

3. BYLAW NO. 4000.386:

Purpose: To permit use of land for a single family subdivision.

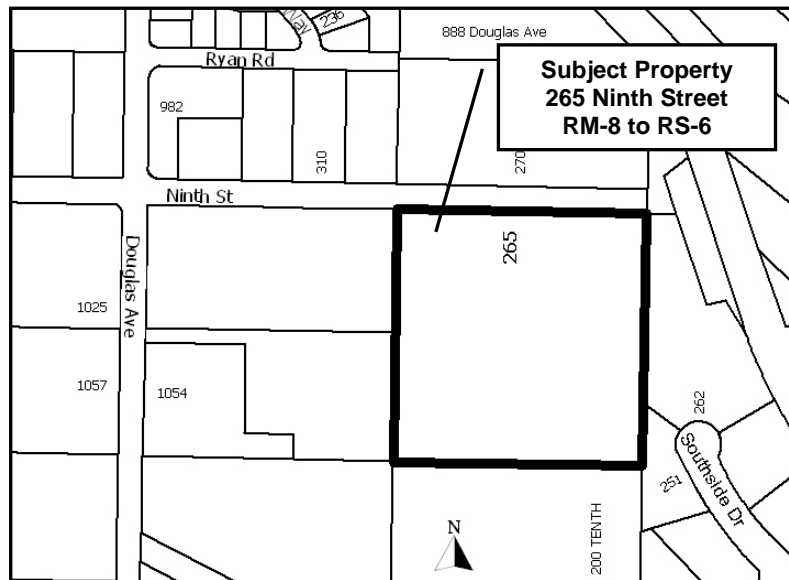
Location(s): 265 Ninth Street

File No.: RA152

This bylaw, if adopted, will rezone property from Mobile Home Park Subdivision Zone (RM-8) to Single Family Residential Small Lot Zone (RS-6) in order to permit development of a proposed 70-lot single family residential subdivision. The applicant is proposing to provide access to this proposed subdivision from Ninth Street.

The subject property is legally described as LOT A, SECTION 1, NANAIMO DISTRICT, PLAN VIP54848, and is shown on Map 'C'.

Map C



4. BYLAW NO. 4000.387:

Purpose: To permit use of land for a parking lot.

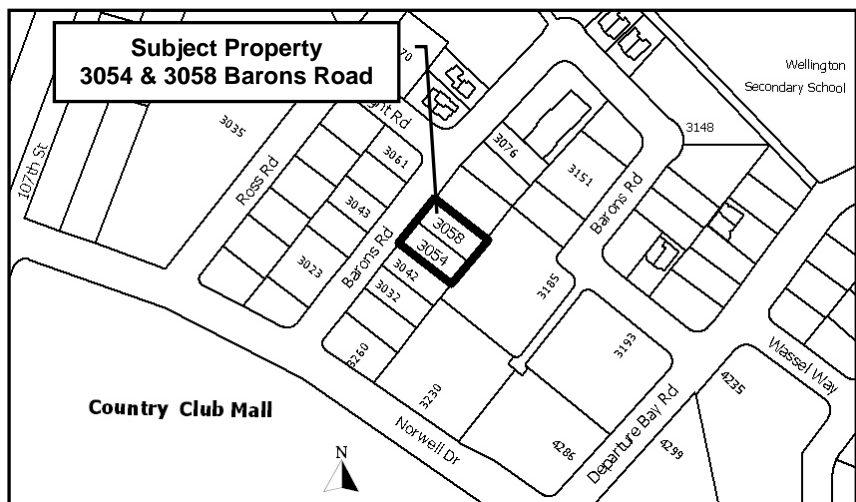
Location(s): 3054 and 3058 Barons Road

File No.: RA130

This bylaw, if adopted, will allow 'parking lots' as a site specific use on lands located at 3054 and 3058 Barons Road. The applicant is proposing to develop this site as a parking lot for the use of NCO call centre employees.

The subject property is legally described as LOTS 5 and 6, SECTION 5, WELLINGTON DISTRICT, PLAN 29823, and is shown on Map 'D'.

Map D



5. BYLAW NO. 4000.388:

Purpose: To permit use of land for an industrial operation.

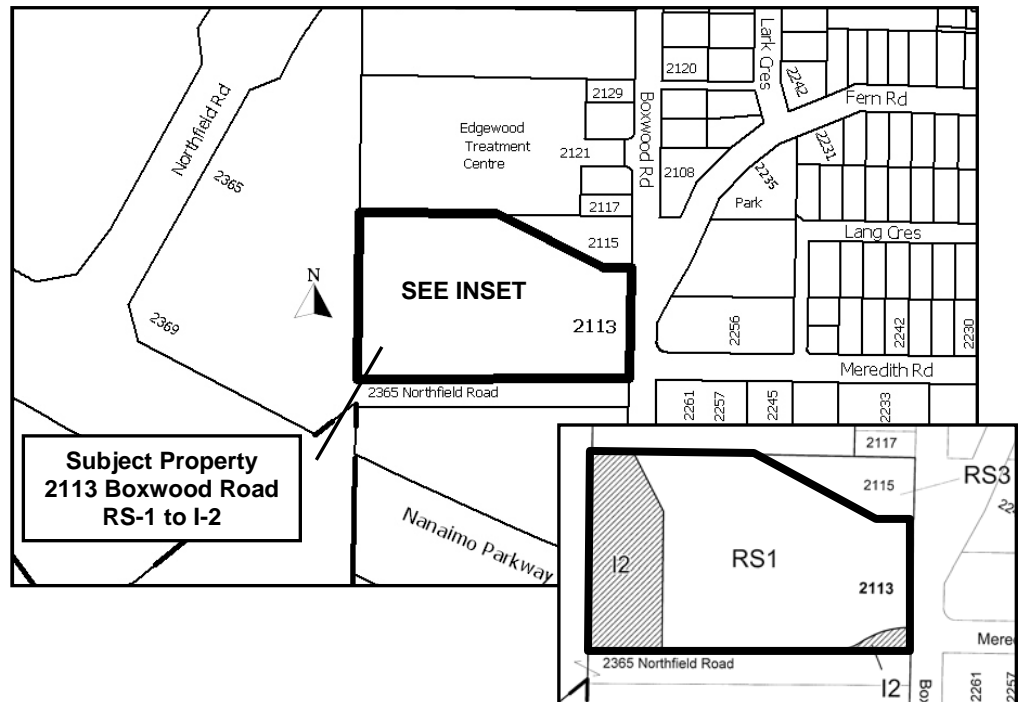
Location(s): 2113 Boxwood Road

File No.: RA157

This bylaw, if adopted, will rezone a portion of the subject property from Single Family Residential Zone (RS-1) to Light Industrial Zone (I-2) in order to expand the adjacent Inland Kenworth operation.

The subject property is legally described as part of LOT 5, SECTION 17, RANGE 7, MOUNTAIN DISTRICT, PLAN 1334, EXCEPT PART IN PLAN 23608, and is shown on Map 'E'.

Map E



6. BYLAW NO. 7013.01:

Purpose: To amend parking requirements for shopping centres and commercial plazas.

Location(s): Various

File No.: 3900 30 ZA1 75

Periodic amendments are needed to maintain the effectiveness of the parking regulations. This bylaw, if adopted, will amend the City of Nanaimo "DEVELOPMENT PARKING REGULATIONS BYLAW 2005 NO. 7013":

- 1) By adding the definition of "Retail Trade and Services Centre" in Section 8 Definitions as "means one or more buildings containing two or more retail or service-related uses, which share common services and parking on a lot.
- 2) By adding parking requirements for "Retail Trade and Services Centres" and amending parking requirements for "Shopping Centres" as follows:
 - Shopping Centres and Retail Trade and Services Centres
 - 4.3 spaces per 100 m² (1076 ft²) of net floor area, where the centre has a net floor area of less than 35,000 m² (376,749 ft²)
 - 5.4 spaces per 100 m² (1076 ft²) of net floor area, where the centre has a net floor area of 35,000 m² (376,749 ft²) or more
- 3) By adding Subsection 13.3 to clarify that, where disparity exists with respect to parking calculations, metric measurements take precedence over the imperial equivalents.

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

*This Notice is published in accordance with Section 892 of the Local Government Act.
Notice Given by General Manager, Administrative Services*

The above bylaws, relevant staff reports, and other background information may be inspected from 2006-FEB-17 to 2006-MAR-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. 4000.382, 4000.385, 4000.386, 4000.387, 4000.388 and 7013.01 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, 2006-MAR-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
238 Franklyn Street, Nanaimo, BC V9R 5J6**

CITY OF NANAIMO

BYLAW NO. 4000.382

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 2006 NO. 4000.382".
2. The City of Nanaimo "ZONING BYLAW 1993 NO. 4000" is hereby amended by rezoning lands shown on the attached Schedule 'A' and legally described as LOT A, SECTION 10, WELLINGTON DISTRICT, PLAN VIP61442 from Rural Agricultural/Residential Zone (A-2) to Single Family Residential Zone (RS-1).

PASSED FIRST AND SECOND READINGS 2006-FEB-13.

PUBLIC HEARING HELD _____.

PASSED THIRD READING _____.

APPROVED BY MINISTRY OF TRANSPORTATION _____.

ADOPTED _____.


File: RA000150

Address: 6191 Doumont Road

Applicant: White Lion Developments Ltd.

The map displays a residential area with the following features:

- Streets:** Doumont Road, Doreen Pl, and Nanaimo Park.
- Lot Numbers:** Various lots are numbered, including 6191 (hatched), 6192, 6193, 6194, 6195, 6196, 6197, 6198, 6199, 6200, 6201, 6202, 6203, 6204, 6205, 6206, 6207, 6208, 6209, 6210, 6211, 6212, 6213, 6214, 6215, 6216, 6217, 6218, 6219, 6220, 6221, 6222, 6223, 6224, 6225, 6226, 6227, 6228, 6229, 6230, 6231, 6232, 6233, 6234, 6235, 6236, 6237, 6238, 6239, 6240, 6241, 6242, 6243, 6244, 6245, 6246, 6247, 6248, 6249, 6250, 6251, 6252, 6253, 6254, 6255, 6256, 6257, 6258, 6259, 6260, 6261, 6262, 6263, 6264, 6265, 6266, 6267, 6268, 6269, 6270, 6271, 6272, 6273, 6274, 6275, 6276, 6277, 6278, 6279, 6280, 6281, 6282, 6283, 6284, 6285, 6286, 6287, 6288, 6289, 6290, 6291, 6292, 6293, 6294, 6295, 6296, 6297, 6298, 6299, 6300, 6301, 6302, 6303, 6304, 6305, 6306, 6307, 6308, 6309, 6310, 6311, 6312, 6313, 6314, 6315, 6316, 6317, 6318, 6319, 6320, 6321, 6322, 6323, 6324, 6325, 6326, 6327, 6328, 6329, 6330, 6331, 6332, 6333, 6334, 6335, 6336, 6337, 6338, 6339, 6340, 6341, 6342, 6343, 6344, 6345, 6346, 6347, 6348, 6349, 6350, 6351, 6352, 6353, 6354, 6355, 6356, 6357, 6358, 6359, 6360, 6361, 6362, 6363, 6364, 6365, 6366, 6367, 6368, 6369, 6370, 6371, 6372, 6373, 6374, 6375, 6376, 6377, 6378, 6379, 6380, 6381, 6382, 6383, 6384, 6385, 6386, 6387, 6388, 6389, 6390, 6391, 6392, 6393, 6394, 6395, 6396, 6397, 6398, 6399, 6400, 6401, 6402, 6403, 6404, 6405, 6406, 6407, 6408, 6409, 6410, 6411, 6412, 6413, 6414, 6415, 6416, 6417, 6418, 6419, 6420, 6421, 6422, 6423, 6424, 6425, 6426, 6427, 6428, 6429, 6430, 6431, 6432, 6433, 6434, 6435, 6436, 6437, 6438, 6439, 6440, 6441, 6442, 6443, 6444, 6445, 6446, 6447, 6448, 6449, 6450, 6451, 6452, 6453, 6454, 6455, 6456, 6457, 6458, 6459, 6460, 6461, 6462, 6463, 6464, 6465, 6466, 6467, 6468, 6469, 6470, 6471, 6472, 6473, 6474, 6475, 6476, 6477, 6478, 6479, 6480, 6481, 6482, 6483, 6484, 6485, 6486, 6487, 6488, 6489, 6490, 6491, 6492, 6493, 6494, 6495, 6496, 6497, 6498, 6499, 6500, 6501, 6502, 6503, 6504, 6505, 6506, 6507, 6508, 6509, 6510, 6511, 6512, 6513, 6514, 6515, 6516, 6517, 6518, 6519, 6520, 6521, 6522, 6523, 6524, 6525, 6526, 6527, 6528, 6529, 6530, 6531, 6532, 6533, 6534, 6535, 6536, 6537, 6538, 6539, 6540, 6541, 6542, 6543, 6544, 6545, 6546, 6547, 6548, 6549, 6550, 6551, 6552, 6553, 6554, 6555, 6556, 6557, 6558, 6559, 6560, 6561, 6562, 6563, 6564, 6565, 6566, 6567, 6568, 6569, 6570, 6571, 6572, 6573, 6574, 6575, 6576, 6577, 6578, 6579, 6580, 6581, 6582, 6583, 6584, 6585, 6586, 6587, 6588, 6589, 6590, 6591, 6592, 6593, 6594, 6595, 6596, 6597, 6598, 6599, 6600, 6601, 6602, 6603, 6604, 6605, 6606, 6607, 6608, 6609, 6610, 6611, 6612, 6613, 6614, 6615, 6616, 6617, 6618, 6619, 6620, 6621, 6622, 6623, 6624, 6625, 6626, 6627, 6628, 6629, 6630, 6631, 6632, 6633, 6634, 6635, 6636, 6637, 6638, 6639, 6640, 6641, 6642, 6643, 6644, 6645, 6646, 6647, 6648, 6649, 6650, 6651, 6652, 6653, 6654, 6655, 6656, 6657, 6658, 6659, 6660, 6661, 6662, 6663, 6664, 6665, 6666, 6667, 6668, 6669, 6670, 6671, 6672, 6673, 6674, 6675, 6676, 6677, 6678, 6679, 6680, 6681, 6682, 6683, 6684, 6685, 6686, 6687, 6688, 6689, 6690, 6691, 6692, 6693, 6694, 6695, 6696, 6697, 6698, 6699, 6700, 6701, 6702, 6703, 6704, 6705, 6706, 6707, 6708, 6709, 6710, 6711, 6712, 6713, 6714, 6715, 6716, 6717, 6718, 6719, 6720, 6721, 6722, 6723, 6724, 6725, 6726, 6727, 6728, 6729, 6730, 6731, 6732, 6733, 6734, 6735, 6736, 6737, 6738, 6739, 6740, 6741, 6742, 6743, 6744, 6745, 6746, 6747, 6748, 6749, 6750, 6751, 6752, 6753, 6754, 6755, 6756, 6757, 6758, 6759, 6760, 6761, 6762, 6763, 6764, 6765, 6766, 6767, 6768, 6769, 6770, 6771, 6772, 6773, 6774, 6775, 6776, 6777, 6778, 6779, 6780, 6781, 6782, 6783, 6784, 6785, 6786, 6787, 6788, 6789, 6790, 6791, 6792, 6793, 6794, 6795, 6796, 6797, 6798, 6799, 6800, 6801, 6802, 6803, 6804, 6805, 6806, 6807, 6808, 6809, 6810, 6811, 6812, 6813, 6814, 6815, 6816, 6817, 6818, 6819, 6820, 6821, 6822, 6823, 6824, 6825, 6826, 6827, 6828, 6829, 6830, 6831, 6832, 6833, 6834, 6835, 6836, 6837, 6838, 6839, 6840, 6841, 6842, 6843, 6844, 6845,

 **SUBJECT
PROPERTY**

CITY OF NANAIMO

BYLAW NO. 4000.385

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 2006 NO. 4000.385".
2. The City of Nanaimo "ZONING BYLAW 1993 NO. 4000" is hereby amended as follows:
 - (1) By rezoning lands shown on the attached Schedule 'A' and legally described as LOT 1, SECTION 5, WELLINGTON DISTRICT, PLAN 17696 from Light Industrial Zone (I-2) to Industrial Service Highway Zone (IS-1A).

PASSED FIRST AND SECOND READINGS 2006-FEB-13.

PUBLIC HEARING HELD _____.

PASSED THIRD READING _____.

APPROVED BY MINISTRY OF TRANSPORTATION _____.

