

DATE OF MEETING | December 16, 2019 |
 AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING |
 SUBJECT | **REZONING APPLICATION NO. RA433 – 4271 JINGLE POT ROAD** |

OVERVIEW

Purpose of Report

To present Council with an application to rezone portions of the subject property at 4271 Jingle Pot Road from Single Dwelling Residential (R1) and Duplex Residential (R4) to Low Density Residential (R6), R1, and R4, to allow for a multi-family residential development and to align existing zone boundaries with a proposed subdivision.

Recommendation

That:

1. "Zoning Amendment Bylaw 2019 No. 4500.168" (To rezone portions of 4271 Jingle Pot Road from Single Dwelling Residential [R1] and Duplex Residential [R4] to Low Density Residential [R6], R1, and R4) pass first reading;
2. "Zoning Amendment Bylaw 2019 No. 4500.168" pass second reading; and
3. Council direct Staff to secure the community amenity contribution should Council support the bylaw at third reading.

BACKGROUND

A rezoning application, RA433, was received from Seward Developments Inc., on behalf of Wayne Garner and Cindy-Lou Garner. The applicant proposes to amend "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") to rezone:

- a) a portion of the subject property from Single Dwelling Residential (R1) to Low Density Residential (R6);
- b) a portion of the subject property from R1 to Duplex Residential (R4); and
- c) a portion of the subject property from R4 to R1.

The proposed rezoning will facilitate an eight-lot subdivision (SUB01289) of the subject property including a multi-family residential development. This subdivision is occurring concurrently with another eight-lot subdivision at neighbouring 4285 Jingle Pot Road. Road dedication to create a new cul-de-sac from Jingle Pot Road is being secured through the subdivision.

Subject Property and Site Context

<i>Location</i>	The subject property is on the north side of Jingle Pot Road, between Yon Place and the intersection with Labieux Road.
<i>Total Lot Area</i>	9.13ha

<i>Area of Portions to be Rezoned</i>	3.39ha
<i>Current Zoning</i>	R1 – Single Dwelling Residential; and R4 – Duplex Residential
<i>Proposed Zoning</i>	R1 – Single Dwelling Residential; R4 – Duplex Residential; and R6 – Low Density Residential
<i>Official Community Plan Future Land Use Designation</i>	Neighbourhood
<i>Neighbourhood Plan Land Use Designation</i>	n/a

The subject property currently contains a duplex and a single residential dwelling, and is split-zoned between the R1 and R4 zones. The duplex will be retained on proposed Lot 15, but the single residential dwelling will be removed prior to final subdivision approval. The proposed rezoning will allow for a ground-oriented multi-family development on proposed Lot 9, in addition to amending the zone boundaries for the R4 zone to align with the lot boundaries of proposed Lot 15.

The site is generally flat with a slight rise uphill at the north of the property. Surrounding land uses include a townhouse development to the north, Island ConnectED K-12 school (formerly Wellington Public School) to the east, and single residential dwellings to the south and west. A 23-lot single dwelling residential subdivision creating Yon Place, to the west, was completed in 2011.

DISCUSSION

Proposed Development

The applicant is proposing to rezone a portion of the subject property to R6 in order to allow for a ground-oriented multi-family townhouse development. The R6 zoning would apply to proposed Lot 9, the northernmost lot of the proposed subdivision at the end of the new cul-de-sac street. This new street will be accessed from Jingle Pot Road, opposite Sloan Road. The conceptual plans for Lot 9 include 12 townhouse units in four two-storey buildings, accessed via a common access driveway. The multi-family development is envisioned to have a Floor Area Ratio (FAR) of 0.45, in accordance with the R6 zone.

In addition to the R6 rezoning, the proposed rezoning will amend the zone boundaries of the R1 and R4 zones to align with the lot boundaries of proposed Lot 15 where the existing duplex will be retained.

Policy Context

Official Community Plan

The Official Community Plan (OCP) identifies the subject property as within the Neighbourhood future land use designation. Development in Neighbourhoods is characterized by a mix of low-density residential uses. Residential densities from 10 to 50 units per hectare (uph) in two- to four-storey building forms are generally supported by the OCP. The proposed density of the eight-lot subdivision will equal 31 uph and the proposed density of the multi-family lot, proposed

Lot 9, will equal 35 uph. The proposed rezoning meets the intent of the OCP future land use designation.

Transportation Master Plan

The subject property is not within a Mobility Hub as identified by the Nanaimo Transportation Master Plan (NTMP). However, Jingle Pot Road, approximately 120m away from proposed Lot 9, is identified as a major road and is also identified as a cycling route in the medium-long-term bicycle network plan in the NTMP. Bus Route #30 currently runs along this section of Jingle Pot Road.

