

2007-AUG-07

## STAFF REPORT

TO: A. TUCKER, DIRECTOR, PLANNING & DEVELOPMENT, DSD

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

RE: REPORT OF THE PUBLIC HEARING HELD  
THURSDAY, 2007-AUG-02 FOR BYLAWS NO. 4000.418, 4000.419 AND 4000.420

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### STAFF'S RECOMMENDATION:

That Council receive this report and the minutes of the Public Hearing held on Thursday, 2007-AUG-02.

### EXECUTIVE SUMMARY:

A Public Hearing was held on 2007-AUG-02, the subject of which was three items. Ten members of the public were in attendance. Minutes of the Public Hearing are attached.

### BACKGROUND:

#### **1. BYLAW NO. 4000.418:**

*RA190 – 1606 Meredith Road*

This bylaw, if adopted, will rezone property from Single Family Residential Zone (RS-1) to Residential Duplex Zone (RM-1), in order to permit the development of a duplex. The subject property is legally described as LOT 31, SECTION 17, RANGE 8, MOUNTAIN DISTRICT, PLAN 21136.

This application appears before Council this evening for consideration of Third Reading.

No further verbal or written submissions were recognized at the Public Hearing for this bylaw.

#### **2. BYLAW NO. 4000.419:**

*RA186 – 3772 Departure Bay Road*

This bylaw, if adopted, will rezone the westerly part of the subject property from Single-Family Residential Zone (RS-1) to Residential Triplex / Quadraplex Zone (RM-2), in order to permit a three-unit residential development. The applicant is proposing to construct three units in the portion of the land that is subject to the rezoning, and to create a separate single-family lot for the existing dwelling. The subject property is legally described as part of LOT B, SECTION 5, WELLINGTON DISTRICT, PLAN 10947.

This application appears before Council this evening for consideration of Third Reading.

No further verbal or written submissions were recognized at the Public Hearing for this bylaw.

**3. BYLAW NO. 4000.420:**

*RA192 – 15 & 20 Front Street*

This bylaw, if adopted, will add a site specific text amendment to the Chapel Front Zone (C-28), to increase the maximum permitted Floor Area Ratio on the subject properties from 2.5 to 3.3. It is the applicant's intention to construct a five-storey mixed-use commercial and multi-family development. The subject properties are legally described as LOTS 12 AND 13, BLOCK 55, SECTION 1, NANAIMO DISTRICT, PLAN 584.

This application appears before Council this evening for consideration of Third Reading.

No further verbal or written submissions were recognized at the Public Hearing for this bylaw.

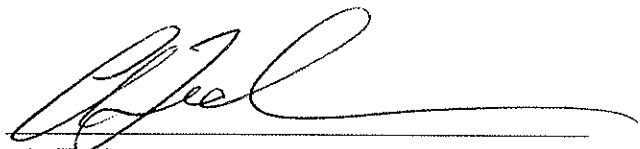
Respectfully submitted,



D. Lindsay  
Manager, Planning Division  
**Development Services Department**

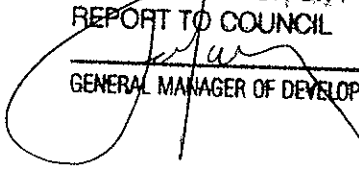
Council: 2007-AUG-13

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A. Tucker  
Director, Planning & Development  
**Development Services Department**

TO: CITY MANAGER  
FORWARDED FOR CITY MANAGER'S  
REPORT TO COUNCIL



GENERAL MANAGER OF DEVELOPMENT SERVICES

**MINUTES OF THE PUBLIC HEARING HELD PURSUANT  
TO THE LOCAL GOVERNMENT ACT IN THE BOARD CHAMBERS  
OF THE REGIONAL DISTRICT OF NANAIMO, 6300 HAMMOND BAY ROAD,  
NANAIMO, BC, ON THURSDAY, 2007-AUG-02, TO CONSIDER  
AMENDMENTS TO THE CITY OF NANAIMO "ZONING BYLAW 1993 NO. 4000"**

