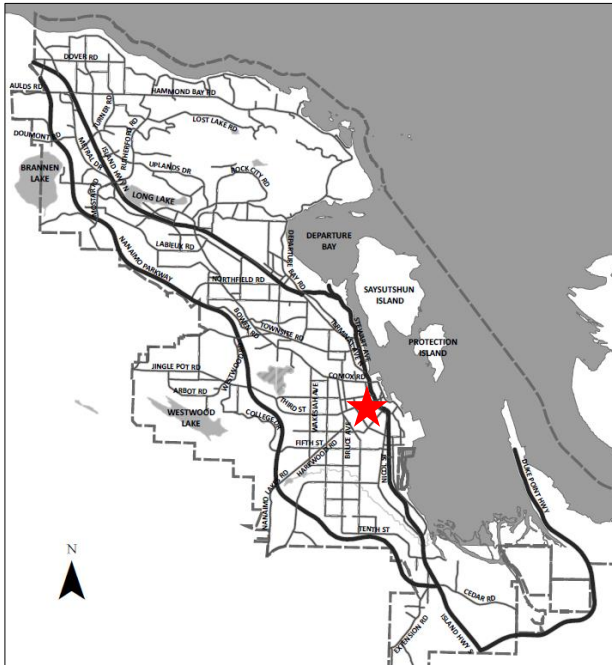


DATE OF MEETING | July 22, 2024 |

AUTHORED BY | KRISTINE MAYES, PLANNER, CURRENT PLANNING |

SUBJECT | DEVELOPMENT PERMIT APPLICATION NO. DP1340 – 350 & 398 FRANKLYN STREET



Proposal:

A mixed-use commercial and multi-family development

Zoning:

DT2 – Fitzwilliam

City Plan Land Use Designation:

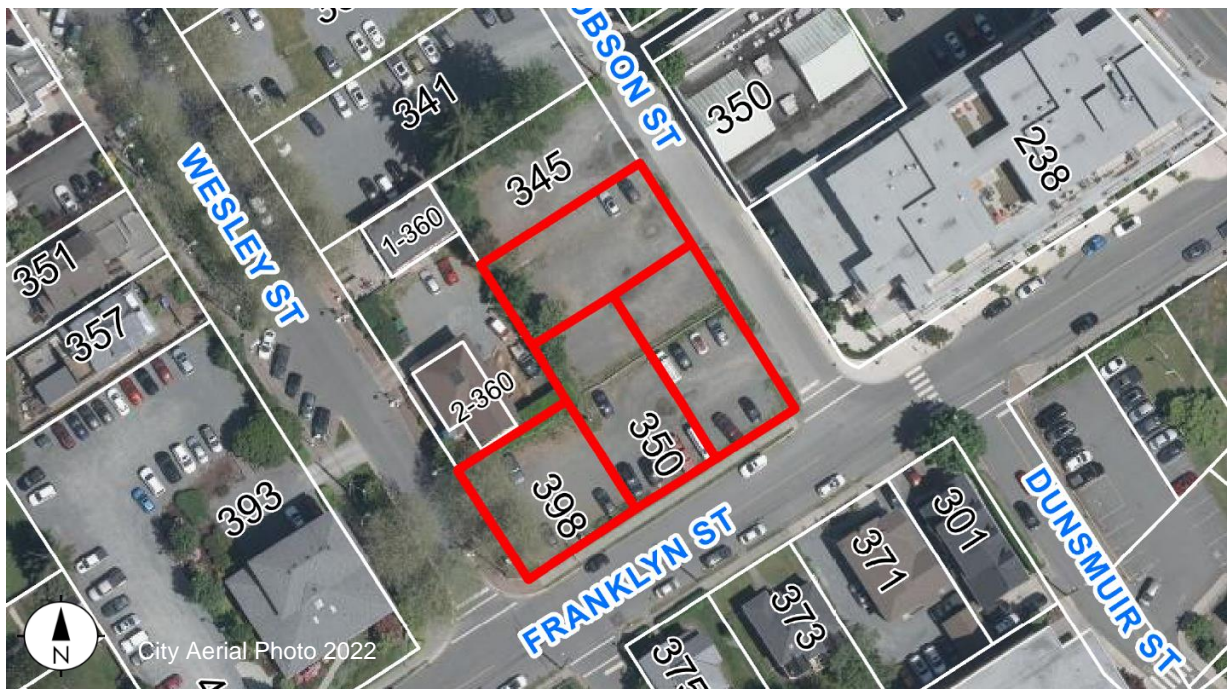
Primary Urban Centre

Development Permit Areas:

DPA8 – Form & Character

Lot Area:

404m² – 350 Franklyn Street
1,329m² – 398 Franklyn Street
1,734m² (total lot area)



OVERVIEW

Purpose of Report

To present for Council's consideration a development permit application for a mixed-use commercial and multi-family development at 350 and 398 Franklyn Street.

