

# CITY OF NANAIMO

## MINUTES OF THE MEETING OF THE REZONING ADVISORY COMMITTEE HELD ON THURSDAY, 2006-MAY-04, AT 4:45 P.M. IN THE BOARD ROOM, CITY HALL, 455 WALLACE STREET, NANAIMO, BC

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PRESENT: Bill Forbes (Chair)  
Michael Schillinck  
Neil McNiven  
Jolyon Brown

APPLICANT(S): Keith Brown – Keith Brown and Associates Ltd.  
Rick Windley – Windley Contracting Ltd.  
Brian McCullough – Coast Realty Group

STAFF: Dale Lindsay, Manager, Planning Division, DSD  
Jason Carvalho, Planner, Planning Division, DSD  
Penny Masse, Planning Clerk, Planning Division, DSD

### 1. CALL TO ORDER

The meeting was called to order at 4:53 p.m.

### 2. ADOPTION OF MINUTES

MOVED by Mr. Forbes, SECONDED by Mr. McNiven, that the minutes of the 2006-FEB-16 Rezoning Advisory Committee meeting be adopted.

**CARRIED**

### 3. NEW AND PENDING APPLICATIONS

RA000161: Mr. Keith Brown, on behalf of Hotel Nanaimo Holdings Ltd. and Ambleswood Developments Ltd., has submitted an application to rezone portions of 4900 Rutherford Road, 4700 Ambleswood Lane and 4085 Salal Drive from RM-3, C-4 and C-8 to RM-3, RS-6 and C-4 in order to develop a small lot single-family subdivision and multi-family townhouse development.

Mr. Carvalho gave a brief presentation regarding the property and application:

- The development, as proposed will include an 18-lot, single-family subdivision which will be accessed off of Uplands Drive.
- The remaining portion of the development would encompass a 68-unit townhouse development, which would be primarily accessed off of Rutherford Road, however there would be one additional building (Unit 'K') which would be accessed directly off of Salal Drive.
- The subject properties are identified in the City's OCP as being located within the Rutherford Town Centre. Policies within the OCP recognize Rutherford Mall as being the core of the Town Centre and the OCP encourages and supports residential densities up to 50 units per hectare (20 units per acre) on transition lands which radiate from the core. The OCP also supports a variety of different housing forms ranging from single-family dwellings to multi-unit apartment buildings. (Based on the OCP the proposed development meets the density requirements).
- Through the application process Staff have been notified that the applicant has met with the local neighbourhood (two meetings) and based on comments received at those meetings, some amendments to the plan had occurred.

Mr. K. Brown's presentation to the Committee is attached as Schedule 'A'.

Mr. McCullough (Coast Realty Group) noted that neighbourhood enhancement would be a result of this application as it is unkept and this would add value.

Mr. McNiven asked for clarification on the 6-metre setback and why the lot lines are being extended out.

Mr. K. Brown noted that they are trying to build an increased buffer for the lot owners and neighbours. Their rear yards are too small and they are attempting to give them an option.

Mr. McNiven asked if there were any neighbourhood concerns besides the size of rear yards.

Mr. K. Brown noted that some neighbours are of the opinion that they would prefer transfer of the land as fee-simple, but they believe that a 6-metre easement would add to the recreational capabilities of each lot.

Mr. Forbes asked if the fence line along the original property line is where this setback will occur.

Mr. K. Brown confirmed that this is where the setback will ideally occur, adding it is on the "good side" of the good neighbour fencing.

Mr. Anderson asked if the extra 6 metres would result in extra taxes for the owner.

Mr. Windley noted that the property would still be registered to the strata, and that the buffer would be landscaped by the developer the only affect on the owner would be an extra 6 metres of property to maintain.

MOVED by Mr. McNiven that the application be approved as presented. SECONDED by Mr. Schellinck.

**CARRIED**

**RA000164:** Mr. Keith Brown, on behalf of Calvin and Louise Paley, has submitted an application to rezone 1583 Bartlett Street from Single Family Residential Zone (RS-1) to Residential Triplex and Quadraplex Zone (RM-2) in order to develop three dwelling units (duplex and single-family dwelling).

