



AGENDA
FOR THE SPECIAL COUNCIL MEETING (PUBLIC HEARING)

Thursday, June 18, 2020, 7:00 P.M.

SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

Pages

1. CALL THE SPECIAL MEETING OF COUNCIL TO ORDER:

2. INTRODUCTION OF LATE ITEMS:

3. ADOPTION OF AGENDA:

4. PUBLIC HEARING PROCEDURES:

Lainya Rowett, Manager, Current Planning, to explain the required procedures in conducting a Public Hearing and the regulations contained within Part 14 of the *Local Government Act*.

5. CALL THE PUBLIC HEARING TO ORDER FOR REZONING APPLICATION NO. RA449 - 5801 TURNER ROAD

a. Rezoning Application No. RA449 - 5801 Turner Road

3 - 24

To be introduced by Caleb Horn, Planner.

Call for submissions from the Applicant.

Call for submissions from the Public.

FINAL CALL FOR SUBMISSIONS:

Following the close of the Public Hearing for Rezoning Application No. RA449 - 5801 Turner Road, no further submissions or comments from the public or interested person can be accepted by members of City Council.

ADJOURN THE PUBLIC HEARING FOR RA449 - 5801 TURNER ROAD

Bylaw:

That "Zoning Amendment Bylaw 2020 No. 4500.174" (To rezone 5801 Turner Road to allow "Cannabis Retail Store" as a site-specific use in the CC3 [City Commercial Centre] zone) pass third reading.

6. CALL THE PUBLIC HEARING TO ORDER FOR REZONING APPLICATION NO. RA448 - 2013 NORTHFIELD ROAD

a. Rezoning Application No. RA448 - 2013 Northfield Road

25 - 33

To be introduced by Lisa Brinkman, Planner.

Call for submissions from the Applicant.

Call for submissions from the Public.

FINAL CALL FOR SUBMISSIONS:

Following the close of the Public Hearing for Rezoning Application No. 448 - 2013 Northfield Road, no further submissions or comments from the public or interested person can be accepted by members of City Council.

ADJOURN THE PUBLIC HEARING FOR RA448 - 2013 NORTHFIELD ROAD

Bylaw:

That "Zoning Amendment Bylaw 2020 No. 4500.176" (To rezone 2013 Northfield Road from Single Dwelling Residential [R1] to Residential Corridor [COR1]) pass third reading.

7. CALL THE PUBLIC HEARING TO ORDER FOR REZONING APPLICATION NO. RA444 - 30 LORNE PLACE

a. Rezoning Application No. RA444 - 30 Lorne Place

34 - 42

To be introduced by Caleb Horn, Planner.

Call for submissions from the Applicant.

Call for submissions from the Public.

FINAL CALL FOR SUBMISSIONS:

Following the close of the Public Hearing for Rezoning Application No. RA444 - 30 Lorne Place, no further submissions or comments from the public or interested person can be accepted by members of City Council.

ADJOURN THE PUBLIC HEARING FOR RA444 - 30 LORNE PLACE

Bylaw:

That "Zoning Amendment Bylaw 2020 No. 4500.177" (To rezone 30 Lorne Place from Duplex Residential [R4] to Low Density Residential [R6]) pass third reading.

8. ADJOURNMENT:

DATE OF MEETING | March 16, 2020 |

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING |

SUBJECT | **REZONING APPLICATION NO. RA449 – 5801 TURNER ROAD** |

OVERVIEW

Purpose of Report

To present Council with an application to amend the existing zoning of the property located at 5801 Turner Road to allow “Cannabis Retail Store” as a site-specific use in the CC3 (City Commercial Centre) zone.

Recommendation

That:

1. “Zoning Amendment Bylaw 2020 No. 4500.174” (To rezone 5801 Turner Road to allow “Cannabis Retail Store” as a site-specific use in the CC3 [City Commercial Centre] zone) pass first reading;
2. “Zoning Amendment Bylaw 2020 No. 4500.174” pass second reading; and
3. Council direct Staff to secure the amenity contribution prior to adoption of the bylaw should Council support the bylaw at third reading.

BACKGROUND

A rezoning application, RA449, was received from 1217024 BC Ltd., for 5801 Turner Road. The applicant proposes to amend the existing CC3 zone to allow “Cannabis Retail Store” as a site-specific use at the subject property.

The City of Nanaimo adopted amendments to “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) on 2018-SEP-17 and established a Cannabis Retail Store (CRS) Rezoning Criteria policy to consider future applications for CRS developments in anticipation of changing Federal and Provincial legislation. Following enactment of new legislation to decriminalize cannabis consumption and legalize the retail sale and distribution of Provincially-licensed cannabis product, the City of Nanaimo began receiving CRS rezoning applications on 2018-OCT-22.

To date, 22 CRS rezoning applications have been received, 9 have been approved by Council, 1 has been denied, and 12 are currently under review:

#	Application No.	Address	Status
1	RA413	3923 Victoria Avenue	Bylaw adopted 2019-JUN-17
2	RA407	6683 Mary Ellen Drive	Bylaw adopted 2019-AUG-26
3	RA408	3200 Island Highway N.	Bylaw adopted 2019-AUG-26
4	RA425	6404 Metral Drive	Bylaw adopted 2019-AUG-26
5	RA430	350 Terminal Avenue	Bylaw adopted 2019-SEP-09

6	RA418	52 Victoria Crescent	Bylaw adopted 2019-SEP-16
7	RA406	111 Nicol Street	Bylaw adopted 2019-OCT-21
8	RA 436	120 Commercial Street	Bylaw adopted 2019-DEC-02
9	RA410	1599 Dufferin Crescent	Bylaw adopted 2020-JAN-13
10	RA415	2220 Bowen Road	Received third reading on 2019-APR-04
11	RA411	25 Front Street	Received third reading on 2019-MAY-02
12	RA416	1483 Bowen Road	Received third reading on 2019-MAY-02
13	RA417	510 Fifth Street	Received third reading on 2019-MAY-02
14	RA420	140 Terminal Avenue	Received third reading on 2019-JUN-13
15	RA422	111 Terminal Avenue	Received third reading on 2019-JUL-04
16	RA427	4061 Norwell Drive	Denied by Council on 2019-JUL-08
17	RA431	50 Tenth Street	Received third reading on 2019-OCT-07
18	RA437	115 Chapel Street	Received third reading on 2019-NOV-07
19	RA439	847 Bruce Avenue	Received third reading on 2019-DEC-05
20	RA440	5800 Turner Road	Received third reading on 2019-DEC-05 Scheduled for bylaw adoption on this evening's agenda
21	RA449	5801 Turner Road	<i>Application under consideration</i>
22	RA451	1840 Stewart Avenue	Application received 2019-NOV-29

Subject Property and Site Context

<i>Location</i>	The subject property is located on the south side of Turner Road between Island Highway North and Uplands Drive.
<i>Total Lot Area</i>	3.66ha
<i>Current Zoning</i>	CC3 – City Commercial Centre
<i>Proposed Zoning</i>	CC3 with site-specific “Cannabis Retail Store” use
<i>Official Community Plan (OCP) designation</i>	City Commercial Centre
<i>Neighbourhood Plan designation</i>	N/A
<i>Proximity to nearest school</i>	Approximately 500m (Randerson Ridge Elementary School – 6021 Nelson Road)
<i>Proximity to nearest licensed daycare</i>	Approximately 400m (Stepping Stones Daycare – 6075 Nelson Road)
<i>Proximity to nearest CRS</i>	Approximately 270m (5800 Turner Road – scheduled for bylaw adoption)

The subject property contains a shopping plaza (“Longwood Station”) with 9 buildings and 24 commercial retail units. The proposed CRS will operate under the alias address of 5765 Turner Road, Unit 1. Other businesses on the same property include a BC Liquor Store, a grocery store, a brewpub, and other commercial retail and service uses. The existing shopping plaza has adequate parking and will require no upgrades to vehicle or pedestrian accesses for the proposed CRS.

Surrounding land uses include another shopping plaza and gas station across Turner Road to the north, commercial retail stores and an under-construction multi-family development across Uplands Drive to the east, the multi-family Longwood Community development to the southeast,

Edgewater Pond Park to the south, and single residential dwellings across the Island Highway to the west.

DISCUSSION

Proposed Development

The applicant is proposing to rezone the subject property to allow “Cannabis Retail Store” use in addition to the existing CC3 permitted uses. While the CC3 zone allows “retail” as a permitted use, a CRS requires site-specific rezoning.

The proposed business hours are from 10:00 a.m. to 10:00 p.m. seven days a week. The proposed retail floor area is approximately 106m².

Provincial Licensing Requirements

The City was advised by the BC Liquor and Cannabis Regulation Branch (LCRB) that an application for a non-medical cannabis retail licence has been made for the subject property.

As part of the LCRB’s review, the branch determines if the applicant is “fit and proper” to receive a licence, in accordance with Section 23(1) of the *Cannabis Act* (Bill 30), based on indicators such as financial integrity and security screening. The LCRB will advise the City of the results of the “fit and proper” assessment.

