

MINUTES OF THE SPECIAL MEETING  
OF THE COUNCIL OF THE CITY OF NANAIMO  
HELD IN THE SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC  
ON THURSDAY, 2013-AUG-01 COMMENCING AT 7:00 P.M.

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PRESENT: His Worship Mayor J. R. Ruttan, Chair

Members: Councillor W. L. Bestwick  
Councillor G. E. Greves  
Councillor J. A. Kipp  
Councillor D. K. Johnstone  
Councillor W. B. McKay  
Councillor J. F. K. Pattje

Regrets: Councillor G. Anderson  
Councillor M. D. Brennan

Staff: B. Anderson, Manager, Planning & Design Section, CSD  
D. Stewart, Planner, Planning & Design Section, CSD  
P. Masse, Planning Clerk, Planning & Design Section, CSD

Public: There were 15 members of the public in attendance.

1. CALL THE SPECIAL MEETING OF COUNCIL TO ORDER:

The Special Meeting was called to order at 7:00 pm.

2. ADOPTION OF AGENDA:

It was moved and seconded that the Agenda be adopted. The motion carried unanimously.

3. CALL THE PUBLIC HEARING TO ORDER:

Mayor Ruttan called the Public Hearing to order at 7:00 pm. and advised that members of City Council, as established by provincial case law, cannot accept any further submissions or comments from the public following the close of a Public Hearing. Mr. Anderson explained the required procedures in conducting a Public Hearing and the regulations contained within Part 26 of the *Local Government Act*. He advised that this is the final opportunity to provide input to Council before consideration of Third Reading of Bylaw No. 4500.042 at this evening's Special Council meeting.

(a) Bylaw No. 4500.042 – RA311 – 141 Westwood Road

This bylaw, if adopted, will rezone the subject property from Rural Resource (AR1) to Single Dwelling Residential – Small Lot (R2) in order to facilitate a small lot subdivision.

Mr. Stewart noted that Staff recognizes there are a significant number of Garry Oaks on the subject property; Staff has worked with the applicant and a Biologist to agree on a concept subdivision plan in order to retain the majority of the Garry Oak trees.

Mayor Ruttan asked for clarification on the number of Garry Oak trees being retained.

Mr. Stewart noted there are 59 Garry Oak trees identified on the subject property; 23 of those will be included within the park area, 16 will be located within a No Tree Removal Covenant area and 20 may be lost due to development. 66% of the Garry Oak trees will be retained. An additional 14 Garry Oak trees are located within the development lot areas, the hope is that some of those will be retained through subdivision of the subject property.

**Mr. Keith Brown, Keith Brown & Associates Ltd. – Applicant Representative**

- Mr. Brown's presentation is attached as a part of "Attachment A – Submissions for Bylaw No. 4500.042".

Mayor Ruttan noted that two submissions of opposition cite traffic concerns; asked Staff how these concerns would be addressed.

Mr. Stewart stated that Engineering staff is aware that the Jingle Pot Road and Westwood Road intersection has a higher than average collision rate and they plan to address this. This intersection is not currently included in the 5-year capital plan as other intersections have a higher collision rate (i.e.: Northfield Road and Bowen Road). Staff estimates that this proposal would generate a 2% increase in traffic on Westwood Road.

Councillor Pattje noted that a submission of opposition from the resident at 2075 East Wellington cites concerns regarding possible blasting of the subject property.

Mr. Brown confirmed the applicant has hired a reputable and responsible blasting company to handle this project. This company will undertake notifying all neighbouring properties, including pre and post blasting surveys and photos.

Councillor Pattje asked for clarification regarding the 5.5m no vegetation removal on the subject property and whether or not that is a part of the 11m setback that is required.

Mr. Stewart stated the total setback area from the property line is 11m; 5.5m of that is a no vegetation removal covenant, an additional 5.5m includes a no oak tree removal covenant as well as building setback covenant to allow the residents some sense of a rear yard.

