

Notice is hereby given that a Public Hearing will be held on Thursday, **2009-JUN-11**, 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. 4000.447

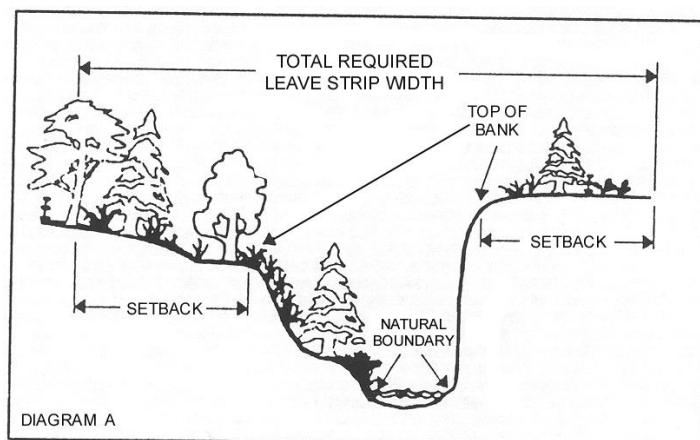
Purpose: To update Zoning Bylaw No. 4000 to maintain consistency with the Official Community Plan (OCP) text and mapping layers.

Location(s): Various

File No.: ZA1-81

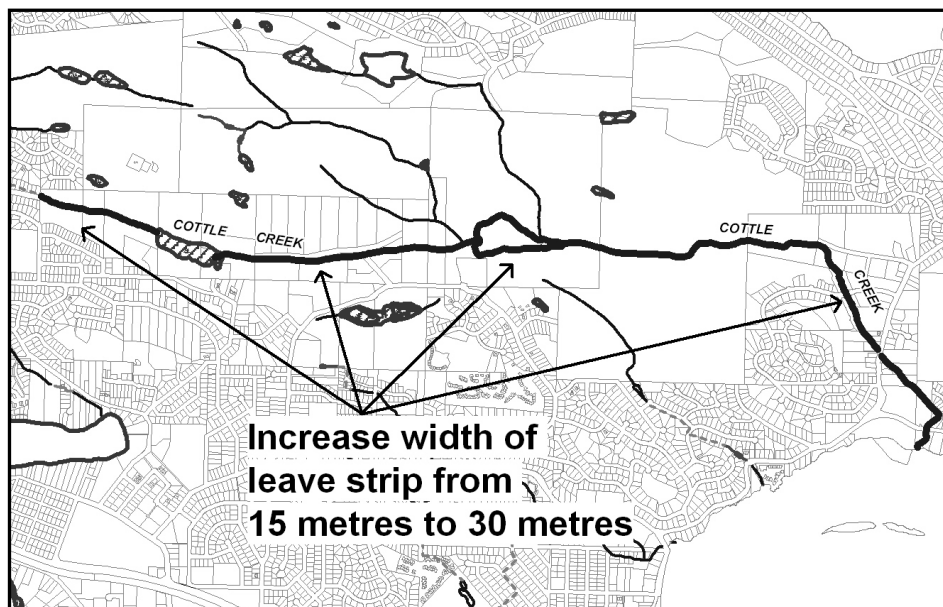
This bylaw includes text amendments and updates to mapping layers in order to reflect the policies and mapping layers of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500". This bylaw, if adopted, will:

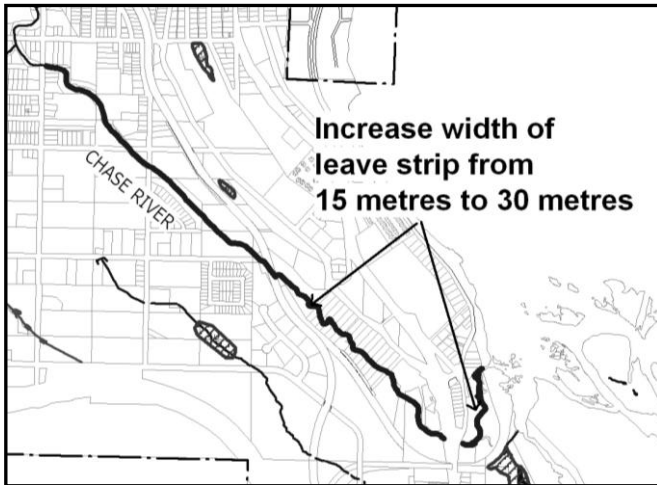
- a) Amend the definition of "Top of Bank" in Part 4 Definitions to "means the points closest to the natural boundary of the watercourse where the break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 for the required leave strip distance (See Diagram 'A').



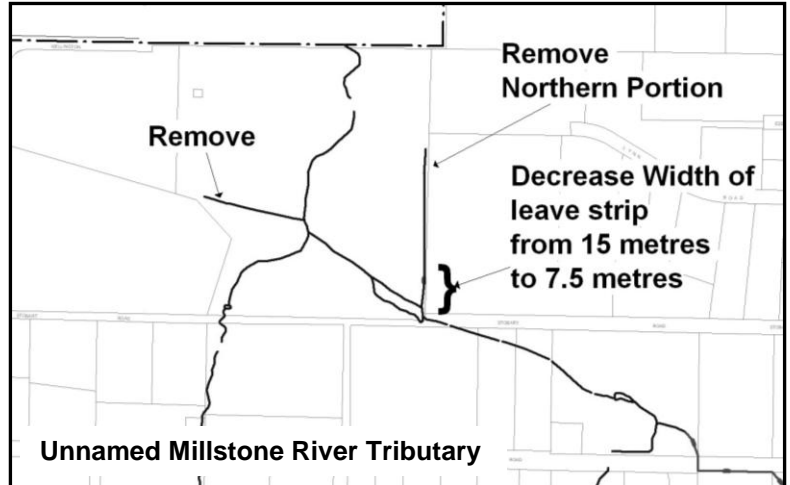
- b) Amend Schedule 'G' – Watercourse Map to reflect leave strip width changes presented on the watercourse mapping layers of the Official Community Plan, as shown on Maps A, B and C.

Map A





Map B



Map C

This bylaw, if adopted, will also:

- c) Rezone the following lands from Rural Agricultural/Residential Zone (A-3) to Rural Agricultural/Residential Zone (A-2), as shown on Maps D and E (see next page).

3200 Arrowsmith Road
3230 Arrowsmith Road
3260 Arrowsmith Road
3290 Arrowsmith Road
3320 Arrowsmith Road
3350 Arrowsmith Road
3380 Arrowsmith Road

3410 Arrowsmith Road
3480 Arrowsmith Road
3482 Arrowsmith Road
3484 Arrowsmith Road
3644 Dix Road
Part of 3500 Hillside Avenue
3518 Hillside Avenue

3159 Robin Hood Drive
3629 Rock City Road
3651 Rock City Road
3699 Rock City Road
5600 Vanderneuk Road

Map D



Map E

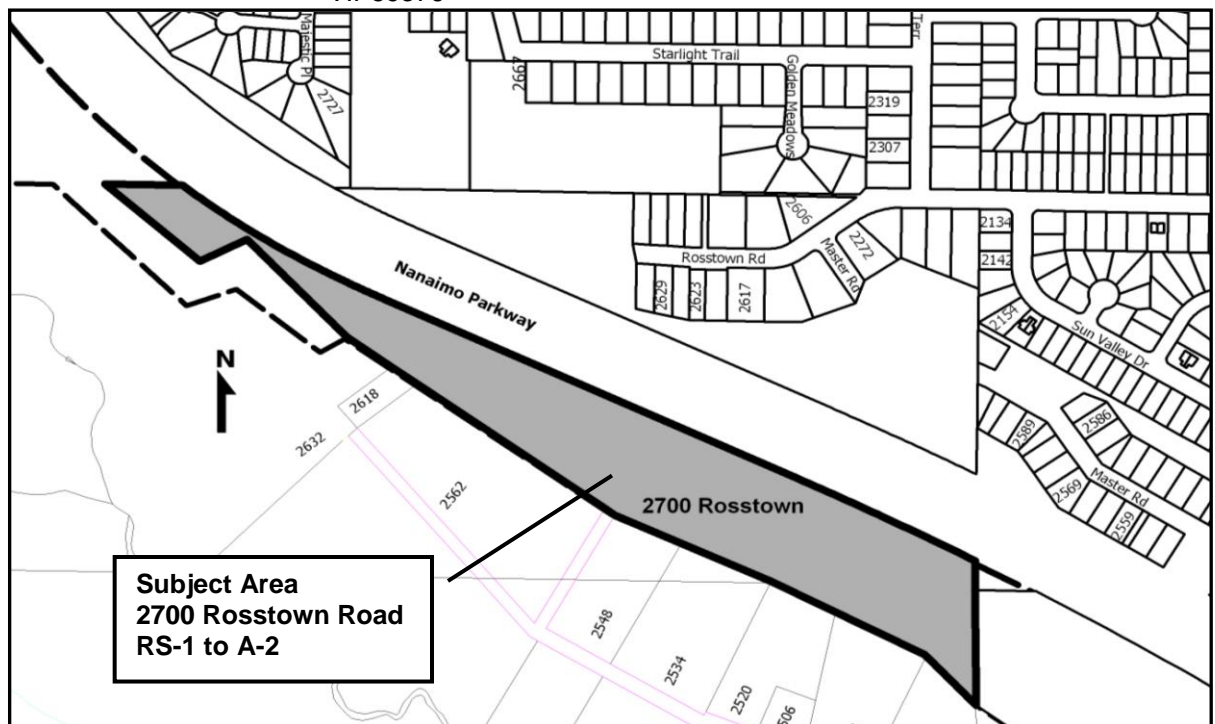


- d) Rezone the following lands from Single Family Residential Zone (RS-1) to Rural Agricultural/Residential Zone (A-2), as shown on Map F.

Part of
2700 Rosstown Road

Lot 1, Sections 17 and 18, Range 5, Mountain District, Plan 4539 Except
Those Parts Included in Plans 27807, 34133, 42493, 44182 and
VIP59376

Map F



- e) Rezone the following lands from Light Industrial Zone (I-2) to Single Family Residential Zone (RS-1), as shown on Map G.

2350 Northfield Road

Lot 1, Section 17, Range 6, Mountain District, Plan VIP60640

Map G



- f) Rezone the following lands from Single Family Residential Zone (RS-1) to Rural Agricultural/Residential Zone (A-2), as shown on Map H.

2453 East Wellington Road

Section 13, Range 6, Mountain District, Except the East 31.582 Chains Thereof, Except the North 15 Feet of the Westerly 200 Feet Thereof and Except That Part in Plan 28073

2461 East Wellington Road

That Part of Parcel A (DD 9237N) of Section 13, Range 5, Mountain District, Lying East of the Government Road Shown Coloured Red on Plan Deposited in DD 2641I Except That Part in Plan 28073

Map H



2. BYLAW NO. 6500.005

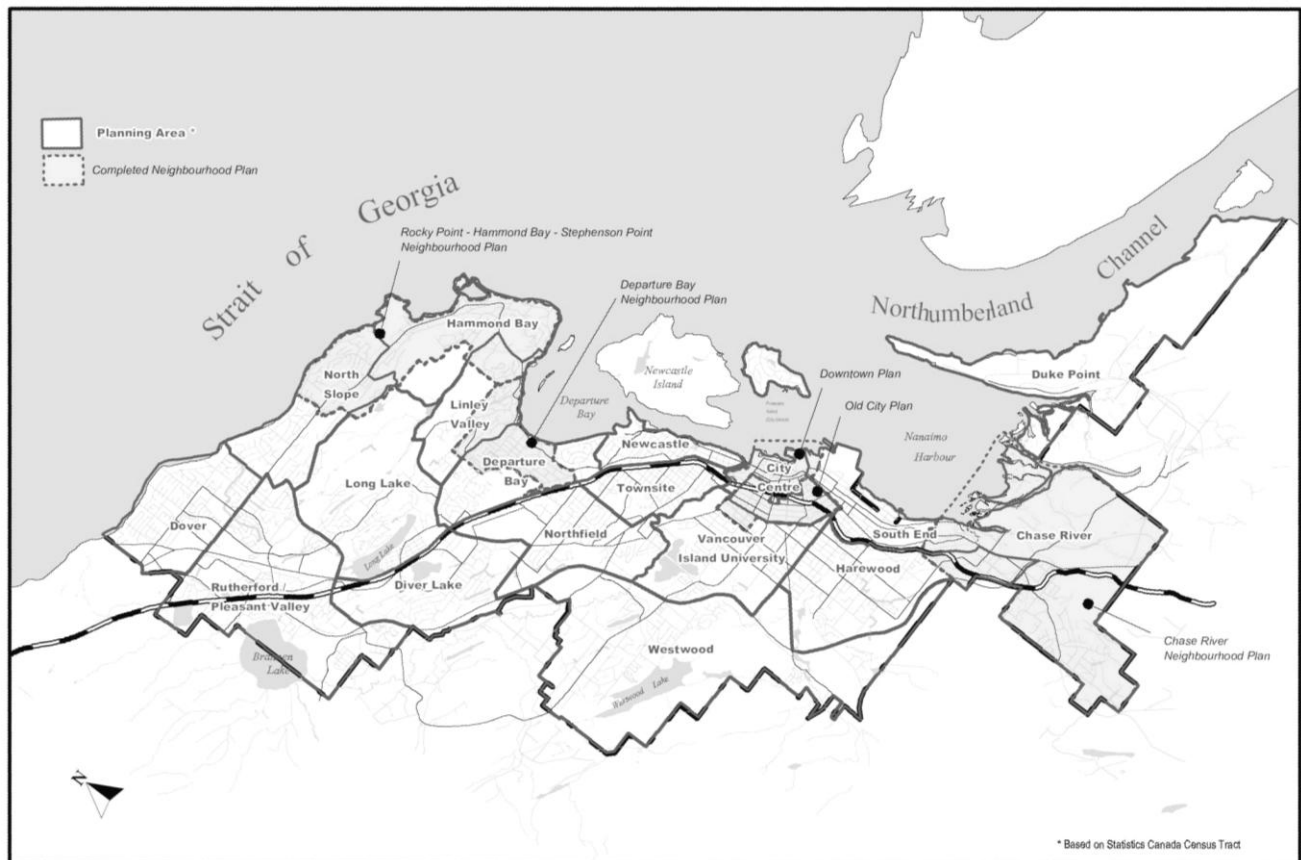
Purpose: To update Official Community Plan (OCP) text and mapping layers.

Location(s): All Properties Within the City of Nanaimo

File No.: OCP50

This bylaw, if adopted, will include text amendments and update mapping layers in order to increase the effectiveness of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500":

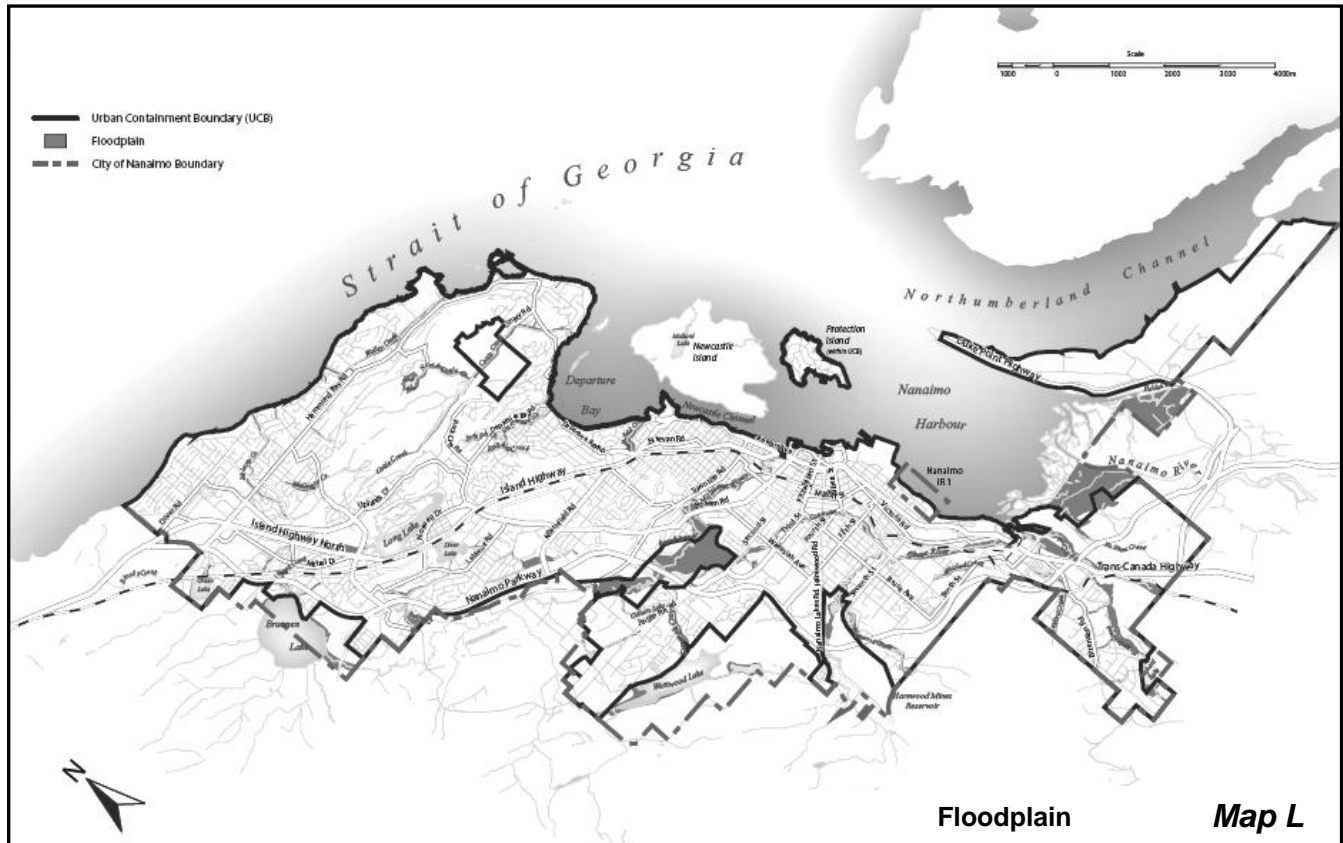
- a) Add '2008' as the completion date for both the Downtown Urban Design Plan and Guidelines and the Harm Reduction and Housing First Strategy, within Section 7.8, Table 6 (Implementation Strategy) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500," as both the Guidelines and the Strategy have now been completed.
- b) Amend Subsections 2.3.17, 7.1.10 and 7.8, Table 6 (Implementation Strategy) by removing references to 'Southend / Nob Hill'. The South End will be identified as a distinct neighbourhood plan area.
- c) Amend Figure 3 (Planning Areas and Neighbourhood and Area Plans) by updating the planning area boundaries and planning area names. Planning area boundary amendments are intended to reflect information provided by the Statistics Canada 2006 census, as shown on Map K.



