

DATE OF MEETING May 16, 2016

AUTHORED BY GARY NOBLE, DEVELOPMENT APPROVALS PLANNER, PLANNING AND DESIGN

SUBJECT DEVELOPMENT PERMIT NO. DP955 – 867 BRUCE AVENUE / 538 EIGHTH STREET

## OVERVIEW

### **Purpose of Report**

To present Council with a development permit amendment application for a mixed use commercial and 27 unit multi-family residential development.

### **Recommendation**

That Council approve the amendment to Development Permit DP955 at 867 Bruce Avenue / 538 Eighth Street which includes a variance to increase the maximum height of the grocery store from 10m to 10.76m.

## BACKGROUND

An amendment request for Development Permit DP955 (Attachment A) was received from Daryoush Firouzli Architecture Inc. (Daryoush Firouzli), and Doyle Construction (Chris Doyle), on behalf of Kelland Foods Holdings Inc.

### *Subject Property:*

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

Council approved Development Permit DP955 for the proposed development 2016-FEB-15. The approval included a building height variance of 3m for the multi-family residential building.

The applicant has developed the working drawings associated with the grocery store for the building permit application submission and discovered the requirement for a minor height variance.

Regular Council  
2016-MAY-16

Staff support the application, including the proposed variance (See Attachment A, Schedule K). The height changes were not presented to the Design Advisory Panel as the approved form and character, in Staff's opinion, has not changed.

## **DISCUSSION**

### ***Proposed Development***

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

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

### ***Grocery Store***

Site servicing access, city sanitary and storm sewers are on Bruce Avenue. The grocery store is sited 69.95m from Bruce Avenue. In order for the connections to work, the servicing pipes must have a slope of 2%. To reach this gradient, the main floor of the grocery store had to be raised from 34m to 35m.

The majority of the grocery store roof conforms to the maximum allowable building height, however the tower feature next to the main customer entrance exceeds the maximum allowable building height 0.76m. The portion of the roof which is over-height is less than 2% of the overall roof area.

## **SUMMARY POINTS**

- This is an amendment to DP955 which is an approved mixed-use commercial and residential development.
- The applicant has had to re-grade the site area for the grocery store to allow access to city services located in Bruce Avenue.
- The proposed minimum height variance does not impact the approved form and character of the grocery store or the overall development.

## **ATTACHMENTS**

ATTACHMENT A: Amendment to Development Permit DP000955

ATTACHMENT B: Aerial Photo

**Submitted by:**



B. Anderson  
Manager, Planning and Design

**Concurrence by:**



D. Lindsay  
Director, Community Development

# 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 & VIP74483**

**PID - 001-174-223**  
**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**

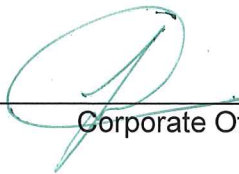
- Schedule D Elevations, Grocery Store
- Schedule E Elevations, Commercial Rental Unit
- Schedule F Elevations, Multi-family Residential Building
- Schedule G Floor Plan, Multi-family Residential Building
- Schedule H Site Sections
- Schedule I Overall Landscape Plan
- Schedule J Technical Information, 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  
15TH DAY OF FEBRUARY, 2016**



\_\_\_\_\_  
Corporate Officer

*Feb 19/2016*

\_\_\_\_\_  
Date

GN/in

\\PROSPERO\PLANNING\DEVPERMIT\DP000955\ATT A Development Permit dp955.docx

SCHEDULE A

Nova St

Deering St

Eighth St

Georgia Ave

Bruce Ave

Hannah Rd

R1

R4

R4

COR3

CC2

Road Closure (LD2721)

