

DATE OF MEETING | October 19, 2020 |

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING |

**SUBJECT | DEVELOPMENT PERMIT APPLICATION NO. DP1138 –
600 NINTH STREET |**

OVERVIEW

Purpose of Report

To present for Council’s consideration a development permit application for 47-unit townhouse development at 600 Ninth Street.

Recommendation

That Council issue Development Permit No. DP1138 at 600 Ninth Street with the following variances:

- increase the maximum permitted building height from 9m to 11.07m; and
- increase the maximum permitted perimeter wall height from 7.32m to 8.23m.

BACKGROUND

A development permit renewal application, DP1138, was received from Straight Street Design Ltd., on behalf of Westprop Developments Ltd., for a proposed 47-unit townhouse development at 600 Ninth Street. Previous development permits were issued for the proposed development, most recently DP964 which was issued on 2016-JAN-18 and expired in 2018. A new development permit is required to allow the project to proceed to a building permit.

Subject Property and Site Context

<i>Zoning</i>	R10 – Steep Slope Residential
<i>Location</i>	The subject property is located at the west end of Ninth Street, between its intersection with Howard Avenue and the Nanaimo Parkway.
<i>Total Area</i>	1.36ha
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use Plan – Neighbourhood Map 3 – Development Permit Area DPA No. 2 – Environmentally Sensitive Areas; Development Permit Area DPA No. 4 – Nanaimo Parkway Design; and Development Permit Area DPA No. 9 – Commercial, Industrial, Institutional, Multiple Family, and Mixed Commercial / Residential Development
<i>Relevant Design Guidelines</i>	General Development Permit Area Design Guidelines; Harewood Neighbourhood Plan Urban Design Guidelines; Environmentally Sensitive Areas Guidelines; and Nanaimo Parkway Development Permit Area Guidelines

The subject property is located in South Harewood on an undeveloped portion of Ninth Street. The property was created in 2012 when it was subdivided (SUB923) from a larger property on

the opposite side of the Nanaimo Parkway. The eastern portion of the property is cleared and the western portion is a 35m-wide forested buffer, as required when adjacent to the Nanaimo Parkway. The property slopes approximately 4m downhill generally from north to south.

The surrounding neighbourhood includes undeveloped lands to the northwest, single residential dwellings to the north and east, a portion of Lotus Pinnatus Park to the south, and the Nanaimo Parkway and Parkway Trail to the southwest.

DISCUSSION

Proposed Development

The applicant is proposing 14 three-storey townhouse buildings with a combined total of 47 two-bedroom dwelling units. The building composition will include 1 duplex, 7 triplexes, and 6 fourplexes.

The total gross floor area will be 6,815m², equal to a Floor Area Ratio (FAR) of 0.50. The maximum base FAR in the R10 zone is 0.45, and the applicant is proposing to achieve 'Tier 1' bonus density, which allows an additional 0.10 of FAR through the provision of amenities as outlined in 'Schedule D' of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw"). Some of the amenities proposed include:

- Retention of natural vegetation;
- Wood construction methods;
- Use of recycled materials;
- Restoration of a stormwater retention pond on-site; and
- Educational signage regarding natural habitat retention, sustainable building materials, and water management.

Site Design

The proposed development will occur on the eastern 8,950m² portion of the site, and the remaining 34% of the site is to remain undeveloped. By clustering development in the eastern portion of the site, the subject property will retain the required 15m character protection zone and 20m tree protection zone as required by the Nanaimo Parkway Development Permit Area Guidelines. The Environmentally Sensitive Areas Guidelines were addressed through the subdivision and creation of the property in 2012.

Vehicle access to the site will be provided by a looping internal drive aisle connecting to Ninth Street. All units will have a garage connected by driveway to the internal drive aisle. At the centre of the looping drive aisle will be visitor parking, bicycle parking, refuse receptacle storage, and a lawn with a covered seating area.

Of the 47 units, 19 will face Ninth Street and will have separate pedestrian walkways to the street. An additional pedestrian access path will connect Ninth Street to the site along the east property line. At the drive aisle entrance, a public walkway connection from Ninth Street to the Parkway Trail through Lotus Pinnatus Park will be secured by 3m-wide statutory right-of-way across the subject property as a condition of the Development Permit. The applicant has

voluntarily agreed to complete the trail through the park in lieu of constructing a walkway connection directly to the Parkway Trail on the subject property.

A wetland feature is proposed in the western portion of the site, adjacent to the tree protection zone, to assist with stormwater management goals on-site.

Building Design

Architectural features and details have been proposed to articulate building elevation and reduce the visual massing of each building. The organization of architectural features assist in defining each individual unit within the building clusters. Building materials will include cedar shakes and vinyl siding. The building form is complementary to the surrounding neighbourhood, and the ground-oriented units meet the intent of the Harewood Neighbourhood Plan Urban Design Guidelines.

Each unit will feature a garage and living space on the ground level, additional living space on the second level, and bedrooms on the third level.

Landscape Design

Individual front lawns are proposed for the units facing Ninth Street, providing a characteristic residential street edge. Street trees are to be provided along Ninth Street in addition to trees along the side of the internal drive aisle. A native plant raingarden will be installed to surround the wetland detention pond on site. A rose shrub buffer is proposed along the east property line, and a split rail cedar fence will be installed along the south property line as a buffer with the park.