The LCRB will not proceed with a licensing application unless the local government submits a positive recommendation to the LCRB. Should Council approve “Zoning Amendment Bylaw 2020 No. 4500.174”, the bylaw approval would constitute a positive recommendation in support of the licensing application.

Official Community Plan

The Official Community Plan (OCP) designates the subject property as City Commercial Centre. The OCP does not address CRS use specifically, but the land use designation supports provision of city-wide shopping that meets the needs of the neighbourhood and larger trade areas. The proposed CRS generally complies with the intent of the City Commercial Centre designation.

Cannabis Retail Store Rezoning Criteria

The table following summarizes how the proposed rezoning addresses the CRS Rezoning Criteria adopted by Council on 2018-SEP-17, which is intended to inform Council’s consideration of the rezoning application:

Criteria		Response
Location		
1.1	The proposed CRS should be located on, or in close proximity to a provincial highway, urban arterial or urban major collector road, as defined in the City's Functional Road Classification Working Plan; or in an Urban Node, Commercial Centre or Corridor as designated in the City's Official Community Plan.	The subject property is located within the City Commercial Centre land use designation and is adjacent to a provincial highway and two arterial roads (Turner Road and Uplands Drive).
1.2	The proposed CRS should not be located directly adjacent, or in close proximity to a school or licensed daycare facility. A minimum separation of 200m from these facilities is considered necessary, as measured from the front door of the CRS to the school or daycare property line.	The proposed CRS is located approximately 400m away from the nearest licensed daycare and approximately 500m away from the nearest school. School District 68 and Island Health (Community Care and Licensing) confirmed they have no objections to the application.
1.3.	The proposed CRS should not be located within 200m of another CRS as measured from the front doors of the CRS. Where the CRS is to be located within a dense urban area (i.e. downtown), consideration shall be given to the overall urban density and context of the area.	The proposed CRS is located approximately 270m from the nearest proposed CRS at 5800 Turner Road (on the opposite side of Turner Road), which is scheduled for bylaw adoption this evening. The nearest approved CRS is approximately 1km away at 6404 Metral Drive.
Building or Site		
2.1.	The size of the proposed CRS should be consistent with the nature of the immediate area and the size of existing retail stores within the area.	The proposed CRS will be located within an existing multi-tenant building. The size of the CRS unit is consistent with the other commercial units.
2.2.	The design of the proposed CRS should enhance or improve the aesthetics of the surrounding area, not detract from them.	The multi-tenant building is pre-existing and is in good condition. The existing storefront will be retained with the addition of glazing for the windows, as required by the LCRB.
2.2.1.	The revitalization of heritage buildings is encouraged.	N/A
2.3.	Outside the downtown core, consideration should be given to a requirement for onsite parking and loading for every CRS.	The shopping centre parking is pre-existing and no additional parking or loading spaces are required for this use.

Community Impact	
3.1. The applicant must outline their awareness of potential negative impacts of the proposed CRS on the community, and must identify the specific measures that will be taken to minimize or prevent these impacts from occurring.	The applicant provided a Letter of Rationale (Attachment F) that proposes measures to minimize or prevent potentially negative impacts including the following:
3.1.1. Possible measures could include efforts to prevent service to minors, minimize smells, prevent smoking or cannabis consumption on or near the premises, property maintenance and beautification programs designed to prevent unsightliness, etc.	<ul style="list-style-type: none"> • participating in the maintenance and beautification programs of Longwood Station; • requiring two pieces of identification for anyone wishing to view products; • installing a charcoal filter system to prevent odours; and • abiding by all LCRB and City of Nanaimo regulations.
3.1.2 Consideration must be given to the impact a CRS will have when they are located in close proximity to libraries, public recreation centres, public community centres, parks, places of worship and other family-oriented facilities.	The subject property is adjacent to Edgewater Pond Park at 6080 Island Highway North; however, this is an undeveloped park used primarily for a stormwater detention pond.
3.2. Projected traffic volumes and on-street parking demands associated with a proposed CRS should not adversely impact nearby residential and commercial areas.	<p>The proposed CRS is not expected to generate traffic volumes that differ significantly from other retail uses.</p> <p>No negative impacts on traffic volumes or neighbourhood on-street parking are anticipated.</p>
3.3. The support of the local community, neighbouring property owners and the local neighborhood association for the proposed CRS is important to Council's decision.	The subject property is outside of any Community Association boundary.
3.3.1. The applicant is required to notify all neighbouring property owners within 200m of the subject property of the rezoning application prior to the application proceeding to Council.	The applicant distributed notices to neighbouring properties at the end of February 2020. Two rezoning notice signs have been placed on-site, and if Council gives first and second reading to "Zoning Amendment Bylaw 2020 No. 4500.174", the application will proceed to Public Hearing.
3.4. All CRS rezoning applications must be reviewed by the Community Vitality Committee and the RCMP, in addition to being reviewed by the City's Community Planning and Development Committee.	The RCMP reviewed the proposal and indicated they have no comments. No Community Planning and Development Committee has been established by Council; therefore, committee review has not taken place.

The CC3 zone supports retail uses that meet the needs of the community at large and, pending LCRB approval, the proposed CRS will complement existing commercial uses that serve the community.

Staff support the proposed rezoning from a land use perspective and consider the application to be substantially in compliance with City's CRS Rezoning Criteria policy.

Community Amenity Contribution

The applicant proposes a monetary contribution of \$10,000 be directed towards the City's Housing Legacy Reserve Fund.

Staff support the proposed community amenity contribution.

Conditions of Rezoning

Should Council support this application and pass third reading of "Zoning Amendment Bylaw 2020 No. 4500.174", Staff recommend the following be secured prior to final adoption of the bylaw:

1. *Community Amenity Contribution* – A monetary contribution of \$10,000 to be directed towards the City's Housing Legacy Reserve Fund.
2. *LCRB Approval* – Confirmation from the LCRB that it has approved the applicant's suitability for a cannabis retail licence.

SUMMARY POINTS

- A rezoning application has been received to allow Cannabis Retail Store use within an existing commercial building as a site-specific use in the CC3 zone for the subject property located at 5801 Turner Road.
- The Provincial Liquor and Cannabis Regulation Branch is reviewing the licensing application for this proposal.
- Staff support this application, which substantially complies with the City's Cannabis Retail Store Rezoning Criteria policy.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: School and Licensed Daycare Buffer Map
ATTACHMENT C: Site Plan
ATTACHMENT D: Conceptual Floor Plan
ATTACHMENT E: Conceptual Building Elevations
ATTACHMENT F: Letter of Rationale / Community Impact Statement
ATTACHMENT G: Aerial Photo
“Zoning Amendment Bylaw 2020 No. 4500.174

Submitted by:

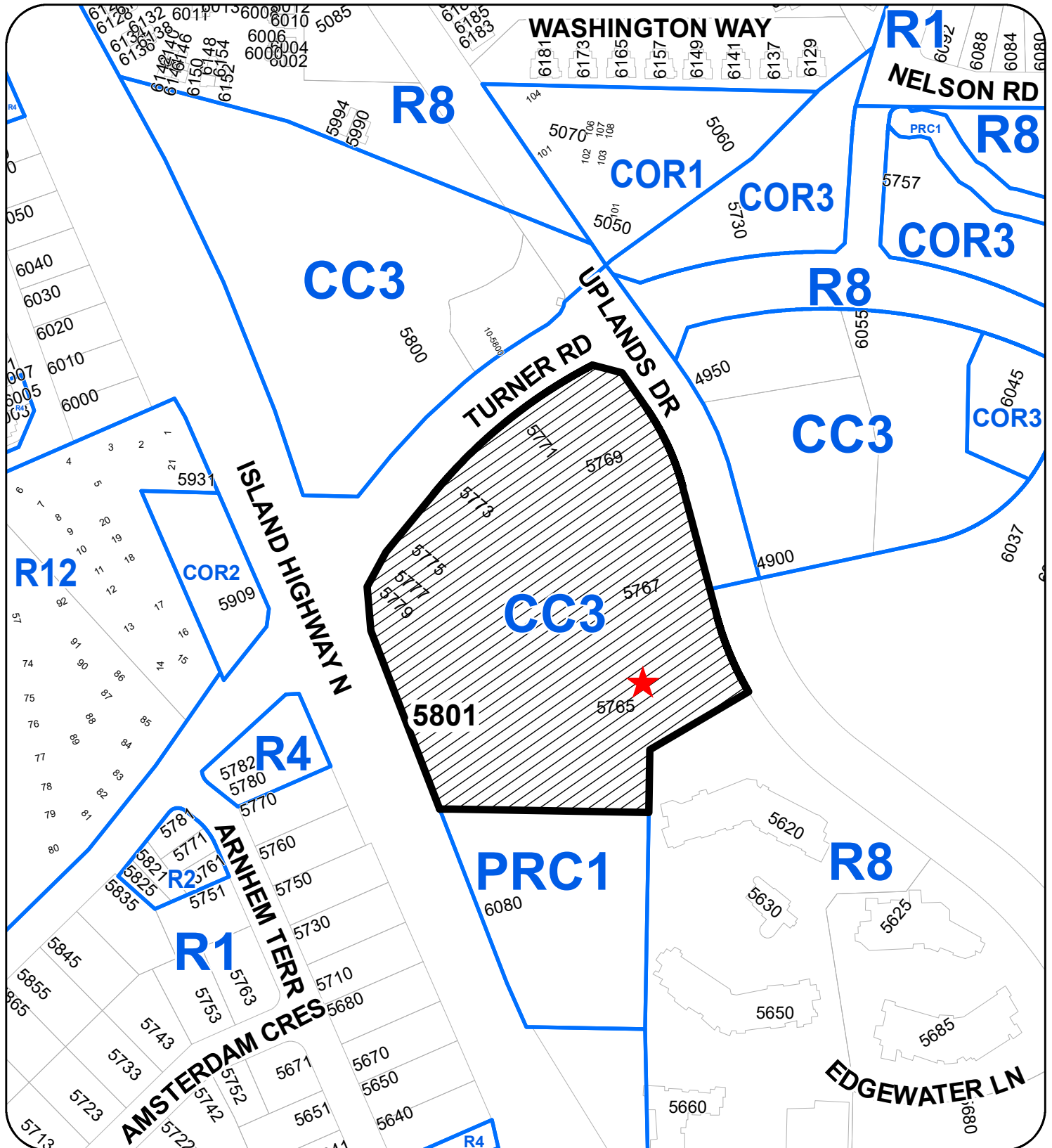
Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

