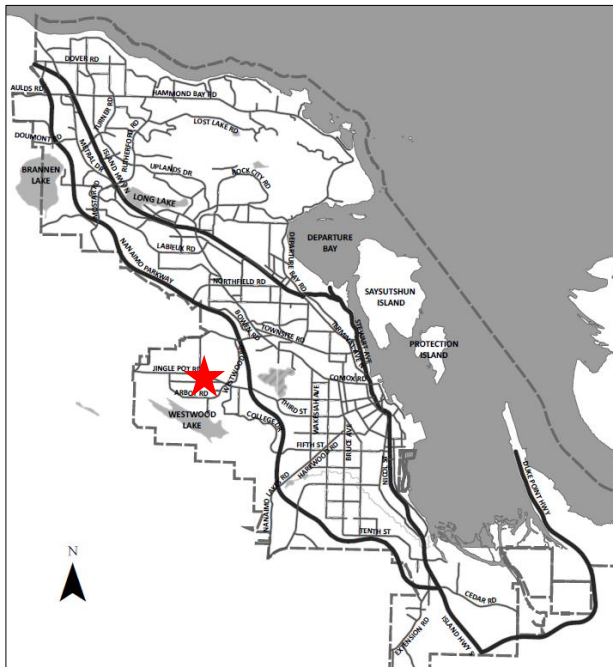


DATE OF MEETING November 6, 2023

AUTHORED BY PAYTON CARTER, PLANNER, CURRENT PLANNING

SUBJECT REZONING APPLICATION NO. RA483 – 2265 ASHLEE ROAD



## Proposal:

Rezone a portion of the lot to facilitate a future subdivision.

## Zoning:

R1A – Single Dwelling Residential  
R4 – Duplex Residential

## City Plan Land Use Designation:

Suburban Residential

## Lot Area:

1,747m<sup>2</sup>

RA



## **OVERVIEW**

### **Purpose of Report**

To present Council with an application to rezone a portion of 2265 Ashlee Road from Single Dwelling Residential (R1A) to Duplex Residential (R4) to facilitate a duplex in conjunction with a proposed subdivision.

### **Recommendation**

That:

1. “Zoning Amendment Bylaw 2023 No. 4500.217” (to rezone 2265 Ashlee Road from Single Dwelling Residential [R1A] to Duplex Residential [R4]) pass first reading;
2. “Zoning Amendment Bylaw 2023 No. 4500.217” pass second reading; and,
3. Council direct Staff to secure the conditions related to “Zoning Amendment Bylaw 2023 No. 4500.217” as outlined in the “Conditions of Rezoning” section of the Staff Report dated 2023-NOV-06 should Council support the bylaw at third reading.

## **BACKGROUND**

A rezoning application, RA483, was received from J.E. Anderson and Associates, on behalf of Aram Karakas, to amend the “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) to rezone a portion of the subject property at 2265 Ashlee Road from Single Dwelling Residential (R1A) to Duplex Residential (R4) to facilitate a duplex in conjunction with a proposed subdivision.

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

The subject property is a large residential lot located in central Nanaimo within the Westwood neighbourhood, east of Twiggly Wiggly Road. The subject property is split-zoned with the west portion of the lot currently zoned Single Dwelling Residential (R1A) and the east portion of the lot zoned Duplex Residential (R4). The subject property is flat, and the east portion of the lot contains an existing attached duplex to be retained.

The surrounding neighbourhood is primarily low density residential and agriculturally zoned lands. A BC Transit bus route stops along Ashlee Road, with the nearest stop being less than 150m from the subject property. Other nearby amenities include Nanaimo Christian School, approximately 200m to the north, and an accessible walkway with access to Cathers Lake Park approximately 600m to the east.

## **DISCUSSION**

### **Proposed Zoning**

The applicant proposes to rezone the west portion of the subject property at 2265 Ashlee Road from Single Dwelling Residential (R1A) to Duplex Residential (R4) to facilitate a future subdivision to allow a duplex. The R4 zone provides for two dwellings in one or two principal buildings on a residential lot. The R4 zone permits a Floor Area Ratio (FAR) 0.55 and the maximum allowable lot coverage is 40%.

The conceptual site plan submitted with the rezoning application demonstrates how the site could be developed with two principal buildings on the west portion of the subject property to be

subdivided from the existing lot. The R4 zone also allows for a duplex to be in a single building. It has also been demonstrated that the required parking can be provided on site. No variances are anticipated; however, this would be confirmed at the Building Permit stage.