Planning Areas and Neighbourhood / Area Plans

Map K

- d) Add Figure 4 (Floodplain) to the “OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500,” to provide general mapping for floodplain areas, as shown on Map L.



- e) Amend Map 1 (Future Land Use Plan) of the “OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500” to reflect changes to the land use designations and the Urban Containment Boundary. This includes:

- (1) Redesignating properties from ‘Neighbourhood’ to ‘Corridor’ to better reflect the continuation of the Corridor between Terminal Park and Brooks Landing. The subject properties are known as:

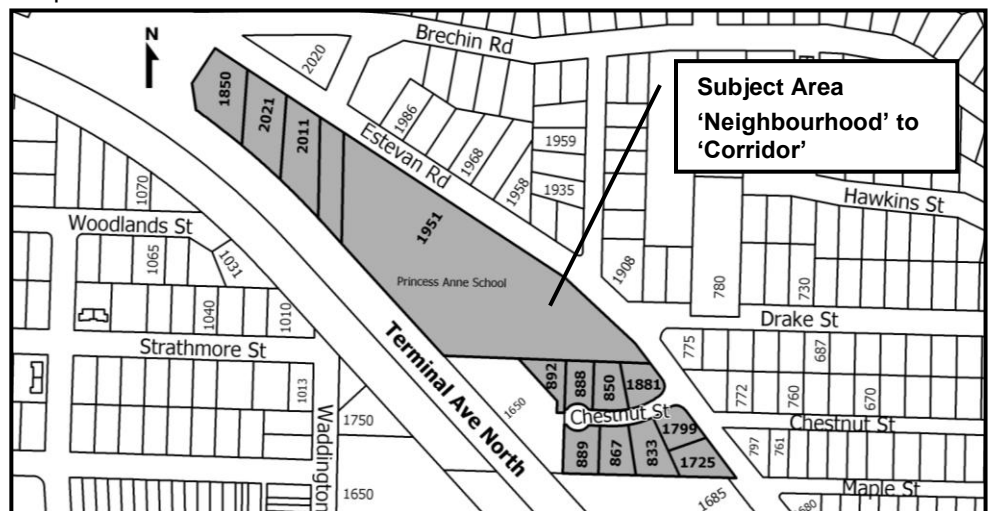
833 Chestnut Street
850 Chestnut Street
867 Chestnut Street
888 Chestnut Street
889 Chestnut Street

892 Chestnut Street
1725 Estevan Road
1799 Estevan Road
1881 Estevan Road
1951 Estevan Road

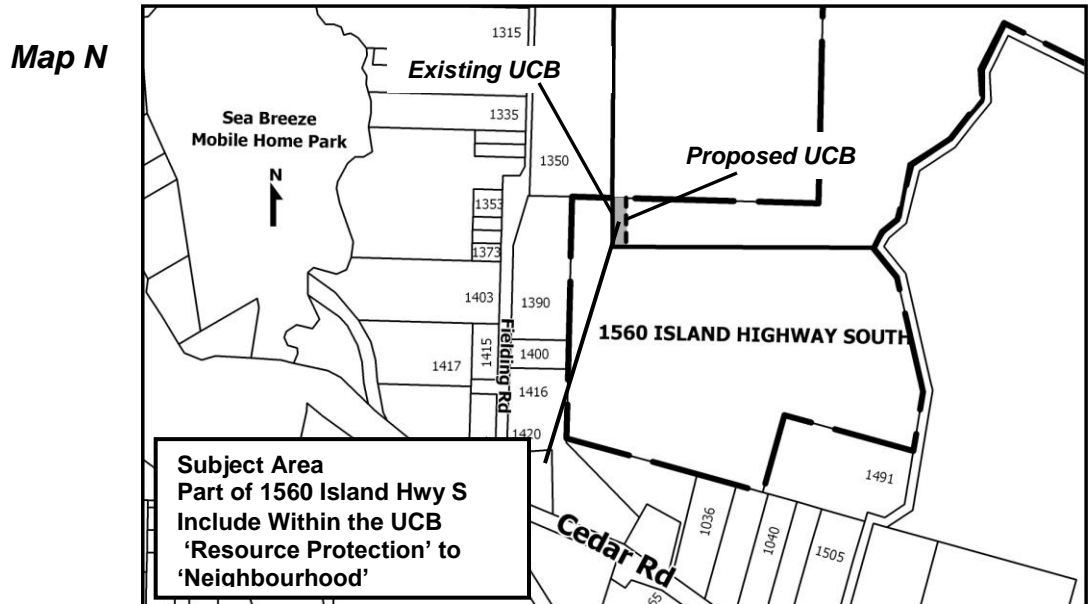
1997 Estevan Road
2011 Estevan Road
2021 Estevan Road
1850 Island Highway N

and are shown on Map M.

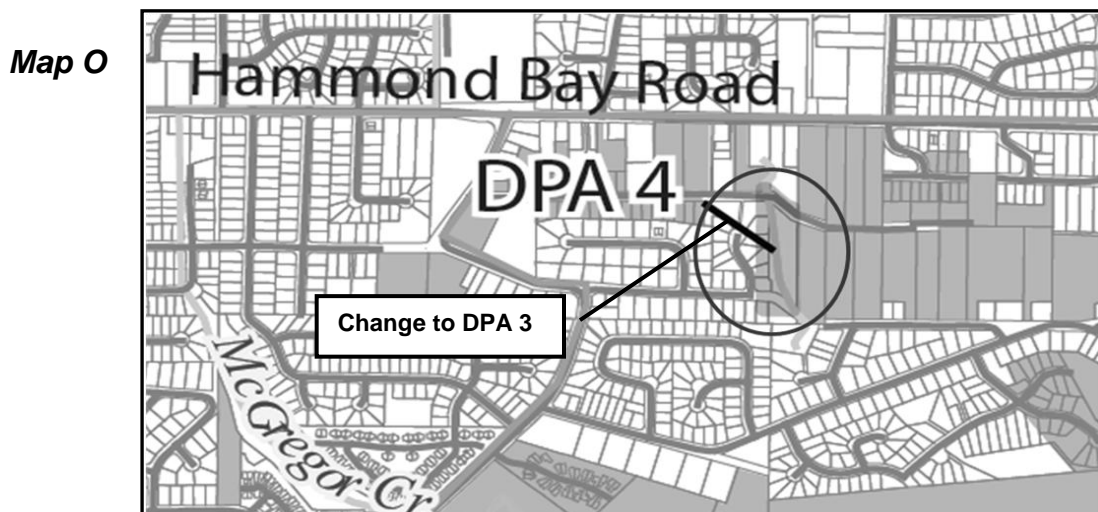
Map M



- (2) Amending the Urban Containment Boundary (UCB) to include a portion of lands at 1560 Island Highway South, and redesignating the subject area from Resource Protection to Neighbourhood to better align with the Agricultural Land Reserve boundary. The subject property is legally described as 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 is shown on Map N.

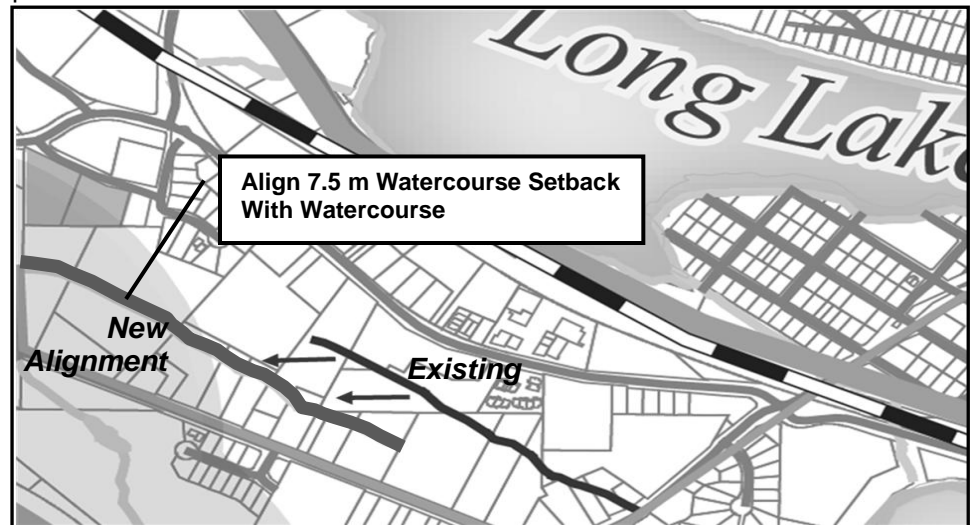


- f) Amend Map 3 (Development Permit & Heritage Conservation Areas) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" in order to correct mapping errors for DPA 3 and a watercourse setback, and to expand the Heritage Conservation Area. This includes:
- (1) Redesignating the development permit area near Bradbury Road and Alder Way from DPA 4 (Nanaimo Parkway Design) to DPA 3 (Natural Hazard Lands), as shown on Map O. DPA 4 is intended to apply to lands located along the Nanaimo Parkway; DPA 3 has historically applied to this area, and was incorrectly labelled DPA 4 through mapping conversion during adoption of the OCP.



- (2) Aligning the 7.5 metre watercourse setback with the existing watercourse location, for a watercourse located along Jingle Pot Road, as shown on Map P. This setback was incorrectly sited due to mapping conversion during adoption of the OCP.

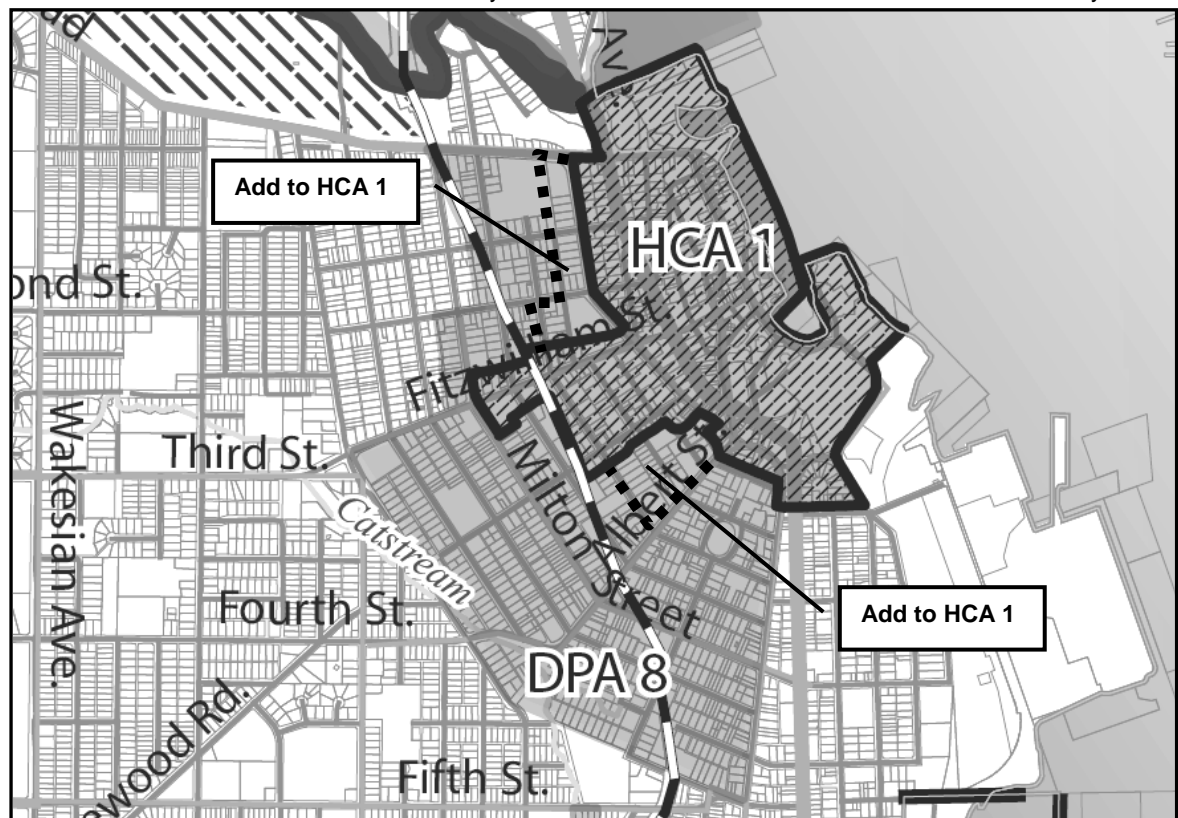
Map P



- (3) Add the following properties, as shown on Map Q, to the Heritage Conservation Area 1 (HCA 1) to be consistent with the Downtown Plan area:

250 Albert Street	Part of 418 Fitzwilliam Street	430 Selby Street	467 Wallace Street
350 Albert Street	Part of 421 Franklyn Street	436 Selby Street	477 Wallace Street
420 Albert Street	211 Richards Street	440 Selby Street	Part of 489 Wallace St
488 Albert Street	200 Selby Street	15 Wallace Street	340 Wentworth Street
340 Campbell Street	216 Selby Street	111 Wallace Street	424 Wesley Street
411 Dunsmuir Street	238 Selby Street	125 Wallace Street	434 Wesley Street
431 Dunsmuir Street	244 Selby Street	149 Wallace Street	437 Wesley Street
495 Dunsmuir Street	250 Selby Street	153 Wallace Street	441 Wesley Street
Part of 310 Fitzwilliam Street	278 Selby Street	Part of 291 Wallace Street	445 Wesley Street
Part of 400 Fitzwilliam Street	Part of 420 Selby Street	Part of 455 Wallace Street	450 Wesley Street

Map Q



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-MAY-29 to 2009-JUN-11, 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. 4000.447 and 6500.005 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-JUN-11, 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. 4000.447

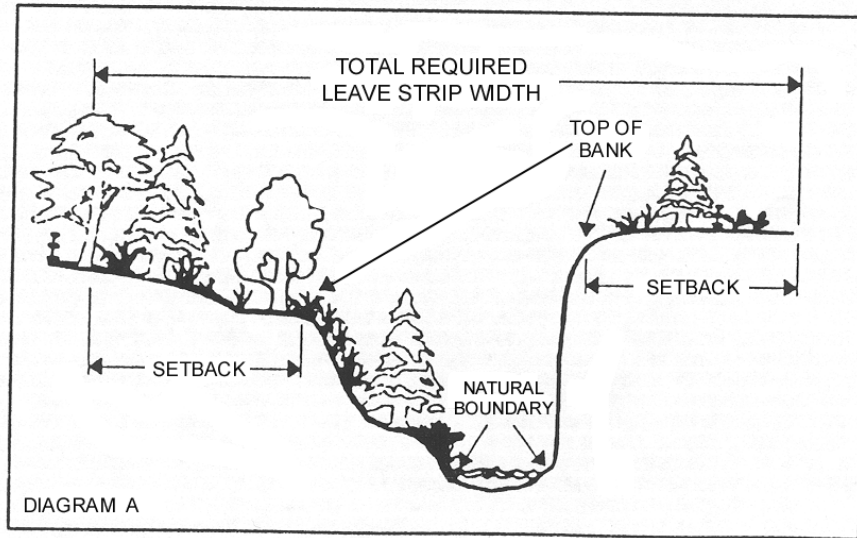
A BYLAW TO AMEND THE CITY OF NANAIMO "ZONING BYLAW 1993 NO. 4000"

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 2008 NO. 4000.447".
2. The City of Nanaimo "ZONING BYLAW 1993 NO. 4000" is hereby amended as follows:
 - (1) By rezoning lands from Rural Agriculture/Residential (A-3) to Rural Agriculture/Residential (A-2), as shown on the attached Appendix 1.
 - (2) By rezoning lands from Single Family Residential (RS-1) to Rural Agriculture/Residential (A-2) and from Light Industrial (I-2) to Single Family Residential (RS-1) as shown on the attached Appendix 2.
 - (3) By rezoning lands from Single Family Residential (RS-1) to Rural Agriculture/Residential (A-2) and Public Institution (P-2) to Rural Agriculture/ Residential (A-1) as shown on the attached Appendix 3.
 - (4) By rezoning lands from Mixed Use Commercial (C-4) to Public Institution (P-2) as shown on the attached Appendix 4.
 - (5) By rezoning lands from Community Shopping Centre Commercial (C-7) and Service Commercial (C-13) to Light Industrial (I-2) as shown on the attached Appendix 5.
 - (6) By rezoning lands from Low Density Multiple Family (Townhouse) (RM-3) and Mobile Home Park Subdivision (RM-8), and Steep Slope Suburban Residential (RS-8) to Steep Slope Residential (RS-7) as shown on Appendix 6.
 - (7) By deleting the definition of "Top of Bank" in Section 4.1 and replacing with the following:

"Top of Bank"- means the points closest to the natural boundary of the watercourse where the break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 for the required leave strip distance (See Diagram 'A')



- (11) By amending the Schedule 'G' - Watercourse Map as shown on the attached Appendixes 7 to 9.

