line as possible to take advantage of the street frontage, thereby making the use and the street an active and dynamic place. The net result is similar to a coastline where 'nooks and crannies' support different habitats to support people as pedestrians, shoppers, and casual diners. Where possible, commercial buildings with residential uses located on an upper floor, should have access from the front and side. Side access should be primarily for residential uses above commercial, except where a lot is situated on a corner.
  - **Comment:** *building has been moved as close to the street line, given the site constraints and reality that part of the sidewalk falls within the applicant's lot.*
- 2) A minimum of 75% of a building's principal or front façade must be within zero to two metres from the front lot line in the Downtown and Uptown designation.
  - **Comment:** *approximately 60% of the building lies within this setback. This is reasonable.*
- 3) Additional site and building design requirements may be imposed through the Development Permit process to provide for improved traffic and pedestrian circulation and to comply with the community set out in the Plan.
- 4) All new or renovated structures, signs objectives, street lighting and other streetscaping features shall maintain the natural resources and outdoor recreation theme.
  - **Comment:** *provides timber wood brackets*
- 5) Development shall generally reflect the bulk, mass, character, shape, and form of adjacent buildings and acknowledges architectural, design and historic features of the area.
  - **Comment:** *overhang is a positive contribution*
- 6) Vary roof lines.
- 7) Extensively use natural materials for exterior finishing such as timber, board and battens, clapboard (hardiplank permitted), shingles stone, and brick.
  - **Comment:** *some use of natural materials*
- 8) Vinyl siding is prohibited.
- 9) Design buildings in keeping with the west coast climate with particular attention given to rain related design with overhangs to protect walls and windows and covered walkways to protect clientele from the elements.
  - **Comment:** *overhang protects frontage on street*
- 10) Colours shall reflect the natural environment of the Cowichan Lake area. Primary and bright neon colours may only be used for trim and accents.
  - **Comment:** *No bright colours or accents, but minimal reflection of natural environment*
- 11) The design of buildings should acknowledge the varying influence of sunlight during the day and seasonally and take advantage of natural light.

- **Comment:** *minimal opportunity to address*
- 12) Hand-crafted signage of professional quality is encouraged whereas roof mounted signs are prohibited. Permitted signs are to be constructed from individually raised, externally illuminated and non-illuminated letters and shall conform to the Town's Sign Bylaw.
- **Comment:** *details of sign design to be addressed at sign permitting*
- 13) Screen, buffer and landscape exterior public storage, service, refuse, loading and parking areas so as to minimize intrusions on adjacent uses.
- **Comment:** *garbage enclosure is fenced*
- 14) Finish pedestrian and parking areas with hard surfaces such as concrete, asphalt, brick, stone, stone pavers, or similar materials.
- **Comment:** *pedestrian areas identified in front, side, and rear of building*
- 15) Parking and other works and service requirements may be reduced or altered in special circumstances through the Development Variance Permit process where strict compliance with the bylaws would unduly restrict appropriate development or would undermine the character of the area.
- **Comment:** *an appropriate set of development variances are proposed*
- 16) Modified building setbacks may be required for development through the Development Permit process to provide for improved visual building massing and traffic and pedestrian circulation.
- 17) Vehicular and pedestrian access shall be safe, clearly articulated, and pedestrian and vehicular traffic movements should be separated.
- 18) Creation of sidewalk extensions into the parking lanes of the street to create mini public spaces shall be encouraged where pedestrian crossings are located.
- 19) Provide for the planting of vegetation, decorative street furniture (i.e., lighting, benches, and refuse containers) and appropriate landscaping.
- **Comment:** *addressed*
- 20) Apply barrier free design principles for buildings and structures.
- **Comment:** *addressed*
- 21) Apply universal design principles to facilitate barrier free pedestrian access for site, buildings, and structure design.
- **Comment:** *addressed*
- 22) Apply the guidelines of Crime Prevention through Environmental Design (CPTED) for buildings, site design, landscaping, street lighting and amenities in a manner that promotes personal safety, visibility accessibility. Issues covered include:
- public consultation process;
  - overall design; and
  - specific design issues of isolation, visibility, lighting, signage, maintenance, management.
  - **Comment:** *address through parking lot lighting and landscaping*
- 23) Use on-site, low impact, shielded lighting to provide for safety and security as well as to reduce glare and spillage onto adjacent sites.
- **Comment:** *all outdoor lighting is shielded and provides lighting in the parking lot*

