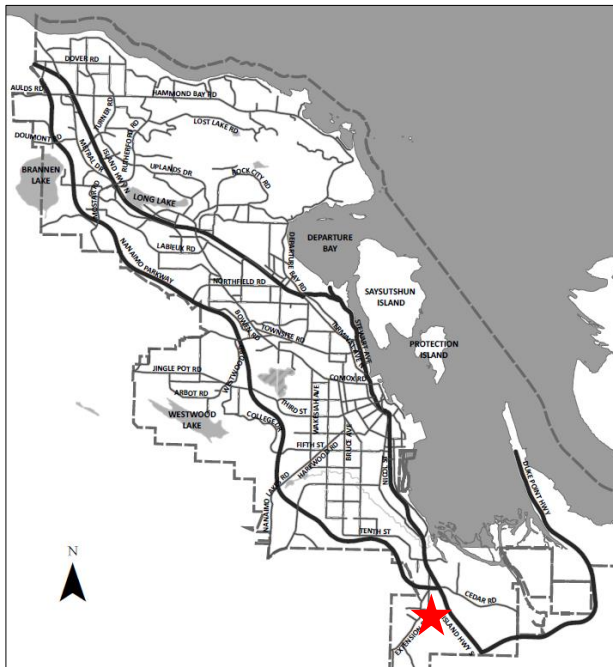


DATE OF MEETING November 17, 2025

AUTHORED BY MATTHEW REMPEL, SUBDIVISION PLANNER, SUBDIVISION

SUBJECT REZONING APPLICATION NO. RA527 – 32 FOURTEENTH STREET



Proposal:

To allow a small-scale multi-unit housing subdivision.

RA

Current Zoning:

R1 – Single Dwelling Residential

Proposed Zoning:

R5 – Three and Four Unit Residential

City Plan Land Use Designation:

Suburban Neighbourhood

Lot Area:

1.098 ha



OVERVIEW

Purpose of Report

To present Council with an application to rezone 32 Fourteenth Street from Single Dwelling Residential (R1) to Three and Four Unit Residential (R5) to facilitate a proposed 13-lot subdivision.

Recommendation

That:

1. "Zoning Amendment Bylaw 2025 No. 4500.247" (to rezone 32 Fourteenth Street from Single Dwelling Residential [R1] to Three and Four Unit Residential [R5]) pass first reading;
2. "Zoning Amendment Bylaw 2025 No. 4500.247" pass second reading;
3. "Zoning Amendment Bylaw 2025 No. 4500.247" pass third reading; and,
4. Council direct Staff to satisfy the conditions related to "Zoning Amendment Bylaw 2025 No. 4500.247" as outlined in the "Conditions of Rezoning" section of the Staff Report titled "Rezoning Application No. RA527 – 32 Fourteenth Street", dated 2025-NOV-17, prior to final adoption.

BACKGROUND

In 2023, the Province enacted the *Housing Statutes (Residential Development) Amendment Act, 2023* (Bill 44) which included amendments to the *Local Government Act* that obligate local governments to allow for "Small-Scale Multi-Unit Housing" (SSMUH). The *Local Government Act* now requires local governments to permit the use and density of use necessary to accommodate at least the prescribed number of housing units defined in the legislation.

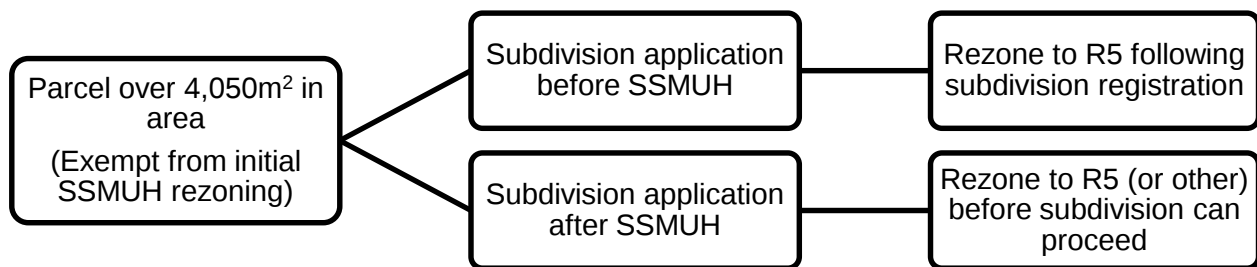
Unless otherwise exempt, affected parcels must be zoned to comply with the new density requirements. Exemptions apply to parcels that are larger than 4,050m², as well as those located outside the urban containment boundary or not connected to sanitary or water services.

