

DATE OF MEETING | August 13, 2018 |

AUTHORED BY | TAMERA ROGERS, PLANNER, CURRENT PLANNING AND  
SUBDIVISION |

SUBJECT | **DEVELOPMENT PERMIT APPLICATION NO. DP1032 –  
119 HALIBURTON STREET** |

## **OVERVIEW**

### **Purpose of Report**

To present for Council's consideration, a development permit application for a five-storey, 36-unit condominium development with underground parking. |

### **Recommendation**

That Council issue Development Permit No. DP1032 at 119 Haliburton Street with the following variances:

- increase the maximum building height from 14m to 16.1m;
- reduce the minimum required front yard setback for an underground parking structure from 1.8m to 0.97m;
- reduce the minimum landscape buffer width (north side yard) from 1.8m to 0m; and
- reduce the minimum landscape buffer width (rear yard) from 1.8m to 1.2m. |

## **BACKGROUND**

A development permit application, DP1032, was received from Parkshore Management Ltd. (Mike Parker) for a five-storey, 36-unit multiple-family development.

A similar development concept was previously approved by Council in 2015 (DP917). The subject property recently changed ownership and the new owners have made some alterations to the proposed design, though the building form, site plan, and landscape design remain similar to what was previously approved.

### **Subject Property:**

<i>Zoning</i>	R8 – Medium Density Residential
<i>Location</i>	The subject property is located on the east side of Haliburton Street midblock between Finlayson Street to the north and Milton Street to the south.
<i>Total Area</i>	1,617m <sup>2</sup>
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use Plan – Neighbourhood; Map 3 – Development Permit Area No. 9 - Commercial, Industrial, Institutional, Multiple Family and Mixed Commercial/Residential development.
<i>Relevant Design Guidelines</i>	General Development Permit Area Design Guidelines

The vacant subject property is located across from the Balmoral Hotel. The north, south, and east property lines abut lots with single residential dwellings. The surrounding neighbourhood consists primarily of older, smaller homes and several properties that are vacant and have the potential for redevelopment. The majority of properties along the east and west sides of Haliburton Street are zoned Medium Density Residential (R8); the properties to the east along Irwin Street are zoned Single Dwelling Residential (R1).

## **DISCUSSION**

### **Proposed Development**

The proposed five-storey multi-family development includes 36 multi-family units consisting of:

- 8 one-bedroom units
- 10 one-bedroom plus den units
- 18 two-bedroom units

The proposed development has a roof top patio accessible to all units, and underground parking is provided. The permitted Floor Area Ratio (FAR) is 1.85 and the applicant is proposing a FAR of 1.79.

### *Site Design*

The site plan focuses on developing a strong urban residential street presence along Haliburton Street. The at-grade multi-family units fronting Haliburton Street have front doors, individual outdoor spaces, and individual walkways to the street. The rear ground floor units also have individual patios.

While the underground parking footprint covers the majority of the site, only 30% of the structure is partially above grade. All required onsite parking is provided in the underground parking area to maximize the residential use at grade. Garbage and recycling are provided at the bottom of the ramp to the underground parking and will be screened.

### *Building Design*

The proposed five-storey building reflects modern architecture, which is supported by the Urban Design Guidelines in the South End Neighbourhood Plan. The exterior finishes are of a high standard: architectural pre-cast concrete for the 1<sup>st</sup> floor; brick and metal panels for the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors; and metal cladding and large horizontal glazing for units on the 5<sup>th</sup> floor. Unlike the previous version of the building, this updated version has more unit balcony space to take advantage of the views, as well as a rooftop patio available to all tenants with a frameless glass panel guard set further back on the roof to minimize its presence on all sides.

### *Landscape Plan*

The front yard is defined by a low, decorative fence delineating individual front yard space. While the units are small, each has its own private patio or balcony. The building entrance is defined by a circular bench feature and landscaping. The plant palette includes native and non-native species, with a more formal planting style. The rear underground parking roof has a green roof,

and the east elevation wall is screened from the neighbouring properties by a landscaped buffer on the subject property consisting of mountain ash and Virginia creeper trailing vines. Features that have been added to the landscape plan since the previously-approved version include a living wall on the north and south elevations and a rooftop patio available to all tenants, with a green roof, herb garden, and seating area.

The proposed development meets the intent of the General Development Permit Area Design Guidelines.

#### *Schedule D – Amenity Requirements for Additional Density*

To obtain the necessary Floor Area Ratio for the proposed building, the development will achieve Tier 1 and 2 of Schedule D – Amenity Requirements for Additional Density. Examples of the amenities to be provided include:

- Sustainable development features such as:
  - green roof;
  - at least 50% of the site consisting of permeable surfaces;
  - building energy standards exceeding ASHRAE 90.1 2010 Energy Standard by 5% or more;
  - at least 50% of all wood products used in construction are certified Forest Stewardship Council Canada;
  - plumbing features that use 35% less water than the BC Building Code requirement; and
  - 20% increase in number of trees on site, post-development.
- Onsite amenities, such as a living wall, underground parking, and electric vehicle and electric scooter/bicycle charging stations.
- At least 10% of the residential dwelling units will meet all BC Building Code accessibility requirements.

#### **Design Advisory Panel Recommendations**

The Design Advisory Panel (DAP), at its meeting held on 2018-MAY-24, accepted DP1032 as presented and provided the following recommendations:

- Look at methods to mitigate vehicle noise from ramp to underground parking.
- Consider adding electric vehicle charging stalls.
- Look at methods to screen garbage enclosure.
- Look at methods to emphasize entrance walkway.
- Look at methods to better screen east-facing concrete wall.

In response to these recommendations, the applicant has made the following changes:

- Included a 1.5m-high concrete wall along the north elevation, capped with an irrigated planter containing trailing vines as a measure to mitigate traffic noise to the underground parking for the neighbour to the north;
- Added an electric vehicle charging station;
- Provided screening for the garbage enclosure;

- Emphasized the front entrance with brick bollards, lighting and an extended front canopy; and
- Introduced a 2.5m-high planter on the east property line to be planted with a hedge and trailing evergreen ground cover to help screen the parkade wall from view.

## **Community Consultation**

The proposed development was referred to the South End Community Association (SECA), who expressed some concerns about the proposed building design, potential noise on adjacent properties from the underground parking, increased traffic, and parking supply; however, SECA also acknowledged the need for increased residential density and quality housing in their neighbourhood.

See Attachments for more information.

## **Proposed Variances**

### *Maximum Allowable Building Height*

The maximum building height is 14m. The proposed building height is 16.1m, a proposed variance of 2.1m.

The South End Neighbourhood Plan anticipates a four-storey building form in the Neighbourhood designation; however, the proposed five-storey building is designed to minimize the visual impact of the 5<sup>th</sup> floor through the following design strategies:

- A continuous 4<sup>th</sup> floor overhang that makes the 5<sup>th</sup> floor visually recede from the building elevation;
- A recessed overhang on the 5<sup>th</sup> floor;
- Use of lighter materials and additional glazing to make the 5<sup>th</sup> floor appear more transparent; and
- Detailed private yard spaces on the ground plane to anchor the building at the pedestrian scale.

Part of the height variance request is due to the required guard around the rooftop deck which is included in the calculation of height. The guard will be made of glass and will be recessed back on the roof to minimize its visibility from the street.

The last four approved development permits for this property (since 2008) have shown a similar five-storey building form that required height variances. Staff support the proposed height variance.

### *Minimum Front Yard Setback for Underground Parking Structure*

The minimum required front yard setback for an underground parking structure is 1.8m. The proposed front yard setback is 0.97m, a proposed variance of 0.83m.

