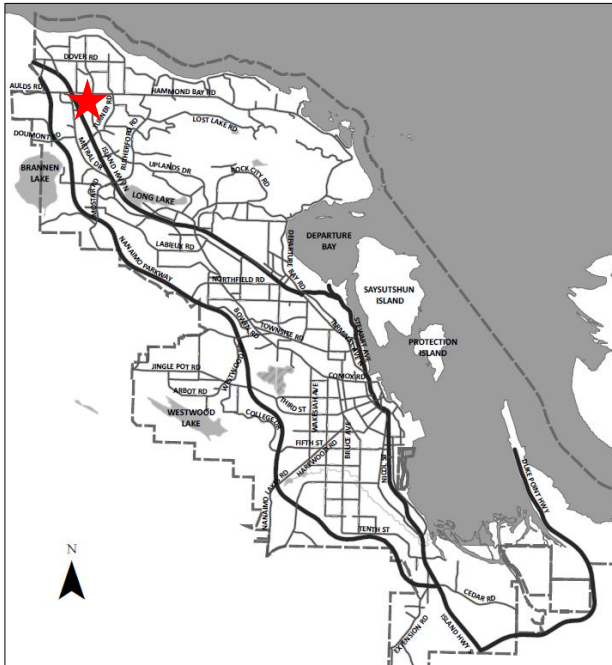


DATE OF MEETING | February 5, 2024

AUTHORED BY | KRISTINE MAYES, PLANNER, CURRENT PLANNING

SUBJECT | REZONING APPLICATION NO. RA497 – 6450 ISLAND HIGHWAY NORTH



**Proposal:**

To allow the expansion of an existing non-conforming commercial use



**Zoning:**

CC4 – Woodgrove Urban Centre

**Proposed Zoning:**

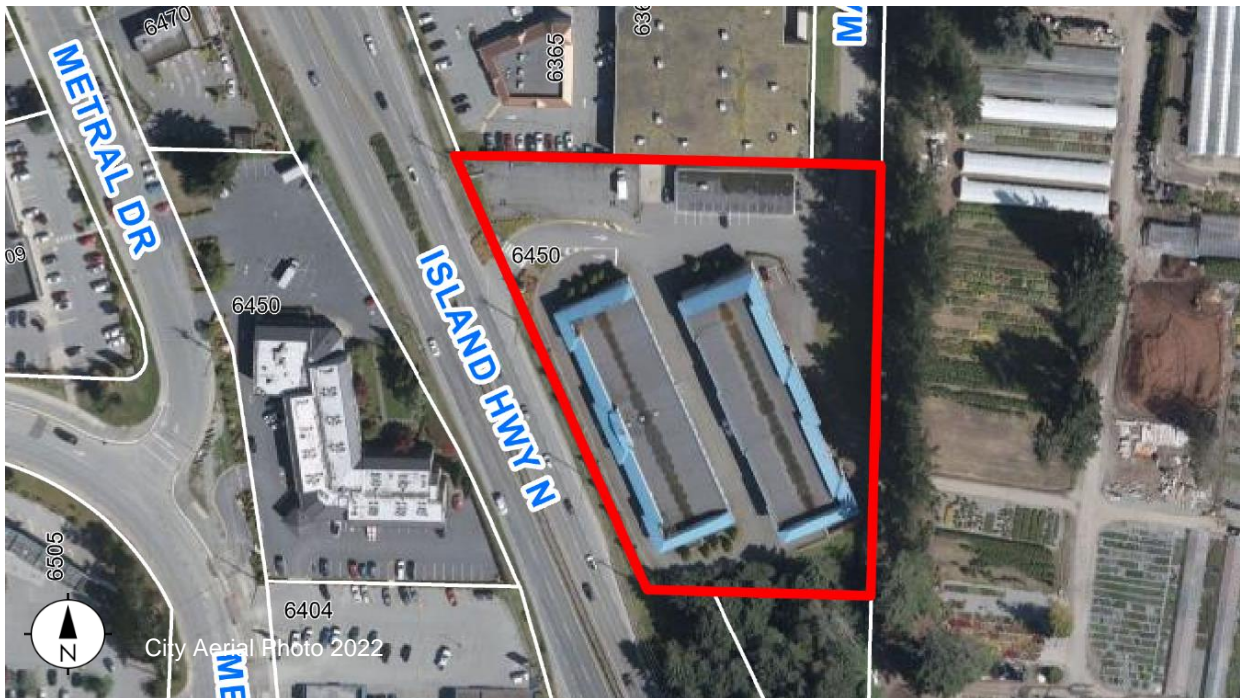
CC4 – Woodgrove Urban Centre with a *Site-Specific Amendment Mini Storage Use*

