



# NOTICE OF PUBLIC HEARING

2007-AUG-02 at 7:00 pm

Notice is hereby given that a Public Hearing will be held on Thursday, **2007-AUG-02**, commencing at **1900 hours (7:00 pm)** in the **Board Chambers of the Regional District of Nanaimo, 6300 Hammond Bay Road, Nanaimo, BC** to consider proposed amendments to the City of Nanaimo "ZONING BYLAW 1993 NO. 4000".

## 1. BYLAW NO. 4000.418:

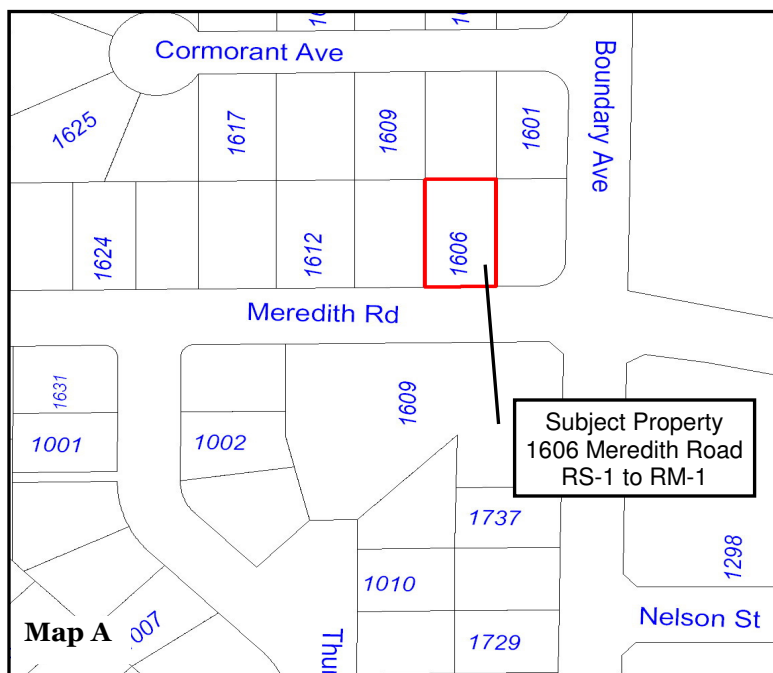
**Purpose:** To permit use of land for a duplex.

Location(s): 1606 Meredith Road

File No.: RA190

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, and is shown on Map 'A'.



## 2. BYLAW NO. 4000.419:

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

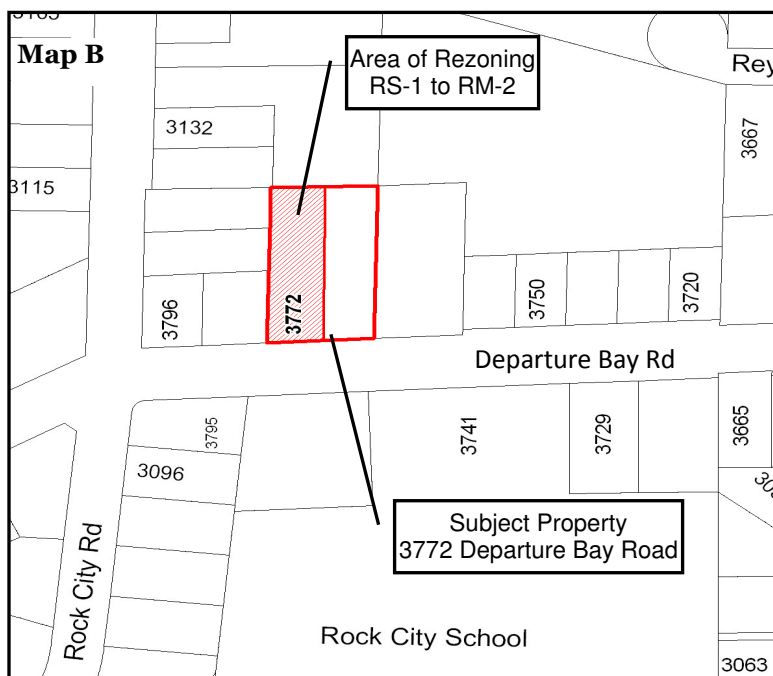
Location(s): 3772 Departure Bay Road

File No.: RA186

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 on 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, and is shown on Map 'B'.



### 3. BYLAW NO. 4000.420:

**Purpose:** To establish a site specific floor area ratio in the Chapel Front Zone.

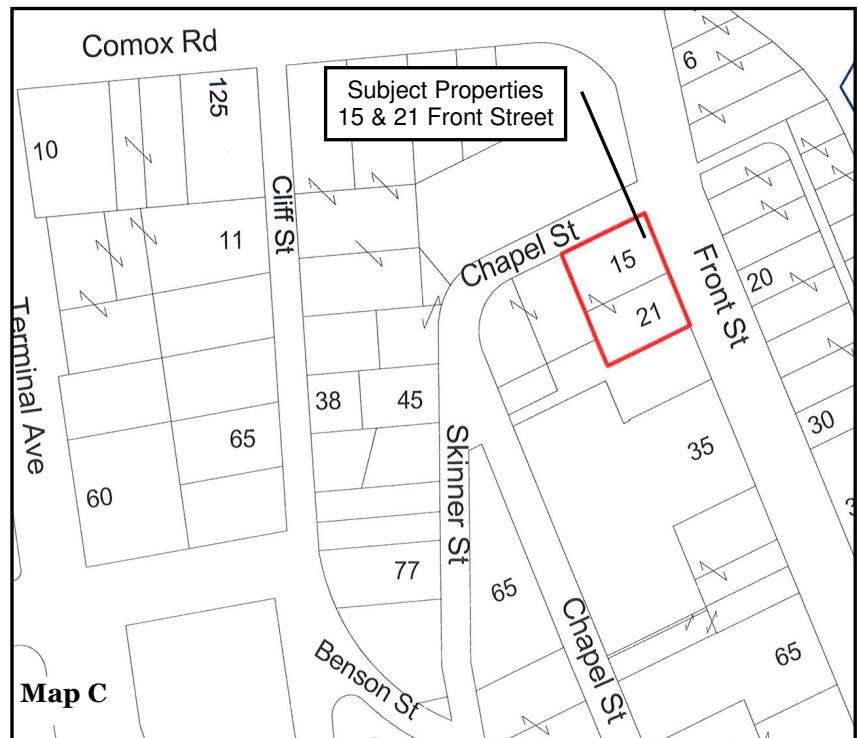
**Location(s):** 15 & 21 Front Street

**File No.:** RA192

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, and are shown on Map 'C'.



