

DATE OF MEETING | November 1, 2021 |

AUTHORED BY | LISA BRINKMAN, PLANNER, CURRENT PLANNING |

SUBJECT | OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION NO. OCP100 AND REZONING APPLICATION NO. RA472 – 456 MILTON STREET |

OVERVIEW

Purpose of Report

To present for Council’s consideration, an Official Community Plan amendment application to amend the Official Community Plan Schedule B – Old City Neighbourhood Concept Plan ‘Sub-Area 3 – Multi-Family Low Density’; and to rezone the property from R14 (Old City Low Density Fourplex Residential) to R15 (Old City Medium Density Residential) with a site-specific amendment to allow a maximum of seven dwelling units on the property at 456 Milton Street. |

Recommendation

That:

1. “Official Community Plan Amendment Bylaw 2021 No. 6500.046” (To allow seven residential units at 456 Milton Street) pass first reading;
2. “Official Community Plan Amendment Bylaw 2021 No. 6500.046” pass second reading;
3. “Zoning Amendment Bylaw 2021 No. 4500.193” (To rezone 456 Milton Street from R14 - Old City Low Density Fourplex Residential to R15 - Old City Medium Density Residential) pass first reading;
4. “Zoning Amendment Bylaw 2021 No. 4500.193” pass second reading; and
5. Council direct Staff to secure a community amenity contribution and road dedication prior to adoption of the “Zoning Amendment Bylaw 2021 No. 4500.193”, should Council support the zoning amendment bylaw at third reading. |

BACKGROUND

Carol Evans of Paradox Company Inc. has submitted an Official Community Plan (OCP) amendment application (OCP100) and a “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) amendment application (RA472) for a proposed multi-family development with seven residential units at 456 Milton Street.

Subject Property and Site Context

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|---------------------------------|---|
| <i>Location</i> | The subject property is located in the Old City neighbourhood between Albert Street and Franklyn Street, just west of the railway line. |
| <i>Total Area</i> | 1,010.5m ² |
| <i>Existing OCP designation</i> | Neighbourhood |

| | |
|---|---|
| <i>Proposed OCP designation</i> | Neighbourhood |
| <i>Existing Old City Neighbourhood Concept Plan</i> | Section 4.1.2 Land Use Designations Sub-Area 3 Multi-Family Low Density Single Family to Fourplex |
| <i>Proposed Old City Neighbourhood Concept Plan</i> | Section 4.1.2 Land Use Designations Sub-Area 3 Multi-Family Low Density Site-specific maximum of seven residential units. |
| <i>Existing Zone</i> | Old City Low Density (Fourplex) Residential (R14) |
| <i>Proposed Zone</i> | Old City Medium Density Residential (R15) Site-specific maximum of seven dwelling units. |

A single family residence is currently located on the property and would be removed if the development was to proceed. The property slopes gently from Milton Street down to the lane at the rear of the property. The neighbourhood contains a mix of single-family, duplex, townhouse and apartment building forms.

DISCUSSION

Proposed Development

The applicant is proposing seven residential units on the property within three buildings. The two buildings fronting Milton Street are each proposed to contain an upper unit and a lower unit and the building proposed adjacent to the lane would contain three residential units and two single car garages.

Official Community Plan

The OCP designates the subject property as Neighbourhood, which supports a target density of 10-50 units per hectare in two- to four-storey building forms. The Old City Neighbourhood Concept Plan (Schedule B of the OCP) more specifically designates the property as ‘Multi-Family Low Density’ with a maximum density of four residential units; thus, an amendment to the OCP is proposed to allow up to seven units. The proposed conceptual plans (seven units) would achieve a density of approximately 69 units per hectare in a two-storey, ground oriented building form. The proposal demonstrates sensitive infill within an existing, well-serviced neighbourhood in a form and density that is consistent with the policies of OCP Neighbourhood designation.

