

DATE OF MEETING November 18, 2019

AUTHORED BY BRIAN ZUREK, PLANNER

**SUBJECT OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION
NO. OCP90 AND REZONING APPLICATION NO. RA423 –
4392 JINGLE POT ROAD**

OVERVIEW

Purpose of Report

To present for Council’s consideration, an Official Community Plan amendment application to amend the land-use designation within the Official Community Plan from Neighbourhood to Corridor; and to concurrently present for Council’s consideration a Zoning Bylaw amendment application to rezone the subject property from Single Dwelling Residential (R1) to Mixed Use Corridor (COR2) to allow for a future residential or mixed-use development.

Recommendation

That:

- a) “Official Community Plan Amendment Bylaw 2019 No. 6500.041” (To re-designate 4392 Jingle Pot Road on the Future Land Use Plan [Map 1] from Neighbourhood to Corridor) pass first reading;
- b) “Official Community Plan Amendment Bylaw 2019 No. 6500.041” pass second reading;
- c) “Zoning Amendment Bylaw 2019 No. 4500.153” (To rezone 4392 Jingle Pot Road from Single Dwelling Residential [R1] to Mixed Use Corridor [COR2]) pass first reading;
- d) “Zoning Amendment Bylaw 2019 No. 4500.153” pass second reading; and
- e) Council direct Staff to secure road dedication, infrastructure upgrades, vehicle access across the adjacent property, and a community amenity contribution prior to adoption of the bylaw should Council support the bylaw at third reading.

BACKGROUND

Mr. Jim Kennedy (Steve Marshall Ford Lincoln Ltd.) submitted an Official Community Plan (OCP) amendment application (OCP90) and a concurrent “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) amendment application (RA423) for the property at 4392 Jingle Pot Road to allow a future residential or mixed-use development.

Subject Property

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| <i>Location</i> | The subject property is located south of the intersection of Jingle Pot and Shenton Roads in Nanaimo’s Wellington Neighbourhood. |
| <i>Total Area</i> | 725m ² |
| <i>Current OCP Designation</i> | Neighbourhood |
| <i>Proposed OCP Designation</i> | Corridor |
| <i>Current Zoning</i> | Single Residential Dwelling (R1) |
| <i>Proposed Zoning</i> | Mixed Use Corridor (COR2) |

The subject property is a corner lot occupied by a single residential dwelling. In addition to frontage on Jingle Pot and Shenton Roads, the high-visibility site is near the Island Highway Corridor, which includes the E & N railway and multi-use trail. The parcel is adjacent to the Steve Marshall Ford Lincoln vehicle dealership and less than 250m from Diver Lake. |

DISCUSSION

Proposed Development

The applicant proposes to maintain the existing single family dwelling on the subject property while amending the OCP and Zoning Bylaw designations to allow for a future residential or mixed-use development.

The owner of the subject property currently owns the adjacent Steve Marshall Ford Lincoln dealership. By introducing a Corridor land use on the subject property, the owner could potentially develop complementary service uses within a mixed-use development adjacent to the dealership, or consider a more intensive residential development at a future date. The proposed COR2 zoning would not allow for sales, service, and rental of vehicles on the subject property.

At the time of redevelopment, works and services would be required along the Jingle Pot and Shenton Road frontages, including street lighting and new concrete curb, gutter, and sidewalk. Additionally, as a condition of rezoning, the City would require the owner to close the existing vehicle access off Jingle Pot Road and establish an easement over the adjacent parcel at 3851 Shenton Road (Steve Marshall Ford Lincoln) to provide access to the subject property.

Official Community Plan

The OCP designates the property as Neighbourhood, which provides for low-density residential development along with parks and open spaces, schools, and local service centres for residents. The subject property and adjacent lots on Chantrells Place are the only residentially-designated properties along the Island Highway corridor between Rutherford Road and Country Club Mall.

The subject property's existing Neighbourhood designation reflects the single family residential pattern of development along Jingle Pot Road between Shenton Road and Labieux Road. Other parcels near this portion of the Island Highway corridor are generally larger, and designated Corridor, Industrial, or Commercial Centre—each supporting forms of more intensive land use.