*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 2007-JUL-20 to 2007-AUG-02, 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. 4000.418, 4000.419 and 4000.420 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, 2007-AUG-02, 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](http://www.nanaimo.ca)  
238 Franklyn Street, Nanaimo, BC V9R 5J6**

## STAFF REPORT

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

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

RE: RA190 – 1606 MEREDITH ROAD

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### STAFF'S RECOMMENDATION:

That Council support this application and:

1. consider First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2007 NO. 4000.418"; and
2. direct Staff to secure frontage works and the proposed community contribution as conditions of rezoning.

### EXECUTIVE SUMMARY:

The City has received an application from Maureen Pilcher and Associates, on behalf of E.T. Enterprises Limited, to rezone the subject property from Single Family Residential Zone (RS-1) to Residential Duplex Zone (RM-1) in order to construct a duplex. Staff support the application and recommend that Council approve the proposed rezoning.

### BACKGROUND:

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

The subject property, which is presently vacant, is approximately 875 m<sup>2</sup> (9,426 ft<sup>2</sup>) in area. The property is bordered by single-family residences to the north and west, a convenience store and Woodlands Secondary School to the east, and Meredith Road and an existing church to the south (Schedule 'A').

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

The property is designated as Neighbourhood according to Schedule 'A' of the Official Community Plan (OCP). The relevant policies of the OCP are as follows:

- Predominant uses in Neighbourhoods will be low-density residential land uses.
- The target gross unit density for Neighbourhoods is 15 units per hectare (6 units per acre).
- A target mix of 60% single-family and 40% multiple family should be used as a guide for achieving Neighbourhood densities of 15 units per hectare.
- Residential uses on Neighbourhood designated lands will include detached and semi-detached dwelling units, secondary suites, mobile homes, duplexes, triplexes, quadraplexes or ground oriented townhomes.
- In detached housing areas, infill development will be designed to compliment existing neighbourhood character and will maintain the ground-oriented character of existing housing.
- Building height will be limited to that generally permitted by zoning for detached dwellings.

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

**Proposed Development**

The applicant has provided a concept design for the proposed development, which will consist of a duplex of approximately 293 m<sup>2</sup> (3,158 ft<sup>2</sup>) (Schedule 'B'). The proposed development complies with the lot coverage, building height, setbacks, Floor Area Ratio, and parking requirements of the RM-1 Zone.

**Frontage Works**

Meredith Road is identified as an urban minor collector road, the ultimate road design standard for which requires additional road widening and construction of a concrete curb, gutter, and 1.8 metre sidewalk.

As the existing road conditions fronting the property are substandard, and as construction of a duplex would not trigger works and services as per the City's Building Bylaw, Staff recommend that the frontage works be secured via covenant as a condition of rezoning.

**Community Contribution**

As outlined in Section 6.2 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 \$1,000 monetary contribution towards the local neighbourhood Volunteers In Parks (VIP) program. In addition, the applicant has requested that Council consider the construction of the frontage works as forming part of their community contribution.

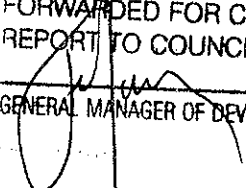
Staff support this community contribution proposal and recommend that these items be secured as a condition of rezoning.

Respectfully submitted,

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

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

DS/pm  
Council: 2007-JUN-25  
Prospero: RA190

To: CITY MANAGER  
FORWARDED FOR CITY MANAGER'S  
REPORT TO COUNCIL  
  
GENERAL MANAGER OF DEVELOPMENT SERVICES

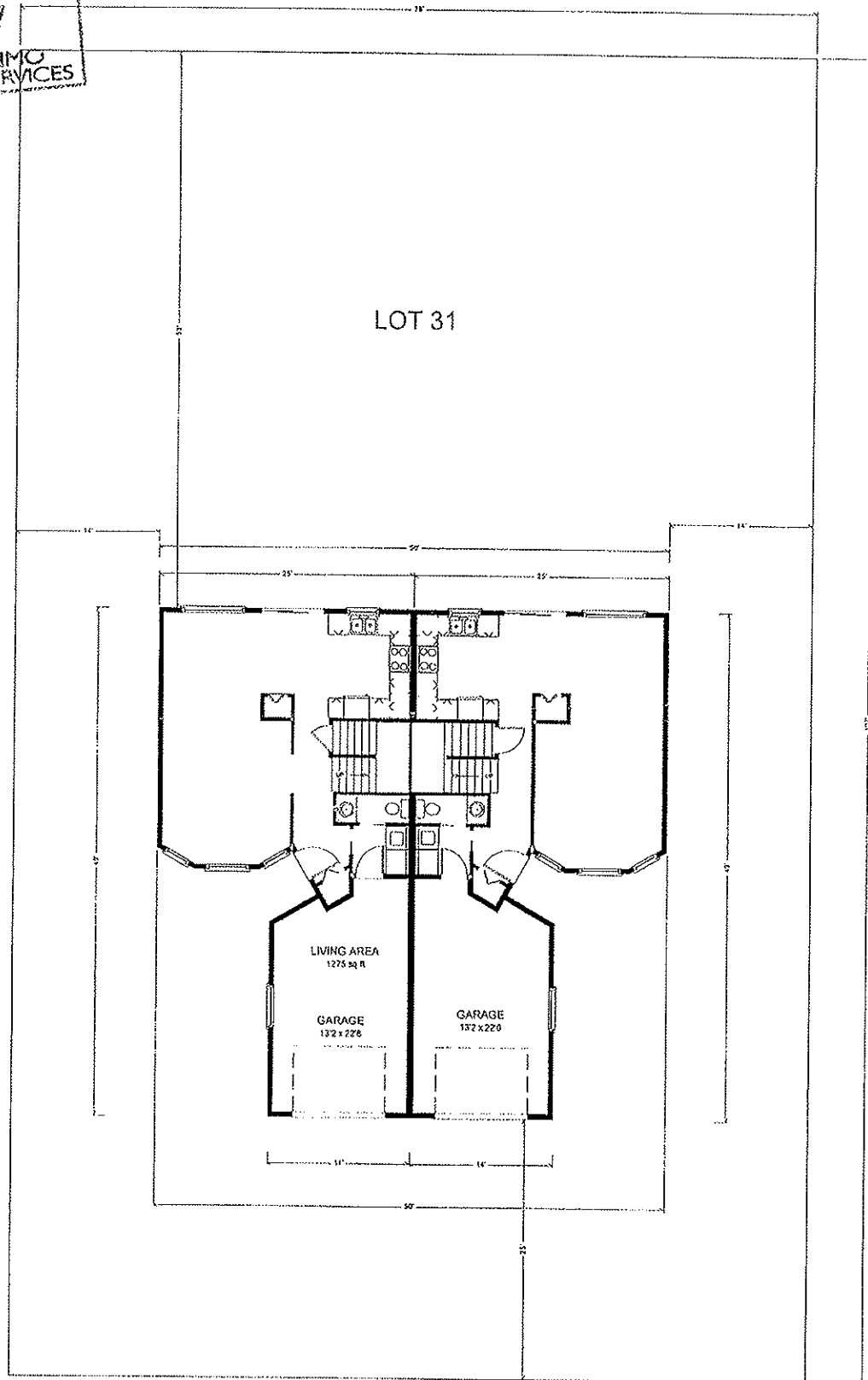
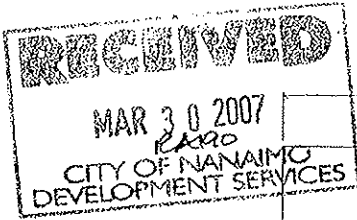
SCHEDULE A