Transportation Master Plan

The Nanaimo Transportation Master Plan (NTMP) introduced the concept of mobility hubs as compact, mixed-use urban nodes that would promote walking, cycling, and transit. The subject property is located within the focal area of the Downtown Mobility Hub, and is within walking distance to downtown services.

Zoning

The subject property is currently zoned “Old City Low Density Residential” (R14), which permits a maximum of four residential units and a maximum Floor Area Ratio (FAR) of 0.65. The

applicant is proposing to rezone the property to “Old City Medium Density Residential” (R15) to allow a multi-family development with a maximum of seven residential units. The maximum allowable FAR in the R15 Zone is 0.85 which would accommodate the proposed development and is consistent with other R15 zoned parcels nearby. “Zoning Amendment Bylaw 4500.193” (the “Zoning Amendment Bylaw”) as proposed would also include a site-specific clause restricting the number of dwellings on the subject property to seven units.

Community Amenity 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. The applicant is proposing a monetary contribution of \$7,000 (\$1,000 per unit). It is recommended that 40% of these funds be directed to the City’s Housing Legacy Fund, and 60% be directed to park and trail improvements in the Old City Neighbourhood.

Conditions of Approval

Should Council support this application and pass third reading of the Zoning Amendment Bylaw, 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 width up to 1.9m for the lane at the rear of the property, to ensure a total lane width of 7m.
2. *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.

Community Consultation

The applicant provided correspondence in support of the OCP amendment from the Nanaimo Old City Association and several members of the neighbourhood. An OCP amendment/rezoning sign was posted on the property in August 2021. Also, the applicant hosted a public information meeting on 2021-SEP-30. In general, the comments received at the meeting supported the density and scale of the proposed development. Two people expressed that they would like the building design to reflect a more heritage character. At the development permit application stage, Staff will complete a comprehensive design review and work with the applicant to ensure the proposed development addresses the “Old City Multiple Family Residential Design Guidelines”.

Application Referral

In accordance with Part 14 of the *Local Government Act*, when considering an amendment to the OCP, local governments must provide one or more opportunities for consultation with organizations or authorities that it considers may be affected by the amendment. In July 2021, initial referrals were sent to the Snuneymuxw First Nation, Regional District of Nanaimo, Ministry of Transportation and Infrastructure, Ministry of Environment, Vancouver Island Health Authority, and the Nanaimo Ladysmith Public School District. To date, the City has received no objections to the OCP amendment application for 456 Milton Street from the initial external application referral process. Should Council support this OCP amendment application (OCP100) at first and second readings, Staff would send a formal referral to the same organizations and authorities to provide another opportunity for review and comment.

SUMMARY POINTS

- The application is to amend OCP Schedule B - Old City Neighbourhood Concept Plan to allow a maximum of seven residential units on the property at 456 Milton Street; and to rezone the property from Old City Low Density Residential (R14) to Old City Medium Density Residential (R15) with a site specific amendment to allow a maximum of seven dwelling units.
- The proposal demonstrates sensitive infill within an existing, well-served neighbourhood in a form and density that is consistent with the policies of OCP Neighbourhood designation.
- A community amenity contribution of \$1,000 per unit is proposed to be directed towards the City's Housing Legacy Reserve Fund, as well as park and trail improvements in the Old City Neighbourhood.
- Staff support the proposed OCP and Zoning Bylaw amendments.

ATTACHMENTS

ATTACHMENT A: Context Map

ATTACHMENT B: OCP Designation Plan

ATTACHMENT C: Location Plan

ATTACHMENT D: Conceptual Site Plans

ATTACHMENT E: Aerial Photo

"Official Community Plan Amendment Bylaw 2021 No. 6500.046"

"Zoning Amendment Bylaw No. 4500.193"

Submitted by:

Lainya Rowett
Manager, Current Planning

Lisa Bhopalsingh
Manager, Community Planning

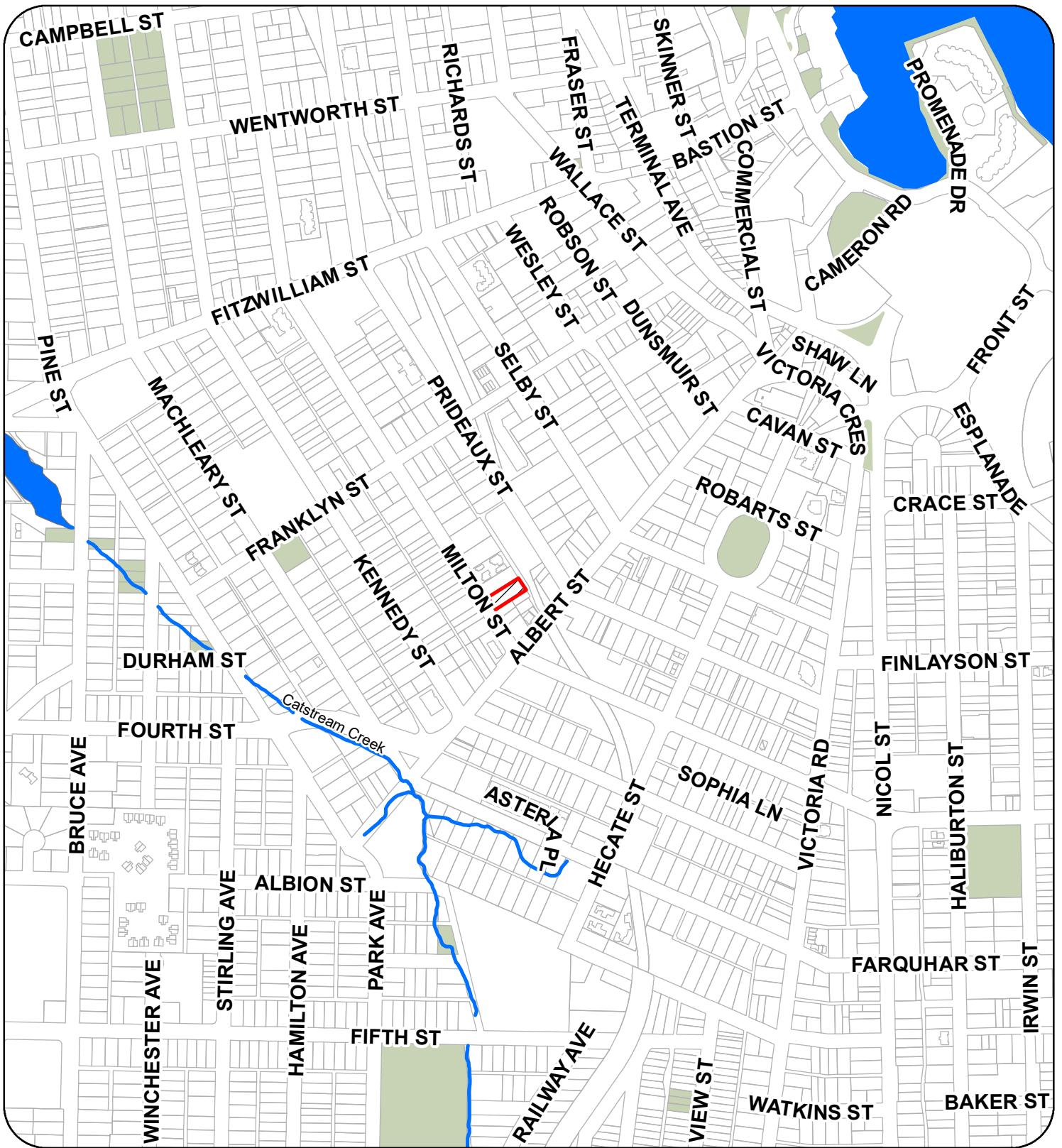
Concurrence by:

Jeremy Holm
Director, Development Approvals

Bill Corsan
Director, Community Development

Dale Lindsay
General Manager, Development Services

ATTACHMENT A CONTEXT MAP



OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION NO. OCP00100



456 MILTON STREET

**ATTACHMENT B
OCP DESIGNATION PLAN**



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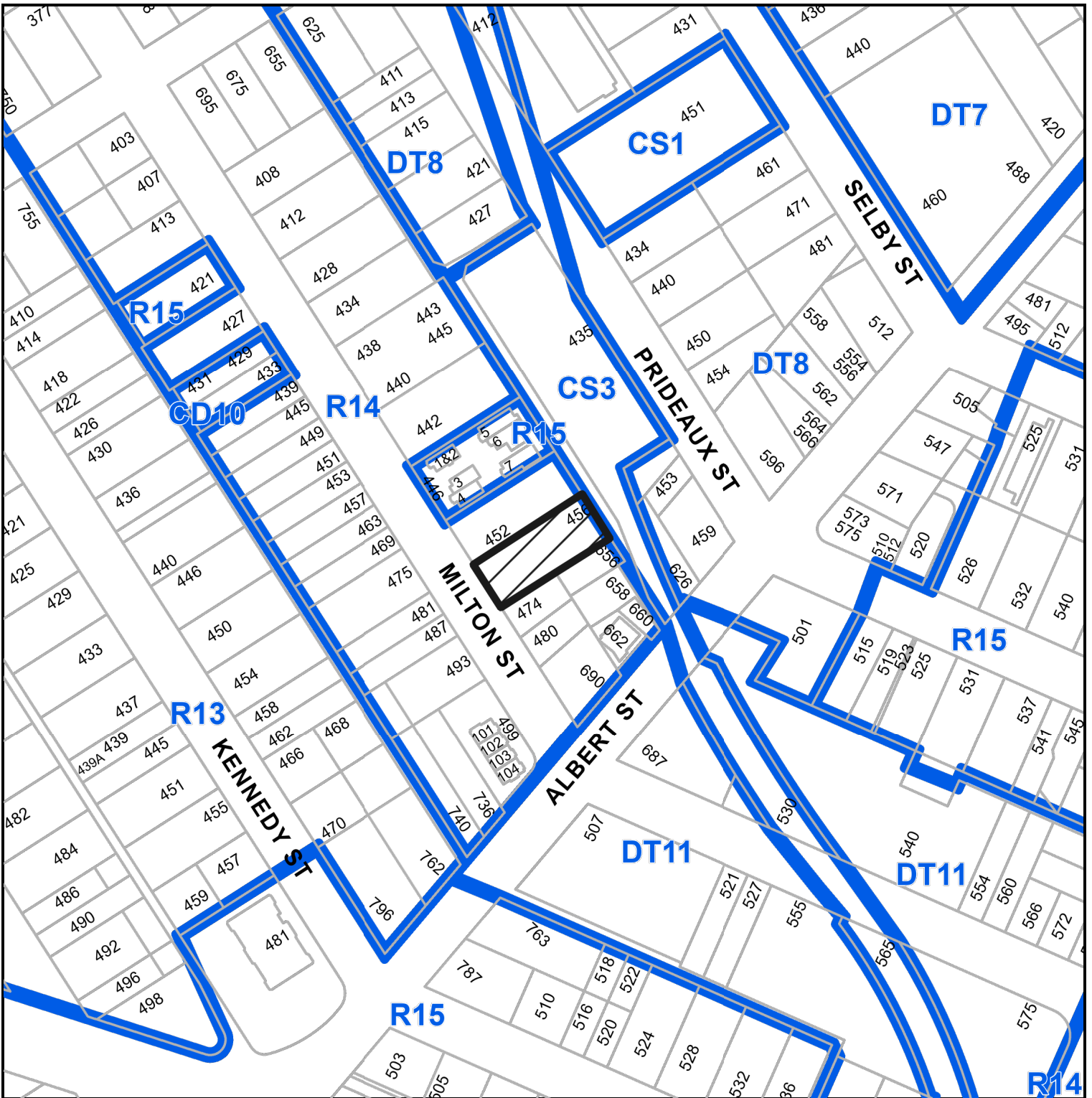


