

DATE OF MEETING | October 18, 2021 |

AUTHORED BY | LISA BRINKMAN, PLANNER, CURRENT PLANNING |

SUBJECT | REZONING APPLICATION NO. RA468 – 6004 NELSON ROAD |

## **OVERVIEW**

### **Purpose of Report**

To present Council with an application to rezone the property located at 6004 Nelson Road from Single Dwelling Residential (R1) to Low Density Residential (R6) to allow a multiple-family development.

### **Recommendation**

That:

1. “Zoning Amendment Bylaw 2021 No. 4500.192” (To rezone 6004 Nelson Road from Single Dwelling Residential [R1] to Low Density Residential [R6]) pass first reading;
2. “Zoning Amendment Bylaw 2021 No. 4500.192” pass second reading; and
3. Should Council support the bylaw at third reading, direct Staff to secure the road dedication, a statutory right-of-way for a pedestrian path, the community amenity contribution, and a Section 219 covenant for the restriction to one driveway access and to register the geotechnical report.

## **BACKGROUND**

A rezoning application, RA468, for 6004 Nelson Road was received from Seward Developments Inc. on behalf of Black Squirrel Developments Ltd. The applicant proposes to rezone the subject property from Single Dwelling Residential (R1) to Low Density Residential (R6) to allow a multiple-family development.

### **Subject Property and Site Context**

<i>Location</i>	The subject property is located in north Nanaimo near Randerson Ridge Elementary School, and south of Rutherford Park.
<i>Total Area</i>	0.6ha
<i>Current Zone</i>	R1 – Single Dwelling Residential
<i>Proposed Zone</i>	R6 – Low Density Residential
<i>Official Community Plan Designation</i>	Neighbourhood

The subject property is located in a residential neighbourhood with multi-family development located to the east and southeast. Randerson Ridge Elementary School is located to the southwest. Single family residential is located to the west and northwest. Rutherford Park is located to the northeast, and this park contains a ravine with McGregor Creek.

## **DISCUSSION**

### **Proposed Development**

The applicant is proposing to rezone the subject property from Single Dwelling Residential (R1) to Low Density Residential (R6) to allow the development of approximately 16 townhouse residential units. The R6 zone allows for ground-oriented (townhouse) residential uses. The development concept anticipates a Floor Area Ratio (FAR) of 0.44, and the R6 zone allows a base FAR of 0.45. A 15m riparian setback and 6m geotechnical setback from the top of the ravine bank is required in the northeastern corner of the property, and the applicant has demonstrated that buildings can be sited outside of these required setbacks.

### **Policy Context**

#### *Official Community Plan*

The Official Community Plan (OCP) designates the subject property as 'Neighbourhood', which supports residential infill and a mix of housing types, including ground-oriented multiple-family units two to four storeys in height, with a maximum density of 10 – 50 dwelling units per hectare (uph). The development concept proposes a density of 27 uph in a ground-oriented townhouse housing form, which is consistent with the Neighbourhood designation policies. The proposed development meets the policy objectives of the OCP and offers an infill development in a neighbourhood near schools and parks, as well as commercial services within 800m.

#### *Transportation Master Plan*

The subject properties are located in the 600m buffer area of the North Nanaimo mobility hub, as identified by the Nanaimo Transportation Master Plan. A bus stop for the VIU express bus route is within 750m of the property on Uplands Drive. As the North Nanaimo mobility hub continues to develop, the pedestrian, cyclist, and transit facilities will continue to be improved.

### **Community Consultation**

A rezoning sign was posted on the property in July 2021, and the applicant held a public information meeting on 2021-AUG-25. In general, the comments received at the meeting were regarding traffic concerns during peak school pick-up and drop-off times, available onsite parking spaces, the fourplex townhouse building form, and siting of buildings along Nelson Road.

To assist with traffic concerns, any proposed development on the property will be limited to one driveway access. The development concept also shows that two parking spaces can be provided for each unit in compliance with "Off-Street Parking Regulations Bylaw 2018 No. 7266". Both the duplex and fourplex building forms are permitted in the R6 zone and offer a variety of housing options in the neighbourhood. The proposed site plan meets the City's design guidelines, which encourage residential units to be integrated into the context of the streetscape.

