

## City of Nanaimo

### REPORT TO COUNCIL

DATE OF MEETING: 2013-SEP-09

AUTHORED BY: DAVE STEWART, PLANNER, PLANNING & DESIGN SECTION

RE: REZONING APPLICATION NO. RA319 – INSIGHT PROPERTIES ON UPLANDS DRIVE, TURNER ROAD AND LINLEY VALLEY DRIVE

#### STAFF RECOMMENDATION:

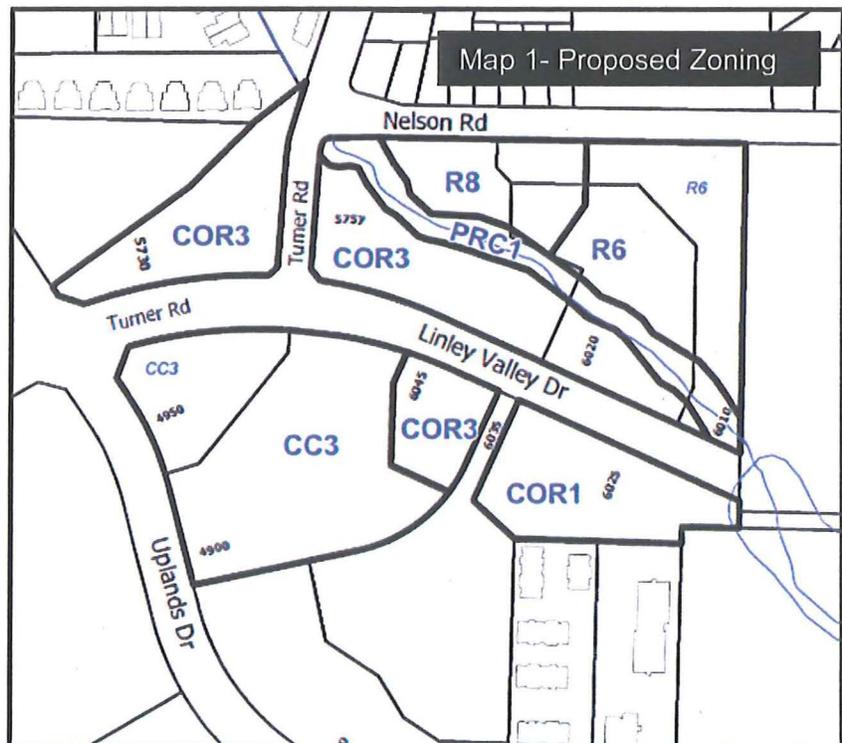
That Council receive the report pertaining to “ZONING AMENDMENT BYLAW 2013 NO. 4500.048”, including a covenant amendment application to allow the relocation of the required non-market housing site.

#### PURPOSE:

The purpose of this report is to present an application to rezone the properties located at 6010, 6020, 6025 & 6045 Linley Valley Drive; 5730 & 5757 Turner Road; and 4900 & 4950 Uplands Drive from R8, R9, R6 and CC3 to COR3, COR1, CC3, R8, and R6 in order to permit a mixed use development; and to amend an existing covenant in order to relocate the required non-market housing.

#### BACKGROUND:

The City has received a rezoning application from Ms. Maureen Pilcher of Maureen Pilcher & Associates Ltd., on behalf of Insight Holdings Ltd., in order to rezone the subject properties from Medium Density Residential (R8), High Density (High Rise) Residential (R9), Townhouse Residential (R6) and City Commercial Centre (CC3) to Community Corridor (COR3), Residential Corridor (COR1), in order to permit a mixed use development. The proposed new zones are shown on ‘Map 1 - Proposed Zoning’. The zones shown in small text are not proposed to be changed.

