

# **Staff Report**

File Number: DP000955

DATE OF MEETING February 15, 2016

AUTHORED BY Gary Noble, Development Approval Planner, Planning and Design

SUBJECT DEVELOPMENT PERMIT – 867 BRUCE AVENUE / 538 EIGHTH

STREET

# **OVERVIEW**

## **Purpose of Report**

To obtain Council authorization to issue a development permit for a mixed use commercial and 27 unit multi-family residential development.

#### Recommendation

That Council issue Development Permit DP000955 at 867 Bruce Avenue / 538 Eighth Street, subject to lot consolidation and including a variance to increase the maximum height of the multi-family residential building by 3m.

#### **BACKGROUND**

A development permit application DP000955 (Attachment A) was received from Daryoush Firouzli Architecture Inc. (Daryoush Firouzli), and Doyle Construction (Chris Doyle), on behalf of Kelland Foods Holdings Inc.

Zoning	CC2 – Neighbourhood Centre			
Location	The subject property is located one lot north on the west side of the street from			
	the Eighth Street and Bruce Avenue intersection.			
Total Area	18,418m <sup>2</sup>			
Official Community Plan	Map 1 – Future Land Use Plans – Neighbourhood, Commercial;			
	Map 3 – Development Permit Area DPA No. 9 - Commercial, Industrial,			
	Institutional, Multiple Family and Mixed Commercial/Residential development –			
	Harewood Neighbourhood Plan			
Relevant Design Guidelines	Harewood Neighbourhood Plan – Urban Design Framework and Urban Design			
·	Guidelines – South Harewood Village Centre			
,	General Development Permit Area Design Guidelines			

This evening, Council will be considering approval of a road closure (LD2721) along the south property line which abuts the multi-family residential building (see Attachment A, Schedule A – Location Plan).

Staff and the Design Advisory Panel support the application, including the proposed variance, and recommend Council approve the development permit.

Regular Open Council 2016-FEB-15



#### **DISCUSSION**

#### **Proposed Development**

The proposed development is a mixed use development which consists of the following:

- Grocery Store (4,653m<sup>2</sup>) mid site
- Commercial Rental Unit (697m²) fronting Bruce Avenue
- Multi-family Residential Building (13,024m²) 3-storeys/27 units, fronting Georgia Avenue

A 3m height variance is required for the multi-family residential building. The maximum allowable height is 10m, which would allow the construction of a 3-storey flat-roofed building on a flat site. The 3m increase in building height on the sloped building site allows for 31 parking spaces under the building, unit floor-to-ceiling heights of 2.74m instead of 2.44m, a sloped roof, and an overall improved building design.

The proposed development meets the intent of the General Development Permit Area Design Guidelines as well as the Urban Design Guidelines of the Harewood Neighbourhood. The proposed development conforms to the Zoning Bylaw regulations, with the exception of the requested height variance.

### Site Context

The subject property is adjacent and behind the Mid Island Co-op Gas Bar. A vacant building (closed Co-op grocery store) occupies the site along with a large expanse of asphalt.

The subject property is surrounded by an existing 1 and 2-storey residential neighbourhood. Vacant land in the immediate area is being subdivided for more residential housing.

## Site Design

The proposed site design meets the Neighbourhood Guidelines by encompassing the following attributes:

- An aesthetically pleasing and functional 4m public pedestrian/bike pathway which traverses the subject property and allows a direct connection from Georgia Avenue through to Bruce Avenue.
- Vehicle and truck access, from Eighth Street and Bruce Avenue.
- Internal site parking with an additional area under the multi-family residential building which includes 31 parking spaces.
- Pedestrian connections available through the interior parking area to Eighth Street and the abutting commercial development, once it is redeveloped.
- A 1-storey commercial building fronts 50% of the subject property's Bruce Avenue frontage to provide an urban street edge.
- The main entry to the grocery store and small entry plaza (to host small public events and showcase product) mid-site is visible from Bruce Avenue.



#### Landscape Plan

The landscape plan uses hard and soft landscape to create an urban streetscape along Bruce Avenue and a unique causeway for public pedestrian and bike traffic through the site. Hard landscape along with three columnar trees and planters is used to define the urban plaza which defines entry to the grocery store.

Trees and hedges are used along subject property edges to create screening and to add a village ambiance.

Front yards are defined for each of the four ground-level entry, multi-family units which front Georgia Avenue.

The plant palette is predominately native with good resilience during drought conditions. A bioswale is used mid-site within the parking lot, to address site run-off.

