

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-APR-04 COMMENCING AT 7:00 P.M.

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

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

Regrets: Councillor G. Anderson

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 7:01 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 approval of the covenant amendment and Third Reading of Bylaws No. 4500.035 and 4500.036 at this evening's Special Council meeting.

(a) Covenant Amendment – RA308 – 72 Twelfth Street

This application, if approved, will amend the phasing of development permitted on the site in order to construct a commercial building prior to constructing a mixed-use building.

Mr. Wally Large, 5078 Banning Court – Partner, Country Grocer Chain

- Business owner and resident of Nanaimo for 29 years.
- Purchased the subject property in 2006. Worked with City staff regarding the residential component of the proposal, through that discussion it was decided that Building B should be built prior to Building C. The owners are having a difficult time financing Building B due to the current market and the lack of condo demand specific to this site. They would like to change the sequencing of the phasing of the site in order to construct Building C; the aim is to generate commercial business while taking a “wait and see” approach to the residential component (Building B).
- The owners have a good building reputation in Nanaimo, they believe in the community and work well with City staff.

Councillor Pattje asked for a verbal assurance that the residential component of the proposal would be built in the future if the covenant application were to be approved.

Mr. Large confirmed it is his intention to include the residential component of the proposal if he can secure financing. If financing cannot be secured the residential component will not be constructed.

Councillor Bestwick asked if the number of residential units proposed could be reduced or increased in order to make the proposal more financially feasible.

Mr. Large noted that a reduction or increase of the residential units proposed might be more feasible; however, he has not presented such a proposal to his bankers. The difficulty the bankers are having with financing are specific to this site. He believes the proposal may be more palatable if the residential units were reduced, but that is only his personal opinion.

Councillor Brennan noted that the original input from the City indicated that the residential component of the proposal is important as it relates to the Official Community Plan and City mandates. Understands the difficulty with financing condos in the current market, but noted that the rental market has improved greatly. Asked if the owners have considered renting out the residential units.

Mr. Large confirmed that a rental unit proposal was presented to both potential lenders; in either case there is little or no interest.

Councillor Johnstone asked what complimentary services are to be included in the proposal.

Mr. Large noted that he has had several unsolicited proposals for service and commercial uses; however, until financing is in place it is difficult to determine any complimentary services.

There was one verbal and no written submissions received with regard to Covenant Amendment Application No. RA000308.

(b) Bylaw No. 4500.035 – RA000305 – 433 Milton Street

This bylaw, if adopted, will rezone the subject property from Old City Low Density (Fourplex) Residential (R14) zone to Comprehensive Development District Ten (CD10) zone in order to allow for a two-lot, four-unit subdivision.

Mr. Dan Eddy, 3820 Fearn Way, Ladysmith, BC – Applicant

- Mr. Eddy's presentation is attached as Attachment A – Submission for Bylaw No. 4500.035"

Mayor Ruttan asked if the applicant had discussed the proposal with the Old City Quarter Association.

Mr. Eddy confirmed that the proposal was presented to the Old City Quarter Association; they have provided a letter stating they are not opposed to the application.

Mayor Ruttan asked if widening the rear laneway would affect the subject property only.

Mr. Eddy stated the widening of the rear laneway would occur for the full width of lots 1 and 2 and would be site specific only. It would be an improvement to what currently exists in terms of backing out and turning radiuses.

Mayor Ruttan asked if the developer had received any opposition to the proposal.

Mr. Eddy stated that no verbal or written opposition has been received for the proposal.

Councillor Pattje asked Staff for clarification regarding required parking for lots 1 and 2 only, as the coach house is not planned for the immediate future.

Mr. Stewart stated that because the proposal is within the Old City neighbourhood the parking requirement is reduced from 1.66 parking stalls per dwelling to 1 parking stall per dwelling for the proposed multiple family housing, which has been provided on the site plan.

Councillor Pattje asked the applicant why the coach house would not be constructed until a later date.

Mr. Eddy noted the development will occur on lot 2; once the property is subdivided the intention is to buy the property from the current owner, who will retain lot 1. If the owner then wishes to develop a coach house on lot 1 in the future he can do so.

Councillor Bestwick asked for clarification on whether or not a heat pump would be installed in the side yard.

The applicant noted that a heat pump will not be installed on the property.

Councillor Kipp asked for clarification regarding the proposed rear laneway width.

Mr. Stewart confirmed that 1.67m of road dedication will be taken for the widening of the rear laneway.

Councillor Kipp asked what the estimated cost of one of the units would be.

Mr. Eddy stated that the units would be priced in the \$250,000 to \$300,000 range.

Ms. Lynn Wilke, 430 Kennedy Street – In Favour

- In favour of the proposal if it can be confirmed that the height restriction of 7.75m will be enforced and the current site plans are adhered to.

Mr. Stewart confirmed that the height restriction of 7.75m will be enforced. Clarified that the site plan will form part of the bylaw and will ensure there is little chance of variation if the application is approved; however, the elevation drawings may be altered through the development permit process.

There were two verbal and no written submissions received with regard to Bylaw No. 4500.035.