Councillor Kipp noted his concern regarding the East Wellington Road and Westwood Lake Road connection and increased traffic. Asked if any discussion has occurred regarding improvements to this intersection.

Mr. Brown asked if traffic lights are being installed at intersections within the city on the basis of strictly vehicle counts versus safety concerns. Added that no direct discussion has occurred regarding the intersection at East Wellington Road and Westwood Lake Road.



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Councillor Kipp asked for the width of the road and whether or not a turn-around area would be installed at the end of the cul-de-sac. Also asked if the road would be designed for emergency and maintenance vehicles.

Mr. Brown noted that it is his belief that roads are designed to accommodate growth to the west.

Councillor Kipp asked for clarification on whether or not blasting will occur on the subject property.

Mr. Brown confirmed that blasting will need to be undertaken on the subject property.

Councillor Kipp asked for clarification regarding what contingencies are in place if the blasting should cause any damage to a neighbouring property and a dispute results.

Mr. Anderson noted that the City does not regulate blasting but would want to ensure safe practices through the subdivision and construction process. Any damage or disputes that result from blasting would be between the contractor and the neighbouring owner. Reiterated that blasting companies do undertake consultation with neighbours. Added that the surrounding neighbours to this property are spread out and at a far enough distance to mitigate concerns. The submission of opposition regarding possible damage from blasting is quite a distance away from the subject property.

Mr. Stewart added that blasting is regulated through the Workers' Compensation Board not by the City. The distance between the submission of opposition regarding blasting and the subject property is approximately 300 feet.

Councillor Johnstone asked if it is a requirement for contractors to survey foundations before and after the blasting.

Mr. Brown confirmed the applicant is hiring the most responsible blasting contractor in the central island area. Policies include in depth analysis and photos of neighbouring properties.

Councillor Johnston asked Staff if the cited 2% increase in traffic for the area included the additional development occurring in the neighbourhood.

Mr. Stewart noted the estimated 2% increase in traffic does not include any additional development activity in the neighbourhood. Engineering counted 4,000 trips per day, of those, approximately 2,000 were travelling southbound. The estimation of 2% considered the 26 lots in the proposed subdivision generating approximately 250 trips per day. Based on the location being closer to the East Wellington intersection, it was estimated that one third of that additional traffic would be southbound.

Councillor Johnstone asked for clarification regarding the Garry Oak trees and if as many trees as possible would be retained.

Mr. Brown noted the contractor would be involved in every facet of construction (developing and building) each lot would be sold with the new house. He introduced Mr. Toth, Biologist, regarding the Garry Oak trees.

Mr. Toth stated any Garry Oak trees currently located on the roads will be removed. Any development within the drip line of the trees would negatively impact the tree and likely cause it to fail. 20 trees will be removed because they cannot be saved; however, all efforts will be made to retain as many trees as possible.

Mayor Ruttan asked Staff for clarification on what triggers a project to be included into the 5-year capital plan for intersection improvements.

Mr. Stewart noted he is not certain how Engineering staff determine which projects are included in the 5-year capital plan. Further development would make this intersection more of a priority; however, he is unsure if this proposal (26 units) would result in the intersection's priority being raised, as additional traffic studies would need to be undertaken.

Councillor Bestwick asked if a plan is in place regarding tree replacement for any trees that are removed.

Mr. Stewart stated the current Tree Management Bylaw requires a replacement of one tree for every significant tree removed. It is a difficult site for trees to easily populate; the applicant is aware that a Park Restoration Plan is required for the proposal as part of the covenant process. Staff is hoping to achieve significant tree replacement within the park and the setback boundary adjacent to the Agricultural Land Reserve (ALR) land. The applicant Arborist, the City Arborist and the applicant Biologist indicate that the replacement trees are not guaranteed due to the difficult terrain.

Councillor Bestwick asked for confirmation that the replacement trees include a one for one proposition.

Mr. Stewart confirmed that tree replacement plans include a one for one proposal.

Councillor Bestwick asked for clarification regarding the road consolidation and closure.