File : RA000190  
Civic: 1606 Meredith Road

 Subject Property

# SCHEDULE B



1606 MEREDITH ROAD



2007-JUN-18

## STAFF REPORT

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

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

RE: RA186 – 3772 DEPARTURE BAY ROAD

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### STAFF'S RECOMMENDATION:

That Council:

1. consider First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2007 NO. 4000.419";
2. direct Staff to register a covenant which secures the general development plan and limits density to no more than three residential dwelling units; and
3. direct Staff to secure road dedication, completion of the associated subdivision, and the proposed community contribution as conditions of rezoning.

### EXECUTIVE SUMMARY:

The City has received a rezoning application from Maureen Pilcher and Associates, on behalf of Robert Grey, to 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. At its meeting 2007-APR-19, the Rezoning Advisory Committee recommended the application be approved as presented. Staff concur with this recommendation and recommend that Council support the proposed rezoning.

### BACKGROUND:

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

The subject property is approximately 2,640 m<sup>2</sup> (28,417 ft<sup>2</sup>) in area (Schedule 'A') and is occupied by a single-family dwelling on the eastern portion of the site. The property is currently under an active subdivision application to create one lot of 1,258 m<sup>2</sup> (13,541 ft<sup>2</sup>) to be occupied by the existing single-family dwelling and a second lot of 1,257 m<sup>2</sup> (13,540 ft<sup>2</sup>), which, subject to approval of the subject rezoning application, is proposed to accommodate a three-unit residential development. The subdivision Preliminary Layout Acceptance (PLA) has been issued, however the subdivision has not yet been completed.

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

The property is designated as Neighbourhood according to Schedule 'A' of the Official Community Plan (OCP). The relevant policies of the OCP are as follows:

- Predominant uses in Neighbourhoods will be low-density residential land uses.
- The target gross unit density for Neighbourhoods is 15 units per hectare (6 units per acre).
- A target mix of 60% single-family and 40% multiple family should be used as a guide for achieving Neighbourhood densities of 15 units per hectare.

- Residential uses on Neighbourhood designated lands will include detached and semi-detached dwelling units, secondary suites, mobile homes, duplexes, triplexes, quadraplexes or ground-oriented town homes.
- In detached housing areas, infill development will be designed to compliment existing neighbourhood character and will maintain the ground-oriented character of existing housing.
- Building height will be limited to that generally permitted by zoning for detached dwellings.

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

### ***Proposed Development***

The applicant is proposing to construct a three-unit residential development on a proposed new subdivided lot (Schedule 'B'). The development will consist of a single-family dwelling of approximately 193 m<sup>2</sup> (2,079 ft<sup>2</sup>) fronting along Departure Bay Road, and a two-unit dwelling of approximately 359 m<sup>2</sup> (3,860 ft<sup>2</sup>) towards the rear of the property (Schedule 'C'). The combined gross floor area proposed for this site is 552 m<sup>2</sup> (5,939 ft<sup>2</sup>).

As the proposed development will be introduced into an established single-family neighbourhood, it is Staff's belief that proper building and site design is critical to ensure that infill development is sensitive and acceptable to the existing neighbourhood. Staff therefore recommend that a covenant be registered on title securing the general building and site design of the proposed development. This will include limiting development on the land to no more than three (3) residential units.

### ***Subdivision Completion***

As Council is aware, Development Cost Charges (DCC's) will be payable at the current Bylaw rate of \$13,410.79 for the creation of the additional lot upon completion of the subdivision. As residential multi-family lots are exempt from DCC's, and as the construction of a three-unit development would not trigger DCC's at building permit stage, Staff recommends that completion of the subdivision be secured as a condition of rezoning.

### ***Road Dedication***

In order to accommodate the ultimate road standard right-of-way along Departure Bay Road, dedication of approximately 69.4 m<sup>2</sup> (747 ft<sup>2</sup>) is required along the frontage of the proposed new subdivided multi-family lot. Dedication along the remaining portion of the property frontage will be secured through the associated subdivision.

### ***Access***

As Departure Bay Road is identified as a major road, and given the proximity of this site to the Rock City Road / Departure Bay Road intersection, an easement and covenant will be registered through subdivision which requires that access to each of the proposed subdivided lots be provided through a common driveway.

### ***Community Contribution***

As outlined in Section 6.2 of the OCP, in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution. In response to this policy, the applicants are proposing a \$3,000 monetary contribution towards the City's Housing Legacy Fund.

