

City of Nanaimo
REPORT TO COUNCIL

DATE OF MEETING: 2012-JUL-09

AUTHORED BY: SHEILA HERRERA, PLANNER, PLANNING & DESIGN SECTION

RE: REZONING APPLICATION NO. RA294 – PART OF 380 FIFTH STREET

STAFF'S RECOMMENDATION:

That Council:

1. receive the report pertaining to "ZONING AMENDMENT BYLAW 2012 NO. 4500.025"; which is presented under the Bylaws section of the agenda; and
2. direct Staff to secure the community contribution, prior to adoption of the bylaw, should Council support the bylaw at Third Reading.

PURPOSE:

The purpose of this report is to provide Council with background information regarding a new rezoning application for a portion of 380 Fifth Street to facilitate development of eight row house dwellings. The associated Zoning Bylaw 4500 amendment is being considered for First and Second Readings this evening.

NANAIMO ADVISORY PLANNING COMMITTEE (APC):

At its meeting of 2012-MAY-15, APC recommended that Council approve the application.

BACKGROUND:

Subject Property and Surrounding Area

The total area of the subject property is 0.2 hectares (0.5 acres), located on the northwest corner of the Fifth Street and Stirling Avenue intersection (Location Plan - Attachment A). The property is long and narrow and is occupied by a single dwelling facing Fifth Street. The rear portion of the site, subject to rezoning, is approximately 0.13 hectares (0.3 acres). From Fifth Street the site slopes upward to the north end of the property. The majority of lots in the neighbourhood are single dwelling lots; however, there is a mix of housing types and residential zones in the immediate area, including R4 (Duplex Residential) and R6 (Townhouse Residential). The University Village shopping centre is located less than 200m west of the site; and Robins & Duke Park is located approximately 220m east of the subject site.

Official Community Plan (OCP)

The property falls within the 'Neighbourhood' designation, according to Map '1' of the Official Community Plan (OCP). The relevant policies of the OCP are as follows:

- Development in 'Neighbourhoods' will be characterized by a mix of low density residential uses; densities from 10 to 50 units per hectare; and two to four storey building forms.

- The infill of residential lots is encouraged and will be designed to compliment existing neighbourhood character, including the ground oriented nature of existing housing.
- Development of a mix of residential options for all demographic categories and levels of affordability across the city.

The proposed rezoning equates to a density of 40 units per hectare, which falls within the 'Neighbourhood' density range, as noted above. Staff is of the opinion that the proposed rezoning complies with the intent of the OCP.

Proposed Development

The applicant would like to create a new lot for the existing house, which would remain zoned Single Dwelling Residential (R1). The remainder of the property is proposed to be rezoned to Row House Residential (R7) in order to allow for a total of eight row houses fronting Stirling Avenue (Site Plan - Attachment B). Row houses are dwelling units that have zero side yard setbacks and are registered as individual fee-simple lots (there is no common property or strata management involved). Row house lots are typically long and narrow in shape.

The dwellings are three storeys in height and approximately 175m² (1,890ft²) in size, including a single car garage. The dwellings are intended to step up the grade to conform to the existing natural grade of the site (Elevations - Attachment C). Two parking spaces are being provided per lot, one within the garage and one on the driveway apron. In addition, as the lot frontages are narrow and no rear laneway exists, driveway accesses will be combined in order to create a more desirable street edge; instead of eight separate driveways, there will be four.

All lots meet the minimum lot area requirements; however, the lot depth cannot be met on this site. Staff is supportive of the lot depth variance from 27m to 20m, as the site plan demonstrates an acceptable lot layout and building footprint. A development permit is required for row housing; therefore, the variance can be addressed at that time.

Roadworks

In anticipation of questions related to road improvements, the following comments are provided for Council's information. A preliminary assessment of the roadworks associated with this development has been conducted; however, only through the Design Stage Acceptance (DSA) process can the final requirements be determined:

Fifth Street

Road works along the Fifth Street frontage include:

- Increase of road right-of-way (road dedication) of approximately 2.44m;
- Asphalt widening of approximately 4m;
- Construction of concrete curb, gutter, and 1.8m concrete sidewalk; and
- Construction of a retaining wall and fencing.

Stirling Avenue

Road works along the Stirling Avenue frontage include:

- Asphalt widening of approximately 1m;
- Construction of concrete curb, gutter, and 1.8m concrete sidewalk; and
- Installation of catch basins to accommodate road drainage.