Mr. Stewart confirmed the road consolidation and closure is a Council process which has not yet been applied for. The application process is similar to the rezoning process and is handled through the Real Estate Section. The applicant would negotiate either a price or a land exchange, the negotiation for this is currently on-going. The end result would be a Road Closure bylaw that would be voted on by Council.

Councillor Bestwick asked how the road closure will affect the proposal, the traffic patterns, and the density of the proposal.

Mr. Stewart noted that the road closure area was at one point being considered by the Ministry of Transportation and Infrastructure (MoTI) as a future interchange for the Nanaimo Parkway and East Wellington Road. That is no longer MoTI intent as the property now belongs to the City. City Engineers have confirmed that the MoTI is in support of this road closure. This road closure would not affect the City's plans for the alignment of Westwood Road and is considered by the City as surplus property. The proposed subdivision layout is dependent upon the road closure.

Councillor Bestwick asked for confirmation that Council is not considering the road closure at this evening's Special Council meeting.

Mr. Stewart confirmed the road closure proposal is not before Council this evening.

Mr. Anderson added that Council is considering the proposed rezoning of the subject property which includes the proposed road closure area. The road closure bylaw process (and the subdivision plan) is not before Council this evening.



Councillor Bestwick questioned whether or not the road closure proposal would be automatically approved with the rezoning.

Mr. Anderson noted that Council is setting the stage for a condition of rezoning (the road closure) to be completed. If Council approves the rezoning they are giving direction to allow the lands to be included in the proposed subdivision and closed as a road. To confirm, the technical completion of the road closure is not before Council this evening.

Councillor Bestwick asked if the proposed road closure would affect the future alignment of Westwood Road.

Mr. Anderson confirmed the right-of-way that would remain 'post road closure' is sufficient to allow for Westwood Road to function as it is intended. That is why the lands have been deemed as surplus; it is not needed for road purposes.

Councillor Bestwick noted that Council has voted on proposals in the past that have resulted in unintended or not realized build-out.

Mr. Stewart confirmed that the road closure proposal does not include any changes to the road itself or Westwood Road alignment plans.

Councillor Bestwick asked for clarification on whether or not Council is voting on future road plans for Westwood Road via this road closure proposal.

Mr. Anderson noted that development approvals build into a system for providing road improvements in a city. A subdivision or rezoning may get approval incrementally; however, that system is being analyzed and when a threshold point is hit, an improvement is installed with the ultimate goal being to continue to function at the level of service that the City hopes to have all roads function at. It is incremental and is part of an overall rational process.

Councillor McKay noted the Transportation Master Plan is being worked on and that a computer modelling system will be the result of that plan. Asked Staff how this modelling system would be used as a tool for predicting traffic flows for this and other areas within the city.

Mr. Anderson stated that computer modelling for traffic has occurred over the course over several time horizons as part of the Transportation Master Plan. Planning Staff has been a part of that process of estimating growth projections for each of the traffic area zones that are a part of that model. Every five years the city looks at those estimates and adjusts that model accordingly thereby allowing us to track our growth more closely and review implications on the transportation network.

Councillor Pattje asked what the distance is between the subject property and the resident of 2081 East Wellington Road, who submitted a letter of opposition citing blasting concerns.

Mr. Stewart confirmed the distance between the subject property and the property located at 2081 East Wellington Road is 300 feet from property line to property line.

Councillor Pattje asked for clarification on whether or not there are other homes closer to the subject property.

Mr. Stewart confirmed there are some existing homes that are closer to the subject property than the property located at 2081 East Wellington Road.

Councillor Pattje asked for clarification regarding the direction of the blasting.

Mr. Brown noted the blasting contractor is professional and follows the correct procedures, including surveying and photographing neighbouring properties. It is all catalogued and audited and property and human safety are paramount. Does not believe there have been many instances of blasting damage to neighbouring properties in Nanaimo even though a lot of blasting occurs.

