



# NOTICE OF PUBLIC HEARING

2005-OCT-06 at 7:00 pm

Notice is hereby given that a Public Hearing will be held on Thursday, **2005-OCT-06**, commencing at **1900 hours (7:00 pm)** in the **Board Chambers of the Regional District of Nanaimo, 6300 Hammond Bay Road, Nanaimo, BC** to consider proposed amendments to the City of Nanaimo "ZONING BYLAW 1993 NO. 4000" and "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000".

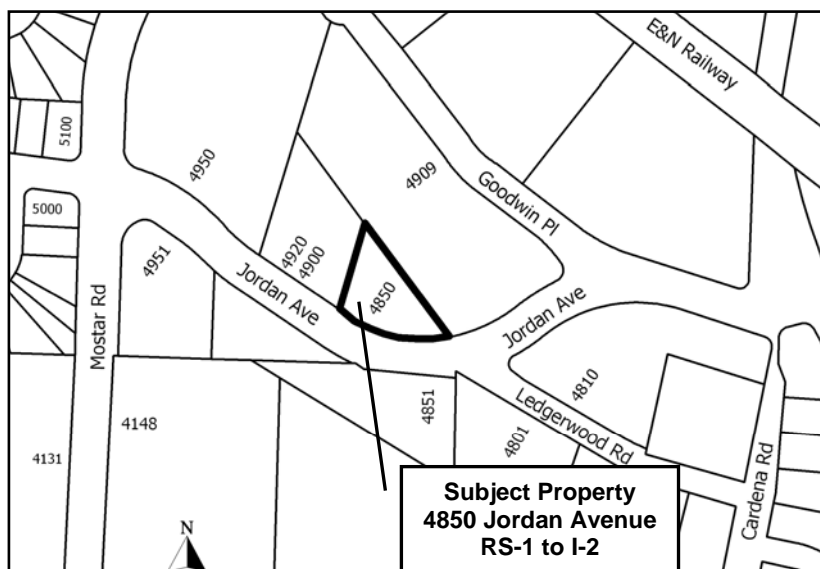
## 1. **BYLAW NO. 4000.378:**

**Purpose:** To permit the use of land for expansion of a tow truck dispatch and storage yard.  
**Location(s):** 4850 Jordan Avenue  
**File No.:** RA000149

This bylaw, if adopted, will rezone property from Single Family Residential Zone (RS-1) to Light Industrial Zone (I-2) in order to permit expansion of the neighbouring tow truck dispatch and storage yard (Mid Island Towing). The applicant is also proposing to retain the existing single family dwelling as a caretaker's dwelling unit.

The subject property is legally described as LOT 1, SECTION 5, WELLINGTON DISTRICT, PLAN 18955, EXCEPT PART IN PLAN VIP56407, and is shown on Map 'A'.

**Map A**



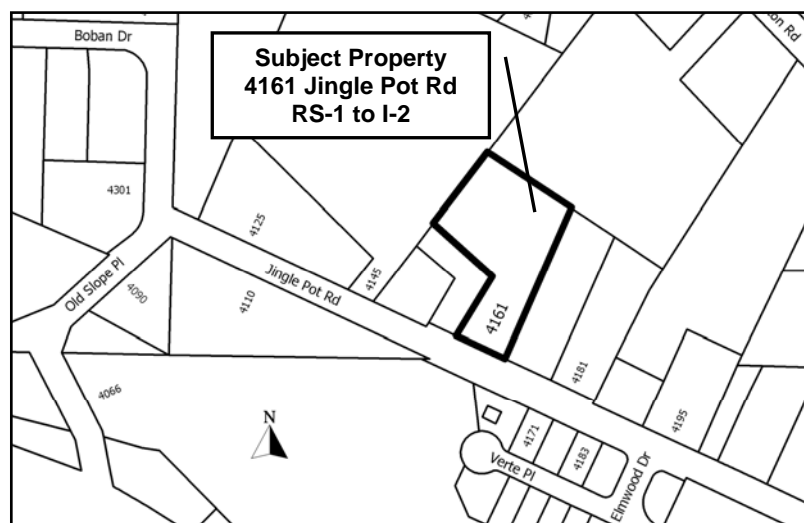
## 2. **BYLAW NO. 4000.379:**

**Purpose:** To permit use of land for an electrical contracting operation and storage area.  
**Location(s):** 4161 Jingle Pot Road  
**File No.:** RA000142

This bylaw, if adopted, will rezone property from Single Family Residential Zone (RS-1) to Light Industrial Zone (I-2) in order to permit an electrical contracting operation (Den Mar Electric) and storage use. The applicant is proposing to convert the existing single family dwelling to an office use, and utilize the rear yard for a future storage use.

The subject property is legally described as LOT 1, SECTION 5, WELLINGTON DISTRICT, PLAN VIP70870, and is shown on Map 'B'.

**Map B**



### 3. **BYLAW NO. 4000.377:**

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

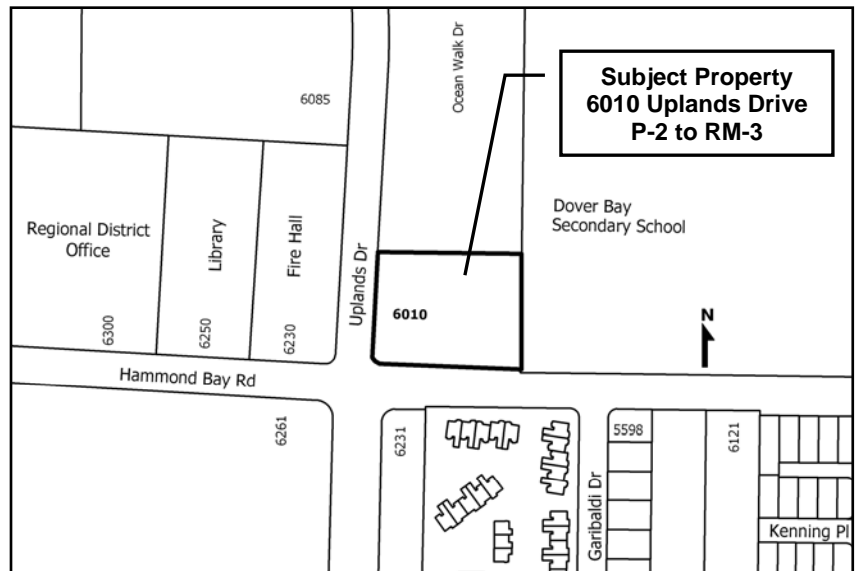
**Location(s):** 6010 Uplands Drive

**File No.:** RA000144

This bylaw, if adopted, will rezone property from Public Institution Zone (P-2) to Low Density Multiple Family Residential (Townhouse) Zone (RM-3) in order to permit a multiple-family residential development. The applicant is proposing to construct 36 dwelling units, consisting of six two-storey quadruplex buildings and one two-storey 12-unit multiple-family dwelling.

The subject property is legally described as LOT A, DISTRICT LOT 48, WELLINGTON DISTRICT, PLAN VIP53807, and is shown on Map 'C'.

**Map C**



PLEASE NOTE full details are available in the City of Nanaimo ZONING BYLAW AMENDMENT BYLAWS 2005 NO. 4000.378, 4000.379 and 4000.377, copies of which are available at Development Services located at 238 Franklyn Street.

### 4. **BYLAW NO. 6000.069:**

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

**Location(s):** Various

**File No.:** 6480 20 96 A01 05/02

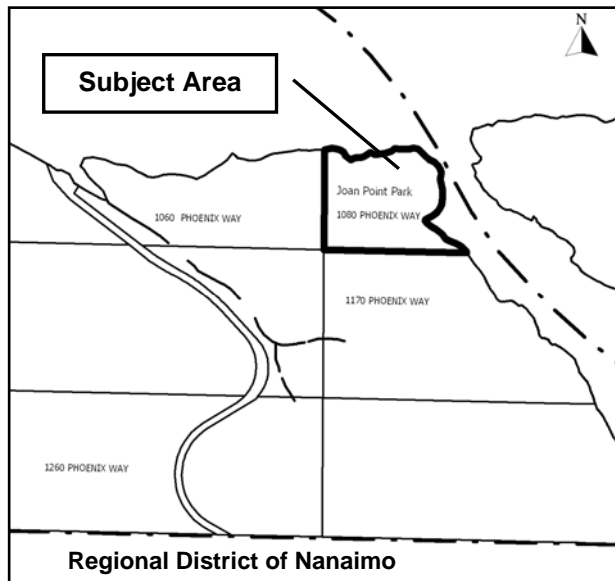
This bylaw, if adopted, will include text amendments and update mapping layers in order to increase the effectiveness of the "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000":

- Remove text from Section 1.8.2.5 of the "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000", that refers to the establishment of a new library facility. This is now redundant as the downtown library has since been constructed.
- Remove the Van Houten Block at 16 Commercial Street from Heritage Conservation Area #1 from Section 8.3.1.5 of the "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000", as the building no longer exists.
- Add a new policy to Section 4.5.2 of the "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000" to indicate that trailway planning, design, construction and maintenance on "Environmentally Sensitive Lands" is subject to the "Trail Implementation Plan" and the "Guidelines for Municipal Works and Services within ESAs"; and amend Section 4.6.2.30 to reflect the adoption and continued implementation of the street landscaping program.
- Remove text from Section 4.3.2.9 of the "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000", which currently refers to seeking approval for construction of a bike/pedestrian trailway on the E&N Railway corridor, to reflect that the trailway is now partially completed; and remove Section 7.4.2.3 that refers to the extension of a public pedestrian trail between McGuffie Road and Neck Point Park, as this trail has been completed.
- Remove text from Section 1.3 of the "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000" to update figures for the total amount of parkland within the City of Nanaimo; and remove text from Section 1.3.2.18 to indicate the acquisition of Provincial Crown Land between Jingle Pot Road and Third Street as parkland is now complete.

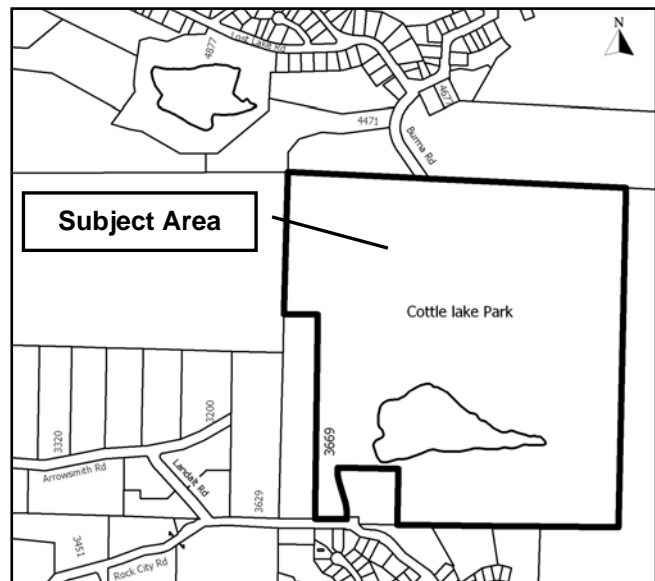
- f) Amend Schedule A – Future Land Use and Mobility of the “OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000” by updating the mapping layer for “Future Park Sites” in order to reflect the Park Acquisition Priorities identified in the 2005 Parks, Recreation and Culture Master Plan. This includes:

- (1) removing Joan Point and Linley Valley ‘Future Park Sites’, as shown on Maps ‘D’ and ‘E’, as these sites have been acquired as parkland;

**Map D**

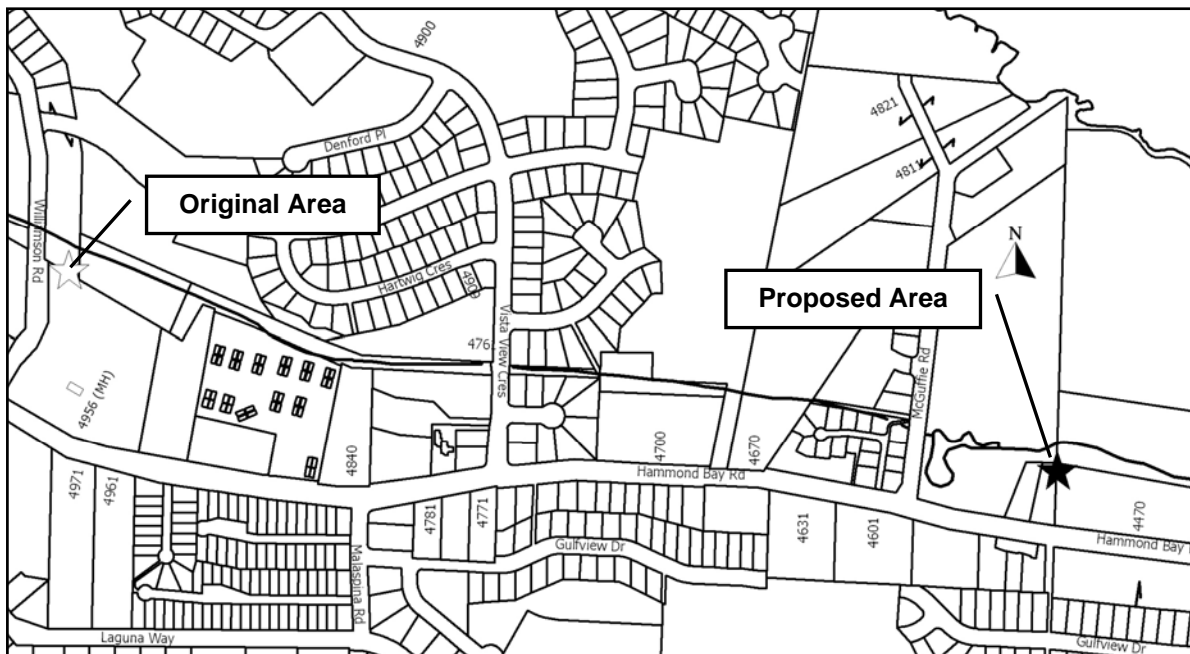


**Map E**



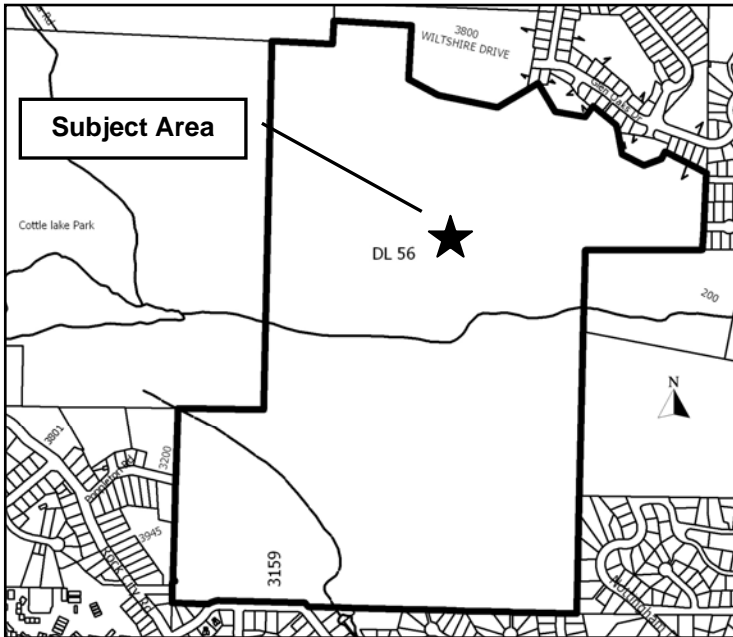
- (2) moving the location of the Walley Creek Park ‘Future Park Site’, as shown on Map ‘F’, to indicate that park areas further east along Walley Creek have not yet been acquired; and

**Map F**

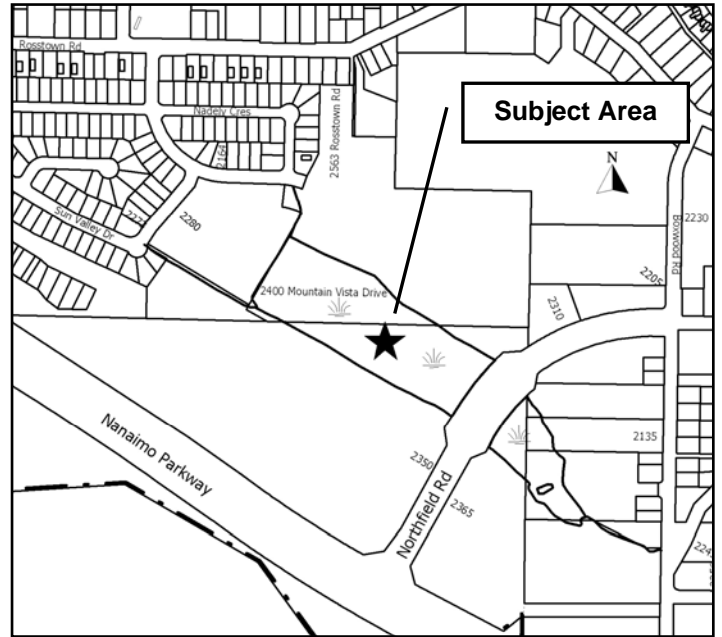


- (3) adding 'Future Park Sites' to District Lot 56, Northfield Marsh, and Harewood Plains, as shown on Maps 'G', 'H' and 'I', as these sites are considered Environmentally Sensitive Areas.