Recommendation

That Council issue Development Permit No. DP1340 for a mixed-use development at 350 and 398 Franklyn Street with variances as outlined in the "Proposed Variances" section of the Staff Report dated 2024-JUL-22.

BACKGROUND

A development permit application, DP1340, was received from Ace Architecture Inc., on behalf of the City of Nanaimo/Camargue Properties Inc. (Groupe Denux), to permit a mixed-use development with 53 dwelling units and a commercial unit at 350 and 398 Franklyn Street.

Subject Property and Site Context

The subject properties are located in the City Centre Neighbourhood, on the north side of Franklyn Street between Robson Street and Wesley Street, a short distance from the Old City Quarter. The vacant lots (to be consolidated) form an 'L' shape with street frontages on Robson Street, Franklyn Street, and Wesley Street and slope downward 4m from west to east.

The surrounding neighbourhood primarily consists of established multi-family and single-family dwellings, commercial developments, and institutional buildings. The subject properties are located within the Downtown Core and are within walking distance to active transportation routes and commercial services.

DISCUSSION

Proposed Development

The applicant is proposing to construct a five-storey, 53-unit multi-family rental apartment building with a 96m² ground floor commercial unit. The proposed total gross floor area is 3,998m² and the proposed total Floor Area Ratio (FAR) is 2.3.

Site Design

The proposed building is 'L' shaped with the main entrance to the residential units to the east, at the corner of Franklyn Street and Robson Street. The commercial unit is oriented to front Wesley Street. Vehicle access is from Robson Street to the partially underground parking level along the northeast elevation of the site. Vehicle parking consists of one level of partially underground parking with 41 spaces (including one accessible space and two visitor spaces). Long-term bicycle storage (27 spaces) will be located within a secure room in the underground parking garage and short-term bicycle racks (eight spaces) are located at both the residential and

commercial entrances. Three-stream waste management containers are located in a room in the underground parking garage. A 2m wide statutory right-of-way is to be secured as a condition of the Development Permit for future along Robson Street.

Building Design

The proposed building is contemporary in design with a flat roof. The exterior finishes of the building include a mix of grey brick, corrugated and wood look metal panel siding, cementitious panel, wood picket feature wall, and Juliet balconies. A connection to the street is provided for the commercial unit and residential lobby as well as the ground floor unit facing Robson Street. Solar panels are proposed along the southwest elevation.

Landscape Design

Landscaping is provided along Franklyn Street, at the rear of the building and at the north corner of the site with a variety of deciduous and coniferous trees, shrubs, ground covers, vines, and perennials. Coniferous hedging is proposed between patios and to screen the adjacent property to the northwest. Private balconies are provided for the majority of the units and common amenities include a common patio oriented toward the Franklyn frontage, as well as common amenity rooms on each floor and a rooftop amenity area on the fourth floor.

The proposed development meets the intent of the General Development Permit Area Design Guidelines and Downtown Urban Design Plan and Guidelines including the provision of an urban plaza in front of the commercial unit; generous glazing and weather protection for the commercial unit; connections to the street for ground floor commercial and residential units; well-articulated design with emphasized building entrances; as well as provision of a rooftop amenity area and underbuilding parking.

Design Advisory Panel

The Design Advisory Panel (DAP), at its meeting held on 2024-MAY-09, accepted DP1340 as presented and provided the following recommendations:

- Consider using a more durable finish on the commercial retail unit façade and base.
- Consider adding public or decorative art to the building and/or landscape features.
- Consider including some columnar trees or climbing vines in the planting palette.
- Consider a rooftop amenity space.
- Consider a bike rack with two points of contact.
- Consider shower and change facilities for employee cyclists in the commercial retail unit.
- Consider a different landscape treatment under the balconies on Franklyn Street.
- Consider vertical stairs to the first-floor units directly from Franklyn Street.
- Consider green roofs on the garage and the commercial unit.
- Consider modifying the extent or design of the parkade in an effort to retain the existing trees.

