

CITY OF NANAIMO

MINUTES OF THE MEETING OF THE REZONING ADVISORY COMMITTEE HELD ON THURSDAY, 2006-FEB-16, AT 4:45 P.M. IN THE BOARD ROOM, CITY HALL, 455 WALLACE STREET, NANAIMO, BC

PRESENT: Ralph Meyerhoff (Chair)
Shirley Lance
Neil McNiven

APPLICANT(S): Duncan Watt
Cam Watt
Wally Large
Rick Jones
Bill Wright
Edward Calb

STAFF: Dale Lindsay, Manager, Planning Division, DSD
Penny Masse, Planning Clerk, Planning Division, DSD

1. CALL TO ORDER

The meeting was called to order at 4:50 p.m.

2. ADOPTION OF MINUTES

MOVED by Ms. Lance, SECONDED by Mr. McNiven that the minutes of the 2006-FEB-02 Rezoning Advisory Committee meeting be adopted.

CARRIED

3. NEW AND PENDING APPLICATIONS

RA000158: Urban Design Group Architects Ltd. (Rick Jones) has submitted a rezoning application on behalf of Chase River Properties Inc., to rezone property located at 1275 Island Highway South from Single Family Residential Zone (RS-1) to Town Centre Commercial Zone (C-23), in order to develop a mixed commercial residential development.

Mr. Lindsay gave a brief presentation regarding the property and application:

- Property was previously designated as Residential through the Chase River Neighbourhood plan.

- An amendment to redesignate the property to Main Street / Residential to allow for the development of a mixed-use project was supported by PNAC and was approved by Council.
- The property is also impacted by the Chase River Design Guidelines that were developed through the neighbourhood plan process and the Chase River Gateway Design Guidelines.

Mr. McNiven asked if Staff was in support of the application.

Mr. Lindsay confirmed that Staff was in support of the application.

Mr. Jones gave a brief presentation regarding the application:

- Noted the creek running along Lawlor Road is protected through Fisheries; there is a required setback for such properties which ensures that no future development can occur on the property. Existing trees and foliage will remain untouched.
- A pedestrian flow will be encouraged in the shopping area.
- Proposed second building includes a lower floor of commercial retail units and an upper floor containing residential units (8).
- Proposed third building is oriented into the parking lot and is a single-level commercial development.
- All proposed buildings would be tied together with pedestrian accesses to ensure flow and all pedestrian accesses will be lit with 15' light standards. The existing trail way will be utilized for safety and to allow for additional flow.
- The food store building is of a substantial size and therefore, as per Chase River Design Guidelines, the building has been broken up into areas of 6 and 12 sloped roofing lending a residential flavour to the building.
- Substantially wide sidewalks are planned (20') for the project to allow for some outdoor seating as well as aesthetic purposes.
- Proposed building materials are non-combustible (excluding trim boards), including hardy boards, brick columns and walls. Building exteriors are planned in earth tones, including the brick work. The larger areas facing the back and sides of the building are proposed to be built using a low-profile colored, split-faced block. The back of the building is densely treed and will remain so.
- A pedestrian scale has been adhered to for the entire project.
- Landscaped setback areas, including cedar trellis work, have been included in the plan.

Mr. Meyerhoff asked if the property was part of the Town Centre.

Mr. Lindsay confirmed that the property is included in Town Centre.

Mr. Meyerhoff noted a concern regarding the rear of the food store and the developers' ability to create a suitable appearance adding that the south side of the food store building should include some landscaping.

Mr. Jones responded that the trellis screening will be included on the south side of the food store building, including vines, at a 9' height.

MOVED by Mr. McNiven that the application be approved as presented. SECONDED by Ms. Lance.

CARRIED

RA000160: Bill Wright, has submitted a rezoning application on behalf of Nanaimo Harbour Front Development Corporation, to increase the maximum height and density for the building under construction at 38 Front Street. The applicant is proposing increase the FAR by 1.0 and add 2 storeys (8 units) to the development previously approved through Rezoning Application RA123 and Development Permit DP284.