Community Consultation

The subject property lies within the area of the Wellington Community Association and was referred for comment. The association responded they were in favour of increased residential density at this location, particularly due to its proximity to a public school site.

The applicant hosted a Neighbourhood Information Meeting on 2019-OCT-16 at the Beban Park Social Centre. Some neighbours raised concerns regarding traffic, parking, and building height associated with increased density. Staff note the maximum permitted building height in the R6 zone (9m) is the same as under the existing R1 zone. Parking along Jingle Pot Road will be formalized as part of the proposed subdivision. Vehicle movement modelling at the intersection of Jingle Pot Road and the new street does anticipate negative impacts.

Community Amenity Contribution

As outlined in Section 7.3 of the OCP, in exchange for value conferred on the lands through a rezoning, the applicant is encouraged to provide a Community Amenity Contribution (CAC). The applicant is proposing a CAC towards Loudon Park with a value of \$1,000 per proposed residential unit within proposed Lot 9. A CAC is proposed where an increase in density is proposed, but no CAC is expected for the zone boundary adjustment as this does not increase density. Based on the conceptual plans for the site, the contribution would equal \$12,000. Staff support the proposed Community Amenity Contribution.

Conditions of Rezoning

Should Council support the application and pass third reading of “Zoning Amendment Bylaw 2019 No. 4500.168”, Staff recommend the following item be secured prior to final adoption of the bylaw:

1. *Community Amenity Contribution* – A monetary contribution, equal to \$1,000 per residential unit within proposed Lot 9, towards parks improvements at Loudon Park.

SUMMARY POINTS

- The application is to rezone portions of the subject property at 4271 Jingle Pot Road from Single Dwelling Residential (R1) and Duplex Residential (R4) to Low Density Residential (R6), R1, and R4, to allow for a multi-family residential development and to align existing zone boundaries with a proposed subdivision.
- The proposed rezoning will facilitate an eight-lot subdivision.
- A Community Amenity Contribution towards parks improvements at Loudon Park is proposed, with a value of \$1,000 per unit within Lot 9.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: Subdivision Plan with Proposed Zoning
ATTACHMENT C: Conceptual Site Plan
ATTACHMENT D: Aerial Photo
“Zoning Amendment Bylaw 2019 No. 4500.168”

Submitted by:

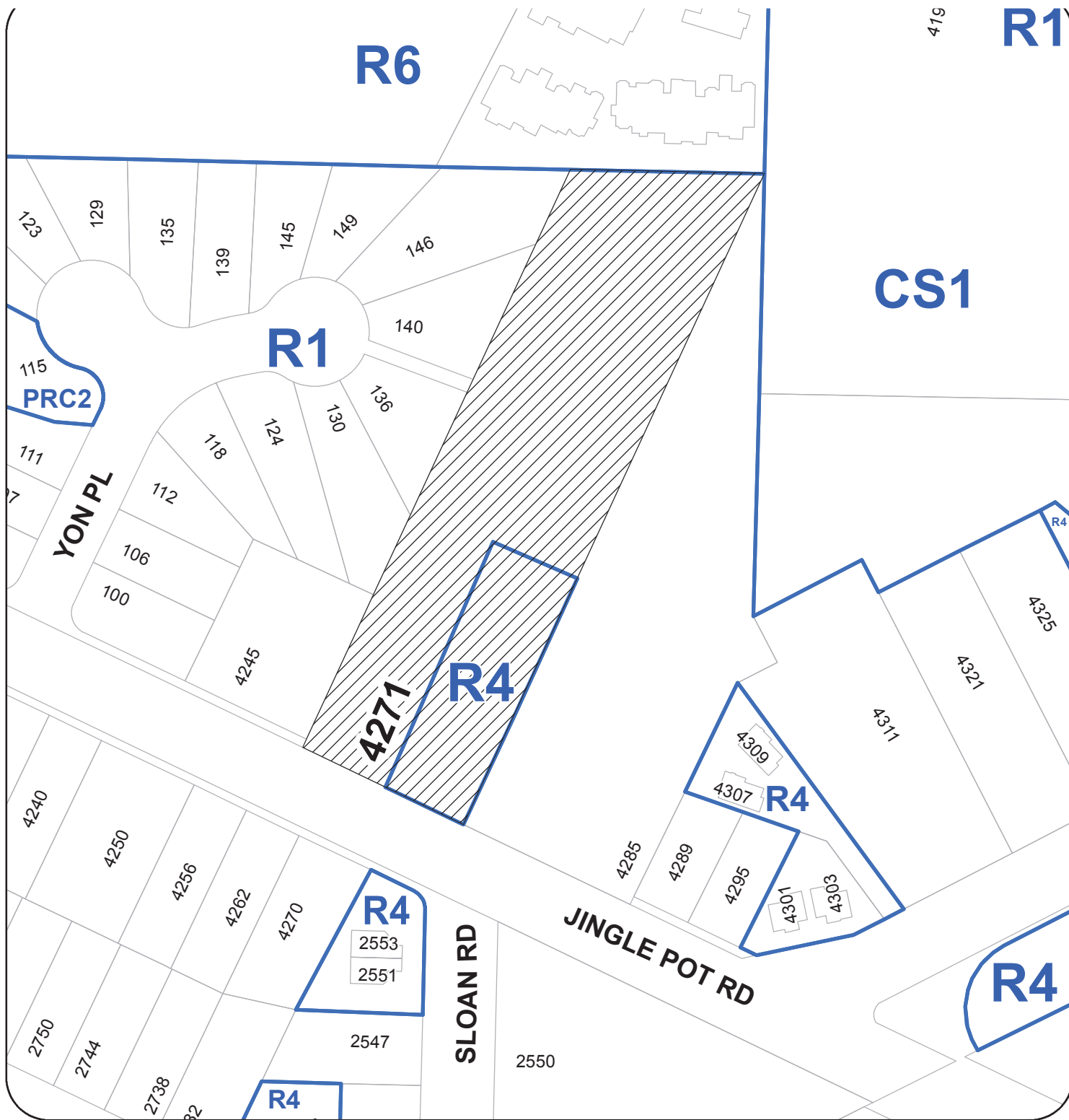
Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