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



**Rezoning Advisory Committee (RAC)**

At its meeting of 2007-APR-19, RAC recommended that the subject application be approved as presented. Staff concur with this recommendation and recommend that Council support the proposed rezoning.

Respectfully submitted,



D. Lindsay  
Manager, Planning Division  
**DEVELOPMENT SERVICES DEPARTMENT**



A. Tucker  
Acting Director, Planning & Development  
**DEVELOPMENT SERVICES DEPARTMENT**

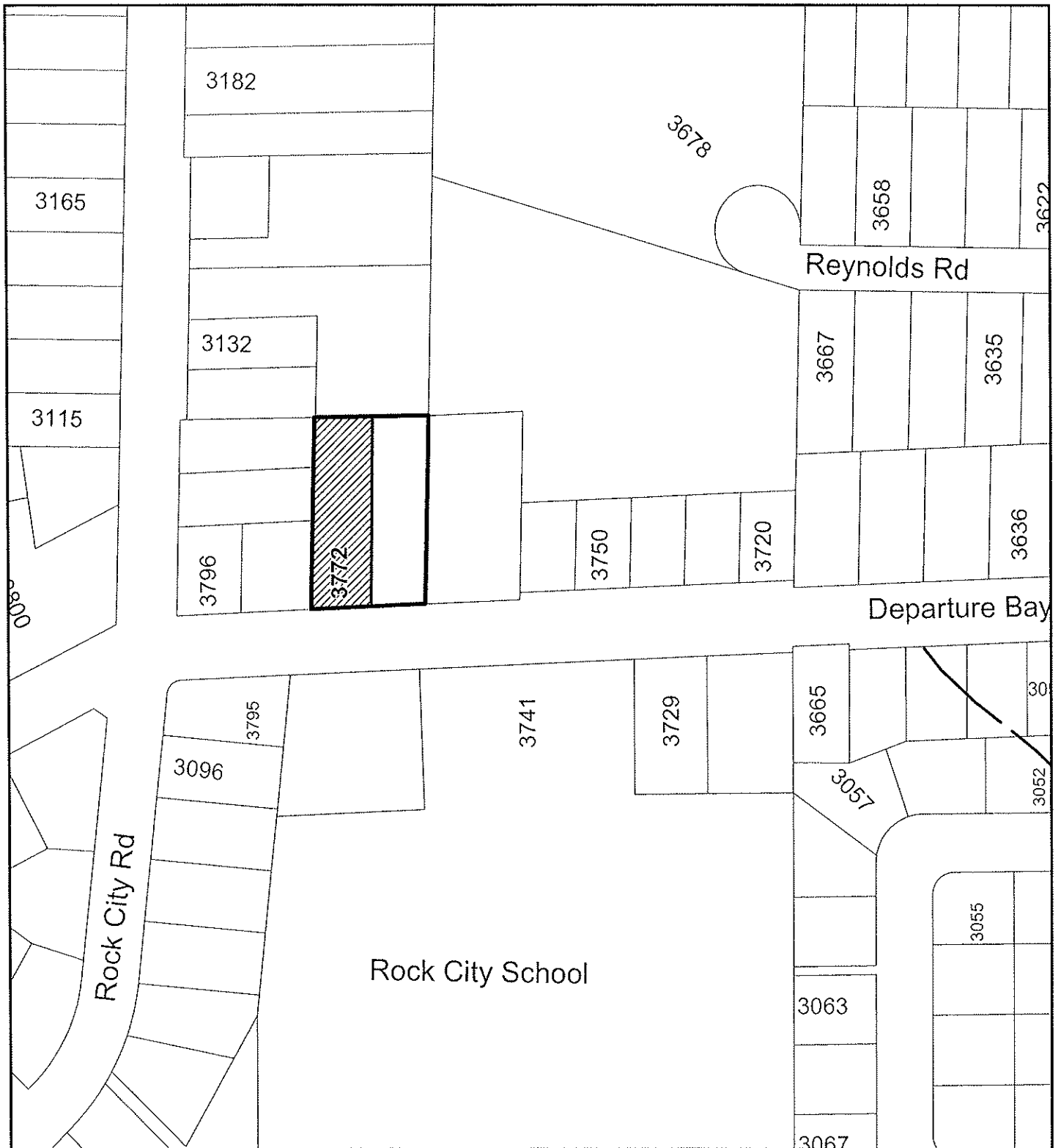
Council: 2007-JUN-25  
Prospero: RA186

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





GENERAL MANAGER OF DEVELOPMENT SERVICES

# SCHEDULE A



File : RA000186  
 Civic: 3772 Departure Bay Road  
 Lot 74, District Lot 41, Wellington District,  
 Plan VIP58466

-  **Subject Property**
-  **Area of Proposed Rezoning**

[illegible]

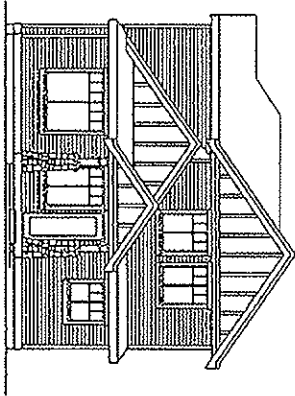
## SITE STATISTICS

LEGAL:

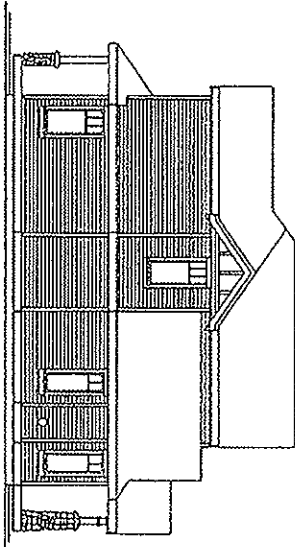
PROPOSED OVERHUNG HEIGHT 23'-6" (MAX 25.43' TO MEAN ROOF)