PASSED FIRST READING _____
 PASSED SECOND READING _____
 PUBLIC HEARING HELD _____
 PASSED THIRD READING _____
 MOT APPROVAL _____
 ADOPTED _____

2009-MAY-05

STAFF REPORT

REPORT TO: A. TUCKER, DIRECTOR OF PLANNING, DSD

FROM: D. LINDSAY, MANAGER, PLANNING DIVISION, DSD

RE: ZONING BYLAW AMENDMENT BYLAW 4000.447

FILE COPY

STAFF'S RECOMMENDATION:

That Council consider First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.447".

EXECUTIVE SUMMARY:

Council, at its meeting of 2009-APR-20, received a Staff report and associated amendment bylaw regarding the rezoning of select properties where the zoning does not comply with the newly adopted Official Community Plan (OCP). At the meeting, Council tabled the amendment bylaw and requested that Staff provide additional information regarding the proposed amendments. At the 2009-MAY-04 Committee of the Whole meeting Staff provided a presentation explaining the proposed amendments and their relationship to the recently adopted OCP. The proposed amendments were also referred to the Plan Nanaimo Advisory Committee (PNAC). At its meeting of 2009-APR-28 PNAC endorsed the proposed amendments.

Staff is recommending that Council now proceed with the proposed bylaw amendments.

BACKGROUND:

On 2008-SEP-08, Council adopted "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO 6500". The new OCP includes an implementation strategy which identifies that a general review of the City's Zoning Bylaw is required in the short term. As part of this process, Staff identified a number of properties which have zoning that is significantly out of compliance with the OCP and is now recommending that Council proceed with the rezoning of these lands.

Council, at its meeting of 2009-MAR-09, received a Staff report regarding the preparation of a new Zoning Bylaw in response to the newly adopted OCP. As outlined in the original report, Phase I of this project would be to identify properties with zoning that is significantly out of compliance with the OCP and rezone these lands. On 2009-APR-20, Council received a Staff report and amendment Bylaw regarding rezoning properties that currently do not conform to the direction provided by the OCP. The amendment bylaw was tabled in order to allow Staff to provide Council with further information. That information was provided at the Committee of the Whole meeting of 2009-MAY-04.

The properties which Staff is recommending Council consider for rezoning are as follows:

Summary of Amendments

Amendment No. 1 – Appendix 1	
Addresses:	3200, 3230, 3260, 3290, 3320, 3350, 3380, 3410, 3480, and 3484 Arrowsmith Road; 3490, 3500, and 3518 Hillside Avenue; 3644 Dix Road, 3650 and 3699 Rock City Road; and 5600 Vanderneuk Road.
Proposal:	Rezone numerous properties located in the Linley Valley from A-3 (Rural Agricultural / Residential Zone) to A-2 (Rural Agricultural / Residential Zone), as shown on Appendix “1”, attached.
Rationale:	The subject properties are within the ‘Urban Reserve’ designation and, as such, no subdivision or development is permitted until a comprehensive plan is completed. However, building permits that comply with zoning must be issued. The A-3 Zone permits a dwelling unit for every 0.4 hectares of lot area, to a maximum of 3 dwelling units. In order to reduce the number of homes which can be constructed prior to the adoption of a comprehensive area plan, Staff recommend rezoning the properties to A-2. The A-2 zone permits up to two dwelling units on lots of 0.4 hectares (1 acre) or more.
OCP:	Urban Reserve
Current Use:	Vacant or Rural Residential
Lot size (range):	0.6 hectares (1.5 acres) to 47 hectares (117 acres)
Amendment No. 2 – Appendix 2	
Address:	2350 Northfield Road
Proposal:	Rezone 2350 Northfield Road from I-2 (Light Industrial Zone) to RS-1 (Single Family Residential Zone), as shown on Appendix “2”, attached.
Rationale:	The property is designated as ‘Neighbourhood’ within the OCP and does not support industrial zoning. The OCP also identifies the property as a future ‘Park’ site. The property is currently vacant and is owned by the BC Transportation Financing Authority (Provincial Highways).
OCP:	Neighbourhood
Current Use:	Vacant
Lot size:	13 hectares (32.4 acres)
Amendment No. 3 – Appendix 2	
Address:	Part of 2700 Rosstown Road
Proposal:	Rezone a portion of 2700 Rosstown Road from RS-1 (Single Family Residential Zone) to A-2 (Rural Agricultural / Residential Zone), as shown on Appendix “2”, attached.

Rationale:	The property is split by the Nanaimo Parkway and is owned by the BC Transportation Financing Authority (Provincial Highways). The western portion of the subject property is outside the UCB and is designated 'Resource Protection' under the OCP. Given the long slender shape of the western portion of the lot, a significant portion of this side of the property is included within the Parkway setbacks. Access to the western side of the property is limited to a single rural road on the southern property boundary.
OCP:	Outside UCB – Resource Protection
Current Use:	Vacant
Lot size:	12.7 hectares (31.4 acres)
<i>Amendment No. 4 – Appendix 3</i>	
Address:	2453 and 2461 East Wellington Road
Proposal:	Rezone 2453 and 2461 East Wellington Road from RS-1 (Single Family Residential Zone) to A-2 (Rural Agricultural / Residential Zone), as shown on Appendix '3', attached.
Rationale:	The properties at 2453 and 2461 East Wellington Road are located outside of the UCB and are designated as 'Resource Protection' within the OCP. 'Resource Protection' lands are not needed for urban development over the life of the OCP and are to be used for agriculture and resource uses. Both properties are located within the provincial Agriculture Land Reserve (ALR). Given the OCP designation, and the inclusion of the properties within the ALR, Staff does not feel the RS-1 zoning, typical of most urban lots in the city, is appropriate and recommends the properties be rezoned to A-2.
OCP:	Resource Protection – Outside UCB
Current Use:	Rural Residential / Farm / Agriculture
Lot sizes:	13.6 hectares (33.7 acres) and 4.4 hectares (10.9 acres)
<i>Amendment No. 5 – Appendix 3</i>	
Address:	2660 East Wellington Road
Proposal:	Rezone 2660 East Wellington Road from P-2 (Public Institution Zone) to A-1 (Rural Agricultural / Residential Zone), as shown on Appendix '3', attached.
Rationale:	P-2 zoning is typically used for institutional uses, such as churches and schools. The property located at 2660 East Wellington Road is privately owned and contains a single family dwelling on a large lot. The property is included in the 'Urban Reserve' designation of the OCP. Staff feel A-1 zoning would more accurately reflect the current use of the property and the intent of the OCP, and would be consistent with the other 'Urban Reserve' designated properties in the Jingle Pot neighbourhood.
OCP:	Urban Reserve
Current Use:	Single Family Dwelling

Lot size:	3.7 hectares (9.1 acres)
Amendment No. 6 – Appendix 4	
Addresses:	1865 Bowen Road
Proposal:	Rezone a portion of 1865 Bowen Road from C-7 (Community Shopping Centre Commercial Zone) to I-2 (Light Industrial Zone), as shown on Appendix '4', attached.
Rationale:	The proposed zoning change will reflect the OCP designation boundary. The property is split-designated as 'Light Industrial' and 'Corridor' within the OCP and is split zoned, C-7 and I-2.
OCP:	Light Industrial and Corridor
Current Use:	Vacant
Lot size:	11.7 hectares (28.8 acres)

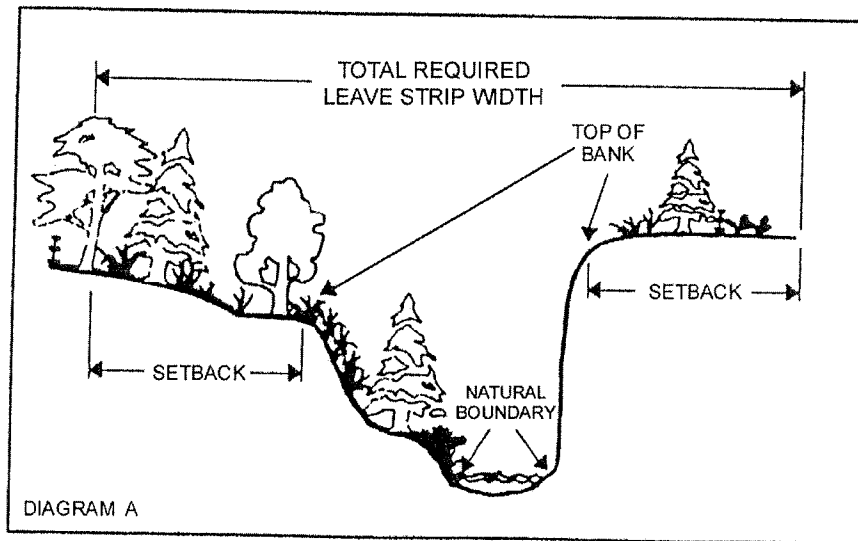
Watercourse Amendments

Due to provincial regulation changes and the adoption of the new OCP, amendments to the Zoning Bylaw are necessary. Staff have conducted a process outlined in the provincial Riparian Area Regulations (RAR), known as the Simple Assessment Procedure, on all fish bearing watersheds in Nanaimo and have compared the existing bylaw setbacks versus those resulting from the RAR assessment. Through this process, Staff identified a number of riparian areas that require changes in order to comply with the RAR. These changes were specified in the recently adopted OCP and now must be reflected on Schedule 'G' of the Zoning Bylaw.

Watercourse Setback Amendments

Appendix	Location/Description	Action
5	Cottle Creek	Increase setback from 15 metres to 30 metres, as shown on Appendix 5, attached.
6	Lower Chase River (Park Avenue – Chase River Estuary)	Increase setback from 15 metres to 30 metres, as shown on Appendix 6, attached.
7	Unnamed Tributary to the Millstone River (2453 East Wellington Road)	Edit drainage patterns to remove two small agricultural field drainage ditches, as shown on Appendix 7, attached.

Amend the definition of “top of bank” by replacing the word “grade” with “natural slope”. The revised definition will read as follows: “means the points closest to the natural boundary of a watercourse where the break in the slope of the land occurs such that the natural slope beyond the break is flatter than 3:1 for the required leave strip distance.”



Respectfully submitted,

for: D. Lindsay
Manager, Planning Division
DEVELOPMENT SERVICES DEPARTMENT

A. Tucker
Director of Planning,
DEVELOPMENT SERVICES DEPARTMENT

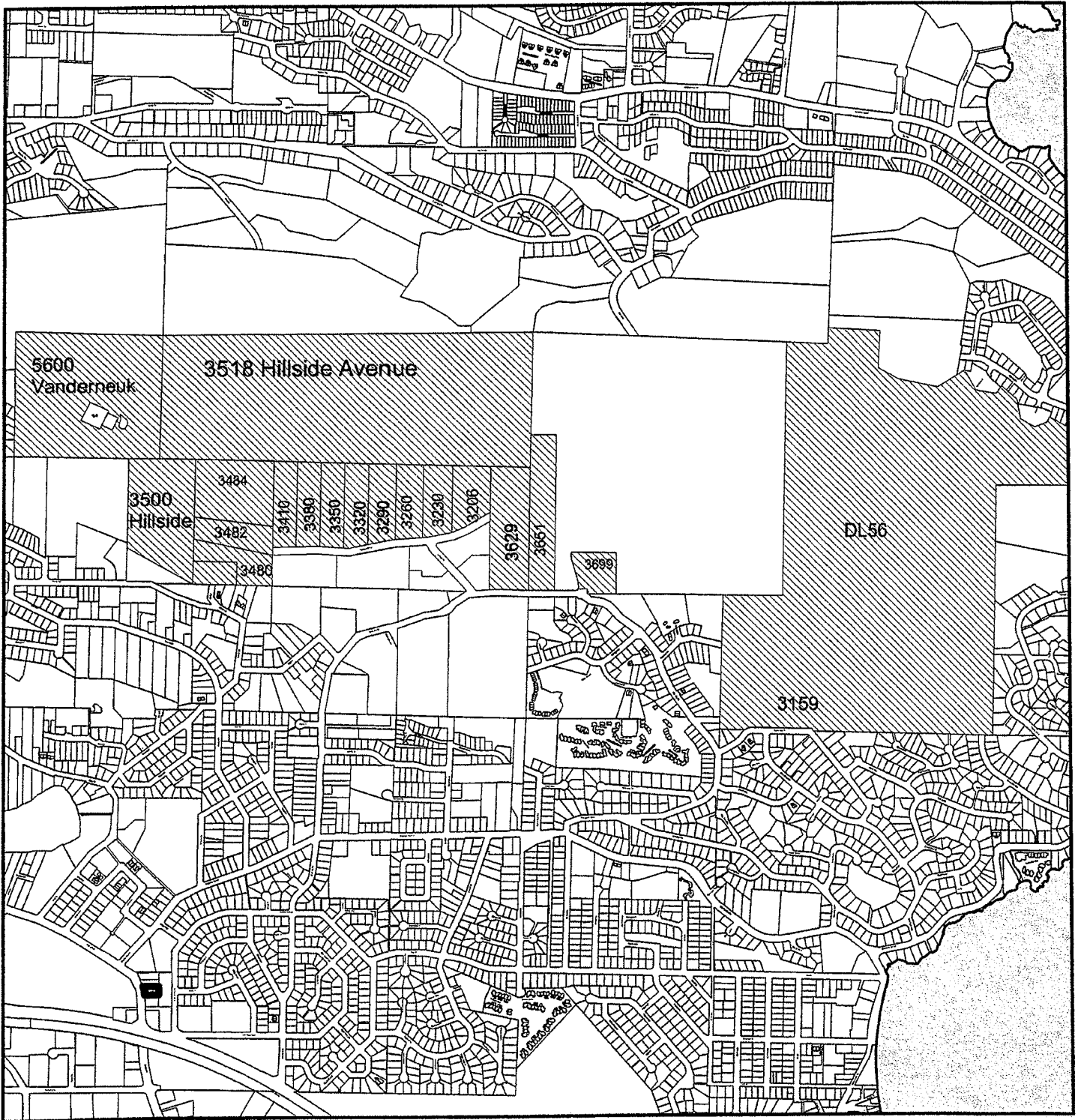
ATDS/pm

Council: 2009-MAY-11

G: Devplan/Files/Legis/3900/30/ZA1/81/2009May11 Cncl Rpt Zoning Bylaw Rewrite.doc

