

City of Nanaimo

REPORT TO COUNCIL

DATE OF MEETING: 2014-APR-14

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

RE: REZONING APPLICATION NO. RA334 – 1795 STEWART AVENUE

STAFF RECOMMENDATION:

That Council:

1. receive the report pertaining to "ZONING AMENDMENT BYLAW 2014 NO. 4500.062"; and
2. direct Staff to secure the community contribution prior to the adoption of the bylaw, should Council support the bylaw at Third Reading.

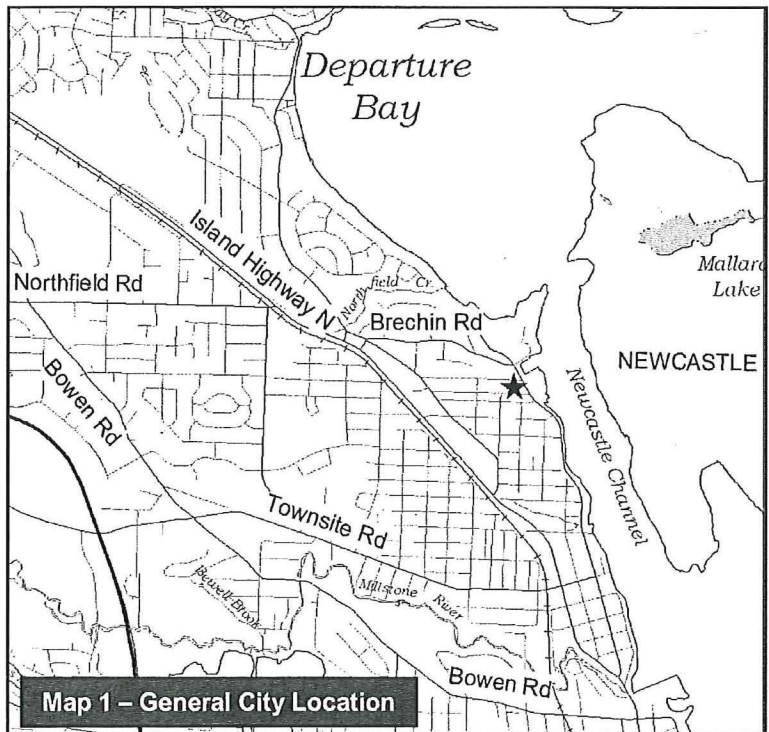
PURPOSE:

The purpose of this report is to present a rezoning application for property located at 1795 Stewart Avenue to rezone the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential-Small Lot (R2) in order to facilitate subdivision of the lot.

BACKGROUND:

The City has received a rezoning application from Luke Harrison, on behalf of Ivanka Malenica, to rezone the property from Single Dwelling Residential (R1) to Single Dwelling Residential-Small Lot (R2) in order to facilitate subdivision of the lot.

