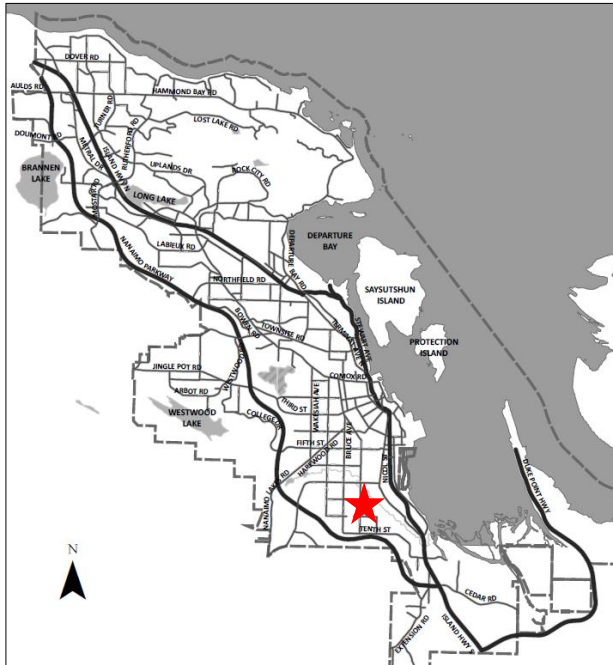


DATE OF MEETING | June 17, 2024 |

AUTHORED BY | KRISTINE MAYES, PLANNER, CURRENT PLANNING |

SUBJECT | REZONING APPLICATION NO. RA500 - 330 & 338 NINTH STREET



Proposal:

To allow a multi-family development

Current Zoning:

R1 – Single Dwelling Residential

Proposed Zoning:

R6 – Low Density Residential with a site-specific density

City Plan Land Use Designation:

Suburban Neighbourhood

Lot Area:

0.42 ha – 330 Ninth Street

0.30 ha – 338 Ninth Street

0.72 ha (total lot area)



OVERVIEW

Purpose of Report

To present Council with an application to rezone 330 and 338 Ninth Street from Single Dwelling Residential (R1) to Low Density Residential (R6) with a site-specific density to allow a multi-family residential development.

Recommendation

That:

1. "Zoning Amendment Bylaw 2024 No. 4500.225" (to rezone 330 and 338 Ninth Street from Single Dwelling Residential [R1] to Low Density Residential [R6] with a site-specific Floor Area Ratio) pass first reading;
2. "Zoning Amendment Bylaw 2024 No. 4500.225" pass second reading;
3. "Zoning Amendment Bylaw 2024 No. 4500.225" pass third reading; and,
4. Council direct Staff to secure the conditions related to "Zoning Amendment Bylaw 2024 No. 4500.225" as outlined in the "Conditions of Rezoning" section of the Staff Report dated 2024-JUN-17 prior to final adoption.

BACKGROUND

A rezoning application, RA500, was received from Lovick Scott Architects, on behalf of 1432866 BC Ltd. and Glen Neufeld, to amend the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") to rezone the subject property at 330 and 338 Ninth Street from Single Dwelling Residential (R1) to Low Density Residential (R6) with a site-specific Floor Area Ratio (FAR) of 0.62 to facilitate a multi-family development.

Subject Property and Site Context

The subject property is located in the Harewood Neighbourhood on the north side of Ninth Street between Douglas Avenue to the east and Buffer Road to the west. The grade change of the property is approximately 10m and slopes downward to the southwest toward Ninth Street. Established single residential dwellings, mobile home parks, and parkland predominantly characterize the surrounding area. Both subject properties currently contain a single residential dwelling. The lots will be consolidated as a condition of rezoning.

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 4500.225" 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-JUN-06. |

DISCUSSION

Proposed Zoning

The applicant is proposing to rezone the subject properties from Single Dwelling Residential (R1) to Low Density Residential (R6) zone with a site-specific FAR of 0.62 to facilitate a multi-family residential development.

The conceptual plans submitted with the rezoning application illustrate a proposed townhouse development with seven residential buildings including 34 units. The development concept demonstrates that the R6 zoning requirements (with site-specific density) can be met, and the required parking can be provided onsite. Any additional 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 Suburban Neighbourhood future land use designation, which supports ground-oriented development in residential areas that are further from services and transit hubs. The Suburban Neighbourhood designation supports a mix of ground-oriented building forms including townhouses up to three storeys. The proposed development is consistent with City Plan policies for the Suburban Neighbourhood future land use designation.