Subject
Property

OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION NO. OCP00100

CIVIC: 456 MILTON STREET
LEGAL: SOUTHERLY 1/2 OF LOT 5, BLOCK 24, SECTION 1, NANAIMO DISTRICT
PLAN 584 HAVING A FRONTAGE OF 66 FEET ON MILTON STREET

ATTACHMENT C LOCATION PLAN



REZONING APPLICATION NO. RA000472



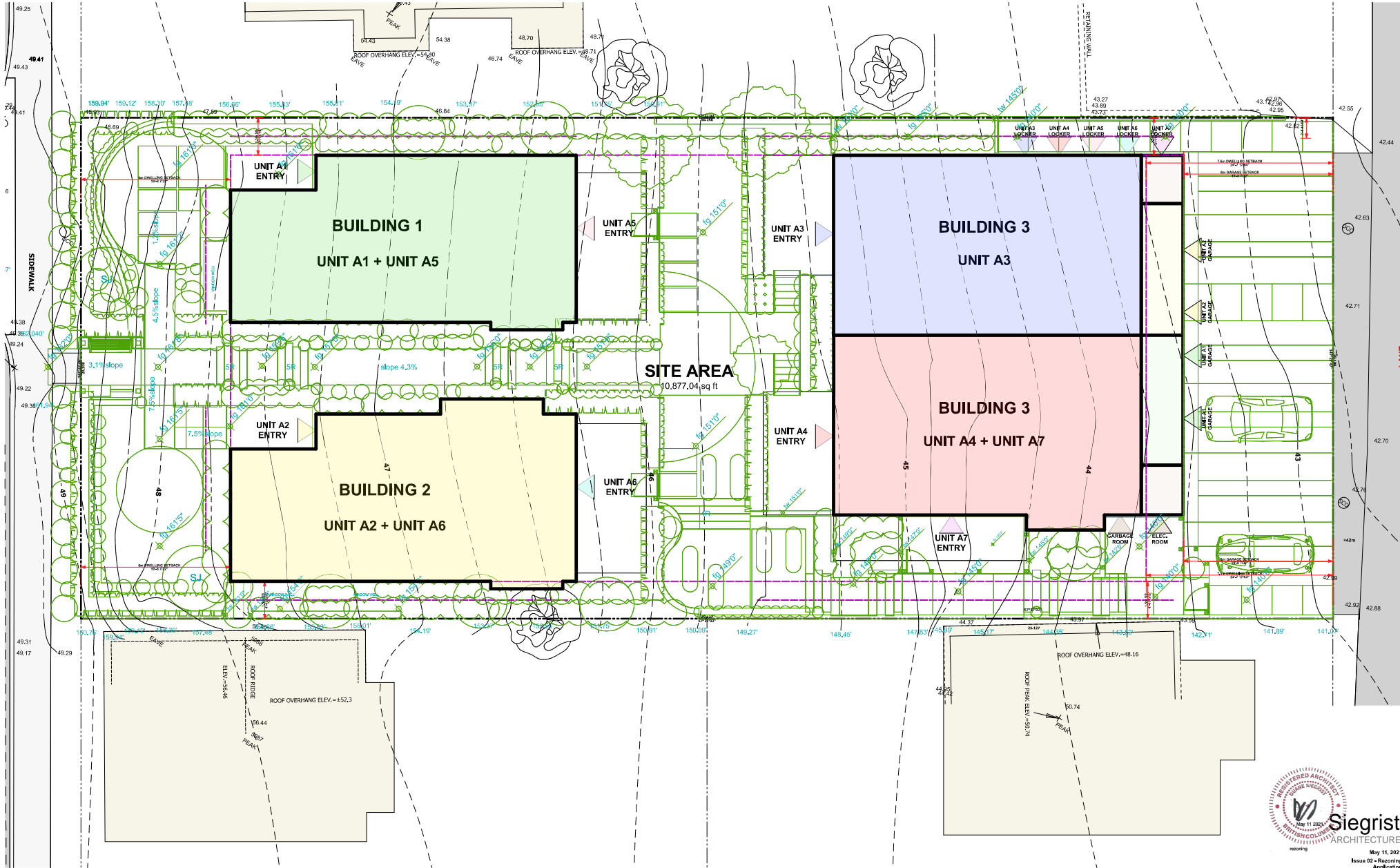
Subject Property

CIVIC: 456 MILTON STREET

LEGAL: SOUTHERLY 1/2 OF LOT 5, BLOCK 24, SECTION 1, NANAIMO DISTRICT, PLAN 584 HAVING A FRONTAGE OF 66 FEET ON MILTON STREET

