



**AGENDA**  
**FOR THE SPECIAL COUNCIL MEETING (PUBLIC HEARING)**

Thursday, January 9, 2020, 7:00 P.M.

SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE  
80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS AT 9:00 P.M.

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Pages

1. CALL THE SPECIAL MEETING OF COUNCIL TO ORDER:
2. INTRODUCTION OF LATE ITEMS:
3. ADOPTION OF AGENDA:
4. CALL THE PUBLIC HEARING TO ORDER:
5. PUBLIC HEARING AGENDA

Lainya Rowett, Manager, Current Planning, to explain the required procedures in conducting a Public Hearing and the regulations contained within Part 14 of the *Local Government Act*.

- |    |  |         |
|----|--|---------|
| a. | <u>Rezoning Application No. RA433 - 4271 Jingle Pot Road - Bylaw 4500.168</u>  | 5 - 14  |
|    | To be introduced by Caleb Horn, Planner.                                       |         |
|    | Call for submissions from the Applicant.                                       |         |
|    | Call for submissions from the Public.  |         |
| b. | <u>Rezoning Application No. RA401 - 4771 Hammond Bay Road - Bylaw 4500.170</u> | 15 - 25 |
|    | To be introduced by Lisa Brinkman, Planner.                                    |         |
|    | Call for submissions from the Applicant.                                       |         |
|    | Call for submissions from the Public.  |         |

**6. FINAL CALL FOR SUBMISSIONS:**

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 to ensure a fair Public Hearing process and provide a reasonable opportunity for people to respond.

**7. ADJOURNMENT OF THE PUBLIC HEARING**

**8. BYLAWS:** 26

a. "Zoning Amendment Bylaw 2019 No. 4500.168" 27 - 28

That "Zoning Amendment Bylaw 2019 No. 4500.168" (To rezone portions of 4271 Jingle Pot Road from Single Dwelling Residential [R1] and Duplex Residential [R4] to Low Density Residential [R6], R1 and R4) pass third reading.

b. "Zoning Amendment Bylaw 2019 No. 4500.170" 29 - 30

That "Zoning Amendment Bylaw 2019 No. 4500.170" (To rezone 4771 Hammond Bay Road from Single Dwelling Residential [R1] to Low Density Residential [R6]) pass third reading.

**9. REPORTS:**

a. Liquor Licence Application No. LA140 - 6359 Hammond Bay Road 31 - 35

To be introduced by Lisa Brinkman, Planner.

[Note: A copy of the report titled "Liquor Licence Application No. LA140 - 6359 Hammond Bay Road", dated 2019-DEC-02, is attached for reference.]

It is requested that Council hear anyone wishing to speak regarding Liquor Licence Application No. LA140 - 6359 Hammond Bay Road.

- b. Bylaw Contravention Notice - Construction Not Completed As Per Conditions Of Building Permit - 106 & 110 Fry Street 36 - 37
- To be introduced by Darcy Fox, Manager, Building Inspections.
- Purpose: To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 106 & 110 Fry Street.*
- It is requested that Council hear anyone wishing to speak regarding Bylaw Contravention Notice - 106 & 110 Fry Street.
- Recommendation: That Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 106 & 110 Fry Street for construction not completed as per the conditions of the building permit.
- c. Bylaw Contravention Notice - Construction Not Completed As Per Conditions Of Building Permit - 3326 Rock City Road 38 - 39
- To be introduced by Darcy Fox, Manager, Building Inspections.
- Purpose: To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 3326 Rock City Road.*
- It is requested that Council hear anyone wishing to speak regarding Bylaw Contravention Notice - 3326 Rock City Road.
- Recommendation: That Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 3326 Rock City Road for construction not completed as per the conditions of the building permit.
- d. Bylaw Contravention Notice - Construction Started Without A Building Permit - 2110 Northfield Road 40 - 41
- To be introduced by Darcy Fox, Manager, Building Inspections.
- Purpose: To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 2110 Northfield Road.*
- It is requested that Council hear anyone wishing to speak regarding Bylaw Contravention Notice - 2110 Northfield Road.
- Recommendation: That Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 2110 Northfield Road for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224".

- e. Bylaw Contravention Notice - Construction Started Without A Building Permit - 131 Columbia Street

42 - 43

To be introduced by Darcy Fox, Manager, Building Inspections.

*Purpose: To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 131 Columbia Street.*

It is requested that Council hear anyone wishing to speak regarding Bylaw Contravention Notice - 131 Columbia Street.

Recommendation: That Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 131 Columbia Street for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224".

**10. ADJOURNMENT:**



DATE OF MEETING | December 16, 2019

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING

SUBJECT | **REZONING APPLICATION NO. RA433 – 4271 JINGLE POT ROAD**

## **OVERVIEW**

### **Purpose of Report**

To present Council with an application to rezone portions of the subject property at 4271 Jingle Pot Road from Single Dwelling Residential (R1) and Duplex Residential (R4) to Low Density Residential (R6), R1, and R4, to allow for a multi-family residential development and to align existing zone boundaries with a proposed subdivision.

### **Recommendation**

That:

1. "Zoning Amendment Bylaw 2019 No. 4500.168" (To rezone portions of 4271 Jingle Pot Road from Single Dwelling Residential [R1] and Duplex Residential [R4] to Low Density Residential [R6], R1, and R4) pass first reading;
2. "Zoning Amendment Bylaw 2019 No. 4500.168" pass second reading; and
3. Council direct Staff to secure the community amenity contribution should Council support the bylaw at third reading.

## **BACKGROUND**

A rezoning application, RA433, was received from Seward Developments Inc., on behalf of Wayne Garner and Cindy-Lou Garner. The applicant proposes to amend "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") to rezone:

- a) a portion of the subject property from Single Dwelling Residential (R1) to Low Density Residential (R6);
- b) a portion of the subject property from R1 to Duplex Residential (R4); and
- c) a portion of the subject property from R4 to R1.

The proposed rezoning will facilitate an eight-lot subdivision (SUB01289) of the subject property including a multi-family residential development. This subdivision is occurring concurrently with another eight-lot subdivision at neighbouring 4285 Jingle Pot Road. Road dedication to create a new cul-de-sac from Jingle Pot Road is being secured through the subdivision.

### **Subject Property and Site Context**

<i>Location</i>	The subject property is on the north side of Jingle Pot Road, between Yon Place and the intersection with Labieux Road.
<i>Total Lot Area</i>	9.13ha

<i>Area of Portions to be Rezoned</i>	3.39ha
<i>Current Zoning</i>	R1 – Single Dwelling Residential; and R4 – Duplex Residential
<i>Proposed Zoning</i>	R1 – Single Dwelling Residential; R4 – Duplex Residential; and R6 – Low Density Residential
<i>Official Community Plan Future Land Use Designation</i>	Neighbourhood
<i>Neighbourhood Plan Land Use Designation</i>	n/a

The subject property currently contains a duplex and a single residential dwelling, and is split-zoned between the R1 and R4 zones. The duplex will be retained on proposed Lot 15, but the single residential dwelling will be removed prior to final subdivision approval. The proposed rezoning will allow for a ground-oriented multi-family development on proposed Lot 9, in addition to amending the zone boundaries for the R4 zone to align with the lot boundaries of proposed Lot 15.