## Community Contribution

As outlined in Section 7.3 of the OCP, applicants are encouraged to provide an amenity contribution as part of their rezoning proposal. The current practice is to secure the rate of \$1,000 per unit, with payment at the building permit stage. The applicant is proposing a monetary contribution of \$16,000 (\$1,000 per unit). It is recommended that 40% of these funds be directed to the Housing Legacy Fund, and 60% be directed to park and trail improvements in North Nanaimo.

## Conditions of Rezoning

Should Council support this application and pass third reading of “Zoning Amendment Bylaw 2021 No. 4500.192”, Staff recommend the following items be secured prior to final adoption of the bylaw:

1. *Road Dedication:* The registration of a road dedication plan for a 2.44m width from the frontage of the parcel at 6004 Nelson Road.
2. *Pedestrian Path:* A blanket statutory right-of-way to secure a public pedestrian path from Nelson Road through the property to the public park. The location of the path can be finalized at the time of development permit.
3. *Access Restrictions:* A Section 219 covenant be registered on the title of the land to:  
a) restrict the property to one driveway access from Nelson Road, and b) register the geotechnical report from Lewkowich Engineering (2021-JAN-14).
4. *Community Contribution:* A Section 219 covenant be registered on the title of the land to secure a monetary contribution of \$1,000 per residential unit, and that 40% of the funds be directed to the Housing Legacy Reserve Fund and 60% be directed to park and trail improvements in North Nanaimo.

### **SUMMARY POINTS**

- The application is to rezone the subject properties from Single Dwelling Residential (R1) to Low Density Residential (R6) to allow a multiple-family development.
- The proposed rezoning application meets the policy objectives of the OCP and offers an infill development in a neighbourhood near an elementary school, Rutherford Park, and commercial services.
- A community amenity contribution of \$1,000 per unit is proposed to be directed towards the Housing Legacy Reserve Fund, as well as park and trail improvements in North Nanaimo.

## **ATTACHMENTS**

ATTACHMENT A: Context Map  
ATTACHMENT B: Location Plan  
ATTACHMENT C: Conceptual Site Plan  
ATTACHMENT D: Aerial Photo  
“Zoning Amendment Bylaw 2021 No. 4500.192”

### **Submitted by:**

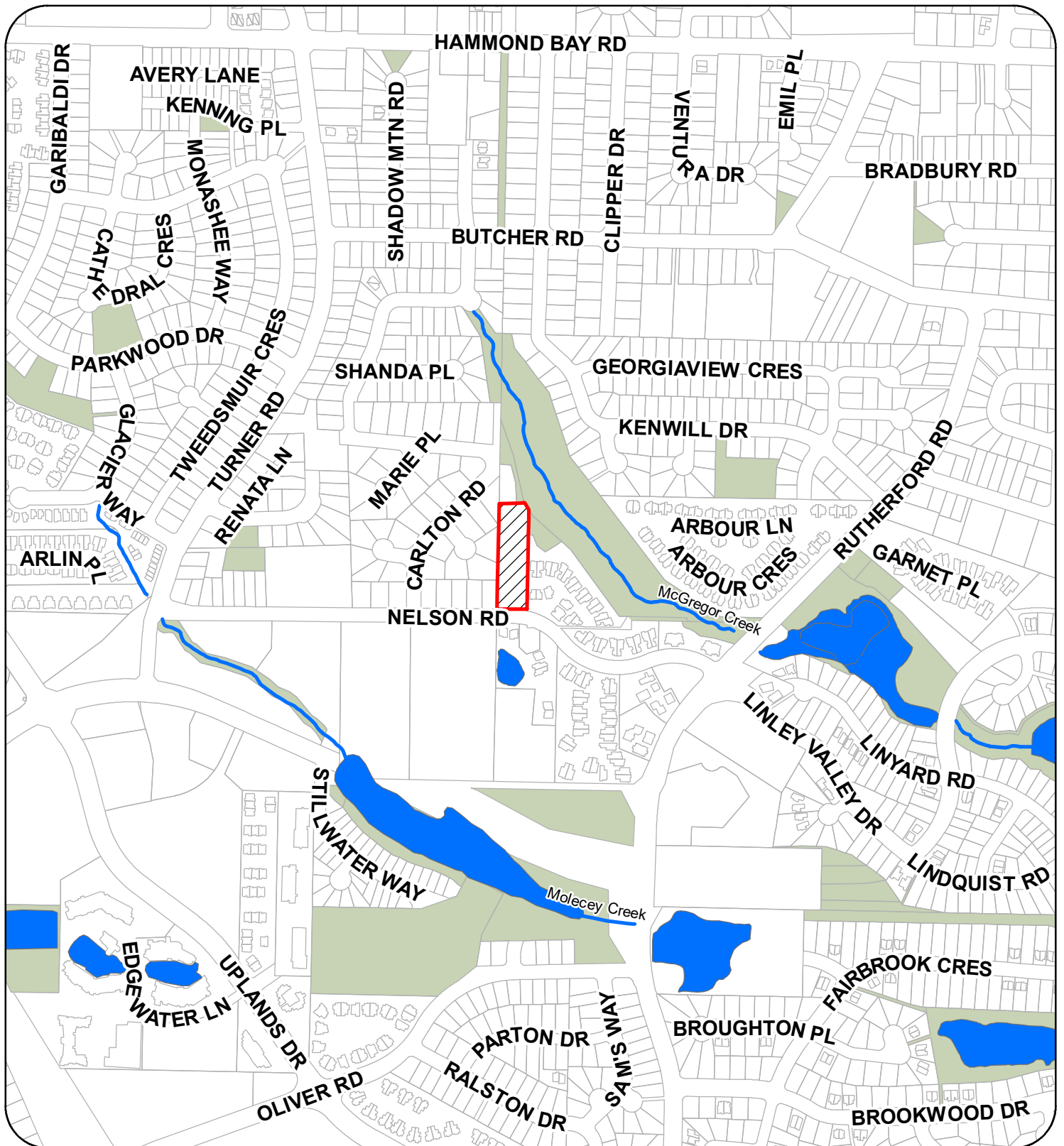
Lainya Rowett  
Manager, Current Planning

### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services

# ATTACHMENT A CONTEXT MAP



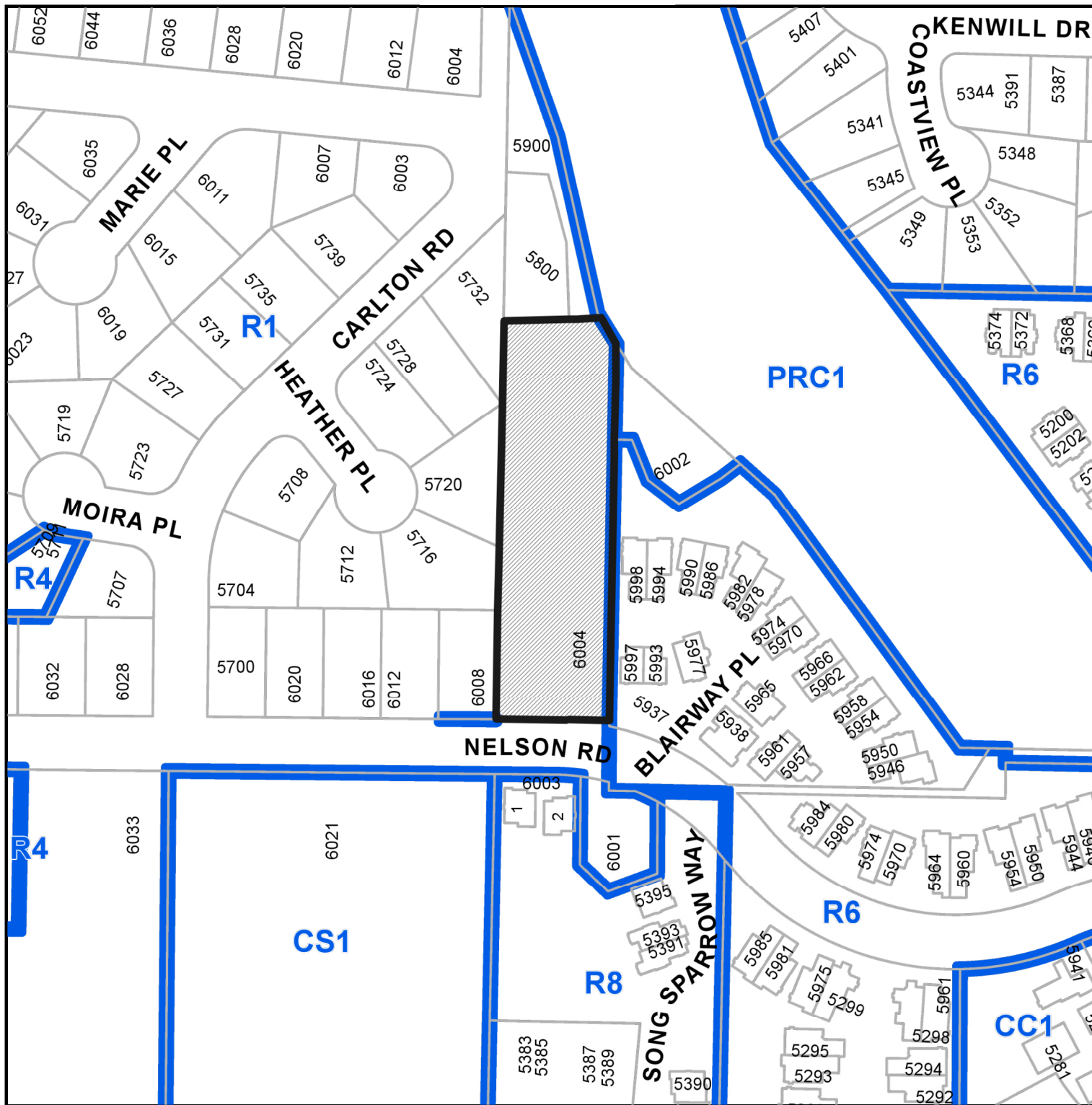
REZONING APPLICATION NO. RA000468

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6004 NELSON ROAD

# ATTACHMENT B LOCATION PLAN



## REZONING APPLICATION NO. RA000468

CIVIC: 6004 NELSON ROAD

LEGAL: LOT 2, DISTRICT LOT 32, WELLINGTON DISTRICT, PLAN EPP102733



 **Subject Property**



# ATTACHMENT C CONCEPTUAL SITE PLAN



 **SITE PLAN**  
0M 5M 10M 15M 20M 25M

PROJECT DATA - PRELIMINARY			
<b>CIVIC:</b> 6004 NELSON ROAD, NANAIMO B.C.	<b>TYPICAL UNIT AREAS:</b> UNIT A: MAIN 880 SQ.FT. (8 UNITS) UPPER 880 SQ.FT. TOTAL: 1,760 SQ.FT.	<b>PARKING:</b> (AREA 1) REQ'D: 2 PER UNIT PROV: 32	32
<b>LOT AREA:</b> 6,159 SQ.M.	UNIT B: MAIN 960 SQ.FT. (8 UNITS) UPPER 960 SQ.FT. TOTAL: 1,920 SQ.FT.	<b>VISITOR:</b> REQ'D: 1/22 REQ'D SPACES PROV: 3	2 3
<b>CURRENT ZONING:</b> R1 SINGLE FAMILY RESIDENTIAL	<b>PROPOSED ZONING:</b> R6 LOW DENSITY RESIDENTIAL	<b>BICYCLE:</b> REQ'D: SHORT TERM 0.1/UNIT LONG TERM 0.5/UNIT	2 8
	<b>LOT COVERAGE (40% MAX.):</b> 22.2%	<b>E.V.:</b> 1 R.I. PER UNIT 1 COMMON PARKING	
	<b>F.A.R. (0.45 MAX.):</b> 0.44		

**RECEIVED**  
**RA468**  
**2021-SEP-24**  
Current Planning

## PROPOSED RESIDENTIAL DEVELOPMENT

6004 NELSON ROAD, NANAIMO B.C.

CLIENT: BLACK SQUIRREL DEVELOPMENT LTD.