Mr. Carvalho gave a brief presentation of the project and history of the subject application:

- Confirmed that the development would consist of one single-family dwelling fronting Bartlett Street, with a two-unit duplex towards the rear portion of the property.
- The subject property is designated as "Neighbourhood" under the City's OCP. "Neighbourhood policies" support and encourage single-family and multi-family infill developments provided they are consistent with the neighbourhood target density of 6 units per acre (15 units per hectare). The proposed rezoning is consistent with OCP policy.

Mr. K. Brown gave a brief presentation of the proposed development:

- The application is an in-fill, which will be the trend to come in the City.
- This property is 66 feet wide and approximately 200 feet deep. It currently has an old, dilapidated home located towards the frontage, which is planned to be demolished and a new home (plans are attached as Schedule 'B') built.
- Makes sense for the neighbourhood and the quality will be upheld. Will be going under a development permit so its design criteria will be laid out at that stage.

Mr. McNiven asked if Staff support this proposal.

Mr. Lindsay responded that Staff are in support of this application.

Mr. Forbes asked what surrounds the property in question currently.

Mr. K. Brown noted that the property is currently surrounded by single-family homes and 2 duplexes, adding that these homes are "moderate" in quality which highlights how this development would enhance the area as the development permit would ensure the quality of the project.

Mr. Forbes asked what the neighbourhood response has been.

Mr. K. Brown noted that the neighbourhood is in full support of the project and the petition had very good reception.

MOVED by Mr. McNiven that the application be approved as presented. SECONDED by Mr. Anderson.

**CARRIED**

**RA000165:** Mr. Keith Brown, on behalf of Crest Mobile Home Estates Ltd., as submitted a covenant amendment application to allow a townhouse development with up to 40% lot coverage and increase density from 27 to 30 units on a portion of 6202 Dunbar Road.

Mr. Carvalho gave a brief presentation regarding the property and application:

- This application is to amend an existing covenant currently registered on title to the subject property.
- The property was the subject of a previous rezoning application and OCP amendment in 1995. As part of that rezoning application a covenant was secured which restricted, among other things, lot density and lot coverage on this portion of the property which was subsequently zoned RM-3.
- The applicant has now come forward and has applied to amend the covenant for lot coverage. The applicant has also come forward with additional amendments to the covenant to increase the unit density from 27 units to 30 units and also to remove the requirement for a recreational community building, which was required to be constructed within the RM-3 portion to serve the townhouse development.

Mr. Lindsay noted that it is important to clarify that the property is currently zoned RM-3 and that the application is to amend the covenant only. This is because Council's policy states that when there is an application to amend a covenant that was registered as a condition of a previous rezoning, that the application should go back through the rezoning process, including public consultation and Committee approval, before Council agrees to amend a covenant.

Mr. Brown gave a presentation on the covenant amendment application which is attached as Schedule 'C'.

Mr. McNiven asked if the covenant was placed on the title because the City wanted it.

Mr. Lindsay stated that the covenant was placed on title to the property because it was a condition of rezoning. Council rezoned the property from A-2 to RM-3 with the condition that this covenant be placed on title which limited lot coverage, limited density at 27 units and required the common recreational building.

Mr. McNiven asked if they are already approved for 27 units, and that this application is requesting an additional 3 units.

Mr. Lindsay confirmed that this is correct and that the City is supportive of the lot coverage amendments and the removing the recreational building in favour of a community contribution to the Oliver Road Recreational Centre.

MOVED by Mr. McNiven that the application be approved as presented. SECONDED by Mr. J. Brown.

#### 4. **NEW BUSINESS**

5. ADJOURNMENT

Mr. McNiven MOVED that the meeting be adjourned at 5:35 p.m. SECONDED  
by Mr. Schillinck.