The site is generally flat with a slight rise uphill at the north of the property. Surrounding land uses include a townhouse development to the north, Island ConnectED K-12 school (formerly Wellington Public School) to the east, and single residential dwellings to the south and west. A 23-lot single dwelling residential subdivision creating Yon Place, to the west, was completed in 2011.

## **DISCUSSION**

### **Proposed Development**

The applicant is proposing to rezone a portion of the subject property to R6 in order to allow for a ground-oriented multi-family townhouse development. The R6 zoning would apply to proposed Lot 9, the northernmost lot of the proposed subdivision at the end of the new cul-de-sac street. This new street will be accessed from Jingle Pot Road, opposite Sloan Road. The conceptual plans for Lot 9 include 12 townhouse units in four two-storey buildings, accessed via a common access driveway. The multi-family development is envisioned to have a Floor Area Ratio (FAR) of 0.45, in accordance with the R6 zone.

In addition to the R6 rezoning, the proposed rezoning will amend the zone boundaries of the R1 and R4 zones to align with the lot boundaries of proposed Lot 15 where the existing duplex will be retained.

### **Policy Context**

#### *Official Community Plan*

The Official Community Plan (OCP) identifies the subject property as within the Neighbourhood future land use designation. Development in Neighbourhoods is characterized by a mix of low-density residential uses. Residential densities from 10 to 50 units per hectare (uph) in two- to four-storey building forms are generally supported by the OCP. The proposed density of the eight-lot subdivision will equal 31 uph and the proposed density of the multi-family lot, proposed

Lot 9, will equal 35 uph. The proposed rezoning meets the intent of the OCP future land use designation.

### *Transportation Master Plan*

The subject property is not within a Mobility Hub as identified by the Nanaimo Transportation Master Plan (NTMP). However, Jingle Pot Road, approximately 120m away from proposed Lot 9, is identified as a major road and is also identified as a cycling route in the medium-long-term bicycle network plan in the NTMP. Bus Route #30 currently runs along this section of Jingle Pot Road.

### **Community Consultation**

The subject property lies within the area of the Wellington Community Association and was referred for comment. The association responded they were in favour of increased residential density at this location, particularly due to its proximity to a public school site.

The applicant hosted a Neighbourhood Information Meeting on 2019-OCT-16 at the Beban Park Social Centre. Some neighbours raised concerns regarding traffic, parking, and building height associated with increased density. Staff note the maximum permitted building height in the R6 zone (9m) is the same as under the existing R1 zone. Parking along Jingle Pot Road will be formalized as part of the proposed subdivision. Vehicle movement modelling at the intersection of Jingle Pot Road and the new street does anticipate negative impacts.

### **Community Amenity Contribution**

As outlined in Section 7.3 of the OCP, in exchange for value conferred on the lands through a rezoning, the applicant is encouraged to provide a Community Amenity Contribution (CAC). The applicant is proposing a CAC towards Loudon Park with a value of \$1,000 per proposed residential unit within proposed Lot 9. A CAC is proposed where an increase in density is proposed, but no CAC is expected for the zone boundary adjustment as this does not increase density. Based on the conceptual plans for the site, the contribution would equal \$12,000. Staff support the proposed Community Amenity Contribution.

### **Conditions of Rezoning**

Should Council support the application and pass third reading of “Zoning Amendment Bylaw 2019 No. 4500.168”, Staff recommend the following item be secured prior to final adoption of the bylaw:

1. *Community Amenity Contribution* – A monetary contribution, equal to \$1,000 per residential unit within proposed Lot 9, towards parks improvements at Loudon Park.

### **SUMMARY POINTS**

- The application is to rezone portions of the subject property at 4271 Jingle Pot Road from Single Dwelling Residential (R1) and Duplex Residential (R4) to Low Density Residential (R6), R1, and R4, to allow for a multi-family residential development and to align existing zone boundaries with a proposed subdivision.
- The proposed rezoning will facilitate an eight-lot subdivision.
- A Community Amenity Contribution towards parks improvements at Loudon Park is proposed, with a value of \$1,000 per unit within Lot 9.

### **ATTACHMENTS**

ATTACHMENT A: Location Plan  
ATTACHMENT B: Subdivision Plan with Proposed Zoning  
ATTACHMENT C: Conceptual Site Plan  
ATTACHMENT D: Aerial Photo  
“Zoning Amendment Bylaw 2019 No. 4500.168”

#### **Submitted by:**

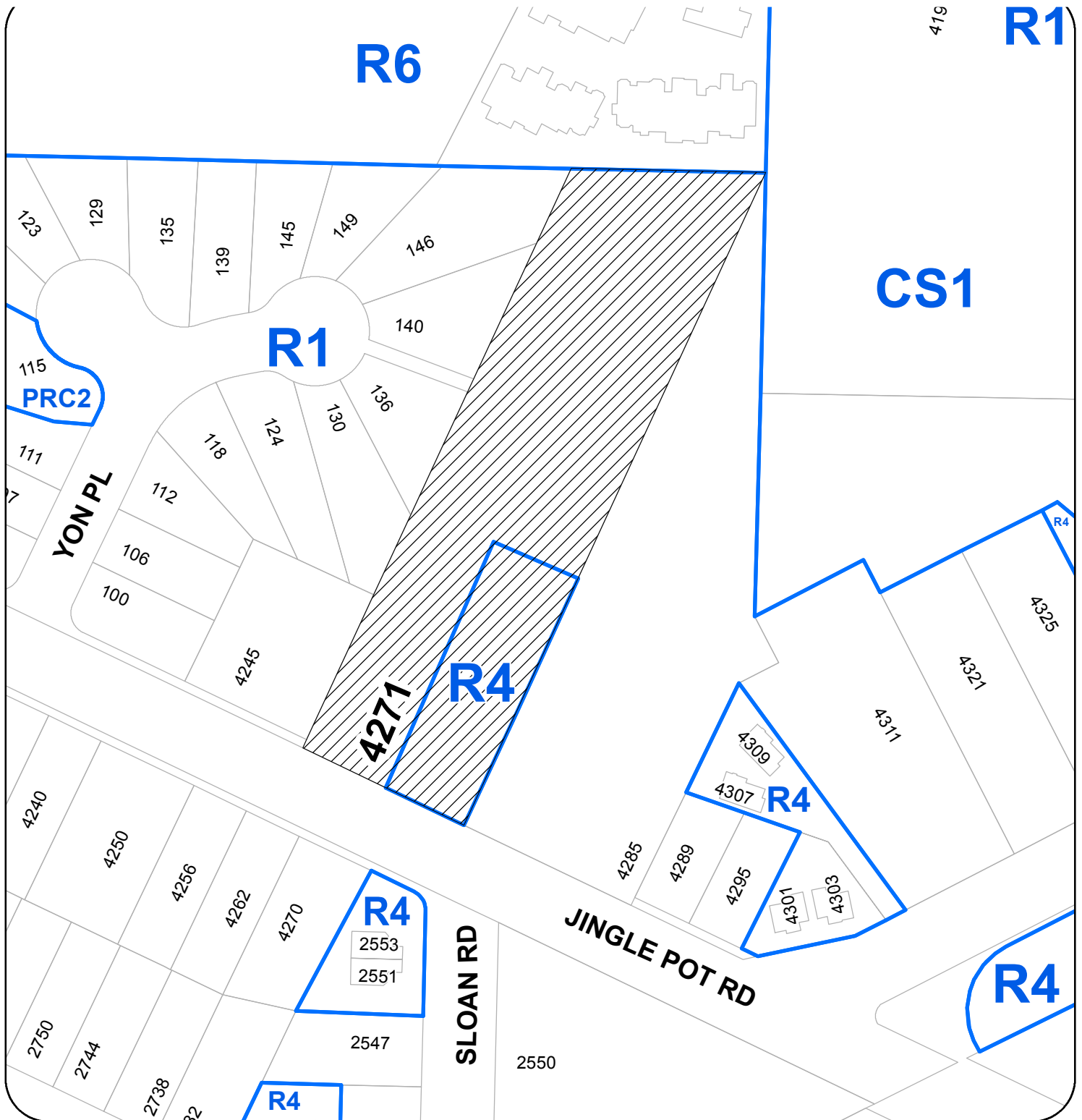
Lainya Rowett  
Manager, Current Planning

#### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services

ATTACHMENT A  
LOCATION PLAN

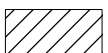


REZONING APPLICATION NO. RA000433

LOCATION PLAN

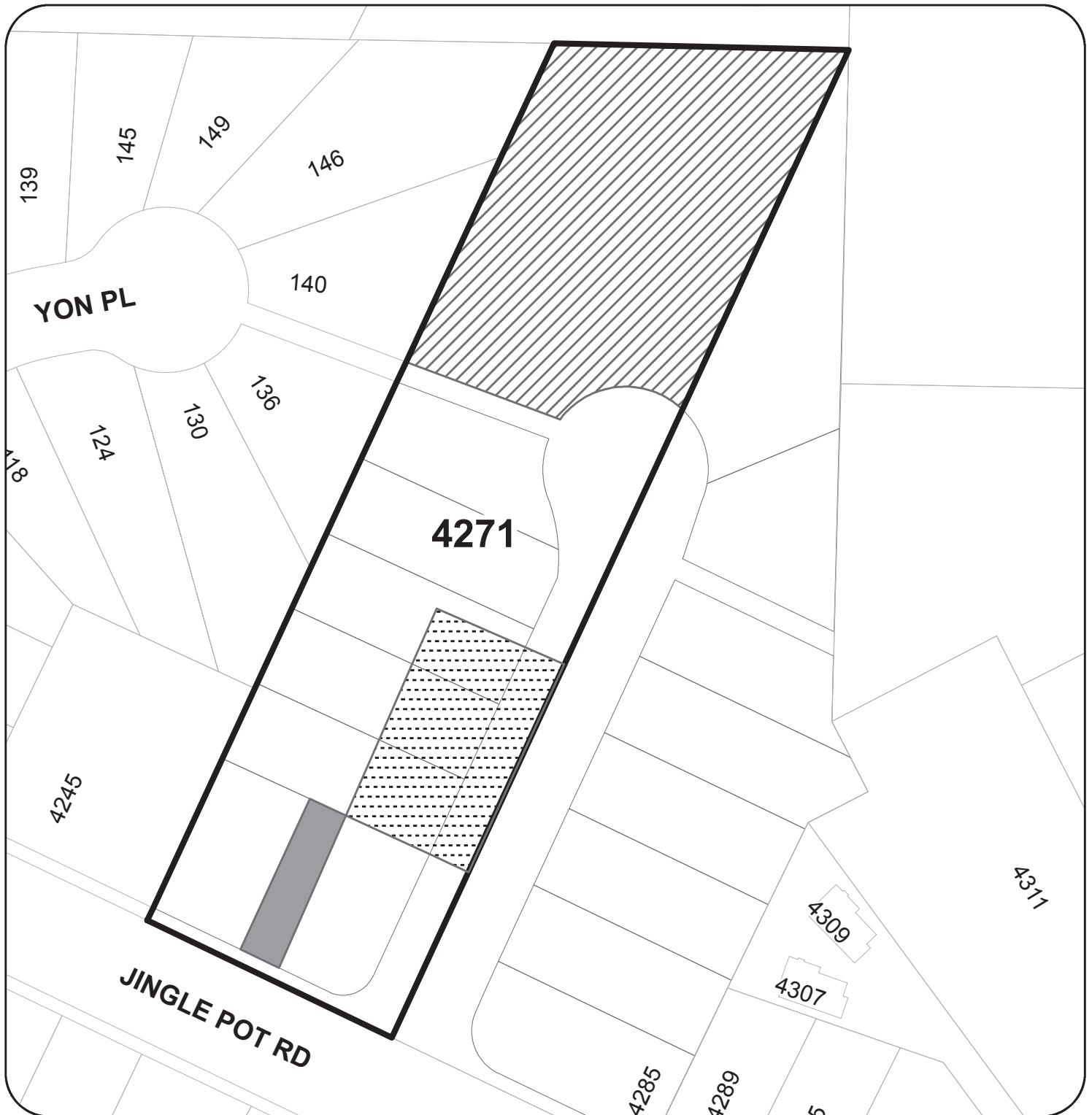
CIVIC: 4271 JINGLE POT ROAD


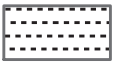


LEGAL: LOT 1, SECTION 4, WELLINGTON DISTRICT, PLAN 7577



SUBJECT PROPERTY

**ATTACHMENT B  
SUBDIVISION PLAN WITH PROPOSED ZONING**

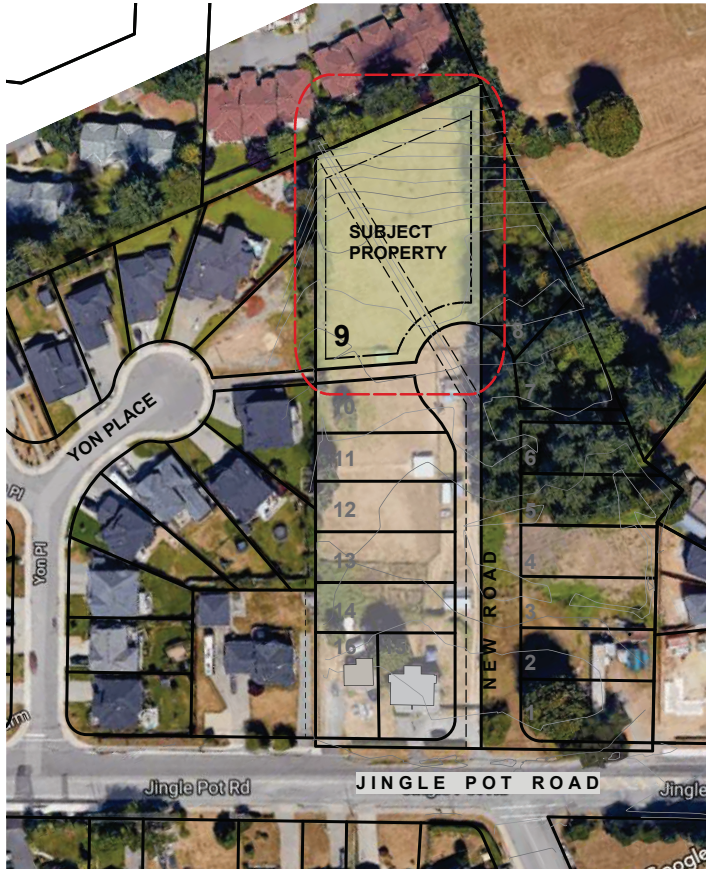


-  SUBJECT PROPERTY
-  PORTION OF PROPERTY  
TO BE REZONED R1
-  PORTION OF PROPERTY  
TO BE REZONED R4
-  PORTION OF PROPERTY  
TO BE REZONED R6





# ATTACHMENT C CONCEPTUAL SITE PLAN



 **KEY PLAN**



 **SCHEMATIC SITE PLAN**  
ALL AREAS ARE APPROXIMATE

PROJECT DATA - LOT 9			
CURRENT ZONING: R1	TYPICAL UNIT AREA:	No UNITS:	PARKING:
PROPOSED ZONING: R6	TYPE A	7 UNIT A @ 1323 SQ.FT. 9261	REQD: 7 X 2 BDRM UNITS @ 1.8/UNIT
LOT AREA: 3390.77 SQ.M.	LOWER FLOOR 45 SQ.FT.	5 UNIT B @ 1409 SQ.FT. 7045	5 X 3 BDRM UNITS @ 2/UNIT
	MAIN FLOOR 639 SQ.FT.	16 306 SQ.FT. (1515 SQ.M.)	= 23 STALLS
	UPPER FLOOR 639 SQ.FT.	F.A.R. (0.45 ALLOWED) 1515/ 3390.77 = 0.447	PROVD: 2/UNIT + 3 GUEST
	TOTAL 1323 SQ.FT.	LOT COVERAGE 732.2 / 3390.77 = 21.6%	27 STALLS
** ALL AREAS ARE APPROXIMATE	TYPE B		
	LOWER FLOOR 45 SQ.FT.		
	MAIN FLOOR 682 SQ.FT.		
	UPPER FLOOR 682 SQ.FT.		
	TOTAL 1409 SQ.FT.		
	GARAGE: 550 SQ.FT.		

**DELINIA**  
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**PROPOSED REZONING**  
