

# City of Nanaimo

## REPORT TO COUNCIL

**DATE OF MEETING:** 2013-DEC-16

**AUTHORED BY:** GARY NOBLE, DEVELOPMENT APPROVAL PLANNER,  
PLANNING & DESIGN SECTION

**RE:** DEVELOPMENT PERMIT NO. DP755 - 3217 HAMMOND BAY ROAD

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### STAFF RECOMMENDATION:

That Council issue Development Permit No. DP755 at 3217 HAMMOND BAY ROAD subject to an access easement to the adjacent property, and with support for the following variances:

- To increase the maximum building heights
  - Building 1 to 10.15m
  - Building 2 to 9.70m
  - Building 3 to 10.45m
- To reduce the Minimum Landscape Treatment Level 2d to a 0.2m width.

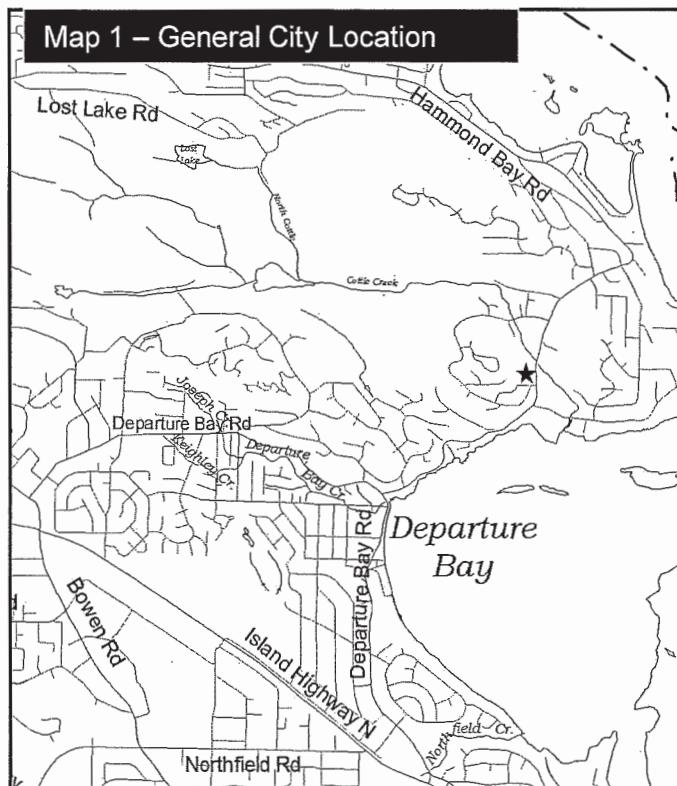
### PURPOSE:

The purpose of this report is to seek Council authorization to issue a development permit for a 10 unit, cluster housing development.

### BACKGROUND:

A development permit application was received from STRAIGHT STREET DESIGN (Mr. Kenneth Brault), on behalf of Sikander and Sharanjit Saroya, to permit the construction of a 10 unit (1 existing single family dwelling, and 9 new units) cluster housing development.

Staff and the Design Advisory Panel (DAP) support the application, including the proposed variances for each of the clusters.



Council  
 Committee  
 Open Meeting  
 In-Camera Meeting  
Meeting Date: 2013-Dec-16

*Subject Property*

<b>Zoning</b>	R10 – Steep Slope Residential
<b>Location</b>	The subject property is located on the west side of Hammond Bay Road, just two lots north of Nottingham Drive.
<b>Total Area</b>	6,593m <sup>2</sup>
<b>OCP</b>	Map 1 – Future Land Use Plan – Neighbourhood Map 3 – Development Permit Areas DPA No. 5 - Environmentally Sensitive Area

The subject property is a steeply sloped panhandle lot, which rises approximately 25m in grade to the west from the site of the existing house. The existing single family dwelling (SFD) will be retained and upgraded as Unit #10.

DISCUSSION:

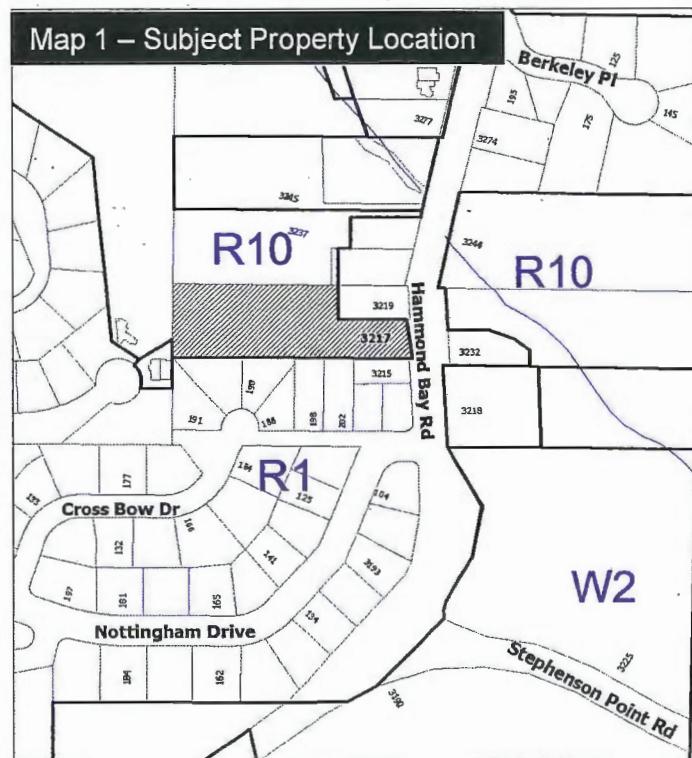
**Proposed Development**

The proposed ten unit, cluster housing development, has three detached clusters where each contains three townhouse units and a single detached unit. The three bedroom units within the clusters each have a floor area of 136.5m<sup>2</sup>. The detached unit has a floor area of 240m<sup>2</sup>.

The Steep Slope Design Guidelines discuss retaining the character of the site. The subject property has an urban forest cover over the rocky, steep slope site. There is a sparse understorey due to little organic overburden.

The housing cluster development limits the impact on the steep slope and the urban forest cover. Site development is as follows:

- Cluster Housing Coverage – 40%
- Remaining Urban Forest and Steep Slope – 60%.



The proposed siting reduces the cut into the steep grade, and limits the height of retaining walls needed to manage the cut steep slope edges, adjacent to the building clusters.

### *Site/Landscape Design*

#### **1. Site Access**

Site access design and location have been constrained by a number of factors:

- Siting of the existing SFD or Unit #10.
- Need to provide a future access to the neighbouring property to the north (3219 Hammond Bay Road).
- Significant grade change between Hammond Bay Road and the existing SFD.
- Width of the panhandle portion of the site.

Site access grades have been approved for fire truck access.

The site access and parking court design allows for 14 parking spaces for the 9 units. There is provision for 2 visitor parking spaces, and Unit #10 also has 2 parking spaces. The onsite parking exceeds the required onsite parking spaces by 4.

The site access also accommodates a future access easement to the adjacent property (3219 Hammond Bay Rd).

### *Site Development Strategies*

An infill development within an established neighbourhood presents challenges that are addressed through the following strategies:

#### **1. Mitigation Plan for Trees on 3219 Hammond Bay Road, which Abuts the Onsite Access Road for the Subject Property**

The City's Urban Forester and the developer's certified arborist have completed a mitigation plan to protect the significant Arbutus tree and several Douglas fir trees. The location of the impacted trees is identified in Schedule C1. The mitigation plan is within the Prohibitions and Guidelines of the City of Nanaimo "Management and Protection of Trees BYLAW 2013 NO. 7126".