Proposed Variance

Maximum Building Height

The maximum allowable building height for a building with a sloped roof in the R10 zone is 9m. The proposed building heights range from 10.55m to 11.07m, requiring a variance of 2.07m.

The attached building elevations (Attachment E) show the building heights from slab, but the height of each building will be measured independently due to the varying average finished grade at each location as shown on the Height Survey (Attachment G). The building height variances are requested in order to accommodate the slope of the land without excessive grade manipulation and to accommodate the pitched roof systems for each building that provide significant articulation and reduce the visual massing. No negative impacts from the proposed variances are anticipated.

Height variances were approved under the previous development permits for the same project, and Staff support the requested variance.

Maximum Perimeter Wall Height

The maximum allowable perimeter wall height for a building in the R10 zone is 7.32m. The proposed buildings will have perimeter wall heights up to 8.23m, requiring a variance of 0.91m.

Individual units will be well articulated and the proposed perimeter wall height variance will allow the buildings to present a three-storey residential form. No negative impacts are anticipated and Staff support the requested variance.

SUMMARY POINTS

- Development Permit application No. DP1138 is for a 47-unit townhouse development consisting of 14 three-storey buildings.
- Variances are requested to increase the maximum permitted building height from 9m to 11.07m and to increase the maximum permitted perimeter wall height from 7.32m to 8.23m.
- Staff support the requested variances.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Map
ATTACHMENT C: Location Plan
ATTACHMENT D: Proposed Site Plan
ATTACHMENT E: Proposed Building Elevations
ATTACHMENT F: Proposed Exterior Materials
ATTACHMENT G: Proposed Height Survey
ATTACHMENT H: Proposed Landscape Plan
ATTACHMENT I: Schedule D 'Amenity Requirements for Additional Density'
ATTACHMENT J: Aerial Photo

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

ATTACHMENT A

PERMIT TERMS AND CONDITIONS

TERMS OF PERMIT

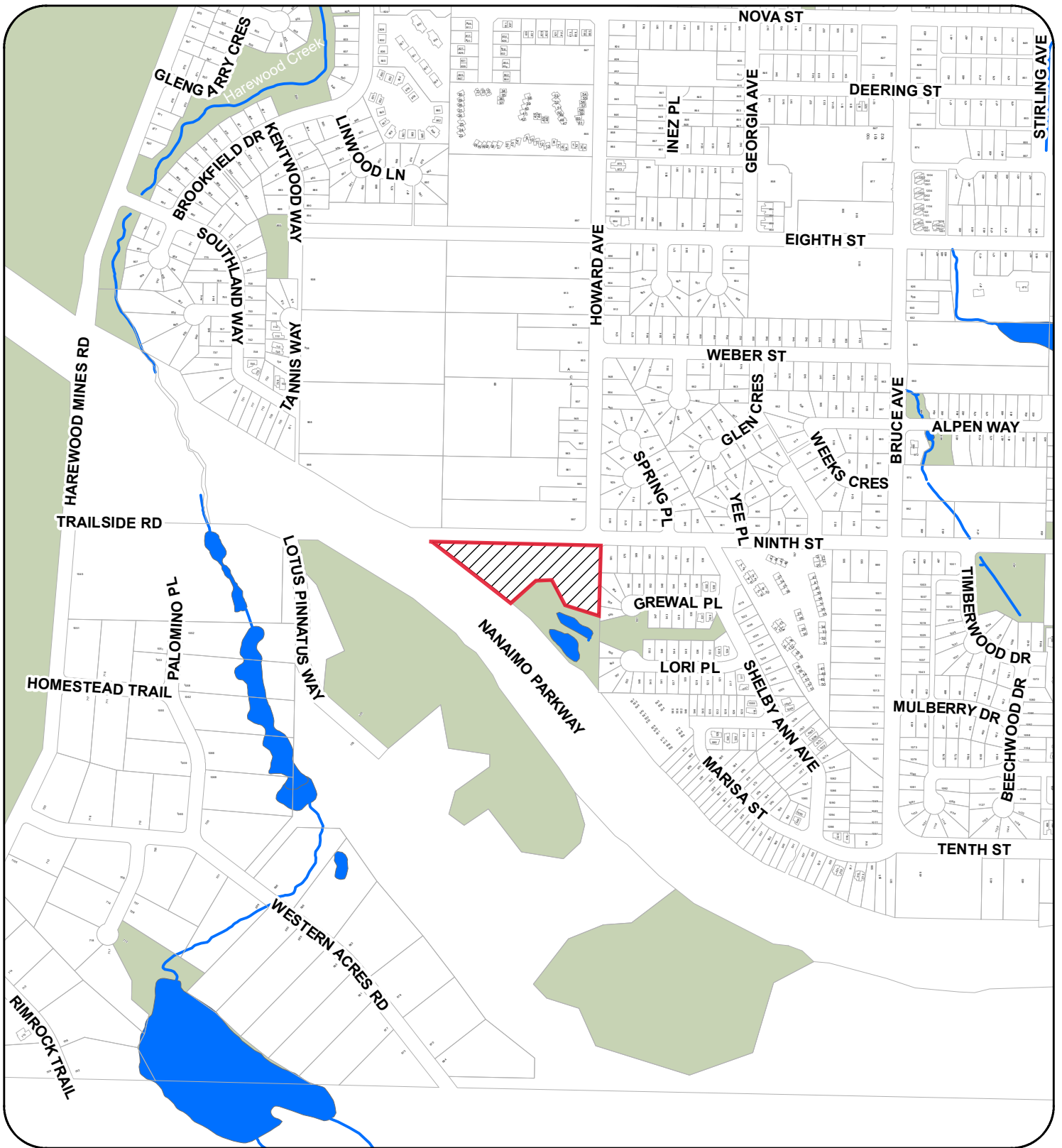
The “City of Nanaimo Zoning Bylaw 2011 No. 4500” is varied as follows:

1. *Section 7.6.1 Size of Buildings* – to increase the maximum allowable building height from 9m to 11.07m, as shown on Attachment G.
2. *Section 7.6.1 Size of Buildings* – to increase the maximum allowable perimeter wall height from 7.32m to 8.23m.

CONDITIONS OF PERMIT

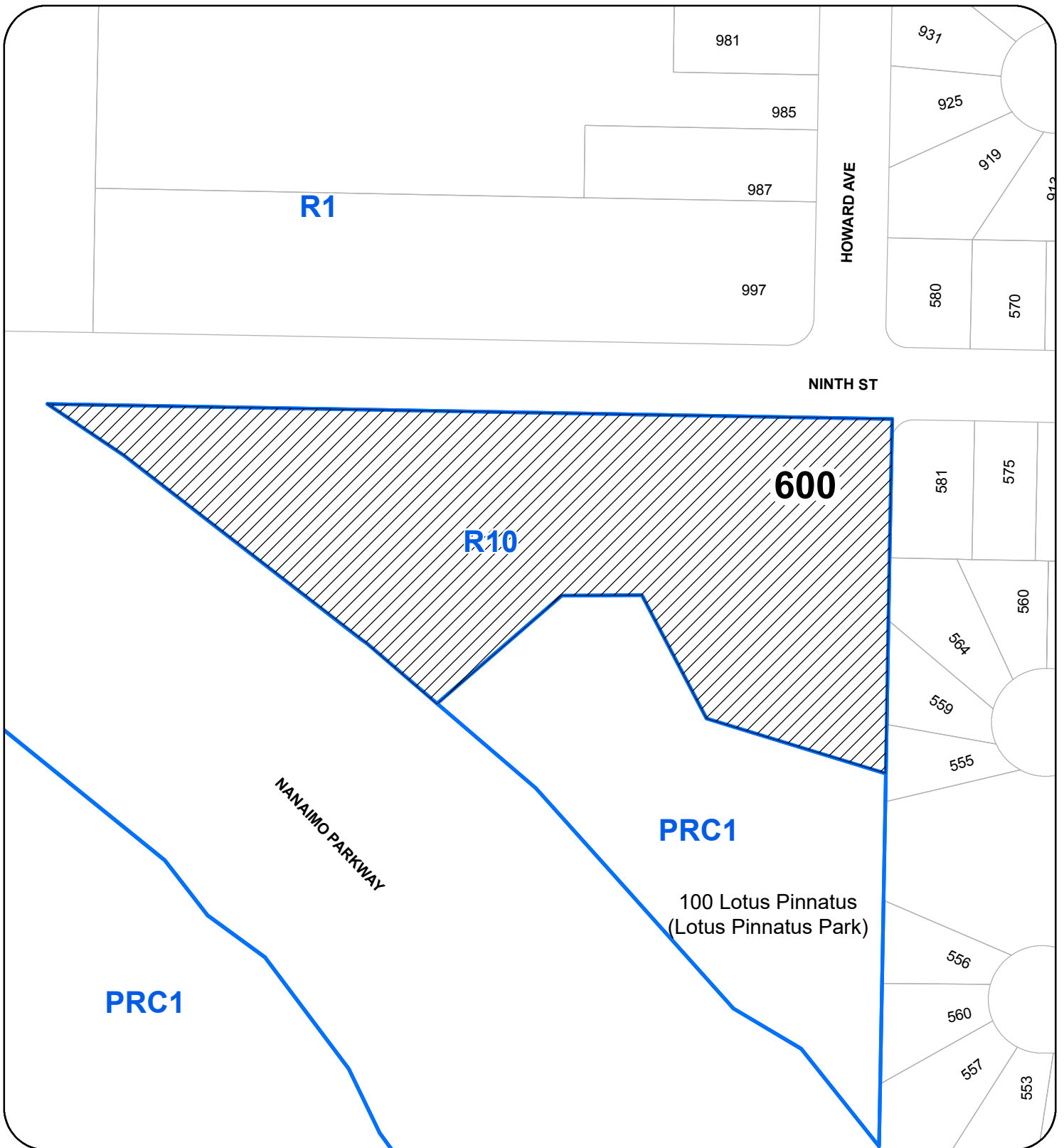
1. The subject property is developed in substantial compliance with the proposed Site Plan prepared by Straight Street Design, dated 2020-JUN-30, as shown on Attachment D.
2. The development is in substantial compliance with the proposed Building Elevations prepared by Straight Street Design, received 2019-APR-15, as shown on Attachment E.
3. The development is in substantial compliance with the proposed Exterior Materials prepared by Straight Street Design, received 2019-APR-15, as shown on Attachment F.
4. The subject property is developed in substantial compliance with the proposed Height Survey prepared by Turner Land Surveying, received 2019-APR-15, as shown on Attachment G.
5. The subject property is developed in substantial compliance with the proposed Landscape Plan prepared by Straight Street Design, dated 2020-AUG-10, as shown on Attachment H.
6. The subject property is developed in accordance with the Schedule D ‘Amenity Requirements for Additional Density’, as shown in Attachment I, and is to include the following items:
 - A letter from the coordinating professional submitted prior to Building Permit issuance, outlining how the required items for additional density will be achieved; and
 - A letter from the coordinating professional with accompanying evidence submitted prior to building occupancy demonstrating that the required items have been provided.
7. A 3m-wide statutory right-of-way for a public walkway between Ninth Street and Lotus Pinnatus Park constructed to the City of Nanaimo’s Urban Soft Surface Trail standard, generally as shown on Attachment D, is to be registered on the subject property prior to building permit issuance.
8. Completion of off-site improvements to construct a public walkway to connect with the Parkway Trail across the City-owned property at 100 Lotus Pinnatus Way, prior to building occupancy.