Over time, and through various mechanisms, properties that were previously exempt may no longer meet the legislative exemption criteria, meaning they will be required to be zoned in accordance with the SSMUH provisions of the *Local Government Act*. Such mechanisms could include a change to the urban containment boundary, the extension of services to an area not previously serviced, or the subdivision of a property into parcels less than 4,050m² in area.

Parcels equal to or greater than 4,050m² were exempt from the minimum SSMUH density requirements due to their potential for subdivision and higher densities in urban and suburban contexts. The exemption aims to prevent the construction of additional dwellings on larger parcels without first assessing their subdivision or development potential. This is to avoid compromising future subdivision efficiency or limiting opportunities for additional density by placing additional dwellings in locations that could interfere with road connections, infrastructure design, or optimal building envelopes. As such, staff are recommending as a condition of this zoning amendment that the proposed subdivision reach an acceptable stage of completion prior to final adoption of the Zoning Amendment Bylaw.

On 2024-JUN-17, Council amended the Zoning Bylaw to meet the SSMUH requirements of Bill 44. At the time of adoption, the subject property was exempt from the required rezoning as the parcel is greater than 4,050m² in area.

Council has previously considered SSMUH zoning amendments for subdivisions that were active when the SSMUH zoning changes were adopted; these subdivision applications were submitted prior to the SSMUH zoning amendment, so they have been permitted to proceed based on their preliminary layout acceptances. Once these subdivisions are registered, however, the resulting parcels no longer meet the SSMUH exemption criteria as the subdivided parcels are under 4,050m² in area. In these circumstances, Council will be obligated to rezone these parcels to align with the updated legislative density requirements mandated by the *Local Government Act*. Two subdivisions have been completed under these circumstances, and there are five subdivisions on file which may also proceed under these circumstances.



The Approving Officer has determined that subdivision of a parcel cannot proceed under an existing R1 (Single Dwelling Residential) zoning if the resulting lots created are smaller than 4,050m² in area and would no longer meet the exemption criteria. If subdivided prior to rezoning, Council would be obligated to rezone the parcels to permit the density required by legislation; this would result in an Approving Officer decision necessitating Council to approve a land use bylaw; a legislative function in which decisions are required to be discretionary. As a result, staff are seeking Council consideration of the rezoning prior to subdivision approval.

In support of this rezoning application, the applicant has submitted a concurrent subdivision application (SUB01527).

Subject Property and Site Context

The subject property is in the Chase River neighbourhood and is bordered by Cranberry Avenue to the west, Fourteenth Street to the south, Catcher Road to the east, and residential lots to the north. The property has previously been used as a farm field, with minimal grades sloping towards Cranberry Avenue.

The surrounding area is predominantly characterized by established single-family dwellings and is across the road from Chase River Elementary School. The subject property currently contains a single residential dwelling which is anticipated to be removed at the time of subdivision.

Public Notification

Pursuant to sections 464(3) and 467 of the *Local Government Act*, a public hearing is prohibited for proposed "Zoning Amendment Bylaw 2025 No. 4500.247" as the bylaw is consistent with the Official Community Plan (City Plan) and the purpose of the bylaw is to facilitate a residential development as outlined in this report.

Statutory notification of first reading occurred on 2025-NOV-07. |

DISCUSSION

Proposed Zoning

The applicant is proposing to rezone the subject property from Single Dwelling Residential (R1) to Three and Four Unit Residential (R5) to facilitate a subdivision of the parcel.