The underground parking structure will not be visible from the street. Maximizing the area of the underground parking structure gives priority to pedestrians and outdoor living space at grade. Staff support the proposed variance.



*Minimum Landscape Buffer Width (North Side Yard and Rear Yard)*

The minimum landscape buffer width is 1.8m. The proposed buffer width on the north side yard is 0m, a proposed variance of 1.8m. The proposed buffer width on the rear (east) property line is 1.2m, a proposed variance of 0.6m.

The proposed variance to the north side yard landscape buffer is to accommodate the drive aisle into the parkade. The wall will be planted with vines to screen it from the neighbour to the north.

Hedge plantings and trailing evergreen groundcover will form an adequate landscape buffer width to screen the parkade wall from the neighbours to the east. Staff support the proposed variances.

**SUMMARY POINTS**

- Development Permit No. DP1032 proposes a five-storey, 36-unit multiple-family development. A similar development concept at 119 Haliburton Street was previously approved by Council (DP917).
- The proposed development meets the intent of the General Development Permit Area Design Guidelines.
- The proposed development will achieve the required floor area ratio by meeting the Tier 1 and Tier 2 requirements of Schedule D – Amenity Requirements for Additional Density.
- Staff support the proposed variances.

**ATTACHMENTS**

ATTACHMENT A: Permit Terms and Conditions  
ATTACHMENT B: Location Plan  
ATTACHMENT C: Site Plan  
ATTACHMENT D: Parking Plan  
ATTACHMENT E: Building Elevations  
ATTACHMENT F: Building Renderings  
ATTACHMENT G: Landscape Plan and Details  
ATTACHMENT H: Referral Response – Neighbourhood Association  
ATTACHMENT I: Aerial Photo

**Submitted by:**

L. Rowett  
Manager, Current Planning & Subdivision

**Concurrence by:**

D. Lindsay  
Director, Community Development

# **ATTACHMENT A**

## **PERMIT TERMS AND CONDITIONS**

### **TERMS OF PERMIT**

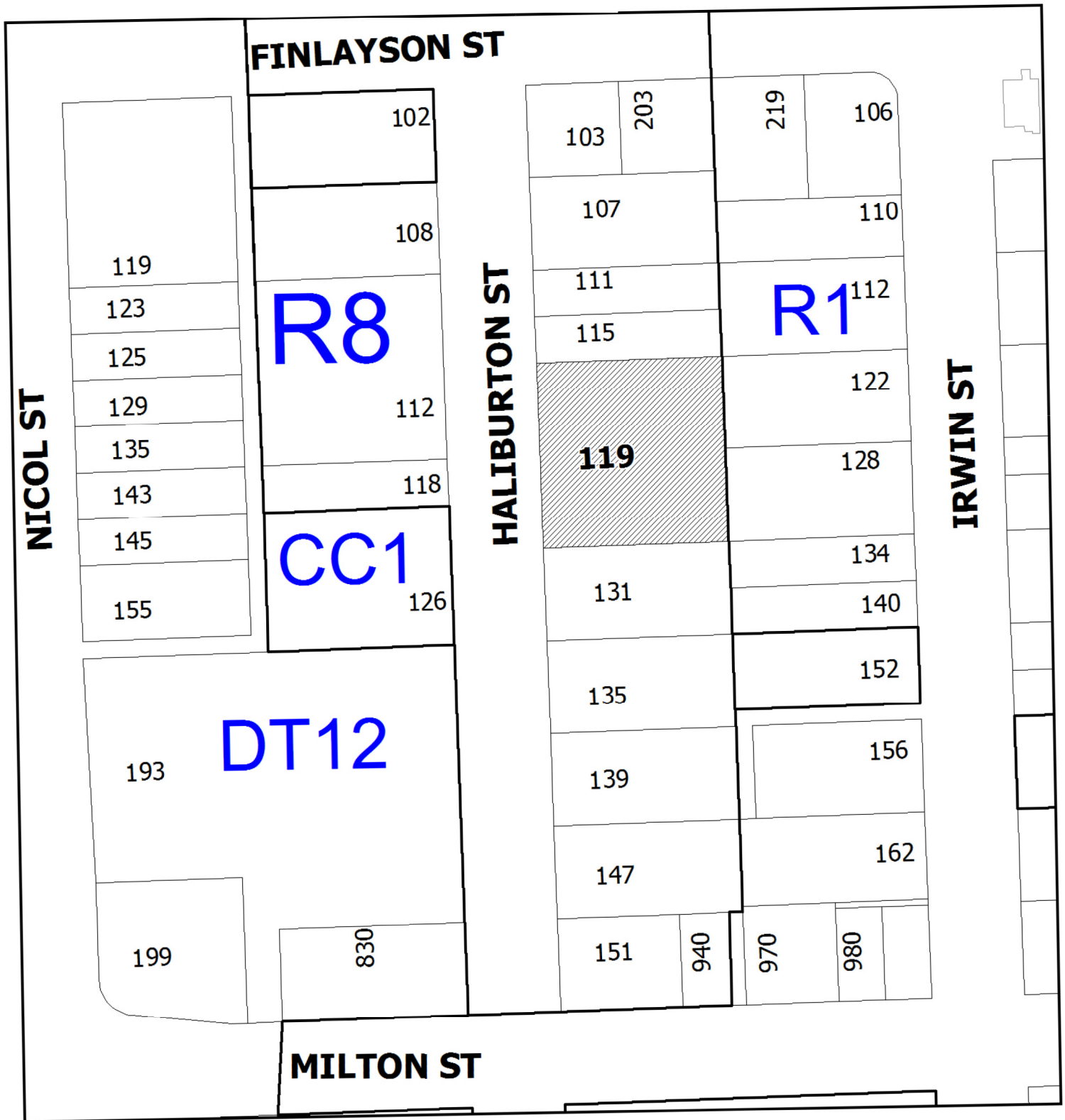
The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is varied as follows:

1. *Section 7.6.1 Size of Buildings* – to increase the maximum building height from 14m to 16.1m.
2. *Section 6.5.1 Projections into Yards* – to reduce the minimum required front yard setback for an underground parking structure from 1.8m to 0.97m.
5. *Section 17.2.1* – to reduce the minimum landscape buffer width from 1.8m to 0m (north side yard) and from 1.8m to 1.2m (rear yard).

### **CONDITIONS OF PERMIT**

1. The subject property shall be developed in accordance with the Site Plan prepared by KC Mooney Architect, dated 2018-JUL-17 as shown on Attachment C.
2. The subject property shall be developed in accordance with the Parking Plan prepared by KC Mooney Architect, dated 2018-JUL-17 as shown on Attachment D.
3. The development is developed in substantial compliance with the Building Elevations prepared by KC Mooney Architect, dated 2018-JUL-16 as shown on Attachment E.
4. The subject property is developed in substantial compliance with the Landscape Plan and Details prepared by Topographics Landscape Architecture dated 2018-APR-14 and 2018-JUN-12 as shown on Attachment G.
5. The subject property is to be developed in accordance with Schedule D – Amenity Requirements for Additional Density prepared by the applicant and dated 2018-JUL-19. A letter from the coordinating professional (architect) is required prior to the issuance of the building permit, confirming how the required points will be obtained. A letter and accompanying evidence must also be received from the coordinating professional prior to the issuance of building occupancy proving that all required points have been achieved.