R4

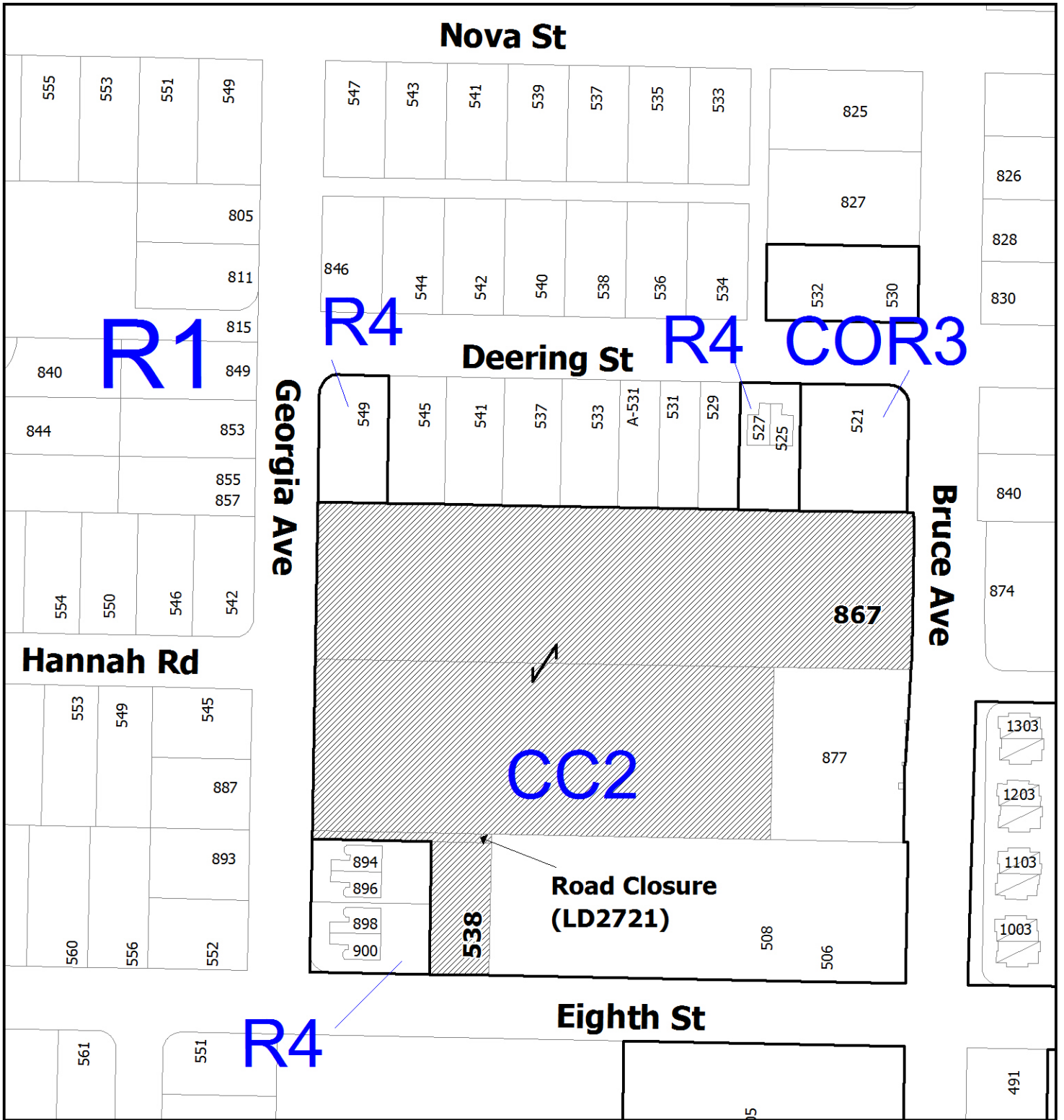
DEVELOPMENT PERMIT NO. DP000955

LOCATION PLAN

Subject Properties

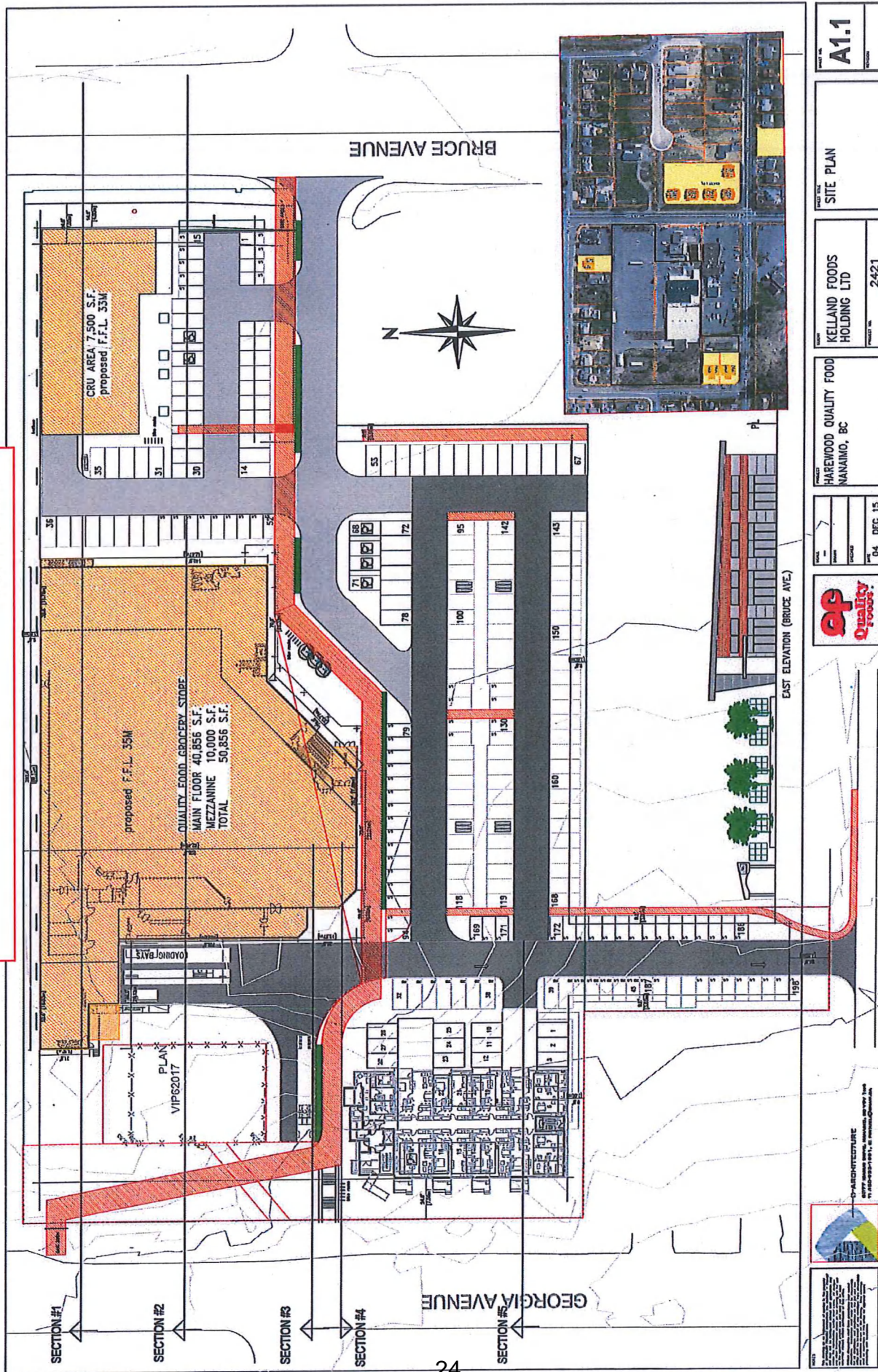


Civic: 867 Bruce Avenue and 538 Eighth Street  
Lot 1, Section 1, Nanaimo District, Plan VIP74483  
and Lot 2, Section 1, Nanaimo District, Plan 5937  
Except part in Plan 37506 and Plan VIP74483  
and Lot 3, Section 1, Nanaimo District, Plan 12363