### Building Design

### Commercial Rental Unit

- The small commercial rental unit (CRU) fronts Bruce Avenue with storefront glazing. A
  pedestrian arcade along the south building elevation provides weather protection to
  pedestrians entering the site from Bruce Avenue, moving toward the grocery store.
- The shed roof of the CRU, which is support by an entry pillar and the clerestory windows above the storefronts provides a strong street presence along Bruce Avenue, which contrasts the simple architecture of the abutting gas bar.

### Grocery Store

- The grocery store uses a similar roof profile on the east elevation which faces Bruce Avenue. The same roof language, with a band of clerestory windows, invites customers into the site and the grocery store's main entrance on the south elevation.
- The exterior building finishes are predominately a matrix of panels in solid colours, or a camouflage of colours. The overall strategy of the panels is both to articulate the building elevations as well as reduce the building mass and scale and overcome the building's horizontality.

#### Multi-family Residential Building

- The multi-family residential building borrows the shed roof detail in order to say this building is part of the village redevelopment as a whole.
- Building bays, balconies, fenestration rhythm and panel exterior finishes reduce the building mass and provide a residential scale, which is required to fit into the abutting neighbourhood.
- Street front entries to four units, as well as the main building entrance, allow the residential building a good street presence.



## Design Advisory Panel Recommendation

At its meeting held September 24, 2015, the Design Advisory Panel (DAP) accepted DP000955 as presented with support for the variances but with the exception that the applicant improve the street frontage along Bruce Avenue (see Attachment B – Design Advisory Panel Recommendations).

The applicant reviewed the DAP recommendations and has made all the necessary changes to resolve outstanding issues. Staff support these changes.

#### Harewood Neighbourhood Association

The Harewood Neighbourhood Association was consulted regarding the application and revisions. No response or comment was received.

#### **SUMMARY POINTS**

- Development Permit DP000955 is for a proposed mixed use commercial and residential development.
- The proposed development meets the intent of the applicable design guidelines and conforms to the zoning regulations, with the exception of a height variance for the multifamily residential building.
- The proposed mixed use development will establish the South Harewood Village as a viable pedestrian-oriented retail and service node.

# **ATTACHMENTS**

Attachment A: Development Permit DP000955

Attachment B: DAP Recommendation

Attachment C: Aerial Photo

Submitted by:

B. Anderson

Manager, Planning and Design

Concurrence by:

Director, Community Development

D. Lindsay

# **ATTACHMENT A**



### **DEVELOPMENT PERMIT NO. DP000955**

#### **KELLAND FOODS HOLDINGS LTD.**

Name of Owner(s) of Land (Permittee)

# 867 BRUCE AVENUE / 538 EIGHTH STREET Civic Address

- 1. This development permit is issued subject to compliance with all of the bylaws of the municipality applicable thereto, except as specifically varied or supplemented by this permit.
- 2. This development permit applies to and only to those lands within the municipality described below, and any and all building structures and other developments thereon:

Legal Description(s):

PID - 025-520-016 LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN VIP74483