# SCHEDULE C

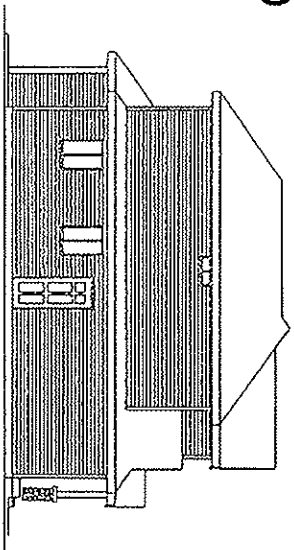
Single Family Dwelling Plan



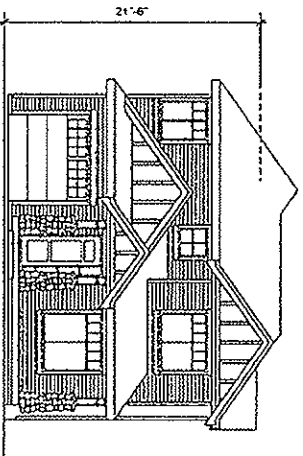
FRONT ELEVATION



LEFT SIDE ELEVATION

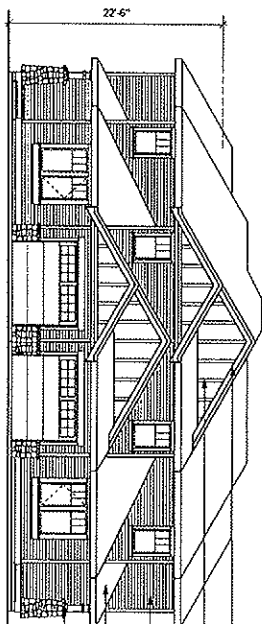


RIGHT SIDE ELEVATION



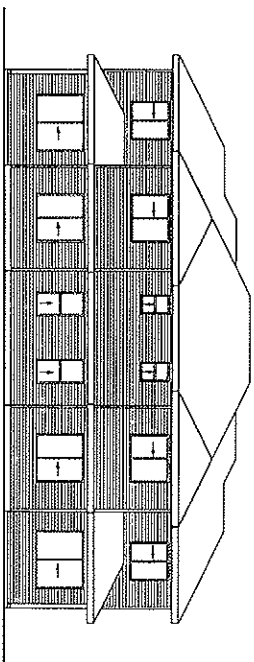
REAR ELEVATION

Two Unit Dwelling Plan

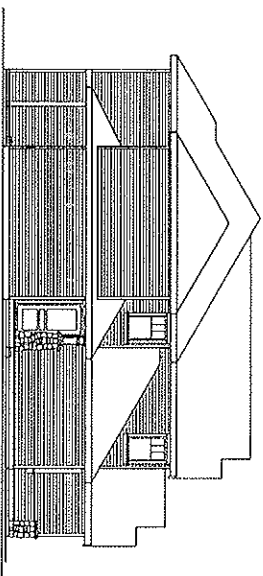


- 1 X ON 1 X 4 ON 1 X 8
- SMOOTH HARDPLAN
- 1 X 4 WOOD BATTENS
- TRIPLE 3 VINYL SIDING
- WITH WOOD TRIM
- LAMINATED SHINGLE
- WOOD COLUMN / RC

FRONT ELEVATION



REAR ELEVATION



TYPICAL SIDE ELEVATION

2007-JUL-03

## STAFF REPORT

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

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

RE: RA192 – 15 FRONT STREET

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### STAFF'S RECOMMENDATION:

That Council:

1. consider First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2007 NO. 4000.420"; and
2. direct Staff to secure the proposed community contribution as a condition of rezoning.

### EXECUTIVE SUMMARY:

The City has received an application from Tectonica Management, on behalf of Alphatek Canada Investments, for a site-specific text amendment to the Chapel - Front Zone (C-28) in order to increase the maximum Floor Area Ratio (FAR) from 2.5 to 3.3. At its meeting 2007-JUN-07, the Rezoning Advisory Committee recommended the application be approved as presented. Staff concur with this recommendation and recommend that Council support the proposed rezoning.

### BACKGROUND:

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

The subject property is approximately 1,170.39 m<sup>2</sup> (12,598.93 ft<sup>2</sup>) in area (Schedule 'A') and is located at the corner of Front and Chapel Streets. The property, which was formerly occupied by Katrina's restaurant, is bordered by an existing multi-family development (SeaCrest Apartments) to the north, a parking lot to the west, the Globe Hotel to the south, and the former Global Connections Café site to the east, which has been approved for a 25-storey multi-family development.

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

The subject property is designated as 'Downtown Town Centre' according to Schedule 'A' of the Official Community Plan. Specific downtown area policies have been developed with the intent of encouraging higher residential density developments that are compatible with neighbouring uses while respecting streetscape character, open spaces, view retention, and privacy.

#### ***Nanaimo Downtown Reference Plan***

As provided for by the OCP, a structure plan was completed for the downtown and adopted as a reference document by Council in 2002. The subject site is located within the Chapel – Front Character Area. The vision for this area is for a high-density, mixed-use urban neighbourhood that provides for a variety of offices, stores, live / work studios, townhouses and apartments. Staff is of the opinion that the proposed development complies with the intent of the OCP and downtown reference documents.



**Proposed Development**

The applicants are proposing to construct a five-storey mixed-use commercial and multi-family development (Schedule 'B'). The development, as proposed, will include approximately 381.67 m<sup>2</sup> (4,108.39 ft<sup>2</sup>) of commercial retail floor space along Front and Chapel Streets and 29 multi-family one and two-bedroom dwelling units.

**Floor Area Ratio (FAR)**

In order to facilitate the proposed development, the applicants are requesting to increase the maximum FAR from 2.5 to 3.3. This equates to an increase in permitted floor area from 2,925.98 m<sup>2</sup> (31,494.93 ft<sup>2</sup>) to 3,825.07 m<sup>2</sup> (41,179 ft<sup>2</sup>); a net increase of 899.72 m<sup>2</sup> (9,684.82 ft<sup>2</sup>).

While properties within the C-28 Zone can be considered for high-rise development, the applicants have proposed a low-rise development which is below the maximum permitted height of the C-28 Zone. As Council is aware, a number of residential projects are currently active or have been developed within the area.

**Community Contribution**

As outlined in Section 6.2 of the OCP, in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution. In response to this policy, the applicants are proposing a \$35,000 monetary contribution towards the City's Housing Legacy Fund.

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

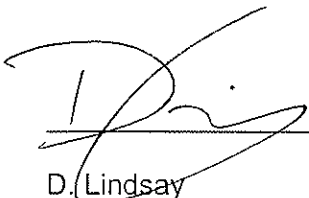
**Rezoning Advisory Committee (RAC)**

At its meeting of 2007-JUN-07, RAC recommended that the application be approved as presented. Staff concur with this recommendation and recommend that Council support the proposed rezoning.

