

# NOTICE OF PUBLIC HEARING

2010-NOV-04 at 7:00 pm

Notice is hereby given that a Public Hearing will be held on Thursday, **2010-NOV-04**, commencing at **1900 hours (7:00 pm)** in the **Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC** to consider proposed amendments to the City of Nanaimo "ZONING BYLAW 1993 NO. 4000" and the City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500."

## 1. BYLAW NO. 4000.488

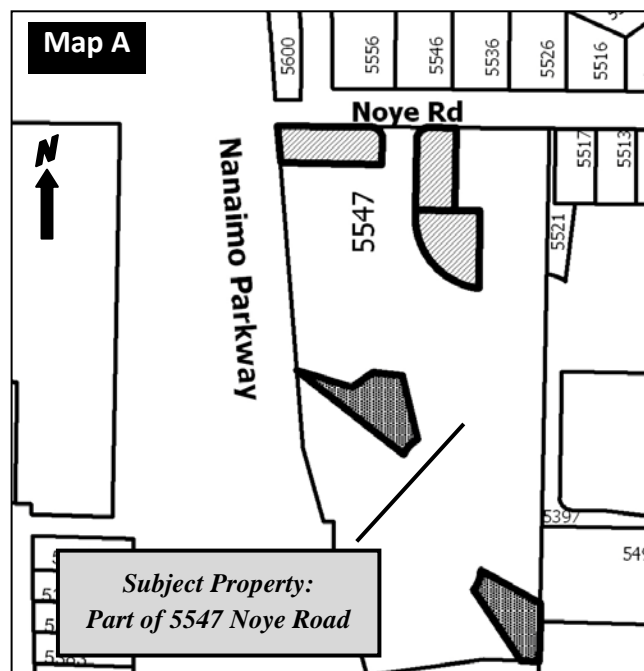
**Purpose:** To permit the use of land for multiple family residential lots within an approved subdivision.

**Location(s):** Part of 5547 Noye Road

**File No.:** RA252

This bylaw, if adopted, will rezone the subject property from Single Family Residential Zone (RS-1) to Residential Duplex Zone (RM-1) and Residential Triplex and Quadruplex Zone (RM-2) in order to facilitate construction of two duplex lots (RM-1); and three lots each with two detached units (RM-2) within an approved single family subdivision.

The subject property is legally described as part of LOT A, DISTRICT LOT 16, WELLINGTON DISTRICT, PLAN VIP88255 and is shown on Map A.



## 2. BYLAW NO. 4000.489

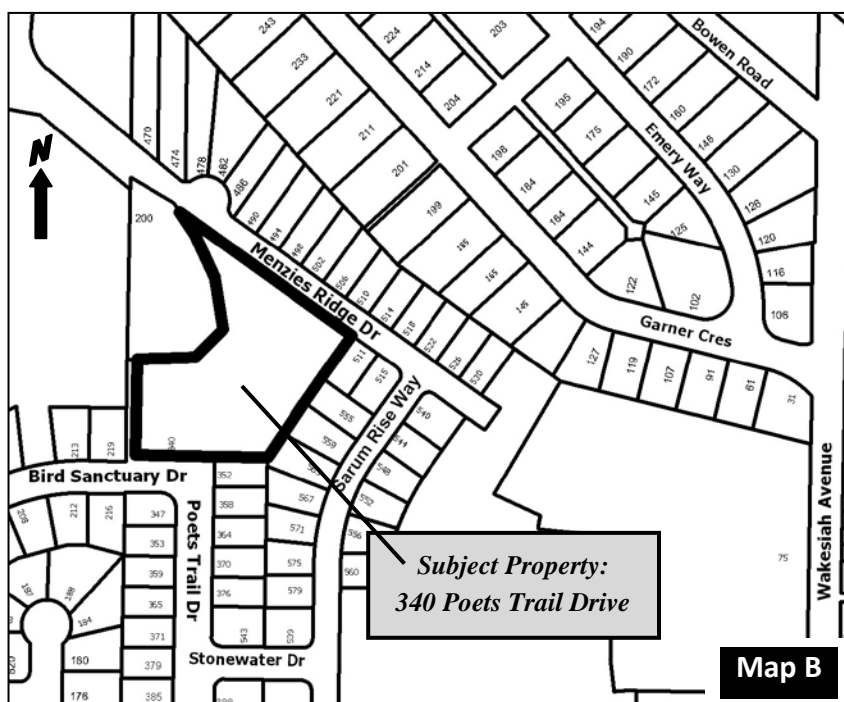
**Purpose:** To permit the use of land for a multiple family residential development.

**Location(s):** 340 Poets Trail Drive

**File No.:** RA253

This bylaw, if adopted, will rezone the subject property from Single Family Residential Zone (RS-1) to Low Density Multiple Family Residential (Townhouse) Zone (RM-3) in order to facilitate the construction of a multiple family residential development.

The subject property is legally described as LOT 5, SECTION 1, NANAIMO DISTRICT, PLAN VIP87165 and is shown on Map B.



### 3. BYLAW NO. 4000.490

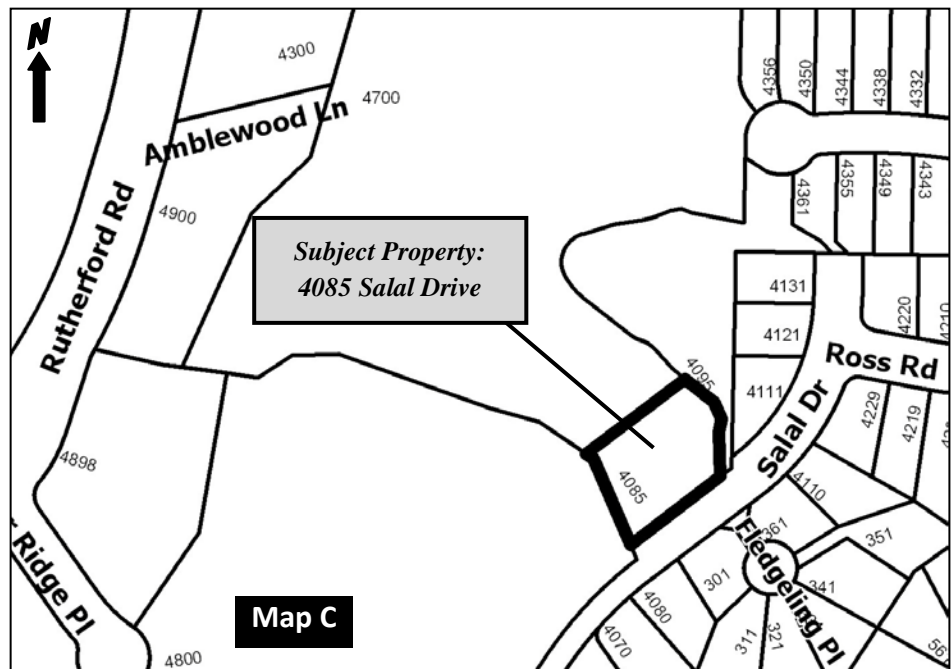
**Purpose:** To permit the use of land for a single family subdivision.

**Location(s):** 4085 Salal Drive

**File No.:** RA254

This bylaw, if adopted, will rezone the subject property from Low Density Multiple Family Residential (Townhouse) Zone (RM-3) to Single Family Residential Zone (RS-1) in order to facilitate a three lot single family subdivision.

The subject property is legally described as LOT 20, DISTRICT LOT 17, WELLINGTON DISTRICT, PLAN VIP85484 and is shown on Map C.



### 4. BYLAW NO. 6500.012

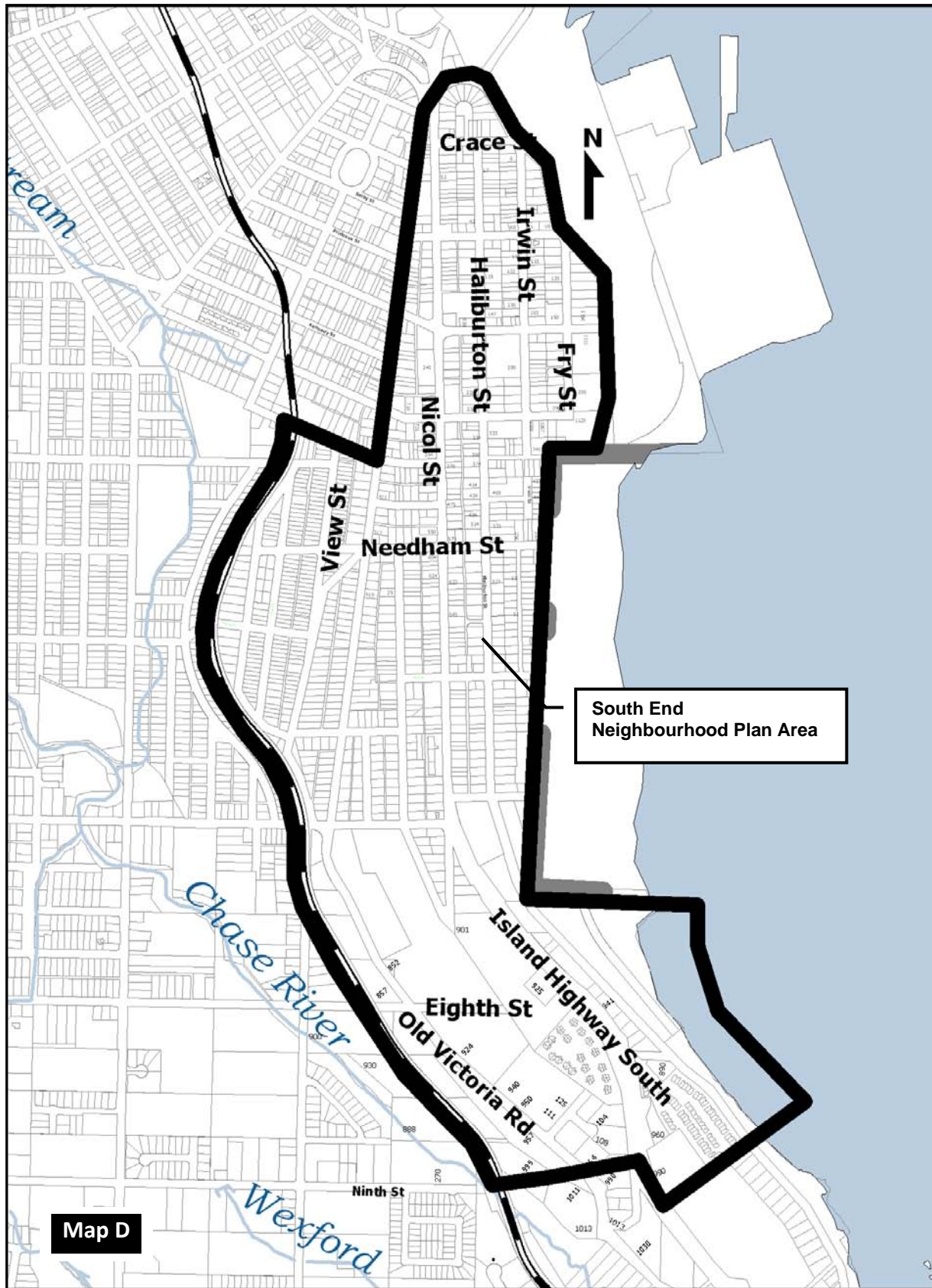
**Purpose:** To update Official Community Plan (OCP) text and mapping layers to include the South End Neighbourhood Plan.

**Location(s):** Various – See Map D

**File No.:** OCP52

This bylaw, if adopted, will include text amendments and update mapping layers to include the South End Neighbourhood Plan within “OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500”. The purpose of this neighbourhood plan is to address neighbourhood issues and opportunities that were identified by residents and other stakeholders throughout the planning process, while working within the context of the Official Community Plan. The neighbourhood plan identifies areas of common concern and articulates the community's vision for change through neighbourhood plan policies, and includes an urban design framework and design guidelines for new developments. Plan policies address land use and development, environmental protection and enhancement, open space and connectivity, economic development, social enrichment and culture; and transportation and infrastructure. Proposed amendments to the Official Community Plan include:

- Add Schedule H to include the South End Neighbourhood Plan as part of the Official Community Plan.
- Amend Section 1 and Subsections 2.3 and 7.1 (9) to include the South End Neighbourhood Plan within the list of neighbourhood plans adopted as part of the Official Community Plan.
- Amend Subsection 7.4 to specify that development permits within the boundaries of the South End Neighbourhood Plan shall be in accordance with the South End Neighbourhood Plan Urban Design Guidelines.



d) Amend Map 1 (Future Land Use Plan) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" to reflect changes to the land use designations, which support the direction of the Neighbourhood Plan. This includes:

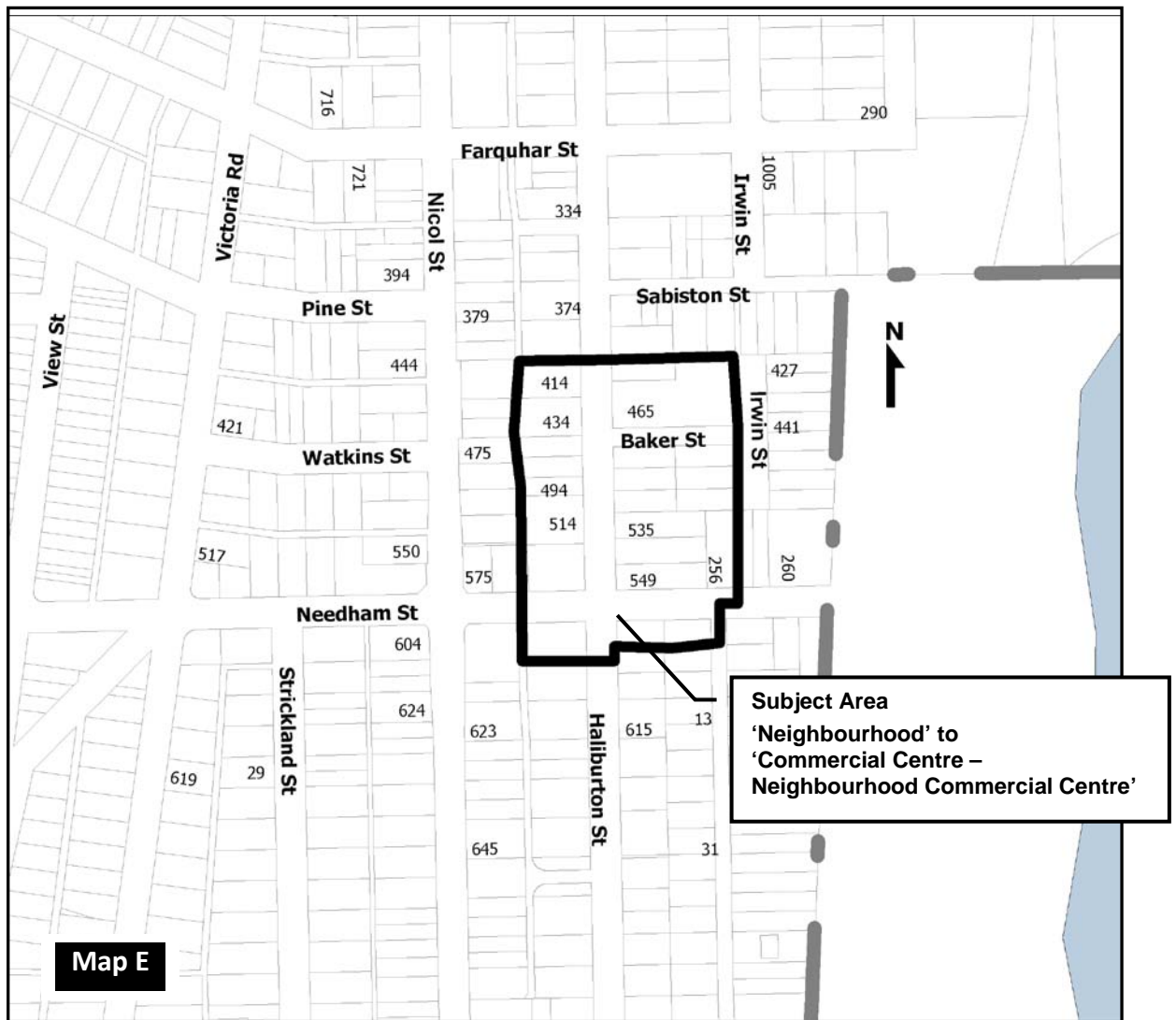
(1) Redesignating properties from 'Neighbourhood' to 'Commercial Centre – Neighbourhood Commercial Centre'. The subject properties are known as:

414 Haliburton Street  
434 Haliburton Street  
435 Haliburton Street  
454 Haliburton Street  
465 Haliburton Street  
474 Haliburton Street  
494 Haliburton Street

514 Haliburton Street  
525 Haliburton Street  
535 Haliburton Street  
540 Haliburton Street  
545 Haliburton Street  
549 Haliburton Street

600 Haliburton Street  
603 Haliburton Street  
450 Irwin Street  
460 Irwin Street  
251 Needham Street  
256 Needham Street

and are shown on Map E.





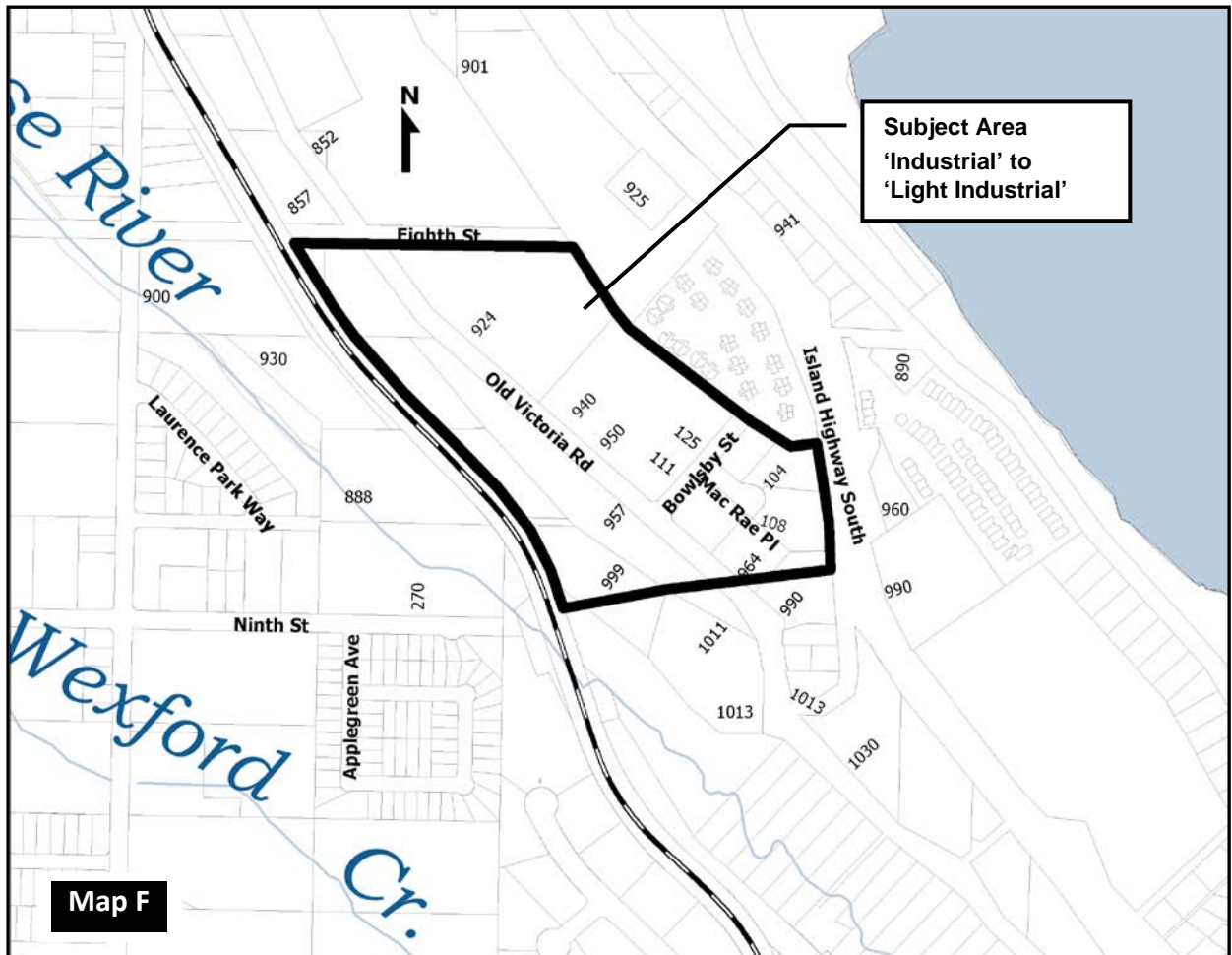
(2) Redesignating properties from 'Industrial' to 'Light Industrial'. The subject properties are known as:

110 Bowsby Street  
114 Bowsby Street  
104 Mac Rae Place  
108 Mac Rae Place

Part of 857 Old Victoria Road  
924 Old Victoria Road  
950 Old Victoria Road  
Part of 957 Old Victoria Road

Part of 964 Old Victoria Road  
Part of 990 Old Victoria Road  
Part of 999 Old Victoria Road  
Part of 1015 Old Victoria Road

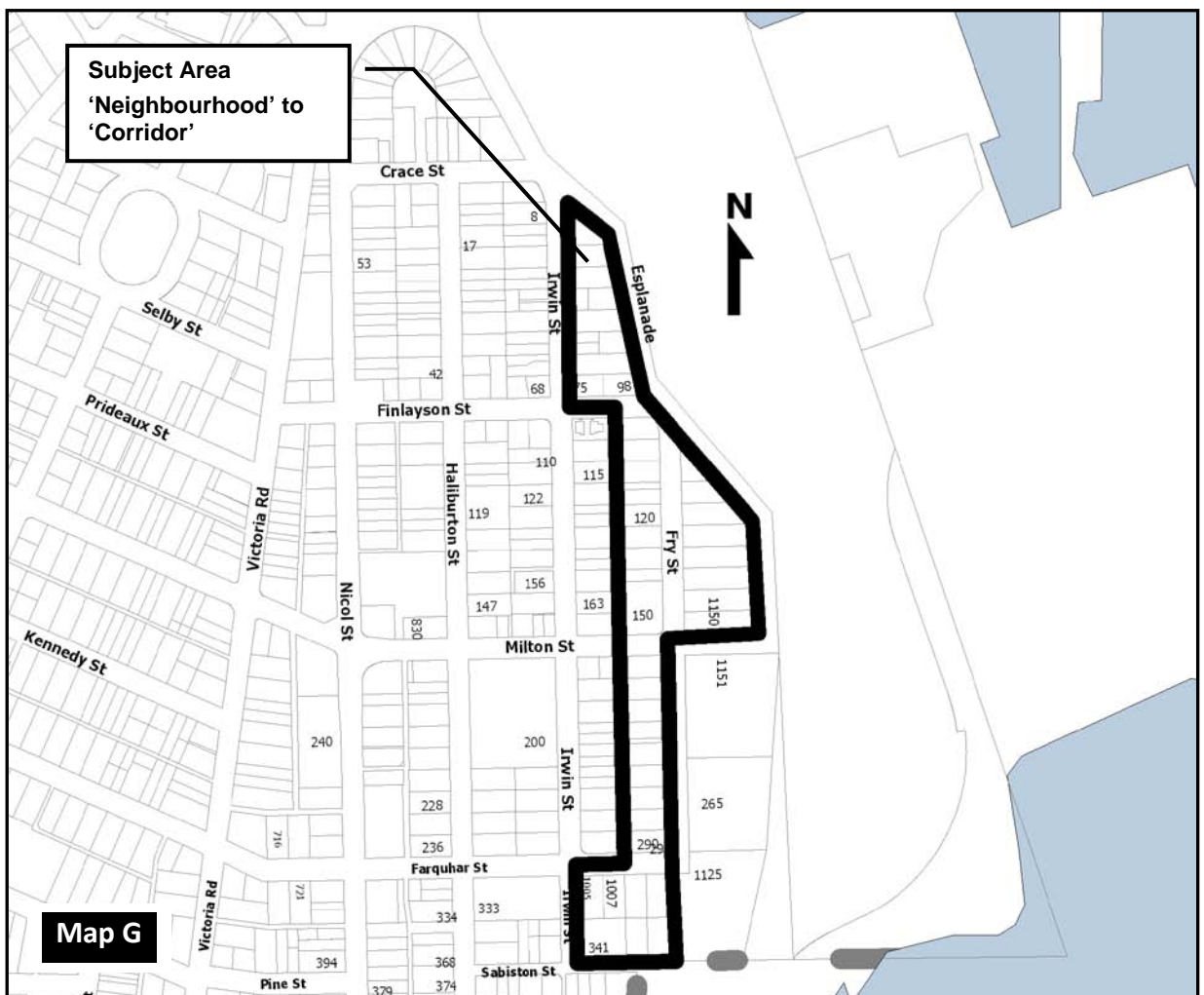
and are shown on Map F.



(3) Redesignating properties from 'Neighbourhood' to 'Corridor'. The subject properties are known as:

78 Esplanade	118 Fry Street	244 Fry Street
84 Esplanade	120 Fry Street	290 Fry Street
90 Esplanade	124 Fry Street	1 Irwin Street
98 Esplanade	128 Fry Street	5 Irwin Street
1005 Farquhar Street	130 Fry Street	7 Irwin Street
1007 Farquhar Street	150 Fry Street	15 Irwin Street
1009 Farquhar Street	210 Fry Street	17 Irwin Street
Part of 1125 Farquhar Street	212 Fry Street	21 Irwin Street
102 Fry Street	218 Fry Street	85 Irwin Street
106 Fry Street	222 Fry Street	341 Irwin Street
110 Fry Street	232 Fry Street	1150 Milton Street
114 Fry Street	236 Fry Street	346 Sabiston Street

and are shown on Map G.



*PLEASE NOTE full details of the above-noted bylaws are available at the City of Nanaimo Community Safety and Development Division, located at 238 Franklyn Street.*

The above bylaws, relevant staff reports, and other background information may be inspected from 2010-OCT-22 to 2010-NOV-04, between 8:00 am and 4:30 pm, Monday through Friday, excluding statutory holidays, in the offices of the Community Safety and Development Division, 238 Franklyn Street, Nanaimo, BC.

All persons who believe their interest in property is affected by the proposed bylaws shall be afforded the opportunity to be heard in person, by a representative or by written submission, on the matters contained within Bylaws No. 4000.488, 4000.489, 4000.490, and 6500.012 at the Public Hearing.

***Please note the following:***

Written submissions may be sent to the City of Nanaimo, Community Safety & Development Division, 455 Wallace Street, Nanaimo, BC V9R 5J6.

Electronic submissions (email) should be sent to **public.hearing@nanaimo.ca**, or submitted online at **www.nanaimo.ca**. These submissions must be received no later than 4:00 pm, 2010-NOV-04, to ensure their availability to Council at the Public Hearing.

Following the close of a public hearing, no further submissions or comments from the public or interested persons can be accepted by members of City Council, as established by provincial case law. This is necessary to ensure a fair public hearing process and provide a reasonable opportunity for people to respond.

**For more information, please contact the City of Nanaimo  
Community Safety and Development Division  
Phone: (250) 755-4429 ♦ Fax: (250) 755-4439 ♦ Website [www.nanaimo.ca](http://www.nanaimo.ca)  
238 Franklyn Street, Nanaimo, BC**

CITY OF NANAIMO

BYLAW NO. 4000.488

A BYLAW TO AMEND THE CITY OF NANAIMO "ZONING BYLAW 1993 NO. 4000"

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WHEREAS the Council may zone land, by bylaw, pursuant to Sections 890, 891, 903 and 904 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 the "ZONING AMENDMENT BYLAW 2010 NO. 4000.488".
2. The City of Nanaimo "ZONING BYLAW 1993 NO. 4000" is hereby amended as follows:
  - (1) By rezoning the lands legally described as part of LOT A, DISTRICT LOT 16, WELLINGTON DISTRICT, PLAN VIP88255 (5547 Noye Road) from Single Family Residential Zone (RS-1) to Residential Duplex Zone (RM-1) and Residential Triplex and Quadruplex Zone as shown on the attached Schedule "A".

