



NOTICE OF PUBLIC HEARING

2009-NOV-05 at 7:00 pm

Notice is hereby given that a Public Hearing will be held on Thursday, **2009-NOV-05**, 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. 4000.460

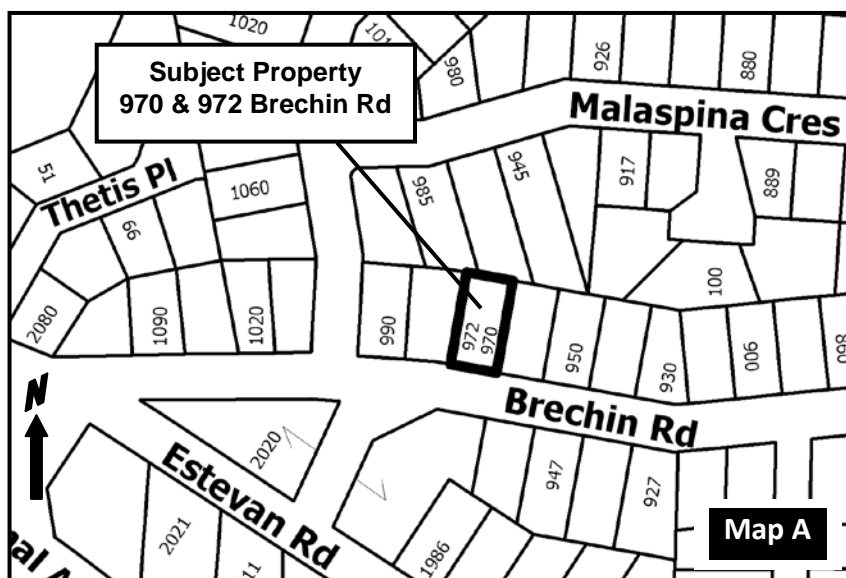
Purpose: To permit the use of land for a quadruplex.

Location(s): 970 & 972 Brechin Road

File No.: RA211

This bylaw, if adopted, will rezone the subject property from Residential Duplex Zone (RM-1) to Residential Triplex and Quadruplex Zone (RM-2) in order to permit a quadruplex.

The subject property is legally described as LOT 5, SECTION 1, NANAIMO DISTRICT, PLAN 6044 and is shown on Map A.



2. BYLAW NO. 4000.464

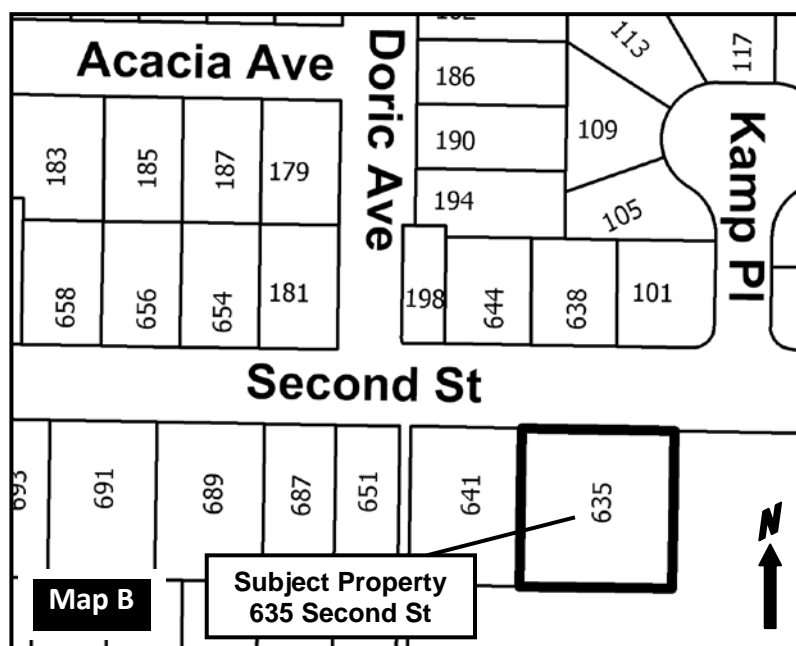
Purpose: To permit the use of land for a small lot subdivision.

Location(s): 635 Second Street

File No.: RA226

This bylaw, if adopted, will rezone the subject property from Single Family Residential Zone (RS-1a) to Single Family Residential Small Lot Zone (RS-6) in order to facilitate a 3 lot subdivision.

The subject property is legally described as LOT 1 (DD ED55110), SECTION 1, NANAIMO DISTRICT, PLAN 10322 and is shown on Map B.



3. BYLAW NO. 4000.465

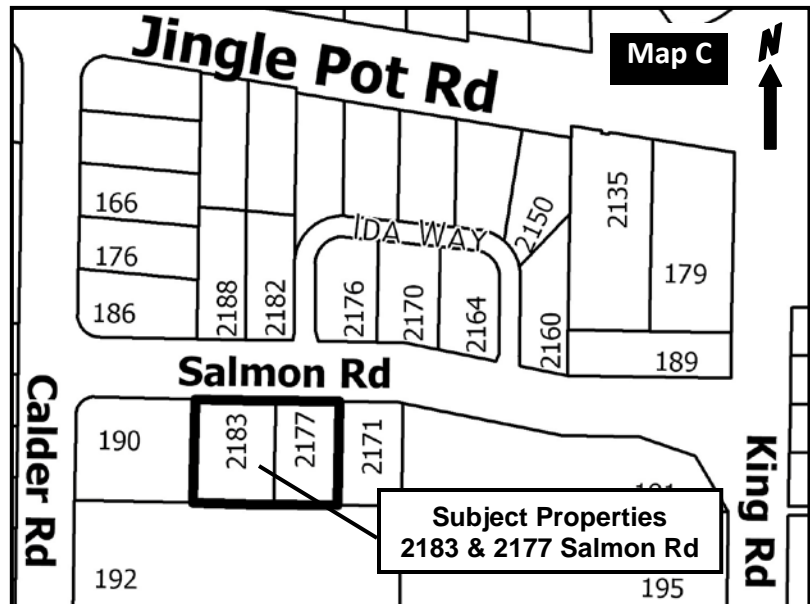
Purpose: To permit the use of land for a duplex.

Location(s): 2183 & 2177 Salmon Road

File No.: RA227

This bylaw, if adopted, will rezone the subject properties from Single Family Residential Zone (Large lot) (RS-2) to Residential Duplex Zone (RM-1) in order to permit a duplex on each lot.

The subject properties are legally described as LOT 2, SECTION 11, RANGE 8, MOUNTAIN DISTRICT, PLAN VIP86807; and LOT 3, SECTION 11, RANGE 8, MOUNTAIN DISTRICT, PLAN VIP86807 and are shown on Map C.



4. BYLAW NO. 6500.006

Purpose: To amend Schedule C (Chase River Neighbourhood Plan) of the Official Community Plan to include the Sandstone Master Plan.

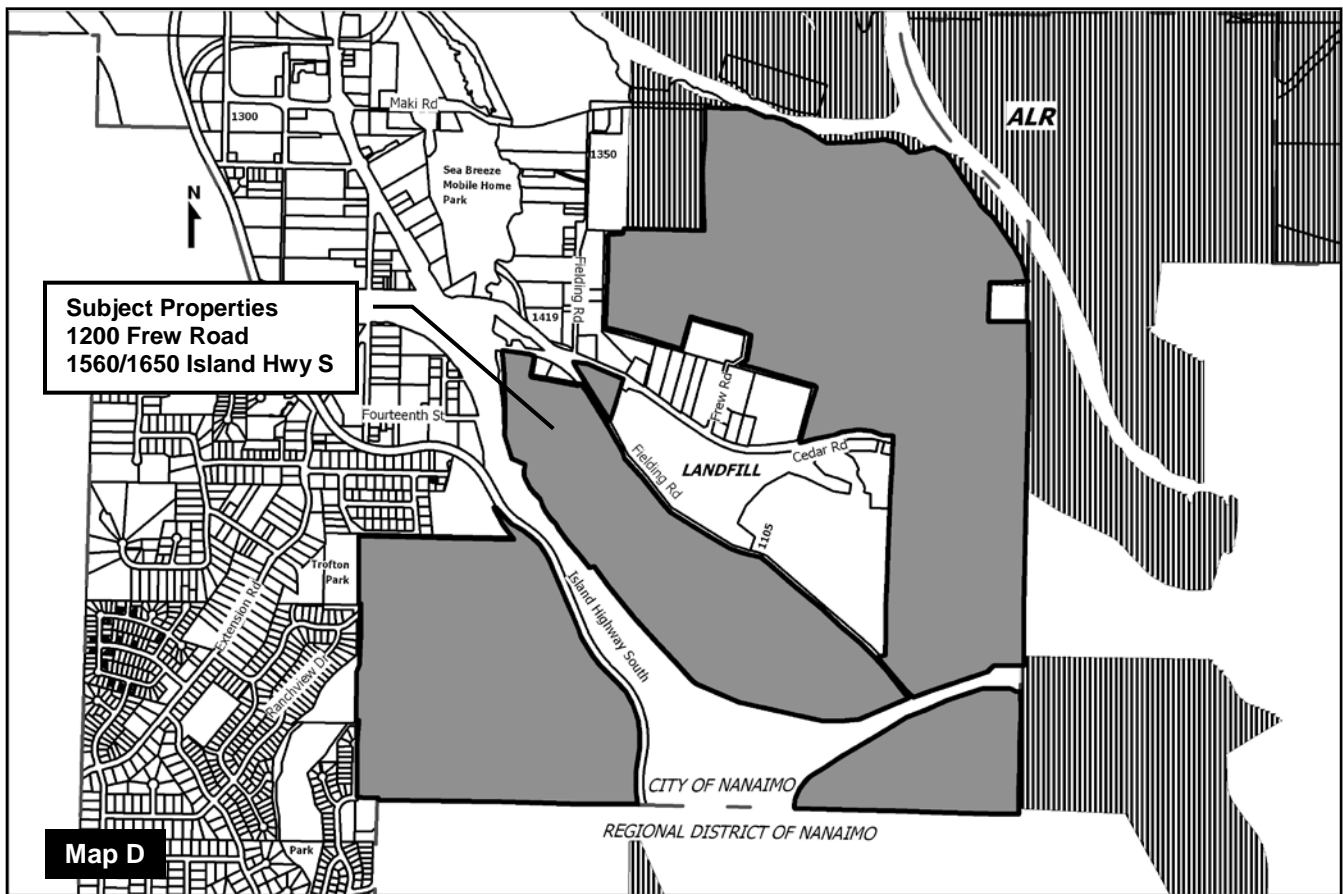
Location(s): 1200 Frew Road, 1560/1650 Island Hwy S

File No.: OCP45

This bylaw, if adopted, will amend Schedule C (Chase River Neighbourhood Plan) of the City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" by including the Sandstone Master Plan. This Master Plan provides policies for the planning and future development of a comprehensive, mixed use area. The Master Plan content is structured to include site context, land use designations, transportation, utility infrastructure and stormwater, parks and open space, as well as design guidelines and phasing.