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**PRESENT:**

Councillor W.L. Bestwick – Acting Mayor  
Councillor J.D. Cameron  
Councillor C.S. Manhas  
Councillor L.D. McNabb  
Councillor L.J. Sherry  
Councillor W.M. Unger

**REGRETS:**

Mayor G.R. Korpan  
Councillor M.D. Brennan  
Councillor W.J. Holdom

Staff

D. Lindsay, Manager, Planning Division, DSD  
J. Carvalho, Planner, Planning Division, DSD  
L. Dennis, Planning Clerk, Planning Division, DSD

Public

There were approximately 10 members of the public present.

**CALL TO ORDER:**

Councillor Bestwick called the meeting to order at 7:02 p.m. Mr. Lindsay explained the required procedure in conducting a Public Hearing and the regulations contained within Section 892 of the Local Government Act. Mr. Lindsay read the items as they appeared on the Agenda, adding that this is the final opportunity to provide input to Council before consideration of Third Reading to Zoning Amendment Bylaws No. 4000.418, 4000.419 and 4000.420 at the next regularly scheduled Council meeting of 2007-AUG-13.

**1. BYLAW NO. 4000.418:**

*RA190 – 1606 Meredith Road*

This bylaw, if adopted, will rezone property from Single Family Residential Zone (RS-1) to Residential Duplex Zone (RM-1), in order to permit the development of a duplex. The subject property is legally described as LOT 31, SECTION 17, RANGE 8, MOUNTAIN DISTRICT, PLAN 21136.

**Ms. Maureen Pilcher, Maureen Pilcher and Associates** – Applicant Representative

- Ms. Pilcher's presentation is attached as a part of "Schedule A – Submissions for Bylaw No. 4000.418".

No further verbal or written submissions were recognized at the Public Hearing for this Bylaw.

**2. BYLAW NO. 4000.419:***RA186 – 3772 Departure Bay Road*

This Bylaw, if adopted, will rezone the westerly part of the subject property from Single-Family Residential Zone (RS-1) to Residential Triplex / Quadraplex Zone (RM-2), in order to permit a three-unit residential development. The applicant is proposing to construct three units in the portion of the land that is subject to the rezoning, and to create a separate single-family lot for the existing dwelling. The subject property is legally describes as part of LOT B, SECTION 5, WELLINGTON DISTRICT, PLAN 10947.

**Ms. Maureen Pilcher, Maureen Pilcher and Associates** – Applicant Representative

- Ms. Pilcher's presentation is attached as a part of "Schedule B – Submissions for Bylaw No. 4000.419".

Councillor Bestwick asked for clarification as to whether this development would include both a duplex and a detached home.

- Ms. Pilcher indicated that the proposed development will consist of a single-family dwelling at the front of the lot and a duplex to be located at the rear of the lot.

Councillor Bestwick inquired about visitor parking.

- Ms. Pilcher explained that there will be two visitor parking spaces on site.

No further verbal or written submissions were recognized at the Public Hearing for this Bylaw.

**3. BYLAW NO. 4000.420:***RA192 – 15 & 21 Front Street*

This bylaw, if adopted, will add a site specific text amendment to the Chapel Front Zone (C-28), to increase the maximum permitted Floor Area Ratio on the subject properties from 2.5 to 3.3. It is the applicant's intention to construct a five-storey mixed-use commercial and multi-family development. The subject properties are legally described as LOTS 12 AND 13, BLOCK 55, SECTION 1, NANAIMO DISTRICT, PLAN 584.

**Mr. Bill Derby, Tectonica Management / Greg Damant, D'Ambrosio Architecture** – Applicant Representatives

- The proposal is for a low-rise high-density mixed use commercial project on the corner of Front Street and Chapel Street.

