

DATE OF MEETING December 20, 2021

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**SUBJECT REZONING APPLICATION NO. RA453 – 6033 AND 6053 NELSON ROAD**

## **OVERVIEW**

### **Purpose of Report**

To present Council with an application to rezone the properties located at 6033 and 6053 Nelson Road from Single Dwelling Residential (R1), Duplex Residential (R4), and Low Density Residential (R6) to Low Density Residential (R6) and Medium Density Residential (R8) to allow for two multi-family developments, with a site-specific height of 22.5m for the R8-zoned portion (proposed Lot B) when a minimum of 50% of the required parking spaces are beneath the building. In addition, the Parks Recreation and Culture One (PRC-1) zone would be added to an area 4,300m<sup>2</sup> in size; and a 350m<sup>2</sup> portion of PRC-1 zoned area would be rezoned to R8.

### **Recommendation**

That:

1. "Zoning Amendment Bylaw 2021 No. 4500.196" (to rezone 6033 and 6053 Nelson Road from the Single Dwelling Residential [R1], Duplex Residential [R4], Low Density Residential [R6] and Parks Recreation and Culture One [PRC-1] to Low Density Residential [R6] and Medium Density Residential [R8] and Parks Recreation and Culture One [PRC-1] to allow for a multi-family residential development) pass first reading;
2. "Zoning Amendment Bylaw 2021 No. 4500.196" pass second reading; and
3. Council direct Staff to secure park and road dedication, subdivision covenant and PLA, pedestrian covenant and statutory right-of-way, and the monetary community amenity contribution, should Council support the bylaw at third reading.

## **BACKGROUND**

A rezoning application (RA456) for 6033 and 6053 Nelson Road was received from MacDonald Gray Consultants on behalf of Insight Holdings Ltd. The applicant is proposing to rezone the two properties at 6033 and 6053 Nelson Road from Single Dwelling Residential (R1), Duplex Residential (R4), and Low Density Residential (R6) to Low Density Residential (R6) and Medium Density Residential (R8) to allow for two multi-family developments, with a site-specific height of 22.5m for the R8-zoned portion (proposed Lot B) when a minimum of 50% of the required parking spaces are provided beneath the building. In addition, the Parks Recreation and Culture One (PRC-1) zone would be added to an area 4,300m<sup>2</sup> in size, and a 350m<sup>2</sup> portion of PRC-1-zoned area would be rezoned to R8.

## Subject Property and Site Context

<i>Location</i>	The two subject properties are located in North Nanaimo between Nelson Road and Linley Valley Drive adjacent to Randerson Ridge Elementary School.
<i>Lot Area</i>	Area of proposed R6 zoned portion (Lot A) = 1.32ha Area of proposed R8 zoned portion (Lot B) = 1.62ha Total Area = 2.94ha
<i>Current Zones</i>	Single Dwelling Residential (R1) Duplex Residential (R4) Low Density Residential (R6) Parks Recreation and Culture One (PRC-1)
<i>Proposed Zones</i>	Low Density Residential (R6) Medium Density Residential (R8) Parks Recreation and Culture One (PRC-1)
<i>Official Community Plan Designations</i>	Corridor and Neighbourhood

Both subject properties are forested, and the property at 6033 Nelson Road also contains two residential buildings. The properties slope from Nelson Road down to Linley Valley Drive, and Molecey Creek runs along the southern property boundaries. Randerson Ridge Elementary School is located to the east, multi-family uses are located to the south, and single family residential dwellings are located to the north. The adjacent vacant parcel to the west is zoned Medium Density Residential (R8). A multi-family development permit was recently approved for the property at 6030 Linley Valley Drive. |

## **DISCUSSION**

### **Proposed Development**

The applicant is proposing to rezone the two properties at 6033 and 6053 Nelson Road to allow for two multi-family developments and park dedication. The conceptual plans show a proposed lot line adjustment to create Lot A (1.32ha), which is proposed to be zoned Low Density Residential (R6), and Lot B (1.62ha), which is proposed to be zoned Medium Density Residential (R8).

#### *Proposed Lot A*

Lot A is proposed to be zoned R6, and the development concept for Lot A shows 28 townhouse units in two-storey building forms with a proposed Floor Area Ratio (FAR) of 0.45, which is permitted in the R6 zone. The maximum allowable building height in the R6 zone is 9m. Driveway access to proposed Lot A would be from Nelson Road.