ATTACHMENT B  
LOCATION PLAN



DEVELOPMENT PERMIT NO. DP001032



**LOCATION PLAN**

Civic: 119 Haliburton Street  
Lot A, Section 1, Nanaimo District,  
Plan VIP79946



**Subject  
Property**

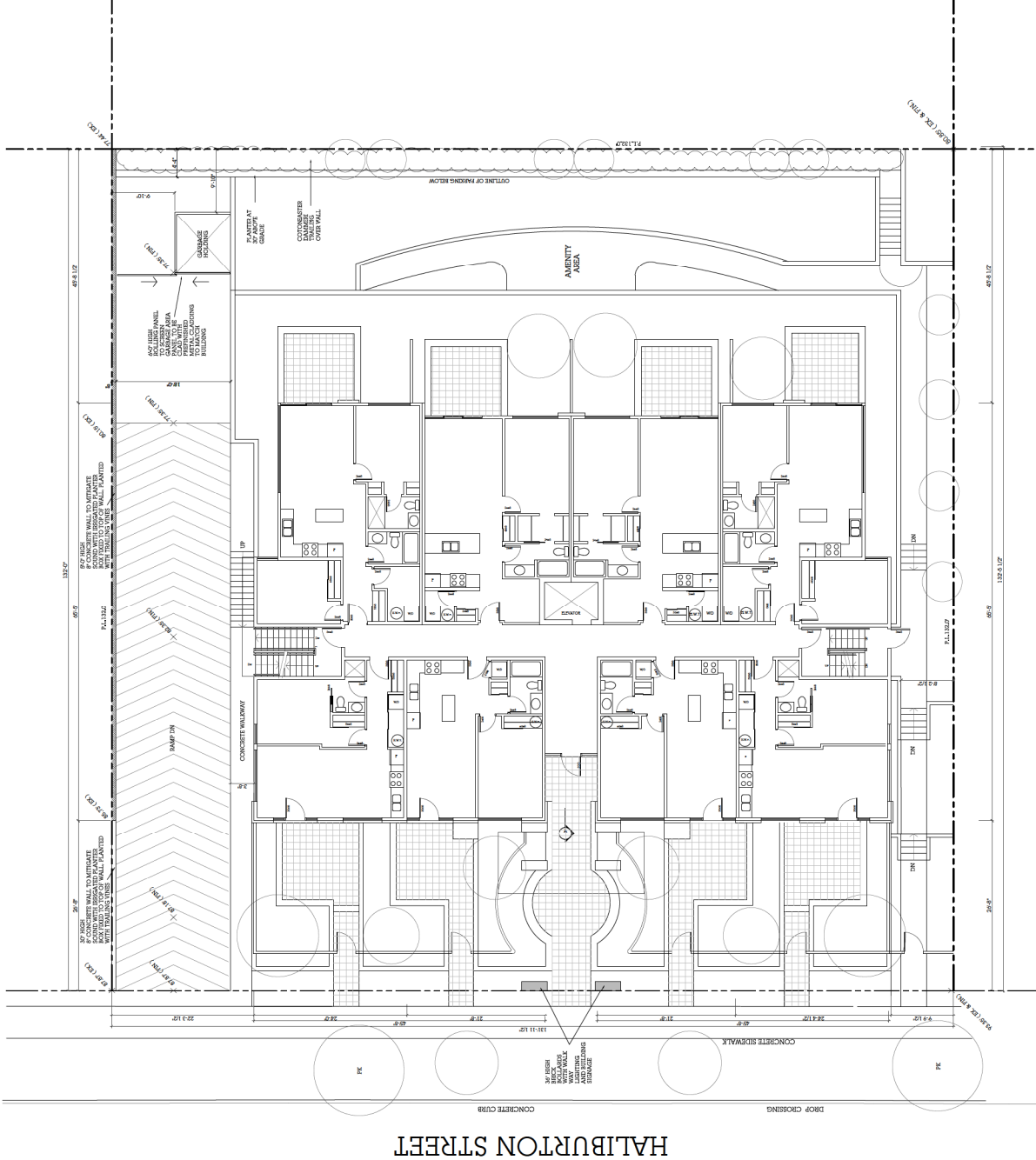
ATTACHMENT C  
SITE PLAN



LEGAL DESCRIPTION :	
PLAN 884, BLOCK 7, LOTS 6+7	
SEC 1 N1/2 PORTION N 1/2 LOT 6	
CIVIC ADDRESS:	
119 HALIBURTON STREET	
ZONING :	
USE :	
R8	
R8	
SITE AREA:	
132' x 132'	
= 17424 S.F.	
SITE COVERAGE ALLOWED:	
6909.6 S.F. / 17424 S.F. = 40%	
SITE COVERAGE PROVIDED:	
9744 S.F. / 17424 S.F. = 55.9%	
ALLOWABLE F.S.R. :	
1.85	
PROPOSED F.S.R. :	
1.79	
ALLOWABLE FLOOR AREA :	
17424 S.F. x 1.85	
= 32234 S.F.	
PROPOSED FLOOR AREA :	
FIRST FLOOR 6194.0 S.F.	
SECOND FLOOR 6274.0 S.F.	
THIRD FLOOR 6274.0 S.F.	
FOURTH FLOOR 6274.0 S.F.	
FIFTH FLOOR 6256.0 S.F.	
TOTAL 31251.0 S.F.	
PROPOSED RECREATION AREA :	
ROOF TOP PATIO - 4544 S.F.	
PARKING SPACES REQUIRED :	
35 SPACES	
PARKING SPACES PROVIDED :	
36 SPACES	
AVERAGE NATURAL GRADE :	
EL. 84.07	
ALLOWABLE HEIGHT	
14.0 M	
PROPOSED HEIGHT	
16.0 M	
Copyright © KC Mooney Architects	
119 HALIBURTON	
KC MOONEY	
ARCHITECT	
330 - 1026 DAVIE	
VANCOUVER BC	
V6E 1M3	
604 736 2927	

DRAWN  
DATE: July 17, 2018  
SCALE: 1/8" = 1'-0"

