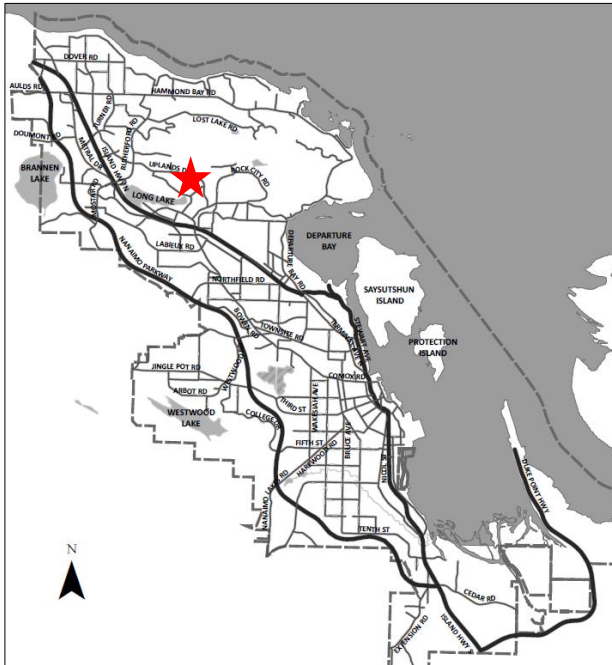


DATE OF MEETING | October 20, 2025

AUTHORED BY | KRISTINE MAYES, PLANNER, COMMUNITY PLANNING

SUBJECT | REZONING APPLICATION NO. RA496 - 3469 UPLANDS DRIVE



Proposal:

To allow a multi-family residential development.

Current Zoning:

R10 – Steep Slope Residential

Proposed Zoning:

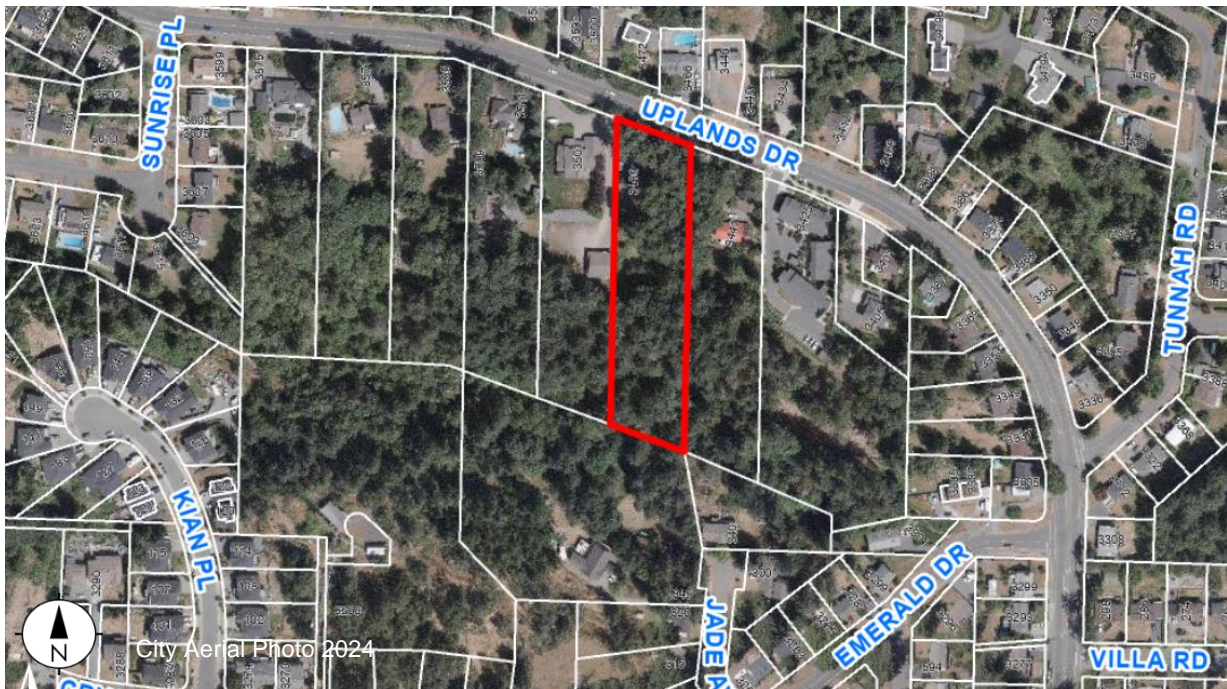
R8 – Medium Density Residential with a site-specific density

City Plan Land Use Designation:

Neighbourhood

Lot Area:

0.64 ha



OVERVIEW

Purpose of Report

To present Council with an application to rezone 3469 Uplands Drive from Steep Slope Residential (R10) to Medium Density Residential (R8) with a site-specific density to allow a multi-family residential development.

