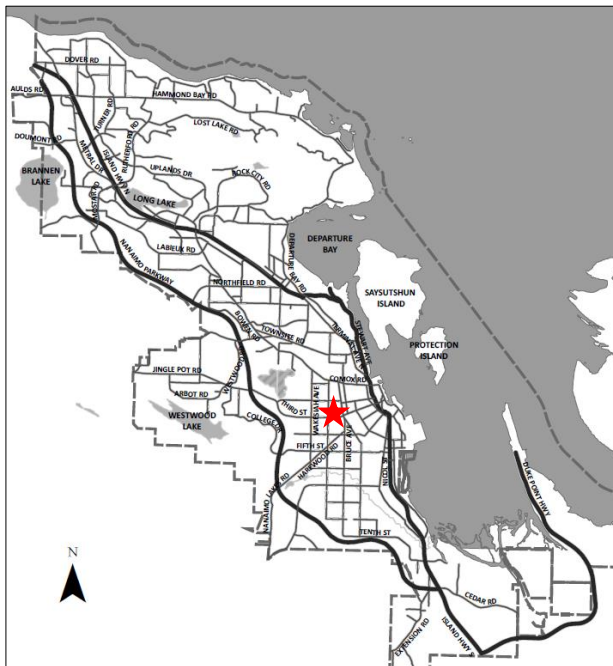


DATE OF MEETING July 24, 2023

AUTHORED BY SADIE ROBINSON, PLANNER, CURRENT PLANNING

**SUBJECT DEVELOPMENT VARIANCE PERMIT NO. DVP00448 – 300
HOWARD AVENUE**



Proposal:

Reduce parking requirements for a proposed neighbourhood pub.

Zoning:

COR2 - Mixed-Use Corridor

City Plan Future Land Use Designation:

Mixed-Use Corridor

Lot Area:

1.26ha

DVP



City Aerial Photo 2020

OVERVIEW

Purpose of Report

To present for Council's consideration, a development variance permit application to vary the minimum parking requirement for a proposed neighbourhood pub at 300 Howard Avenue.

Recommendation

That Council issue Development Variance Permit No. DVP448 at 300 Howard Avenue to reduce the minimum parking requirement for a proposed neighbourhood pub as outlined in the "Proposed Variance" section of the Staff Report dated 2023-JUL-24.

BACKGROUND

A development variance permit application, DVP448, was received from Jason Wertman of Third Street Nanaimo Holdings Ltd. to vary the provisions of the City of Nanaimo "Off-Street Parking Regulations Bylaw 2018 No. 7266" (the "Parking Bylaw") for a proposed neighbourhood pub within a recently constructed mixed-use building located at 300 Howard Avenue.

Development Permit No. DP1126, for a mixed residential and commercial project, was previously approved by Council on 2019-JUL-08. The development consists of two four-storey buildings with a total of 181 residential rental units and ground-level commercial space (423m²) in one of the buildings. The development was approved with a variance to allow 188 parking spaces utilizing a Shared Parking Reduction, with unassigned parking for both residential and commercial users. A subsequent Development Permit amendment (DP1164) was approved to allow the 188 spaces without requiring the shared parking arrangement, as the applicant preferred to assign spaces separately to the residential and commercial uses. Of the existing 188 spaces, 170 spaces were allocated for residential use (including visitor parking) and 18 spaces allocated for commercial use.

A building permit application has been received to divide the existing (unoccupied) commercial space into two separate CRUs, one for a future commercial tenant (CRU1) (150m²) and the other to be occupied by a proposed student-oriented neighbourhood pub (273m²) (CRU2). The applicant is requesting a parking variance for the pub use based on the anticipated parking demand. No parking variance is proposed for the existing residential use or the unoccupied commercial unit (CRU1).

Subject Property & Site Context

The subject property is bound by Third Street to the south, Lambert Street to the west, and Howard Avenue to the east. The property is surrounded by residential uses, including single residential dwellings to the north and west, and townhouses across Howard Avenue to the east. Across Third Street to the south are single residential dwellings and a new development containing townhouses and a mixed use building with ground-level commercial and residential units above. The site is located on a frequent transit (bus) route and is within walking distance to Vancouver Island University (VIU).

Statutory Notification has taken place prior to Council's consideration of the variance.

DISCUSSION

The applicant proposes to reduce the minimum parking requirement to allow a neighbourhood pub within a recently constructed mixed-use development. A separate liquor license application and provincial approval would also be required to allow liquor service in this location.

Proposed Variance

Minimum Required Parking

The Parking Bylaw calculates the required parking for a neighbourhood pub based on a rate of one parking space per three seats. The applicant proposes to vary this requirement to provide 13 parking spaces based on a rate of one parking space per 21m² of gross floor area. The proposed pub is 273m² in floor area with approximately 96 seats indoors and 34 seats within a seasonal outdoor patio facing Third Street.

The existing development has 18 parking spaces allocated to commercial use, and the applicant proposes to revise the Site and Parking Plan (Attachment C) to add one additional parking space for a total of 19 commercial spaces. Thirteen (13) of these spaces would be allocated to the pub and six spaces would remain for CRU1, which would provide the required parking to allow the unit to be used for permitted uses such as retail, personal service use or take-out restaurant.

