

City of Nanaimo

REPORT TO COUNCIL

DATE OF MEETING: 2014-MAR-24

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

RE: REZONING APPLICATION NO. RA327 – 867 BRUCE AVENUE & 538 EIGHTH STREET

STAFF RECOMMENDATION:

That Council:

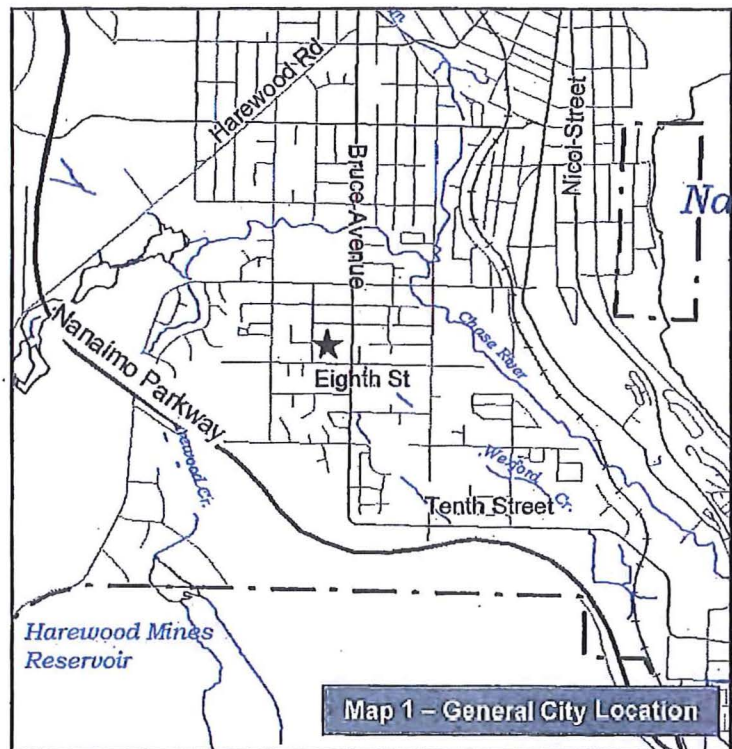
1. receive the report pertaining to “ZONING AMENDMENT BYLAW 2014 NO. 4500.058”; and,
2. direct staff to secure covenants for pedestrian features; lot consolidation; road dedication and access; and, a community contribution, prior to the adoption of the bylaw, should Council support the bylaw at Third Reading.

PURPOSE:

The purpose of this report is to present a rezoning application for the properties located at 867 Bruce Avenue and 538 Eighth Street for a site specific text amendment to the existing Neighbourhood Centre (CC2) zone in order to allow for a retail grocery store larger than 2000m².

BACKGROUND:

The City has received a rezoning application from Mr. Bruce Robertson, on behalf of Kelland Foods Holdings Inc., for a site specific text amendment to the existing Neighbourhood Centre (CC2) zone in order to allow for a retail grocery store larger than 2000m².