The Master Plan presents opportunity for a sustainable development that provides new services, amenities, and economic opportunities while approximately 50% of the area is retained as parks and open space, including Agricultural Land Reserve lands. The overall layout provides a group of distinct sub-areas consisting of neighbourhood (residential uses with limited commercial use), industrial (located in the southeast portion of the site along the north and south side of the Duke Point Highway), and commercial uses (an urban node that includes both a regional shopping area and a 'main-street' commercial and mixed use area).

The subject properties are legally described as AMENDED LOT 1 (DD 72808N), SECTION 2, NANAIMO DISTRICT, PLAN 3354; SECTION 2, NANAIMO DISTRICT, EXCEPT PARTS IN PLANS 563, 630, 732, 1332, 1333, 1386, 2842, 2846, 2904, 3354, 28701, 507RW, 1415R, 31004, AND 32065 AND EXCEPT THAT PART 6.35 ACRES BEING THE RIGHT OF WAY OF THE ESQUIMALT AND NANAIMO RAILWAY AS REGISTERED UNDER NO. 8328C AND EXCEPT INDIAN RESERVE AND EXCEPT PARCEL "A" (DD 379927I) AND EXCEPT PART IN PLAN 10769, 48020, 49841, VIP61184 AND PLAN VIP62889; and SECTION 3, NANAIMO DISTRICT, EXCEPT THAT PART CONTAINING 6.7 ACRES AND BEING THE RIGHT OF WAY OF THE ESQUIMALT AND NANAIMO RAILWAY COMPANY, AS SAID RIGHT OF WAY IS REGISTERED UNDER NO. 8328C; EXCEPT INDIAN RESERVES, AND EXCEPT PART IN PLANS 2189, 48020, VIP60041, VIP61185, VIP62889, AND VIP62989 and are shown on Map D (see next page).



PLEASE NOTE full details of the above-noted bylaws are available at the City of Nanaimo Development Services Department, located at 238 Franklyn Street.

The above bylaws, relevant staff reports, and other background information may be inspected from 2009-OCT-23 to 2009-NOV-05, between 8:00 am and 4:30 pm, Monday through Friday, excluding statutory holidays, in the offices of the Development Services Department, 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. 4000.460, 4000.464, 4000.465 and 6500.006 at the Public Hearing.

Please note the following:

Written submissions may be sent to the City of Nanaimo, Development Services Department, 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, 2009-NOV-05, 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 Development Services Department
Phone: (250) 755-4429 ♦ Fax: (250) 755-4439 ♦ Website www.nanaimo.ca
238 Franklyn Street, Nanaimo, BC V9R 5J6**

CITY OF NANAIMO

BYLAW NO. 4000.460

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 BYLAW AMENDMENT BYLAW 2009 NO. 4000.460".
2. The City of Nanaimo "ZONING BYLAW 1993 NO. 4000" is hereby amended as follows:
 - (1) By rezoning the land legally described as LOT 5, SECTION 1, NANAIMO DISTRICT, PLAN 6044 from Residential Duplex Zone (RM-1a) to Residential Triplex and Quadruplex Zone (RM-2) as shown on the attached Schedule "A".

PASSED FIRST READING _____

PASSED SECOND READING _____

PUBLIC HEARING HELD _____

PASSED THIRD READING _____

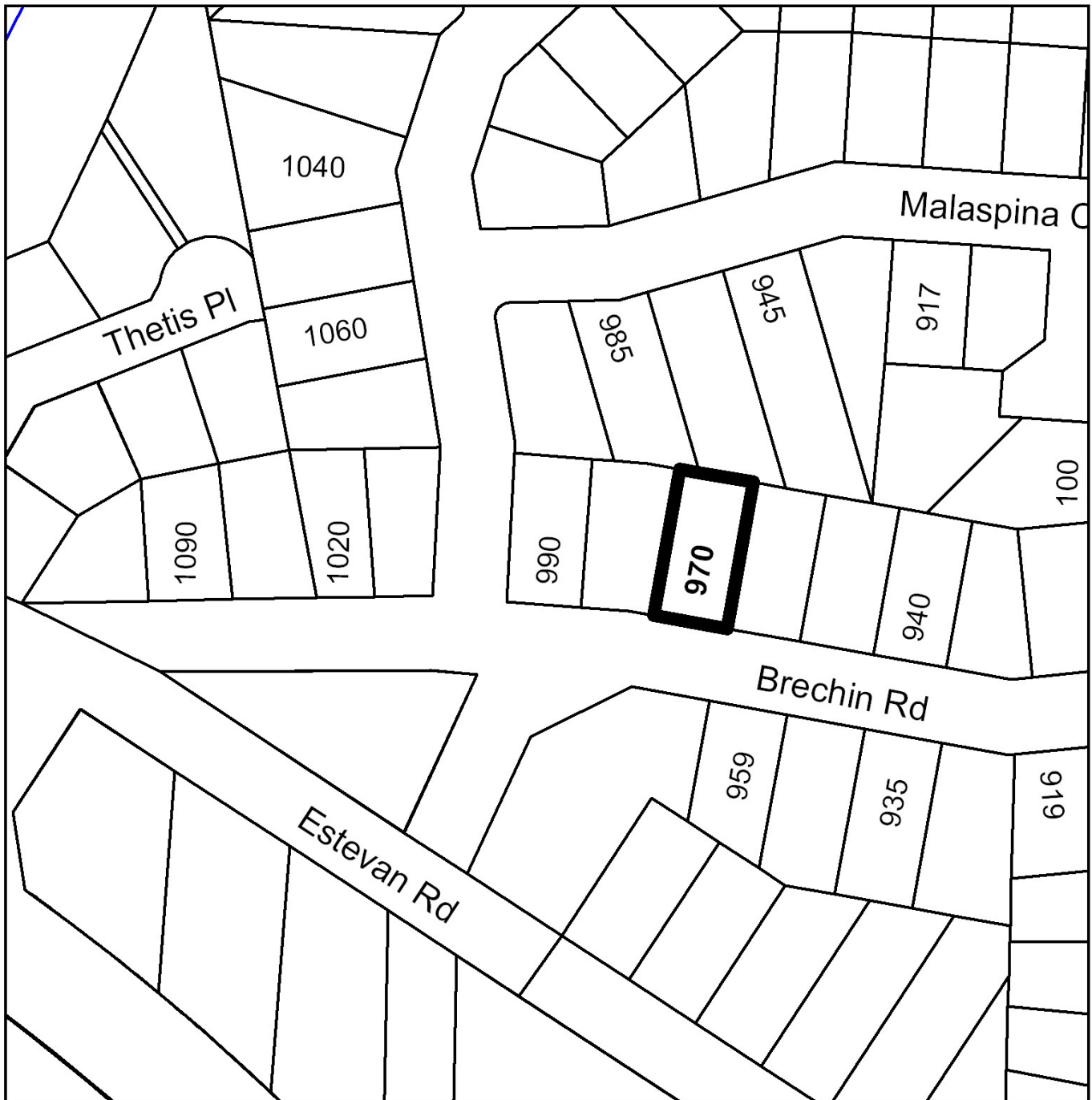
APPROVED BY THE MINISTRY OF TRANSPORTATION _____

ADOPTED _____

MAYOR

DIRECTOR,
LEGISLATIVE SERVICES

SCHEDULE A



File: RA000211
Civic: 970 Brechin Road

 **Subject
Property**

LOCATION PLAN

2009-SEP-25

STAFF REPORT

TO: A. TUCKER, DIRECTOR OF PLANNING, DEVELOPMENT SERVICES

FROM: J. HOLM, MANAGER, PLANNING DIVISION, DEVELOPMENT SERVICES

RE: RA211 – 970 & 972 BRECHIN ROAD

STAFF'S RECOMMENDATION:

That Council:

1. receive the report pertaining to "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.460", which is presented under the Bylaws section of the agenda; and
2. direct Staff to secure the community contribution, and the construction agreement and bonding for installation of a fence and landscaping.

EXECUTIVE SUMMARY:

The City of Nanaimo has received an application from Mr. Gordon Easton, on behalf of Tim & Alicia Schwarz and Nick & Joanne Whippie to rezone the subject property from Residential Duplex Zone (RM-1) to Residential Triplex and Quadruplex Zone (RM-2) in order to legalize the existing fourplex (quadruplex). Staff supports the application and recommends that Council approve the proposed rezoning.

BACKGROUND:

Subject Property

The subject property is located on the north side of Brechin Road, which is a provincial highway, approximately 170m (557.7 ft) south of Estevan Road (Schedule 'A'). The site totals approximately 809m² (0.2 acres) in area and contains a principal building which accommodates four residential units. To the north and south are primarily single family lots; the abutting property to the west is zoned for a duplex; and across Brechin Road are single family dwellings, as well as a church. The Brooks Landing shopping centre is located approximately 320 metres north of the subject property.

Proposed Development

The applicant proposes to rezone the subject property from Residential Duplex Zone (RM-1) to Residential Triplex and Quadruplex Zone (RM-2) in order to legalize a duplex which has been converted to a fourplex (quadruplex). The existing fourplex is a two storey building of approximately 434.8m² (4,680 ft²). There are currently four on-site parking spaces and several additional parking spaces being used that appear to be located on-site, but are in fact located mainly on the provincial road right-of-way (Brechin Road) fronting the subject property. As such, the applicant proposes to relocate two of the parking spaces on-site and replace the existing parking area with appropriate landscaping. A total of six parking spaces will be accommodated on-site, which meets the Parking Bylaw requirement. The proposed parking layout will improve the parking situation so that cars will no longer have to reverse onto the highway.

The proposed site plan, including the proposed parking layout, is attached (Schedule 'B').

Official Community Plan (OCP)

According to Map '1' of the OCP, the subject property is located within a 'Neighbourhood' designation. The Neighbourhood designation supports a range of residential densities from 10 to 50 units per hectare in various housing forms, while considering the surrounding neighbourhood context. The Neighbourhood designation also supports a mix of residential options.

The proposed rezoning reflects the legalization of an existing fourplex, which is currently zoned for a duplex. The resulting density on this site equates to 49 units per hectare, which is therefore the maximum number of units supportable under the OCP. In the case of new development at the upper limit of the density (50 units per hectare) supported by the OCP, the housing form anticipated would typically be of a stacked townhouse form, rather than of a fourplex form.