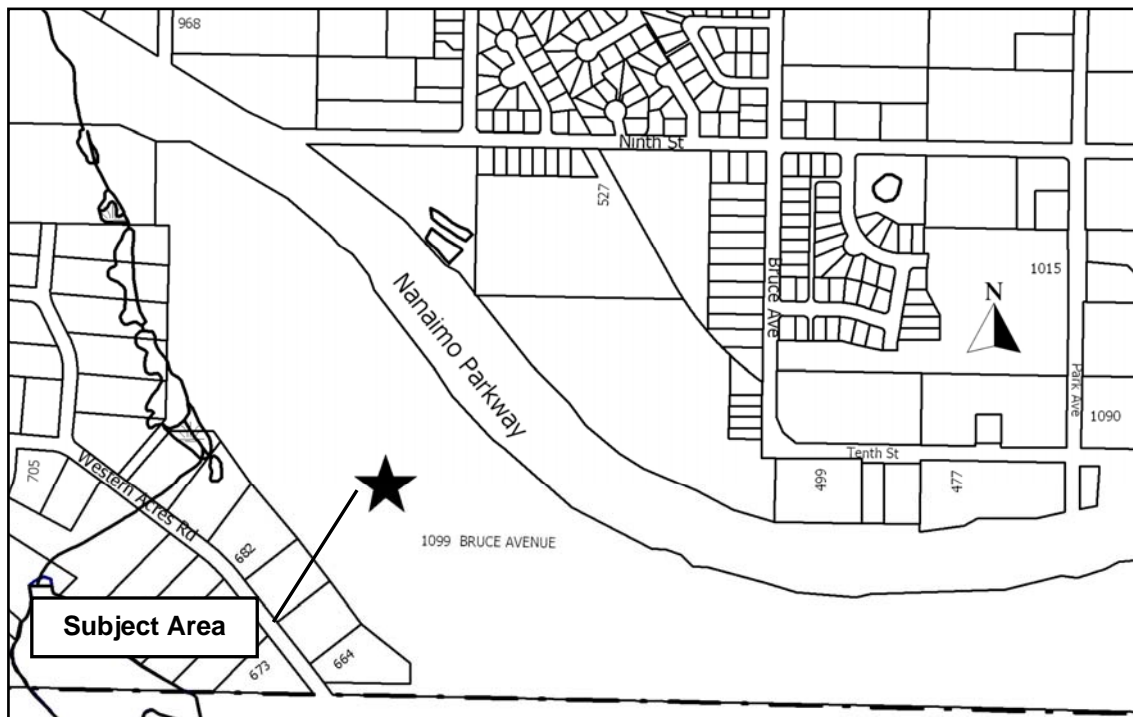
**Map G**



**Map H**



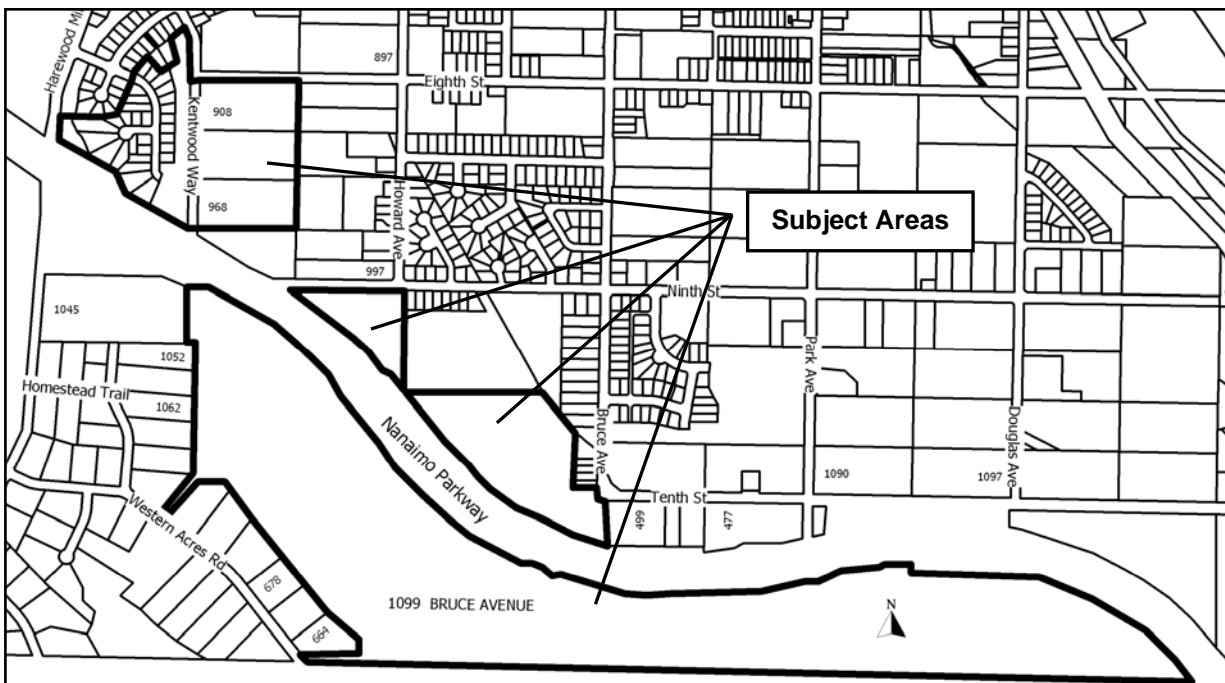
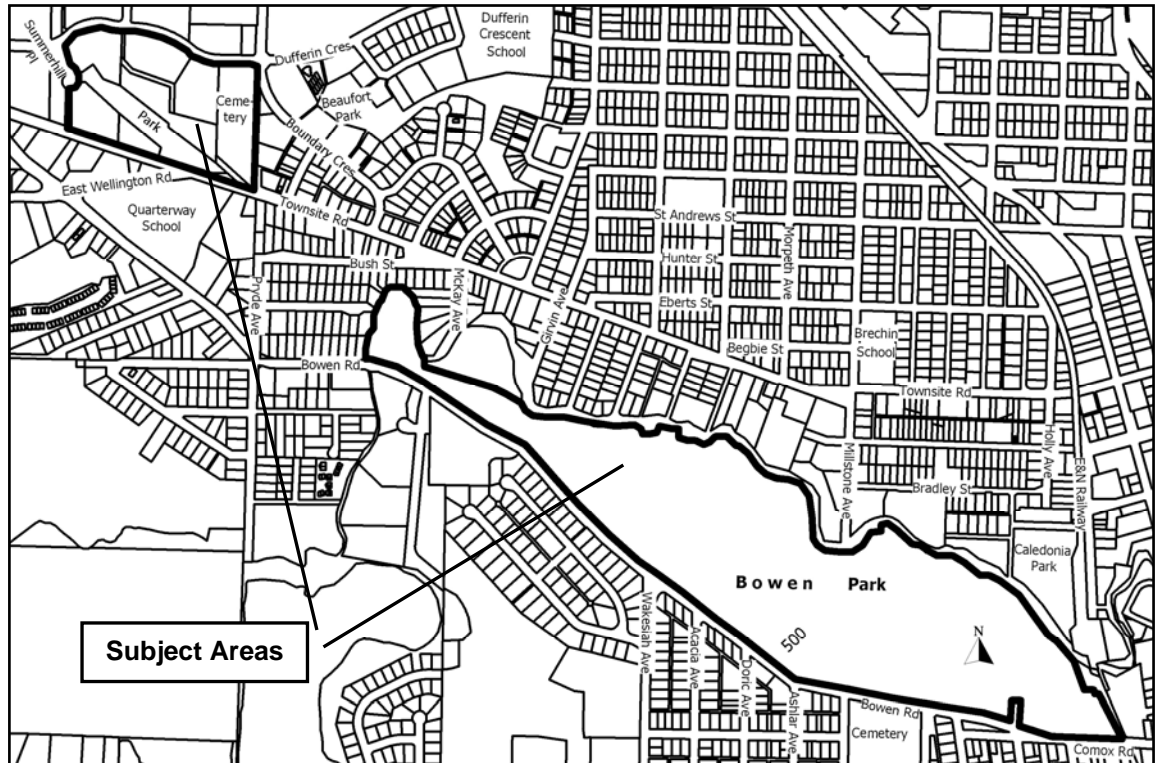
**Map I**



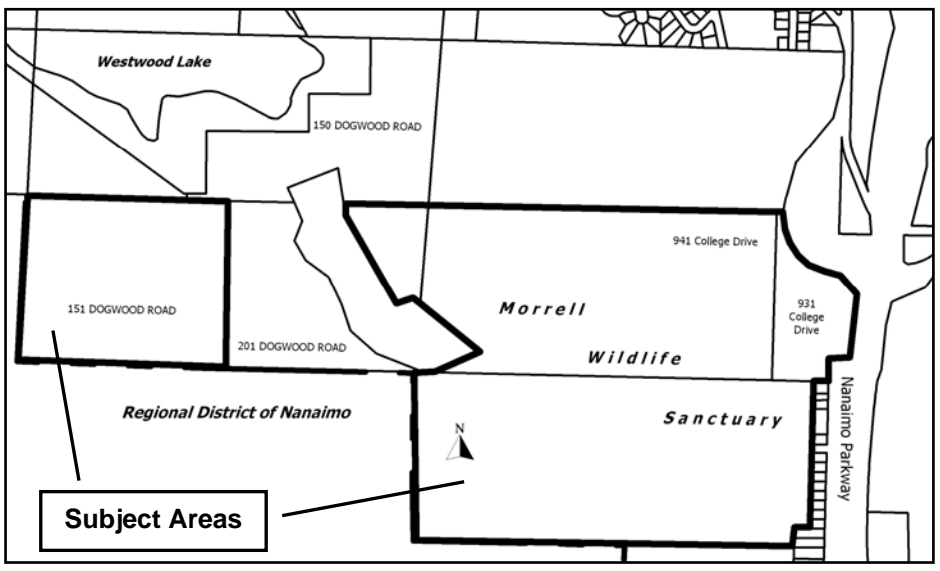
- g) Amend Schedule B – Development Permit Areas and Sensitive Areas of the “OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000” to include the following properties, and those shown on Maps ‘J’ to ‘N’, within Development Permit Area 24 – Environmentally Sensitive Areas:

|                       |   |
|-----------------------|---|
| 3945 Biggs Rd         | Part of LOT 1, DISTRICT LOT 22G, WELLINGTON DISTRICT, PLAN VIP73819                             |
| 501 Duke Point Hwy    | PARK AS DEDICATED BY PLAN VIP52464  |
| 3956 Kilpatrick Rd    | THE WEST ½ OF SECTION 8, RANGE 6, MOUNTAIN DISTRICT   |
| 1055 Morningside Dr   | LOT 3, DISTRICT LOT 41, WELLINGTON DISTRICT, PLAN 37808, EXCEPT PART IN PLAN 48249 AND VIP63399 |
| 3600 Place Rd         | LOT 1, DISTRICT LOT 39, WELLINGTON DISTRICT, PLAN 28952   |
| 3455 Stephenson Pt Rd | PARK AS DEDICATED BY PLAN 3902 AND PLAN VIP52942  |

**Map J**



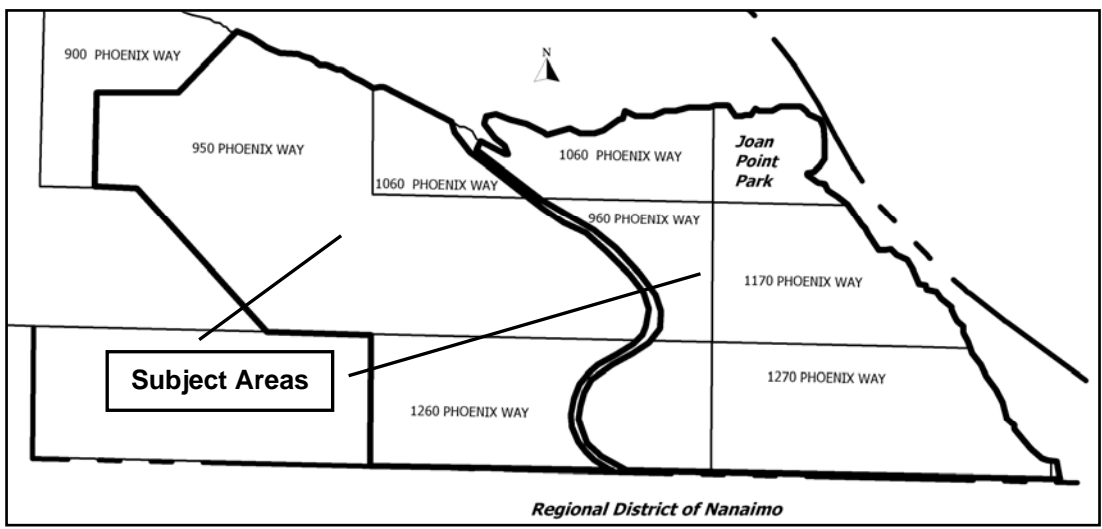
**Map K**



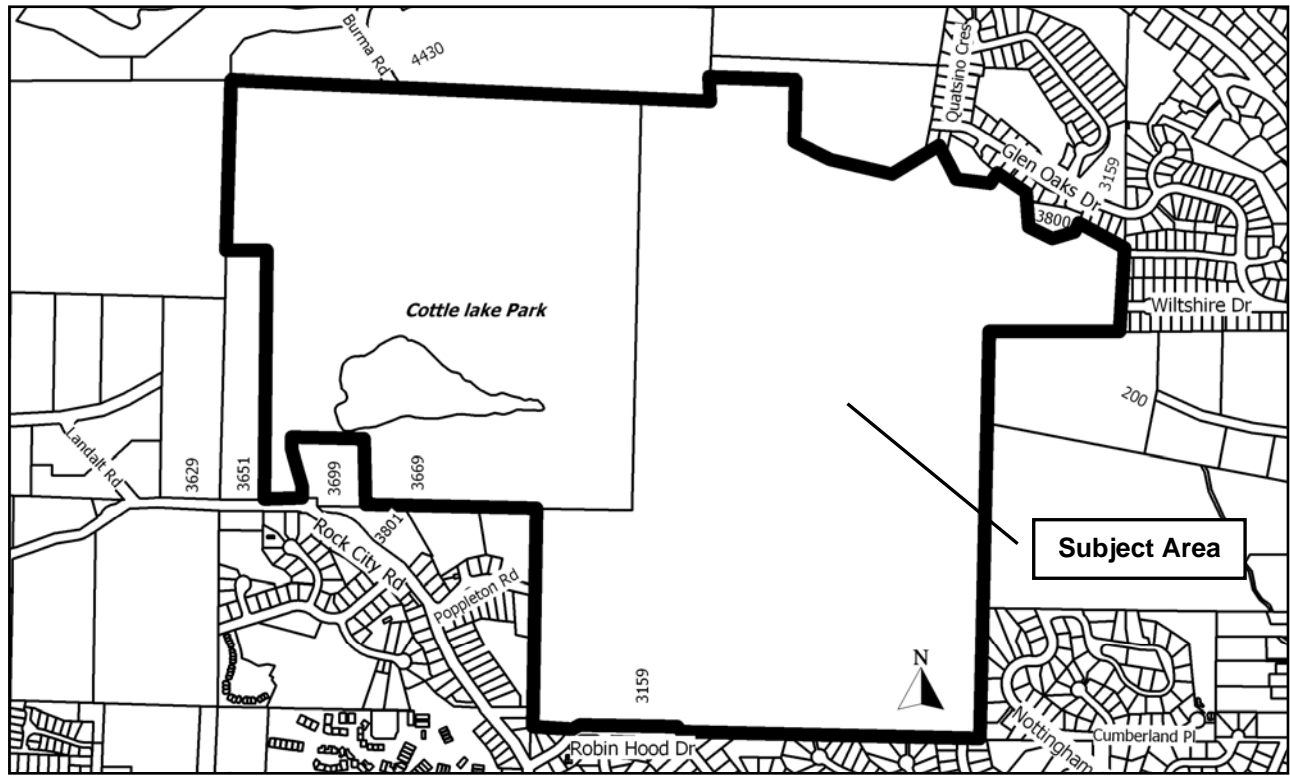
**Map L**

PLEASE NOTE full details are available in the City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2005 NO. 6000.069", copies of which are available at Development Services located at 238 Franklyn Street

**Map M**



**Map N**



The above bylaws, relevant staff reports, and other background information may be inspected from 2005-SEP-23 to 2005-OCT-06, 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. 4000.378, 4000.379, 4000.377 and 6000.069 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, 2005-OCT-06, to ensure their availability to Council at the public hearing.

Following the close of a public hearing, no further submissions or comments from the public or interested persons can be accepted by members of City Council, as established by provincial case law. This is necessary to ensure a fair public hearing process and provide a reasonable opportunity for people to respond.

**For more information, please contact the City of Nanaimo Development Services Department  
Phone: (250) 755-4429 ♦ Fax: (250) 755-4439 ♦ Website [www.nanaimo.ca](http://www.nanaimo.ca)  
238 Franklyn Street, Nanaimo, BC V9R 5J6**



CITY OF NANAIMO

BYLAW NO. 4000.378

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

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

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

1. This Bylaw may be cited as the "ZONING BYLAW AMENDMENT BYLAW 2005 NO. 4000.378".
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 18955, EXCEPT PART IN PLAN VIP56407 from Single Family Residential Zone (RS-1) to Light Industrial Zone (I-2).

PASSED FIRST AND SECOND READINGS 2005-SEP-12.

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

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

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

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

ADOPTED \_\_\_\_\_.

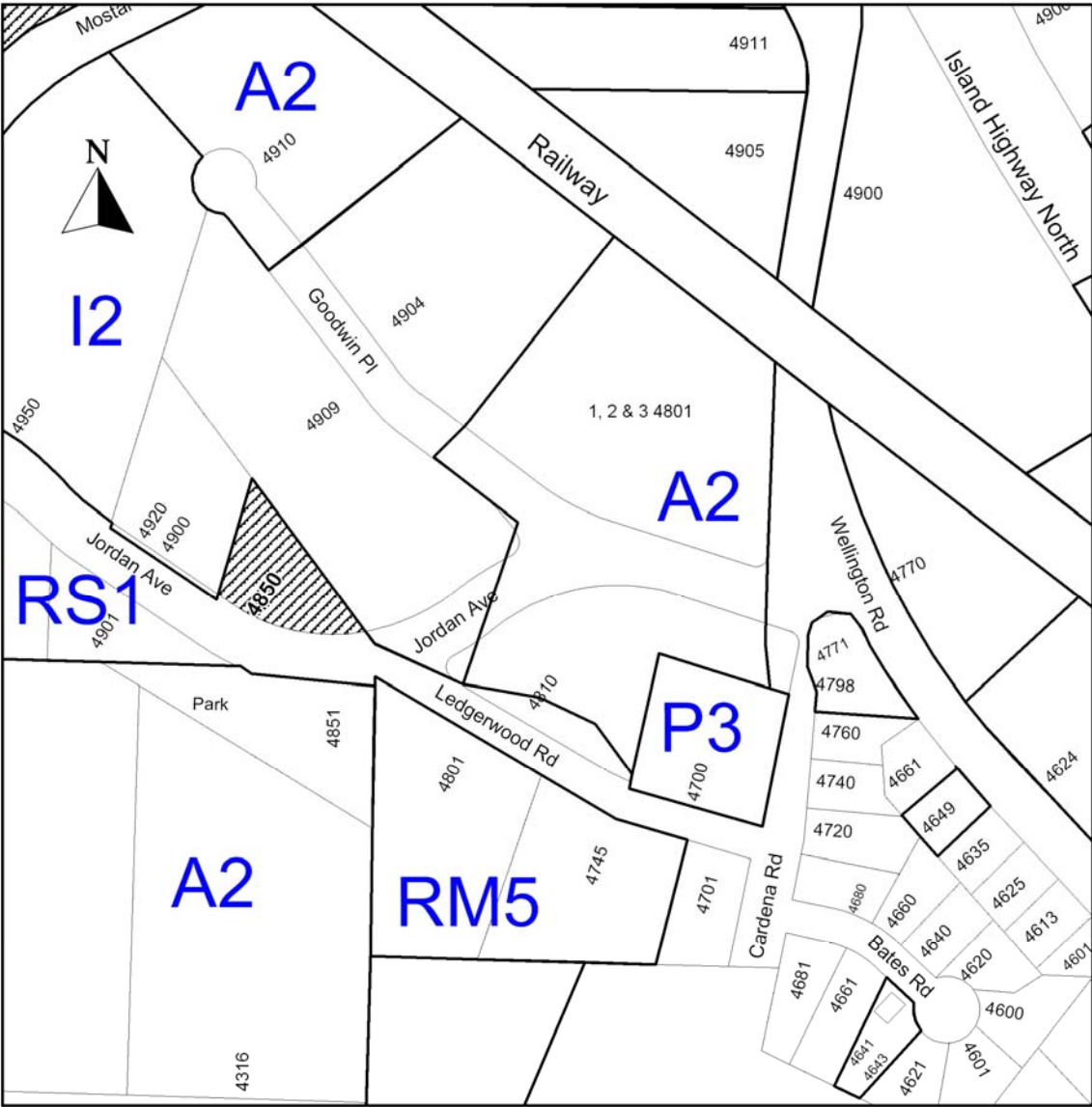
File: RA000149

Address: 4850 Jordan Avenue

Applicant: Ralph and Louise Ten Have



SCHEDULE A



**LOCATION PLAN**  
Civic: 4850 Jordan Ave

 **SUBJECT  
PROPERTY**

( ) Rezoning Application (RA149) – 4850 Jordan Avenue

The City of Nanaimo has received an application from Ralph and Louise Ten Have to rezone the subject property from Single-Family Residential (RS-1) to Light Industrial (I-2). The applicants are proposing to expand the neighbouring tow truck dispatch and storage yard (Mid-Island Towing) and to retain the existing single-family dwelling as a caretaker's dwelling unit.

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

*Subject Property*

The subject property is approximately 2,412 square metres (25,963 square feet) in area and is occupied by a single-family dwelling on the eastern portion of the site. The site is bordered to the north and northwest by Light Industrial use properties (Slegg Lumber and Mid-Island Towing). Across Jordan Avenue to the south and southeast is vacant multiple-family residential zoned property and a park. The properties to the southwest across Jordan Avenue are presently under consideration for rezoning in order to permit a Light Industrial complex.

*Official Community Plan*

The subject property is designated as Service Industrial Enterprise Area according to Schedule 'A' of the Official Community Plan (OCP). As such, the following relevant policies apply:

- Permitted uses in the Service Industrial Enterprise Area are uses which:
  - generate limited shopping and retail traffic;
  - require large enclosed display and storage areas;
  - have a public retail sales area for products manufactured or assembled on site;
  - require access to major roads for supply and distribution;
  - are not a shopping destination or a primary retail use which are compatible and are permitted in Growth Centres;
  - do not require large customer parking lots and areas; and,
  - do not include use of hazardous materials or hazardous waste generation or storage.
- Ancillary retail sales which require large display areas for storage may also be considered for goods manufactured or assembled on site.
- Office uses will be allowed as accessory to a permitted use.
- Approximately 10 hectares (25 acres) of land adjacent to the existing Boban Industrial Park is designated as Service Industrial in order to permit the expansion of the existing Service Industrial activity in this area.

*Proposed Development*

The applicants are proposing to expand the neighbouring tow truck dispatch and storage yard (Mid-Island Towing) onto the western portion of the subject property, and to retain the existing single-family residence as a caretaker's dwelling. The proposed rezoning complies with the requirements of the proposed I-2 Zone.

*Access Easement*

It is the applicant's stated intention that access / egress to or from the subject property will be provided through the adjacent property at 4900 Jordan Avenue, which is also presently owned by the applicant. In order to ensure that access / egress to the subject property remains free and uninterrupted, Staff recommend an access easement be registered on the land title of 4900 Jordan Avenue as a condition of rezoning.

#### *Access / Egress*

As the minimum site distance required for full movement access to or from the property is insufficient, Staff recommend, as a condition of rezoning, that a covenant be registered restricting access / egress to the property for residential use only, restricting access / egress to right-in / right-out / left-in, and requiring a sign be erected indicating that no left turns out are permitted from the subject property.

#### *Landscaping Plan*

Landscaping will be required along the Jordan Avenue road frontage. Normally, the landscaping would be triggered at the time of development of the site, however, given that the applicants proposal is to use the lot for storage of vehicles and will not include any new buildings, the landscaping will not be triggered by a development permit. As such, Staff recommend that completion of the landscaping be required, or the funds secured (\$3020.10), as a condition of rezoning.