PID – 005-947-812 LOT 2, SECTION 1, NANAIMO DISTRICT, PLAN 5937 EXCEPT PART IN PLAN 37506 & PLAN VIP74483

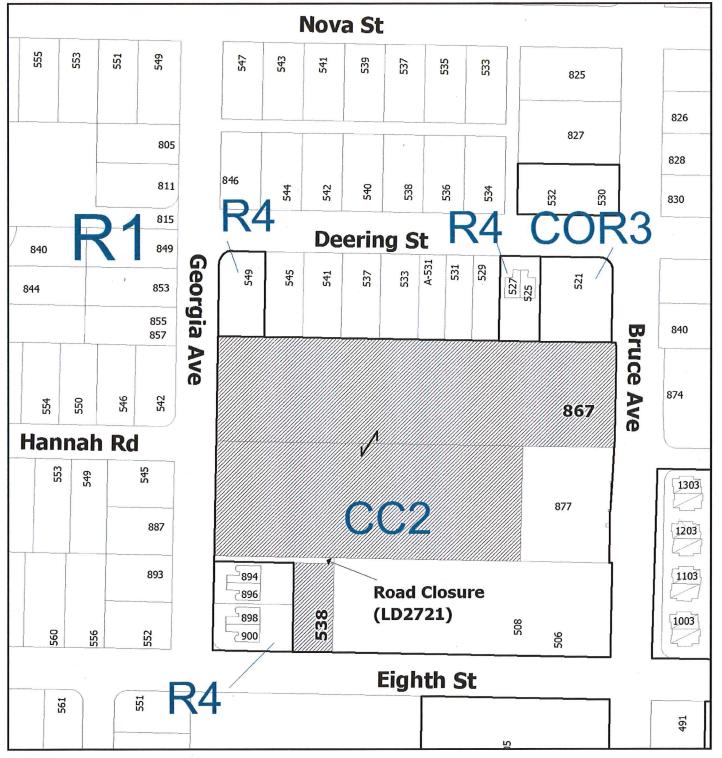
PID - 01-174-223 LOT 3, SECTION 1, NANAIMO DISTRICT, PLAN 12363

3. The land described herein shall be developed strictly in accordance with the following terms and conditions and provisions of this permit and any plans and specifications hereto which shall form a part thereof.

Schedule A Location Plan Schedule B Site Plan Schedule C Site Data

	Schedule D Schedule E Schedule F Schedule G Schedule H Schedule H Schedule I Schedule J Schedule J Elevations, Grocery Store Elevations, Commercial Rental Unit Residential Building Residential Building Schedule H Schedule I Schedule J Technical Information, Pedestrian/Bike Pathway						
	a) If the applicant does not substantially commence the development permitted by this permit within two years of the date of this permit, the permit shall lapse.						
4.	This permit is not a building permit nor does it constitute approval of any signage. Separate applications must be made for a building permit and sign permit.						
5.	The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is varied as follows:						
	Maximum Height – Section 10.6.1 (Size of Buildings) The maximum permitted building height for the multi-family residential building is 10m. The building height is 12.69m, a variance of 2.69m.						
	AUTHORIZING RESOLUTION PASSED BY COUNCIL THE DAY OF , .						
	Corporate Officer Date						
	Date -						
GN/ln							
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# SCHEDULE A



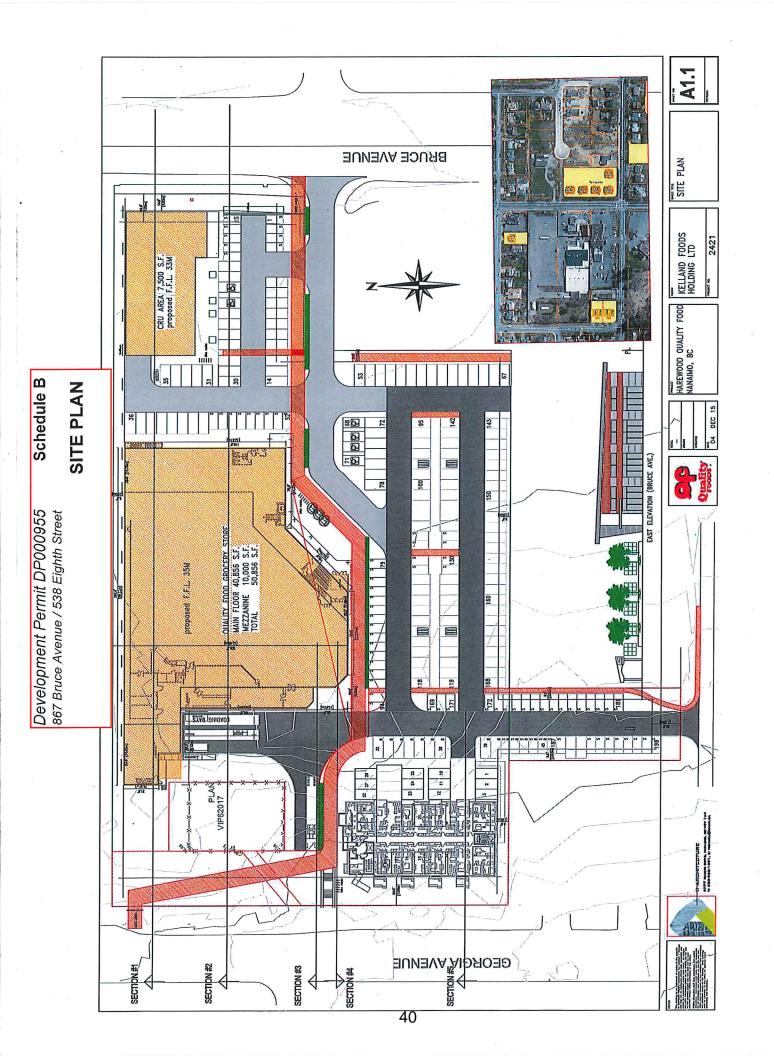
**DEVELOPMENT PERMIT NO. DP000955** 



# **LOCATION PLAN**

Civic: 867 Bruce Avenue and 538 Eighth Street Lot 1, Section 1, Nanaimo District, Plan VIP74483 and Lot 2, Section 1, Plan 5937 Except part in Plan 37506 and Plan VIP74483





# SITE PARTICULARS

**CIVIC ADDRESS:** 

867 Bruce Avenue & 538 Eighth Street, NANAIMO, BC

LEGAL ADDRESS:

Lot 1, Section 1, Nanaimo District , Plan VIP74483 and Lot 2, Section 1, Plan 5937 Except ...