**Schedule B**  
**SITE PLAN**

Development Permit DP000955  
 867 Bruce Avenue / 538 Eighth Street



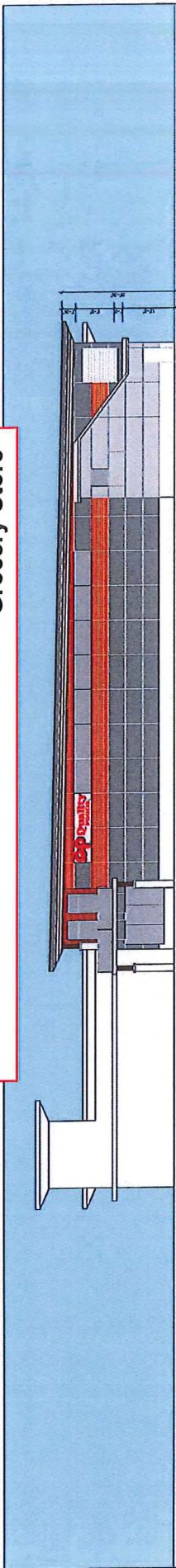
	DATE	04 DEC 15
	PROJECT NO.	24-21
	CLIENT	KELLAND FOODS HOLDING LTD
	PROJECT NO.	24-21
	SHEET NO.	A1.1

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 PART IN PLAN 37506 & PLAN VIP74483 and LOT 3, SECTION 1, NANAIMO DISTRICT, PLAN 12363			
SITE AREA: 4.55 Acres 198,252 sq.ft. (18,418 m <sup>2</sup> )			
ZONING: CC2 Neighbourhood Centre			
PROJECT DATA			
DESCRIPTION	ALLOWED / REQUIRED	PROPOSED	
USE	Commercial & Retail & Residential	Commercial & Retail & Residential	
LOT AREA	10,764 sq.ft. (1,000 m <sup>2</sup> ) Minimum	198,252 sq.ft. (18,418 m <sup>2</sup> )	
LOT COVERAGE	50% = 99,126 sq.ft. (9,209 m <sup>2</sup> )	28.5 % = 56,502 sq.ft. (5,249 m <sup>2</sup> )	
BUILDING GROSS FLOOR AREA		CRU: Main Floor: 7,500 sq.ft.	Quality Foods: Main Floor Plan: 40,408 sq.ft. Mezzanine: 9,665 sq.ft.
		Total 7,500 sq.ft.	Total 50,073 sq.ft.
		Residential: Covered parking: 8,594 sq.ft. Main Floor Plan: 8,015 sq.ft. Second Floor Plan: 7,968 sq.ft. Third Floor Plan: 7,968 sq.ft. Total 32,545 sq.ft.	
		Total Buildings Area: 90,118 sq.ft. (8,372 m <sup>2</sup> )	
DENSITY	0.55 = 109,038 sq.ft. (10,130 m <sup>2</sup> )	0.45 = 90,118 sq.ft. (8,372 m <sup>2</sup> )	
SETBACKS	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.	
HEIGHT OF BUILDINGS	32.81' (10 m) Max.	CRU: 24.2' (7.35 m <sup>2</sup> )	Quality Foods: 32.33' (9.85 m <sup>2</sup> ) Residential: 41.64' (12.69 m <sup>2</sup> ) variance required: 4'4" - 8'10"
AMENITY AREAS			
OFF-STREET PARKING	- Shopping Mail Retail stores parking stall requirement: 1 stall per 23.25m <sup>2</sup> net space Total net area (minus entry) of retail is 4,744 m <sup>2</sup> - Residential 1.66 spaces for each unit Retail 204 stalls Residential 44 stalls TOTAL REQUIRED: 248 stalls	RETAIL STALLS PROVIDED: - 123 large stalls provided - 70 small stalls provided - 5 Loading bay provided - 6 HC stalls provided Total: 204 provided TOTAL PROVIDED : 249 stalls provided	Residential Stalls provided: - 30 large stalls provided - 14 small stalls provided - 1 HC stalls provided Total: 45 provided

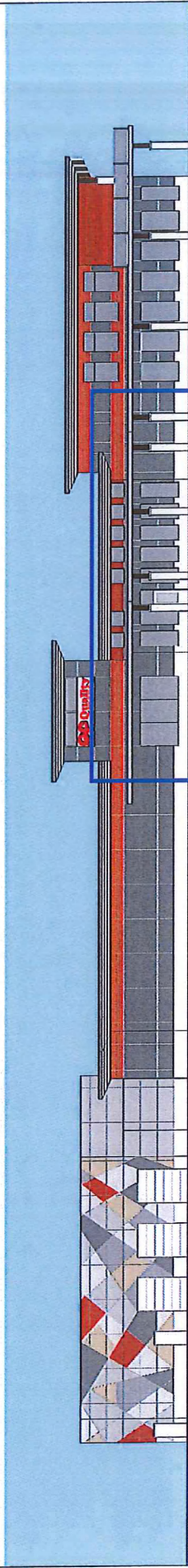
RECEIVED

By Planning & Design Section at 11:25 am, Feb 17, 2016

Development Permit DP000955  
 867 Bruce Avenue / 538 Eighth Street  
**Schedule D**  
**BUILDING ELEVATIONS,**  
**Grocery Store**

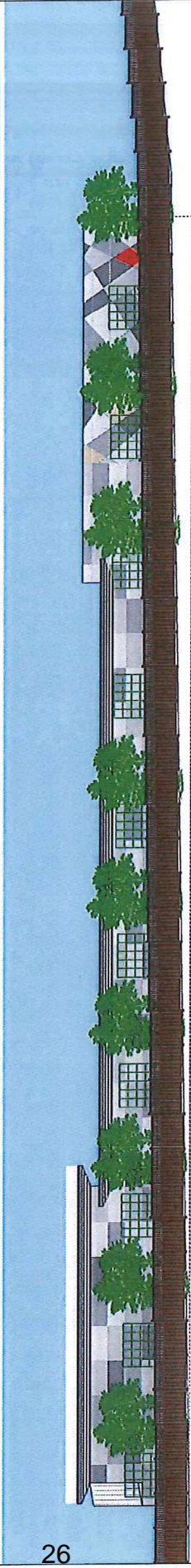


EAST ELEVATION

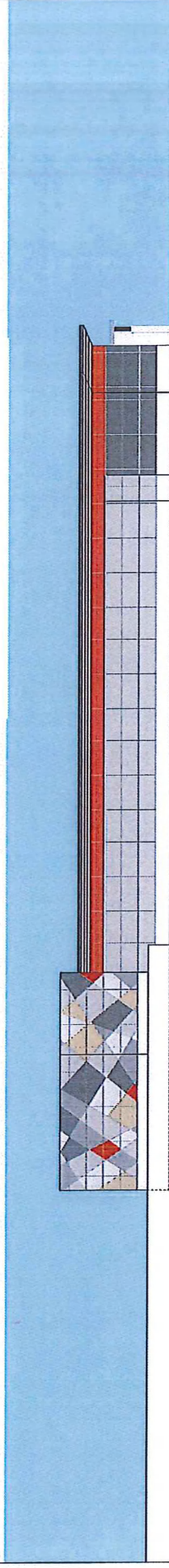


SOUTH ELEVATION

Main Entrance visible to Bruce Avenue and Parking Lot



NORTH ELEVATION (Facing Single Family Dwelling back yards)