(c) Bylaw No. 4500.036 – ZA1-51 – Housekeeping Amendments

This bylaw, if adopted, will make text and mapping amendments to "ZONING BYLAW 2011 NO. 4500"

There were no verbal or written submissions received with regard to Bylaw No. 4500.029.

The Public Hearing was adjourned at 7:40 p.m.

4. BYLAWS / COVENANT AMENDMENT:

- (a) "Covenant Amendment FA082417, Clause 7, Page 6" (RA308 – 72 Twelfth Street – to amend the phasing of development permitted on the site in order to construct a commercial building prior to constructing a mixed-use building).

It was moved and seconded that "Covenant Amendment FA082417, Clause 7, Page 6" be approved. The motion carried unanimously.

- (b) "ZONING AMENDMENT BYLAW 2013 NO. 4500.035" (RA000305 – 433 Milton Street – from Old City Low Density (Fourplex) Residential (R14) zone to Comprehensive Development District Ten (CD10) zone in order to allow for a two-lot, four-unit subdivision).

It was moved and seconded that "ZONING AMENDMENT BYLAW 2013 NO. 4500.035" pass third reading. The motion carried unanimously.

- (c) "ZONING AMENDMENT BYLAW 2013 NO. 4500.036" (ZA1-51 – Zoning Bylaw Amendments – to make text and mapping amendments to "ZONING BYLAW 2011 NO. 4500" in order to correct minor discrepancies within the Zoning Bylaw).

It was moved and seconded that "ZONING AMENDMENT BYLAW 2013 NO. 4500.036" pass third reading. The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 7:42 p.m. that the meeting terminate. The motion carried unanimously.

MAYOR

CERTIFIED CORRECT:

CORPORATE OFFICER

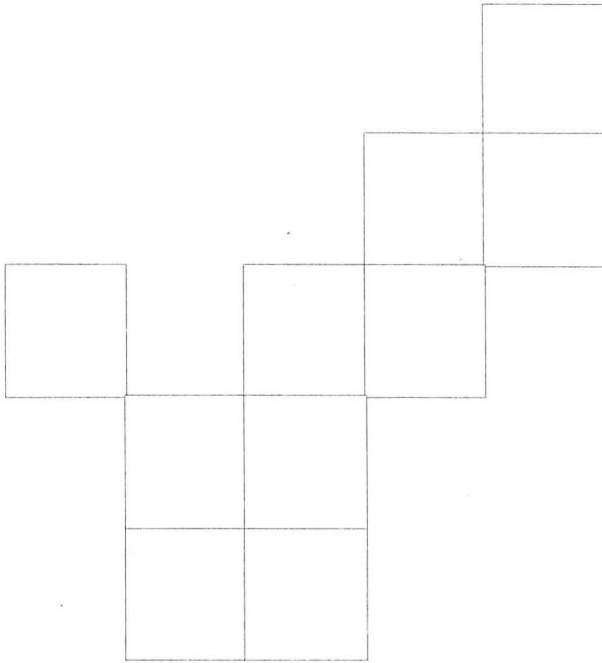
Attachment A

Submission

For

Bylaw No. 4500.0035

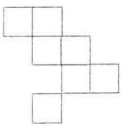
(RA000305 – 433 Milton Street)



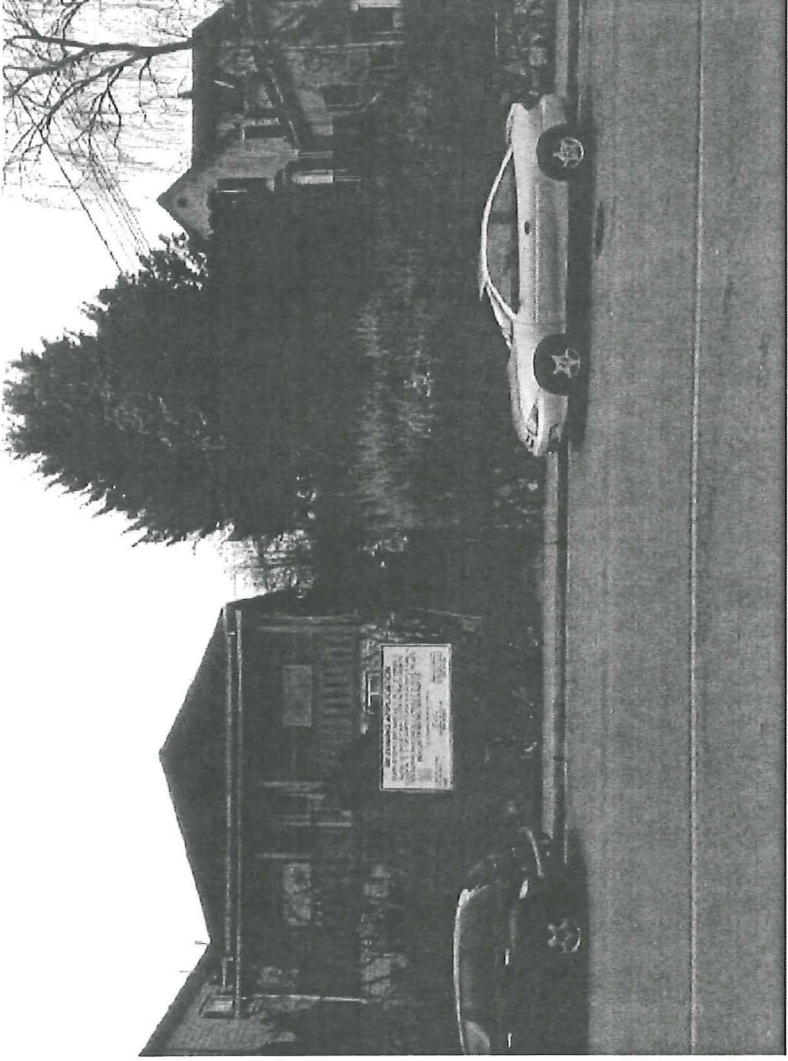
433 Milton Street Rezoning Application Public Hearing