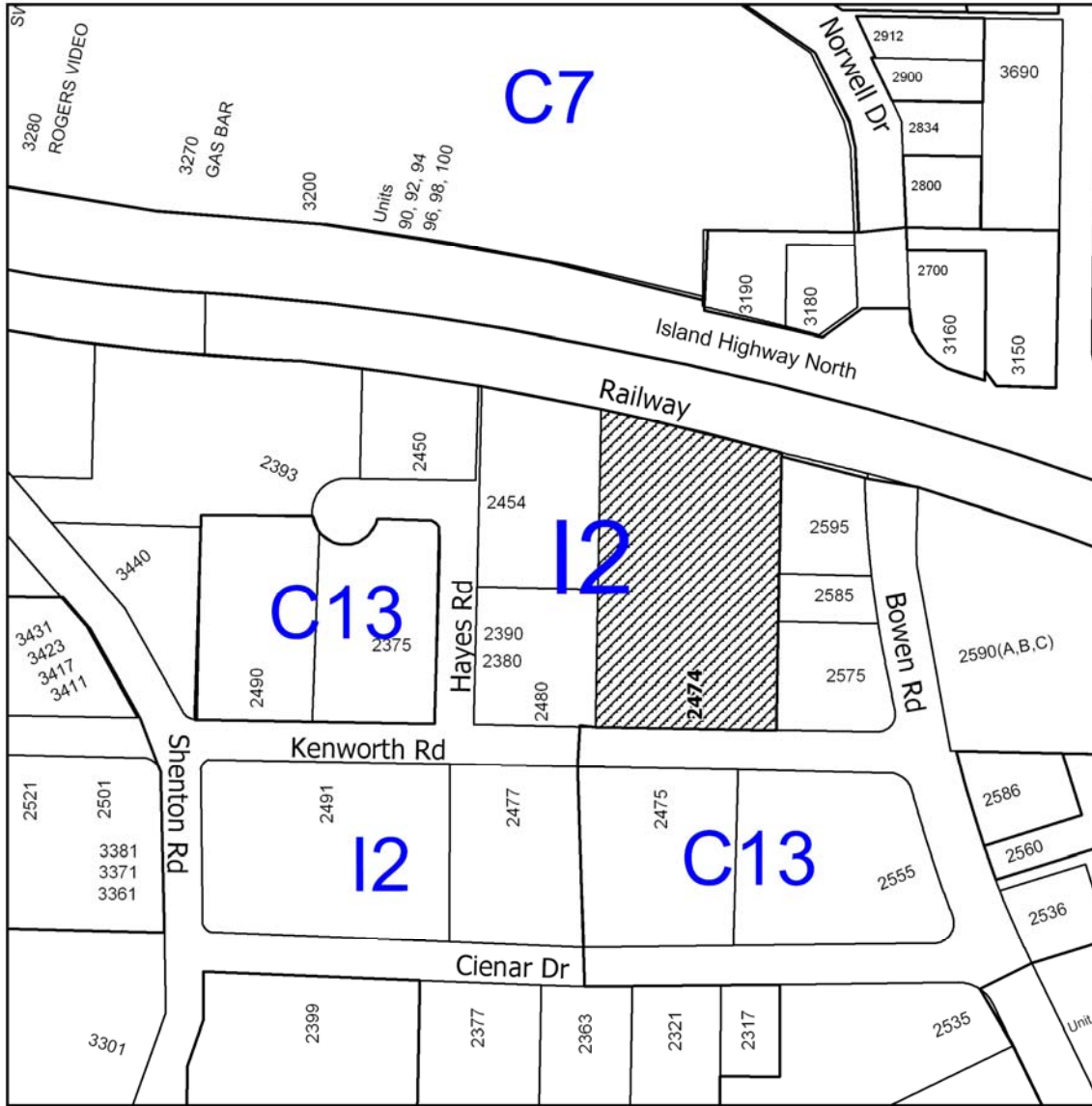
ADOPTED _____.

File: RA000153

Address: 2474 Kenworth Road


Applicant: Island West Cost Developments Ltd.

SCHEDULE A



Civic : 2474 Kenworth Road



 **SUBJECT
PROPERTY**

() Rezoning Application File No. RA153 - 2474 Kenworth Road

The City has received a rezoning application from Island West Coast Development Ltd., on behalf of Inland Kenworth Ltd., to rezone the subject property from Light Industrial Zone (I-2) to Industrial Service Highway Zone (IS-1a) in order to develop an automobile sales and service dealership. The application has been reviewed by Staff and the Rezoning Advisory Committee (RAC) and is now ready for Council's consideration.

The subject property is presently occupied by Inland Kenworth Ltd., and is approximately 1.38 hectare (3.4 acres) in total area. The site is bordered by the E&N Rail right-of-way to the north, Nanaimo Diesel Sales Ltd. and a multi-use industrial tenant building to the west, Tom Harris Mitsubishi and Kia automotive dealerships to the east, and Budget Car and Truck Sales and Nanaimo Toyota to the south.

The subject property is designated as Service Industrial Enterprise Area according to 'Schedule A' of the Official Community Plan (OCP). A City-initiated OCP amendment was approved by Council 2005-OCT-03 to support rezoning for vehicle sales, repair and rental on properties designated as Service Industrial Enterprise Area and which front along Kenworth Road. Staff is of the opinion that the proposed rezoning complies with the intent of the OCP.

The applicant is proposing to rezone the subject property in order to develop an automotive sales and service dealership. It is the applicant's intention to relocate the Tom Harris Chevrolet Dealership to the subject property. The proposed development will consist of one building of approximately 4,180 m² (41,500 ft²) and will include a 20-bay vehicle service area, a drive-thru car wash, and both a new and used automobile showroom. Externally, the majority of the site will be paved and will provide for approximately 200 stalls for the display and sale of automobiles.

Properties zoned "Industrial" are exempt from providing full frontage works and services (i.e. sidewalks) as per the City's Building Bylaw. Although the zoning of the property is proposed to be "Industrial", the proposed use is commercial in nature. Staff recommend that as a condition of rezoning a covenant be registered which secures frontage works and services to the equivalent standard required by the City's Building Bylaw.

The subject property is a tributary to Diver Lake. Historic flooding problems have been recorded downstream from this site. The proposed development will result in an increase in storm water flows. Staff recommend that as a condition of rezoning, a covenant be registered which ensures storm water flows are maintained at, or below, pre-development levels.

Signalization of the Bowen / Kenworth Road intersection is currently listed as a Capital Cost Project, and is tentatively scheduled for construction by the City in 2009. A detailed design for the signalisation has been prepared by the City with an estimated cost, including land acquisition, of \$324,102. A traffic study completed by Bunt and Associates as part of this application has concluded that signalization of the Bowen / Kenworth Road intersection is required in conjunction with this development. The proposed development precedes the City's construction schedule for the intersection improvements. In an effort to advance the project and complete the works in the time frame required by the development, the applicants have offered to contribute to the works associated with the signalization.

The applicants are proposing a monetary contribution of \$125,000 towards the cost of the signalization and are proposing to secure the additional road dedication at 2575 Bowen Road and 2590 Bowen Road required to accommodate the ultimate intersection design.

The applicants have requested that these contributions be recognized as satisfying Council's community contribution policy. Staff support the community contribution proposal and recommend that these items be secured as a condition of rezoning. In addition, in order to ensure that construction of the signalised intersection is completed prior to use of the property, Staff recommend that a covenant be registered which restricts use of the property until such time as the required intersection upgrades have been completed.

The subject application was received by RAC at its regular meeting held 2005-OCT-20. However, the Committee was unable to form a quorum, and as a result the Committee was not able to make a recommendation regarding the application

Recommendation:

That Council support this application and:

1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.385"; and
2. Direct Staff to secure frontage works and services, storm drainage, off-site road works and the proposed community contribution as conditions of rezoning.

FOR CITY MANAGER'S REPORT

REPORT TO: E.C. SWABEY, DIRECTOR, PLANNING & DEVELOPMENT, DSD

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

RE: RA153 – 2474 KENWORTH ROAD

RECOMMENDATION:

That Council support this application and:

1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.385"; and
2. Direct Staff to secure frontage works and services, storm drainage, off-site road works and the proposed community contribution as conditions of rezoning.

BACKGROUND:

The City has received a rezoning application from Island West Coast Development Ltd., on behalf of Inland Kenworth Ltd., to rezone the subject property from Light Industrial Zone (I-2) to Industrial Service Highway Zone (IS-1a) in order to develop an automobile sales and service dealership (Tom Harris Chevrolet). The application has been reviewed by Staff and the Rezoning Advisory Committee (RAC) and is now ready for Council's consideration.

DISCUSSION

Subject Property

The subject property is presently occupied by Inland Kenworth Ltd., and is approximately 1.38 hectares (3.4 acres) in total area (Schedule 'A'). The site is bordered by the E&N Rail right-of-way to the north, Nanaimo Diesel Sales Ltd. and a multi-use industrial tenant building to the west, Tom Harris Mitsubishi and Kia automotive dealerships to the east, and Budget Car and Truck Sales and Nanaimo Toyota to the south. Beyond the Kia and Mitsubishi dealerships to the east across Bowen Road lies the existing Tom Harris Chevrolet Dealership.

Official Community Plan

The subject property is designated as Service Industrial Enterprise Area according to 'Schedule A' of the Official Community Plan (OCP). A City-initiated OCP amendment was approved by Council 2005-OCT-03 to specify that rezoning for vehicle sales, repair and rental is supported on those properties designated as Service Industrial Enterprise Area, located within the Boban and Shenton Service Industrial Areas, and which front along Wellington Road, Shenton Road, Bowen Road, Kenworth Road, Hayes Road and Cienar Drive. The subject property is presently located within this group of properties. Staff is of the opinion that the proposed rezoning complies with the intent of the OCP.

Proposed Development

The applicant is proposing to rezone the subject property in order to develop an automotive sales and service dealership (Schedule 'B'). It is the applicant's intention to relocate the Tom Harris Chevrolet Dealership, presently located across Bowen Road, to the subject property.

The proposed development will consist of one building of approximately 4,180 m² (41,500 ft²) and will include a 20-bay vehicle service area, a drive-thru car wash, and both a new and used automobile showroom. Externally, the majority of the site will be paved and will provide for approximately 200 stalls for the display and sale of automobiles, in addition to the 77 stalls required by the City's Parking Bylaw.

Frontage Works and Services

Properties zoned "Industrial" are exempt from providing frontage works and services as per the City's Building Bylaw. Although the zoning of the property is proposed to be "Industrial", the proposed use is commercial in nature. In addition, given that the site, together with the adjacent automotive dealerships, will function together as an auto mall, safe pedestrian connections along the site are required. Staff recommend that as a condition of rezoning, a covenant be registered which secures frontage works and services to the equivalent standard required by the City's Building Bylaw.

Storm Drainage

The subject property is a tributary to Diver Lake. Historic flooding problems have been recorded downstream from this site. The proposed development will result in an increase in the amount of impervious material on-site and, consequently, an increase in storm water flows. In order to mitigate this, capture of the first 25 mm of rainfall on the site and detention to limit discharge to pre-development levels is required. Staff recommend that as a condition of rezoning, a covenant be registered which ensures storm water flows are maintained at, or below, pre-development levels.

Landscaping

The subject property is clearly visible by pedestrians and commuters from the E&N Trail and Highway 19A to the north. The City's Zoning Bylaw requires a Level 2 Landscape Treatment along this property boundary which would include a 1.2 metre high fence or hedge screen. Given the nature of the proposed use, the applicants have expressed a desire for an alternative in the required landscape standard in order to retain the existing level of highway exposure to the site. Upon successful completion of the rezoning, a development permit will be required, with which a landscape plan will be submitted. At this time, Council have the opportunity to review and comment on any proposed variances to the landscaping.

Community Contribution

Signalization of the Bowen / Kenworth Road intersection is currently listed as a Capital Cost Project, and is tentatively scheduled for construction by the City in 2009. A detailed design for the signalization has been prepared by the City and is attached as Schedule 'C'. The estimated cost of construction, including land acquisition, is \$324,102.

A traffic study completed by Bunt and Associates as part of this application has concluded that as a result of the anticipated increase in traffic generated by the proposed development, signalization of the Bowen / Kenworth Road intersection is required. Staff concurs with the recommendations in the traffic study.

The proposed development precedes the City's construction schedule for the signalized intersection. In an effort to advance the project and complete the works in the time frame required by the development, the applicants have offered to contribute to the works associated with the signalization. The applicants are proposing a monetary contribution of \$125,000 towards the cost of the signalization and are proposing to secure the additional road dedication at 2575 Bowen Road and 2590 Bowen Road required to accommodate the ultimate intersection design.

The applicants have requested that these contributions be recognized as satisfying Council's community contribution policy, which as outlined in Section 6.2 of the OCP, suggests that an applicant provide a community contribution in exchange for value conferred on land through rezoning.

Staff support the community contribution proposal and recommend that these items be secured as a condition of rezoning. In addition, in order to ensure that construction of the signalised intersection is completed prior to use of the property, Staff recommend that a covenant be registered which restricts use of the property until such time as the required intersection upgrades have been completed.

REZONING ADVISORY COMMITTEE (RAC)

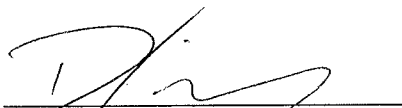
The subject application was received by RAC at its regular meeting held 2005-OCT-20. However, the Committee was unable to form a quorum, and as a result the Committee was not able to make a recommendation regarding the application

RECOMMENDATION:

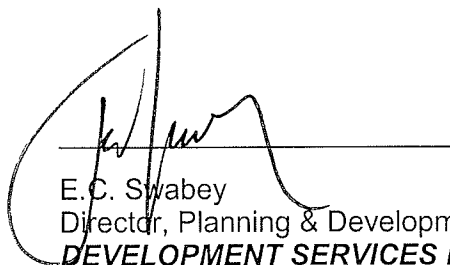
That Council support this application and:

1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.385"; and
2. Direct Staff to secure frontage works and services, storm drainage, off-site road works and the proposed community contribution as conditions of rezoning.