The applicant subsequently submitted revised plans in response to the DAP recommendations, including the following key design revisions:

- adjusted the materials on the commercial retail unit from brick panel to full-bed brick.
- adjusted the planting palette to include columnar trees along the Franklyn Street elevation;
- added a rooftop amenity space to the fourth floor;
- changed the short-term bicycle racks;
- added weather protection elements (canopies) over the commercial retail unit; and,
- the applicant explored opportunities to retain the existing offsite trees, however it was determined the root zones conflict with the parkade and commercial retail unit. As part of the development, the trees along Wesley Street will be replaced.

Proposed Variances

Fence Height

The maximum permitted combined height of a fence and retaining wall in the DT2 zone within a flanking side yard (adjacent to Franklyn Street) is 1.8m. The proposed combined fence and retaining wall height is up to 2.8m, a requested variance of 1.0m. Staff support the proposed variance as this is a localized grade change and the proposed retaining wall will address the portion of the site that slopes steeply, the patio will support the commercial use, and the metal picket fence reduces the visual impact of the overheight fence.

Building Height

The maximum permitted height of a principal building in the DT2 zone is 12.0m. The proposed building height is 19.0m, a requested variance of 7.0m. Staff support the height variance as the Primary Urban Centre land use designation supports mid-rise and high-rise buildings and as 3.0m of the requested variance is to accommodate the mechanical penthouse which will be stepped back from the parapet. Staff note that a mechanical room, if measuring less than 10% of the roof area, would have been exempted, however, the mechanical room has been designed to accommodate the equipment for the proposed sustainable building technologies and as such, exceeds the allowable 10% area.

Parking Spaces

The minimum number of loading spaces required for the commercial unit is one. The applicant is proposing to reduce the number of loading spaces to zero. Staff support the proposed variance as the commercial retail unit is only 96m² in area and will likely be serviced by small delivery vehicles.

Staff support the proposed variances. |

SUMMARY POINTS

- Development Permit Application No. DP1340 proposes a new mixed-use development with 53 dwelling units and a commercial unit at 350 and 398 Franklyn Street.
- Variances are requested to increase the maximum permitted height of a combined retaining wall and fence height and height of a principal building; and to reduce the number of loading spaces.
- Staff support the proposed variances.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Subject Property Map
ATTACHMENT C: Site and Parking Plans
ATTACHMENT D: Building Elevations and Details
ATTACHMENT E: Building Perspectives
ATTACHMENT F: Landscape Plan and Details

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Planning & Development

ATTACHMENT A PERMIT TERMS AND CONDITIONS

PERMIT TERMS

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

1. *Section 6.10.2 Fence Height* – to increase the maximum permitted combined height of a retaining wall and fence within a flanking side yard setback (abutting Franklyn Street) from 1.8m up to 2.8m as shown on Attachment D.
2. *Section 11.7.1 Size of Buildings* – to increase the maximum permitted height of a principal building from 12.0m to 19.0m as shown on Attachment D.

The City of Nanaimo “Off-Street Parking Regulations Bylaw 2018 No. 7266” is varied as follows:

1. *Section 6.1(i)(a) Required Number of Loading Spaces Parking Table* – to reduce the minimum required number of loading spaces from 1 space to 0 spaces.

CONDITIONS OF PERMIT

1. The subject property shall be developed generally in accordance with the Site and Parking Plans, prepared by Ace Architecture Inc., dated 2024-JUL-02, as shown on Attachment C.
2. The subject property shall be developed in substantial compliance with the Building Elevations and Details, prepared by Ace Architecture Inc., dated 2024-JUL-02, as shown on Attachment D.
3. The subject property shall be developed in substantial compliance with the Landscape Plans and Details prepared by Macdonald Gray, dated 2024-JUL-02, as shown on Attachment F.
4. Registration of a 2.0m wide Statutory Right-of-Way (SRW) along the front lot line (abutting Robson Street) as shown on Attachment C prior to building permit issuance.
5. Lot Consolidation of 350 & 398 Franklyn Street prior to building permit issuance.

ATTACHMENT B
SUBJECT PROPERTY MAP



 350 & 398 FRANKLYN STREET