April 4, 2013

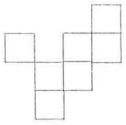
Dan Eddy – Agent/Developer
Michael Parker – Builder/Developer
Frank McBurney – Owner



433 Milton Street

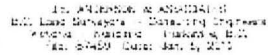


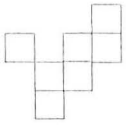
Existing original home on one side of wide lot



Overview

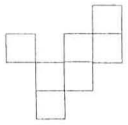
- Application to change zoning from R-14 Old City Low Density (fourplex) Residential to CD Zone (Comprehensive Development)
 - Intention to subdivide and construct two single family in-fill town house units (2 separate buildings) on a new lot (Lot 2)
 - Request rezoning to address possible future carriage house behind existing home (Lot 1)





Changes Requested in New Zone

- Reduced frontage dimension
 - Current R-14 frontage is 15m, new lots will be
 - Lot 1 – 10.38 m
 - Lot 2 – 9.78 m
- Reduced lot size
 - Current lot size is 872.5 m², new lots will be
 - Lot 1 – 443.6 m²
 - Lot 2 – 428.9 m²
- Acknowledge non-conforming side-yard setback feature of existing residence



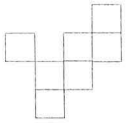
Intended Development

■ Lot 1

- ☐ Maintain existing residence
- ☐ Future Carriage House designed for alley way secondary residence. (No plans to build in foreseeable future)

■ Lot 2

- ☐ Develop 2 town house style in-fill single family residences
 - Two story design
 - Approximately 130 m² floor area each
 - Proposed maximum lot coverage: 40% approx.



Parking

■ Parking required

- Lot 1 - 3 spaces

- 2 spaces for single family home
- 1 space for carriage house (future)

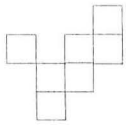
- Lot 2 - 2 spaces (outside)

- 1 for each unit

■ Parking provided

- Lot 1 – 3 spaces (2 outside, 1 in garage)

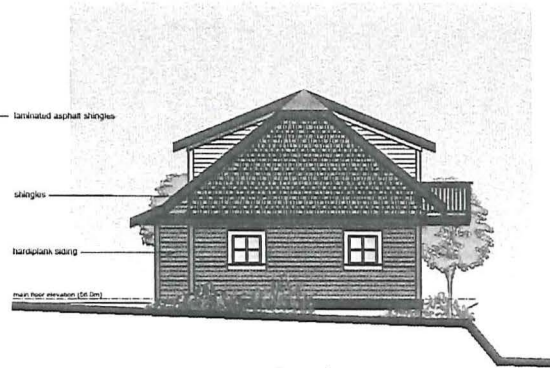
- Lot 2 – 2 spaces



Lot 1 – Carriage House (future development.)



south west elevation - lane



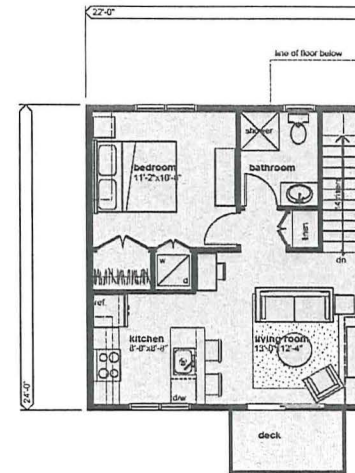
south east elevation



north east elevation

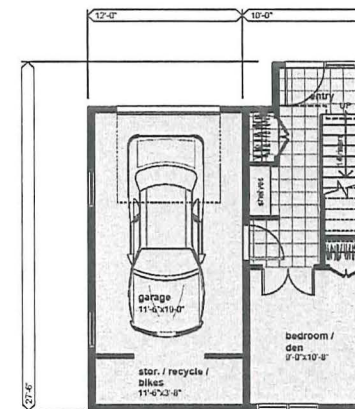


north west elevation



upper floor plan

scale: 1/8" = 1'-0"
floor area: 491 sq.ft.



main floor plan

scale: 1/8" = 1'-0"
Basement: 251 sq.ft.
Garage: 124 sq.ft.
Total: 375 sq.ft.



proposed residential development
433 milion street
nanaimo b.c.

DRAWING TITLE:

carriage house plans
& elevations

SCALE:
as noted

DRAWN BY:
S.W. / C.M.

