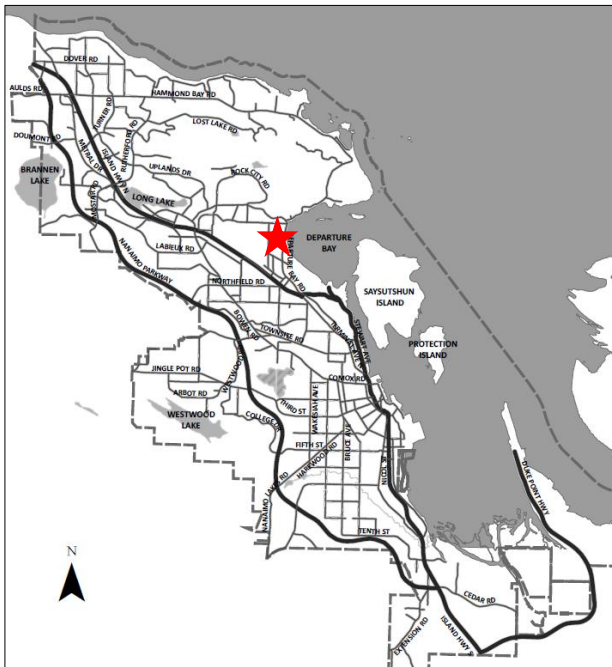


DATE OF MEETING | October 7, 2024

AUTHORED BY | KRISTINE MAYES, PLANNER, CURRENT PLANNING

SUBJECT | REZONING APPLICATION NO. RA507 - 1415 LOAT STREET



**Proposal:**

To allow a multi-family residential development

**Current Zoning:**

R5 – Three and Four Unit Residential

**Proposed Zoning:**

R7 – Row House Residential

**City Plan Land Use Designation:**

Neighbourhood Centre

**Lot Area:**

3,094m<sup>2</sup>



## **OVERVIEW**

### **Purpose of Report**

To present Council with an application to rezone 1415 Loat Street from Three and Four Unit Residential (R5) to Row House Residential (R7) to allow a multi-family residential development.

### **Recommendation**

That:

1. "Zoning Amendment Bylaw 2024 No. 4500.232" (to rezone 1415 Loat Street from Three and Four Unit Residential [R5] to Row House Residential [R7]) pass first reading;
2. "Zoning Amendment Bylaw 2024 No. 4500.232" pass second reading;
3. "Zoning Amendment Bylaw 2024 No. 4500.232" pass third reading; and,
4. Council direct Staff to secure the conditions related to "Zoning Amendment Bylaw 2024 No. 4500.232" as outlined in the "Conditions of Rezoning" section of the Staff Report dated 2024-OCT-07 prior to final adoption.

## **BACKGROUND**

A rezoning application, RA507, was received from Ian Niamath Architect, on behalf of 1352540 BC Ltd., to amend the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") to rezone the subject property at 1415 Loat Street from Three and Four Unit Residential (R5) to Row House Residential (R7) to facilitate a multi-family residential development.

### **Subject Property and Site Context**

The subject property is located in the Departure Bay Neighbourhood on the north side of Loat Street, just west of Departure Bay Road. The grade change of the property is approximately 11m and slopes downward to the northeast. The subject property currently contains a single residential dwelling and several accessory buildings. Established single residential dwellings, multi-family developments, small-scale commercial, and parkland predominantly characterize the surrounding area. The subject property is within walking distance of public parks and recreational amenities, including the waterfront walkway, as well as public transit.

### **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 4500.232" 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-SEP-26.

## **DISCUSSION**

### **Proposed Development**

The applicant is proposing to rezone the subject property from Three and Four Unit Residential (R5) to Row House Residential (R7) zone to facilitate a multi-family residential development.