ATTACHMENT A
LOCATION PLAN



REZONING APPLICATION NO. RA000433

LOCATION PLAN

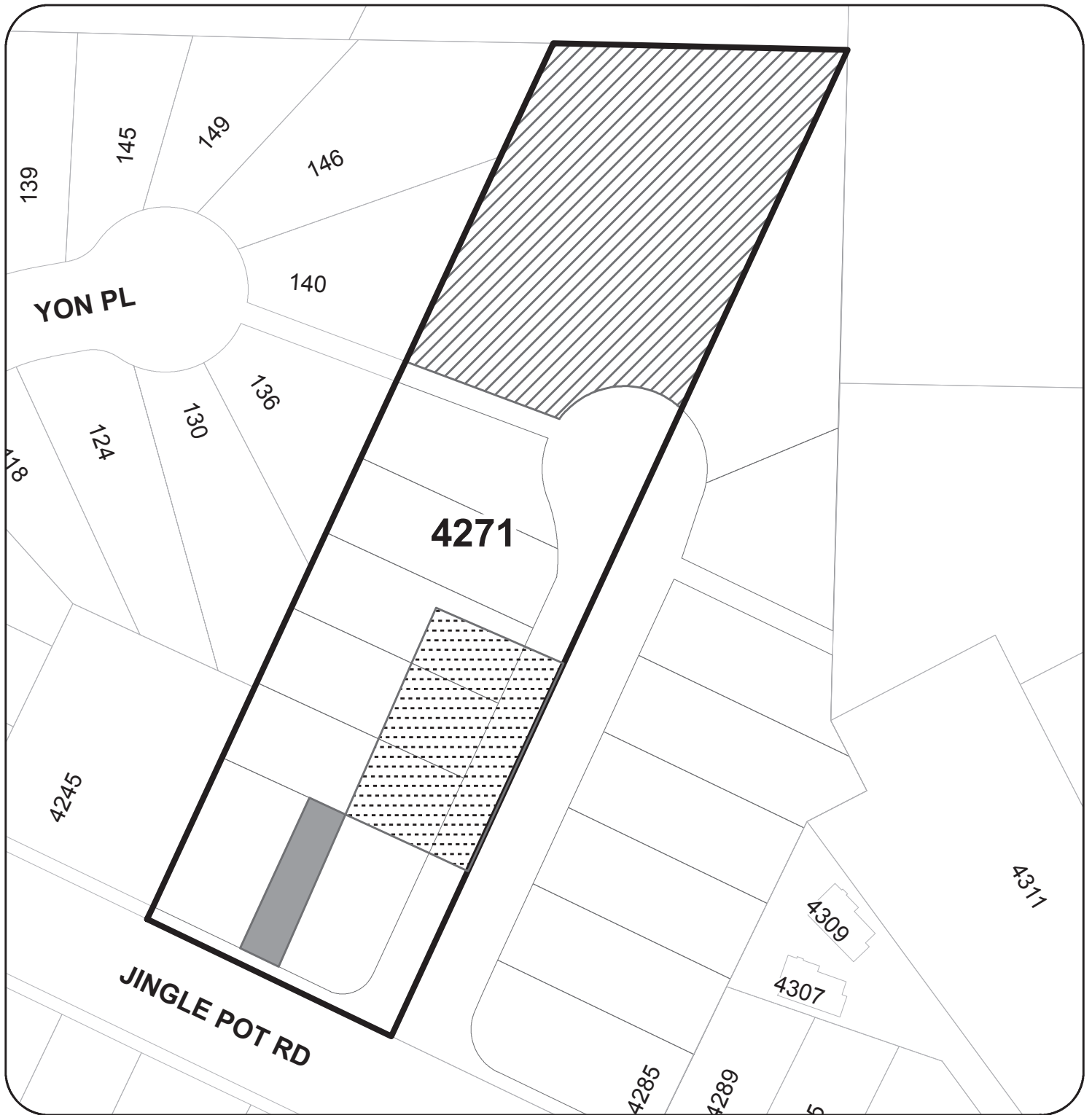
CIVIC: 4271 JINGLE POT ROAD





LEGAL: LOT 1, SECTION 4, WELLINGTON DISTRICT, PLAN 7577



SUBJECT PROPERTY

**ATTACHMENT B
SUBDIVISION PLAN WITH PROPOSED ZONING**



-  SUBJECT PROPERTY
-  PORTION OF PROPERTY TO BE REZONED R1
-  PORTION OF PROPERTY TO BE REZONED R4
-  PORTION OF PROPERTY TO BE REZONED R6



ATTACHMENT C CONCEPTUAL SITE PLAN



KEY PLAN



SCHEMATIC SITE PLAN
ALL AREAS ARE APPROXIMATE

PROJECT DATA - LOT 9			
CURRENT ZONING:	R1	TYPICAL UNIT AREA:	
PROPOSED ZONING:	R6	TYPE A	
LOT AREA:	3390.77 SQ.M.	LOWER FLOOR	45 SQ.FT.
		MAIN FLOOR	639 SQ.FT.
		UPPER FLOOR	639 SQ.FT.
		TOTAL	1323 SQ.FT.
		TYPE B	
		LOWER FLOOR	45 SQ.FT.
		MAIN FLOOR	682 SQ.FT.
		UPPER FLOOR	682 SQ.FT.
		TOTAL	1409 SQ.FT.
		GARAGE:	550 SQ.FT.
** ALL AREAS ARE APPROXIMATE		No UNITS:	
		7 UNIT A @ 1323 SQ.FT.	9261
		5 UNIT B @ 1409 SQ.FT.	7045
		F.A.R. (0.45 ALLOWED)	
		1515 / 3390.77 = 0.447	
		LOT COVERAGE	
		732.2 / 3390.77 = 21.6%	
		PARKING:	
		REQ'D:	
		7 X 2 BDRM UNITS @ 1.8/ UNIT	