NUMBER:
41237 27 11

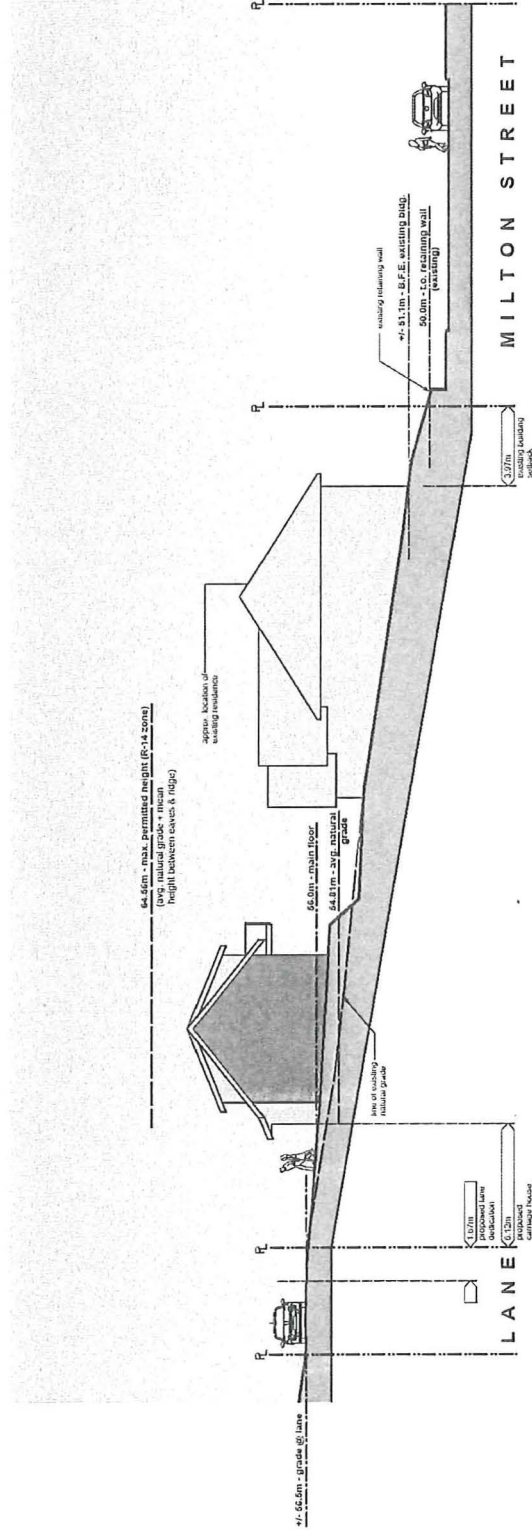
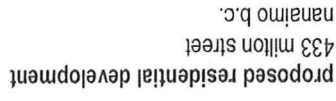
ISSUED:
issued for rezoning

31 JAN 13

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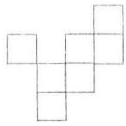
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lot 1 PR2



site section - LOT 1
scale: 1:100

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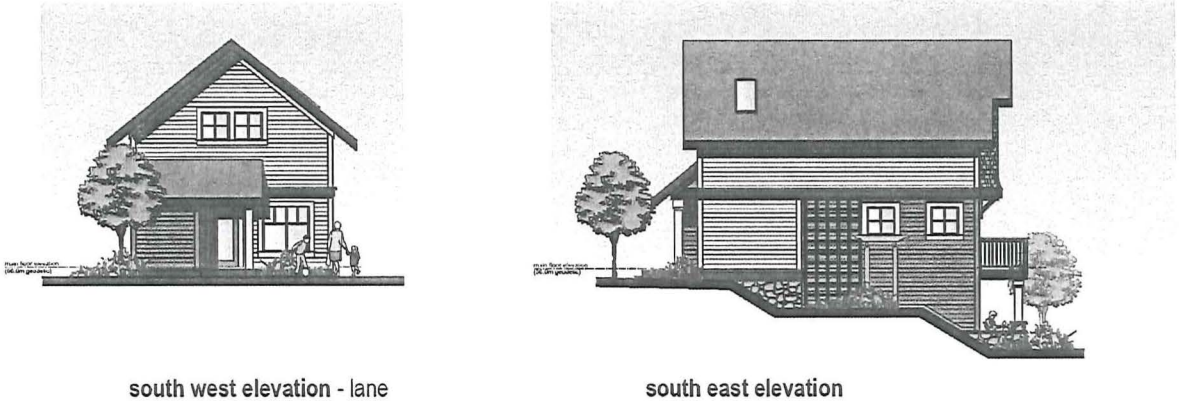
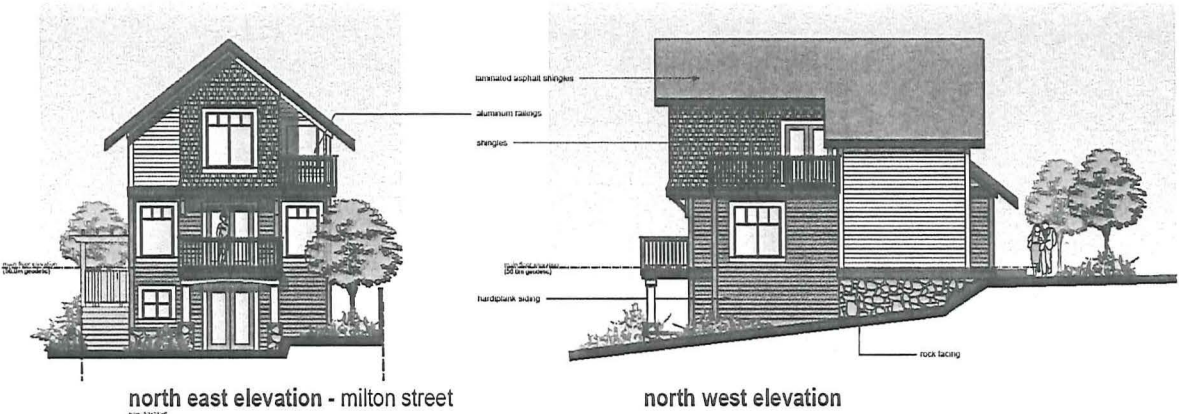