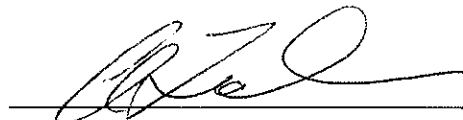
**Summary**

Council has undertaken several initiatives to help stimulate and revitalize the downtown. These initiatives and incentives, together with recent residential development projects in the downtown, have assisted in promoting this transition. The proposed mixed-use development will assist with the goal of a vibrant core. Staff recommends that Council support this application and consider the associated amendment bylaw.

Respectfully submitted,



D. Lindsay  
Manager, Planning Division  
**DEVELOPMENT SERVICES DEPARTMENT**



A. Tucker  
Acting Director, Planning & Development  
**DEVELOPMENT SERVICES DEPARTMENT**

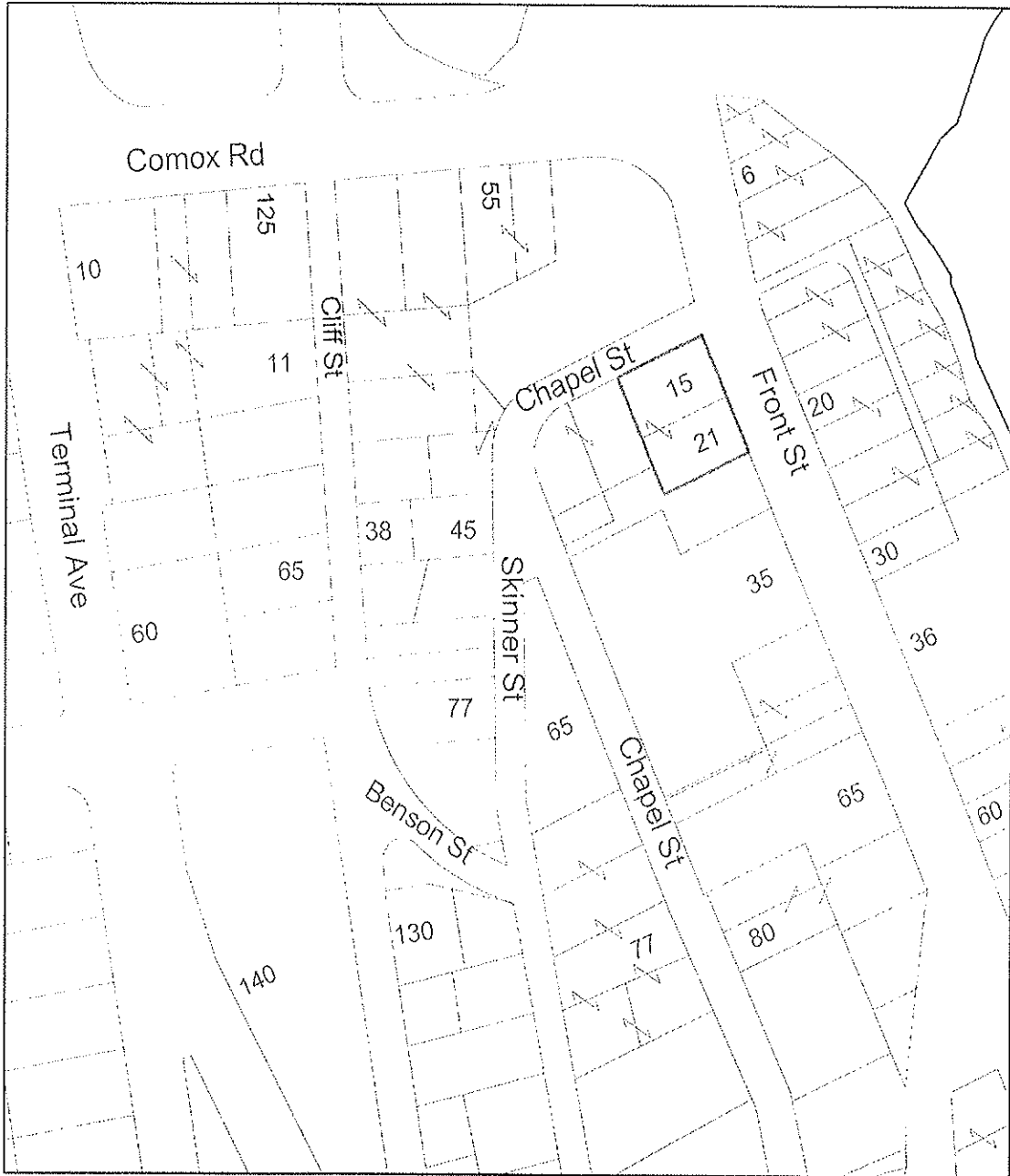
JC/pm  
Council: 2007-JUL-09  
Prospero: RA192

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




GENERAL MANAGER OF DEVELOPMENT SERVICES

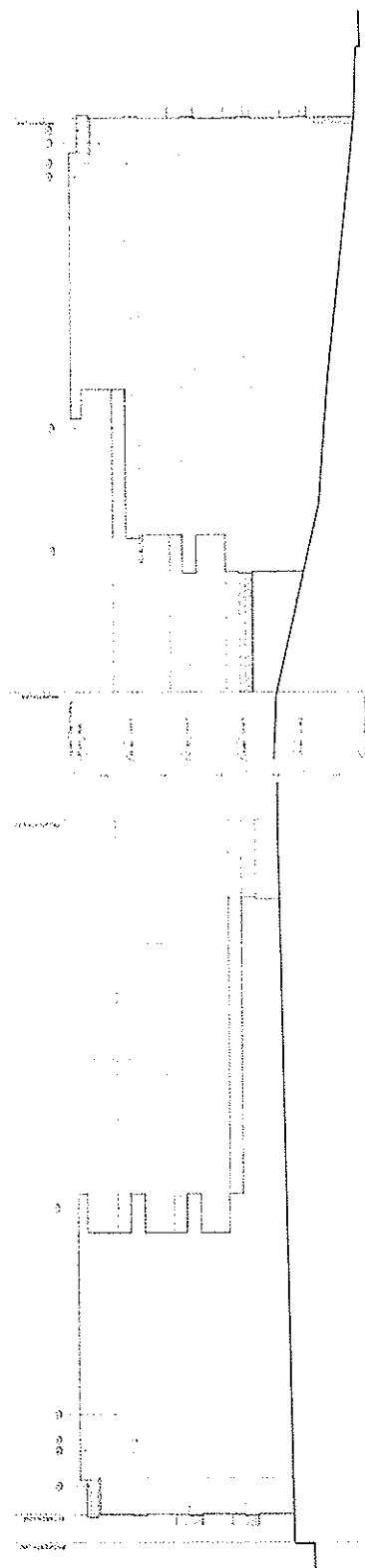
SCHEDULE A



File : RA000192  
Civic: 15 and 21 Front Street

 Subject Property

[illegible]