SITE AREA:

4.55 Acres

198,252 sq.ft. (18,418 m2)

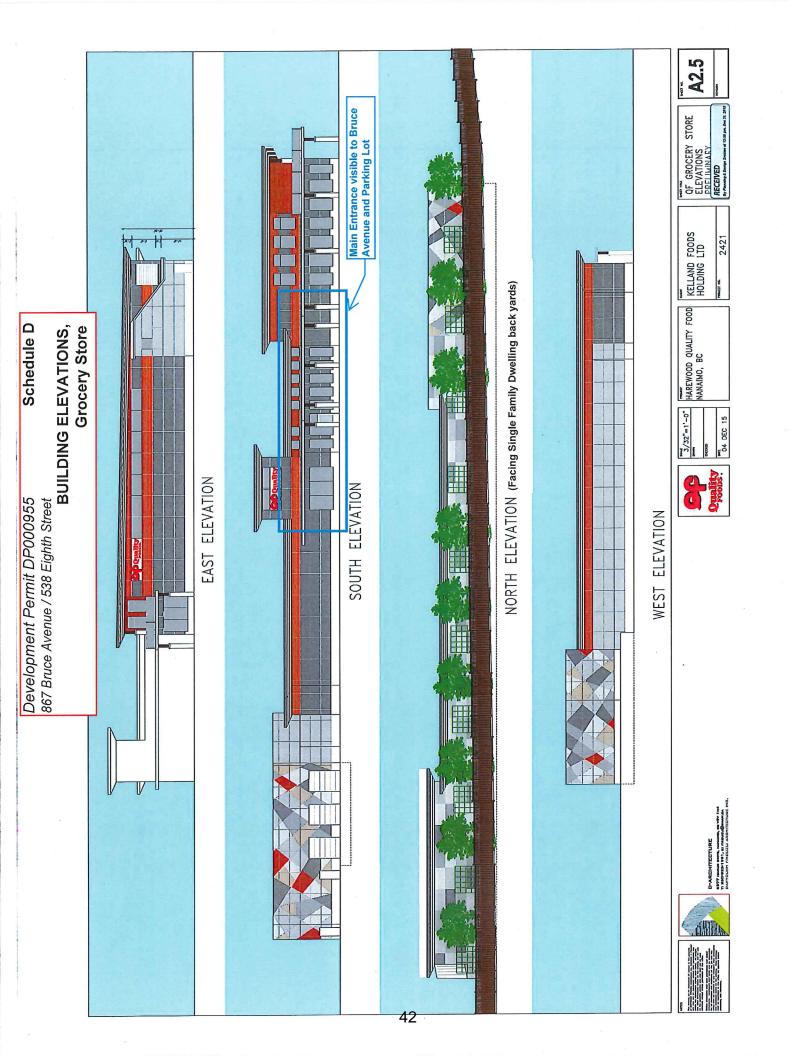
**ZONING:** 

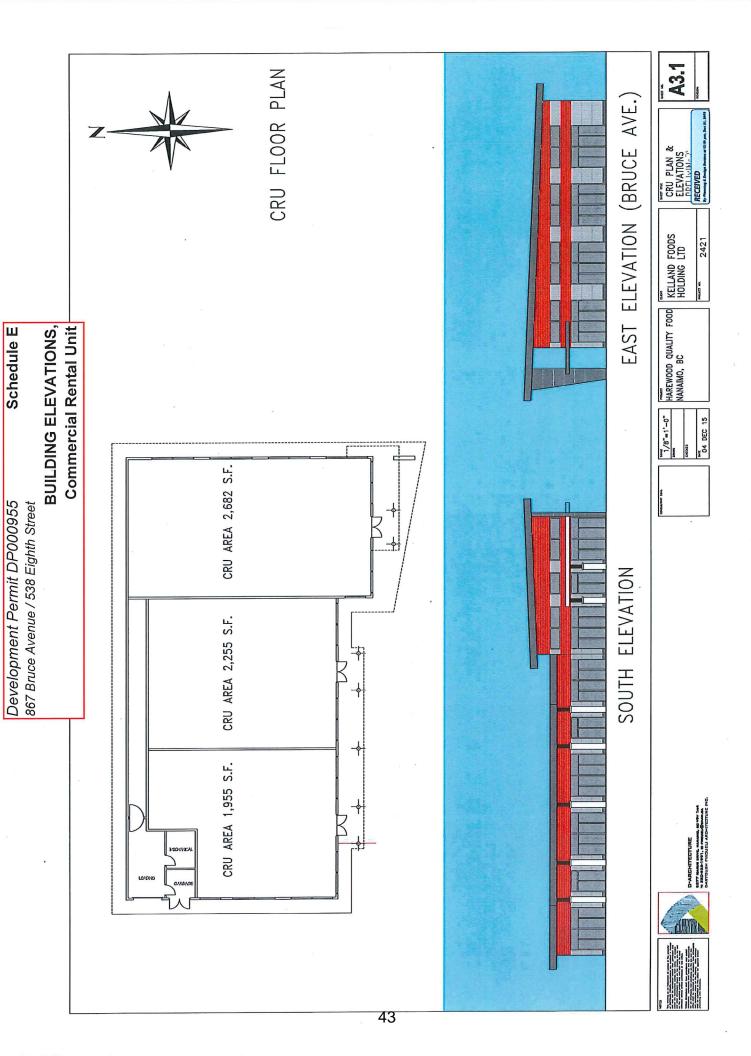
**CC2** Neighbourhood Centre

# PROJECT DATA

ALLOWED / REQUIRED	PROPOSED					
Commercial & Retail & Residential	Commercial & Retail & Residential					
10,764 sq.ft. (1,000 m2) Minimum	198,252 sq.ft. (18,418 m2)					
50% = 99,126 sq.ft. (9,209 m2)	28.5 % = 56,502 sq.ft. (5,249 m2)					
	CRU: Main Floor: 7,500 sq.ft	Quality Foods: Main Floor Plan: Mezzanine:	40,408 sq.ft. 9,665 sq.ft.	Residential: Covered parking: Main Floor Plan: Second Floor Plan: Third Floor Plan:	8,594 sq.ft 8,015 sq.ft 7,968 sq.ft 7,968 sq.ft	
	Total 7,500 sq.ft.	Total	50,073 sq.ft.	Total	32,545 sq.ft	
	Total Buildings Area: 90,118 sq.ft. (8,372 m2)					
0.55 = 109,038 sq.ft. (10,130 m2)	0.45 = 90,118 sq.ft. (8,372 m2)					
FRONT (Min.): 14.76' (4.5 m) Min. FRONT (Max.): 24.61' (6.0 m) Max. REAR: 14.76' (4.5 m) Min. SIDE: 9.84' (3.0 m) Min. SIDE (flanking street): 13.12' (4.0 m) Min.	FRONT: 14.76' (4.5 m) Min. FRONT (Max.): 24.61' (6.0 m) Max. SIDE: 14.76' (4.5 m) Min. REAR: 9.84' (3.0 m) Min. SIDE (flanking street):13.12' (4.0 m) Min.					
32.81' (10 m) Max.	CRU: 24.2' (7.35 m2)	Quality Foods: 32.33' (9.85 m2)		Residential: 41.64' (12.69 m2) variance required: 4'4	<b>" -</b> 8'10"	
- Shopping Mail Retail stores parking stall requirement: 1 stall per 23.25m2 net space Total net area of retail is 4,814 m2 - Residential 1.66 spaces for each unit Retail 207 stalls Residential 45 stalls	- 123 targe stalls provided - 70 small stalls provided -5 Loading bay provided - 6 HC stalls provided Total: 204 provided			Residential Stalls provided:  - 30 large stalls provided - 14 small stalls provided - 1 HC stalls provided Total: 45 provided		