**City Plan Land Use Designation:**

Woodgrove Secondary Urban Centre

**Lot Area:**

1.16 ha



## **OVERVIEW**

### **Purpose of Report**

To present Council with an application to rezone 6450 Island Highway North from Woodgrove Urban Centre (CC4) to Woodgrove Urban Centre (CC4) with a site-specific mini storage use to allow the expansion of a non-conforming commercial use.

### **Recommendation**

1. “Zoning Amendment Bylaw 2024 No. 4500.220” (to rezone 6450 Island Highway North from Woodgrove Urban Centre [CC4] to Woodgrove Urban Centre [CC4] with a site-specific mini storage use) pass first reading;
2. “Zoning Amendment Bylaw 2024 No. 4500.220” pass second reading;
3. Council direct Staff to hold a Public Hearing for “Zoning Amendment Bylaw 2024 No. 4500.220”; and,
4. Council direct Staff to secure the conditions related to “Zoning Amendment Bylaw 2024 No. 4500.220” as outlined in the “Conditions of Rezoning” section of the Staff Report dated 2024-FEB-05 should Council support the bylaw at third reading.

## **BACKGROUND**

A rezoning application, RA497, was received from RW (Bob) Wall Ltd., on behalf of BGR Holdings Inc., to amend the “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) to rezone the subject property at 6450 Island Highway North from Woodgrove Urban Centre (CC4) to Woodgrove Urban Centre (CC4) with a site-specific mini storage use to allow the expansion of a non-conforming mini storage use.

‘Mini storage’ ceased to be a permitted use on the subject property following the adoption of “City of Nanaimo Zoning Bylaw 2011 No. 4500” on 2011-AUG-08 to encourage more intensive mixed use in this area. The property owner would like to add another storage building to the site, however, an amendment to the Zoning Bylaw is required to address the non-conforming use and allow the expansion of the existing storage facility.

### **Subject Property and Site Context**

The subject property is a large commercial lot located in north Nanaimo, east of Island Highway North, and south of the terminus of Marlin Way. The grade change of the property is approximately 6m and slopes down to the northeast. Established commercial developments and multi-family dwellings predominantly characterize the surrounding area, with an adjacent commercial centre to the north, and Green Thumb Garden Centre (future Bowers District development site) to the east. The subject property currently contains two existing mini storage buildings that will remain, and a multi-tenant commercial building proposed to be removed to facilitate the proposed development.

Site characteristics include proximity to transportation corridors, high visibility from the Island Highway, and proximity to the Woodgrove Secondary Urban Centre.

## **DISCUSSION**

### **Proposed Zoning**

The applicant proposes to amend the existing Woodgrove Urban Centre (CC4) zone to add 'mini storage' as a site-specific use to allow the expansion of the existing Budget mini storage facility. The CC4 zone allows for a regional commercial centre with a wide range of retail and service uses (i.e. auto repair, office, restaurants, retail, wholesale, etc.) and medium to high density residential.

The conceptual plans submitted with the rezoning application illustrate a proposed mixed-use mini storage and office building facing the Island Highway frontage. The development concept demonstrates that the required parking can be provided onsite and that the CC4 zoning requirements can be met. A setback variance from 3.0m to 1.5m for the north side lot line is anticipated. Any additional variances would be confirmed through the design review at the Development Permit stage.

### **Policy Context**

#### *City Plan – Future Land Use*

City Plan identifies the subject property within the Secondary Urban Centre land use designation, which support hubs that serve the city, typically anchored by public institutions and employment centres with proximity to transit and pedestrian routes. The Secondary Urban Centre designation supports a mix of building forms including low- to limited high-rise buildings (two to twelve storeys) and mixed-use or residential developments.

A condition of use to require another commercial or residential use is recommended to be incorporated into the proposed site-specific zoning to ensure the development achieves the intent of the Secondary Urban Centre designation, by supporting commercial intensification in the area. The CC4 zone will continue to allow other complementary uses as the surrounding area evolves.