**Valarie Halpin-Jones, 3040 Meadow Drive – Opposed**

- Has lived in Nanaimo for 18 months. Although the developer has taken into account the Garry Oak trees; numbering and locating the trees is not the issue, the issue is the Garry Oak ecosystem.
- She visited the subject property and identified over 100 species of plant life, including some rare species.
- There are less than 3% of Garry Oak ecosystems on Vancouver Island.
- Yet another development that is high density and unconnected to services at the cost of a Garry Oak ecosystem. Village style development provides far more green space than the proposed development, which in her opinion resembles a trailer park.
- There is a cycle route for the area, which would be affected by the increase in traffic if the proposal is approved.
- Would love to see development in the city that residents can be proud of which include cherished ecosystems.

**Mr. Norm Webster, 1975 East Wellington Road – Neither in Favour nor Opposed**

- Concerned about the existing Garry Oak trees, believes any disturbance of the rock in the area will deprive the ecosystem of water unless special care is taken.
- Concerned about future trespassing on his property and an increase in noise and traffic. He has lived there since 1964 and it has always been quiet.

**Mr. Braden Wheatcroft, No Address Given - In Favour**

- Believes affordability for young families and first-time home buyers is key and very important to the future of Nanaimo. R2 zoning is meant specifically for this type of proposal.
- The Garry Oak ecosystem has been carefully considered for this proposal.

**Ms. Lorna Simpson, 1375 Boundary Crescent – In Favour**

- Current part owner of the subject property; it used to belong to her parents and was originally 5 acres in size. MoTI expropriated a portion of the lands and it was meant to be returned to the family. Unfortunately the family did not act on that and it is now the City's property. She and two siblings are not at a stage where they can properly care for the property so they have to sell it.
- The family fixed up the property after her father passed away which resulted in the land resembling park land. Suggested if those in the neighbourhood would like to retain the land as it is then they should purchase the land.

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- The City-funded road alignment will result in blasting and the removal of Garry Oak trees.
- Believes the proposal would be an improvement to Westwood Road and the neighbourhood.

There were five verbal and five written submissions received with regard to Bylaw No. 4500.042.

The Public Hearing was adjourned at 7:51 p.m.

4. BYLAWS:

"ZONING AMENDMENT BYLAW 2013 NO. 4500.042" (RA311 – 141 Westwood Road – from Rural Resource (AR1) to Single Dwelling Residential – Small Lot (R2) in order to facilitate a small lot subdivision.

It was moved and seconded that "ZONING AMENDMENT BYLAW 2013 NO. 4500.043" be deferred. The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 8:00 p.m. that the meeting terminate. The motion carried unanimously.

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MAYOR

CERTIFIED CORRECT:

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CORPORATE OFFICER



**Attachment A**

**Submissions**

**For**

**Bylaw No. 4500.042**

*(RA311– 141 Westwood Road)*



## Penny Masse

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**From:** Laurie Bailey [REDACTED]  
**Sent:** Friday, July 26, 2013 8:23 PM  
**To:** Public Hearing  
**Subject:** Rezoning Application RA000311

I would like to say I have no problem with rezoning this property.

My concerns are with the increased traffic at the Westwood Road and Jingle Pot intersection.

I have lived in the area for about 8 years and there has been an increase of 75 - 80 single family units (some with legal suites) along Westwood Road from East Wellington Road to Westwood Lake. This development will add another 28 units and the other new development - Westwood Lake Estates - will also add 32 units.

The intersection at Westwood Road crossing Jingle Pot has become a nightmare. This past week there were 10 cars backed up on Westwood Road as one car tried to cross Jingle Pot Road and in the other direction cars were trying to turn left onto Jingle Pot to access the Parkway.

The number of cars trying to navigate thru this intersection has increased due to the increased number of family homes in the area (most with legal suites), residents wanting to shop at Country Grocer on Dufferin off Bowen Road and the increased popularity of Westwood Lake Recreational Area.