Mr. Lindsay gave a brief presentation of the project and history of the subject application:

- Confirmed that the building permit has been issued and construction is under way. Seawall portion of project is now almost complete and the townhomes are taking shape.

Mr. Calb gave a brief presentation regarding the proposed project:

- Introduced himself as one of the principals of CAPE Development Corporation.
- Noted that the proposed increase in FAR and height is to correct and better utilize the space in the existing structure, adding that there are areas that are presently blocked that could be efficiently used as storage for residents, who have none presently.
- FAR is proposed to be increased by 1.0; 0.7 of which will be included within the building and 0.3 of which will be included in the proposed two additional floors.
- Noted that the overall impact of the increase in height to the massing of the building is not negative and would instead give an impression of "thinning" the building.
- Believes that they have created a project that is of benefit to the City and to the downtown.
- 70% of the building has been purchased and a long waiting list exists.
- Mr. Calb presented the Committee with written rationale for the proposed increase in FAR and height (Schedule 'A').
- Believes that this proposal is an improvement to the existing project plan.

Mr. McNiven asked if Staff support this proposal.

Mr. Lindsay responded that Staff is not in support the proposal.

Mr. McNiven noted that he personally has no objection to the proposal, adding that it will be one of the 'jewels of downtown' and that he does not believe the height difference would have a negative impact on the project.

Ms. Lance noted that she also has no objection to the height increase as the project is well below height levels previously approved and currently approved proposals.

Mr. Meyerhoff asked for clarification from the developers' on what benefits there are to the City of Nanaimo if the FAR and height increase were approved.

Mr. Calb responded that the building will encourage more residents to live and shop in the downtown, which in turn would be beneficial to local merchants and retailers'. Believes it would be an economic stimulant and that retirees will sell their homes will be looking for a life free of home-owner responsibilities, especially in the downtown, adding that the seawall and park will be greatly improved, enhancing the area and City on the whole.

Mr. Meyerhoff asked what direct value benefits for the City would be in relation to the increase in value of the project for the developers' with an additional 8 units being allowed for in the proposal.

Mr. Calb noted that CAPE Development Corporation has already contributed \$100,000 towards public artwork in the park and that a donation has been given to the City in regards to air conditioning units at a value of \$150,000.

Mr. Meyerhoff noted that a large segment of the City's community has historically been opposed to high-rises on the waterfront and asked if they were not concerned about further negative reaction from the community.

Mr. Calb responded that higher buildings have been previously approved, adding that it is his belief that high-rises should be on the waterfront to allow for view corridors for all. Space is created between the towers and therefore views are opened up for the community.

Mr. McNiven noted the City is attempting to enrich the tourism industry and he believes this project will better allow for that; stated that this is a top-notch project.

Mr. Calb noted that the seawall has already improved drastically and the end result will be one of pride to the City and an asset to all. Noted that the buffers between the seawall and the tower allow for a spacious walkway and is pedestrian oriented.

MOVED by Mr. McNiven that the application be approved as presented. SECONDED by Ms. Lance.

CARRIED

Mr. Meyerhoff noted that he voted against the proposal not due to the height of the tower but due to the mass of the lower floors that will block views along Front Street.

Mr. Calb noted that a covenant has been registered as a condition of rezoning that ensures that a view corridor be maintained from Front Street through the lobby.

Mr. Meyerhoff stated that in his opinion a glass lobby is not adequate. Believes there should be green space surrounding the building and the original shell of the building should have been demolished. Understands that the building was an eyesore for so long that anything is an improvement but it should have been approached as an entirely new project.

Mr. Meyerhoff noted that the concerns of the community are paramount and should be considered. Also reiterated his concern regarding an additional community contribution that would be in keeping with the additional value received to the developers if this proposal is approved.

Mr. Calb agreed that value of the project would be increased but noted that building costs would also increase, which is the rationale of this proposal; to deliver what was promised to the purchaser at the price promised to the purchaser. The City and the developer should work together.