Recommendation

That:

1. “Zoning Amendment Bylaw 2025 No. 4500.245” (to rezone 3469 Uplands Drive from Steep Slope Residential [R10] to Medium Density Residential [R8] with a site-specific Floor Area Ratio) pass first reading;
2. “Zoning Amendment Bylaw 2025 No. 4500.245” pass second reading;
3. “Zoning Amendment Bylaw 2025 No. 4500.245” pass third reading; and,
4. Council direct Staff to secure the conditions related to “Zoning Amendment Bylaw 2025 No. 4500.245” as outlined in the “Conditions of Rezoning” section of the Staff Report dated 2025-OCT-20 prior to final adoption.

BACKGROUND

A rezoning application, RA496, was received from dHK Architects Inc., on behalf of Kulwinder Shahi, to amend the “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) to rezone the subject property at 3469 Uplands Drive from Steep Slope Residential (R10) to Medium Density Residential (R8) with a site-specific Floor Area Ratio (FAR) of 0.8 to facilitate a multi-family development.

Subject Property and Site Context

The subject property is located in North Nanaimo (Long Lake Neighbourhood) on the south side of Uplands Drive, between Tunnah Road and Sunrise Place. The site has a grade change of approximately 16 metres, sloping downward to the south towards Emerald Drive. Notable site characteristics include mature trees and a wetland in the southern portion of the lot. The surrounding area is predominantly characterized by established single-family dwellings and multi-family developments including a future personal care facility development at 3425 Uplands Drive recently considered by Council. The subject property contains an existing single residential dwelling which will be removed to facilitate the proposed development.

Public Notification

Pursuant to Sections 464(3) and 467 of the *Local Government Act*, a public hearing is prohibited for proposed “Zoning Amendment Bylaw 2025 No. 4500.245” 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 2025-OCT-09.

DISCUSSION

Proposed Zoning

The applicant is proposing to rezone the subject property from R10 to R8 with a site-specific FAR of 0.8 to facilitate a multi-family residential development.

A comparison between the existing R10 zone and the proposed site-specific R8 zone is shown in the table below:

	Existing R10 Zone	Proposed (Site-Specific) R8 Zone
Permitted Principal Uses	Multiple Family Dwelling (<i>ground-oriented</i>) Single Residential Dwelling	Rooming House Multiple Family Dwelling (<i>low-rise apartment</i>) Single Residential Dwelling
Density	16 dwelling units per hectare of land or portion thereof, excluding the watercourse leave strip area and statutory park dedication. Up to 2 dwellings: 0.55 FAR 3 or more dwellings: 0.45 FAR Schedule D Tier 1: +0.1 / Tier 2: +0.15	0.8 FAR (site-specific)
Setbacks	Front Yard: 4.5m Side Yard: 1.5m Rear Yard: 7.5m Watercourse: 15m	Front Yard: 6m Side Yard: 3m Rear Yard: 10.5m Watercourse: 15m
Lot Coverage	40%	40%
Principal Building Height	7m (flat roof) 9m (sloped roof)	14m

The proposed rezoning will support functional, context-sensitive development by recognizing the physical constraints of the lot by clustering development outside environmentally sensitive areas. This aligns with the intent of the R10 zone (which excludes watercourse leave strip areas) as well as Development Permit Area 6 (DPA6) – Steep Slopes guidelines which will inform future design considerations.

The conceptual plans submitted with the rezoning application illustrate how the site could be developed with two four-storey buildings with approximately 42 dwelling units in a stepped form to address the DPA6 guidelines. The development concept demonstrates that the R8 zoning requirements (with site-specific density) can be met, and that the required parking can be provided onsite. Any variances, if proposed, 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 Neighbourhood land use designation, which supports modest growth encouraged through residential infill. The Neighbourhood designation supports a mix of building forms including ground-oriented multi-family and low-rise residential apartments (up to four-storeys). Rezoning to R8 with a site-specific density as proposed is supported by City Plan and meets the policy objectives of the Neighbourhood designation to allow

residential densification close to the Uplands Drive corridor near existing commercial services, employment centres, schools, parks, and transit routes.

