

DATE OF MEETING | February 22, 2021 |

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**SUBJECT | DEVELOPMENT PERMIT APPLICATION NO. DP1209 AND
HOUSING AGREEMENT HA04 – 702 NICOL STREET |**

OVERVIEW

Purpose of Report

To present for Council's consideration, a development permit application and housing agreement for a personal care facility with 59 supportive housing units at 702 Nicol Street. |

Recommendation

That Council issue Development Permit No. DP1209 at 702 Nicol Street, subject to the City receiving a Freeze Release from the Ministry of Environment, with the following variances:

- increase the maximum permitted building height from 14m to 15.6m;
- increase the maximum permitted fence height from 1.8m to 3.3m in the rear yard;
- reduce the minimum required landscape buffer width from 1.8m to 0m on portions of the side property lines; and
- reduce the minimum required parking spaces from 12 spaces to 7 spaces.

And that:

1. "Housing Agreement Bylaw 2021 No. 7322" (to secure unit affordability) pass first reading;
2. "Housing Agreement Bylaw 2021 No. 7322" pass second reading;
3. "Housing Agreement Bylaw 2021 No. 7322" pass third reading; and
4. Council direct Staff to register a covenant on the title of the land to reinforce the terms of the housing agreement. |

BACKGROUND

A development permit application, DP1209, has been received from S2 Architecture Interior Design on behalf of the Provincial Rental Housing Corporation (BC Housing) for a four-storey personal care facility with 59 supportive housing units and an accessory community meeting space at 702 Nicol Street.

Subject Property and Site Context:

<i>Zoning</i>	Community Corridor (COR3)
<i>Location</i>	The subject property is located on the corner of Nicol Street and Robins Street in South Nanaimo, in close proximity to transit and downtown services.
<i>Total Area</i>	2,430 m ²
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use Plan – Urban Corridor Map 3 – Development Permit Area No. 9 - Commercial, Industrial, Institutional, Multiple Family and Mixed Commercial/Residential development
<i>South End Neighbourhood Plan</i>	Map 1 – Neighbourhood Land Use – Corridor Mixed Use
<i>Relevant Design Guidelines</i>	General Development Permit Area Design Guidelines South End Neighbourhood Plan – Urban Design Framework and Guidelines

The subject property is located in south Nanaimo on a vacant site bounded by Nicol Street, Robins Street, and a lane. The surrounding neighbourhood includes Value Lodge Hotel, single family homes, and retail services.

DISCUSSION

The applicant is proposing a four-storey personal care facility which includes 59 supportive housing units, and an accessory community meeting space.

Site Design

The building is set back 4.5m from the front property line along Nicol Street, and the primary building entrances face Nicol Street. Two outdoor amenity areas, bike storage building, and garbage/recycling enclosure are proposed at the rear of the property. Vehicle access to the property is from Robins Street, and seven parking spaces are provided on site. The lane at the rear will be improved and widened along the length of the property.

Building Design

A four-storey modular wood-frame building is proposed. The main floor of the building will contain the community meeting space (128m²), staff offices, kitchen, laundry, lounge, dining area and three units. The upper three storeys of the building contain 56 units.

Generous glazing is proposed for the first storey facing Nicol Street. A canopy extends along the length of the front façade, which defines the ground floor and provides weather protection for the primary building entrances. The raised entry area is accessed by both stairs and a wheelchair ramp. The exterior façade materials consist of fibre cement paneling and wood-like fibre cement plank. The arrangement of the wood and white fibre cement panels on the façades of the building provide interest and break the massing of the building.

A floor area ratio (FAR) of 1.25 is proposed, with a total building gross floor area of 3,049.6m². The COR3 zone allows a base density of 0.75. In accordance with the COR3 zone and Schedule D of the “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”), the applicant is proposing to achieve an FAR of 1.25 by providing amenities outlined on Attachment A to this report, such as:

- Building construction that will meet the requirements of Step 3 of the BC Energy Step Code, which exceeds the requirement specified in “Building Bylaw 2016 No. 7224” by two steps;
- Providing an enclosed building for the storage of 22 bikes; and
- Two charging stations for electric bikes.