- The first level will have a small commercial component and parking, with the upper four levels as multi-family housing.
- There are no variances required, other than density. The requested density increase is 0.75. The project will not build to the setbacks on the rear and does not build to bylaw permitted height.
- There will be significant landscaped areas on the site, on the roof and on top of the parkade.
- The building addresses Front Street as its primary public street.
- The ground floor will have a public use such as a café or restaurant.
- The building acknowledges the view to the north with glazed wrap around windows and recalls traditional urban forms in its massing with vertical residential balcony bays and a setback fifth floor, and use of materials such as mortared stone, brick and aluminium windows.

Councillor McNabb asked for clarification as to the location of the project.

- Mr. Derby explained that the site is the old "Katarina's Restaurant" site.

Councillor Unger inquired as to why the applicant would not build to the allowable height in order to create greater density.

- Mr. Derby explained that a building over five storeys (four storeys on a parkade) requires non-combustible construction which requires at least nine floors to yield a recovery on costs.

Councillor Bestwick asked if the project, being multi-family, would allow for children and what size the units would be.

- Mr. Derby explained that the project would allow for children, and that the size of the units vary from slightly over 600 sq. ft. to just over 1,500 sq. ft. Some units were decreased in size at the suggestion of City Staff in order to offer some more affordable market housing.

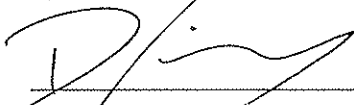
Councillor Bestwick asked for clarification on the community contribution.

Mr. Lindsay explained that the community contribution is a \$35,000 monetary contribution to the City's Housing Legacy Fund.

MOVED by Councillor McNabb, SECONDED by Councillor Unger, that the meeting be adjourned at 7:22 p.m.

**CARRIED**

Certified Correct:



D. Lindsay  
Manager, Planning Division  
**Development Services Department**

Schedule “A”

Submissions for

Bylaw No. 4000.418

## **Public Hearing Presentation regarding 1606 Meredith Road – RA190**

This property is presently included in the Neighbourhood designation of the Official Community Plan, and the proposed development complies with the intent of the OCP. This application has been made in order to develop a side by side duplex at this location. .

This lot is situated beside a commercially zoned property at the corner of Meredith Road and Boundary Crescent. The subject lot has remained vacant for many years – and a duplex at this location will provide a transition between the predominantly single family residences on Meredith Road and the commercial property on the corner, which contains a convenience store with a residence above. A church is located directly across the road, and single family residences on Cormorant Avenue back on to the property. The property is in close proximity to Woodland's Secondary School and Forest Park Elementary School and is located on a transit route. Brooks Landing, providing extensive shopping, is within walking distance.

The owners of this property also own the convenience store on the corner of Meredith and Boundary Roads – and ½ of the duplex will be their principal residence. The other side of the duplex is to be occupied by the owner's aging parents. Each level entry dwelling unit will contain three bedrooms and the exterior finishes will reflect the owner's exacting requirements. These homes will have enclosed garages, well defined private spaces and extensive privacy landscaping. As this is infill development the owner is sensitive to the surrounding property owners and will ensure that construction is completed with limited disruption.

We have recently received a phone call and a letter of support from Pastor Steve Foster and Pastor Ernie Gray from the Nanaimo Alliance church – they have indicated that there is a need for higher density housing in this neighbourhood and note that the owners of the property have been good neighbours – they even went so far as to compliment the owners on the beautiful flowers growing on the property.

A single access off Meredith Road will service this duplex allowing for safe automobile access and egress from the property. Providing an automobile turn around area and common driveway on a busy thoroughfare, governs safe access and egress to the site.

As per Section 6.2 of the OCP, the Community Contribution Policy, E.T. Enterprises Ltd. intends on providing a Community Contribution in the amount of \$1,000.00 to be contributed to the Volunteer in Parks program. In addition, the owner will be constructing frontage works and services along Meredith Road in order to provide a more pleasing streetscape.