Given the close proximity to various amenities, including schools, shopping, services, public transit and the BC Ferries, this is an ideal location for densification within the neighbourhood. The situation is complicated by the fact that the subject property is not a corner lot, does not abut a lane, nor is it greater than 1,200m² (12,917 ft²) of which one condition must generally be met in order to consider the use of a lot for fourplex, according to the Zoning Bylaw. The existing lot does not meet Zoning Bylaw requirements, and therefore may not be an ideal fourplex development site, if it were proposed as new development. However, Staff is supportive of this particular application as the fourplex is an existing use currently functioning at the property, and in the context of the OCP appears to be an ideal location for additional density. In addition, the proposed site plan demonstrates that all six required parking spaces can be accommodated on-site, which eliminates the existing stalls that currently reverse onto the provincial highway and which are located within the road right-of-way. There will be no changes to the principal building, with the exception of building code upgrades that will be required within the interior units.

From time to time, Staff receive rezoning applications for legalization of an existing use. Each application is assessed on its individual merits based on the OCP and whether the use can be reasonably accommodated on the subject property. In this case, Staff is supportive of the application and considers the use to be reasonably accommodated on the subject property and in keeping with the goals of the OCP.

Ministry of Transportation and Infrastructure

The Ministry of Transportation and Infrastructure is supportive of the revised parking arrangements and have agreed in principle to the replacement of the parking stalls within the road right-of-way to a landscaped area. A permit for the landscaping is required, therefore as a condition of rezoning; Staff recommends that the applicant be required to obtain a permit from the Ministry prior to final adoption of the bylaw.

Fence

In order to meet the intent of the screening and landscaping requirements of the Zoning Bylaw, a new fence is proposed along the side and rear boundaries. However, a variance for fence height is required prior to the installation of 1.2m (4 ft) fence on an existing retaining wall along the south and east property boundaries. Staff will be bringing forward a development variance permit for a variance to fence height at a later date. Staff recommends, as a condition of rezoning, that a construction agreement and bonding be secured for the construction of the fence.

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 a \$2000 monetary contribution towards the City of Nanaimo's Affordable Housing Legacy Fund.

Staff support this proposal and recommend that Council direct Staff to secure the community contribution.

Respectfully submitted,



J. Holm
Manager, Planning Division
Development Services Department



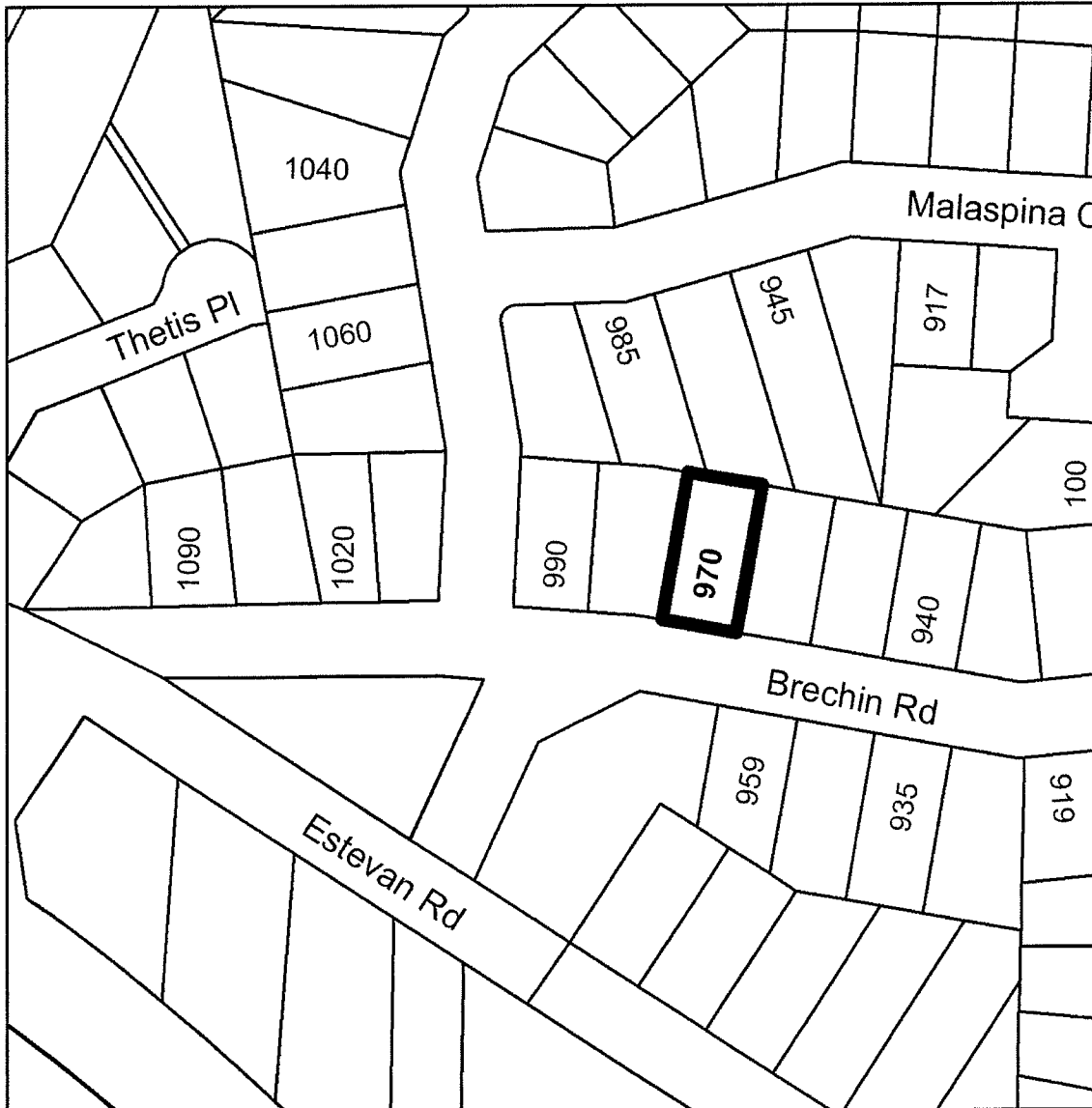
for A. Tucker
Director of Planning
Development Services Department

SH/pm
Council: 2009-OCT-05
Prospero: RA211



Ted Swabey, General Manager
Development Services Department

SCHEDULE A



File: RA000211
Civic: 970 Brechin Road



LOCATION PLAN

SCHEDULE B

**970 - 972 BRECHIN ROAD
NANAIMO, BC**

LOT AREA (66' X 132') 8,712 sq. ft.

MAIN FLOOR AREA: 2,340 sq. ft.

2ND FLOOR AREA: 2,340 sq. ft.

TOTAL FLOOR AREA: 4,680 sq. ft.

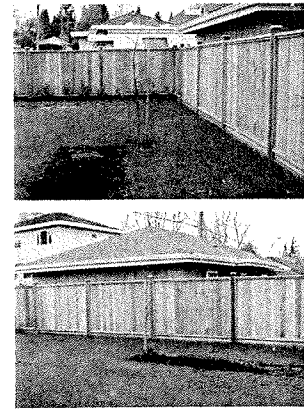
NO. OF STORIES: 2

PARKING STALLS: 6



CONSTRUCT NEW 4'-0"
T & G CEDAR FENCE
ON EXISTING RET. WALL
ALONG EAST P.L.

FENCING STYLE IMAGES:



DATE	REVISION
JUNE 2.09	FENCING
FEB. 12.09	GENERAL
NOV. 15.08	GENERAL
OCT. 3.08	PLANTING
DATE	REVISION



1668 West 2nd Ave, Vancouver, BC V6I 1H4
Tel: 604.732.1448 Fax: 604.732.1446

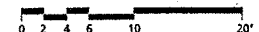
PROJECT

**970 - 972 Brechin Road
Nanaimo, BC**

TITLE

Proposed Site Plan

SCALE:

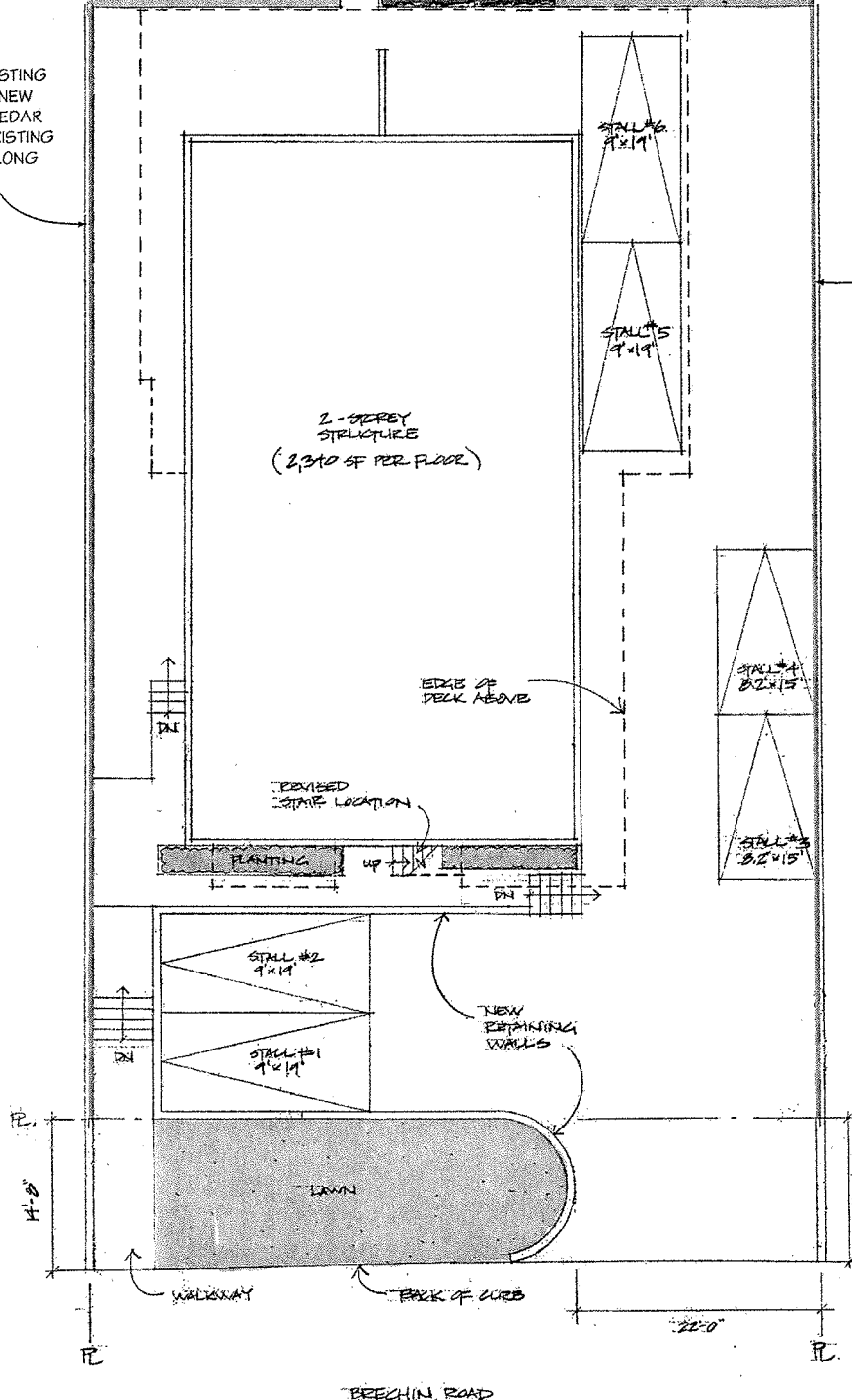


DATE Oct. 2, 2008

This drawing is the exclusive property of KP+D and may not be reproduced without the written permission of KP+D. All designs and other information shown on this drawing are for use on the specified project only and shall not be used otherwise. Written dimensions shown on this drawing shall have precedence over scaled dimensions.

