

FOR: COUNCIL MEETING
 MEETING DATE: April 13, 2026
 DEPARTMENT: PLANNING AND DEVELOPMENT
 SUBJECT: REZONING APPLICATION NO. RA521 – 2565 DEPARTURE BAY ROAD



Proposal:
To allow for a multi-family development

Current Zoning:
R5 – Three and Four Unit Residential

Proposed Zoning:
R7 – Row House Residential

City Plan Land Use Designation:
Neighbourhood

Lot Area:
3,703m²



OVERVIEW**Purpose of Report**

To present Council with an application to rezone 2565 Departure Bay Road from Three and Four Unit Residential (R5) to Row House Residential (R7) to facilitate a multi-family development.

Recommendation

That:

1. “Zoning Amendment Bylaw 2026 No. 4500.250” (to rezone 2565 Departure Bay Road from Three and Four Unit Residential (R5) to Row House Residential (R7) pass first reading;
2. “Zoning Amendment Bylaw 2026 No. 4500.250” pass second reading;
3. “Zoning Amendment Bylaw 2026 No. 4500.250 pass third reading; and,
4. Council direct Staff to secure the conditions related to “Zoning Amendment Bylaw 2026 No. 4500.250” as outlined in the “Conditions of Rezoning” section of the Staff Report dated 2026-APR-13 prior to final adoption.

BACKGROUND

A rezoning application, RA521, was received from PlanUrban Land Use Consultants on behalf of Daniel and Tasha Martinez, to amend the “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) to rezone the subject property at 2565 Departure Bay Road from Three and Four Unit Residential (R5) to Row House Residential (R7) to facilitate a multi-family development. This application originally contained a second, adjacent property located at 2555 Departure Bay Road that was subsequently removed in October 2025.

Subject Property and Site Context

The subject property is located within the Departure Bay neighbourhood, east of Nanaimo Golf Club and west of Departure Bay. It is located at the north end of a city block bound by Departure Bay Road, Strongitharm Avenue, Lynburn Crescent, and Argyle Avenue. The property slopes up, approximately 8m, from east to west and currently contains a single-detached dwelling and detached garage. The surrounding neighbourhood is primarily characterized by low-density residential development, as well as Seascape Manor multi-family condominium development (zoned Medium Density Residential (R8)) across Departure Bay Road to the southeast and Ocean Vista Apartments (zoned Medium Density Residential (R8)) located within 200m of the subject property at the corner of Departure Bay Road, Seaview Place, and Randle Road.

DISCUSSION**Proposed Zoning**

The applicant is proposing to rezone the subject property from R5 to R7 to facilitate a multi-family development. The R7 zone provides for ground-oriented, multi-family dwelling units with a maximum allowable height of 10.5m. The Zone also permits a Floor Area Ratio of 0.70 with an opportunity for additional density (up to 1.05) where the amenity requirements for additional density (Schedule D of the Zoning Bylaw) are achieved.

A comparison between the existing R5 zone and the proposed R7 zone is shown in the table below:

	Existing R5 Zone	Proposed R7 Zone
Permitted Principal Uses	Single Residential Dwelling Duplex Multiple Family Dwelling	Row House Multiple Family Dwelling
Density	Three dwelling units per lot less than 280m ² Four dwelling units per lot equal to or greater than 280m ²	0.70 FAR (base density) (additional density of up to 1.05 FAR possible under Schedule D)
Setbacks	Front Yard: 3.0m Side Yard: 1.5m Flanking Side Yard: 2.5m Rear Yard: 7.5m	Front Yard: 3.0m Side Yard: 1.5m (0.0m for attached Row Houses) Flanking Side Yard: 2.5m Rear Yard: 3.0m
Lot Coverage	50%	70% - Row House lot 50% - Multiple Family Dwelling lot
Principal Building Height	9m (flat roof with a pitch less than 4:12) 10.5m (sloped roof with a pitch 4:12 or greater)	9m (flat roof) 10.5m (sloped roof)

The conceptual plans submitted with the rezoning application illustrate how the site could be developed with 19 townhouse units accessed from Strongitharm Avenue. The development concept demonstrates that the R7 zoning requirements can be met, and the required parking can be provided onsite. Any 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 Neighbourhood future land use designation, which supports a diversity of housing options ranging from single-unit dwellings, duplexes, ground-oriented multi-family (e.g. townhomes), low-rise apartment buildings (up to four-storeys). Rezoning to R7 is supported by *City Plan* and meets the policy objectives of the Neighbourhood designation to support infill housing near existing services, public amenities, and transit routes.

The applicant submitted several technical studies in support of the proposed rezoning including preliminary servicing reports to demonstrate feasible water, sanitary, and stormwater services. 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.

City Plan – Mobility Network

The subject property abuts Departure Bay Road to the east, Strongitharm Avenue to the north, and Lynburn Crescent to the west. Departure Bay Road is designated as a future Bus Frequent Transit (BFT) Line route and the closest transit stops are located approximately 200m south of the subject property north of the intersection of Departure Bay Road and Argyle Avenue.

Departure Bay Road is classified as an Urban Collector in Schedule 4 (“Road Network”) of *City Plan*. The current road dedication is approximately 20m. To accommodate a future 25m ‘Urban Collector’ cross-section, approximately 2.5m of road dedication along Departure Bay Road will be secured as a condition of rezoning.