According to ICBC Crash statistics for this intersection in 2010 there were 5 reported accidents; in 2011 there were 12 reported accidents and in 2012 there were 19 reported accidents. This trend will only get worse as the traffic in the area increases with the population growth and people wanting to access the Parkway and shopping.

Please consider re-evaluating this intersection before another accident, perhaps fatal, occurs.

Thank you,  
Laurie Bailey

[REDACTED]  
Nanaimo

[REDACTED]  
Nanaimo BC V9S 5V2

July 28, 2013

City of Nanaimo  
Service and Resource Centre 411 Wallace St.  
Nanaimo BC

RE: Rezoning Application -RA000311 141 Westwood Rd.

My name is Wayne Brown and I live adjacent to 141 Westwood Rd.  
I'm writing this letter because of the concerns I have for the proposed development on this particular property.

My concern is the oak trees and the associated ecosystem that is on the property. According to the Tree Management Plan done by B. Furneaux there are 43 significant oak trees spread throughout the property and who knows how many immature oaks that were not counted.

The trees are very rare and are the only found native oak trees in Western Canada and the ecosystem is one of the most endangered in Canada. Less than 5% of the ecosystems remain in near natural conditions. The associated ecosystem has more than 100 species at risk or becoming extinct. These oaks are found locally in my small neighbourhood and very few other locations in the City of Nanaimo. They are known at Neck Point and Pipers Lagoon and are protected there. There are only a few examples of oaks growing inland as they are here. The oaks range is approximately 0 to 210 meters of elevation. Harewood Mines has a few small areas of oaks and is considered by experts as the highest priority Garry Oak ecosystem on Vancouver Island for protection.

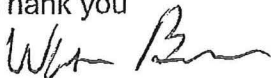
I'm not opposed to development but I am concerned when housing is more important than something that is rare as an endangered oak meadow. The proposal is for 28 small lots, are there no other locations in the city for housing?

The City of Nanaimo website has 3 pages on Garry Oak Ecosystem decline and states that "it is particularly important that the Garry Oak ecosystems remaining in Nanaimo are taken cared for and protected". What actually does the city have in place for protecting these sites?

Victoria City Council has adopted a resolution recognizing the historic and ecological significance of the Garry Oak ecosystem and tree preservation bylaws have been included into various Municipal Councils.

With so very few oaks left I hope the city will consider this property as something special and not just another plot of land for housing.

Thank you



Wayne Brown



**Penny Masse**

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**From:** Stephen Guppy [REDACTED]  
**Sent:** Sunday, July 28, 2013 6:38 PM  
**To:** Public Hearing  
**Subject:** Bylaw No. 4500.042

**Re: Bylaw No. 4500.042**

**I am writing to express my opposition to the development of another subdivision on Westwood Road.**

Over the past several years, the City of Nanaimo has granted a substantial number of building permits for the development of new subdivisions on Westwood Road or on streets that can only be accessed from Westwood Road. There are several new subdivisions on Westwood both above and below Jinglepot Road, and ground has been broken for another new subdivision on the east side of Westwood Road near the Westwood Lake campground. In addition, there has been a great deal of development farther north on Jinglepot Road and on streets that exit onto Jinglepot. Residents in all those areas use Westwood and Jinglepot to access the Nanaimo Parkway and to make regular trips to Nanaimo District Secondary School, Vancouver Island University, the Nanaimo Aquatic Centre, the Nanaimo Ice Centre, Harmac, and the downtown core. The increase in traffic over the past decade has been enormous. Still, however, the City of Nanaimo refuses to install adequate traffic controls at the key intersection of Westwood and Jinglepot, where traffic from the new subdivisions feeding onto both roads must intersect in order to travel to the destinations I've just mentioned.

Negotiating the Westwood/Jinglepot intersection at peak travel times is a stressful and time-consuming experience. Visibility from the low (north) side of the intersection is limited, and cars in the right turn lane obscure the sight-lines of cars turning left. There is a steady stream of cars travelling downhill from the new subdivisions near Westwood Lake and off Arbot Road. Waits of five to ten minutes are quite common, and slick conditions in winter or after rain hamper traction for cars exiting Westwood uphill onto Jinglepot. As a recent serious accident demonstrated, the potential for collisions is considerable.