REPLACE EXISTING
FENCE WITH NEW
4'-0" T & G CEDAR
FENCE ON EXISTING
RET. WALL ALONG
WEST P.L.

CONSTRUCT NEW 4'-0"
T & G CEDAR FENCE ALONG
ON REAR P.L. & ALONG E & W
P.L.S TO EXISTING RET. WALLS



CITY OF NANAIMO

BYLAW NO. 4000.464

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:

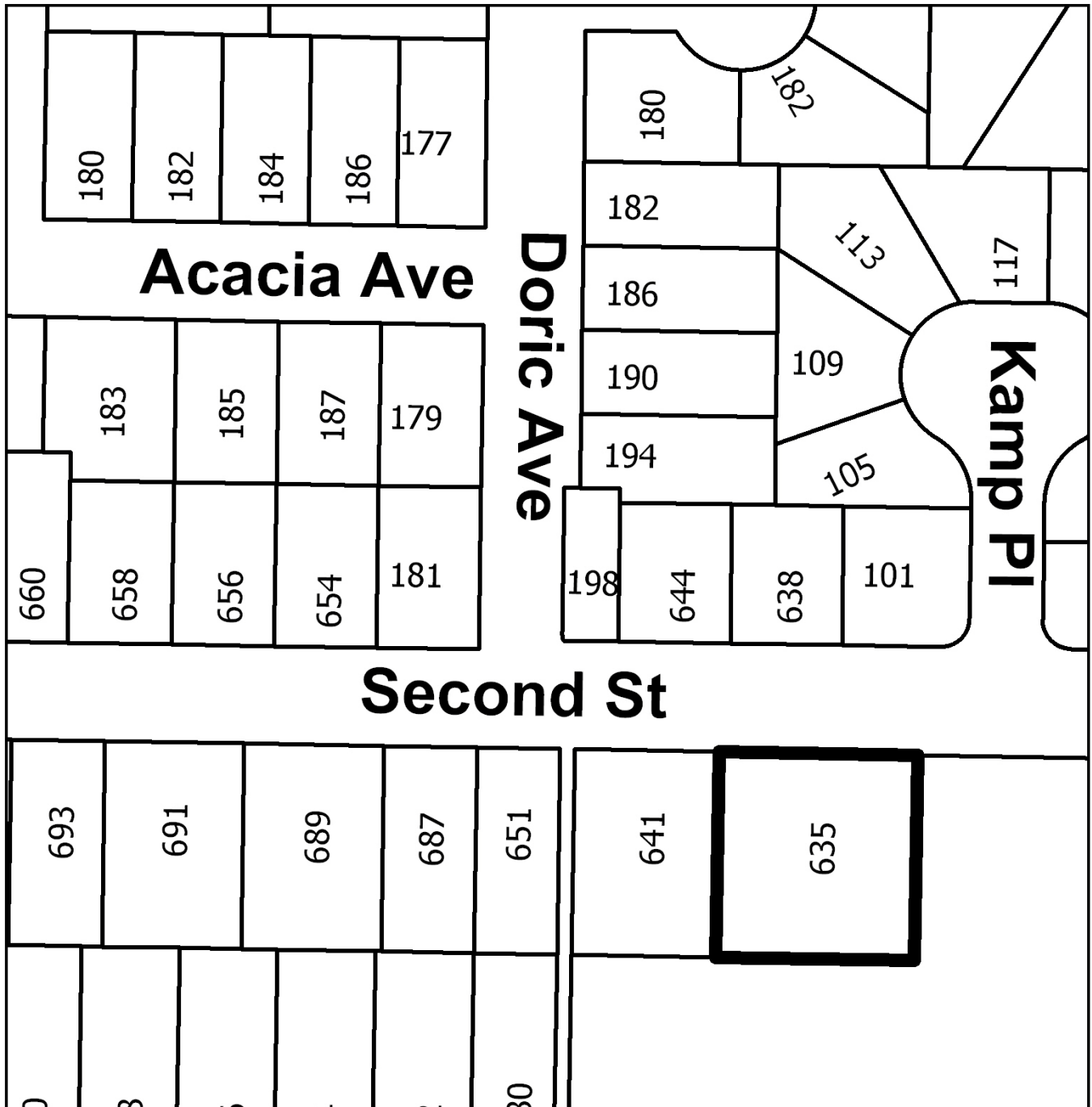
1. This Bylaw may be cited as the "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.464".
2. The City of Nanaimo "ZONING BYLAW 1993 NO. 4000" is hereby amended as follows:
 - (1) By rezoning the land legally described as LOT 1 (DD ED55110), SECTION 1, NANAIMO DISTRICT, PLAN 10322 from Single Family Residential Zone (RS-1a) to Single Family Residential Small Lot Zone (RS-6) as shown on the attached Schedule "A".

PASSED FIRST READING _____
PASSED SECOND READING _____
PUBLIC HEARING HELD _____
PASSED THIRD READING _____
COVENANT REGISTERED _____
ADOPTED _____

MAYOR

DIRECTOR,
LEGISLATIVE SERVICES

SCHEDULE A



File: RA000226
Civic: 635 Second Street

LOCATION PLAN



2009-SEP-25

STAFF REPORT

TO: A. TUCKER, DIRECTOR OF PLANNING, DEVELOPMENT SERVICES

FROM: J. HOLM, MANAGER, PLANNING DIVISION, DEVELOPMENT SERVICES

RE: RA226 – 635 SECOND STREET

STAFF'S RECOMMENDATION:

That Council:

1. receive the report pertaining to "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.464", which is presented under the Bylaws section of the agenda; and
2. direct Staff to secure the community contribution and register a covenant to secure general building design, storm water pre-development flows, and an erosion and sediment control plan.

EXECUTIVE SUMMARY:

The City of Nanaimo has received an application from Mr. Jessie Chalmers to rezone the subject property from Single Family Residential Zone (RS-1a) to Single Family Residential Small Lot Zone (RS-6) in order to facilitate a 3-lot subdivision. Staff supports the application and recommends that Council approve the proposed rezoning.

BACKGROUND:

Subject Property

The subject property is located on the south side of Second Street and abuts the Fairview Elementary School to the east (Schedule 'A'). The site is approximately 1,723 m² (0.4 acres) in area. A single family dwelling currently occupies the subject property. To the west and across the street to the north are single family lots and abutting the property to the south and east is the elementary school. The site is approximately 235m (771 ft) east of Wakesiah Avenue, a major collector within the city.

Official Community Plan (OCP)

The land use designations identified in the OCP are intended to support the plan's goal to 'build a more sustainable community'. According to Map '1' of the OCP, the subject property is located within a 'Neighbourhood' designation. The relevant 'Neighbourhood' (Section 2.3) policies of the OCP 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.
- This plan supports the development of a mix of residential options for all demographic categories and levels of affordability across the city.

The proposed development equates to a density of 17 units per hectare, which falls within the 'Neighbourhood' density range, as noted above. 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 Single Family Residential Zone (RS-1a) to Single Family Residential Small Lot Zone (RS-6) in order to facilitate a 3-lot subdivision. The proposed lots are as follows:

<i>Lot</i>	<i>Lot Area</i>	<i>Gross Building Area</i>	<i>Lot Coverage</i>
Lot A	584.1m ² (6,287.4 ft ²)	146.3m ² (1,575 ft ² existing house)	17%
Lot B	569.9m ² (6,134.6 ft ²)	205.3m ² (2,210 ft ² conceptual building)	21%
Lot C	569.9m ² (6,134.6 ft ²)	205.3m ² (2,210 ft ² conceptual building)	21%

The existing house will remain on Lot A and two-storey single family dwellings are proposed for lots B and C. The existing dwelling will retain the existing vehicle access and Lots B & C will have a shared driveway access.

The proposed site plan (Schedule 'B') and conceptual elevations (Schedule 'C') are attached.

General Building Design

The most significant feature impacting the streetscape of small lot development is the location and design of on-site parking. Therefore, Staff recommends, as a condition of rezoning, that a covenant be registered in order to limit the size of the garage to single car garages, to a maximum of 50% of the front building façade.

Stormwater & Erosion and Sediment Control

Staff recommends, as a condition of rezoning, that a covenant be registered to secure the post-development storm drainage flows and patterns be maintained at the pre-development 10-year peak flows and patterns. In addition, the covenant should secure the Erosion and Sediment Control Plan, which will prohibit any vegetation removal or construction of works until such time as an Erosion and Sediment Control Plan is reviewed and issued Design Stage Acceptance (DSA).

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 a \$2000 monetary contribution towards the City of Nanaimo's Affordable Housing Legacy Fund.

Staff support this proposal and recommend that Council direct Staff to secure the community contribution.