#### *Proposed Lot B*

Lot B is proposed to be zoned R8, and the development concept for Lot B anticipates two multi-family buildings in a six-storey building form with a proposed FAR of 1.05, which is below the allowable FAR of 1.25 in the R8 zone. The maximum allowable building height in the R8 zone is 14m, thus the applicant is requesting a site-specific height allowance of 22.5m to allow for a

six-storey building form with a minimum of 50% of the required parking spaces beneath the building. A taller building with less surface parking on the property will create the opportunity for similar density with more tree retention and less disruption of the sensitive steep slope and riparian areas. Driveway access to proposed Lot B would be from Linley Valley Drive.

#### *Park Dedication*

In addition, the applicant is proposing to zone an area 4,300m<sup>2</sup> in size as 'Parks, Recreation and Culture One' (PRC-1) in the southern portion of the property at 6033 Nelson Road and this area will be dedicated to the City. Currently, a 350m<sup>2</sup> area of private property in the southern section of 6053 Nelson Road is zoned PRC-1, thus it is proposed to zone this portion R8 as this area is anticipated to be the location for the driveway access to proposed Lot B from Linley Valley Drive.

### **Policy Context**

#### *Official Community Plan*

The Official Community Plan (OCP) designates the northern portion of the two subject properties (proposed Lot A) as 'Neighbourhood' and designates the southern portion of the properties (proposed Lot B) as 'Corridor'.

The 'Neighbourhood' designation supports residential infill and a mix of housing types, including ground-oriented multi-family units two to four storeys in height, with a maximum density of 10-50 units per hectare (uph). The development concept for proposed Lot A would achieve a density of approximately 21 uph in a ground-oriented townhouse building form, envisioned to be two storeys in height, which is consistent with the Neighbourhood designation policies.

The 'Corridor' designation supports a mix of residential, commercial, professional and service uses, with residential densities from 50 to 150 uph in two- to six-storey building forms. The 'Corridor' designation also encourages sensitivity in the site design and the form of residential density, with emphasis on minimizing impact to steep slopes and riparian areas, as well as encouraging green space, landscaped areas, and pedestrian circulation. The development concept for proposed Lot B anticipates a density of approximately 86 uph in a six-storey building form, which is supported in the Corridor designation. In addition, the applicant has demonstrated that the buildings can be sited outside the aquatic setback areas, and that a minimum of 50% of the parking spaces can be provided beneath the building. The proposed rezoning meets the intent of the OCP future land use designations for the two properties.

#### *Transportation Master Plan*

The property at 6033 Nelson Road falls within the 200m buffer of the North Nanaimo mobility hub, and the property at 6053 Nelson Road falls within the focal area of the North Nanaimo mobility hub. The Transportation Master Plan anticipates a mix of medium- to high-density residential development in the North Nanaimo mobility hub, thus the City will focus on improving pedestrian and cyclist mobility, as well as transit services within this area. A bus stop for the VIU Express Bus (Route 40) is within 350m of the subject properties, which provides access to Woodgrove Mall to the north, and to the Country Club exchange to the south. The Country Club exchange provides access to several bus routes for downtown, the hospital area, and the ferry terminals.

### *Affordable Housing Strategy*

The Nanaimo Affordable Housing Strategy (AHS) supports infill in existing low-density areas and supports the diversification of housing forms in all neighbourhoods. The proposed rezoning aligns with the AHS objectives by providing the opportunity for an increase in density within an existing neighbourhood and by allowing a mix of unit types.

### **Community Consultation**

A rezoning sign was posted on both the Nelson Road and Linley Valley Drive street frontages in December 2020. An online public information meeting was held on 2021-OCT-12. The applicant sent notice regarding this meeting to the Randerson Ridge Parent Advisory Committee, and the notice was published in two editions of the Nanaimo News Bulletin, and was sent to property owners within 50m of the subject properties. The applicant reported that the comments received at the meeting included:

- A concern regarding the proposed two driveways and increased traffic on Nelson Road.
- Support for a proposed public pedestrian path from Linley Valley Drive to Nelson Road and the school.
- Support for tree retention between the proposed townhouse units and the school.