In accordance with the City's Policy for Consideration of a Parking Variance, the proposed variance is supportable with the following considerations:

- *Parking Study* - A Parking Study prepared by a professional transportation consultant was submitted in support of the application which concluded that the proposed parking variance is supportable. The Study assumed a peak summer parking demand, including indoor and outdoor patio areas, and determined that 14 parking spaces are needed. The analysis considered data collected from comparable sites/businesses in Nanaimo (five other sites), Saanich, Colwood and Victoria. The required parking rate (1 space per 3 seats), however, applies only to indoor seating, which is approximately 96 seats in this case requiring 32 spaces. The seating capacity is estimated and will be confirmed when the CRU is occupied. The Parking Study recommended using a parking rate based on the anticipated peak demand, including indoor and outdoor seating. The anticipated demand for the proposed pub is 14 parking spaces. With 13 spaces proposed, the Study recommended Transportation Demand Management (TDM) measures, to encourage alternative modes of transportation and reduce the parking demand, including surplus bike parking and participation in the BC Transit ProPASS program. Staff have reviewed and accepted the Parking Study, however it was determined that a monetary contribution towards active transportation improvements would provide a more direct and effective contribution than the optional ProPASS program.
- *Location* – The property is designated Mixed Use Corridor which envisions more intensive residential and commercial uses with a vibrant street life, diverse travel modes and public spaces. The site is well positioned along a frequent transit (bus) route and within 500m of the VIU express bus route; within 750m of the Downtown Primary Urban Centre; and within walking distance of the university campus (approximately 650m) and surrounding residential neighbourhood. Active transportation improvements have been

completed and are in-progress adjacent to and near the site including sidewalks, Harewood Bikeway (along Fourth Street) and the Third Street Complete Streets project with upgrades completed at the intersection of Howard Avenue and Third Street to improve the safety and comfort of pedestrians, cyclists, and transit users in the area.

- *Neighbourhood Engagement* - The applicant provided information regarding the proposed variance to residents in the surrounding neighbourhood and to the Harewood Neighbourhood Association. A summary of comments received are included in Attachment D.
- *Site Constraints* – The existing buildings and site improvements have been completed in a way that addresses a grade change across the site. The applicant was able to revise the Site Plan to add one parking space, but it would not be practical to re-design for more parking without significantly compromising the building design, landscaping and amenity areas. The parking, however, is provided to the rear of the building in compliance with the approved Development Permit, and the required parking for the residential use is maintained.
- *On-street Parking* - Some on-street parking is available on Third Street, Lambert Avenue and Howard Avenue immediately adjacent to the site with additional on-street parking in the neighbourhood.

Proposed TDM Measures

The applicant proposes to secure the following TDM measures as conditions of the permit to encourage alternate modes of transportation and reduce parking demand:

1. Surplus Short-term Bicycle Parking

As recommended in the Parking Study, the applicant proposes to provide a surplus of 20 short-term bicycle parking spaces to add to the existing eight short-term bicycle parking spaces provided onsite for staff and patrons to arrive by bike. The applicant also proposes to install a bike shelter over one of the racks for weather protection and to provide a bicycle repair station (with a post/lift, tools and an air pump) to further support and encourage cycling as an alternative mode of transportation.

2. Monetary Contribution

A monetary contribution of \$10,000 is proposed and is anticipated to be directed towards the completion of a pedestrian crossing on Third Street, which the City would incorporate into the overall Third Street Corridor upgrade. This crossing would not only improve pedestrian access to the site and onsite uses but would improve broader pedestrian connectivity in the Harewood neighbourhood. Pedestrian access would be available from Armishaw Road through the subject property (via existing statutory right-of-way) to properties south of Third Street along Watfield Avenue, extending to Fourth Street with the recently approved townhouse development at 385 Watfield Avenue.

The subject property is not in a cash-in-lieu area for a parking reduction in accordance with the Parking Bylaw, however, the monetary contribution amount (\$10,000) is equivalent to what would

be required for one parking space if the property were in a cash-in-lieu area. The rationale for this amount is based on the anticipated demand being 14 spaces with 13 provided.

The proposed pub is strategically located within an existing neighbourhood and within walking distance of services, recreational amenities and the University. It is anticipated the pub would contribute to community vitality with opportunities for gathering and employment along a connected corridor. While the proposal encourages cycling, it is anticipated that much of the patronage will walk to the pub including residents living onsite and nearby. The proposal meets the intent of the Policy for Consideration of a Parking Variance, and Staff support the proposed variance.

SUMMARY POINTS

- Development Variance Permit No. DVP448 to vary the “Off-Street Parking Regulations Bylaw 2018 No. 7266” by reducing the minimum parking requirement for a proposed neighbourhood pub from 1 space per 3 seats to 1 space per 21m² gross floor area at 300 Howard Avenue.
- The applicant provided a Parking Study which concluded that the variance is supportable.
- In support of the variance request, the applicant is proposing to provide surplus bicycle parking, a bike shelter and repair station, as well as a monetary contribution towards active transportation improvements.
- Staff support the proposed variance.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Subject Property Map
ATTACHMENT C: Site Plan and Details
ATTACHMENT D: Neighbourhood Comments

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