An air tool is used, instead of an excavator, for trenching within the root zone of the significant Arbutus tree and Douglas fir trees. This procedure minimizes damage to the tree roots which can then be pruned as required or moved aside to facilitate the placement of utility pipes. This procedure will be monitored by the certified onsite arborist.

The certified arborist has established a contract agreement with the developer to provide onsite supervision during site development. The City will secure site supervision as a condition of the building permit.

#### **2. Access Issue for 3219 Hammond Bay Road**

The neighbouring property to the north (3219 Hammond Bay Road) has a long standing gravel driveway which goes across the frontage of the subject property in order to access Hammond Bay Road (see Schedule I). The preference of the current owner of 3219 Hammond Bay Road, is to retain this existing access.

The subject property development requires full frontage works and services. The construction of these works and services would necessitate the removal of the gravel driveway to 3219 Hammond Bay Road.

In response to the request to retain the existing access to 3219 Hammond Bay Road, Staff have identified an interim works and services standard. The interim standard would include:

- full works and services from the south property line of the subject property to the north side of the subject property curb drop; and
- the re-grading of the driveway, in order to function with the interim works and services design (see Schedule J).

The full frontage works and services for the subject property will be secured as a condition of the building permit.

An access on the subject property to 3219 Hammond Bay Road is to be constructed as part of the proposed development, in order that the gravel driveway can be removed at a later date. An access easement is to be registered on the subject property to secure this access through the subject property.

#### *Landscape Plan*

The landscape plan uses four different strategies in order to provide privacy for this infill project and to retain the character of the site.

- A green wall fence system is used as a screen along the north property edge where the access road precludes the required Minimum Landscape Treatment Level 2d.
- The property edges, which abut residential properties and need screening, are planted with a western red cedar hedge and random deciduous and coniferous tree plantings.
- The ground plane is planted with a typical urban forest understorey. Grass is limited to the two small areas by Unit #10.
- All significant trees which have to be removed are replaced with suitable tree species and numbers.

#### *Building Design*

A three storey massing is used in each building cluster to reduce the building footprints; thereby reducing the impact on the site. The units within each cluster are stepped down the grade to reduce the cut and the overall mass of each cluster. Gables and bays are used to articulate the individual units. Exterior cladding is organized to emphasize vertical articulation and provide a residential feel.

The subject property has a limited width of 48.8m, and as a result of this narrowness, vehicle access has pushed the building clusters toward the property edges. The siting limits the ground level open space for each unit. The open space for each cluster is limited to a rear open deck for each of the units. The south facing decks for Building Clusters 2 & 3 are 1.8m from the south property line. A planted, fast growing western red cedar hedge runs the length of this property line which provides privacy from the abutting neighbours. The abutting neighbours have rear year yards with considerable depth.

### **Required Variances**

- *Building Height:*

The maximum allowable building height is 9m. The table below illustrates the height variances required for each of the clusters.

Building Cluster	Maximum Allowable Building Height (m)	Proposed Building Height (m)	Variance Requested (m)
Building 1 (Units 1, 2 & 3)	9	10.15	1.15
Building 2 (Units 4, 5 & 6)	9	9.70	.70
Building 3 (Units 7, 8 & 9)	9	10.45	1.45

- *Minimum Landscape Treatment Level 2d*

The Minimum Landscape Treatment Level 2d is required along the north property line of 3219 Hammond Bay Road, and consists of a 1.8m planting width, trees and a 1.8m screening fence. The Minimum Landscape Treatment Level 2d is varied to a 0.2m planting width with a 1.8m green wall fence and no trees.

### **DAP Recommendation**

At its meeting held on 2011-DEC-08, the Design Advisory Panel accepted DP000755 as presented, with support for the variances and made the following recommendations:

- *be aware of the sight lines/views between the buildings and consider using columnar trees to provide screening;*
- *consider incorporating a railing between the driveway and the stairs;*
- *consider incorporating textual changes in the paving surface in order to provide better pedestrian flow through the site;*
- *consider how vehicles will maneuver through the site and possibly incorporating a turnaround area at the top of the driveway; and*
- *consider how the rainwater runoff will be managed.*

The applicant has reviewed the recommendations and has made the following changes:

- columnar trees are used for screening and improved privacy;
- a concrete surface and concrete pavers are installed in unit parking aprons and visitor parking spaces;
- a gravel insert is sited at the top of the drive to facilitate vehicle turning; and
- a bioswale system is designed along the edges of the site. The bioswale along the east side of Building 1 is designed to maintain the hydrology for the existing trees at 3219 Hammond Bay Road.

Respectfully submitted,



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B. Anderson, MCIP, RPP  
MANAGER  
PLANNING & DESIGN SECTION

Concurrence by:



D. Lindsay  
DIRECTOR, MELP, RPP  
COMMUNITY DEVELOPMENT



I. Howat  
GENERAL MANAGER  
CORPORATE SERVICES

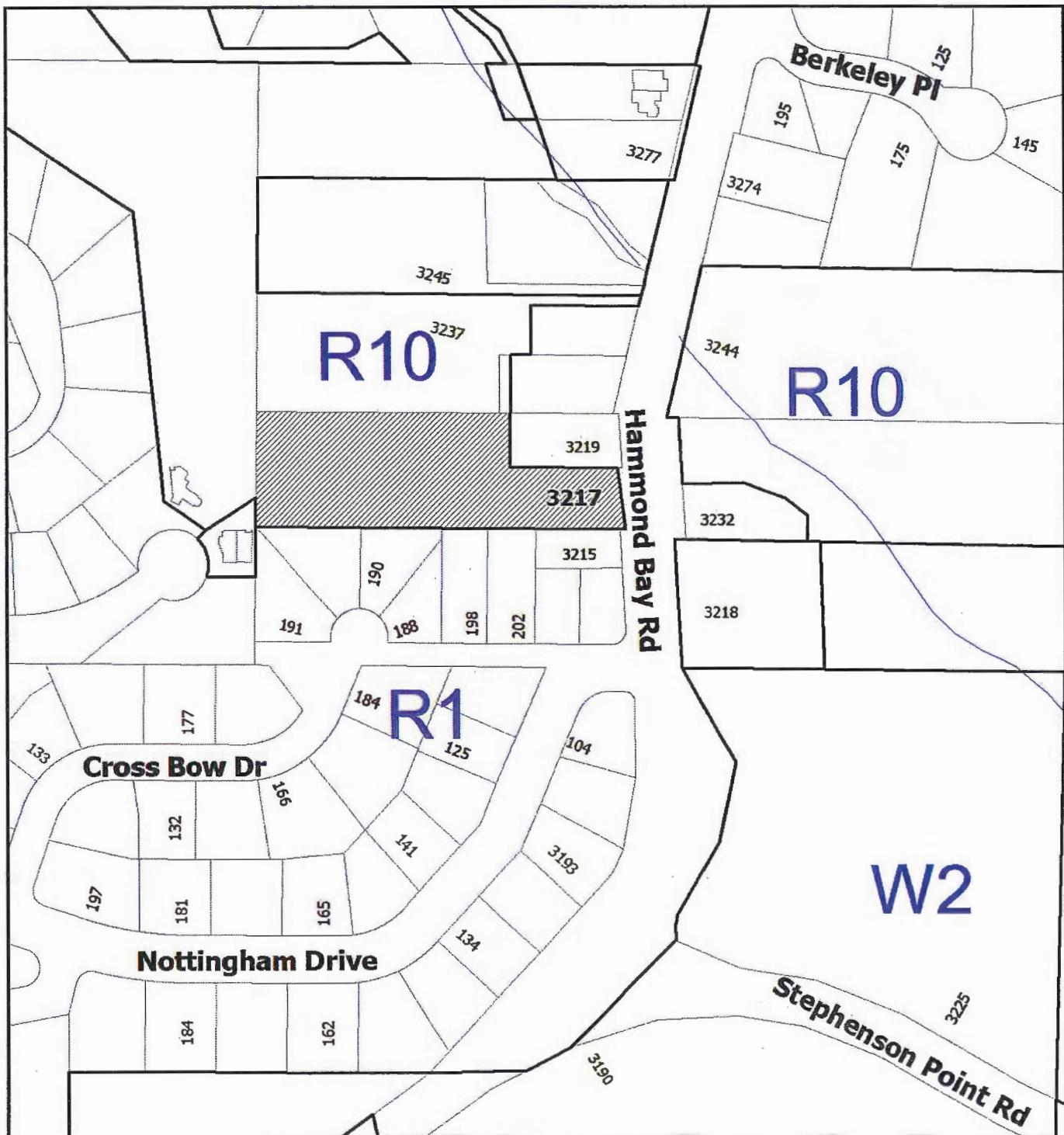
CITY MANAGER COMMENT:

I concur with the staff recommendation.

*Drafted: 2013-NOV-21  
Prospero attachment: DP000755  
GN/lb*

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SCHEDULE A



DEVELOPMENT PERMIT NO. DP000755

## LOCATION PLAN

Civic: 3217 Hammond Bay Road  
 Lot 4, Section 15-A, Wellington District,  
 Plan 8519, Except that Part in Plan 19110



Subject Property



Development Permit No. DP000755  
3217 Hammond Bay Road

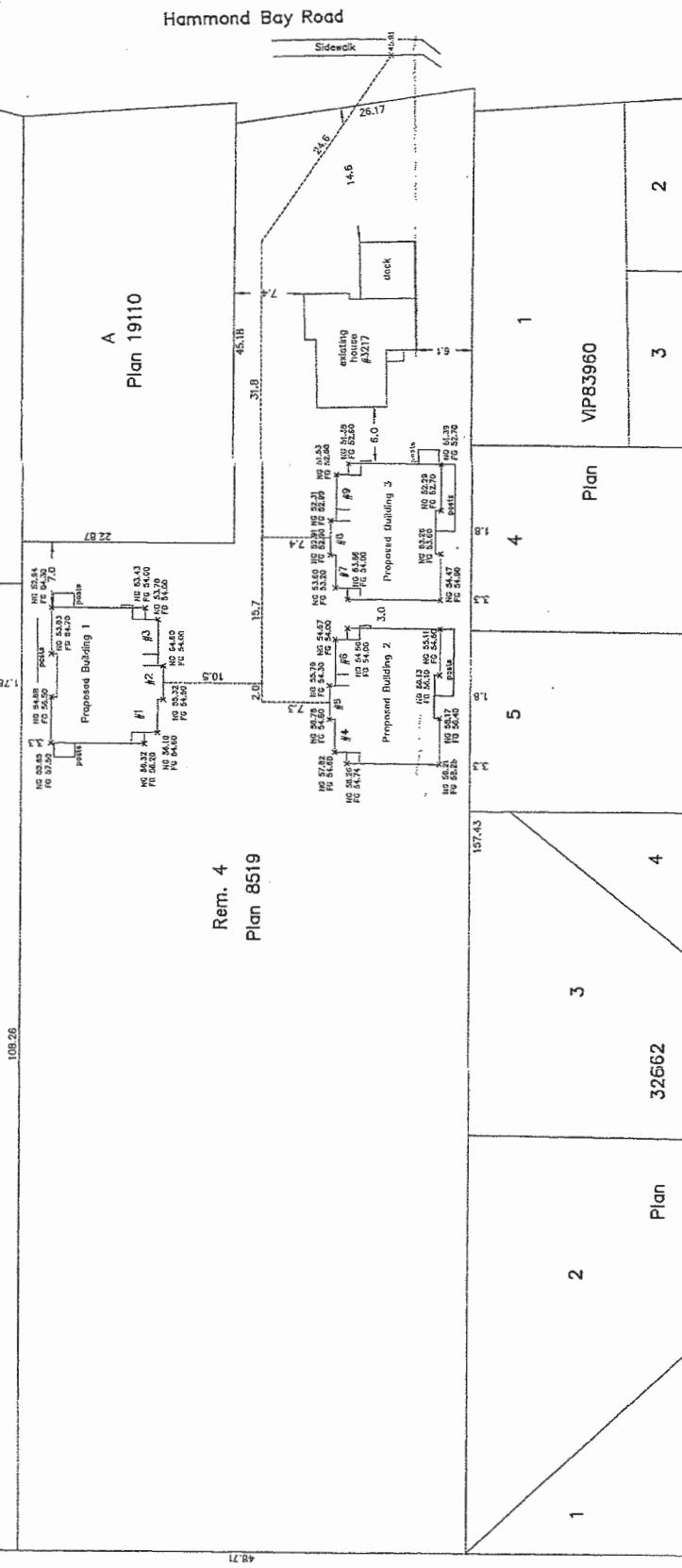
Schedule B1

NEW BUILDING CLUSTERS

Rem. 3

Plan 8519

108.26



**Building 1**

Average Natural Grade = 54.70  
Average Finished grade = 55.13  
Allowable building height = 9.00  
Maximum roof peak elevation = 63.70  
Proposed roof peak elevation = 64.70  
Proposed Garage slab (unit 1) = 54.60  
Proposed Garage slab (unit 2) = 54.30  
Proposed Garage slab (unit 3) = 54.00  
Average maximum garage slab = 61.6  
(from back of sidewalk)

**Building 2**

Average Natural Grade = 55.64  
Average Finished grade = 55.16  
Allowable building height = 9.00  
Maximum roof peak elevation = 64.16  
Proposed roof peak elevation = 64.70  
Proposed Garage slab (unit 1) = 54.60  
Proposed Garage slab (unit 2) = 54.30  
Proposed Garage slab (unit 3) = 54.00  
Average maximum garage slab = 61.4  
(from back of sidewalk)

**Building 3**

Average Natural Grade = 52.70  
Average Finished grade = 53.18  
Allowable building height = 9.00  
Maximum roof peak elevation = 61.70  
Proposed roof peak elevation = 62.30  
Proposed Garage slab (unit 1) = 52.20  
Proposed Garage slab (unit 2) = 52.30  
Proposed Garage slab (unit 3) = 52.50  
Average maximum garage slab = 57.9  
(from back of sidewalk)

Distances and elevations shown are in metres.  
Elevations shown are geodetic and are derived from control monument 03H6097.

B.C.L.S. has been retained to pin  
four corner locations.