ATTACHMENT B CONTEXT MAP



 600 NINTH STREET

**ATTACHMENT C
LOCATION PLAN**



DEVELOPMENT PERMIT APPLICATION NO. DP001138

LOCATION PLAN

Civic: 600 NINTH STREET

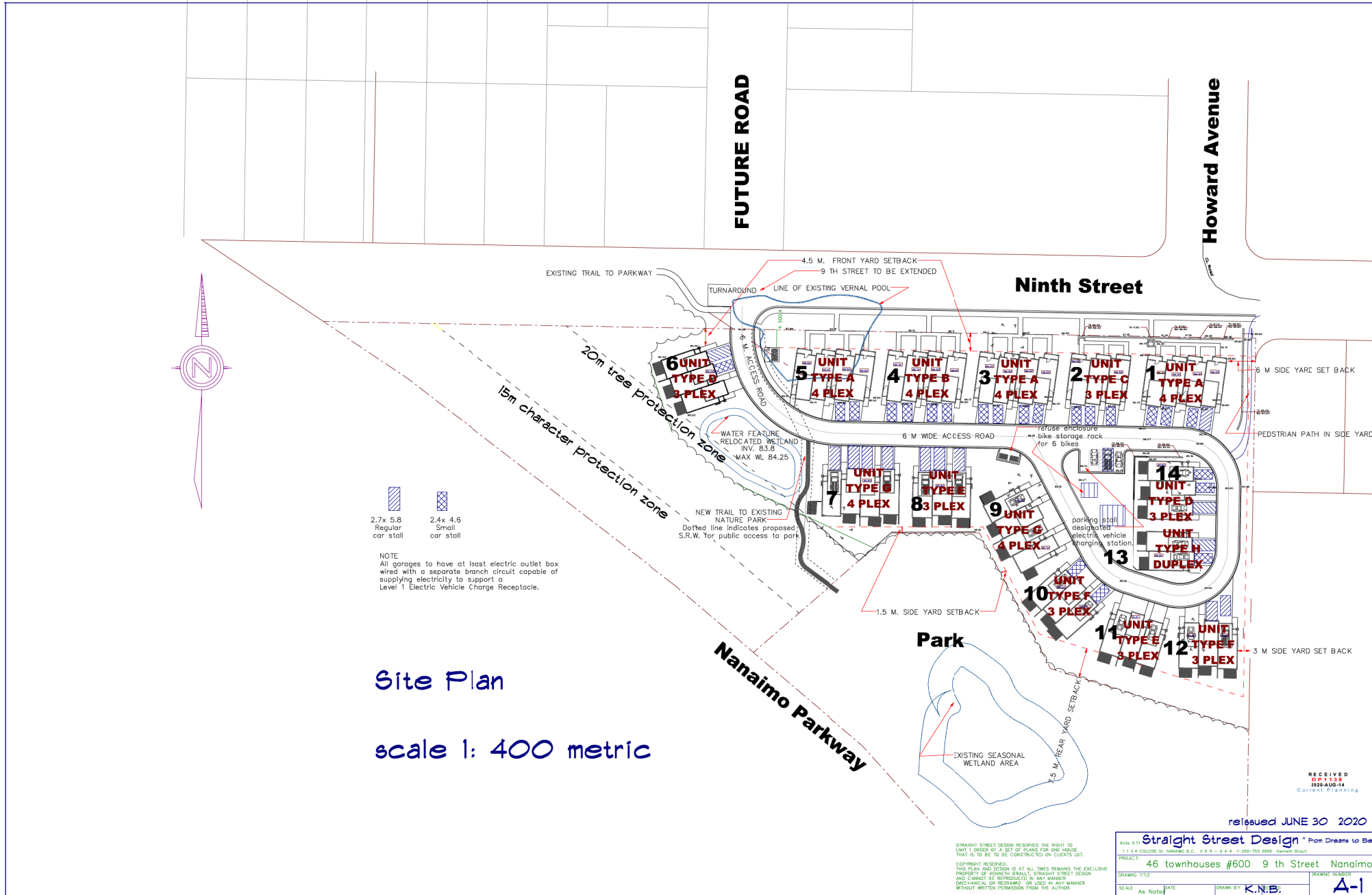
Legal: LOT B, SECTION 1, NANAIMO DISTRICT, PLAN EPP22207

N



Subject Property

ATTACHMENT D PROPOSED SITE PLAN



STRAIGHT STREET DESIGN RESERVES THE RIGHT TO LIMIT 1 ORDER OF A SET OF PLANS FOR ONE HOUSE THAT IS TO BE TO BE CONSTRUCTED ON CLIENTS LOT.