Over the past several years, I have contacted the City of Nanaimo Engineering Department on a number of occasions to ask them when they intend to install a traffic light at the Westwood/Jinglepot intersection. My questions have invariably been met with condescension and an utter lack of interest. I've been told that if I didn't like the traffic conditions at that particular intersection I should find a different route. When I pointed out that there really isn't an alternate route that's even vaguely convenient (imagine travelling from Westwood to East Wellington and along Bowen through four stop lights to Northfield Road to access the Parkway) the gentlemen I've spoken with seemed scornful and dismissed my concerns.

I have no problem with responsible development, including the proposed subdivision, should the City choose to provide traffic controls. I understand, as well, that the City has numerous intersections that require traffic controls or other improvements and that the City's budget cannot provide funds for every situation. It should be obvious to any rational person, however, that if the appropriate infrastructure can't be provided, further development should not be permitted. The City of Nanaimo administrators—and particularly the Engineering Department—need to understand that they are responsible to the residents whose taxes pay their salaries and not just to land developers.

Thank you for your attention,



Stephen Guppy

[REDACTED]

July 30/13

To Council and Staff

Re: Bylaw # 4500.042

My name is Eric Lundgren. My family and I live at 2081 East Wellington Road. Plot plan: section14, Range 7, Mountain District Plan 42617. Which is adjacent to 2075 East Wellington road, which in turn is adjacent to 141 Westwood road, the subject property.

We had our home constructed on this property and moved into it 20 years ago. We invested everything we had into our home and next to the health and happiness of our family and friends; it is of the utmost importance. For those of you who do not know the actual site of these adjacent lots, they are on a rock bluff overlooking a valley and the Millstone River. The rock they sit on is composed of conglomerate and sandstone. Some years after building my home, my property was re- classified by the city as R10 steep slope residential. In other words my home is built on rock which is sloping down into the valley below. A Geo-Technical survey done as required by city staff noted the location of the Chandler mine coal tunnels 120 to 300 meters to the north of my property.

I know firsthand how easily this rock crumbles from having to have a portion of my foundations cut out by a rock drilling machine.

Since this development has already passed two readings I realize that it probably all but finalized. My reason for being here is to seek assurances from both the owner developer, and city, that collateral damages caused to my home and property from this development are dealt with quickly, responsibly, and without hassle of litigation.

I would like to know if there will be explosives used to put in the services for 28 building lots, or will it be all mechanical drilling. Most projects of this scope in urban environments can and probably will result in some level of movement through radiating fractures in the rock to adjacent buildings. Adjacent urban construction often results in damage to structures.

I am concerned for damage to my foundations, interior walls and furnishings, water damage through cracks developing in the chimneys of my two woodstove fireplaces, my asphalt driveway, water and sewer lines, power poles, and a concrete slab whose cracks under the carpet may not show water damage for some time after blasting.

I am concerned at having to prove damages caused by this development with their lawyers claiming they could be pre-existent conditions.

I would like council to instruct staff to put forth a clear agreed upon method of resolution of any damage issues arising from this construction. I would like clear coverage through contractual agreement with the developer.

Associated disputes can be avoided if proper planning, monitoring, and execution are employed. Pre-construction agreements are invariably beneficial when it comes to minimizing and resolving damage claims.

The city must manage and be responsible for neighboring properties concerning property damage, noise control, dust, and vibration, long before the first shovel is put in the ground. With underground work the designer's risk exposure is often not commensurate with their level of control and compensation.

Who is responsible between developer and city is often blurred leaving the affected citizens with nowhere to turn except litigation, which often can't be afforded.

Often in developments, precondition surveys, monitoring and protection of adjacent structures are not budgeted for by the developer.

Because of the high profits involved for the developer and city, it can often be easier for a developer to pay out "proven damages" with the key word being proven, than try to mitigate them with costly preventive measures.

