

DATE OF MEETING | December 6, 2021 |

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**SUBJECT | DEVELOPMENT PERMIT APPLICATION NO. DP1218
– 41 AND 45 HALIBURTON STREET |**

OVERVIEW

Purpose of Report

To present for Council's consideration, a development permit application for a 38-unit multi-family residential development at 41 and 45 Haliburton Street.

Recommendation

That Council issue Development Permit No. DP1218 for a multi-family residential development at 41 and 45 Haliburton Street with the following variances to:

- increase the maximum allowable building height from 14.00m to 15.76m;
- reduce the minimum front yard setback for an underground parking structure from 1.8m to 0.9m; and
- reduce the minimum refuse receptacle enclosure setback on the north property line from 3.00m to 1.45m.

BACKGROUND

A development permit application, DP1218, was received from Parkshore Projects Ltd., on behalf of 1243166 BC Ltd., to permit a multi-family residential development at 41 and 45 Haliburton Street.

Subject Property and Site Context

<i>Zoning</i>	Medium Density Residential (R8)
<i>Location</i>	The subject properties are located on the east side of Haliburton Street between Crace Street and Finlayson Street.
<i>Total Area</i>	1,618m ²
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use Plan – Neighbourhood Map 3 – 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; and South End Neighbourhood Plan Urban Design Framework & Guidelines

The subject site is located in the South End Neighbourhood within close proximity to Downtown Nanaimo. The two lots each contain an older single residential dwelling and there are active demolition permits to remove the existing houses. The site slopes moderately downhill from west to east.

Surrounding properties primarily contain single residential dwellings; however, properties on both sides of Haliburton Street are zoned for medium-density multi-family residential use. One block south from the subject site, a five-storey residential project (Outlook) was completed in 2020 by the same developer at 119 Haliburton Street, and another two buildings (Prospect) were approved at 135 and 147 Haliburton Street earlier in 2021. Commercial services are located nearby along Nicol Street and at Port Place Mall, approximately 350m north of the site.

DISCUSSION

Proposed Development

The applicant is proposing to construct a five-storey multi-family residential building (Lumina) with 38 strata dwelling units and underground parking. The two lots will be consolidated as a condition of the development permit.

The proposed unit composition is as follows:

- 5 studio units between 50m² and 60m² in floor area;
- 21 one-bedroom units between 49m² and 73m² in floor area; and
- 12 two-bedroom units between 78m² and 95m² in floor area.

The total proposed gross floor area is 2,891m² and the Floor Area Ratio (FAR) will equal 1.79. The base maximum FAR in the R8 zone is 1.25 and the applicant is proposing to achieve an additional 0.35 FAR through the provision of amenities as outlined in 'Schedule D – Amenity Requirements for Additional Density' of the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") and an additional 0.25 by providing all required parking underground, for a total maximum permitted FAR of 1.85. The applicant is proposing to meet Tier 2 in 'Schedule D' of the Zoning Bylaw by providing amenities, including the following:

- public art installed on site;
- 50% of the site featuring permeable surfaces, including a green roof;
- a green wall on both the north and south elevations;
- building design to exceed the BC Energy Step Code by two steps;
- 10% of the residential dwelling units (4 units) designed as adaptable units; and
- educational signage installed on site to highlight sustainable building materials, energy management practices, alternative transportation options, and stormwater management practices.

Site Design

The proposed building is sited centrally to efficiently utilize the site and to take advantage of views toward the ocean to the east. The primary building entry will be connected by a walkway to Haliburton Street. Secondary pedestrian walkways lead to the stairwell exits at the north and south ends of the building. An outdoor rooftop amenity space is proposed.

All required parking will be provided underground and accessed via a drive aisle ramp on the north side of the building. Long-term bicycle storage will be provided within the underground

parking area and short-term bicycle parking will be provided outside the front entry. An outdoor refuse receptacle enclosure is proposed at the bottom of the drive aisle ramp.

Building Design

The building is designed to reflect the South End Neighbourhood Plan Urban Design Framework and Guidelines, and the front elevation facing Haliburton Street is set back above the third storey in accordance with the guidelines. The building's form and character presents a modern interpretation of heritage elements, with a strong building base, articulation of massing, prominent building entry, and use of high-quality materials, particularly on the street-facing elevation.