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Straight Street Design "From Dreams to Beams" <small>1.1 & 4 COLLEGE DR. NANAIMO B.C. V 9 R - 6 A 4 1-250-753 8958 Kenneth Brael</small>	
PROJECT:	46 townhouses #600 9 th Street Nanaimo
DRAWING TITLE:	
SCALE:	As Noted
DATE:	
DRAWN BY:	K.N.B.
DRAWING NUMBER:	A-1

ATTACHMENT E PROPOSED BUILDING ELEVATIONS

UNIT TYPE A - FOURPLEX (Buildings 1, 3 and 5)



FRONT ELEVATION UNIT TYPE A 4-PLEX
FACING ALONG 9 TH STREET



REAR ELEVATION UNIT TYPE A 4-PLEX
FACING INTERNAL ACCESS ROAD



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1194 COLLEGE DR. NANAIMO B.C. V9R-6A4 250-153 9358 Kenneth Brault

PROJECT
41 UNIT TOWNHOUSE 600 9 TH STREET

DRAWING TITLE	DRAWING NUMBER
SCALE	DATE
DATE	DRAWN BY
DATE	REVISED
DATE	DATE
DATE	DATE

A-4

UNIT TYPE B - FOURPLEX
(Building 4)



FRONT ELEVATION UNIT TYPE B 4-PLEX
FACING ALONG 9 TH STREET



REAR ELEVATION UNIT TYPE B 4-PLEX
FACING INTERNAL ACCESS ROAD



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DRAWING TITLE:	DRAWING NUMBER:
SCALE:	DATE:
DRAWN BY:	REVISED:
A-5	

UNIT TYPE C - TRIPLEX (Building 2)



LEFT ELEVATION UNIT TYPE C 3-PLEX



FRONT ELEVATION UNIT TYPE C 3-PLEX
FACING ALONG 9 TH STREET



RIGHT ELEVATION UNIT TYPE C 3-PLEX



REAR ELEVATION UNIT TYPE C 3-PLEX FACING
INTERNAL ACCESS ROAD

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PROJECT: 41 UNIT TOWNHOUSE 600 9 TH STREET

DRAWING TITLE: DRAWING NUMBER: A-6

SCALE: As Noted DATE: DRAWN BY: K.A.B. REVISED:

UNIT TYPE D - FOURPLEX
(Buildings 6 and 14)



**SIDE ELEVATION UNIT TYPE D 3-PLEX
EXPOSED TO ANOTHER BUILDING**



**FRONT ELEVATION UNIT TYPE D 3-PLEX
FACING INTERNAL ACCESS ROAD**



**SIDE ELEVATION UNIT TYPE D
3-PLEX
EXPOSED TO INTERNAL ROAD**



**REAR ELEVATION UNIT TYPE D 3-PLEX
FACING PARK & TREE PROTECTION AREA**

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PROJECT: **41 UNIT TOWNHOUSE 600 9 TH STREET**

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SCALE: As Noted DATE: _____ DRAWN BY: _____ K.A.B. REVISED: _____

UNIT TYPE E - TRIPLEX
(Buildings 8 and 11)



**SIDE ELEVATION UNIT TYPE E 3-PLEX
EXPOSED TO ANOTHER BUILDING**



**FRONT ELEVATION UNIT TYPE E 3-PLEX
FACING INTERNAL ACCESS ROAD**



**SIDE ELEVATION UNIT TYPE E 3-PLEX
EXPOSED TO ANOTHER BUILDING**



**REAR ELEVATION UNIT TYPE E 3-PLEX
FACING PARK & TREE PROTECTION AREA**

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A-8	

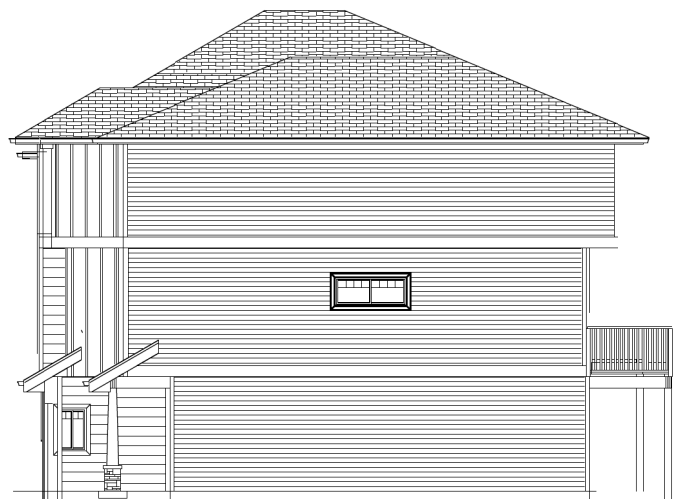
UNIT TYPE F - TRIPLEX
(Buildings 10 and 12)