This rezoning application meets all the requirements of the Official Community Plan Neighbourhood designation, and the regulations of the RM-1 zone - no variances are required. Neighbours have indicated support for the rezoning. The duplex has been designed to enhance the existing streetscape of Meredith Road and will assimilate into the community seamlessly. Works and services will be constructed along Meredith Road to compliment the neighbourhood and extensive landscaping will further beautify the area.

We welcome any questions you may have and thank you for your consideration of this application.



Schedule “B”

Submissions for

Bylaw No. 4000.419

## **Public Hearing Presentation regarding 3772 Departure Bay Road – RA186**

This property is presently included in the Neighbourhood designation of the Official Community Plan, and is zoned Single Family Residential – RS-1. This application has been made in order to rezone the property to the RM-2 zoning in order to develop three dwelling units at this location.

This project involves the development of a newly created lot in the Departure Bay Area of the City. The owner has received Preliminary Layout Approval and Design Stage Acceptance in order to create two lots – this new lot will be more than 13,500 square feet, much larger than the prescribed minimum lot area for the RM-2 zone. The existing home on Lot 1 has undergone extensive interior renovations, and Mr. Grey is presently co-ordinating enhanced landscaping and fencing of the property.

This proposed development is located across the road from Rock City Elementary School and within walking distance to Wellington Secondary School. Departure Bay Road is considered a 'major' road, and is a transit corridor. The property is also in close proximity to health services and many commercial areas, including Country Club Mall.

Each dwelling unit will contain three bedrooms and will maintain a high degree of design and function, while remaining affordable. These homes will appeal to young families wanting to locate close to amenities and the schools in the area. All units will be approximately 1700 square feet – a good size for a small family. Each home will also have its own garage - and useable private space has been provided by locating a landscaped area at both the front and back of each dwelling-- basically each unit will have its own yard.

When redeveloping within an existing neighbourhood it is always important to maintain the "flavour" of the community by recognizing the site organization and building forms of the adjacent properties. Both the single family dwelling and the duplex will reflect the neighbourhood character and the context of the more mature homes in the area, by incorporating porch and gable elements, with durable finishes, including bold wood trims and columns with decorative rock accents. In organizing the site, Mr. Grey has tried to maintain a less intrusive street profile by locating the single family dwelling at the front of the lot, facing Departure Bay Road, and placing the duplex towards the rear of the property.

Please note that a single access off Departure Bay Road will service this small development as well as the existing dwelling unit on the adjacent lot. Providing an automobile turn around area and common driveway on a busy thoroughfare, ensures safe access and egress to the site.

We understand that people who have lived adjacent to this large lot will be concerned about a loss of privacy, so we will step up the required landscaping buffer areas along the edges of the property with mature plantings and shrubbery as well as a 6 foot privacy fence.

All of the surrounding property owners, including the Principal of Rock City School, have been petitioned regarding this proposed rezoning - and positive feedback has been received from the majority contacted. Many neighbours indicated that they are pleased to see infill development in their community and welcome lower density multiple family dwellings on the larger lots on Departure Bay Road. We have submitted a list of the neighbours contacted - and completed and signed feedback sheets - to City Staff.

As per Section 6.2 of the OCP, the Community Contribution Policy, Stonehouse Developments intends on donating \$3,000.00 to the City's Housing Legacy Fund. Extensive works and services will be completed along Departure Bay Road meeting the City of Nanaimo Engineering Standards and Specifications.

This rezoning application meets the requirements of the OCP Neighbourhood designation, meets all the regulations of the RM-2 zone - no variances are required - and has been designed to compliment the existing neighbourhood character. This small scale project will provide varied living options for the community, is close to schools, commercial centres and transit, and will enhance the streetscape of Departure Bay Road.

We welcome any questions you may have and thank you for your consideration of this application.