Lot 2 – Elevations (new builds)

DELINEA
ARCHITECTURE

4276 ORPWAY ROAD - LADYSMITH BC - V9G 1A2
Phone: 250.243.2584
Email: daniel@delinea.net

proposed residential development
433 milton street
nanaimo b.c.



DRAWING TITLE:
exterior elevations

SCALE:
as noted

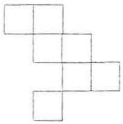
DRAWN BY:
S.W. / C.M.

NUMBER:
41237 27.11

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PAGE NO.



Lot 2 - Floor Plans (new builds)



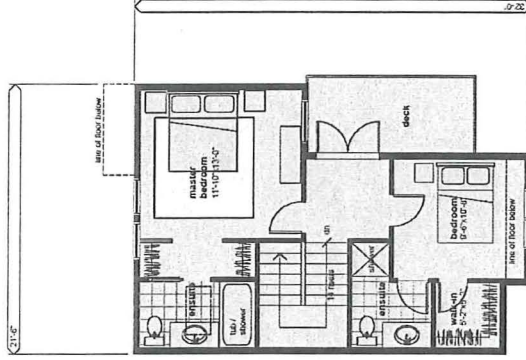
4333 20th Street NW, Suite 100
Calgary, Alberta T2C 1K7
Phone: (403) 243-1111
Fax: (403) 243-1112
Email: info@delinea.ca

proposed residential development
433 million street
nanaimo b.c.

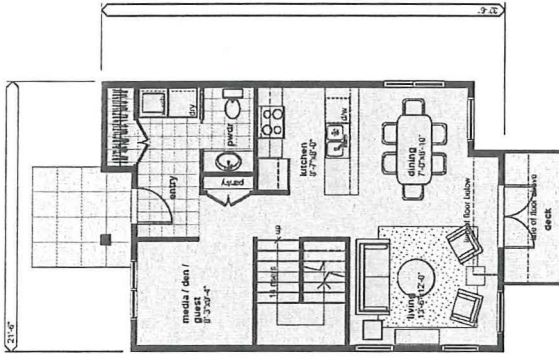
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SCALE	as noted
DATE	01/27/21
DESIGNED BY	C.W. F.C.M.
NUMBER	0127/21/1
DATE	01/27/21
REVISION	issued for rezoning
DATE	31 JAN 21

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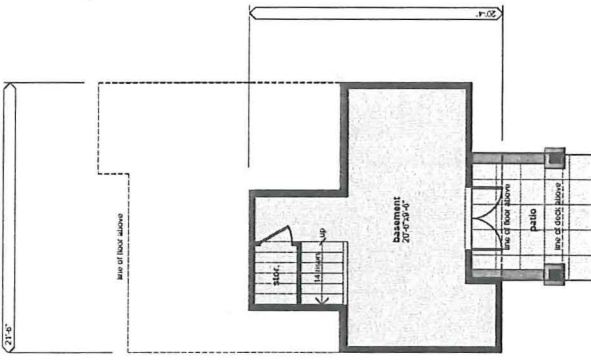
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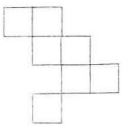
upper floor plan
area: 14,477 sq. ft.
gross area: 271 sq. ft.