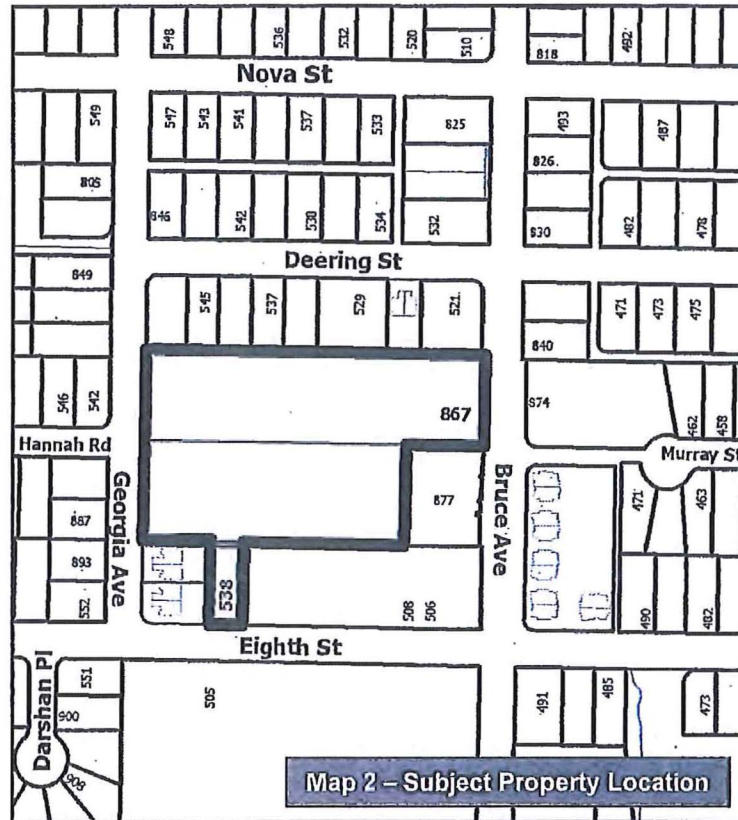


Subject Property

Current Zone:	Neighbourhood Centre (CC2)
OCP Designation:	Neighbourhood Commercial Centre
Proposed Amendment:	To increase the allowable amount of gross floor area for a grocery store from 2000m ² to 4743m ²
Location:	Two existing lots, the main site is 100m north of the Bruce Avenue and Eighth Street intersection. See Map 1 and Map 2.
Lot Size / Total Area:	1.85ha (4.6 acres)

Council
 Committee.....
 Open Meeting
 Camera Meeting

2014-MAR-24



DISCUSSION:

Site and Surrounding Area

Currently, the subject properties are comprised of parking areas, buildings and a partially treed area. The majority of the subject area is bounded by Georgia Avenue to the west and Bruce Avenue to the east, with a small portion fronting on Eighth Street. Two other commercial sites abut the site, including the Co-op Gas Station and the Harewood Arms Pub. Residential uses surround the general area, including townhouses, duplexes, and single dwellings. A large lot, split zoned (R1/CS1) and occupied by a church, is situated on the southwest corner of the Bruce Avenue and Eighth Street intersection.

Official Community Plan (OCP)

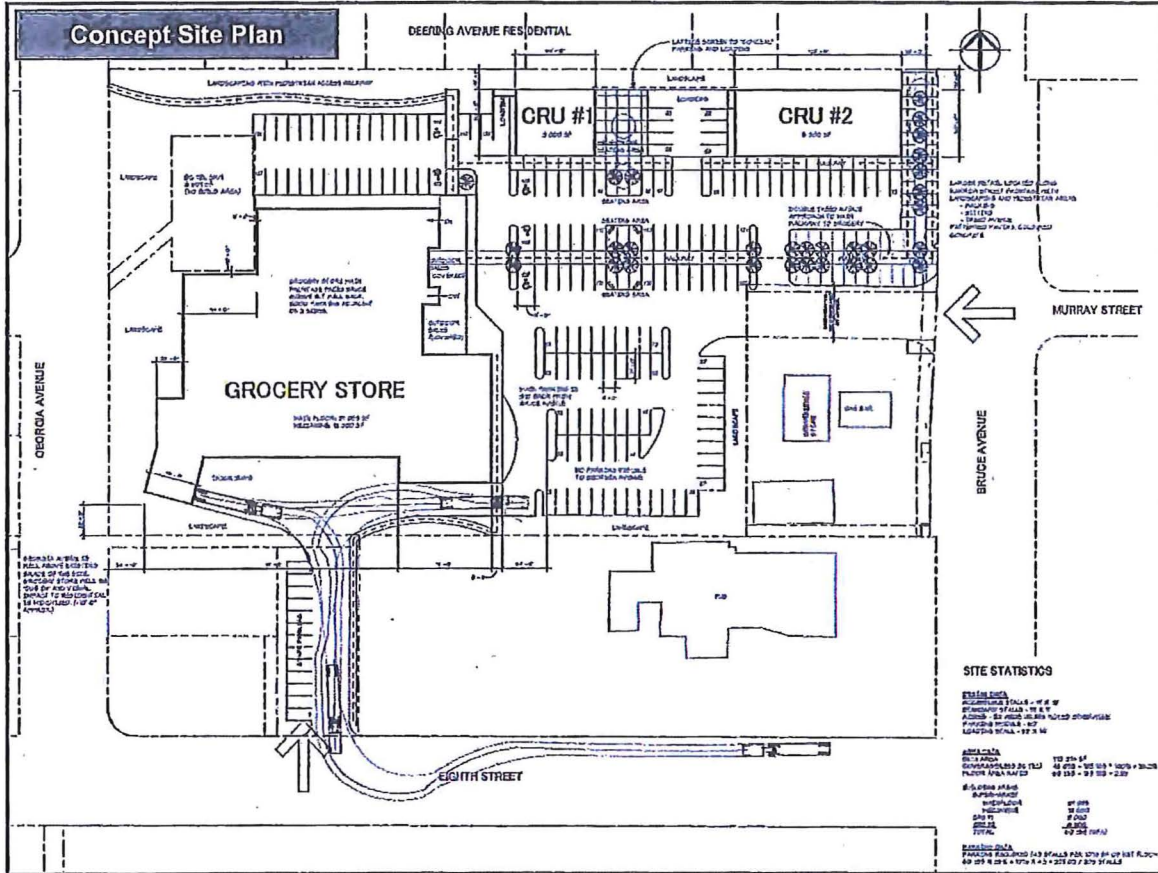
The subject properties are located within a Neighbourhood Commercial Centre designation in both the OCP and the Harewood Neighbourhood Plan. Development in the Neighbourhood Commercial Centre areas encourages a mix of uses with a primary focus on commercial activity. Uses supported in this designation include commercial, professional and service uses, public amenities, and multiple family residential development (at residential densities of 50 – 150 units per hectare). Building forms of 2 to 6 storeys are permitted and stand alone commercial buildings up to 2 storeys are also supported. Design elements of building siting, height and massing will be used to ensure a transition to adjacent residential areas.