The conceptual plans submitted with the rezoning application illustrate how the site could be developed as a townhouse development with six residential buildings which include 23 dwelling units. Following the adoption of Bylaw No. 223 on 2024-JUN-17, the R7 zone was amended to allow multiple family developments on lots greater than 1,500m<sup>2</sup> in area to provide flexibility for medium density development (i.e. townhouses or other ground-oriented multi-family units) with similar height and setbacks to a row house lot. The development concept demonstrates that the R7 zoning requirements can be met, with a minor parking variance anticipated. 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 Centre future land use designation, which envisions a walkable and local-scale hub for services, residential uses and public gathering. Typical building forms that are supported include low-rise apartments, mixed-use commercial and residential developments, and townhouses in two to four-storey building forms. The proposed rezoning is consistent with City Plan policies for the Neighbourhood Centre future land use designation as it would allow higher density compact housing forms including ground-oriented building forms such as townhouses.

The applicant submitted technical studies in support of the proposed rezoning including; geotechnical with consideration of flood hazards; and, civil site servicing. 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 provided in support of the proposed zoning, 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 property is located outside of an urban centre as identified in Figure 36 of the City Plan, with the nearest centre being Country Club Secondary Urban Centre (approximately 2km to the west). However, the property is located within a Neighbourhood Centre in close proximity to an existing bus route along Departure Bay Road.

Vehicle access to the site would continue from the existing access off Loat Street. Loat Street is designated a Mobility Local in Schedule 4 (“Road Network”) of City Plan which requires a 20m road dedication. The existing road dedication is approximately 12.19m. As such, 3.91m of dedication for future road widening will be secured as a condition of rezoning.

## **Community Consultation**

The subject property is within the area of the Departure Bay Neighbourhood Association. The application was forwarded to the association and no response has been received to date. The applicant hosted a Public Information Meeting (PIM) on 2024-AUG-15 at the Kin Hut, where approximately 29 members of the public attended the meeting. Several comments in support of the development were received, and some attendees expressed concerns regarding the height of the buildings; on-street parking; the anticipated parking variance; infrastructure servicing; and, fire truck access. Following the PIM, the applicant provided revised conceptual plans reducing the anticipated parking space variance.

## 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, the CAC would be calculated at \$5,600 per townhouse unit or \$55 per m<sup>2</sup> of Gross Floor Area for multiple family dwellings. The applicant is proposing a monetary contribution with 40% to be directed toward 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 approximately \$112,551 is anticipated. The CAC contribution rate will be secured as a condition of rezoning to be paid prior to Building Permit issuance. Staff support the proposed CAC.

## Conditions of Rezoning

Should Council support this application and pass third reading of "Zoning Amendment Bylaw 2024 No. 4500.232", Staff recommend the following items be secured prior to final adoption of the bylaw:

1. *Community Amenity Contribution* – a monetary contribution equal to \$5,600 per townhouse unit or \$55 per m<sup>2</sup> of Gross Floor Area for multiple family dwellings 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 3.91m along Loat Street to allow for a future 'Mobility Local' cross section of 20.0m

### SUMMARY POINTS

- This application is to rezone the subject property from Three and Four Unit Residential (R5) to Row House Residential (R7) to allow a multi-family residential development.
- The conceptual plans illustrate six townhouse buildings with 23 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 Neighbourhood Centre future land use designation.

### ATTACHMENTS

ATTACHMENT A: Subject Property Map  
ATTACHMENT B: Conceptual Site Plan  
ATTACHMENT C: Conceptual Building Perspectives  
"Zoning Amendment Bylaw 2024 No. 4500.232"