Exterior building materials will be predominantly cementitious panel with brick cladding at the base and around the entry, with cedar soffit and granite tile accents. Black fascia banding will wrap around the building above the third storey to break up the perceived massing. Each unit will have its own private patio or balcony, and the four ground-level units facing Haliburton Street will have direct pedestrian connections to the street.

Landscape Design

A planting buffer along the street will consist of groundcovers, shrubs, and small trees to frame the primary building entrance. Further planting is proposed to screen the private patios. A landscape buffer along the south property line will contain a variety of shrubs and beech trees, and a smaller buffer with ferns and vines is proposed adjacent to the drive aisle along the north property line. To the east, a Laurel hedge is proposed as a buffer between the top of a 1.6m-high concrete retaining wall and the exterior wall of the underground parking structure. A wildflower meadow is proposed on the roof of the underground parking structure where it extends to the east of the building above. Further planting is proposed in the northeast corner of the site, encircling the refuse receptacle enclosure.

The rooftop amenity space will include a garden terrace with outdoor seating. A functional green roof will surround the rooftop amenity space, and rooftop planting will consist primarily of small flowering shrubs, groundcovers, and grasses. In addition, four small trees are proposed in raised planter beds.

Design Advisory Panel

The Design Advisory Panel (DAP), at its meeting held 2021-APR-21, accepted DP1218 as presented with support for the proposed building height variance and provided the following recommendations:

- Consider carrying the form and character of the west elevation around to all sides of the building; and
- Consider an alternate design and a lighter shade for the roof overhang fascia.

The applicant subsequently revised the building plans to further distinguish the massing above the third storey on all elevations in response to the DAP recommendations, and revised the building materials to provide a lighter shade on the roof overhang.

Proposed Variances

Maximum Building Height

The maximum building height in the R8 zone is 14.00m. The proposed building height is 15.76m; a requested variance of 1.76m.

The applicant is proposing the height variance in order to accommodate the building's design and rooftop amenity features. The Zoning Bylaw exempts rooftop access staircases from building height calculations where there is a functional green roof, but there is no height exemption for guardrails encompassing a rooftop amenity space, and as such, the proposed building height is measured to the top of the guardrail. The height of the proposed building excluding the guardrail would be 14.81m.

Setting the fourth and fifth floors back an additional 3m from Haliburton Street reduces the perceived height of the building from the street frontage. To mitigate potential overlook on side elevations, no balconies are proposed above the third floor on these elevations. The rooftop guardrail is set back an additional 2.5m from the edge of the roof. Given the efforts to reduce the perceived massing, Staff support the proposed building height variance.

Projections Into Yards

The minimum front yard setback for an underground parking structure is 1.8m. The proposed parking structure setback from Haliburton Street is 0.9m; a requested variance of 0.9m.

The setback variance is proposed in order to accommodate adequate parking stall depths and vehicle drive aisle widths in the underground parking level. No negative impacts on the ultimate cross-section for Haliburton Street are anticipated, and Staff support the proposed underground parking structure variance.

Refuse Receptacle Enclosure Setback

The minimum setback for a refuse receptacle enclosure is 3.00m. The proposed refuse receptacle enclosure setback is 1.45m from the north property line; a requested variance of 1.55m.

The variance is proposed in order to accommodate a functional enclosure in the limited outdoor space on the lower level adjacent to the drive aisle. Given the significant landscaping (with a proposed Laurel hedge) to minimize potential impacts, Staff support the proposed refuse receptacle enclosure setback.

SUMMARY POINTS

- Development Permit Application No. DP1218 is for a multi-family residential development with 38 dwelling units and underground parking.
- The design of the buildings meet the intent of the South End Neighbourhood Plan Design Guidelines.
- The applicant is proposing to meet Tier 2 in 'Schedule D' of the Zoning Bylaw by providing amenities, including public art, a green roof, green walls, accessible units, and more.
- Variances are requested to increase the building height from 14.00m to 15.76m, to reduce the minimum front yard setback for an underground parking structure from 1.8m to 0.9m, and to reduce the minimum refuse receptacle setback from 3.00m to 1.45m. 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 Materials
ATTACHMENT F: Building and Site Sections
ATTACHMENT G: Building Renderings
ATTACHMENT H: Landscape Plan and Details
ATTACHMENT I: Schedule D – Amenity Requirements for Additional Density
ATTACHMENT J: Aerial Photo

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