#### *Use*

As there are a number of uses in the proposed I-2 Zone which are not supported by the Official Community Plan, a covenant will be required limiting the use of the land. The covenant will limit use to the following:

- auctions
- automotive repair shops
- caretaker's dwelling unit
- commercial schools
- custom workshops
- food and beverage processing
- fueling installations
- indoor mini-storage
- injury management centre
- light industry
- pet daycare
- printing and publishing facilities
- pre-fabricated home sales
- production studio
- recreational facilities
- recycling depots
- repair shops
- retail of auto accessories and parts
- service industry storage yards
- tools and equipment rental and service
- tow truck dispatch and storage yard
- truck, trailer and heavy equipment sales, services and rental

*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 a monetary contribution of \$2,500 towards neighbourhood parks. Staff support the community contribution proposal and recommend that this item be secured as a condition of rezoning.

*Rezoning Advisory Committee*

The Rezoning Advisory Committee (RAC), at its meeting of 2005-JUL-21, recommended that the application be approved as presented. Staff concur with RAC's recommendation and support this application.

Recommendation: That Council:

1. consider First and Second reading to "ZONING BYLAW AMENDMENT BYLAW 2005 NO. 4000.378"; and
2. direct Staff to secure use restriction, completion of landscaping, access easement, access / egress restriction, and the proposed community contribution as a condition of rezoning.

JC/cjd

I:/corp admin agenda/RA149 Synop

Council: 2005-SEP-12

## FOR CITY MANAGER'S REPORT

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

FROM: D. LINDSAY, MANAGER, PLANNING DIVISION

RE: REZONING APPLICATION (RA149) – 4850 JORDAN AVENUE

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### RECOMMENDATION:

That Council

1. Support this application and give First and Second reading to "ZONING BYLAW AMENDMENT BYLAW 2005 NO. 4000.378"; and
2. Direct Staff to secure use restrictions, sale restriction, landscaping, access easement, access / egress restriction, and the proposed community contribution as conditions of rezoning.

### BACKGROUND:

The City of Nanaimo has received an application from Ralph and Louise Ten Have to rezone the subject property from Single-Family Residential (RS-1) to Light Industrial (I-2). The applicants are proposing to expand the neighbouring tow truck dispatch and storage yard (Mid-Island Towing) and to retain the existing single-family dwelling as a caretaker's dwelling unit.

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 approximately 2,412 square metres (25,963 square feet) in area and is occupied by a single-family dwelling on the eastern portion of the site (Schedule A). The site is bordered to the north and northwest by Light Industrial use properties (Slegg Lumber and Mid-Island Towing). Across Jordan Avenue to the south and southeast is vacant multiple-family residential zoned property and a park. The properties to the southwest across Jordan Avenue are presently under consideration for rezoning in order to permit a Light Industrial complex.

### *Official Community Plan*

The subject property is designated as Service Industrial Enterprise Area according to Schedule 'A' of the Official Community Plan (OCP). As such, the following relevant policies apply:

- Permitted uses in the Service Industrial Enterprise Area are uses which:
  - generate limited shopping and retail traffic;
  - require large enclosed display and storage areas;
  - have a public retail sales area for products manufactured or assembled on site;
  - require access to major roads for supply and distribution;
  - are not a shopping destination or a primary retail use which are compatible and are permitted in Growth Centres;
  - do not require large customer parking lots and areas; and,
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- Ancillary retail sales which require large display areas for storage may also be considered for goods manufactured or assembled on site.
- Office uses will be allowed as accessory to a permitted use.
- Approximately 10 hectares (25 acres) of land adjacent to the existing Boban Industrial Park is designated as Service Industrial in order to permit the expansion of the existing Service Industrial activity in this area.

### *Proposed Development*

The applicants are proposing to expand the neighbouring tow truck dispatch and storage yard (Mid-Island Towing) onto the western portion of the subject property, and to retain the existing single-family residence as a caretaker's dwelling. The proposed rezoning complies with the requirements of the proposed I-2 Zone.

### *Access Easement*

It is the applicant's stated intention that access to the industrial (storage) portion of the site will be provided through the adjacent property at 4920 Jordan Avenue, which is also presently owned by the applicant (Schedule B). In order to ensure that access / egress to the subject property remains free and uninterrupted, Staff recommend an access easement be registered on the land title of 4920 Jordan Avenue.

### *Sales Restriction*

In order to ensure continued common ownership of the two adjacent parcels, Staff recommend that a covenant be registered which restricts the sale of the two properties, such that neither property may be sold independently from the other, to differing property owners.

### *Access / Egress*

As the minimum site distance required for full movement access to or from the property is insufficient, Staff recommend, as a condition of rezoning, that a covenant be registered restricting access / egress to the property for residential use only, restricting access / egress to right-in / right-out / left-in, and requiring a sign be erected indicating that no left turns out are permitted from the subject property.

#### *Landscaping Plan*

Landscaping will be required along the Jordan Avenue road frontage (Schedule C). Normally, the landscaping would be triggered at the time of development of the site, however, given that the applicants proposal is to use the lot for storage of vehicles and will not include any new buildings, the landscaping will not be triggered by a development permit. As such, Staff recommend that completion of the landscaping be required, or the funds secured (currently estimated at \$3020.10), as a condition of rezoning.

#### *Use*

As there are a number of uses in the proposed I-2 Zone which are not supported by the Official Community Plan, a covenant will be required limiting the use of the land. The covenant will limit use to the following:

- auctions
- automotive repair shops
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- food and beverage processing
- fueling installations
- indoor mini-storage
- injury management centre
- light industry
- pet daycare
- printing and publishing facilities
- pre-fabricated home sales
- production studio
- recreational facilities
- recycling depots
- repair shops
- retail of auto accessories and parts
- service industry storage yards
- tools and equipment rental and service
- tow truck dispatch and storage yard
- truck, trailer and heavy equipment sales, services and rental

#### *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 a monetary contribution of \$2,500 towards neighbourhood parks. Staff support the community contribution proposal and recommend that this item be secured as a condition of rezoning.

#### *Rezoning Advisory Committee*

The Rezoning Advisory Committee (RAC), at its meeting of 2005-JUL-21, recommended that the application be approved as presented. Staff concur with RAC's recommendation and support this application.



RECOMMENDATION:

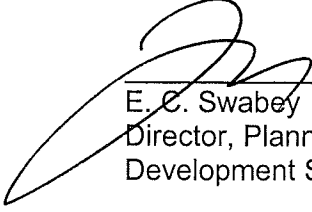
That Council

1. Support this application and give First and Second reading to "ZONING BYLAW AMENDMENT BYLAW 4000.378"; and
2. Direct Staff to secure use restrictions, sale restriction, landscaping, access easement, access / egress restriction, and the proposed community contribution as conditions of rezoning.

Respectfully submitted,

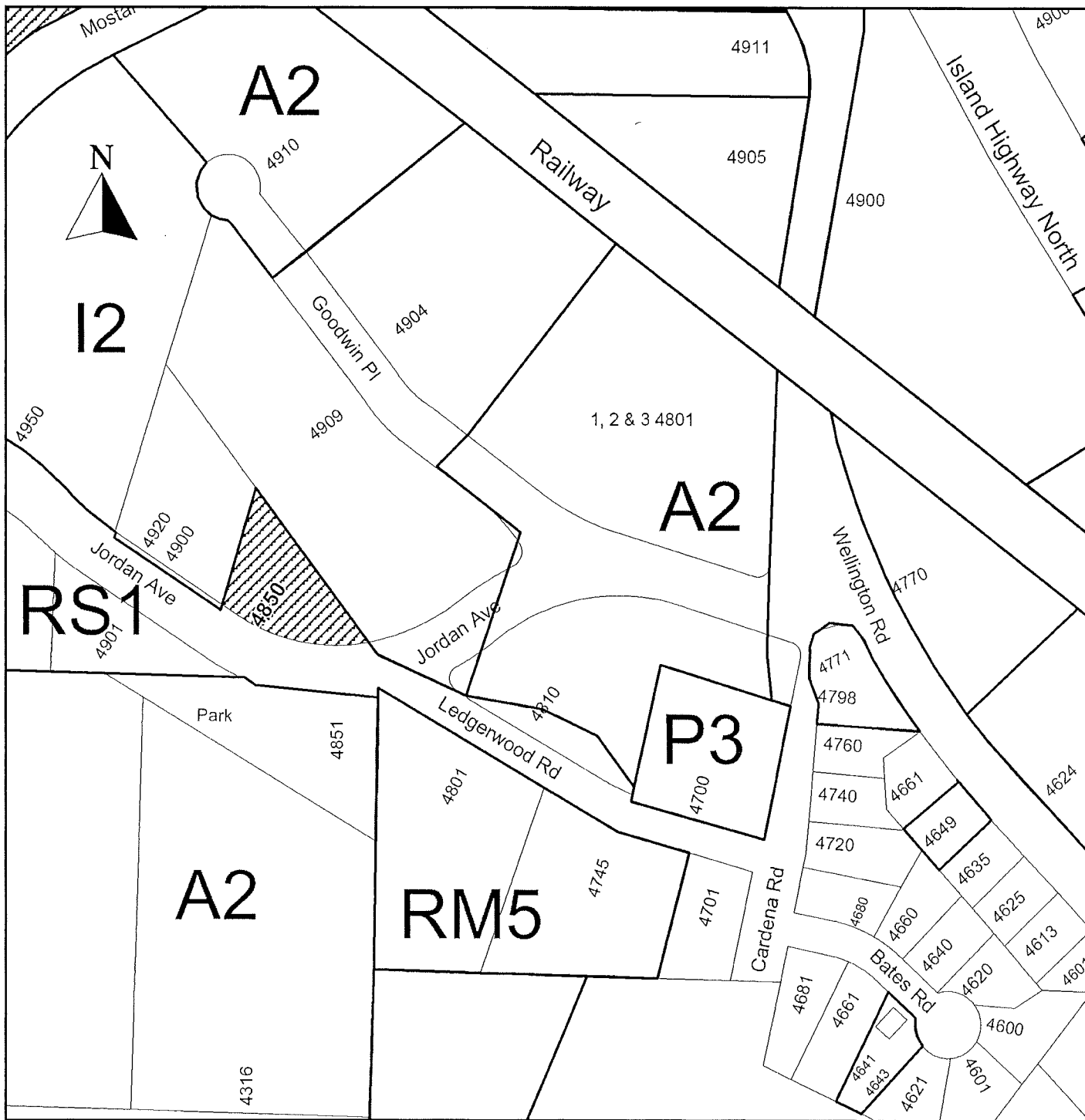
  
\_\_\_\_\_  
D. Lindsay  
Manager, Planning Division  
Development Services

JC/lid  
Council: 2005-SEP-12  
Prospero Attachment: RA000149

  
\_\_\_\_\_  
E. C. Swabey  
Director, Planning and Development  
Development Services  
To: CITY MANAGER  
FORWARDED FOR CITY MANAGER'S  
REPORT TO COUNCIL

\_\_\_\_\_  
GENERAL MANAGER OF DEVELOPMENT SERVICES

## SCHEDULE A



## LOCATION PLAN

Civic: 4850 Jordan Ave



**SUBJECT  
PROPERTY**

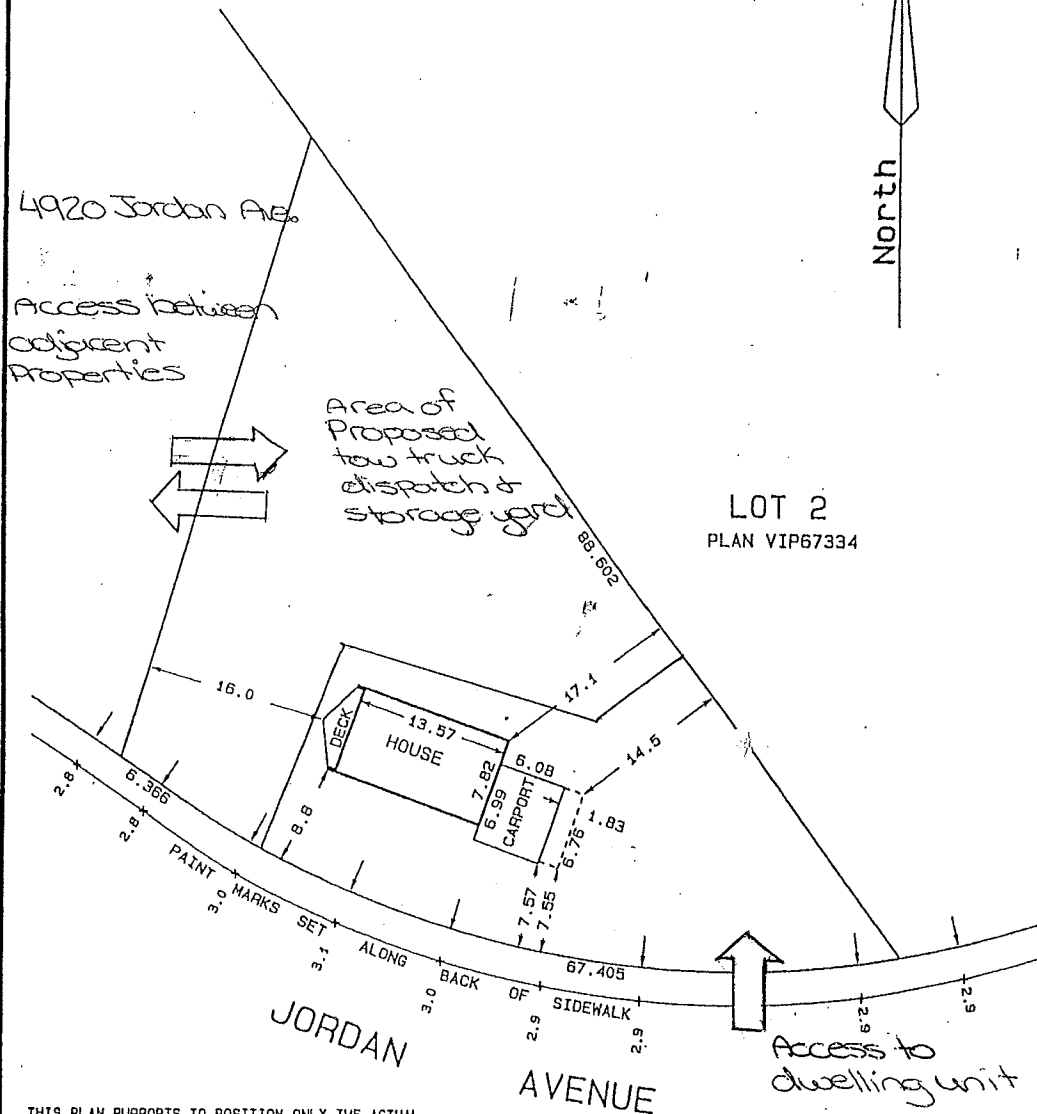
# SCHEDULE B

B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION ON:  
REMAINDER OF LOT 1, PLAN 18955,  
SECTION 5, WELLINGTON DISTRICT.

SCALE 1: 500 DISTANCES ARE IN METRES.

LOT DIMENSIONS ARE DERIVED FROM REGISTERED PLANS.

CIVIC ADDRESS: 4850 JORDAN AVENUE



THIS PLAN PURPORTS TO POSITION ONLY THE ACTUAL AND/OR PROPOSED IMPROVEMENT(S) SHOWN RELATIVE TO ONLY THE BOUNDARIES SHOWN OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S).

THIS PLAN PROVIDES NO WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE LOCATION OF ANY OTHER ACTUAL OR PROPOSED IMPROVEMENT(S) RELATIVE TO ANY BOUNDARY OF OR APPURTENANT TO THE ABOVE DESCRIBED PARCEL(S).

THIS PLAN IS NOT TO BE USED TO RE-ESTABLISH BOUNDARY LINES.

THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.



**WILLIAMSON & ASSOCIATES**  
PROFESSIONAL SURVEYORS © 2005

3088 BARONS ROAD NANAIMO B.C. V9T 4B5

PHONE: 250-756-7723 FAX: 250-756-7724

EMAIL: WAPS@TELUS.NET

FILE: 05193

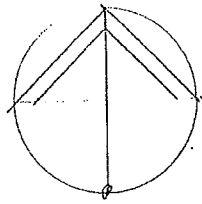
THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE MANUAL OF STANDARD PRACTICE AND IS CERTIFIED CORRECT THIS 17th DAY OF JUNE, 2005.

Brian S. Henning B.C.L.S.  
THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.

# SCHEDULE C

## PLANT LIST

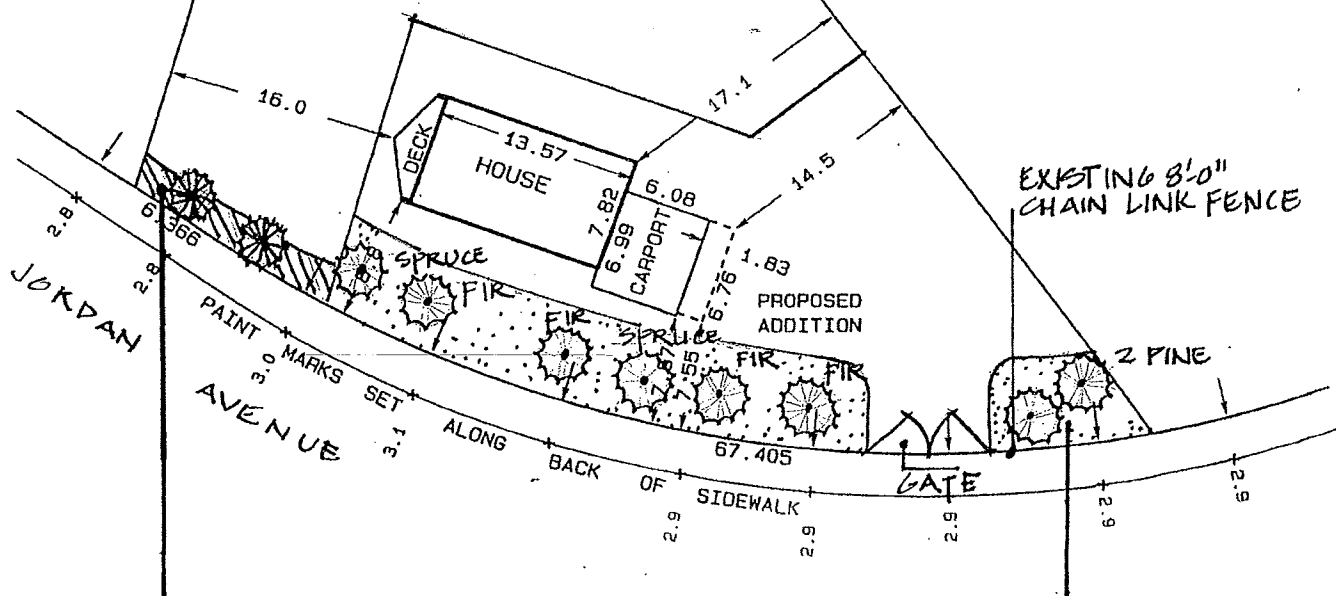
| Key | Qty | Botanical Name | Common Name       | Pot size |
|-----|-----|----------------|-------------------|----------|
| Pn  | 2   | Pinus nigra    | Austrian Pine     | 2.5m ht  |
| Tp  | 15  | Thuja plicata  | Western Red Cedar | #2 pots  |



REM. LOT 2  
PLAN 18955

REM. LOT 1  
PLAN 18955

LOT 2  
PLAN VIP67334



### LEVEL 1d

1.8m Landscape Buffer  
2 Pinus nigra – Pine (6m o.c.) 2.5m ht  
15 Thuja plicata – 8' high Cedar hedge (1m o.c.) #2 pots  
Irrigated

### LEVEL 1a

6m Landscape Buffer  
8 existing trees (average 6m o.c.)  
Existing grass  
Irrigated