#### Submitted by:

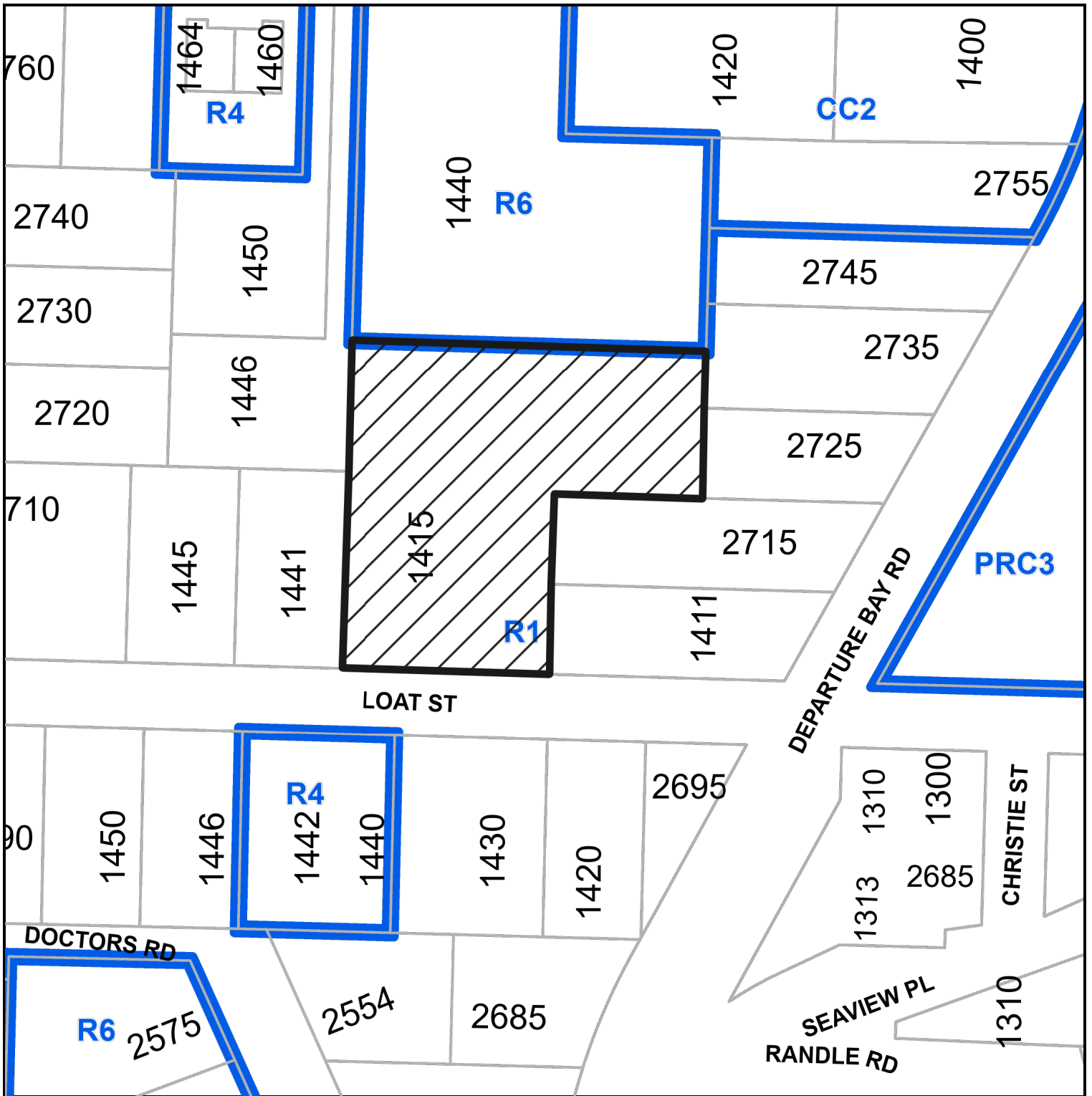
Lainya Rowett  
Manager, Current Planning


