

DATE OF MEETING | February 3, 2020 |

AUTHORED BY | GEPKE STEVENSON, PLANNER, CURRENT PLANNING |

SUBJECT | REZONING APPLICATION NO. RA432 – 3841 AND 3817 VICTORIA AVENUE AND 3896, 3874, 3852, 3848 AND 3816 ISLAND HIGHWAY NORTH |

OVERVIEW

Purpose of Report

To present Council with an application to rezone the subject properties from Single Dwelling Residential [R1] to Community Corridor [COR3] to allow a future mixed-use development. |

Recommendation

That:

1. “Zoning Amendment Bylaw 2020 No. 4500.167” (To rezone 3841 and 3817 Victoria Avenue and 3896, 3874, 3852, 3848 and 3816 Island Highway North from Single Dwelling Residential [R1] to Community Corridor [COR3]) pass first reading;
2. “Zoning Amendment Bylaw 2020 No. 4500.167” pass second reading; and
3. Council direct Staff to secure road dedication, off-site improvements, reciprocal access, lot consolidation, and a Community Amenity Contribution, should Council support the bylaw at third reading. |

BACKGROUND

A rezoning application (RA432) was received from Seward Development Inc., on behalf of H.T. Management Inc. The applicant is requesting to rezone the seven subject properties from Single Dwelling Residential [R1] to Community Corridor [COR3] in order to allow development of the lands with a mix of residential and commercial uses on the properties.

Subject Property and Site Context

<i>Location</i>	The subject properties lie between 104 th Street and 105 th Street and between Victoria Avenue and Island Highway North.
<i>Total Lot Area</i>	3,609m ²
<i>Current Zone</i>	R1 – Single Dwelling Residential
<i>Proposed Zone</i>	COR3 – Community Corridor
<i>Official Community Plan Designation</i>	Corridor

The subject properties are located in the Wellington neighbourhood of the city. There are two lots fronting onto Victoria Avenue currently occupied by single family dwellings. There are four lots fronting onto Island Highway North and one lot at the corner of Island Highway North and 104th Street, all undeveloped. Directly adjacent to the subject properties to the east is a single family dwelling, and to the west, at the corner of 104th Street and Victoria Avenue, is a medical office. The surrounding neighbourhood to the north and east is primarily low-density residential,

and to the west are small-scale commercial uses and the Wellington Community Hall. Across Island Highway North to the south is Diver Lake and a mix of commercial and light industrial uses.

DISCUSSION

Proposed Development

The applicant proposes to rezone the properties in order to allow future development of a mix of residential and commercial uses. The applicant has submitted a conceptual site plan (see Attachment B) showing residential buildings on the two properties facing Victoria Avenue, and three mixed-use buildings (office/residential) on the five properties adjacent to Island Highway North and 104th Street.

There are two proposed site access points, one is a shared access from Victoria Avenue, and the other is from 104th Street via a shared access with the neighbouring property at 2778 104th Street (also owned by the owners of the subject properties). As future development relies upon this shared access arrangement, off-site improvements on 104th Street and reciprocal access agreements will be required as conditions of rezoning. A 1.3m road dedication on Victoria Avenue will also be required as a condition of rezoning.

The applicant proposes consolidation of the seven lots into three lots designated A, B, and C on the conceptual site plan. In order to ensure the COR3 zoning will apply to parcels that meet the minimum lot size requirements, lot consolidation will be required as a condition of rezoning.

Official Community Plan

The subject properties are located in the Corridor designation of the Official Community Plan (OCP). The intent of the Corridor designation is to recognize the linkage between Urban Nodes and Neighbourhoods and provide for safe movement of pedestrians. In this case, the Corridor connects the Country Club Commercial Centre to the Wellington Neighbourhood Commercial Centre and surrounding residential areas. The Corridor designation encourages multi-unit residential and commercial services in mixed-use developments. It allows for residential densities in the 50 to 150 units per hectare range and building heights of two to five storeys. The Corridor designation encourages sensitivity to the form of residential densities and encourages human-scale and pedestrian-oriented forms of development. The applicant anticipates developing 10 to 25 residential units, which would result in a density range from 27 to 69 units per hectare. Additional density would be supported by the Corridor designation, but if built at this density, Staff consider it an appropriate scale and fit with the surrounding residential neighbourhood and the existing small-scale commercial neighbourhood to the west.