Ted Swabey, General Manager
Development Services Department

APPENDIX 1



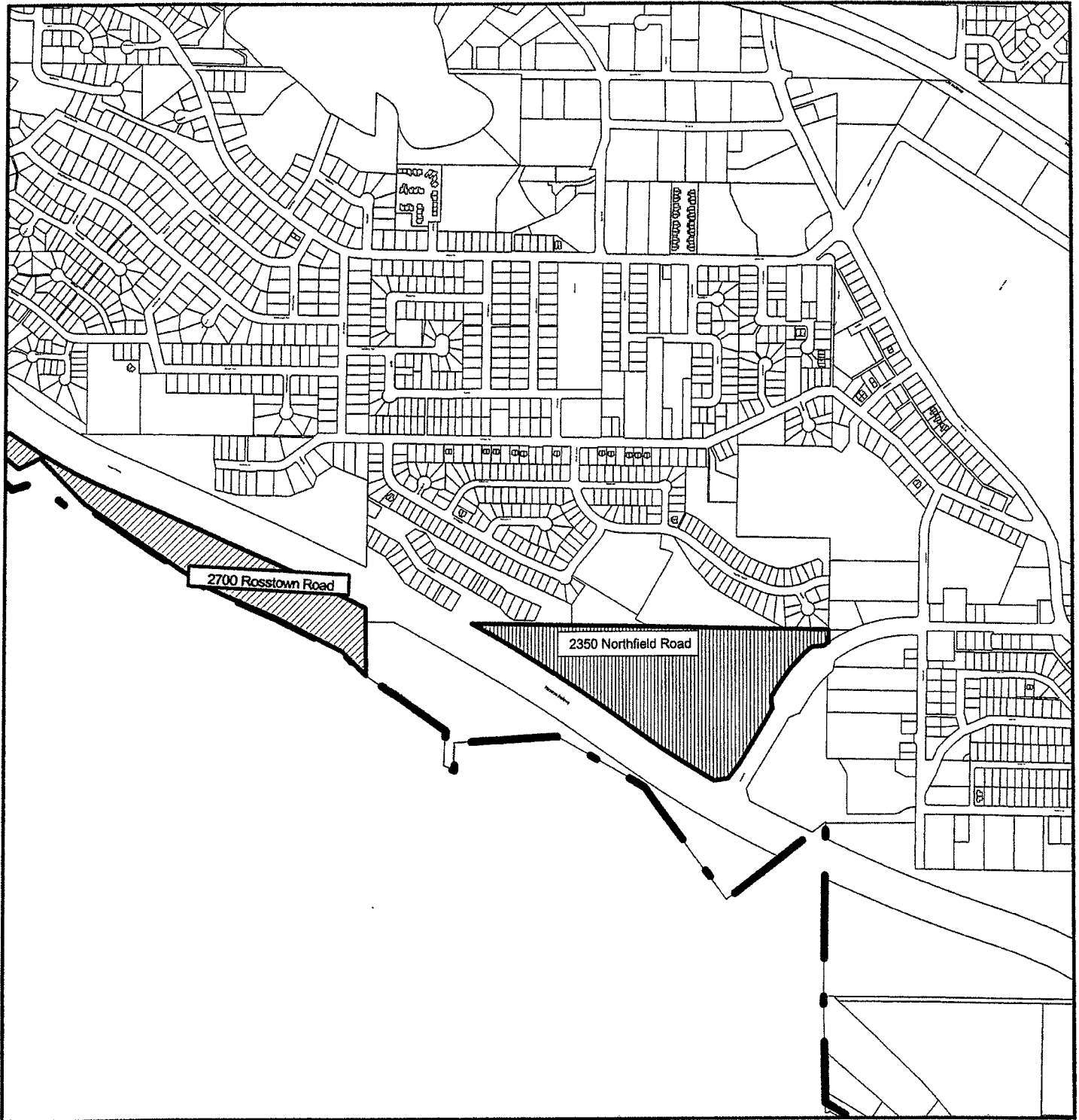
Rezone from A-3 to A-2

LOCATION PLAN

Linley Valley



APPENDIX 2



LOCATION PLAN

 Rezone from RS-1 to A-2

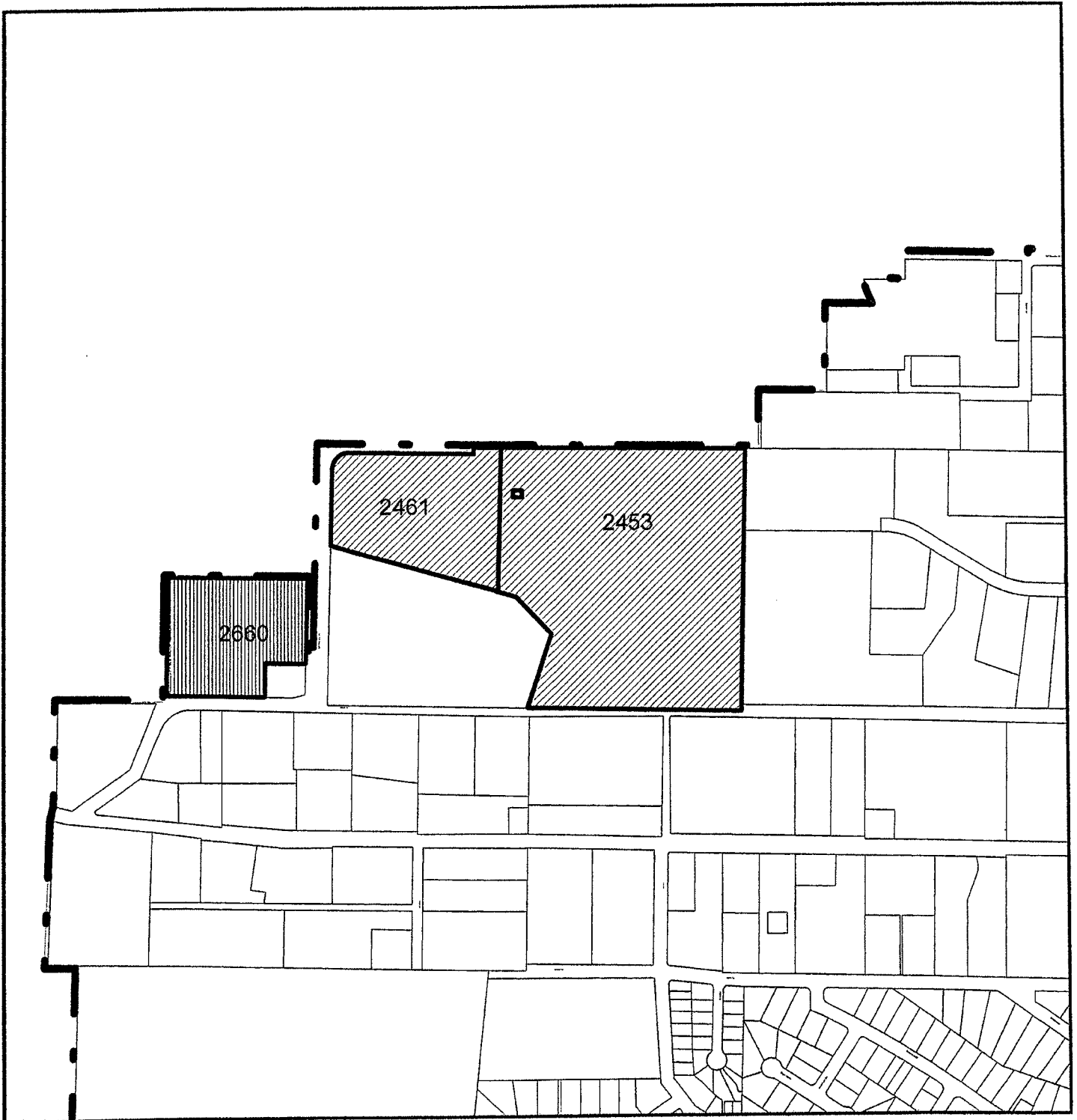
 Rezone from I-2 to RS-1

 Subject Properties

Civic: 2350 Northfield Road/
2700 Rosstown Road



APPENDIX 3



LOCATION PLAN

 Rezone from RS-1 to A-2

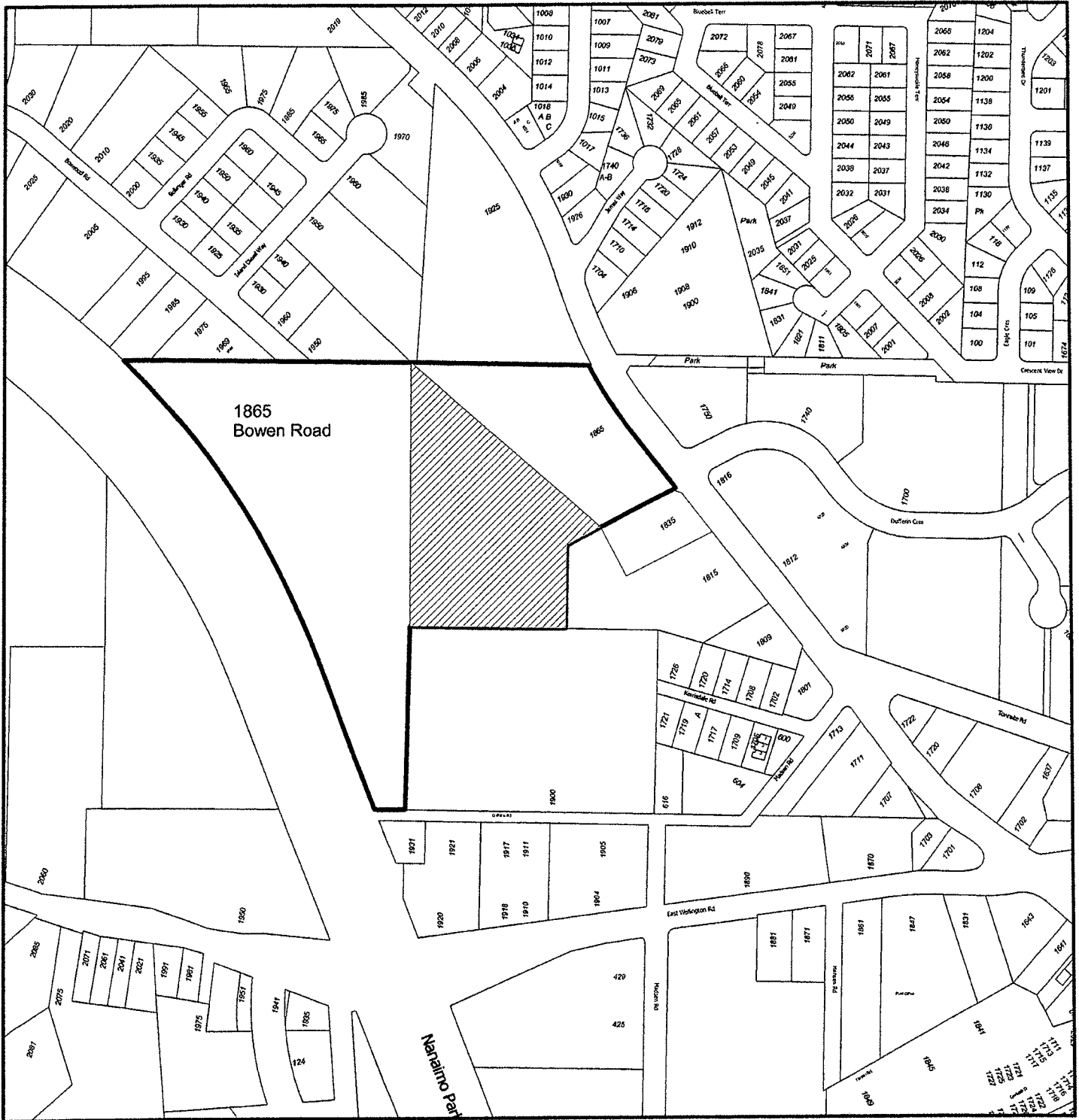
Civic: 2453, 2461, 2660 East Wellington Road

 Rezone from P-2 to A-1

 Subject Properties



APPENDIX 4



LOCATION PLAN



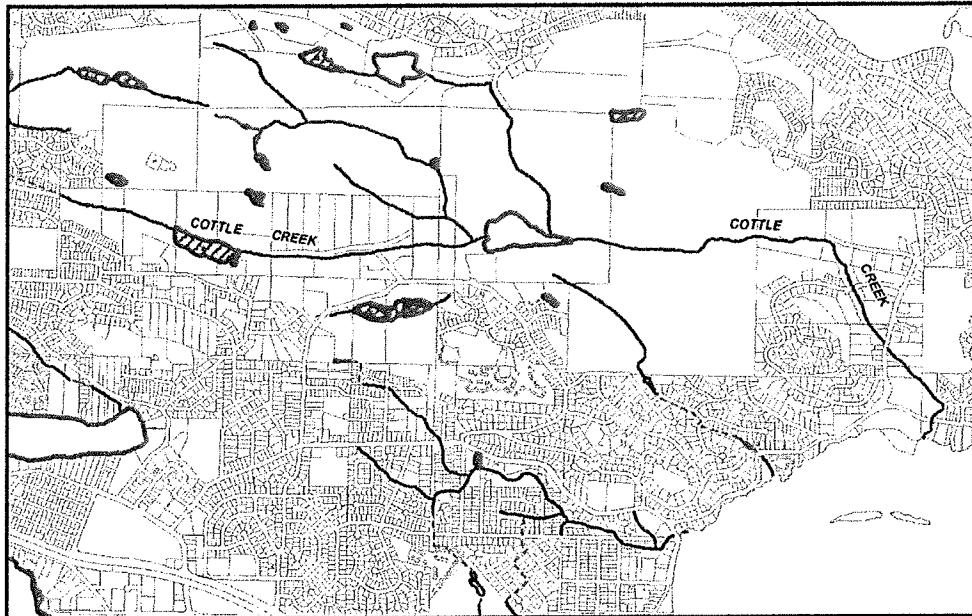
Rezone from C-7 to I-2 Civic: 1865 Bowen Road