### 6.3 Guidelines of the Natural Hazard Lands Development Permit Area (DPA 2)

The proposal falls within an area identified as high wildfire risk. As the building is concrete and there is minimal landscaping, all guidelines are satisfied or not relevant.

### **Review of Development Variance Permit**

#### Subsection 5.3.4 Dimensional and Coverage Standards:

1. Minimum height is two stories (Article h). Request is to reduce the minimum height requirement of two stories by one story to allow for a single-story building.
  - **Comment:** The applicant has refused to consider a second story or raised building height. This is a matter that is discretionary on the part of council. One advantage of a second story, aside from the aesthetic benefits of a pleasant 'street wall' is that there is no opportunity for affordable or rental housing on the second story.
2. No more than 50% of the front or exterior side of a building shall be set back further than the maximum setback, which is three metres (Article b). The request is to allow 60% of the frontage to be setback further than the maximum setback, a 10 percentage points increase.
  - **Comment:** This is a reasonable request and related to the configuration of the lot and location of the public sidewalk.

#### Schedule B Parking Spaces

3. The off-street car parking standard for this type of use is 2.7 / 100 square metres of building space. This results in a requirement of 12 spaces. The applicant proposes 11 (Table B-1 Required On-site Parking Spaces)
  - **Comment:** A reduction by one space is reasonable given the size and configuration of the lot and the benefit to the Town for new construction in the downtown. Section 6 of Schedule B provides that the council may choose to grant the variance **or** elect that the applicant pay the Town \$4,000 for each parking space waived (one in this case).
4. One commercial vehicle space is required for buildings between 100 and 2000 square metres (Subsection 7.5.1, Table B-4 Required On-site commercial Vehicle Loading). This proposal requires a single space.
  - **Comment:** Eliminating the requirement for a commercial loading space is reasonable for the proposed use of a health-oriented office building.
5. The applicant requests that only 2.5% of the lot be landscaped (Subsection Landscaping and Screening 8.7.1).
  - **Comment:** In lieu of landscaping in the parking lot the applicant will retain existing trees and landscape in the public right of way.

- **Additional comment:** Note that accessible parking and bicycle parking is provided.

## **Recommendations:**

### **I. Development Variance Permit: variances to the Zoning Bylaw**

Staff support the following:

1. Vary the requirement of Subsection 5.3.4 Dimensional and Coverage Standards, Article 'h', the maximum frontage of a building set back further than the maximum setback of three metres, by 10 percentage points to 60% instead of 50%.
2. Vary the minimum number of car parking spaces required in Schedule B Parking Spaces, Table B-1 Required On-site Parking Spaces by a reduction of one to allow for 11 spaces instead of the required 12.

#### **OR**

As a condition of approval of the development permit pay the Town \$4,000 for each parking space waived (one in this case).

3. Vary the requirement for a commercial loading space of Schedule B Parking Spaces, Table B-4 Required On-site commercial Vehicle Loading to zero spaces.
4. Vary the minimum parking lot landscaping of Subsection Landscaping and Screening 8.7.1 to Schedule B Parking Spaces by a reduction of 12.5% percentage points, from 15% to 2.5%.

Staff does not support the following request; however, this is a matter of council discretion:

1. Reduce the minimum height requirement of two stories in Subsection 5.3.4 Dimensional and Coverage Standards., Article 'h' by one story to allow for a single-story building.