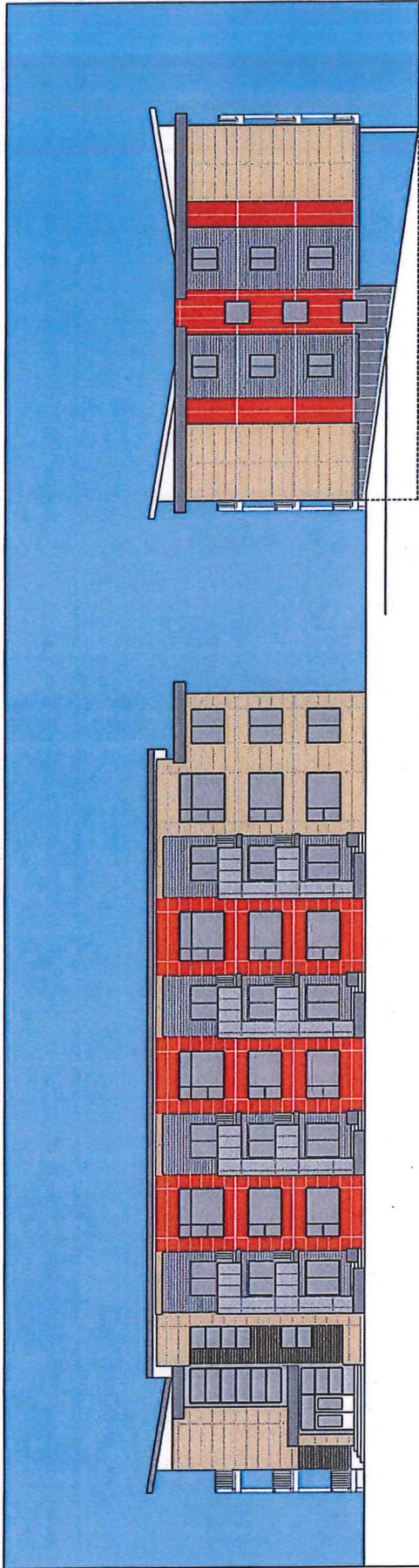
WEST ELEVATION

	<b>D-ARCHITECTURE</b> 11111 15th Street, Suite 100 Vancouver, BC V6P 1M1 Tel: 604-271-1111 Fax: 604-271-1112 Email: info@d-architecture.com Website: www.d-architecture.com			SCALE 3/32" = 1'-0" DATE 04 DEC 15	PROJECT HAREWOOD QUALITY FOOD NANAIMO, BC	DRAWN BY KELLAND FOODS HOLDING LTD	PROJECT NO. 2421	SHEET NO. <b>A2.5</b>
	RECEIVED QF GROCERY STORE ELEVATIONS PRELIMINARY By Planning & Design Division of 12:59 pm, Dec 21, 2015							





Development Permit DP000955  
 867 Bruce Avenue/ 538 Eighth Street  
**Schedule F**  
**FLOOR PLAN**  
**Multi-family Residential Building**



WEST ELEVATION

SOUTH ELEVATION



EAST ELEVATION

NORTH ELEVATION

NOT TO SCALE  
 THIS DRAWING IS THE PROPERTY OF D-ARCHITECTURE AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF D-ARCHITECTURE.  
 ALL RIGHTS RESERVED.



**D-ARCHITECTURE**  
 1100-1100 Street, Vancouver, BC  
 TEL: 604-681-1100  
 WWW.D-ARCHITECTURE.COM

PROJECT NO.  
 2421

SCALE  
 1/8" = 1'-0"