The plans submitted with the rezoning application illustrate a 13-lot subdivision with proposed parcels ranging from 600m²-702m² in area, which is consistent with the R5 zone

Policy Context

The proposed rezoning is consistent with City Plan, including the specific policy areas discussed below.

City Plan – Future Land Use

City Plan identifies the future land use of the subject property as Suburban Neighbourhood, which supports lower density residential development in areas that are farther from services and transit hubs. Suburban Neighbourhood policies support a mix of ground-oriented building forms including townhouses up to three storeys in height, which is consistent with the proposed zone.

The target density within the Suburban Neighbourhood designation is 25 units per hectare (uph) on a City-wide scale. If the rezoning is adopted, the parent parcel will allow up to four units per lot. The proposed subdivision includes 13 lots, meaning the maximum density of the site could be 52 units. The extent of actual development on the individual parcels is unknown and could range from a single unit per lot, up to four units per lot. Based on this range, the subject property could have a potential density ranging from 13 units to 52 units. As the parent parcel is 1 hectare in area, this equates to a range of 13-52 uph, which is consistent with City Plan.

The applicant will be required to construct services for the proposed lots through subdivision. As part of the application review, a sanitary sewer analysis was completed to confirm available capacity for the proposed development. Staff have reviewed and accepted the study which states that capacity is available in the downstream system.

City Plan – Mobility Network

The subject property is located outside of an urban centre as identified in Figure 36 of City Plan; the nearest centre is the Southgate Secondary Urban Centre, located approximately 0.5km to the north. An existing local bus route is located on Extension Road, approximately 200m to the northwest.

As there is no laneway, vehicle access to the proposed lots will be from all fronting roads and will be designed and constructed through subdivision.

Community Consultation

The subject properties are located within the boundary of the Chase River Neighbourhood Association. The application was forwarded to the association, and staff have followed up, however no response has been received at the time of writing this Staff Report. The Director of Planning and Development has waived the requirement to host a Public Information Meeting, as the proposed rezoning is intended to meet the minimum density requirements of the legislation.

Community Amenity Contribution

Unlike typical rezonings where significant additional density is realized, the additional density proposed in this application is solely consistent with the minimum density required by legislation. As such, a CAC at the rezoning stage is not being secured. However, the applicant will provide works and services through subdivision, which will be determined through the issuance of the Preliminary Layout Approval (PLA). These are anticipated to include road and trail dedication, frontage works including sidewalks, curb, gutter, landscaping, and streetlights, and cash-in-lieu of the required 5% parkland dedication, provided due to the existing availability of park in the area.

This infrastructure enhances the public realm by providing amenities that reflect and support the character and needs of the surrounding community.

Conditions of Rezoning

Should Council support this application and pass third reading of Zoning Amendment Bylaw 2025 No.4500.247, Staff recommend the following condition be met prior to final adoption of the bylaw:

1. The Certificate of Substantial Completion has been issued for the proposed subdivision as shown generally on the layout in attachment B. |

SUMMARY POINTS

- This application is to rezone the subject property from Single Dwelling Residential (R1) to Three and Four Unit Residential (R5).
- The proposed development is consistent with City Plan policies for the Suburban Neighbourhood future land use designation.
- Staff support the proposed Zoning Bylaw amendment.

ATTACHMENTS

ATTACHMENT A: Subject Property Map
ATTACHMENT B: Proposed Subdivision Layout
“Zoning Amendment Bylaw 2025 No. 4500.247” |

Submitted by:

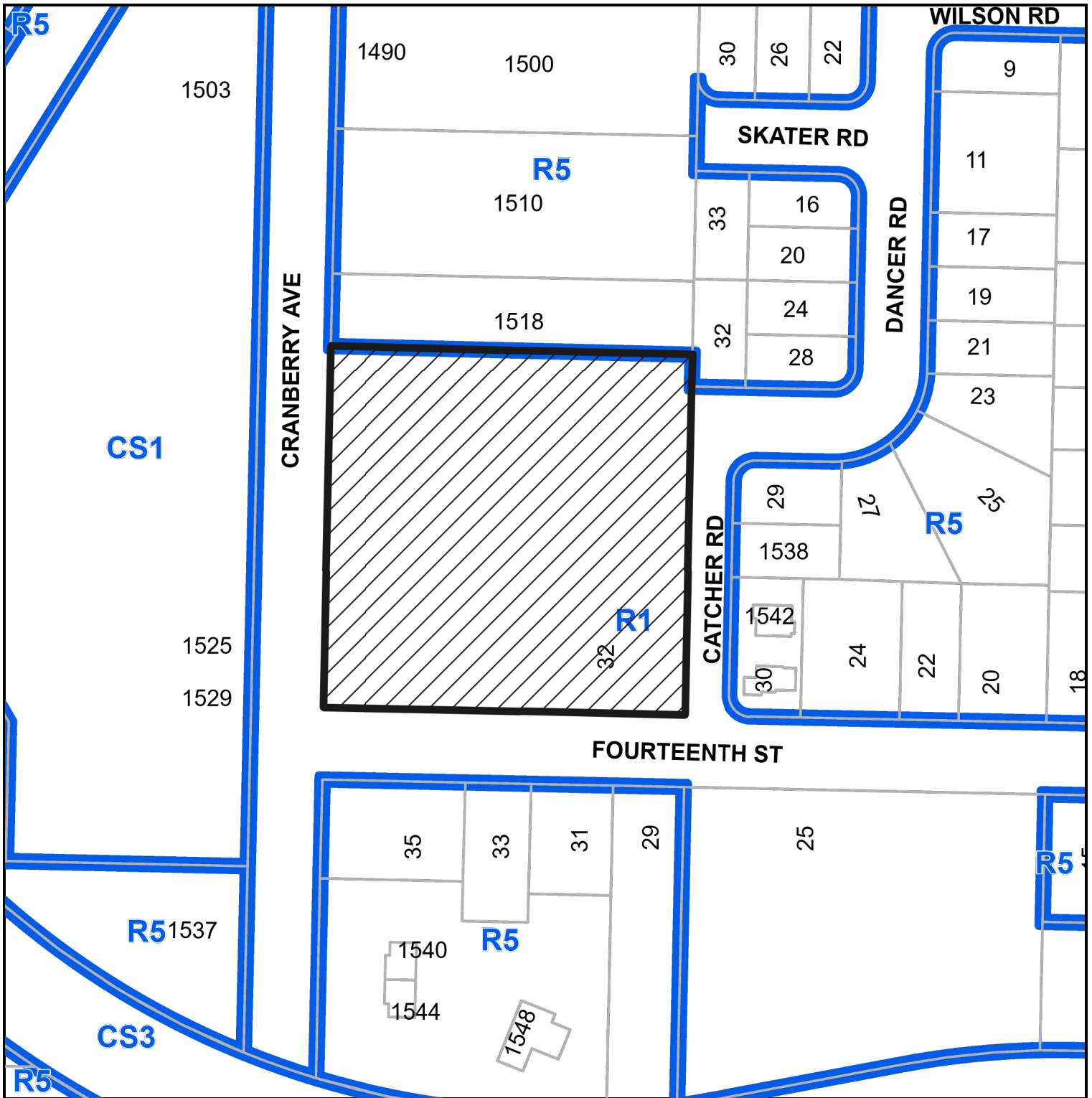
Claire Negrin
Manager, Subdivision / D/Approving Officer|

Concurrence by:

Jeremy Holm
Director, Planning & Development|

ATTACHMENT A

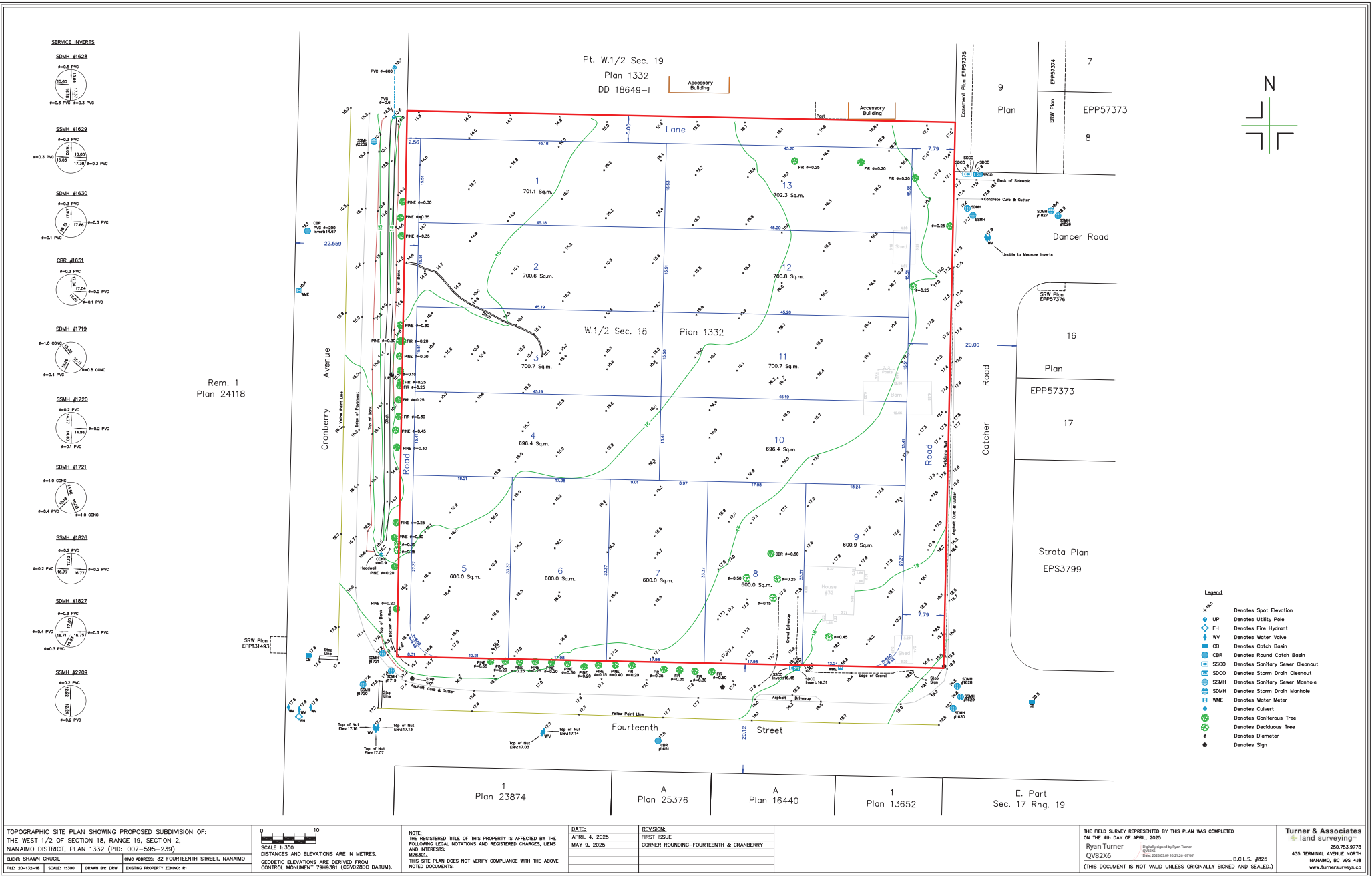
SUBJECT PROPERTY MAP



 32 Fourteenth Street

ATTACHMENT B

PROPOSED SUBDIVISION LAYOUT



CITY OF NANAIMO

BYLAW NO. 4500.247

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, 467, 479, 480, 481, and 482 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 2025 NO. 4500.247".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands from Single Dwelling Residential (R1) to Three and Four Unit Residential (R5) as shown on Schedule A.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PUBLIC HEARING HELD: *Not held pursuant to Local Government Act Section 464(4)*