SIDE ELEVATION UNIT TYPE F 3-PLEX
EXPOSED TO ANOTHER BUILDING



FRONT ELEVATION UNIT TYPE F 3-PLEX
FACING INTERNAL ACCESS ROAD



SIDE ELEVATION UNIT TYPE F 3-PLEX
EXPOSED TO ANOTHER BUILDING



REAR ELEVATION UNIT TYPE F 3-PLEX
FACING PARK & TREE PROTECTION AREA

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41x8 1/11
1119 4 COLLEGE DR. NANAIMO B.C. V 9 R - 6 A 4 1250-763 9956 Kenneth Drault
PROJECT:
41 UNIT TOWNHOUSE 600 9 TH STREET
DRAWING TITLE
SCALE: As Noted DATE: DRAWN BY: K.A.D. REVISED: DRAWING NUMBER: A-9

UNIT TYPE G - FOURPLEX
(Buildings 7 and 9)



**SIDE ELEVATION UNIT TYPE G 4-PLEX
EXPOSED TO ANOTHER BUILDING**



**FRONT ELEVATION UNIT TYPE G 4-PLEX
FACING INTERNAL ACCESS ROAD**



**SIDE ELEVATION UNIT TYPE G 4-PLEX
EXPOSED TO ACCESS ROAD & WALKWAYS**



**REAR ELEVATION UNIT TYPE G 4-PLEX
FACING PARK & TREE PROTECTION AREA**

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PROJECT: 47 UNIT TOWNHOUSE 600 9 TH STREET			
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UNIT TYPE H - DUPLEX
(Building 13)



SIDE ELEVATION UNIT TYPE H DUPLEX
EXPOSED TO INTERNAL ROAD



FRONT ELEVATION UNIT TYPE H DU-PLEX
FACING INTERNAL ACCESS ROAD



SIDE ELEVATION UNIT TYPE H
DUPLEX
EXPOSED TO ANOTHER BUILDING



REAR ELEVATION UNIT TYPE H DUPLEX

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SCALE	DATE	DRAWN BY	REVISED
			A-11