**Comment:** *If the height reduction is not granted, the development permit application must be changed and cannot be supported at this time.*

### **II. Development Permit for the Downtown, Uptown, Neighbourhood Centre, Tourism Areas and Commercial Development Permit Area (DPA 4) and Natural Hazard Lands –Wildfire Area (DPA 2)**

- a. Approval of the development as presented, with conditions, inclusive of the following specific site plan, landscaping plan, parking lot fencing,

bicycle parking, lighting plan and use of building materials as shown in the profiles herein and on file in the Town Office.

- i. Approval with a condition that \$20,000 be provided as landscaping surety for a period of 2 years.
- ii. Approval with a condition that an appropriate decorative fence with privacy elements for the west side of the parking lot be submitted and approved by staff in advance of a building permit.

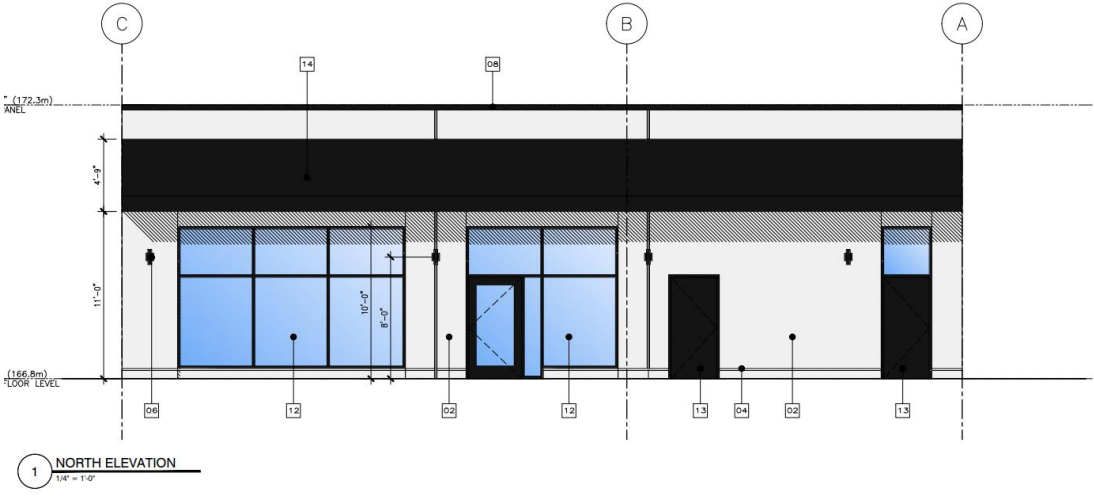
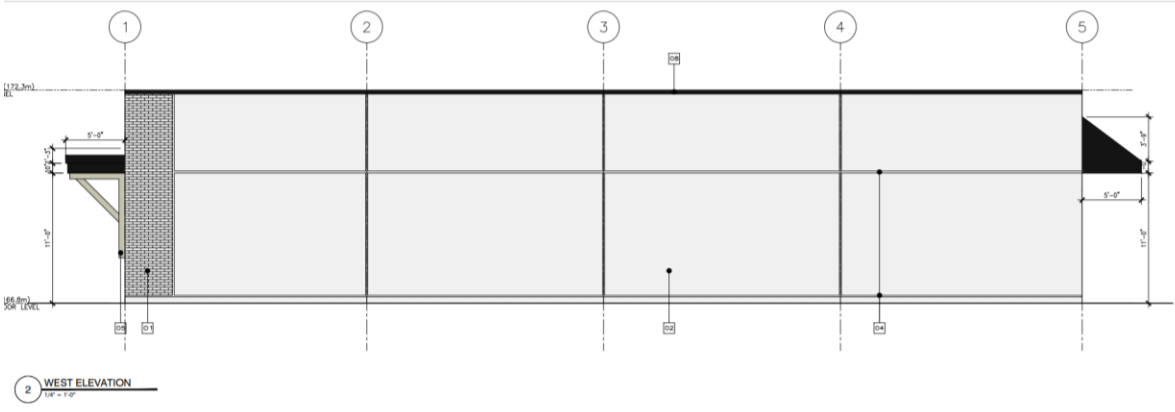