PASSED FIRST READING \_\_\_\_\_  
PASSED SECOND READING \_\_\_\_\_  
PUBLIC HEARING HELD \_\_\_\_\_  
PASSED THIRD READING \_\_\_\_\_  
COVENANT REGISTERED \_\_\_\_\_  
MINISTRY OF TRANSPORTATION APPROVAL \_\_\_\_\_  
ADOPTED \_\_\_\_\_

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DIRECTOR,  
LEGISLATIVE SERVICES





2010-SEP-24

## STAFF REPORT

REPORT TO: A. TUCKER, DIRECTOR OF PLANNING,  
COMMUNITY SAFETY & DEVELOPMENT

FROM: J. HOLM, MANAGER, PLANNING SECTION,  
COMMUNITY SAFETY & DEVELOPMENT

RE: RA252 – PART OF 5547 NOYE ROAD

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### STAFF'S RECOMMENDATION:

That Council:

1. receive the report pertaining to "ZONING AMENDMENT BYLAW 2010 NO. 4000.488", which is presented under the Bylaws section of the agenda;
2. direct Staff to secure the following, prior to adoption of the bylaw, should Council support the bylaw at Third Reading:
  - a. a covenant registered to secure density for lots 1, 7, and 11; and
  - b. rain water pre-development flows, and community contribution.

### EXECUTIVE SUMMARY:

The City has received a rezoning application from Mr. Cliff Faust, on behalf of 0877901 BC Ltd., to rezone part of the subject properties from Single Family Residential Zone (RS-1) to Residential Duplex Zone (RM-1) and Residential Triplex and Quadruplex Zone (RM-2) in order to include two RM-1 lots and three RM-2 lots within an approved single family subdivision. Staff supports the application and recommends that Council approve the proposed rezoning.

### BACKGROUND:

#### ***Subject Property***

The combined lot area of both subject properties is approximately 36,802m<sup>2</sup> (9.1 acres); however, the proposed lands to be rezoned constitute approximately 4,261m<sup>2</sup> (1.0 acre) (Attachment A). The subject properties abut the Nanaimo Parkway to the west; and a mix of RS-1, RS-3 and RM-1 lots are within the immediate vicinity. A small pan handle park exists to the east of the Noye Road subject property, and a larger park is located south across the road from the Dunster Road subject property. The applicant intends to subdivide the subject properties for single family development.

#### ***Official Community Plan (OCP)***

According to Map '1' of the Official Community Plan (OCP), the subject property is located within a Neighbourhood designation. The relevant policies of the Neighbourhood designation are as follows:

- Development in Neighbourhoods will be characterized by a mix of low density residential uses and may include detached and semi-detached dwelling units, secondary suites, special needs housing, mobile homes, duplexes, triplexes, quadruplexes and townhouses. Residential densities from 10 to 50 units per hectare, in two to four storey building forms, will be supported in Neighbourhoods.
- The development or redevelopment of lands within existing Neighbourhood designated areas shall consider the surrounding context, including architecture, scale, densities, and lot and lane configuration, when creating innovative designs which fit a variety of housing forms and enhance the liveability of the area.
- The infill of residential lots is encouraged and will be designed to complement existing Neighbourhood character including the ground oriented nature of existing housing.

The resulting densities of the proposed new lots are within the lower ranges of the Neighbourhood designation. In addition, the proposed two-unit lots provide for a mix of housing within the future subdivision. As such, Staff is of the opinion that the proposed rezoning complies with the intent of the OCP.

### ***Proposed Development***

The applicant is proposing to rezone part of the subject properties from Single Family Residential Zone (RS-1) Residential Duplex Zone (RM-1) and Residential Triplex and Quadruplex Zone (RM-2) in order to include two RM-1 lots and three RM-2 lots within an approved single family subdivision (Attachment B). The approved subdivision, which has Preliminary Layout Acceptance (PLA), includes 26 lots; of which, 5 lots are the subject of this rezoning application. All 5 future lots under rezoning will have a maximum of 2 units. Proposed lots 16 and 25 are typical duplex lots (RM-1); and lots 1, 7 and 11 will contain two single detached units per lot (RM-2). The unit sizes range from 128 m<sup>2</sup> (1380 ft<sup>2</sup>) to 146 m<sup>2</sup> (1,580 ft<sup>2</sup>), plus a single car garage for each unit.

The proposed RM-1 lots are both located on cul-de sacs and the proposed RM-2 lots are all located on corner lots. Typical site plans and elevations are attached (Attachment C).

### ***Density Restriction***

The RM-2 Zone is being proposed for lots 1, 7, and 11 in order for the two units to be detached from one another; however, the zone also allows for triplex or fourplex development. As the proposed development is intended for two units only, Staff recommends as a condition of rezoning that a covenant restrict lots 1, 7, and 11 to two units per lot.

### ***Rain Water Management***

As a condition of rezoning, Staff recommends that post-development flows from the lots be restricted to the pre-development levels and patterns, which will be evaluated in the context of the entire 26-lot subdivision. It is likely that the method for achieving this will be through the use of rock pits; however, detailed plans will be secured and required prior to completion of the subdivision and registration of the new lots.

### ***Community Contribution***

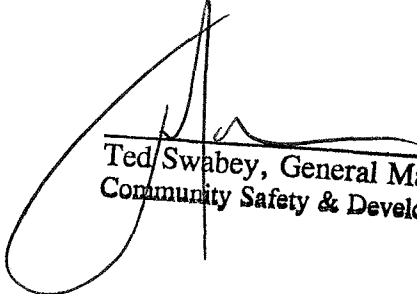
Pursuant to Section 7.3 of the Official Community Plan (OCP), in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution.

The applicant proposes a monetary contribution of \$5,000 towards the City of Nanaimo Affordable Housing Legacy Fund. Staff supports this community contribution proposal and recommends that this item be secured as a condition of rezoning.

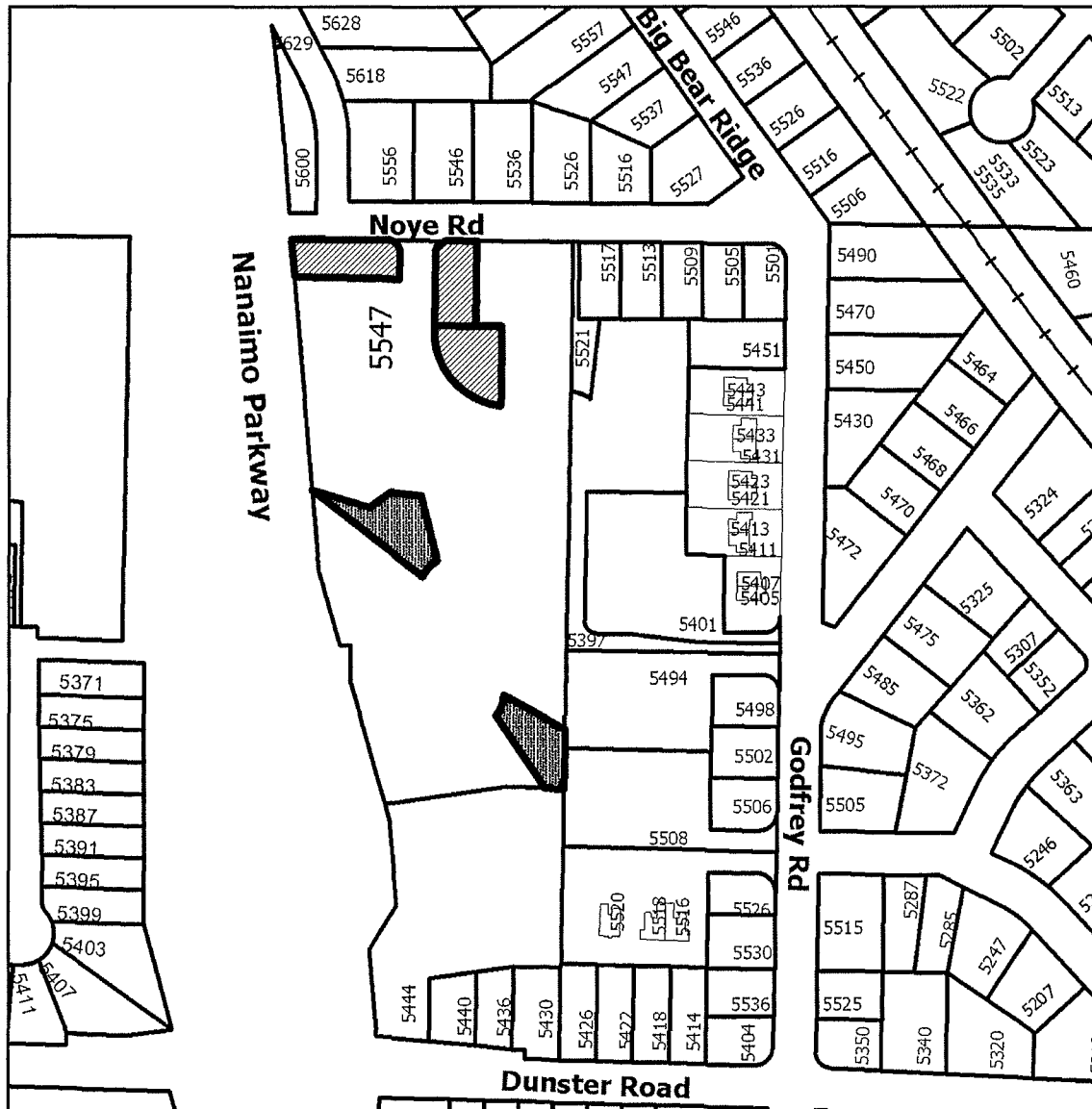
Respectfully submitted,

  
\_\_\_\_\_  
J. Holm  
Manager, Planning Section  
**Community Safety & Development**  
\_\_\_\_\_  
A. Tucker  
Director of Planning  
**Community Safety & Development**