4271 Jingle Pot Road, Nanaimo B.C.

PROJECT #: 1468.19.17  
ISSUED: 30 JUNE 2017  
REVIEW: 03 OCT. 2018  
REZONING

**RECEIVED**  
**RA433**  
**2019-MAY-23**  
Current Planning

**PR1.1**



ATTACHMENT D  
AERIAL PHOTO



N  
LEGEND  
SUBJECT PROPERTY

REZONING APPLICATION NO. RA000433



CITY OF NANAIMO

BYLAW NO. 4500.168

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

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WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 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 Amendment Bylaw 2019 No. 4500.168".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning a portion the land legally described as LOT 1, SECTION 4, WELLINGTON DISTRICT, PLAN 7577 (4271 Jingle Pot Road) from Single Dwelling Residential (R1) to Low Density Residential (R6) as shown on Schedule A.

By rezoning a portion of the land at 4271 Jingle Pot Road from Single Dwelling Residential (R1) to Duplex Residential (R4) as shown on Schedule A.

By rezoning a portion of the land at 4271 Jingle Pot Road from Duplex Residential (R4) to Single Dwelling Residential (R1) as shown on Schedule A.

PASSED FIRST READING: \_\_\_\_\_

PASSED SECOND READING: \_\_\_\_\_

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

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

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

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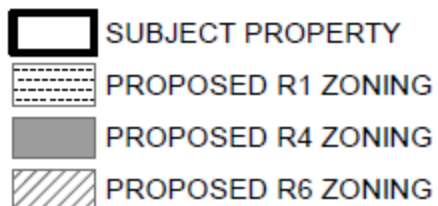
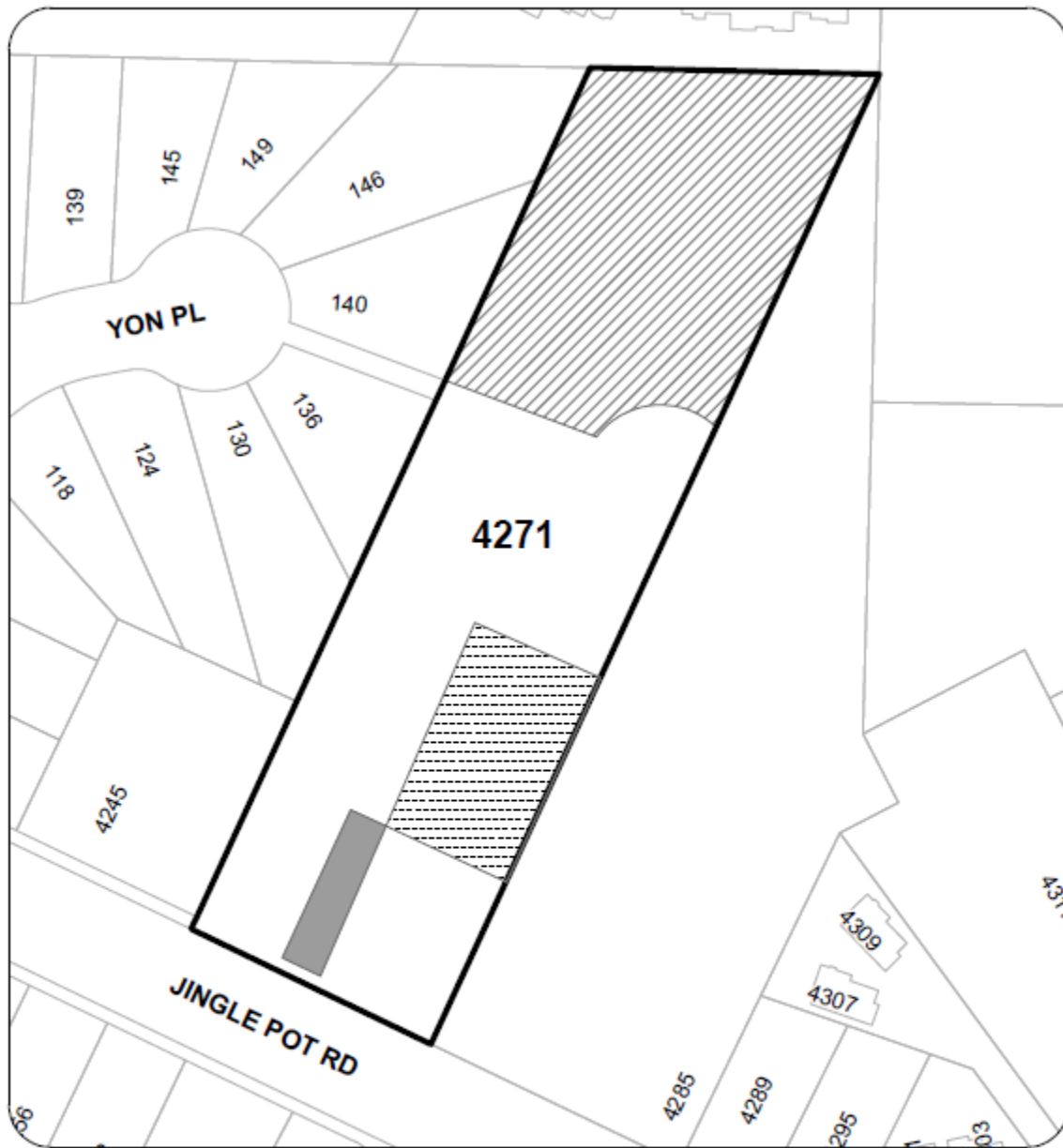
MAYOR