Respectfully submitted,

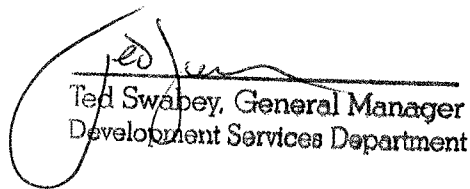


J. Holm
Manager, Planning Division
Development Services Department



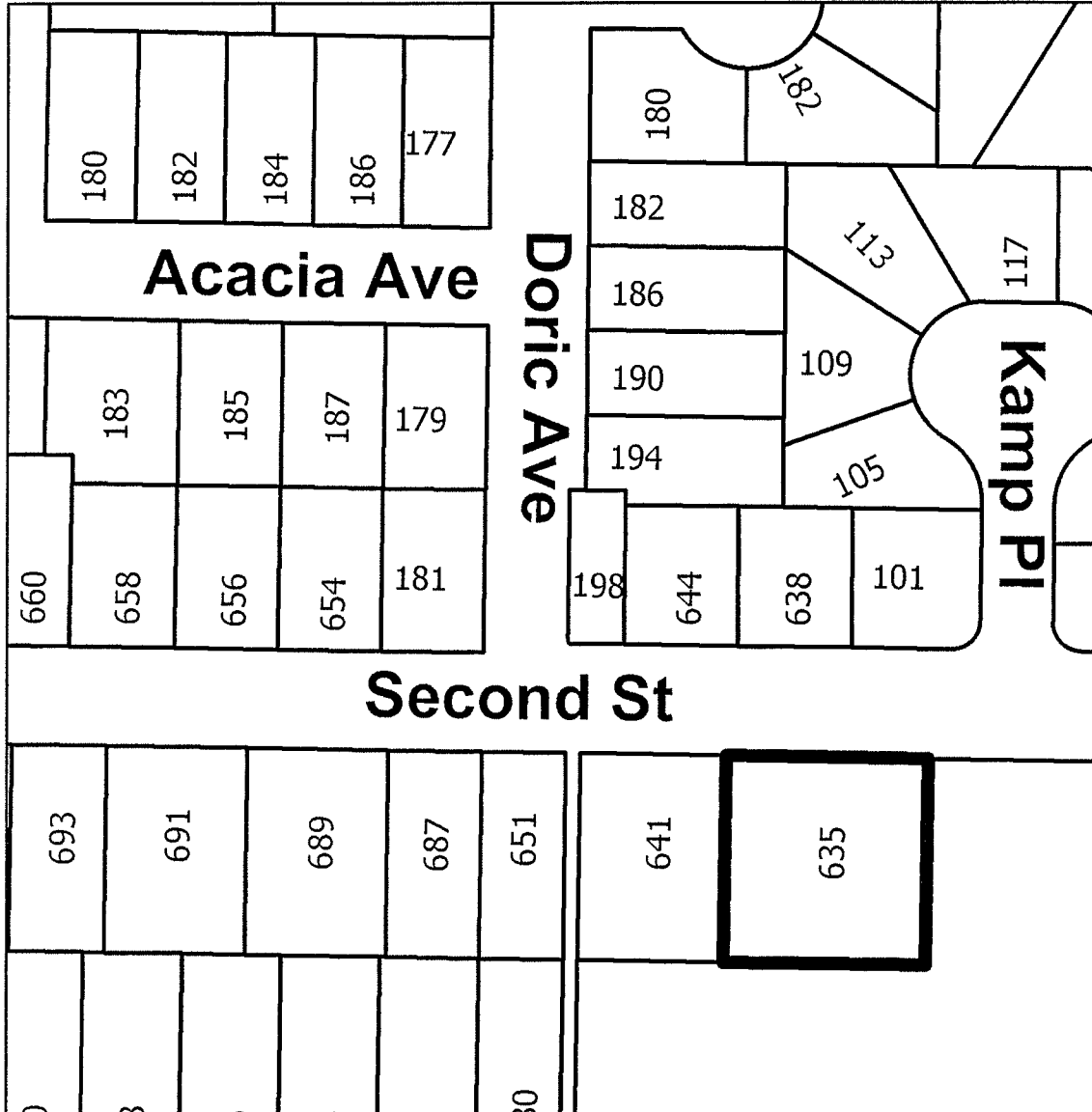
A. Tucker
Director of Planning
Development Services Department

SH/pm
Council: 2009-OCT-05
Prospero: RA226



Ted Swabey, General Manager
Development Services Department

SCHEDULE A



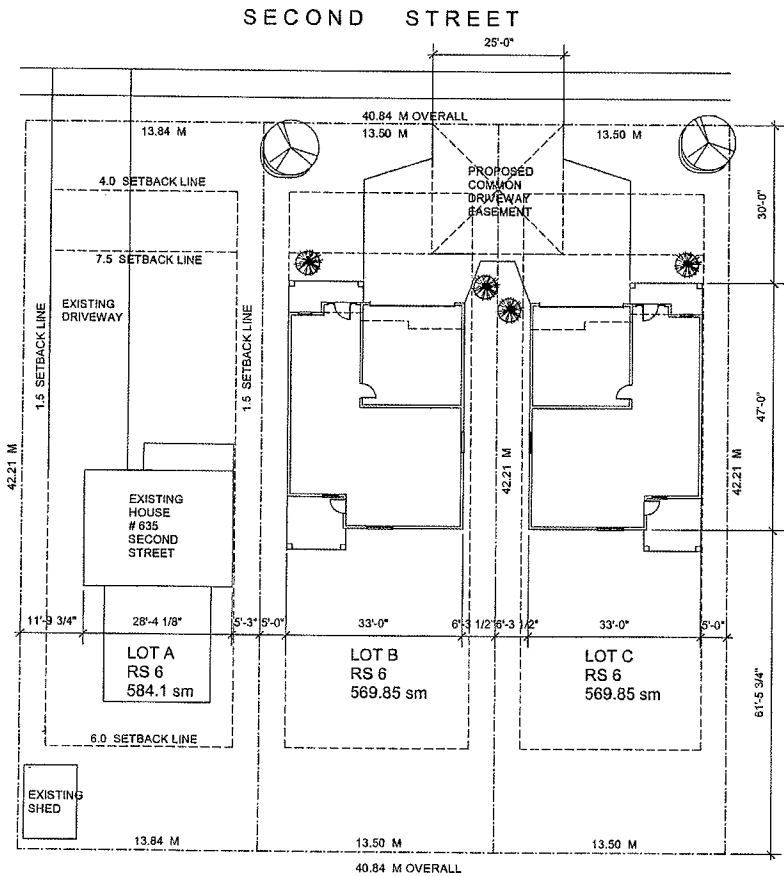
File: RA000226
Civic: 635 Second Street



LOCATION PLAN

SCHEDULE B

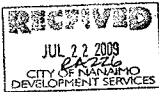
Copyright reserved. These plans and designs are at all times the property of the designer to be used for the address shown. Written consent is required from the designer before any reproduction. Contractor to verify all laws, levels, surveys, dimensions, specifications, location of building on site, and location of all services prior to construction. All work to be done in accordance with the B.C. Building Code, current edition, and all local building bylaws. All work to be done in a prudent manner and to the approval of warranty provider, designer is not responsible for any field review or compliance to codes and/or poor building practices. Designer recommends that owner/ builder retain independent inspections to ensure proper design and construction of building envelope.



SITEPLAN
SCALE 1/16" = 1'-0"

LOT A SITE STATS	
CIVIC: 635 SECOND STREET	
LEGAL: LOT 1 (DD ED 55110), SECT 1, NAN DIST. PLAN 10322	
LOT AREA:	6287 SF
LOT COVERAGE:	19 %
FAR:	.25
BUILDING AREA:	
MAIN	1075 SF
UPPER	500 SF
TOTAL	15750 SF
COVERED DECKS	85 SF

TYPICAL SITE STATS FOR LOTS B & C	
LOT AREA:	6133 SF
LOT COVERAGE:	25 %
FAR:	.37
BUILDING AREA:	
LOWER	945 SF + 390 SF GARAGE
MAIN	1265 SF
TOTAL	2210 SF
COVERED DECKS	70 + 105 SF

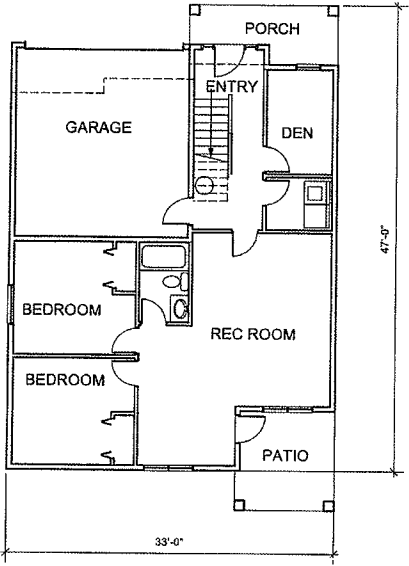


635
SECOND STREET
NANAIMO, B.C.

KEN GREWAL
(250) 753 6711

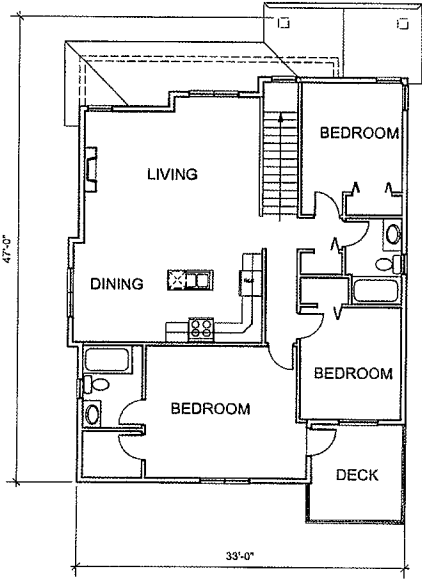
DRAWING:

SCHEDULE C



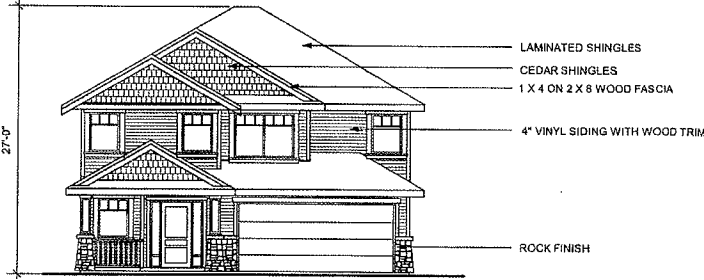
BASEMENT 954 SF

SCALE 1/8" = 1' 0"



UPPER FLOOR 1265 SF

SCALE 1/8" = 1' 0"



FRONT ELEVATION

SCALE 1/8" = 1' 0"

