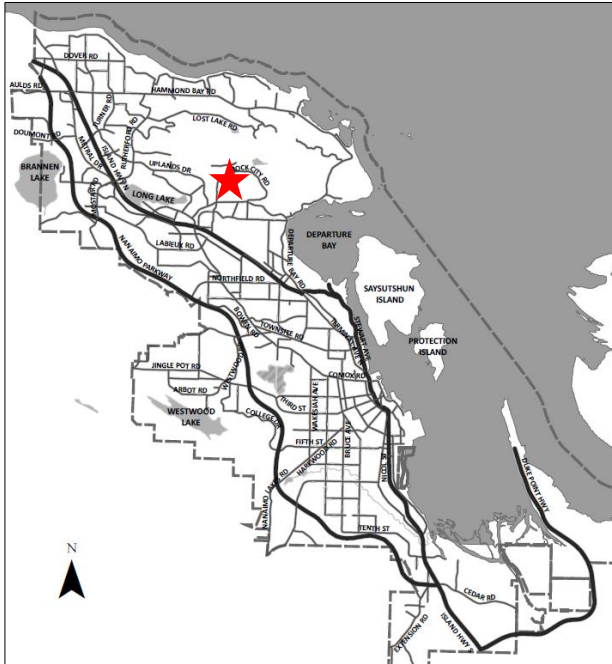


DATE OF MEETING | June 19, 2023 |

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING |

SUBJECT | REZONING APPLICATION NO. RA481 – 1224 MANZANITA PLACE



Proposal:

To allow for a multi-family residential development



Current Zoning:

R6 – Low Density Residential

Proposed Zoning:

R8 – Medium Density Residential with site-specific density

City Plan Land Use Designation:

Suburban Neighbourhood

Lot Area:

4,566m²



OVERVIEW

Purpose of Report

To present Council with an application to rezone 1224 Manzanita Place from Low Density Residential (R6) to Medium Density Residential (R8) with site-specific density, to facilitate a multi-family residential development. |

Recommendation

That:

1. “Zoning Amendment Bylaw 2023 No. 4500.210” (to rezone 1224 Manzanita Place from Low Density Residential [R6] to Medium Density Residential [R8] with site-specific density) pass first reading;
2. “Zoning Amendment Bylaw 2023 No. 4500.210” pass second reading; and,
3. Council direct Staff to secure the conditions related to “Zoning Amendment Bylaw 2023 No. 4500.210” as outlined in the “Conditions of Rezoning” section of the Staff Report dated 2023-JUN-19 should Council support the bylaw at third reading. |

BACKGROUND

A rezoning application, RA481, was received from Seward Developments Inc., on behalf of Hazelwood Holdings Ltd., to rezone 1224 Manzanita Place to facilitate a multi-family residential development.

Subject Property & Site Context

The subject property is located in the Rock City neighbourhood of North Nanaimo, and the property was created through subdivision in 2016. The property’s creation was supported by a steep slope development permit originally approved in 2011 (DP576) which envisioned a 4-storey building form at that time.

The lot abuts Ocean Pearl Terrace to the north, Amphion Terrace to the east, and Manzanita Place to the south. The site is constrained by topographic features and is steeply sloping with a high point in the north of approximately 122m above sea level and a low point adjacent to Manzanita Place of 110m. Approximately 58% of the lot (2,630m²), adjacent to Ocean Pearl Terrace, is protected for environmental preservation by a Section 219 covenant from the time of subdivision. This portion of the lot consists of natural rock bluffs and forested sections. The remaining portion of the site is previously disturbed and includes a few stands of remaining trees.

The surrounding neighbourhood consists primarily of low density residential developments. Adjacent land uses include small lot single residential dwellings along Amphion Terrace to the east, townhouse units under construction along Manzanita Place to the south and west (1217, 1220, 1221, 1225, and 1228 Manzanita Place), and a vacant lot across Ocean Pearl Terrace to the north (3500 Rock City Road). This lot was rezoned in October 2022 (RA434) to the R8 zone with site-specific density to allow for a future multi-family residential development. |

DISCUSSION

Proposed Zoning

The applicant is proposing to rezone the subject property from Low Density Residential (R6) to Medium Density Residential (R8) with site-specific density. The proposed density is a maximum base Floor Area Ratio (FAR) of 0.45, which is the same base FAR as permitted by the existing R6 zoning. A bonus density provision of up to 0.25 additional FAR will be available should the project develop with underground parking. This is comparable to the additional FAR of 0.25 available in the R6 zone where amenities are provided. The maximum permitted building height in the R8 zone is 14m, which is 5m greater than in the R6 zone. The proposed zoning is summarized in the below table:

	Existing R6 Zone	R8 Zone	Proposed Site-Specific R8 Zone
Maximum Base Density (FAR)	0.45	1.25	0.45
Total Available Bonus FAR	+0.25	+0.6	+0.25
Maximum Building Height	7.0m for flat roof 9.0m for sloped roof	14.0m	14.0m
Lot Coverage	40%	40%	40%
Minimum Setbacks	6.0m front yard 3.0m side yard 7.5m rear yard	6.0m front yard 3.0m side yard 10.5m rear yard	6.0m front yard 3.0m side yard 10.5m rear yard

The zoning is proposed in order to cluster any future housing on the developable portion of the site in a low-rise apartment building form. The site-specific density will provide flexibility in the building massing and design. The rezoning will not increase the density on the subject property in terms of FAR, but will allow for a more compact building form with increased building height that better responds to the existing site constraints. Due to the site's sloping terrain, the applicant has demonstrated that the maximum building height permitted by the R8 zone will not result in a roof peak elevation significantly greater than the elevation of existing buildings across Amphion Terrace to the east. The proposed zoning will also be consistent with the site-specific zoning for 3500 Rock City Road to the north.

Conceptual plans for the site show how the applicant envisions developing under the proposed zoning with a four-storey building form, underground parking, and 16 dwelling units. On the elevations facing Ocean Pearl Terrace and Amphion Terrace, it is expected that only three storeys will be visible above natural grade (see Attachment D). The conceptual development build-out remains essentially the same as what was envisioned at the time of subdivision. As a condition of rezoning, a no-gating covenant is recommended to ensure that no vehicle access facing a public street will be gated.

Utilities

To support the proposed rezoning to a more compact building form, analysis of the sanitary sewer capacity and available water servicing was undertaken. As a condition of rezoning it is recommended that: a) building design take into account the maximum available fire flows of 150 litres per second, or off-site upgrades be completed to permit greater fire flows; and b)

construction of a sanitary sewer line through the subject property be completed at the time of building permit.

Policy Context

Staff are of the opinion that the proposed rezoning is consistent with City Plan, including the specific policy areas highlighted below.

City Plan – Future Land Use

City Plan identifies the subject property within the Suburban Neighbourhood future land use designation where low-rise residential uses are supported with typical building heights of up to three storeys. While portions of the proposed development would exceed three storeys on certain elevations in response to site grade, overall the scale and form of the proposed zoning aligns with the intent of City Plan policies by enabling a design that takes into consideration the surrounding neighbourhood context.

City Plan supports cluster housing in residential areas to address environmentally sensitive features, hazard lands, and existing trees. The proposed rezoning meets the intent of City Plan policies by facilitating a compact building form on an environmentally sensitive and steeply sloping site without increasing density beyond what would typically be expected in a low-density neighbourhood.

City Plan – Affordable Housing

City Plan (D4.5 Neighbourhoods) supports infill and intensification in existing neighbourhoods and promotes the diversification in all neighbourhoods. The proposed rezoning aligns with City Plan by providing opportunities for a mix of housing forms in a developing neighbourhood.

City Plan – Mobility Network

The subject property is located outside of an urban centre as identified in Figure 36 of City Plan, and is not located in proximity to any existing or future routes. Rock City Road, approximately 210m to the northwest, is identified as a secondary active mobility route. Transportation in the area is largely private vehicle dependent and the applicant has demonstrated the provision of all required parking within the conceptual development plans.

Community Consultation

The subject property is not within the area of any community association. The applicant hosted a Public Information Meeting on 2022-JUN-16 at the Departure Bay Activity Centre. Approximately 14 residents from the surrounding area attended the meeting. The applicant has noted that while the conceptual design was generally supported, concerns were heard surrounding traffic and possible on-street parking issues at the intersection of Ocean Pearl Terrace and Amphion Terrace.

All vehicle access to the site will be from Manzanita Place given that it is the lower classification street and that it is lower in elevation. Amphion Terrace is a one-way road with an on-street parking bay on the right side of the road in front of the subject property. The status of the on-

street parking bay will be reviewed further through detailed design review at the time of building permit to determine what changes, if any, may be necessary as part of the frontage works.