The applicant is proposing two driveway access points on Nelson Road, with one being a shared driveway with 6089 Nelson Road and proposed Lot A, such that on the south side of Nelson Road, there would only be two driveway access points between Turner Road and the Randerson Ridge Elementary School property. The applicant submitted a Traffic Impact Assessment 2020-MAR-26 (Watt Consulting Group) that recommends a sidewalk be located on the Nelson Road property frontage. Road dedication will be taken from the frontage of the subject properties on Nelson Road to allow for the City's complete street design (including a sidewalk and bike path) at the time of development.

The applicant is proposing a public pedestrian route that will allow access from Linley Valley Drive to Nelson Road. A continuation of the pedestrian path in the park along Molecey Creek is also proposed to be constructed by the applicant at the time of building permit.

At the time of development permit application, a tree management plan and landscape plan will be required, and a landscape buffer with trees will be required to be a minimum width of 1.8m along the side property lines. In addition, the "Management and Protection of Trees Bylaw 2013 No. 7126" will require protection of 20% of the trees on proposed Lots A and B.

### **Community Amenity Contribution**

As outlined in Section 7.3 of the OCP, applicants are encouraged to provide an amenity contribution as part of their rezoning proposal. For this application, the rate of \$1,000 per unit is applicable, with payment at the building permit stage. The amenity contribution is expected to be approximately \$160,000 based on the development concept provided, and it is recommended that 20% of the funds be directed to a bus shelter or active transportation infrastructure, 40% to the Housing Legacy Reserve Fund, and 40% to parks in north Nanaimo.

## Conditions of Rezoning

Should Council support this application and pass third reading of “Zoning Amendment Bylaw 2021 No. 4500.196”, Staff recommend the following items be secured prior to final adoption of the bylaw:

1. *Park and Road Dedication*

Registration of a road dedication plan for a width of 2.5m from the frontage of 6033 and 6053 Nelson Road. Registration of a park dedication plan for the southern portion of 6033 Nelson Road.

2. *Subdivision Covenant and PLA*

To ensure a commitment to the development concept as proposed, Staff recommend:

- The applicant submit a subdivision application and the City issue a Preliminary Layout Approval (PLA) for proposed Lots A and B; and
- A covenant to be registered on the titles of 6033 and 6053 Nelson Road stating that there be no independent sale of the properties and no building on the properties until the rezoning and lot line adjustment process is complete.

3. *Pedestrian Covenant and Statutory Right-of-Way(s)*

The statutory right-of-way and related covenant CA4430959 that is currently registered on the property title(s) should be replaced to: a) secure a public pedestrian access from Linley Valley Drive to Nelson Road; b) secure the extension of the pedestrian path along Molecey Creek through to Linley Valley Drive; and c) ensure these pedestrian trails be constructed to City standards. The specific location of the pedestrian paths would be finalized and secured at the time of development permit application, and would be constructed at the time of building permit application.

4. *Community Amenity Contribution*

That a covenant be registered on the titles of both subject properties to secure a monetary contribution of \$1,000 per dwelling unit prior to the issuance of building permit.

### **SUMMARY POINTS**

- The applicant is proposing to rezone the two properties at 6033 and 6053 Nelson Road to Low Density Residential (R6), Medium Density Residential (R8), and Parks Recreation and Culture One (PRC-1), with a site-specific building height of 22.5m for the R8-zoned portion (proposed Lot B) when a minimum of 50% of the required parking spaces are located beneath the building.
- The proposed rezoning will allow for a ground-oriented townhouse multi-family development on proposed Lot A, and a six-storey multi-family development on proposed Lot B.
- The proposed rezoning meets the objectives of the Official Community Plan Neighbourhood and Corridor designations.
- A Community Amenity Contribution is proposed for a bus shelter or active transportation infrastructure, park improvements in north Nanaimo, and to the Housing Legacy Reserve Fund.

**ATTACHMENTS:**

ATTACHMENT A: Context Map  
ATTACHMENT B: Official Community Plan Map  
ATTACHMENT C: Location Plan  
ATTACHMENT D: Conceptual Site Plan  
ATTACHMENT E: Conceptual Subdivision Plan  
ATTACHMENT F: Conceptual Massing  
ATTACHMENT G: Shadow Study  
ATTACHMENT H: Aerial Photo  
“Zoning Amendment Bylaw 2021 No. 4500.196”

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