PROPOSED  
LANDSCAPE PLAN  
4850 JORDAN AVENUE



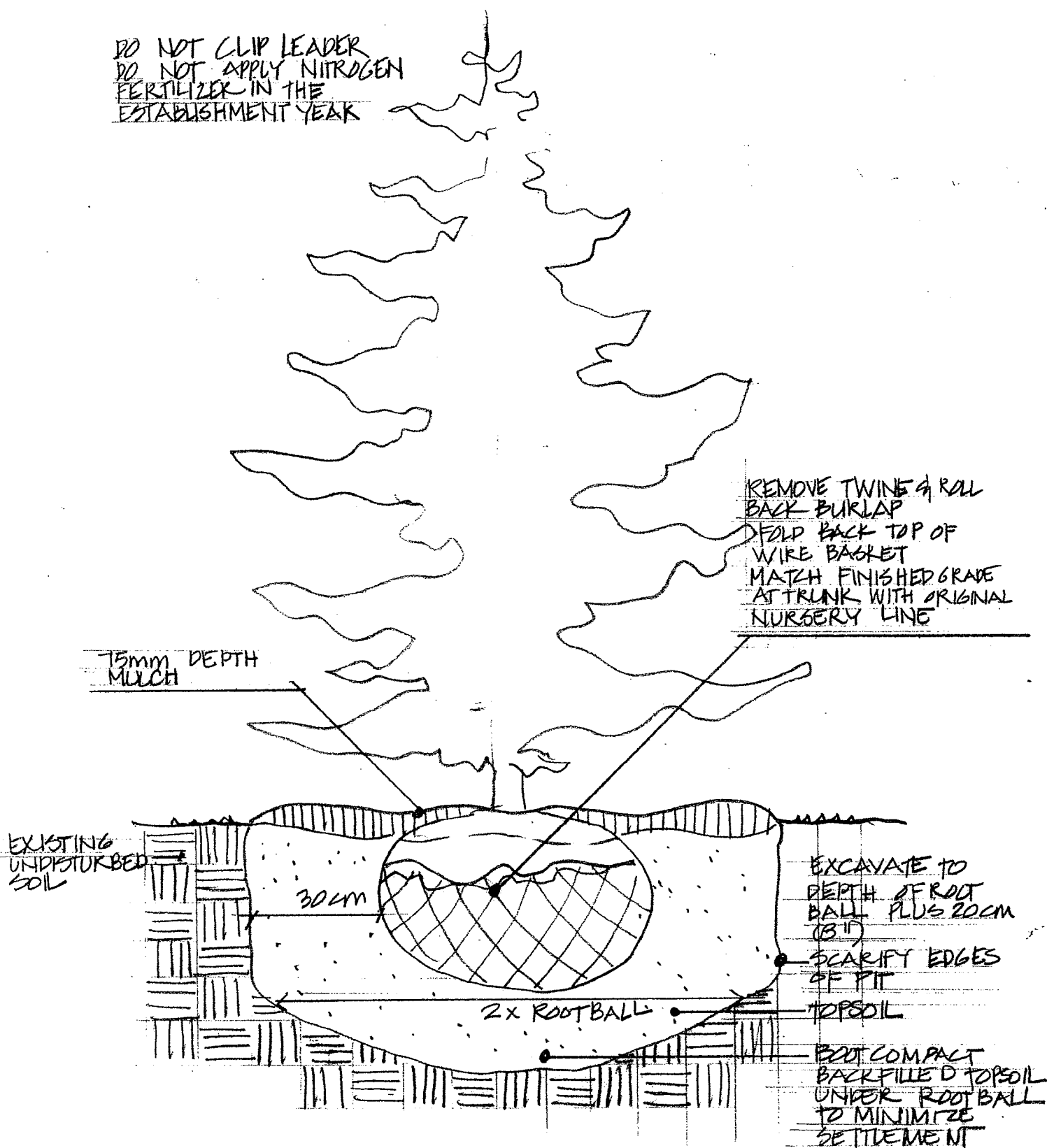
VICTORIA DRAKEFORD  
LANDSCAPE ARCHITECT  
236 Pine Street, Nanaimo, B.C.  
V9R 2B6 Ph/Fax 250 754-4335

SCALE: 1:500

AUG 23, 2005

# SCHEDULE C

DO NOT CLIP LEADER  
DO NOT APPLY NITROGEN  
FERTILIZER IN THE  
ESTABLISHMENT YEAR



TREE PLANTING DETAIL  
CONIFERS  
4850 JORDAN AVENUE



VICTORIA DRAKEFORD  
LANDSCAPE ARCHITECT  
236 Pine Street, Nanaimo, B.C.  
V9R 2B6 PH/Fax 250 754-4335

SCALE: NTS AUG 23, 2005

CITY OF NANAIMO

BYLAW NO. 4000.379

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 2005 NO. 4000.379".
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 VIP70870 from Single Family Residential Zone (RS-1) to Light Industrial Zone (I-2).

PASSED FIRST AND SECOND READINGS 2005-SEP-12.

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

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

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

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

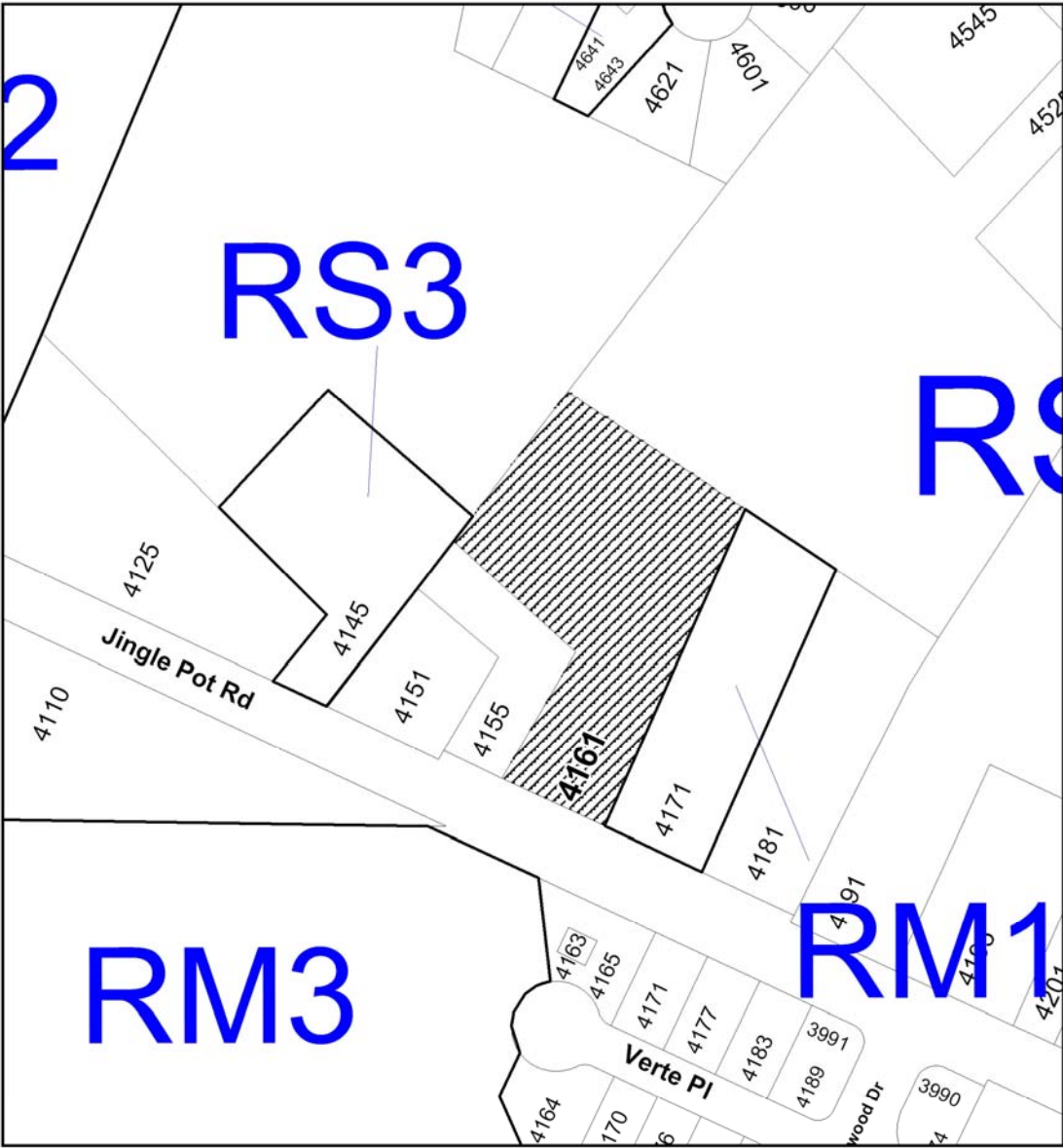
ADOPTED \_\_\_\_\_.

File: RA000142

Address: 4161 Jingle Pot Road

Applicant: Dennis & Maureen Mcleod

SCHEDULE A



File No.: RA000142  
Civic: 4161 Jingle Pot Road

 Subject Property



## FOR CITY MANAGER'S REPORT

REPORT TO E. C. SWABEY, DIRECTOR, PLANNING AND DEVELOPMENT

FROM D. LINDSAY, MANAGER, PLANNING DIVISION, DEVELOPMENT SERVICES

RE: REZONING APPLICATION (RA142) - 4161 JINGLE POT ROAD

---

### RECOMMENDATION:

That Council:

1. Support this applicant and give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 2005 NO. 4000.379"; and
2. Direct Staff to secure use restriction, landscaping, site drainage, and the proposed community contribution as a condition of rezoning.

### BACKGROUND:

The City of Nanaimo has received an application from Dennis and Maureen McLeod to rezone the subject property from Single-Family Residential (RS-1) to Light Industrial (I-2), in order to operate an electrical contacting business from this location.

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 approximately 728 square metres (78,363 square feet) in area and is occupied by a single-family dwelling on the southern portion of the site (Schedule A). The site is bordered to the north and east by single-family and multiple-family residential developments, and to the south across Jingle Pot Road by vacant multiple-family zoned property and a single-family residential neighbourhood. The properties to the west are presently zoned single-family residential, however the neighbouring property at 4145 Jingle Pot Road is presently operating as a legal non-conforming industrial use (Norm Jones Holding – garbage/disposal service). Beyond the neighbouring property to the west lies Boban Service Industrial Park.

An unnamed watercourse presently flows through the rear yard of the subject property. Normally an aquatic leave strip of 15 metres (49.2 feet) is required on each side of the watercourse; however, a bylaw amendment (Bylaw 4000.332) was approved by Council 2004-JUN-07 to reduce the leave strip to 3 metres (9.8 feet).

### *Official Community Plan*

The subject property is designated as Service Industrial Enterprise Area according to Schedule 'A' of the Official Community Plan (OCP). As such, the following relevant policies apply:

- Permitted uses in the Service Industrial Enterprise Area are uses which:
  - generate limited shopping and retail traffic;
  - require large enclosed display and storage areas;
  - have a public retail sales area for products manufactured or assembled on site;
  - require access to major roads for supply and distribution;
  - are not a shopping destination or a primary retail use which are compatible and are permitted in Growth Centres;
  - do not require large customer parking lots and areas; and,
  - do not include use of hazardous materials or hazardous waste generation or storage.
- Ancillary retail sales which require large display areas for storage may also be considered for goods manufactured or assembled on site.
- Office uses will be allowed as accessory to a permitted use.
- Approximately 10 hectares (25 acres) of land adjacent to the existing Boban Industrial Park is designated as Service Industrial in order to permit the expansion of the existing Service Industrial activity in this area.

### *Proposed Development*

The applicants are proposing to rezone the subject property in order to operate an electrical contracting business (Den Mar Electric) from this location and to permit a future undetermined storage use (Schedule B). It is the applicants intention to convert the existing single-family dwelling to office and to accommodate the proposed future storage use within the rear yard of this site. The proposed rezoning complies with the requirements of the I-2 zone.

### *Landscape Plan*

Landscaping is required along all property boundaries, as per Part 14 of the Zoning Bylaw. The landscaping plan (Schedule C) as submitted proposes the following:

**Side Yard 1** (Landscape Level 2b) – as per the City's Zoning Bylaw, Landscape Treatment Level 2b requires an opaque wood fence screen or hedge, understorey shrubs or ground cover and trees spaced at 10 metres on centre. As an alternative to the wood fence and potted shrubs, the applicants are proposing to retain an existing 1.8 metre chain link fence and provide additional trees spaced at 3 metres on centre, in order to provide a higher level of aesthetics and screening between the adjacent residential property.

**Side Yard 2** – As noted above the adjacent property is presently operating as a legal non-conforming industrial use. Normally, a landscape buffer would not be required between adjacent industrial properties; however, as the property is presently zoned single-family a Level 2 Landscape Treatment is required. Given the existing non-conforming use, the applicants have proposed a reduced treatment level to consist of a 1.8 metre chain link fence, irrigated grass undercover and cedar trees planted at 3 metres on centre.

**Rear Yard** – The rear yard of the subject property requires a Level 2 Landscape Treatment. Given that the rear yard landscape buffer is separated from the remainder of the property by an existing watercourse, Staff recommend, as an alternative to the rear yard landscaping, replanting of the aquatic setback area with native vegetation and the installation of an aquatic fence along the leave strip boundary, in order to ensure the protection and integrity of the watercourse is maintained.

Normally, landscaping would be triggered at the time of development of the site, however, given that the applicants proposal will not include any new developments on the site, the landscaping will not be triggered by a Development Permit. As a condition of rezoning, Staff recommend a covenant be registered which secures the landscape plan and restricts the use of the property to a single-family dwelling, until such time the required landscaping has been installed.

#### *Site Drainage*

It is the applicants intention to utilize the rear portion of the subject property in the future for an undetermined storage use. In order to mitigate potential negative discharge into the existing watercourse, the installation of catch basins, oil / water separators and site servicing piping is required. As such, Staff recommend, that a covenant be registered that restricts the use of the rear portion of the property to a single family dwelling until the required works have been installed.

#### *Use*

As there are a number of uses in the proposed I-2 Zone which are not supported by the Official Community Plan, a covenant will be required limiting the use of the land. The covenant will limit use to the following:

- auctions
- automotive repair shops
- caretaker's dwelling unit
- commercial schools
- custom workshops
- food and beverage processing
- fueling installations
- indoor mini-storage
- injury management centre
- light industry
- pet daycare
- printing and publishing facilities
- pre-fabricated home sales
- production studio
- recreational facilities
- recycling depots
- repair shops
- retail of auto accessories and parts
- service industry storage yards
- tools and equipment rental and service
- tow truck dispatch and storage yard
- truck, trailer and heavy equipment sales, services and rental

*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 applicants are proposing to extend the sanitary sewer main from the existing service connection located at the Jingle Pot Road / Elmwood Drive intersection, to the subject property and across the full width of the property frontage, in order to allow future extension to service lands west of the subject property. A copy of the detailed design drawing for the proposed extension is attached as Schedule D (\$48,295)

In order to ensure that the property is connected to a community sanitary sewer system prior to any industrial uses being performed on the land, Staff recommend a covenant be registered as a condition of rezoning, restricting the use of the property to a single-family dwelling until such time as the sanitary sewer works have been installed.

*Rezoning Advisory Committee*

The Rezoning Advisory Committee (RAC), at its meeting of 2005-MAR-03, recommended that the application be approved as presented. Staff concur with RAC's recommendation and support this application.

RECOMMENDATION:

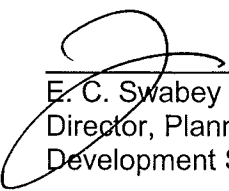
That Council:

1. Support this applicant and give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 4000.379"; and
2. Direct Staff to secure use restriction, landscaping, site drainage, and the proposed community contribution as a condition of rezoning.

Respectfully Submitted,

  
\_\_\_\_\_  
D. Lindsay  
Manager, Planning Division  
Development Services

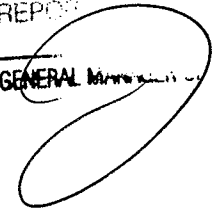
JC/cjd  
COUNCIL: 2005-SEP-12

  
\_\_\_\_\_  
E. C. Swabey  
Director, Planning and Development  
Development Services

Prospero Attachment: RA000142

To: CITY MANAGER  
FORWARDED  
REPORT

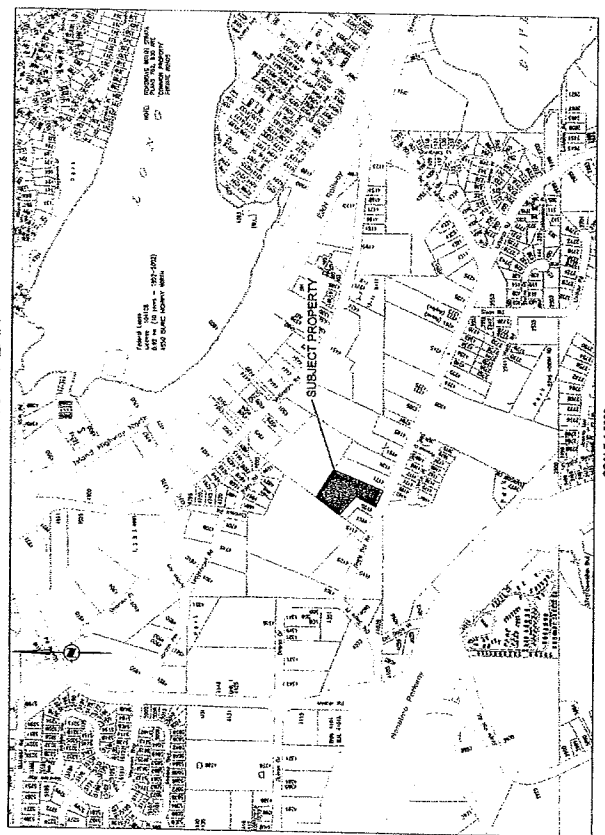
COPIES

GENERAL Manager, Planning and Development Services  


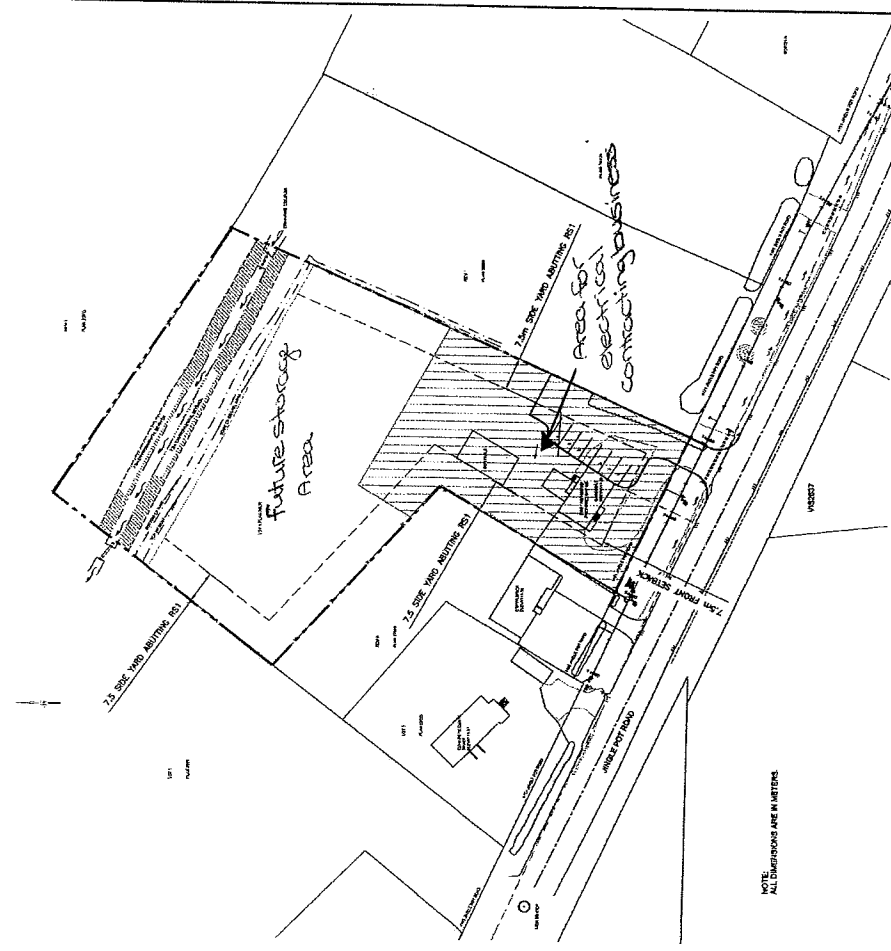
 Subject Property

# SCHEDULE B

LOCATION PLAN



SITE PLAN



|  |  |                                   |                 |
|--|--|-----------------------------------|-----------------|
| REZONING APPLICATION FOR:              | 4161 JINGLE POT ROAD                                   | PARKING REQUIREMENTS (BYLAW 5541) | 1 PARKING SPACE |
| APPLICANT:                             | DENNIS MCLEOD  | NUMBER OF UNITS                   | N/A             |
| PROPERTY LEGAL DESCRIPTION:            | LOT 1 SECTION 5<br>MUNICIPAL DISTRICT<br>PLAN WPT 2076 | HEIGHT OF BUILDING                | N/A             |
| APPLICATION TO REZONE FROM:            | TC   | OPEN SPACE PROVIDED               | N/A             |
| SITE AREA:                             | .73 HA   |                                   |                 |
| BUILDINGS                              | 1.80 AC  |                                   |                 |
| MAIN OFFICE                            | 91 SQ M  |                                   |                 |
| FOOTPRINT                              | 180 SQ FT  |                                   |                 |
| TOTAL AREA                             | 180 SQ M   |                                   |                 |
| PORTABLE STORAGE BUILDING AND TRAILER  | 122.2 SQ M   |                                   |                 |
| TOTAL AREA                             | 122.2 SQ M   |                                   |                 |
| TOTAL FLOOR SPACE ALL BLDGS            | 364.2 SQ M   |                                   |                 |
| SITE COVERAGE (INCLUDED ALL BUILDINGS) | 3.7%   |                                   |                 |

|  |   |  |  |   |  |
|--|---|--|--|---|--|
| <b>CHATWIN ENGINEERING LIMITED</b><br>4161 JINGLE POT ROAD<br>REZONING APPLICATION | Project: 4161 JINGLE POT ROAD<br>REZONING APPLICATION | Legend:<br>STREET ADDRESS<br>TOP OF BANK<br>BOTTOM OF BANK<br>222/223 LAKE STRIP<br>SIDE OF EXISTING PARCELS<br>SIDE OF PROPOSED PARCELS | Revision:<br>No. 1<br>Date: MAY 2008<br>FORMER ROLE AND ADDRESS:<br>DITCHMAN/RESUME<br>PROJECT/RECURRY<br>VARIOUS<br>CREDITING PRICE | Eng. Designed By: CLS<br>Drawn By: CLS<br>Date Drawn: JAN 2005<br>Ver. Scale: 1:500<br>Vert. Scale: | Client: DENNIS MCLEOD<br>SITE PLAN<br>Reference No. Drg. No. N739-01-01<br>CHATWIN ENGINEERING LTD.<br>1000 WEST 100 AVENUE, S.C. V6S 1T7<br>(604) 273-1171 FAX (604) 273-1172 |
|  |   |  |  |   |  |
|  |   |  |  |   |  |
|  |   |  |  |   |  |