ATTACHMENT D CONCEPTUAL SITE PLANS



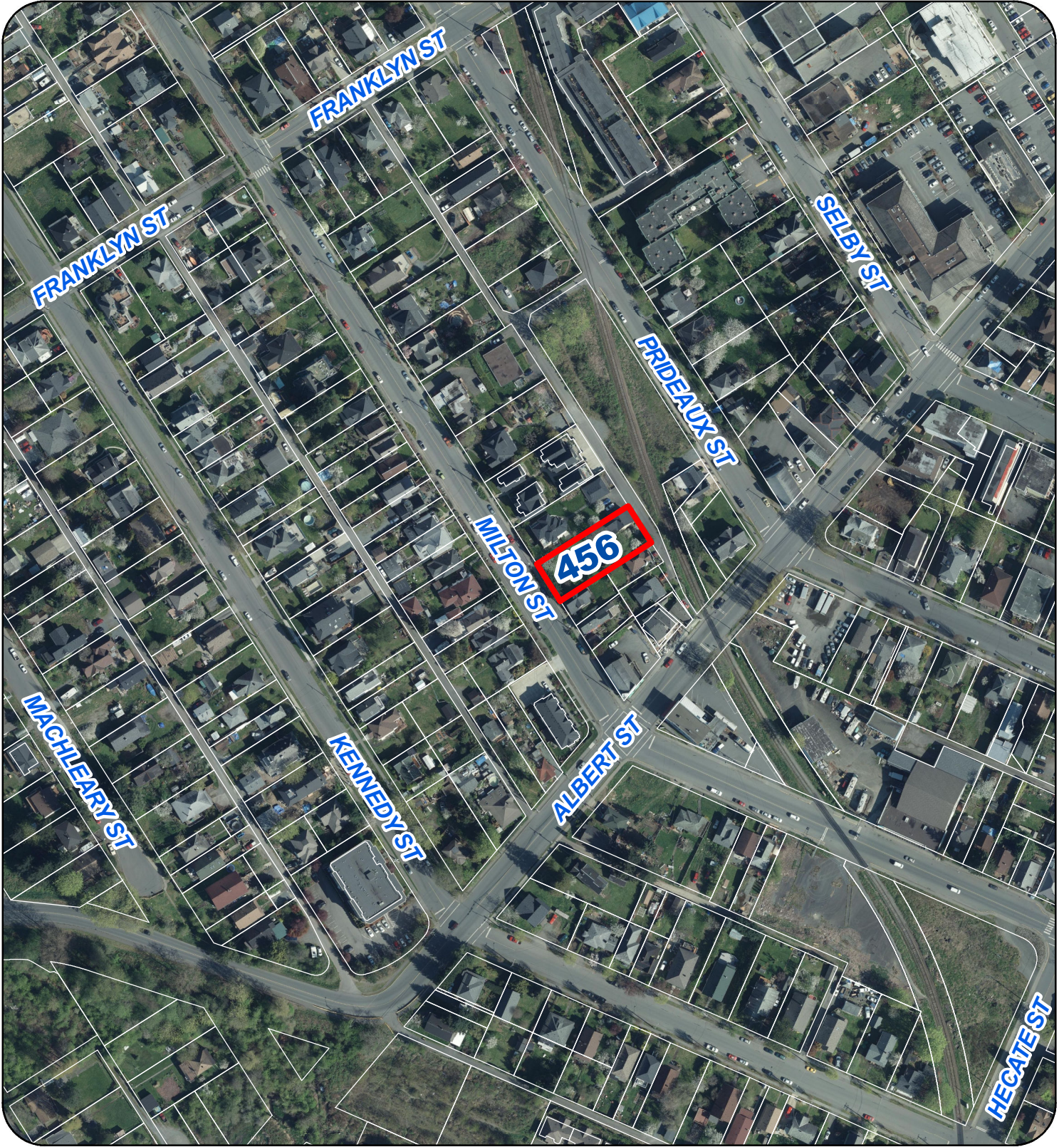


May 11, 2021
 Issue 02 - Rezoning
 Application
 3187 - 1st
 Site Plan

RECEIVED
 DCP100
 2021-JUN-02
 Current Planning

A-1.300

ATTACHMENT E
AERIAL PHOTO



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OFFICIAL COMMUNITY PLAN AMENDMENT NO. OCP00100



Subject Property

CITY OF NANAIMO

BYLAW NO. 6500.046

A BYLAW TO AMEND THE CITY OF NANAIMO
"OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500"

WHEREAS the Council of the City of Nanaimo wishes to amend City of Nanaimo "Official Community Plan Bylaw 2008 No. 6500";

THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "Official Community Plan Amendment Bylaw 2021 No. 6500.046".
2. The City of Nanaimo "Official Community Plan Bylaw 2008 No. 6500" is hereby amended as follows:
 - (i) Amend Schedule B "Old City Neighbourhood Concept Plan" by adding the following to Section 4.1.2 "Land Use Designations":