ATTACHMENT A LOCATION PLAN



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SUBJECT PROPERTY



PROPOSED CRS LOCATION

REZONING APPLICATION NO. RA000449

LOCATION PLAN

CIVIC: 5801 TURNER ROAD

LEGAL: LOT C, DISTRICT LOTS 14, 23G & 30

WELLINGTON DISTRICT, PLAN VIP66085

ATTACHMENT B
SCHOOL AND LICENSED DAYCARE BUFFER MAP
Proposed Inspired Cannabis Co.
Distance from Schools and Daycares



200 metre
Distance



Inspired Cannabis Co.
proposed location
5765 Turner Rd.



200 metre radius from
5765 Turner Rd.



200 metre radius from
Daycares and schools



Randerson Ridge
School



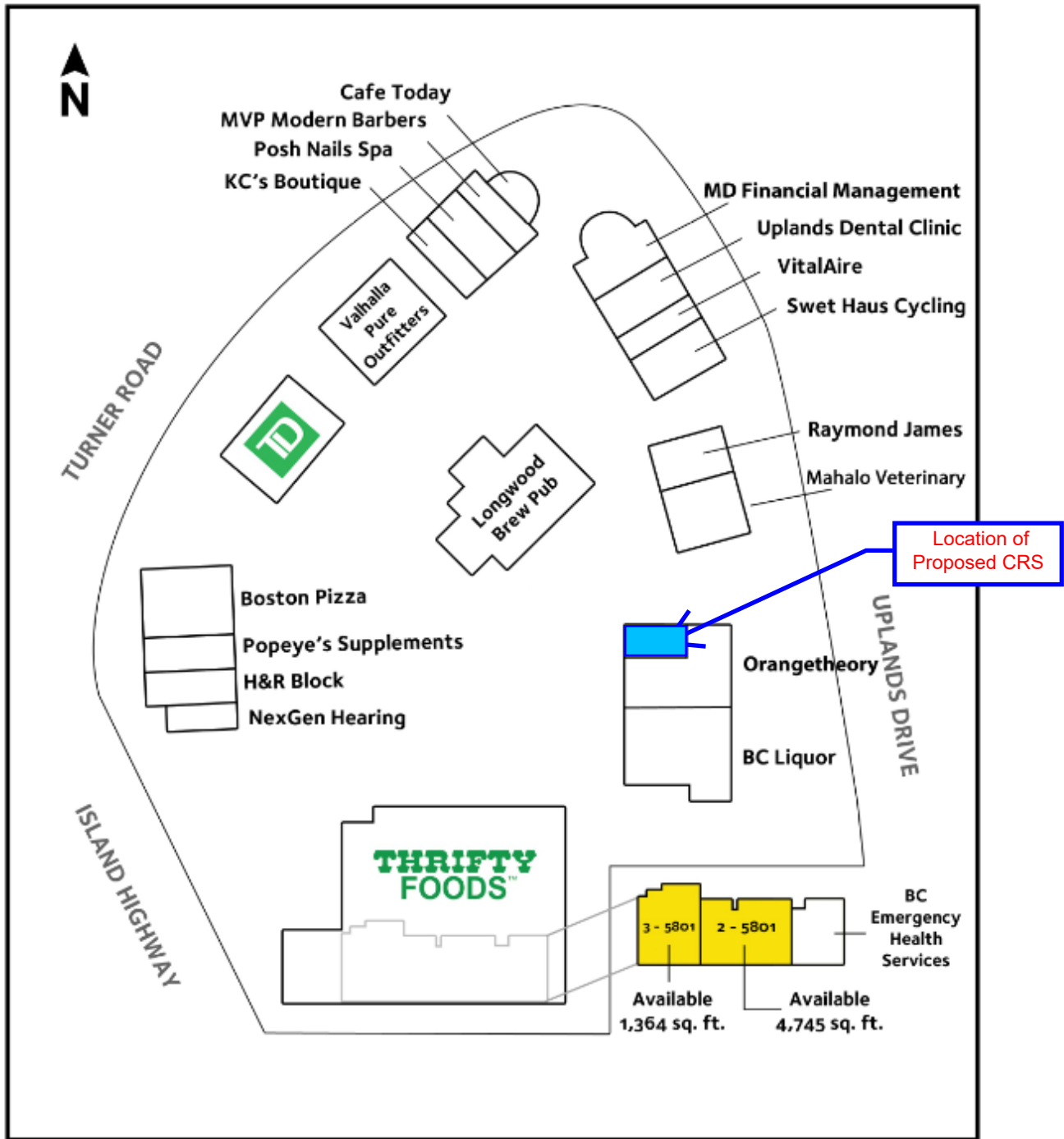
Stepping Stone
Daycare

ATTACHMENT C
SITE PLAN



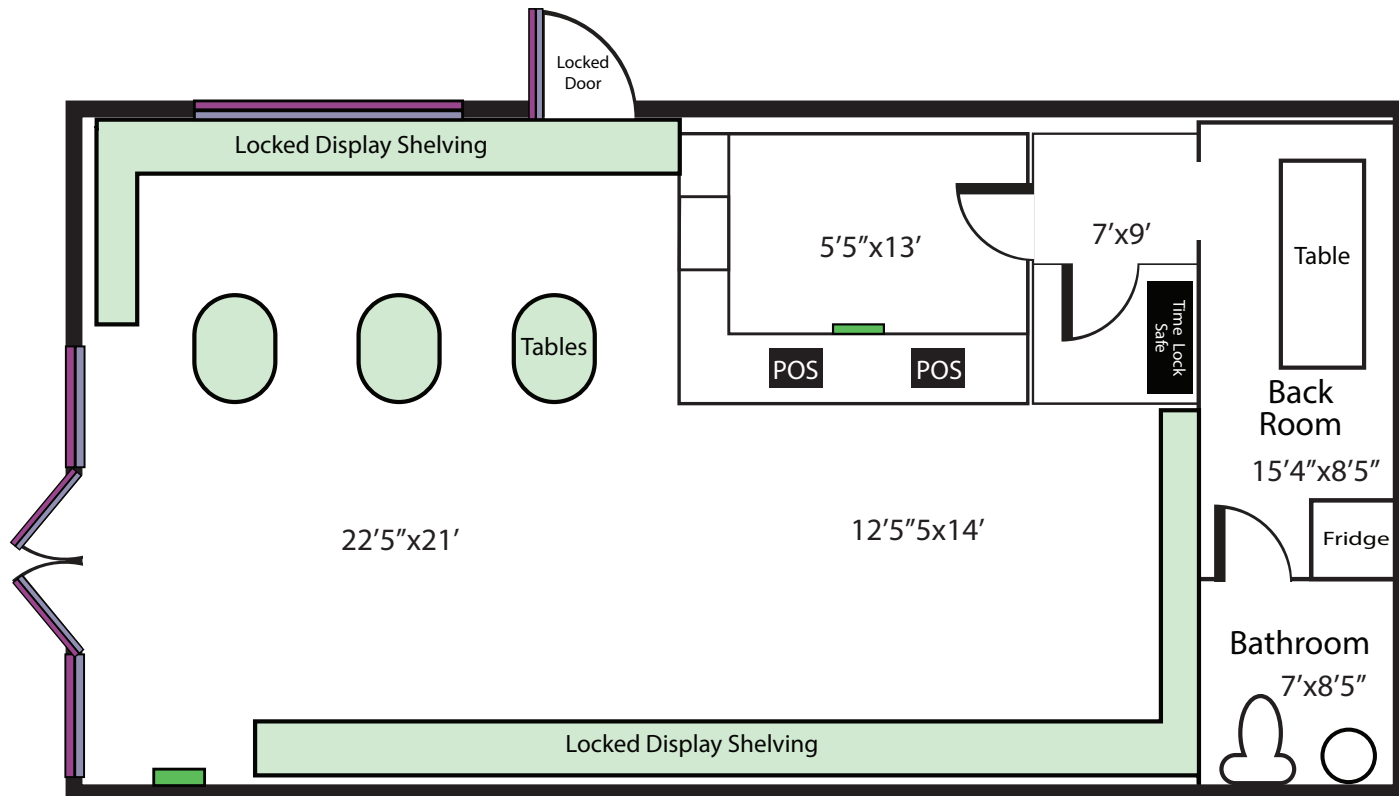
LONGWOOD STATION

Nanaimo, BC



RECEIVED
RA 449
2019-NOV-29
Current Planning

ATTACHMENT D CONCEPTUAL FLOOR PLAN



- Opaque Windows
- Fire Alarm/Intruder Monitor System
- Grates/Bars





Development Summary:
5765 Turner Road, Nanaimo, BC

About us

Inspired Cannabis Co. will leverage the highly skilled and connected owners and management team's 15 years of experience in starting up and building a profitable chain of 7 community pharmacies, and carefully selected locations to build a chain of trusted cannabis retail stores. We are excited to open our second store here, in the beautiful City of Nanaimo, which will also be our second cannabis retail store on Vancouver Island.