Community Amenity Contribution

In exchange for the value conferred on the lands through rezoning, the applicant is encouraged to provide a Community Amenity Contribution (CAC). Based on the 2021 rates at the time of application, the anticipated CAC for this rezoning would be \$1,000 per dwelling unit. The applicant is proposing a monetary contribution at this rate, with 50% to be directed towards the Housing Legacy Reserve Fund and 50% to be directed to parks improvements in the City. Based on the conceptual development plans, it is expected that the monetary CAC will equal \$16,000. Staff support the proposed CAC.

BC Energy Step Code Rezoning Policy

As per Council's *BC Energy Step Code Rezoning Policy*, a Section 219 covenant will be registered on the subject property as a condition of rezoning to secure a commitment to either: a) exceed the required BC Energy Step Code by one step; or b) provide a low-carbon energy system, to be determined at the time of building permit issuance.

Conditions of Rezoning

Should Council support the application and pass third reading of "Zoning Amendment Bylaw 2023 No. 4500.210", Staff recommend the following items be secured prior to final adoption of the bylaw:

1. *Community Amenity Contribution* – A monetary contribution equal to \$1,000 per dwelling unit with 50% to be directed towards the Housing Legacy Reserve Fund and 50% to be directed towards parks improvements in the City.
2. *BC Energy Step Code Commitment* – Registration of a Section 219 covenant to secure a commitment in accordance with the City's Energy Step Code Rezoning Policy.
3. *Fire Flows Limit* – Registration of a Section 219 covenant to require that building design be limited to a maximum fire flow of 150 litres per second, or that off-site upgrades be completed to permit greater fire flows.
4. *Sanitary Sewer Construction* – Registration of a Section 219 covenant to require construction of sanitary sewer line through the subject property between the stub from Ocean Pearl Terrace and the existing sanitary service in Manzanita Place, at the time of building permit.
5. *No Gating Covenant* – Registration of a Section 219 covenant to restrict the installation of any vehicle drive aisle gating facing public street frontages.

SUMMARY POINTS

- The application is to rezone 1224 Manzanita Place from Low Density Residential (R6) to Medium Density Residential (R8) with site-specific density, to facilitate a multi-family residential development.
- The rezoning will not increase the density on the subject property in terms of Floor Area Ratio, but will allow for a more compact building form with increased building height that better responds to the existing site constraints.
- The applicant is proposing a monetary Community Amenity Contribution towards the Housing Legacy Reserve Fund and parks improvements in the City.
- The proposed rezoning meets the intent of City Plan policies by facilitating a compact building form on an environmentally sensitive and steeply sloping site without increasing density beyond what would typically be expected in a low-density neighbourhood.

ATTACHMENTS

ATTACHMENT A: Subject Property Map
ATTACHMENT B: Site Context
ATTACHMENT C: Conceptual Site Plan
ATTACHMENT D: Conceptual Building Elevations
"Zoning Amendment Bylaw 2023 No. 4500.210" |

Submitted by:

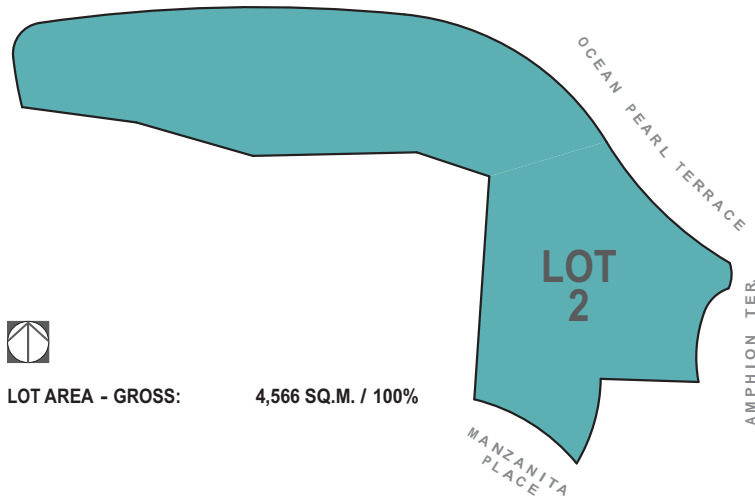
Lainya Rowett
Manager, Current Planning |

Concurrence by:

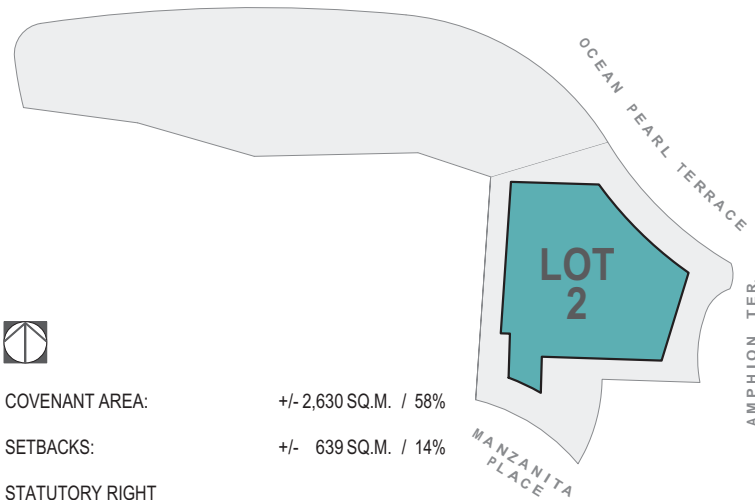
Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services /
Deputy CAO |

ATTACHMENT B SITE CONTEXT



LOT AREA - GROSS: 4,566 SQ.M. / 100%

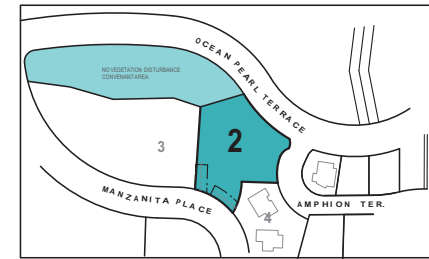


COVENANT AREA: +/- 2,630 SQ.M. / 58%

SETBACKS: +/- 639 SQ.M. / 14%

STATUTORY RIGHT
RIGHT OF WAYS: +/- 274 SQ.M. / 6%

LOT AREA - NET BUILDABLE: +/- 1,025 SQ.M. / 22%



KEY PLAN

PROPOSED DEVELOPMENT:
LOT 2 - 1224 MANZANITA PLACE
NANAIMO B.C.

bjk

architecture inc.

2122 BRANDON RD. SHAWNIGAN LAKE BC
TEL: 250-891-1602

PROJECT #: d1580.22.20
REVIEW: 14 DEC. 2021
MEETING: 16 DEC. 2021
CONSULTANT: 20 DEC. 2021
RA: 22 DEC. 2021

PR1

ATTACHMENT C CONCEPTUAL SITE PLAN

PROJECT DATA

CIVIC:	1224 MANZANITA PLACE
LEGAL:	LOT 2, DISTRICT LOT 18, WELLINGTON DISTRICT, PLAN EPP67988
LOT SIZE:	4,566 SQ.M.
BUILDING DATA:	
LEVEL 1	- UNDERGROUND PARKING
LEVEL 2	- UNDERGROUND PARKING
LEVEL 3	- AMPHION TERRACE ENTRY
LEVEL 4	- 4 RESIDENTIAL UNITS
	- OCEAN PEARL TERR. ENTRY
	- 4 RESIDENTIAL UNITS
LEVELS 5&6	- 4 RESIDENTIAL UNITS / FLOOR
NO. UNITS:	4 UNITS / FLOOR = 16 UNITS
LOT COVERAGE: (MAX. 40%)	+/- 14%
F.A.R.:	+/- 0.45
HEIGHT:	
PARKING REQ'D: (AREA 1)	16 UNITS @ 1.8 / UNIT * = 29 * INCLUDING 2 VISITOR
	TOTAL 29
PARKING PROV.:	UNDERGROUND 24 SURFACE PARKING 5
	TOTAL 29
BICYCLE PARKING:	SHORT TERM @ 0.1 / UNIT = 2 LONG TERM @ 0.5 / UNIT = 8

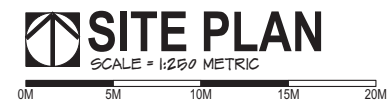
** ALL AREAS ARE APPROXIMATE



PROPOSED DEVELOPMENT:
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CONSULTANT:	20 DEC. 2021
RA:	22 DEC. 2021
REVISED:	10 NOV. 2022



RECEIVED
RA481
 2022-DEC-01
 Current Planning

PR2

ATTACHMENT D CONCEPTUAL BUILDING ELEVATIONS



EAST ELEVATION - AMPHION TERRACE



NORTH ELEVATION - OCEAN PEARL TERRACE

PROPOSED DEVELOPMENT:
LOT 2 - 1224 MANZANITA PLACE
NANAIMO B.C.