CLIENT  
 HAREWOOD QUALITY FOOD  
 NANAIMO, BC

DESIGNER  
 KELLAND FOODS  
 HOLDING LTD

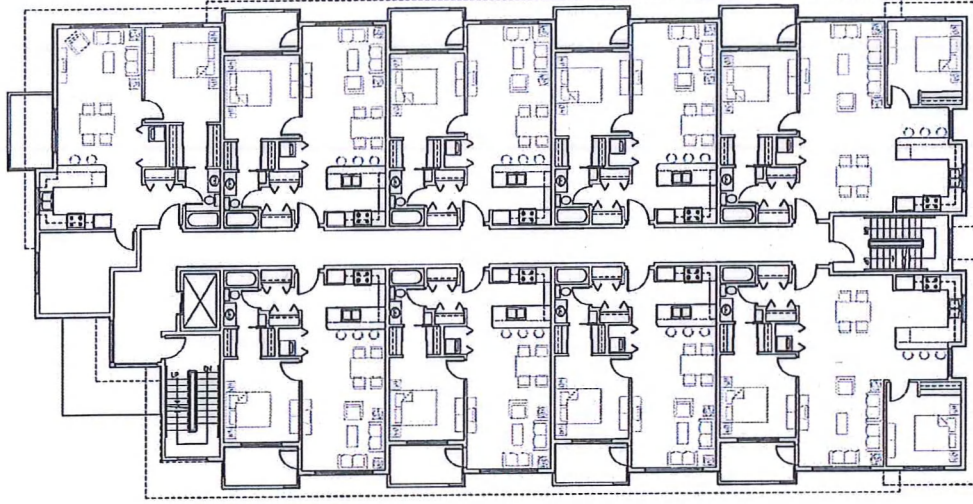
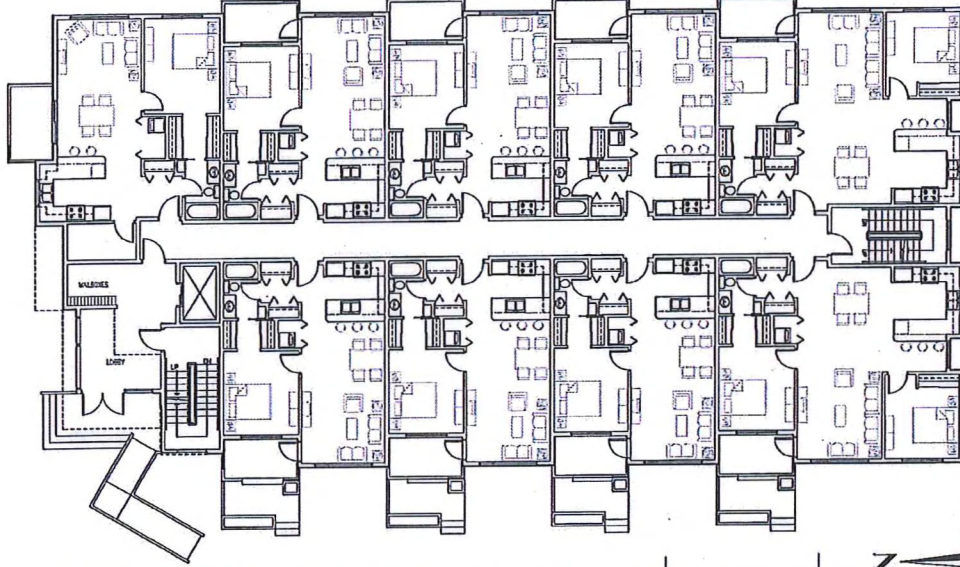
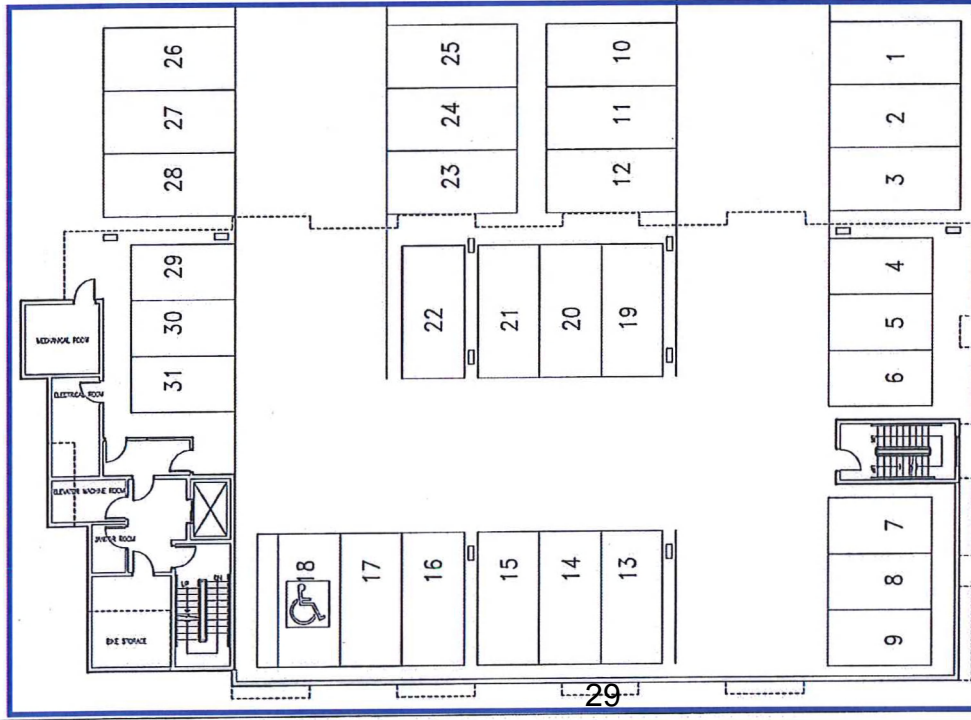
PROJECT TYPE  
 RESIDENTIAL  
 ELEVATIONS  
 PRELIMINARY

DATE  
 04-DEC-15

PROJECT NO.  
**A4.2**

**Schedule G**  
**FLOOR PLANS**  
**Multi-family Residential Building**

Development Permit DP000955  
 867 Bruce Avenue / 538 Eighth Street



2ND & 3RD FLOOR

MAIN FLOOR

PARKING LEVEL  
 (Under-the-Building Parking)