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CORPORATE OFFICER

File: RA000433  
Address: 4271 Jingle Pot Road

## SCHEDULE A



### LOCATION PLAN

Civic: 4271 JINGLE POT ROAD  
Legal Description: LOT 1, SECTION 4  
WELLINGTON DISTRICT, PLAN 7577

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wor\GIS\Projects\TEMPLATES\LOCATION\_PLAN\Map\RA403\_BYLAWMAP.mxd



DATE OF MEETING | December 16, 2019

AUTHORED BY | LISA BRINKMAN, PLANNER

SUBJECT | **REZONING APPLICATION NO. RA401 – 4771 HAMMOND BAY ROAD**

## **OVERVIEW**

### **Purpose of Report**

To present Council with an application to rezone the subject property at 4771 Hammond Bay Road from Single Dwelling Residential (R1) to Low Density Residential (R6) in order to permit a multi-family development.

### **Recommendation**

That:

1. "Zoning Amendment Bylaw 2019 No. 4500.170" (To rezone 4771 Hammond Bay Road from Single Dwelling Residential [R1] to Low Density Residential [R6]) pass first reading;
2. "Zoning Amendment Bylaw 2019 No. 4500.170" pass second reading; and
3. Council direct Staff to secure the community amenity contribution prior to adoption of the bylaw, should Council support the bylaw at third reading.

## **BACKGROUND**

A rezoning application, RA401, for 4771 Hammond Bay Road was received from Peter Hair on behalf of Lynda Steblin and Michael Calder to rezone the subject property from Single Dwelling Residential (R1) to Low Density Residential (R6) to allow a multi-family development.

### **Subject Property and Site Context**

Location	The subject property is located in the Hammond Bay Road neighbourhood near Vista View Crescent and Roxanne Park.
Total lot area	0.148ha
Current zone	Single Dwelling Residential (R1)
Proposed zone	Low Density Residential (R6)
Official Community Plan designation	Neighbourhood

The subject property currently contains a single family dwelling that would be removed for a proposed multi-family development. The property slopes up from Hammond Bay Road and is surrounded by Single Family (R1)- and Duplex (R4)-zoned lots to the east, west, south, and north across Hammond Bay Road.

## **DISCUSSION**

### **Proposed Development**

The applicant is proposing to rezone the subject property from Single Dwelling Residential (R1) to Low Density Residential (R6), to allow the development of five townhouse units. The development concept includes a duplex and triplex building and anticipates a Floor Area Ratio (FAR) of approximately 0.55, with the provision of amenities for additional density to comply with Tier One of Schedule D of "City of Nanaimo Zoning Bylaw 2011 No. 4500".

### **Official Community Plan**

The Official Community Plan (OCP) designates the subject property as 'Neighbourhood' which supports a mix of housing types, including single family dwellings and ground-oriented multiple-family units, 2-4 storeys in height, with a maximum density of 10-50 dwelling units per hectare (uph). The applicant's proposed development would be a density of 34 uph in a ground-oriented form of housing, which is consistent with the Neighbourhood designation policies.

### **Transportation Master Plan**

The Transportation Master Plan identifies Hammond Bay Road as the primary transportation corridor for neighbourhoods east of Rutherford Road. A bus route exists along Hammond Bay Road and bus stops are located within 90 metres of the subject property.

### **Community Consultation**

The subject property is not located within a neighbourhood association area. A rezoning sign has been posted on the property since March 2019, and if the proposed amendment bylaw receives first and second reading, the application will proceed to a public hearing.

### **Community Contribution**

As outlined in Section 7.3 of the OCP, applicants are encouraged to provide an amenity contribution as part of their rezoning proposal. The applicant is proposing a community amenity contribution of \$5,000 towards parks and trail improvements in the Hammond Bay neighbourhood area. Staff support this proposal.

### **Conditions of Rezoning**

Should Council support this application and pass third reading of "Zoning Amendment Bylaw 2019 No. 4500.170", Staff recommend the community contribution of \$5,000 be secured prior to final adoption of the bylaw.

### **SUMMARY POINTS**

- An application has been received to rezone the property at 4771 Hammond Bay Road from Single Dwelling Residential (R1) to Low Density Residential (R6).
- The subject property is designated as 'Neighbourhood' in the OCP. The proposed development complies with the density objectives of the Neighbourhood designation.
- A community amenity contribution of \$5,000 is proposed for parks and trail improvements in the Hammond Bay neighbourhood.

### **ATTACHMENTS**

ATTACHMENT A: Location Plan  
ATTACHMENT B: Context Plan  
ATTACHMENT C: Conceptual Site Plan  
ATTACHMENT D: Conceptual Elevations  
ATTACHMENT E: Conceptual Sections Plan  
ATTACHMENT F: Aerial Photo  
"Zoning Amendment Bylaw 2019 No. 4500.170" |