The applicant submitted a number of technical studies in support of the proposed rezoning including: geotechnical, water, sanitary, stormwater management and tree management assessments. As part of the application review, a water model analysis was also completed to confirm available fire flows for the proposed development. Staff have reviewed and accepted the studies with the understanding that further review is required at the detailed design stage (Development Permit and Building Permit) to confirm the requirements for development.

City Plan – Mobility Network

The subject properties are located outside of an urban centre as identified in Figure 36 of the City Plan, with the nearest centre being the Southgate Secondary Urban Centre (located approximately 1.2km to the southeast). An existing local bus route runs northbound on Bruce Avenue (approximately 650m to the west).

Vehicle access to the site would continue from the existing access off Ninth Street. Ninth Street is designated an Urban Collector in Schedule 4 (“Road Network”) of City Plan which requires a 25m road dedication. The existing road dedication is approximately 20.117m. As such, 2.44m for future road widening will be secured as a condition of rezoning.

Community Consultation

The subject properties are located within the boundary of the Harewood Neighbourhood Association. The application was forwarded to the association and staff have followed up but received no response to-date. The applicant hosted a Public Information Meeting on 2024-APR-18 at the Loyal Order of Moose Hall, where approximately 15 members of the public attended the

meeting. Several comments in support of the development were received and some attendees expressed opposition to the proposed rezoning and raised concerns regarding increased density, traffic along Ninth Street, increased on-street parking, tree removal, and fire truck access.

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) in accordance with Council's *Community Amenity Contribution Policy*. The 2023 rate for townhouse residential dwellings (based on the timing of the application submission) is \$3,800 per townhouse unit. The applicant is proposing a monetary contribution, with 40% to be directed towards the City's Housing Legacy Reserve Fund and the remaining 60% to be directed toward local parks and trail improvements in the City. Based on the conceptual plans provided, a monetary contribution of \$129,200 is anticipated. The CAC contribution rate 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. 4500.225", Staff recommend the following items be secured prior to final adoption of the bylaw:

1. *Community Amenity Contribution* – a monetary contribution equal to \$3,800 per townhouse unit in accordance with the Council's *Community Amenity Contribution Policy* to be paid prior to Building Permit issuance, with 40% to be directed towards the City's Housing Legacy Reserve Fund and 60% to be directed towards local parks and trail improvements within the City of Nanaimo.
2. *Road Dedication* – road dedication with a width of approximately 2.44m along Ninth Street to allow for a future 'Urban Collector' cross-section of 25.0m.
3. *Lot Consolidation* – Consolidation of the subject properties. |

SUMMARY POINTS

- This application is to rezone the subject property from Single Dwelling Residential (R1) to Low Density Residential (R6) with a site-specific Floor Area Ratio to allow a multi-family residential development.
- The conceptual plans illustrate seven townhouse buildings with 34 dwelling units.
- The applicant is proposing a monetary Community Amenity Contribution toward the City's Housing Legacy Reserve Fund and local parks and trail improvements.
- The proposed development is consistent with City Plan policies for the Suburban 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 Perspective
“Zoning Amendment Bylaw 2024 No. 4500.225”