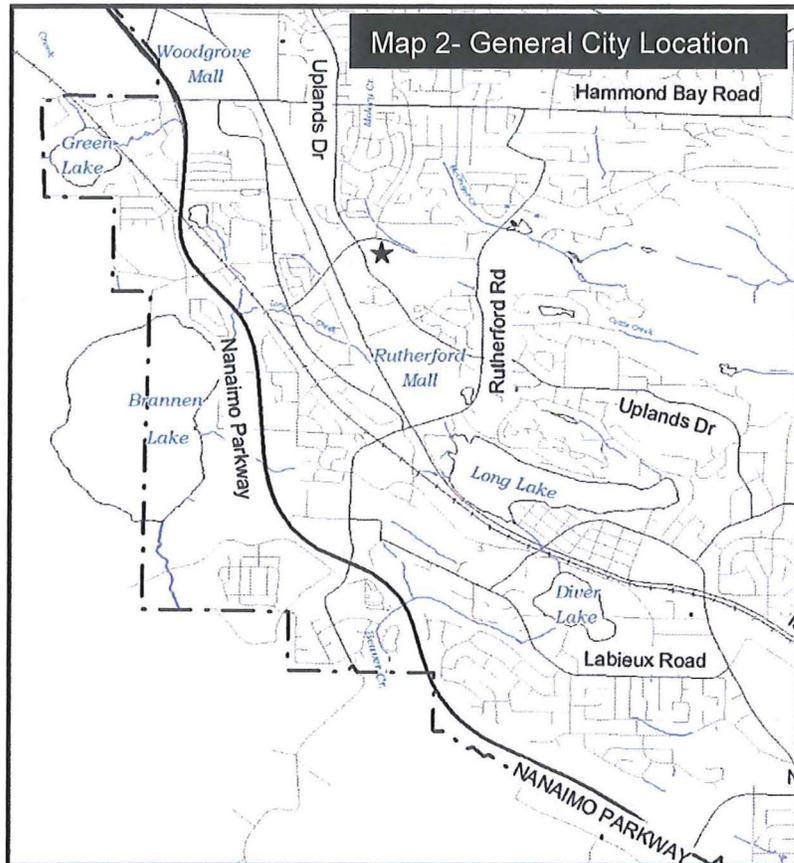


An existing covenant requiring non-market housing is registered to the lot located at 5730 Turner Road; the applicant is also proposing to amend the covenant in order to relocate the non-market housing to the corner of Nelson and Turner Roads at the northern portion of the property, currently addressed as 5757 Turner Road. The applicant plans to construct the housing themselves and are actively looking for a partner to manage the rental housing units.

### *Subject Properties and Surrounding Area*

The subject area includes eight separate properties, all of which are currently individually addressed. The total area of all subject properties is 7.2 hectares (18 acres). All of the subject properties are currently vacant.

The subject properties are located between Uplands Drive to the south and Nelson Road to the north. The existing Longwood Shopping Centre (also developed by the applicant) is located immediately to the South on the other side of Uplands Drive. With the exception of 5730 Turner Road, which is located to the northwest of the Uplands / Turner intersection; all of the subject properties are located to the east of Turner Road. The general location of the subject area within the City is indicated with a star on 'Map 2 - General City Location'.



The surrounding land uses in the area include a mixture of commercial and medium density residential to the south and west, and single dwelling residential lots to the north along Nelson Road. To the southeast, the subject area borders 5101 Rutherford Road, which is part of the School District / City land exchange and is proposed to be rezoned and is also included on tonight's Council agenda as OCP00075 / RA000317. Randerson Ridge Elementary School is approximately 100m east of the subject property and Oliver Woods Community Centre is less than 200m southeast.

### *Official Community Plan (OCP)*

The majority of the subject properties are designated as Corridor within the OCP. The Corridor designation encourages a range of residential densities between 50-150 units per hectare with buildings up to six storeys in height. All of the proposed corridor uses will be at least 2 storeys in height.

The proposed commercial area is designated as City Centre Commercial within the OCP. The City Centre Commercial designation supports stand-alone commercial services and residential densities greater than 150 units per hectare in high rise building forms.

A portion of the subject area currently zoned R6 is designated as Neighbourhood. The zoning for this area within the Neighbourhood designation is not proposed to change.