#### Concurrence by:

Jeremy Holm  
Director, Planning & Development

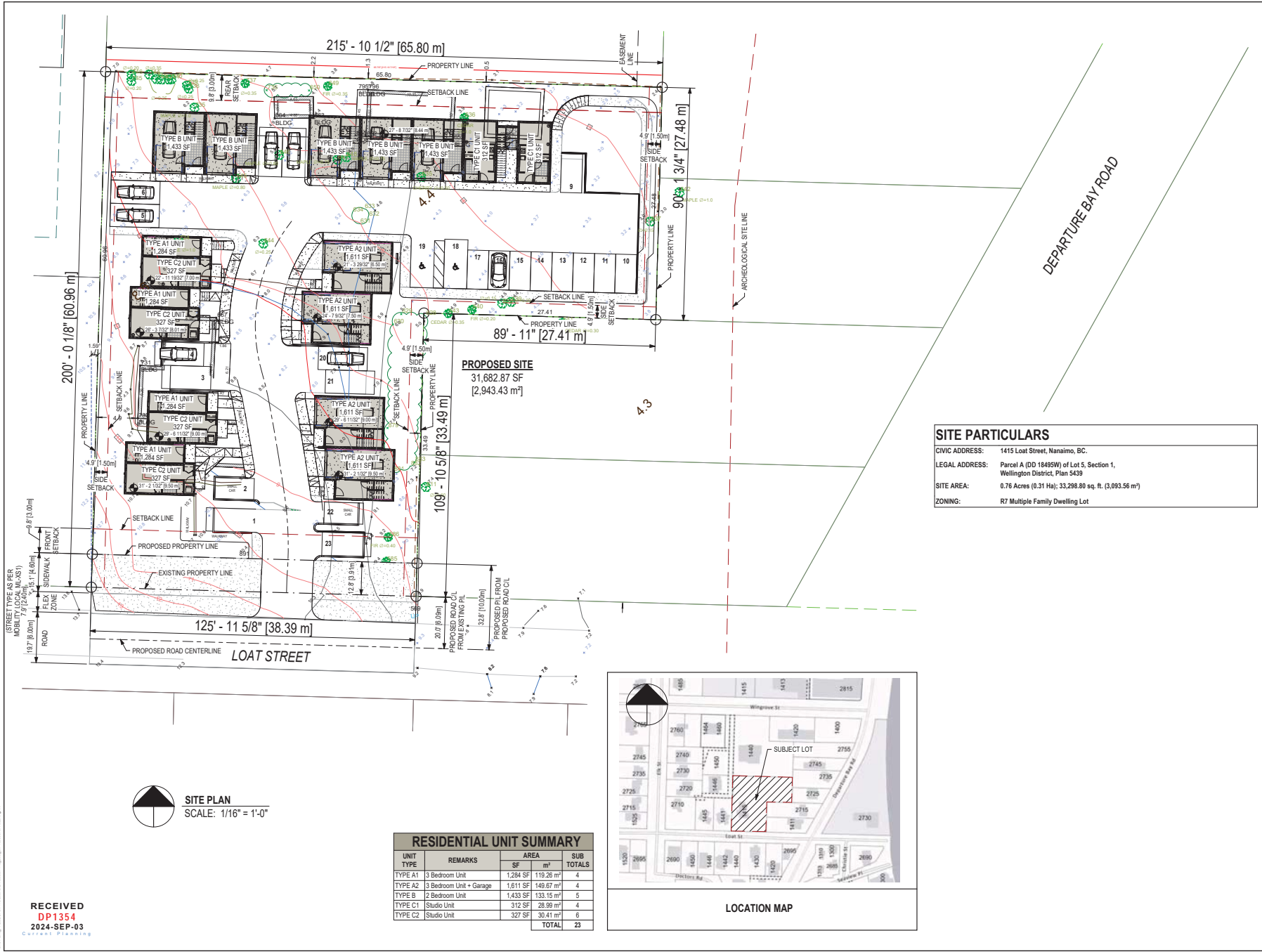


ATTACHMENT A  
SUBJECT PROPERTY MAP



 1415 LOAT STREET

# ATTACHMENT B CONCEPTUAL SITE PLAN



**NOTES:**  
CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK AND REPORT ANY DISCREPANCY TO THE ARCHITECT BEFORE PROCEEDING.  
ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND MUST BE RETURNED AT THE COMPLETION OF THE WORK.  
THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNITS, SIGNED BY THE ARCHITECT.  
DO NOT SCALE FROM THESE DRAWINGS.