 - (a) 4.1.2.5 Notwithstanding Section 4.1.2, Sub Area 3, a multiple family residential development for a maximum of seven residential units is permitted on the property known as 456 Milton Street (Southerly ½ of Lot 5, Block 24, Section 1, Nanaimo District, Plan 584, Having a Frontage of 66 feet on Milton Street, PID 000-451-908).

PASSED FIRST READING: _____
PASSED SECOND READING: _____
PUBLIC HEARING HELD: _____
PASSED THIRD READING: _____
ADOPTED: _____

MAYOR

CORPORATE OFFICER

CITY OF NANAIMO

BYLAW NO. 4500.193

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 2021 No. 4500.193".
- 2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:
 - (a) By rezoning the lands legally described as SOUTHERLY ½ of LOT 5, BLOCK 24, SECTION 1, NANAIMO DISTRICT, PLAN 584, HAVING A FRONTAGE OF 66 FEET ON MILTON STREET (456 Milton Street) from Old City Low Density (Fourplex) Residential (R14) to Old City Medium Density Residential (R15) as shown on Schedule A.

(b) By adding the following after Subsection 7.3.9:

7.3.10 Notwithstanding 7.3.1, not more than seven dwelling units is permitted on the land legally described as SOUTHERLY ½ of LOT 5, BLOCK 24, SECTION 1, NANAIMO DISTRICT, PLAN 584, HAVING A FRONTAGE OF 66 FEET ON MILTON STREET (456 Milton Street).

