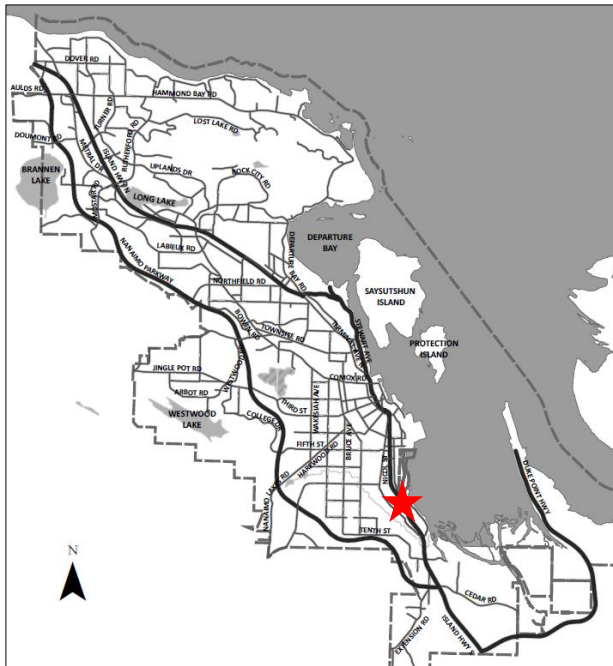


DATE OF MEETING July 24, 2023

AUTHORED BY KRISTINE MAYES, PLANNER, CURRENT PLANNING

SUBJECT REZONING APPLICATION NO. RA486 – 1044 & 1048 OLD VICTORIA ROAD



**Proposal:**  
To allow a light industrial development

**Current Zoning:**  
R1 – Single Dwelling Residential

**Proposed Zoning:**  
I3 – High Tech Industrial

**City Plan Land Use Designation:**  
Light Industrial

**Lot Area:**  
8,923m<sup>2</sup> – 1044 Old Victoria Road  
1,235m<sup>2</sup> – 1048 Old Victoria Road  
1.02 ha (total lot areas)



City Aerial Photo 2022

## **OVERVIEW**

### **Purpose of Report**

To present Council with an application to rezone 1044 and 1048 Old Victoria Road from Single Dwelling Residential (R1) to High Tech Industrial (I3) to facilitate a light industrial development.

### **Recommendation**

That:

1. “Zoning Amendment Bylaw 2023 No. 4500.212” (to rezone 1044 and 1048 Old Victoria Road from Single Dwelling Residential [R1] to High Tech Industrial [I3]) pass first reading;
2. “Zoning Amendment Bylaw 2023 No. 4500.212” pass second reading; and,
3. Council direct Staff to secure the conditions related to “Zoning Amendment Bylaw 2023 No. 4500.212” as outlined in the “Conditions of Rezoning” section of the Staff Report dated 2023-JUL-24 should Council support the bylaw at third reading.

## **BACKGROUND**

A rezoning application, RA486, was received from Westmark Construction Ltd., on behalf of Old Vic Holdings Ltd., to amend the “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) to rezone the subject properties at 1044 and 1048 Old Victoria Road from Single Dwelling Residential (R1) to High Tech Industrial (I3) to facilitate a light industrial development.

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

The subject properties are located in the Chase River Neighbourhood, northwest of Melideo Road between Old Victoria Road and the Island Highway. The grade change of the properties is approximately 8m and slopes downward from the north to south. Established single residential dwellings, industrial developments, and a place of worship predominantly characterize the surrounding area. Both properties are currently vacant (1048 Old Victoria Road previously contained a dwelling which was demolished in 2022).

Site characteristics of note include proximity to transportation corridors (a southbound transit stop is located on Old Victoria Road), high visibility from the Island Highway and Old Victoria Road, and proximity to the South Gate Secondary Urban Centre. |

## **DISCUSSION**

### **Proposed Development**

The applicant proposes to rezone the subject properties from Single Dwelling Residential (R1) to High Tech Industrial (I3) zone to facilitate a mini-storage development. The I3 zone allows a range of light industrial uses and supporting commercial uses (such as clean high tech indoor production, storage, and food processing) with complementary accessory uses. The I3 zone permits a maximum building height of 14m and a base lot coverage of 50%, with the opportunity to tier up an additional 15% where amenities are provided, as outlined in Schedule D of the Zoning Bylaw.

The conceptual plans submitted in support of the rezoning application illustrate how the site could be developed. The proposed lot coverage is 42.4% with three single storey (4.8m high) storage buildings (approximately 300 storage units) and a 7.5m high office/caretaker building. The development concept demonstrates that the required parking can be provided onsite and that the I3 zoning requirements can be met. No variances are anticipated; however, this would be confirmed through the design review at the Development Permit stage.

Staff note that while the concept plan shows a one-storey building form, the proposed rezoning, if approved, could facilitate development under the maximum building height (14m) of the I3 zone.

## **Policy Context**

### *City Plan – Future Land Use*

City Plan identifies the subject properties within the Light Industrial land use designation, which supports less land intensive industries with high numbers of employee/customer and goods and services that are accessed regularly, generating more activity. Typical uses supported include processing, manufacturing, assembly operations, warehousing, distribution, equipment sales and repair, wholesale, etc. These areas are intended to be compatible with the urban environment, while providing for infrastructure and transportation connections needed to support business and industry. The Light Industrial designation supports industrial buildings and structures up to three-storeys with greater building height considered where built forms transition to adjacent land uses. Further intensification and efficient use of building space, including multi-storey buildings, is supported in order to maximize the use of light industrial lands within the City.