Respectfully submitted,




D. Lindsay
Manager, Planning Division
DEVELOPMENT SERVICES DEPARTMENT

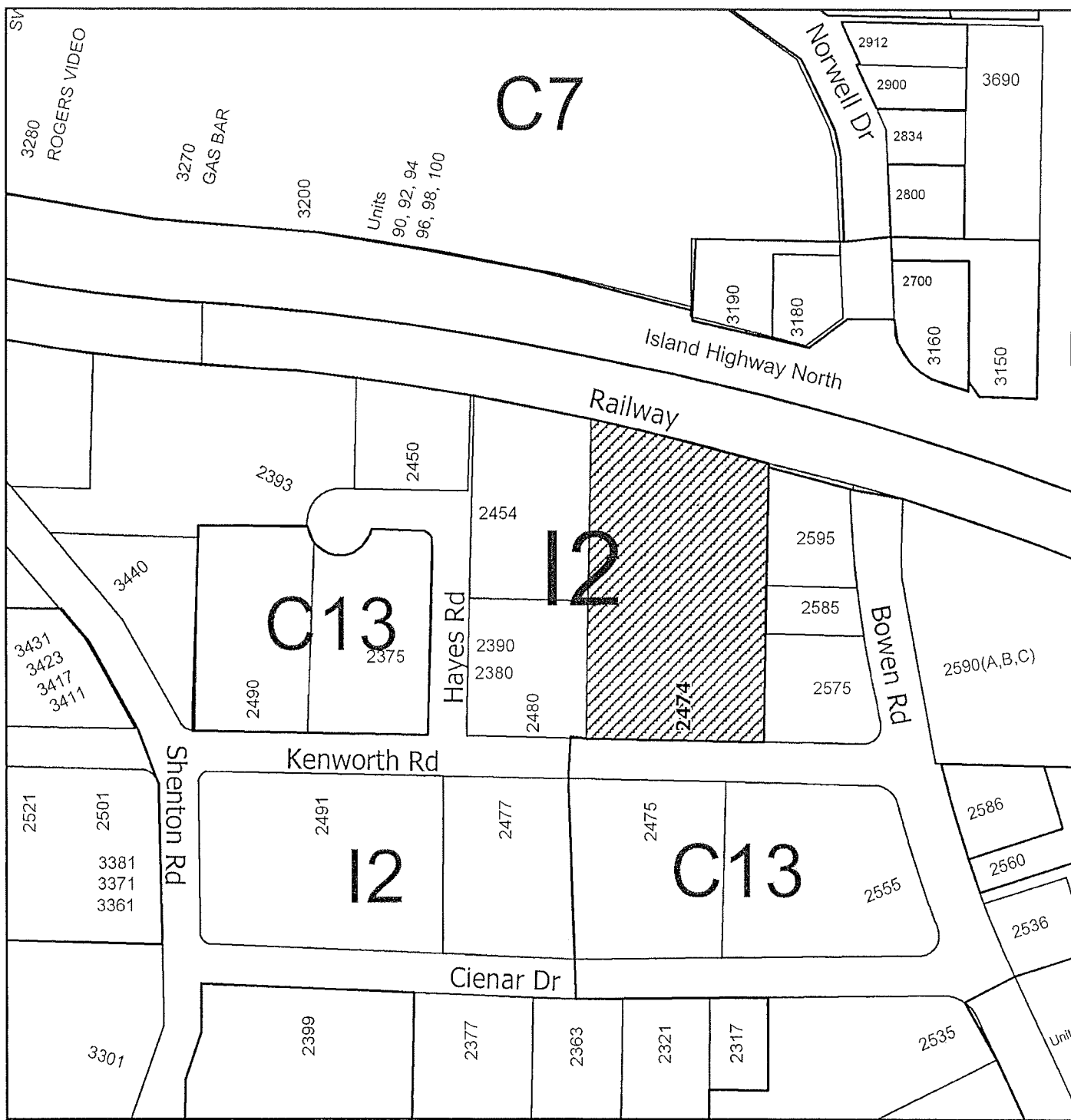


E.C. Swabey
Director, Planning & Development
DEVELOPMENT SERVICES DEPARTMENT

JH/jh/pm
Council: 2006-FEB-13
Prospero Attachment: RA153

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

GENERAL MANAGER OF DEVELOPMENT SERVICES

SCHEDULE A

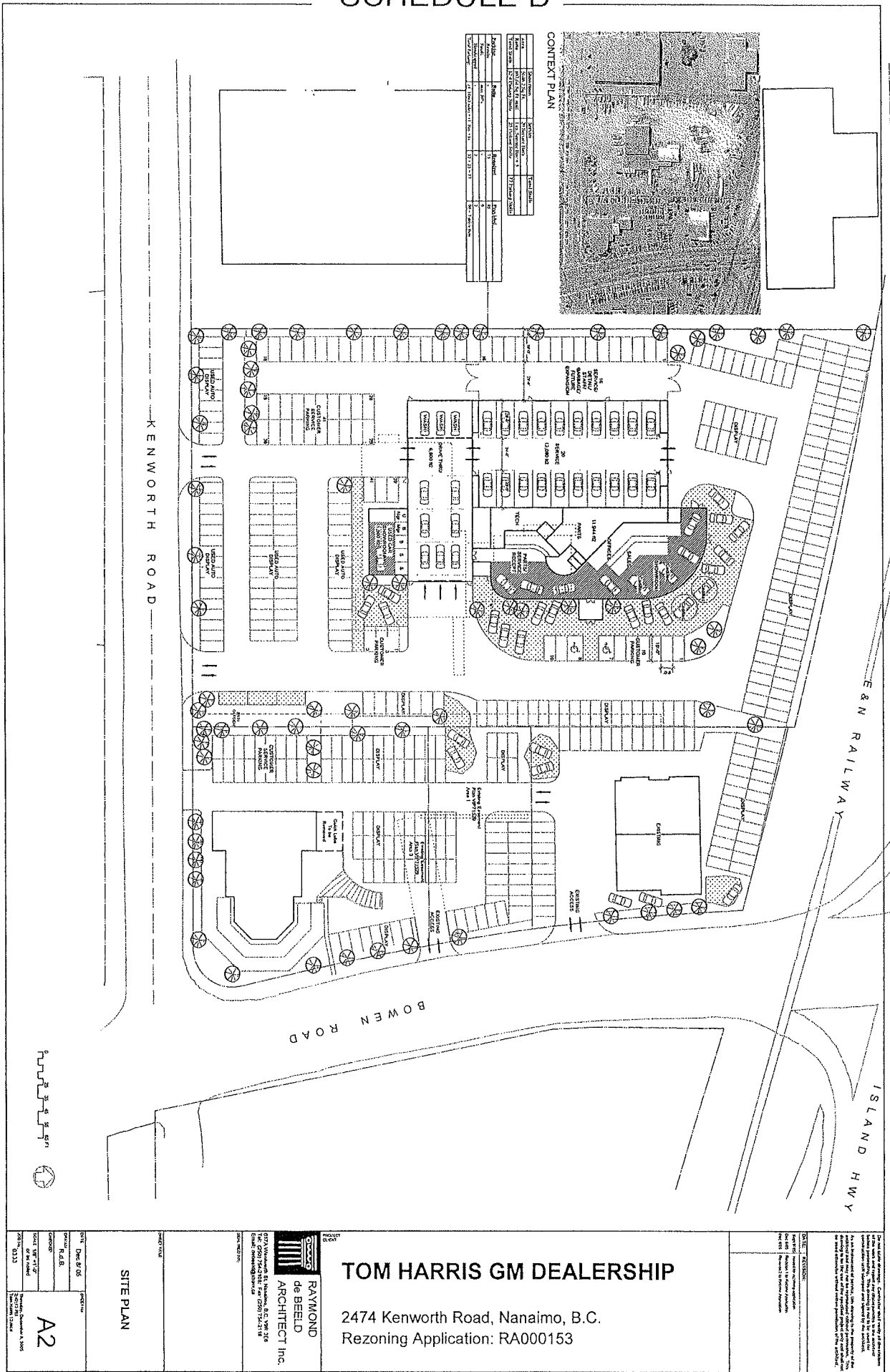


Civic : 2474 Kenworth Road



 SUBJECT
PROPERTY

SCHEDULE B



TOM HARRIS GM DEALERSHIP

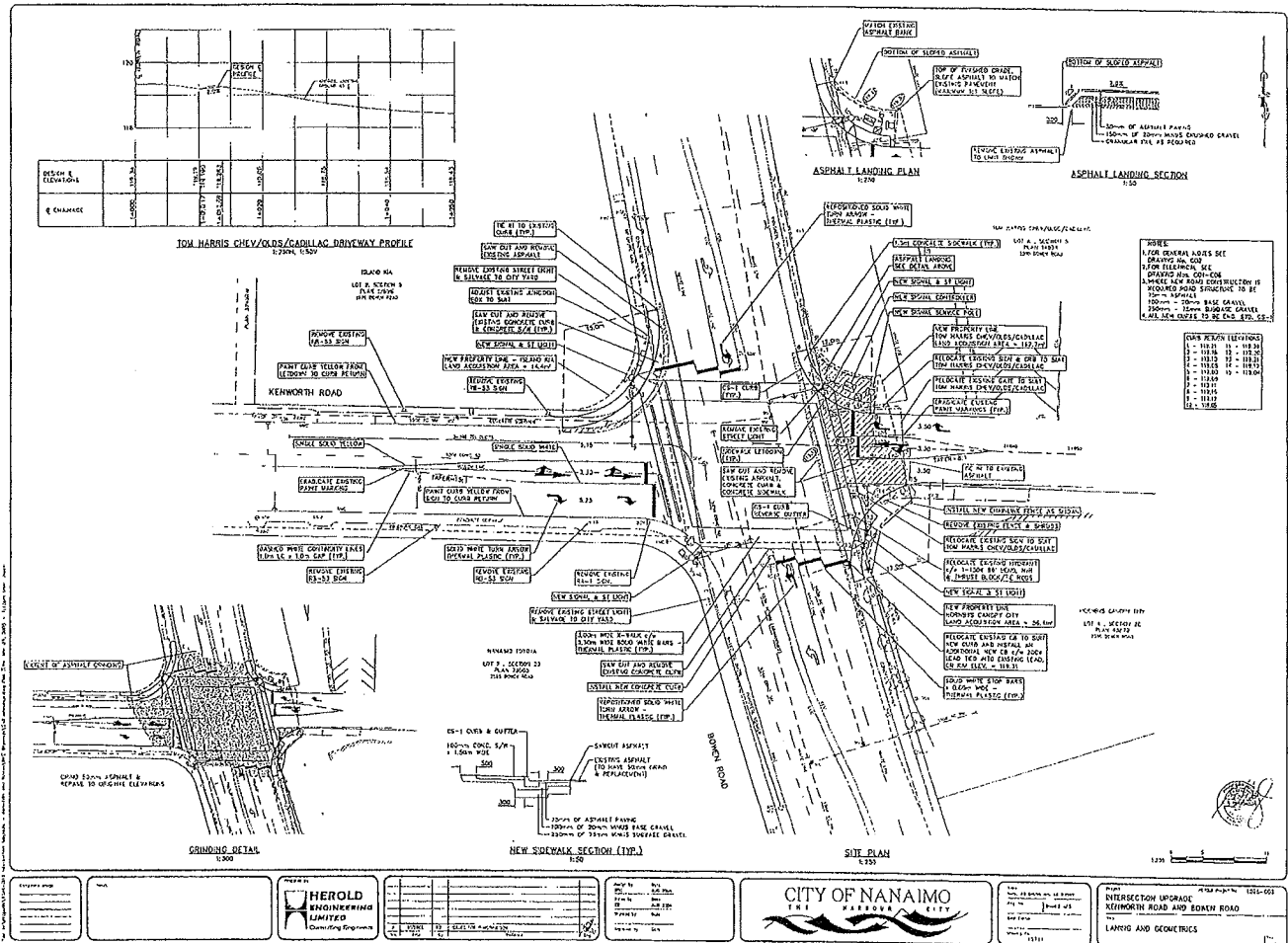
2474 Kenworth Road, Nanaimo, B.C.
Rezoning Application: RA000153

RAYMOND de BEELD ARCHITECT INC.
1111 11th Street, Nanaimo, B.C. V9S 1A1
Tel: (250) 754-2111 Fax: (250) 754-2111
Email: rdebeeld@raymonddebeeld.ca

SITE PLAN

DATE: Dec 8/05	PROJECT: A2
DRAWN BY: R.D.B.	CHECKED BY: R.D.B.
SCALE: 1/8" = 1'-0"	PROJECT: A2
DATE: 12/8/05	PROJECT: A2

SCHEDULE C



() Rezoning Application No. RA130 – 3054 & 3058 Barons Road

The City has received a rezoning application from Country Club Centre Ltd. for a site-specific rezoning to add Parking Lot as a permitted use on the subject properties.

The applicant is proposing to develop the subject properties as a parking lot specifically for the use of NCO (formerly RMH) call centre employees. NCO, which has more than 1000 employees, operates out of Country Club Centre Ltd. The subject properties were both previously under separate Temporary Commercial Use Permits (TCUPs) to allow their use as parking lots. The TCUPs have since expired and the applicant wishes to legalize the parking lot use on a permanent basis.

The application has been reviewed by Staff and the Rezoning Advisory Committee (RAC) and is now ready for Council's consideration.

The subject properties, which are presently unimproved gravel lots, are approximately 782 m² (8,417 ft²) in area each. The subject properties are existing non-conforming as to lot area based on the current bylaw requirement 1,200 m² (12,917 ft²).

The site is bordered by commercial uses across Barons Road to the northwest, adjacent commercial uses to the northeast, adjacent multifamily residential development to the southeast, and the Vancouver Island Regional Library parking lot to the southwest.

The subject property is designated Country Club Town Centre under the Official Community Plan. Staff is of the opinion that the application complies with the intent of the Official Community Plan.

The applicant is proposing to develop the subject properties as a parking lot specifically for the use of NCO (formerly RMH) call centre employees. The applicant has indicated that at some point in the future, should the parking not be required by NCO, the applicant may consider public pay parking on the site.

Parking lot improvements in the form of paving, lighting, lining and curb-stops are proposed for the subject properties. The applicant has provided a lighting plan which minimizes the impact of the proposed lighting on the existing adjacent multiple family development. Staff recommend that these improvements be secured as a condition of rezoning.

Installation of landscaping and irrigation, as required by bylaw, is proposed as part of this development. The proposed landscaping will improve the Barons Road frontage of the properties and also address privacy issues and headlight glare into the adjacent multifamily residential development. Staff recommend that the landscaping improvements be secured as a condition of rezoning.

As outlined in subsection 6.2 of the Official Community Plan, in exchange for value conferred on land through rezoning, the applicant should provide a community contribution. It is the applicant's position that, given the existing mixed use commercial zoning of the property, there is no net value being conferred on the land through this rezoning application to add parking as a site-specific permitted use. Although an offer of a specific community contribution has not been made, the applicant has agreed to upgrade the site through paving, lighting and landscaping. As the proposed landscaping and lighting is in excess of the bylaw requirements Staff is of the opinion that the community contribution policy has been satisfied.

The Rezoning Advisory Committee (RAC), at its meeting of 2006-FEB-02, recommended that the application be approved as presented. Staff concur with RAC's recommendation and support this application.

Recommendation: That Council support this application and:

1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.387"; and
2. Direct Staff to secure parking lot improvements, oil/water separation and landscaping improvements as conditions of rezoning.

I: corpadminagenda/2006Feb13CnclRptRA130synop.doc

FOR CITY MANAGER'S REPORT

REPORT TO: E.C. SWABEY, DIRECTOR, PLANNING & DEVELOPMENT, DSD

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

RE: RA130 – 3054 & 3058 BARONS ROAD

RECOMMENDATION:

That Council support this application and:

1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.387"; and
2. Direct Staff to secure parking lot improvements, oil/water separation and landscaping improvements as conditions of rezoning.

BACKGROUND:

The City has received a rezoning application from Country Club Centre Ltd for a site-specific rezoning to add Parking Lot as a permitted use on the subject properties.

The applicant is proposing to develop the subject properties as a parking lot specifically for the use of NCO (formerly RMH) call centre employees. NCO, which has more than 1000 employees, operates out of Country Club Centre Ltd. The subject properties were both previously under separate Temporary Commercial Use Permits (TCUPs) to allow their use as parking lots. The TCUPs have since expired and the applicant wishes to legalize the parking lot use on a permanent basis.

The application has been reviewed by Staff and the Rezoning Advisory Committee (RAC) and is now ready for Council's consideration.

DISCUSSION

Subject Property

The subject properties, which are presently unimproved gravel lots, are approximately 782 m² (8,417 ft²) in area each (Schedule 'A'). The subject properties are existing non-conforming as to lot area based on the current bylaw requirement 1,200 m² (12,917 ft²).

The site is bordered by commercial uses across Barons Road to the northwest, adjacent commercial uses to the northeast, adjacent multifamily residential development to the southeast, and the Vancouver Island Regional Library parking lot to the southwest.

Official Community Plan

The subject property is designated Country Club Town Centre under the Official Community Plan. Staff are of the opinion that the application complies with the intent of the Official Community Plan.

Proposed Development

The applicant is proposing to develop the subject properties as a parking lot specifically for the use of NCO (formerly RMH) call centre employees. The applicant has indicated that at some point in the future, should the parking not be required by NCO, the applicant may consider public pay parking on the site.

Parking Lot Improvements

Parking lot improvements in the form of paving, lighting, lining and curb-stops are proposed for the subject properties (Schedule 'B'). The applicant has provided a lighting plan which minimizes the impact of the proposed lighting on the existing adjacent multiple family development. Staff recommend that these improvements be secured as a condition of rezoning.

Oil/Water Separation

Installation of an oil/water separator to ensure that discharge into the City's storm drainage system meets the requirements of the Storm Sewer Regulation and Charge Bylaw 1990 No. 3808 is proposed as part of this development. Staff recommend that installation of the oil/water separator be secured as a condition of rezoning.

Landscaping

Installation of landscaping and irrigation, as required by bylaw, is proposed as part of this development (Schedule 'B'). The proposed landscaping will improve the Barons Road frontage of the properties and also address privacy issues and headlight glare into the adjacent multifamily residential development. Staff recommend that the landscaping improvements be secured as a condition of rezoning.

Community Contribution

As outlined in subsection 6.2 of the Official Community Plan, in exchange for value conferred on land through rezoning, the applicant should provide a community contribution. It is the applicant's position that, given the existing mixed use commercial zoning of the property, there is no net value being conferred on the land through this rezoning application to add parking as a site-specific permitted use. Although an offer of a specific community contribution has not been made, the applicant has agreed to upgrade the site through paving, lighting and landscaping. As the proposed landscaping and lighting is in excess of the Bylaw requirements Staff are of the opinion that the community contribution policy has been satisfied.

REZONING ADVISORY COMMITTEE (RAC)

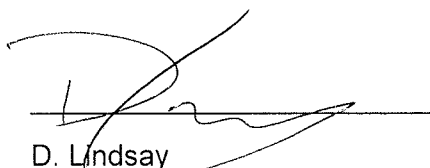
The Rezoning Advisory Committee (RAC), at its meeting of 2006-FEB-02, recommended that the application be approved as presented. Staff concur with RAC's recommendation and support this application.