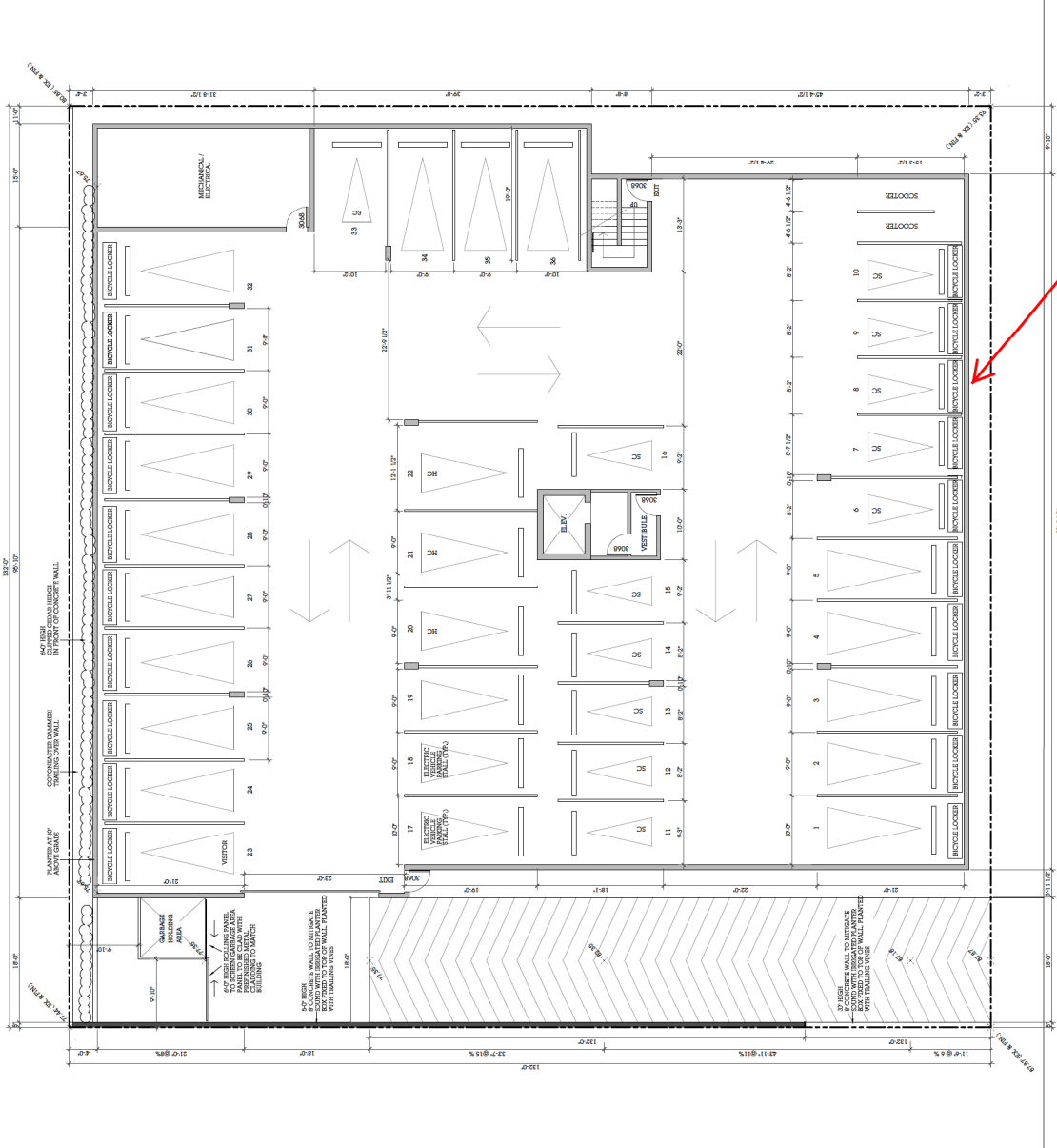
A100



SITE PLAN



ATTACHMENT D  
PARKING PLAN



RECEIVED  
DP 1032  
2018-JUL-17

PARKING PLAN

A101

HALIBURTON ST.

Proposed Variance to Reduce Front  
Yard Setback to Underground Parkade

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VANCOUVER BC  
V6E 1M3  
604 736 2927

DRAWN	DATE	JUL 17, 2018
SCALE	1/8" = 1'-0"	





## EAST ELEVATION

RECEIVED  
DP1032  
2018-JUL-17

A201

DRAWN			
DATE: JULY 16, 2018			
SCALE: 1/4" = 1'-0"			

KC MOONEY  
ARCHITECT  
330 - 1026 DAVIE  
VANCOUVER BC  
V6E 1M3  
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119 HALIBURTON



NORTH ELEVATION

RECEIVED  
2016-JUL-17

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119 HALIBURTON

KC MOONEY  
ARCHITECT  
330 - 1026 DAVIE  
VANCOUVER BC  
V6E 1M3  
604 736 2927

DRAWN  
DATE JUL 16, 2018  
SCALE: 1/4" = 1'-0"