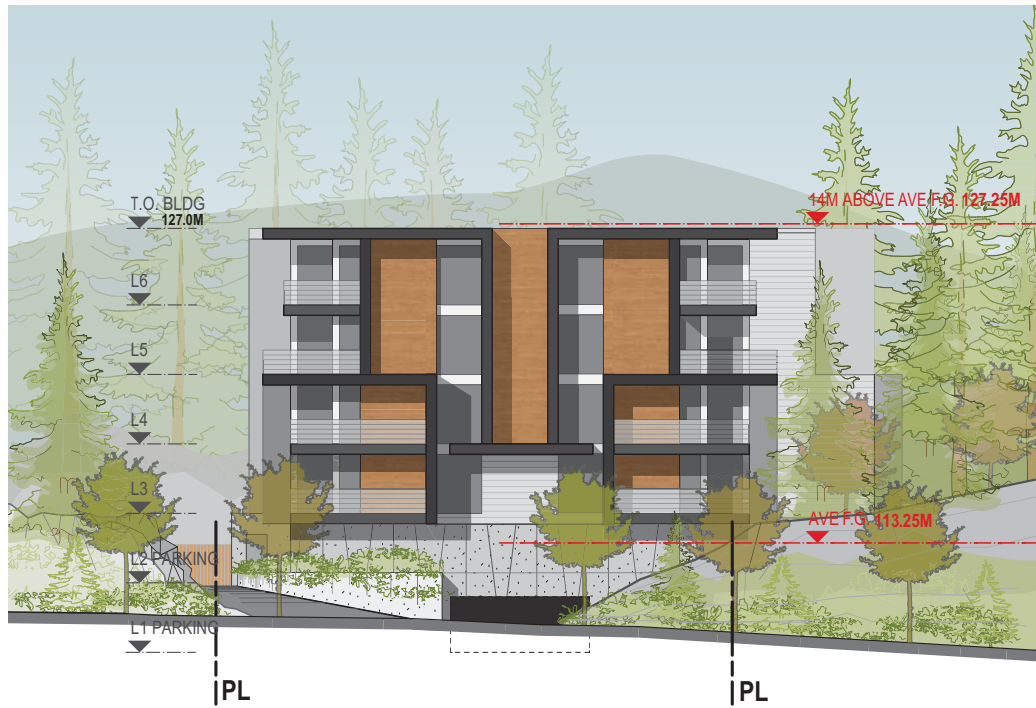
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PROJECT #: d1580.22.20
REVIEW: 14 DEC. 2021
MEETING: 16 DEC. 2021
RA: 22 DEC. 2021

PR4



SOUTH ELEVATION - MANZANITA PLACE

PROPOSED DEVELOPMENT:
LOT 2 - 1224 MANZANITA PLACE
 NANAIMO B.C.

bjk

architecture inc.

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 RA: 22 DEC. 2021
 REVISED: 10 NOV. 2022

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RA481
 2022-DEC-01
 Current Planning

PR5

CITY OF NANAIMO

BYLAW NO. 4500.210

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, 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 2023 No. 4500.210".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:
 - 1) By rezoning the lands legally described as LOT 2, DISTRICT LOT 18, WELLINGTON DISTRICT, PLAN EPP67988 (1224 Manzanita Place) from Low Density Residential (R6) to Medium Density Residential (R8) as shown on Schedule A of this Bylaw.
 - 2) By adding the following after the last Subsection of Section 7.3, and numbering in sequential order:

Notwithstanding Subsection 7.3.1, the total maximum allowable Floor Area Ratio shall not exceed 0.45 on the lands legally described as LOT 2, DISTRICT LOT 18, WELLINGTON DISTRICT, PLAN EPP67988 (1224 Manzanita Place). Where parking spaces are provided beneath a principal building (where the roof of the underground parking is not more than 0.8m above the finished grade), an amount may be added to the Floor Area Ratio equal to 0.25 multiplied by the percentage of the total parking spaces provided underground.