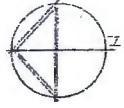
Project 3217 Hammond Bay Road				Lot 4, Section 15-A, Wellington District, Plan 8519, Except that part in Plan 19110.				Certified correct the 8th day of November, 2013.				Turner & land surveying™			
Client		Site address 3217 Hammond Bay Road		Building		Dredges		Building		Dredges		B.C.L.S.		Date	
Planning Site Plan		Date	November 8th, 2013	Ref	12-153	Score	1:350	Drawn	RAT	(This document is not valid unless originally signed and sealed.)				Nov. 8, 2013	
														250.9778 GDS Corner Road Newmarket, NC V8R 3A4	



Development Permit No. DP000755  
3217 Hammond Bay Road

Schedule C-1

**TREE MITIGATION AREAS &  
BUFFER DETAIL ON SOUTH  
PROPERTY LINE**

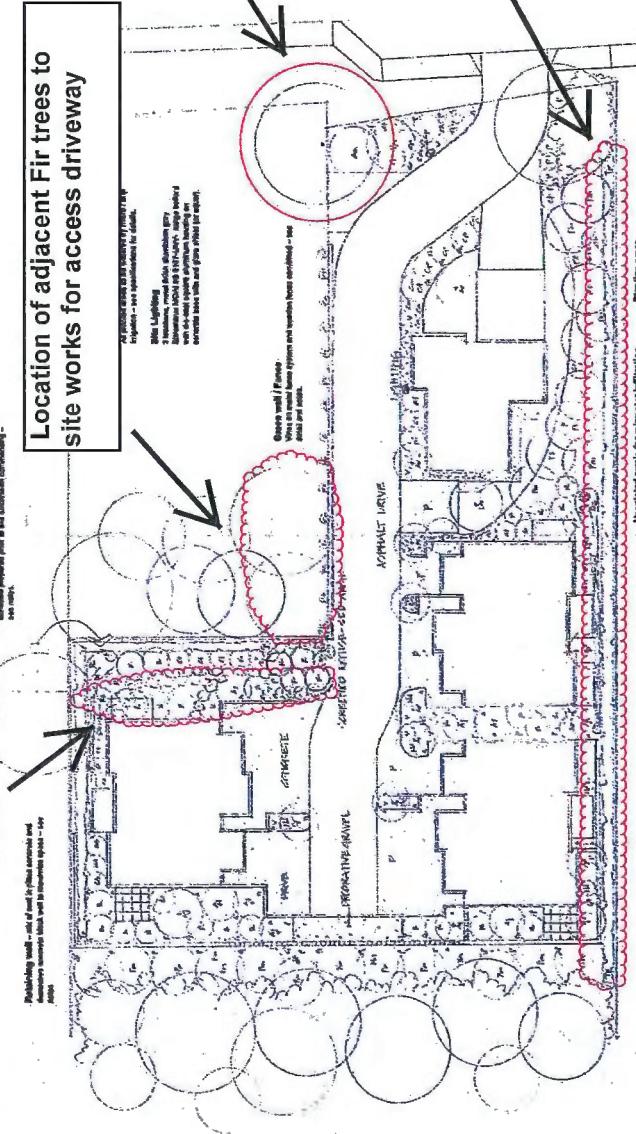


**3217 Hammond Bay Road**

**Bioswale to ensure hydrology  
is intact for existing trees**

**Location of adjacent Fir trees to  
site works for access driveway**

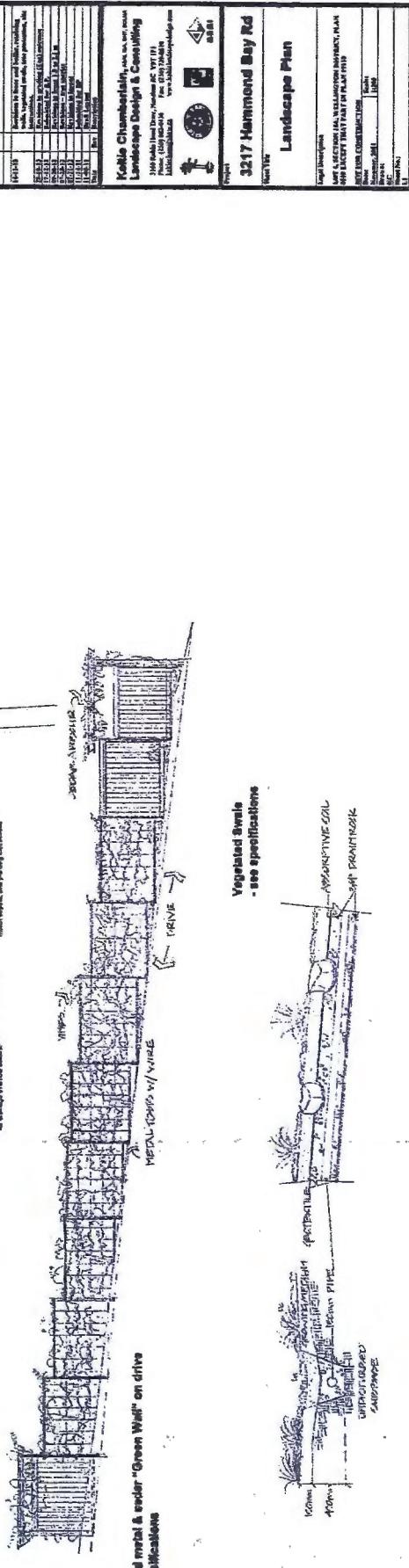
Protecting soil and root system of tree by placing concrete and  
concrete pavers around base of tree - see specifications.  
Protecting soil and root system of tree by placing concrete and  
concrete pavers around base of tree - see specifications.



**Location of significant  
Arbutus tree**

**Hedge detail to screen development  
from abutting properties**

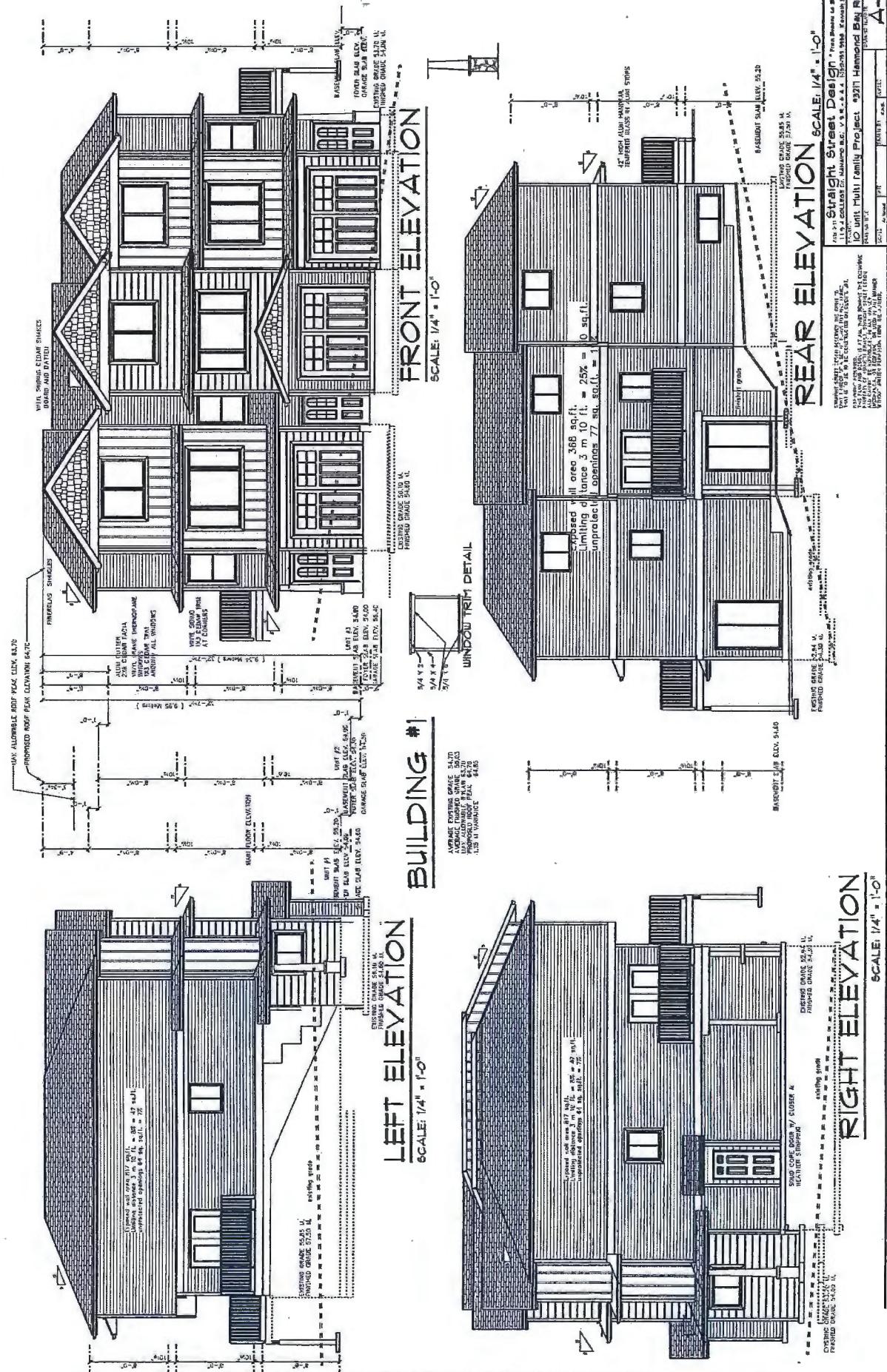
Neighbour BC	
Project	3217 Hammond Bay Rd
Neighbour	None
Project Manager	Kalle Chamberlain
Landscaping Design & Consulting	None
Architect	None
Structural Engineer	None
Electrical Engineer	None
Mechanical Engineer	None
Geotechnical Engineer	None
Surveyor	None
Land Surveyor	None
Environmental Consultant	None
Permitting	None
Other	None
Notes	None

