

DATE OF MEETING July 22, 2024

AUTHORED BY CALEB HORN, PLANNER, CURRENT PLANNING

SUBJECT INTERIM CORRIDOR AREA AMENDMENT

OVERVIEW

Purpose of Report

To present, for Council's consideration, an amendment to the "City of Nanaimo Zoning Bylaw 2011 No. 4500" to update the Interim Corridor Area zoning regulations for single residential dwelling use.

Recommendation

That:

1. "Zoning Amendment Bylaw 2024 No. 4500.229" (update to Interim Corridor Area) pass first reading;
2. "Zoning Amendment Bylaw 2024 No. 4500.229" pass second reading; and,
3. "Zoning Amendment Bylaw 2024 No. 4500.229" pass third reading.

BACKGROUND

On 2024-JUN-17, Council adopted amendments to "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") to implement the Increasing Housing Options initiatives and the Provincial Small-Scale Multi-Unit Housing (SSMUH) legislation. As part of these amendments, an "Interim Corridor Area" was introduced. In discussions with stakeholders in the development community, an unintended consequence of the zoning regulations has been identified for single residential dwellings in the Interim Corridor Area, and an update to the Interim Corridor Area is recommended by Staff.

Public Notification

Pursuant to sections 464(3) and 467 of the *Local Government Act*, a public hearing is prohibited for proposed "Zoning Amendment Bylaw 2024 No. 4500.229". Statutory notification of first reading occurred on 2024-JUL-11.

DISCUSSION

Since the adoption of the Zoning Bylaw in 2011, the Residential Corridor (COR1) zone has allowed for single residential dwelling use. The Interim Corridor Area applies to some properties in the COR1 zone that were pre-zoned for SSMUH compliance. Where a single residential dwelling is constructed in the Interim Corridor Area, the COR1 zoning regulations for building setbacks, building height, and lot coverage are applied. This has been identified as an issue of

concern for single residential dwellings in the Interim Corridor Area as the COR1 regulations can creating a non-conforming status for existing houses or can limit the viable building envelope on smaller lots. For example, in a recently subdivided single-family lot subdivision that was required to rezone to comply with SSMUH, the Interim Corridor Area regulations will make it difficult to develop building plans for the intended single residential dwelling use.

To address this unintended consequence, proposed “Zoning Amendment Bylaw 2024 No. 4500.229” will apply the Single Dwelling Residential (R1) zoning regulations (e.g. building setbacks, building height, fence height, lot coverage, secondary suites, location of parking, etc.) in the Interim Corridor Area for single residential dwelling use. Such provisions already exist in the Zoning Bylaw for single residential dwellings in the Three and Four Unit Residential (R5) and Medium Density Residential (R8) zones.

The proposed Zoning Bylaw amendment to update the Interim Corridor Area will provide clarity on the applicable regulations for single residential dwelling use. |

ATTACHMENTS:

“Zoning Amendment Bylaw 2024 No. 4500.229” |

Submitted by:

Lainya Rowett
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Concurrence by:

Jeremy Holm
Director, Planning & Development|