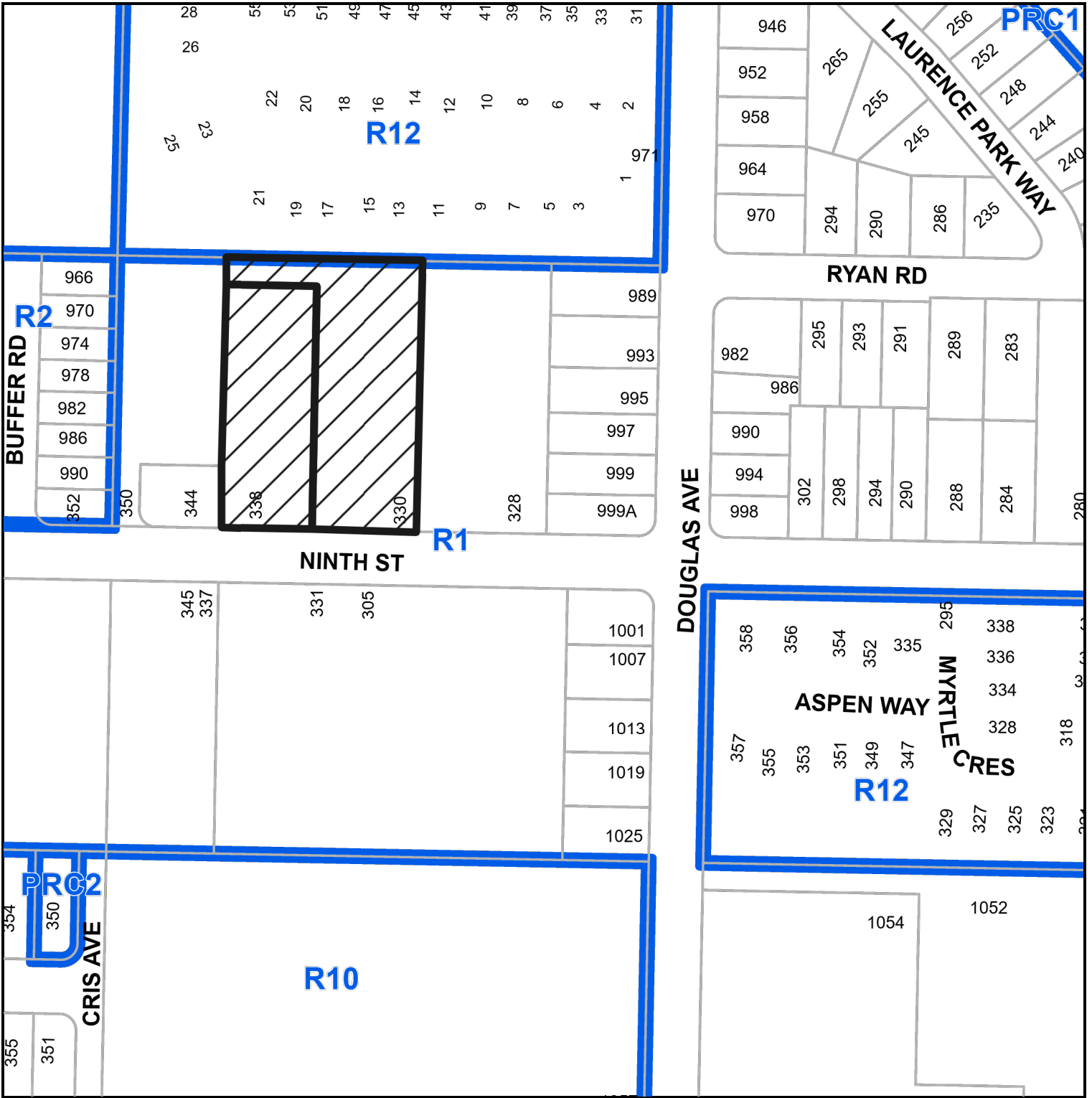
Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