## SCHEDULE C



PHOTO #2 - EXISTING VEGETATION

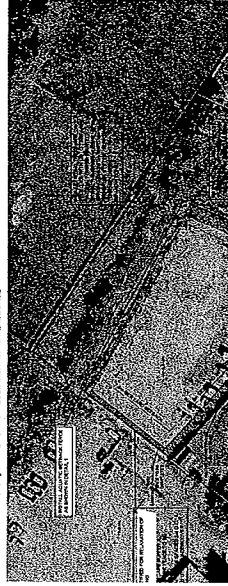
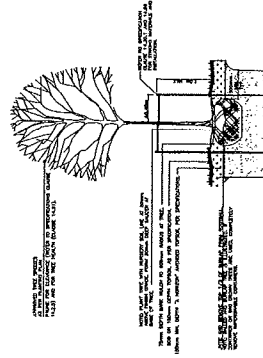
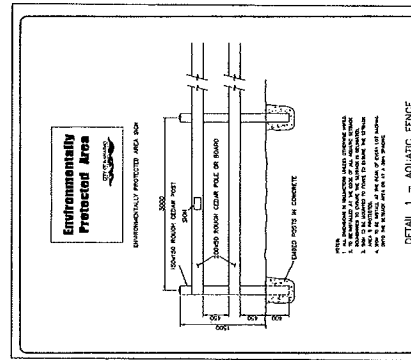


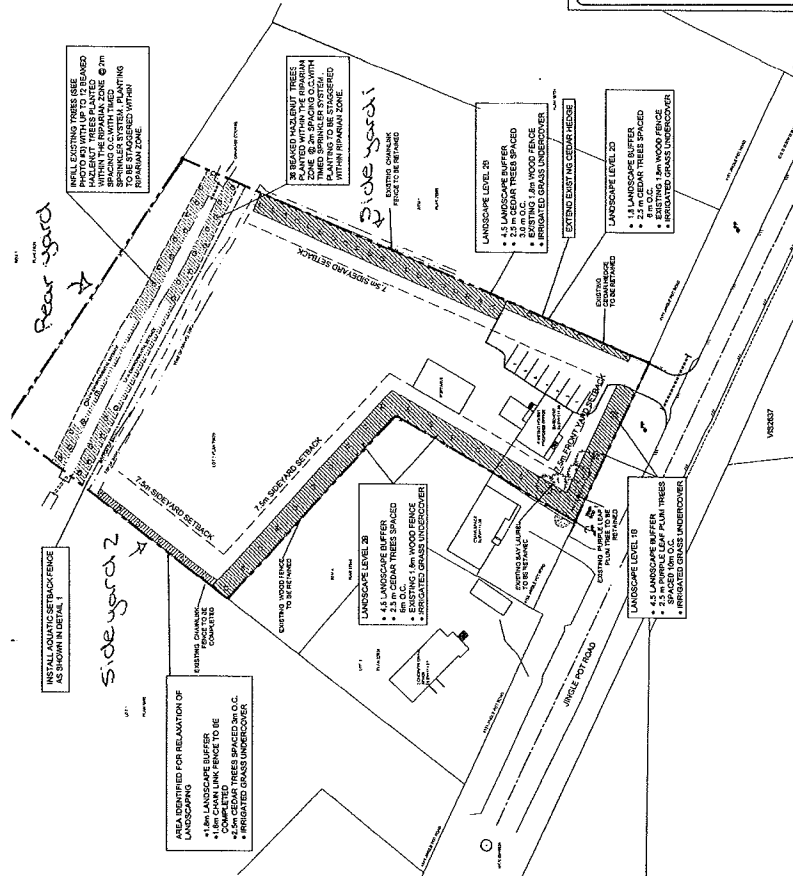
PHOTO #3 - CITY OF NANAIMO AERIAL PHOTO (2003)



TREE PLANTING (nts)



DETAIL 1 - AQUATIC FENCE



| QTY | COMMON NAME            | BOTANICAL NAME                    | SIZE      | SPACING |
|-----|------------------------|-----------------------------------|-----------|---------|
| 50  | SMARAGD CEDAR TREES    | TMILIA OCCIDENTALIS SMARAGD CEDAR | 2.5m      | varies  |
| 2   | PURPLE LEAF SANDCHERRY | PRUNUS CISTENA                    | 6m CAL    | 10m OC  |
| 48  | NEARBY WILDBUTT        | CORONILLA COMITA                  | 1 CAL POT | 3m OC   |

## TABLE T A81 E

- GENERAL NOTES:**
1. LANDSCAPE AREAS TO BE SPRINKLER IRRIGATED WITH TIAGO SPRINKLER SYSTEM.
  2. EXCEPT WHERE INDICATED OTHERWISE, ALL LANDSCAPE WORK SHALL CONFORM TO 1977 CITY OF HAWAII ENGINEERING STANDARDS AND SPECIFICATIONS (AMENDED JAN. 1988).

GENERAL NOTES.

1. LANDSCAPE AREAS TO BE SPRINKLER IRRIGATED WITH TIMED SPRINKLER SYSTEM.
2. EXCEPT WHERE INDICATED OTHERWISE, ALL LANDSCAPE WORK SHALL CONFORM TO 1977 CITY OF HAWAII ENGINEERING STANDARDS AND SPECIFICATIONS (AMENDED JAN. 1985).








Chatwin  
engineer  
limited

Project **4161 JINGLE POT ROAD**  
**REZONING APPLICATION**

LEGEND

— . . — TOP OF BANK  
— . . — BOTTOM OF BANK

|   |                           |   |                      |
|---|---------------------------|---|----------------------|
|  | LEAF STRIP                |  | EXISTING PURPLE LEAF |
|  | EDGE OF EXISTING PAVEMENT |  | PROPOSED CEDAR TREE  |
|  | EDGE OF PROPOSED PAVEMENT |  | PROPOSED PURPLE LEAF |
|  | OFF-WATERCOURSE           |  | LANDSCAPE BUFFER     |

| No. | Date       | Revision   |
|-----|------------|--|
| 1   | JULY 27/05 | REVISED AS PER JULY 22 LETTER                            |
| 2   | AUG 10/05  | REVISED AS PER TELEPHONE MESSAGE<br>COMMENTS AUG 8, 2005 |

|   |           |   |
|---|-----------|---|
| 3 | AUG 23/05 | ADD NATIVE TREES PLANTING IN RIPARIAN ZONE      |
| 4 | AUG 30/05 | ADD NATIVE TREES PLANTING IN REAR RIPARIAN ZONE |

|      |                  |
|------|------------------|
| Eng. | Designed By: CLS |
|      | Drawn By: CLS    |

|                  |
|------------------|
| Date Drawn: JAN  |
| Hor. Scale: 1:50 |
| Vert. Scale:     |

Client: DENNIS MCLEOD  
PROPOSED LANDSCAPING

1814 MOORE RD, NANAIMO, B.C. V9S  
PH (250) 733-8171 FAX (250) 734-4459 1460674000

1634 MOREY RD, NANAIMO, B.C. V9S 1J7  
PH: (250) 753-9171 FAX: (250) 754-4459 info@citywaterworks.com





( ) Rezoning Application No. RA142 - 4161 Jingle Pot Road

The City of Nanaimo has received an application from Dennis and Maureen McLeod to rezone the subject property from Single-Family Residential (RS-1) to Light Industrial (I-2), in order to operate an electrical contracting business from this location.

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 approximately 728 square metres (78,363 square feet) in area and is occupied by a single-family dwelling on the southern portion of the site. The site is bordered to the north and east by single-family and multiple-family residential developments, and to the south across Jingle Pot Road by vacant multiple-family zoned property and a single-family residential neighbourhood. The properties to the west are presently zoned single-family residential, however the neighbouring property at 4145 Jingle Pot Road is presently operating as a legal non-conforming industrial use (garbage/disposal service). Beyond the neighbouring property to the west lies Boban Service Industrial Park.

An unnamed watercourse presently flows through the rear yard of the subject property. A previous bylaw amendment reduced the required aquatic leave strip from 15 metres to 3 metres.

The subject property is designated as Service Industrial Enterprise Area according to Schedule 'A' of the Official Community Plan (OCP).

The applicants are proposing to rezone the subject property in order to operate an electrical contracting business (Den Mar Electric) from this location and to permit a future storage use. It is the applicants intention to convert the existing single-family dwelling to office and to accommodate the proposed future storage use within the rear yard of this site. The proposed rezoning complies with the requirements of the I-2 zone.

Landscaping is required along all property boundaries, as per Part 14 of the Zoning Bylaw. Normally, landscaping and approval would be triggered at the time of development of the site, however, given that the applicants proposal will not include any new developments on the site, the landscaping will not be triggered by a Development Permit. As a condition of rezoning, Staff recommend a covenant be registered which secures the landscape plan and restricts the use of the property to a single-family dwelling, until such time the required landscaping has been installed.

It is the applicants intention to utilize the rear portion of the subject property in the future for a storage use. In order to mitigate potential negative discharge into the existing watercourse, the installation of catch basins, oil / water separators and site servicing piping is required. As such, Staff recommend, that a covenant be registered that restricts the use of the rear portion of the property to a single family dwelling until the required works have been installed.

As there are a number of uses in the proposed I-2 Zone which are not supported by the Official Community Plan, a covenant will be required limiting the use of the land.

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 applicants are proposing to extend the sanitary sewer main from the existing service connection located at the Jingle Pot Road / Elmwood Drive intersection, to the subject property and across the full width of the property frontage, in order to allow future extension to service lands west of the subject property.

In order to ensure that the property is connected to a community sanitary sewer system prior to any industrial uses being performed on the land, Staff recommend a covenant be registered as a condition of rezoning, restricting the use of the property to a single-family dwelling until such time as the sanitary sewer works have been installed.

The Rezoning Advisory Committee (RAC), at it's meeting of 2005-MAR-03, recommended that the application be approved as presented. Staff concur with RAC's recommendation and support this application.

Recommendation: That Council:

1. Support this applicant and give First and Second Reading to "ZONING BYLAW AMENDMENT BYLAW 4000.379"; and
2. Direct Staff to secure use restriction, landscaping, site drainage, and the proposed community contribution as a condition of rezoning.

JC/cjd  
I:/corp admin agenda/RA142 Synop  
COUNCIL: 2005-SEP-12

CITY OF NANAIMO

BYLAW NO. 4000.377

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 2005 NO. 4000.377".
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, DISTRICT LOT 48, WELLINGTON DISTRICT, PLAN VIP53807 from Public Institution Zone (P-2) to Low Density Multiple Family Residential (Townhouse) Zone (RM-3).

PASSED FIRST AND SECOND READINGS 2005-AUG-15.

PUBLIC HEARING HELD 2005-SEP-01.

SECOND PUBLIC HEARING HELD \_\_\_\_\_.

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

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

ADOPTED \_\_\_\_\_.

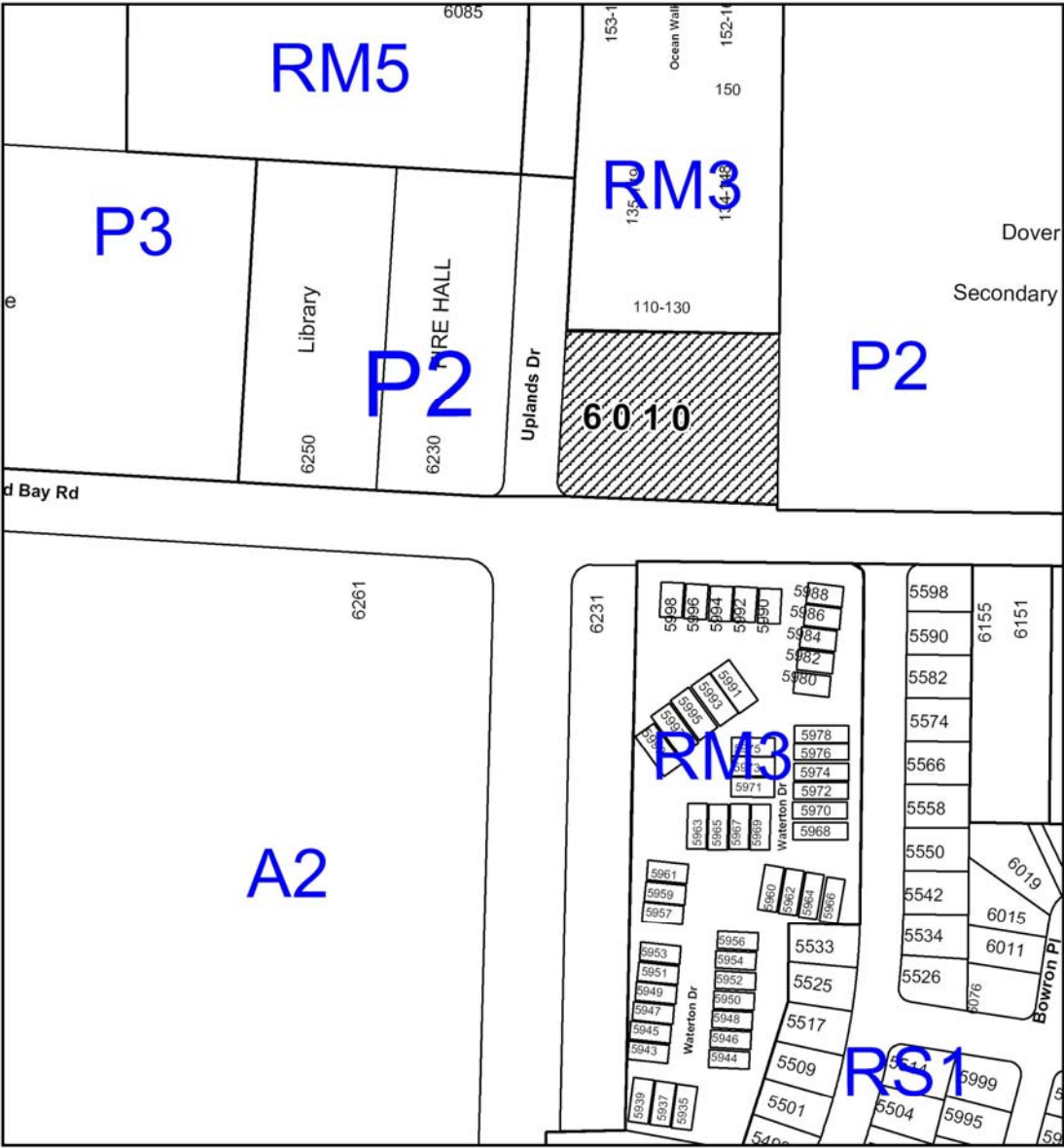
File: RA000144

Address: 6010 Uplands Drive

Applicant: Uplands Drive Investments Ltd.



SCHEDULE A



File No.: RA000144  
Civic: 6010 Uplands Drive

 Subject Property

() RA000144 – 6010 UPLANDS DRIVE

The City of Nanaimo has received an application from Uplands Drive Investments to rezone the subject property from Public Institution Zone (P-2) to Low Density Multi-Family Residential Townhouse Zone (RM-3), in order to construct a 36-unit multi-family townhouse development. 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 vacant and is approximately 7,813 square metres (84,101 square feet) in area (Schedule 'A'). The site is located at the northeast corner of Hammond Bay Road and Uplands Drive, and is bordered by existing townhouse developments to the north and south, the City of Nanaimo Fire hall to the west, and Dover Bay High School to the east.

The subject site is designated as Neighbourhood, according to Schedule 'A' of the Official Community Plan (OCP). A site-specific OCP text amendment was approved by Council 2005-APR-04 (Bylaw 6000.061) to support rezoning to permit a townhouse development with a density of up to 0.45 Floor Area Ratio (FAR).

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

The applicants are proposing to construct a 36-unit townhouse development, which will consist of 6 quadraplex buildings and one larger 12-unit building (Schedule 'B'). The quadraplex buildings are proposed to be two storeys with two units on each floor (Schedule 'C'). The total floor area of each quadraplex building is approximately 446 square meters (4,800 square feet).

The 12-unit building is proposed to be two storeys and will consist of six units on each floor (Schedule 'D'). The total floor area of the 12-unit building is approximately 835 square meters (8,988 square feet).

The combined gross floor area of all the buildings proposed on the site is approximately 3,511 square meters (37,788 square feet), which equates to a floor area ratio of .449. The proposed development complies with the floor area ratio, lot coverage, amenity area, building height and parking requirements of the RM-3 Zone.

Access / egress to the subject property will be provided off of both Hammond Bay Road and Uplands Drive, and will be restricted to right-in / right-out only.

The development, as submitted, proposes the following setback variances:

- A 2.75 metre front yard setback variance from Uplands Drive is required for both the 12-unit building and the proposed quadraplex at the northwest corner of the site.
- A 1.1 metre flanking side yard setback variance from Hammond Bay Road is required for the steps and landing of the quadraplex building adjacent to Hammond Bay Road.
- A 5-metre rear yard variance is required.

The proposed front and flanking side yard setback variances are in keeping with the City's Design Guidelines, which encourages the placement and facing of buildings towards road frontages, in order to strengthen the streetscape (Schedule 'E'). The rear yard of the subject property abuts the Dover Bay High School playfields, and as such the proposed variance has minimal impact on the neighbouring property. Staff support for the proposed rear yard variance adjacent to the school is also conditional on an increased setback being provided along the property boundary abutting the existing townhouse development to the north (Ocean Walk Terrace).

The above noted variances have been identified for Council's information. Final approval of the variances will come through the Development Permit process.

As outlined in Subsection 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 an increase in the detailed landscaping at the southwest corner of the site. A copy of the Concept Landscape Plan is attached as Schedule 'F' (\$10,000).

The subject application was received by the Rezoning Advisory Committee at its regular meeting held 2005-MAY-05. 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. Consider First and Second reading to "ZONING BYLAW AMENDMENT BYLAW 4000.377"; and
2. Direct Staff to secure the general design of the proposed development and proposed community contribution as conditions of rezoning.



## FOR CITY MANAGER'S REPORT

TO: E.C. SWABEY, DIRECTOR, PLANNING AND DEVELOPMENT, DSD

FROM: DALE LINDSAY, MANAGER, PLANNING DIVISION, DSD

RE: RA000144 – 6010 UPLANDS DRIVE

---

### RECOMMENDATION:

That Council support this application and:

1. Consider First and Second reading to "ZONING BYLAW AMENDMENT BYLAW 4000.377"; and
2. Direct Staff to secure the general design of the proposed development and proposed community contribution as conditions of rezoning.

### BACKGROUND:

The City of Nanaimo has received an application from Uplands Drive Investments to rezone the subject property from Public Institution Zone (P-2) to Low Density Multi-Family Residential Townhouse Zone (RM-3), in order to construct a 36-unit multi-family townhouse development. 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 vacant and is approximately 7,813 square metres (84,101 square feet) in area (Schedule 'A'). The site is located at the northeast corner of Hammond Bay Road and Uplands Drive, and is bordered by existing townhouse developments to the north and south, the City of Nanaimo Fire hall to the west, and Dover Bay High School to the east.

#### ***Official Community Plan***

The subject site is designated as Neighbourhood, according to Schedule 'A' of the Official Community Plan (OCP). A site-specific OCP text amendment was approved by Council 2005-APR-04 (Bylaw 6000.061) to support rezoning to permit a townhouse development with a density of up to 0.45 Floor Area Ratio (FAR).

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

### ***Proposed Development***

The applicants are proposing to construct a 36-unit townhouse development, which will consist of 6 quadraplex buildings and one larger 12-unit building (Schedule 'B'). The quadraplex buildings are proposed to be two storeys with two units on each floor (Schedule 'C'). The total floor area of each quadraplex building is approximately 446 square meters (4,800 square feet).

The 12-unit building is proposed to be two storeys and will consist of six units on each floor (Schedule 'D'). The total floor area of the 12-unit building is approximately 835 square meters (8,988 square feet).