## **Policy Context**

### *City Plan – Future Land Use Designation*

City Plan identifies the subject property within the Suburban Neighbourhood land use designation, which supports primarily low-rise residential development including single-unit dwellings with or without secondary suites, duplexes, ground-oriented multi-unit dwellings including tri/fourplex, townhomes, and small scale commercial or mixed-use development, up to three storeys. Rezoning to the R4 zone aligns with City Plan and policy objectives of the Suburban Neighbourhood designation to allow low-rise residential development in an existing neighbourhood.

Staff support the proposed Zoning Bylaw amendment.

### *City Plan – Mobility Network*

An existing RDN transit bus route (5) operates along Ashlee Road. Ashlee Road is designated as an Urban Collector in Schedule 4 (“Road Network”) of City Plan, which requires a 25m road dedication. The existing road dedication is approximately 20.117m. As such, a 2.5m road dedication will be secured as a condition of rezoning to accommodate the future road cross section.

## **Community Consultation**

The subject property is not within the area of an active community association. The applicant circulated information sheets regarding this application on 2023-SEP-27 to properties within a 30m radius of the subject property. Concerns from neighbours were raised regarding the existing storm drain, concrete surfacing, and the impact of tree removal on the overall character of the neighbourhood.

Staff note that the replacement of existing water service and the construction of a piped storm drainage system will be required as a condition of the future subdivision application. A new sanitary sewer service would also be required to service one of the future lots. To reduce overall concrete surfacing, a shared driveway access is proposed and will be reviewed at the subdivision application stage.

In accordance with the “Management and Protection of Tree Bylaw 2013 No. 7126”, a tree management plan will be required at the subdivision application stage to address the protection or replacement of all protected trees on the parcel of land or an approved replanting plan.

## **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), as per Council's Community Amenity Contribution Policy. The applicable rate for single residential dwellings is \$3,000 per unit, as the duplex may be constructed as two principal buildings on the residential lot. The applicant has

proposed to secure a monetary CAC at this rate, with the funds being fully allocated to the City's Housing Legacy Reserve Fund. The CAC will be secured prior to final consideration of the proposed amendment bylaw. Staff support the proposed CAC.

### Conditions of Rezoning

Should Council support the application and pass third reading of "Zoning Amendment Bylaw 2023. No. 4500.217", Staff recommend the following items be secured prior to final adoption of the bylaw:

1. *Community Amenity Contribution* – A monetary contribution equal to \$3,000 per unit, payable prior to final consideration of the proposed of amendment bylaw, with all funds to be used towards the City's Housing Legacy Reserve Fund.
2. *Road Dedication* – Dedication of the following:
  - Road dedication with a width of 2.5m to allow for a future 'Urban Collector' cross-section of 25m. |

### **SUMMARY POINTS**

- | This application is to rezone a portion of the subject property at 2265 Ashlee Road from Single Dwelling Residential (R1A) to Duplex Residential (R4) to facilitate a duplex in conjunction with a proposed subdivision.
- The proposed development complies with City Plan policies for the Suburban Neighbourhood designation and supports low-rise residential development.
- A Community Amenity Contribution is proposed to be directed towards the City's Housing Legacy Reserve Fund. |

### **ATTACHMENTS**

ATTACHMENT A: Subject Property Map  
ATTACHMENT B: Conceptual Subdivision Plan  
"Zoning Amendment Bylaw 2023 No. 4500.217" |

### **Submitted by:**

Lainya Rowett  
Manager, Current Planning |

### **Concurrence by:**

Jeremy Holm  
Director, Planning & Development |

ATTACHMENT A  
SUBJECT PROPERTY MAP



2265 Ashlee Road



# ATTACHMENT B CONCEPTUAL SUBDIVISION PLAN

## EXISTING LAND USE ZONES

ARAM KARAKAS

LOT 42, SECTION 11, RANGE 7,  
MOUNTAIN DISTRICT,  
PLAN 25146

ADDRESS : 2265 ASHLEE ROAD,  
NANAIMO, B.C.