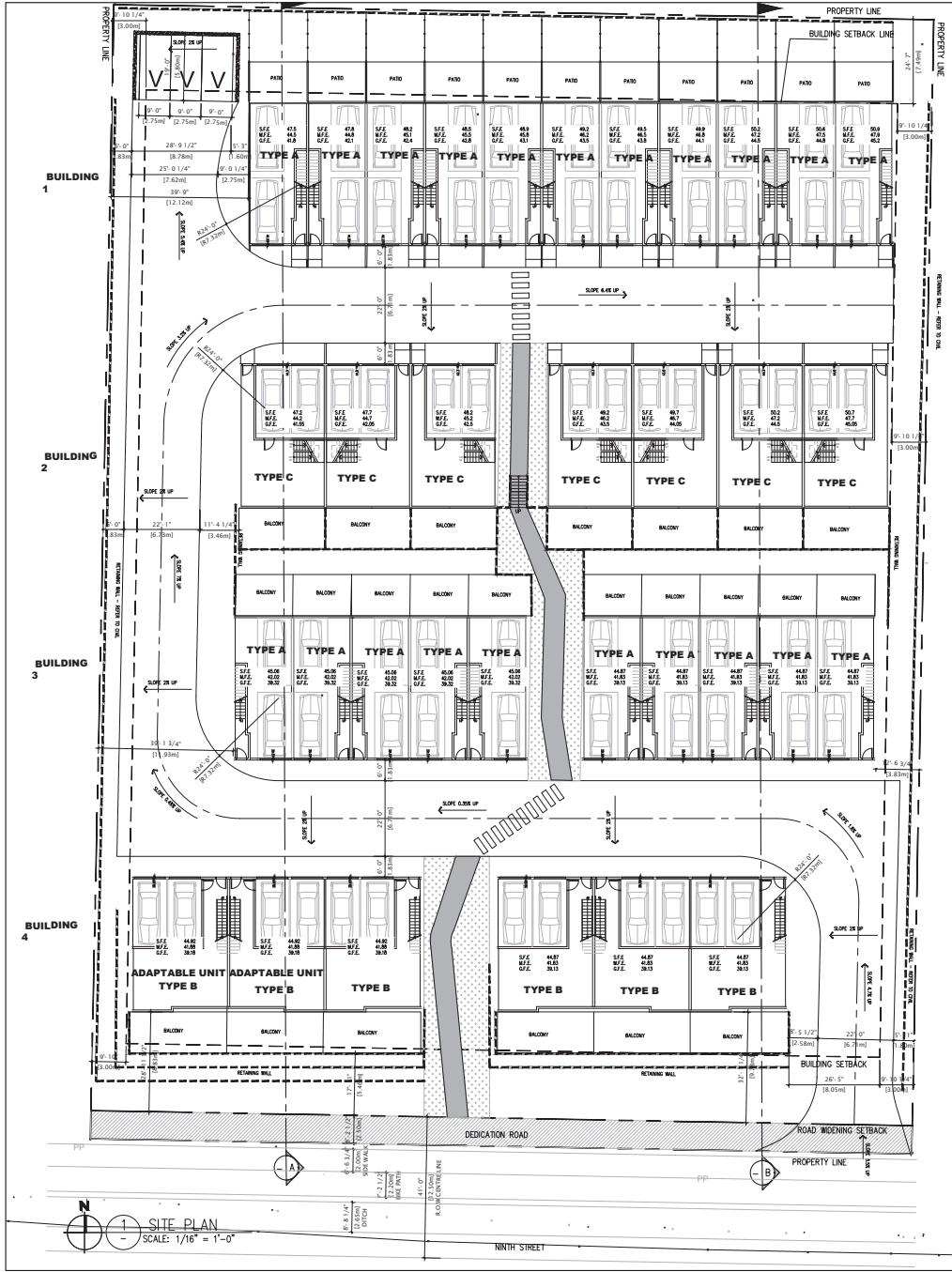
Jeremy Holm
Director, Planning & Development

ATTACHMENT A SUBJECT PROPERTY MAP



330 & 338 Ninth Street

ATTACHMENT B CONCEPTUAL SITE PLAN



PROJECT STATISTICS

AUTHORITY HAVING JURISDICTION
CITY OF NANAIMO, BC

CIVIC ADDRESS
330 & 338 Ninth Street, Nanaimo, BC

LEGAL DESCRIPTION
TIC

ZONING
CURRENT: R1
PROPOSED ZONING: R6 w/ FAR INCREASED

SITE AREA
GROSS LOT AREA: 7,856.7 M² 78,567 SQ. FT. (0.72 HECTAR)
NET SITE AREA: 7,117,209 M² 76,609 SQ. FT. (0.711 HECTAR)

ROAD DEDICATIONS (BYLAW 7.5.4)
2.9M ROAD DEDICATION FOR ROAD EXTENSION: 181.9 M² 1958 SQ. FT.

