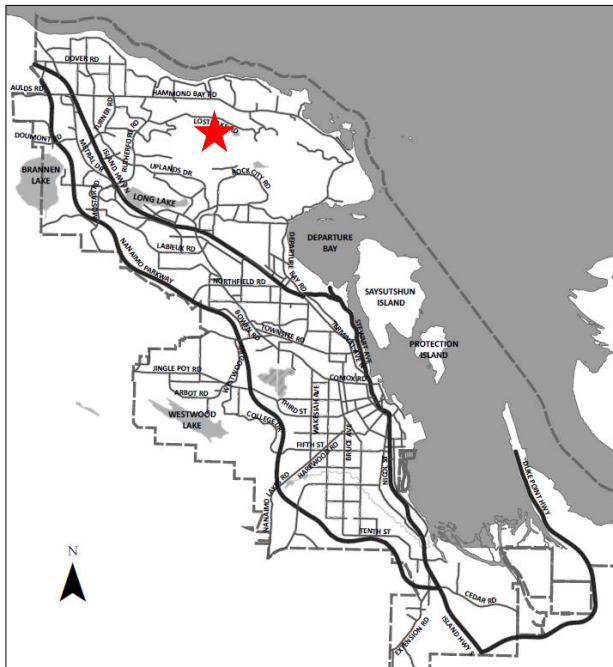


DATE OF MEETING July 22, 2024

AUTHORED BY CALEB HORN, PLANNER, CURRENT PLANNING

SUBJECT REZONING APPLICATION NO. RA487 – 5300 TANYA DRIVE



Proposal:

To allow for a multi-family residential development

Current Zoning:

AR2 – Urban Reserve

Proposed Zoning:

R10 – Steep Slope Residential with site-specific density

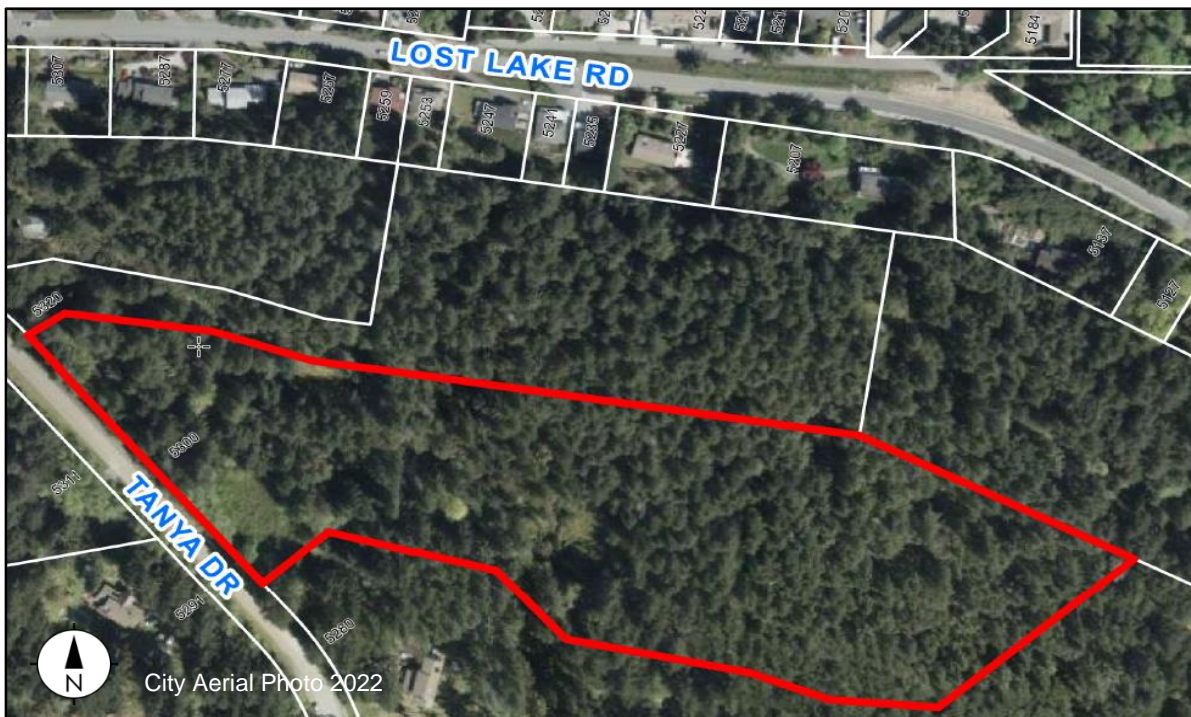
City Plan Land Use Designation:

Suburban Neighbourhood – Special Servicing Area

Lot Area:

4.01ha

RA



OVERVIEW

Purpose of Report

To present for Council's consideration an application to rezone 5300 Tanya Drive from Urban Reserve (AR2) to Steep Slope Residential (R10) with site-specific density, to facilitate a multi-family residential development.

Recommendation

That:

1. "Zoning Amendment Bylaw 2024 No. 4500.230" (to rezone 5300 Tanya Drive from Urban Reserve [AR2] to Steep Slope Residential [R10] with site-specific density) pass first reading;
2. "Zoning Amendment Bylaw 2024 No. 4500.230" pass second reading;
3. "Zoning Amendment Bylaw 2024 No. 4500.230" pass third reading; and,
4. Council direct Staff to secure the conditions related to "Zoning Amendment Bylaw 2024 No. 4500.230", as outlined in the "Conditions of Rezoning" section of the Staff Report dated 2024-JUL-22, prior to final adoption.

BACKGROUND

A rezoning application, RA487, was received from District Developments Corp., on behalf of Lost Lake Nominee Ltd., to amend the City of Nanaimo Zoning Bylaw 2011 No. 4500 (the "Zoning Bylaw") by rezoning 5300 Tanya Drive to allow for a multi-family residential development.

Subject Property and Site Context

The subject property is located in North Nanaimo on the east side of Tanya Drive, approximately 225m south of and 20m uphill from Lost Lake Road. There are no improvements on the lot which is heavily vegetated and varying in a topography. Elevations above sea level vary from 185m in the eastern portion of the site to 205m along the north property line. There are two protected wetlands on the property, in addition to two isolated ponds. The subject property is located within the Steep Slope Development Permit Area (DPA6) and a significant ridgeline borders the north property line.

The surrounding neighbourhood is predominantly made up of large single family lots and vacant lots. The subject property and properties to the west, south, and east are all zoned Urban Reserve (AR2) and are located within a "Special Servicing Area" as identified in City Plan. The property to the north at 5320 Tanya Drive is zoned Steep Slope Residential (R10) and had a previous development permit for 37 units approved in 2022 (DP1186).

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. 4500.230" as the bylaw is consistent with the Official Community Plan (City Plan) and the purpose of the bylaw is to facilitate a residential development as outlined in this report.

Statutory notification of first reading occurred on 2024-JUL-11.

DISCUSSION

Proposed Development

The applicant is proposing to rezone the subject property from Urban Reserve (AR2) to Steep Slope Residential (R10) with site-specific density. The R10 zone allows for sensitive infill development on steeply sloping sites where there are geotechnical constraints and natural features. The maximum allowable unit density in the R10 zone is 16 units per hectare (excluding watercourse leavestrip area), and the applicant is proposing a site-specific density of 24 units per hectare (including watercourse leavestrip area).

As proposed, the density calculation would provide more flexibility to build out the developable areas while protecting sensitive areas and meeting the required watercourse setbacks. There is a setback of 15.0m from the high water mark of the wetlands onsite in accordance with both “Schedule C” of the Zoning Bylaw and the Environmentally Sensitive Areas Development Permit Area (DPA1) in City Plan. No development within the wetland setback is anticipated. The applicant has proposed a site-specific density which they have determined is necessary to address the Steep Slope Design Guidelines and provide the necessary off-site servicing upgrades (see *City Plan – Special Servicing Area* section of this report), while maintaining a financially viable development.