Our brand strategy is built on customer intimacy and trust, coupled with operational excellence. We intend to offer a wide range of quality legal cannabis products distributed by the BCLCDB and to provide the best service in the Cannabis Retail sector while meeting all provincial and municipal regulations. This is a proven and transferable approach that has allowed our team to build a chain of pharmacies across Vancouver and the Fraser Valley, and we are still growing.

Our target market is the thousands of Nanaimo residents who enjoy good quality cannabis and a knowledgeable staff. Inspired Cannabis Co. will be selective in choosing the cannabis brands and strains we will retail, ensuring that our clients are getting the very best, because there are over one hundred Health Canada licensed cannabis producers in Canada, and in the near future, cannabis retailers will have access to all

of their products. In Canada, we are in a transition, working to draw consumers away from the black-market sales of cannabis and into a safe, legal, and legitimate system. Offering high quality cannabis products in an inviting and convenient location is an opportunity to establish the means towards responsible enjoyment of these products. Inspired Cannabis Co. in the Longwood Station plaza will be a positive contributor toward this transition. We will be THE trusted local cannabis retail store in the Nanaimo area.

Community Contribution Proposal

The local community and its social wellbeing is a very important consideration in how Inspired Cannabis Co. plans to operate our retail store while contributing towards the community as whole. Like other BC municipalities, the City of Nanaimo is requiring community contributions from approved cannabis retail applicants. We believe that this is a good thing. Prior to the final adoption of the bylaw following the third reading to operate our store in Nanaimo, Inspired Cannabis Co. will contribute \$10,000 to the City of Nanaimo to disperse those funds towards the City's Affordable Housing projects. We look forward to being a part of this community, and Inspired Cannabis Co. will demonstrate that by contributing a portion of our profits towards community resources dispersed by the City of Nanaimo, every year.

Proposed Development and Rationale

Inspired Cannabis Co. wishes to establish a boutique, high level of service, community style, cannabis retail store. We are requesting that the site at 5765 Turner Road be rezoned to include cannabis retail. 5765 Turner Road is located in the Longwood Station plaza which currently houses a mix of businesses. In addition to retail sales and banking, Longwood Station is a centre for bars and pubs, eateries and restaurants, a micro-brewery, a BC Liquor Store and coffee shops. A retail cannabis outlet would be consistent with the general commerce, function and flavour of Longwood Station and is

consistent with the City's strategic goal of pursuing vibrant economic growth. Our operating hours will be from 10:00 am to 10:00 pm, seven days per week

Compliance with City Policy - Planning and Development Policy

Rezoning Considerations

Location

1.1. The proposed CRS should be located on, or in close proximity to, a provincial highway, urban arterial or urban major collector road, as defined in the City's Functional Road Classification Working Plan, or in an urban node, commercial centre or corridor, as designated in the City's Official Community Plan.

The proposed retail location, 5765 Turner Road, is located in the plaza of Longwood Station. This plaza is bordered by Island Highway to the East, with all the signage for the businesses in Longwood Station visible on Island Highway.

1.2. The proposed CRS should not be located directly adjacent, or in close proximity to a school or licensed daycare facility. A minimum separation of 200m from these facilities is considered necessary, as measured from the front door of the CRS to the school or daycare property line.

The proposed location is not within 200 m of a public or independent elementary, middle or secondary school, or any licensed daycare facility.

1.3. The proposed CRS should not be located within 200m of another CRS as measured from the front doors of the CRS. Where the CRS is to be located

within a dense urban area (ie: downtown) consideration shall be given to the overall urban density and context of the area.

5765 Turner Road is not located in a dense urban area like Downtown Nanaimo. At the time of the submitted application, there are no licensed Cannabis Retail Stores within 200 m of this location, nor were there any rezoning applications for Cannabis Retail Stores submitted to the City of Nanaimo within 200 m of this location.

Building & Site

2.1. The size of the proposed CRS should be consistent with the nature of the immediate area and the size of existing retail stores within the area.

The site is in the Longwood Station plaza, and the size of the site is consistent with the nature of the plaza and is the same size of the vast majority of the retailers in the plaza.

2.2. The design of the proposed CRS should enhance or improve the aesthetics of the surrounding area, not detract from them. The revitalization of heritage buildings is encouraged.

The proposed site will neither enhance, improve or detract from the aesthetics of Longwood Station, and will remain consistent to the overall aesthetics of the plaza. The buildings in Longwood Station plaza are not heritage buildings, including the proposed site.

Parking Plan

2.3. Outside the downtown core, consideration should be given to a requirement for onsite parking and loading for every CRS.

There is more than enough parking for the Longwood Station Plaza's retailers' customers and vendors.

Community Impact

3.1. The applicant must outline his or her awareness of potential negative impacts of the proposed CRS on the community, and must identify the specific measures that will be taken to minimize or prevent these impacts from occurring. Possible measures could include efforts to prevent service to minors, minimize smells, prevent smoking or cannabis consumption on or near the premises, property maintenance and beautification programs designed to prevent unsightliness, etc.

Due to the location of the proposed site in the Longwood Station plaza, property maintenance and beautification programs are designed and headed by Longwood Station plaza, and Inspired Cannabis Co. will be actively contributing and participating in those programs. The Liquor and Cannabis Regulation Branch prohibits all minors under 19 years of age from entering Cannabis Retail Stores, and also prohibits cannabis consumption in or near the premises. We will require everyone that appears to be under 40 years old to present two pieces of identification, including at least one government issued identification before they can even view our products. Due to the way cannabis products are packaged and sealed by licensed producers, the distinctive smell will be contained within each package and will not produce any odour in the surrounding area. To take a further step to prevent odours, we will be installing a charcoal filter in the site's air conditioning system. Inspired Cannabis Co. will abide by all the regulations put forward by the Liquor and Cannabis Regulation Branch and the City of Nanaimo and will take all necessary actions to prevent negative impacts on the community. Due to the location of the proposed site, we do not believe that there will be any negative impacts to the community. Longwood Station has a BC Liquor Store on site, a brewery, and a couple of pubs/restaurants that serve alcohol. Inspired Cannabis Co. will be an excellent fit for the neighbouring businesses in Longwood Station.

3.2. Projected traffic volumes and on-street parking demands associated with a proposed CRS should not adversely impact nearby residential and commercial areas.

Due to the proposed site being located in the Longwood Station plaza, there will be no on-street parking demands, and no projected increased traffic volumes, and will not adversely impact the nearby residential and commercial areas.

3.3. The support of the local community, neighbouring property owners and the local neighbourhood association for the proposed CRS is important to Council's decision.

Inspired Cannabis Co. will demonstrate community support and support from the neighbouring businesses in the Longwood Station Plaza.

Summary

As proven and experienced operators, Inspired Cannabis Co. aims to be an enhancement to the Longwood Station plaza by providing great cannabis products and services in a safe and responsible manner within the regulatory frame works of the City of Nanaimo and the Province of British Columbia.

ATTACHMENT G
AERIAL PHOTO



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REZONING APPLICATION NO. RA000449



SUBJECT PROPERTY



PROPOSED CRS LOCATION

CITY OF NANAIMO

BYLAW NO. 4500.174

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 2020 No. 4500.174".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT C, DISTRICT LOTS 14, 23G & 30, WELLINGTON DISTRICT, PLAN VIP66085 (5801 Turner Road) to allow Cannabis Retail Store as a site-specific use within the City Commercial Centre (CC3) Zone, as shown on Schedule A.