NET SITE AREA
7,117,209 M² 76,609 SQ. FT. (0.711 HECTAR)

TOTAL LOT COVERAGE
MAXIMUM ALLOWED: 2,846,858 M² 30,643.56 SQ. FT. = 40%
PROPOSED LOT COVERAGE: 2,310,958 M² 26,199.26 SQ. FT. = 30%

BUILDING HEIGHT
ALLOWABLE: 9 M H
PROPOSED: 28.3 STOREYS

DENSITY
SITE AREA: 7,856.7 M² (9,567 SQ. FT.)
PROPOSED: 34 UNITS = 4,478.77 M² (48,682.36 SQ. FT.)
TOTAL FAR: 0.62

SETBACK

ELEVATION	MINIMUM	PROPOSED BUILDING
WEST (SIDE)	3.0M (9' 10")	3.0M (9' 10")
EAST (SIDE)	3.0M (9' 10")	3.0M (9' 10")
NORTH (REAR)	7.5M (24' 7")	7.57M (24' 10")
SOUTH (FRONT)	8.0M (19' 8")	9.20M (30' 2 1/2")

UNIT MATRIX

UNIT TYPE	#	UNIT DIMENSION	BASEMENT	GROUND FLOOR	2ND FLOOR	3RD FLOOR	G.F.A.R. (SQUARE)	TOTAL G.F.A.R. (SQUARE)
A	21	41'-11" X 17'	-	-	55.83 M ² (600.96 sq ft)	55.83 M ² (600.96 sq ft)	111.66 M ² (1,201.92 sq ft)	2,344.86 M ² (25,240.32 sq ft)
B	6	38'-2" X 28'	-	43.32 M ² (466.39 sq ft)	89.64 M ² (964.97 sq ft)	-	132.96 M ² (1,431.27 sq ft)	797.76 M ² (8,587.62 sq ft)
C	7	41'-11" X 24'-5 1/2"	54.08 M ² (582.21 sq ft)	54.08 M ² (582.21 sq ft)	88.04 M ² (947.04 sq ft)	-	196.20 M ² (2,122.06 sq ft)	1,380.00 M ² (14,854.42 sq ft)
TOTAL	34						4,478.77 M ² (48,682.36 sq ft)	

* HALF AREA

PARKING

PARKING BYLAW NO 7286- SECTION 7.1
1.66 PER DWELLING UNIT
REQUIRED: QTY #68
PROPOSED: QTY #68
VISITOR: QTY #3

# OF BEDROOMS	# AREA 1/ REQ'D PER UNIT	PROVIDED
3+	2	2
2	1.8	2

AMENITY

AMENITY : 305 M² (3,283.53 SQ. FT.)
PER UNIT: 8.97 M² (96.55 SQ. FT.)

LEGEND:

- SIDEWALK/CROSS WALK
- AMENITY AREA
- PROPOSED RETAINING WALL
- FENCE

REV	DATE	DESCRIPTION
04	2023-11-14	ISSUED FOR REZONING
03	2023-07-04	ISSUED FOR CLIENT REVIEW
02	2023-06-30	ISSUED FOR REVIEW
01	2023-05-16	ISSUED FOR CITY REVIEW

CONSULTANT

CONSULTANT SEAL

CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE. DRAWINGS SHALL NOT BE SCALED.

ARCHITECT



3707 1ST AVENUE
BURNABY, B.C. V5C 3V6
ADMIN@LOVICKSCOTT.COM
604 298 3700 WWW.LOVICKSCOTT.COM
MEMBER OF THE AIBC, AAA, SAA, MAA
ARCHITECTURAL SEAL