Development Variance Permit (Existing House)

Due to the location of the existing house and the rear carport, a variance of 2.19m is required for the rear yard setback in order to create the proposed R1 lot. The lot has a generous existing side yard setback (west side) of 7.31m, which wraps around to the rear yard. As ample yard space is provided, Staff supports the rear yard variance. Please note, that a development variance permit will be required in the future, which is a separate Council process.

Community Contribution

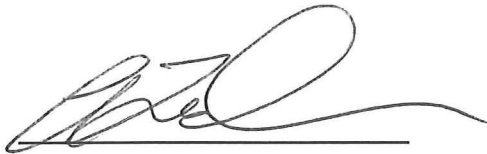
As outlined in Section 7.3 of the OCP, in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution. In response to Council's policy, the applicant is proposing a monetary contribution of \$8,000 towards the City of Nanaimo's Affordable Housing Legacy Fund. Staff supports this community contribution proposal and recommends that this item be secured as a condition of rezoning.

Respectfully submitted,



B. Anderson, MCIP
MANAGER
PLANNING & DESIGN SECTION

Concurrence by:



A. Tucker
DIRECTOR
PLANNING

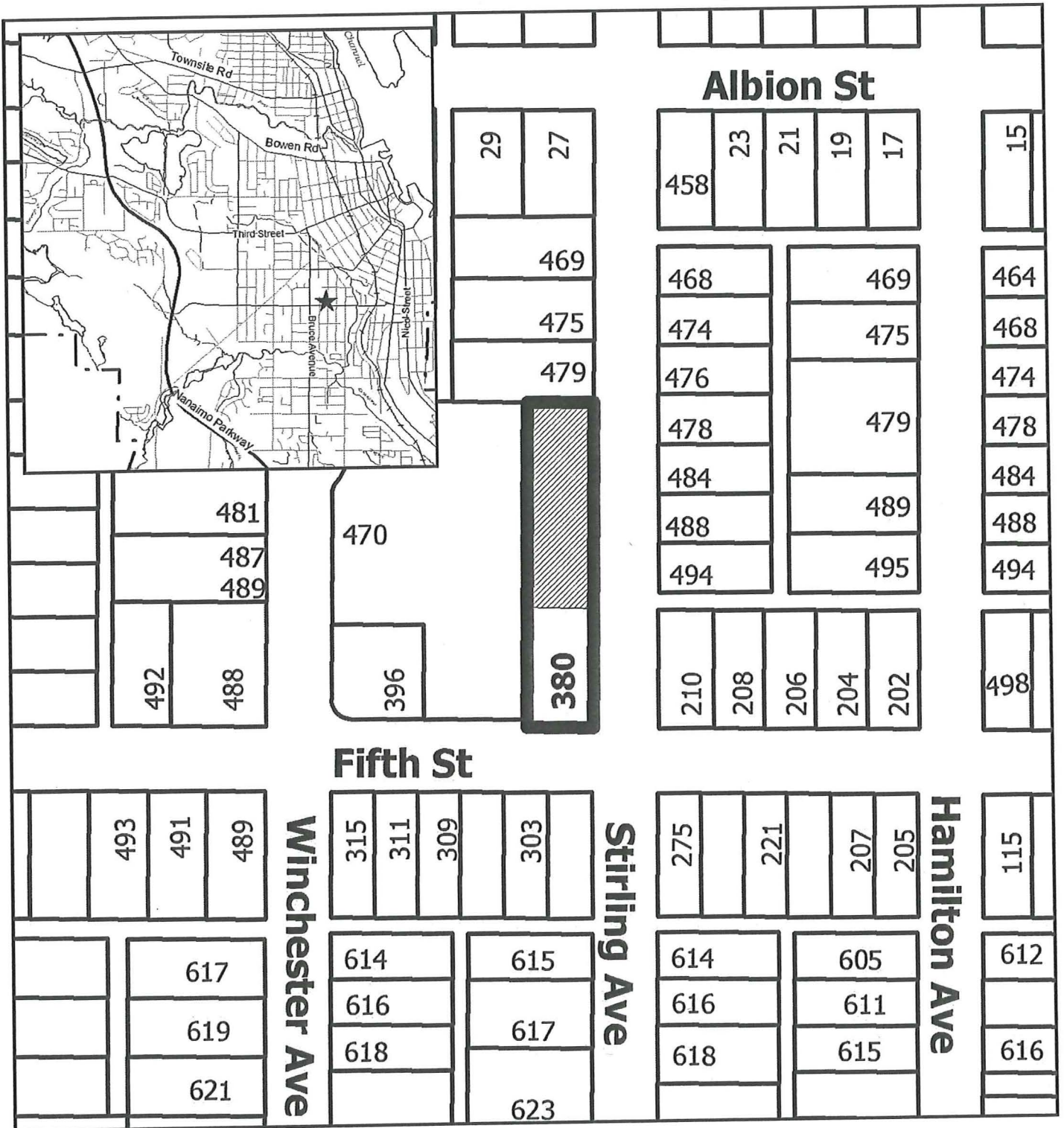


T. Swabey
GENERAL MANAGER
COMMUNITY SAFETY & DEVELOPMENT

CITY MANAGER COMMENT:

I concur with the staff recommendation.

Drafted: 2012-JUN-29
Prospero attachment: RA294
SH/pm





REZONING APPLICATION NO. RA294

LOCATION PLAN

Civic: Part of 380 Fifth Street

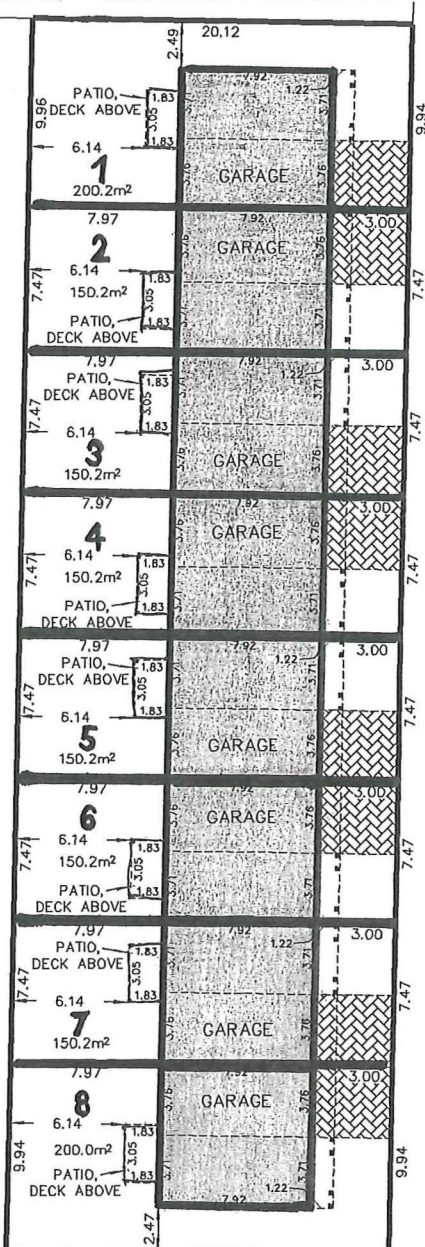


-  **Subject Property**
-  **Portion to be Rezoned**

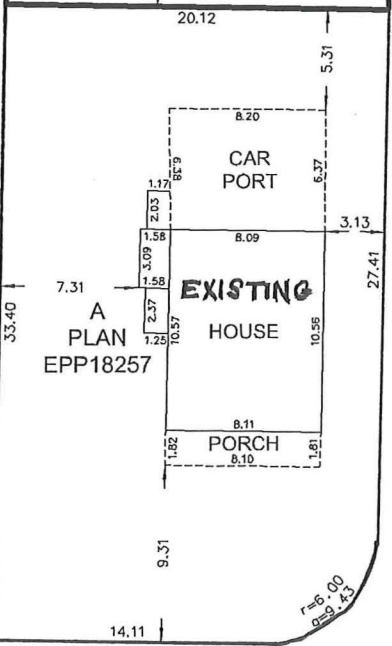
RECEIVED
 MAY 15 2012
 CITY OF NANAIMO
 DEVELOPMENT SERVICES



A
 PLAN
 VIP54172



STIRLING AVENUE



FIFTH STREET

**PROPOSED
 ROW HOUSING**

699694 BC LTD.

LOTS 1 to 8'
 SECTION 1, NANAIMO
 DISTRICT, PLAN EPP18258.