Recent subdivision and infill development has occurred within the same city block as the subject property. To support this development pattern, the City has identified the need for a future north-south lane through the block, to serve historically deep residential lots ranging from approximately 90 m to over 100 m in depth. Lane dedication has already been secured on several properties within the block. As a condition of rezoning, a 7.0 m road reserve and statutory right-of-way will be secured through the subject property to accommodate the future lane. In addition, a temporary turnaround at the south end of the road reserve on the subject property will be secured as a rezoning condition, until such a time when the property develops and completes the lane connection.

Community Amenity Contribution

In consideration of the increased land value associated with the proposed rezoning, the application was reviewed in accordance with Council’s Community Amenity Contribution (CAC) Policy. Based on the 2025 CAC rates in effect at the time of application, the estimated contribution is \$7,500 per townhouse unit. The subject property has the potential to have up to four dwelling units under the existing R5 zoning, which would result in a net density increase of 15 dwelling units under the proposed R7 zoning for the subject property based on the concept of 19 townhouse units. This would result an approximate total cash contribution of \$112,500 if a monetary CAC were provided.

The applicant submitted a CAC rationale indicating that no amenity contribution is warranted due to the project scope, negligible increase in density relative to the existing R5 zoning if the property were instead subdivided into four or five lots each allowing four units, and the financial impacts on the project of providing a CAC. The applicant notes that the rezoning is intended to enable a more cohesive development form on a single lot rather than to achieve additional density.

Staff acknowledge that the proposal represents a development scale and proposed density that is comparable to what could be achieved under the existing R5 zoning. While it is reasonable to infer that the site could accommodate approximately 16-20 units through subdivision under the existing R5 zone, potential development yield under existing zoning remains theoretical and cannot be confirmed without a subdivision application and full technical review, including access, servicing, and land dedication considerations.

As part of the proposed development, a portion of the raised pedestrian intersection at Strongitharm Avenue and Departure Bay Road is required to serve the site and will be secured through standard frontage and off-site improvement requirements. In accordance with the CAC Policy, construction of

the off-site portion of the raised pedestrian intersection represents an improvement that exceeds the bylaw requirements and provides a broader public benefit related to pedestrian safety and active transportation. The approximate value of this portion of the intersection improvements is \$12,500.

Staff support securing construction of this portion of the raised pedestrian intersection as an off-site, in-kind CAC. This approach recognizes the reduced scale of development while ensuring a demonstrable public benefit is delivered through the rezoning.

Conditions of Rezoning

Should Council support this application and pass third reading of “Zoning Amendment Bylaw 2026 No. 4500.250”, Staff recommend the following items be secured prior to final adoption of the bylaw:

1. *Road Dedication* – Road dedication with an approximate width of 2.5m along the Departure Bay Road frontage to the intersection of Strongitharm Avenue.
2. *Lane Dedication* – Registration of a Section 219 Covenant to secure a 7.0 m wide road reserve and a statutory right-of-way for a future north-south lane extending from Strongitharm Avenue through the subject property, to be dedicated at the time of future subdivision.
3. *Temporary Turnaround* – Registration of a Section 219 Covenant to secure a statutory right-of-way and require construction of a temporary turnaround at the south end of the lane, to remain in place until the lane is extended through future development of lands to the south.
4. *Off-Site Improvements* – Registration of a Section 219 Covenant to secure construction of a portion of the raised pedestrian intersection at the corner of Strongitharm Avenue and Departure Bay Road, to the City’s MoESS R-RLI standard, with the portion of the work that exceeds site-serving requirements provided as an off-site, in-kind community amenity contribution, at the time of future subdivision.
5. *No Build Covenant* – Registration of a Section 219 No-Build Covenant over the parent parcel to prohibit development prior to subdivision in accordance with the proposed zoning, while permitting reasonable expansion of existing buildings provided no encroachment occurs within the future lane road reserve.

COMMUNICATION AND COMMUNITY ENGAGEMENT

Public Notification

Pursuant to Sections 464(3) and 467 of the *Local Government Act*, a public hearing is prohibited for proposed “Zoning Amendment Bylaw 2026 No. 4500.250” 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 2026-APR-02.

Community Consultation

The subject property is within the Departure Bay Neighbourhood Association area. The applicant hosted a Public Information Meeting (PIM) on 2024-SEP-19 at the Departure Bay Kin Hut (2730 Departure Bay Road), which was attended by approximately 45 members of the public. Key feedback included concerns regarding project density; compatibility with the existing neighbourhood character; building height and potential view impacts; traffic volumes and pedestrian safety on Lynburn Crescent, Strongitharm Avenue, and Departure Bay Road; the absence of sidewalks on local streets; the adequacy of visitor parking; and the lack of on-site open space or park amenities. Following the PIM, the property at 2555 Departure Bay Road was removed from the application, reducing the proposed development density to approximately 19 units based on the conceptual design.

Any future multi-family residential development consisting of more than four dwelling units on a single lot will require a Form and Character Development Permit (DPA8) should Council approve the rezoning. Form and character concerns identified through the Public Information Meeting will be reviewed and addressed through the Development Permit process. Staff support the proposed Zoning Bylaw amendment.

KEY MESSAGES

- This application is to rezone the subject property from Three and Four Unit Residential (R5) to Row House Residential (R7) to facilitate a multi-family development.
- The conceptual plans illustrate a townhouse development with 19 units.
- An in-kind Community Amenity Contribution (CAC) of a portion of a raised pedestrian intersection to the City's MoESS R-RLI standard, where Strongitharm Avenue intersects with Departure Bay Road is proposed.
- The proposed rezoning 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 2026 No. 4500.250"

Authored by:

Cameron Salisbury
Planner II, Current Planning

Concurrence by:

Lainya Rowett
Manager, Current Planning

Jeremy Holm
Director, Planning and Development