**PROJ. NO. A4.1**

**PROJ. TITLE: RESIDENTIAL PLANS PRELIMINARY RECEIVED**  
 BY: Planning & Design Committee on 11/17/15, Dec 21, 2015

**CLIENT: KELLAND FOODS HOLDING LTD**  
 PROJECT NO. 2421

**PROJECT: HAREWOOD QUALITY FOOD NANAIMO, BC**

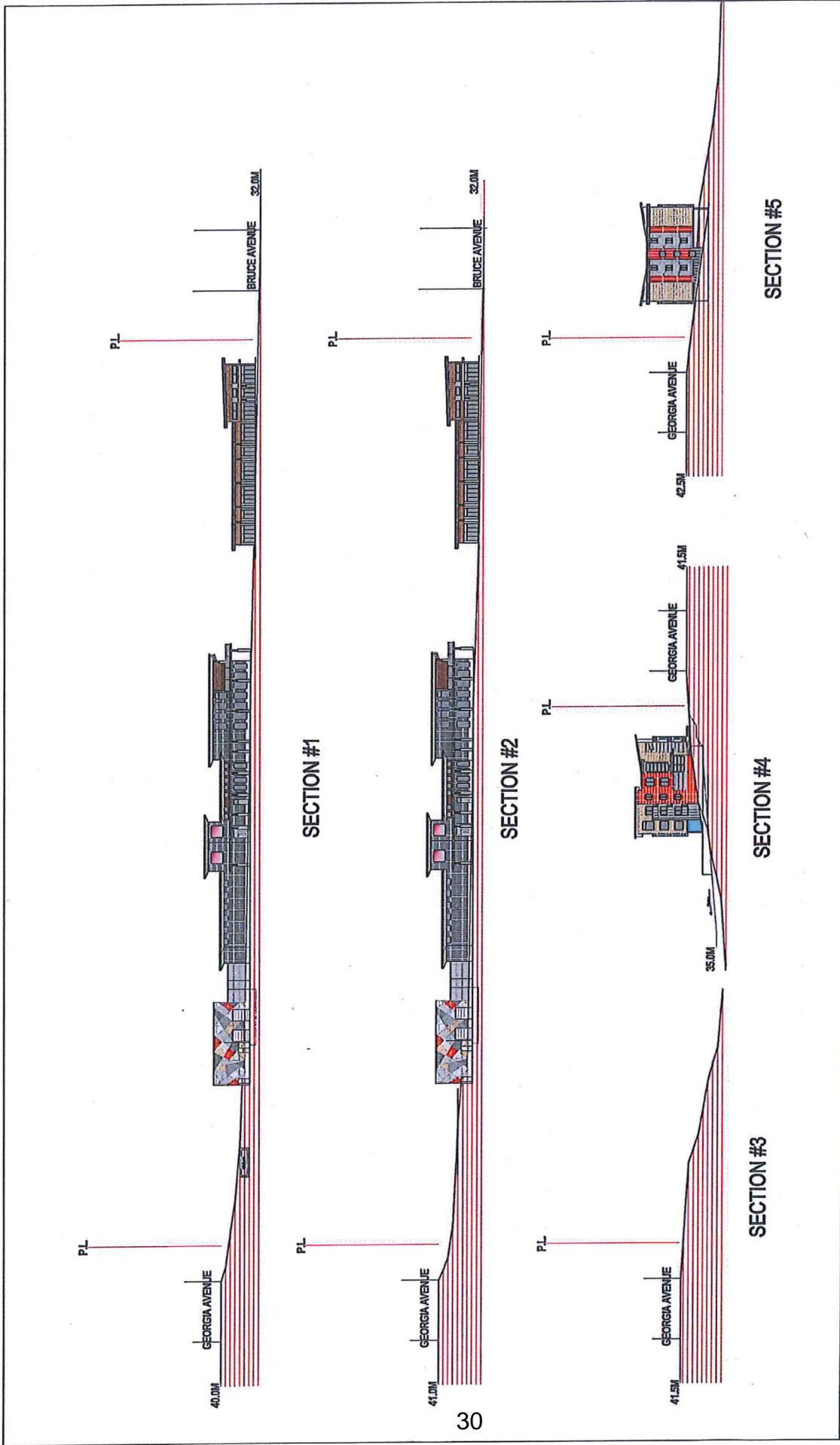
**SCALE: 1/8" = 1'-0"**  
 DATE: 04 DEC 15