#### **Submitted by:**

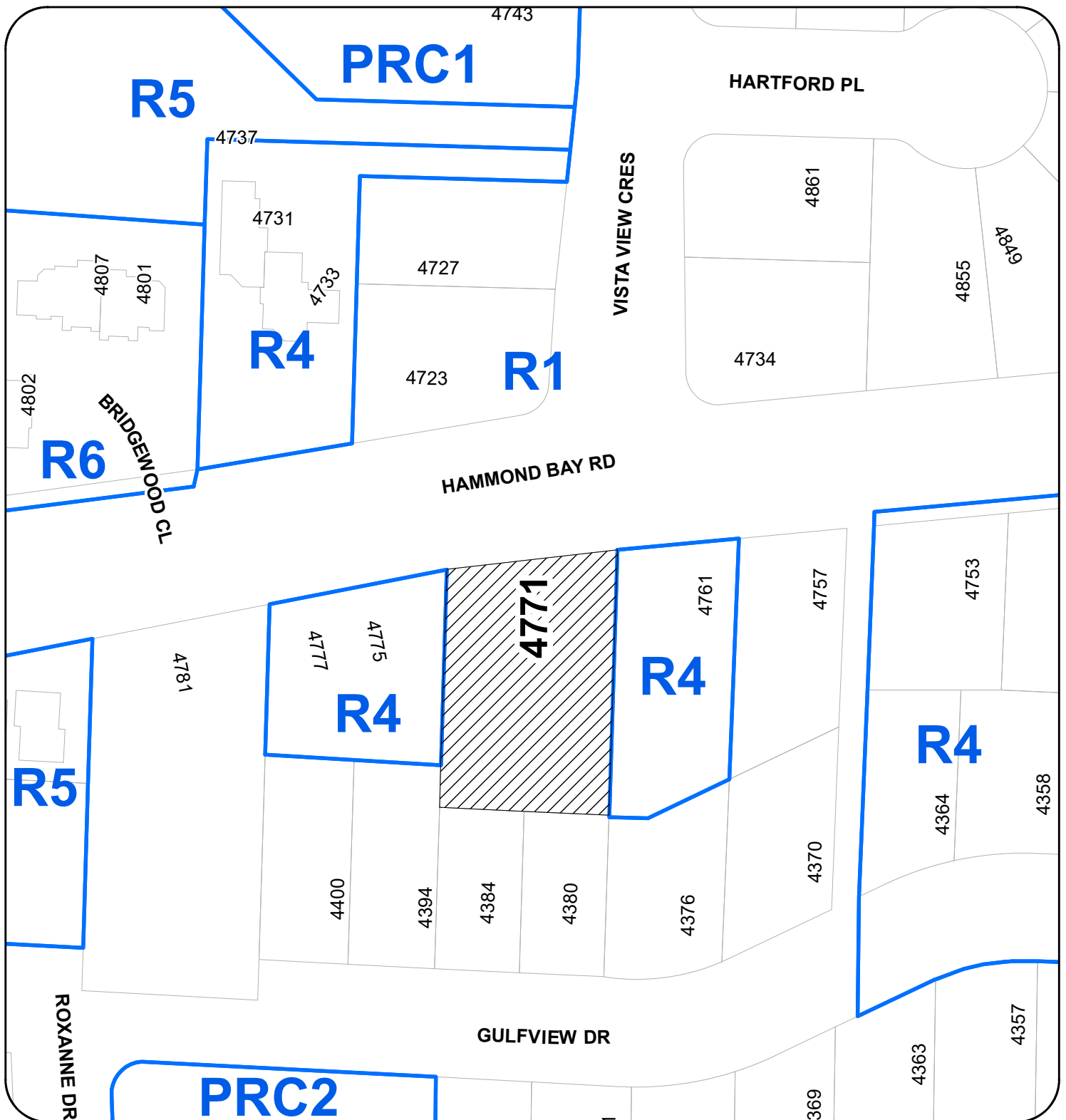
Lainya Rowett  
Manager, Current Planning |

#### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services |

ATTACHMENT A  
LOCATION PLAN



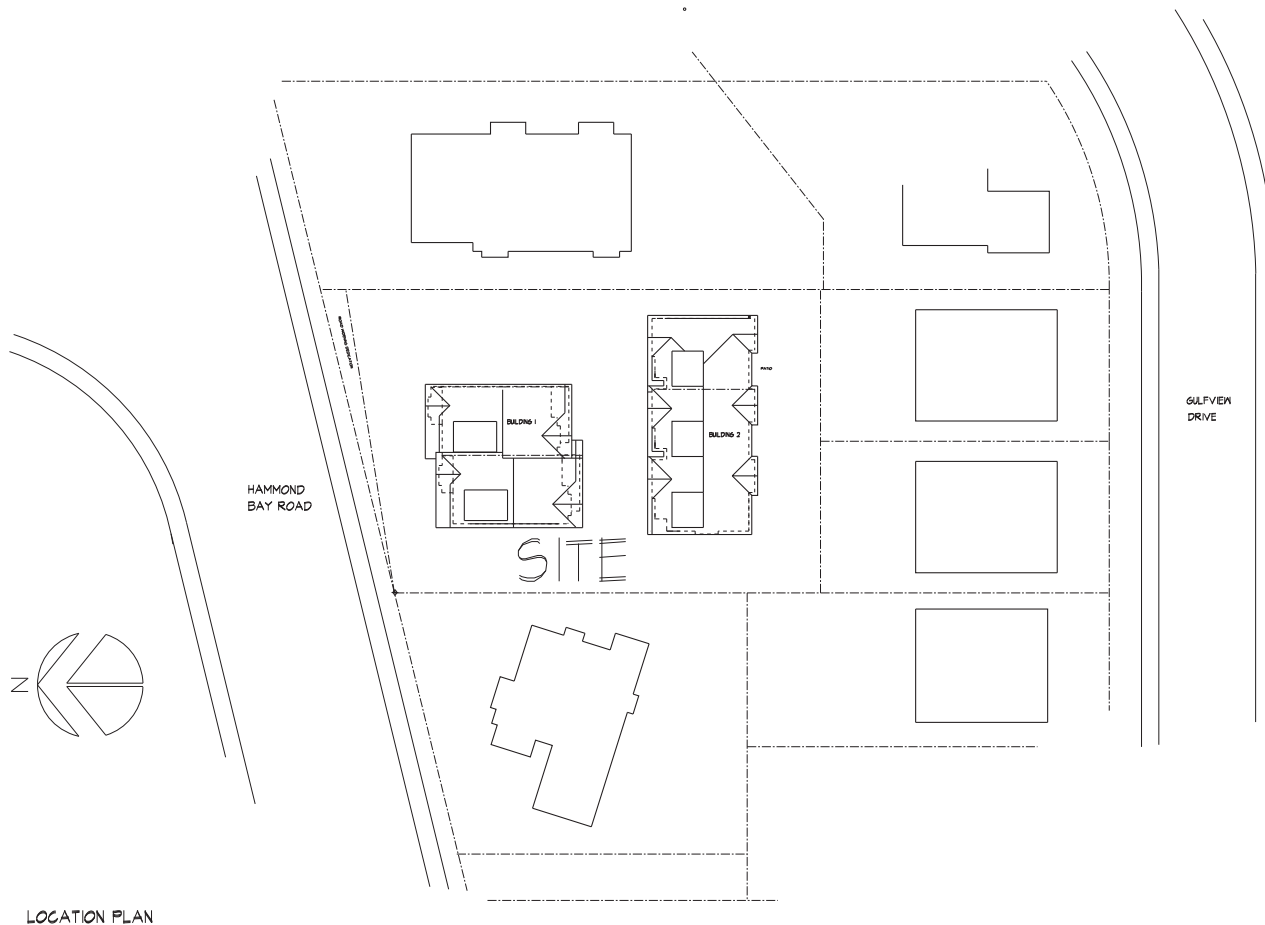
REZONING APPLICATION NO. RA000401  
LOCATION PLAN



Subject Property

Civic: 4771 HAMMOND BAY ROAD  
Legal: LOT C, DISTRICT LOT 51  
WELLINGTON DISTRICT  
PLAN EPP33196

# ATTACHMENT B CONTEXT PLAN



## DRAWINGS

RA1 LOCATION PLAN / DATA  
RA2 SITE PLAN  
RA3 LANDSCAPE CONCEPT PLAN  
RA4 ELEVATIONS  
RA5 SITE SECTION

## CONSULTANTS

ARCHITECT HR HATCH ARCHITECT LTD  
SURVEY TURNER LAND SURVEYING

## DATA

**ADDRESS**  
4711 HAMMOND BAY ROAD  
**LEGAL DESCRIPTION**  
LOT 4, DISTRICT LOT 5, WELLINGTON DISTRICT, PLAN 20565  
**ZONE**  
EXISTING: PROPOSED: R6  
**LOT AREA**  
OAS (A): 10450.0 SQFT  
**FLOOR SPACE RATIO**  
PROPOSED: SITE AREA X GR = 4356.0 SQFT.  
**UNIT COUNT / AREAS**  
**BUILDING 1** 2 UNITS  
**BUILDING 2** 3 UNITS

SITE AREA 6450 SF X 2.5 FSR = 16125 SF PERMITTED  
1550.0 SF OF TOTAL BLDGS 1 AND 2 PROPOSED = 1550.0 SF

**RECEIVED**  
**RA401**  
**2019-NOV-18**  
Current Planning

Drawn		Project No.	2017-02
Chd.	Appr.	Drawing No.	RA1
Issued Date	Date		
Scale	1:200-0"		
Reproduction Scale			
10	20	30	40

5	OCT 1/19	REV FOR PLANNING COMMENTS
4	SEP 21/19	REV FOR PLANNING COMMENTS
3	SEP 20/18	REZONING APPLICATION
2	SEP 2/18	PRELIMINARY REVIEW FOR REZONING
1	FEB 22/18	PRELIMINARY REVIEW FOR REZONING

No. Date Description Dwn.

Revisions

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H. R. HATCH ARCHITECT LTD  
Design - Planning - Research



102-1587 West 8th Avenue Vancouver, B.C. V6J 1T5  
Tel: (604) 261-2347  
Fax: (604) 261-2349

Consultant

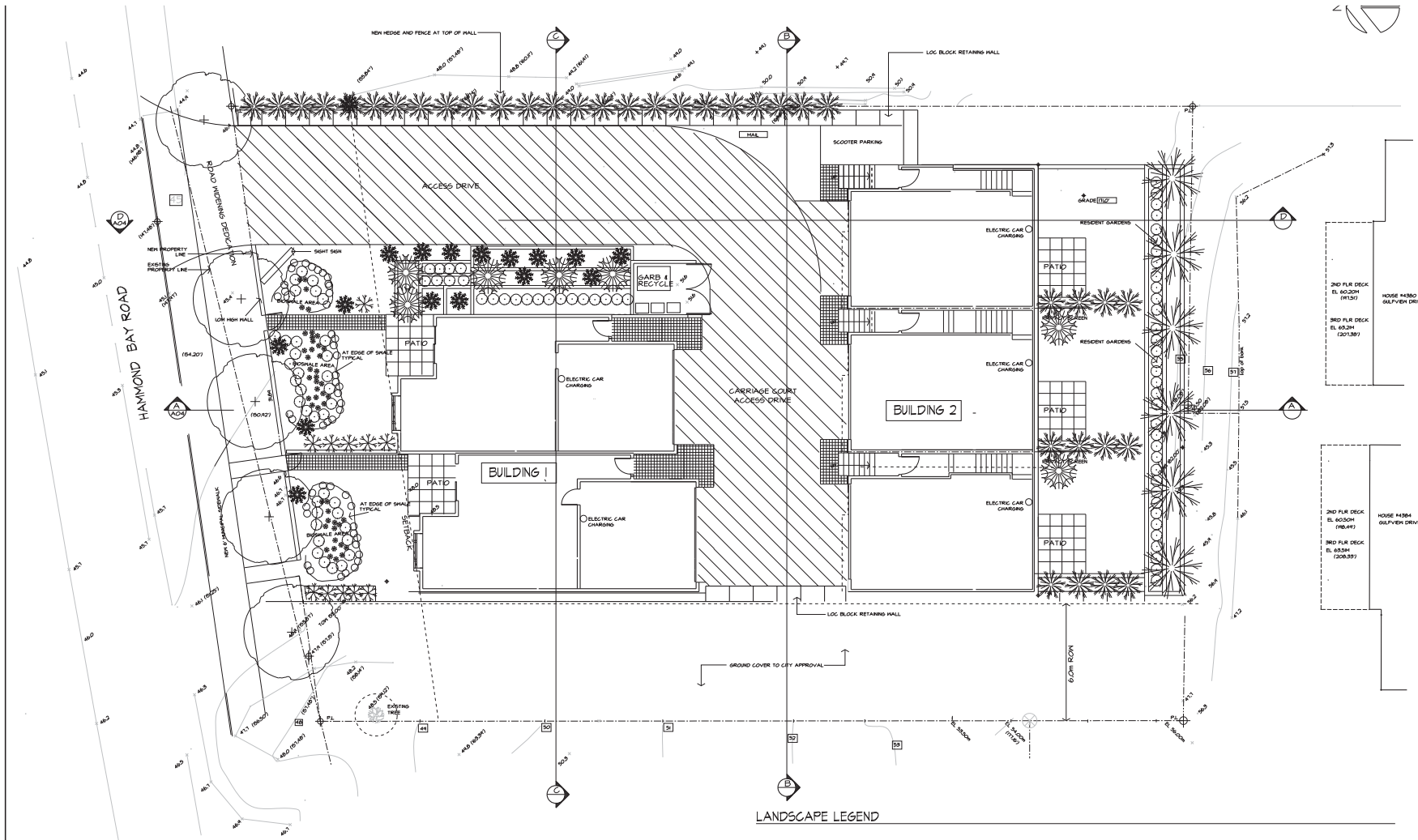
Seal

Project  
**PROPOSED TOWNHOUSES**

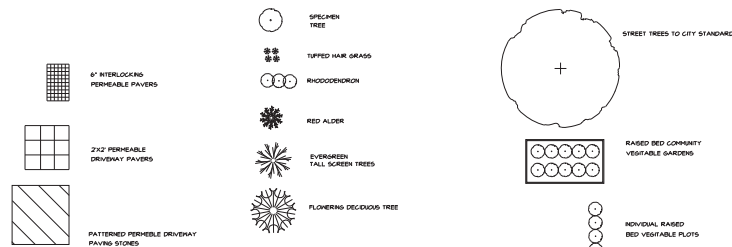
Location  
4711 HAMMOND BAY ROAD  
NANAIMO, B.C.