CARRIED

APPROVED:

  
Chair BRIAN ANDERSON

2006 JUN 15  
Date

# **SCHEDULE 'A'**

## **AMBLEWOOD VILLAGE PROPOSED MIXED USE HOUSING DEVELOPMENT AMBLEWOOD LANE, NANAIMO, BC**

**Prepared for:** Windley Contracting Ltd.  
3711 Shenton Road  
Nanaimo, BC V9T 2H1

**Prepared by:** Keith Brown Associates Ltd.  
Land Planning and  
Development Consultants  
5102 Somerset Drive,  
Nanaimo, BC V9T 2K6

**Date:** May 4, 2006

May 4, 2006

File No. 795.05

City of Nanaimo  
455 Wallace Street  
Nanaimo, BC V9R 5J6

**ATTN: Chair and Members  
City of Nanaimo's  
Rezoning Advisory Committee**

Dear Chair and Committee Members:

**SUBJECT: PORTION OF LOT B, LOTS C AND D, SECTION 5,  
WELLINGTON DISTRICT PLAN VIP62511;  
"AMBLEWOOD VILLAGE".**

**DESCRIPTION OF SUBJECT PROPERTIES:**

There are three properties which represent this Rezoning Application. These are:

- Portion of Lot B, Plan VIP62511. This lot represents a small undeveloped area of an existing mixed use C-4 commercial/residential property.
- Lot C, Plan VIP62511. This lot was previously utilized as a Par 3 Golf Course with clubhouse, licensed facilities, banquet room, workshop and accessory dwelling. Due to market conditions these facilities have been closed for the past six years. The site contains clusters of trees and open areas throughout.
- Lot D, Plan VIP62511. Approximately 1/3 of this lot is treed containing mostly coniferous fir trees with natural ground cover. The property rises upward onto a rock ridge formation.

**SITE AREA:**

Portion of Lot B, Plan VIP62511: comprises an area of 0.047 hectares.  
Lot C, Plan VIP62511: comprises an area of 4.4887 hectares.  
Lot D, Plan VIP62511: comprises an area of 0.1821 hectares.  
Total Area Subject to Rezoning:.....approx. 4.7 hectares.

**OFFICIAL COMMUNITY PLAN (OCP) BYLAW NO. 6000:**

The City's OCP designates the subject site as part of the Rutherford Town Centre with the Rutherford Mall as the core district. The subject site fall within the Rutherford Town Centre Transition District which permits residential densities up to 50 units per hectare. Permitted building forms in the transition district are townhouses and 3 and 4 storey apartment/condominiums.

**DEVELOPMENT DENSITY:**

The development represents 86 residences on 4.7 hectares, excluding proposed parkland dedication. The density represents 18.3 residences per hectare.

**ZONING BYLAW NO. 4000:**

- Portion of Lot B Plan VIP62511 is Mixed Use Commercial Zone (C-4) and is proposed for rezoning to Residential Townhouse Zone (RM-3).
- Lot C, Plan VIP62511 is zoned Commercial Recreation Zone (C-8) and is proposed for rezoning to Residential Townhouse Zone (RM-3) and Single Family Subdivision (RS-6).
- Lot D, Plan VIP65211 is zoned Residential Townhouse Zone (RM-3) and is proposed for 4 townhouses (4-plex) with the remainder to be dedicated for parkland.

**PUBLIC INFORMATION MEETINGS:**

Two separate Public Information Meetings were held this past summer with the immediate property owners and City Planning staff attending. The primary issues raised by the property owners were directed towards the need for buffering between the existing homes on Clubhouse Drive, Uplands Drive and the proposed development. This translated into increasing the rear yard setbacks between the proposed townhouses and the existing property lines by a depth of 6 metres (see enclosed Site Plan).

The developer has agreed to provide a 6 metre depth easement plan between the rear property line of the existing smaller residential lots. In addition, the developer will construct a good neighbour fence along the entire easement. The individual home owners would extend their side yard fences through to the easement line which increases each home owners rear yard depth by 6 metres.



The proposed transfer of the 6 metre easement effectively adds 100 sq. metres of additional lot area for each of the property owners that are abutting the former golf course facilities. The actual rear building line setback from the proposed patio homes to the revised rear yard line of the property owners will be a minimum distance of 17 metres to 21 metres in depth. Landscaping is proposed to provide visual relief along the new easement lines within the proposed development.