**DATE: 04 DEC 15**

**ARCHITECTURE**  
 BY: [Name] INC. 1111 11th Street  
 NANAIMO, BC V9X 1C1  
 TEL: 250-754-1111  
 WWW: [Website]

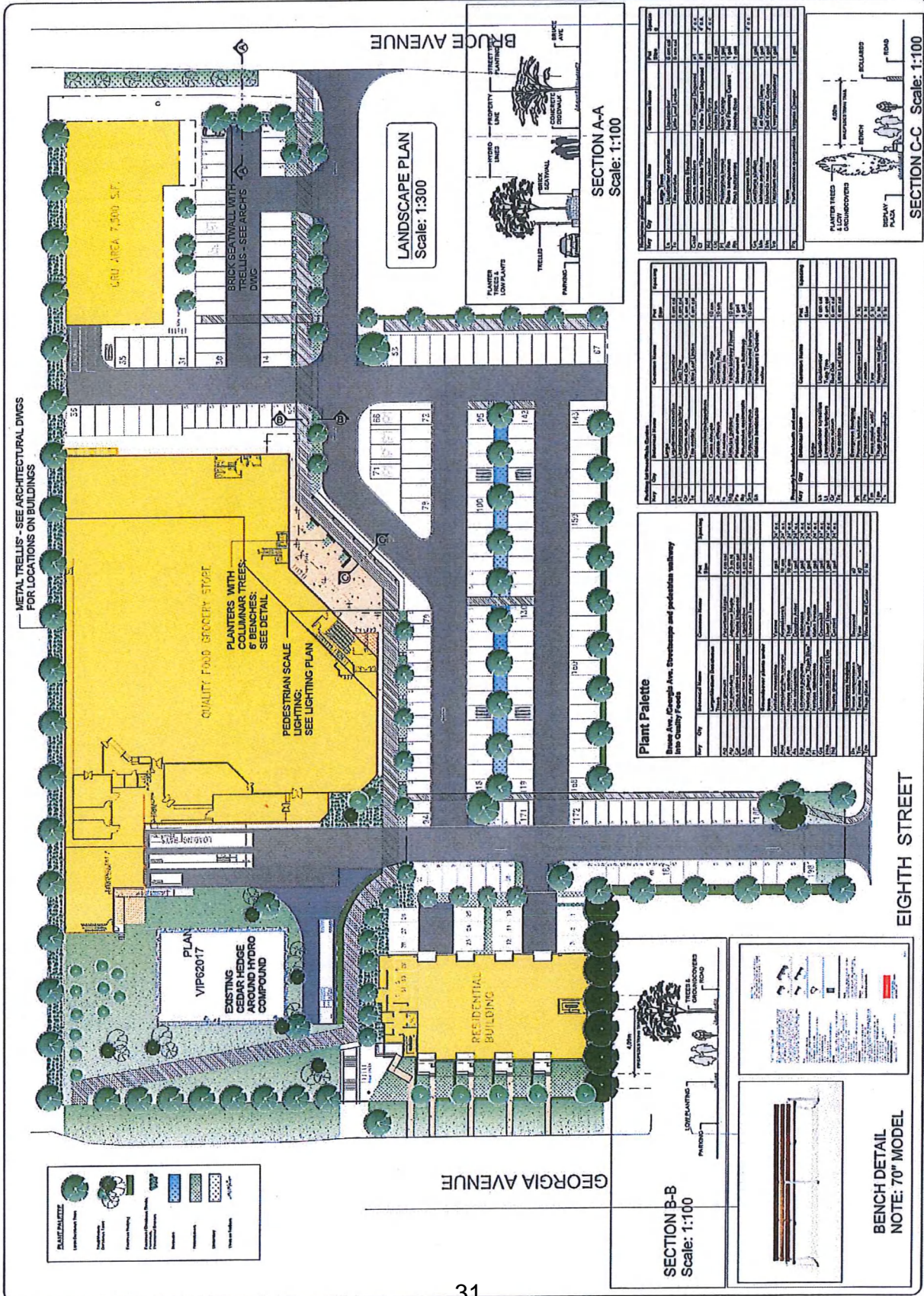
**Schedule H**  
**SITE SECTIONS**

Development Permit DP000955  
 867 Bruce Avenue / 538 Eighth Street



	DATE: _____ DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____ DATE: 04 DEC 15	PROJECT NO: HAREWOOD QUALITY FOOD NANAIMO, BC PROJECT NO: 2-4-21	RECEIVED SITE SECTIONS For Planning & Design Section of 11:00 am, Dec 11, 2015	SHEET NO. <b>A1.2</b> TOTAL SHEETS: _____
	PROJECT NO: DP000955 PROJECT NAME: 867 BRUCE AVENUE / 538 EIGHTH STREET PROJECT LOCATION: NANAIMO, BC PROJECT OWNER: HAREWOOD QUALITY FOOD PROJECT ARCHITECT: CHASCHEN ARCHITECTURE PROJECT DATE: 2015	PROJECT NO: HAREWOOD QUALITY FOOD NANAIMO, BC PROJECT NO: 2-4-21	RECEIVED SITE SECTIONS For Planning & Design Section of 11:00 am, Dec 11, 2015	SHEET NO. <b>A1.2</b> TOTAL SHEETS: _____

**Schedule I**  
**Development Permit DP0000955**  
**867 Bruce Avenue / 538 Eighth Street**  
**OVERALL LANDSCAPE PLAN**



**NOTES:**  
 For existing information, see Civil drawings.  
 For lighting information, see Electrical drawings.

**NORTH**

**REFERENCES:**

Based for DP - 2010Sep14
Re-based for DP - 2010Sep17
Re-based for DP - 2010Sep22
Re-based for DP - 2010Dec14

**CONSTRAINTS:**

**PROJECT:**

**QUALITY FOODS**

867 BRUCE AVE & 538 EIGHTH ST  
 RALEIGH, NC

**CITY LEGAL DESCRIPTION:**

LOT 1, SECTION 1, HAMMOCK  
 LOT 2, SECTION 1, PLAN 2807  
 EXCEPT...

**LANDSCAPE CONCEPT**

- LANDSCAPE PLAN  
 - PLANT PALETTE  
 - SECTIONS A-A, B-B, C-C  
 - BENCH DETAILS

**DATE:** Aug. 12, 2015  
**DESIGNED BY:** CH2M HILL  
**PROJECT NUMBER:** OF HAREWOOD 2015  
**DRAWING NUMBER:** L1 - DP

**PLANT PALETTE**

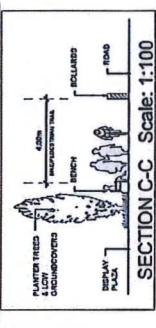
Plant Name	Quantity	Notes
...	...	...

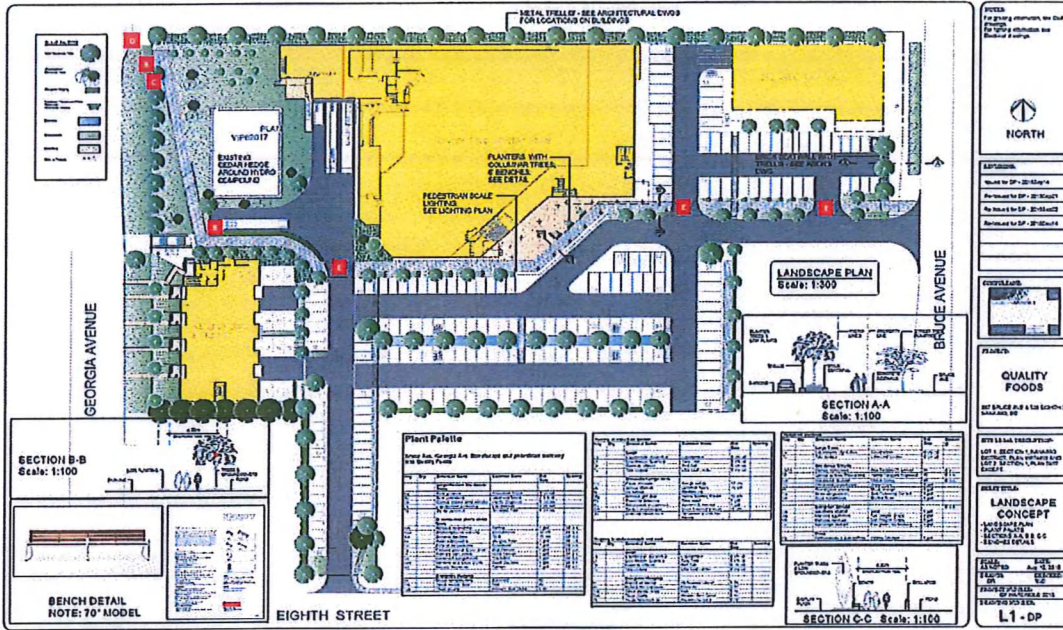
**SECTION A-A**

Plant Name	Quantity	Notes
...	...	...