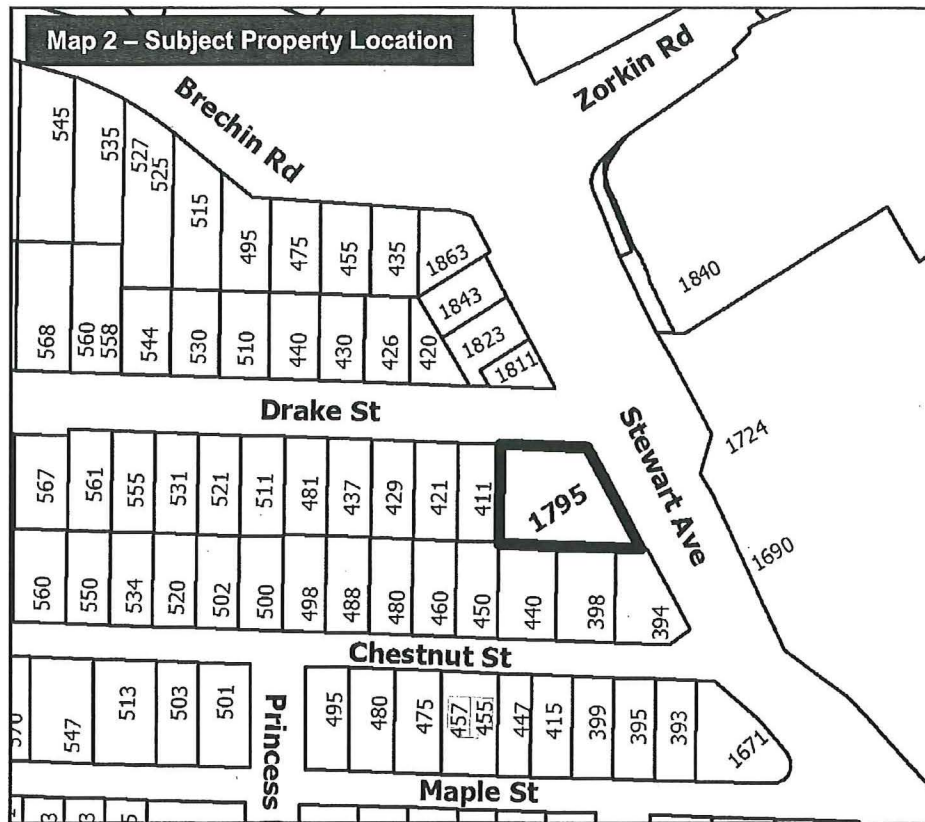
Subject Property



Current Zone:	Single Dwelling Residential (R1)
OCP Designation:	Neighbourhood
Proposed Zone:	Single Dwelling Residential-Small Lot (R2)
Purpose:	To subdivide into 3 residential lots
Location:	Southwest corner of the Drake Street and Stewart Avenue intersection (see Map 1 and Map 2)
Lot Size / Total Area:	1,472 m ² (0.4 acres)

- Council
- Committee.....
- Open Meeting
- In-Camera Meeting

Meeting Date: 2014-APR-14



DISCUSSION:

Site and Surrounding Area

The subject property is located on the southwest corner of the Drake Street and Stewart Avenue intersection, which is approximately 125 metres south from the entrance to the BC Ferries Departure Bay terminal. The areas to the north, west and south are primarily single dwelling residential, the majority of lots are in the 500 m² to 600 m² range. Across Stewart Avenue to the east are commercial properties including a marina and boat storage, pubs, liquor store and other retail uses.

Official Community Plan (OCP)