SH/pm  
Council: 2010-OCT-04  
Prospero: RA252



  
\_\_\_\_\_  
Ted Swabey, General Manager  
**Community Safety & Development**

# ATTACHMENT A

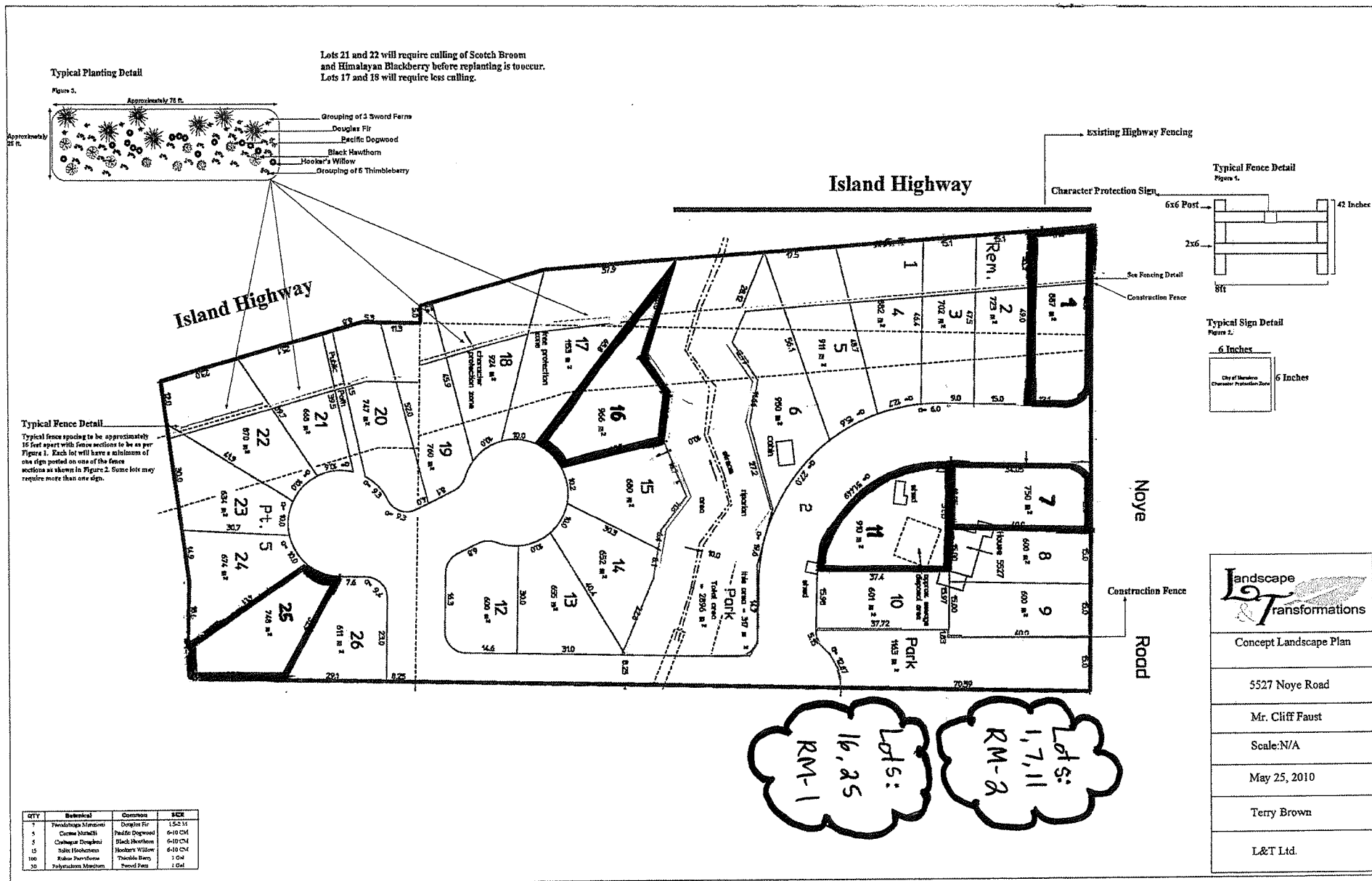


File: RA000252  
Civic: 5547 Noye Road

## LOCATION PLAN

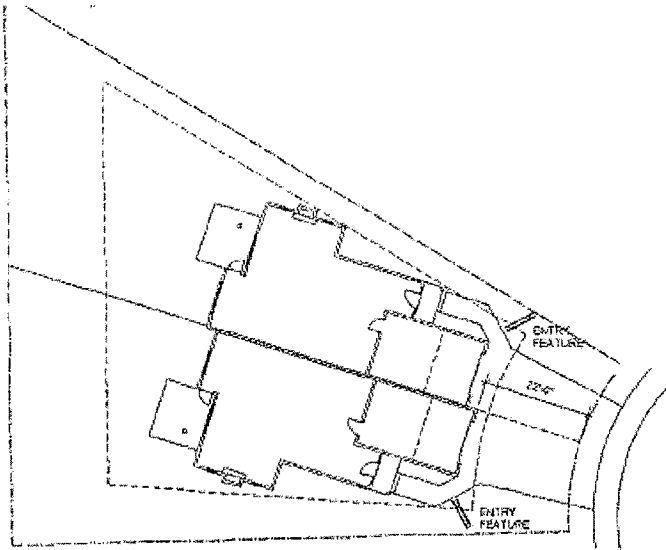
-  Re-zone to RM2
-  Re-zone to RM1



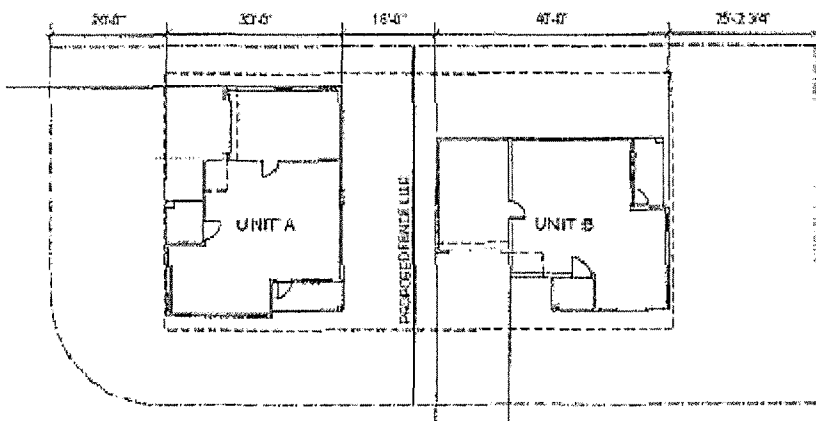


## ATTACHMENT C (1 OF 2)

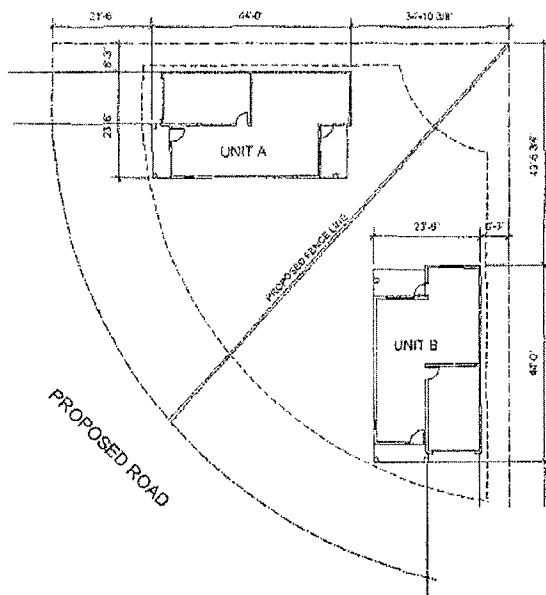
### TYPICAL SITE PLANS



Cul-de-sac duplex lot  
(RM-1)  
Lots 16 and 25



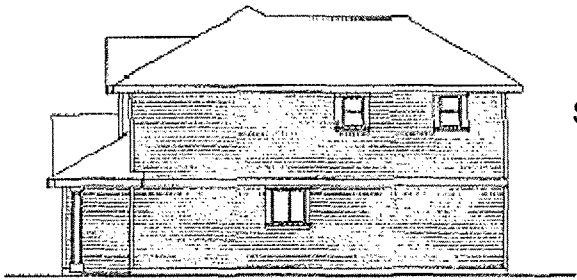
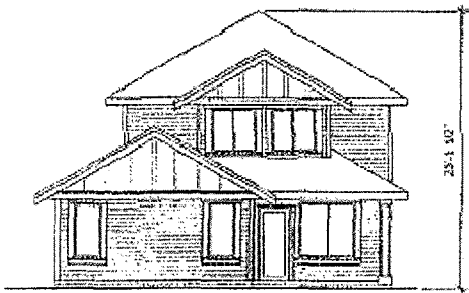
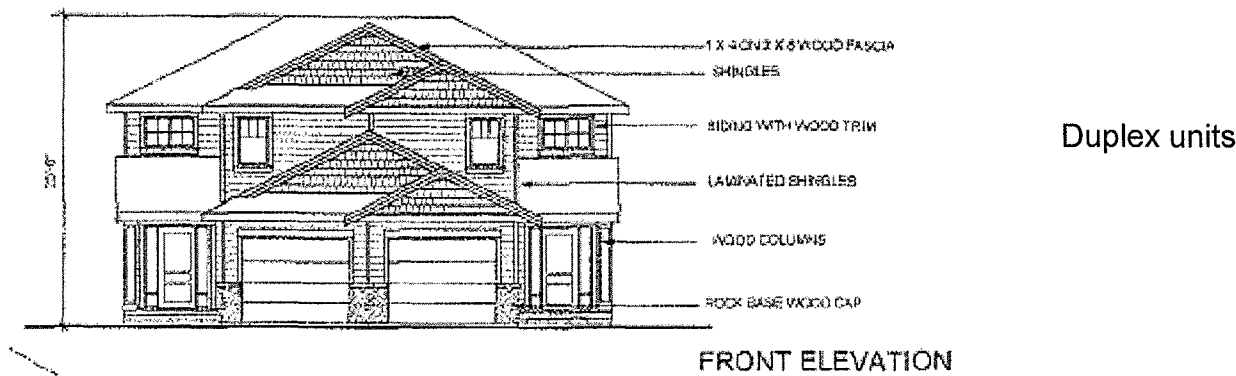
Two-unit lot  
(RM-2)  
Lots 1 and 7



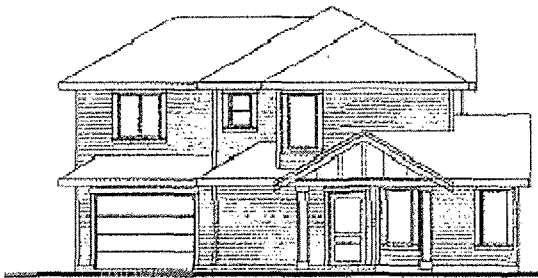
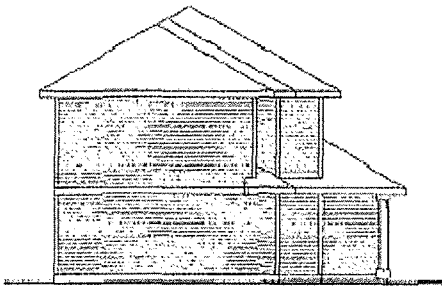
Two-unit lot  
(RM-2)  
Lot 11

ATTACHMENT C (2 OF 2)

TYPICAL ELEVATIONS



Single units



CITY OF NANAIMO

BYLAW NO. 4000.489

A BYLAW TO AMEND THE CITY OF NANAIMO "ZONING BYLAW 1993 NO. 4000"

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WHEREAS the Council may zone land, by bylaw, pursuant to Sections 890, 891, 903 and 904 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 the "ZONING AMENDMENT BYLAW 2010 NO. 4000.489".
2. The City of Nanaimo "ZONING BYLAW 1993 NO. 4000" is hereby amended as follows:
  - (1) By rezoning the lands legally described as LOT 5, SECTION 1, NANAIMO DISTRICT, PLAN VIP87165 (340 Poets Trail Drive) from Single Family Residential Zone (RS-1) to Low Density Multiple Family Residential (Townhouse) Zone (RM-3) as shown on the attached Schedule "A".

PASSED FIRST READING \_\_\_\_\_  
PASSED SECOND READING \_\_\_\_\_  
PUBLIC HEARING HELD \_\_\_\_\_  
PASSED THIRD READING \_\_\_\_\_  
COVENANT REGISTERED \_\_\_\_\_  
ADOPTED \_\_\_\_\_

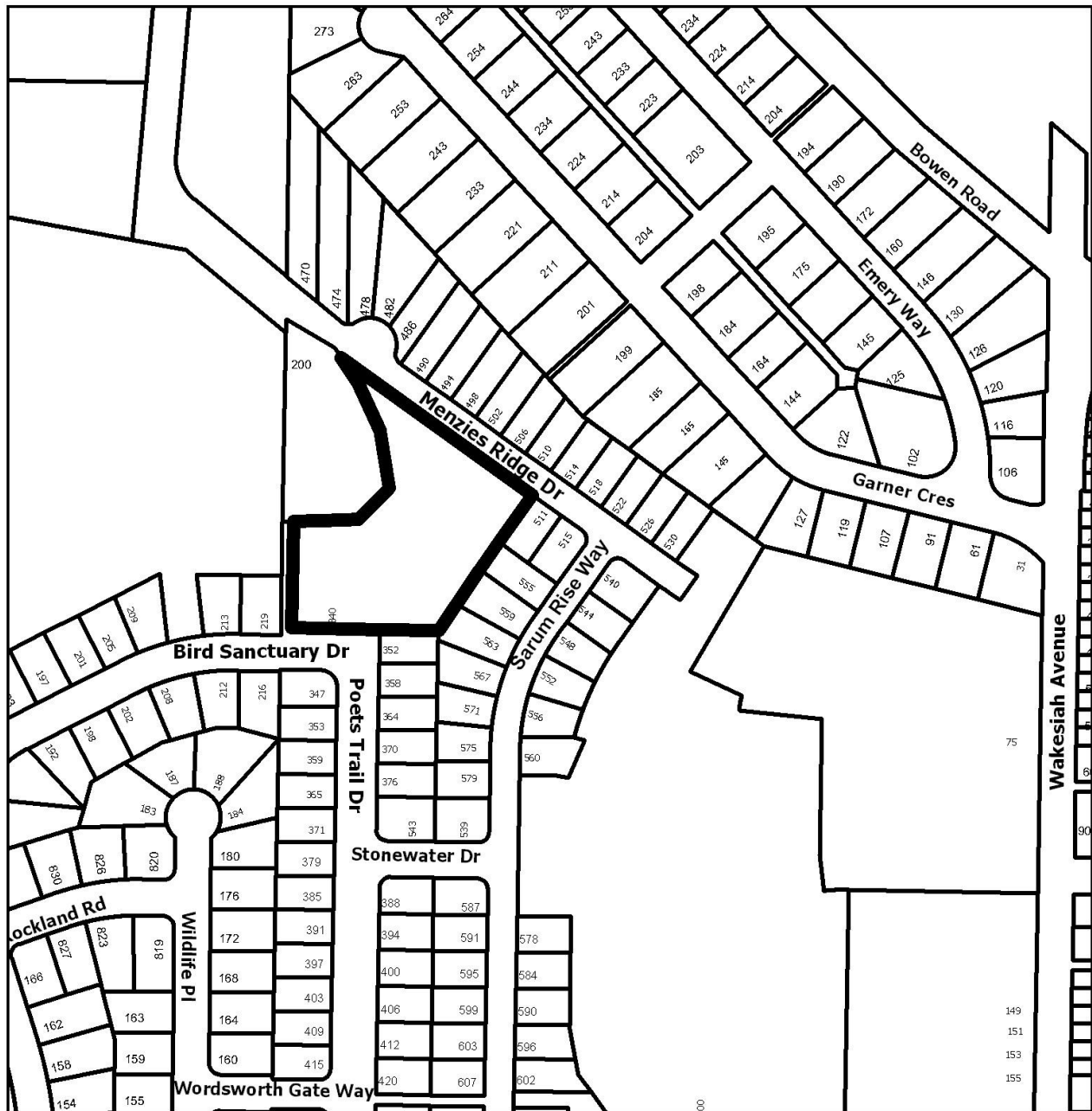
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MAYOR

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DIRECTOR,  
LEGISLATIVE SERVICES

SCHEDULE A





# STAFF REPORT

REPORT TO: A. TUCKER, DIRECTOR OF PLANNING,  
COMMUNITY SAFETY & DEVELOPMENT

FROM: J. HOLM, MANAGER, PLANNING SECTION,  
COMMUNITY SAFETY & DEVELOPMENT

RE: RA253 – 340 POETS TRAIL DRIVE

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## STAFF'S RECOMMENDATION:

That Council:

1. receive the report pertaining to "ZONING AMENDMENT BYLAW 2010 NO. 4000.489", which is presented under the Bylaws section of the agenda; and
2. direct Staff to secure the following, should Council choose to support Third Reading of the bylaw: street trees, no gating, rainwater pre-development flows, community contribution, and an erosion and sediment control plan prior to adoption of the bylaw.

## PLAN NANAIMO ADVISORY COMMITTEE (PNAC) RECOMMENDATION:

At its meeting of 2010-JUL-13, PNAC recommended that Council approve the application.

## EXECUTIVE SUMMARY:

The City has received a rezoning application from Insight Developments, on behalf of Insight Holdings Ltd., to rezone the subject property from Single Family Residential Zone (RS-1) to Low Density Multiple Family Residential (Townhouse) Zone (RM-3) in order to facilitate a 16-unit multi-family residential development. Staff supports the application and recommends that Council approve the proposed rezoning.

## BACKGROUND:

### ***Subject Property***

The subject property is approximately 10,022 m<sup>2</sup> (2.5 acres) in area and is located on the north side of the Poets Trail Drive and Bird Sanctuary Drive intersection. The subject property also has frontage on Menzies Ridge Drive (Attachment A). Currently, the subject property is vacant. The surrounding land use is predominately single family lots. Abutting the site to the west is the Buttertubs Marsh wetland. The aquatic setback from the wetland corresponds to the boundary between the subject property and the park, which was previously dedicated from the parent property by the applicant.

### ***Official Community Plan (OCP)***

According to Map '1' of the Official Community Plan (OCP), the subject property is located within a Neighbourhood designation. The relevant policies of the Neighbourhood designation are as follows:

- Development in Neighbourhoods will be characterized by a mix of low density residential uses and may include detached and semi-detached dwelling units, secondary suites, special needs housing, mobile homes, duplexes, triplexes, quadruplexes and townhouses. Residential densities from 10 to 50 units per hectare, in two to four storey building forms, will be supported in Neighbourhoods.
- The development or redevelopment of lands within existing Neighbourhood designated areas shall consider the surrounding context, including architecture, scale, densities, and lot and lane configuration, when creating innovative designs which fit a variety of housing forms and enhance the liveability of the area.
- The infill of residential lots is encouraged and will be designed to complement existing Neighbourhood character including the ground oriented nature of existing housing.

The proposed development equates to a residential density of 16 units per hectare. Staff is of the opinion that the proposed rezoning complies with the intent of the OCP.

### ***Proposed Development***

The applicant is proposing to rezone the subject property from Single Family Residential Zone (RS-1) to Low Density Multiple Family Residential (Townhouse) Zone (RM-3) in order to facilitate a multi-family residential development.

