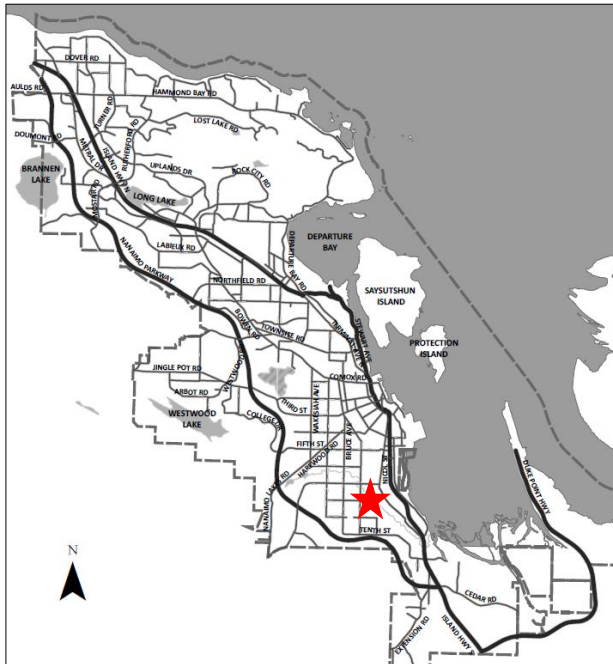


DATE OF MEETING | February 27, 2023

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING

SUBJECT | REZONING APPLICATION NO. RA484 – 878 PARK AVENUE



Proposal:

Rezone to allow for a multi-family residential development.

Current Zoning:

R10 – Steep Slope Residential

Proposed Zoning:

R6 – Low Density Residential with site-specific density and height provisions

City Plan Land Use Designation:

Suburban Neighbourhood

Lot Area:

Current – 1.82ha

Proposed – 1.10ha (post subdivision)



OVERVIEW

Purpose of Report

To present Council with an application to rezone 878 Park Avenue from Steep Slope Residential (R10) to Low Density Residential (R6) with site-specific density and height provisions, to facilitate a multi-family residential development. |

Recommendation

That:

1. “Zoning Amendment Bylaw 2023 No. 4500.206” (To rezone 878 Park Avenue from Steep Slope Residential [R10] to Low Density Residential [R6] with site-specific density and height provisions) pass first reading;
2. “Zoning Amendment Bylaw 2023 No. 4500.206” pass second reading; and,
3. Council direct Staff to secure the conditions related to “Zoning Amendment Bylaw 2023 No. 4500.206” as outlined in the “Conditions of Rezoning” section of the Staff Report dated 2023-FEB-27 should Council support the bylaw at third reading. |

BACKGROUND

A rezoning application, RA484, was received from Human Studio Architecture + Urban Design, on behalf of 1231943 BC Ltd., to rezone 878 Park Avenue to facilitate a low density multi-family residential development.

Subject Property & Site Context

The subject property is located on the east side of Park Avenue between Seventh Street and Eighth Street in the Harewood Neighbourhood. The lot is irregularly-shaped with two panhandle portions abutting Park Avenue. The property consists of two relatively flat sections separated by a steep slope with an approximate change in grade of 8m. The lower section of the lot is adjacent to the Chase River to the east, while the higher section of the lot is closer to Park Avenue. The site is presently vacant, having historically been cleared of vegetation and formerly used for agricultural purposes.

The surrounding neighbourhood is primarily low density residential including single residential dwellings and some duplex lots to the south and west. A 25-unit three-storey co-housing development and a 36-unit townhouse development are across the Chase River to the northeast. An undeveloped portion of the Chase River Watercourse Park immediately abuts the property to the north and east. A BC Transit bus route has stops on Park Avenue directly in front of the subject property, and other nearby amenities include Park Avenue Elementary School approximately 100m to the south and the Harewood Heights shopping plaza approximately 400m to the west. |

DISCUSSION

Proposed Zoning

The applicant is proposing to rezone the property from Steep Slope Residential (R10) to the Low Density Residential (R6) zone with site-specific density and height provisions. The proposed site-

specific density is a Floor Area Ratio (FAR) of 0.81 and the proposed site-specific height is 12.5m for sloped roof buildings, except where located within 7.5m from an adjacent residential-zoned property where the maximum building height is 9m. A comparison between the existing and proposed zones is shown in the table below.