PASSED FIRST READING: 2020-MAR-16

PASSED SECOND READING: 2020-MAR-16

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000449
Address: 5801 Turner Road

DATE OF MEETING | May 25, 2020 |

AUTHORED BY | LISA BRINKMAN, PLANNER, CURRENT PLANNING |

SUBJECT | REZONING APPLICATION NO. RA448 – 2013 NORTHFIELD ROAD |

OVERVIEW

Purpose of Report

To present Council with an application to rezone the subject property at 2013 Northfield Road from Single Dwelling Residential (R1) to Residential Corridor (COR1) to allow a multi-family development. |

Recommendation

That:

1. "Zoning Amendment Bylaw 2020 No. 4500.176" (To rezone 2013 Northfield Road from Single Dwelling Residential [R1] to Residential Corridor [COR1]) pass first reading;
2. "Zoning Amendment Bylaw 2020 No. 4500.176" pass second reading;
3. Council direct Staff to secure the community amenity contribution, road dedication, and driveway access covenant prior to adoption of the bylaw, should Council support the bylaw at third reading. |

BACKGROUND

A rezoning application (RA448) was received from Cortera Land Development Ltd. to rezone the property at 2013 Northfield Road from Single Dwelling Residential (R1) to Residential Corridor (COR1) to allow a proposed nine-unit multi-family development.

Subject Property and Site Context

<i>Location</i>	The subject property is located 350m east of the Northfield Road and Bowen Road intersection.
<i>Total lot area</i>	807m ²
<i>Current zone</i>	R1 – Single Dwelling Residential
<i>Proposed zone</i>	COR1 – Residential Corridor
<i>Official Community Plan Designation</i>	Corridor

The subject property currently contains a dwelling that would be removed for a proposed multi-family development. The property is surrounded by single family and townhouse dwellings on the east and west side, and single family dwellings to the south (rear). Beban Park is located to the north, across Northfield Road. The neighbourhood also contains commercial uses on the north side of Northfield Road, including home improvement businesses, a grocery store, and restaurants. |

DISCUSSION

Proposed Development

The applicant is proposing to rezone the subject property from Single Dwelling Residential (R1) to Residential Corridor 1 (COR1) to allow a nine+unit rental apartment building. The COR1 zone allows for a floor area ratio of 1.0; however, the concept plan proposes a floor area ratio of 0.64. The parking area and driveway access would be from the lane at the rear. Driveway access from Northfield Road is not supported for new development when there is access available from a rear lane. For this reason, Staff are recommending that a Section 219 covenant be registered on the property to ensure the driveway access is from the lane.

Official Community Plan

The subject property is located within the Corridor designation (Section 2.2) of the Official Community Plan (OCP). The Corridor designation encourages higher-intensity land uses, such as medium- to high-density residential, and mixed-use developments in a two- to six-storey building form. The conceptual development plan proposes a two-storey residential building, with a density of 128 units per hectare. The Corridor designation policies support a density range of 50 to 150 units per hectare, and the proposed building form is supported by the OCP.

Transportation Master Plan

The Nanaimo Transportation Master Plan (NTMP) reinforces the land use and transportation policies in the OCP by designating urban nodes and mobility hubs. The NTMP states that mobility hubs will be the focus of increased walking, cycling, and public transit opportunities. The subject property is located within the 200m buffer area of the Nanaimo Regional General Hospital (NRGH) mobility hub. The property is near the VIU express (Bus #40) and NRGH (Bus #30) public transit bus routes, and is within walking distance of several bus stops.

Community Consultation

The subject property is located within the Hospital Area Neighbourhood Association (HANA), and the proposed rezoning was referred to this association for review and comment. The HANA confirmed they have no concerns regarding the proposal. A sign was also posted on the property to inform the neighbourhood of the proposed rezoning.

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 applicant is proposing a community amenity contribution of \$1000 per residential unit to be used for improvements at Beban Park. Staff support this proposal. The COR1 zone also permits commercial uses, thus if commercial uses were proposed, a contribution of \$34 per square meter would be accepted at time of development.

Conditions of Rezoning

Should Council support this application and pass third reading of “Zoning Amendment Bylaw 2020 No. 4500.176”, Staff recommend the following items be secured prior to final adoption of the bylaw:

1. Road Dedication
A road dedication of 4.35m from the front property line (Northfield Road) and 0.75m from the rear property line (lane) as shown on the site plan.
2. Driveway Access Covenant
A Section 219 covenant be required to be registered on title to ensure that driveway access to the property is from the lane, and is not from Northfield Road.
3. Community Contribution
A community contribution of \$1000 per residential unit towards improvements at Beban Park be secured prior to final adoption of the bylaw. Also, if commercial uses were proposed, a contribution of \$34 per square meter would be accepted at time of development.

SUMMARY POINTS

- A rezoning application has been received to rezone the property at 2013 Northfield Road from Single Dwelling Residential (R1) to Residential Corridor (COR1) to allow for a proposed nine-unit multi-family development.
- The subject property is designated as Corridor in the OCP. The proposed development complies with the policy objectives of the Corridor designation.
- A community amenity contribution is proposed to be directed to improvements at Beban Park.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: Conceptual Site Plan
ATTACHMENT C: Conceptual Renderings
ATTACHMENT D: Aerial Photo
“Zoning Amendment Bylaw 2020 No 4500.176”

Submitted by:

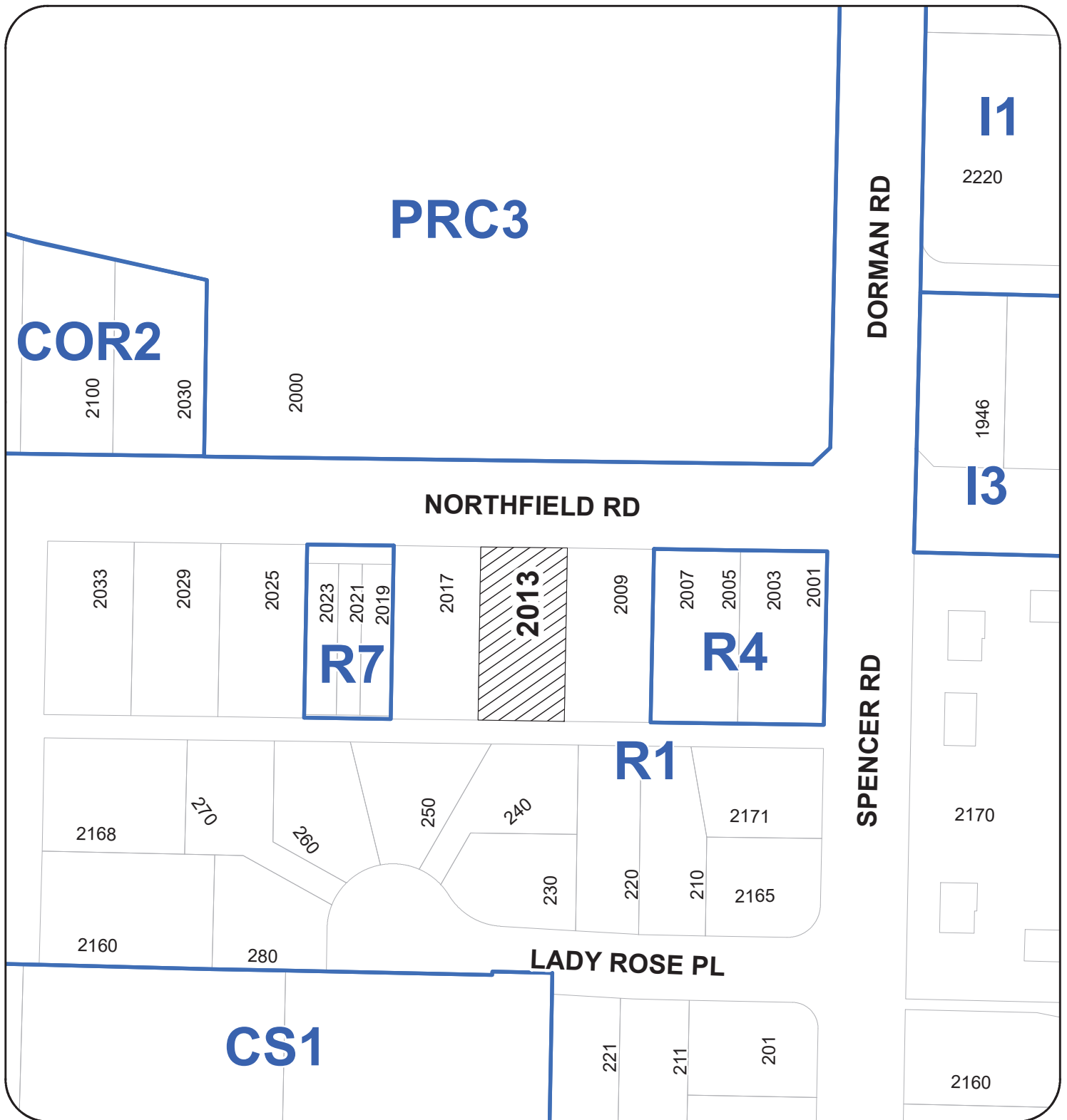
Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