MINISTRY OF TRANSPORTATION AND TRANSIT: _____

PASSED THIRD READING: _____

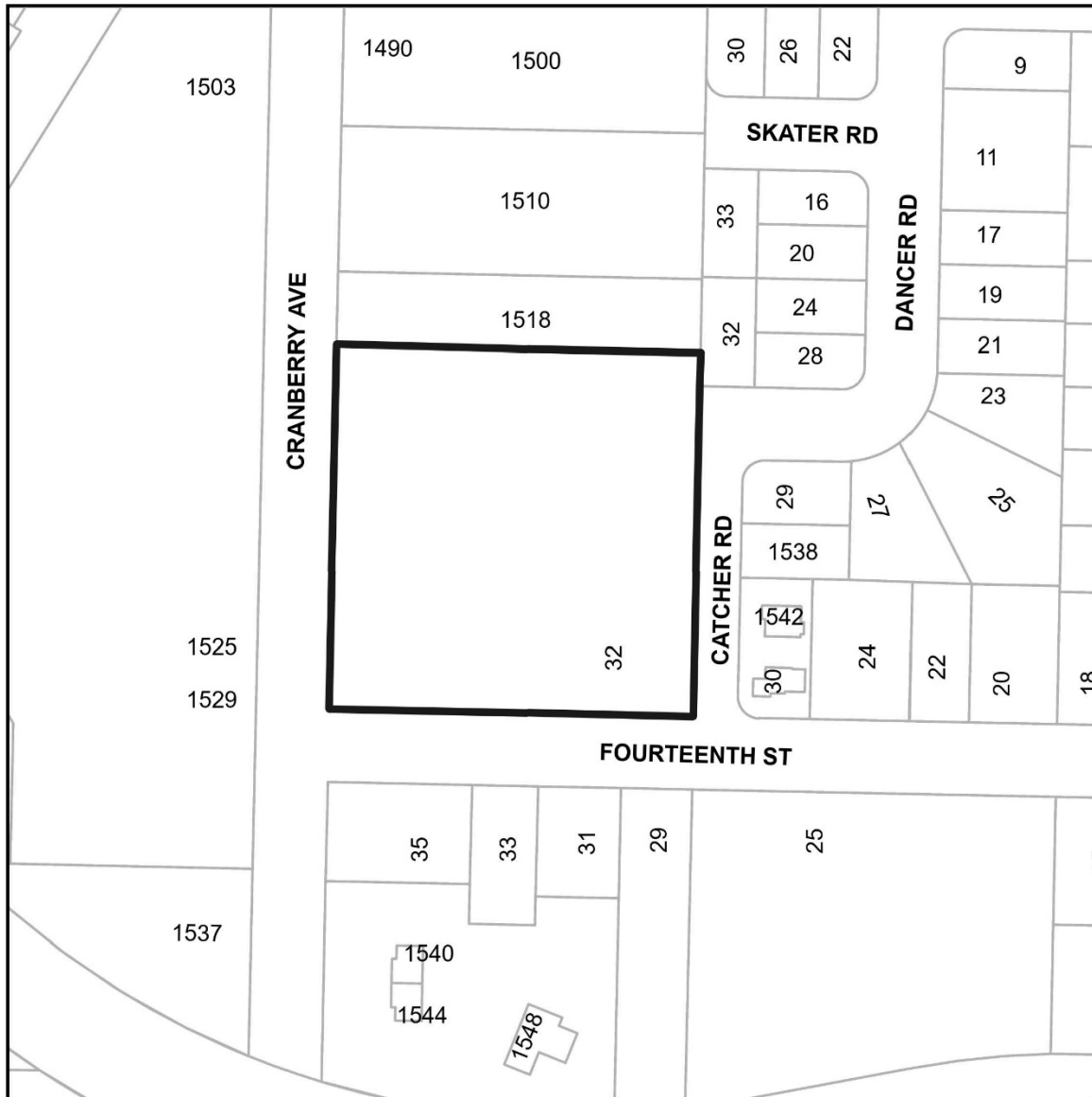
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000527

SCHEDULE A



Rezoning Application No. RA000527



Subject Property

CIVIC: 32 Fourteenth Street

LEGAL: THE WEST 1/2 OF SECTION 18, RANGE 19, SECTION 2, NANAIMO DISTRICT, PLAN 1332