		5 X 3 BDRM UNITS @ 2/UNIT	
		= 23 STALLS	
		PROV'D:	
		2/UNIT + 3 GUEST	
		27 STALLS	



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PROPOSED REZONING
4271 Jingle Pot Road, Nanaimo B.C.

PROJECT #: 1468.19.17
ISSUED: 30 JUNE 2017
REVIEW: 03 OCT. 2018
REZONING

RECEIVED
RA433
2019-MAY-23
Current Planning

PR1.1

**ATTACHMENT D
AERIAL PHOTO**



REZONING APPLICATION NO. RA000433



LEGEND

 SUBJECT PROPERTY

CITY OF NANAIMO

BYLAW NO. 4500.168

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. 4500.168".
- 2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning a portion the land legally described as LOT 1, SECTION 4, WELLINGTON DISTRICT, PLAN 7577 (4271 Jingle Pot Road) from Single Dwelling Residential (R1) to Low Density Residential (R6) as shown on Schedule A.

By rezoning a portion of the land at 4271 Jingle Pot Road from Single Dwelling Residential (R1) to Duplex Residential (R4) as shown on Schedule A.

By rezoning a portion of the land at 4271 Jingle Pot Road from Duplex Residential (R4) to Single Dwelling Residential (R1) as shown on Schedule A.