The combined gross floor area of all the buildings proposed on the site is approximately 3,511 square meters (37,788 square feet), which equates to a floor area ratio of .449. The proposed development complies with the floor area ratio, lot coverage, amenity area, building height and parking requirements of the RM-3 Zone.

Access / egress to the subject property will be provided off of both Hammond Bay Road and Uplands Drive, and will be restricted to right-in / right-out only.

### ***Required Variances***

The development, as submitted, proposes the following setback variances:

- A 2.75 metre front yard setback variance from Uplands Drive is required for both the 12-unit building and the proposed quadraplex at the northwest corner of the site.
- A 1.1 metre flanking side yard setback variance from Hammond Bay Road is required for the steps and landing of the quadraplex building adjacent to Hammond Bay Road.
- A 5-metre rear yard variance is required.

The proposed front and flanking side yard setback variances are in keeping with the City's Design Guidelines, which encourages the placement and facing of buildings towards road frontages, in order to strengthen the streetscape (Schedule 'E'). The rear yard of the subject property abuts the Dover Bay High School playfields, and as such the proposed variance has minimal impact on the neighbouring property. Staff support for the proposed rear yard variance adjacent to the school is also conditional on an increased setback being provided along the property boundary abutting the existing townhouse development to the north (Ocean Walk Terrace).

The above noted variances have been identified for Council's information. Final approval of the variances will come through the Development Permit process.

### ***Community Contribution***

As outlined in Subsection 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 an increase in the detailed landscaping at the southwest corner of the site. A copy of the Concept Landscape Plan is attached as Schedule 'F' (\$10,000).

***Rezoning Advisory Committee***

The subject application was received by the Rezoning Advisory Committee at its regular meeting held 2005-MAY-05. 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:

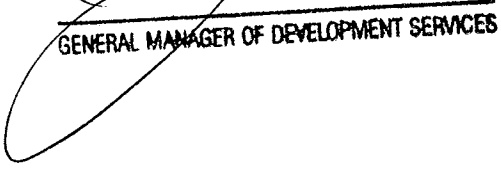
1. Consider First and Second reading to "ZONING BYLAW AMENDMENT BYLAW 4000.377"; and
2. Direct Staff to secure the general design of the proposed development and proposed community contribution as conditions of rezoning.

Respectfully submitted,

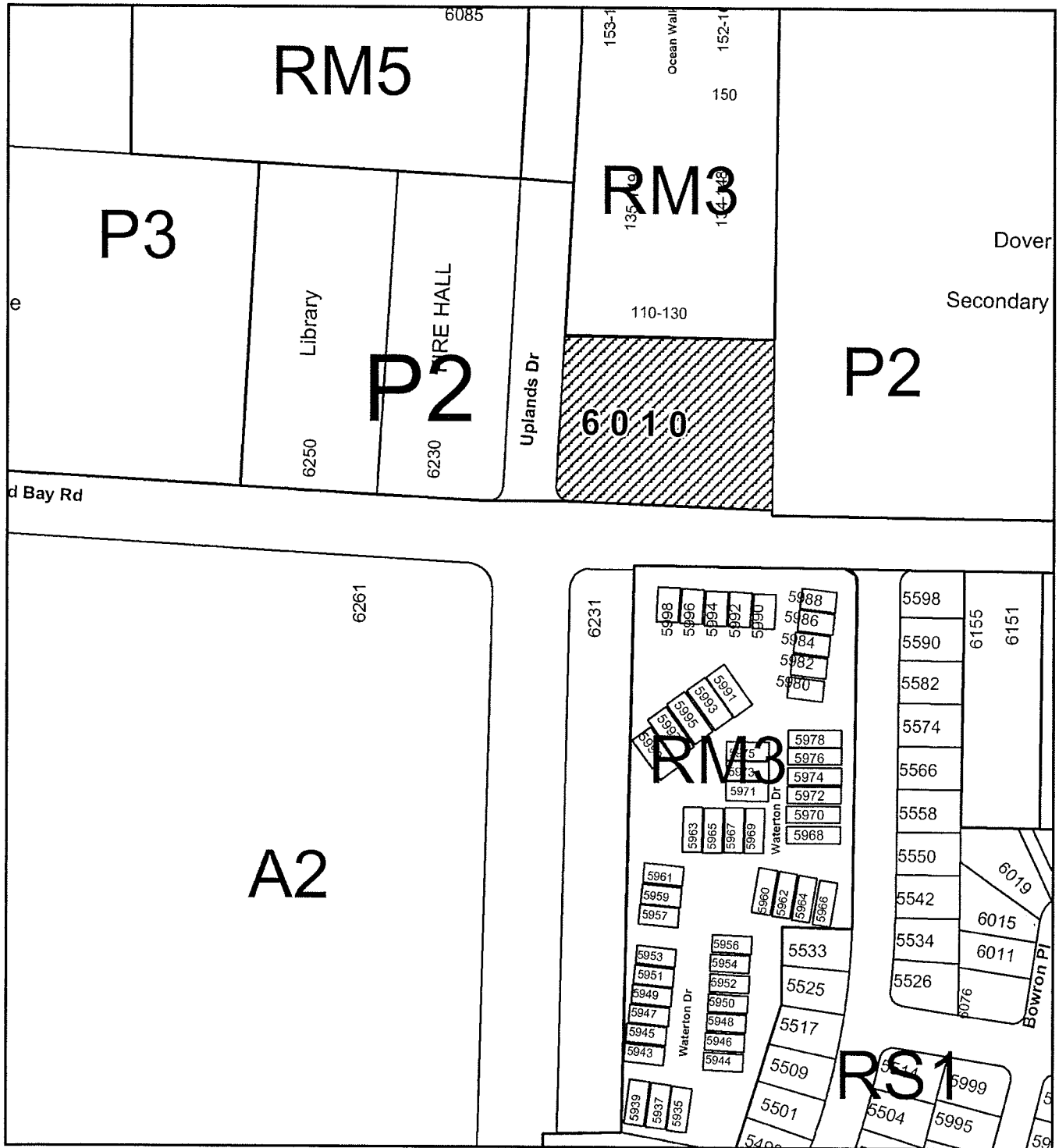
  
D.C. Lindsay  
Manager, Planning Division  
**DEVELOPMENT SERVICES DEPARTMENT**

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

JC/DL/pm  
Council: 2005-AUG-15  
Prospero Attachment: RA000144

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

# SCHEDULE A



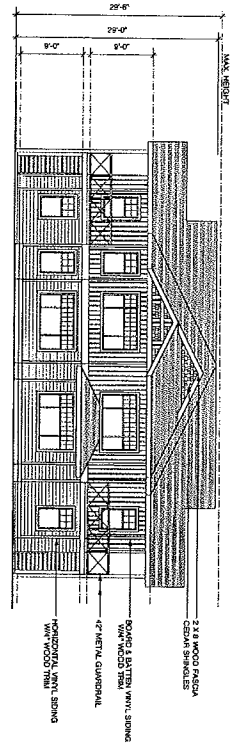
File No.: RA000144  
Civic: 6010 Uplands Drive

 Subject Property

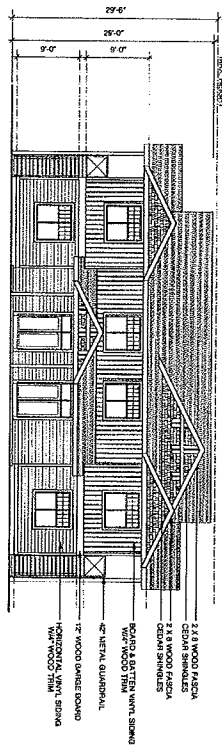
|             |             |
|-------------|-------------|
| DATE:       | MARCH 2005  |
| SCALE:      | AS SHOWN    |
| PROJECT NO. | DRAWING NO. |
| 05-002      | A-1         |

|                       |                    |
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| DRAWN BY: C.CADE      |                    |
| DATE:                 | MARCH 2006         |
| SCALE:                | AS SHOWN           |
| PROJECT NO.<br>06-002 | DRAWING NO.<br>A-1 |

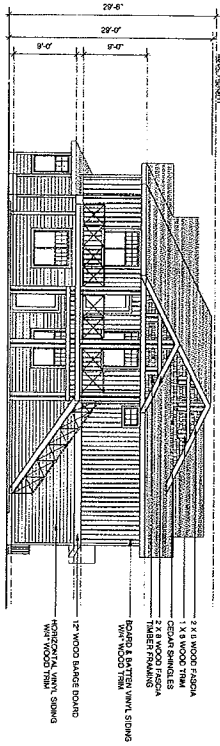
# SCHEDULE C



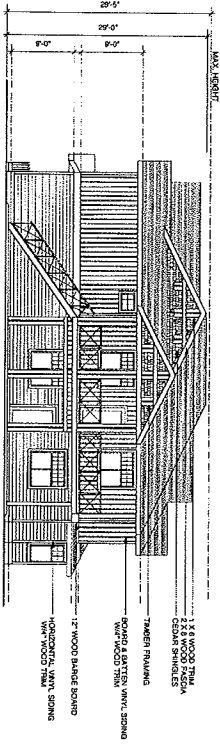
FRONT ELEVATION  
SCALE: 1/8" = 1'-0"



REAR ELEVATION  
SCALE: 1/8" = 1'-0"



SIDE ELEVATION (upwards drive)  
SCALE: 1/8" = 1'-0"



SIDE ELEVATION (Hammond Bay)  
SCALE: 1/8" = 1'-0"

Copyright reserved. These drawings are the property of the architect and are not to be used for any other purpose without the written consent of the architect. The architect assumes no responsibility for the construction of the building or for the safety of the building. The architect is not responsible for the construction of the building or for the safety of the building.

NO. DATE  
REVISION  
JANUARY 11, 2005 RE-ZONING  
JUNE 29, 2005 REVISED SITE PLAN  
JULY 27, 2005 REVISED TYPING  
AUGUST 3, 2005 RE-ZONING AMEND.

## PROPOSED 36 UNIT MULTI-FAMILY DEVELOPMENT NANAIMO, B. C.



elins architect inc.  
13-14 HAWK HILL  
NANAIMO, B.C. V9T 4K3  
TEL: 250-754-4477  
FAX: 250-754-4412  
www.elinsarchitect.com  
PRACTICE • DESIGN • INTERIOR DESIGN

|             |            |
|-------------|------------|
| PROJECT NO. | 1000       |
| DATE        | MARCH 2005 |
| SCALE       | AS SHOWN   |
| DRAWING NO. | A-4        |

The image contains three architectural elevation drawings of a three-story building, oriented vertically. Each drawing includes height dimensions and labels for different levels.

- FRONT ELEVATION:** Located at the top. Dimensions on the left indicate a total height of 10'-0" (Lower level) and 9'-0" (Upper levels). Labels on the right side of the drawing include "CEILING", "UPPER", and "LOWER".
- REAR ELEVATION (Richmond Bay):** Located in the middle. Dimensions on the left indicate a total height of 10'-0" (Lower level) and 9'-0" (Upper levels). Labels on the right side of the drawing include "CEILING", "UPPER", and "LOWER".
- SIDE ELEVATION (Upwards Drive):** Located at the bottom. Dimensions on the left indicate a total height of 10'-0" (Lower level) and 9'-0" (Upper levels). Labels on the right side of the drawing include "CEILING", "UPPER", and "LOWER".

Each drawing shows a three-story structure with a gabled roof, multiple windows, and a small balcony or entrance area on the ground floor. The drawings are oriented vertically, with the front elevation at the top and the side elevation at the bottom.

[illegible]

# PROPOSED 36 UNIT MULTI-FAMILY DEVELOPMENT

## NANAIMO, B. C.

**ellins architect inc.**  
architecture • planning • interior design

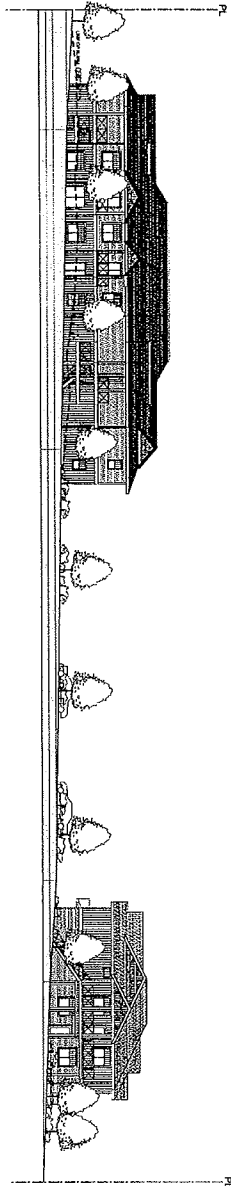
**DRAWING:  
APARTMENT  
ELEVATIONS**



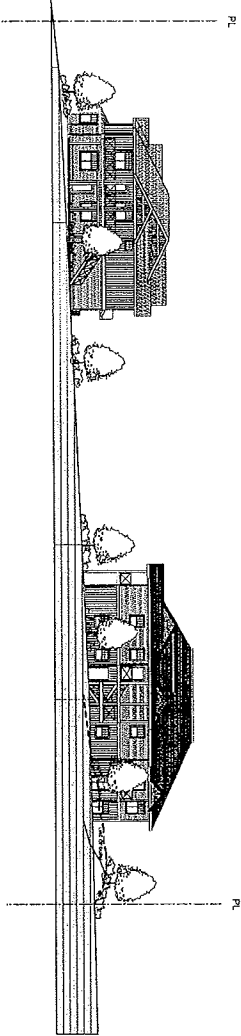
67A Alhambra Square  
Memphis, TN 38103  
Bulldozers • (252) 754-8033  
fear/reform • (252) 754-8112

|                       |                    |
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| DRAWN BY: C.CALDE     |                    |
| DATE:                 | MARCH 2006         |
| SCALE:                | AS SHOWN           |
| PROJECT NO.<br>05-002 | DRAWING NO.<br>A-7 |

## SCHEDULE E



STREETSCAPE FROM HAMMOND BAY ROAD  
SCALE: 1/16" = 1'-0"



STREETSCAPE FROM UPLANDS DRIVE  
SCALE: 1/16" = 1'-0"

|  |                        |   |
|--|------------------------|---|
| Copyright retained. These plans and drawings are not to be used for any other project without the written consent of the architect. The architect is not responsible for the accuracy of the information provided by the client, nor for the interpretation of the same by the contractor. The architect is not responsible for the construction of the project, nor for the safety of the construction. The architect is not responsible for the construction of the project, nor for the safety of the construction. The architect is not responsible for the construction of the project, nor for the safety of the construction. | NO. DATE:<br>REVISION: | MAY 11, 2005 REV. ZONING<br>JUNE 29, 2005 REVISED SITE PLAN<br>JUL 21, 2005 REVISED PLANS<br>AUGUST 3, 2005 REZONING APP. |
|--|------------------------|---|

**PROPOSED 36 UNIT MULTI-FAMILY  
DEVELOPMENT**  
NANAIMO, B. C.



**DRAWINGS:**  
ellins architect inc.  
• planning • interior design  
architecture

### DRAWINGS

|                    |             |
|--------------------|-------------|
| DRAWN BY: C.CLADE  |             |
| DATE: MARCH 2005   |             |
| SCALE: AS SHOWN    |             |
| PROJECT NO. 06-002 | DRAWING NO. |



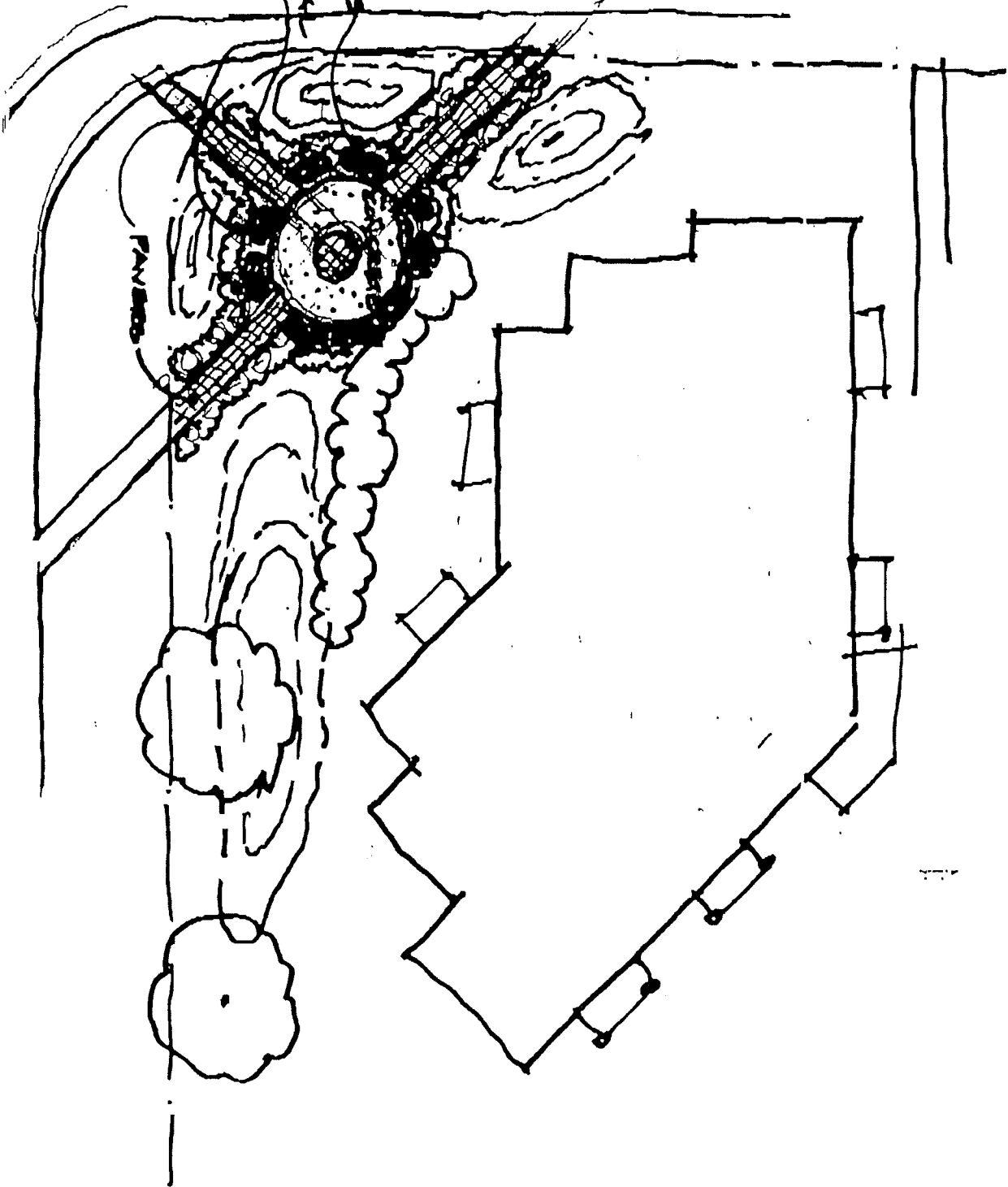
SCHEDULE F

uplands Dr.

BOULDERS  
ORNAMENTAL  
GRASSES

PAVED

Hammond Bay Rd.



CITY OF NANAIMO

BYLAW NO. 6000.069

A BYLAW TO AMEND THE CITY OF NANAIMO  
"OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000"

---

WHEREAS the Council of the City of Nanaimo wishes to amend City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 1996, NO. 6000";

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

1. This Bylaw may be cited as the "OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2005 NO. 6000.069".
2. The City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000" is hereby amended as set out on the attached Schedules A, B, C, D, E, F, G, H, I, and J to this Bylaw:

PASSED FIRST AND SECOND READINGS 2005-AUG-29.  
PUBLIC HEARING HELD \_\_\_\_\_.  
PASSED THIRD READING \_\_\_\_\_.  
ADOPTED \_\_\_\_\_.

## **SCHEDULE A**

### **Future Park Sites**

Schedule A – Future Land Use and Mobility map of “OFFICIAL COMMUNITY PLAN BYLAW 1996, NO. 6000” is amended as described below and shown on the attached Appendix 1 by:

1. Removing “Future Park Site” symbols from Joan Point and Linley Valley Parks.
2. Moving the location of Walley Creek Park “Future Park Site” symbol further east.
3. Adding “Future Park Site” symbols on DL56, Northfield Marsh and Harewood Plains.

## **SCHEDULE B**

### **Parkland Areas**

Section 1.3 of the "OFFICIAL COMMUNITY PLAN BYLAW 1996, NO. 6000" is amended by:

1. Adding the text "As of February 2005" before the text "Nanaimo's park system includes" in the first sentence of the first paragraph.
2. Removing the text "475 hectares (1200 acres)" and replacing it with "589 ha (1,455 acres)" in the first sentence of the first paragraph.
3. Removing the text "566 hectares (1400 acres)" and replacing it with "588 hectares (1,453 acres)" in the third sentence of the first paragraph.

## **SCHEDULE C**

### **Purchasing Land for Parks**

Section 1.3.2.18 of the "OFFICIAL COMMUNITY PLAN BYLAW 1996, NO. 6000" is amended by:

1. Removing the following text at the end of the second bullet: "; and" and replacing it with a period.
2. Removing the following text from the third bullet: "Provincial Crown land between Jingle Pot Road and Third Street".