Development under the proposed I3 zone is consistent with the Light Industrial designation and would allow the full range of uses permitted in the I3 zone. The conceptual plans include a mini-storage facility with accessory office and dwelling which are permitted uses within the I3 zone. The proposal is generally consistent with applicable City Plan policies (clean, [i.e. no hazardous goods], primarily indoor uses with access to major roads), notwithstanding, further intensification of the site and incorporation of multi-storey buildings and other permitted industrial uses has been encouraged respective of City Plan policies D4.6.1, D4.6.4, D4.6.17 and D4.6.27.

### *City Plan – Mobility Network*

The subject properties are located outside of an urban centre as identified in Figure 36 of the City Plan, with the nearest centres being the South Gate Secondary Urban Centre (located approximately 700m to the southeast). The subject properties are located adjacent to the Island Highway, a rapid bus transit corridor.

Old Victoria Road is designated an Industrial Collector in Schedule 4 (“Road Network”) of City Plan, which requires a 25.0m road dedication. The existing road dedication varies from approximately 19.15m to 32.08m. As such additional road dedication is required and surplus road dedication can be closed which will be secured as condition of rezoning. A 1.141m dedication and 3.0m statutory right-of-way for future widening along Melideo Road (designated ‘Urban Local’) – in line with what was secured as part of the development at 1064 Old Victoria Road which was completed in 2011; a 6.0m radius for corner rounding at the intersection of Old Victoria Road and Melideo Road; as well as a road dedication or statutory right-of-way to accommodate a hammerhead turnaround on Melideo Road, will also be secured as conditions of rezoning. Access will be limited to Melideo Road with offsite improvements including construction of the full

intersection at Old Victoria and Melideo Roads as well as consolidation of the lots also secured as conditions of rezoning.

### **Community Consultation**

The subject property lies within the Chase River Community Association area and was referred for their comment. A response has not been received (a follow up email was sent 2023-JUN-27); however, the applicant advised they reached out to the association as well as the South End Neighbourhood Association prior to submission of the application. The applicant hosted a Public Information Meeting on 2023-MAR-22 at the Loyal Order of Moose Hall, where approximately fifteen neighbours attended the meeting. The applicant has noted that while the conceptual design was generally supported, questions were raised regarding the potential industrial uses, intensification of the development, hours of operation, and security. The applicant has noted the proposal intends to satisfy a local need for storage and include approximately 10 spaces for outdoor storage of vehicles.

### **Community Amenity Contribution**

In exchange for the value conferred on the lands through rezoning, the applicant was encouraged to provide a Community Amenity Contribution (CAC) as per Council's Community Amenity Contribution Policy. The rate for industrial development is \$34 per m<sup>2</sup> of gross floor area. The applicant is proposing a monetary contribution at this rate, with 40% to be directed towards the City's Housing Legacy Reserve Fund and the remaining 60% to be directed toward local parks and trail improvements in the City. Based on the conceptual plans provided, a monetary contribution of \$129,710 is anticipated. The CAC contribution will be secured as a condition of rezoning. Staff support the proposed CAC.

### **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 titles of the subject properties 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 Building Permit issuance. Staff note industrial buildings are not presently subject to step code requirements however, portions of the development may be (i.e. dwelling or accessory office).

### **Conditions of Rezoning**

Should Council support this application and pass third reading of "Zoning Amendment Bylaw 2023 No. 4500.212", Staff recommend the following items be secured prior to final adoption of the bylaw:

1. *Community Amenity Contribution* – a monetary contribution equal to \$34 per m<sup>2</sup> for industrial gross floor area, to be paid prior to Building Permit, with 40% to be directed towards the Housing Legacy Reserve Fund and 60% to be directed towards local parks and trail improvements within the City of Nanaimo.
2. *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*.
3. *Road Dedication* – dedication of the following:

- Road dedication and road closure along Old Victoria Road to allow for a future 'Industrial Collector' cross-section of 25m;
  - Road dedication with a width of approximately 1.141m and the registration of a statutory right-of-way with an additional width of approximately 3m (a total 4.141m width) along Melideo Road to allow for a future 'Urban Local' cross-section of 20m;
  - Road dedication for the corner rounding at the intersection of Old Victoria Road and Melideo Road with a radius of 6m.
4. *Access Covenant* – registration of a Section 219 covenant to restrict access to the subject property to Melideo Road.
5. *Off-Site Improvements* – registration of a Section 219 covenant to secure the following prior to building permit issuance:
- Future road dedication or registration of a statutory right-of-way for the hammerhead turnaround to be finalized at design stage acceptance;
  - Works and services (construction of Old Victoria Road and Melideo Road to the applicable engineering standard) at time of Building Permit;
  - Construction of the full intersection of Old Victoria Road and Melideo Road; and,
  - Construction of the hammerhead turn at the terminus of Melideo Road.
6. *Lot Consolidation* – consolidation of the subject properties.

#### **SUMMARY POINTS**

- [This application is to rezone the subject properties from Single Dwelling Residential (R1) High Tech Industrial (I3) to facilitate a proposed light industrial development.
- The conceptual plans illustrate a mini-storage development with accessory dwelling unit.
- The applicant is proposing a monetary Community Amenity Contribution toward the City's Housing Legacy Reserve Fund and local parks and trail improvements.
- The proposed rezoning complies with of City Plan policies by zoning the subject properties to a light industrial zone. ]

#### **ATTACHMENTS**

ATTACHMENT A: Subject Property Map  
ATTACHMENT B: Conceptual Site Plan  
ATTACHMENT C: Conceptual Building Rendering  
ATTACHMENT D: Community Engagement Meeting Summary  
"Zoning Amendment Bylaw 2023 No. 4500.212" ]

#### **Submitted by:**

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/ Deputy CAQ ]