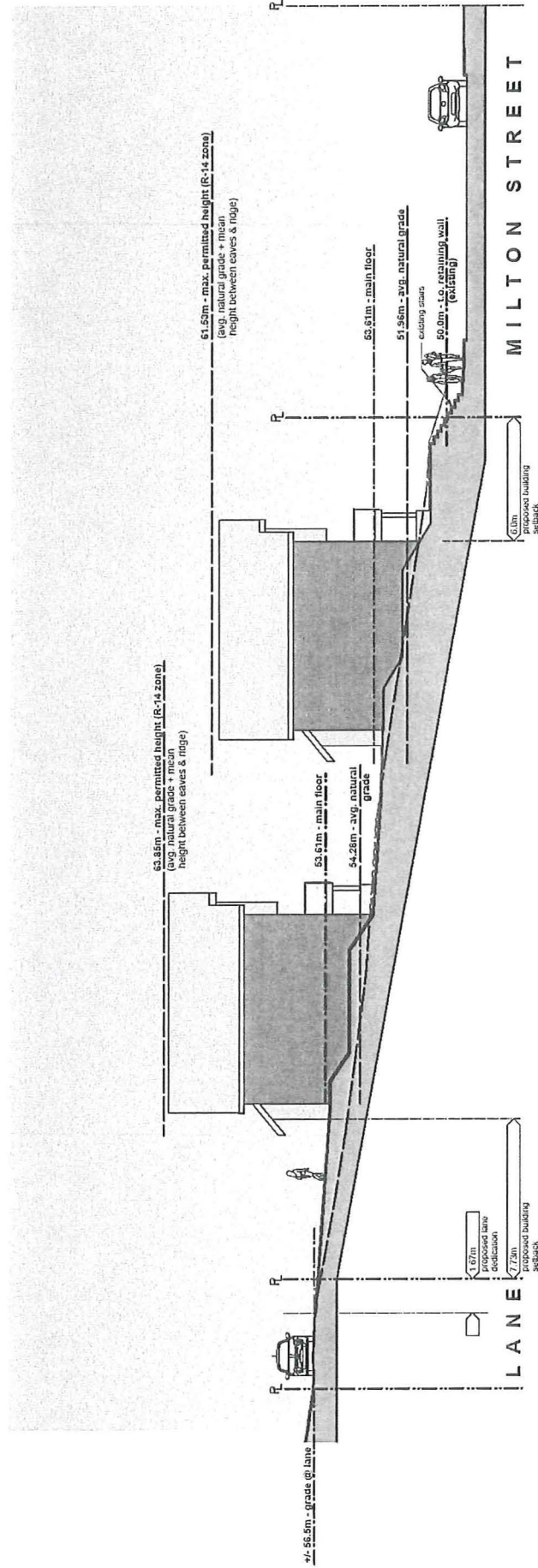
main floor plan
area: 14,477 sq. ft.
gross area: 271 sq. ft.



basement plan
area: 14,477 sq. ft.
gross area: 271 sq. ft.



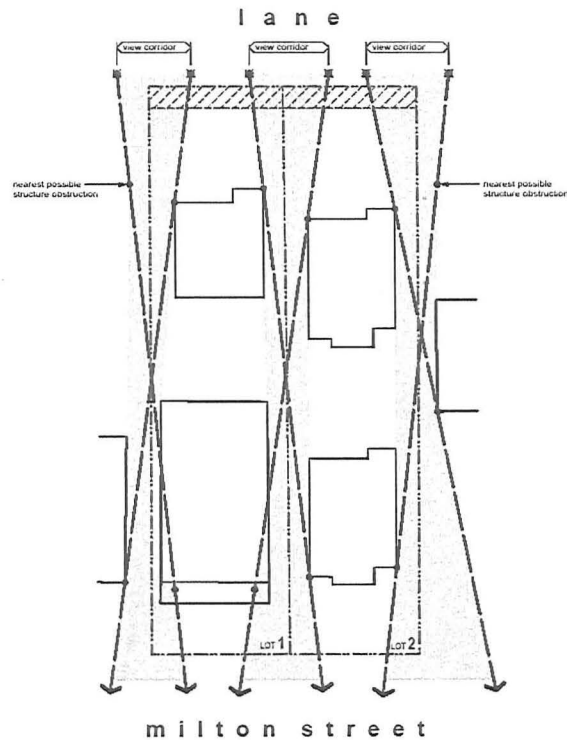
Lot 2 - Site View (new builds)



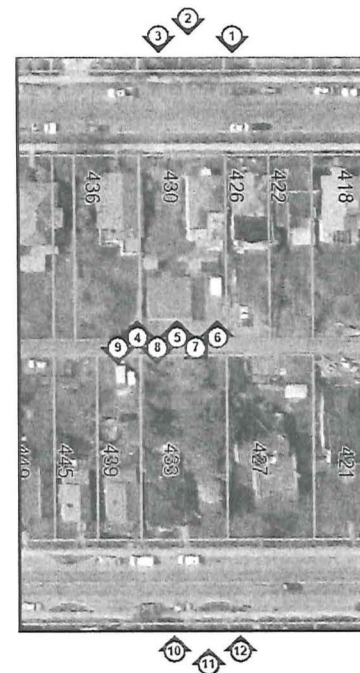
1
250 site section - LOT 2
scale: 1:100



View Corridor – from laneway modeled at 1.5 m above centre-line of **laneway**



view analysis 1
1.5m above \varnothing lane (58.0m geodetic)



aerial photo
not to scale

proposed residential development
433 milton street
nanaimo b.c.
client:

DRAWING TITLE:

view analysis 1

SCALE:
as noted

DRAWN BY:
S.W.