Transportation Master Plan

The aim of the Transportation Master Plan is to encourage higher densities within mobility hubs that will support the use of alternative modes of transportation. In addition, it identifies routes for alternative modes of transportation. The subject properties are within the 600m buffer of the Country Club mobility hub; within walking distance of Norwell Drive, which is Rapid Bus Transit Corridor; and adjacent to Victoria Avenue, which is designated a Local Street Bikeway. By

supporting higher-density housing and commercial services, the proposed rezoning helps meet the objectives in the Transportation Master Plan.

Zoning Bylaw

The purpose of the Community Corridor (COR3) designation is to provide for “a wide range of uses intended to meet the day-to-day needs of the surrounding community”. Of the three Corridor zone designations, COR3 allows for the highest degree of design flexibility in terms of floor area ratio and the size of offices. In addition, it provides the widest range of permitted land uses, such as multi-family residential, office, retail, restaurant, and veterinary clinic. The proposed rezoning to COR3 will optimize the redevelopment potential of the subject properties and support housing, shopping, and service opportunities that will directly benefit the surrounding neighbourhood as well as the wider community.

Community Consultation

The Wellington Community Association received notification of the rezoning application and provided a response. Comments centered on the possibility of obtaining higher density on the site and the need for pedestrian connectivity.

The applicant held a neighbourhood meeting on 2019-OCT-29. Typical questions and comments related to parking, traffic, and privacy for adjacent dwellings.

Community Amenity 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 amenity contribution (CAC). The CAC will be calculated at the current rate of \$1,000 per residential unit and \$34 per square metre of gross commercial floor area, to be determined at the time of future development. If the site were developed according to the Conceptual Site Plan with 10 residential units and 551m² gross commercial floor area, this would result in a CAC of \$28,734.

The applicant proposes to direct the CAC toward the future completion, by the City, of sidewalks on 104th Street and Victoria Avenue fronting 2778 104th Street. This amounts to approximately 56m of frontage measured from the improved driveway to the east property line (see Attachment B). The current estimated cost of a sidewalk with curb is \$400 per metre, resulting in a total estimated cost of \$22,400. Depending on the future development plans and resulting CAC, any funds provided in excess of the amount needed to complete this section of sidewalk would be directed toward improvements within Loudon Park.

Staff support the proposed CAC as it enhances pedestrian accessibility for the neighbourhood..

Conditions of Rezoning

Should Council support this application and pass third reading of “Zoning Amendment Bylaw 2020 No. 4500.167”, Staff recommend the following items be secured prior to final adoption of the bylaw:

1. *Road Dedication*

A road dedication plan for 1.3m on Victoria Avenue to be registered at the Land Title Office.

2. *Off-site Improvements / Reciprocal Accesses*

- A Section 219 Covenant to obtain, at the developer’s expense, sidewalk and driveway improvements along a portion of the 104th Street frontage of 2778 104th Street, as identified on the Conceptual Site Plan (Attachment B).
- Reciprocal Access Agreements for reciprocal access between the subject properties and between 2778 104th Street and the subject properties to be provided.

3. *Lot Consolidation*

Proof of lot consolidation in accordance with the Conceptual Site Plan (Attachment B).

4. *Community Amenity Contribution*

A Section 219 Covenant to secure the CAC at the time of future development based on a rate of \$1,000 per residential unit and \$34 per square metre of gross commercial floor area, to be directed toward the future completion of sidewalk improvements along the frontages of 2778 104th Street. Any CAC which may be in excess of the cost of sidewalk improvements will be directed toward improvements within Loudon Park.

SUMMARY POINTS

- The application is to rezone the subject properties from Single Dwelling Residential [R1] to Community Corridor [COR3].
- The proposed rezoning meets the intent of the OCP, the Transportation Master Plan, and the purpose of the COR3 zone in “City of Nanaimo Zoning Bylaw 2011 No. 4500”.
- Staff support the proposed rezoning.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: Conceptual Site Plan
ATTACHMENT C: Aerial Photo
“Zoning Amendment Bylaw 2020 No. 4500.167”

Submitted by:

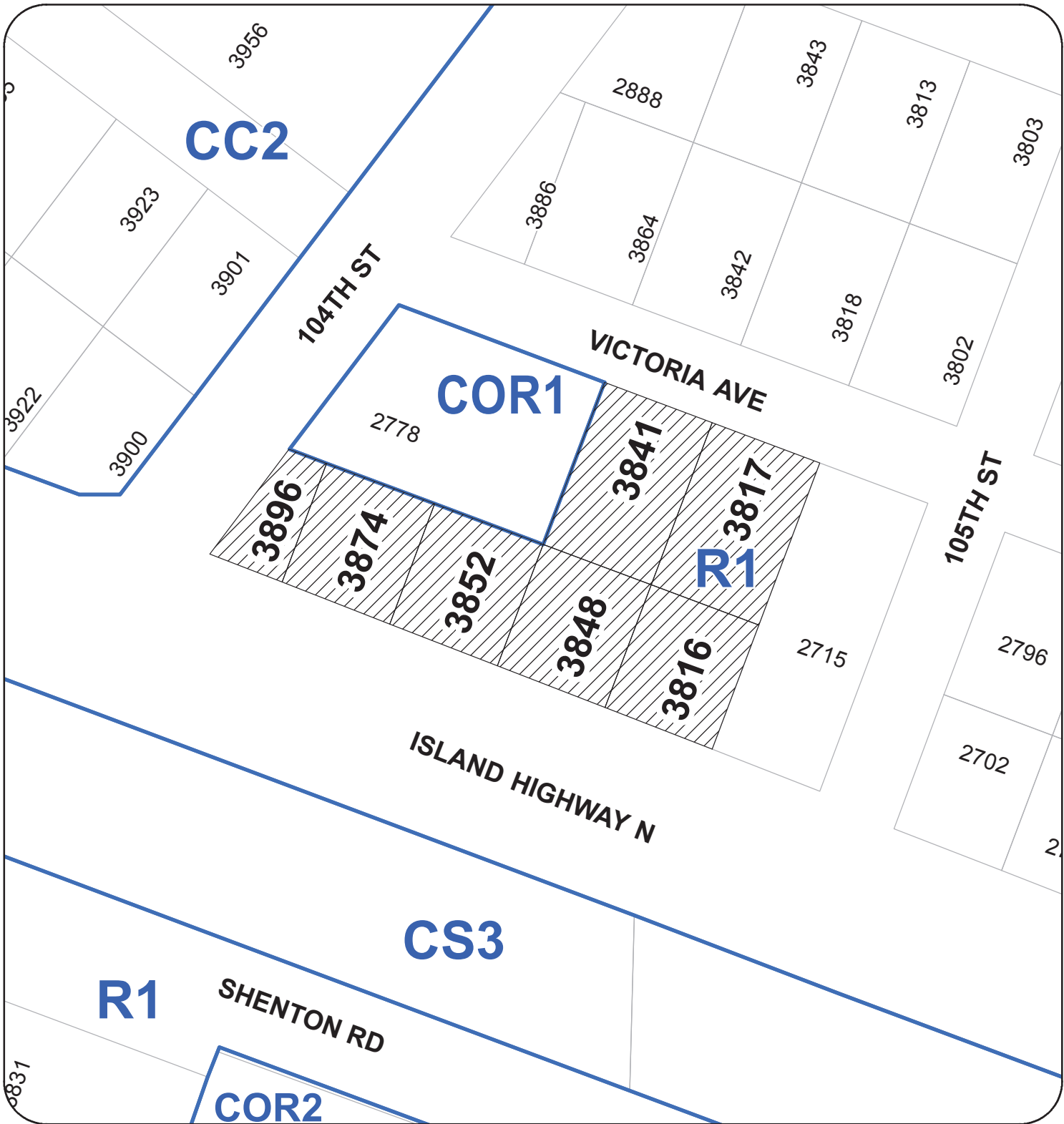
L. Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