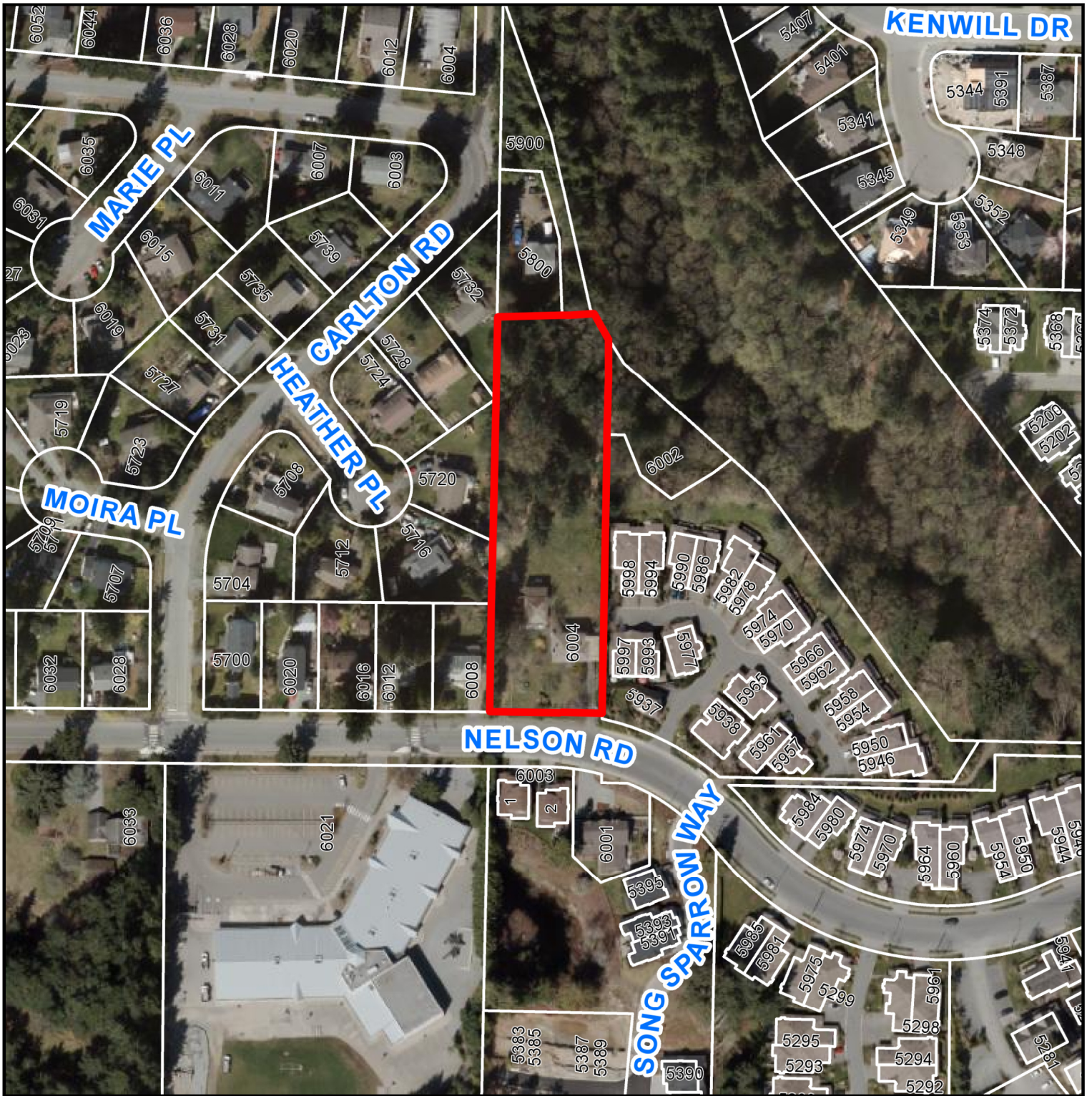


PROJECT #: 1543.10.19  
REVIEW: 13 AUG. 2020  
REZONING: 20 OCT. 2020  
REZONING: 11 JAN. 2021  
REVISED: 24 SEPT. 2021


PR1



ATTACHMENT D  
AERIAL PHOTO



REZONING APPLICATION NO. RA000468

 6004 NELSON ROAD



CITY OF NANAIMO

BYLAW NO. 4500.192

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

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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 2021 No. 4500.192".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

(A) By rezoning the lands legally described as LOT 2, DISTRICT LOT 32, WELLINGTON DISTRICT, PLAN EPP102733 (6004 Nelson Road) from Single Dwelling Residential (R1) to Low Density Residential (R6) as shown on Schedule A.