ATTACHMENT F PROPOSED EXTERIOR MATERIALS



FRONT ELEVATION UNIT TYPE A 4-PLEX
FACING INTERNAL ACCESS ROAD



FRONT ELEVATION UNIT TYPE C 4-PLEX
FACING ALONG 9 TH STREET

FIBERGLAS SHINGLES

CEDAR SHAKES

ALUM GUTTER
2X8 CEDAR FACIA

BOARD AND BATTEN

VINYL FRAME THERMOPANE
WINDOWS
1X3 CEDAR TRIM
AROUND ALL WINDOWS

VINYL SIDING
1X3 CEDAR TRIM
AT CORNERS



STREET VIEW LOOKING SOUTH WEST
FACING ALONG 9 TH STREET

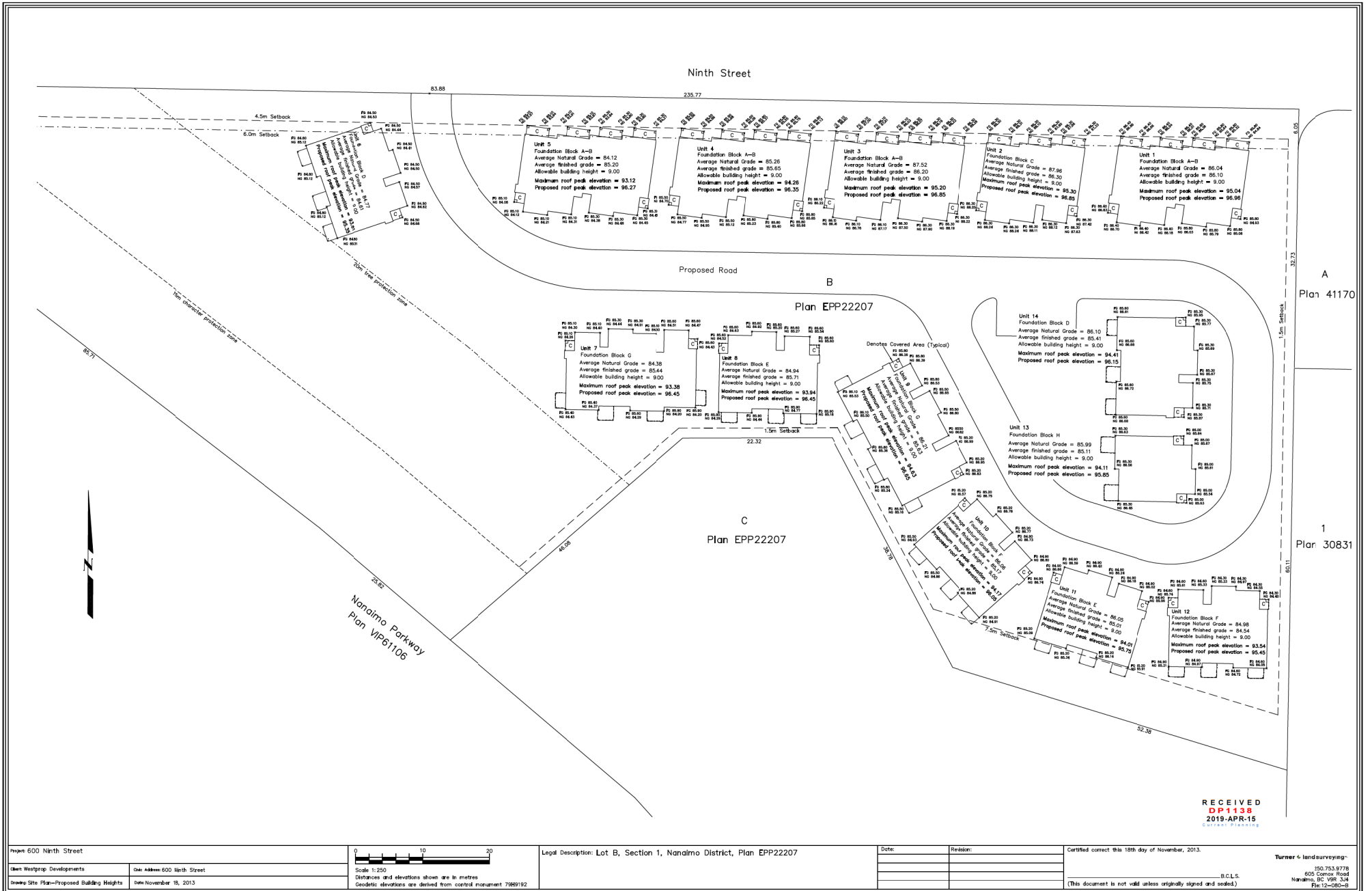
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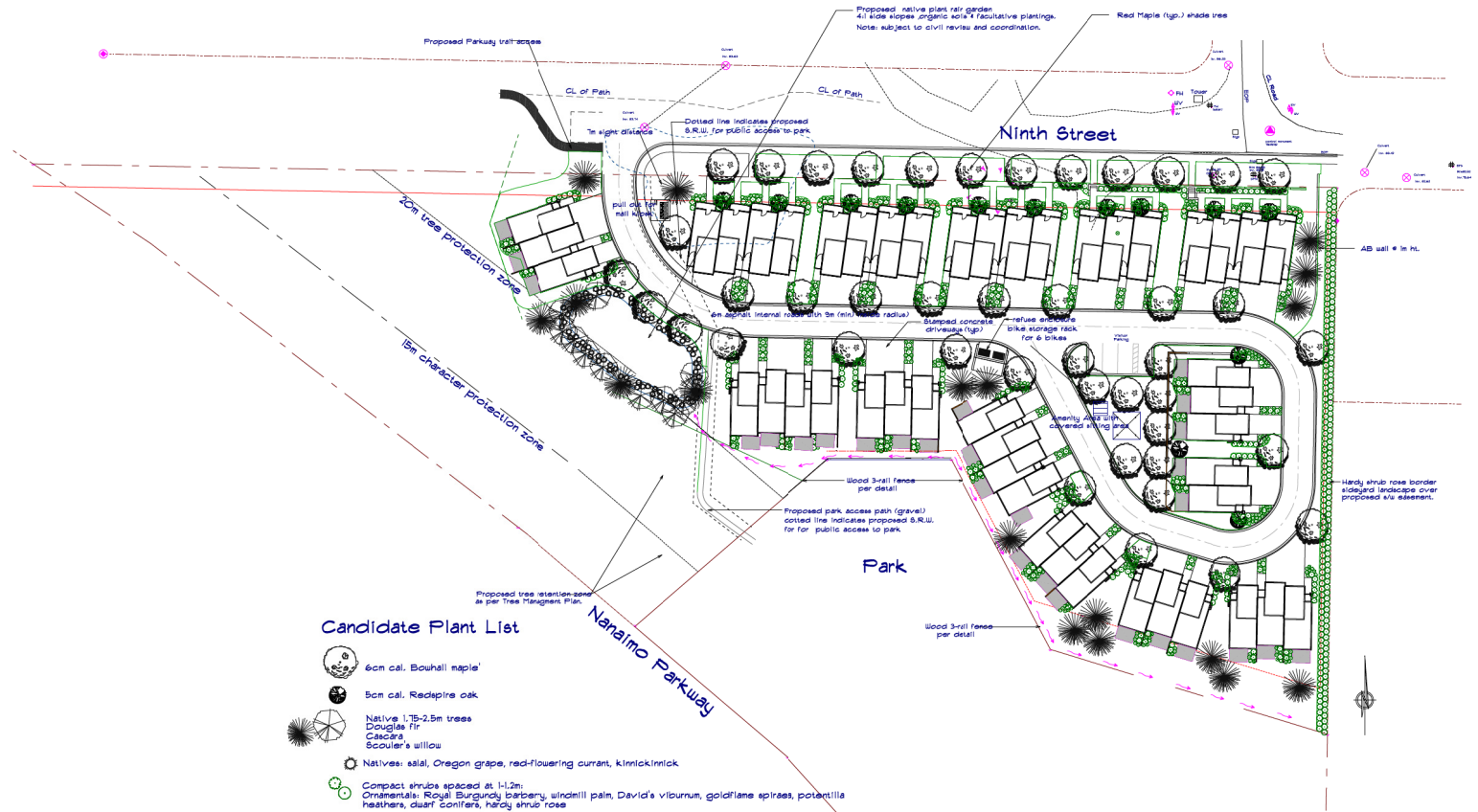
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PROJECT: 41 UNIT TOWNHOUSE 600 9 TH STREET	
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DRAWING NUMBER: A-7	