Staff is of the opinion that the proposed rezoning complies with the intent of the OCP.

Proposed Development

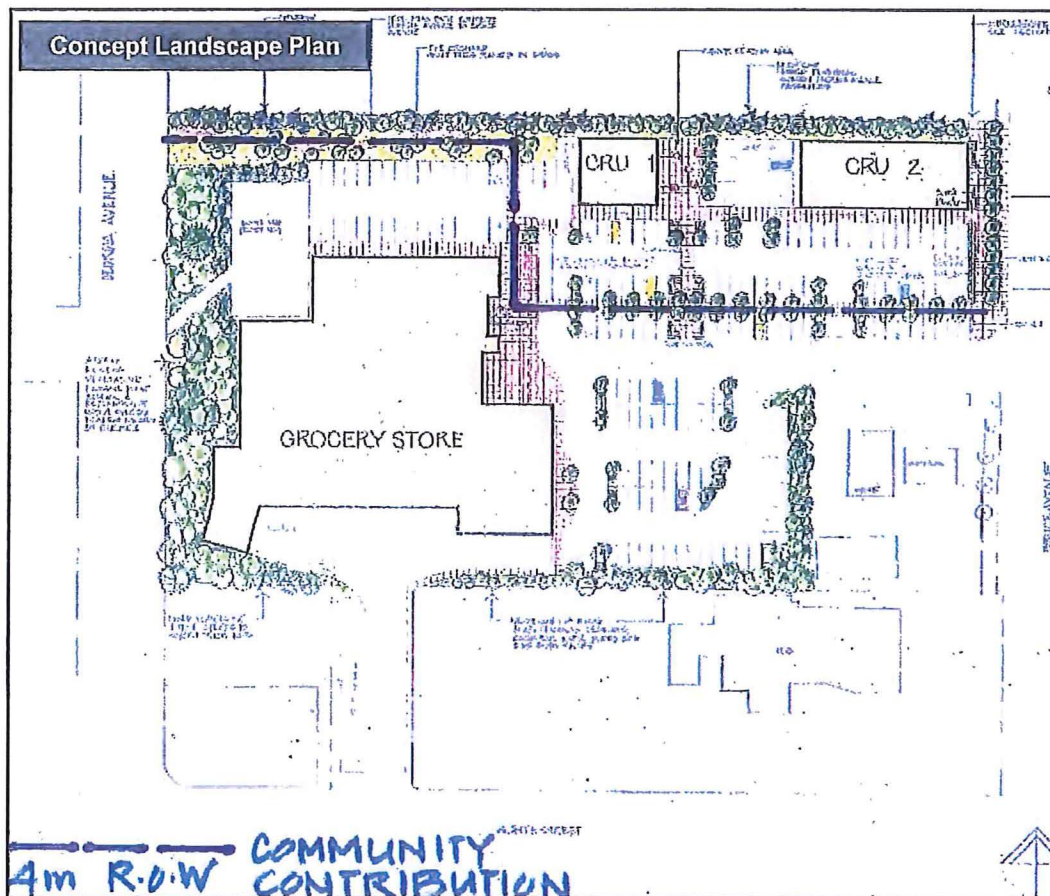
The existing CC2 zone limits the use of a grocery store to a maximum of 2000m². The applicant is proposing a site specific text amendment to the existing CC2 zone (Neighbourhood Centre) in order to allow for a retail grocery store larger than 2000m². The proposed grocery store development is shown on the Concept Site Plan below, and has the following details:

- Total Floor area of 4743m²
 - Main floor of 3628m² (39 055 ft²) and a mezzanine of 1115m² (12 000 ft²).
 - Vehicle access from Bruce Avenue and Eighth Street
- In addition, the applicant is contemplating two commercial buildings for retail purposes.