## **SCHEDULE D**

### **Library Facilities**

Section 1.8.2.5 the "OFFICIAL COMMUNITY PLAN BYLAW 1996, NO. 6000" is amended by:

1. Removing the text from "The City will continue to pursue the establishment of a new library facility to support the growing needs of the community, as envisioned in the May 29, 1995 "Report of the Library Review Committee" from the first sentence.
2. Removing the text "also" after the text "The City will" in the second sentence.

## **SCHEDULE E**

### **Rail Transit**

Section 4.3.2.9 the "OFFICIAL COMMUNITY PLAN BYLAW 1996, NO. 6000" is amended by removing the text "to seek approval for the construction of a" and replacing it with "the development of the".

## **SCHEDULE F**

### **Trailway Planning**

Section 4.5.2. of the "OFFICIAL COMMUNITY PLAN BYLAW 1996, NO. 6000" is amended by adding a new policy as shown below and re-numbering accordingly:

"Trailway planning, design, construction and maintenance on "Environmentally Sensitive Lands" will adhere to the "Trail Implementation Plan" and the "Guidelines for Municipal Works and Services within ESAs" as updated."



## **SCHEDULE G**

### **Landscaping City Streets**

Section 4.6.2.30 the "OFFICIAL COMMUNITY PLAN BYLAW 1996, NO. 6000" is amended by removing the text "adopt" and replacing with the text "continue to implement" after the text "The City will".

## **SCHEDULE H**

Section 7.4.2 the "OFFICIAL COMMUNITY PLAN BYLAW 1996, NO. 6000" is amended by removing policy 7.4.2.3 in its entirety.

## **SCHEDULE I**

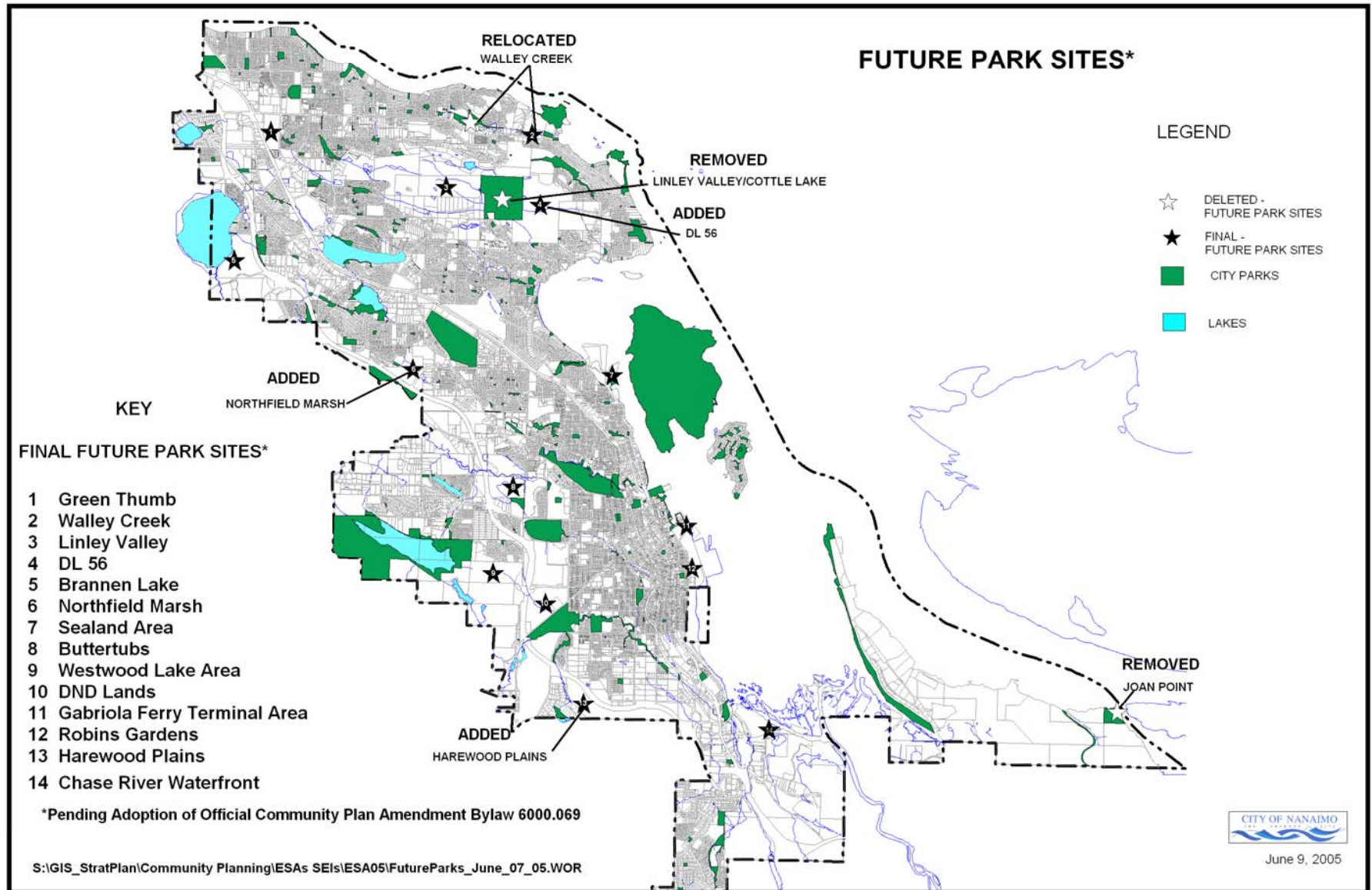
Section 8.3.1.5 the "OFFICIAL COMMUNITY PLAN BYLAW 1996, NO. 6000" is amended by removing the "Van Houten Block 16 Commercial Street" from Heritage Conservation Area #1.

## **SCHEDULE J**

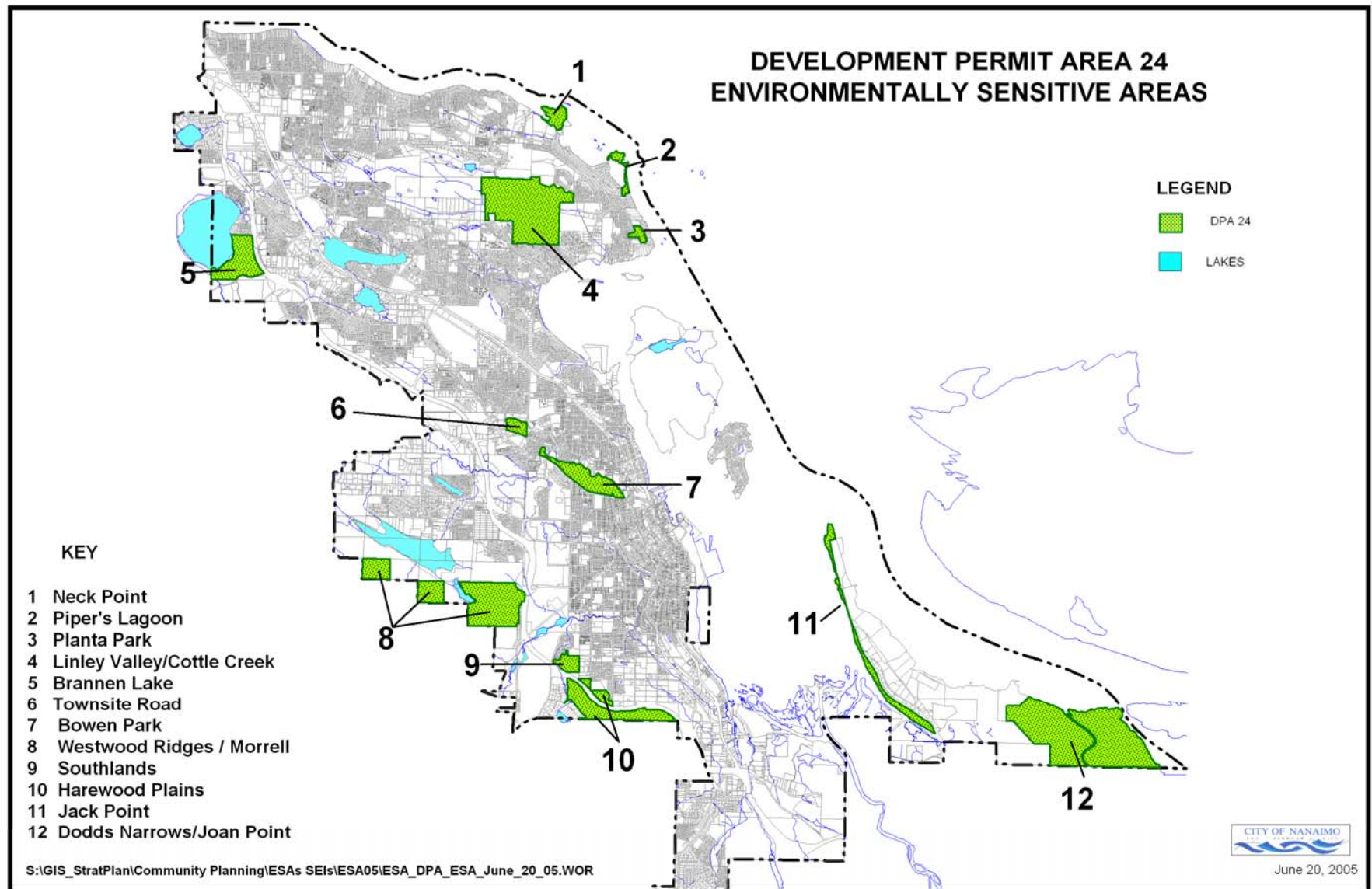
Schedule B – Development Permit Areas and Sensitive Areas map of the “OFFICIAL COMMUNITY PLAN BYLAW 1996, NO. 6000” is amended as described below and shown on the attached Appendix 2 by:

Identifying properties affected by Development Permit Area 24 – Environmentally Sensitive Areas.

## APPENDIX 1



## APPENDIX 2



# FOR CITY MANAGER'S REPORT

## ***PLANNING, ENVIRONMENT AND DEVELOPMENT STANDING COMMITTEE***

REPORT TO: BRIAN MEHAFFEY, GENERAL MANAGER, DEVELOPMENT SERVICES

FROM: ANDREW TUCKER, MANAGER, COMMUNITY PLANNING

RE: OFFICIAL COMMUNITY PLAN AMENDMENTS  
REVIEW PERIOD MAY – NOVEMBER 2005

---

### RECOMMENDATION:

See individual Official Community Plan (OCP) amendment recommendations within this report.

### BACKGROUND:

The following OCP amendments are being forwarded to PEDSC for its review and consideration as part of the current OCP amendment round:

- 11 internal amendments

The details of these OCP amendments, along with staff and Plan Nanaimo Advisory Committee's (PNAC) recommendations are outlined in this report.

### INTERNAL AMENDMENTS:

The majority of the 11 internal amendments noted below are updates for consistency with the 2005 Parks, Recreation and Culture Master Plan which was adopted by Council on 2005-Mar-21.

#### 1. FUTURE PARK SITES:

The purpose of this amendment is to update mapping of 'Future Park Sites' on Schedule A of the Official Community Plan to reflect Park Acquisition Priorities identified in the 2005 Parks, Recreation and Culture Master Plan. This includes:

1. Removing Joan Point and Linley Valley 'Future Park Sites' to reflect their acquisition;
2. Moving the location of the Walley Creek Park 'Future Park Site' to reflect park areas not yet acquired further east along Walley Creek; and,
3. Adding 'Future Park Sites' to DL 56, Northfield Marsh and Harewood Plains to reflect their values as Environmentally Sensitive Areas.

#### **Proposed Amendment (see Appendix A map):**

Amend 'Future Park Sites' on Schedule A (Future Land Use and Mobility) of the Official Community Plan by:

1. Removing Joan Point and Linley Valley 'Future Park Sites' and to designate these two sites as City parks;
2. Moving the location of Walley Creek 'Future Park Site' further east; and
3. Adding 'Future Park Sites' to DL56, Northfield Marsh and Harewood Plains.

**PNAC and Staff Comment:**

At its meeting held 2005-Jun-23, PNAC supported this internal amendment to the OCP. Staff concur with PNAC's recommendation.

**RECOMMENDATION:**

That the PEDSC recommend that Council support the proposed OCP amendment to change Schedule A (Future Land Use and Mobility) of the OCP by:

Amending 'Future Park Sites' on Schedule A (Future Land Use and Mobility) of the Official Community Plan by:

1. Removing Joan Point and Linley Valley 'Future Park Sites';
2. Moving the location of Walley Creek 'Future Park Site' further east; and
3. Adding 'Future Park Sites' to DL56, Northfield Marsh and Harewood Plains.

**2. AREA OF PARKLAND:**

The purpose of this amendment is to update the area of parkland in the City of Nanaimo to reflect increases in parkland since 1996. This includes the acquisition of parkland at Cottle Lake and Joan Point. The new figures are consistent with information in the 2005 Parks, Recreation and Culture Master Plan.

**Proposed Amendment:**

Amend Section 1.3 (Introduction) by:

1. Adding the words "As of February 2005";
2. Removing the text "475 hectares (1200 acres)" and replacing it with "589 ha (1,455 acres)"; and
3. Removing the text "566 hectares (1400 acres)" and replacing it with "588 hectares (1,453 acres)".

**Proposed text would read as follows:**

"As of February 2005, Nanaimo's park system includes a variety of community and neighbourhood parks covering about 589 hectares (1,455 acres). Trailways for multi-recreational use also form a significant portion of the public park system. There are also provincial parks and privately protected natural areas comprising another 588 hectares (1,453 acres)."

**PNAC and Staff Comment:**

At its meeting held 2005-Jun-23, PNAC supported this internal amendment to the OCP. Staff concur with PNAC's recommendation.

**RECOMMENDATION:**

That the PEDSC recommend that Council support the proposed OCP amendment to change the text of the OCP by:

Amending Section 1.3 (Introduction) by:

1. Adding the words "As of February 2005";
2. Removing the text "475 hectares (1200 acres)" and replacing it with "589 ha (1,455 acres)"; and
3. Removing the text "566 hectares (1400 acres)" and replacing it with "588 hectares (1,453 acres)".

**3. CROWN LAND ACQUISITION:**

The purpose of this amendment is to remove the reference to "Provincial Land between Jingle Pot & Third Street" from the list of Crown Land properties to be acquired for parks. This amendment is to reflect the fact that the City has acquired this land for park purposes.



**Proposed Amendment:**

Amend Section 1.3.2.18 by removing the following words:

"Provincial Crown land between Jingle Pot Road and Third Street".

**PNAC and Staff Comment:**

At its meeting held 2005-Jun-23, PNAC supported this internal amendment to the OCP. Staff concur with PNAC's recommendation.

**RECOMMENDATION:**

That the PEDSC recommend that Council support the proposed OCP amendment to change the text of the OCP by:

Amending Section 1.3.2.18 by removing the following words:

"Provincial Crown land between Jingle Pot Road and Third Street".

**4. LIBRARY FACILITIES**

The purpose of this amendment is to update the text of the OCP to reflect the completion of the downtown library facility. The Executive Director of the Vancouver Island Regional Library has been contacted and has no concerns with these amendments.

**Proposed Amendment:**

Amend Section 1.8.2.5 by:

1. Removing the words "The City will continue to pursue the establishment of a new library facility to support the growing needs of the community, as envisioned in the May 29, 1995 'Report of the Library Review Committee'" from the first sentence; and
2. Removing the word "also" from the second sentence.

**Proposed text would read as follows:**

"The City will pursue cooperative arrangements with School District #68, Malaspina University-College and the community at large in improving public access to traditional and electronic library services."

**PNAC and Staff Comment:**

At its meeting held 2005-Jun-23, PNAC supported this internal amendment to the OCP. Staff concur with PNAC's recommendation.

**RECOMMENDATION:**

That the PEDSC recommend that Council support the proposed OCP amendment to change the text of the OCP by:

Amending Section 1.8.2.5 by:

1. Removing the words "The City will continue to pursue the establishment of a new library facility to support the growing needs of the community, as envisioned in the May 29, 1995 'Report of the Library Review Committee'" from the first sentence; and
2. Removing the word "also" from the second sentence.

**5. E&N TRAILWAY**

The purpose of this amendment is to update the text of the OCP to reflect partial completion of the E&N Trail.

**Proposed Amendment:**

Amend Section 4.3.2.8 by removing the words "to seek approval for the construction of a" and replacing with "the development of the".

**Proposed text would read as follows:**

"The City will continue the development of the bike/pedestrian trailway on the E&N Railway corridor."

**PNAC and Staff Comment:**

At its meeting held 2005-Jun-23, PNAC supported this internal amendment to the OCP. Staff concur with PNAC's recommendation.

**RECOMMENDATION:**

That the PEDSC recommend that Council support the proposed OCP amendment to change the text of the OCP by:

Amending Section 4.3.2.8 by removing the words "to seek approval for the construction of a" and replacing with "the development of the".

**6. TRAILWAY PLANNING**

The purpose of this amendment is to add a new policy to the OCP to reflect the 'Trail Implementation Plan' and 'Guidelines for Municipal Works and Services within ESA's'.

**Proposed Amendment:**

Amend Section 4.5.2. by adding a new policy as shown below and re-numbering accordingly: "Trailway planning, design, construction and maintenance on 'Environmentally Sensitive Lands' will adhere to the 'Trail Implementation Plan' and the 'Guidelines for Municipal Works and Services within ESAs' as updated."

**PNAC and Staff Comment:**

At its meeting held 2005-Jun-23, PNAC supported this internal amendment to the OCP. Staff concur with PNAC's recommendation.

**RECOMMENDATION:**

That the PEDSC recommend that Council support the proposed OCP amendment to change the text of the OCP by:

Amending Section 4.5.2. by adding a new policy as shown below and re-numbering accordingly:

"Trailway planning, design, construction and maintenance on 'Environmentally Sensitive Lands' will adhere to the 'Trail Implementation Plan' and the 'Guidelines for Municipal Works and Services within ESAs' as updated."

**7. LANDSCAPING CITY STREETS**

The purpose of this amendment is to update the text of the OCP to reflect that a street landscaping program has been adopted by the City of Nanaimo and is being implemented.

**Proposed Amendment:**

Amend Section 4.6.2.30 by removing the word "adopt" and adding the words "continue to implement".

**Proposed text would read as follows:**

"The City will continue to implement a landscaping program for its streets that will incorporate street trees, boulevards and centre medians, and draw on the recommendations of the 1995 report 'Landscaping City Streets'".

**PNAC and Staff Comment:**

At its meeting held 2005-Jun-23, PNAC supported this internal amendment to the OCP. Staff concur with PNAC's recommendation.

**RECOMMENDATION:**

That the PEDSC recommend that Council support the proposed OCP amendment to change the text of the OCP by:

Amending Section 4.6.2.30 by removing the word “adopt” and adding the words “continue to implement”.

**8. PEDESTRIAN TRAIL (MCGUFFIE ROAD TO NECK POINT PARK)**

The purpose of this amendment is to update the text of the OCP to reflect the completion of a public pedestrian trail between McGuffie Road and Neck Point Park (Keel Cove).

**Proposed Amendment:**

Amend Section 7.4.2 by removing policy 7.4.2.3 in its entirety:

“The City is encouraged to pursue the extension of a public pedestrian trail between McGuffie Road and Neck Point Park.”

**PNAC and Staff Comment:**

At its meeting held 2005-Jun-23, PNAC supported this internal amendment to the OCP. Staff concur with PNAC's recommendation.

**RECOMMENDATION:**

That the PEDSC recommend that Council support the proposed OCP amendment to change the text of the OCP by:

Amending Section 7.4.2 by removing policy 7.4.2.3 in its entirety:

“The City is encouraged to pursue the extension of a public pedestrian trail between McGuffie Road and Neck Point Park.”

**9. HERITAGE CONSERVATION AREA #1 – VAN HOUTEN BLOCK**

The purpose of this amendment is to update the list of buildings in Heritage conservation Area #1 to reflect the Council approved Heritage Alteration Permit (2005-Feb-21) allowing demolition of this building.

**Proposed Amendment:**

Amend Section 8.3.1.5 by removing the “Van Houten Block 16 Commercial Street” from Heritage Conservation Area #1.

**PNAC and Staff Comment:**

At its meeting held 2005-Jun-23, PNAC supported this internal amendment to the OCP. Staff concur with PNAC's recommendation.

**RECOMMENDATION:**

That the PEDSC recommend that Council support the proposed OCP amendment to change the text of the OCP by:

Amending Section 8.3.1.5 by removing the “Van Houten Block 16 Commercial Street” from Heritage Conservation Area #1.

