

**City of Nanaimo**  
**REPORT TO COUNCIL**

DATE OF MEETING: 2012-AUG-13

AUTHORED BY: S. HERRERA, PLANNER, PLANNING & DESIGN SECTION

RE: REZONING APPLICATION NO. RA300 – PART OF 6414 PORTSMOUTH ROAD

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**STAFF RECOMMENDATION:**

That Council:

1. receive the report pertaining to "ZONING AMENDMENT BYLAW 2011 NO. 4500.029", and;
2. direct Staff to secure the community contribution and a covenant for general building design, 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 6414 Portsmouth Road to facilitate a three-lot subdivision. The associated Zoning Bylaw 4500 amendment is being considered for First and Second Readings this evening.

**BACKGROUND:**

***Subject Property***

The subject property is located on the north side of Portsmouth Road, approximately 45m west of the Applecross Road intersection (Location Plan - Attachment A). The total site is approximately 1,677m<sup>2</sup> (0.4 acres) in area and is occupied by a single family dwelling. Portsmouth Road is classified as an industrial road within the city and a variety of land uses and zones surround the subject property. Please note that the total area subject to rezoning is 866m<sup>2</sup> (0.2 acres).

The north side of Portsmouth Road, as well as the lots abutting the site to the north, consist mainly of single family lots, with the exception of several duplex lots at the western end of Portsmouth Road. The 'Corridor' designation stretches north from the north side of Portsmouth Road to the south side of Dover Road.

The south side of Portsmouth Road is included in the Urban Node designation of the Official Community Plan (OCP). The south side of Portsmouth Road contains a mix of zones, including Service Commercial, Public Institution, Light Industrial, Mixed Use Commercial, and Single Family Residential.

***Official Community Plan (OCP)***

The OCP contains the City's vision for the future. According to Map '1' of the OCP, the subject property is located within a 'Corridor' designation. The 'Corridor' designation supports

increased residential densities and a mix of land uses. Residential densities of 50 to 150 units per hectare in two to six storey building forms shall be supported.

The proposed development equates to a residential density of 17 units per hectare. Although the proposal is below the 'Corridor' range of density, two previous rezoning applications for greater density on the site were denied by Council. This application has been forwarded for Council consideration as it would achieve some level of infill development within the 'Corridor' designation.

### ***Previous Rezoning Applications***

Two previous rezoning applications have been submitted and can be summarized as follows:

#### ***RA250 – Third Reading Denied by Council on 2010-OCT-25***

- subdivide off existing house and rezone the remainder to allow for 5 townhouses;
- 3 storey buildings;
- met 'Corridor' density range; and
- supported by the planNanaimo Advisory Committee (now called Nanaimo Advisory Planning Committee - APC).

#### ***RA276 – Third Reading Denied by Council on 2011-MAY-02***

- subdivide off existing house and rezone the remainder to allow for 3 townhouses;
- 2 storey buildings;
- below 'Corridor' density range; and
- supported by the planNanaimo Advisory Committee (now called Nanaimo Advisory Planning Committee - APC).

### ***Proposed Development***

The applicant, Mr. Keith Brown (on behalf of Ms. Rosaleen Sadhra), proposes to rezone a part of the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential-Small Lot (R2) in order to facilitate subdivision of the lot (Site Plan - Attachment B).

The proposed lots can be summarized as follows:

- subdivide off existing house (R1) and rezone the remainder (R2) to allow for 2 small lots;
- the lot area for the existing house is approximately 767m<sup>2</sup>;
- the lot areas for both of the two small lots are approximately 433m<sup>2</sup>; and
- future dwellings will be required to conform to the siting and size requirements of the R2 zone.

A conceptual image of the buildings is attached (Streetscape Image – Attachment C).

Please note, rezoning applications for single dwelling lots are not typically reviewed by the Nanaimo Advisory Planning Committee (APC); as such, the committee has not reviewed this application.

### ***General Building Design***

In order to ensure that the facade of the future homes are not dominated by large garage doors, Staff recommends, as a condition of rezoning, that a covenant be secured to restrict any garage attached to the principal building to be restricted to a single car garage only.

**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:

Portsmouth Road

- increase of road right-of-way (road dedication) by approximately 1.0m;
- asphalt widening; and
- construction of concrete curb, gutter and sidewalk.

**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 to contribute \$2000 to the City's Affordable Housing Legacy Fund.

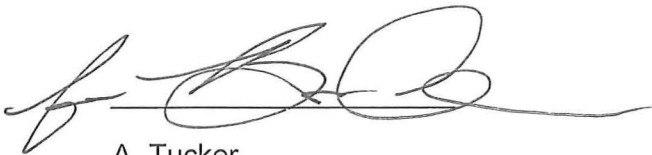
Staff supports this proposal and recommends that Council direct Staff to secure the community contribution.