Works and Services – Pedestrian Crossing
Staff recommends as a condition of rezoning that as part of the works and services along Bruce Avenue, a pedestrian crossing be installed. The crosswalk location would connect with the pedestrian path leading from Murray Street out to Bruce Avenue. The crossing shall include a median island and crosswalk flashers. These works can be secured via a covenant.

Trails and Neighbourhood Connectivity
Staff recommends as a condition of rezoning that a 4.0m wide right-of-way be secured, via covenant, for a hard surface urban trail through the site to accommodate both pedestrians and cyclists. The Conceptual Landscape Plan below shows the location of the public right-of-way.



Lot Consolidation

As a condition of rezoning, Staff recommends a covenant to secure lot consolidation of the subject properties be required, prior to the issuance of a development permit.

Road Dedication

Staff recommends as a condition of rezoning that road dedication be secured along Bruce Avenue. The site is located within a transition area where the road right-of-way changes from 27.5m to 25m. Road dedication can be secured via covenant and required prior to issuance of a development permit.

Commercial Centre Access

As redevelopment of adjacent lots may occur in the future, all sites within this neighbourhood commercial centre will benefit from shared access points in and out of the centre. The Harewood Neighbourhood Plan also recognizes a mid-block connection along Eighth Street as the ideal vehicle access location. As such, staff recommends as a condition of rezoning that a future access point between the subject property and the abutting property, at 508 Eighth Street, be secured along the abutting internal property lines such that this access point may function in the future.

Bruce Avenue Future Access Restriction

Staff recommends as a condition of rezoning that a covenant be required to restrict access from Bruce Avenue to right-in/right-out in the future. The road is classified as a Major Collector and it is anticipated that traffic volumes will increase to a point where the full movement access into the commercial is no longer supported.

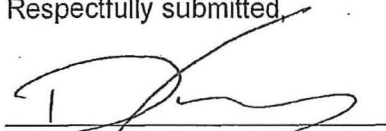
Community Contribution

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 that the public trail, which will have a protected public right-of-way through the development, be considered the community contribution. The estimated cost of hard landscaping for the trail is valued at approximately \$100,000. Staff is supportive of the proposed contribution as the value being proposed is consistent with similar commercial contributions.

NANAIMO ADVISORY PLANNING COMMITTEE (APC)

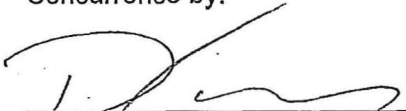
At its meeting of 2013-NOV-19, the APC recommended that Council approve the application.

Respectfully submitted,



for
B. Anderson
MANAGER
PLANNING & DESIGN SECTION

Concurrence by:



D. Lindsay
DIRECTOR
COMMUNITY DEVELOPMENT



I. Howat
GENERAL MANAGER
CORPORATE SERVICES

CITY MANAGER COMMENT:

I concur with the staff recommendation.

*Drafted: 2014-MAR-12
Prospero: RA000327*

CITY OF NANAIMO

BYLAW NO. 4500.058

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

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 890, 891, 903 and 904 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 2014 NO. 4500.058".
2. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby amended as follows:

By adding the following as Subsection 10.2.3 and renumbering accordingly:

10.2.3 Notwithstanding Subsection 10.2.1 within the CC2 zone a Retail Grocery Store greater than 2000m² is permitted at properties legally described as LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN VIP74483 AND LOT 2, SECTION 1, PLAN 5937, EXCEPT PART IN PLAN 37506 & PLAN VIP74483 (867 Bruce Avenue) and LOT 3, SECTION 1, NANAIMO DISTRICT, PLAN 12363 (538 Eighth Street).

PASSED FIRST READING _____
PASSED SECOND READING _____
PUBLIC HEARING HELD _____
PASSED THIRD READING _____
COVENANT REGISTERED _____
ADOPTED _____

MAYOR

CORPORATE OFFICER

File: RA000327
Address: 867 Bruce Avenue and 538 Eighth Street