ATTACHMENT A
LOCATION PLAN



REZONING APPLICATION NO. RA000448
LOCATION PLAN

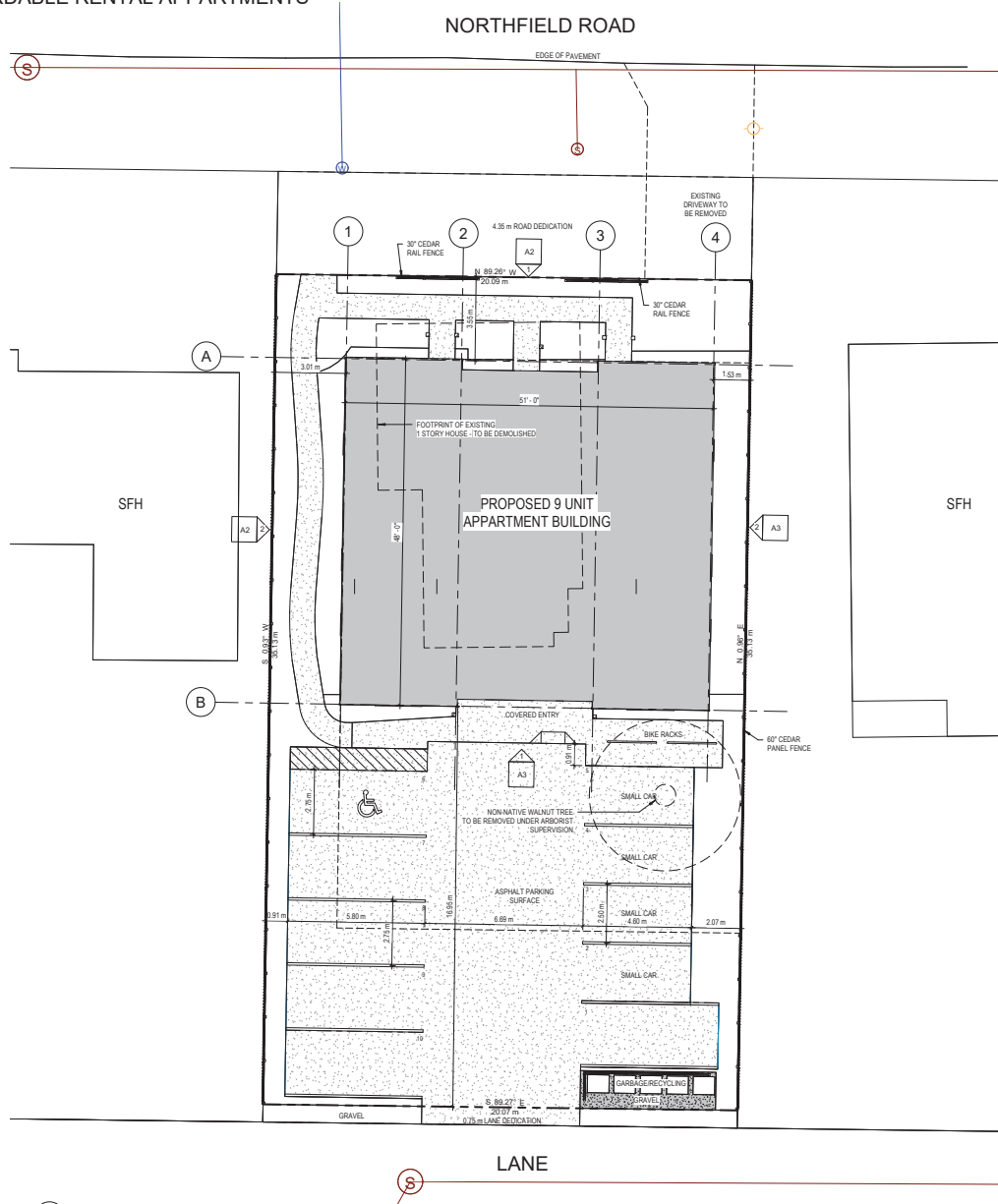
CIVIC: 2013 NORTHFIELD ROAD
LEGAL: LOT 14, BLOCK 3, SECTION 17, RANGE 7
MOUNTAIN DISTRICT, PLAN 526



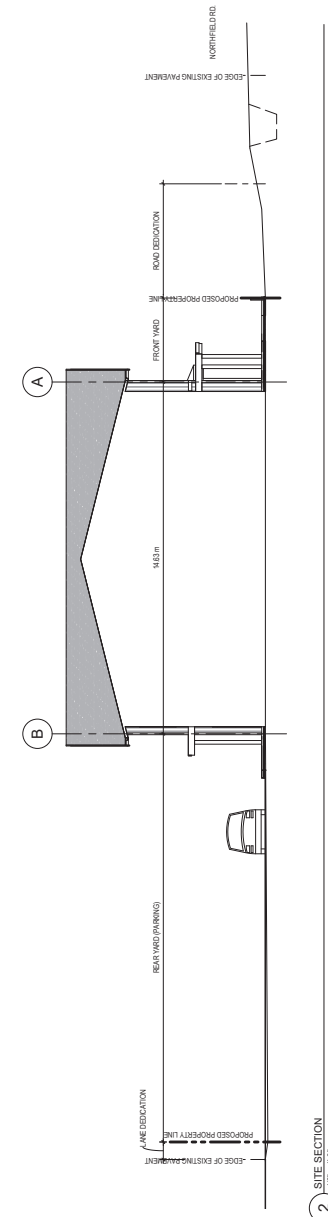
ATTACHMENT B CONCEPTUAL SITE PLAN

2013 NORTHFIELD ROAD

AFFORDABLE RENTAL APPARTMENTS



1 SITE PLAN
1/8" = 1'-0"



2 SITE SECTION
1/8" = 1'-0"

SYNOPSIS		
CIVIC ADDRESS	2013 NORTHFIELD RD.	
LEGAL DESCRIPTION	LOT 14, BLOCK 3, SECTION 17 RANGE 7, MOUNTAIN DISTRICT, PLAN 526	
DEVELOPMENT SUMMARY	PERMITTED	PROPOSED
PROPOSED ZONING	COR 1	
LOT SIZE	850 SQ.M.	705.45 SQ.M.
MAX BLDG. HEIGHT	14.0 m	8.13 m
SETBACKS		
-FRONT	3.5 m	3.55 m
-SIDE 1	3.0 m	3.01 m
-SIDE 2	1.5 m	1.53 m
-REAR	7.5 m	16.95 m
LOT COVERAGE	0.60	0.32
FLOOR AREA RATIO	1.00	0.64
-LEVEL 1		225.37 SQ.M.
-LEVEL 2		225.37 SQ.M.
-TOTAL		450.74 SQ.M.
PARKING SUMMARY	REQUIRED	PROPOSED
STUDIO UNITS	5 X 1.05 = 5.25	
1 BED UNITS	2 X 1.26 = 2.52	
2 BED UNITS	2 X 1.62 = 3.24	
	11.01	10
SMALL CAR %	40%	40%

SATURNA
studios
PLANNING + DESIGN
dan@saturnastudios.ca
(604) 349-1654

Revisions		
1	CONSULTANT COORD.	2019.09.18
2	ISSUED FOR REZONING	2019.10.31

NORTHFIELD RENTAL APPARTMENTS
2013 NORTHFIELD RD.
NANAIMO, BC

Proj. No: 1901
Date: 2020.04.28
Drawn: DC
Scale: As indicated
Seal:

Sheet Name:
CONCEPT SITE
PLAN
Sheet No:

A1

RECEIVED
RA448
2020-APR-28
CURRENT PLANNING

ATTACHMENT C CONCEPTUAL RENDERINGS

2013 NORTHFIELD ROAD

AFFORDABLE RENTAL APPARTMENTS

VIEW FROM NORTHFIELD



VIEW FROM LANE

SATURNA
studios
PLANNING + DESIGN

Revisions

NORTHFIELD RENTAL APPARTMENTS
2013 NORTHFIELD RD.
NANAIMO, BC

Proj. No: 1901
Date: 2019.10.31
Drawn: DC
Scale:
Seal:

Sheet Name:
CONCEPT
RENDERINGS
Sheet No:

A0

ATTACHMENT D
AERIAL PHOTO



N
LEGEND

 SUBJECT PROPERTY

REZONING APPLICATION NO. RA000448

CITY OF NANAIMO

BYLAW NO. 4500.176

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 2020 No. 4500.176".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:
 - (A) By rezoning the lands legally described as LOT 14, BLOCK 3, SECTION 17, RANGE 7, MOUNTAIN DISTRICT, PLAN 526 (2013 Northfield Road) from Single Dwelling Residential (R1) to Residential Corridor (COR1) as shown on Schedule A.