PROJECT SURVEYOR

DRAWN BY : JT

DATE : MAR 1/22

OUR FILE : 90001

REVISION :



**J.E. ANDERSON  
& ASSOCIATES**  
SURVEYORS - ENGINEERS

1A - 3411 SHENTON ROAD, NANAIMO, B.C. V9T 2H1  
TEL: 250 - 758 - 4631 FAX: 250 - 758 - 4660  
E-MAIL: nanaimo@jeanderson.com  
NANAIMO - VICTORIA - PARKSVILLE - CAMPBELL RIVER

## LEGEND

ALL DIMENSIONS ARE IN METRES

SUBJECT TO CHARGES SHOWN  
ON TITLE NO. EP39830  
(P.I.D. 002-891-379)

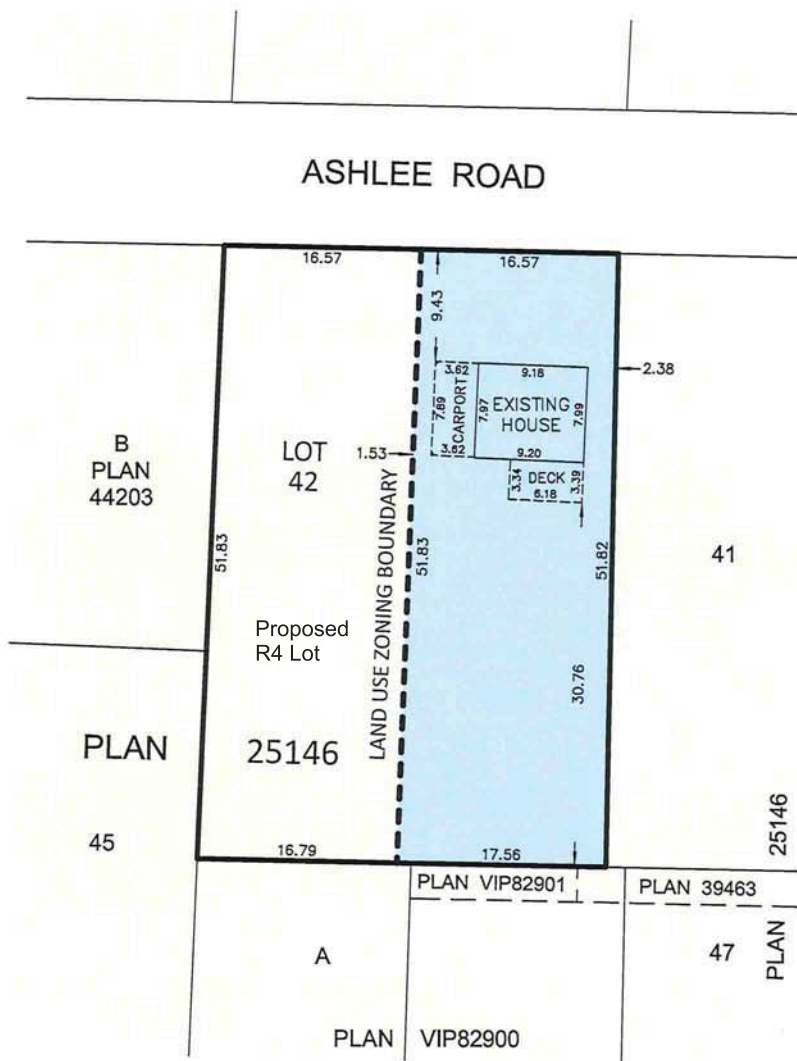
DIMENSIONS ARE DERIVED FROM  
LAND TITLE OFFICE RECORDS

THIS PLAN HAS BEEN PREPARED IN  
ACCORDANCE WITH THE PROFESSIONAL  
REFERENCE MANUAL

ALL DISTANCES AND AREAS SUBJECT TO  
CHANGE UPON FINAL LEGAL SURVEY



The intended plot size of this plan is 432mm in width by 280mm in height (B size) when plotted at a scale of 1:400.



**RECEIVED**  
**RA483**  
**2022-MAR-11**  
Current Planning

## LEGEND

ZONE R1A SINGLE FAMILY RESIDENTIAL ☐  
ZONE R4 DUPLEX RESIDENTIAL ☒

CITY OF NANAIMO

BYLAW NO. 4500.217

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 "ZONING AMENDMENT BYLAW 2023 NO. 4500.217".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 42, SECTION 11, RANGE 7, MOUNTAIN DISTRICT, PLAN 25146 (2265 Ashlee Road) from Single Dwelling Residential (R1A) to Duplex Residential (R4) as shown on Schedule A.

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

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MAYOR

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CORPORATE OFFICER

File: RA000483  
Address: 2265 Ashlee Road

## SCHEDULE A