The Corridor designation would support multi-family (50-150 units per hectare) or mixed-use development in a two- to six-storey building. The relatively small lot size would limit the form and scale of any future development proposal, and aid the transition down to the surrounding residential neighbourhood. Re-designating the subject property would create a continuous east-west Corridor along Shenton/Wellington Roads, and provide a buffer from the Island Highway.

The OCP classifies streets fronting the subject property as Major Roads, which supports the adjacent and more intensive land uses.

Community Consultation

As per Section 7.1.7 of the OCP, an applicant wishing to amend the OCP must meet with neighbourhood residents to discuss the development proposal and to receive comments from members of the community. On 2019-APR-04, the applicant attended the monthly Wellington Action Committee meeting to discuss the proposed development with the neighbourhood. The meeting satisfied the policy requirement for community consultation as part of an OCP amendment application process.

Zoning

The Zoning Bylaw recognizes the existing use of the subject property to support a single residential dwelling. The subject property is near a provincial transportation corridor and adjacent to two major city roads. By rezoning the subject property, the owner could take advantage of the property's high visibility and introduce a residential or mixed-use development on the subject property that would be compatible in form and scale with the adjacent residential lots on Chantrells Place and businesses on Shenton Road.

The proposed COR2 zone would allow stand-alone residential or mixed-use (residential and commercial) development on the subject property. As noted previously, the COR2 zone would not permit the sales, service, and rental of vehicles on the subject property.

The size of the lot would limit the scale of a future development proposal. The subject property is located at the intersection of two major roads, so a multi-family or mixed-used development could provide a transitional buffer between commercial-oriented uses along the Island Highway and neighbourhood residential uses along Chantrells Place. Any development proposal would be subject to the applicable land-use regulations and design guidelines, including those that address density, building height, setbacks, lot coverage, permitted uses, and parking requirements.

Community Amenity Contribution

As outlined in Section 7.3 of the OCP, in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution. As the applicant does not yet have a redevelopment proposal for the subject property, they are proposing to secure the community contribution through a Section 219 *Land Title Act* covenant, as follows:

- \$1,000 per residential unit, and
- \$34 per square metre of commercial floor space.

The total amount will be based on the future development proposal to be paid prior to the issuance of a building permit.

The applicant proposes to direct the community amenity contribution towards recreation improvements at Diver Lake.

Staff support the proposed community amenity contribution.

Conditions of Rezoning

Should Council support this application and pass third reading of Bylaw No. 4500.153, Staff recommend the following items be secured through Section 219 *Land Title Act* covenant prior to final adoption of the bylaw:

1. *Transportation and Service Infrastructure* – Infrastructure upgrades including concrete curb, gutter, and sidewalk; new LED street lighting; removal of existing asphalt from the City boulevard; and storm water infrastructure as a condition of Building Permit issuance.
2. *Road Dedication* – Approximately 1.5m wide of road dedication along the Jingle Pot Road frontage.
3. *Vehicle Access* – Restricting vehicle access to Shenton Road via 3851 Shenton Road. Additionally, the City would also require an easement on the title of 3851 Shenton Road in favour of 4392 Jingle Pot Road, securing vehicle access to the subject property.
4. *Community Amenity Contribution* – Future calculations based on the rate of \$1,000 per residential unit and \$34 per square metre of commercial floor space to be directed towards recreation improvements at Diver Lake.

Staff support the proposed OCP and Zoning Bylaw amendments.

SUMMARY POINTS

- The applicant proposes to amend the OCP's future land-use designation at 4392 Jingle Pot Road from Neighbourhood to Corridor, and to concurrently rezone the subject property from Single Dwelling Residential (R1) to Mixed Use Corridor (COR2) for future redevelopment.
- The proposed amendments are consistent with the adjacent property to the east and would allow a mixed-use or medium-density residential development that could provide a transition from the Island Highway corridor to low-density residential uses.
- Staff support the proposed OCP and Zoning Bylaw amendments.

ATTACHMENTS:

ATTACHMENT A: Location Plan and Official Community Plan Designation Map

ATTACHMENT B: Zoning Map

ATTACHMENT C: Conceptual Site Plan

ATTACHMENT D: Aerial Photo

“Official Community Plan Amendment Bylaw 2019 No. 6500.041”

“Zoning Amendment Bylaw 2019 No. 4500.153”

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