	Commercial & Retail & Residential  10,764 sq.ft. (1,000 m2) Minimum  50% = 99,126 sq.ft. (9,209 m2)  0.55 = 109,038 sq.ft. (10,130 m2)  FRONT (Min.): 14.76' (4.5 m) Min. FRONT (Max.): 24.61' (6.0 m) Max. REAR: 14.76' (4.5 m) Min. SIDE: 9.84' (3.0 m) Min. SIDE (flanking street): 13.12' (4.0 m) Min. 32.81' (10 m) Max.  - Shopping Mail Retail stores parking stall requirement: 1 stall per 23.25m2 net space Total net area of retail is 4,814 m2 - Residential 1.66 spaces for each unit Retail 207 stalls	Commercial & Retail & Residential   198,252 sq.ft. (18,418 m2)   198,252 sq.ft. (18,418 m2)   28.5 % = 56,502 sq.ft. (5,22 cr.   18,418 m2)   28.5 % = 56,502 sq.ft. (6,0 m)   28.5 %	Commercial & Retail & Residential   10,764 sq.ft. (1,000 m2) Minimum   198,252 sq.ft. (18,418 m2)   28.5 % = 56,502 sq.ft. (5,249 m2)   28.5 % = 56,502 sq.ft. (5,249 m2)   CRU:	Commercial & Retail & Residential   10,764 sq.ft. (1,000 m2) Minimum   198,252 sq.ft. (18,418 m2)   28.5 % = 56,502 sq.ft. (5,249 m2)   28.5 % = 56,502 sq.ft. (5,249 m2)   CRU: Main Floor: 7,500 sq.ft.   Mezzanine: 9,665 sq.ft.   Total T,500 sq.ft.   Total Buildings Area: 90,118 sq.ft. (6,372 m2)   0.55 = 109,038 sq.ft. (10,130 m2)   0.45 = 90,118 sq.ft. (8,372 m2)   0.45 = 90,118 sq.ft. (8,372 m2)   FRONT (Min.): 14.76' (4.5 m) Min. FRONT (Max.): 24.61' (6.0 m) Max. REAR: 14.76' (4.5 m) Min. SIDE: 14.76' (4.5 m) Min. SIDE: 14.76' (4.5 m) Min. SIDE (flanking street): 13.12' (4.0 m) Min	Commercial & Retail & Residential   Commercial & Retail & Residential	