RECOMMENDATION:

That Council support this application and:

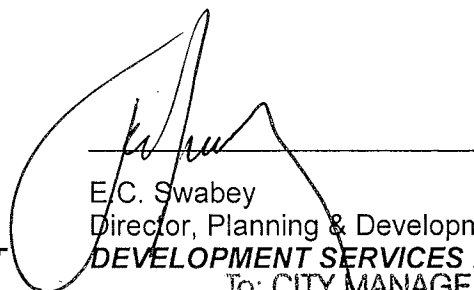
1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.387"; and
2. Direct Staff to secure parking lot improvements, oil/water separation and landscaping improvements as conditions of rezoning

Respectfully submitted,



D. Lindsay
Manager, Planning Division

DEVELOPMENT SERVICES DEPARTMENT



E.C. Swabey
Director, Planning & Development

DEVELOPMENT SERVICES DEPARTMENT

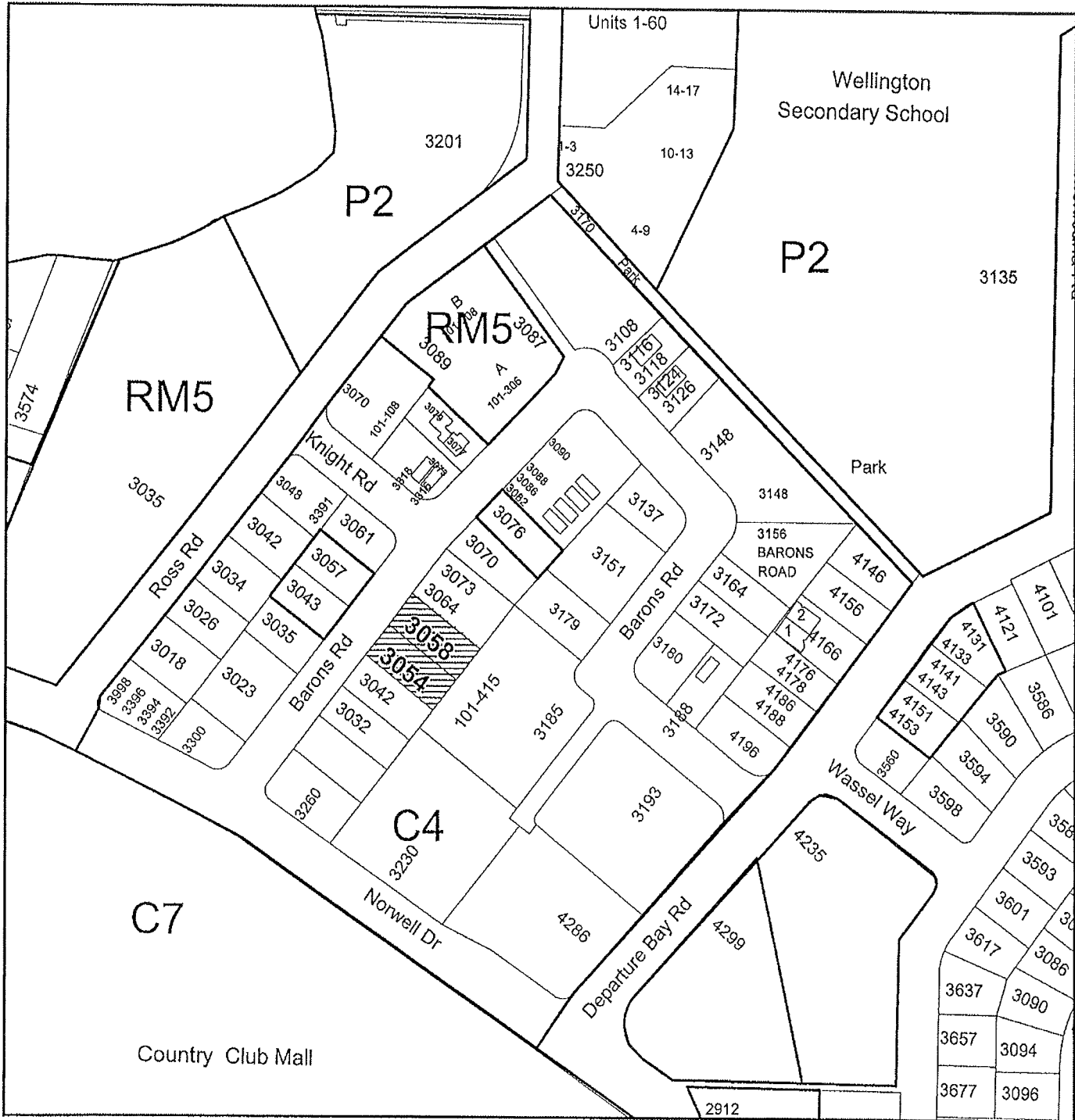
To: CITY MANAGER
FORWARDED FOR CITY MANAGER'S
REPORT TO COUNCIL

JH/jh/pm

Council: 2006-FEB-13 Prospero Attachment: RA130

GENERAL MANAGER OF DEVELOPMENT SERVICES

SCHEDULE A

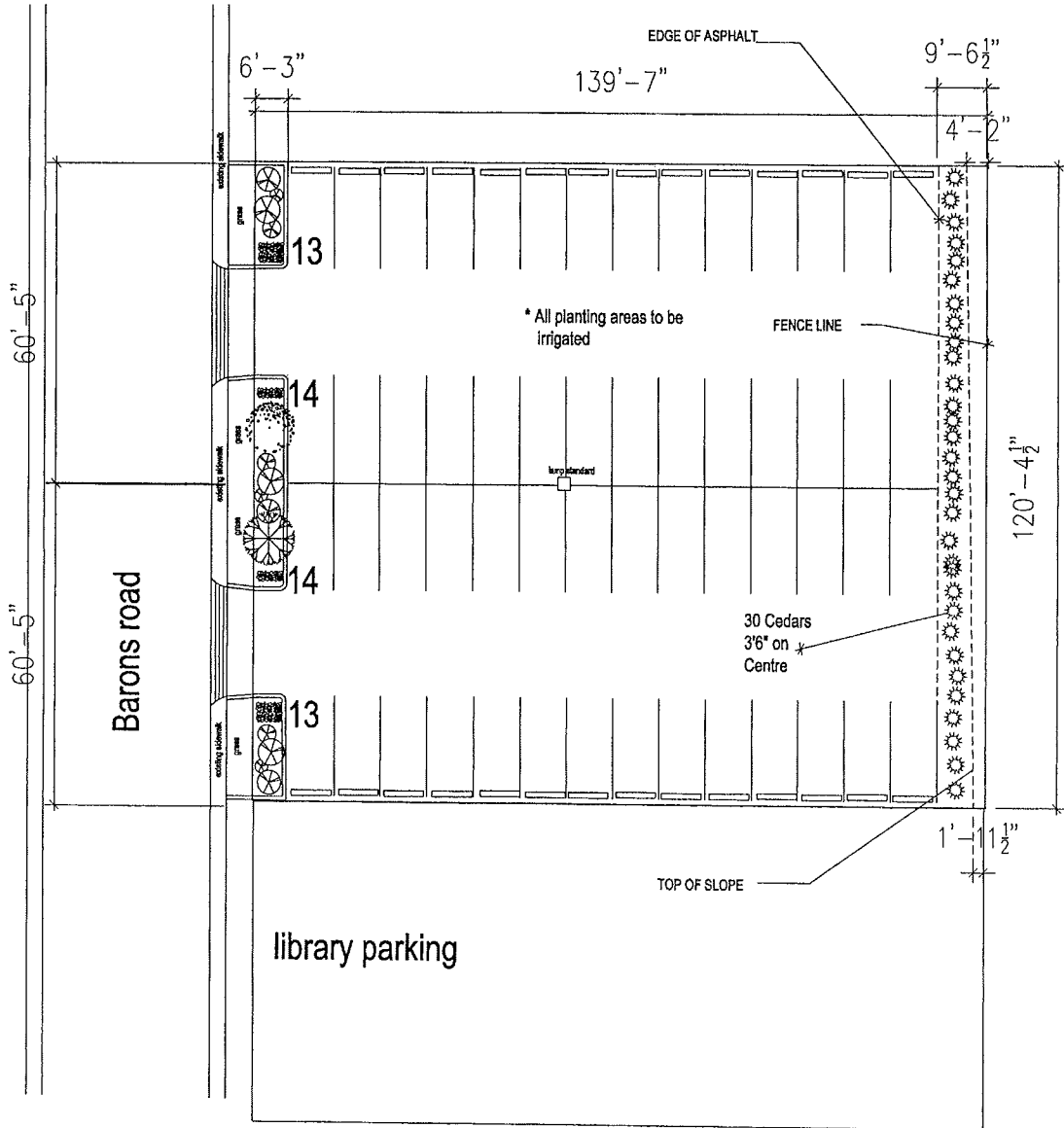


LOCATION PLAN

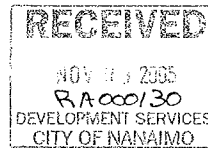
Civic: 3054 And 3058 Barons Road

 **SUBJECT
PROPERTY**

SCHEDULE B



3054 & 3058 BARONS ROAD
NANAIMO, B.C.



CITY OF NANAIMO

BYLAW NO. 4000.386

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 2006 NO. 4000.386".
2. The City of Nanaimo "ZONING BYLAW 1993 NO. 4000" is hereby amended as follows:
 - (1) By rezoning lands shown on the attached Schedule 'A' and legally described as LOT A, SECTION 1, NANAIMO DISTRICT, PLAN VIP54848 from Mobile Home Park Subdivision Zone (RM-8) to Single-Family Residential Small Lot Zone (RS-6).

PASSED FIRST AND SECOND READINGS 2006-FEB-13.

PUBLIC HEARING HELD _____.

PASSED THIRD READING _____.

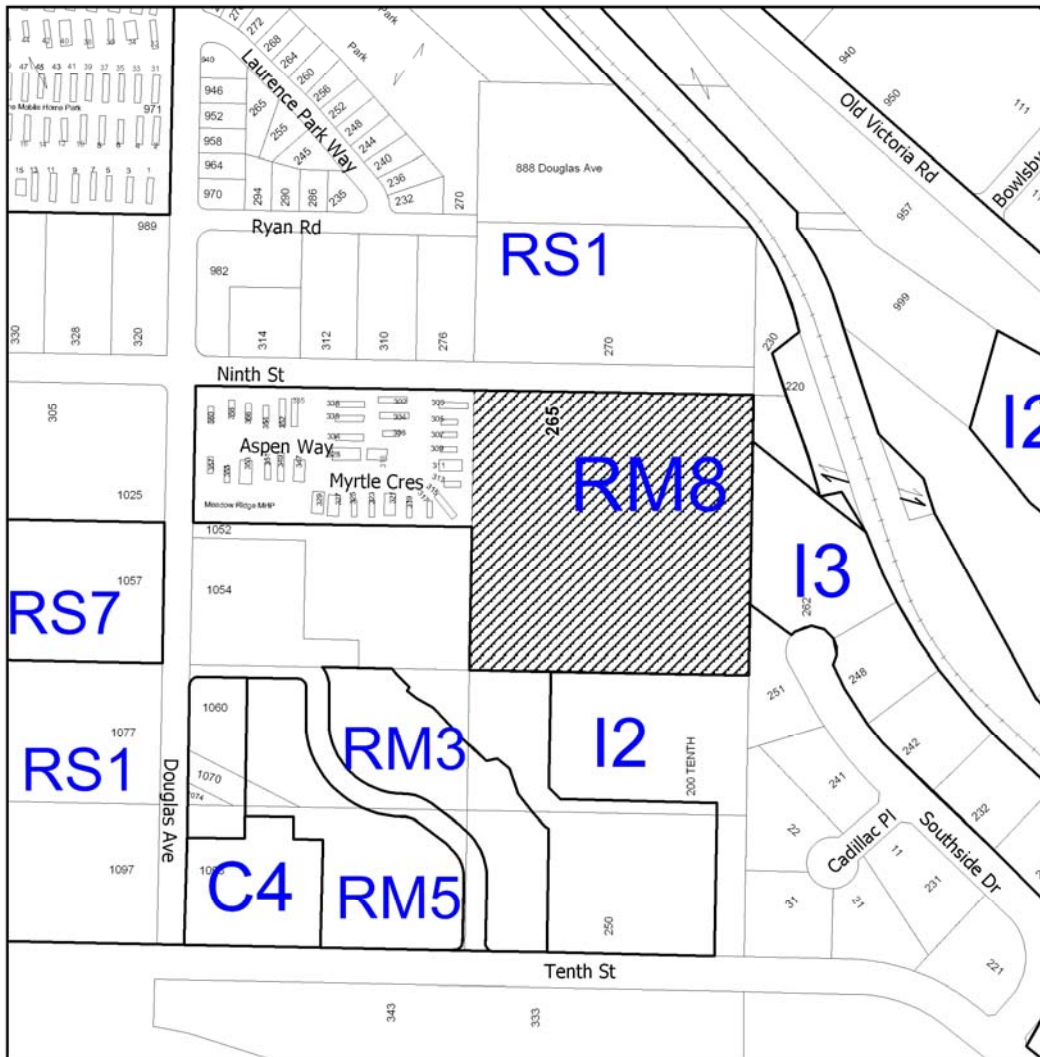
ADOPTED _____.

File: RA000152


Address: 265 Ninth Street

Applicant: McElhanney Consulting Services

SCHEDULE A



Civic : 265 Ninth Street
File : RA000152

 **SUBJECT
PROPERTY**

() Rezoning Application No. RA152 – 265 Ninth Street

The City has received a rezoning application from McElhanney Consulting Services on behalf of R.G. Steeves Holdings Ltd., to rezone the subject property from Mobile Home Park Subdivision Zone (RM-8) to Single-Family Residential Small Lot Zone (RS-6) in order to develop a small-lot single-family subdivision.

The subject property is presently vacant and is approximately 4.0ha (10 acres) in area. The property fronts along the undeveloped portion of the Ninth Street road right of way and is bounded by a 5-acre single-family residential zoned property to the north, general and light industrial zoned properties to the east, future park dedication lands and a light industrial zoned property to the south, and a largely undeveloped single-family residential zoned parcel and an existing mobile home park to the west.

The proposed development will consist of 70 single-family residential small lots. Approximately 2,104 m² (22,648 ft²) of total parkland will be dedicated as part of the subdivision. Siting of the dedication will compliment existing parks, creating a larger more continuous park network.

A 3-metre landscape buffer is proposed on each individual lot which abuts the neighbouring industrial zoned lands. Staff recommend that the landscape buffer be secured as a condition of rezoning.

Building design guidelines have been prepared, which will assist in providing a greater mix of housing forms into the neighbourhood and will provide a stronger, more pedestrian friendly residential streetscape. Staff recommend that the following guidelines be secured via covenant as a condition of rezoning:

- Only single wide garages are permitted on lots 6, 11, 15 through 20, 22, 23, 31, 32, 36, 48, 49, and 50, to a maximum of 50% of front building façade.
- Only detached garages in rear yards are permitted on lots 57 through 60 and 61 through 64.
- Double car garages are permitted on all other lots provided that the garage component does not cover more than 60% of the front building façade.
- Where garages are not detached, the attached garage shall be set back from the face of the principal building by a minimum of 4 feet.
- Double-width garage doors shall not be permitted on any lot.
- On two adjacent lots, both with detached garages, consolidated driveway accesses over common lot lines is encouraged.
- Roof pitches less than 5 in 12 are not permitted.

As outlined in Section 6.2 of the 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 to provide a monetary contribution of \$20,000 towards playground equipment in the proposed park. Staff support this community contribution proposal and recommend that this item be secured as a condition of rezoning.

Recommendation: That Council support this application and:

1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.386";

2. Direct Staff to secure the proposed community contribution, erosion control and sediment plan, building design guidelines, landscape buffer and general design of the subdivision plan as conditions of rezoning; and
3. Direct Staff to discharge covenant charge EG42579.

I:/corp admin agenda/synop ra152

FOR CITY MANAGER'S REPORT

REPORT TO: E.C. SWABEY, DIRECTOR, PLANNING & DEVELOPMENT, DSD

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

RE: RA152 – 265 NINTH STREET

RECOMMENDATION:

That Council support this application and:

1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.386";
2. Direct Staff to secure the proposed community contribution, erosion control and sediment plan, building design guidelines, landscape buffer and general design of the subdivision plan as conditions of rezoning; and
3. Direct Staff to discharge covenant charge EG42579.

BACKGROUND:

The City has received a rezoning application from McElhanney Consulting Services on behalf of R.G. Steeves Holdings Ltd., to rezone the subject property (Schedule 'A') from Mobile Home Park Subdivision Zone (RM-8) to Single-Family Residential Small Lot Zone (RS-6) in order to develop a small-lot single-family subdivision.

The subject property was previously rezoned to Mobile Home Park Zone in 1993. As a condition of rezoning, a covenant (EG42579) was registered to secure works and services and storm water detention on the property. A building permit (BP044177) was issued in 1996 for a 75-unit mobile home park (Schedule 'B'), however no work was constructed. The owner of the property, who was also the owner during the previous rezoning application, has now applied to rezone the property to small lot single-family residential

DISCUSSION

Subject Property

The subject property is presently vacant and is approximately 4.0ha (10 acres) in area. The property fronts along the undeveloped portion of the Ninth Street road right of way and is bounded by a 5-acre single-family residential zoned property to the north, general and light industrial zoned properties to the east, future park dedication lands and a light industrial zoned property to the south, and a largely undeveloped single-family residential zoned parcel and an existing mobile home park to the west.

Official Community Plan

The subject property is designated as "Neighbourhood" and is located within the "Southside Neighbourhood Village", according to 'Schedule A' of the Official Community Plan (OCP).

A Neighbourhood Village concept plan has not yet been developed for this area; however, general OCP policy encourages neighbourhood villages to be based on target residential densities (gross) of 25-50 units per hectare (10-20 units per acre).

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

Proposed Development

The proposed development will consist of 70 single-family residential small lots (Schedule 'C'). Access to the development will be provided solely from Ninth Street, which has been partially constructed up to the western edge of the subject property. The extension of Ninth Street as a local road will be required to accommodate the proposed subdivision.

Approximately 2,104 m² (22,648 ft²) of total parkland will be dedicated as part of the subdivision, and is proposed to be located in two separate areas on the site. The proposed dedication in the northeast corner of the site will compliment the existing parkland at 200 Tenth Street, and the proposed dedication in the southwest corner of the site will compliment the park dedication secured on the adjacent properties to the south, creating a larger more continuous park network.

The development will also provide a 3 metre landscape buffer around those portions of the site which abut industrial zoned lands. The area of landscape buffer provided is approximately 881.7 m² (9491 ft²), and is not included in the calculation of park dedication.

Covenant EG42579

As part of the previous rezoning application (RA91-10), a covenant was registered to restrict building and subdivision of the lands until such time as the lands have been serviced to mobile home parks standards, roadwork's along Douglas Avenue have been completed and storm drainage from the site is detained to pre-development flows, or an off-site, downstream drainage system is constructed to accommodate drainage from the development.