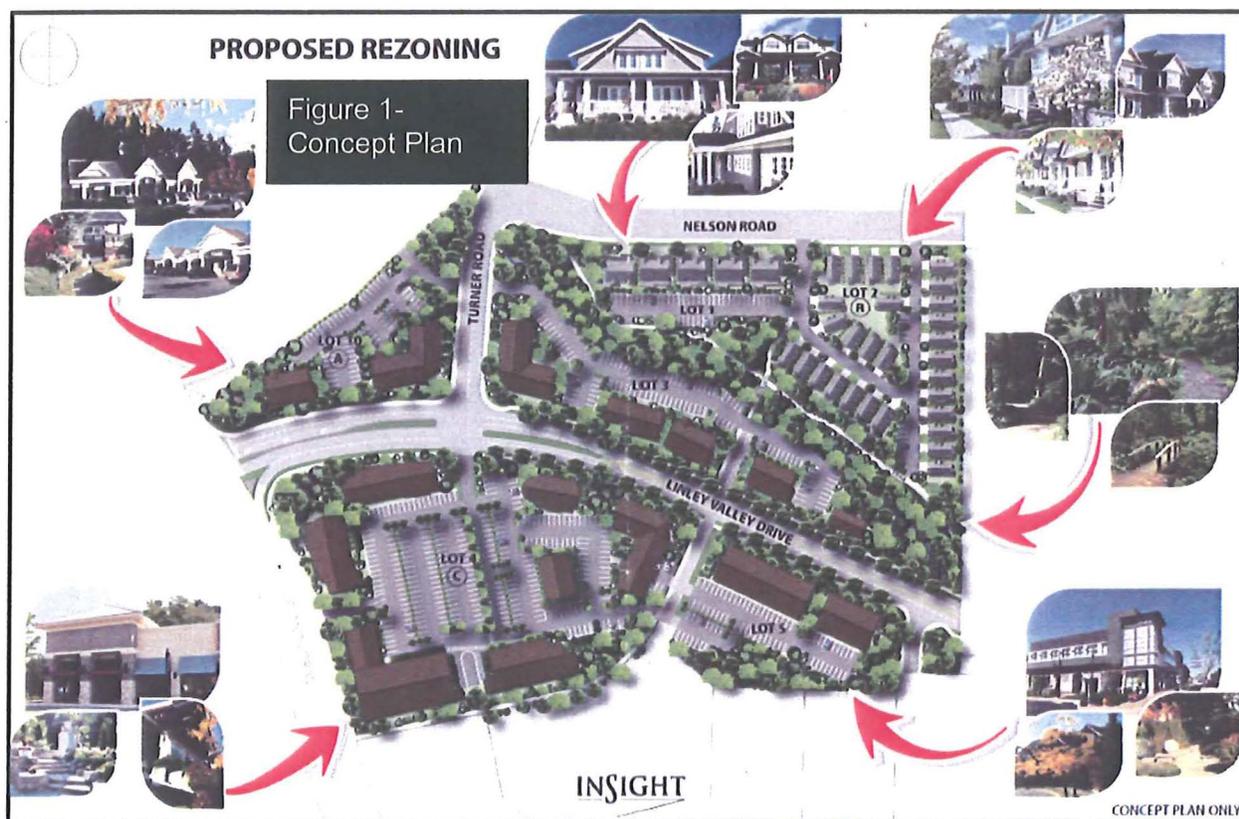
**DISCUSSION:**

*Proposed Development*

The applicant is proposing to rezone the subject properties to support a mixed use development which will include office, retail and multiple family residential uses. The applicant proposes to rezone the subject properties as shown on the table below:

<b>Current Civic Address</b>	<b>Current Zone</b>	<b>Proposed Zone(s)</b>	<b>OCP Designation</b>	<b>Proposed Use</b>
5730 Turner Road	Medium Density Residential (R8)	Community Corridor (COR3)	Corridor	Office / Retail
5757 Turner Road	Medium Density Residential (R8)	Medium Density Residential (R8) and Community Corridor (COR3)	Corridor	Non-market housing along Nelson Road frontage, Commercial Corridor uses along Linley Valley Drive frontage.
6020 Linley Valley Drive	Medium Density Residential (R8)	Medium Density Residential (R8) Townhouse Residential (R6) & Community Corridor (COR3)	Corridor	Market housing, patio homes, Commercial Corridor uses along Linley Valley Drive frontage.
6010 Linley Valley Drive	Townhouse Residential (R6)	Townhouse Residential (R6)	Corridor/ Neighbourhood	Market housing and patio homes.
6025 Linley Valley Drive	Medium Density Residential (R8)	Residential Corridor (COR1)	Corridor	Multiple Family Residential and / or office.
6045 Linley Valley Drive	Medium Density Residential (R8)	Community Corridor (COR3)	Corridor	Commercial Corridor with possible future residential.
4900 Uplands Drive	High Density (High Rise) Residential	City Commercial Centre (CC3)	City Commercial Centre	Commercial Centre with possible future residential. Site specific zoning to maintain R9 density.
4950 Uplands Drive	City Commercial Centre (CC3)	City Commercial Centre (CC3)	City Commercial Centre	Commercial Centre with possible future residential. Site specific zoning to maintain R9 density.
Watercourse	Medium Density Residential (R8) and Townhouse Residential (R6)	Parks, Recreation and Culture One (PRC1)	Corridor	Nature Park with trail.

The proposed development will include a commercial shopping centre on the southeast corner of Uplands Drive and Turner Road, a corridor style commercial office development on the northwest corner, a corridor style multiple family or office development on the southern portion of Linley Valley Drive with a commercial corridor on the northern side and medium density residential fronting on Nelson Road. A linear park and trail are proposed along Molecey Creek, which will separate the corridor commercial uses on Linley Valley Drive from the residential uses fronting on Nelson Road. The Molecey Creek corridor will be dedicated to the City as parkland and rezoned as a nature park. A concept plan of the proposed development is shown below, as Figure 1.



A portion of the proposed commercial shopping centre is currently zoned High Density (High Rise) Residential (R9). While the property is proposed to be rezoned to City Commercial Centre (CC3), the R9 density will be retained to allow for future residential development.

Overall, the proposed rezoning, if adopted, will result in an increased amount of commercial development permitted in the subject area. The application presents a shift from the primarily medium density residential currently permitted within the subject area to an expansion of the existing commercial centre (Longwood). By incorporating residential development on the north side of Molecey Creek and retaining the R9 residential density within the commercial centre, the applicant will be constructing a mixed use development in which nearby residents will be able to easily walk to local services. Given the City's intent to connect Linley Valley Drive through the subject area to Rutherford Road, Staff believe the location of the proposed development is well suited to serve the commercial and service needs of the broader community.

As a condition of an earlier rezoning application, a covenant was registered on the property located at 5730 Turner Road reserving the use of the land for non-market housing. The subject property is 0.7 hectares (1.8 acres) in area and is a triangular shaped lot which is fronted on two sides by Turner Road and an office development on the remaining side. It is the opinion of Staff

and the applicant that the property (5730 Turner Road) is better suited for commercial rather than residential development. The applicant is applying to amend the covenant in order to relocate the non-market housing to proposed Lot 1, as shown on the above concept plan. The proposed non-market housing lot will have the same lot area (0.7 ha.) as the current covenanted lot. As per City policy, an amendment to a covenant which was registered during rezoning requires a Public Hearing. The covenant amendment will be included within the Public Hearing process for the associated rezoning application.

The applicant plans to construct approximately 20 non-market housing units for families in a fourplex housing format on this site. The non-market housing will be incorporated into the patio home form market housing to be located on the neighbouring lot to the east (shown as Lot 2 on the concept plan). Both housing lots will be accessed from Nelson Road and border the proposed Molecey Creek park area to the south.

*Community Contribution*

As part of an earlier rezoning application (RA94-06) which included the subject area, the applicant provided a development amenity package which included a \$2,000,000 cash contribution which was used towards the construction of Oliver Woods Community Centre and the covenanted non-market housing area. Given the size of this earlier amenity package, no further community contribution was offered or requested.

Respectfully submitted,



B. Anderson, MCIP  
MANAGER  
PLANNING & DESIGN SECTION

Concurrence by:



A. Tucker, MCIP  
DIRECTOR  
PLANNING



T. Seward  
ACTING GENERAL MANAGER  
COMMUNITY SAFETY & DEVELOPMENT

CITY MANAGER COMMENT:

I concur with the staff recommendation.