**RTH ELEVATION**

1/4" = 1'-0"

FINISH INFORMATION	
01	CONCRETE PANEL WITH FORMLINER PATTERN (STANDARD BRICK) AND PAINTED FINISH COLOUR: BENJAMIN MOORE OC-55 PAPER WHITE
02	CONCRETE PANEL WITH PAINTED FINISH COLOUR: BENJAMIN MOORE OC-55 PAPER WHITE
03	METAL DOWNSPOUT COLOUR: MATTE BLACK
04	CONCRETE PANEL REVEAL
05	WOOD BRACKETS WITH CLEAR FINISH
06	WALL SCOFFIT WITH MATTE BLACK FINISH
07	WOOD FASCIA WITH PAINTED FINISH COLOUR: BLACK
08	BREAK METAL FLASHING COLOUR: KAWNEER PERMAFLUOR - BLACK
09	FIR SOFFIT WITH CLEAR FINISH
10	SIGNAGE AREA FOR TENANTS
11	SIGNAGE FOR BUILDING ADDRESS
12	ALUMINIUM STOREFRONT FRAMING W/ CLEAR GLAZING COLOUR: KAWNEER PERMAFLUOR - BLACK
13	HOLLOW METAL DOOR AND FRAMING WITH PAINTED FINISH COLOUR: BLACK
14	FABRIC AWNING COLOUR: BLACK

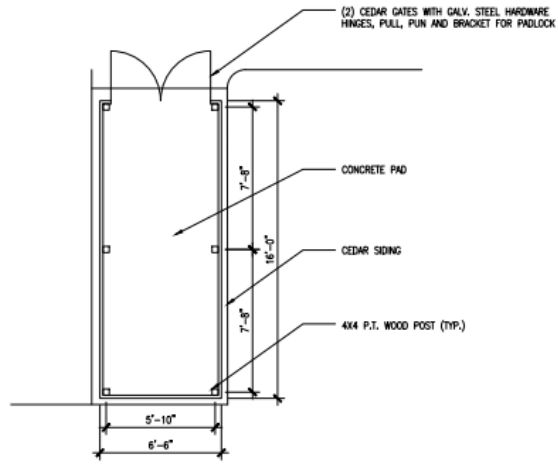




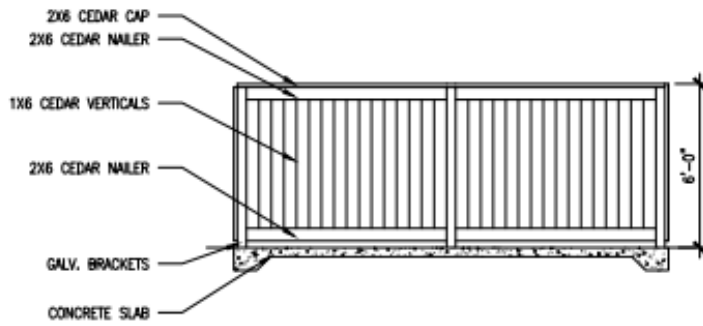




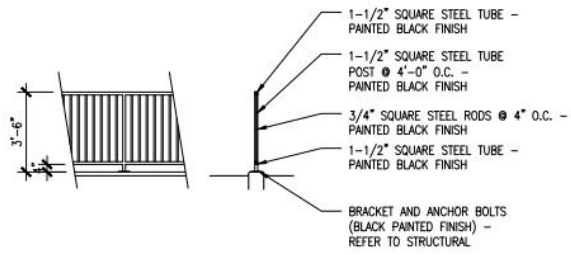
5 BIKE RACK  
N.T.S.



1 GARBAGE ENCLOSURE PLAN  
1/4" = 1'-0"



2 GARBAGE ENCLOSURE SECTION  
1/4" = 1'-0"



4 42" HIGH FENCE  
1/4" - 1'-0"

**Figure 1** Decorative fence for the east side of parking lot.

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James van Hemert, MCIP, RPP, Consulting Planner