**ATTACHMENT A
LOCATION PLAN**



REZONING APPLICATION NO. RA000432

LOCATION PLAN

CIVIC: 3816 3848 3852 3874 3896 ISLAND HIGHWAY N
3817 3841 VICTORIA AVENUE

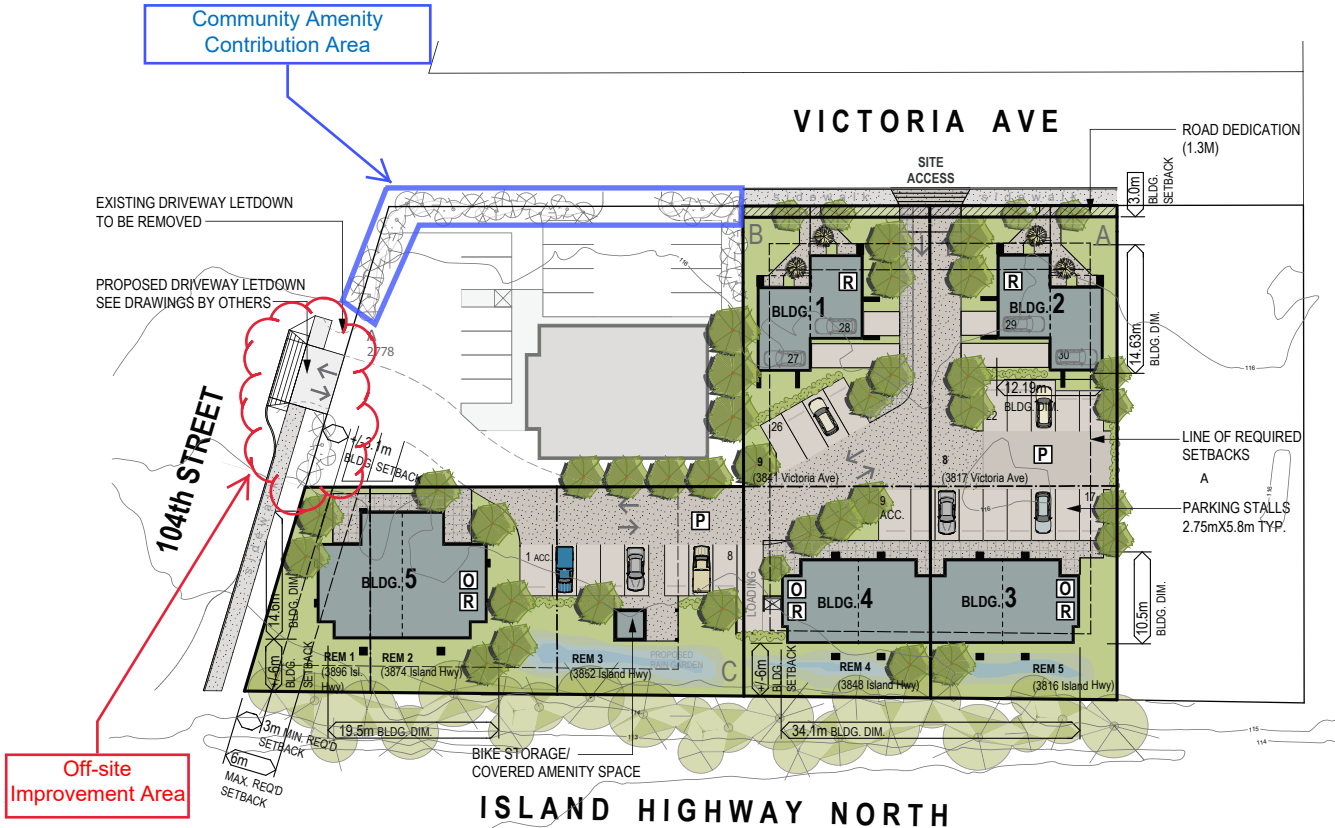
LEGAL: LOTS 1-5, 8-9, BLOCK 17, SECTION 3
WELLINGTON DISTRICT

PLAN 318A EXCEPT THAT PART IN PLAN 33807



SUBJECT PROPERTY

ATTACHMENT B CONCEPTUAL SITE PLAN



SITE SCHEMATIC

NOTE: PROPERTY BOUNDARIES AND EXISTING BUILDINGS DERIVED FROM CITY OF NANAIMO MAPPING AND INFORMATION PROVIDED BY OTHERS. TO BE VERIFIED.

LEGEND

- R** RESIDENTIAL
- O** OFFICE
- P** PARKING

SITE DATA	
CIVIL ADDRESS:	3917 & 3841 - VICTORIA AVENUE 3896, 3974, 3952, 3848, 3816 ISLAND HWY
LEGAL:	LOTS 8 & 9, REM. 1,2,3,4,5, BLK. 17, PLAN 318A
COMBINED LOT AREA:	+/- 3,609 M.SQ. / +/- 0.89 ACRE
EXIST. ZONING:	R1 - SINGLE FAMILY RESIDENTIAL
PROP. ZONING:	COR3 - COMMUNITY CORRIDOR
OCF DES.:	CORRIDOR
LOT COVERAGE:	+/- 21% (MAX. 60%)
F.A.R.:	+/- .41 (MAX. 0.75)

LAND USE			
BLDG.	MAIN	2ND	3RD
1	RES.	RES.	RES.
2	RES.	RES.	RES.
3	OFFICE	RES.	-
4	OFFICE	RES.	-
5	OFFICE	RES.	-

BUILDING AREA (M.SQ. GROSS)				
BLDG.	MAIN	2ND	3RD	G.F.A.
1	43	65	65	173
2	43	65	65	173
3	195	195	-	390
4	165	165	-	330
5	252	150	-	402
TOTALS				1,468

UNIT TYPES			
BLDG.	RES. UNITS (1 BDRM)	RES. UNITS (2 BDRM)	OFFICE (M.SQ. NET)
1	-	2	-
2	-	2	-
3 main upper	-	-	175.5
4 main upper	-	-	148.5
5 main upper	-	-	227
TOTALS	4	6	551m.sq.