	Existing R10 zone	Proposed site-specific R6 zone
<i>Maximum Density</i>	0.45 FAR; 0.55 FAR with Tier 1 additional density; or 0.70 FAR with Tier 2 additional density Maximum of 16 dwelling units per hectare (exclusive of the watercourse leave strip)	0.81 FAR after road and park dedications (would otherwise be 0.35 FAR without dedications)
<i>Maximum Building Height</i>	7m for flat roof buildings and 9m for sloped roof buildings	7m for flat roof buildings and 12.5m for sloped roof buildings (9m within 7.5m setback from adjacent properties)
<i>Minimum Setbacks</i>	4.5m front yard setback and 1.5m side yard setback	6m front yard setback and 3m side yard setback

As part of the rezoning application, the steep slope and downslope sections of the property will be dedicated to the City as park. In addition to the park dedication, road dedication is proposed along the south property line for a future extension of Murray Street to a half-road standard on the east side of Park Avenue. This road dedication will not only provide vehicle access to the site but will also facilitate future subdivision for lands to the south. The site is further encumbered by the 30m required setback from the top-of-bank above the Chase River where riparian restoration is proposed (see Attachment F). No encroachment into the watercourse setback is proposed and a no build / no vegetation removal covenant will be secured as a condition of rezoning. Environmental protection fencing will also be required along the edge of the riparian restoration area and park boundary, to be secured as a condition of rezoning.

The proposed zoning is appropriate given that the steep slope portions of the lot will be excluded from the development parcel. The rezoning achieves the intent of the City's policies for steep slopes clustering development and protecting environmentally-sensitive features. Both the existing R10 zone and proposed R6 zone would allow ground-oriented multi-family residential development.

Conceptual development plans illustrate how the applicant intends to develop the constrained property under the proposed zone. The concept plan envisions approximately 32 dwelling units clustered in ground-oriented two- to three-storey buildings. The majority of parking is shown to be underground.

Policy Context

City Plan – Future Land Use

The City Plan identifies the subject property within the Suburban Neighbourhood future land use designation where low-density ground-oriented residential building forms are contemplated with

typical building heights of up to three storeys. The proposed zoning meets the intent of City Plan policies by facilitating ground-oriented multi-family residential development that complements the housing diversity in the existing neighbourhood in proximity to existing amenities.

Harewood Neighbourhood Plan

The Harewood Neighbourhood Plan (HNP) contemplates a mix of low density and multi-family residential housing at this location. The South Harewood Framework section of the HNP specifically identifies the property as a candidate site for multi-family residential infill. The HNP also supports the dedication of new open space adjacent to the Chase River and the extension of Murray Street (HNP Figure 19). The proposed rezoning meets the intent of the HNP land use and development policies.

Affordable Housing Strategy / City Plan

The Nanaimo Affordable Housing Strategy (AHS) and City Plan (D4.5 Neighbourhoods) supports infill and intensification in existing neighbourhoods and promotes the diversification of housing forms in all neighbourhoods. The proposed rezoning aligns with the AHS and City Plan by providing opportunities for a mix of housing forms in an existing neighbourhood.

City Plan – Mobility Network

The subject property is located outside of an urban centre as identified in Figure 36 of City Plan. Park Avenue is envisioned as a secondary active mobility route and is designated as a Mobility Collector in Schedule 4 (“Road Network”). The extension of Murray Street on the east side of Park Avenue is expected to be built to the Urban Local standard and given the limited width of road dedication (approximately 10.1m), a Statutory Right-of-Way for vehicle turnaround will be secured at the eastern end of Murray Street as a condition of rezoning. It is expected that the full width of Murray Street will be achieved through the development of adjacent lands.

Opportunities for further active transportation connections through the site were explored as part of the rezoning process, however no viable option was identified given the environmental and geotechnical constraints posed by the Chase River.

Community Consultation

The subject property is within the area of the Harewood Neighbourhood Association. The application was forwarded to the association and no comments have been received to date. Between 2022-MAR-08 and 2022-MAY-13, the applicant conducted public consultation including meeting with the Harewood Neighbourhood Association, meeting with adjacent neighbours, and hosting a virtual public open house. Notification for the open house was distributed by pamphlet to residents in the surrounding neighbourhood. Residents from approximately 10 households attended the open house.