CITY OF NANAIMO

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PASSED FIRST READING _____

PASSED SECOND READING _____

PUBLIC HEARING HELD _____

PASSED THIRD READING _____

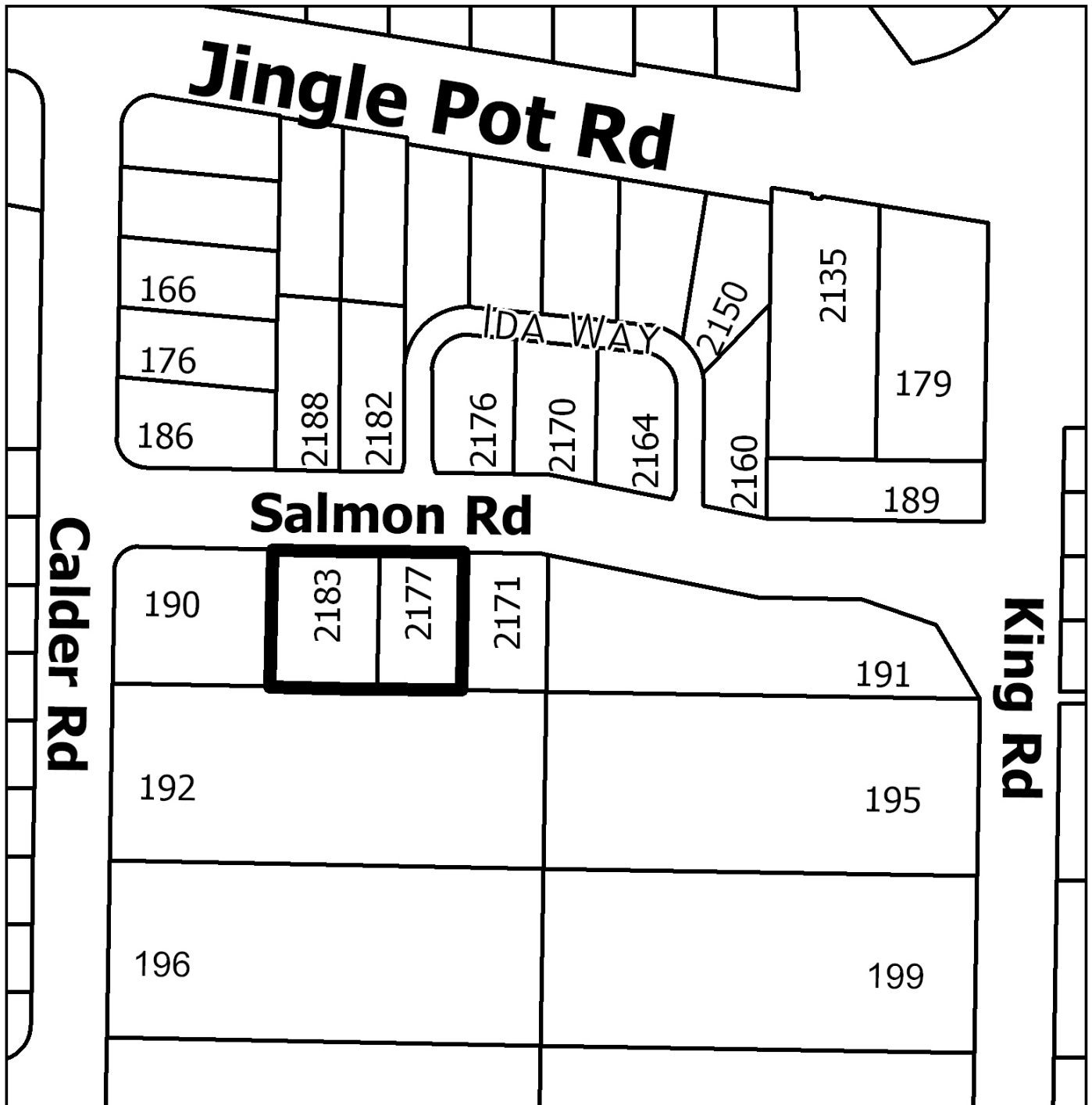
APPROVED BY THE MINISTRY OF TRANSPORTATION _____

ADOPTED _____

MAYOR

DIRECTOR,
LEGISLATIVE SERVICES

SCHEDULE A



File: RA000227
Civic: 2177 and 2183 Salmon Road

 **Subject
Property**

LOCATION PLAN

2009-SEP-25

STAFF REPORT

TO: A. TUCKER, DIRECTOR OF PLANNING, DEVELOPMENT SERVICES

FROM: J. HOLM, MANAGER, PLANNING DIVISION, DEVELOPMENT SERVICES

RE: RA227 – 2183 & 2177 SALMON ROAD

STAFF'S RECOMMENDATION:

That Council support this application and:

1. receive the report pertaining to "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.465", which is presented under the Bylaws section of the agenda; and
2. direct Staff to secure the community contribution and lot boundary adjustment as a condition of rezoning.

EXECUTIVE SUMMARY:

The City has received an application from Mr. Paul Minhas, on behalf of Sanghera Homes Ltd., to rezone the subject properties from Single Family Residential Zone (Large lot) (RS-2) to Residential Duplex Zone (RM-1) in order to construct a duplex on each lot. Staff support the application and recommend that Council approve the proposed rezoning.

BACKGROUND:

Subject Property

The subject properties are located on the south side of Salmon Road, approximately 45m (147.6 ft) east of the Calder Road intersection (Schedule 'A'). The lots were recently created and are currently vacant. The properties are located within an area of large lot single family development. Additionally, within 80m (262.5 ft) of the subject properties are several amenities which include a gas station, pub, liquor store, convenience store, and bowling alley.

Official Community Plan (OCP)

The property is designated as 'Neighbourhood' according to Map 1 of the Official Community Plan (OCP). The relevant policies of the OCP 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.

Staff is of the opinion that the proposed rezoning complies with the intent of the OCP.

Proposed Development

The applicant is proposing to rezone two individual lots from Single Family Residential Zone (Large Lot) (RS-2) to Residential Duplex Zone (RM-1) in order to construct a duplex on each lot. Each dwelling unit is approximately 142m² (1,533 ft²). In terms of vehicle parking, each unit is provided a garage and an additional parking space can be accommodated on the driveway apron. The proposed site plan (Schedule 'B') and conceptual building elevations (Schedule 'C') are attached.

Lot Boundary Adjustment

The minimum lot area in the RM4-1 Zone is 750m² (8,073 ft²). Currently, the lot area of 2183 Salmon Road is 947m² (10,193 ft²), which exceeds the minimum lot area requirement by 197m² (2,120 ft²). However, the existing lot area for 2177 Salmon Road is 739.8m² (7,963 ft²), which falls short of the minimum lot area requirement by 10.2m (33.5 ft). In order to meet the RM-1 Zone's minimum lot area requirement at 2177 Salmon Road, the applicant proposes to adjust the shared lot boundary by moving the lot boundary further west. The proposed lot boundary adjustment will reduce the lot area of 2183 Salmon Road and increase the lot area of 2177 Salmon Road, in order to meet the lot area requirement for each lot. Staff recommends, as a condition of rezoning, that the lot boundary adjustment be completed prior to final consideration of adoption of the bylaw.

Community Contribution

As outlined in Section 7.3 of the Official Community Plan (OCP), in exchange for value conferred on land through rezoning, the applicant should provide a community contribution. In response to this policy, the applicant is proposing a \$4,000 monetary contribution towards the City of Nanaimo's Housing Legacy Fund.

Staff support this community contribution proposal and recommend that this item be secured as a condition of rezoning.

Respectfully submitted,

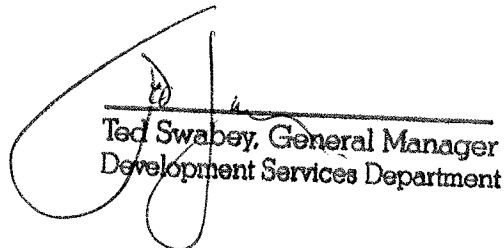


J. Holm
Manager, Planning Division
Development Services Department



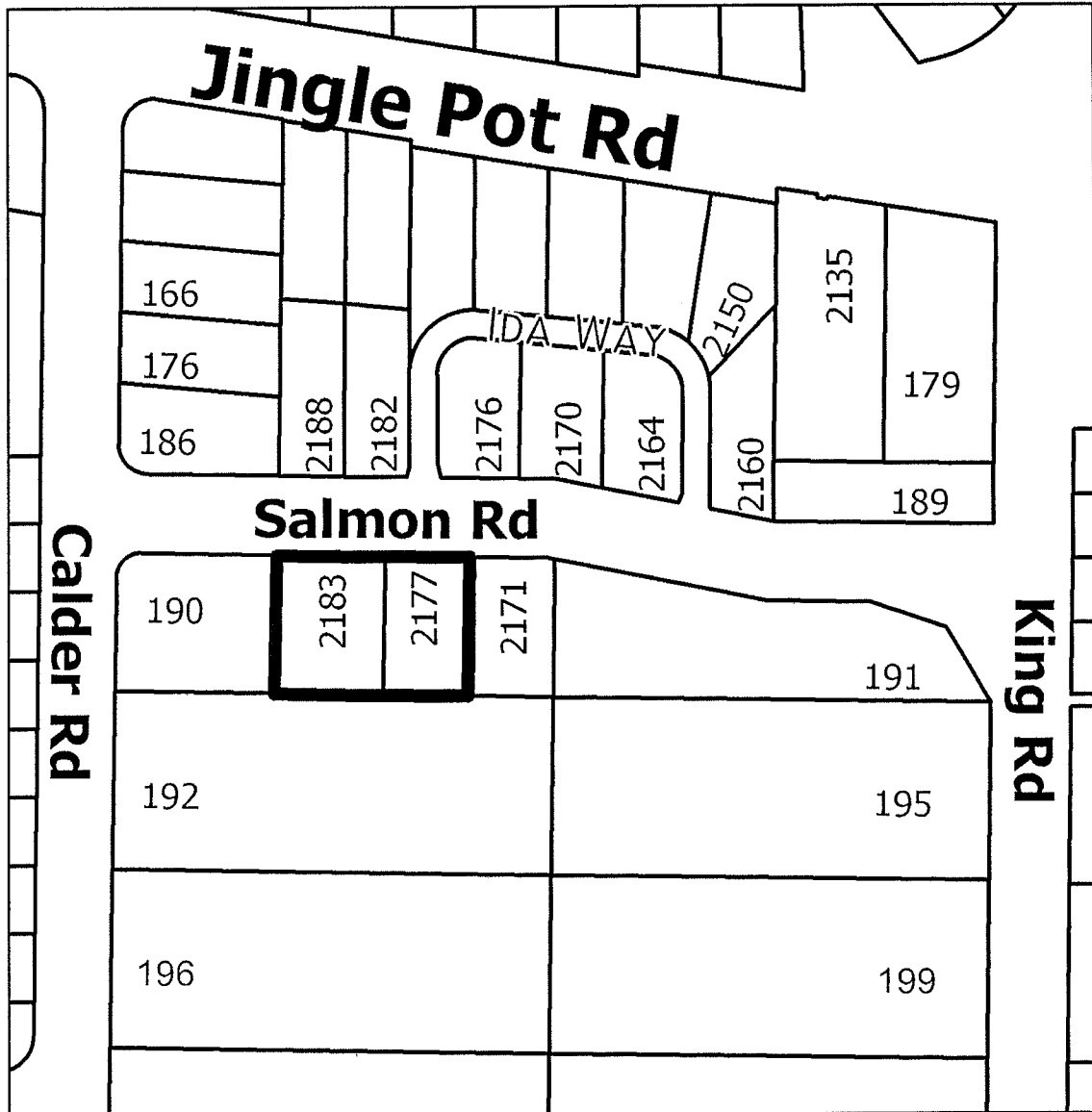
A. Tucker
Director of Planning
Development Services Department