The road works along Douglas Avenue have now been completed and the development of the adjacent lands to the south have been designed to include an on-site storm drainage system that will accommodate flows from the subject property. Furthermore, servicing of the lands to mobile home parks standards is no longer applicable as the property is proposed to be rezoned to single family residential.

As the conditions of this covenant have either been met or are no longer applicable given the proposed change in land use, Staff recommend that this covenant be discharged from title.

Subdivision Plan

A subdivision application has been submitted which will run concurrently with the proposed rezoning. Final approval of the subdivision will be conditional on successful rezoning.

Based on Staffs review of the plan to date, the following issues have been identified which will be required to be addressed through the subdivision process.

- Additional lot depth is required for lots 12,13, 21, 24 and 31-33;
- Additional lot frontage is required for lot 50; and
- The proposed storm water detention area is to be relocated outside of the park area in the south west corner of the site.

The subdivision Approving Officer has reviewed and is in general support of the plan as presented. Staff are of the belief that these issues can be accommodated within the existing context of the subdivision and will not significantly impact the overall subdivision design. Staff have spoken with the applicants regarding these issues and have advised them that amendments and / or variances to the plan will be required.

Staff recommend that as a condition of rezoning, a covenant be registered which secures the general design of the proposed subdivision.

Landscape Buffer

As previously noted, the subject property is bordered by industrial lands to the east and south. In an effort to provide a transition between the two neighbouring uses and reduce potential conflicts, a 3 metre landscape buffer is required on each individual lot which abuts the industrial zoned lands. This area will be inclusive of the lot; however, it will not be included in the calculation of lot area.

Staff recommend that a covenant be registered on the land title of the subject property, and upon completion of the subdivision, transferred to each lot which abuts the industrial zoned lands, which secures the 3-metre buffer to the equivalent landscape treatment level standard noted below:

- Trees spaced an average of 10m on-centre
- Deciduous trees shall have minimum 6cm calliper, 1.5m minimum height to lowest branch. Conifers shall be a minimum 2.5m in height.
- Hedge/shrub screen at 1.8m ultimate height, planted at 1m minimum height, 900mm max spacing, or 1.8m decorative fence. Location of hedge or fence may vary.
- Prune out diseased and hazard trees.

Design Guidelines

The most significant design feature impacting the streetscape of small lot single family development is the location and siting of off-street parking. In an effort to reduce these associated impacts, Staff have worked together with the developer to prepare building design guidelines, which will assist in providing a greater mix of housing forms into the neighbourhood and will provide a stronger, more pedestrian friendly residential streetscape. Staff recommend that a covenant be registered as a condition of rezoning which secure the following design guidelines:

- The following schedule of garage configuration is mandated for each lot (plan attached as Schedule D):
 - Only single wide garages are permitted on lots 6, 11, 15 through 20, 22, 23, 31, 32, 36, 48, 49, and 50, to a maximum of 50% of front building façade.
 - Only detached garages in rear yards are permitted on lots 57 through 60 and 61 through 64.
 - Double car garages are permitted on all other lots provided that the garage component does not cover more than 60% of the front building façade.
- Where garages are not detached, the attached garage shall be set back from the face of the principal building by a minimum of 4 feet.
- Double-width garage doors shall not be permitted on any lot.
- On two adjacent lots, both with detached garages, consolidated driveway accesses over common lot lines is encouraged.
- Roof pitches less than 5 in 12 are not permitted.

Erosion and Sediment Control Program

In order to ensure that both the Chase River and Wexford Creek are adequately protected, Staff recommend that a covenant be registered as a condition of rezoning, which restricts any re-grading, vegetation removal or development of the site, until such time as an approved erosion and sediment control program and grading plan has been submitted and DSA issued.

Community Contribution

As outlined in Section 6.2 of the 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 to provide a monetary contribution of \$20,000 towards playground equipment in the proposed park.

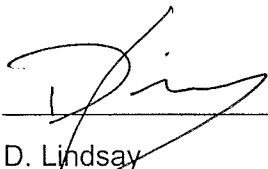
Staff support this community contribution proposal and recommend that this item be secured as a condition of rezoning.

RECOMMENDATION:

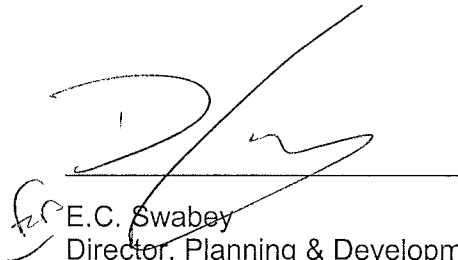
That Council support this application and:

1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.386";
2. Direct Staff to secure the proposed community contribution, erosion control and sediment plan, building design guidelines, landscape buffer and general design of the subdivision plan as conditions of rezoning; and
4. Direct Staff to discharge covenant charge EG42579.

Respectfully submitted,

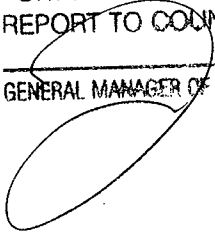


D. Lindsay
Manager, Planning Division
DEVELOPMENT SERVICES DEPARTMENT

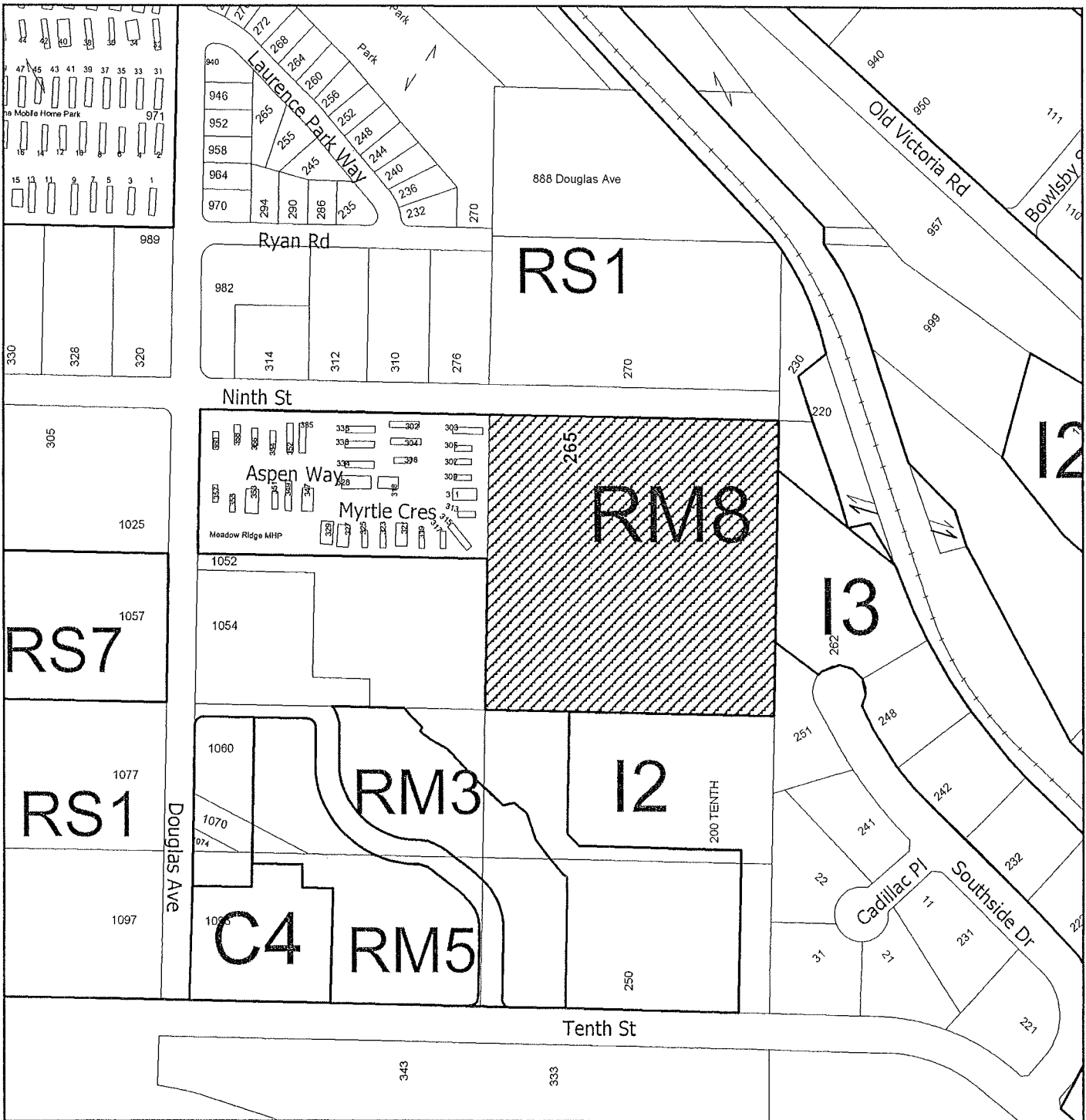


E.C. Swabey
Director, Planning & Development
DEVELOPMENT SERVICES DEPARTMENT

JC/jh/pm
Council: 2006-FEB-13
Prospero Attachment: RA152

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

GENERAL MANAGER OF DEVELOPMENT SERVICES

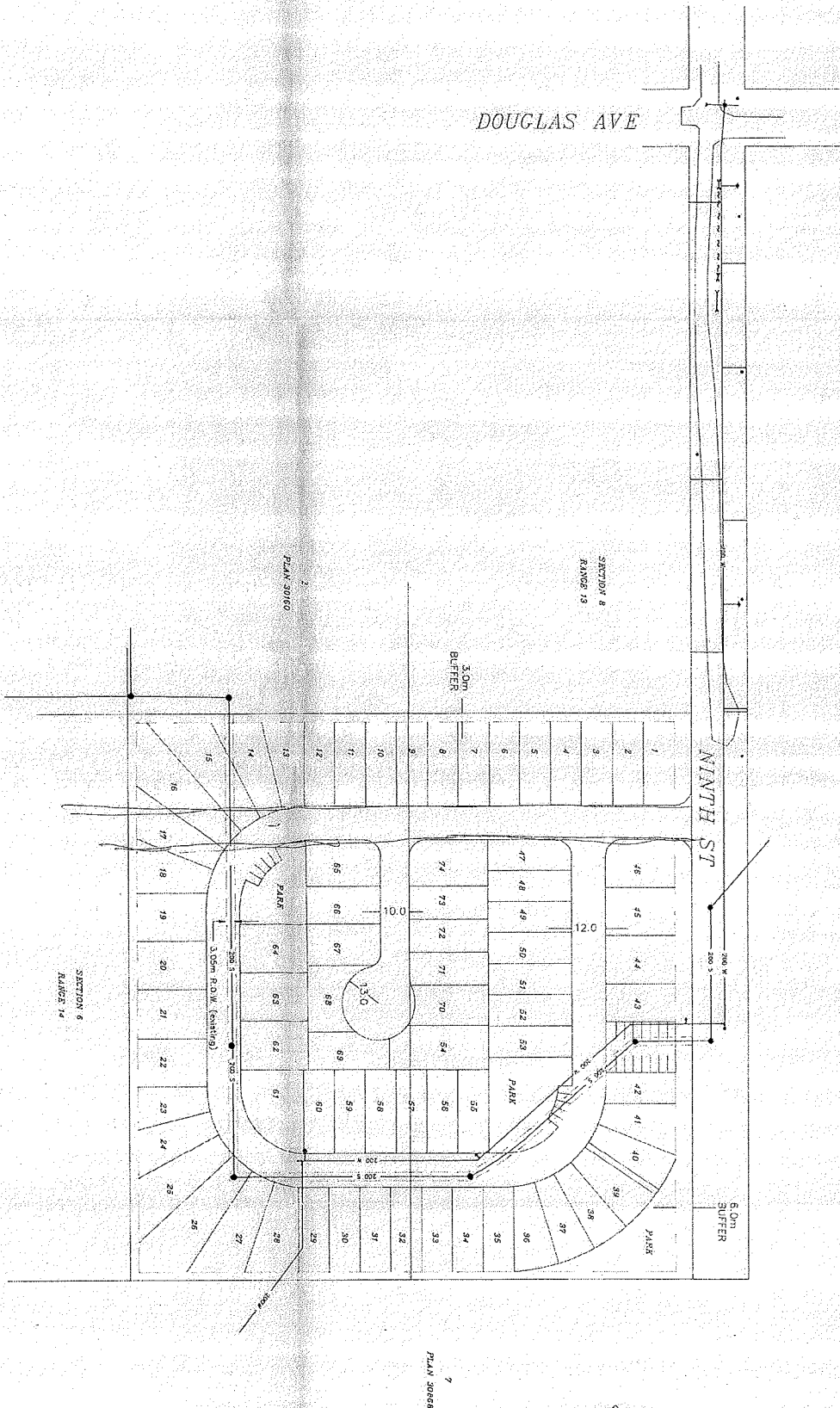
SCHEDULE A



Civic : 265 Ninth Street
File : RA000152

 **SUBJECT
PROPERTY**

SCHEDULE B



NOTES

1. PROPOSED DEVELOPMENT OF SECTIONS 7 & 8, RAISE 14, SECTION 1 NANAIMO DISTRICT, PLAN 630
2. ALL LOTS HAVE MINIMUM AREA OF 325 sq m

[illegible]

[illegible]

Designation	Garage Type Permitted	Restriction
S	single width garages	garage component can not exceed 50% of front building façade
D	detached garages	
All Remaining Lots	double width garages	garage component can not exceed 60% of front building façade

CITY OF NANAIMO

BYLAW NO. 4000.387

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 2006 NO. 4000.387".
2. The City of Nanaimo "ZONING BYLAW 1993 NO. 4000" is hereby amended by adding the following to section 9.4.1 – Permitted Uses:

"Parking Lots, on lands legally described as LOT 5, SECTION 5, WELLINGTON DISTRICT, PLAN 29823 (3054 Barons Road) and LOT 6, SECTION 5, WELLINGTON DISTRICT, PLAN 29823 (3058 Barons Road)."

PASSED FIRST AND SECOND READINGS 2006-FEB-13.

PUBLIC HEARING HELD _____.

PASSED THIRD READING _____.

APPROVED BY MINISTRY OF TRANSPORTATION _____.

ADOPTED _____.

File: RA000130

Address: 3054 & 3058 Barons Road

Applicant: Country Club Centre Ltd.

CITY OF NANAIMO

BYLAW NO. 4000.388

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 2006 NO. 4000.388".
2. The City of Nanaimo "ZONING BYLAW 1993 NO. 4000" is hereby amended by rezoning lands shown on the attached Schedule 'A' and legally described as part of LOT 5, SECTION 17, RANGE 7, MOUNTAIN DISTRICT, PLAN 1334, EXCEPT PART IN PLAN 23608 from Single Family Residential Zone (RS-1) to Light Industrial Zone (I-2).

PASSED FIRST AND SECOND READINGS 2006-FEB-13.

PUBLIC HEARING HELD _____.

PASSED THIRD READING _____.

APPROVED BY MINISTRY OF TRANSPORTATION _____.

ADOPTED _____.

File: RA000157

Address: 2113 Boxwood Road

Applicant: Island West Cost Developments Ltd.

The map displays the following details:

- Property 2365 Northfield Road:** A large lot with a central area zoned **RS1**. A portion on the left is zoned **I2** and is shaded with diagonal lines. A smaller, irregularly shaped area on the right side of the lot is also zoned **I2** and shaded with diagonal lines.
- Neighboring Properties:**
 - To the north: Lots 2121, 2119, 2117, 2115, and 2113.
 - To the east: Lots 2108, 2243, 2256, 2261, 2257, and 2245.
 - To the south: Lot 2041.
- Zoning:**
 - RS1:** Residential Single-Family, covering the main portion of 2365 Northfield Road.
 - RS3:** Residential Single-Family, located to the east of 2365 Northfield Road.
 - I2:** Industrial Medium-Density, located on the left and right sides of 2365 Northfield Road.
- Roads:**
 - 2365 Northfield Road:** The main road running horizontally across the top of the map.
 - Boxwood Rd:** A vertical road running along the right side of the map.
 - Meredith Rd:** A horizontal road running below Boxwood Rd.
 - Fern Rd:** A diagonal road running from the top right towards the center.
 - Nanaimo Parkway:** A diagonal road running from the bottom left towards the center.
- Other Features:**
 - A dashed line with arrows at both ends is located on the left side of the map, possibly indicating a boundary or easement.
 - The word "Centre" is written in the top left corner.
 - The word "Park" is written near the top right corner.



Civic : 2113 Boxwood Road
File : RA000157
Bylaw : 4000.388



**SUBJECT
PROPERTY**

() Rezoning Application No. RA157 – 2113 Boxwood Road

The City has received a rezoning application from Island West Coast Developments Ltd., on behalf of John Scarsbrook to rezone the subject property from Single Family Residential Zone (RS-1) to Light Industrial Zone (I-2) in order to consolidate the subject property with 2365 Northfield Road. 2365 Northfield Road is currently under construction as the future home of Inland Kenworth, which was approved through Development Permit DP303.

The applicant has submitted a subdivision application which includes the consolidation of portions of the subject property proposed for I-2 zoning with 2365 Northfield Road. Once consolidated, the applicant proposes to use the areas currently under consideration for I-2 zoning for truck parking and to allow for improved on-site movements and improved access to Northfield Road. The proposed development will be accessed via right-in / right-out off Northfield Road and via a driveway to Boxwood Road. The subject property is designated Service Industrial Enterprise Area, according to Schedule 'A' of the Official Community Plan (OCP). Staff is of the opinion that the proposed development complies with the intent of the Official Community Plan. The application has been reviewed by Staff and the Rezoning Advisory Committee (RAC) and is now ready for Council's consideration.