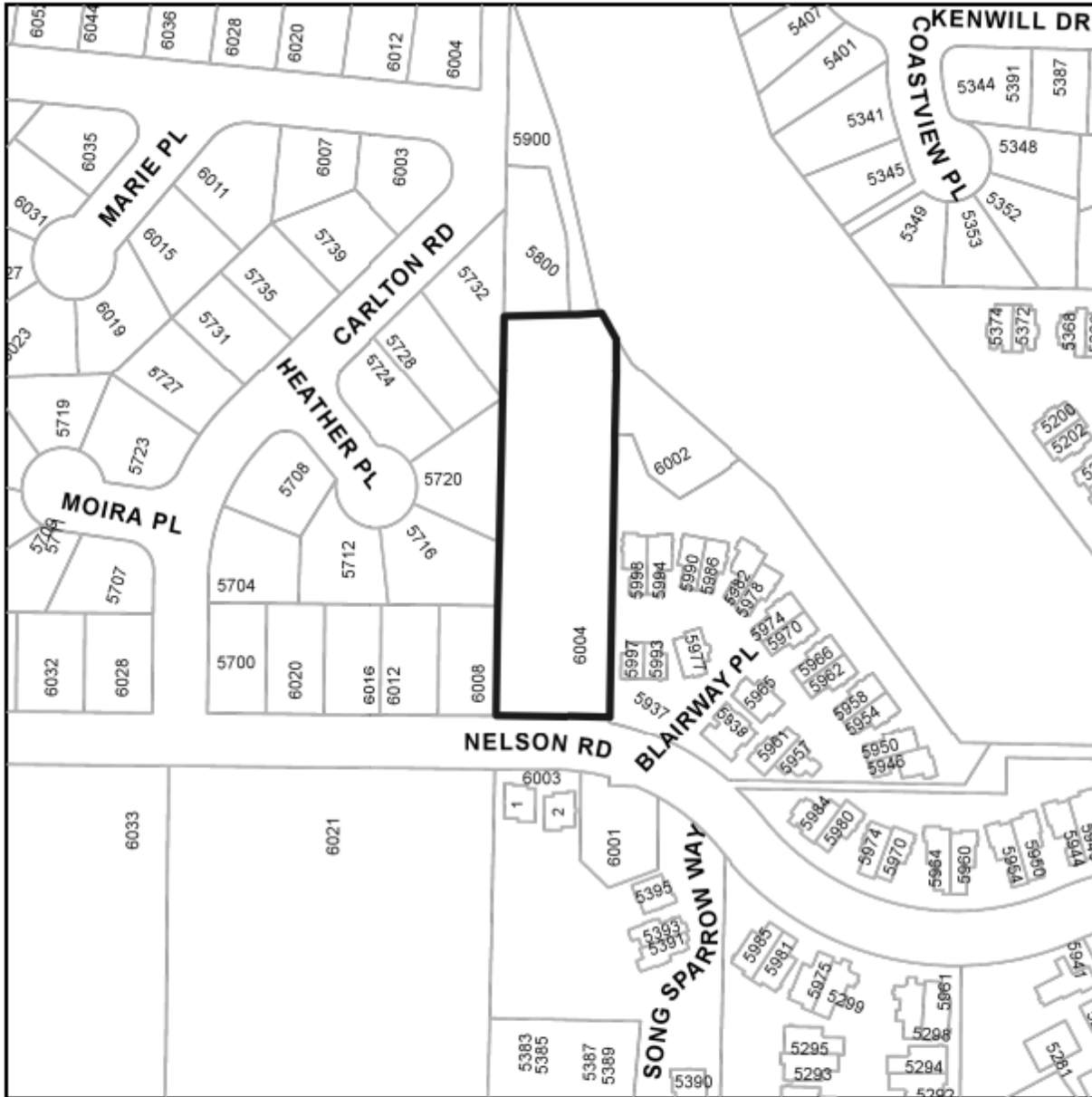
PASSED FIRST READING: \_\_\_\_\_  
PASSED SECOND READING: \_\_\_\_\_  
PUBLIC HEARING HELD: \_\_\_\_\_  
PASSED THIRD READING: \_\_\_\_\_  
ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

File: RA000468  
Address: 6004 Nelson Road

### SCHEDULE A



### REZONING APPLICATION NO. RA000468



**Subject Property**

CIVIC: 6004 NELSON ROAD

LEGAL: LOT 2, DISTRICT LOT 32, WELLINGTON DISTRICT, PLAN EPP102733