Respectfully submitted,

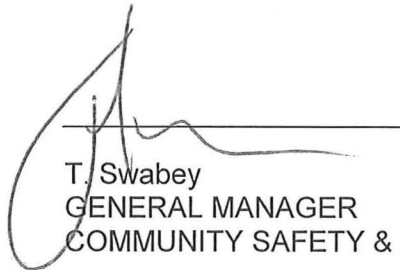


B. Anderson  
MANAGER  
PLANNING & DESIGN

Concurrence by:



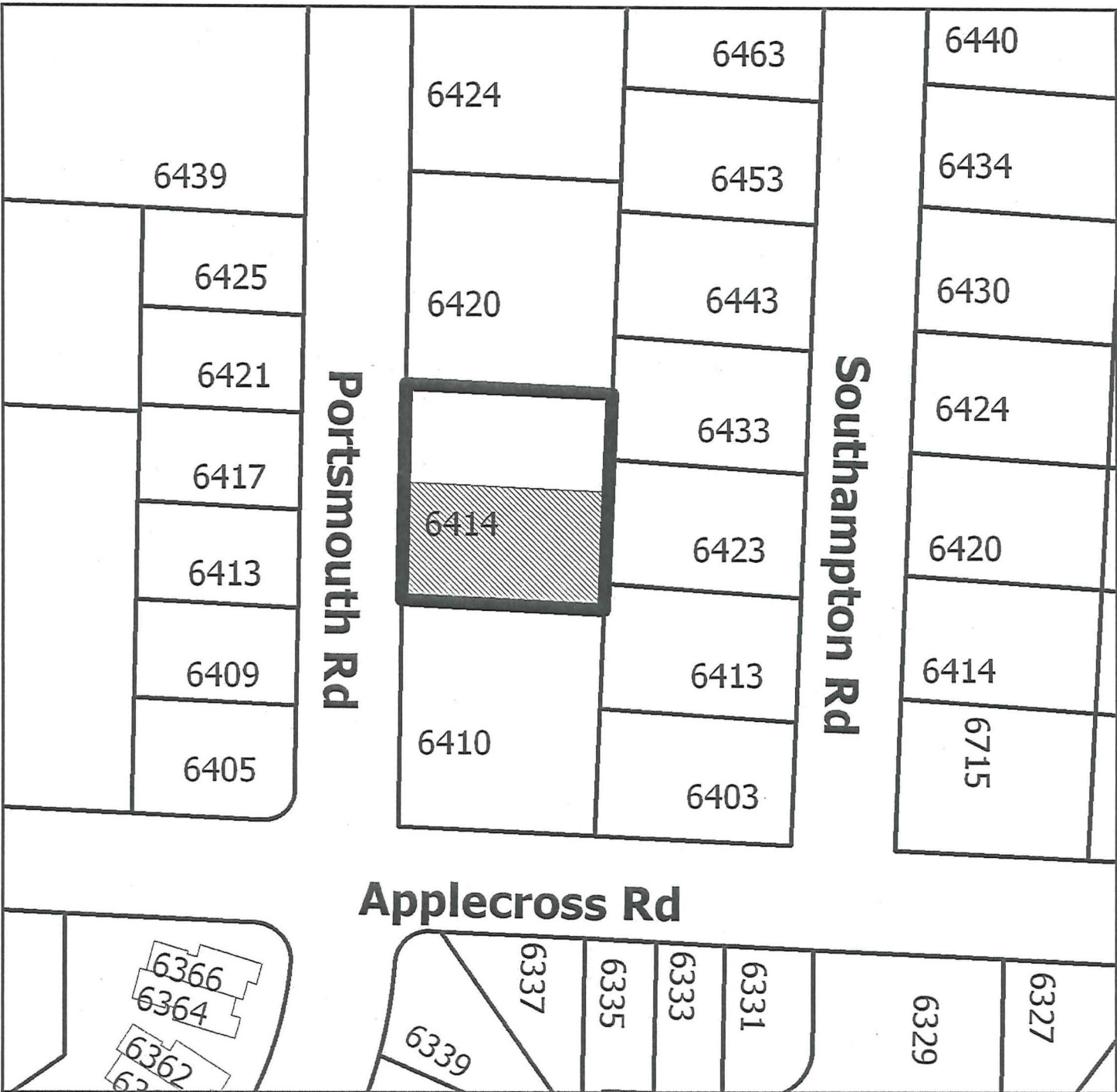
A. Tucker  
DIRECTOR  
PLANNING



T. Swabey  
GENERAL MANAGER  
COMMUNITY SAFETY & DEVELOPMENT



CITY MANAGER COMMENT:

I concur with the staff recommendation.