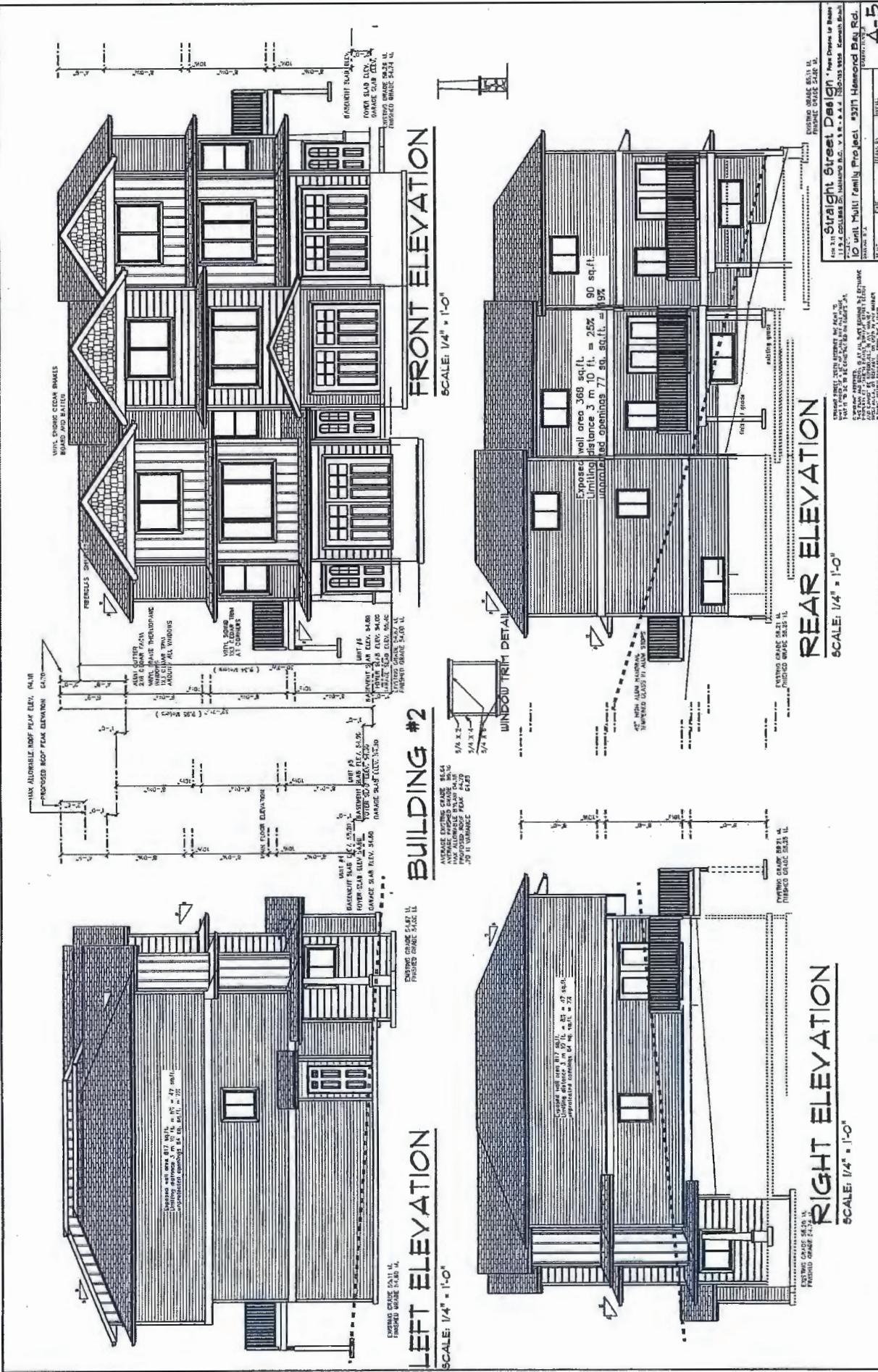


**Prefabricated metal & cedar "Green Wall" on drive**  
- see specifications

Schedule D

**Building Cluster 1, Elevations**

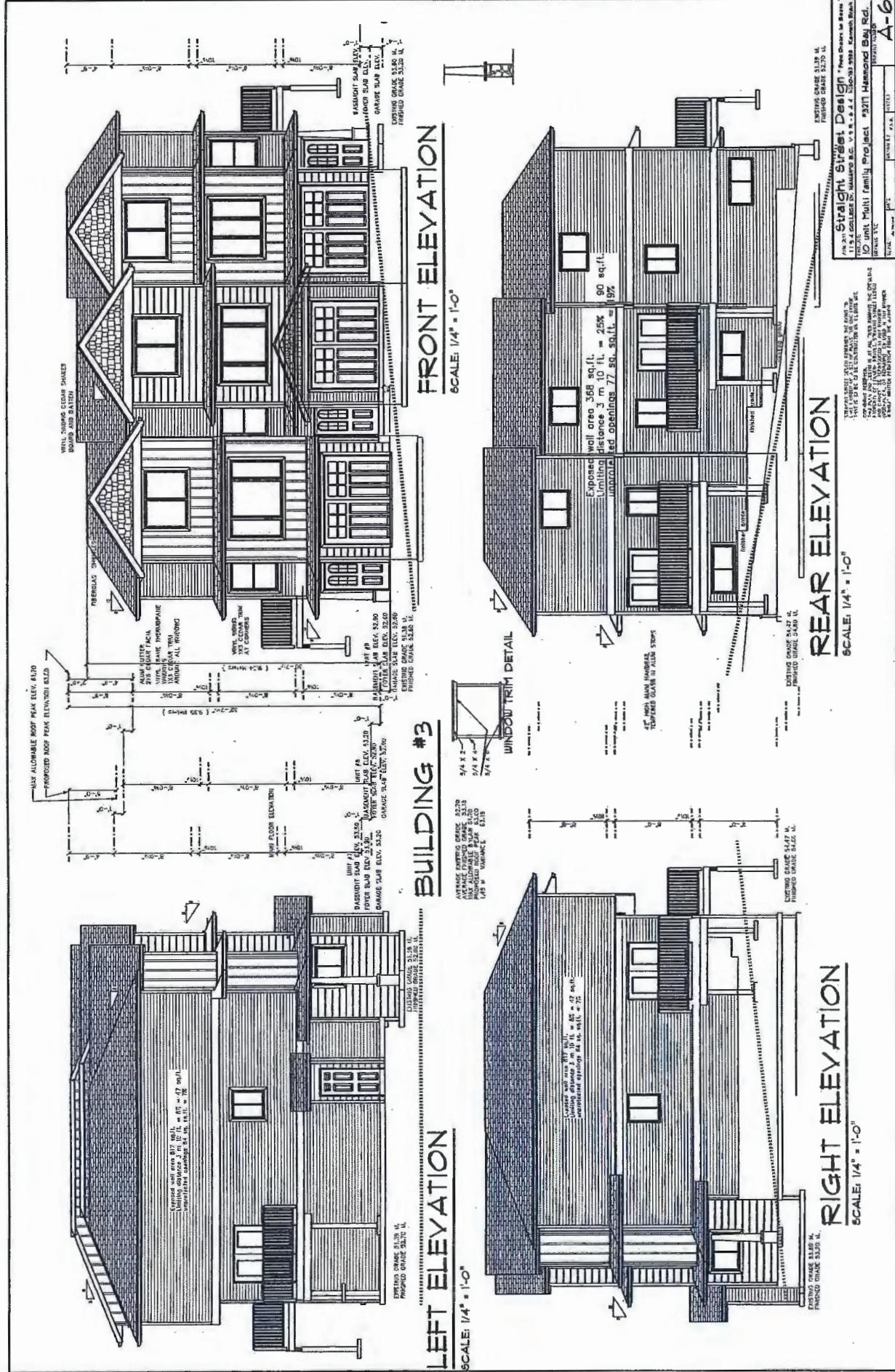




Development Permit No. DP000755  
3277 Hammond Bay Road