#### *City Plan – Mobility Network*

The subject property is located along the Island Highway corridor which connects to the Woodgrove and Nanaimo North Secondary Urban Centres as identified in Figure 36 of City Plan, with the Woodgrove Secondary Urban Centre located approximately 250m to the northwest. The subject property is located adjacent to the Island Highway, a rapid bus transit corridor.

Vehicle access to the site will be from the existing access off the Island Highway or via Marlin Way. The Island Highway is designated a Highway and Marlin Way is designated a Mobility Local in Schedule 4 ("Road Network") of City Plan. The existing road dedication for Marlin Way, which requires a 20m road dedication, terminates at the side lot line of the subject property and has been identified as a road which will service the future Bowers District development (RA505). As such, a 10m x 10m road dedication at the northeast corner of the subject property is required to facilitate the Bowers District Master Plan. Additionally, the design and construction of pedestrian facilities between the road edge of the Island Highway and the property line complete with lighting to City standard, to be determined at time of Design Stage Acceptance, has also been discussed with the Ministry of Transportation and Infrastructure (MoTI) and secured as a condition of rezoning which will extend the existing pedestrian facilities adjacent to the property to the north.

## Community Consultation

The subject property is not within the area of an active community association. The applicant hosted a Public Information Meeting on 2023-NOV-27 at the subject property which did not have any attendees. Following the meeting, the applicant received correspondence with concerns regarding the conceptual plans and proximity of the proposed building to the north property line and impacts on sight lines. The applicant has responded to the correspondence.

## 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 commercial development is \$34 per m<sup>2</sup> of gross floor area. The applicant is proposing a monetary contribution at this rate, with 100% to be directed towards the City's Housing Legacy Reserve Fund. Based on the conceptual plans provided, a monetary contribution of approximately \$162,913 is anticipated. The CAC contribution will be secured as a condition of rezoning. Staff support the proposed CAC.

## Conditions of Rezoning

Should Council support this application and pass third reading of "Zoning Amendment Bylaw 2024 No. 4500.220", 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 proposed commercial gross floor area, to be paid prior to Building Permit issuance, with 100% to be directed towards the Housing Legacy Reserve Fund.
2. *Road Dedication* – road dedication with a length and width of approximately 10.0m at the south terminus of Marlin Way to allow for a future 'Mobility Local' cross-section of 20.0m to facilitate the future road network on the adjacent property.
3. *On-site & Off-site Improvements* – registration of a Section 219 covenant to secure the following prior to building permit issuance:
  - works and services (construction of Marlin Way to the applicable engineering standard) at time of Building Permit;
  - the design and construction of pedestrian facilities between the road edge of the Island Highway and the property line complete with lighting to City standard, to be determined at time of Design Stage Acceptance; and,
  - a review of the existing onsite stormwater management system to confirm that the existing system adequately addresses the current stormwater requirements of the MoESS and that and upgrades, if applicable, be completed at time of Building Permit.
4. *Covenant on Title* - discharge and replace Covenant EH29869 requiring the owner to design and construct a connection to the offsite sanitary sewer and decommission the onsite septic system in conjunction with the development of the adjacent property at 6261 Hammond Bay Road. ]

### **SUMMARY POINTS**

- This application is to rezone the subject property from Woodgrove Urban Centre (CC4) to Woodgrove Urban Centre (CC4) with a site-specific mini storage use to allow the expansion of a non-conforming mini storage use to facilitate a commercial development.
- The conceptual plans illustrate a mixed-use mini storage and office building.
- The applicant is proposing a monetary Community Amenity Contribution toward the City's Housing Legacy Reserve Fund.
- The proposed development is generally consistent with City Plan policies for the Secondary Urban Centre.
- Staff support the proposed Zoning Bylaw amendment.

### **ATTACHMENTS:**

ATTACHMENT A: Subject Property Map  
ATTACHMENT B: Conceptual Site Plan  
ATTACHMENT C: Conceptual Building Perspectives  
"Zoning Amendment Bylaw 2024 No. 4500.220"

#### **Submitted by:**

Lainya Rowett  
Manager, Current Planning

#### **Concurrence by:**

Jeremy Holm  
Director, Planning & Development