The proposed development includes a total of 16 units. Eight duplex buildings are proposed, each building is single storey in height. Each unit is approximately 128m<sup>2</sup> (1,375 ft<sup>2</sup>). The proposed Gross Floor Area (GFA) is 2,043m<sup>2</sup> (22,000 ft<sup>2</sup>), which equates to a Floor Area Ratio (FAR) of 0.20. The applicant can accommodate a total of 2 parking spaces per unit, plus an additional 7 visitor parking spaces; for a total of 39 on-site parking spaces.

The proposed site plan (Attachment B) and elevations (Attachment C) are attached.

### ***Density Restriction***

A total of 16 units have been accommodated on the subject property, as demonstrated on the proposed site plan. However, the density within the RM-3 Zone allows for a FAR of 0.45, more than double than what is being proposed by the applicant. Staff recommends as a condition of rezoning that the proposed development be restricted to a total of 16 units. This restriction would limit the number of dwelling units, but would still allow flexibility to address potential changes to the building form at development permit stage.

### ***Street Trees***

Staff recommends that as a condition of rezoning a covenant be registered to secure six street trees along the Bird sanctuary Drive cul-de-sac frontage, as shown on the landscape plan (Attachment D). The trees will be required as part of the development permit landscaping requirements.

### ***No Gating Covenant***

Staff recommends as a condition of rezoning that a covenant be registered to prohibit the installation of vehicular gates at the entrance to the property.

### ***Rain Water Management***

As a condition of rezoning, Staff recommends that a covenant be required to secure post development flows from the site to the pre-development levels and patterns.

Flows from the site are to be maintained to their pre-development flows and characteristics by the use of alternative rain water management methods and practices. Preferred methods include the use of landscaping and additional soils for absorption, pervious parking areas and ground water recharge rather than underground retention systems. The covenant will also specify that an alternative rain water management plan be provided at the development permit stage.

### ***Erosion and Sediment Control***

As a condition of rezoning, Staff recommends that a covenant be required to secure an erosion and sediment control plan. Prior to the removal of any vegetation or construction of works, an erosion and sediment control plan will need to be reviewed and issued Design Stage Acceptance (DSA).

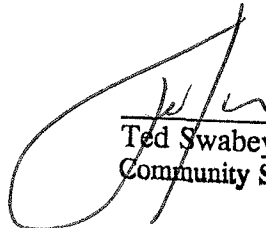
### ***Community Contribution***

Pursuant to Section 7.3 of the Official Community Plan (OCP), in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution. The applicant proposes a monetary contribution of \$12,000 towards public trail development in the area. Although, 16 dwelling units are proposed for the subject property, the original subdivision contemplated a total of 4 single family lots. Therefore, the proposed development results in an increase in density of 12 dwelling units. Taking into account the increase in density on the site, the proposed contribution aligns with recent community contributions for similar rezonings, which usually provide \$1000 per dwelling unit. As such, Staff supports this community contribution proposal and recommends that this item be secured as a condition of rezoning.

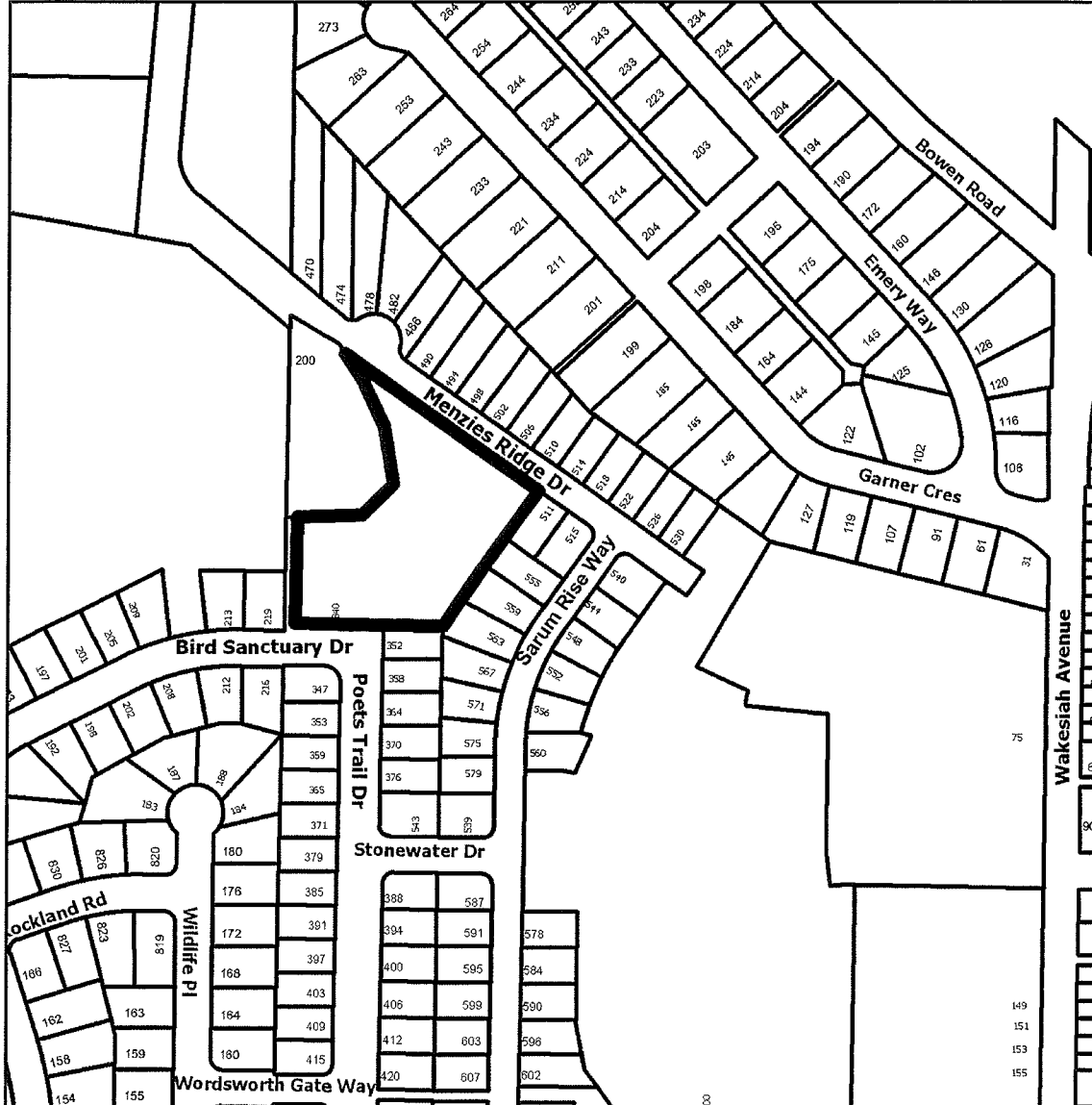
Respectfully submitted,

  
\_\_\_\_\_  
J. Holm  
Manager, Planning Section  
**Community Safety & Development**  
\_\_\_\_\_  
A. Tucker  
Director of Planning  
**Community Safety & Development**

DS/pm  
Council: 2010-OCT-04  
Prospero: RA253

  
\_\_\_\_\_  
Ted Swabey, General Manager  
**Community Safety & Development**

# ATTACHMENT A

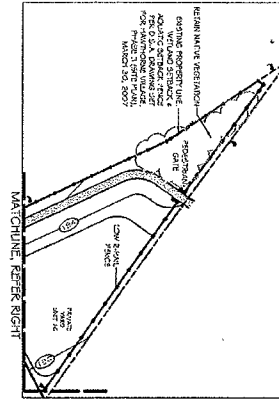


File: RA000253  
Civic: 340 Poets Trail Drive

## LOCATION PLAN



# ATTACHMENT B

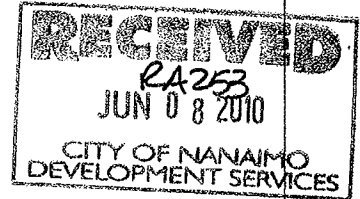


## GRADING LEGEND

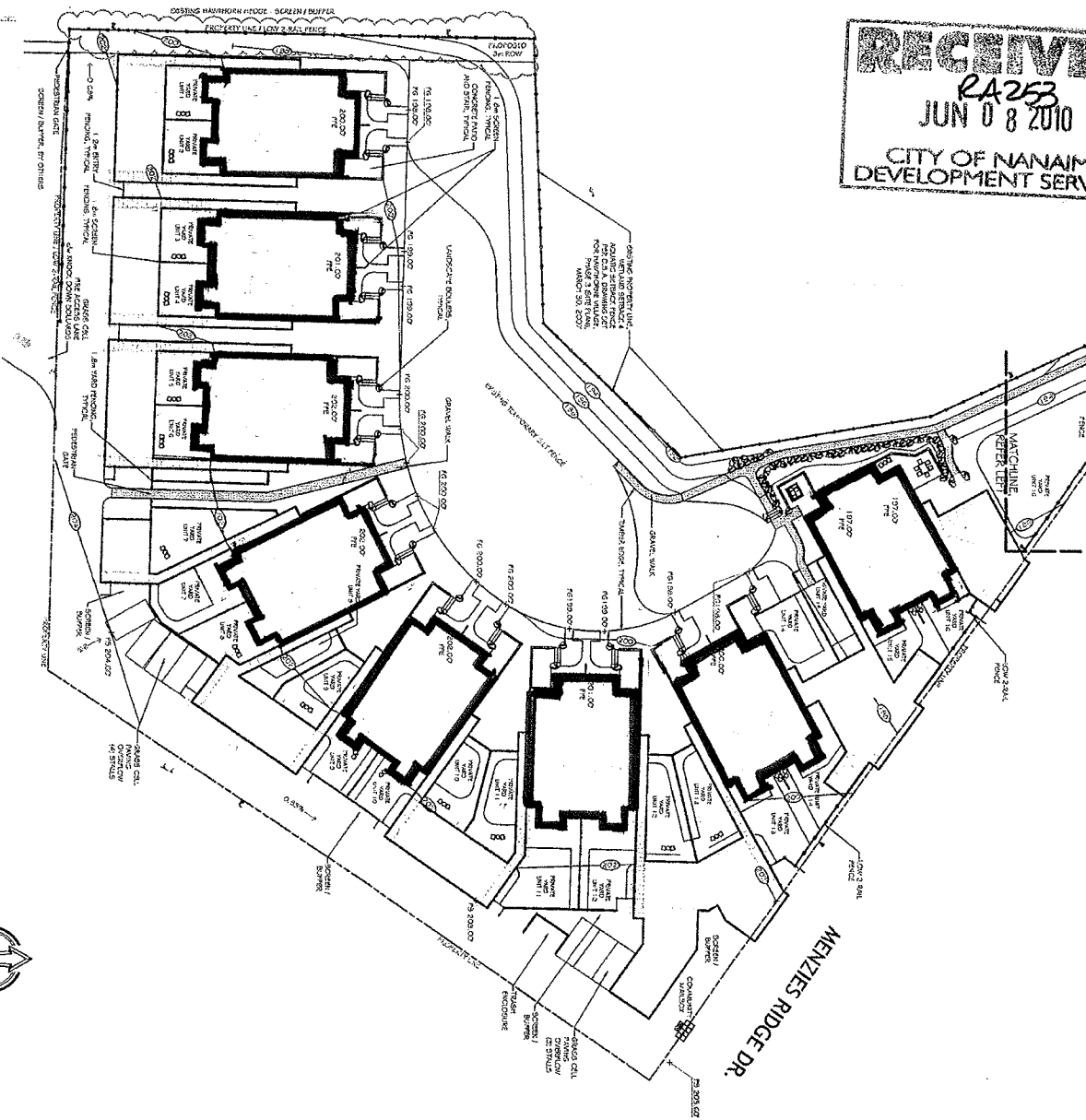
SYMBOL	DESCRIPTION
	2% SLOPE
	10% SLOPE
	15% SLOPE
	1:1 SLOPE
	2:1 SLOPE

## LAYOUT LEGEND

SYMBOL	DESCRIPTION
	1.5m WIDE SIDEWALK
	1.5m WIDE DRIVEWAY
	1.5m WIDE PARKING SPACE
	1.5m WIDE FENCE
	1.5m WIDE WALL
	1.5m WIDE GATE
	1.5m WIDE DOOR
	1.5m WIDE WINDOW
	1.5m WIDE PORCH
	1.5m WIDE TERRACE
	1.5m WIDE BALCONY
	1.5m WIDE DECK
	1.5m WIDE PATIO
	1.5m WIDE LAWN
	1.5m WIDE GARDEN
	1.5m WIDE TREE
	1.5m WIDE SHRUB
	1.5m WIDE FLOWER BED
	1.5m WIDE VEGETABLE GARDEN
	1.5m WIDE HERB GARDEN
	1.5m WIDE FRUIT GARDEN
	1.5m WIDE VEGETABLE GARDEN
	1.5m WIDE HERB GARDEN
	1.5m WIDE FRUIT GARDEN



BIRD SANCTUARY DR.



#	Date	Notes
1	04MAY10	Revising Submission
2	04JUN10	Revising Resubmission

LANDSCAPE ARCHITECTURE SITE PLAN	
Date:	June 4, 2010
Drawn:	NG
Checked:	NG
Scale:	1:250 metric
Project Number:	10-0010
Drawing Number:	L1 of 2

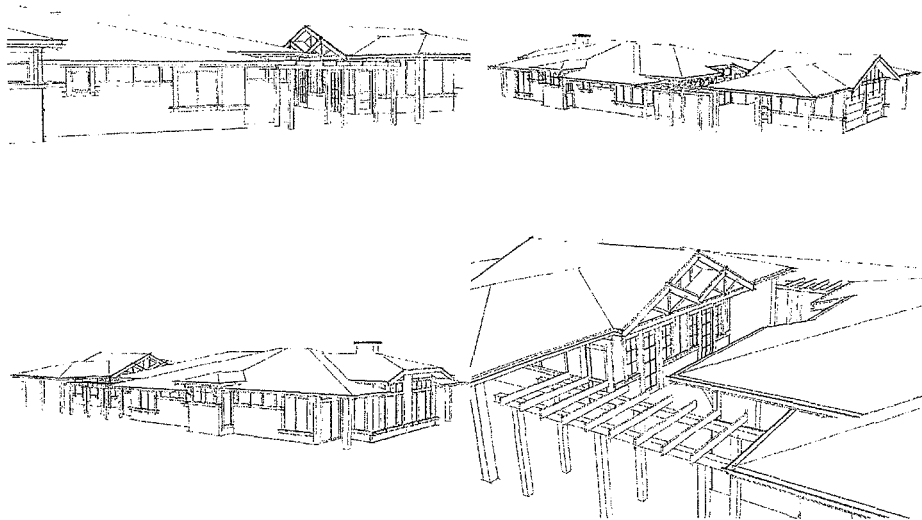
**HAWTHORNE PATIO HOMES**  
Hawthorne Lot 5  
InSight Holdings  
PRELIMINARY - NOT FOR CONSTRUCTION





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times remain the exclusive property  
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without written consent. Wall  
dimensions shall have precedence  
over scaled dimensions.  
Contractors shall verify and be  
responsible for all dimensions and  
conditions on the job and this  
office shall be informed of any  
variations from the dimensions and  
conditions shown on the drawing.