A202





ATTACHMENT F  
BUILDING RENDERINGS

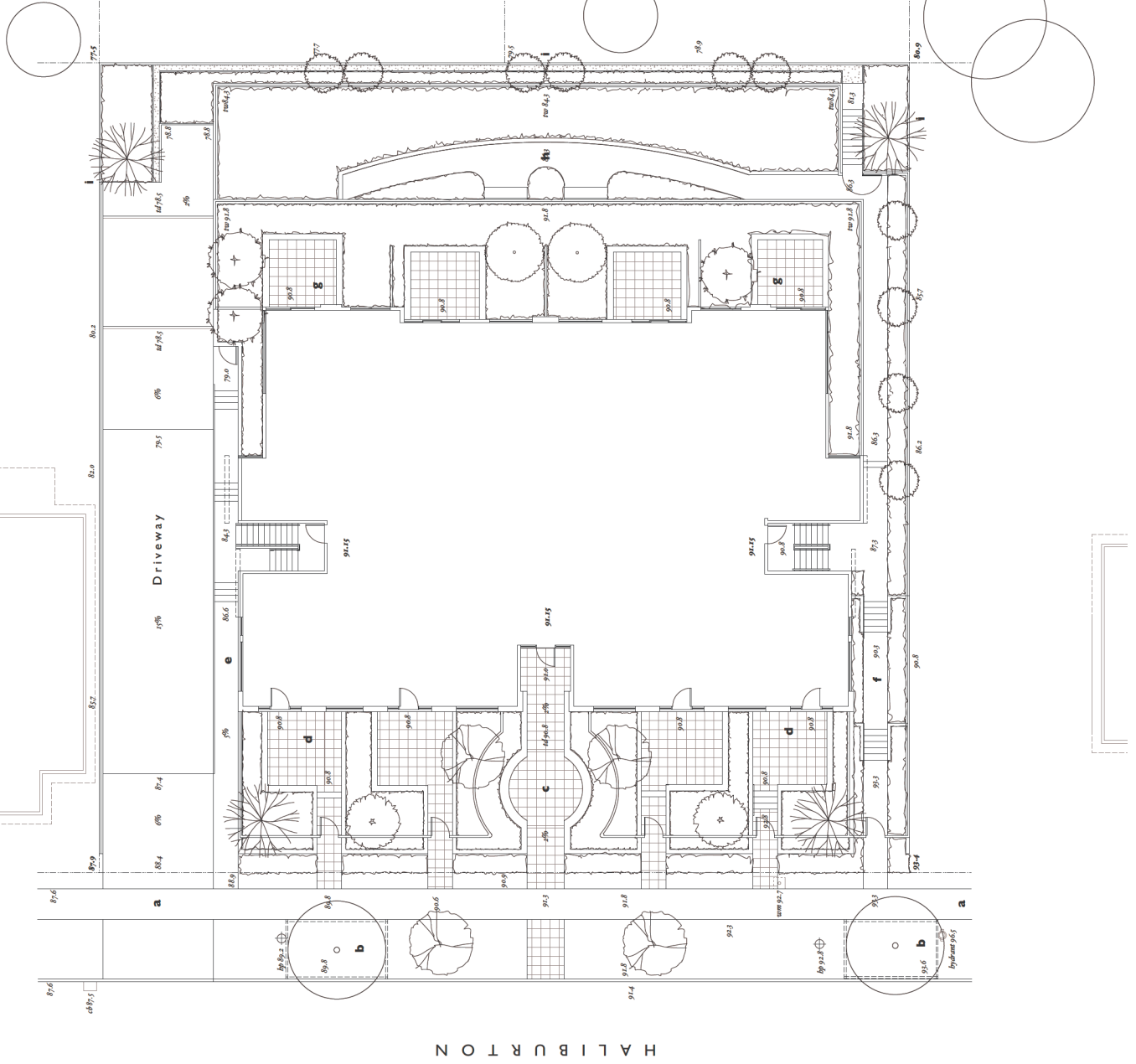




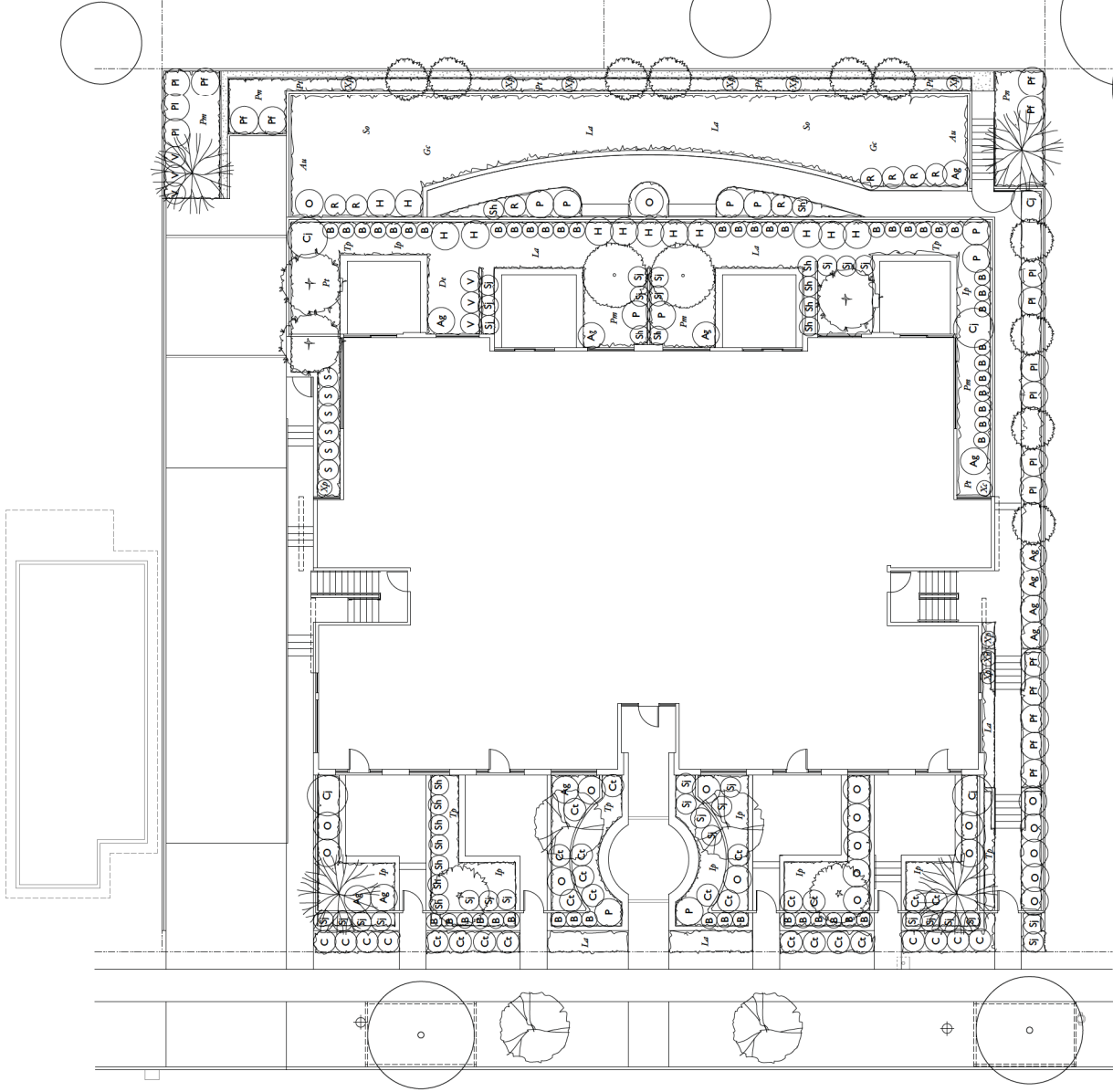




# ATTACHMENT G LANDSCAPE PLAN AND DETAILS







PLANT LIST

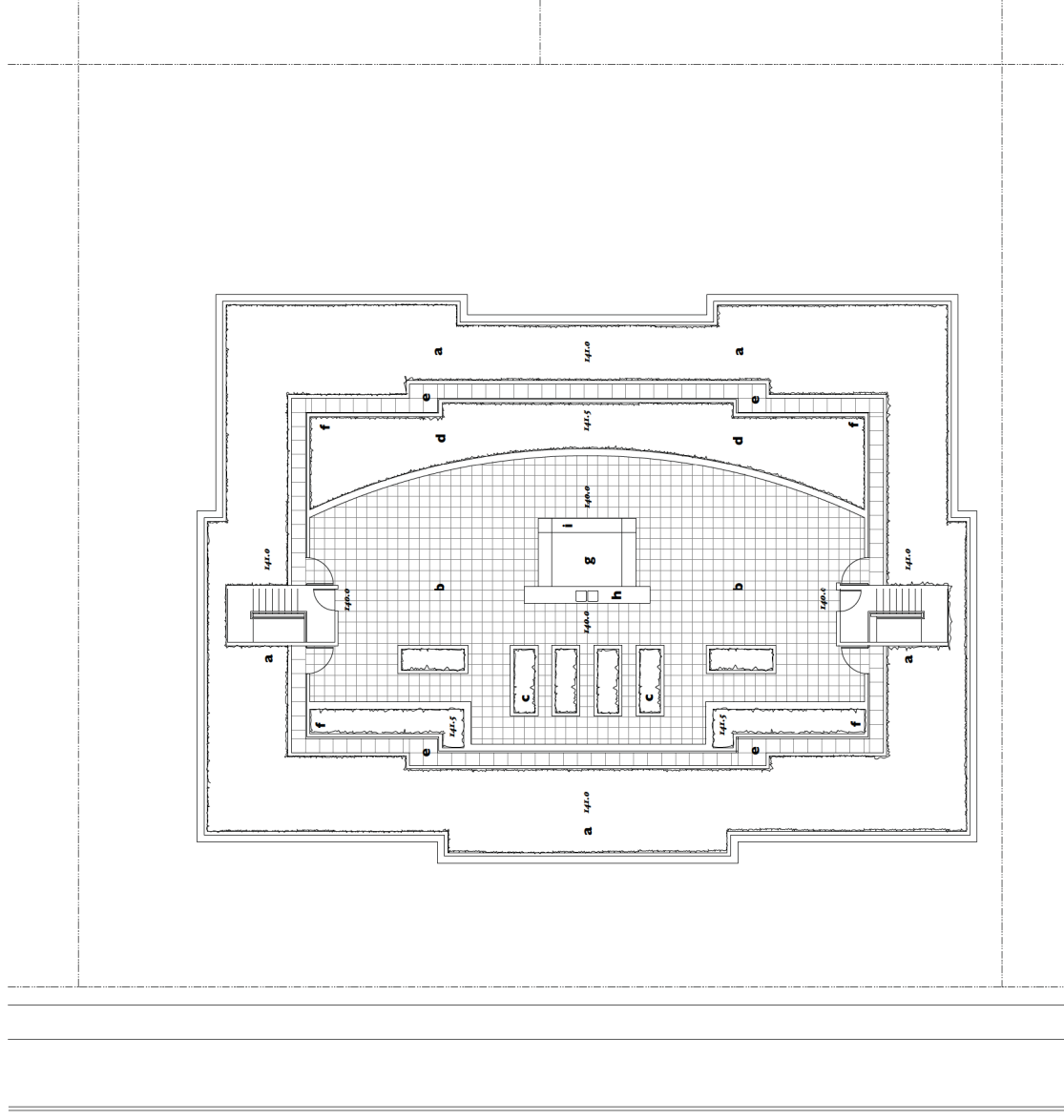
Symbol	Qty	Botanical Name	Common Name	Size
<b>TREES</b>				
	3	<i>Yucca glauca</i>	Yucca	3" cal
	4	<i>Acer rubrum</i>	Red Maple	3" cal
	2	<i>Magnolia</i>	Magnolia	2" cal
	2	<i>Magnolia</i>	Magnolia	2" cal
	4	<i>Prunus</i>	Flowering Cherry	3" cal
	10	<i>Sorbus</i>	Mountain Ash	2" cal
<b>SHRUBS</b>				
	12	<i>Abies</i>	Abies	#2
	12	<i>Buxus</i>	Buxus	#5
	5	<i>Camellia</i>	Camellia	#5
	8	<i>Camellia</i>	Camellia	#5
	22	<i>Chrysanthemum</i>	Mexican Mockorange	#5
	12	<i>Hydrangea</i>	Hydrangea	#5
	20	<i>Osmanthus</i>	Osmanthus	#5
	10	<i>Philadelphus</i>	Mockorange	#2
	10	<i>Photinia</i>	Photinia	#2
	9	<i>Prunella</i>	Portugal Laurel	#2
	6	<i>Ribes</i>	Red Flowering Currant	#2
	15	<i>Sarcococca</i>	Sarcococca	#2
	6	<i>Shibumi</i>	Shibumi	#2
	29	<i>Spiraea</i>	Spiraea	#2
	6	<i>Viburnum</i>	Viburnum	#2
<b>GROUNDCOVERS</b>				
	60	<i>Arctostaphylos</i>	Kinnikinnick	4"
	120	<i>Leucostaphylos</i>	English Lavender	#1
	120	<i>Leucostaphylos</i>	English Lavender	4"
<b>PERENNIALS</b>				
	60	<i>Camellia</i>	Camellia	4"
	120	<i>Camellia</i>	Camellia	4"
	120	<i>Camellia</i>	Camellia	4"
	120	<i>Camellia</i>	Camellia	4"
<b>FERNS</b>				
	12	<i>Dryopteris</i>	Antennary Fern	#1
	60	<i>Polystichum</i>	Antennary Fern	#1
<b>VINES</b>				
	1	<i>Clematis</i>	Evergreen Clematis	#5
	1	<i>Clematis</i>	Evergreen Clematis	#5
	1	<i>Clematis</i>	Evergreen Clematis	#5