SH/pm
Council: 2009-OCT-05
Prospero: RA227



Ted Swabey, General Manager
Development Services Department

SCHEDULE A



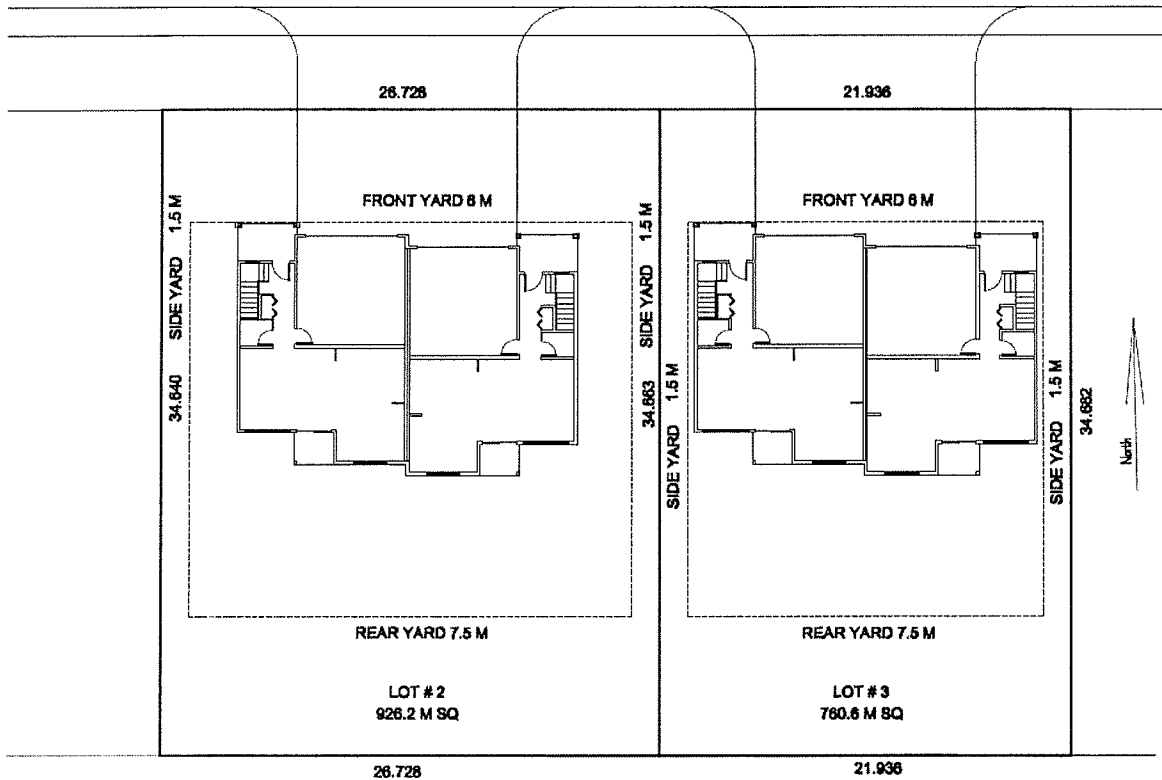
File: RA000227
Civic: 2177 and 2183 Salmon Road

 **Subject
Property**

LOCATION PLAN

SCHEDULE B

SALMON ROAD



SITE PLAN

1/16 = 1'

LOT #2

SITE STATISTICS

TYPICAL

1 ATTACHED DUPLEX

DENSITY

2 UNITS

LOT AREA

926.2 M SQ

F.A.R.

284.8 M SQ LIVABLE .31

LOT COVERAGE

218.8 SQ. ' 23.6 %

BUILDING HEIGHT

5/12 PITCH (MAIN) 25' 6 1/4 "

7.8 M

PARKING

4 CAR

LOT #3

SITE STATISTICS

TYPICAL

1 ATTACHED DUPLEX

DENSITY

2 UNITS

LOT AREA

760.6 M SQ

F.A.R.

284.8 M SQ LIVABLE .37

LOT COVERAGE

218.8 SQ. ' 28.7 %

BUILDING HEIGHT

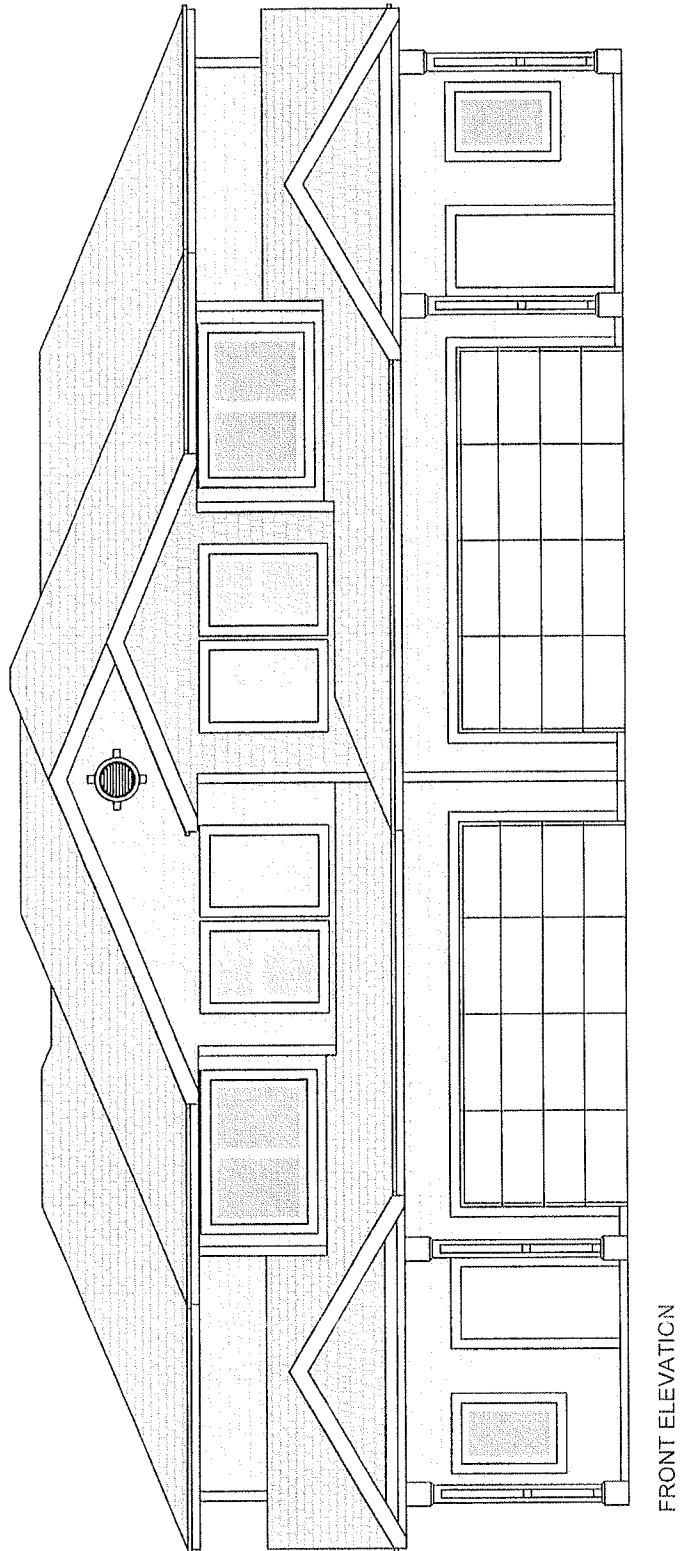
5/12 PITCH (MAIN) 25' 6 1/4 "

7.8 M

PARKING

4 CAR

SCHEDULE C



CITY OF NANAIMO

BYLAW NO. 6500.006

A BYLAW TO AMEND THE CITY OF NANAIMO
"OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500"

WHEREAS the Council of the City of Nanaimo wishes to amend City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500";

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 2009 NO. 6500.006".
2. The City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is hereby amended as set out in Schedule A to this Bylaw.

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

MAYOR

DIRECTOR,
LEGISLATIVE SERVICES

File: OCP00045
Address: 1200 Frew Road, 1560/1650 Island Hwy S
Applicant: Brook + Associates Inc

SCHEDULE A

1. Schedule C (Chase River Neighbourhood Plan) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended as follows:

- a) Deleting Section 5 – South Nanaimo Lands and replacing with the following:

The Sandstone Master Plan is attached hereto and made a part of the Chase River Neighbourhood Plan.

STAFF REPORT

REPORT TO: ANDREW TUCKER, DIRECTOR OF PLANNING

FROM: BRUCE ANDERSON, MANAGER, COMMUNITY PLANNING

RE: OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION

OCP00045 – SANDSTONE MASTER PLAN

1200 FREW ROAD AND 1560/1650 ISLAND HIGHWAY SOUTH

PNAC'S RECOMMENDATION:

That Council consider approving Official Community Plan (OCP) Amendment Application 00045 for the Sandstone Master Plan regarding 1200 Frew Road and 1560/1650 Island Highway South.

STAFF'S RECOMMENDATION:

That Council consider giving First and Second Reading to "OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2009 NO. 6500.006".

EXECUTIVE SUMMARY:

The subject area is located in the southern portion of the City, adjacent to the Island Highway, Duke Point Connector, and Cedar Road. The applicant is requesting the proposed Sandstone Master Plan be included as an amendment to the Official Community Plan (OCP) and Chase River Neighbourhood Plan, thereby providing a framework for the planning and development of the subject area. The Sandstone Master Plan document proposes a comprehensive, mixed use development as previously approved by City Council 2007-OCT-29.

BACKGROUND:

This application is one of four OCP Amendment Applications that were received as part of the 2008-NOV-01 round of applications. The applicant has stated that the purpose of this application for 1200 Frew Road and 1560/1650 Island Highway South (*see Schedule A*) is to include the proposed Sandstone Master Plan within the Official Community Plan (OCP) to provide for greater detail in the planning and development of a comprehensive, mixed-use development consisting of residential, commercial and industrial uses (*see attachment*). This Master Plan represents the next phase in Sandstone's original application to redesignate the subject area for the mixed-use development, which was adopted by Council 2007-OCT-29.