**SECTION B-B**

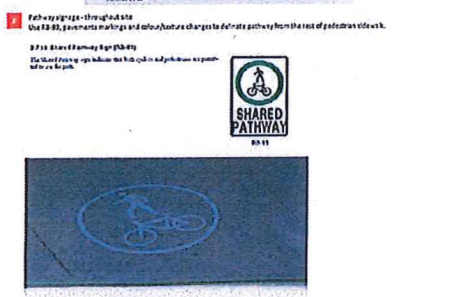
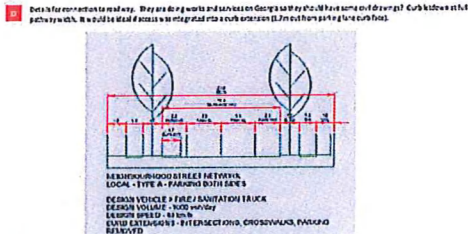
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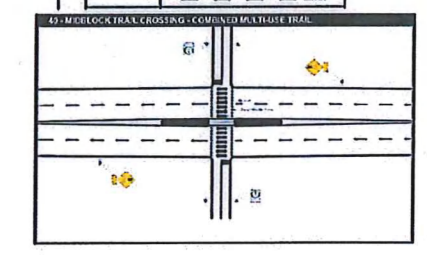
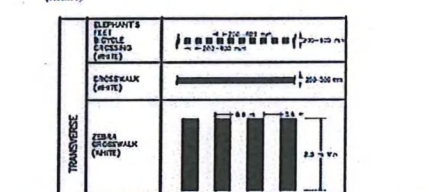
4.1.2.1 **W11 Sign for Bicycles (WA-41)**

The W11 Sign for Bicycles is used in advance of a downgrade of 10 percent or more and where the length of the downgrade is 50 m or more. It is also used where the grade is on a horizontal curve which makes higher speed dangerous. A Distance Advisory supplementary tab sign (WA-255) may be used to indicate the length of bicyclist over which the cyclist can expect to encounter the grade. Care should be taken to ensure that all applicable advance warning signs are appropriately placed on the downgrade of the bicyclist. Consideration must be given to the potentially higher speed of cyclists.

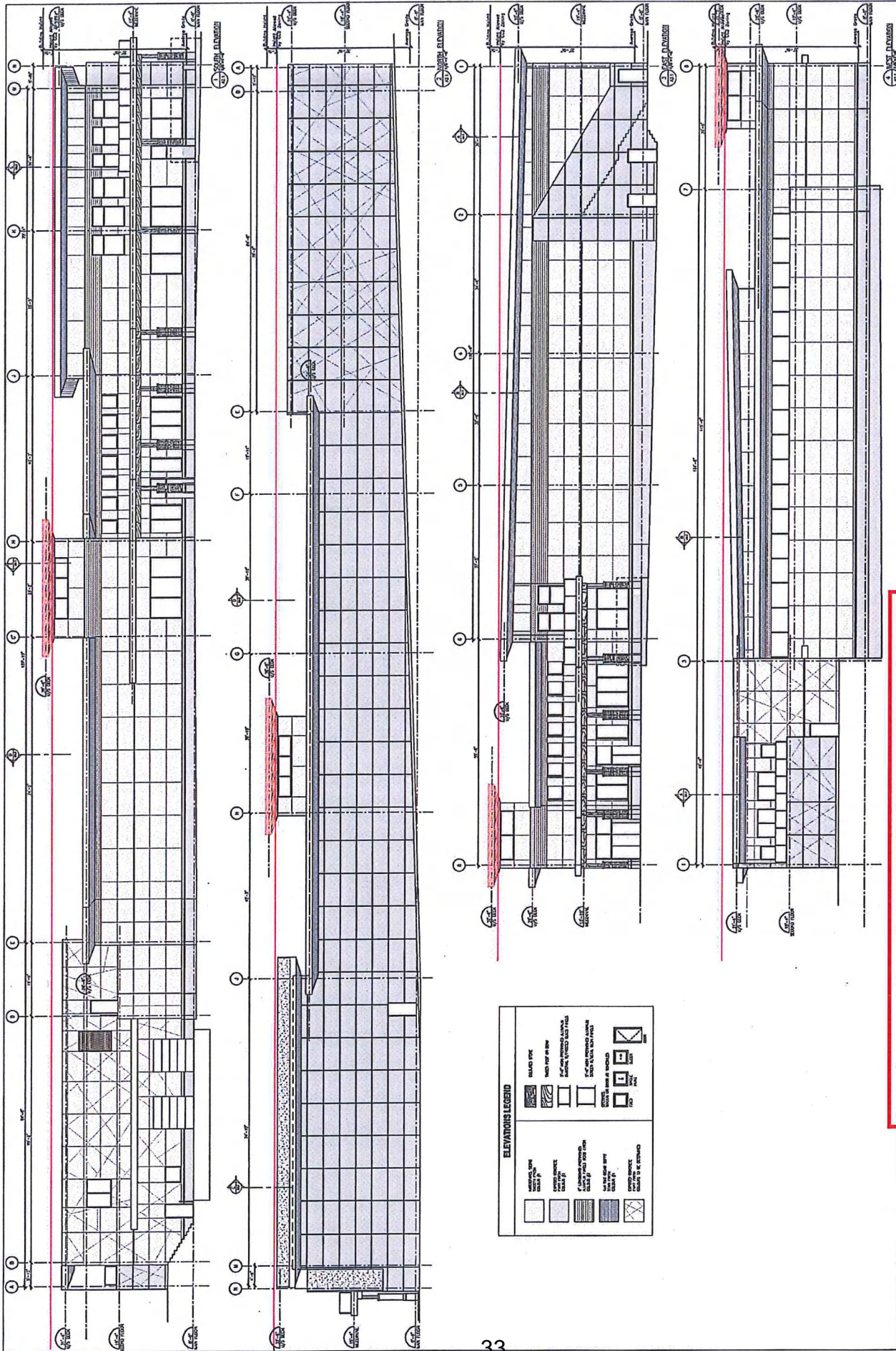


4.1.2.4 **Shared Pathway Sign (WA-42)**

The Shared Pathway Sign (WA-42) is used to indicate a shared pathway for bicyclists and pedestrians. The sign should be placed at the beginning of the shared pathway.



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



**Schedule K**  
**AMENDED BUILDING**  
**HEIGHT ILLUSTRATION**

Development Permit DP000955  
 867 Bruce Avenue / 538 Eighth Street

**A3.1**

7/8" = 1'-0"  
 20 APR 16

OF GROCERY STORE  
 BUILDING ELEVATIONS

KELLAND FOODS  
 HOLDINGS LIMITED  
 2421



QUALITY FOODS HAREWOOD  
 NANNAIMO, BC

NOT TO SCALE  
 FOR INFORMATION ONLY  
 THIS ILLUSTRATION IS A REPRESENTATION OF THE PROPOSED BUILDING HEIGHTS AND IS NOT TO BE USED FOR ANY OTHER PURPOSES.

# ATTACHMENT B



DEVELOPMENT PERMIT DP000955