Subject Property

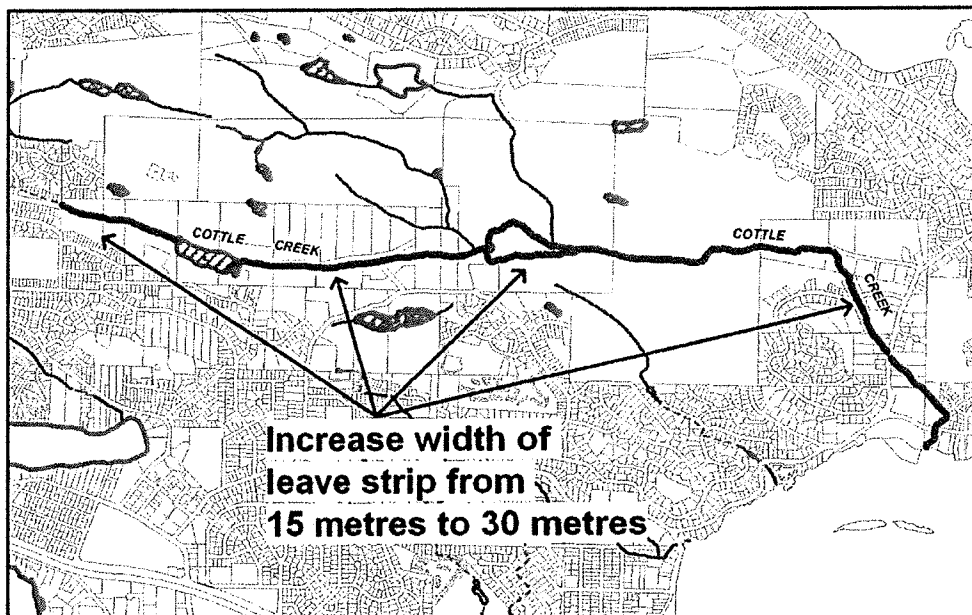


Appendix 5



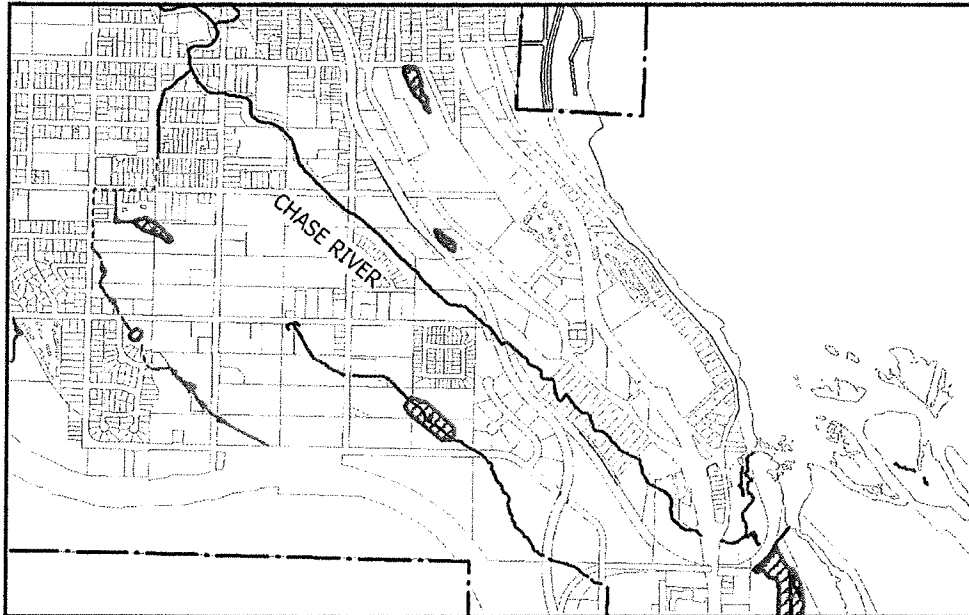
Cottle Creek

Existing Watercourse



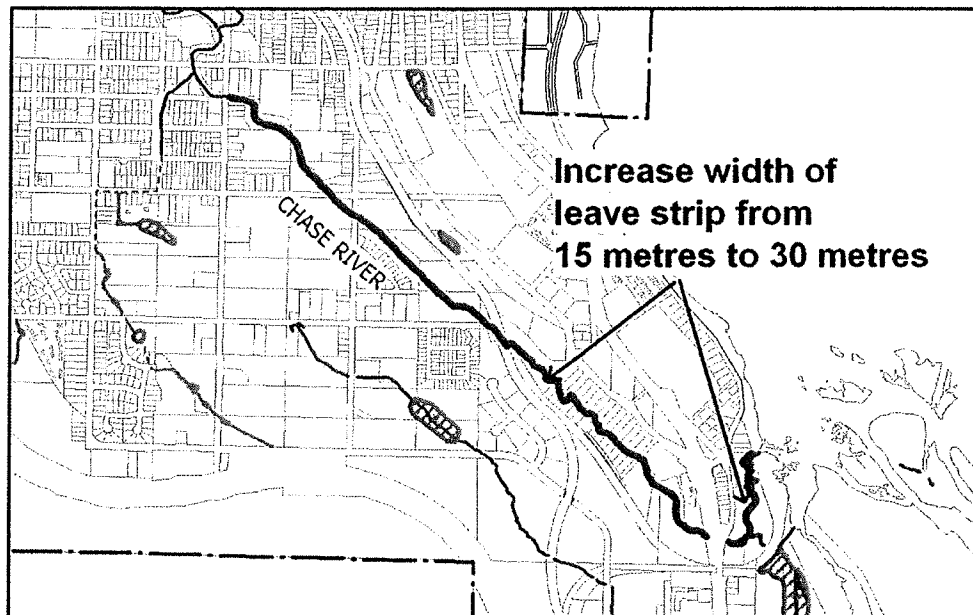
Proposed Watercourse Amendment

Appendix 6



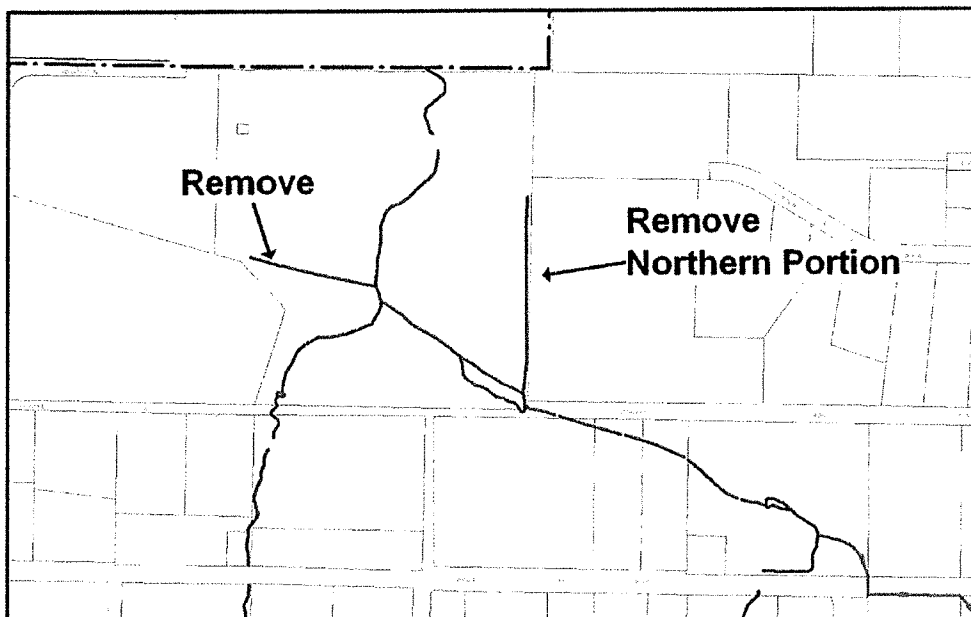
Chase River

Existing Watercourse

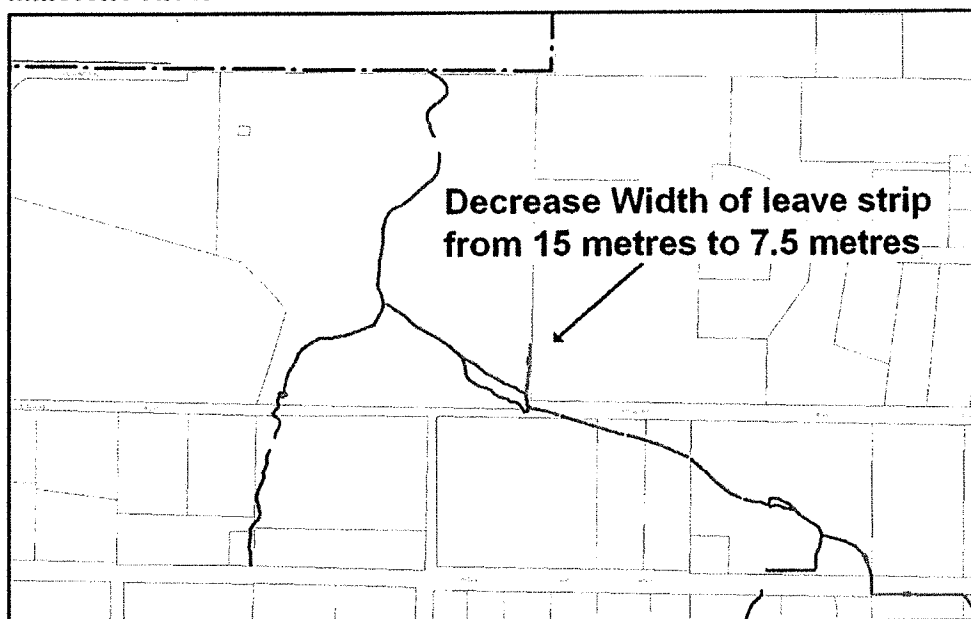


Proposed Watercourse Amendment

Appendix 7



**Unnamed Tributary to Existing Watercourse
Millstone River**



Proposed Watercourse Amendment

CITY OF NANAIMO

BYLAW NO. 6500.005

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. 6500.005".
2. The City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is hereby amended as set out in Schedules A to I to this Bylaw.

PASSED FIRST READING 2009-MAY-11
PASSED SECOND READING 2009-MAY-11
PASSED SECOND READING, AS AMENDED 2009-MAY-25
PUBLIC HEARING HELD _____
PASSED THIRD READING _____
ADOPTED _____

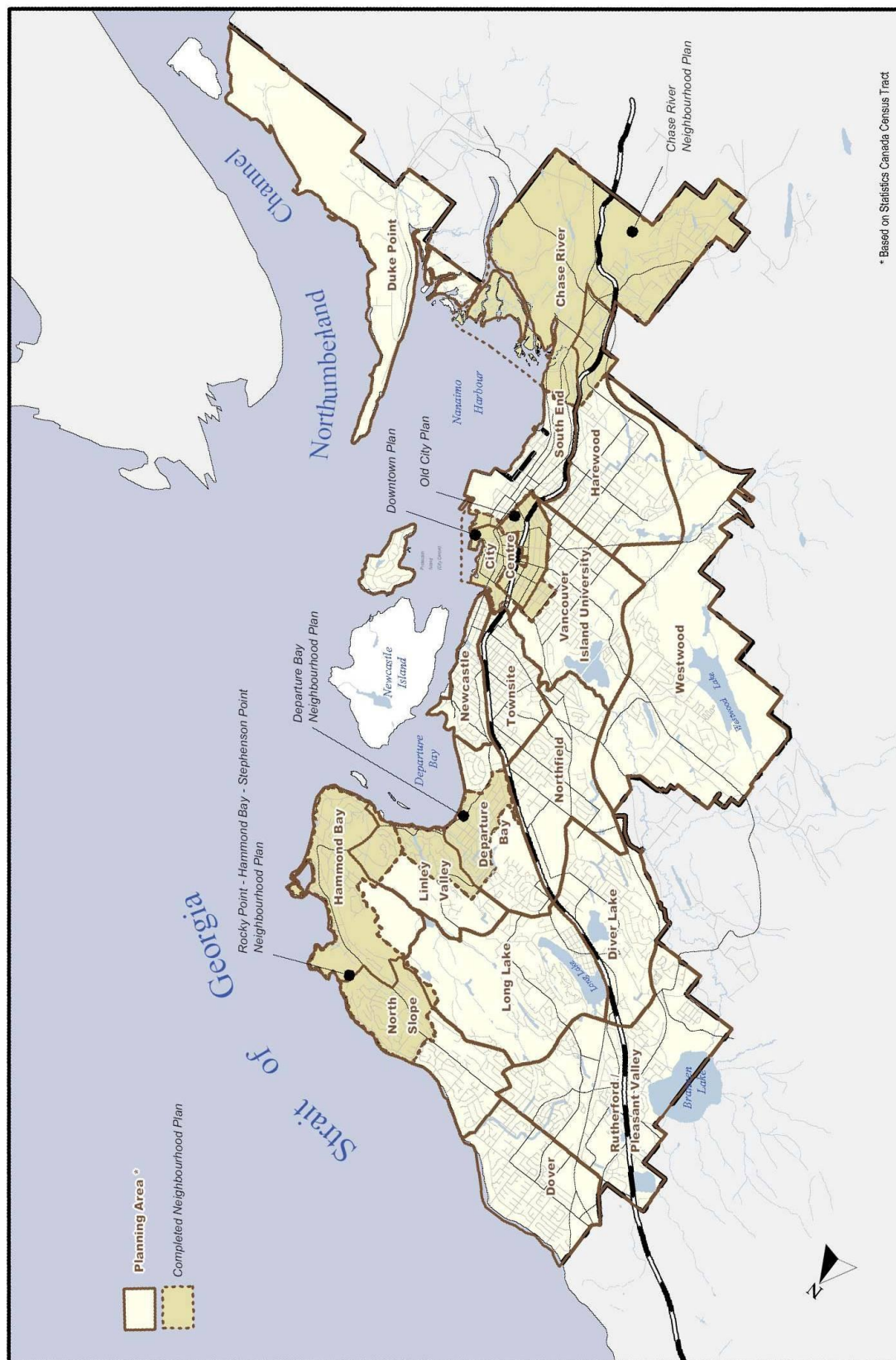
MAYOR

DIRECTOR,
LEGISLATIVE SERVICES

File: OCP00050
Applicant: City of Nanaimo

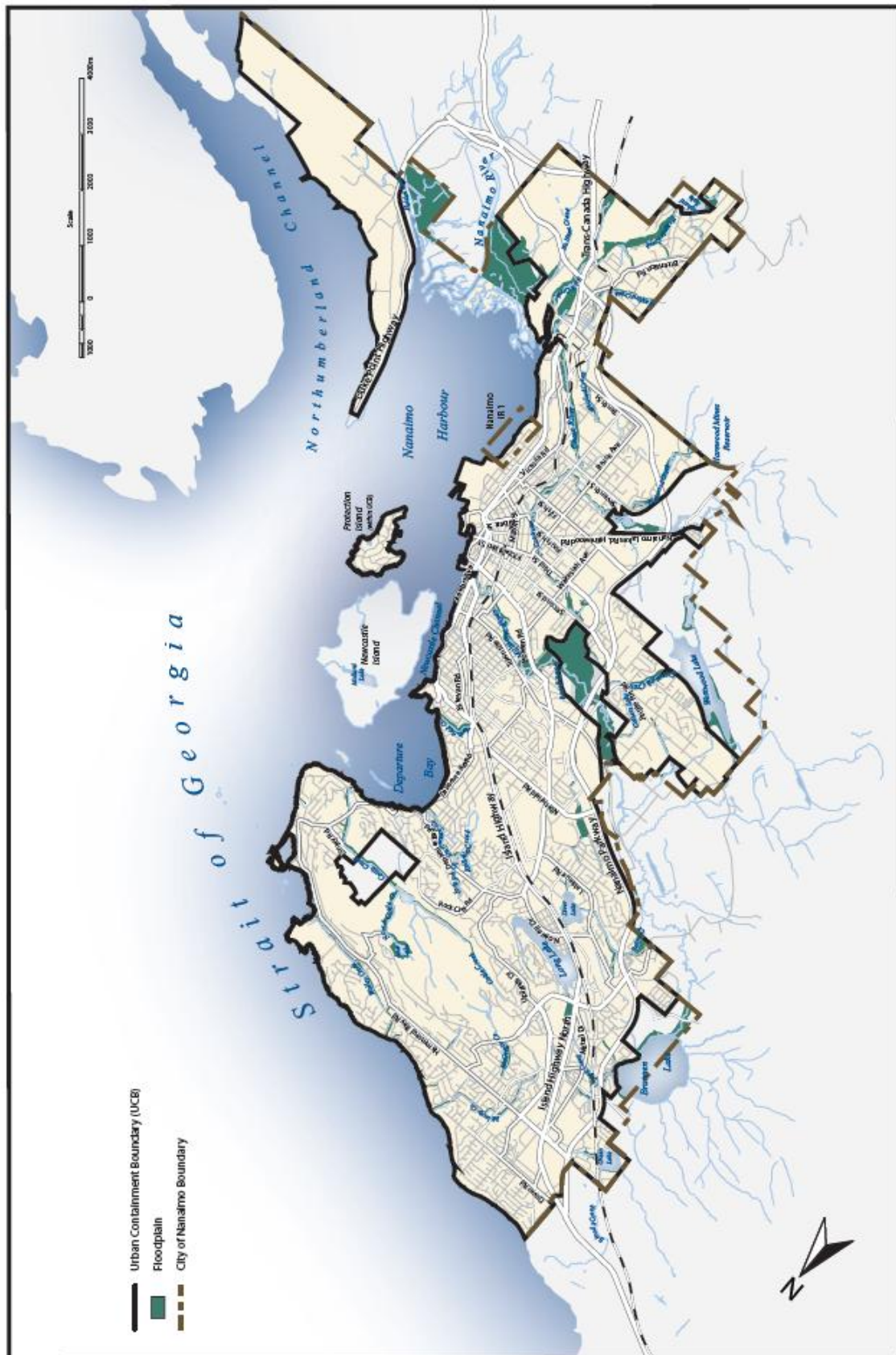
SCHEDULE A

- Figure 3 (Planning Areas and Neighbourhood and Area Plans) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is removed and replaced with the following Figure 3 (Planning Areas and Neighbourhood / Area Plans):



SCHEDULE B

1. Figure 4 (Floodplain) is added to "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" as the following:



SCHEDULE C

1. Section 7.8, Table 6 (Implementation Strategy) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended by:
 - a. Adding '2008' as a completion date for the Implementation Action 'Downtown Urban Design Plan and Guidelines'; and
 - b. Adding '2008' as a completion date for the Implementation Action 'Prepare Harm Reduction and Housing First Strategy'.

SCHEDULE D

1. Subsection 2.3.17 (Neighbourhood) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended by deleting

This Plan supports the development of neighbourhood plans for Southend / Nob Hill and Stewart Avenue / Brechin Hill area within the next five years.

and replacing it with

This Plan supports the development of neighbourhood plans for the South End and Stewart Avenue / Brechin Hill areas within the next five years.