NO.	REVISION	DATE
1	PRELIMINARY REVIEW	NOV 22 2023
2	CLIENT REVIEWING	FEB 06 2024
3	READY FOR REVISION	SEP 03 2024

**RECEIVED RA507 2024-SEP-06**

**ISSUED FOR REZONING**

**ARCHITECT**  
**ian a. niamath**  
a.i.b.c.  
151 SPINNER STREET, NANAIMO, B.C.  
CELL: 250 756 8786 EMAIL: niamath@ianaw.ca

**CLIENT**  
  
**Treelife Properties**

**PROJECT**  
**LOAT STREET DEVELOPMENT**  
**1415 LOAT STREET, NANAIMO, BC**

**SHEET TITLE**  
**SITE PLAN, SITE PARTICULARS,**  
**PROJECT DATA**

SCALE	DATE
AS SHOWN	OCT 27, 2023
DRAWN	CHECKED
NR	IAN
DRAWING NO.	
<b>A1.0</b>	<b>R3</b>

# ATTACHMENT C CONCEPTUAL BUILDING PERSPECTIVES



DRAWING PREPARED BY IAN NIAMATH, ARCHITECT, VANCOUVER, BC. PHOTO: IAN NIAMATH

<p><b>NOTES:</b></p> <p>CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK AND REPORT ANY DISCREPANCY TO THE ARCHITECT BEFORE PROCEEDING.</p> <p>ALL CHANGES AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND MUST BE RETURNED AT THE COMPLETION OF THE WORK.</p> <p>THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED BY THE ARCHITECT.</p> <p>DO NOT SCALE FROM THESE DRAWINGS.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>REVISION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>PRELIMINARY REVISION</td> <td>NOV 22 2023</td> </tr> <tr> <td>2</td> <td>CLEAR REVISION</td> <td>FEB 08 2024</td> </tr> <tr> <td>3</td> <td>ISSUED FOR REZONING</td> <td>SEP 25 2024</td> </tr> </tbody> </table>	NO.	REVISION	DATE	1	PRELIMINARY REVISION	NOV 22 2023	2	CLEAR REVISION	FEB 08 2024	3	ISSUED FOR REZONING	SEP 25 2024		<p><b>ISSUED FOR REZONING</b></p>	<p><b>ARCHITECT</b></p> <p><b>ian a. niamath</b> a.i.b.c.</p> <p>151 SKINNER STREET, NANAIMO, B.C. CELL: 250 756 6786 EMAIL: ianmath@iainc.ca</p>	<p><b>CLIENT</b></p>  <p>Treelife Properties</p>	<p><b>PROJECT</b></p> <p>LOAT STREET DEVELOPMENT 1415 LOAT STREET, NANAIMO, BC</p>	<p><b>SHEET TITLE</b></p> <p>PERSPECTIVES</p> <p style="text-align: center;"><b>RECEIVED</b> <b>DP 1354</b> <b>2024-SEP-03</b> <small>CITY OF NANAIMO</small></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>SCALE</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>AS SHOWN</td> <td>OCT 27, 2023</td> </tr> <tr> <td>DRAWN</td> <td>CHECKED</td> </tr> <tr> <td>NR</td> <td>IAN</td> </tr> <tr> <td colspan="2">DRAWING NO.</td> </tr> <tr> <td style="text-align: center;"><b>A4.4</b></td> <td style="text-align: center;"><b>R3</b></td> </tr> </tbody> </table>	SCALE	DATE	AS SHOWN	OCT 27, 2023	DRAWN	CHECKED	NR	IAN	DRAWING NO.		<b>A4.4</b>	<b>R3</b>
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CITY OF NANAIMO

BYLAW NO. 4500.232

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, 467, 479, 480, 481, and 482 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. 4500.232".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as PARCEL A (DD 18495W) OF LOT 5, SECTION 1, WELLINGTON DISTRICT, PLAN 5439 (1415 Loat Street) from Three and Four Unit Residential (R5) from Row House Residential (R7) as shown on Schedule A.