6-25-68

4. Southern Forests  
 1993-94 Scale: 100[illegible]

659

2

[illegible]

Scale in meters  
Elevations

### Elevations

A5.1  
119

CITY OF NANAIMO

BYLAW NO. 4000.418

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

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

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

1. This Bylaw may be cited as the "ZONING BYLAW AMENDMENT BYLAW 2007 NO. 4000.418".
2. The City of Nanaimo "ZONING BYLAW 1993 NO. 4000" is hereby amended by rezoning land shown on the attached Schedule 'A' and legally described as LOT 31, SECTION 17, RANGE 8, MOUNTAIN DISTRICT, PLAN 21136 from Single Family Residential Zone (RS-1) to Residential Duplex Zone (RM-1).

PASSED FIRST READING **2007-JUN-25.**

PASSED SECOND READING **2007-JUN-25.**

PUBLIC HEARING HELD \_\_\_\_\_

PASSED THIRD READING \_\_\_\_\_

APPROVED BY MINISTRY OF TRANSPORTATION \_\_\_\_\_

COVENANT REGISTERED \_\_\_\_\_

ADOPTED \_\_\_\_\_

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MAYOR

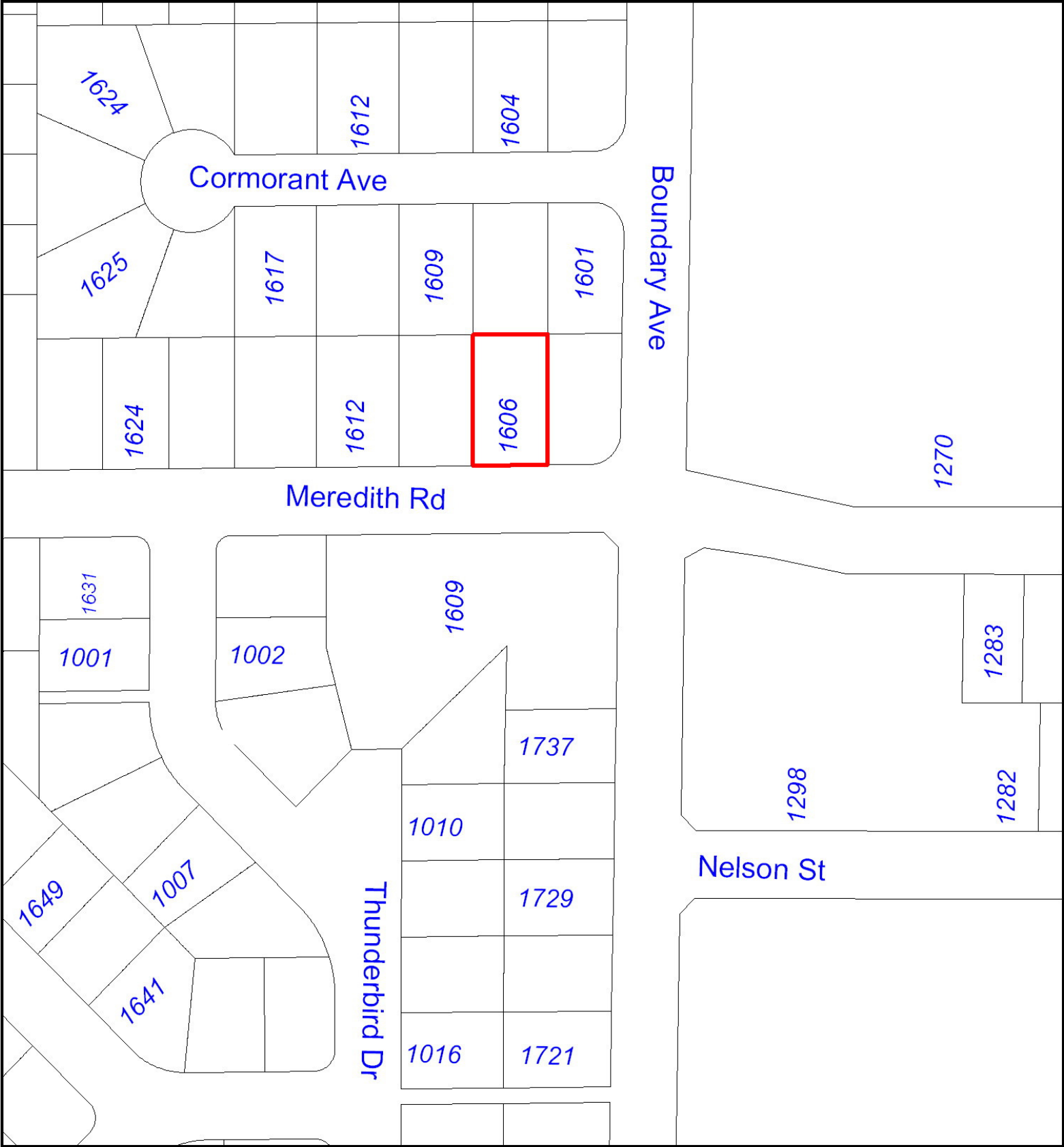
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DIRECTOR,  
LEGISLATIVE SERVICES

File: RA190  
Address: 1606 Meredith Road  
Applicant: Maureen Pilcher & Associates



SCHEDULE A



File : RA000190  
Civic: 1606 Meredith Road

 **Subject Property**

CITY OF NANAIMO

BYLAW NO. 4000.419

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

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

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

1. This Bylaw may be cited as the "ZONING BYLAW AMENDMENT BYLAW 2007 NO. 4000.419".
2. The City of Nanaimo "ZONING BYLAW 1993 NO. 4000" is hereby amended by rezoning part of lands shown on the attached Schedule 'A' and legally described as LOT B, SECTION 5, WELLINGTON DISTRICT, PLAN 10947 from Single Family Residential Zone (RS-1) to Residential Triplex and Quadruplex Zone (RM-2).