2. Subsection 7.1.10 (Neighbourhood and Area Planning) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended by deleting

- Southend / Nob Hill Neighbourhood

and replacing it with

- South End Neighbourhood

3. Section 7.8, Table 6 (Implementation Strategy) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended by deleting the Implementation Action

Develop Neighbourhood and Area plans

- Southend / Nob Hill
- Jingle Pot
- Linley Valley

and replacing it with

Develop Neighbourhood and Area plans

- South End
- Jingle Pot
- Linley Valley

SCHEDULE E

1. Map 1 (Future Land Use Plan) of the “OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500” is amended as follows:

- a. Redesignating the subject properties known as

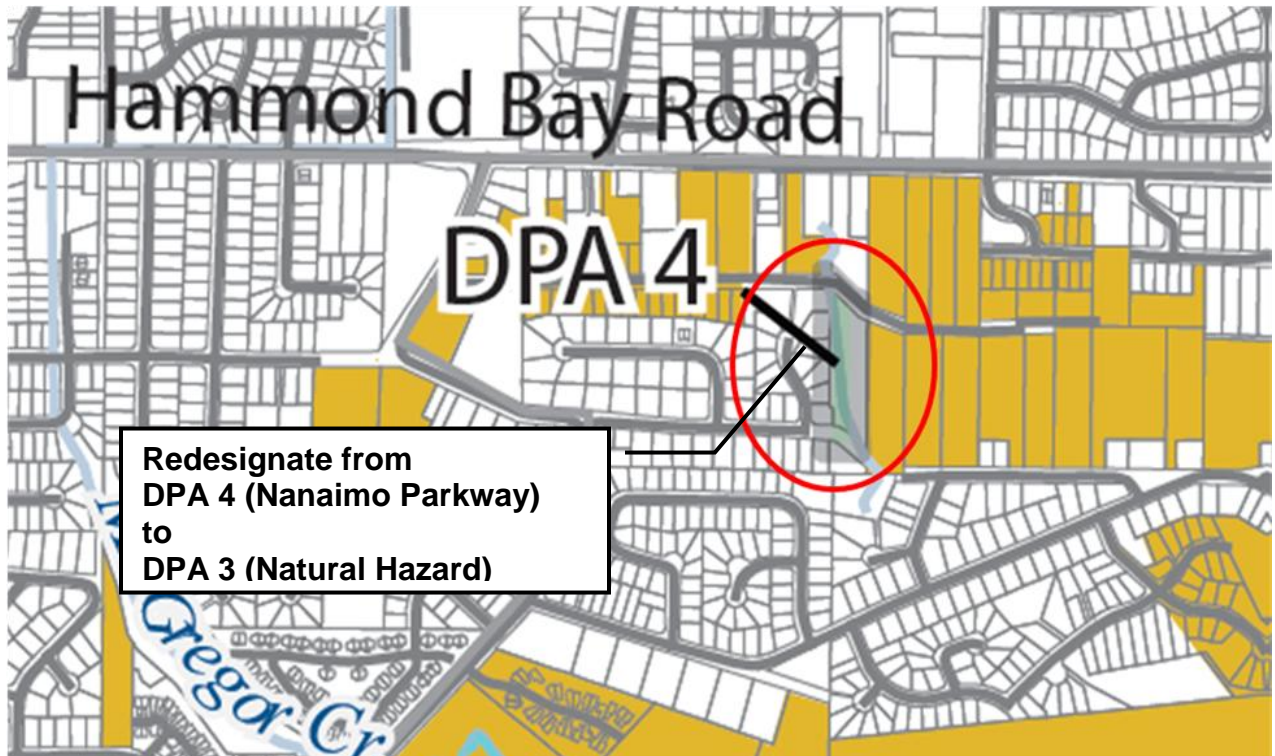
1725 Estevan Road (Lot 7, Section 1, Nanaimo District, Plan 10145; PID 005 194 164)
1799 Estevan Road (Lot 8, Section 1, Nanaimo District, Plan 10145; PID 000 116 106)
1881 Estevan Road (Lot 1, Section 1, Nanaimo District, Plan 10145; PID 002 679 507)
1951 Estevan Road (That Part of Section 1, Nanaimo District, Shown Outlined in Red on Plan 1283R; PID 009 764 259)
1997 Estevan Road (That Part of Section 1, Nanaimo District, Shown Outlined in Red on Plan 515BL Except That Part in Plan 14969; PID 009 764 291)
2011 Estevan Road (Lot 2, Section 1, Nanaimo District, Plan 15542; PID 001 282 891)
2021 Estevan Road (Lot 1, Section 1, Nanaimo District, Plan 15542; PID 003 535 622)
833 Chestnut Street (Lot 6, Section 1, Nanaimo District, Plan 10145; PID 005 194 075)
850 Chestnut Street (Lot 2, Section 1, Nanaimo District, Plan 10145; PID 005 194 041)
867 Chestnut Street (Lot 5, Section 1, Nanaimo District, Plan 10145; PID 005 194 067)
888 Chestnut Street (Lot 3, Section 1, Nanaimo District, Plan 10145; PID 005 194 059)
889 Chestnut Street (Lot 4, Section 1, Nanaimo District, Plan 10145; PID 002 259 249)
892 Chestnut Street (Lot 1, Section 1, Nanaimo District, Plan 20724; PID 003 573 940)
1850 Island Hwy N (Lot 2, Section 1, Nanaimo District, Plan 13280; PID 000 130 842)

from “Neighbourhood” to “Corridor.”



SCHEDULE F

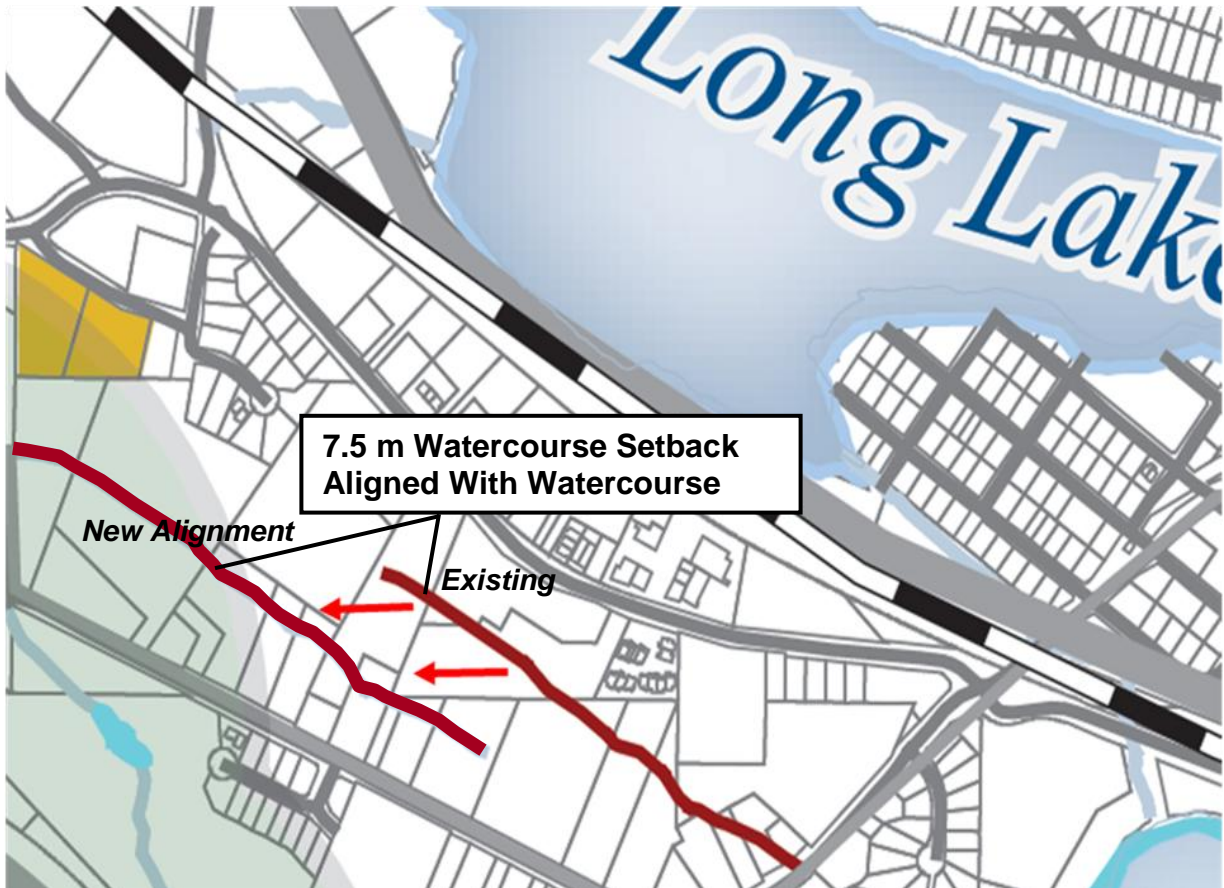
1. Map 3 (Development Permit & Heritage Conservation Areas) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended as follows:
 - a. Redesignating the development permit area at Bradbury Road and Alder Way from DPA 4 (Nanaimo Parkway Design) to DPA 3 (Natural Hazard Lands).



SCHEDULE G

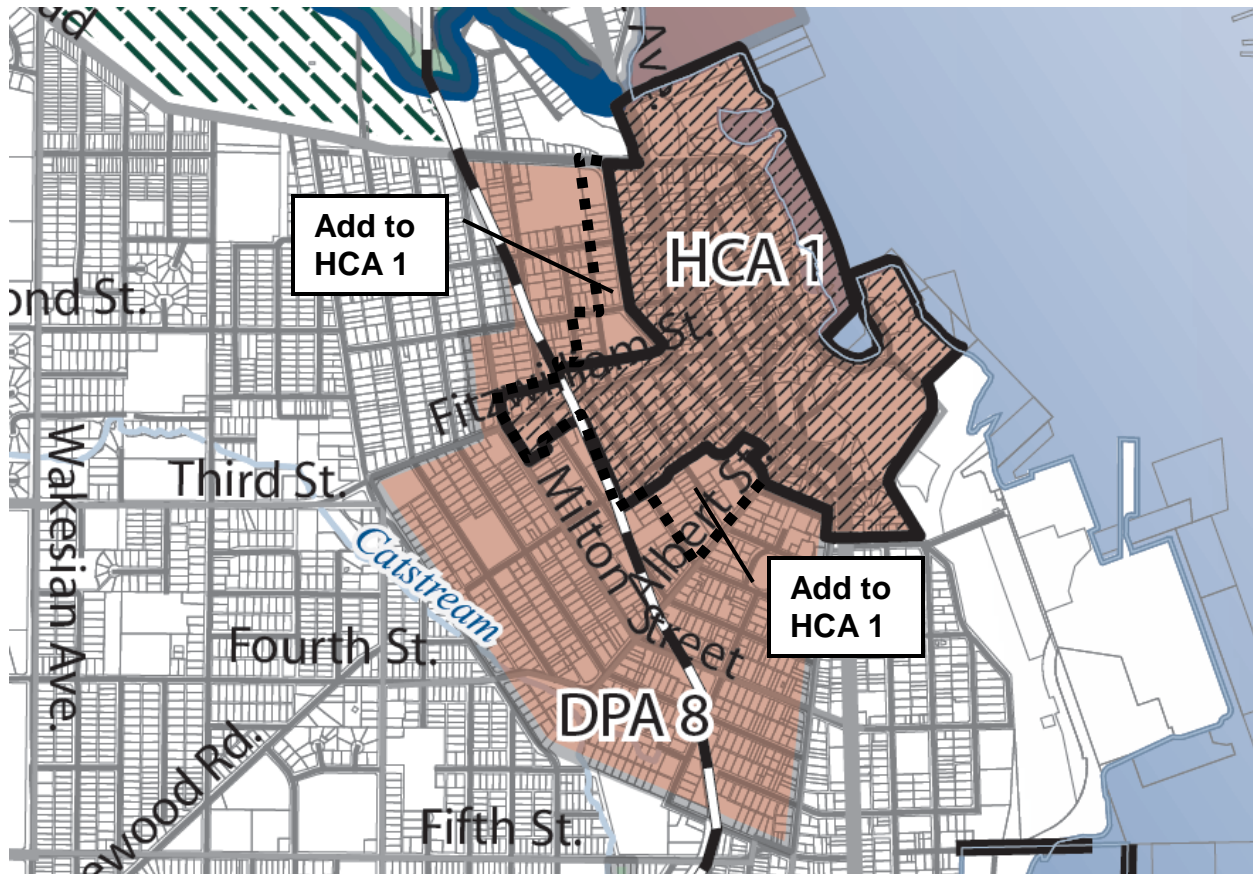
1. Map 3 (Development Permit & Heritage Conservation Areas) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is amended as follows:

a. Aligning a 7.5 metre watercourse setback with the watercourse location



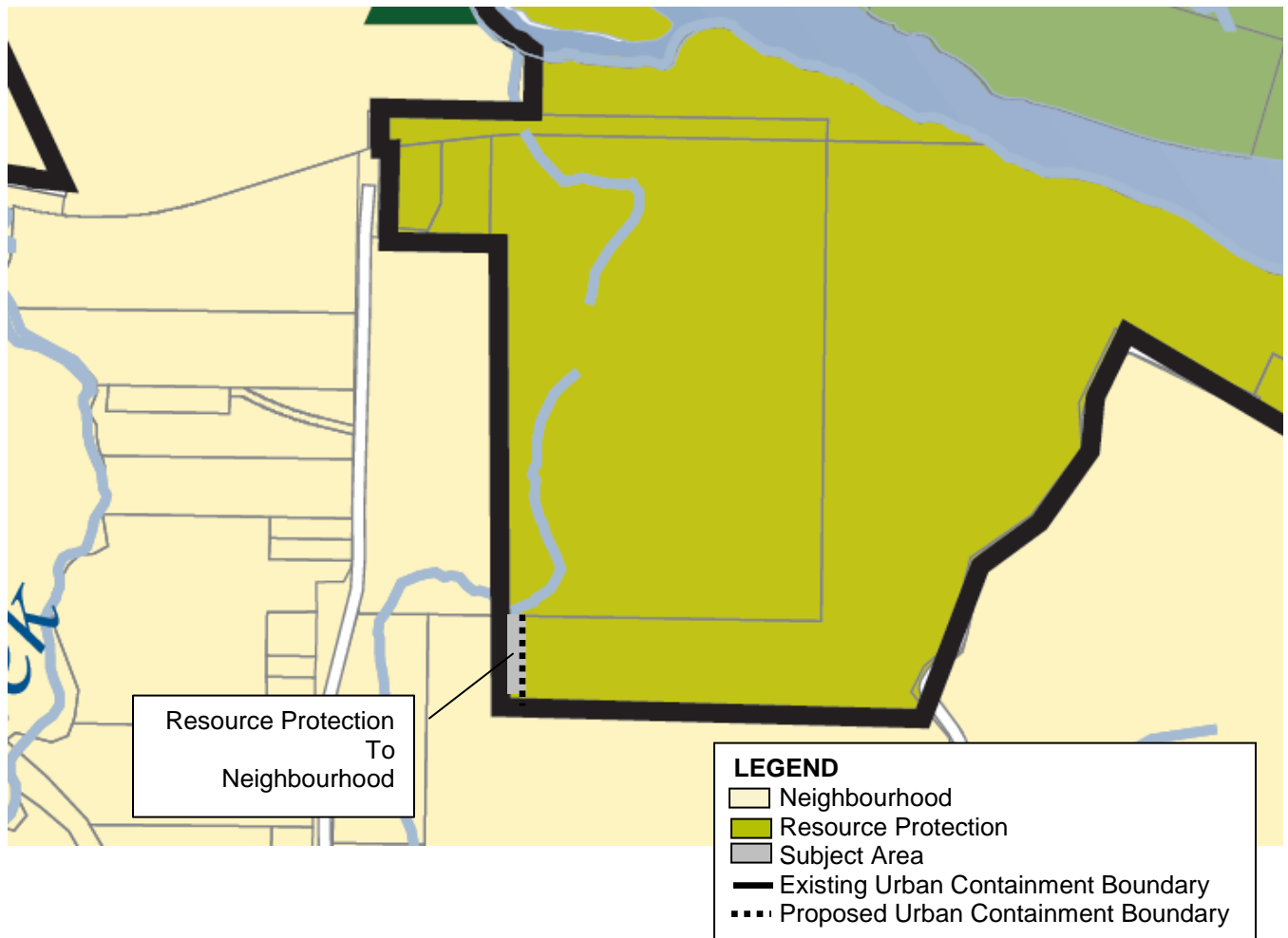
SCHEDULE H

1. Map 3 (Development Permit & Heritage Conservation Areas) of the “OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500” is amended as follows:
 - a. Applying Heritage Conservation Area 1 (HCA 1) to the areas identified, near Wallace Street and Albert Street.



SCHEDULE I

1. Map 1 (Future Land Use Plan) of the “OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500” is amended as follows:
 - a. Amend the Urban Containment Boundary to include a portion of lands at 1560 Island Highway South (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; PID 008 062 030) within the Urban Containment Boundary; and
 - b. Redesignate the subject area known as a portion of lands at 1560 Island Highway South (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; PID 008 062 030) from ‘Resource Protection’ to ‘Neighbourhood.’



STAFF REPORT

REPORT TO: ANDREW TUCKER, DIRECTOR OF PLANNING

FROM: BRUCE ANDERSON, MANAGER OF COMMUNITY PLANNING

RE: OFFICIAL COMMUNITY PLAN GENERAL AMENDMENTS

PNAC'S RECOMMENDATION:

That Council consider approving the proposed general amendments to the City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500."