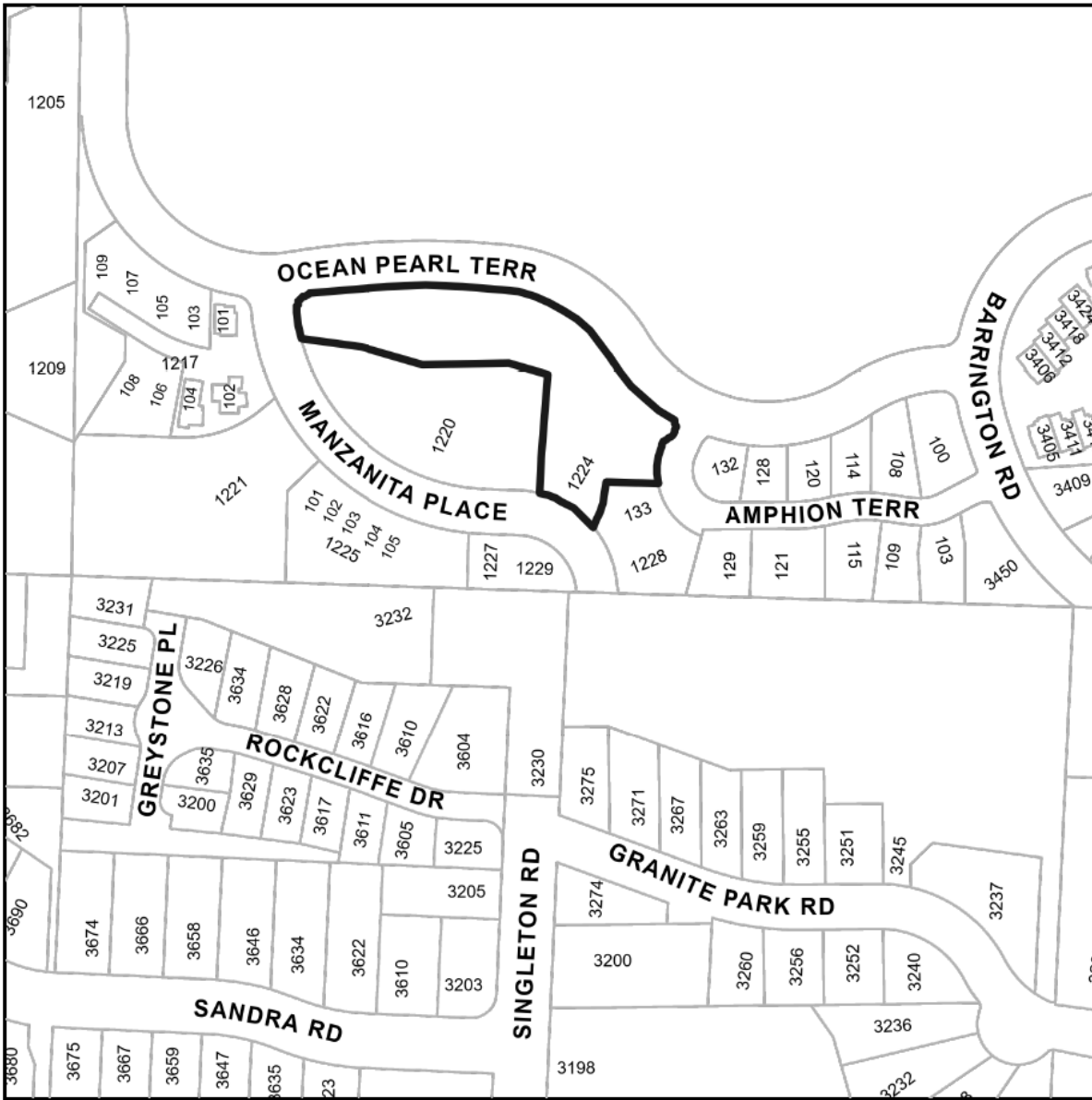
PASSED FIRST READING: _____
 PASSED SECOND READING: _____
 PUBLIC HEARING HELD: _____
 PASSED THIRD READING: _____
 ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000481
 Address: 1224 Manzanita Place

SCHEDULE A



REZONING APPLICATION NO. RA000481



Subject Property

CIVIC: 1224 MANZANITA PLACE

LEGAL: LOT 2, DISTRICT LOT 18, WELLINGTON DISTRICT, PLAN EPP67988

Delegation Request

Delegation's Information:

Toby Seward, Seward Developments Inc. has requested an appearance before Council.

City: Nanaimo

Province: BC

Delegation Details:

The requested date is 2023-JUN-19

Bringing a presentation: No

Details of the Presentation:

I wish to make a short presentation to City Council, requesting they support first and second reading of the zoning bylaw amendment for the property at 1224 Manzanita Place.