The subject property is bordered by vacant I-2 zoned property to the south, Edgewood Treatment Centre to the north, the future home of Inland Kenworth to the west and existing residential development across Boxwood Road to the east. The subject property is currently occupied by a single-family dwelling. The existing single-family dwelling will remain on the 1.6 hectare (3.95 acre) portion of the property that will retain its RS-1 zoning.

An unnamed tributary to the Millstone River runs from west to east along the northern boundary of the subject property through a residential neighbourhood to the east of the subject property. The residential neighbourhood has been subject to on-going flooding problems. As such, a realignment of the creek so that it will run parallel to Boxwood Road along the eastern boundary of the subject property has been planned as a Development Cost Charge project. In order to facilitate creek realignment, a 15-metre drainage right-of-way is required from the subject property. The right-of-way has already been granted by the applicant.

In order to buffer the residential and service industrial uses, the applicant's landscape architect has provided a landscape plan which proposes a 3-metre wide berm between the proposed I-2 and RS-1 zoning boundaries and a 1-metre wide berm on the southern property boundary along the driveway access to Northfield Road.

In response to Council's community contribution policy, the applicant has offered the 15-metre drainage course right-of-way (approximate value of \$15,000) and landscaping in excess of Bylaw requirements (approximate value of \$15,000). Staff is supportive of the applicant's proposed community contribution and recommend that these items be secured as a condition of rezoning.

The Rezoning Advisory Committee (RAC), at its meeting of 2005-DEC-01, recommended that the application be approved as presented with the provision that a community contribution reflecting the fair market value increase of the property through rezoning be secured as a condition of rezoning.

Staff concur with RAC and believe that the proposed community contribution is consistent with past contributions received for comparable rezonings.

Recommendation: That Council support this application and:

1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.388"; and
2. Direct Staff to secure the proposed community contribution as a condition of rezoning.

FOR CITY MANAGER'S REPORT

REPORT TO: E.C. SWABEY, DIRECTOR, PLANNING & DEVELOPMENT, DSD

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

RE: RA157 – 2113 BOXWOOD ROAD

RECOMMENDATION:

That Council support this application and:

1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.388"; and
2. Direct Staff to secure the proposed community contribution as a condition of rezoning.

BACKGROUND:

The City has received a rezoning application from Island West Coast Developments Ltd., on behalf of John Scarsbrook to rezone the subject property from Single Family Residential Zone (RS-1) to Light Industrial Zone (I-2) in order to consolidate the subject property with 2365 Northfield Road. 2365 Northfield Road is currently under construction as the future home of Inland Kenworth, which was approved through Development Permit DP303.

The applicant has submitted a subdivision application which includes the consolidation of portions of the subject property proposed for I-2 zoning with 2365 Northfield Road. Once consolidated, the applicant proposes to use the areas currently under consideration for I-2 zoning for truck parking and to allow for improved on-site movements and improved access to Northfield Road.

The application has been reviewed by Staff and the Rezoning Advisory Committee (RAC) and is now ready for Council's consideration.

DISCUSSION

Subject Property

The subject property is bordered by vacant I-2 zoned property to the south, Edgewood Treatment Centre to the north, the future home of Inland Kenworth to the west and existing residential development across Boxwood Road to the east (Schedule 'A'). Approximately 0.56 hectares (1.4 acres) of the 2.2 hectare (5.4 acres) subject property is proposed for rezoning to I-2.

The subject property is currently occupied by a single-family dwelling. The existing single-family dwelling will remain on the 1.6 hectare (3.95 acre) portion of the property that will retain its RS-1 zoning.

Official Community Plan

The subject property is designated Service Industrial Enterprise Area, according to Schedule 'A' of the Official Community Plan (OCP). Permitted uses in Service Industrial Enterprise Areas are uses which:

- Generate limited shopping and retail traffic;
- Require large, enclosed display and storage areas;
- Require access to major roads for supply and distribution;
- Are not a shopping destination or primary retail use, which are compatible but not permitted in growth centres.

Such uses include, but are not limited to, equipment sales and repair, printing and reproduction, construction, wholesale distribution, transportation, communications related businesses and auto parts retailers. Processing, manufacturing and assembly operations, storage, warehousing and distribution will also be permitted.

Where a parcel within the Service Industrial Enterprise Area designation is immediately adjacent to residential lands, future zoning will employ buffers, landscaping and restricted uses as required to make uses more compatible with adjacent residential uses.

Staff are of the opinion that the proposed development complies with the intent of the Official Community Plan.

Proposed Development

The applicant is proposing to consolidate the portions of the subject property considered for I-2 zoning with 2365 Northfield Road. 2365 Northfield Road is currently under construction as the future home on Inland Kenworth Ltd., which was approved through Development Permit DP303. The applicant proposes to use the areas under consideration for I-2 zoning for additional truck parking for Inland Kenworth and to allow for improved on-site movements and improved access to Northfield Road.

Access

The proposed development will be accessed via right-in / right-out off Northfield Road and via a driveway to Boxwood Road. The easternmost portion of the property under consideration for I-2 zoning will allow the Boxwood Road access to be realigned so that it is opposite Meredith Road.

Creek Realignment

An unnamed tributary to the Millstone River runs from west to east along the northern boundary of the subject property. This creek continues to the east through a portion of the residential neighbourhood prior to angling south and connecting with the Nanaimo Parkway drainage system. The residential neighbourhood affected by the creek has been subject to on-going flooding problems. As such, a realignment of the creek so that it will run parallel to Boxwood Road along the eastern boundary of the subject property has been planned as a Development Cost Charge project. The creek realignment is scheduled for completion this year. In order to facilitate creek realignment, a 15-metre drainage right-of-way is required from the subject property. The right-of-way has already been granted by the applicant.

Landscaping

The applicant's landscape architect has provided a landscape plan in order to address OCP policy which calls for employment of landscape buffers on lands designated Service Industrial Enterprise Area when rezoning is being considered adjacent to residential uses (Schedule 'C1' and 'C2').

The landscape plan proposes a 3-metre wide berm between the proposed I-2 and RS-1 zoning boundaries. This buffer includes native under story and a dense planting of pine and fir as well as a chain link fence. The landscape plan employs a 1-metre wide berm on the southern property boundary along the driveway access to Northfield Road. The landscape plan is a continuation of the landscaping approved through Development Permit DP303.

Community Contribution

As outlined in subsection 6.2 of the Official Community Plan, in exchange for value conferred on land through rezoning, the applicant should provide a community contribution. In response to Council's policy the applicant has offered the 15-metre drainage course right-of-way (approximate value of \$15,000) and landscaping in excess of Bylaw requirement (approximate value of \$15,000).

Staff are supportive of the applicants proposed community contribution and recommend that these items be secured as a condition of rezoning.

REZONING ADVISORY COMMITTEE (RAC)

The Rezoning Advisory Committee (RAC), at its meeting of 2005-DEC-01, recommended that the application be approved as presented with the provision that a community contribution reflecting the fair market value increase of the property through rezoning be secured as a condition of rezoning.

Staff concur with RAC and believe that the proposed community contribution is consistent with past contributions received for comparable rezonings.

RECOMMENDATION:

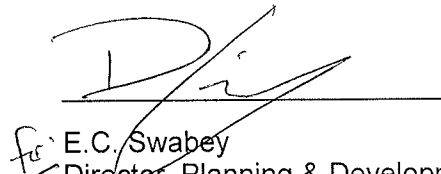
That Council support this application and:

1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.388"; and
2. Direct Staff to secure the proposed community contribution as a condition of rezoning.

Respectfully submitted,

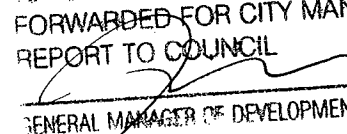


D. Lindsay
Manager, Planning Division
DEVELOPMENT SERVICES DEPARTMENT

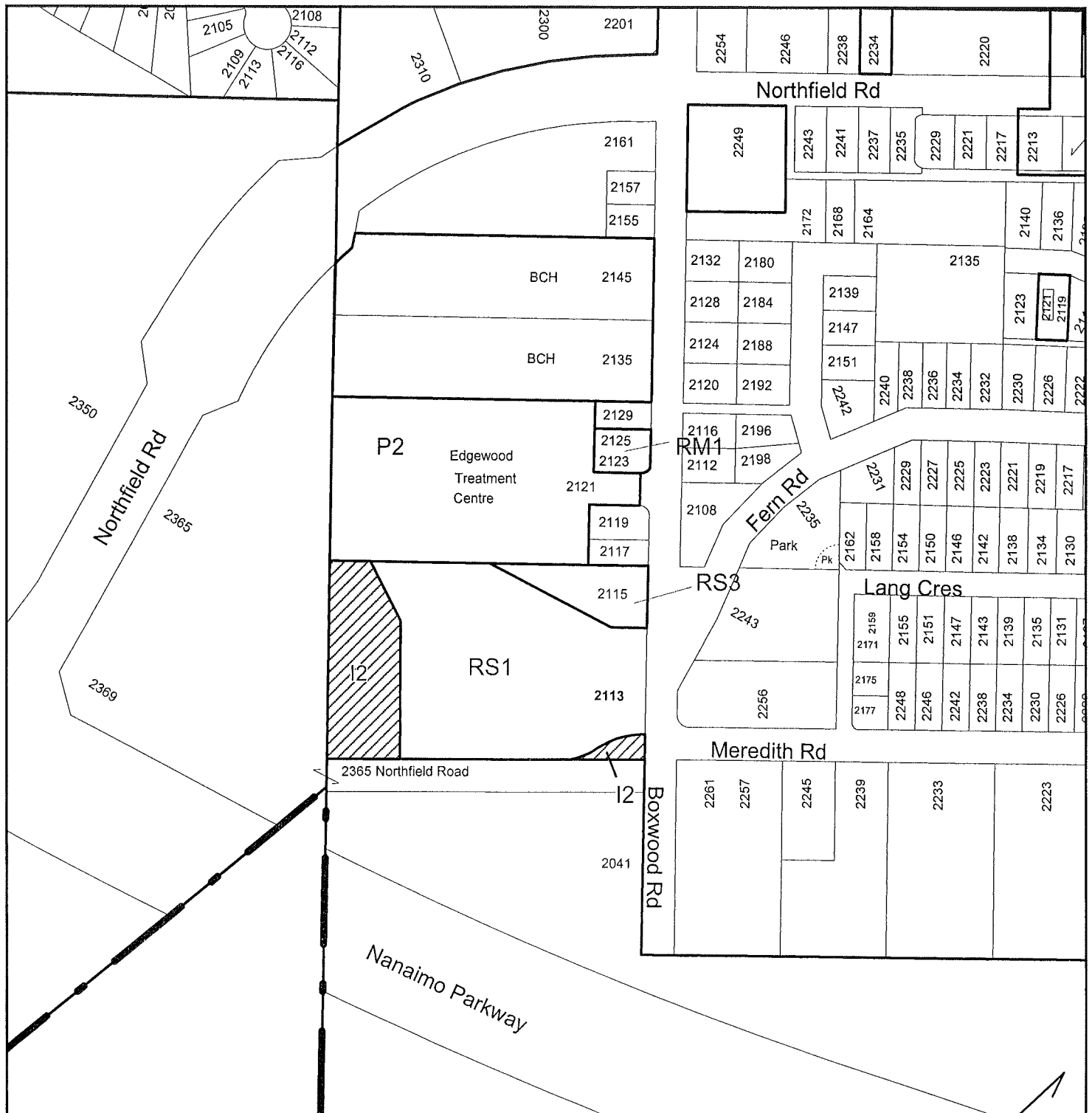

for E.C. Swabey
Director, Planning & Development

DEVELOPMENT SERVICES DEPARTMENT

JH/pm
Council: 2006-FEB-13
Prospero Attachment: RA157

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

GENERAL MANAGER OF DEVELOPMENT SERVICES

SCHEDULE A



Civic : 2113 Boxwood Road
 File : RA000157
 Bylaw : 4000.388

 **SUBJECT
PROPERTY**

A circle with a horizontal radius vector labeled z .



ID EXISTING ZONING:

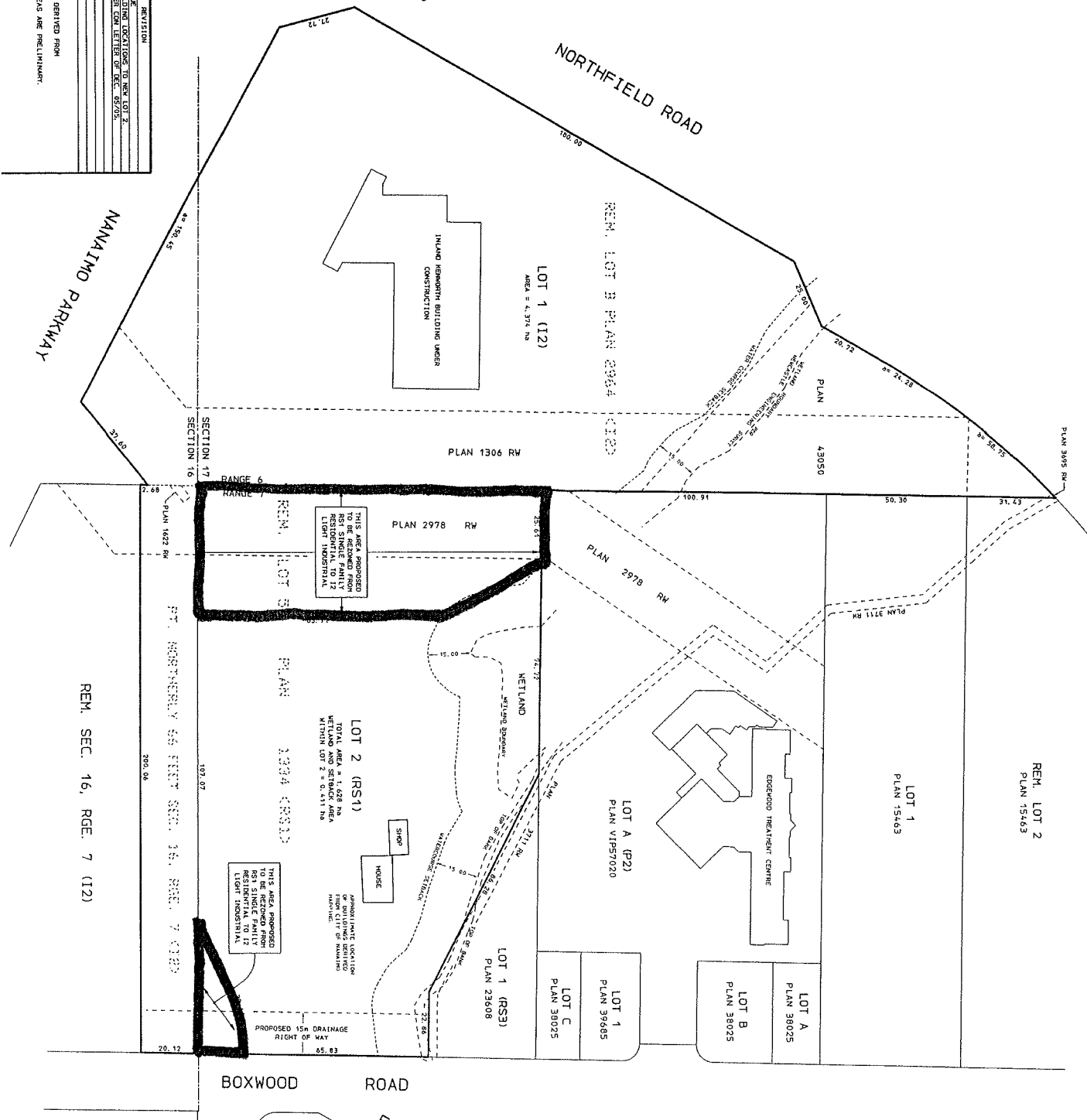
ON (CONSOLIDATION AND BOUNDARY ADJUSTMENT):
 .E LOTS, NO REMAINDERS.

KENWORTH CONSOLIDATION/
RY ADJUSTMENT & REZONING.

SUBDIVISION / REZONING PLAN
~~CONTAINED~~ SUB 00526 / RA00157

AN 2.7.2006
2400057
OFFICE OF THE ATTORNEY GENERAL
PROPERTY SERVICES
RECORDS DIVISION
ASSOCIATES
SURVEYORS
701 405
1 2501 756-7724

FILE: 05172--4
BASE PLAN: 04304
SHEET: 1 OF 1



[illegible]

DATE	N.M. / JSD
CHARGE	
SCALE	$T = 40^{\circ}\text{C}$ (1450)
LOT NO.	8242

L1b/
 A1b

Thu, Aug 22, 2002
 12:01:13 PM
 Serial: 8242000000

CITY OF NANAIMO

BYLAW NO. 7013.01

A BYLAW TO AMEND THE CITY OF NANAIMO
“DEVELOPMENT PARKING REGULATIONS BYLAW 2005 NO. 7013”

The Municipal Council of the City of Nanaimo, in open meeting assembled,
ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited as the City of Nanaimo “DEVELOPMENT PARKING REGULATIONS BYLAW AMENDMENT BYLAW 2006 NO. 7013.01”.