April 14, 2018 revision  
119 HALBURTON  
Nanaimo, British Columbia  
Level One  
Planting Plan  
Scale 1/8" = 1'-0"

TOPOGRAPHICS  
landscape architecture  
2 3 4 5 6 7 8 9 10 11 12

LA 2

RECEIVED  
DP1032  
2018-MAY-15  
Current Planning & Subdivision



## Key

- |          |  |
|----------|--|
| <b>a</b> | <b>Green Roof</b><br><i>8" soil depth</i>                  |
| <b>b</b> | <b>Garden Terrace</b><br><i>permeable concrete pavers</i>  |
| <b>c</b> | <b>Community Garden</b><br><i>18" soil depth</i>           |
| <b>d</b> | <b>View Meadow</b><br><i>18" soil depth</i>                |
| <b>e</b> | <b>Gardener's Walk</b><br><i>permeable concrete pavers</i> |
| <b>f</b> | <b>Guardrail</b>   |
| <b>g</b> | <b>Elevator</b>  |
| <b>h</b> | <b>Counter</b>   |
| <b>i</b> | <b>Bench</b>   |



April 14, 2018 revision  
April 10, 2018 conceptb  
March 6, 2018 concepta

**119 HALIBURTON**  
*Nanaimo, British Columbia*

# Roof Garden

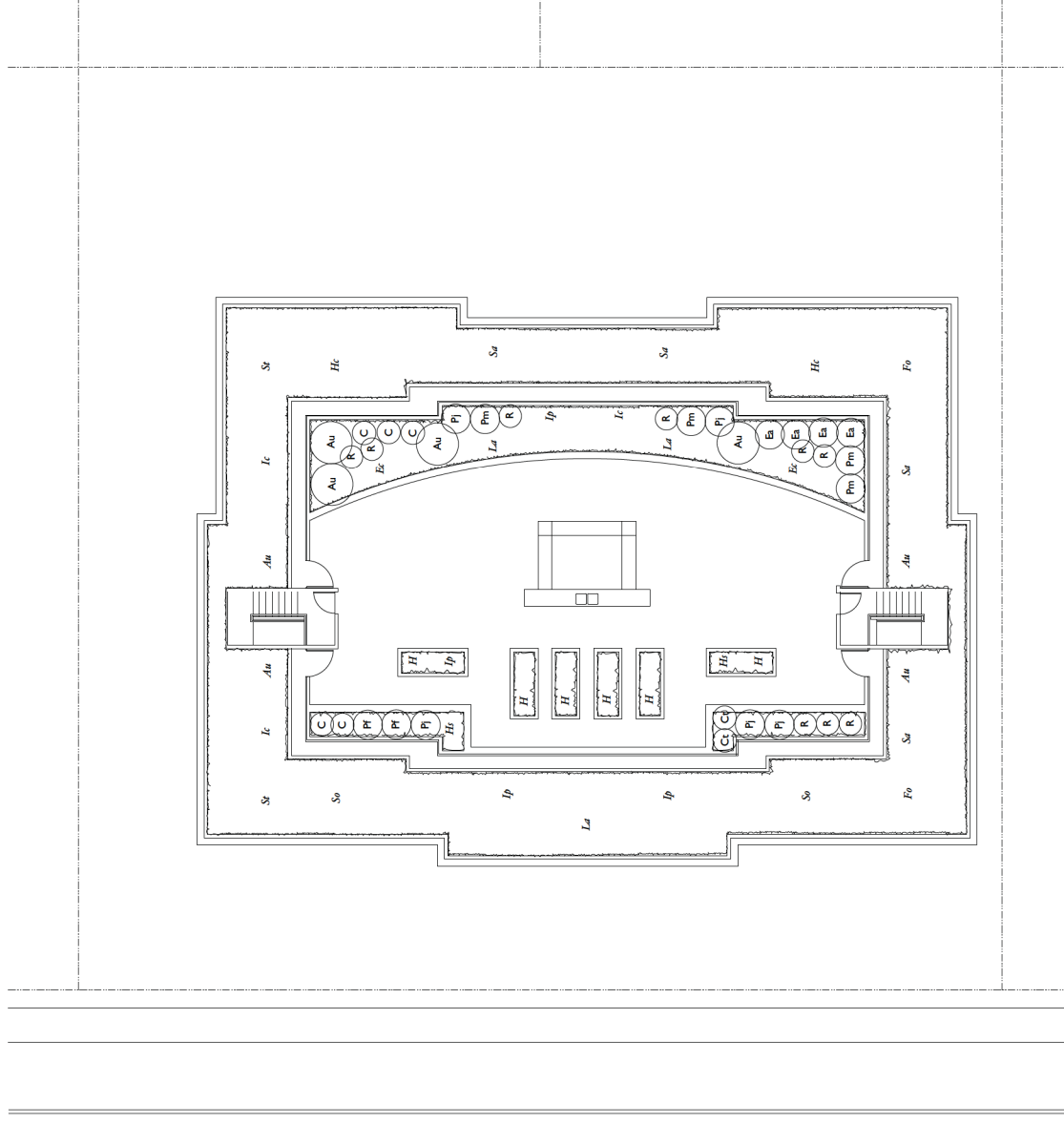
## Grading Plan

Scale 1/8" = 1'-0"