Landscape Design

A landscape buffer with shrubs and trees is provided in sections around three sides of the property. Street trees will be placed along Nicol Street. Two outdoor amenity areas are provided: one separate outdoor area for a family, and a larger outdoor area is for the other residents. A cedar fence, 1.8m in height, is located around the outdoor amenity areas and will be sited on the proposed retaining wall at the rear of the property (along the lane). The larger outdoor amenity area contains benches and vegetable garden planters. A hard surface

pedestrian path is located around the building with connections to the Nicol Street and Robins Street sidewalks. Exterior lighting will be placed to illuminate the entrances and the pedestrian walkways.

The proposed development meets the intent of the design guidelines in the South End Neighbourhood Plan and the General Development Permit Area Design Guidelines.

Housing Agreement Bylaw 2021, No. 7322

The applicant is proposing to enter into a Housing Agreement with the City to ensure two commitments for the development:

1. That 100% of the units will be occupied by low- to moderate-income individuals and that if, in the future, rent is charged to those individuals, the rent shall not exceed the shelter allowance provided by the BC Ministry of Social Development and Poverty Reduction. Meeting this criteria is one of the steps required for eligibility for a development cost charge reduction in accordance with the “City of Nanaimo Development Cost Charge Bylaw 2017 No. 7252”. The applicant is exceeding the criteria by 50%.
2. That 100% of the units shall not be stratified or sold independently for at least 15 years after the date of issuance of the occupancy certificate for the building. The applicant is proposing to meet this criteria as one of the conditions for achieving additional density (Zoning Bylaw, Schedule D). The applicant is exceeding the criteria by 50%.

The attached “Housing Agreement Bylaw 2021 No. 7322” would authorize the City of Nanaimo to enter into a housing agreement with the property owner to ensure the above-mentioned two commitments. Once registered on the property title with a covenant, the housing agreement would be bound to the property in perpetuity.

Design Advisory Panel

The Design Advisory Panel, at its meeting held on 2021-JAN-14, accepted DP1209 as presented with support for the proposed variances and provided the following recommendations:

- Review all tree selections to ensure suitability for the local climate, and
- Give further consideration to Staff comments provided.

The applicant revised the landscape plan by incorporating tree species that are more suitable for the Nanaimo area. Also, the applicant responded to Staff comments by improving the pedestrian path to the Robins Street sidewalk, improving the façades of the building to create a more residential character and to add interest, improving the landscaping around the garbage enclosure, and by adding benches in the front yard area.

Community Consultation

BC Housing hosted two neighbourhood meetings via Zoom in December 2020 to obtain community input related to building and landscape design. In response, BC Housing made the following revisions to the plans for 702 Nicol Street:

- Added more natural finishes to the building exterior to better blend with the neighbourhood;
- Revised the proposed fence design and the location of the gazebo in the rear yard area; and
- Added three parking spaces, such that a total of 7 parking spaces is provided.

Freeze Release – Ministry of Environment

The subject property is the site of a former gas station, thus a Contaminated Sites Approved Professional has submitted a Freeze Release request to the Ministry of Environment, on behalf of BC Housing, requesting approval for the proposed residential use on the property. The City is required to receive the Freeze Release approval from the Ministry of Environment prior to issuance of the Development Permit.

Proposed Variances

Building Height

The maximum allowable building height is 14m, the proposed building height of the residential building is 15.6m; a proposed variance of 1.6m.

The subject property is designated as 'Corridor Mixed Use' in the South End Neighbourhood Plan, and a building height of four storeys is supported in this designation. In addition, due to the structural requirements of the individual modular units and the construction method used to join the units, a modular building is generally slightly taller than a similar building using traditional construction methods. Also, raised parapets have been added along the roofline to add character to the building.