ADDRESS : STIRLING AVENUE, NANAIMO

PROJECT SURVEYOR : D.G. WALLACE

DRAWN BY : DAW DATE : MAY. 15/12

OUR FILE : 87351 REVISION : 1st

JEA J.E. ANDERSON
 & ASSOCIATES
 SURVEYORS - ENGINEERS

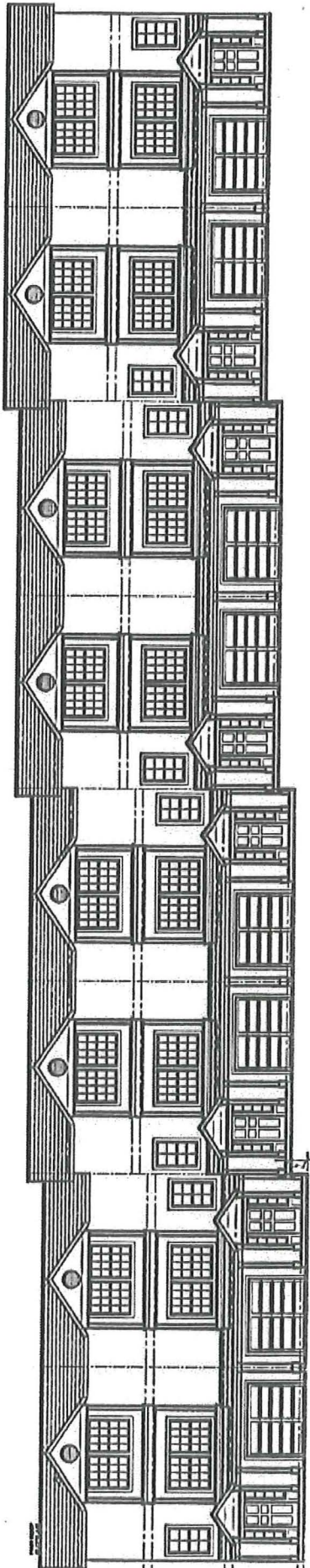
1A - 3411 SHENTON ROAD, NANAIMO, B.C. V8T 2H1
 TEL: 250 - 758 - 4631 FAX: 250 - 758 - 4650
 E-MAIL : nanaimo@jeanderson.com
 NANAIMO - VICTORIA - PARKSVILLE

Scale = 1:250

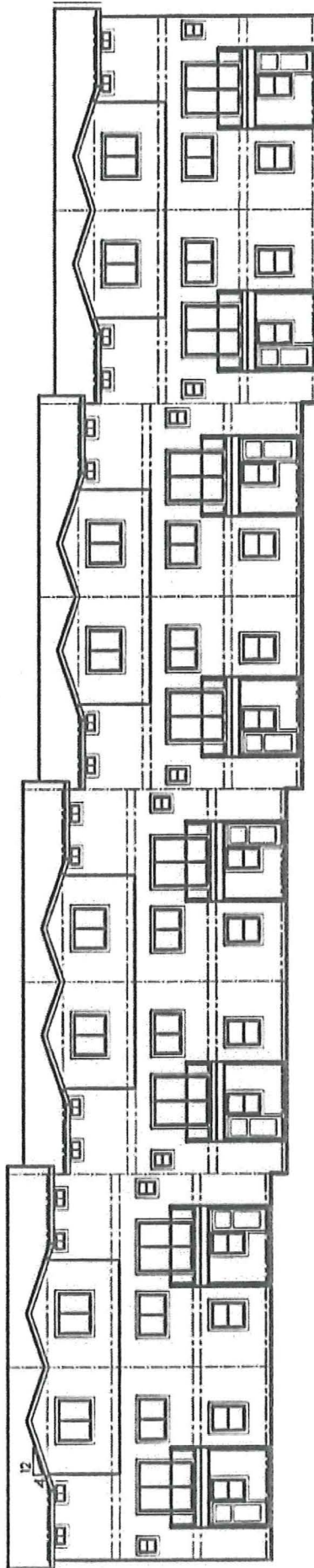


The intended plot size of this plan is 280mm in width by 432mm in height, B size, when plotted at a scale of 1:250.

ATTACHMENT C



Front Elevation



Rear Elevation