**FIRE FIGHTER ACCESS:**  
1- THROUGH MENZIES RIDGE DR. (NORTH EAST)  
2- EXCLUSIVE ACCESS THROUGH SANCTUARY DR. (SOUTH)



RECEIVED  
JUN 29 2010  
CITY OF NANAIMO  
DEVELOPMENT SERVICES

REVISIONS			
No.	Date	Details	BY
1	04-21-10	ISSUED FOR REZONING	HE

**RAFI ARCHITECTS INC.**

314  
604 688 3455

314  
604 688 3522

314-1  
rafid@racnet.net

www  
rafiarchitects.com

SUITE ONE  
1600 HOWE ST  
VANCOUVER BC  
V6Z 2T9 CANADA

Client



InSight

ALL ABOUT

Project  
HAWTHORNE  
PATIO HOMES

Drawing Title

COVER PAGE

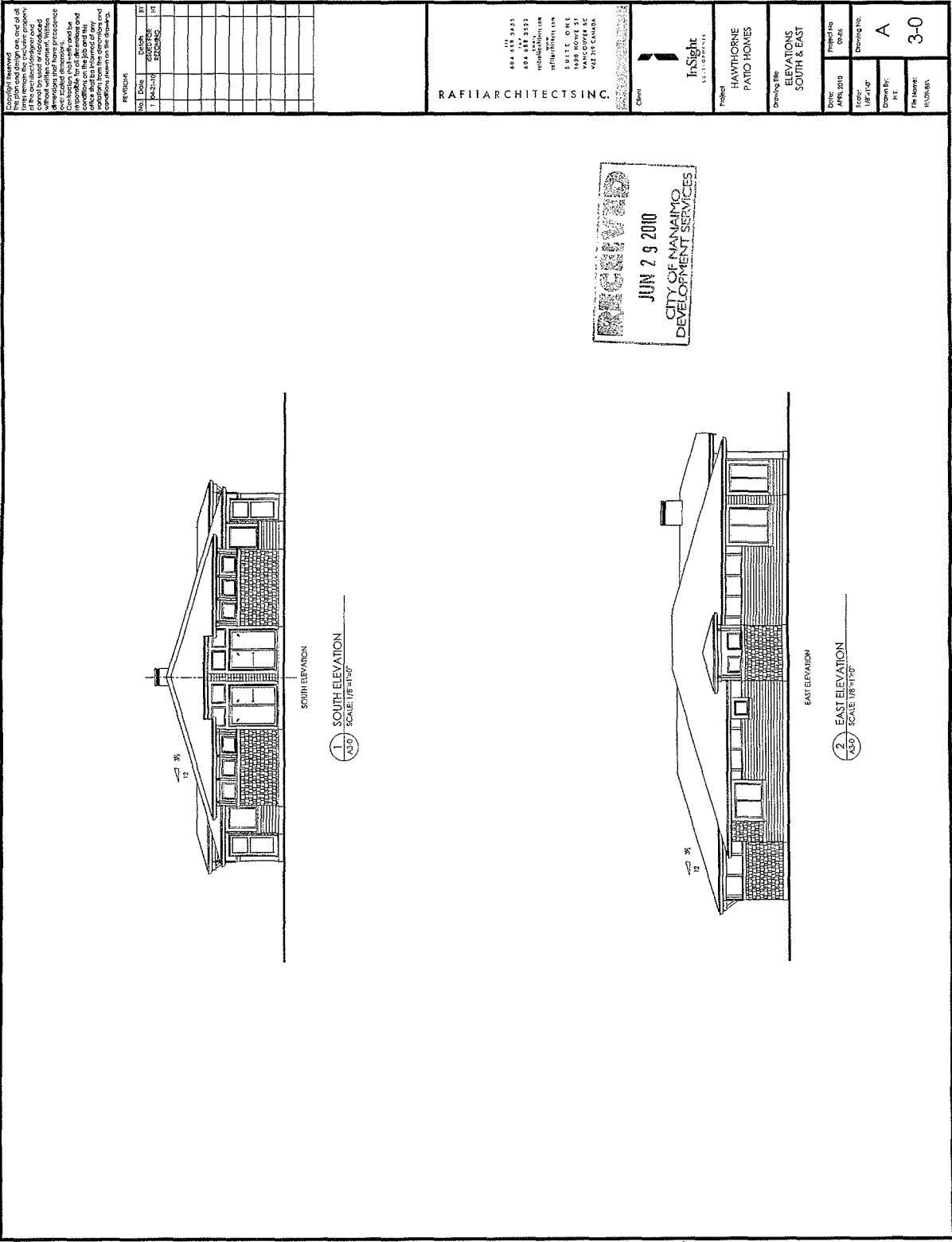
Date: APRIL 2010	Project No. 09-86
Scale: N.T.S.	Drawing No.  A
Drawn By: H.T.	  1-0
File Name: H:\09-86\	

ATTACHMENT C (1 OF 4)

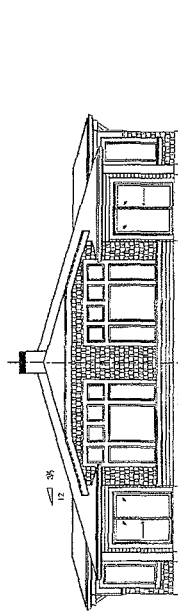
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7-Jun-10 Hossain

ATTACHMENT C (2 OF 4)



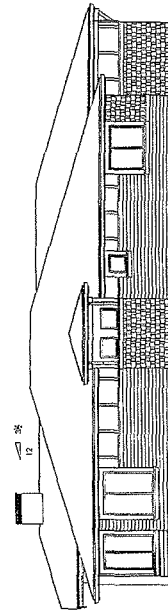
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NORTH ELEVATION

NORTH ELEVATION

1 NORTH ELEV  
A3.1 SCALE: 1/8"=1'-0"



WEST ELEVATION

WEST EVALUATION

2 WEST ELEVATION  
A3-1 SCALE: 1/8"=1'-0"

RECEIVED  
JUN 29 2010  
CITY OF NAINAIMO  
DEVELOPMENT SERVICES

RAFI ARCHITECTS INC

**SUITE ONE**  
1800 HOWE ST  
VANCOUVER BC  
V6Z 2G6 CANADA

—

Project  
HAWTHORNE  
PATIO HOMES

Drawing Title  
ELEVATIONS  
NORTH & WEST

Date:	Project No.
-------	-------------

Scale:	Drawing No
APRIL 2010	07-08

A

31	FILE NAME
	NET

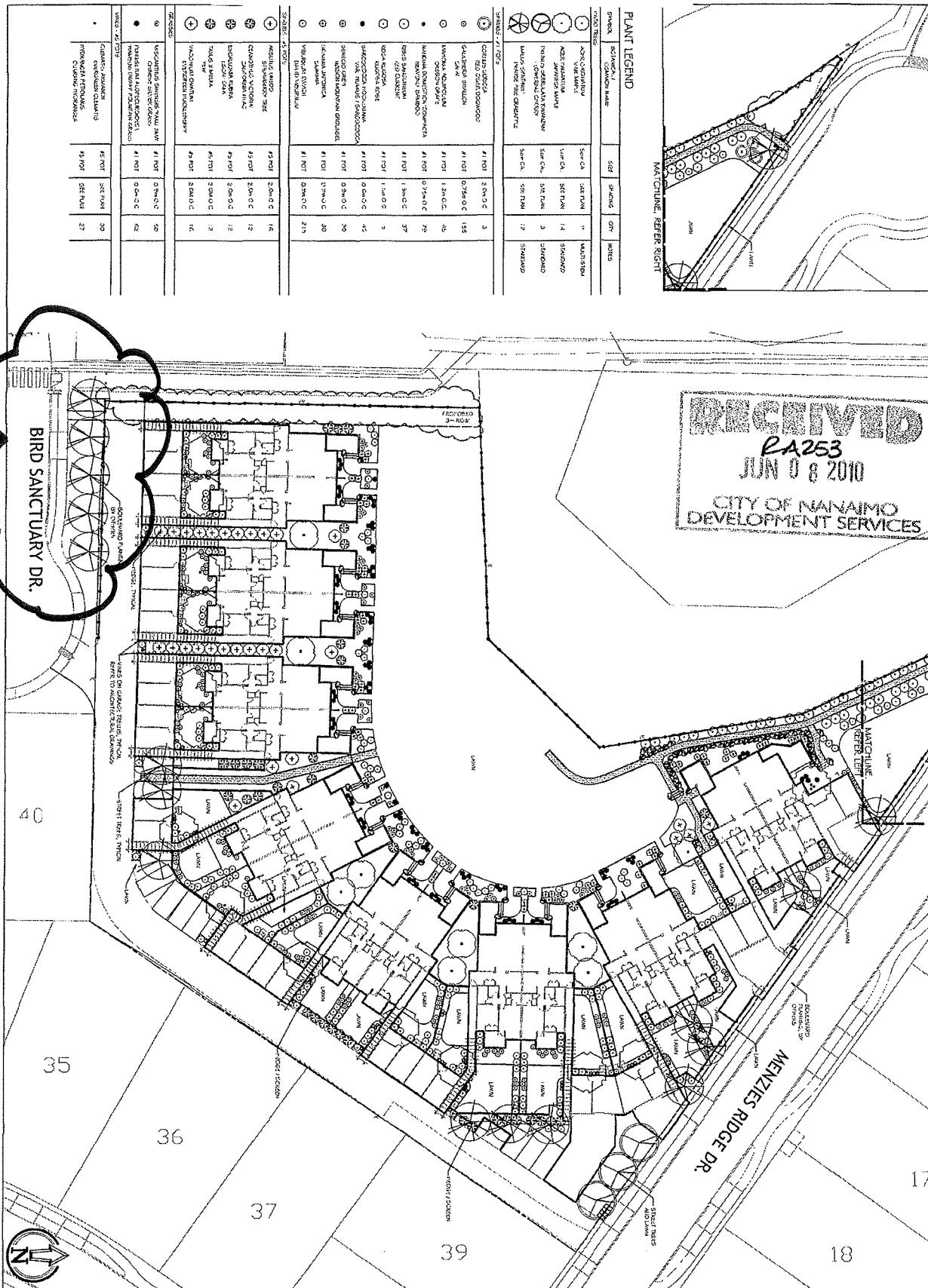
158-60146  
H1-09-86

2-July-10 Nazim

ATTACHMENT C (4 OF 4)

7-Jun-10 Hazelton

# ATTACHMENT D



#	DATE	NOTES
1	XXMAY10	Revising Submission

LANDSCAPE PLANTING PLAN	
Date:	DRAFT May 4, 2010
Drawn:	MG
Checked:	MG
Scale:	1:250 mm/1"=10'-0"
Project Number:	10-0010
Drawing Number:	L2 of 2

**HAWTHORNE PATIO HOMES**  
Hawthorne Lot 5  
InSight Holdings  
PRELIMINARY - NOT FOR CONSTRUCTION





CITY OF NANAIMO

BYLAW NO. 4000.490

A BYLAW TO AMEND THE CITY OF NANAIMO "ZONING BYLAW 1993 NO. 4000"

---

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 890, 891, 903 and 904 of the *Local Government Act*;

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

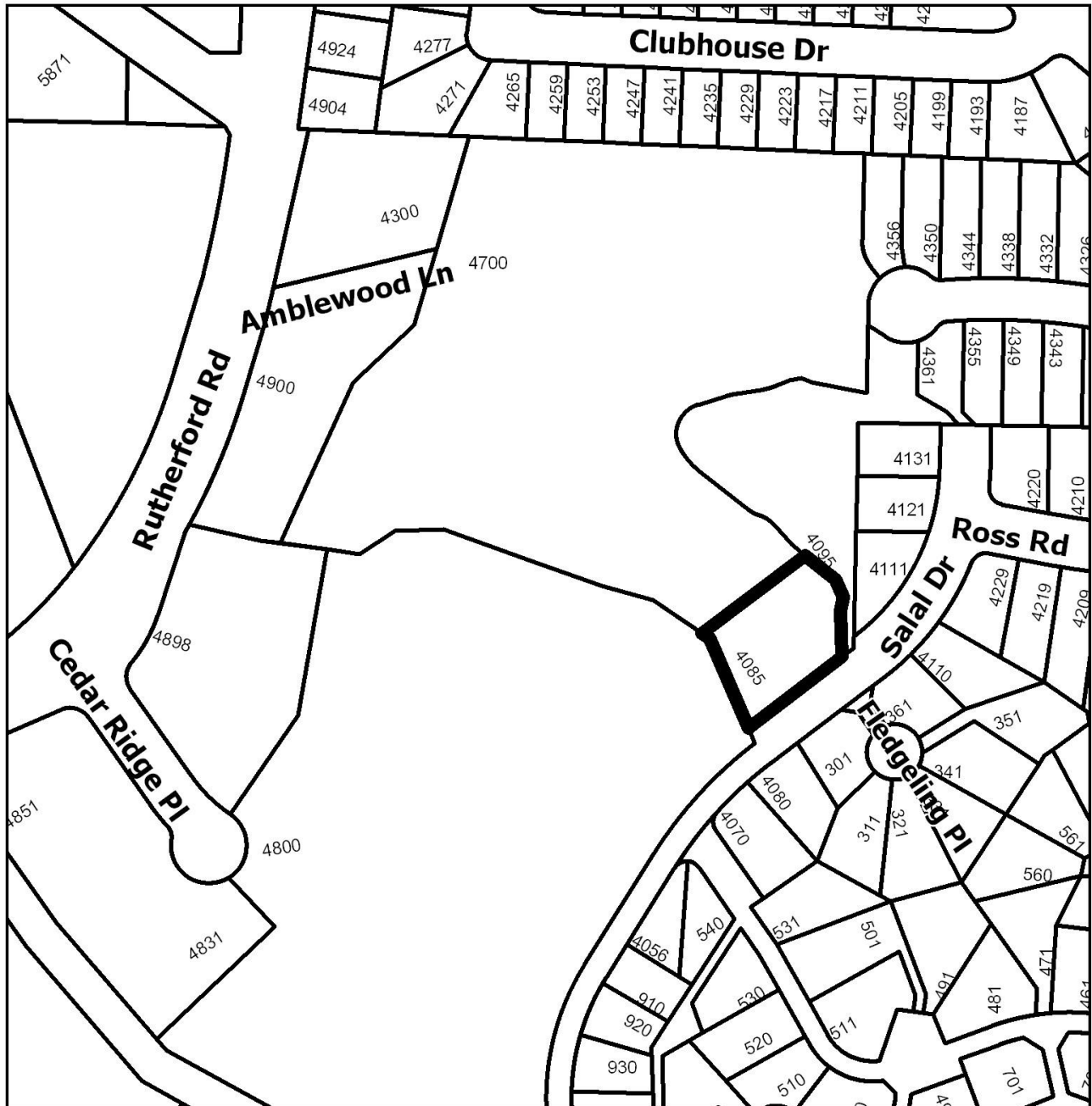
1. This Bylaw may be cited as the "ZONING AMENDMENT BYLAW 2010 NO. 4000.490".
2. The City of Nanaimo "ZONING BYLAW 1993 NO. 4000" is hereby amended as follows:
  - (1) By rezoning the lands legally described as LOT 20, DISTRICT LOT 17, WELLINGTON DISTRICT, PLAN VIP85484 (4085 Salal Drive) from Low Density Multiple Family Residential (Townhouse) Zone (RM-3) to Single Family Residential Zone (RS-1) as shown on the attached Schedule "A".