**PARKLAND AND TRAIL DEDICATION:**

The larger portion of Lot D, Plan VIP 62511, is designated for park and to remain in its natural state. A portion of Lot C, Plan VIP62511, is designated for park and future playground.

In addition a public trail system is proposed and traverses around the parkland areas. This designated parkland will benefit both the development and the surrounding residential areas.

**SUMMARY:**

From a planning perspective, the proposed development complies with the policies of the City's Official Community Plan, represents in-filling of a residential area, is compatible with the existing neighbourhood, centrally located to all services, reflects a quality development which will enhance the neighbour, and provides the community with a wide range of housing options.

Respectfully, we seek the Committee's support for the Rezoning Application as presented.

Yours truly,



R.K. Brown,  
Consultant Planner

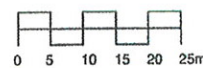
Enc.

p.c. Mr. Rick Windley, President  
Windley Contracting Ltd.





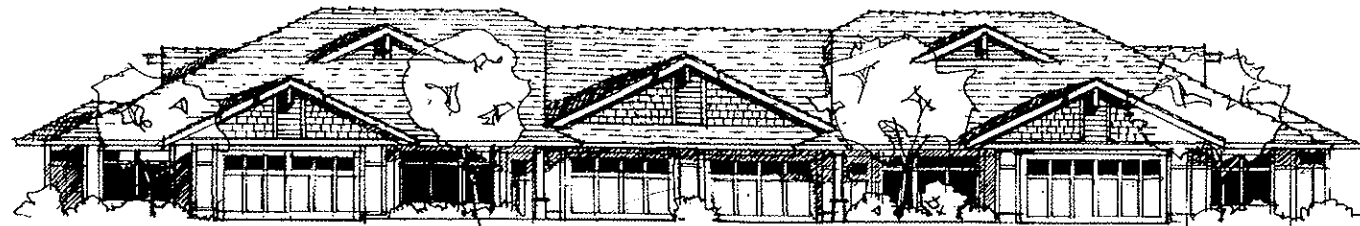
CHOW FLEISCHER LOW  
architects inc.  
1111 HODGSON ROAD, SUITE 100, NANAIMO, BC V9T 2Y1  
PH: 250.452.1112 FAX: 250.452.1112  
WWW.CFARCHITECTURE.COM