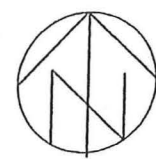
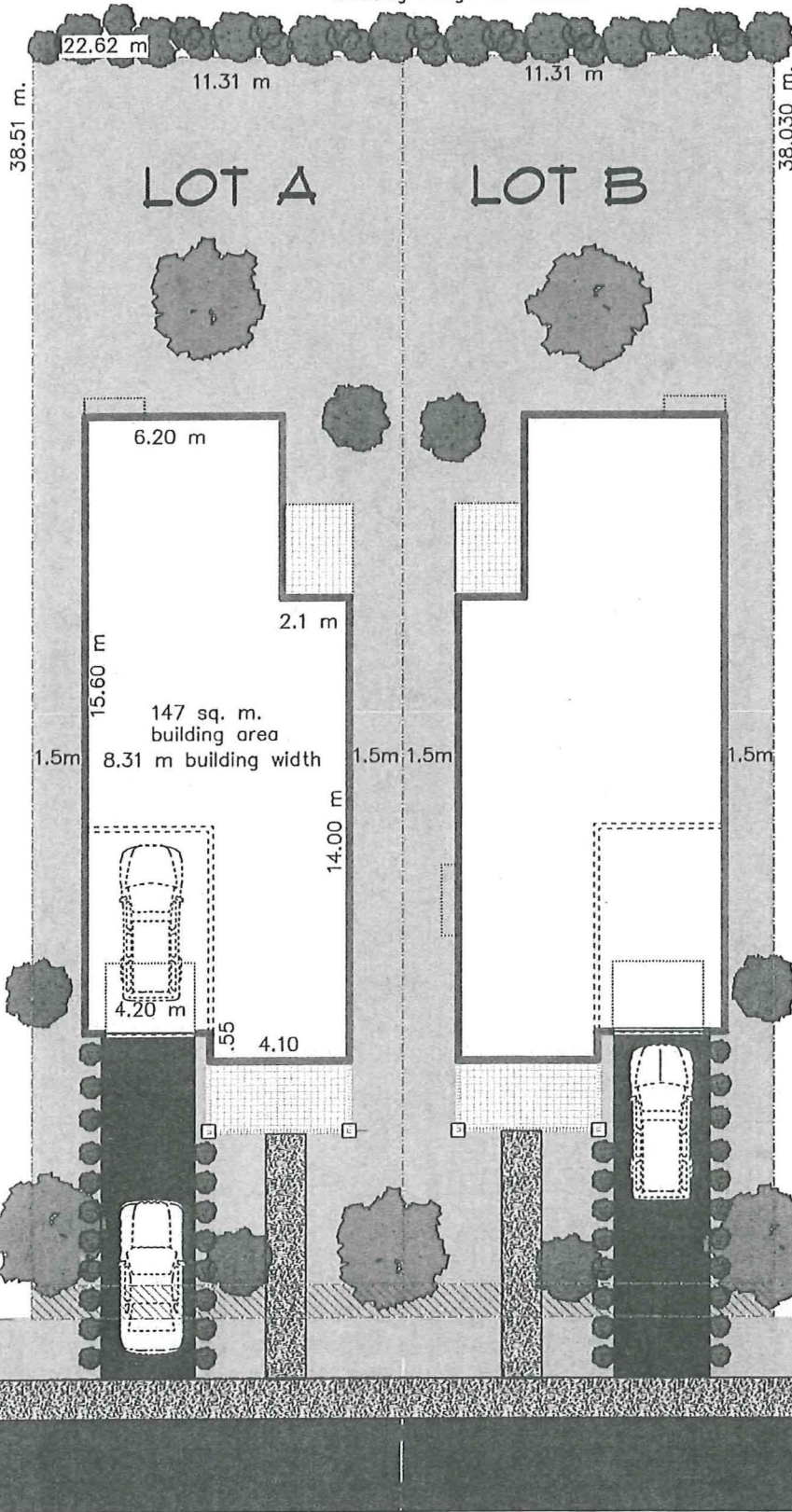
**LOCATION PLAN**

File: RA000300  
Civic: 6414 Portsmouth Road

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

ATTACHMENT B

Existing hedge to remain

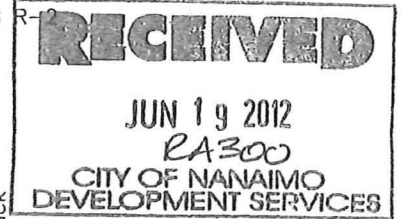


SCALE: 1 = 200 metric

SITE DATA  
 CIVIC ADDRESS #6414 PORTSMOUTH  
 LEGAL DESCRIPTION  
 LOT #65 DISTRICT LOT 28  
 WELLINGTON DISTRICT  
 PLAN 26689

LOT AREA OF EACH NEW LOT 433 SQ. M.  
 BUILDING AREA 163 SQ. M.  
 LOT COVERAGE 38 %  
 BUILDING HEIGHT 7.80 M.