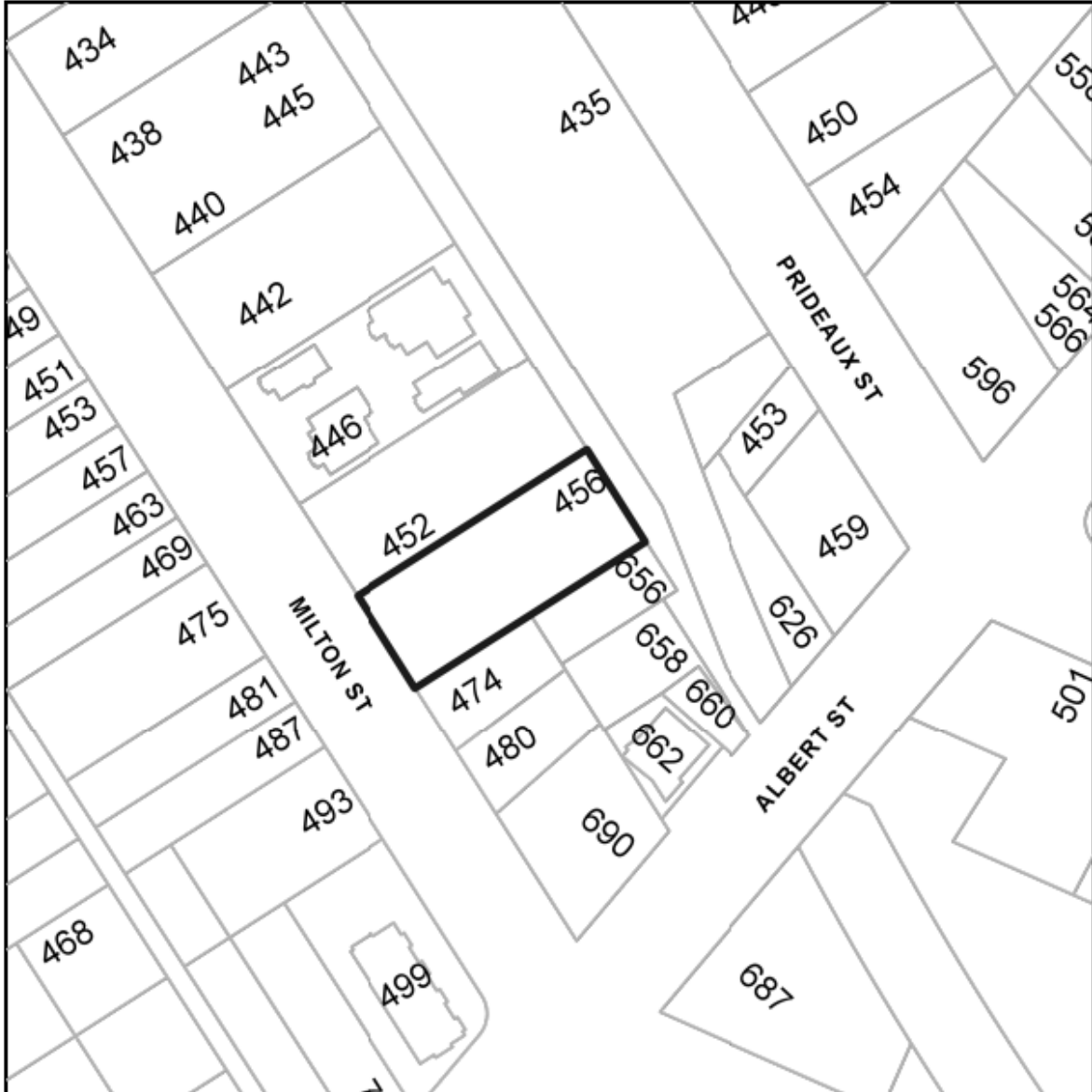
PASSED FIRST READING: _____
 PASSED SECOND READING: _____
 PUBLIC HEARING HELD: _____
 PASSED THIRD READING: _____
 MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____
 ADOPTED: _____

MAYOR

CORPORATE OFFICER

SCHEDULE A

File: RA000472
Address: 456 Milton Street



REZONING APPLICATION NO. RA000472



Subject Property

CIVIC: 456 MILTON STREET

LEGAL: SOUTHERLY 1/2 OF LOT 5, BLOCK 24, SECTION 1, NANAIMO DISTRICT, PLAN 584 HAVING A FRONTAGE OF 66 FEET ON MILTON STREET