MAY 2, 2006



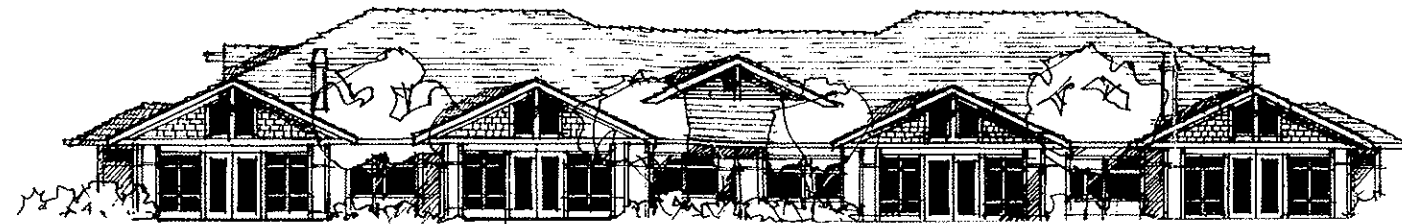




UNIT C



UNITS A,B,D,E



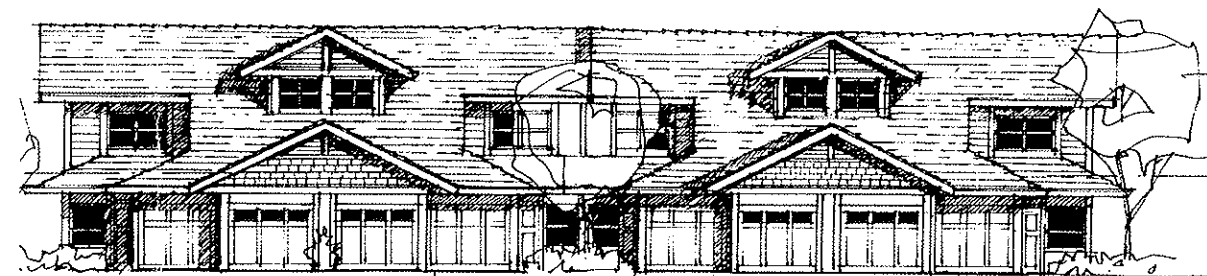
UNIT C



UNITS A,B,D,E



UNITS O to S



UNITS F to N

## PROPOSED ELEVATIONS

SCALE 1/8" = 1'-0"



CHOW FLESCHAUER LOW  
ARCHITECTS INC.  
1281 BROADWAY AVENUE, VICTORIA, BC V8P 2Y7  
(250) 383-1475 FAX (250) 383-1475  
www.chowfleschauer.com