PASSED FIRST READING: \_\_\_\_\_  
 PASSED SECOND READING: \_\_\_\_\_  
 PUBLIC HEARING HELD: \_\_\_\_\_  
 PASSED THIRD READING: \_\_\_\_\_  
 ADOPTED: \_\_\_\_\_

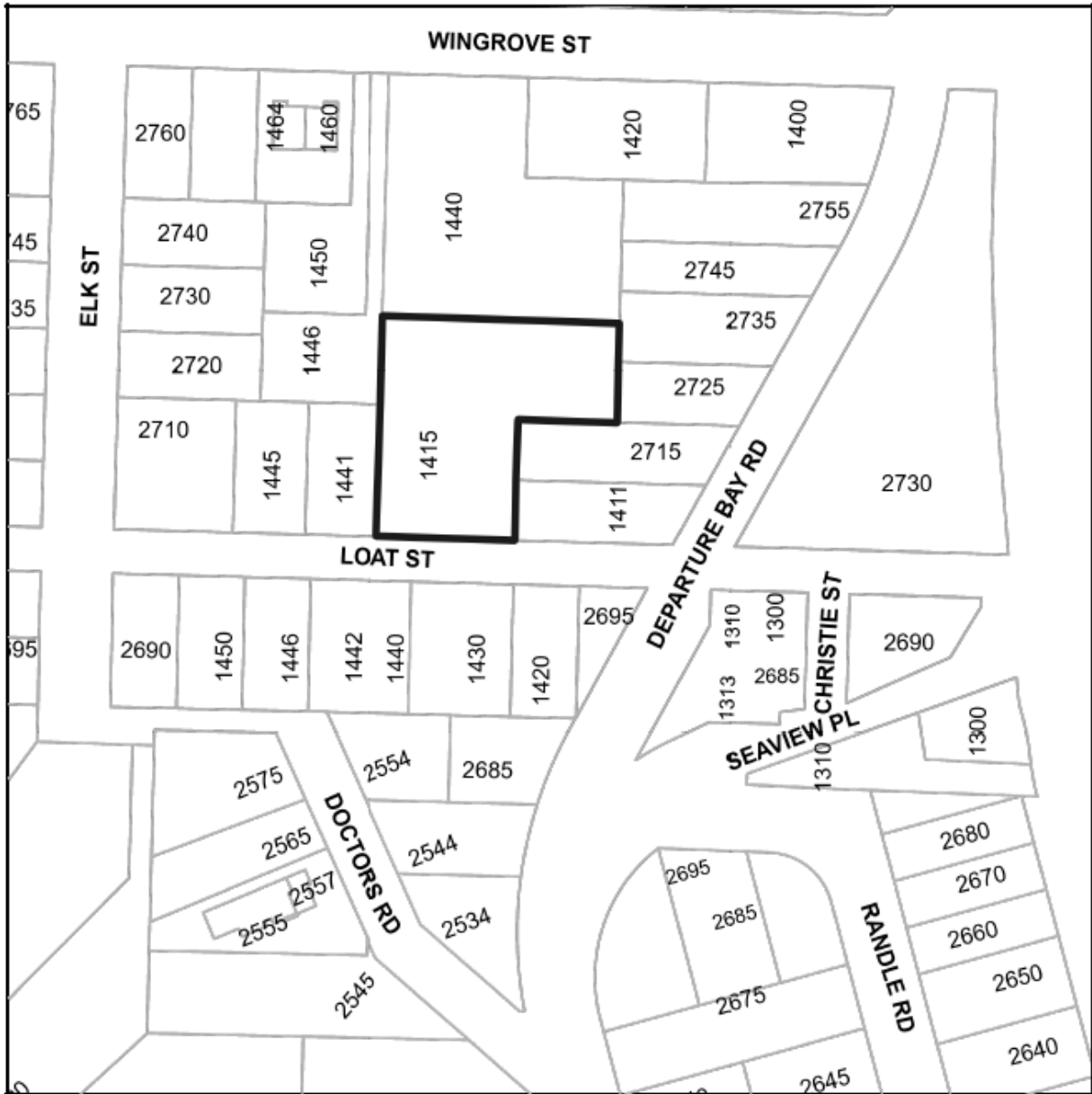
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

File: RA000507  
 Address: 1415 Loat Street



### SCHEDULE A



### REZONING APPLICATION NO. RA000507



**Subject Property**

CIVIC: 1415 Loat Street  
LEGAL: PARCEL A (DD 18495W) OF LOT 5, SECTION 1, WELLINGTON  
DISTRICT, PLAN 5439