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DRAWN BY: LSA

PROJECT: NINTH ST FEASIBILITY

NINTH ST, NANAIMO, BC

SITE PLAN

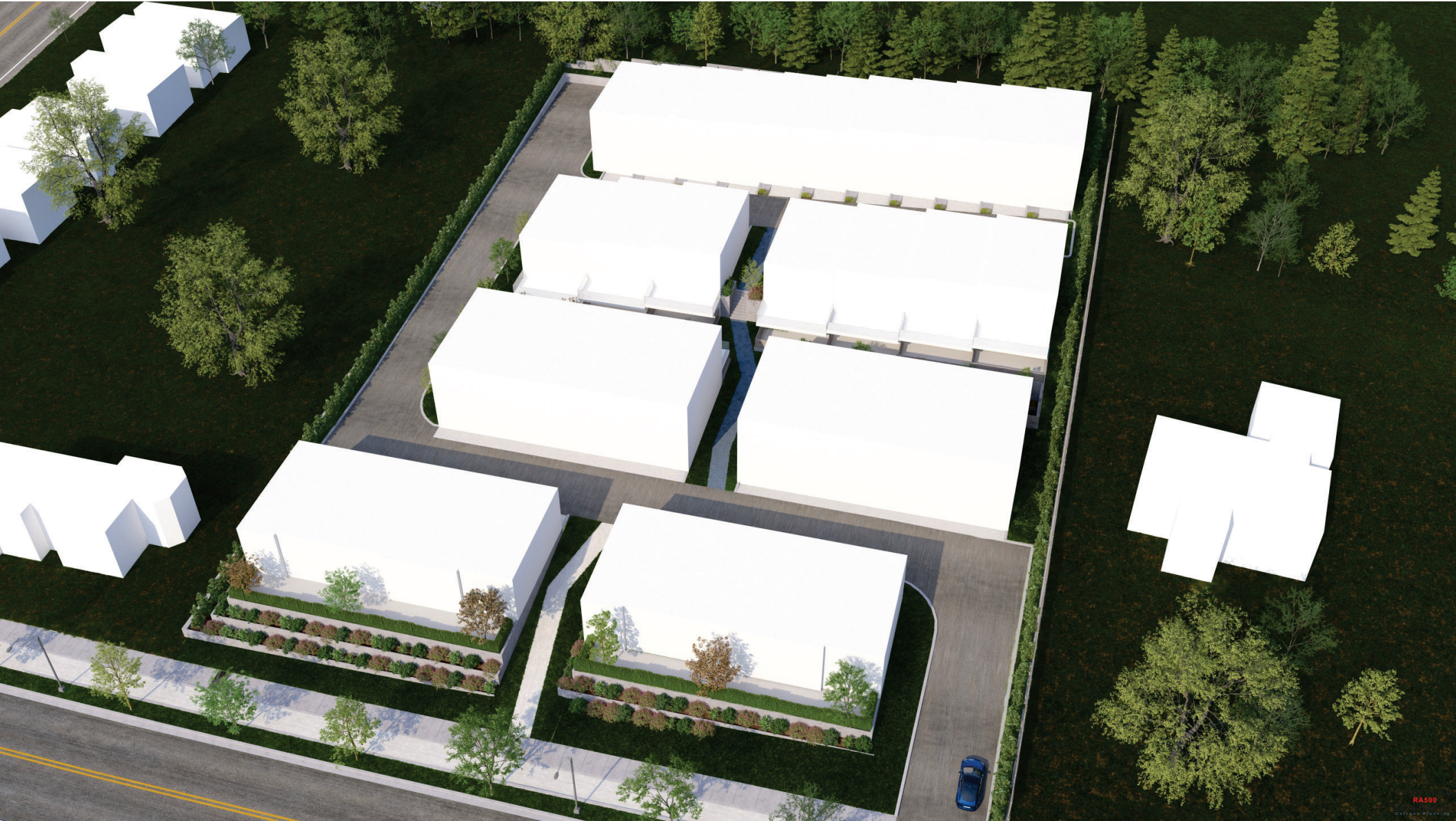
PROJECT NUMBER: 22-070 DRAWING NUMBER: AS1

SCALE: 1/16" = 1'-0"
DATE: MAY 2023 REVISION: JUNE 2023

RECEIVED
RA500
2024-APR-12
Current Planning

20-070 NINTH ST FEASIBILITY

ATTACHMENT C CONCEPTUAL BUILDING PERSPECTIVE



CITY OF NANAIMO

BYLAW NO. 4500.225

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "ZONING AMENDMENT BYLAW 2024 NO. 4500.225".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:
 - (1) By rezoning the lands legally described as LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 37548 (330 Ninth Street) and LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 25112 (338 Ninth Street) from Single Dwelling Residential (R1) to Low Density Residential (R6) as shown on Schedule A.
 - (2) By amending the table in section 7.3.4 by adding the following row after the row labelled '405 Rosehill Street'

Civic Address	Legal Description	Maximum Allowable Floor Area Ratio
330 Ninth Street	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 37548	0.62
338 Ninth Street	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 25112	