**TOPOGRAPHICS**  
landscape architecture  
250 247 9720

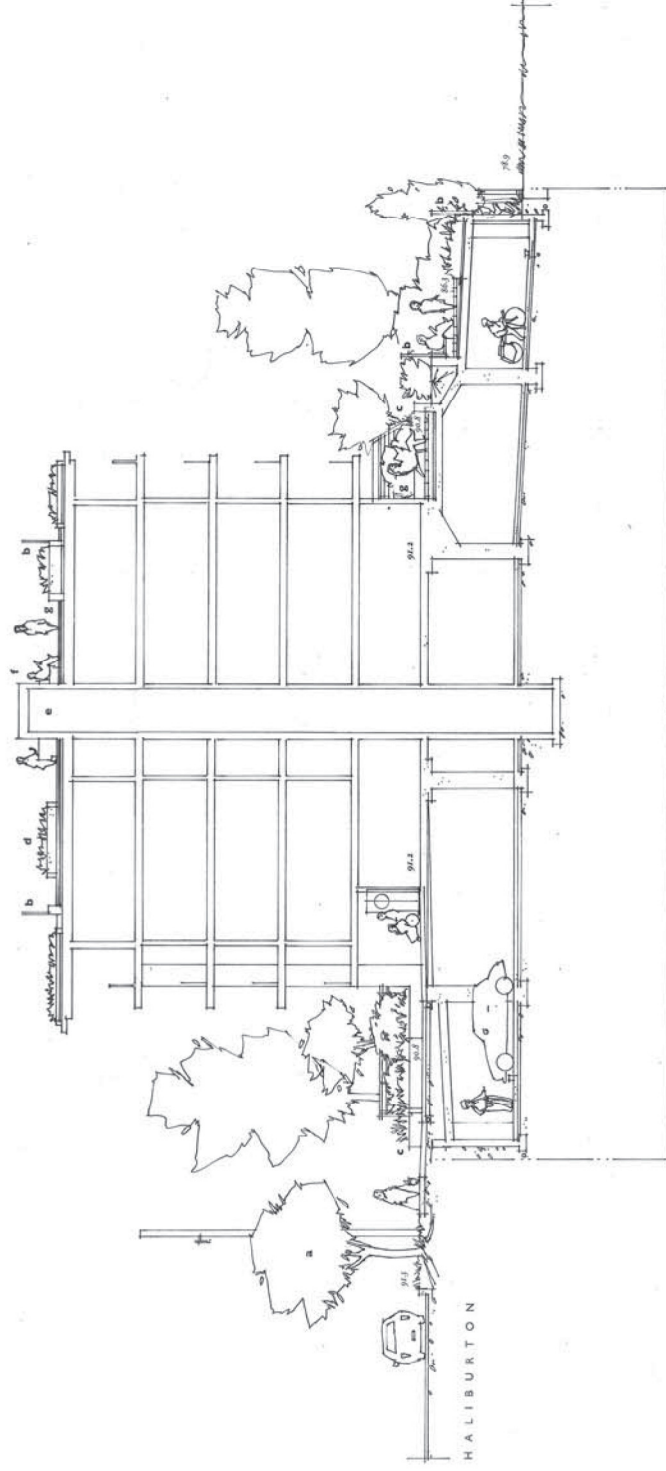
LA 3

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DP1032  
2018-MAY-15  
Current Planning & Subdivision



Symbol	Qry	Botanical Name	Common Name	Size
		<b>SHRUBS</b>		
Au	4	<i>Arbutus unedo</i> Compagata	Strawberry Bush	#5
C	5	<i>Ceanothus Blue Mound</i>	California Lilac	#2
Ct	2	<i>Chicaya ternata</i>	Mexican Mockorange	#2
Et	4	<i>Eucomyrus alatus</i> Compagata	Bourningbush	#5
Pl	5	<i>Pieris japonica</i> Forest Flame	Pieris	#5
Pm	4	<i>Pinus mugo</i> Pumilio	Mugo Pine	#5
Pl	2	<i>Picea milleriana</i> Tangarone	Chapmelf	#2
R	8	<i>Rosa mildand</i> La Sicilliana	Rose	#2
		<b>GROUNDCOVERS</b>		
At	2-40	<i>Asplenium filix-terra-vera</i> Varri	Klamathweed	#2
He	60	<i>Hebe</i> Compagata	Hebe	#2
La	60	<i>Linum catharticum</i> White	Linum	#2
La	2-40	<i>Linum catharticum</i> Montanum	Linum	#2
		<b>PERENNIALS</b>		
Hi	2-40	<i>Hemerocallis</i> Stella d'Oro	Daylily	#2
Hi	120	<i>Hebe</i> Pumilio	Dwarf Hebe	#2
So	120	<i>Sedum</i> Compactum	Sedum	#2
So	120	<i>Sedum</i> Compactum	Sedum	#2
		<b>GRASSES</b>		
Fy	120	<i>Festuca</i> Pumilio	Blue Fescue	#2
Je	180	<i>Juniperus</i> Sphaerocarpa	Japanese Bluegum	#2
Sp	120	<i>Stipa</i> Pumilio	Feather Grass	#2
		<b>HERBS</b>		
H	60	<i>Hebe</i> Pumilio	Hebe	#2

All Plants to meet BSCA / BICENTA Standards  
 Deep irrigation to be provided for all planting areas



Key

- a Existing Tree
- b Guardrail
- c Planter Wall
- d Community Garden
- e Elevator
- f Bench
- g Permeable Pavers

April 14, 2018  
March 12, 2018

119 Haliburton  
Nanaimo, BC

Levels 1+6

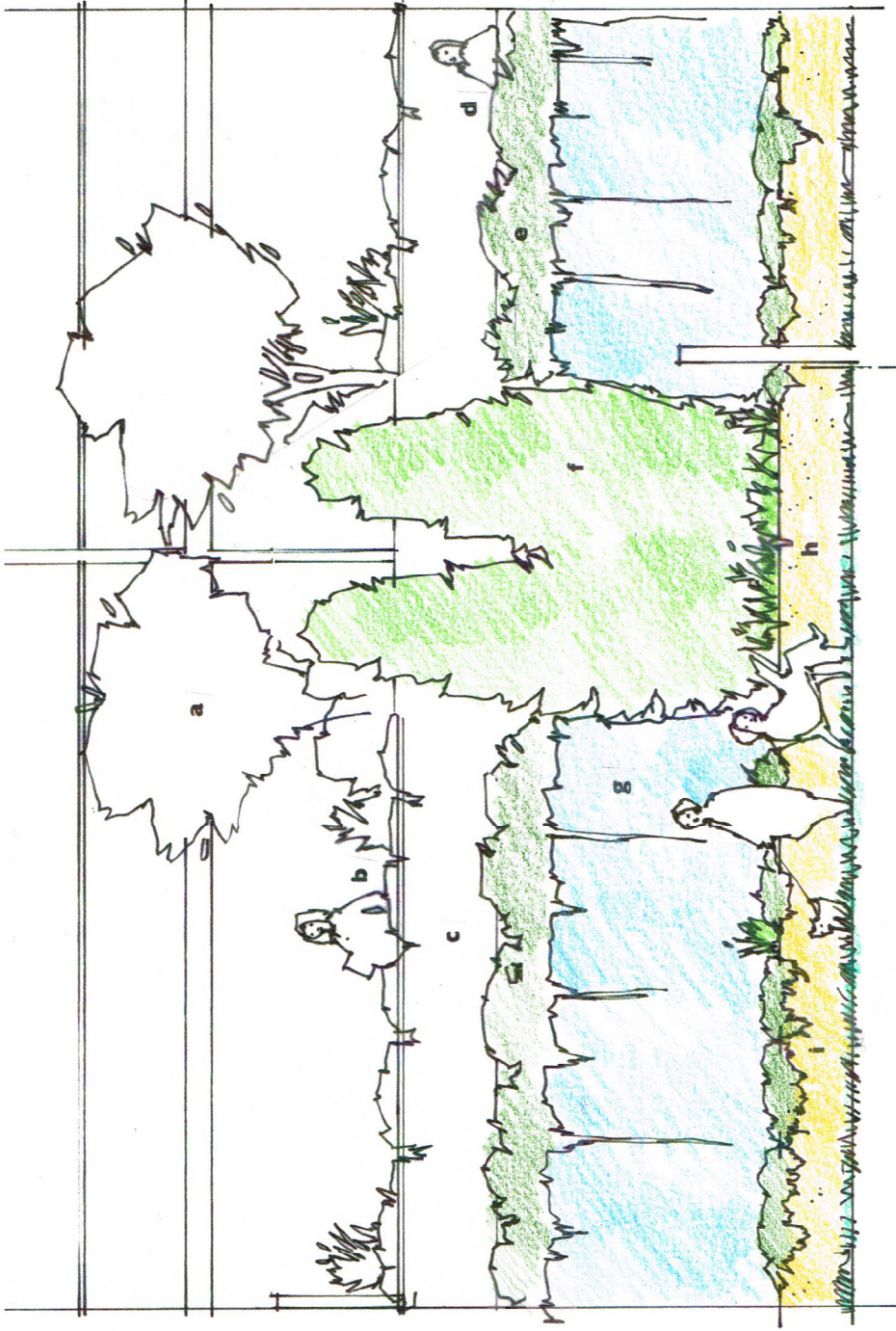
West - East Section  
1/8" = 1'-0"