Fence Height

The maximum allowable fence height is 1.8m in the rear yard; the proposed combined height of the retaining wall with fence in the rear yard is 3.3m.

An existing retaining wall along the rear property line will be removed and the lane will be widened onto the subject property (with a statutory right-of-way). A new retaining wall 1.47m in height will be constructed, and a wood fence 1.8m in height is proposed to be located on the retaining wall to surround the outdoor amenity areas. It is anticipated a guardrail may also be needed on the retaining wall outside of the fence along the lane frontage.

Minimum Landscape Treatment Level

The Zoning Bylaw requires a minimum landscape buffer width of 1.8m along the side property lines. A variance to the required landscape buffer width, from 1.8m to 0m, is proposed for portions of the north and south side property lines.

The landscape buffer variance along the north property line is adjacent to the 7 parking spaces. It is a constrained site, and to achieve the drive aisle width and standard parking space length, a variance to the landscape buffer width is required.

The landscape buffer variance along the south property line is adjacent to the utility box and part of the outdoor family amenity area. The utility box is screened with landscaping on two sides, and a fence 1.8m in height will screen the outdoor family area.

Off-Street Parking

The minimum required off-street parking for the proposed development is 12 parking spaces (0.2 spaces per sleeping unit). The proposed number of parking spaces is 7; a variance of 5 parking spaces.

In accordance with the City's Policy for Consideration of a Parking Variance, the applicant provided a Parking Variance Report prepared by Watt Consulting Group (2021-JAN-11). The applicant has demonstrated that the proposed variance is supportable given the following justifications:

- Increasing the number of parking spaces on the property will reduce the area available for features such as outdoor amenity spaces, pedestrian walkways, the bike storage building, landscape buffers, and widening of the lane.
- The Watt Consulting Group report reviewed the parking demands of existing supportive housing developments in BC and concludes that the parking demands for the 702 Nicol Street development is 4 parking spaces for residents, 4 parking spaces for staff, and 5 parking spaces for visitors. The development provides 7 parking spaces onsite and the report indicates that on-street parking will need to be utilized for the remaining parking demand.
- Watt Consulting Group reviewed the on-street parking and concluded there is sufficient on-street parking available on Robins Street and Strickland Street, and that the on-street parking on these streets is currently under-utilized. Staff have reviewed the parking study and on-street parking capacity in this area and concur with this conclusion.
- In accordance with the Nanaimo Transportation Master Plan, the proposed development is supporting active transportation by providing an enclosed shelter for 22 bicycles, with two stations to charge electric bikes. Also, the property is within 130m of a bus stop for northbound trips to downtown, and within 300m of a bus stop for southbound trips to the Cinnabar Valley area and South Park Plaza.
- The subject property is located in a Mobility Hub buffer area (Nanaimo Transportation Master Plan), thus active transportation infrastructure such as bike lanes, bus routes, and sidewalks will continue to be improved in this area.

Staff support the proposed variances.

SUMMARY POINTS

- Development Permit Application No. DP1209 and "Housing Agreement Bylaw 2021 No. 7322" is for a personal care facility with 59 supportive housing units at 702 Nicol Street.
- Variances are requested to allow an increased building and fence height, a reduction in the landscape buffer width, and reduced parking requirement.
- The proposed development addresses the City's design guidelines and Staff support the proposed variances.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Map
ATTACHMENT C: Location Plan
ATTACHMENT D: Site and Parking Plans
ATTACHMENT E: Building Elevations and Details
ATTACHMENT F: Building Rendering and Exterior Materials
ATTACHMENT G: Building and Retaining Wall Sections
ATTACHMENT H: Landscape Plan and Details
ATTACHMENT I: Schedule D – Amenity Requirements for Additional Density
ATTACHMENT J: Aerial Photo
“Housing Agreement Bylaw 2021 No. 7322” |

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