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By Planning & Design Section at 1.03 pm, Dec 21, 2015



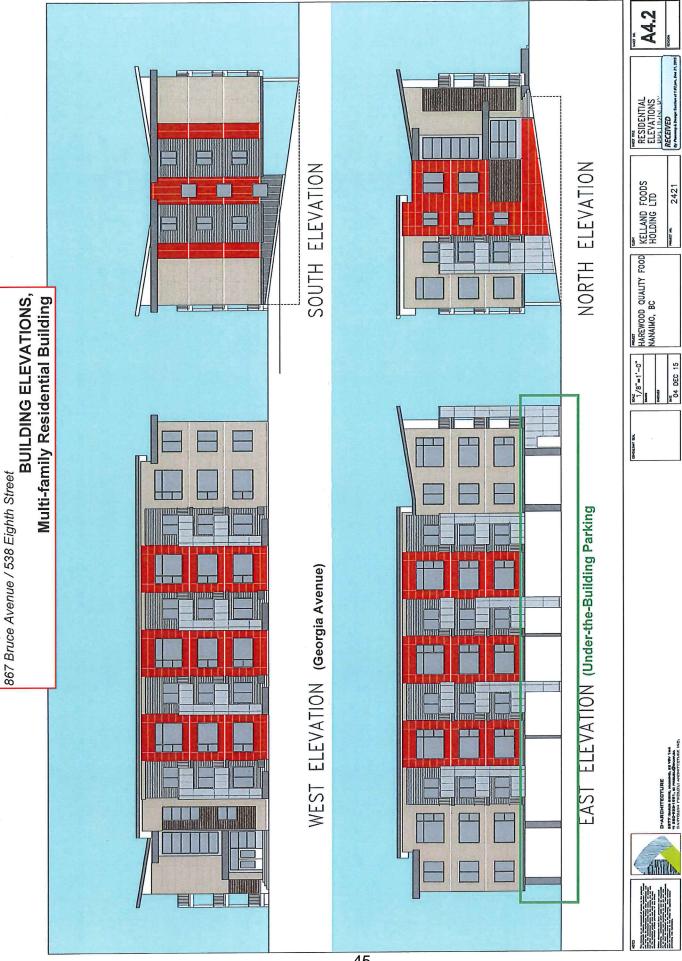


A4.2 10.00m average grade around building RESIDENTIAL ELEVATIONS PRELIMINARY ELEVATION NORTH ELEVATION KELLAND FOODS HOLDING LTD Multi-family Residential Building SOUTH HAREWOOD QUALITY FOOD NANAIMO, BC 04 DEC 15 Under-the-Building Parking WEST ELEVATION EAST ELEVATION