PASSED FIRST READING \_\_\_\_\_  
PASSED SECOND READING \_\_\_\_\_  
PUBLIC HEARING HELD \_\_\_\_\_  
PASSED THIRD READING \_\_\_\_\_  
COVENANT REGISTERED \_\_\_\_\_  
MINISTRY OF TRANSPORTATION APPROVAL \_\_\_\_\_  
ADOPTED \_\_\_\_\_

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
DIRECTOR,  
LEGISLATIVE SERVICES

SCHEDULE A



File: RA000254  
Civic: 4085 Salal Drive

 **Subject  
Property**

**LOCATION PLAN**

2010-SEP-23

## STAFF REPORT

REPORT TO: A. TUCKER, DIRECTOR OF PLANNING,  
COMMUNITY SAFETY & DEVELOPMENT

FROM: J. HOLM, MANAGER, PLANNING SECTION,  
COMMUNITY SAFETY & DEVELOPMENT

RE: RA254 – 4085 SALAL DRIVE

---

### STAFF'S RECOMMENDATION:

That Council receive the report pertaining to "ZONING AMENDMENT BYLAW 2010 NO. 4000.490", which is presented under the Bylaws section of the agenda.

### EXECUTIVE SUMMARY:

The City of Nanaimo has received an application from Mr. Jeff Windley, on behalf of Amblewood Developments Ltd., to rezone the subject property from Low Density Multiple Family Residential (Townhouse) Zone (RM-3) to Single Family Residential Zone (RS-1) in order to facilitate subdivision of the lot for single family development. Staff supports the application and recommends that Council approve the proposed rezoning.

### BACKGROUND:

#### ***Subject Property***

The subject property is located on the west side of Salal Drive, approximately 70m (230 ft) south of the Ross Road intersection (Attachment A). The total site is approximately 2,165m<sup>2</sup> (0.5 acres) in area and is currently vacant. Large undeveloped lands are located west and south; a park, zoned PRC-2, abuts the site to the north; and across the street to the east is dominated by single family subdivisions.

#### ***Official Community Plan (OCP)***

According to Map '1' of the OCP, the subject property is located within a Neighbourhood designation. A previously approved development permit allowed for 3 detached single family dwellings; therefore, the proposed 3 single family lots will not result in any change in density for the subject property. Staff is of the opinion that the proposed rezoning complies with the intent of the OCP.

#### ***Proposed Development***

The applicant proposes to rezone the subject property from Low Density Multiple Family Residential (Townhouse) Zone (RM-3) to Single Family Residential Zone (RS-1) in order to facilitate subdivision of the lot for single family development (Attachment B).

A previous development permit (DP569) was issued for the site, which allowed for 3 detached dwelling units; however, DP569 is now expired (Attachment C). Rather than constructing 3 units on the lot, the applicant would like to subdivide and create 3 individual RS-1 lots for single family development. The proposed lot areas all exceed the minimum requirement of 600m<sup>2</sup> and are as follows:

- Lot 1 – 753m<sup>2</sup>
- Lot 2 – 634 m<sup>2</sup>
- Lot 3 – 779 m<sup>2</sup>

### **Land Use**

The subject property is located within the Neighbourhood designation of the OCP, which supports residential density of 10 to 50 units per hectare. As the construction of one single family dwelling on the existing lot would not meet the density policy in the OCP, Staff does not support a rezoning to RS-1 without subsequent subdivision. Therefore, Staff recommends that, as a condition of rezoning, a covenant be required to be registered to prohibit the construction of a single family dwelling on the existing lot prior to subdivision of the existing lot into 3 parcels, as generally shown on Attachment B.

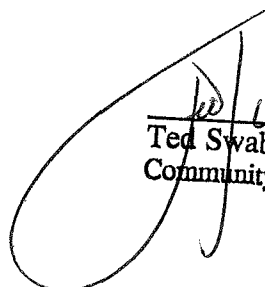
### **Community Contribution**

As outlined in Section 7.3 of the OCP, in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution. In response to Council's policy, the applicant is proposing that no contribution be required since there is no increase in density on the land. Staff supports this proposal and recommends that Council require no community contribution.

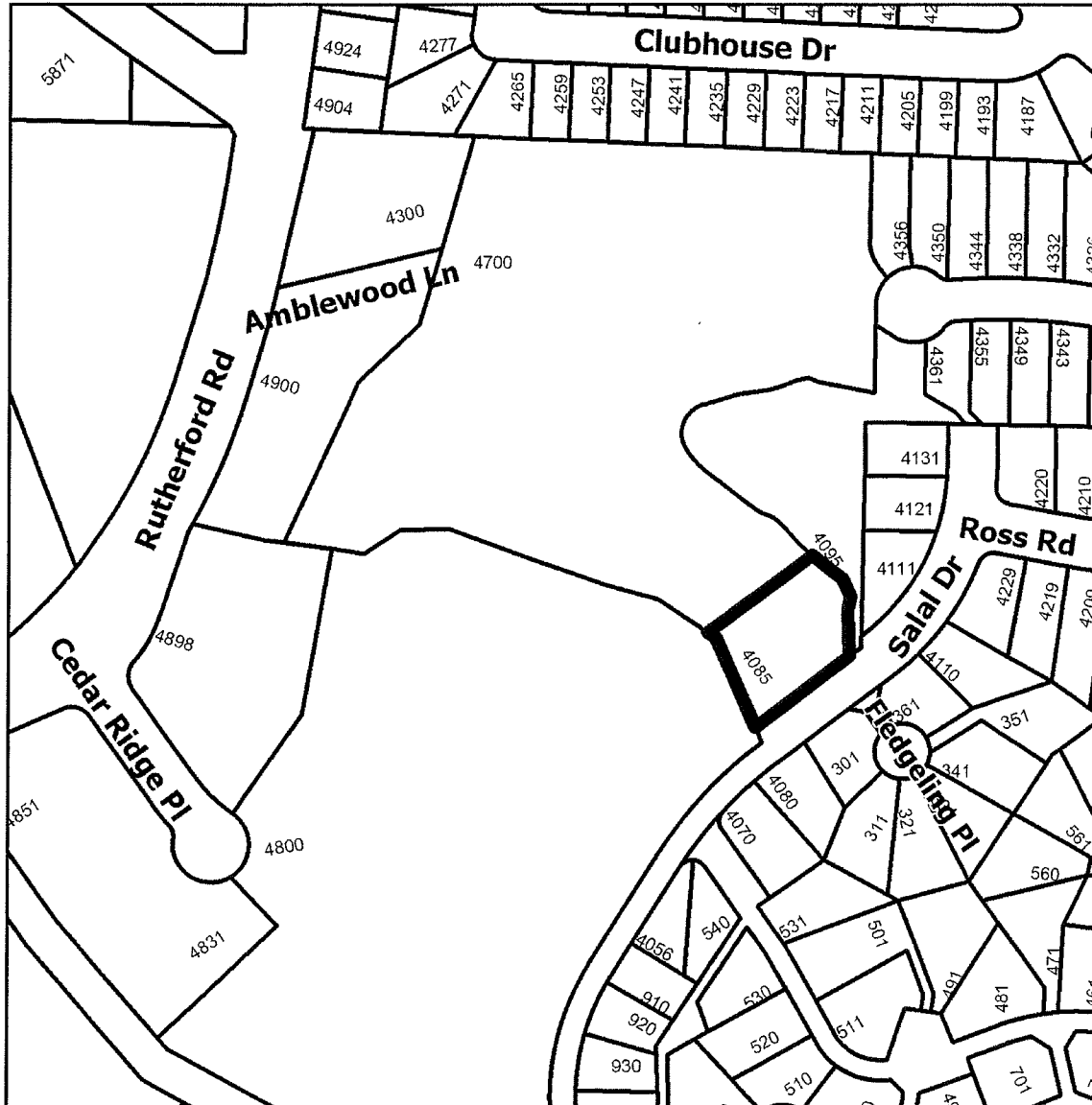
Respectfully submitted,

  
\_\_\_\_\_  
J. Holm  
Manager, Current Planning  
**Community Safety & Development**  
\_\_\_\_\_  
A. Tucker  
Director of Planning  
**Community Safety & Development**

DS/pm  
Council: 2010-OCT-04  
Prospero: RA254

  
\_\_\_\_\_  
Ted Swabey, General Manager  
**Community Safety & Development**

ATTACHMENT A

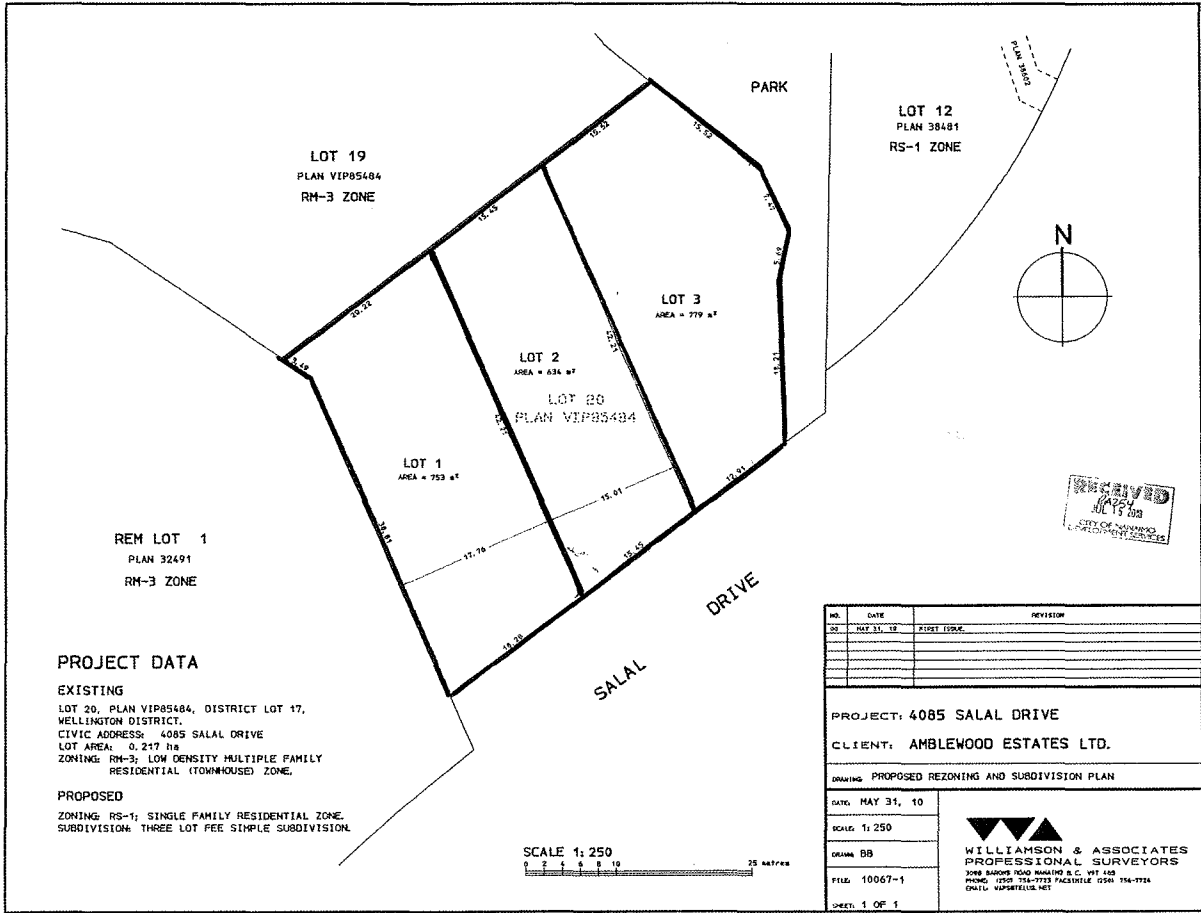


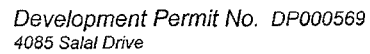
File: RA000254  
Civic: 4085 Salal Drive

**Subject Property**

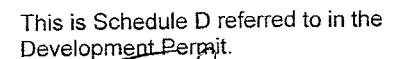
## LOCATION PLAN

ATTACHMENT B





## Landscape Plan



Date \_\_\_\_\_

CITY OF NANAIMO  
BYLAW NO. 6000.052  
A BYLAW TO AMEND THE  
CITY OF NANAIMO "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000"

---

WHEREAS the Council of the City of Nanaimo wishes to amend City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000";

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

1. This Bylaw may be cited as the "OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2004 NO. 6000.052".
2. The City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000" is hereby amended as set out in Schedule A attached to this Bylaw.

