

DATE OF MEETING | April 23, 2018 |

AUTHORED BY | TAMERA ROGERS, PLANNER, CURRENT PLANNING AND SUBDIVISION |

**SUBJECT** | **REZONING APPLICATION NO. RA387 – 311 SELBY STREET** |

## OVERVIEW

### **Purpose of Report**

To present Council with an application to rezone the property located at 311 Selby Street from Community Service Three (CS3) to Fitzwilliam (DT2) to allow an office use in the existing building and to facilitate future redevelopment of the property. |

### **Recommendation**

1. | That “Zoning Amendment Bylaw 2018 No. 4500.120” [To rezone 311 Selby Street from Community Service Three (CS3) to Fitzwilliam (DT2)] pass first reading;
2. | That “Zoning Amendment Bylaw 2018 No. 4500.120” pass second reading; and,
3. | That Council direct Staff to secure the closure of the Selby Street access and the community contribution through a covenant prior to the adoption of the bylaw, should Council support the bylaw at third reading. |

## BACKGROUND

A rezoning application (RA387) for 311 Selby Street was received from Donna Hais on behalf of the property owner, Lindsay Widsten. The applicant proposes to rezone the subject property from Community Service Three (CS3) to Fitzwilliam (DT2) to allow an office use in the existing building and to facilitate future redevelopment of the property.

The subject property was originally part of the E&N railway right-of-way and the existing building was historically used as a utility building for telecommunications. There is no longer a need for this use on the subject property and the telecommunications tower has been removed.

### **Subject Property & Site Context**

<i>Location</i>	The subject property is located at the southwest corner of Fitzwilliam Street and Selby Street.
<i>Total Lot Area</i>	1,231m <sup>2</sup>
<i>Current Zone</i>	CS3 – Community Service Three
<i>Proposed Zone</i>	DT2 - Fitzwilliam
<i>Official Community Plan Designation</i>	Downtown Centre Urban Node
<i>Nanaimo Downtown Plan Designation</i>	Old City Commercial

The subject property is adjacent to the E&N railway, at the corner of Selby Street and Fitzwilliam Street in the Old City Quarter. The area is characterized by a mix of commercial, service, and residential uses in buildings that vary from new construction to heritage-designated properties.

This property is part of the Fitzwilliam Street Heritage Gateway, which extends east along Fitzwilliam Street from the E&N railway and south to the old railway station on Selby Street. The location of the subject property marks an important historical entry point to Nanaimo. |

## **DISCUSSION**

### **Proposed Development**

The applicant is proposing to rezone the subject property in order to allow an office use in the existing building. The existing CS3 zone is intended for transportation terminals, depots, corridors, and other required infrastructure and does not allow any of the commercial, residential, and service uses anticipated in the Downtown Centre Urban Node. If approved, the rezoning would allow the use of this building for office space until the property redevelops at a later date. The façade of the building would be updated with exterior paint and finishes to reflect the new office use.

No road dedication is required. Full works and services will be required for the property frontage through future redevelopment of the subject property.

The existing access on Fitzwilliam Street is required to be closed as a condition of rezoning due to its adjacency to the E&N railway crossing. As a result of consultation with Southern Railway of Vancouver Island, it was determined the access is located too close to the railway per the Transport Canada Grade Crossing Standards. The Selby Street property access will be maintained.

### **Official Community Plan**

The subject property is located within the Downtown Centre Urban Node designation (Section 2.1) of the Official Community Plan (OCP). The Downtown Centre Urban Node designation encourages uses that promote the downtown as the heart of the city. These uses include retail, personal service, professional and government offices, cultural facilities, and community services. The anticipated residential density range is 150 or more units per hectare (uph) in highrise building forms. Medium-density residential between 50 to 150 uph is also supported.

The existing CS3 zone reflects the historic use of the property, which only permits transportation-related uses that are no longer suitable for this location. The proposed rezoning would allow an interim office use in the existing building and animate a prominent corner property that serves as a gateway to downtown. It would also facilitate the future redevelopment of the property under the DT2 zone, which permits uses that are more compatible with the objectives of the Downtown Centre Urban Node designation.

### *Community 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 covenant, as follows:

- \$1,000/dwelling unit; and,
- \$34/m<sup>2</sup> of commercial gross floor area.

The total contribution 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 contribution towards the City's Housing Legacy Reserve Fund. Staff support this proposal.

### *Nanaimo Downtown Plan*

The Nanaimo Downtown Plan designates the subject property as Old City Commercial within the Fitzwilliam character area. This area is characterized by a mixed-use, old style shopping street and encourages street-oriented residential or mixed-use, medium-rise infill developments. The proposed DT2 zone meets the intent of the Neighbourhood Plan in terms of use and density, and will facilitate the redevelopment of the property.

### **Transportation Master Plan**

The subject property is located within the Downtown Mobility Hub. The Transportation Master Plan envisions increased residential and commercial densities in this mobility hub to provide broader access to services, as well as improvements to the transportation network that will encourage more sustainable transportation choices. The proposed DT2 zone supports this objective.

### **Conditions of Rezoning**

Should Council support this application and pass third reading of Bylaw No. 4500.120, Staff recommend the following items be secured through covenant prior to final adoption of the bylaw:

- *Community Contribution* – Monetary contribution of \$1,000/dwelling unit and \$34/m<sup>2</sup> of new commercial gross floor area to be directed towards the City's Housing Legacy Reserve Fund.
- *Closure of Fitzwilliam Street Access* – Due to its proximity to the railway, the Fitzwilliam Street access is required to be closed as a condition of the rezoning.

### **Community Planning and Development Committee**

The Community Planning and Development Committee, at its meeting held on 2018-MAR-20, recommended that Council approve the rezoning application.

### **SUMMARY POINTS**

- The application is to rezone the subject property from Community Service Three (CS3) to Fitzwilliam (DT2) to allow an office use in the existing building.
- The proposed development meets the policy objectives of the OCP and will facilitate the future redevelopment of the property under the DT2 zone, which allows uses that are more compatible with the objectives of the Downtown Centre Urban Node designation.
- The community contribution will be secured through a covenant at a rate of \$1,000 per dwelling unit and \$34/m<sup>2</sup> of new commercial gross floor area to be directed towards the City's Housing Legacy Reserve Fund.

### **ATTACHMENTS**

ATTACHMENT A: Location Plan  
ATTACHMENT B: Conceptual Site Plan  
ATTACHMENT C: Conceptual Building Elevations  
ATTACHMENT D: Aerial Photo  
"Zoning Amendment Bylaw 2018 No. 4500.120" |

#### **Submitted by:**

L. Rowett, Manager  
Current Planning and Subdivision

#### **Concurrence by:**

D. Lindsay, Director  
Community Development