

DATE OF MEETING | October 18, 2021 |

AUTHORED BY | LISA BRINKMAN, PLANNER, CURRENT PLANNING |

SUBJECT | **DEVELOPMENT PERMIT APPLICATION NO. DP1220  
– 4961 SONGBIRD PLACE** |

## **OVERVIEW**

### **Purpose of Report**

To present for Council's consideration, a development permit application for a multi-family residential development with 98 rental units at 4961 Songbird Place. |

### **Recommendation**

That Council issue Development Permit No. DP1220 for a residential development at 4961 Songbird Place with the following variances to:

- increase the maximum allowable building height from 18m to 18.42m; and
- reduce the front yard setback for a portion of the building from 3.5m to 2.45m. |

## **BACKGROUND**

A development permit application, DP1220, was received from Westmark Construction Ltd., for a multi-family development with 98 rental units to be located at 4961 Songbird Place. The property was rezoned from Single Dwelling Residential (R1) to Residential Corridor (COR1) in April 2020 (RA402).

### **Subject Property and Site Context:**

<i>Zoning</i>	Residential Corridor (COR1)
<i>Location</i>	The subject property is located to the southeast of the North Nanaimo Town Centre, between Rutherford Road and Songbird Place.
<i>Total Area</i>	1.25ha
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use Plan - Corridor 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 subject property is currently vacant and includes a wetland on the eastern portion. The lot is triangular in shape, with a narrow access at Songbird Place and increased width to the south, with frontage on Rutherford Road. Due to the wetland location and the unique shape of the property, the developable area is limited to the southwest portion. The wetland requires a 15m aquatic setback. |

## **DISCUSSION**

### **Proposed Development**

The applicant is proposing a five-storey residential building with 98 rental units and underground parking. A gross floor area of 9,347m<sup>2</sup> is proposed (excluding underground parking). The subject property is zoned COR1, which permits a floor area ratio of 1.00, and a floor area ratio of 0.73 is proposed for the development.

The proposed unit composition is as follows:

<i>Unit Type</i>	<i>Number of Units</i>	<i>Average Unit Size</i>
One-bedroom	40	60m <sup>2</sup>
Two-bedroom	54	80m <sup>2</sup>
Three-bedroom	4	93m <sup>2</sup>
<i>Total</i>	98 units	

### *Site Design*

The proposed building is L-shaped, with one section facing Rutherford Road and the other section facing the wetland area. The siting of the building is outside of the 15m aquatic setback. Driveway access is from Songbird Place, and access to the underground parking area is provided at the north end of the building. A landscape buffer, surface parking, and the garbage/recycling/organics enclosure is provided along the northwest property line. A total of 20 surface parking spaces will be provided, and 90 parking spaces will be provided in an underground parking level. The total number of required parking spaces will be provided on site, including electric vehicle parking, accessible parking, visitor parking, and bicycle parking.

### *Building Design*

The L-shaped building is proposed to be five storeys in height, with horizontal and vertical accent walls, and a blend of exterior materials and colours used to break the building massing. The exterior building materials are proposed to be cement board panel and 'wood-like' cement board plank, with vinyl windows and glass balcony railings. The lobby, building entrances, and amenity room are on the first storey in the centre of the building, with the primary entrance facing the surface parking area, and a secondary entrance facing Rutherford Road. The underground parking area also contains bicycle storage rooms and a fitness room.

### *Landscape Design*

Two pedestrian paths are provided from the Rutherford Road sidewalk to building entrances. An outdoor amenity space, seating area overlooking the wetland, and retained grove of arbutus trees are located at the east corner of the building. The pedestrian path in the west corner of the property winds through a landscaped area and raingarden to the surface parking area and building entrance. An outdoor patio is provided adjacent to the fitness room. A concrete paver pedestrian path (1.5m in width) is provided along the driveway from the building entrance to Songbird Place. A landscaped buffer with evergreen trees is proposed along the full length of the front and west property line. The vegetation management of the riparian area will include removing invasive species and any debris, maintaining the soil, and replanting approximately 25% of the area with indigenous plants.

The site, building, and landscape design for the proposed development at 4961 Songbird Place complies with the General Development Permit Area Design Guidelines.

### **Design Advisory Panel**

The Design Advisory Panel (DAP), at its meeting held on 2021-APR-22, accepted DP1220 as presented with support for the proposed setback and building height variances. The following recommendations were provided:

- Consider opportunities for taller plantings in the main courtyard to help frame the entrance;
- Consider using an alternate type of railing for the balconies;
- Consider ways to enhance and increase the prominence of the main entrance; and
- Consider moving the garbage enclosure to the underground parking area.

The applicant responded to the DAP recommendations by:

- Adding raised planting beds to the courtyard area for small trees;
- Changing the railings to frosted glass with gray trim; and
- Increasing the size of the canopy above the main building entrance.

The applicant determined it was not feasible to move the garbage enclosure to the underground parking area, as the service providers are not able to pick up from an underground parking garage at this time.

### **Proposed Variances**

#### *Building Height*

The maximum allowable building height in the COR1 zone where at least 75% of the required parking is provided underground is 18m. In the case of the proposed development, more than 75% of the required parking will be underground. The proposed building height is 18.42m; a proposed variance of 0.42m.

The building height variance allows for the shed roof architectural features. These features provide interest, assist in screening rooftop equipment, and will allow the building to reflect the design of the multi-family building on the north side of the wetland area (4960 Songbird Place).

#### *Minimum Front Yard Setback*

The minimum required front yard setback is 3.5m. The proposed front yard setback for a small portion of the building is 2.45m; a proposed variance of 1.05m.

The southern wing of the building is sited 3.5m from the front property line, except for the eastern corner which extends 1.05m into the setback due to the curve of the front property line along Rutherford Road.

Staff support the proposed building height and front yard setback variances.

### **SUMMARY POINTS**

- Development Permit Application No. DP1220 is for a multi-family residential development with 98 rental units.
- Variances are requested for building height and the front yard setback.
- 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 Renderings  
ATTACHMENT G: Landscape Plan and Details  
ATTACHMENT H: Aerial Photo

#### **Submitted by:**

Lainya Rowett  
Manager, Current Planning

#### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services