2. Amendments

The City of Nanaimo “DEVELOPMENT PARKING REGULATIONS BYLAW 2005 NO. 7013” is hereby amended as follows:

(1) By adding the following to Section 8 Definitions, after “Parking Space”:

“Retail Trade and Services Centre” – means one or more buildings containing two or more retail, office or service-related uses, which share common services and parking on a lot.

(2) By adding Subsection 13.3. as the following:

13.3. Where disparity exists between a metric measurement and its imperial equivalent, the metric measurement shall take precedence.

(3) By deleting Subsection 22.2.(a) in its entirety and replacing with the following:

22.2.(a) shopping centres and retail trade and services centres, where the parking space requirement for shopping centres and retail trade and services centres shall apply regardless of the uses within the shopping centre or retail trade and services centre; and

- (4) By deleting 'Offices and Financial Institutions', 'Commercial Retail' and 'Commercial Service' in their entirety from Schedule 'A' and replacing with the following:

COMMERCIAL AND SERVICE-RELATED USES

Animal Hospitals / Animal Shelters / Veterinary Clinics	1 space per 20 m ² (215 ft ²) of gross floor area
Animal Grooming, Training, and Daycare Facilities	1 space per 20 m ² (215 ft ²) of gross floor area
Appliance Repair Shops (excluding automotive)	1 space per 20 m ² (215 ft ²) of gross floor area
Automotive Sales, Service, Rentals and Repair Shops (including autobody shops)	1 space per 10 m ² (107 ft ²) of sales floor area, plus 1 space per service bay, plus 5 spaces
Boat Sales and Recreational Vehicles Sales and Service	1 space per 70 m ² (753 ft ²) of sales floor area, plus 1 space per service bay, plus 5 spaces
Deli / Specialty Food Stores	1 space per 20 m ² (215 ft ²) of gross floor area, with a minimum of 5 spaces for any use with a gross floor area less than 100 m ² (1076 ft ²)
Dry Cleaners	1 space per 20 m ² (215 ft ²) of gross floor area
Fast Food Restaurants	1 space per 3 seats, plus 15 additional spaces
Financial Institutions	1 space per 20 m ² (215 ft ²) of net floor area
Furniture and Appliance Store	1 space per 200 m ² (2153 ft ²) of sales floor area
Gasoline Station and Car Washes	1 space per 5 m ² (54 ft ²) of sales floor area, plus 2 spaces per service bay or car wash bay
Home Centre, Design Centre	1 space per 28.5 m ² (307 ft ²) of net floor area
Laundromat	1 space per 20 m ² (215 ft ²) of gross floor area
Licensee Retail Store (cold beer and wine stores)	1 space per 20 m ² (215 ft ²) of gross floor area
Lumber and Building Supply Yards	1 space per 20 m ² (215 ft ²) of gross floor area, or 8 spaces, whichever is greater
Machinery and Equipment Sales and Service	1 space per 100 m ² (1076 ft ²) of gross floor area

Neighbourhood Public Houses, Marine Public Houses	1 space per 3 seats
Offices Medical / Dental	1 space per 18 m ² (194 ft ²) of net floor area
Offices (all types, excluding medical and dental)	1 parking space per 22 m ² (237 ft ²) of net floor area for the first 1000 m ² (10,764 ft ²) of net floor area, and 1 space per 25 m ² (269 ft ²) of net floor area for the remainder
Restaurants	1 space per 3 seats, plus 1 space per 2 seats of lounge area
Retail Stores (including convenience stores), Personal Service Establishments	1 space per 20 m ² (215 ft ²) of gross floor area
Retail Warehouse	1 space per 18 m ² (194 ft ²) of net floor area
Salons, Beauty and Hair Care or Barber Shops	1 space per 10 m ² (107 ft ²) of gross floor area
Sign Shops	1 space per 40 m ² (431 ft ²) of gross floor area
Take-Out Restaurant	1 space per 25 m ² (269 ft ²) of gross floor area, with a minimum of 3 spaces for any use with a gross floor area less than 100 m ² (1076 ft ²)
Trucks, Trailers and Heavy Equipment Sales, Service and Rentals	1 space per 100 m ² (1076 ft ²) of sales floor area, plus 1 space per service bay, plus 5 spaces

- - - - -

Shopping Centres and Retail Trade and Services Centres	4.3 spaces per 100 m ² (1076 ft ²) of net floor area, where the centre has a net floor area of less than 35,000 m ² (376,749 ft ²)
	5.4 spaces per 100 m ² (1076 ft ²) of net floor area, where the centre has a net floor area of 35,000 m ² (376,749 ft ²) or more

PASSED FIRST AND SECOND READINGS 2006-FEB-13.
PUBLIC HEARING HELD _____.
PASSED THIRD READING _____.
ADOPTED _____.

File: 3900-30-ZA1-75

G:\DEVPLAN\FILES\ADMIN\BYLAWS\Bylaw 7013\7013.01.doc

() Rezoning Application No. RA150 / 6191 Doumont Road

The City has received an application from White Lion Development Ltd. on behalf of Robyn and Karen White, to rezone the subject property from Rural Agricultural/Residential Zone (A-2) to Single Family Residential Zone (RS-1) in order to develop a 19-lot single family bare-land strata subdivision. The application has been reviewed by Staff and is now ready for Council's consideration.

The property is currently under associated subdivision (SUB529) and development permit (DP362) applications. The subdivision and development permit applications were initiated by the applicant in part to help Staff identify and address some of the technical challenges of the proposed development and also to provide the applicant with a greater degree of certainty in regards to lot layout and lot yield. The associated subdivision and development permit applications will both be subject to approval of this rezoning application.

The subject property is situated between the Nanaimo Parkway and the E&N Railway. The site is also bordered by a vacant A-2 zoned property across Doumont Road to the north and a vacant RS-1 (single family) zoned property to the south. The subject property, which is approximately 1.75 ha (4.3 acres) in area, was created with the subdivision of the Black Bear Pub property to facilitate the construction of the Nanaimo Parkway. The subject property is elevated approximately 5 meters above Doumont Road and approximately 9 meters above the drainage ditch for the Nanaimo Parkway. The property slopes gently towards a protected creek which transects the property's southeast corner. The property has views across Brannen Lake and the mountains to the west.

The subject property is designated as Neighbourhood according to Schedule 'A' of the Official Community Plan. The subject property lies within Nanaimo Parkway Development Permit Area 22, Watercourse Development Permit Area 23, and Steep Slopes Development Permit Area 25, according to Schedule 'B' of the Official Community Plan. Staff is of the opinion that the proposed development complies with the intent of the Official Community Plan.

The applicant is proposing to develop a 19-lot bare-land strata subdivision. The proposed subdivision will be accessed from Doumont Road via a cut in the slope. The access has been reviewed by the applicant's Engineer with recommendations that the speed limit along this section of Doumont Road be reduced to 30 km/h in order to allow for safe left turn movements onto the site.

The subject property is impacted by the Nanaimo Parkway 15-metre (49') Character Protection Zone and additional 20-metre (65') Tree Protection Zone. The subject property is largely clear of significant trees, with the exception of the northeast corner of the property adjacent to the E&N Railway and the southeast corner of the property within the watercourse setback. No significant trees lie within the Character Protection Zone or the Tree Protection Zone. The applicant's Landscape Architect has prepared a landscape plan that addresses the Nanaimo Parkway Design Guidelines. The landscape plan includes the installation of cedar rail fencing, berming, planting of native ground cover and planting of native trees including, pine, arbutus and Garry Oak, which will provide glimpses into and out of the subdivision. Staff is of the opinion that the landscape plan, which will be given formal consideration through the development permit application, meets the intent of the Nanaimo Parkway Design Guidelines.

A 5-metre pedestrian trail right-of-way over proposed lots 1-3 adjacent to the E&N Rail right-of-way will be secured as a condition of subdivision of the property. The pedestrian right-of-way will allow for the eventual extension of the E&N Trail along this section of the railway once a safe pedestrian crossing over Doumont Road to the Jenkins Road right-of-way can be secured.

As outlined in subsection 6.2 of the Official Community Plan, in exchange for value inferred on land through rezoning, the applicant should provide a community contribution. In consideration of Council's policy, the applicant has offered a community contribution of \$9,500 (\$500 per lot) towards neighbourhood park and trail improvements. Staff support the community contribution proposal and recommend that Council direct Staff to secure this community contribution as a condition of rezoning.

Recommendation: That Council support this application and:

1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.382"; and
2. Direct Staff to secure the proposed community contribution as a condition of rezoning.

FOR CITY MANAGER'S REPORT

REPORT TO: E.C. SWABEY, DIRECTOR, PLANNING & DEVELOPMENT, DSD

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

RE: RA000150 / 6191 DOUMONT ROAD

RECOMMENDATION:

That Council support this application and:

1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.382"; and
2. Direct Staff to secure the proposed community contribution as a condition of rezoning.

BACKGROUND:

The City has received an application from White Lion Development Ltd. on behalf of Robyn and Karen White, to rezone the subject property from Rural Agricultural/Residential Zone (A-2) to Single Family Residential Zone (RS-1) in order to develop a 19-lot single family bare-land strata subdivision. The application has been reviewed by Staff and is now ready for Council's consideration.

The property is currently under associated subdivision (SUB529) and development permit (DP362) applications. The subdivision and development permit applications were initiated by the applicant in part to help Staff identify and address some of the technical challenges of the proposed development and also to provide the applicant with a greater degree of certainty in regards to lot layout and lot yield. The associated subdivision and development permit applications will both be subject to approval of this rezoning application.

DISCUSSION:

Subject Property

The subject property is situated between the Nanaimo Parkway and the E&N Railway (Schedule 'A'). The site is also bordered by a vacant A-2 zoned property across Doumont Road to the north and a vacant RS-1 (single family) zoned property to the south.

The subject property, which is approximately 1.75 ha (4.3 acres) in area, was created with the subdivision of the Black Bear Pub property to facilitate the construction of the Nanaimo Parkway. The subject property is elevated approximately five meters above Doumont Road and approximately 9 meters above the drainage ditch for the Nanaimo Parkway. The property slopes gently towards a protected creek which transects the property's southeast corner (Schedule 'B'). The property has views across Brannen Lake and the mountains to the west.

Official Community Plan

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

- The predominant use in Neighbourhoods will be a low-density residential land use.
- Target gross unit density for Neighbourhoods is 15 units per hectare.
- Residential uses on Neighbourhood designated lands include detached and semi-detached dwelling units, secondary suites, mobile homes, duplexes, triplexes, quadraplexes and ground orientated townhouses.

The subject property lies within Nanaimo Parkway Development Permit Area 22, Watercourse Development Permit Area 23, and Steep Slopes Development Permit Area 25, according to Schedule 'B' of the Official Community Plan.

Staff are of the opinion that the proposed development complies with the intent of the Official Community Plan.

Proposed Development

The applicant is proposing to develop a 19-lot bare-land strata subdivision (Schedule 'B'). The proposed subdivision consists of strata lots ranging in size from 421 m² (4,531 ft²) to 1,859 m² (20,010 ft²). The applicant proposes a variance to the minimum lot depth for lots 8 and 12. The depth of lot 8 is proposed as 27.9 m (91.5 ft) rather than the required 30 m (98.4 ft). The depth of lot 12 is proposed as 39.4 m (129 ft) rather than the required 45 m (147.6 ft). The proposed variances are largely a result of a jog in the Nanaimo Parkway right-of-way along lots 12-14. Staff are of the opinion that the proposed variances allow for an improved subdivision layout. The proposed variances will be given formal consideration through the associated development permit application.

Access

The proposed subdivision will be accessed from Doumont Road via a cut in the slope. The access has been reviewed by the applicant's Engineer with recommendations that the speed limit along this section of Doumont Road be reduced to 30 km/h in order to allow for safe left turn movements onto the site. The Engineer's recommendations are based partly on the limited visibility resulting from the poor alignment of Doumont Road through the E&N Railway overpass. The recommendations of the applicant's Engineer will be addressed through the associated subdivision application.

Geotechnical Recommendations

The applicant's Geotechnical Engineer has reviewed the proposed development and made recommendations with regard to building in proximity to the steep banks along the Doumont Road and Nanaimo Parkway frontages of the subject property. The applicant's Engineer recommends setbacks from the top of bank of five metres from foundations and three metres from sundecks and garden features. The Engineer's recommendations will be secured as a condition of subdivision of the property.

Development Permit Areas

The proposed development lies within the Nanaimo Parkway Development Permit Area 22, Watercourse Development Permit Area 23, and Steep Slopes Development Permit Area 25. The proposed development is currently being reviewed through Development Permit DP362, approval of which will be a condition of subdivision.

The subject property is impacted by the Nanaimo Parkway 15 metre (49') Character Protection Zone and additional 20 metre (65') Tree Protection Zone. The subject property is largely clear of significant trees, with the exception of the northeast corner of the property adjacent to the E&N Railway and the southeast corner of the property within the watercourse setback. No significant trees lie within the Character Protection Zone or the Tree Protection Zone. The remainder of the property is covered in grasses, broom, and pine and cedar seedlings. The applicant's Landscape Architect has prepared a landscape plan that addresses the Nanaimo Parkway Design Guidelines.

The landscape plan includes the installation of cedar rail fencing, berming, planting of native ground cover and planting of native trees including, pine, arbutus and Garry Oak, which will provide glimpses into and out of the subdivision. Staff are of the opinion that the landscape plan, which will be given formal consideration through the development permit application, meets the intent of the Nanaimo Parkway Design Guidelines.

The applicant has also provided an acoustic study as per the Nanaimo Parkway Design Guidelines. The Nanaimo Parkway Design Guidelines require a plan of noise mitigation to ensure residential development adjacent to the Parkway meets Canadian Mortgage and Housing Corporation maximum noise level targets. The applicant's acoustic study makes recommendation as to subdivision layout, siting of houses on lots adjacent to the Parkway and the internal layout of houses adjacent to the Parkway. The recommendations of the acoustic study will be secured as a condition of subdivision.

The southeast corner of the subject property is impacted by a 15 metre (49') aquatic setback from the creek which transects the site. The majority of the setback area is contained within an area proposed as either common property, or as dedicated parkland, depending on subdivision requirements. A small portion of the setback area, approximately 50 m² (538 ft²), is proposed for inclusion within bare-land strata lots. The applicant proposes to exchange the setback area within the proposed bare-land strata lots for an area of approximately 73 m² (785 ft²) which is currently not within the aquatic setback. This results in a net gain of protected area of approximately 23 m² (247 ft²). Staff are supportive of the applicant's proposal, which will be given formal consideration through the development permit application.

The subject property is within Steep Slopes Development Permit Area 25. The steeply sloping sections of the property are entirely contained within the steep banks down to the Doumont Road and Nanaimo Parkway right-of-ways. The remainder of the site is generally flat to gently sloping. The proposed development as it relates to the Steep Slope Development Permit Area Design Guidelines is being considered through the associated development permit and subdivision applications.

E&N Railway Trail

A 5-metre pedestrian trail right-of-way over proposed lots 1- 3 adjacent to the E&N Rail right-of-way will be secured as a condition of subdivision of the property (Schedule 'B'). The pedestrian right-of-way will allow for the eventual extension of the E&N Trail along this section of the railway once a safe pedestrian crossing over Doumont Road to the Jenkins Road right-of-way can be secured.

Community Contribution

As outlined in subsection 6.2 of the Official Community Plan, in exchange for value inferred on land through rezoning, the applicant should provide a community contribution.

In consideration of Council's policy, the applicant has offered a community contribution of \$9,500 (\$500 per lot) towards neighbourhood park and trail improvements.

Staff support the community contribution proposal and recommend that Council direct Staff to secure this community contribution as a condition of rezoning.

RECOMMENDATION:

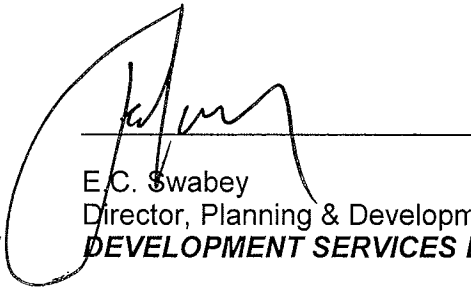
That Council support this application and:

1. Give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2006 NO. 4000.382"; and
2. Direct Staff to secure the proposed community contribution as a condition of rezoning.