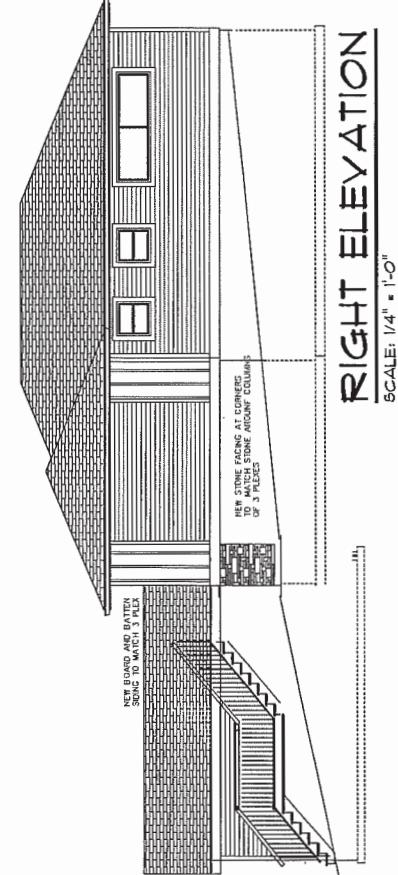
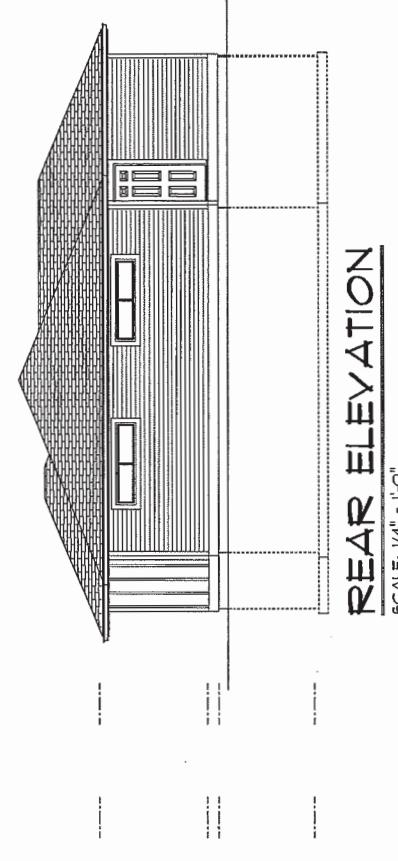
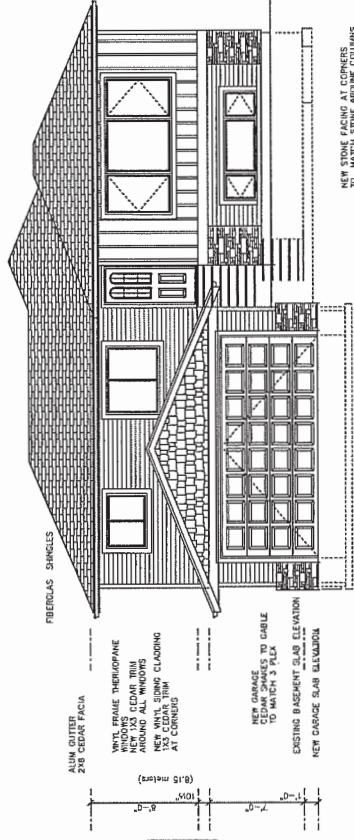
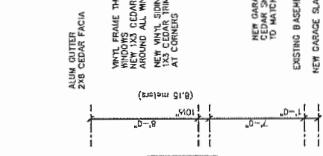
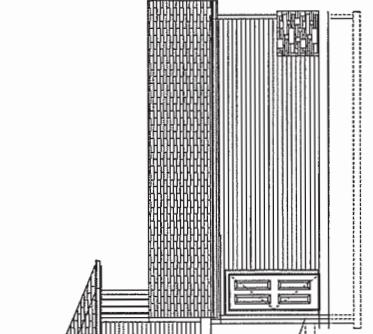
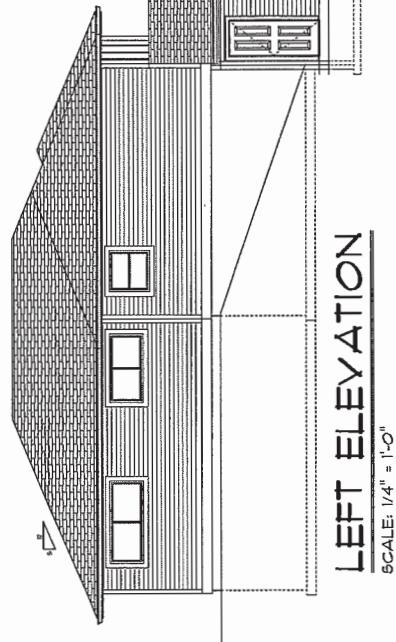
Schedule F