Timeline:  
2004-MAR-22 - Council 1st&2nd Readings  
2004-APR-15 - Public Hearing  
2004-May-3 –Adopted



**SCHEDULE A**

Section 8.3.1 (5) – Schedule of Buildings for Heritage Conservation Area #1) of the “OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000” is amended by adding the following building:

- 221 Commercial Street (Modern Café)  
Lot 11, Block 54, Section 1, Nanaimo District, Plan 584, except that part in Plan 11742

**Schedule of Buildings for Heritage  
Conservation Area #1**



Civic: 221 Commercial St

 Subject Property

B.C. Telephone Exchange	70-76 Bastion Street
Commercial Hotel	121 Bastion Street
Eagle's Hall	133-141 Bastion Street
Rowbottom Residence (Miner's Cottage)	100 Cameron Road*
Christian Science Society Building	20 Chapel Street
Shaw Residence	41 Chapel Street
The Pygmy Pavilion	99 Chapel Street
St. Paul's Anglican Church and Hall	100 Chapel Street
The Earl Block (Grassick's)	2-4 Church Street*
Great National Land Building	5-17 Church Street*
Jean Burns Building	6-10 Commercial Street
Nanaimo-Duncan Utilities/ B.C. Hydro	13 Commercial Street
Van Houten Block	16 Commercial Street
Nash Hardware	19 Commercial Street
Caldwell Block	35 Commercial Street
The Hall Block	37-45 Commercial Street
The Rogers Block	83-87 Commercial Street
The Hirst Block (Dakin Block)	93-99 Commercial Street
Ashlar Lodge (Masonic Temple)	101 Commercial Street
Gusola Block	104 Commercial Street
The Parkin Block	143-155 Commercial Street
A.R. Johnston & Co. Grocers	172-174 Commercial Street
The Halse Block	200-206 Commercial Street
<b>Modern Café</b>	<b>221 Commercial Street</b>
Free Press Building	223 Commercial Street
Nanaimo Foundry	4-100 Comox Road
Ranger's Shoes	306-314 Fitzwilliam Street
St. Andrew's United Church	315 Fitzwilliam Street
S&W Apartments	403-409 Fitzwilliam Street
Mitchell's Market	411 Fitzwilliam Street
T&B Apartments	413-417 Fitzwilliam Street
Zorkin Building/Adirim's Junk Store	418 Fitzwilliam Street
Angell's Trading	426 Fitzwilliam Street
Central Dairy	428 Fitzwilliam Street
Occidental Hotel	432 Fitzwilliam Street
Rawlinson & Glaholm Grocers	437 Fitzwilliam Street
Vancouver Island Regional Library	580 Fitzwilliam Street
Harris Residence	375 Franklyn Street
Franklyn Street Gymnasium	421 Franklyn Street
Nanaimo Motors Building	20 Front Street
The Globe Hotel	25 Front Street
Tom Brown's Auto Body	28 Front Street
Nanaimo Court House	31-35 Front Street
Nanaimo Post Office	54-66 Front Street
The Bastion	98 Front Street*
Nanaimo Fire Hall #2	34 Nicol Street
Esquimalt & Nanaimo Railway Station	321 Selby Street*
Reid Residence	151 Skinner Street
Palace Hotel	275 Skinner Street
Commercial Building	33-35 Victoria Crescent
Davidson Block/ Queens Hotel	34 Victoria Crescent
Nanaimo Pioneer Bakery (Johnson's Hardware)	39-45 Victoria Crescent
Eagle Hotel/Terminal Hotel	63 Victoria Crescent
Willard Service Station	291-299 Wallace Street
City Hall	455 Wallace Street
Brumpton Block	481-489 Wallace Street
Merchant's Bank of Canada	499 Wallace Street

\*Denotes Designation (6000.022; 1999-Apr-26) (6000.035; 2002-Apr.-08)

# STAFF REPORT

REPORT TO: ANDREW TUCKER, DIRECTOR OF PLANNING

FROM: BRUCE ANDERSON, MANAGER OF COMMUNITY PLANNING

RE: SOUTH END NEIGHBOURHOOD PLAN

---

## PNAC'S RECOMMENDATION:

That Council consider approving the South End Neighbourhood Plan, as an amendment to the City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500."

## STAFF'S RECOMMENDATION:

That Council receive the report pertaining to "OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW 2010 NO. 6500.012", which is presented under the Bylaws section of the agenda.

## EXECUTIVE SUMMARY:

The draft South End Neighbourhood Plan represents the culmination of a five-phase process spanning approximately 15 months. The process included significant public engagement through various open house and workshop events, as well as ongoing review and input from the South End Neighbourhood Plan Committee, other City departments and local stakeholder agencies and organizations. The Plan is now ready to enter the fifth and final phase of the process, which includes consideration and adoption by Council.

The purpose of this report is to initiate the formal adoption process for the South End Neighbourhood Plan in accordance with the *Local Government Act* through Council's consideration of First and Second Readings of "OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW 2010 NO. 6500.012". The report also outlines the Neighbourhood Plan's content, its implementation and monitoring strategy, and highlights land use elements that require specific amendment of the Official Community Plan (OCP) in order to implement.

Copies of the South End Neighbourhood Plan have been placed in the Council office and will be posted on the City's website.

## BACKGROUND:

### **Neighbourhood Plan Purpose**

The City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" (planNanaimo) was adopted by Council in September 2008. Within this document, Goal Seven speaks to neighbourhood and area planning, and the development of neighbourhood plans, as critical to achieving the objectives of planNanaimo. The development of specific neighbourhood plans is also referred to within the Implementation Strategy (Goal Seven) of the OCP, including a commitment to complete a neighbourhood plan for the South End area within five years of the date of adoption of the OCP.

The South End Neighbourhood Plan will form part of the OCP, providing a means to realize goals and objectives and offer greater detail on issues such as land use, open space, transportation, social enrichment and infrastructure. The Neighbourhood Plan speaks to the specific needs and desires of the neighbourhood, brings together the broader needs of the community with the local knowledge of the neighbourhood, and responds to both the needs of the neighbourhood and the greater community in a way that creates a more livable and sustainable neighbourhood. The Plan also provides further guidance for zoning on individual properties.

Based on direction from Council on 2009-MAY-25 to proceed with a neighbourhood plan for the South End area (subject to Terms of Reference adopted by Council), staff has worked with the community to complete the neighbourhood plan and now present it for Council consideration.

### Neighbourhood Plan Process and Public Engagement

Work on the Draft South End Neighbourhood Plan began in July, 2009 and has progressed through five key phases as outlined below:

<b>Commencement &amp; Neighbourhood Context</b> (Phase One) July – October 2009	<ul style="list-style-type: none"> <li>• Background research</li> <li>• Data collection</li> <li>• Process formulization</li> <li>• Public Consultation (Open House) 2009-OCT-06</li> </ul>
<b>Issues &amp; Opportunities / Neighbourhood Vision</b> (Phase Two) November 2009 – January 2010	<ul style="list-style-type: none"> <li>• Public consultation (workshop and design charrette) 2009-NOV-12</li> <li>• Vision and Guiding Principles</li> </ul>
<b>Concepts &amp; Options Preparation / Selection</b> (Phase Three) February – March 2010	<ul style="list-style-type: none"> <li>• Preparation and Presentation of Goals and Actions for the Neighbourhood Plan</li> <li>• Public Consultation (Open House) 2010-MAR-02</li> </ul>
<b>Draft Plan</b> (Phase Four) April – September 2010	<ul style="list-style-type: none"> <li>• Presentation of Draft Neighbourhood Plan to Community (Open House) 2010-JUN-17</li> </ul>
<b>Final Plan &amp; Adoption</b> (Phase Five) October – December 2010	<ul style="list-style-type: none"> <li>• Complete revised plan</li> <li>• Plan to Council</li> <li>• Public Consultation (Public Hearing)</li> </ul>

Public consultation and participation have been extensive throughout the plan process, primarily through open house and workshop events, as well as the ongoing work of the South End Neighbourhood Plan Committee made up of members from the South End Community Association, the neighbourhood at-large, local business, industrial property owners, seniors and youth. In addition, the South End Neighbourhood Plan has been reviewed by various City departments and input sought from local stakeholder agencies and organizations such as the Snuneymuxw First Nation, Nanaimo Port Authority, and School District 68.

The Plan is now ready to enter the fifth and final phase of the process which includes finalization and adoption by Council as an amendment to the Official Community Plan.

### **Neighbourhood Plan Content and Implementation**

The draft South End Neighbourhood Plan is divided into a number of sections. The key sections are those devoted to:

- Part 3 - Neighbourhood Sustainability
- Part 4 - Guiding Principles
- Part 5 - Neighbourhood Plan Policies
- Part 6 - Urban Design Framework and Guidelines
- Part 7 - Plan Implementation Strategy

The policies contained in Part 5 - Neighbourhood Plan Policies are further grouped under the following general headings:

- Land Use and Development
- Open Space and Connectivity
- Transportation and Infrastructure
- Social Enrichment and Culture
- Environmental Protection and Enhancement
- Economic Development

Each policy grouping has associated actions contained in Part 7 - Plan Implementation Strategy. These policies establish how the neighbourhood objectives identified by the community in Part 4 – Guiding Principles will be achieved.

Part 6 of the South End Neighbourhood Plan contains Urban Design Framework and Design Guidelines for both buildings and major streets (Nicol, Haliburton, Victoria) located in the neighbourhood. The intent of the Urban Design Framework is to establish the broad urban design strategies for the neighbourhood, so that other more site-specific and building-specific elements can then be integrated in a consistent manner. The intent of the Urban Design Guidelines is to foster better building and street design, reduce negative impacts on competing uses, enhance the neighbourhood's urban form and public realm, and support the City's move towards more sustainable forms of urban settlement.

Part 7 contains a Plan Implementation Strategy which lists specific actions needed to implement many of the Neighbourhood Plan's policies and objectives. Although many can be addressed operationally, others will require that budget allocations for capital improvements be made by the City over time. Community Planning staff will work with the City's Engineering, Parks, Recreation and Culture, and Planning Departments to determine where specific neighbourhood plan actions can be implemented by means of existing operational funding. Where actions will require higher service level funding, Community Planning staff will work with the appropriate City department to determine what level of funding will be required and whether or not the funding request can be placed on the City's five-year capital improvement budget for review by Council during its general budget discussions.

As a whole, the neighbourhood envisioned by this plan will be sustainable with a strong sense of community. It will be compact, with many forms of mixed used development resulting in a healthy and safe community life that is economically vibrant and diverse. The neighbourhood's open spaces and streets will be well connected, and will permit safe, pedestrian oriented

mobility throughout the neighbourhood and in particular to the adjoining waterfront. The neighbourhood's natural environment will be safeguarded, nurtured and enhanced. New development will reflect the neighbourhood's unique historical character, providing a variety of commercial and housing opportunities, and will respect key public views and vistas.

### **OCP Land Use Designation Amendments**

The Neighbourhood Plan implements the goals and objectives of the OCP by providing more detailed policies and actions specific to the neighbourhood. In general, the Neighbourhood Plan integrates seamlessly with the OCP. The exception to this relates to specific changes to land use elements of the plan area, which have been identified as desirable during the Neighbourhood Plan process and require specific amendment of the OCP's Map 1: Future Land Use Plan in order to implement. These are highlighted below for Council's reference:

- 1) A Neighbourhood Commercial Centre designation is proposed for the lands along Haliburton Street near the intersections of Needham and Baker Streets to replace the area's existing Neighbourhood designation. The purpose of this centre is to re-establish a neighbourhood concentration of commercial uses and residential uses that reflect and build upon the historical concentration of stores and other uses that once existed along this section of Haliburton Street.
- 2) A Mixed-Use Corridor designation is proposed for the lands located along Fry Street and the west side of Esplanade to replace the area's existing Neighbourhood designation. The purpose of the re-designation is to encourage a greater mix of uses and residential density along this edge of the neighbourhood, and to provide a greater range of land use redevelopment options to encourage redevelopment of the area's industrial and marginal lands to uses more compatible with the surrounding residential areas. The edge also anticipates future increased economic activity and redevelopment stemming from the nearby waterfront lands.
- 3) A Light Industrial designation is proposed for the lands currently designated Industrial along Old Victoria Road in the southwestern portion of the neighbourhood. The new Light Industrial designation reflects the actual types of industrial use that are operating in this area and will remove the increased potential for land use conflict that may arise between the nearby residential corridor lands and the heavier forms of industry permitted under the Industrial designation.

### **Neighbourhood Plan Monitoring**

Throughout the Plan's implementation process, it is important that the City maintains open communication with neighbourhood residents on the Plan's progress. Upon adoption, the Plan will be monitored by Staff, and progress will be reviewed annually with the Neighbourhood Plan Committee. The main purpose of monitoring the Plan is to:

- ensure that projects in progress are moving forward as anticipated;
- assess the impacts of current projects;
- ensure that actions are still in line with community aspirations; and
- keep the neighbourhood plan valid by carrying out an annual review to identify accomplishments and actions still needed or not previously identified.

**Neighbourhood Plan(s) Status (South End and Newcastle+Brechin)**

The South End Neighbourhood Plan has progressed to the point of consideration by Council in advance of the Newcastle + Brechin Neighbourhood Plan; notwithstanding the two plan processes commencing at the same time. The different timelines are a result of a number of factors, including the committee structure and the nature of issues within the respective plan areas. The Neighbourhood Plan committee for the South End included a single neighbourhood association as well as representatives from key sectors; while the Neighbourhood Plan committee for Newcastle + Brechin included two neighbourhood associations and a waterfront stakeholders association. This has proven to be a more complex dynamic for reaching consensus around some issues within the Newcastle + Brechin Neighbourhood Plan Committee. The issues within the South End Neighbourhood Plan process have also not been as difficult to address as some of those in the Newcastle + Brechin Neighbourhood Plan process.

The Newcastle + Brechin Neighbourhood Committee has asked for more time at several junctures of the planning process to date, which Staff accommodated. This has resulted in extended planning timelines for that plan. An additional workshop related to waterfront issues in the Newcastle + Brechin area was also included in the process. It is anticipated the Newcastle + Brechin Neighbourhood Plan will be forthcoming toward the end of this year.

Respectfully submitted,

---

Bruce Anderson,  
Manager of Community Planning  
Community Safety & Development Division

---

Andrew Tucker,  
Director of Planning  
Community Safety & Development Division

CS/rt/ch

G:\CommPlan\Administration\Council Reports\2010\DRAFT\_South End Neighbourhood Plan.docx

Council Date: 2010-OCT-04