# AMBLEWOOD VILLAGE

NANAIMO BC



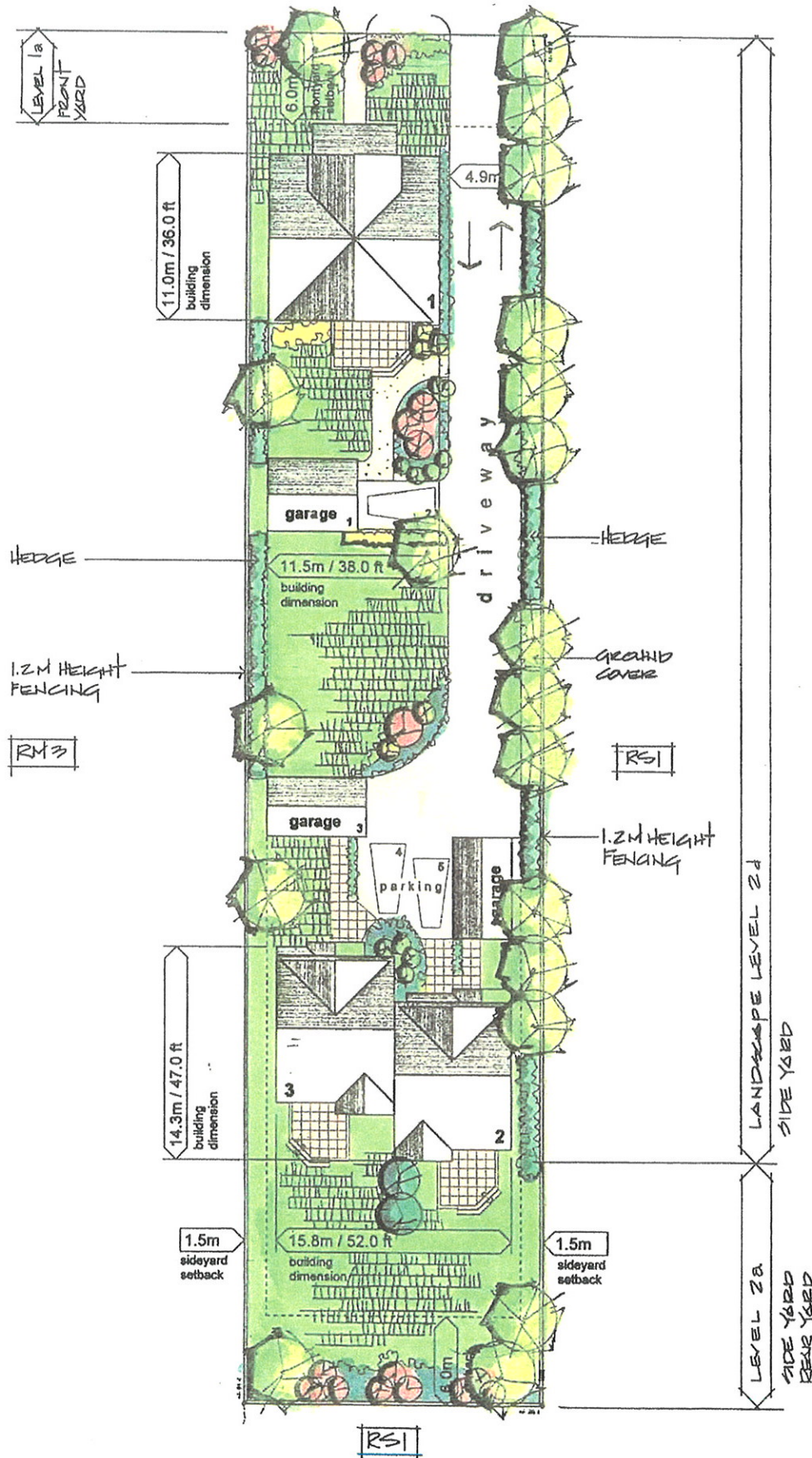
CONSTRUCTION - DEVELOPMENT - GENERAL CONTRACTING



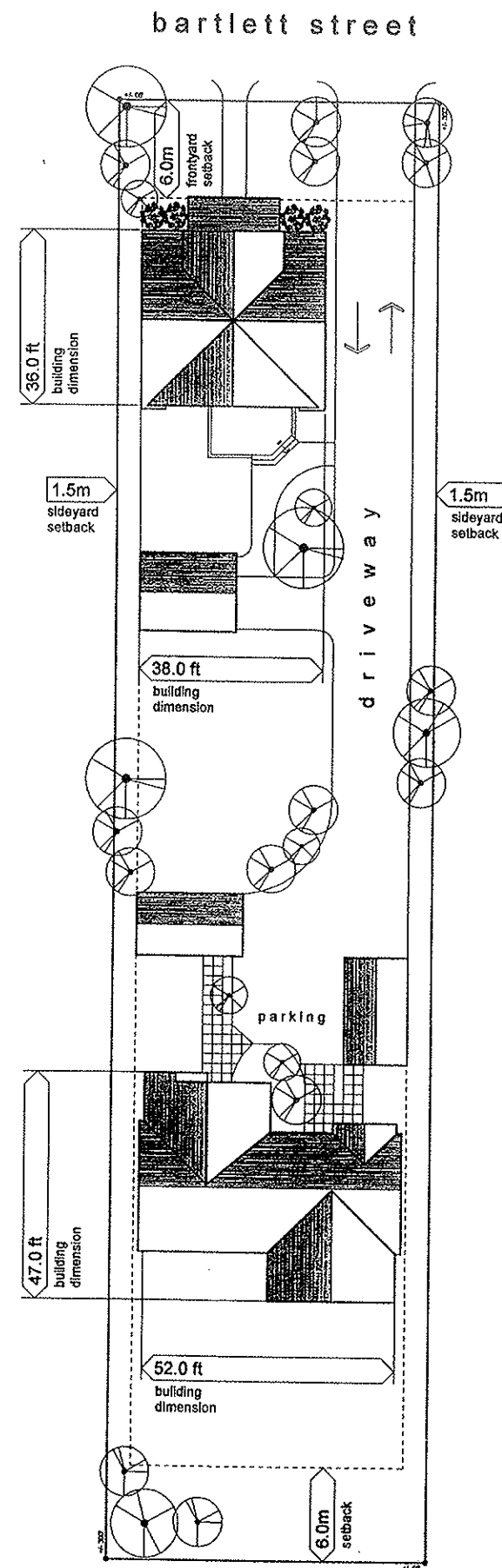


# SCHEDULE 'B'

bartlett street



site plan  
scale= 1:250 metric



site plan  
scale= 1:250 metric

# PROJECT DATA:

LEGAL DESCRIPTION:  
LOT 3, SUBURBAN LOT 4, NEWCASTLE TOWNSITE, SECTION 1,  
NANAIMO DISTRICT, PLAN 483

CIVIC ADDRESS:  
1583 BARTLETT STREET

PROPOSED ZONING:  
RM2 - RESIDENTIAL TRIPLEX AND QUADRUPLIX ZONE

LAND USE:  
MULTI-FAMILY RESIDENTIAL DWELLINGS

LOT AREA:  
+/- 1840 SQ.M.