Schedule F

Development Permit DP000955 867 Bruce Avenue/ 538 Eighth Street

FLOOR PLAN



Schedule F

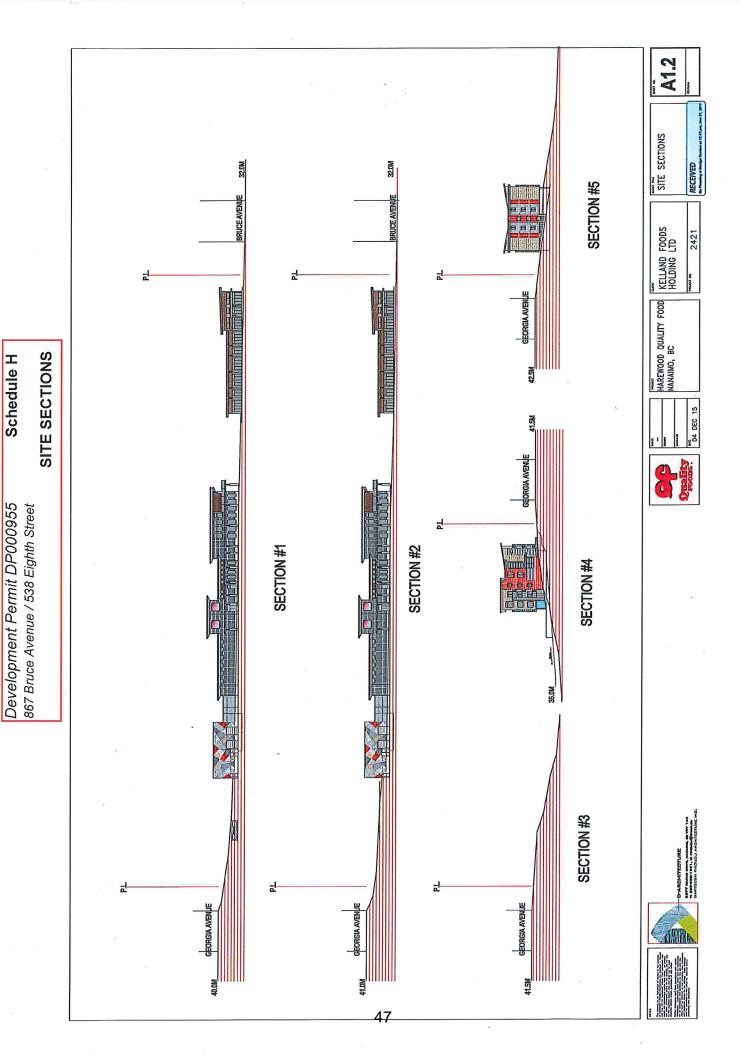
Development Permit DP000955

A4.1 RESIDENTIAL PLANS
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Schedule G

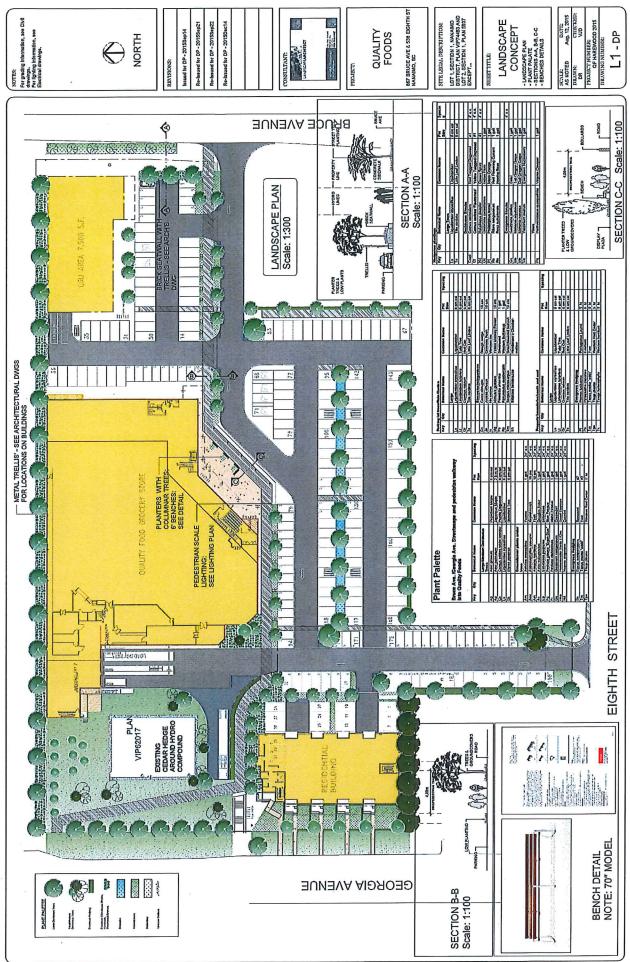
Development Permit DP000955 867 Bruce Avenue / 538 Eighth Street