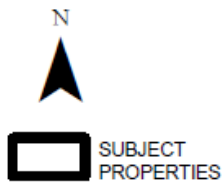
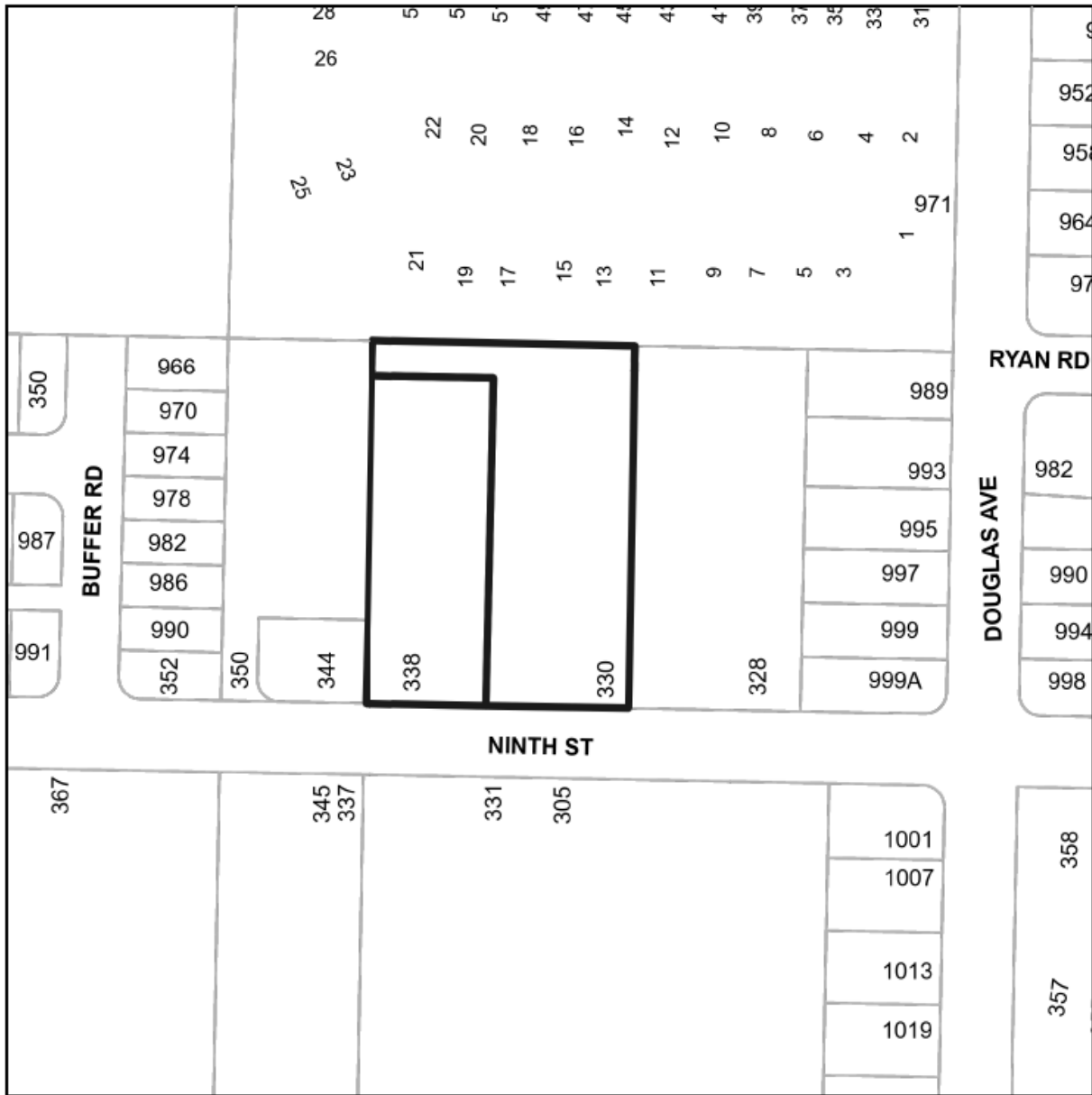
PASSED FIRST READING: _____
 PASSED SECOND READING: _____
 PUBLIC HEARING HELD: _____
 PASSED THIRD READING: _____
 ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000500
 Address: 330 & 338 Ninth Street

SCHEDULE A



REZONING APPLICATION NO. RA000500

CIVIC: 330 & 338 NINTH STREET
 LEGALS: LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 37548
 LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 25112