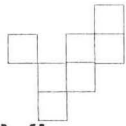
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41327.27.11

ISSUED:
issued for rezoning 31 JAN 13

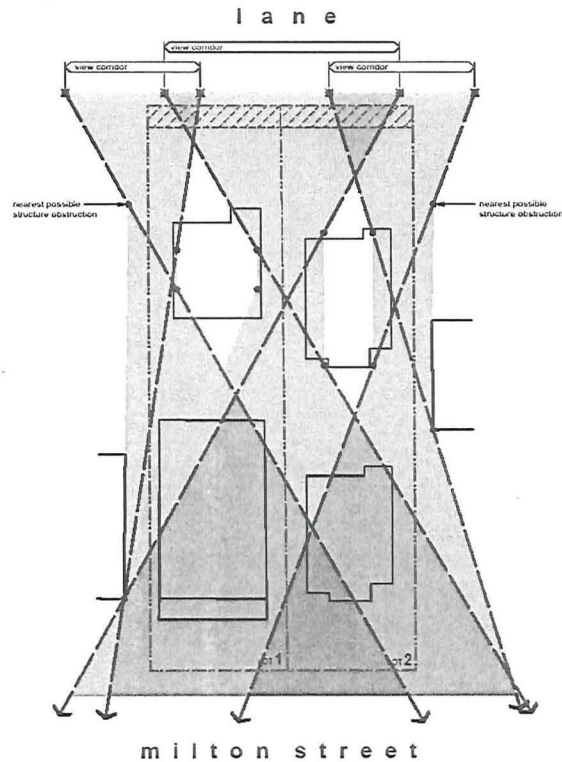
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PR7

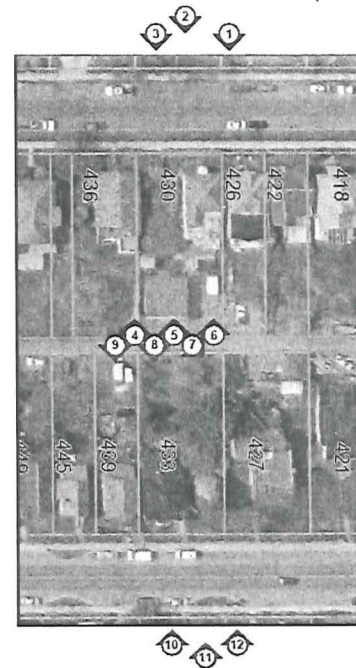


View Corridor at centre-line laneway model adjusted to reflect 1.5 m above elevation of **Kennedy Street**



view analysis 2

@ C lane @ elevation equal to
1.5m above Kennedy St. (62.0m geodetic)



aerial photo

not to scale

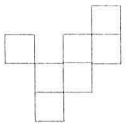
proposed residential development
433 milton street
nanaimo b.c.

client:

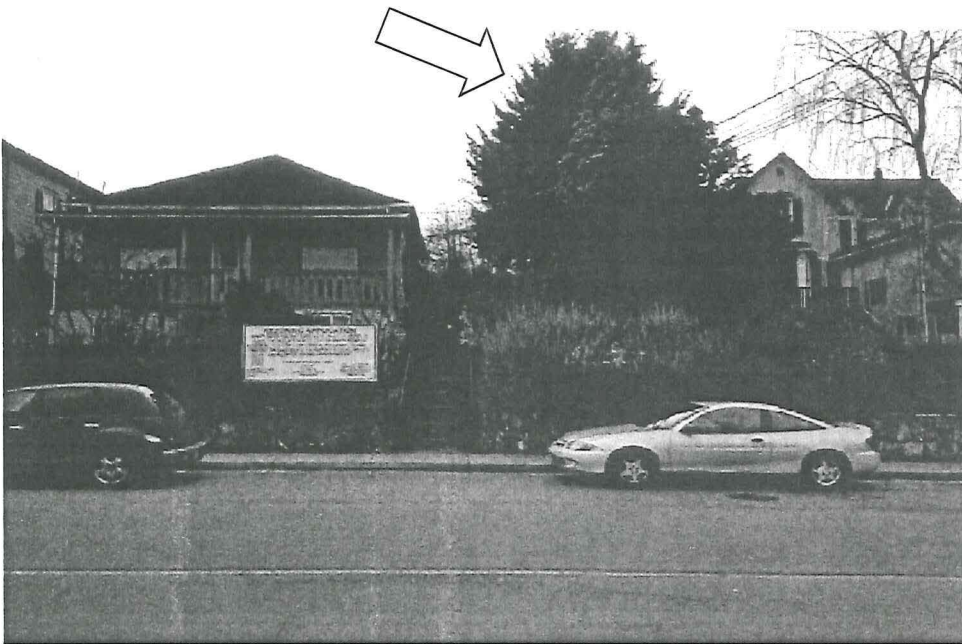
DRAWING TITLE:
view analysis 2
SCALE:
AS SHOWN
DRAWN BY:
S.W.
NUMBER:
41237.27.11
DATE:
checked for recording 31 JAN 13

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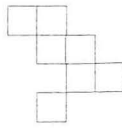