Based on the proposed parcel area (3.36ha after road dedication), the maximum unit density of 24 units per hectare will allow up to 80 dwelling units on the subject property. Conceptual plans for the site (see Attachment B) show the proposed zoning could accommodate this density in a clustered form with 20 ground-oriented two-storey fourplex buildings. Pending the outcome of this rezoning application, a development permit will be required to ensure that development is compliant with the applicant DPA guidelines. Even with the increased site-specific unit density, the zoning will maintain the intended ground-oriented building form under the R10 zone.

Policy Context

The proposed rezoning is consistent with City Plan, including the specific policy areas highlighted below.

City Plan – Future Land Use

City Plan identifies the subject properties within the Suburban Neighbourhood future land use designation and also within the “Special Servicing Area”, where ground-oriented multi-unit dwellings (including triplex, fourplex, and townhomes) are supported with typical building heights of up to three storeys. Additionally, the Suburban Neighbourhood designation contemplates an overall target density of 25 units per hectare for the entire land use area. Within the neighbourhood designations, cluster housing designs that protect environmentally sensitive features and hazard lands are encouraged.

The proposed site-specific R10 zone will meet the intent of the City Plan land use designation by facilitating a clustered housing development on a steep slope lot and allowing a diversity of housing forms in an existing neighbourhood.

City Plan – Special Servicing Area

The subject property falls within the “Special Servicing Area” identified by Policy D4.5.24 in City Plan. Lands in this area are required to complete a comprehensive servicing study prior to redevelopment. In support of this rezoning application, the applicant has completed servicing studies as summarized below.

Road networking. The applicant has undertaken a road networking analysis to identify a potential future road connection between Tanya Drive and Lost Lake Road. An additional road connection is encouraged to improve connectivity, and to avoid no-exit roads. Taking into account constraints including geotechnical, environmental, topography (including a significant ridgeline identified by the Steep Slope Design Guidelines), required road geometry, and existing property lines, a conceptual road alignment has been proposed generally along the north property line that will connect Tanya Drive in the west to Lost Lake Road in the east, closer to Lost Lake Park. Road dedication with a width up to 20m will be secured as a condition of this rezoning application (see Attachment B), and construction of roadworks along the property frontage to the Urban Local road standard will be triggered at the building permit stage. The road connection to Lost Lake Road is anticipated to be completed as properties to the east redevelop in the future.

Water service. Tanya Drive, south of Hawk Point Road, is not currently serviced for water and is higher in elevation than the water reservoir at 5341 Hawk Point Road. A pump station will be required to distribute water from the reservoir uphill to not only the subject property but also lands beyond within the same water pressure zone (PZ26). The pump station and water service connection will be required to be completed by the applicant, or any other property owner in this area, whoever develops first. Should the applicant or any other property owner complete these works, the City may enter into a latecomer’s agreement to recover fees for capital works from benefiting properties. Further, as the water pump station is a unique servicing requirement in this area of Nanaimo, operating and maintenance costs for the pump station will be secured as a condition of rezoning for the subject property to be paid proportionally by future property owners in the Special Servicing Area, as per City Plan Policy D4.5.24. A future water line is anticipated to run under the future road connection to Lost Lake Road to provide interconnectivity in the water network.

Sanitary sewer. The nearest sanitary sewer line is a sewer main in Lost Lake Road at the intersection with Tanya Drive, approximately 225m northwest of the subject property. A downstream sewer system capacity analysis identified no issues with the density proposed through rezoning, and the applicant will be required to connect with the sanitary sewer system at the time of building permit.

Stormwater management. The subject property straddles the height of land of a natural drainage divide, with the lands to the north draining towards the ocean and lands to the south draining into wetlands that are tributary to Cottle Creek. The drainage of the existing protected wetlands onsite involves complex seasonal and subsurface flows. More information will be required at the design stage to determine necessary on-site or off-site works to manage surface run-off, and a commitment by the applicant to complete a Hydrological Study prior to development permit approval will be secured as a condition of rezoning.