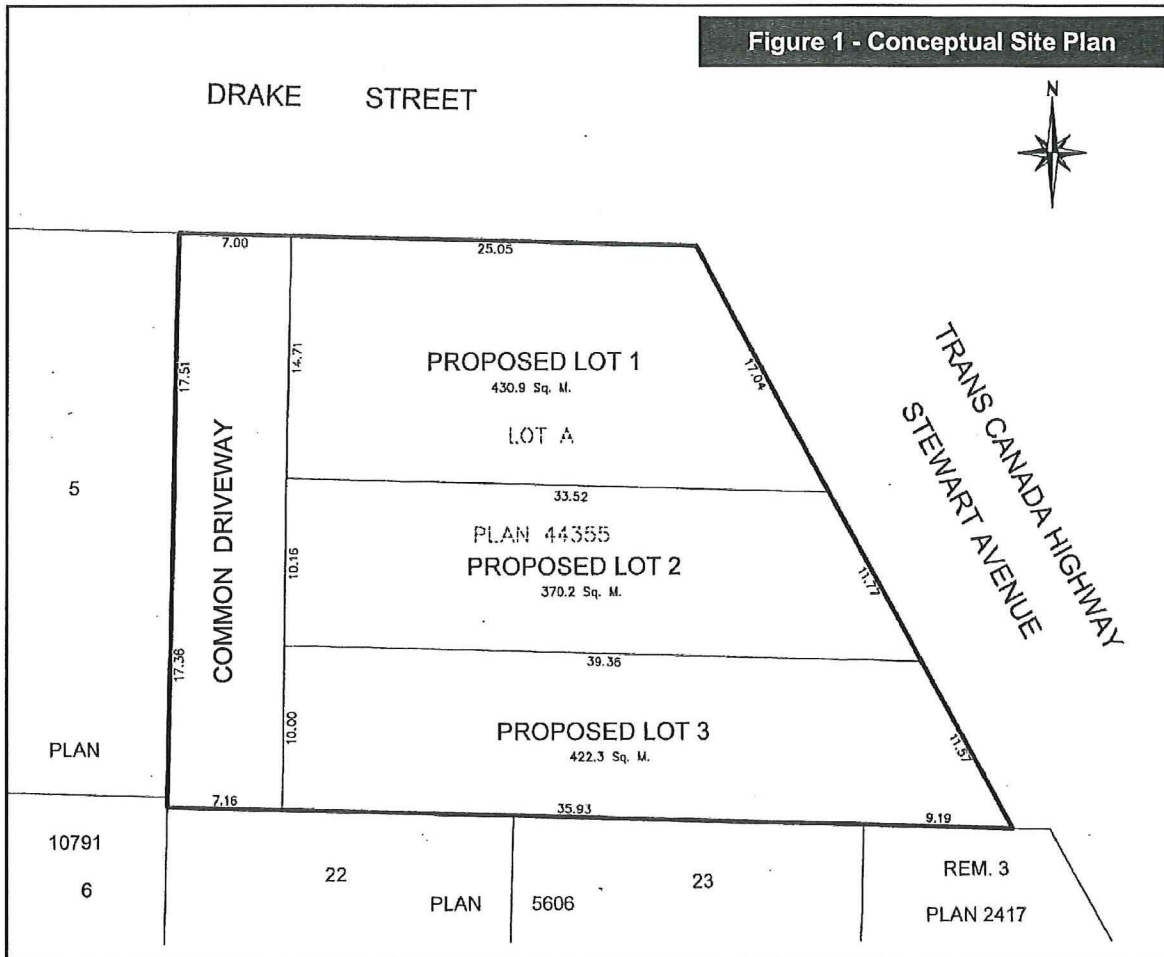
The subject property is located within the Neighbourhood designation of the Official Community Plan (OCP) and the Newcastle + Brechin Neighbourhood Plan. The neighbourhood plan encourages a mix of housing types that will provide housing for individuals and families of all age ranges and income levels and that respect the neighbourhood character. Residential densities of 10-50 units per hectare will be supported in neighbourhoods. The proposed concept equates to a density of 20 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 and the Newcastle & Brechin Neighbourhood Plan.

Proposed Development

The applicant proposes to rezone the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential-Small Lot (R2) in order to facilitate a 3 lot subdivision. The applicant had contemplated a public lane to the rear of the lots, however this has been changed to a common driveway on the Conceptual Site Plan (Figure 1).

The proposed lots are oriented towards Stewart Avenue with a common driveway from Drake Street to provide for vehicle access at the rear of the lot. An easement will be required to allow for the common driveway, as no access will be permitted from the Stewart Avenue frontage.

The Conceptual Site Plan will be updated at the subdivision stage, however all of the proposed lots exceed the minimum requirements for lot area, lot frontage and lot depth; generally as shown on Figure 1 – Conceptual Site Plan. The existing lot could yield two R1 lots, however with the rezoning one additional single family lot will be achieved.



Community Contribution

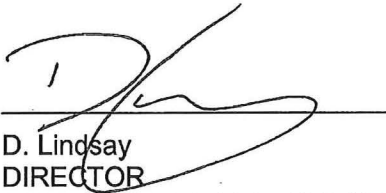
As outlined in Section 7.3 of the OCP, in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution. In response to Council's policy, the applicant is proposing a monetary community contribution of \$3000 towards parks in the area. Staff is supportive of the proposal.

Respectfully submitted,



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-31
Prospero: RA000334*

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CITY OF NANAIMO

BYLAW NO. 4500.062

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:

Title

1. This Bylaw may be cited as "ZONING AMENDMENT BYLAW 2014 NO. 4500.062".

Amendment

2. City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT A, SECTION 1, NANAIMO DISTRICT, PLAN 44355 (1795 Stewart Avenue) from Single Dwelling Residential (R1) to Single Dwelling Residential-Small Lot (R2) as shown on Schedule A.

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

MAYOR

CORPORATE OFFICER

File: RA000334
Address: 1795 Stewart Avenue



REZONING APPLICATION NO. RA000334

LOCATION PLAN

Civic: 1795 Stewart Ave



 Subject Property