Building Cluster 3, Elevations



Development Permit No. DP000755  
3217 Hammond Bay Road

Schedule G  
Upgraded SFD. Elevations

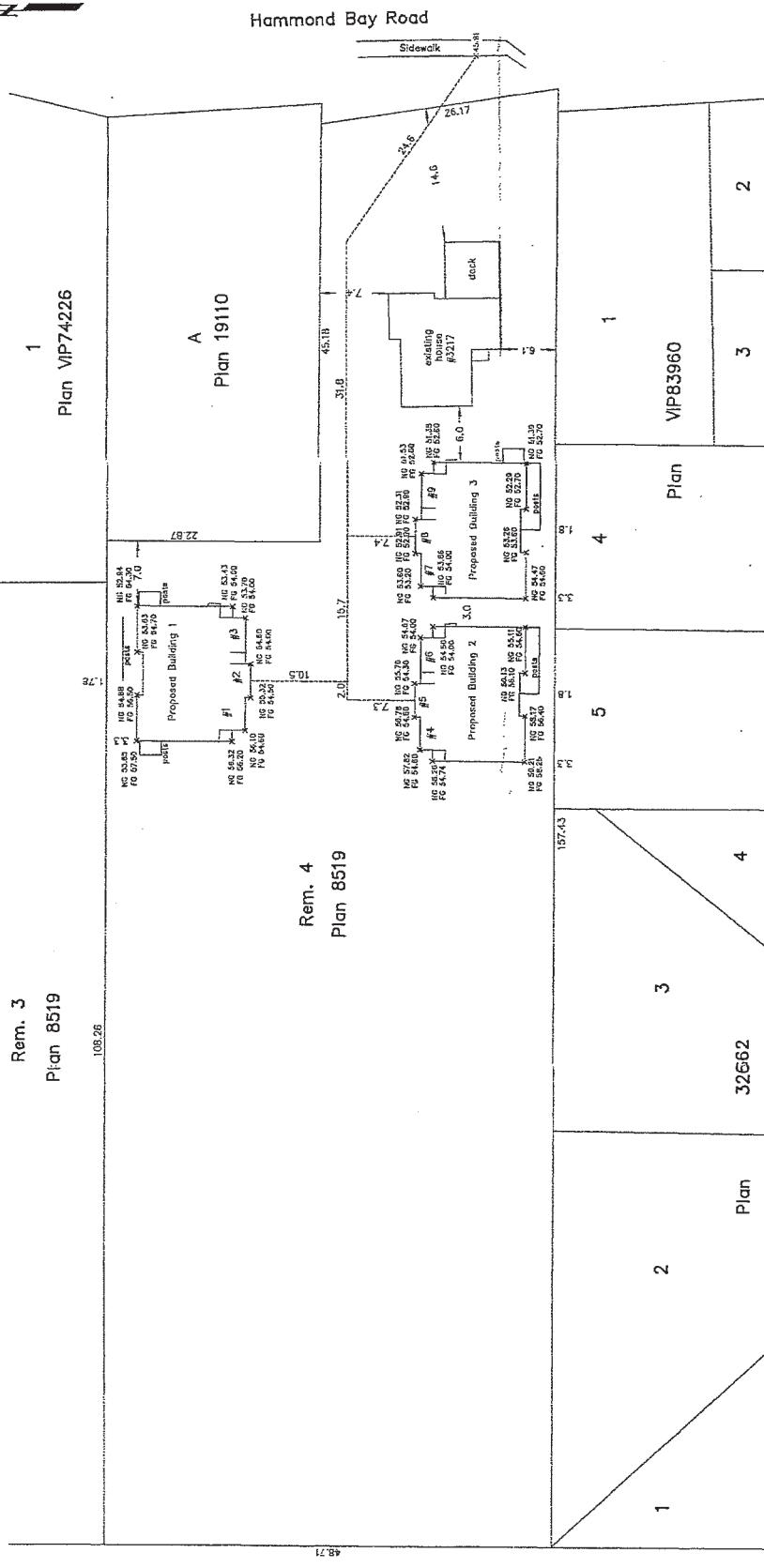


**Straight Street Design • Rose Dress to Seas**  
115 1/2 COLLEGE DR., WILMINGTON, NC. 28401-6410  
**Permit Application**  
Residential Construction to Residence at #3217 Hammond Bay Rd.  
TOWN OF WILMINGTON, NC  
TO WHOM IT MAY CONCERN:  
I, ROBERT L. DAVIS, being duly sworn, do hereby declare that the foregoing  
plan and description of my proposed building or work, which I have  
herein set forth, is true and correct to the best of my knowledge and belief.  
In witness whereof, I have hereunto set my hand and seal this  
day of January, 2000.

A-8

Development Permit No. DP000755  
3217 Hammond Bay Road

Schedule H  
NEW BUILDING CLUSTERS



**Building 1**

Average Natural Grade = 52.70  
Average finished grade = 53.18  
Allowable building height = 9.00  
Maximum roof peak deviation = 61.70  
Proposed roof peak elevation = 61.00  
Proposed Garage slab (unit 7) = 52.20  
Proposed Garage slab (unit 8) = 52.90  
Proposed Garage slab (unit 9) = 52.60  
Average maximum garage slab = 52.70 (from back of sidewalk)

**Building 2**

Average Natural Grade = 56.64  
Average finished grade = 55.16  
Allowable building height = 9.00  
Maximum roof peak deviation = 61.70  
Proposed roof peak elevation = 61.16  
Proposed Garage slab (unit 4) = 54.60  
Proposed Garage slab (unit 5) = 54.10  
Proposed Garage slab (unit 6) = 54.00  
Average minimum garage slab = 54.14 (from back of sidewalk)

**Building 3**

Average Natural Grade = 56.64  
Average finished grade = 55.16  
Allowable building height = 9.00  
Maximum roof peak deviation = 61.70  
Proposed roof peak elevation = 61.16  
Proposed Garage slab (unit 7) = 52.20  
Proposed Garage slab (unit 8) = 52.90  
Proposed Garage slab (unit 9) = 52.60  
Average maximum garage slab = 52.70 (from back of sidewalk)

Distances and deviations shown are in metres.  
Elevations shown are geodetic and are derived from control monument 6316047.

This document is ~~not~~ final ~~and~~ originally aligned and sealed.

Project:	Lot 4, Section 15-A, Wellington District, Plan 8519, Except that part in Plan 19110.	Certified correct this 16th day of November, 2013.	Date Nov. 8, 2013
Cont.	Site Address: 3217 Hammond Bay Road	Building Grades	
Date:	Site Plan	Sealed Date November 8th, 2013	Plan Date 12-1-13
Drawn:		Drawn R/T	