Respectfully submitted,

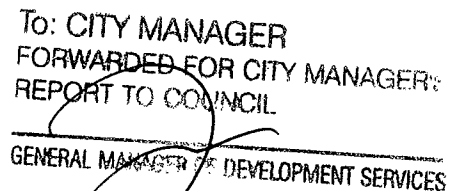


D. Lindsay
Manager, Planning Division
DEVELOPMENT SERVICES DEPARTMENT

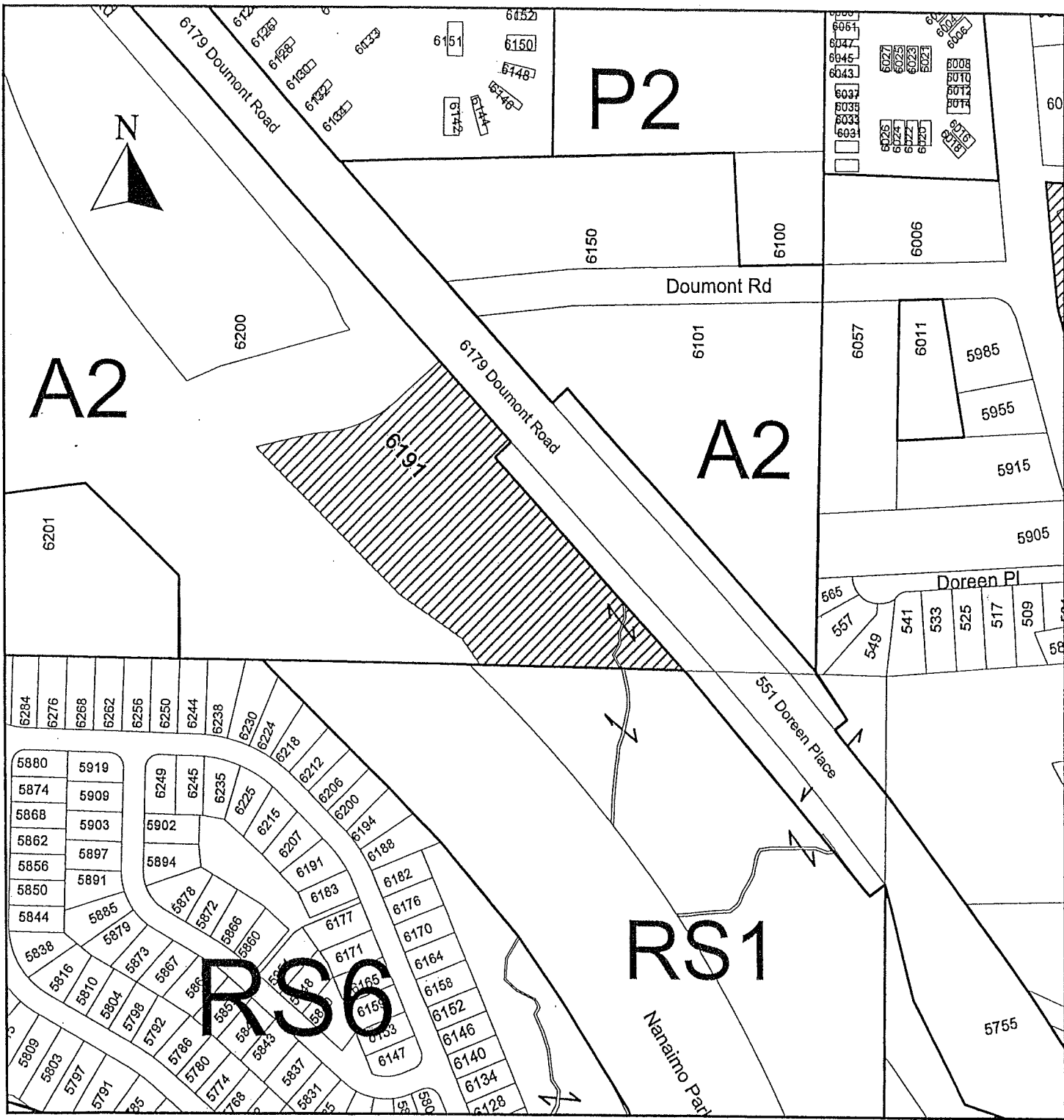


E.C. Swabey
Director, Planning & Development
DEVELOPMENT SERVICES DEPARTMENT


JH/pm
Council: 2006-Feb-13
Prospero: RA150

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

GENERAL MANAGER OF DEVELOPMENT SERVICES

SCHEDULE A



Civic : 6191 Doumont Road
File : RA000150

 SUBJECT
PROPERTY

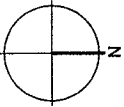
SCHEDULE B

LOT 1
PLAN 12777

STRATA PLAN VIS3925

PROJECT: ANDERSON RIDGE
CLIENT: WHITE LION
DEVELOPMENTS LTD.

SITE PLAN



DATE: JUNE 28/05

SCALE: 1:500

DRONE: BSH

FILE: 04231-52

SHEET: 1 OF 1

WILLIAMS ASSOCIATES
PROFESSIONAL SURVEYORS
2008 BRIDGE ROAD SUITE 201, WILLOWDALE, ONTARIO M2H 1P7
TEL: (416) 491-1111 FAX: (416) 491-1112

REVISIONS
NO. DATE DESCRIPTION
1 06/28/05 INITIAL DESIGN
2 07/15/05 REVISED PER CITY OF MARKHAM
3 08/10/05 REVISED PER CITY OF MARKHAM
4 09/01/05 REVISED PER CITY OF MARKHAM
5 09/01/05 REVISED PER CITY OF MARKHAM
6 09/01/05 REVISED PER CITY OF MARKHAM
7 09/01/05 REVISED PER CITY OF MARKHAM
8 09/01/05 REVISED PER CITY OF MARKHAM
9 09/01/05 REVISED PER CITY OF MARKHAM
10 09/01/05 REVISED PER CITY OF MARKHAM
11 09/01/05 REVISED PER CITY OF MARKHAM
12 09/01/05 REVISED PER CITY OF MARKHAM
13 09/01/05 REVISED PER CITY OF MARKHAM
14 09/01/05 REVISED PER CITY OF MARKHAM
15 09/01/05 REVISED PER CITY OF MARKHAM
16 09/01/05 REVISED PER CITY OF MARKHAM
17 09/01/05 REVISED PER CITY OF MARKHAM
18 09/01/05 REVISED PER CITY OF MARKHAM
19 09/01/05 REVISED PER CITY OF MARKHAM
20 09/01/05 REVISED PER CITY OF MARKHAM
21 09/01/05 REVISED PER CITY OF MARKHAM
22 09/01/05 REVISED PER CITY OF MARKHAM
23 09/01/05 REVISED PER CITY OF MARKHAM
24 09/01/05 REVISED PER CITY OF MARKHAM
25 09/01/05 REVISED PER CITY OF MARKHAM
26 09/01/05 REVISED PER CITY OF MARKHAM
27 09/01/05 REVISED PER CITY OF MARKHAM
28 09/01/05 REVISED PER CITY OF MARKHAM
29 09/01/05 REVISED PER CITY OF MARKHAM
30 09/01/05 REVISED PER CITY OF MARKHAM
31 09/01/05 REVISED PER CITY OF MARKHAM
32 09/01/05 REVISED PER CITY OF MARKHAM
33 09/01/05 REVISED PER CITY OF MARKHAM
34 09/01/05 REVISED PER CITY OF MARKHAM
35 09/01/05 REVISED PER CITY OF MARKHAM
36 09/01/05 REVISED PER CITY OF MARKHAM
37 09/01/05 REVISED PER CITY OF MARKHAM
38 09/01/05 REVISED PER CITY OF MARKHAM
39 09/01/05 REVISED PER CITY OF MARKHAM
40 09/01/05 REVISED PER CITY OF MARKHAM
41 09/01/05 REVISED PER CITY OF MARKHAM
42 09/01/05 REVISED PER CITY OF MARKHAM
43 09/01/05 REVISED PER CITY OF MARKHAM
44 09/01/05 REVISED PER CITY OF MARKHAM
45 09/01/05 REVISED PER CITY OF MARKHAM
46 09/01/05 REVISED PER CITY OF MARKHAM
47 09/01/05 REVISED PER CITY OF MARKHAM
48 09/01/05 REVISED PER CITY OF MARKHAM
49 09/01/05 REVISED PER CITY OF MARKHAM
50 09/01/05 REVISED PER CITY OF MARKHAM
51 09/01/05 REVISED PER CITY OF MARKHAM
52 09/01/05 REVISED PER CITY OF MARKHAM
53 09/01/05 REVISED PER CITY OF MARKHAM
54 09/01/05 REVISED PER CITY OF MARKHAM
55 09/01/05 REVISED PER CITY OF MARKHAM
56 09/01/05 REVISED PER CITY OF MARKHAM
57 09/01/05 REVISED PER CITY OF MARKHAM
58 09/01/05 REVISED PER CITY OF MARKHAM
59 09/01/05 REVISED PER CITY OF MARKHAM
60 09/01/05 REVISED PER CITY OF MARKHAM
61 09/01/05 REVISED PER CITY OF MARKHAM
62 09/01/05 REVISED PER CITY OF MARKHAM
63 09/01/05 REVISED PER CITY OF MARKHAM
64 09/01/05 REVISED PER CITY OF MARKHAM
65 09/01/05 REVISED PER CITY OF MARKHAM
66 09/01/05 REVISED PER CITY OF MARKHAM
67 09/01/05 REVISED PER CITY OF MARKHAM
68 09/01/05 REVISED PER CITY OF MARKHAM
69 09/01/05 REVISED PER CITY OF MARKHAM
70 09/01/05 REVISED PER CITY OF MARKHAM
71 09/01/05 REVISED PER CITY OF MARKHAM
72 09/01/05 REVISED PER CITY OF MARKHAM
73 09/01/05 REVISED PER CITY OF MARKHAM
74 09/01/05 REVISED PER CITY OF MARKHAM
75 09/01/05 REVISED PER CITY OF MARKHAM
76 09/01/05 REVISED PER CITY OF MARKHAM
77 09/01/05 REVISED PER CITY OF MARKHAM
78 09/01/05 REVISED PER CITY OF MARKHAM
79 09/01/05 REVISED PER CITY OF MARKHAM
80 09/01/05 REVISED PER CITY OF MARKHAM
81 09/01/05 REVISED PER CITY OF MARKHAM
82 09/01/05 REVISED PER CITY OF MARKHAM
83 09/01/05 REVISED PER CITY OF MARKHAM
84 09/01/05 REVISED PER CITY OF MARKHAM
85 09/01/05 REVISED PER CITY OF MARKHAM
86 09/01/05 REVISED PER CITY OF MARKHAM
87 09/01/05 REVISED PER CITY OF MARKHAM
88 09/01/05 REVISED PER CITY OF MARKHAM
89 09/01/05 REVISED PER CITY OF MARKHAM
90 09/01/05 REVISED PER CITY OF MARKHAM
91 09/01/05 REVISED PER CITY OF MARKHAM
92 09/01/05 REVISED PER CITY OF MARKHAM
93 09/01/05 REVISED PER CITY OF MARKHAM
94 09/01/05 REVISED PER CITY OF MARKHAM
95 09/01/05 REVISED PER CITY OF MARKHAM
96 09/01/05 REVISED PER CITY OF MARKHAM
97 09/01/05 REVISED PER CITY OF MARKHAM
98 09/01/05 REVISED PER CITY OF MARKHAM
99 09/01/05 REVISED PER CITY OF MARKHAM
100 09/01/05 REVISED PER CITY OF MARKHAM

LOT 1
PLAN VIS3925

NANAIWIO PARKWAY

DOUMONT ROAD

E & N RAILWAY

TREED AREA
8 CEDAR
1 MAPLE
2 SPRUCE

PROPOSED 5.0m
TRAIL STATUTORY
RIGHT OF WAY

LEAVE STRIP
BOUNDARY
SETBACK
10 FENCE

CONCRETE PROTECTION
ZONE - 15m SETBACK

TREE PROTECTION
ZONE - 5m SETBACK

SITE STATISTICS

CURRENT ZONE - A2

PROPOSED ZONE - R51

BASE LAND STRATA DEVELOPMENT

LOT 1, PLAN VIS3925

WETLAND AREA / PARK

ACCESS CORRIDOR

SITE AREA

R51 MINIMUM LOT SIZE

DENSITY AVAILABLE

DENSITY PROPOSED

VARIANCE REQUIRED OF

PARKWAY BUILDING SETBACK

REDUCTION OF 5.0 METRES FROM

PROPOSED LOT 12.

MINIMUM LOT DEPTH

LOTS 1-3 42.4m

LOT 11 34.0m

LOTS 4-7 30.0m

LOT 12 38.3m

LOT 8 30.0m

LOT 13 22.8m

LOT 9 30.0m

LOTS 14-19 50.0m

LOT 10 39.4m

LOT FRONTS (ACCESS POINTS)

LOT 1 12.8

LOTS 2-3 15.2

LOT 13 22.8

LOTS 4-7 14.1

LOTS 14-18 15.2

LOT 8 11.4

LOT 19 18.2

LOTS 9-11 10.0

() Parking Requirements for Commercial Centres

Over the past number of years, Council has amended portions of the parking bylaw, including minor amendments such as new parking ratios for existing uses, or significant amendments such as reduced parking requirements for multi-family dwellings in the downtown core. Many of these amendments incorporated recommendations of a parking study prepared for the City by Bunt and Associates Engineering Ltd.

Recently, Staff has been considering the merit of a blended parking ratio for multi-tenanted, commercial developments. The review of this issue is now complete and Council, at its regular meeting of 2005-NOV-28, provided a recommendation that amendments be made to the parking bylaw as a result of Staff's proposal that a two-tiered parking strategy for shopping centres and multi-tenanted commercial complexes be implemented.

In response to Council's recommendation, Staff has prepared a bylaw acknowledging the above-noted changes. In summary, the proposed bylaw is intended to:

1. Add the definition of "retail trade and services centre" in order to establish parking requirements for commercial complexes that are not considered "shopping centres".
2. Establish a tiered off-street parking system for "shopping centres" and "retail trade and services centres" as the following:
 - 4.3 spaces per 100 m² (1076 ft²) of net floor area, where the centre has a net floor area of less than 35,000 m² (376,749 ft²), and
 - 5.4 spaces per 100 m² (1076 ft²) of net floor area, where the centre has a net floor area of 35,000 m² (376,749 ft²) or more.

These text amendments will serve to clarify that both 'shopping centres' and 'retail trade and services centres' are subject to a multi-tiered parking system rather than being calculated cumulatively for each individual use on a site. Implementation of such a system will assist Staff in addressing parking issues such as parking duration, stall turnover, and parking demand. It is expected that these amendments will have the greatest impact for commercial uses most often seen in the Mixed Use Commercial Zone (C-4) and the Service Commercial Zone (C-13).

Recommendation: That Council give first and second reading to "DEVELOPMENT PARKING REGULATIONS BYLAW AMENDMENT BYLAW 2006 NO. 7013.01."

FOR CITY MANAGER'S REPORT

REPORT TO: E.C. SWABEY, DIRECTOR, PLANNING & DEVELOPMENT

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

RE: PARKING REQUIREMENTS FOR COMMERCIAL CENTRES

RECOMMENDATION:

That Council give first and second reading to "DEVELOPMENT PARKING REGULATIONS BYLAW AMENDMENT BYLAW 2006 NO. 7013.01."

BACKGROUND:

Over the past number of years, Council has amended portions of the parking bylaw, including minor amendments such as new parking ratios for existing uses, or significant amendments such as reduced parking requirements for multi-family dwellings in the downtown core. Many of these amendments incorporated recommendations of a parking study prepared for the City by Bunt and Associates Engineering Ltd.

Recently, Staff has been considering the merit of a blended parking ratio for multi-tenanted, commercial developments. The review of this issue is now complete and Council, at its regular meeting of 2005-NOV-28, provided a recommendation that amendments be made to the parking bylaw as a result of Staff's proposal that a two-tiered parking strategy for shopping centres and multi-tenanted commercial complexes be implemented.

DISCUSSION:

In response to Council's recommendation, Staff has prepared a bylaw acknowledging the above-noted changes. In summary, the proposed bylaw is intended to:

1. Add the definition of "retail trade and services centre" in order to establish parking requirements for commercial complexes that are not considered "shopping centres".
2. Establish a tiered off-street parking system for "shopping centres" and "retail trade and services centres" as the following:
 - 4.3 spaces per 100 m² (1076 ft²) of net floor area, where the centre has a net floor area of less than 35,000 m² (376,749 ft²), and
 - 5.4 spaces per 100 m² (1076 ft²) of net floor area, where the centre has a net floor area of 35,000 m² (376,749 ft²) or more.

These text amendments will serve to clarify that both 'shopping centres' and 'retail trade and services centres' are subject to a multi-tiered parking system rather than being calculated cumulatively for each individual use on a site. Implementation of such a system will assist staff in addressing parking issues such as parking duration, stall turnover, and parking demand. It is expected that these amendments will have the greatest impact for commercial uses most often seen in the Mixed Use Commercial Zone (C-4) and the Service Commercial Zone (C-13).

RECOMMENDATION:

That Council give first and second reading to "DEVELOPMENT PARKING REGULATIONS BYLAW AMENDMENT BYLAW 2006 NO. 7013.01."

Respectfully submitted,



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

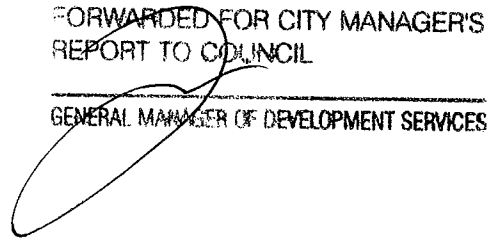
E. C. Swabey
Director, Planning & Development
Development Services Department

DL/dj

Council: 2006-FEB-13

G:\DEVPLAN\FILES\LEGIS\3900\30\ZA1\75 Parking Amendments\2006 02 02 Report to Council Parking Amendments.doc

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



GENERAL MANAGER OF DEVELOPMENT SERVICES