ATTACHMENT G PROPOSED HEIGHT SURVEY

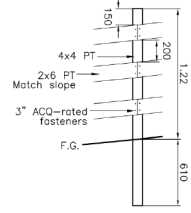
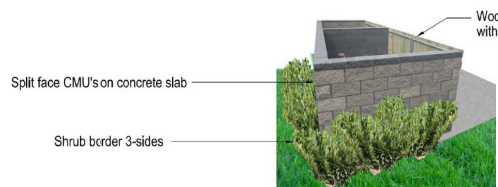


ATTACHMENT H PROPOSED LANDSCAPE PLAN



Candidate Plant List

-  6cm cal. Bouhall maple
-  5cm cal. Redspire oak
-  Native 1.75-2.5m trees
Douglas fir
Cascara
Scouler's willow
-  Native: salal, Oregon grape, red-flowering currant, kinnikinnick
-  Compact shrubs spaced at 1-1.2m:
Ornamentals: Royal Burgundy linden, windmill palm, David's viburnum, goldflame spiraea, potentilla
heathers, dwarf conifers, hardy shrub rose



Landscape Plan
scale 1: 400 metric

RE- ISSUED August 10 2020

Straight Street Design From Dreams to Plans
1119-4 COLLEGE DR. NANAIMO B.C. V9R 6A4 750-53 9956 Karine Brack
PROJECT: 47 townhouses #600 9th Street Nanaimo

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SCALE	DATE
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As Noted	K.N.B.

L - 1

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ATTACHMENT I
SCHEDULE D 'AMENITY REQUIREMENTS FOR ADDITIONAL DENSITY'

Straight Street Design
1194 College Drive Nanaimo, BC t V9R 6A4 t Phone or Fax 250-753 9958
Phone 753-9958 t Fax Same: 753-9958 t Email kbrault@nanaimo.ark.com

600 Ninth St -

Please receive this letter to advise, our development wishes to apply TIER 1 in Schedule D of the Zoning bylaw to gain an additional 0.1 FAR. Outlined below is how the development will meet the points required in 3 categories 2, 4, & 6 to gain the added density increase of .1

Schedule D

Amenity Requirements for Additional Density

Category 2: Retention and Restoration of Natural Features (8 points required) (9 provided)

B/ The property includes the retention of natural vegetation, trees, shrubs, and under storey on the West side of property. A contiguous area that is equal to or 3 greater than 15% of the property area, exclusive of the required watercourse leavestrip or environmentally sensitive area buffer.
= 3 Points

E/ The proposed development includes planting street trees along extension of 9 th street. = additional 1 points

H/ 50% of the site area (excluding the building footprint) has been maintain with pervious surfaces = 3 Points .

Total 13,601 sq m. lot area, (less 3055 sq.m. Bldg footprint) = 10546 sq.m.
6030 sq. m. is going to be impervious surfaces and building area.

7577 sq. m. pervious surfaces (including 3036 sq.m Landscape) = 71%

4541 sq. m. Landscaped, restored and undisturbed forest including the Vernal Water Pond will be relocated and restored - an area of 550 Sq. M.

Included in

I/ Our development will include permanent educational signage or display(s) regarding the protected pond plants, trees, animal habitat or other natural features on and adjacent to the site. = 1 Points

Category 4: Building Materials (8 points required) (9 provided)

A/ Wood is the primary building material. = 1 Points

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Current Planning

- C/ At least 50% of all wood products used in construction are certified by the Forest Stewardship Council (FSC) Canada. = 3 Points
- D/ The proposed development uses materials with recycled content such that the sum of the post consumer recycled material constitutes at least 25%, based on costs, of the total value of the materials in the project. = 2 point
- E/ The project developer has submitted a construction and waste management plan that, at a minimum, identifies the materials to be diverted from disposal and whether the materials will be sorted onsite or comingled. = 2 point
- H/ The development includes permanent educational signage or display(s) regarding the sustainable use of building materials used during construction of the project. = 1 Points

Category 6: Water Management (8 points required) (8 provided)

- A/ At least 50% of the property is covered with a permeable surface area = 2 point
- B/ The proposed buildings on the property include plumbing features which will use 35% less water than the BC Building Code standard. = 2 point
- F/ A water efficient irrigation system (such as drip) is installed. = 1 point
- G/ The proposed development includes the restoration of retention pond on the property = 2 point
- H/ The development site will include permanent educational signage regarding sustainable water management practices used on site. = 1 point


Kenneth Brault

ATTACHMENT J
AERIAL PHOTO



DEVELOPMENT PERMIT NO. DP001138

Legend

 Subject Property