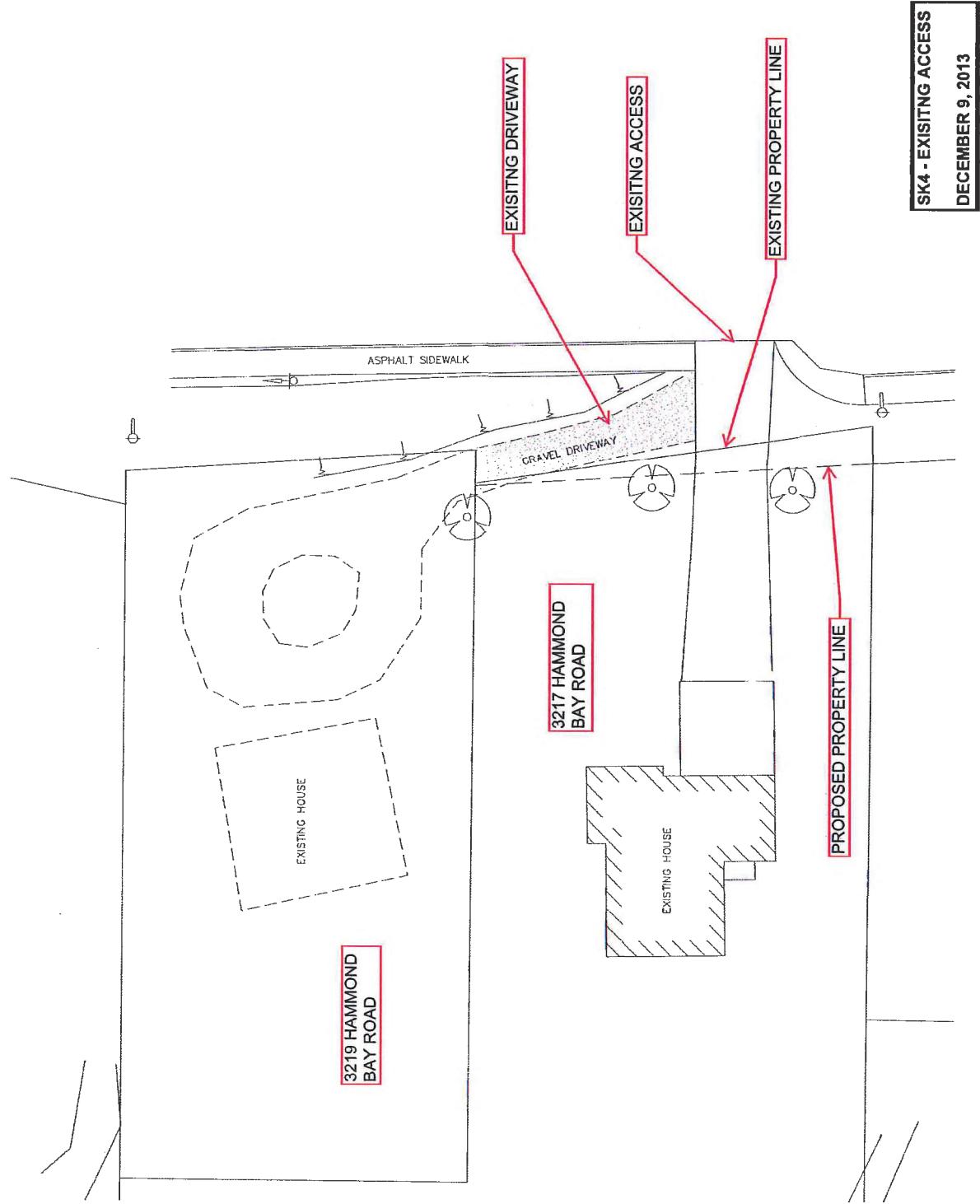
Turner & land surveying™

250-753-9778  
GDS Ontario Ltd  
GDS Ontario Ltd  
Handyman Surveyors

Development Permit No. DP000755  
3217 Hammond Bay Road

Schedule I

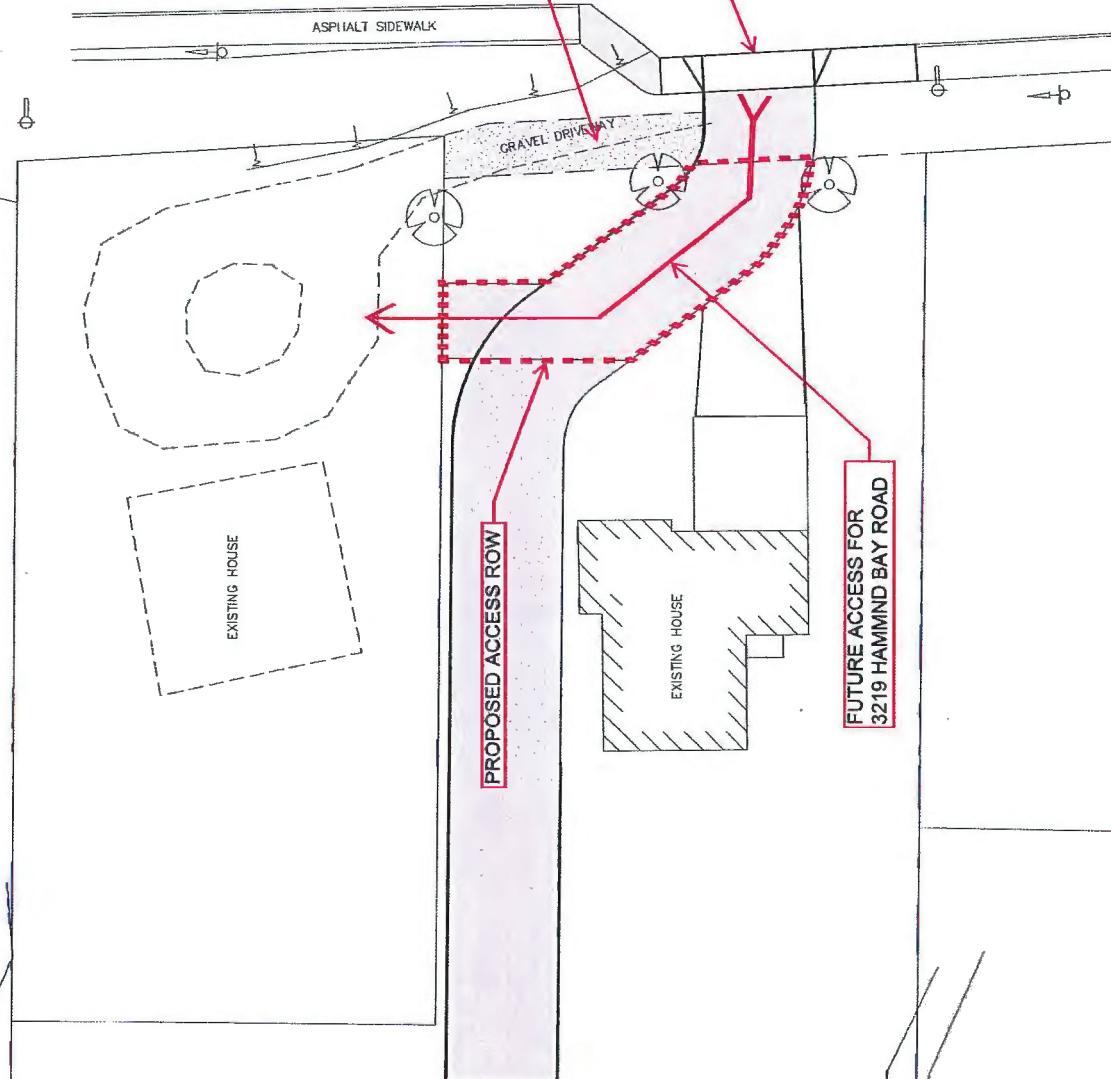
Existing Access Condition  
to 3219 Hammond Bay Road



SK4 - EXISITNG ACCES  
DECEMBER 9, 2013

Development Permit No. DP000755  
3217 Hammond Bay Road

**Schedule J**  
**Proposed Access to**  
**3219 Hammond Bay Road &**  
**Interim Works and Services**



SK5 - PROPOSED ACCESS  
DECEMBER 9, 2013