4. **NEW BUSINESS**

Mr. Lindsay noted that RAC Terms of Reference have been amended and that membership now includes 5 members from PNAC. The previous Council position was replaced by a member-at-large from PNAC.

5. **ADJOURNMENT**

Mr. Meyerhoff MOVED that the meeting be adjourned at 5:45 p.m. SECONDED
by Ms. Lance.

CARRIED

APPROVED:



Chair



Date

SCHEDULE A

February 2, 2006

City of Nanaimo
455 Wallace Street
Nanaimo, BC
V9R 5J6

Attention: Director of Planning

Following is a brief description of the proposed revisions that our client has asked us to put forward for your consideration.

The proposed revisions can be separated into two parts. The first is an increase in density that allows for F.A.R. (Floor Area Ratio) area within the currently approved development; the second is the addition of two floors, of 4 units per floor, which would increase the F.A.R. and height of the building.

DENSITY INCREASE

The increase in density within the building has 3 main components that create F.A.R. All of these increases in density occur within the existing building structure and approved development and do not add any additional mass to the building. The majority of these increases occur underground and, based on the zoning definitions, have to be included in the F.A.R. total.

The first component is the creation of storage rooms within the existing parking structure and within the new areas created in the two floors below Front Street. These areas would be assigned as storage spaces/lockers for the residential units within the building. The total area for these storage spaces is approximately 21, 750 sq.ft. (F.A.R. 0.57).

The second component in density is created by the need to raise the townhouse portion of the building to avoid undermining the existing footings of the parkade (uncovered during excavation) to minimize construction and geotechnical difficulties. This results in the crawl space within the upper level of townhouses exceeding the maximum height allowed for exclusion from F.A.R. This adds approximately 2,800 sq ft (F.A.R. 0.07).

The third component in density is created by the enclosure of deck space for the A units located within the existing concrete structure of the building. This revision creates a small den area adjacent to each master bedroom and reduces the distance of the bedroom windows from the outer edge of the existing floor slab and improves the capture of natural light for the bedroom (this also eliminates a dark area of exterior deck). This adds approximately 1764 sq.ft. (F.A.R. 0.05).

HEIGHT & UNIT INCREASE

The second main revision is the addition of 8 units, on 2 floors, at the top of the building. These two new floors of 10'-3" each, along with a 2'-0" headroom increase for the penthouse elevator, will increase the total height of the building by 22'-6" for a height increase above Front Street from 185'-6" to 208'-0". These two floors increase the building density by approximately 11,860 sq.ft. (F.A.R. 0.31).

From an architectural viewpoint, we feel the two additional floors, at the top of the building, will improve the overall proportions of the tower by increasing the slenderness of the tower massing.

SUMMARY OF PROPOSED REVISIONS

	Current	Proposed
Height (above Front Street)	185' – 6"	208' – 0"
F.A.R. Total	5.30	6.30
<u>Proposed F.A.R. Additions</u>		
Underground Storage		0.57
Townhouse Crawl Space		0.07
Unit A Bedroom		0.05
2 Floors at Tower		0.31
Number of Floors (above Front St.)	16	18
Number of Units	161	169

Sincerely,
GOMBEROFF BELL LYON
 Architects Group Inc.

 Eric Schroeder

February 15, 2006

Cape Development
633 – 5960 No. 6 Road
Richmond, BC

Attention: Edward Calb

G O M B E R O F F
B E L L
L Y O N



RE: 38 Front Street, Nanaimo – Pacifica

Dear Edward,

Following is a comparison of the Height and Density of our project and two other recently approved neighbouring towers.

	38 Front Street Pacifica		20 Front Street Insight	Conference Centre tower
	Approved	Proposed		
Height	185'-6"	208'-0"	244'-6"	273'-0"
Storeys	16	18	24	25
F.A.R.	5.3	6.3	6.4	Unlimited

Sincerely,
GOMBEROFF-BELL LYON
Architects Group Inc.

Eric Schroeder, MAIBC