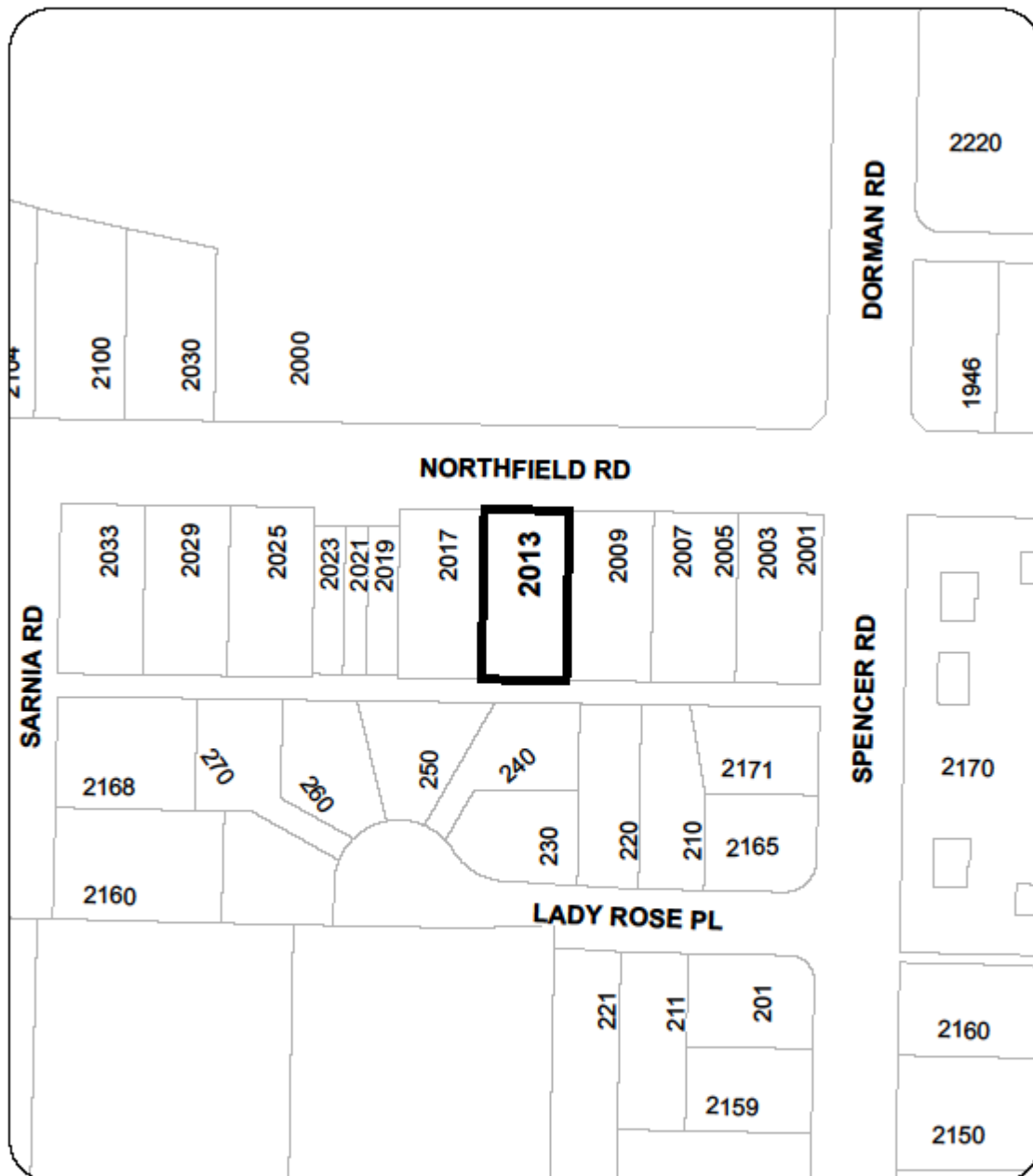
PASSED FIRST READING: 2020-MAY-25
PASSED SECOND READING: 2020-MAY-25
PUBLIC HEARING: _____
PASSED THIRD READING: _____
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000448
Address: 2013 Northfield Road

SCHEDULE A



REZONING APPLICATION NO. RA000448

CIVIC: 2013 NORTHFIELD ROAD
LEGAL: LOT 14, BLOCK 3, SECTION 17, RANGE 7
MOUNTAIN DISTRICT, PLAN 526



Document Path: V:\Source Data\Departmental Detailing\Public\GIS\Projects\TEMPLATES\LOCATION_PLAN\Map\RA000448_BM.mxd

DATE OF MEETING | May 25, 2020 |

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING |

SUBJECT | REZONING APPLICATION NO. RA444 – 30 LORNE PLACE |

OVERVIEW

Purpose of Report

To present Council with an application to rezone the subject property at 30 Lorne Place from Duplex Residential (R4) to Low Density Residential (R6) to allow a multi-family residential development.

Recommendation

That:

1. "Zoning Amendment Bylaw 2020 No. 4500.177" (To rezone 30 Lorne Place from Duplex Residential [R4] to Low Density Residential [R6]) pass first reading;
2. "Zoning Amendment Bylaw 2020 No. 4500.177" pass second reading;
3. Council direct Staff to secure the community amenity contribution, road dedication, and access easement should Council support the bylaw at third reading.

BACKGROUND

A rezoning application, RA444, was received from Seward Developments Inc., to amend the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") to rezone the subject property at 30 Lorne Place from Duplex Residential (R4) to Low Density Residential (R6). The rezoning will allow a proposed six-unit multi-family residential development to proceed.

Subject Property and Site Context

<i>Location</i>	The subject property is located on the east side of Lorne Place and abuts Beaufort Park.
<i>Lot Area</i>	1,353m ²
<i>Current Zone</i>	R4 – Duplex Residential
<i>Proposed Zone</i>	R6 – Low Density Residential
<i>Official Community Plan Future Land Use Designation</i>	Neighbourhood
<i>Neighbourhood Plan Land Use Designation</i>	Hospital Area Plan - Multi-Family Low Density

The subject property is a panhandle lot that currently contains an older duplex. The two side-by-side units are addressed as 30 Lorne Place and the alias address of 32 Lorne Place. Lorne Place is a dead-end road accessed from Beaufort Drive. Neighbouring properties on Lorne Place contain existing duplexes adjacent to Beaufort Park.

DISCUSSION

Proposed Development

The applicant is proposing to rezone the subject property to Low Density Residential (R6) to allow a ground-oriented multi-family townhouse development. The conceptual plan for the site is to retain the existing duplex and construct a new townhouse building with four additional units, resulting in a total of six residential units on the site. The development is envisioned to have a Floor Area Ratio (FAR) of 0.43, which is below the maximum permitted FAR of 0.45 in the R6 zone.

In order to achieve desirable building siting, a rear yard setback variance is anticipated at the development permit stage to allow the new building to be sited closer to Beaufort Park and provide an amenity space between the building and the existing duplex.

Currently, the panhandle access to the site is only 3m wide. As a condition of this rezoning, the applicant will be required to secure an easement across the neighbouring property at 20 Lorne Place to provide a minimum 6m-wide drive aisle to the subject property. The applicant has indicated this is feasible and discussions are underway to secure an easement. Additionally, the applicant will be required to provide road dedication with a width of approximately 0.86m to allow for a future 20m road cross-section on Lorne Place.

Policy Context

Official Community Plan

The Official Community Plan (OCP) identifies the subject property as within the Neighbourhood future land use designation. Development in Neighbourhoods is characterized by a mix of low-density residential uses. Residential densities from 10 to 50 units per hectare (uph) in two- to four-storey building forms are generally supported by the OCP. The proposed infill development will equal approximately 44uph and would complement existing surrounding ground-oriented multi-family residences. The proposed rezoning meets the intent of the OCP future land use designation.

Hospital Area Plan

The Hospital Area Plan (HAP) identifies the subject property as Multi-Family Low Density in its land use designation. A mix of housing types, including ground-oriented multiple-family homes, are encouraged in this designation, and residential densities of 30 to 50uph are supported. The HAP generally supports infill projects such as the proposed development, and the proposed rezoning meets the intent of the HAP land use designation.

Transportation Master Plan

The subject property is located within the 200m buffer of the Nanaimo Regional General Hospital mobility hub, as identified in the Nanaimo Transportation Master Plan (NTMP). The NTMP encourages medium- to high-density residential uses within this mobility hub, and also recognizes the need for strong walking, cycling, and transit connections for residential developments.

Walking routes exist through Beaufort Park to connect with Dufferin Crescent and the focal area of the mobility hub. Boundary Crescent, approximately 200m west of the subject property, is identified as a cycling route in the NTMP's Short Term Cycling Network Plan. The nearest public transit is Bus Route #30, which stops along Dufferin Crescent and Waddington Road, both five-minute walks away from the subject property. The proposed rezoning would support the NTMP objectives to encourage growth in proximity to existing services and employment centres, such as the Nanaimo Regional General Hospital.

Community Consultation

The subject property lies within the area of the Hospital Area Neighbourhood Association and was referred for their comment. The association responded they had no concerns.

The applicant hosted a Neighbourhood Information Meeting on 2020-FEB-25 at the Beban Park Social Centre. A neighbour attended the meeting and expressed concerns with safety regarding the existing narrow vehicle access to the subject property. The applicant proposes to address these concerns by securing an easement across 20 Lorne Place and providing screening, where necessary, at the development permit stage.

Community Amenity Contribution

As outlined in Section 7.3 of the OCP, in exchange for value conferred on the lands through a rezoning, the applicant is encouraged to provide a Community Amenity Contribution (CAC) with a value equal to \$1,000 for each residential unit. The applicant is proposing a CAC at this rate, which, based on the conceptual plans, would amount to \$6,000 towards improvements at Beaufort Park. Staff support the proposed CAC.