PARKING	
REQUIRED:	
4 UNITS @ 1.07	4.28
6 UNITS @ 1.44	8.64
C.R.U.'S @ 1/22 m.sq.	25.04
TOTAL	38
(SHARED PARKING REDUCTION 80%)	30
PROVIDED:	30

PROPOSED REZONING
3917 & 3841 - VICTORIA AVENUE
3896, 3974, 3952, 3848 & 3816 - ISLAND HIGHWAY
NANAIMO B.C.



COPYRIGHT RESERVED. THESE PLANS ARE THE PROPERTY OF DELINEA DESIGN CONSULTANTS LIMITED TO BE USED SOLELY FOR THE PROJECT SHOWN. UNAUTHORIZED REPRODUCTION OR USE IN ANY MANNER IS NOT FORFEASIBLE.

PROJECT #:	d1476.27.17
ISSUED:	
REVIEW:	13 DEC. 2018
REVIEW:	31 JAN. 2019
REVIEW:	12 FEB. 2019
REVIEW:	31 JAN. 2019
CONSULTANT:	22 FEB. 2019
REZONING:	27 FEB. 2019
COORDINATION:	03 OCT. 2019
PUBLIC. INFO. MTG:	21 OCT. 2019
REVISED:	21 NOV. 2019
REVISED FOR REZONING:	26 NOV. 2019

DRAWING #:

PR1.0

ATTACHMENT C
AERIAL PHOTO



N



LEGEND



SUBJECT PROPERTY

REZONING APPLICATION NO. RA000432

CITY OF NANAIMO

BYLAW NO. 4500.167

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.167".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:
 - (A) By rezoning the lands legally described as LOT 1, BLOCK 17, SECTION 3, WELLINGTON DISTRICT, PLAN 318A EXCEPT THAT PART IN PLAN 33807 (3896 Island Highway N.) from Single Dwelling Residential (R1) to Community Corridor (COR3) as shown on Schedule A
 - (B) By rezoning the lands legally described as LOT 2, BLOCK 17, SECTION 3, WELLINGTON DISTRICT, PLAN 318A EXCEPT THAT PART IN PLAN 33807 (3874 Island Highway N.) from Single Dwelling Residential (R1) to Community Corridor (COR3) as shown on Schedule A
 - (C) By rezoning the lands legally described as LOT 3, BLOCK 17, SECTIONS 3 AND 4, WELLINGTON DISTRICT, PLAN 318A EXCEPT THAT PART IN PLAN 33807 (3852 Island Highway N.) from Single Dwelling Residential (R1) to Community Corridor (COR3) as shown on Schedule A.
 - (D) By rezoning the lands legally described as LOT 4, BLOCK 17, SECTIONS 3 AND 4 WELLINGTON DISTRICT, PLAN 318A EXCEPT THAT PART IN PLAN 33807 (3848 Island Highway N.) from Single Dwelling Residential (R1) to Community Corridor (COR3) as shown on Schedule A.
 - (E) By rezoning the lands legally described as LOT 5, BLOCK 17, SECTION 3, WELLINGTON DISTRICT, PLAN 318A EXCEPT THAT PART IN PLAN 33807 (3816 Island Highway N.) from Single Dwelling Residential (R1) to Community Corridor (COR3) as shown on Schedule A.
 - (F) By rezoning the lands legally described as LOT 8, BLOCK 17, SECTION 3, WELLINGTON DISTRICT, PLAN 318A (3817 Victoria Avenue) from Single Dwelling Residential (R1) to Community Corridor (COR3) as shown on Schedule A.
 - (G) By rezoning the lands legally described as LOT 9, BLOCK 17, SECTION 3, WELLINGTON DISTRICT, PLAN 318A (3841 Victoria Avenue) from Single Dwelling Residential (R1) to Community Corridor (COR3) as shown on Schedule A.

PASSED FIRST READING: _____
PASSED SECOND READING: _____
PUBLIC HEARING HELD: _____
PASSED THIRD READING: _____
MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000432
Address: 3841 and 3817 Victoria Avenue and 3896, 3874, 3852, 3848 and 3816 Island Highway

SCHEDULE A



REZONING APPLICATION NO. RA000432

CIVIC: 3816 3848 3852 3874 3896 ISLAND HIGHWAY N
3817 3841 VICTORIA AVENUE
LEGAL: LOTS 1-5, 8-9, BLOCK 17, SECTION 3 WELLINGTON
DISTRICT PLAN 318A EXCEPT THAT PART IN PLAN 33807



SUBJECT PROPERTY