City Plan – Mobility Network

Transportation in the area is largely private vehicle dependent. The subject property is not located in proximity to any existing active transportation route; however, ‘Schedule 3 – Active Mobility & Primary Transit Network’ of City Plan identifies Tanya Drive as a future secondary active mobility route, with potential future multi-use trail connection through Linley Valley Park. The dedication for future road connection secured through rezoning will help improve connectivity in the neighbourhood.

Community Consultation

The subject property is within the area of the Lost Lake Neighbourhood Association. The application was forwarded to the association and no response has been received to-date. The applicant hosted an in-person public information meeting on 2024-JUN-05 at the Oliver Woods Community Centre. Four members of the public who reside near the subject property were noted as attending. Attendees comments related to potential servicing constraints and traffic impacts along Lost Lake Road were heard.

While Staff recognize that the capacity of Lost Lake Road can accommodate additional vehicle traffic, there are known issues around vehicle speeds and sightlines at certain intersections. Traffic calming along Lost Lake Road was implemented in 2021 to help manage vehicle speeds, and traffic along the corridor will continue to be monitored as redevelopment of surrounding properties occurs.

Community Amenity Contribution

In exchange for the value conferred to the lands through rezoning, the applicant is encouraged to provide a Community Amenity Contribution (CAC) per Council’s Community Amenity Contribution Policy (the “CAC Policy”). Using the rate at the time of initial application, the CAC would be calculated at \$30/m² of gross floor area (GFA) for multi-family residential and the anticipated CAC value would be approximately \$171,120 based on the projected GFA of 5,704m². The applicant has proposed a monetary contribution with 50% to be directed towards the City’s Housing Legacy Reserve Fund and 50% towards parks and trail improvements, to be payable prior to building permit issuance. Staff support the proposed CAC.

Conditions of Rezoning

Should Council support the application and pass third reading of “Zoning Amendment Bylaw 2024 No. 4500.230”, Staff recommend that the following items be secured prior to final adoption of the bylaw:

1. *Community Amenity Contribution* – Registration of a Section 219 covenant to secure a monetary contribution of \$30/m² of gross floor area at the time of building permit issuance, with 50% to be directed towards the City’s Housing Legacy Reserve Fund and 50% towards parks and trail improvements.
2. *Road Dedication* – Dedication with a width ranging between 10m and 20m, for a new east-west road to the Urban Local standard generally along the north property line to connect to Tanya Drive, with an approximate area as shown on Attachment B.

3. *Off-Site Works* – Registration of a Section 219 covenant to require the property owner to design and construct, to the City's satisfaction, a water pump station at 5341 Hawk Point Road to service all benefiting properties (as identified within Pressure Zone No. 26) and a water distribution network to service the subject property prior to building occupancy, unless such works are already completed by others.
4. *Operations and Maintenance* – Registration of Section 219 covenant to require operation and maintenance costs of the future water pump station to be paid proportionally by the property owner(s), for example through a Local Area Service or other agreement or charge.
5. *Hydrological Study* – Registration of a Section 219 covenant to require a hydrological study prepared by a qualified professional be submitted at the time of development permit application to determine a) existing storm drainage system and flow paths on the subject property, and b) necessary on-site and off-site works required to meet post-development stormwater management requirements.

SUMMARY POINTS

- Application RA487 is to rezone 5300 Tanya Drive from Urban Reserve (AR2) to Steep Slope Residential (R10) with site-specific density, to facilitate a multi-family residential development.
- Conceptual plans for the site (see Attachment B) show the proposed zoning could accommodate this density in a clustered form with 20 ground-oriented two-storey fourplex buildings.
- The applicant has proposed a monetary Community Amenity Contribution with 50% to be directed towards the City's Housing Legacy Reserve Fund and 50% towards parks and trail improvements.
- The proposed site-specific R10 zone will meet the intent of the City Plan land use designation by facilitating a clustered housing development on a steep slope lot.

ATTACHMENTS

ATTACHMENT A: Subject Property Map
ATTACHMENT B: Conceptual Site Plan
"Zoning Amendment Bylaw 2024 No. 4500.230"

Submitted by:

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Concurrence by:

Jeremy Holm
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