OCP Designation and the Master Plan

Located in the southern portion of the City, the approximately 293 hectare (726 acre) subject area is bordered by the Cinnabar Valley residential area to the west, industrial and rural residential areas to the south and east (located within the Regional District of Nanaimo), and Nanaimo River estuary to the north. The subject area is intersected by the Island Highway, Duke Point Connector, and Cedar Road. The Regional Landfill site, operated by the Regional District of Nanaimo, is surrounded by the subject properties, but is not included within the Master Plan.

The subject area is designated Neighbourhood, Light Industrial, Industrial and Urban Node under the OCP with the OCP providing policy for each of these designations. The subject area is also subject to policies contained within the amended Chase River Neighbourhood Plan, which establishes objectives "to provide for a comprehensively planned 'complete' community" for the subject area.

Along with policies relating to land-use designations, transportation and infrastructure, the Neighbourhood Plan specifically addresses 'future planning' for the subject area. Specifically, a Master Plan is required prior to the rezoning and development of the area to provide a framework for development of the area. It details the final development concept, unit count and square footages to be developed, parks and open space location and dedication mechanisms, required infrastructure and phasing plans, transportation access and development plans, urban design standards, landscaping requirements, and final development phasing. This is also reflected in the Phased Development Agreement required at the rezoning stage of the development approvals process for the subject area.

Should the Sandstone Master Plan be approved by Council, development of this mixed-use comprehensive development is still subject to a phased development agreement, rezoning, subdivision and development permit applications.

Planning Comment:

The Sandstone Master Plan is presented in a format that addresses those items identified in the OCP and amended Chase River Neighbourhood Plan. It specifically identifies site context, land-use designations, transportation, utility infrastructure and stormwater, parks and open space, and includes both an environmental assessment and traffic impact assessment. Overall, the proposed Sandstone Master Plan meets the objectives and policies of both the OCP and the Chase River Neighbourhood Plan.

The Master Plan presents opportunity for a sustainable development that provides new services, amenities, and economic opportunities while approximately 50% of the area is retained as parks and open space, including Agricultural Land Reserve lands. The overall layout provides a group of distinct nodes consisting of neighbourhood (residential uses with limited commercial use), industrial (located in the southeast portion of the site and transacted by the Duke Point Highway), and commercial (an urban node that includes both a regional shopping area and a 'main-street' commercial area).

Residential developments provide for higher densities than typically observed in the rest of the community. Providing a variety of housing choices, residential areas will see a mix of single- and multiple-family homes, secondary suites and carriage houses. Where lower densities (10 to 50 units per hectare) will be located in the neighbourhood areas, higher density clusters of 50 to 150 units per hectare will be sited to take advantage of transit and commercial services, for example, adjacent to the city commercial centre.

Commercial development provides for economic development and easier access to services for the south portion of Nanaimo and surrounding area. Occurring in three distinct patterns, commercial activity consists of the regional commercial centre, the city commercial centre, and neighbourhood commercial. The regional commercial centre is located adjacent to the Island Highway and provides a focus for large-format retail development. Consisting of 600,000 ft² of commercial floor space, the area will incorporate large and smaller retail units. The city commercial area of approximately 250,000 ft² of commercial floor space is located to the north of the regional commercial area, providing for a 'main street' mixed-use development. Consisting of essentially three modules, this commercial area will incorporate an area of commercial use, bordered by an area of mixed-use retail, office and residential. An area of high density residential is then sited on the perimeter of this mixed-use area. Development will be pedestrian oriented with buildings sited near the street in a compact form, and supported by transit and surrounding trails and open space. Finally, the neighbourhood commercial consists of two separate areas offering 'convenience' retail uses, with each providing for no more than 15,000 ft² of commercial floor space.

Industrial development also serves to generate economic development and increases the city's land area available for industrial uses. Within the Sandstone development, the industrial areas will provide 900,000 ft² of floor space in a low-rise business park development, accommodating uses such as research and development, warehousing, light manufacturing and distribution centres.

Where each section of the plan provides detail respecting siting, densities, and parcel requirements for each phase of the development, the overall plan area layout provides for a walkable, accessible project that would connect into the existing residential community. Residential development is located adjacent to existing residential areas, and commercial and industrial developments are located near transportation 'hubs' with ready access to roads, ferries and airports.

Issues that will require further refinement through subsequent phases of the approval process include finalizing transportation networks (i.e. road layout, overpasses and transit opportunities) and the proposed phasing of the project. The transitioning of parks and neighbourhoods with the existing landfill site and proposed industrial areas may also warrant further consideration. However, these are specific items that will be addressed in greater detail during the subsequent approval stages of this project, for example in the phased development agreement, rezoning, and subdivision processes.

The content of the Master Plan is considered to be consistent with both the Official Community Plan and the amended Chase River Neighbourhood Plan. It provides for a walkable community of mixed land uses that effectively becomes the gateway to the southern end of Nanaimo. Higher densities are achieved through both the residential and commercial uses (for example, residential densities ranging from 10 to 150 units per hectare), thereby reducing the impact on other undeveloped areas and protecting environmentally sensitive areas, as addressed in Goal Two of the OCP. The site's development and continued operation of business activities results in increased economic activity for the area, thereby supporting Goal Four of the OCP. And attention to design, affordability, mobility, amenities and servicing for the area supports the objectives and policies laid out in the respective Goals Three, Five and Six of the OCP.

Agency Comments:

As part of the amendment application process, referral comments were sought from both external agencies and other City departments. For example, comments from the Ministry of Transportation and Infrastructure indicate further investigation is required into the phasing and construction of roadways, including overpasses and access/egress points. The Regional District of Nanaimo has addressed items such as servicing, the provision of transit, the siting of parks and trails, and the continued operation of the adjacent landfill. School District 68 has not yet provided comment on whether additional school sites will be required in the south area. Agency concerns will be addressed through the subsequent phased development agreement and rezoning stages of the development process.

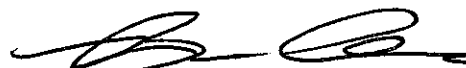
Public Input:

The Sandstone Master Plan was recently posted on the City website; to date, no submissions have been received as a result of this application. The applicant also held a public information meeting 2009-SEP-15 at the Chase River Elementary School, with approximately 110 people attending the meeting. Comments received at the meeting ranged from the benefits of a comprehensive development to concern over transportation issues (increased traffic and need for provision of improved road network).

Respectfully submitted,

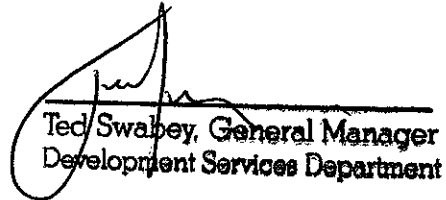


Bruce Anderson
Manager of Community Planning
Development Services Department



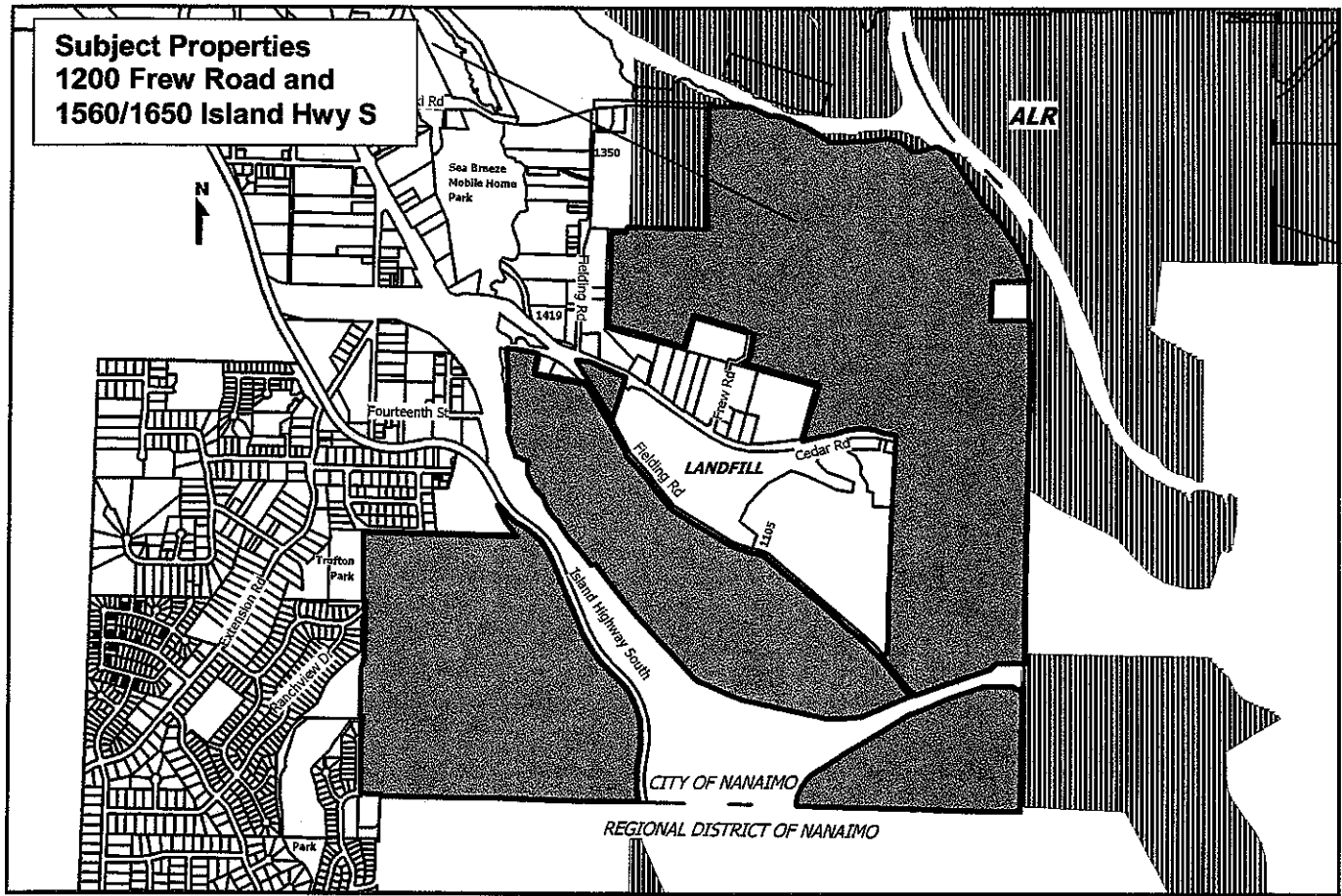
Andrew Tucker
Director of Planning
Development Services Department

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Council Date: 2009-OCT-05



Ted Swabey, General Manager
Development Services Department

Schedule 'A'
Subject Property Map



Attachment
Sandstone Master Plan

[included separately in Council package]