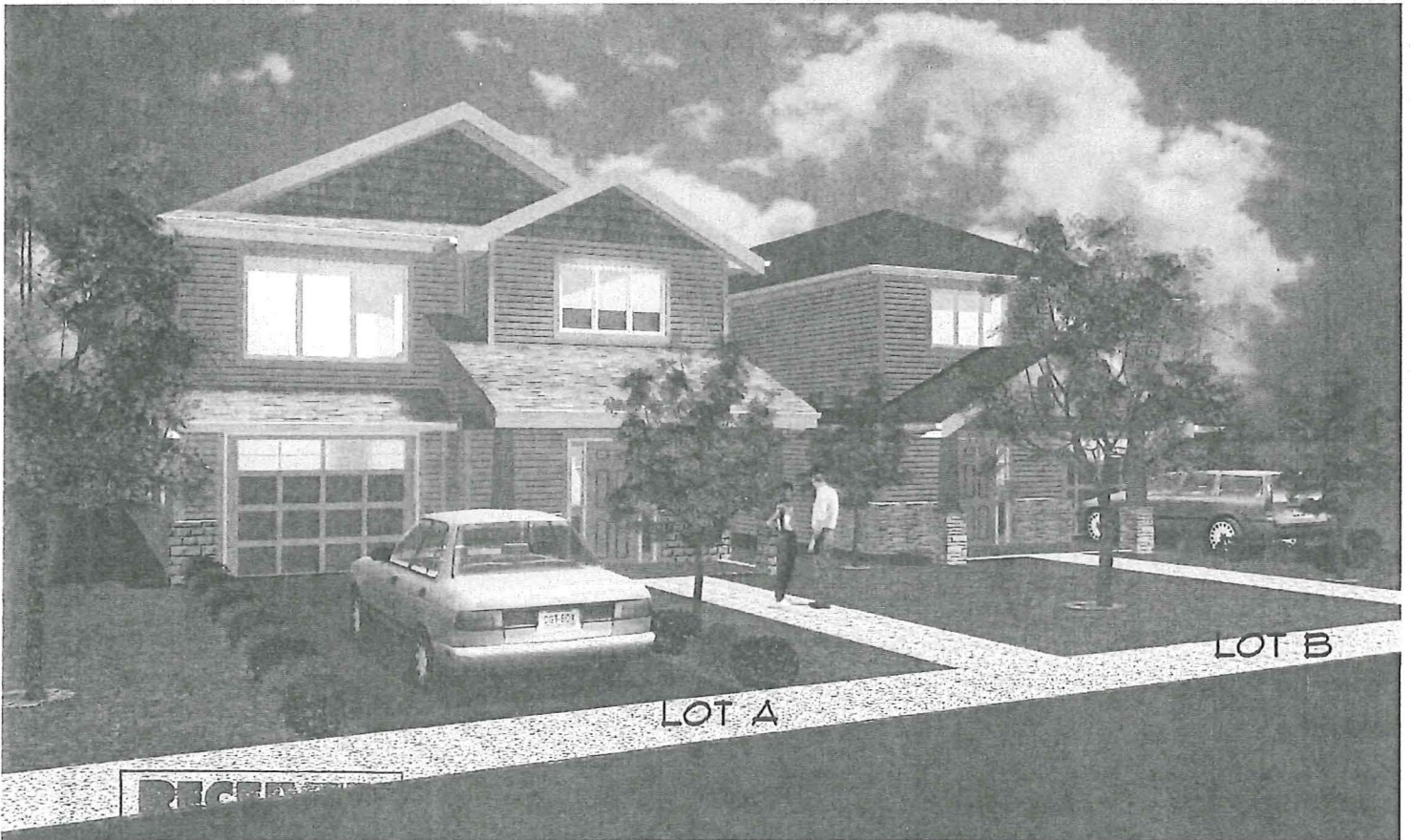
ZONING R-2



7.5 m. garage setback  
 4.5 m. bldg. setback  
 1.0 m. proposed road dedication

#6414 Portsmouth Road

SITE PLAN - 1



RECEIVED  
JUN 19 2012  
PA 300  
CITY OF NANAIMO  
DEVELOPMENT SERVICES

PRESPECTIVE LOT A -3