**10. DEVELOPMENT PERMIT AREA #24 (SEE APPENDIX B MAP)**

The purpose of this amendment is to amend the OCP mapping for Schedule B to identify properties covered by Development Permit Area 24 (DPA 24) (see Appendix B for a map of the proposed amendments and a table outlining the rationale for including properties within DPA 24). This amendment supports OCP Amendment Bylaw 6000.059, which added DPA 24 for Environmentally Sensitive Areas to the OCP. DPA 24 is intended to protect environmentally sensitive areas that include habitat for rare and endangered plant or wildlife species

**Proposed Amendment:**

Amend OCP Schedule B – Development Permit Areas and Sensitive Areas by identifying properties affected by Development Permit Area 24 – Environmentally Sensitive Areas.

**PNAC and Staff Comment:**

At its meeting held 2005-Jun-23, PNAC supported this internal amendment to the OCP. Staff concur with PNAC's recommendation.

**RECOMMENDATION:**

That the PEDSC recommend that Council support the proposed OCP amendment to change the text of the OCP by:

Amending OCP Schedule B – Development Permit Areas and Sensitive Areas by identifying properties affected by Development Permit Area 24 – Environmentally Sensitive Areas as shown by the map in Appendix B.

**11. SERVICE INDUSTRIAL ENTERPRISE AREA POLICIES (SEE APPENDIX C1 & C2 MAPS)**

The purpose of this amendment is to; prevent the loss of industrial land within established service industrial parks, focus auto sales and service within core areas, and to clarify uses supported within the Service Industrial Enterprise Area designation.

Under existing OCP policies, where a property designated as Service Industrial Enterprise Area fronts along a major road, and where safe and suitable access is available to a site, the following uses are permitted:

- gasoline service stations and associated auto repair garages;
- vehicle sales, repair and rental;
- auto parts retailers; or
- recreational vehicles and mobile/modular homes sales and service.

Under the existing policy, rezoning for auto sales, service and rentals is supported along major roads within established industrial parks such as Parkway and Boban Industrial Park. In order to prevent the potential loss of lands within these industrial parks, Staff recommend removing 'auto sales, service and rentals' as a supported use along major roads and creating a new policy which focuses auto sales, service and rental dealerships into areas of the City where the majority of dealerships currently exist (See Appendix C Map).

As noted above, OCP policy also supports 'auto parts retailers' for properties designated as Service Industrial Enterprise Area fronting along major roads. Staff are of the opinion that this use is compatible with uses presently supported in existing industrial zones and as such, Staff recommend that this use be permitted in all Service Industrial Enterprise Areas.

Staff are also of the opinion that the sales and service of 'boats' is compatible with the existing supported use of 'recreational vehicle and mobile/modular homes sales and service', and as such, recommend that 'boats' be added as a supported use for properties designated as Service Industrial Enterprise Area which front along major roads.

**Proposed Amendments:**

- 1) Amend Policy 1.5.2.3 (7) by removing "recreational vehicles and mobile/modular homes sales and service", and adding in its place "recreational vehicles, boats and mobile/modular homes sales and service", as a permitted use for properties designated as "Service Industrial Enterprise Area" and which front along major roads.

- 2) Amend Policy 1.5.2.3 (7) by removing "vehicle sales, repair and rental" and "auto parts retailers" as a permitted use for properties designated as "Service Industrial Enterprise Area" and which front along major roads.
- 3) Amend Policy 1.5.2.3 (2) to add "auto parts retailers" as a permitted use in all 'Service Industrial Enterprise Areas'.
- 4) Add a new policy to Section 1.5.2.3 which permits "vehicle sales, repair and rental" on properties designated 'Service Industrial Enterprise Area', located within the Bowen Road/Island Highway and the Wellington Road Service Industrial corridors, and which front along Wellington Road, Shenton Road, Bowen Road, Kenworth Road, Hayes Road and Cienar Drive.

**PNAC and Staff Comments:**

At its meeting held 2005-Jun-23, PNAC supported this internal amendment to the OCP. Staff concur with PNAC's recommendation.

**RECOMMENDATION:**

That the Planning, Environment and Development Standing Committee (PEDSC) recommend that Council support the proposed OCP Amendments to change the text of the OCP by :

- 1) Amending Policy 1.5.2.3 (7) by removing "recreational vehicles and mobile/modular homes sales and service", and adding in its place "recreational vehicles, boats and mobile/modular homes sales and service", as a permitted use for properties designated as "Service Industrial Enterprise Area" and which front along major roads.
- 2) Amending Policy 1.5.2.3 (7) by removing "vehicle sales, repair and rental" and "auto parts retailers" as a permitted use for properties designated as "Service Industrial Enterprise Area" and which front along major roads.
- 3) Amending Policy 1.5.2.3 (2) to add "auto parts retailers" as a permitted use in all 'Service Industrial Enterprise Areas'.
- 4) Adding a new policy to Section 1.5.2.3 which permits "vehicle sales, repair and rental" on properties designated 'Service Industrial Enterprise Area', located within the Bowen Road/Island Highway and the Wellington Road Service Industrial corridors, and which front along Wellington Road, Shenton Road, Bowen Road, Kenworth Road, Hayes Road and Cienar Drive.

**RECOMMENDATION:**

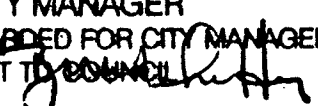
See individual Official Community Plan amendment recommendations within this report.

Respectfully submitted,

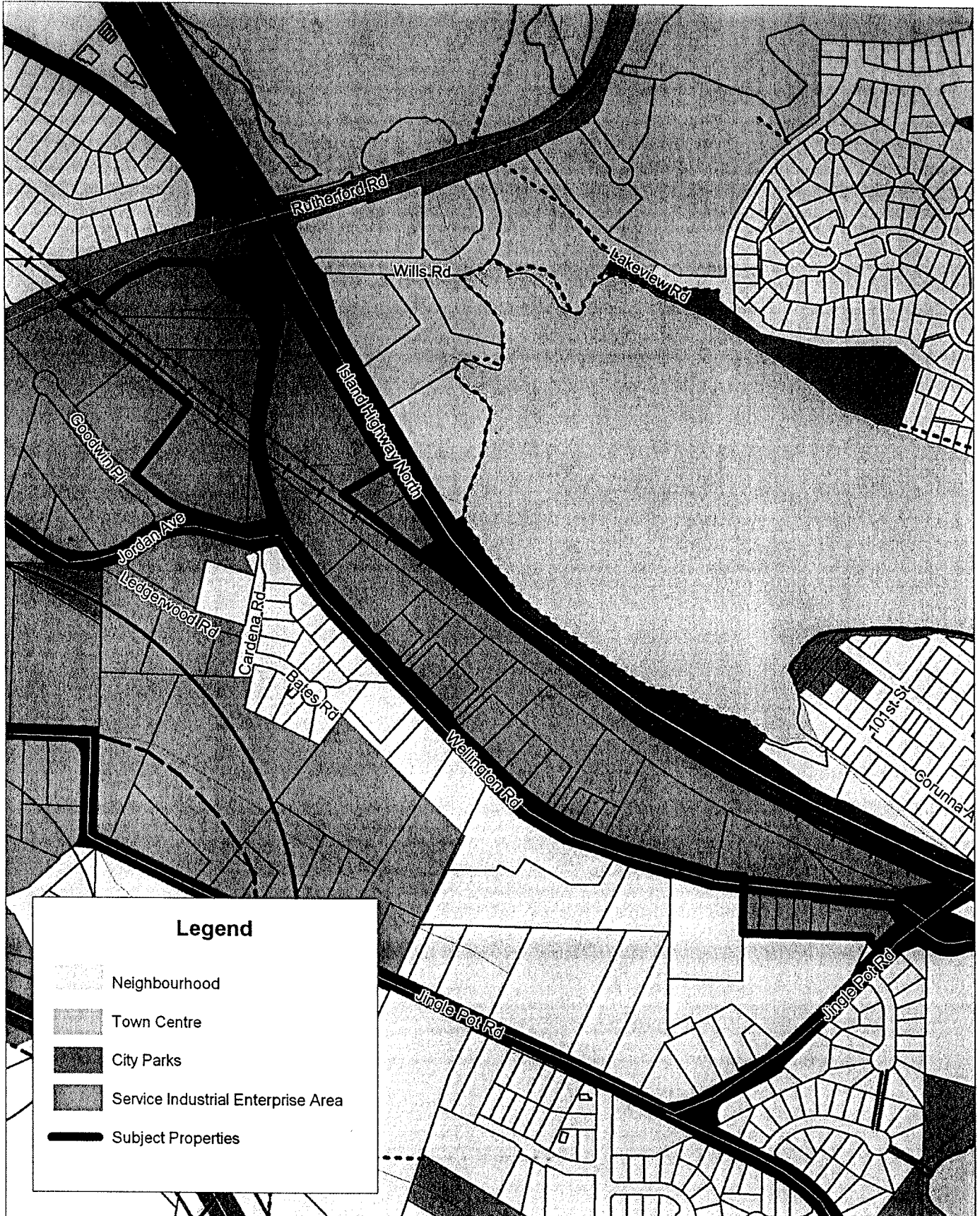
  
\_\_\_\_\_  
Andrew Tucker  
Manager, Community Planning  
Development Services Department

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

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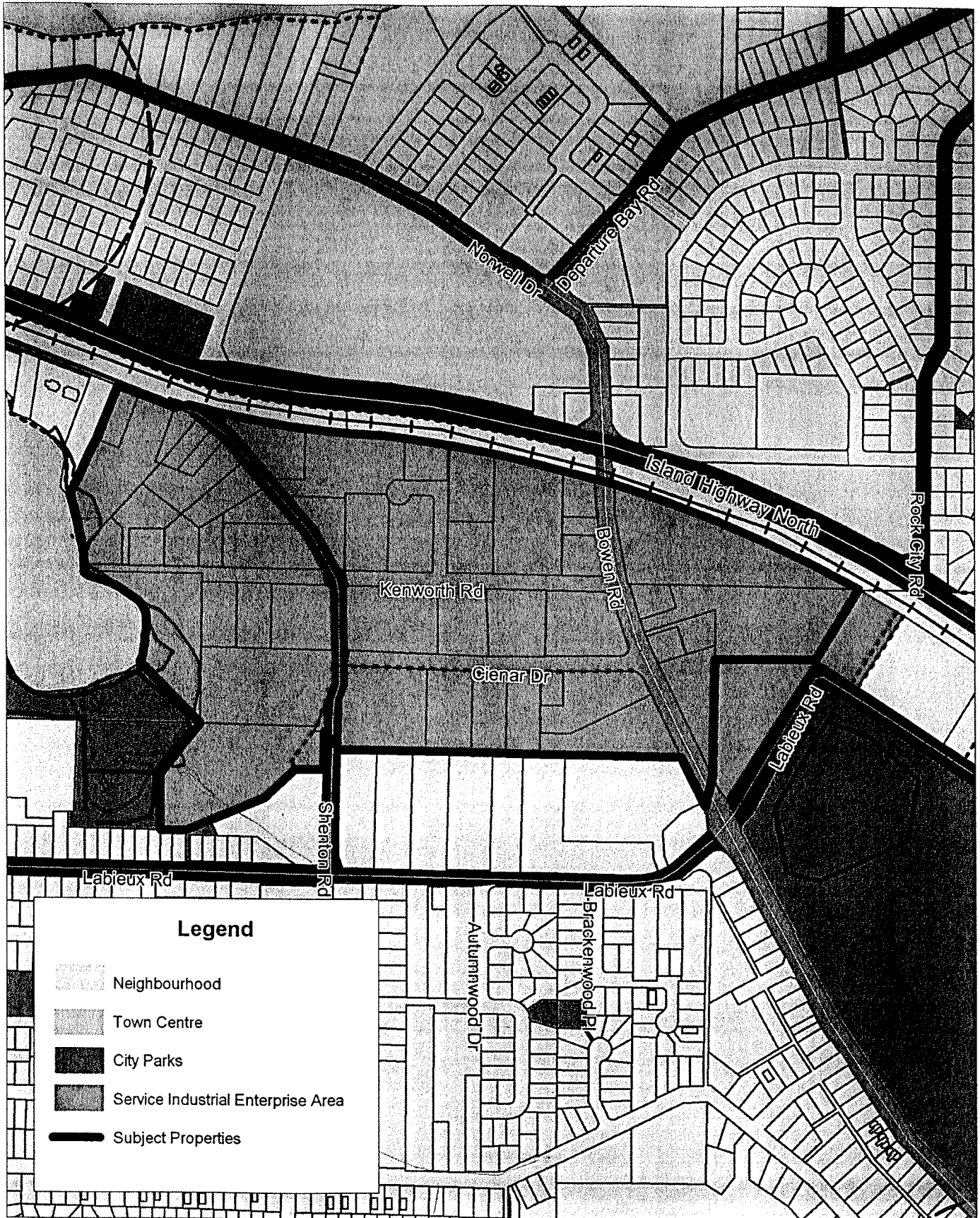
To: CITY MANAGER  
FORWARDED FOR CITY MANAGER'S  
REPORT TO COUNCIL  
  
\_\_\_\_\_  
GENERAL MANAGER OF DEVELOPMENT SERVICES

# APPENDIX C1

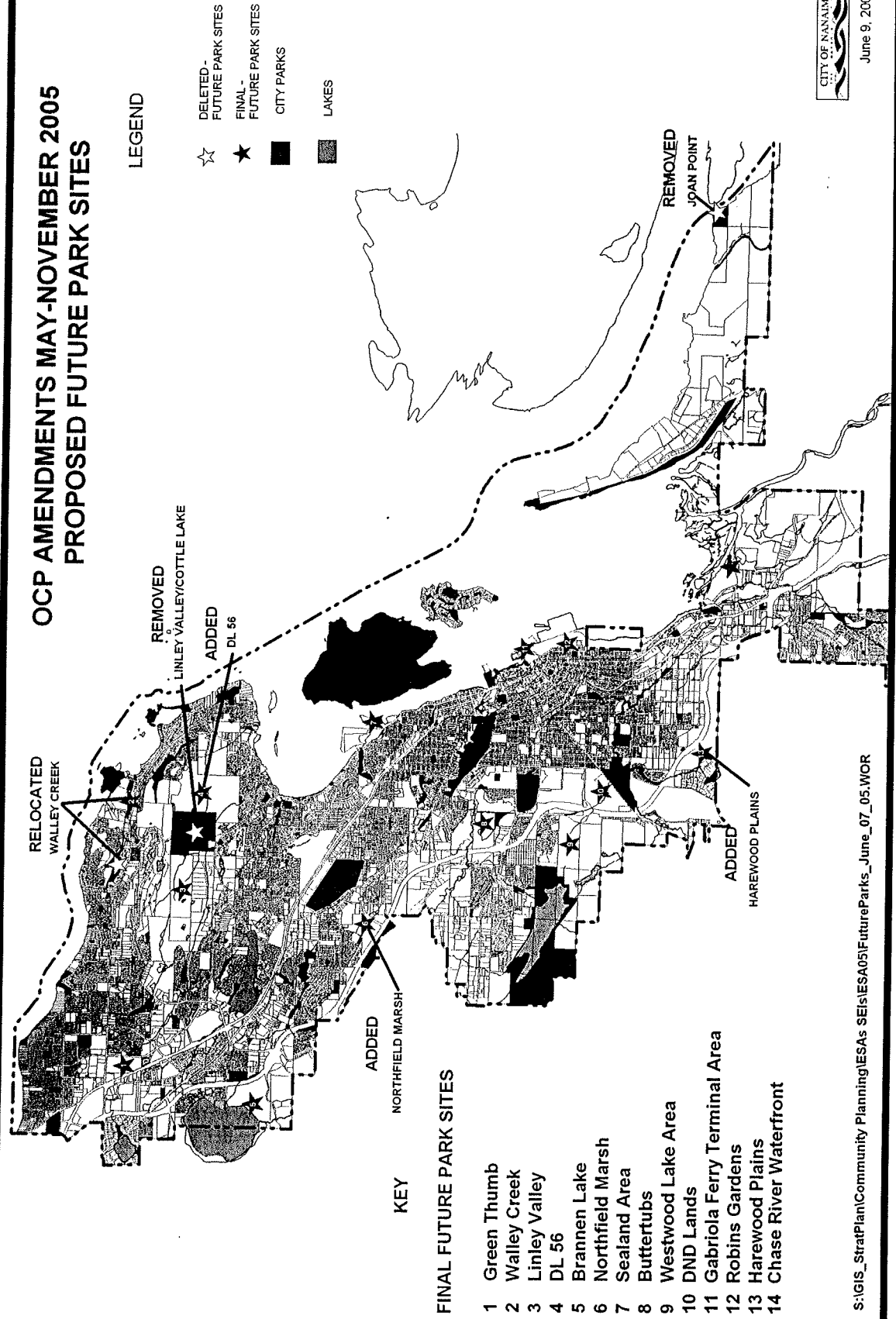




## APPENDIX C2



# OCP AMENDMENTS MAY-NOVEMBER 2005 PROPOSED FUTURE PARK SITES



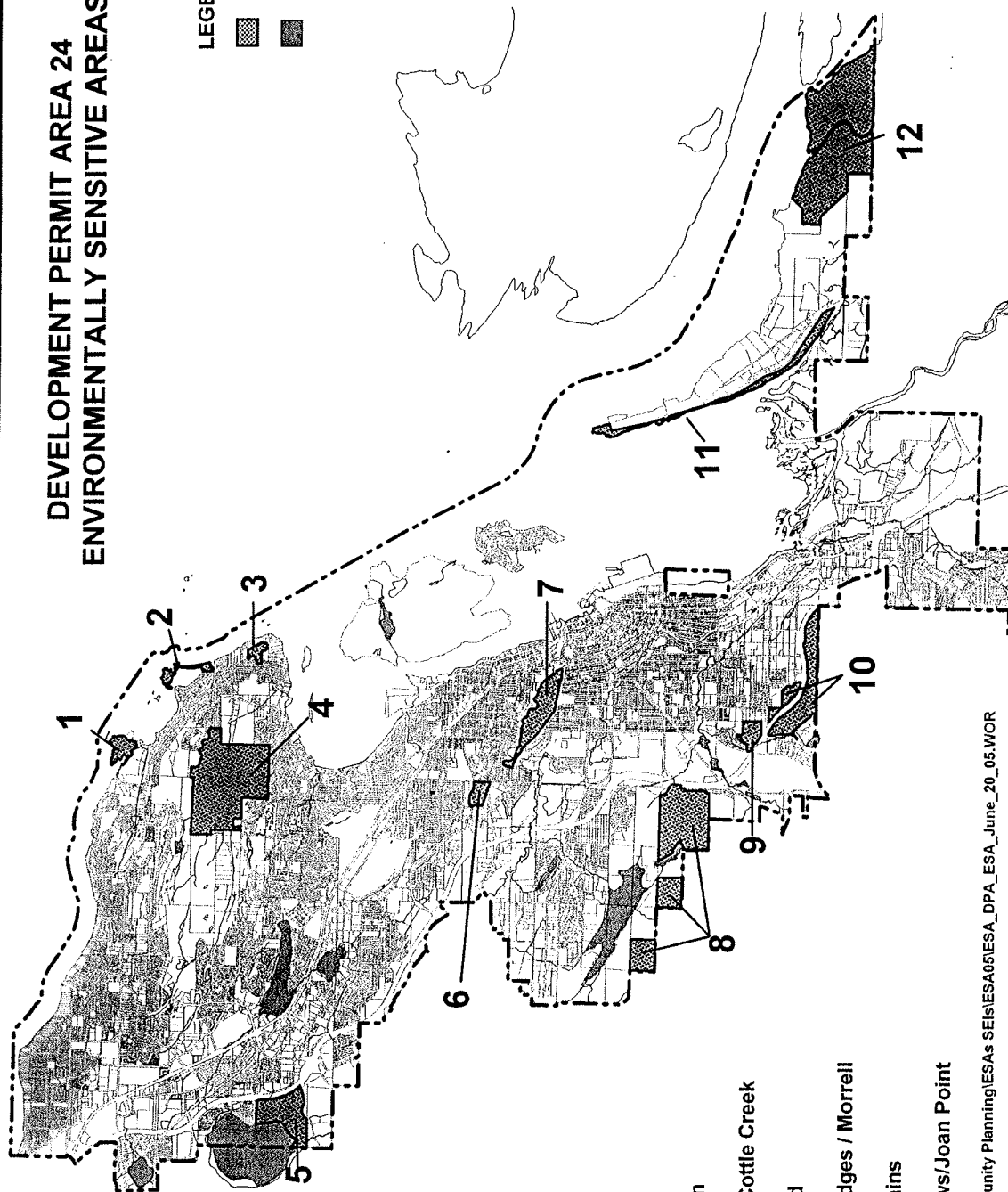


# DEVELOPMENT PERMIT AREA 24 ENVIRONMENTALLY SENSITIVE AREAS

**LEGEND**

DPA 24

LAKES



## KEY

- 1 Neck Point
- 2 Piper's Lagoon
- 3 Planta Park
- 4 Linley Valley/Cottle Creek
- 5 Brannen Lake
- 6 Townsite Road
- 7 Bowen Park
- 8 Westwood Ridges / Morrell
- 9 Southlands
- 10 Harewood Plains
- 11 Jack Point
- 12 Dodds Narrows/Joan Point

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