Conditions of Rezoning

Should Council support the application and pass third reading of "Zoning Amendment Bylaw 2020 No. 4500.177", Staff recommend the following items be secured prior to final adoption of the bylaw:

1. *Community Amenity Contribution* – A monetary contribution at a rate of \$1,000 per proposed dwelling unit towards parks improvements at Beaufort Park.
2. *Road Dedication* – Road dedication with a width of approximately 0.86m to be taken from the Lorne Place frontage to allow for a future 20m road cross-section.
3. *Access Easement* – To secure an easement agreement across neighbouring 20 Lorne Place in order to accommodate a minimum 6m-wide drive aisle access to the subject property.

SUMMARY POINTS

- The application is to rezone the subject property at 30 Lorne Place from Duplex Residential (R4) to Low Density Residential (R6) to allow for a multi-family residential development.
- The proposed rezoning will facilitate an infill development on the site with conceptual plans to retain the existing duplex and develop a new townhouse building with four additional units, resulting in a total of six residential units on the site.
- The proposed rezoning meets the intent of the land use designations of the Official Community Plan and the Hospital Area Neighbourhood Plan.
- A Community Amenity Contribution with a value of approximately \$6,000 towards parks improvements at Beaufort Park is proposed.

ATTACHMENTS

ATTACHMENT A: Location Plan

ATTACHMENT B: Conceptual Site Plan

ATTACHMENT C: Aerial Photo

“Zoning Amendment Bylaw 2020 No. 4500.177”

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

[illegible]

CIVIC: 30 LORNE PLACE
LEGAL: LOT 32, SUBURBAN LOT 52, NEWCASTLE RESERVE
SECTION 1, NANAIMO DISTRICT, PLAN 18612



SUBJECT PROPERTY

ATTACHMENT B CONCEPTUAL SITE PLAN



PROJECT DATA

CIVIC:	30 / 32 LORNE PLACE
LEGAL:	LOT 32, PLAN 18612, SUBURBAN LOT 52, NEWCASTLE RESERVE, SECTION 1, NANAIMO DISTRICT
LOT SIZE:	+/- 1,353 SQ.M.
CURRENT ZONING:	R4 DUPLEX RESIDENTIAL
PROPOSED ZONING:	R6 TOWNHOUSE RESIDENTIAL
PROPOSED UNIT FLOOR AREA:	
UNITS 1, 3 & 4	MAIN FLOOR +/- 592 SQ.FT. UPPER FLOOR +/- 592 SQ.FT.
UNIT 2	MAIN FLOOR +/- 505 SQ.FT.
LOT COVERAGE:	EXISTING +/- 8% PROPOSED +/- 24% (MAX. 40%)
F.A.R.:	PROPOSED +/- 0.43 (MAX. 0.45)
PARKING REQUIRED:	5 UNITS @ 1.62/UNIT (AREA 2) = 8 CARS 1 UNIT @ 1.26/UNIT (AREA 2) = 1 CAR
PARKING PROVIDED:	9 CARS

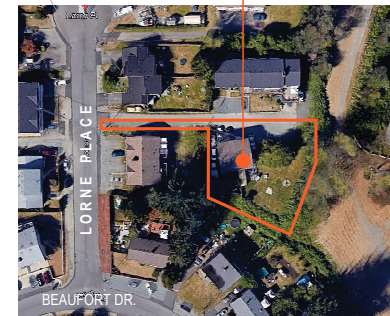
** ALL AREAS AND DIMENSIONS ARE APPROXIMATE.

** INFORMATION DERIVED FROM SURVEY PREPARED BY OTHERS AND CITY OF NANAIMO MAPPING.



SITE PLAN

RECEIVED
RA444
2020-APR-17
Current Planning



**SUBJECT
SITE**

DELINIA
DESIGN CONSULTANTS LTD.
4378 O'BRIEN ROAD - LADYSMITH BC - V9G 1G2
phone/fax: 250.245.3894
email: delinia@delinia.net

PROPOSED REZONING
30/32 Lorne Place
nanaimo b.c.

DRAWING TITLE:
schematic site plan

SCALE:
as noted

DRAWN BY:
A.H.

NUMBER:
d1412.03.16

ISSUED:

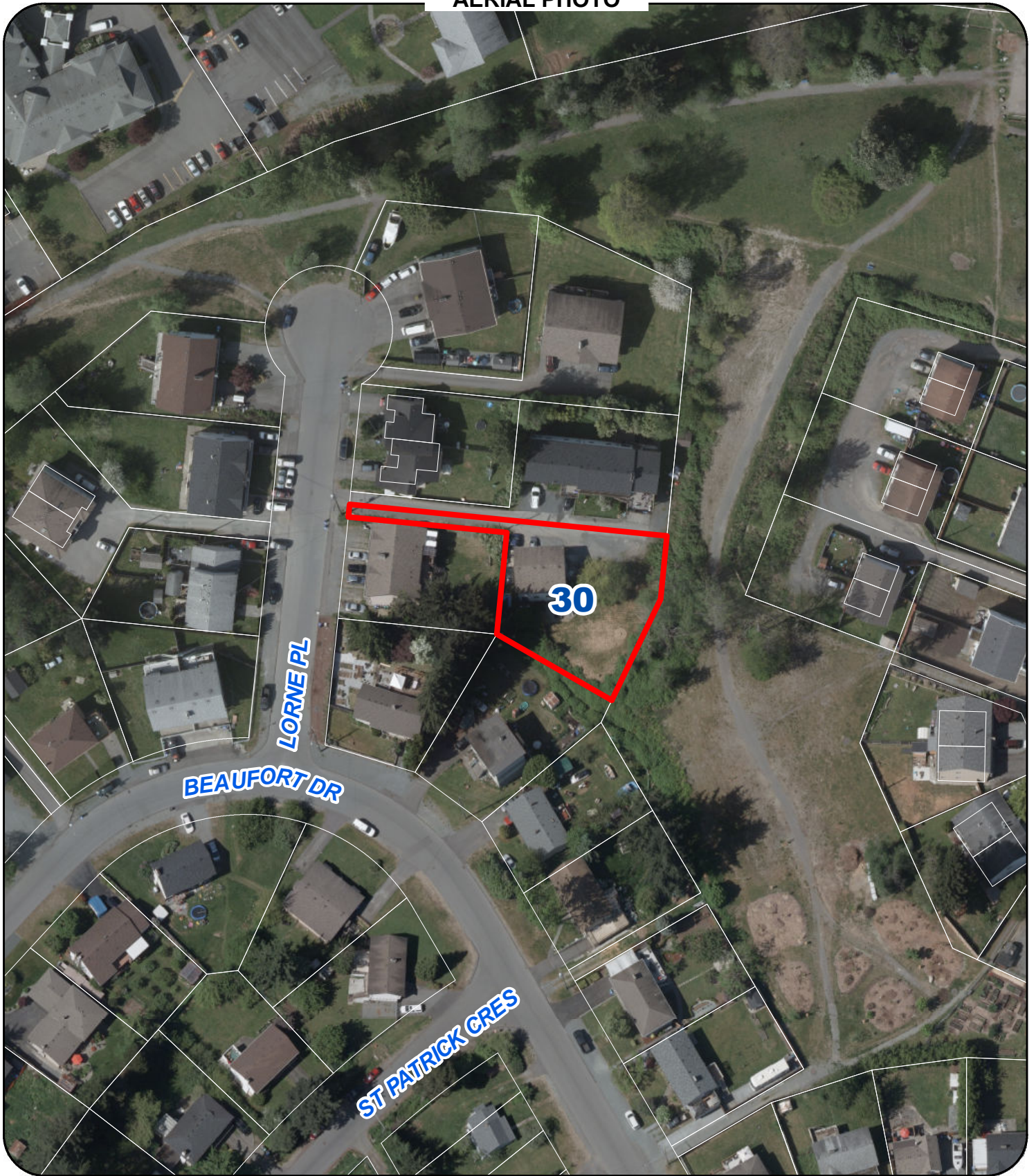
client review	24 MARCH 2016
client review	18 APRIL 2016
rezoning	19 APRIL 2016
revised	17 JULY 2019
revised	10 OCT 2019
revised	17 APRIL 2020

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEYS, DIMENSIONS, LOCATION OF BUILDING, ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS. COPYRIGHT RESERVED. THESE PLANS ARE THE PROPERTY OF DELINIA DESIGN CONSULTANTS LIMITED. TO BE USED ONLY FOR THE PROJECT SHOWN. UNAUTHORIZED REPRODUCTION OR USE IN ANY MANNER IS NOT PERMISSIBLE.

PAGE NO.

PR1.1

ATTACHMENT C
AERIAL PHOTO



 SUBJECT PROPERTY

REZONING APPLICATION NO. RA000444

CITY OF NANAIMO

BYLAW NO. 4500.177

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 2020 No. 4500.177".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 32, SUBURBAN LOT 52, NEWCASTLE RESERVE, SECTION 1, NANAIMO DISTRICT, PLAN 18612 (30 Lorne Place) from Duplex Residential (R4) to Low Density Residential (R6) as shown on Schedule A.

PASSED FIRST READING: 2020-MAY-25
PASSED SECOND READING: 2020-MAY-25
PUBLIC HEARING HELD: _____
PASSED THIRD READING: _____
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000444
Address: 30 Lorne Place

42