Some neighbours expressed concerns regarding parking and traffic. The applicant has demonstrated that the required parking can be accommodated onsite in the conceptual development plans. Frontage works will be required at the time of building permit to formalize improvements on Park Avenue.

While the applicant has noted that there were generally supportive comments regarding the conceptual design, some concerns were expressed regarding the potential building heights. To address this, the proposed site-specific height includes a maximum building height of 9m where located within 7.5m from an adjacent residential-zoned property. A building height of 9m is the same maximum permitted height as in the adjacent Single Dwelling Residential (R1) zoned lots.

Community Amenity Contribution

In exchange for the value conferred on the lands through rezoning, the applicant is encouraged to provide a Community Amenity Contribution (CAC) as per Council's *Community Amenity Contribution Policy*. Based on the 2022 rates at the time of application, the anticipated CAC for this rezoning would be between \$80,000 and \$174,193 depending on the mix of townhouse and multi-family dwelling unit types.

Two in-kind CACs are proposed as part of the rezoning:

1. Park dedication with an approximate area of 7,387m² as shown in Attachment F. The proposed park dedication will align with the adjacent Chase River Watercourse Park and provide a natural habitat wildlife corridor. An independent appraisal provided by the applicant estimates the value of the land dedication to be \$145,000.
2. Riparian restoration within the previously disturbed 30m setback from the top-of-bank above the Chase River in the north portion of the subject site. The restoration will include planting of native species that meets the City's standards for riparian restoration planting density. A cost estimate provided by a landscape architect has estimated the value of the riparian restoration to be \$58,988.

The total value of the CACs will equal \$203,988 which exceeds what would typically be expected through rezoning. Staff support the proposed CACs, to be secured as a condition of rezoning approval.

BC Energy Step Code Rezoning Policy

As per Council's BC Energy Step Code Rezoning Policy, a Section 219 Covenant will be registered on the subject property as a condition of rezoning to secure a commitment to either; a) exceed the required BC Energy Step Code by one step; or, b) provide a low-carbon energy system, to be determined at the time of Building Permit issuance.

Conditions of Rezoning

Should Council support the application and pass third reading of "Zoning Amendment Bylaw 2023 No. 4500.206", Staff recommend the following items be secured prior to final adoption of the bylaw:

1. *Road Dedication* – Road dedication with a width of approximately 10.1m along the south property line, between Park Avenue and the top of slope, as shown in Attachment E.

2. *Community Amenity Contribution* – In-kind contributions to include:
 - a. park dedication with an area of approximately 7,837m² as shown in Attachment E; and,
 - b. riparian restoration within the 30m setback from top-of-bank above the Chase River as shown in Attachment F.
3. *BC Energy Step Code Commitment* – Registration of a Section 219 covenant to secure a commitment in accordance with the City’s BC Energy Step Code Rezoning Policy.
4. *Vehicle Turnaround* – Registration of a blanket Statutory Right-of-Way (SRW) on the subject property for a vehicle turnaround at the eastern end of the proposed road shown on Attachment C, to be reduced to a specific SRW with exact dimensions to be determined at detailed design stage.
5. *Environmental Protection Fencing* – Installation of environmental protection fencing to the City standard along the edge of the riparian restoration area and the park boundary, generally as shown in Attachment C, prior to any development on the property.
6. *Environmental Covenant* – Registration of a Section 219 covenant to ensure no building and no vegetation removal within the environmental covenant area as shown in Attachment E.

SUMMARY POINTS

- The application is to rezone 878 Park Avenue from Steep Slope Residential (R10) to Low Density Residential (R6) with site-specific density and height provisions, to facilitate a multi-family residential development.
- The applicant has proposed park dedication and riparian area restoration as in-kind Community Amenity Contributions (CACs). Staff support the proposed CACs.
- The proposed zoning meets the intent of City Plan policies by facilitating ground-oriented multi-family residential development that complements the housing diversity in the existing neighbourhood in proximity to existing amenities. |

ATTACHMENTS

ATTACHMENT A: Subject Property Map
ATTACHMENT B: Neighbourhood Context
ATTACHMENT C: Conceptual Site Plan
ATTACHMENT D: Conceptual Views
ATTACHMENT E: Proposed Park Dedication Plan
ATTACHMENT F: Proposed Riparian Restoration Plan
“Zoning Amendment Bylaw 2023 No. 4500.206” |

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services
/ Deputy CAO