TOPOGRAPHICS  
LANDSCAPE ARCHITECTURE  
250 247 9720

LA 5

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DP1032  
2018-MAY-15  
Current Planning & Subdivision





Second Floor 100.9

First Floor 91.2

East Terrace 86.8

Planting Wall 30"

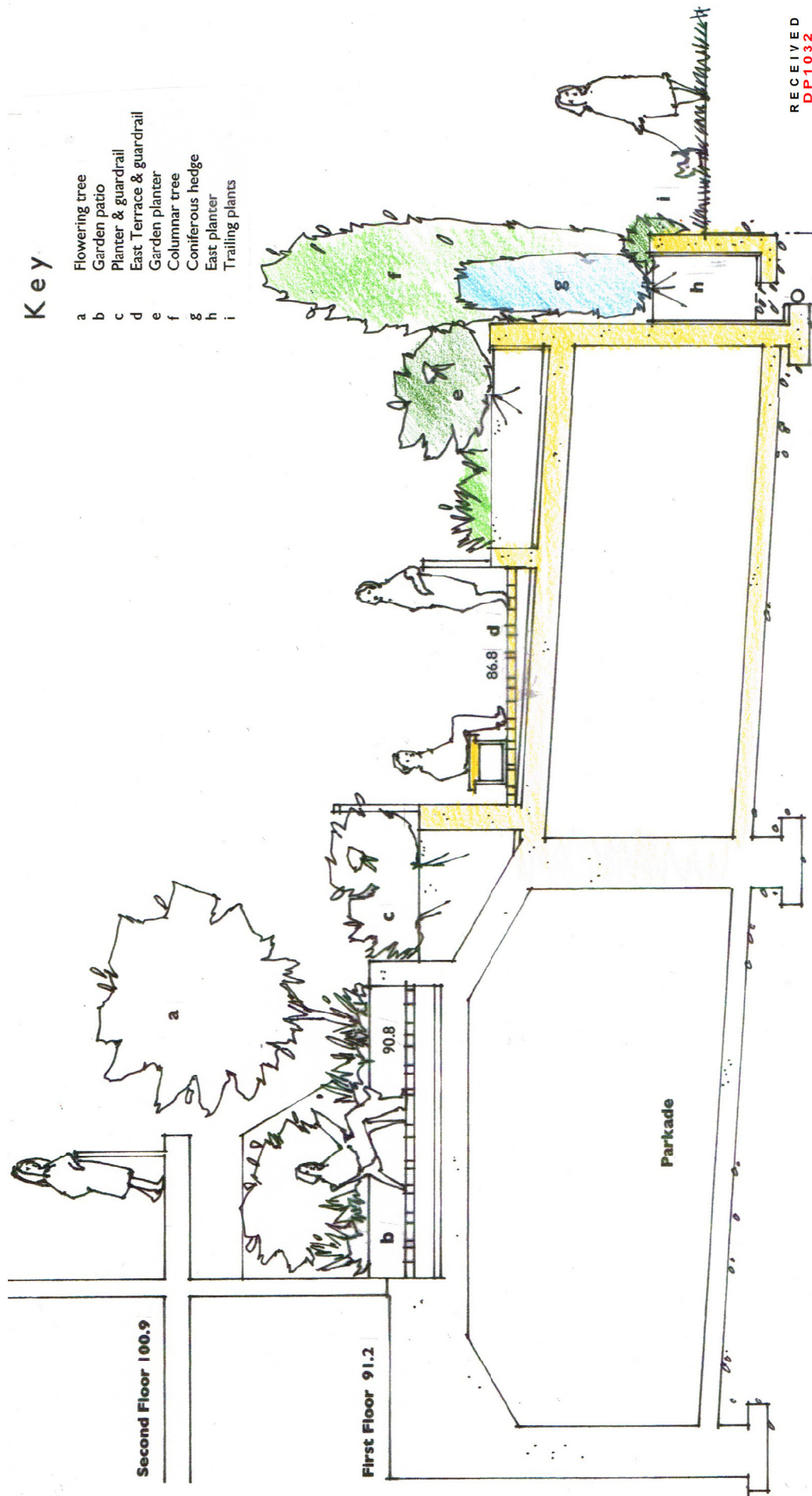
Existing Grade 78.9 (varies)

RECEIVED  
DP 1032  
2018-JUN-14  
Crown Planning & Landscape

June 12, 2018 revised  
June 10, 2018

119 Haliburton Nanaimo, BC  
Landscape / East Elevation  
1/4" = 1'-0"

TOPOGRAPHICS  
landscape architecture  
7 5 0 7 4 7 9 7 7 0



RECEIVED  
DP 1032  
2018-JUN-14  
Curtis Peck & Associates

June 12, 2018 revised  
June 10, 2018

119 Haliburton Nanaimo, BC

Landscape / East Section

1/4" = 1'-0"

TOPOGRAPHICS

landscape architecture

2 5 0 2 4 7 9 7 2 0

**ATTACHMENT H**  
**REFERRAL RESPONSE - NEIGHBOURHOOD ASSOCIATION**

**Subject:** Re: Referral Request - 119 Haliburton Street

Good evening Caleb

The SECA membership met last night, ( June 7th),at which time we discussed the impact of the development at 119 Haliburton street.

The following were concerns brought up pertaining to this development.

- Style of the building does not seem to fit in with surrounding neighbourhood, although it was noted ,on its own it has attractive merits ,most of the surrounding buildings are 120 - 60 years old.
- There is concern from the property owners on the north side of the development, that the placement of the driveway will affect the noise level they are exposed to , due to cars leaving and entering the underground parking.

The developer could show good will by providing a privacy/ noise buffer between their property and the planned underground parking access driveway.

- concern was expressed that only three on site visitors parking spots are being provided.
- increase in traffic, and on street parking on the 100 block of Haliburton.
- also noted, this development originally had asked for variances in its previous applications.

As market conditions have changed greatly , SECA anticipates more high density developments will be proposed in our neighbourhood.

It is the expressed opinions of the member, that density trade offs will need to be considered, such as Developer contribution to an affordable housing fund, or a percentage of space in development for non market housing.

Or possibly, a contribution to a fund to improve transit infrastructure in the South End, for bus shelters and signage.

Although these were the concerns expressed at our discussion, the board of SECA also acknowledges the need for density in our core neighbourhood, we also recognize the efforts to bring a quality housing project forward , especially at a time our city is experiencing a housing crisis.

We are also enthused that this development will have below grade parking , lessening the visual impact that a surface car park would provide.

Thank you for seeking our opinions on this development, SECA appreciates the city's desire to provide an inclusive relationship in regards to these developments that affect our neighbourhood.

Sincere regards, Sandy McLellan , Chairman of SECA

**RECEIVED**  
**DP 1032**  
**2018-JUN-08**  
Current Planning & Subdivision



ATTACHMENT I  
AERIAL PHOTO



DEVELOPMENT PERMIT NO. DP001032