BUILDING AREAS:  
PROPOSED RESIDENCE 1452 SQ.FT./ 134.9 SQ.M.  
PROPOSED DUPLEX 1804 SQ.FT./ 167.7 SQ.M

LOT COVERAGE:  
+/-16.4%

FLOOR AREA RATIO:  
0.164

PARKING REQUIRED  
2 UNITS @ 1.66 PER UNIT 3  
2 SPACES PER RESIDENCE 2  
TOTAL 5

PARKING PROVIDED  
DUPLEX PARKING 4  
RESIDENCE 2  
TOTAL 6

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEYS, DIMENSIONS, 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

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4378 OBRUAN ROAD LADYSMITH BC V9G 1G2

will melville phone/fax  
designer 250.245.3894

REVISIONS:  
issued for review 16.MAR.2008

MAR - 2008

PROJECT:

Proposed Residences

1583 Bartlett Street  
Nanaimo, B.C.

JOB NUMBER:  
d943.55.05

SCALE:  
as noted

DRAWN BY:  
S.S.

DRAWING TITLE:

proposed site plan

PAGE:

PR1



# SCHEDULE 'C'

## KEITH BROWN ASSOCIATES LTD.

5102 SOMERSET DRIVE, NANAIMO, BC V9T 2K6  
TEL. (250)758-6033 CEL. (250)741-4776 Pager (250)741-3323 FAX (250)758-9961

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May 4, 2006

City of Nanaimo  
455 Wallace Street  
Nanaimo, BC V9R 5J6

**ATTN: Chair and Committee Members  
City of Nanaimo's  
Rezoning and Advisory Committee**

Dear Chair and Committee Members:

**SUBJECT: ± 1.36 HECTARE PORTION OF; PARCEL B (DD9906N),  
SECTION 10, WELLINGTON DISTRICT, EXCEPT PARCEL 1  
(DD4275N) AND EXCEPT THOSE PARTS IN PLANS 6576, 12317,  
22934, AND VIP62892.**

An agreement has been reached for a sale of the subject property comprising 1.36 hectares and zoned RM-3 (townhouses).

In the review process for purchasing the land, we identified an existing 1995 registered covenant on Title which applied to the RM-3 zoned portion of the lands.

These covenant conditions are:

1. Development not to exceed 27 dwelling units.
2. Improvements constructed on the land not to exceed 21% lot coverage.
3. Construction of a recreation facility of not less than 1,000 sq. ft. in area.

For the Committee's reference the 21% lot coverage provided for 2 storey units with single carports and minimal closet size storage. The rezoning proposal will permit the construction of 1,300 sq. ft. units with 400 sq. ft. garages for an average gross building unit of 1,700 sq. ft. These proposed unit sizes reflect middle market range of \$250,000 to \$269,000 per dwelling unit.

The covenant requirements limiting the development to 27 dwelling units restricts the ability to fully build out the development site. The subject property will support 30 units based on our average 1,700 sq. ft. model.



The requirements to construct a recreation facility (1,000 sq. ft.) within the townhouse development is redundant given that the individual townhouse owners continue to enjoy their privacy as the same as owners in single family subdivisions. In fact, it is the experience of the developer purchasing the property that a very small percentage (1-2%) utilize such facilities while the large majority of strata owners do not use the facility but must pay for maintenance and upkeep of the facility.

We are therefore seeking the following amendments to the existing covenant:

1. Lot coverage be increased from 21% to 40%.
2. Number of dwelling units permitted be increased from 27 to 30 units.
3. Waiver of the requirement to construct an onsite recreation facility. Developer commits to contributing \$30,000 to the City's proposed Oliver Road Recreation Centre.

In conclusion, we believe the foregoing proposed amendments are inkeeping with competing market conditions experienced throughout the community.

We seek the Committee's support for the covenant amendments as presented.

Yours truly,



R.K. Brown,  
Consultant Planner

p.c. Mr. Dave McNaught,  
672647 BC Ltd.