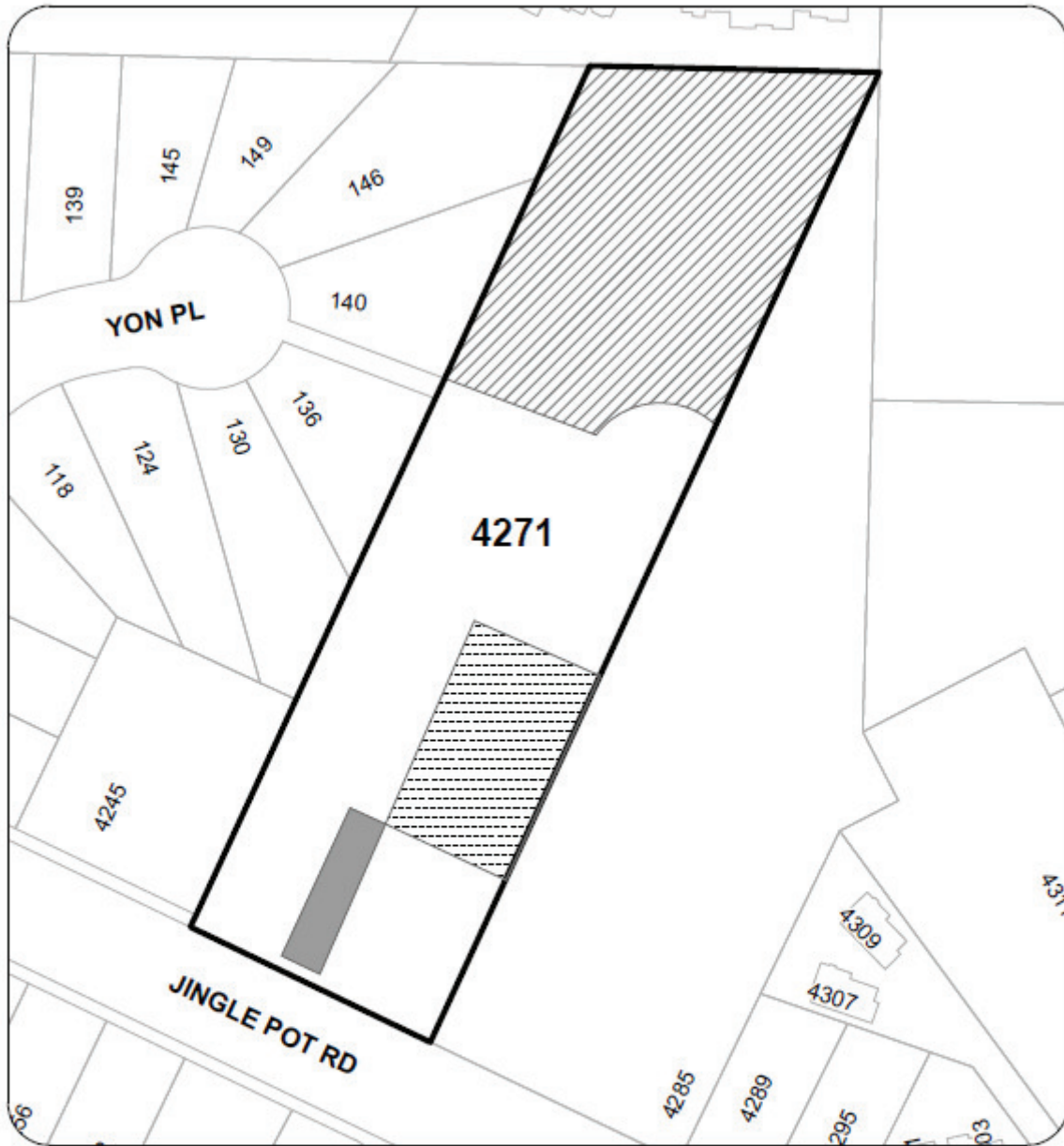
PASSED FIRST READING: _____
 PASSED SECOND READING: _____
 PUBLIC HEARING HELD: _____
 PASSED THIRD READING: _____
 MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____
 ADOPTED: _____





MAYOR

CORPORATE OFFICER

File: RA000433
Address: 4271 Jingle Pot Road

SCHEDULE A



-  SUBJECT PROPERTY
-  PROPOSED R1 ZONING
-  PROPOSED R4 ZONING
-  PROPOSED R6 ZONING

LOCATION PLAN

Civic: 4271 JINGLE POT ROAD
Legal Description: LOT 1, SECTION 4
WELLINGTON DISTRICT, PLAN 7577



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