Also to staff, if there is to be blasting I would like to know, will the blast force be designed to travel in the east direction towards Westwood Road and the Inner route or in the west direction towards my neighbours and myself. Please don't



say that has not been discussed or thought out. I really hope city staff is knowledgeable of different blasting techniques.

I would like to ask the city to study and regulate what form of blasting and how much explosives they will be allowed to use per hole. Although the actual physical characteristics of the rock being blasted is more important. I also know what a developer puts in the applications often is changed once it has been accepted.

In closing I would like to say thank you to the city council for listening to a small group of your citizens. For the perceived good of the city as a whole, we stand to lose not only the peace and quiet of our surroundings, but to also suffer probable damage to our properties which we cherish.

Yours truly:



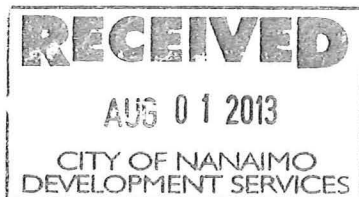
Eric Lundgren

[REDACTED]

Nanaimo.

[REDACTED]

[REDACTED]



**KEITH BROWN ASSOCIATES LTD.**  
**5102 Somerset Drive Nanaimo, BC V9T 2K6**  
**Tel. (250)758-6033 Cel. (250)741-4776**  
**e-mail: keithbrown@shaw.ca**

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August 1, 2013

File No. 922.13

City of Nanaimo  
455 Wallace Street  
Nanaimo, BC V9R 5J2

**Attention: Mayor Ruttan and City Councillors**

**SUBJECT: REZONING APPLICATION NO. RA000311; 141 WESTWOOD RD.;  
ZONING AMENDMENT BYLAW NO. 4500.042.**

This application being presented to Public Hearing represents the consolidation of a portion of Westwood Road to be closed which fronts the subject parcel of land. It is proposed to rezone the lands from Rural Resource (AR1) Zone to Single Family Dwelling Residential – Small Lot (R2) Zone.

The subdivision design being presented is a result of many discussions and input with the management and staff of the various City departments involved in the planning and subdivision review process. As a result the approved design provides for 26 small residential lots.

Special consideration was given to the Garry Oak trees on the subject lands. Mr. Steve Toth, R.P. Bio. of Toth and Associates Environmental Services was commissioned to complete a Rare Species Survey on the lands. The results of the survey were evaluated with the City staff with the areas for preservation being referenced on the Preliminary Lot Layout Plan (copy enclosed). Mr. Toth is in attendance to respond to any questions.

The Preliminary Lot Layout Design includes the following:

- Park land dedication:.....2145 m. sq.
- ALR buffer represents 5.5 m. wide "no vegetation removal" covenant:..... 798 m. sq.
- "No oak tree removal" covenant areas total:..... 946 m. sq

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**Total Park and Covenant Areas:.....3889 m. sq.**

**Gross Development Area:.....15009 m. sq.**

The parkland dedication and designated covenant areas represent approximately 26% of the gross land area.

The proposed 26 lot subdivision provides several benefits to the City:

- Works and Services fronting Westwood Road:.....\$200,000.
- Development Cost Charges (DCC's) Infrastructure:.....\$416,000.
- Community Contribution in support of rezoning:.....\$ 30,000.
- Annual Property Taxes:.....\$ 78,000.

To summarize, every effort has been taken towards the preservation of the Garry Oak trees. The owner being the builder ensures greater control over all facets of the civil and home construction programs through to the final construction of the homes.

The project biologist will also be involved throughout the various stages of construction of the development.

The project provides for affordable single family homes on small residential serviced lots.

We thank you for your consideration of this Rezoning Application and look forward to City Council's support for the development.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'R.K. Brown', written in dark ink.

R.K. Brown,  
Consultant Planner

Enc.

pc. Oncar Manhas, O.M. Development Inc.  
Steve Toth, R.P. Bio. Toth and Associates Environmental Services