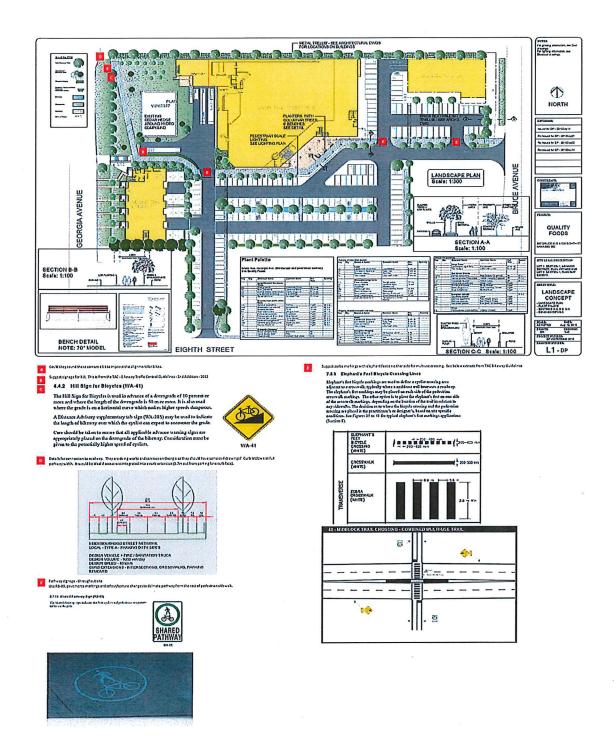
FLOOR PLANS



Development Permit DP000955 Schedule I 867 Bruce Avenue / 538 Eighth Street

OVERALL LANDSCAPE PLAN





Development Permit DP000955 Schedule J 867 Bruce Avenue / 538 Eighth Street TECHNICAL INFORMATION, Pedestrian/Bike Path

# ATTACHMENT B

# RE: DEVELOPMENT PERMIT NO. DP000955 - 867 BRUCE AVENUE / 538 EIGHTH STREET - DESIGN ADVISORY PANEL RECOMMENDATION

The Design Advisory Panel, at its meeting held on 2015-SEP-24, accepted DP000955 as presented with support for the variances but with exception that the Applicant improve the street frontage along Bruce Avenue. The following additional recommendations were provided:

- Consider adding a pedestrian link from Eighth Street to the Quality Foods grocery store building
- Consider adding a pedestrian link to the Commercial Rental Units from the parking area
- Look at methods to add texture to the north elevation of the Quality Foods grocery store
- Consider the shadow impact to the neighbouring residential properties to the north of the project
- · Look at adding an amenity space for residents of the multi-family residential building
- Consider CPTED (Crime Prevention through Environmental Design) issues for the entire site
- Consider potential, future development for the site, with consideration given as to how the development will link to neighbouring properties
- · Consider the elimination of parking stalls to improve traffic flow
- Provide a Site Lighting Plan to be reviewed by staff

#### Applicant Response

The applicant has responded to the DAP recommendations as follows:

- A pedestrian link has been established to allow pedestrians to move from the grocery store and the pedestrian/bike way to Eighth Street.
- There is a pedestrian link from the commercial rental unit through the parking area and to the pedestrian/bike way.
- The north elevation of the grocery store has more texture via further articulation:
  - A rhythm of 10 (3m x 3m) freestanding metal arbours, every 6m along the building elevation, which are designed for a variety of vines
  - A rhythm of columnar trees.
- A shadow study was completed and confirmed the grocery store had limited shadowing impact on the rear yards of the abutting residential houses which front Deering Street.
- An amenity space for the multi-family residents is located at the northwest corner of the site.
- The site and building design conform to CPTED principles.
- A pedestrian link has been designed to link with the corner commercial site.
- Parking spaces have been eliminated and the site plan has been changed to improve traffic flow.
- The site lighting plan has been reviewed and is acceptable.

Staff have reviewed the applicant's response and have approved the changes.

# **ATTACHMENT C - AERIAL PHOTO**