The applicant submitted several technical studies in support of the proposed rezoning including an environmental assessment and preliminary servicing assessments as well as a shadow study. Staff have reviewed and accepted the studies which demonstrate the feasibility of the proof of concept with the understanding that further analysis will be required at the detailed design stage (development permit and building permit) to confirm the requirements for development. Additionally, statutory rights-of-way (SRWs) for utility corridors (water and sanitary) will be secured as condition of rezoning, as shown on Attachment B.

City Plan – Mobility Network

The subject property is located outside of an urban centre as identified in Figure 36 of the City Plan, but it within walking distance of the nearest centre being the Country Club Secondary Urban Centre (located approximately 460m to the southeast). An existing bus route runs adjacent to the site on Uplands Drive which is identified as a secondary active mobility route. Vehicle access to the site would continue from the existing access off Uplands Drive. Uplands Drive is designated an Urban Collector in Schedule 4 (“Road Network”) of City Plan. The existing road dedication is approximately 20.117m. As such, up to 2.5m of dedication for future road widening will be secured as a condition of rezoning.

The 3400 to 3500 block on the south side of Uplands Drive has been identified as an area in need of active transportation infrastructure. The lands bounded by Uplands Drive, Emerald Drive, Jade Avenue, and Sunrise Place have future development potential and comprise larger blocks that currently do not meet City Plan goals for neighbourhood connectivity. As adjacent lands redevelop, an east and west trail is intended to be developed as part of a future active transportation network. To support the creation of this trail, the conceptual site plan includes a number of public pathway connections to be secured as a condition of rezoning as shown on Attachment B.

Community Consultation

The subject property is not within the area of an active neighbourhood association. The applicant hosted a Public Information Meeting on 2023-DEC-12 at the offices of dHK Architects (102-5190 Dublin Way), where two members of the public attended the meeting. No concerns were received from the attendees.

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) in accordance with Council’s *Community Amenity Contribution Policy*. Using the rate at the time of receiving the application (2023), the CAC would be calculated at \$41 per m² of gross floor area. Based on the conceptual plans, a monetary contribution of approximately \$212,872 is anticipated. The CAC contribution rate will be secured as a condition of rezoning to be paid prior to building permit issuance.

A review of the water system identified that the subject property is located at the boundary of two pressure zones. This provides an opportunity for the City to achieve interconnectivity within the two pressure zones to eliminate dead ends in the distribution system and increase system

redundancy. To align with City priorities for future water system projects in the area that are not currently a Development Cost Charge (DCC) project, Staff have recommended that the monetary CAC contribution be directed to help fund local water system improvements. The future water system projects proposed to be funded by the CAC are not required to service the proposed development and would benefit the broader area.

Conditions of Rezoning

Should Council support this application and pass third reading of “Zoning Amendment Bylaw 2025 No. 4500.245”, Staff recommend 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 equal to \$41 per m² of gross floor area in accordance with the Council’s Community Amenity Contribution Policy to be paid prior to building permit issuance, with 100% to be directed towards local water system improvements.
2. *Road Dedication* – approximate road dedication with a width of up to 2.5m along Uplands Drive as determined by a BC Land Surveyor to allow for a future ‘Urban Collector’ cross section of 25m.
3. *Active Transportation & Utility Corridors* – registration of a Section 219 covenant to secure the following, generally as shown on Attachment B, prior to building occupancy:
 - **Area 1:** a minimum 6m wide east-west SRW to accommodate a public pathway, watermain and sanitary main;
 - **Area 2:** up to 6m wide north-south SRW to accommodate a watermain and sanitary main;
 - **Area 3:** up to 4m wide SRW in the southeast corner of the subject property to allow a future pedestrian connection from the public pathway (Area 1) to Jade Avenue;
 - **Area 4:** a temporary 2m wide SRW between the public pathway (Area 1) and Uplands Drive, to be discharged once the public pathway is extended offsite to form a continuous network which connects to a public street; and
 - construction of a public pathway in a 6m wide east-west SRW within Area 1, built to City Standard CS-21 (or a standard acceptable to the City).
4. *Environmental Fencing* – registration of a Section 219 covenant to secure the construction of environmental protection fencing along the edge of the wetland, or in a proposed location within the setback acceptable to the City, prior to building occupancy. |

SUMMARY POINTS

- This application is to rezone the subject property from Steep Slope Residential (R10) to Medium Density Residential (R8) with a site-specific Floor Area Ratio to allow a multi-family residential development.
- The conceptual plans illustrate two four-storey buildings consisting of approximately 42 dwelling units.
- A monetary Community Amenity Contribution (CAC) toward local water system improvements is proposed.
- The proposed development is consistent with City Plan policies for the Neighbourhood future land use designation.
- 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 2025 No. 4500.245”

Submitted by:

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Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Planning & Development