STAFF'S RECOMMENDATION:

That Council consider giving First and Second Reading to "OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2009 NO. 6500.005".

EXECUTIVE SUMMARY:

The City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" was adopted by Council in September 2008. Historically, Council has recognized that the Official Community Plan (OCP) bylaw is subject to revisions brought about by changing circumstances and public needs. Periodic general amendments are therefore required to maintain the effectiveness and accuracy of the OCP. Proposed changes addressed in this report include both text and map amendments.

BACKGROUND:

At its meetings of 2009-JAN-20 and 2009-FEB-17, PNAC made their recommendations on the proposed amendments noted below, and in all cases recommended that the proposal be approved.

Text Amendments

Amendment No. 1

Proposal: Update Figure 3 – Planning Areas

Rationale: The 'Planning Areas' information is based upon census data, and the intent of this amendment is to update Figure 3 – Planning Areas (*see Schedule A*) to reflect data provided by the 2006 census. Specifically, these amendments include:

- Rename Five Acres planning area to Harewood;
- Rename Harewood planning area to Old City / Vancouver Island University; and
- Adjust boundaries for the Linley Valley / Long Lake / Departure Bay area and the Westwood / Harewood / Old City area to reflect the 2006 census tracts.

Amendment No. 2

Proposal: Add Figure 4 - Floodplain

Rationale: Within the OCP (Bylaw No. 6500), general floodplain information would be included as Figure 4 – Floodplain (see *Schedule B*), thereby providing opportunities to determine whether given properties/areas may require further assessment as necessary.

Amendment No. 3

Proposal: Update Implementation Strategy to reflect completion of the Downtown Urban Design Plan and Guidelines, and the Harm Reduction and Housing First Strategy.

Rationale: Section 7.8 of the OCP identifies a range of measures to be implemented within a specified time period. Two of these items have been completed and the Implementation Strategy would show completion dates for the following:

Downtown Urban Design Plan and Guidelines	Completed 2008
Harm Reduction and Housing First Strategy	Completed 2008

Amendment No. 4

Proposal: Update references within the OCP to identify the South End neighbourhood as a distinct area.

Rationale: Currently, the OCP references a combined Southend / Nob Hill area. This proposal is intended to separate the two, identifying the South End as its own distinct area. This amendment would be reflected within the Neighbourhood designation, Neighbourhood and Area Planning, and Implementation sections of the OCP.

Map Amendments**Amendment No. 5**

Proposal: Redesignate a series of 14 properties within the Estevan Road area from Neighbourhood to Corridor.

Rationale: This amendment is intended to reflect the existing and/or anticipated land uses within the Estevan Road area by providing for a continuous stretch of mixed use development along major routes, and specifically between Terminal Park Mall and Brooks Landing. The properties affected by this proposed amendment, as shown on *Schedule C*, include:

1725 Estevan Road	2011 Estevan Road	888 Chestnut Street
1799 Estevan Road	2021 Estevan Road	889 Chestnut Street
1881 Estevan Road	833 Chestnut Street	892 Chestnut Street
1951 Estevan Road	850 Chestnut Street	1850 Island Hwy N
1997 Estevan Road	867 Chestnut Street	

Amendment No. 6

Proposal: Rename DP Area from 'Nanaimo Parkway' to 'Natural Hazard'.

Rationale: With the implementation of the new OCP (Bylaw No. 6500), a number of mapping errors were identified. In this instance, a smaller DP area located near Hammond Bay Road and Bradbury Road (see *Schedule D*) was inadvertently labelled as 'Nanaimo Parkway'. This amendment will correct the error in labelling.

Amendment No. 7

Proposal: Correct mapping error for positioning of 7.5 metre setback on creek.

Rationale: With the implementation of the new OCP (Bylaw No. 6500), a number of mapping errors were identified. In this instance, the mapping for a 7.5 metre setback of a segment of creek along Jingle Pot Road was incorrectly positioned on Map 3. This amendment will correctly position the setback layer (see *Schedule E*).

Amendment No. 8

Proposal: Reposition the Heritage Conservation Area (HCA 1) boundary to coincide with the boundary of the Downtown Plan.

Rationale: Expanding the boundaries of the HCA 1 to reflect those of the Downtown Plan area will allow for the policies of the Downtown Plan and downtown design guidelines to be better implemented (see *Schedule F*).

Amendment No. 9

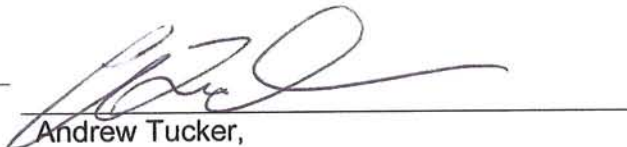
Proposal: Reposition the Urban Containment Boundary (UCB) for the property at 1560 Island Highway South, and redesignate the affected area from Resource Protection to Neighbourhood.

Rationale: The Resource Protection boundary located within the subject property corresponds to the UCB, which was originally intended to align with the existing Agricultural Land Reserve (ALR) boundary. New information regarding the ALR map location has been provided by the Agricultural Land Commission, which necessitates a map correction to align the UCB with the ALR and, accordingly, redesignate the subject area from Resource Protection to Neighbourhood (see *Schedule G*).