Tree Considerations

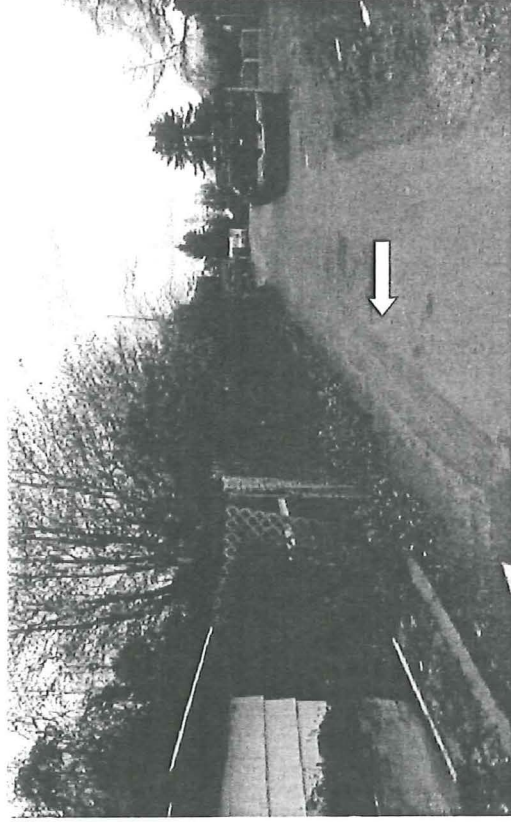


Large fir trees and other trees on lot will be removed, which will improve sight lines

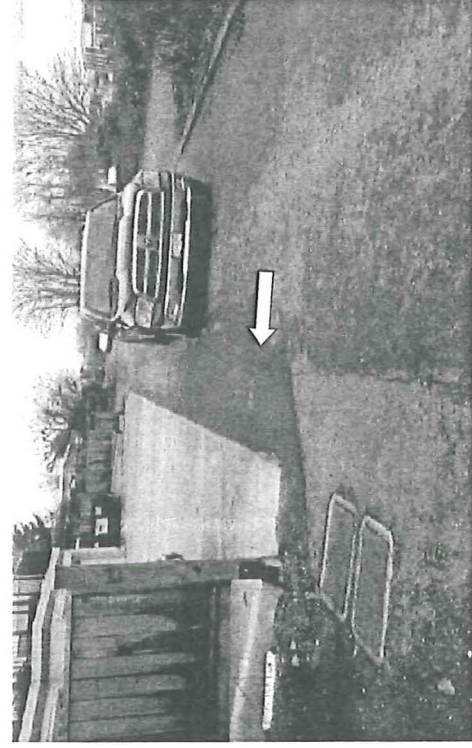
- ☐ Tree removal has been addressed and approved by Urban Forestry Coordinator.



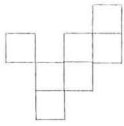
Laneway Improvement



- Current laneway behind 433 Milton Street



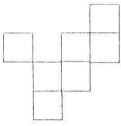
- Lane widening and improvement similar to this will be undertaken



Neighbourhood Awareness



- On advise of NOCA we have contacted and left information packages with 18 neighbours: 3 each side, 7 neighbours behind (Kennedy) and 5 neighbours across street on Milton
 - ☐ Lot Plan
 - ☐ Elevation
 - ☐ Information Sheet
 - ☐ Feedback form
- To date we have not encountered opposition to the rezoning proposal

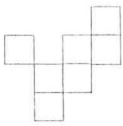


Vision and Goals for 433

■ Goals for 433 Milton

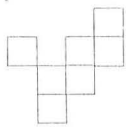
- ☐ High quality, affordable homes
- ☐ Fit in with character of neighbourhood
- ☐ Desirable and Saleable
- ☐ Respect Old City Design Guidelines
- ☐ Adhere with Old City Neighbourhood Concept Plan





Summary

- Purpose of rezoning is to allow for subdivision of the lot into two separate/saleable titles
- New CD Zone will maintain existing density allowances of current R-14 Zone
- No other changes from R-14 development and building requirements are being requested



Site photographs

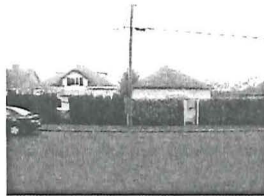


photo 1

kennedy streetscape

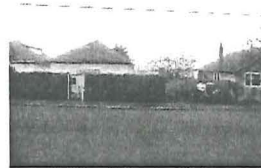


photo 2



photo 3



photo 4

lane streetscape (uphill)



photo 5



photo 6

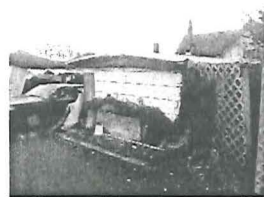


photo 7

lane streetscape (downhill)



photo 8



photo 9



photo 10

milton streetscape



photo 11



photo 12



proposed residential development
433 milton street
nanaimo b.c.

client:

DRAWING TITLE:

reference photos

SCALE:

as noted

DRAWN BY:

S.W.

NUMBER:

41237.27.11

ISSUED:

issued for planning

31 JAN/12

CONTRACTOR TO VERIFY ALL LINES, SPILLS, SURFACES
AND MATERIALS PRIOR TO CONSTRUCTION AND TO
BE KEPT IN COMPLIANCE WITH THE ACT. EXCESSIVE
SUPPORT BOTTLES AND ALL LINES BECOME BOTTLES
SIGNIFICANTLY. TOTAL DRAINAGE AND THE IMPACT
OF EXCESSIVE SURFACES. THE IMPACT OF EXCESSIVE
SURFACES FOR THE PROJECT BOTTLES. UNDESIRABLE
REPRESENTATION ON THE ACT IS NOT PERMITTED IN ANY
PERMISSIBLE.

PAGE NO.

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