PASSED FIRST READING **2007-JUN-25.**

PASSED SECOND READING **2007-JUN-25.**

PUBLIC HEARING HELD \_\_\_\_\_

PASSED THIRD READING \_\_\_\_\_

APPROVED BY MINISTRY OF TRANSPORTATION \_\_\_\_\_

COVENANT REGISTERED \_\_\_\_\_

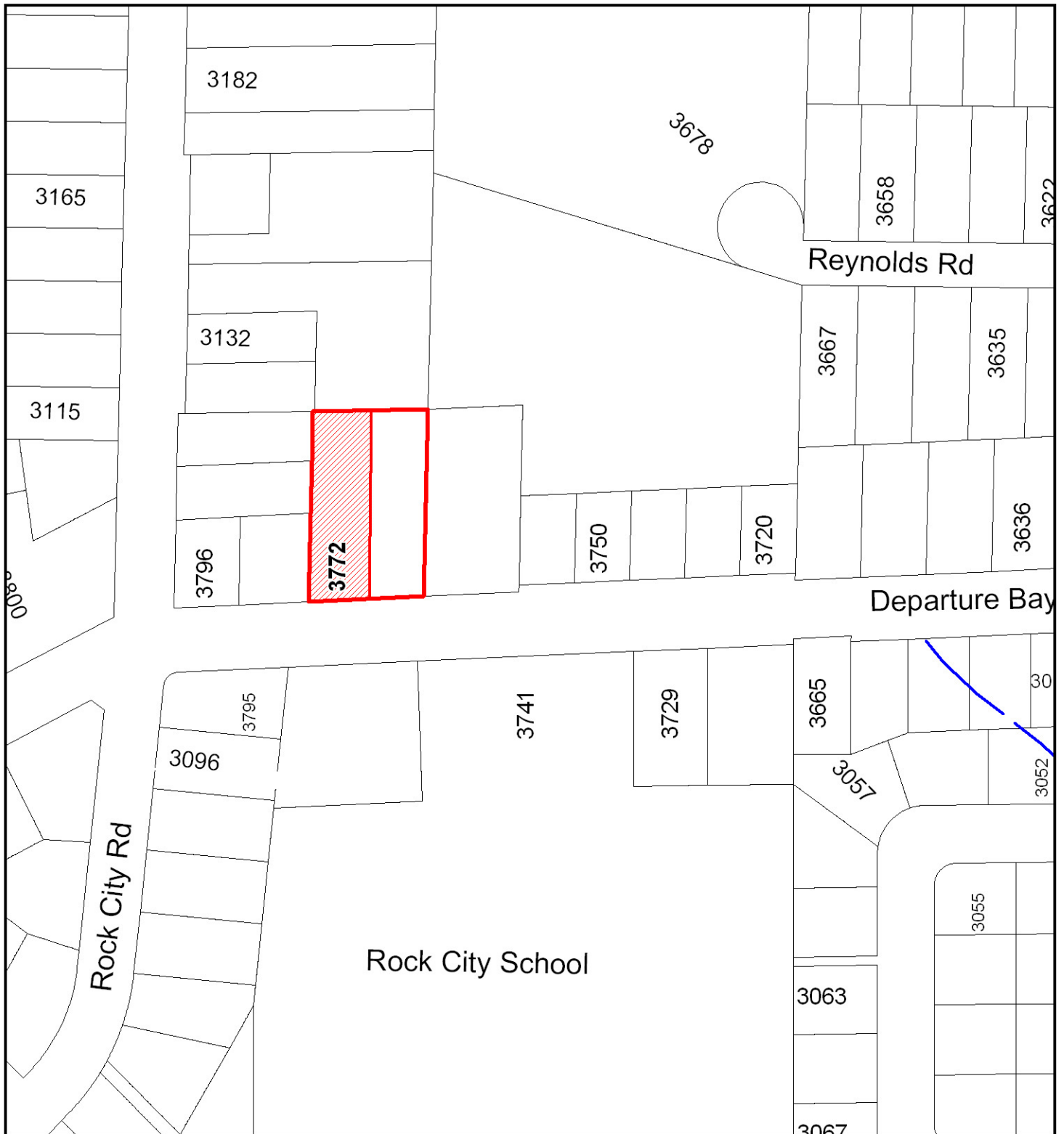
ADOPTED \_\_\_\_\_

\_\_\_\_\_  
M A Y O R



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

File: RA186  
Address: 3772 Departure Bay Road  
Applicant: Maureen Pilcher & Associates

# SCHEDULE A



File : RA000186  
Civic: 3772 Departure Bay Road  
Lot 74, District Lot 41, Wellington District,  
Plan VIP58466

-  **Subject Property**
-  **Area of Proposed Rezoning**

CITY OF NANAIMO

BYLAW NO. 4000.420

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 2007 NO. 4000.420".
2. The City of Nanaimo "ZONING BYLAW 1993 NO. 4000" is hereby amended as follows:
  - (1) By adding Section 9.28.3.5 as follows:

"Notwithstanding Subsection 9.28.3.1, in the case of LOTS 12 AND 13, BLOCK 55, SECTION 1, NANAIMO DISTRICT, PLAN 584 (15 & 21 Front Street), a maximum permitted floor area ratio shall not exceed 3.30."

PASSED FIRST READING 2007-JUL-09.  
PASSED SECOND READING 2007-JUL-09.  
PUBLIC HEARING HELD \_\_\_\_\_  
PASSED THIRD READING \_\_\_\_\_  
MOT APPROVED \_\_\_\_\_  
ADOPTED \_\_\_\_\_

\_\_\_\_\_  
MAYOR

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

File: RA192  
Address: 15/21 Front Street  
Applicant: Tectontica Management Inc.

SCHEDULE A



File : RA000192  
Civic: 15 and 21 Front Street

 **Subject  
Property**