Respectfully submitted,



Bruce Anderson,
Manager of Community Planning
Development Services Department



Andrew Tucker,
Director of Planning
Development Services Department



Ted Swabey, General Manager
Development Services Department

Schedule A
OCP Figure 3 – Planning Areas

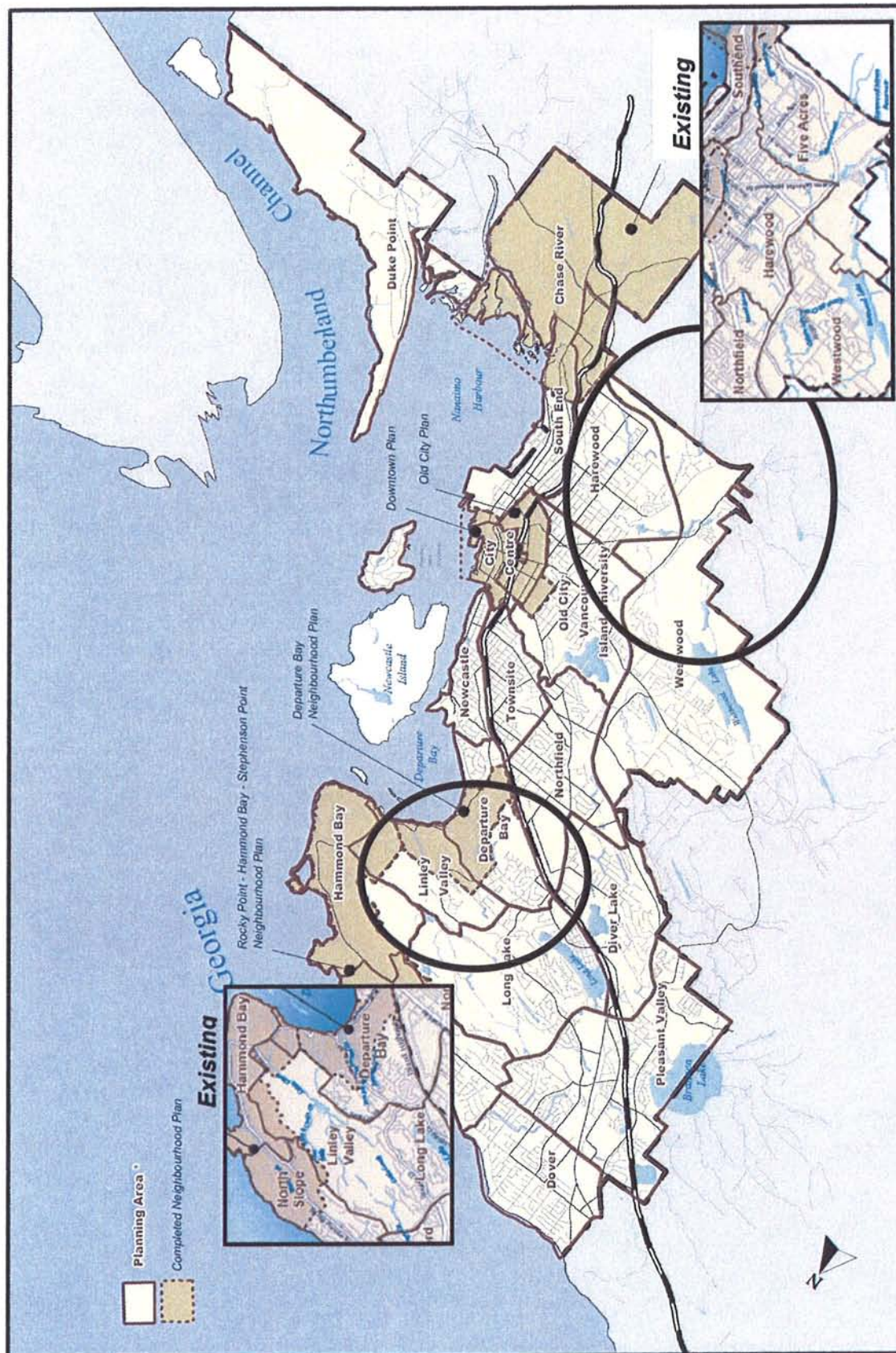


Figure 3 Planning Areas and Neighbourhood Area Plans

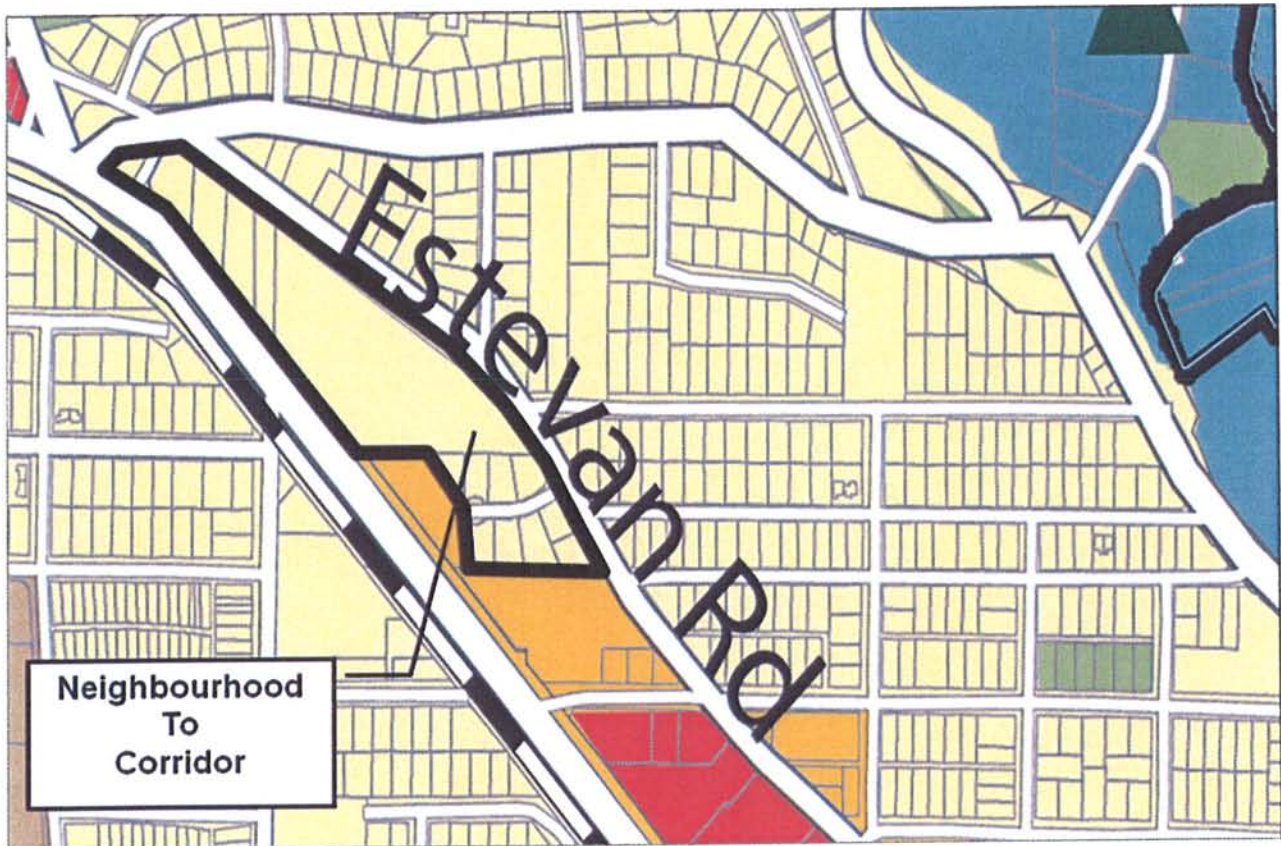
Schedule B
OCP Figure 4 - Floodplain



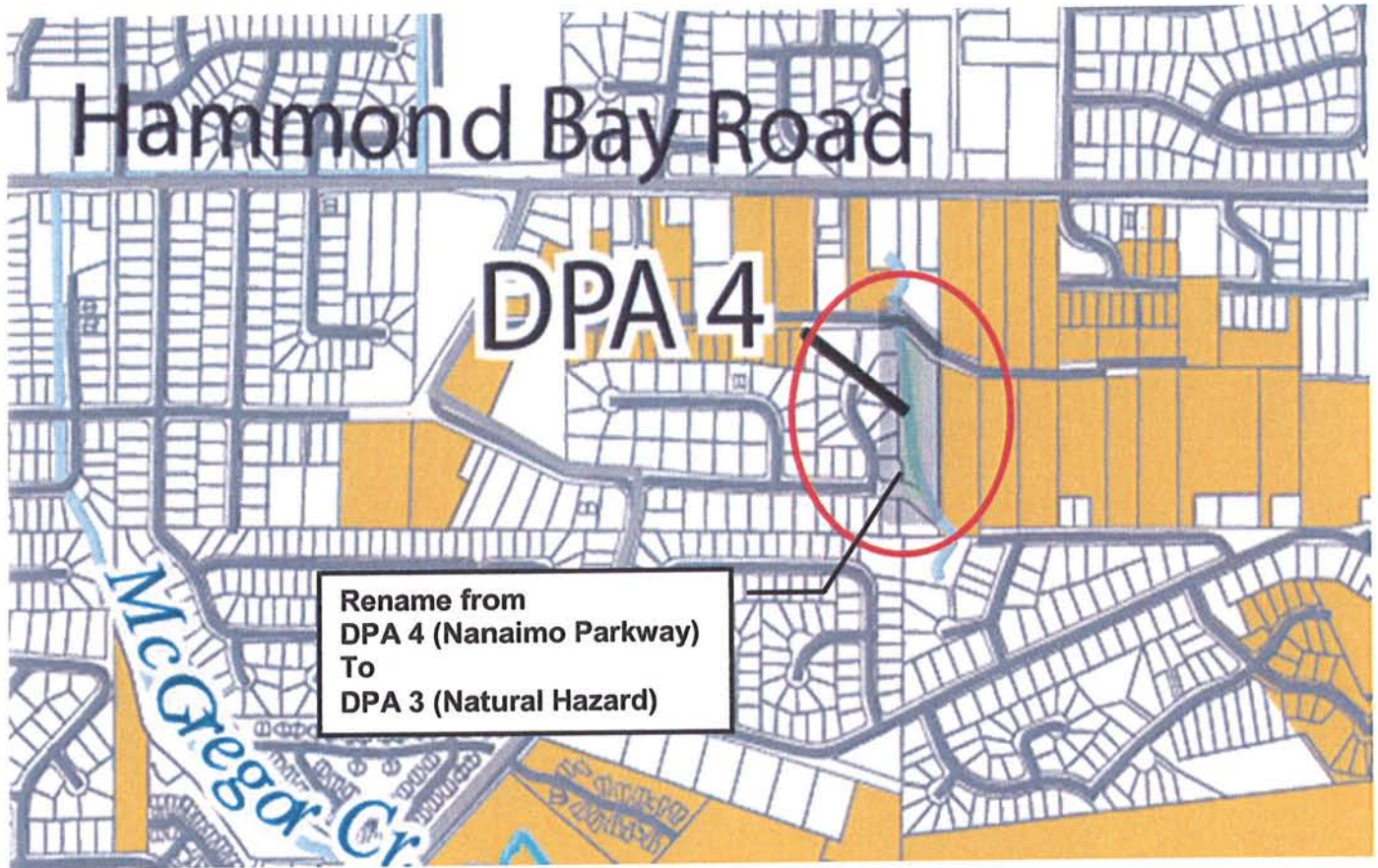
City of Nanaimo Official Community Plan

FIGURE 4: FLOODPLAIN

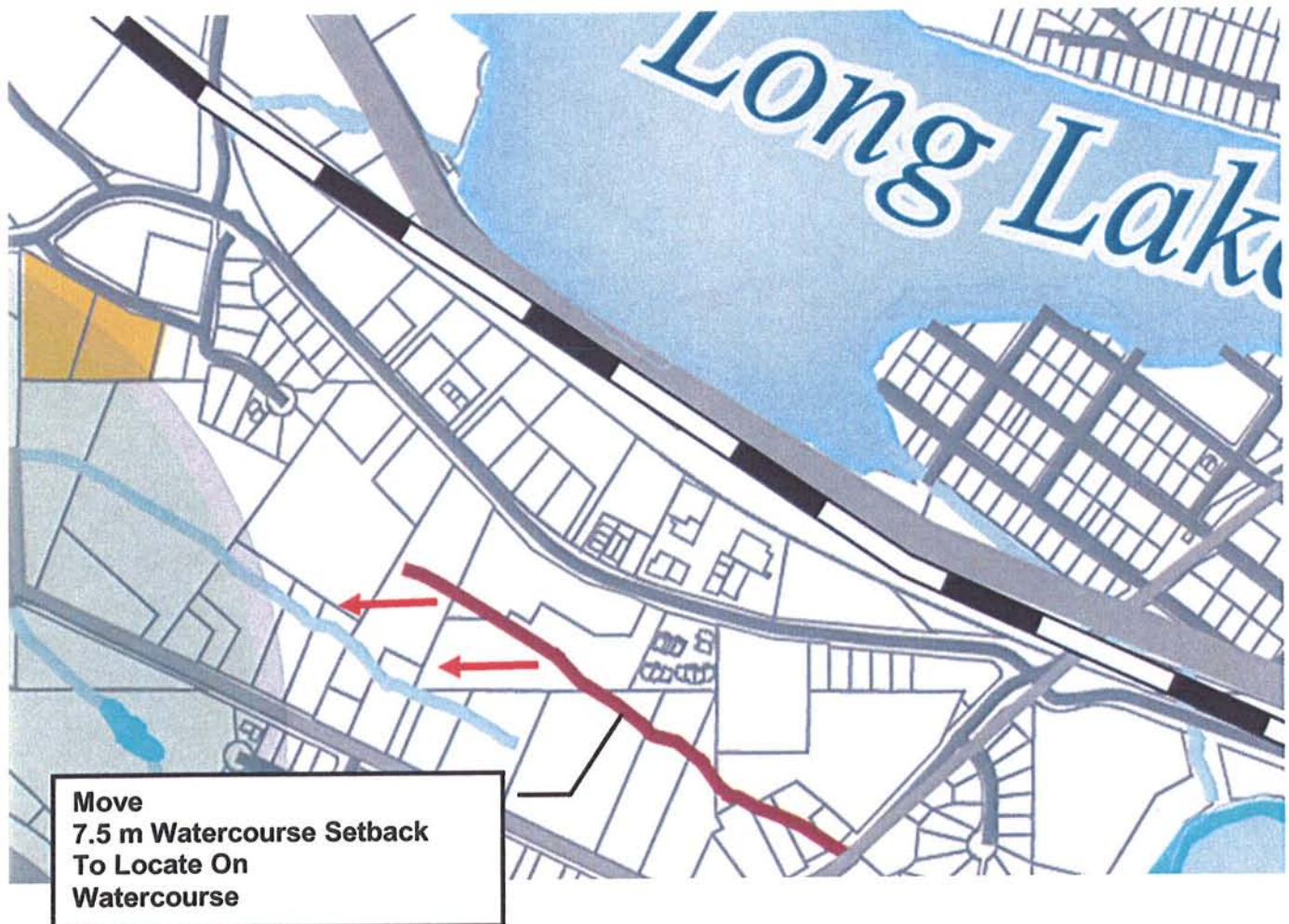
Schedule C
Corridor Designation – Estevan Road Area



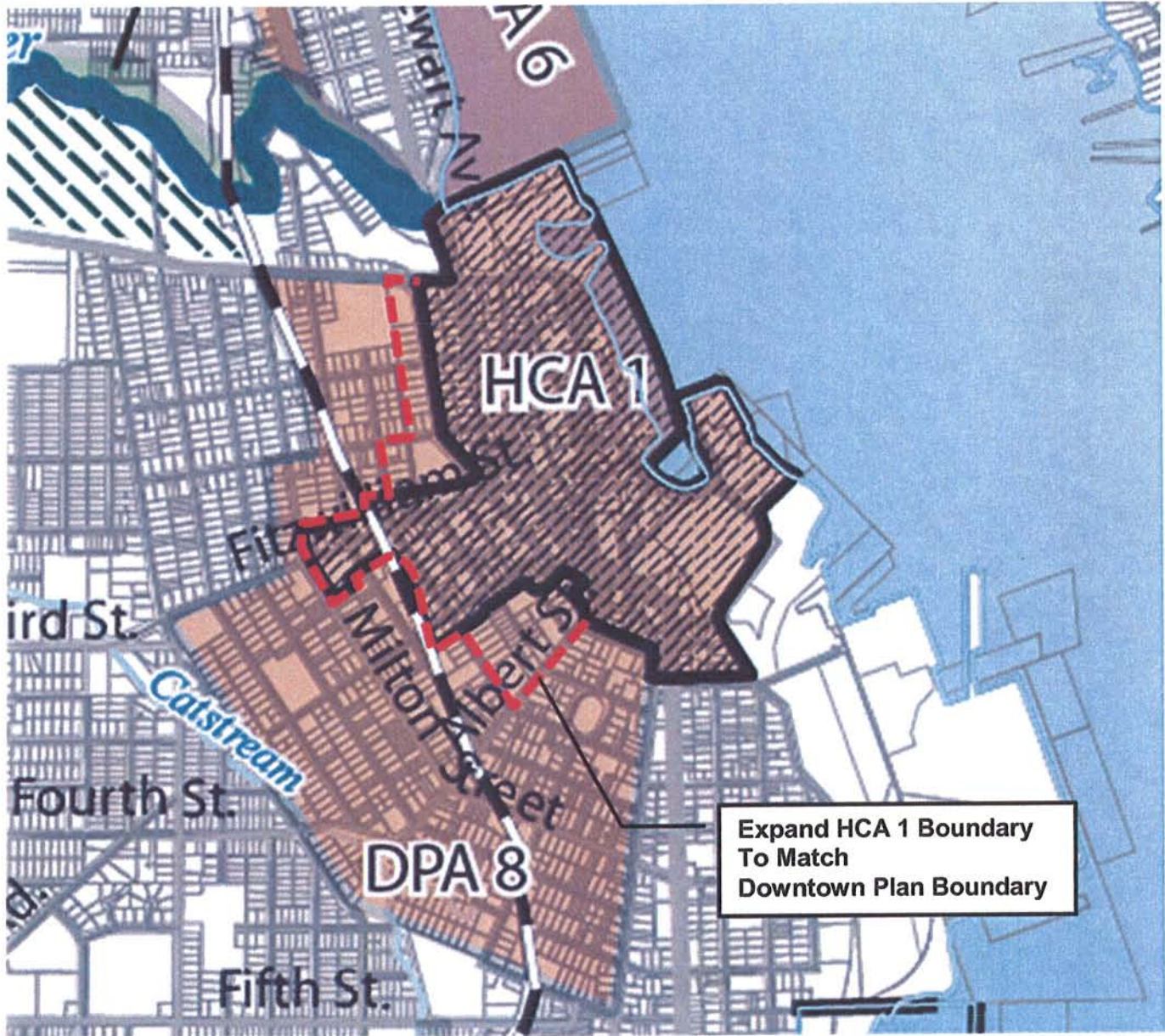
**Schedule D
Rename DP Area**



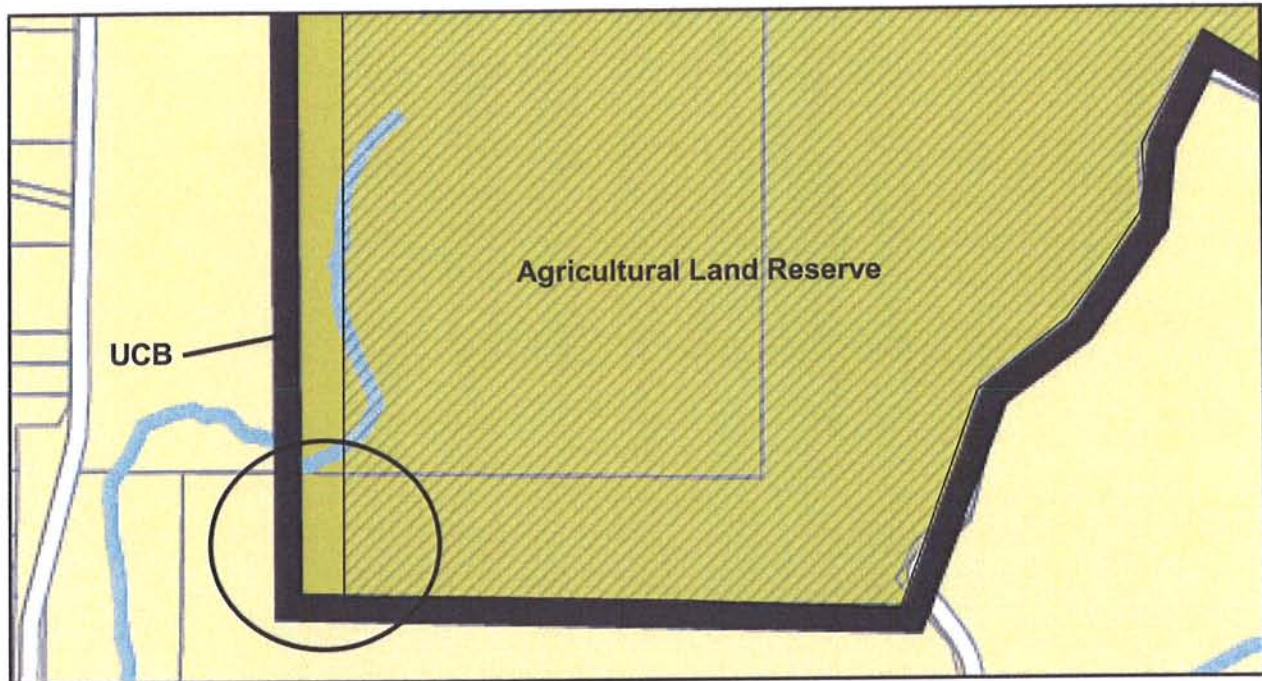
**Schedule E
Creek Setback - Relocation**



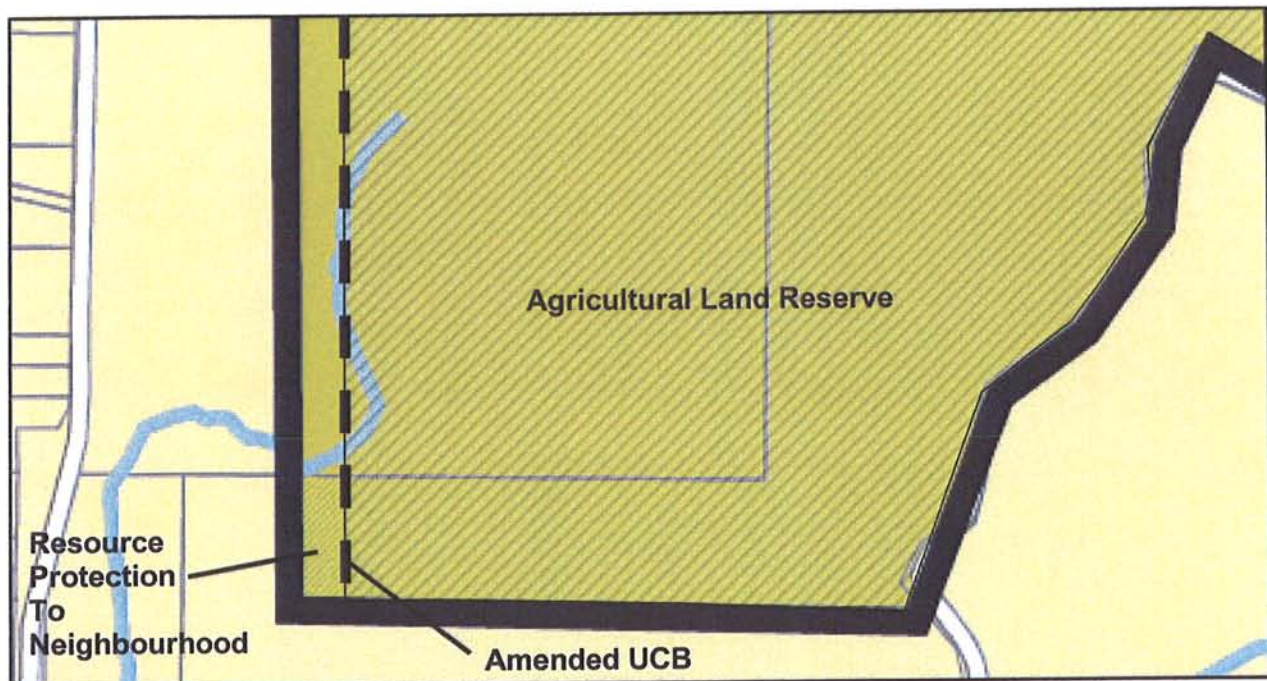
Schedule F
Heritage Conservation Area Expansion



Schedule G
UCB Alignment – Fielding Road



Existing



Proposed

STAFF REPORT

REPORT TO: ANDREW TUCKER, DIRECTOR OF PLANNING

FROM: BRUCE ANDERSON, MANAGER OF COMMUNITY PLANNING

RE: OFFICIAL COMMUNITY PLAN GENERAL AMENDMENTS

PNAC'S RECOMMENDATION:

That Council consider approving the proposed amendments to Figure 3 (Planning Areas and Neighbourhood and Area Plans) to the City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500."

STAFF'S RECOMMENDATION:

That Council consider giving amended Second Reading to "OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2009 NO. 6500.005".

EXECUTIVE SUMMARY:

The City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" was adopted by Council in September 2008. Periodic general amendments to the Official Community Plan (OCP) are brought forward to Council in order to maintain the effectiveness and accuracy of the OCP. One set of these general amendments, presented within Bylaw No. 6500.005, was given first and second readings by Council at its meeting of 2009-MAY-11. At that time, Council received a delegation that questioned the renaming of planning areas. The matter was referred to the Plan Nanaimo Advisory Committee (PNAC) for further review and recommendation. It is proposed that further changes to this bylaw be made, specifically to Figure 3 (Planning Areas and Neighbourhood and Area Plans).

BACKGROUND:

At its meetings of 2009-JAN-20 and 2009-FEB-17, PNAC made recommendations on proposed amendments to the Official Community Plan. These recommendations were presented to Council at their meeting of 2009-MAY-11. At that time, Council gave first and second readings to Bylaw No. 6500.005.

A presentation was made to Council at this meeting, which generated further discussion on the naming of certain areas found in Figure 3 (Planning Areas and Neighbourhood and Area Plans), contained within the above-noted bylaw. As a result, staff referred this particular item back to PNAC for further clarification.

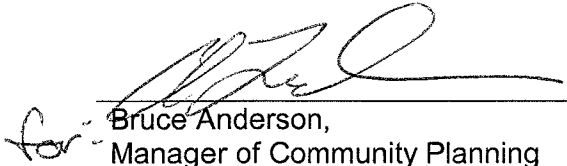
The original proposal to amend the Planning Areas was based upon changes to the 2006 census data, as provided by Statistics Canada. The proposed amendments included adjustments to planning area boundaries as per census information, and renaming of specific planning areas:

- Adjusting boundaries for the Linley Valley / Long Lake / Departure Bay area and the Westwood / Harewood / Old City area to reflect the 2006 census tracts;
- Renaming the Five Acres planning area to Harewood; and
- Renaming the Harewood planning area to Old City / Vancouver Island University.

At its meeting of 2009-MAY-19, PNAC reviewed the proposed changes to the Planning Areas and made a further recommendation that the Harewood planning area be renamed to Vancouver Island University, removing 'Old City' from the proposed name change (*see Schedule A*).

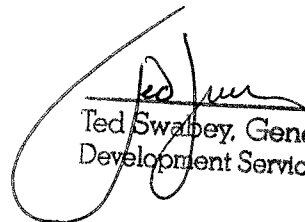
Staff also note the correction of a mapping error on Figure 3, whereby the proposed figure referenced the Pleasant Valley area rather than the correct Rutherford / Pleasant Valley area.

Respectfully submitted,


for - Bruce Anderson,
Manager of Community Planning
Development Services Department


Andrew Tucker,
Director of Planning
Development Services Department

dj
p:\prospero\planning\ocp\ocp00050\council report planning areas.doc
Council: 2009-MAY-25


Ted Swabey, General Manager
Development Services Department

Schedule A
OCP Figure 3 – Planning Areas