Drawing Title  
**COVER SHEET - DATA**  
**LOCATION PLAN**

# ATTACHMENT C CONCEPTUAL SITE PLAN



LANDSCAPE LEGEND



No.	Date	Description	Rev.
1	JULY 18/17	PRELIMINARY FOR REVIEW	
2	SEPT 15-17	PRELIMINARY FOR REVIEW	
3	NOV 25-17	PRELIMINARY FOR REVIEW	
4	DEC 12-17	PRELIMINARY FOR REVIEW	
5	DEC 15-17	PRELIMINARY FOR REVIEW	
6	FEB 20-18	SUBMIT FOR PLANNING REVIEW	
7	AUG 30-18	SUBMIT FOR PLANNING REVIEW	
8	SEP 5-18	SUBMIT FOR PLANNING REVIEW	
9	SEP 15-18	SUBMIT FOR PLANNING REVIEW	
10	SEP 25-18	REV FOR PLANNING COMMENTS	
11	OCT 5-18	REV FOR PLANNING COMMENTS	

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601-1587 West 8th Avenue Vancouver, B.C. V6J 1T5  
Tel: (604) 261-2347

Consultant  
  
Seal  
  
Seal

Project  
**PROPOSED TOWNHOUSES**  
Location  
**4771 HAMMOND BAY ROAD  
NANAIMO, B.C.**

Drawing Title  
**SITE PLAN / LANDSCAPE PLAN**

Drawn	Project No.
Chd.	2017-02
Issued Date	Date
Scale	Drawing No.
Reproduction Scale	RA3

RECEIVED

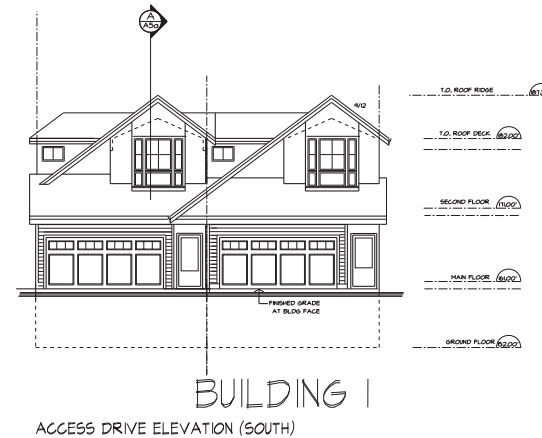
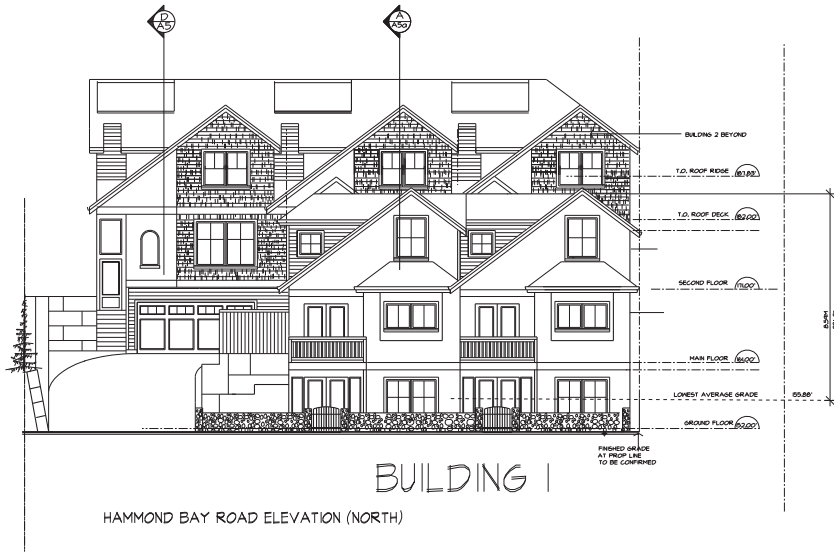
RA401

2019-NOV-18

Current Planning



# ATTACHMENT D CONCEPTUAL ELEVATIONS



**RECEIVED**  
**RA401**  
**2019-NOV-18**  
Current Planning

11	OCT 9/19	REV FOR COMMENTS	
10	OCT 1/19	REV FOR PLANNING COMMENTS	
9	SEP 21/19	REV FOR PLANNING COMMENTS	
8	SEP 20/18	SUBMIT FOR REZONING APPLICATION	
7	SEP 2/18	SUBMIT FOR PLANNING REVIEW	
6	FEB 20-18	SUBMIT FOR PLANNING REVIEW	
5	DEC 15-17	PRELIMINARY FOR REVIEW	
4	DEC 12-17	PRELIMINARY FOR REVIEW	
3	NOV 25-17	PRELIMINARY FOR REVIEW	
2	SEPT 15-17	PRELIMINARY FOR REVIEW	
1	JULY 18/17	PRELIMINARY FOR REVIEW	

No. Date Description Dwn.

Revisions

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H.R. HATCH ARCHITECT LTD  
Design - Planning - Research



601-1587 West 8th Avenue Vancouver, B.C. V6J 1T5  
Tel: (604) 261-2347

Consultant

Seal

Project  
PROPOSED TOWNHOUSES

Location  
4771 HAMMOND BAY ROAD  
NANAIMO, B.C.

Drawing Title

ELEVATIONS

Drawn		Project No.	2017-02
Chd.	Appr.		
Issued Date	Date	Drawing No.	RA4
Scale	1/8"=1'-0"		
Reproduction Scale			

# ATTACHMENT E

## CONCEPTUAL SECTIONS PLAN

Revisions

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H.R.HATCH.ARCHITECT.LTD  
Design - Planning - Research

Project  
**PROPOSED TOWNHOUSES**

Location  
4771 HAMMOND BAY ROAD  
NANAIMO, B.C.

Drawing Title
---------------

## SECTIONS

Report Date	Date	Project No.
		<b>D-15</b>

		RA52

Scale **MAJ**

$10^6 \times 10^{-6}$

Reproduction Scale

## Current Planning

ATTACHMENT F  
AERIAL PHOTO



REZONING APPLICATION NO. RA000401

CITY OF NANAIMO

BYLAW NO. 4500.170

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

---

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 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 Amendment Bylaw 2019 No. 4500.170".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

(A) By rezoning the lands legally described as LOT C, DISTRICT LOT 51, WELLINGTON DISTRICT, PLAN EPP33196 (4771 Hammond Bay Road) from Single Dwelling Residential (R1) to Low Density Residential (R6) as shown on Schedule A.

PASSED FIRST READING: \_\_\_\_\_

PASSED SECOND READING: \_\_\_\_\_

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

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

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

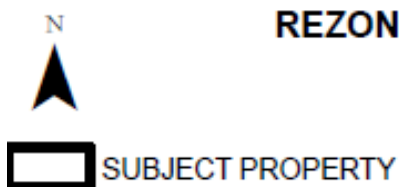
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

File: RA000401  
Address: 4771 Hammond Bay Road



## SCHEDULE A



### REZONING APPLICATION NO. RA000401

Civic: 4771 HAMMOND BAY ROAD  
Legal: LOT C, DISTRICT LOT 51  
WELLINGTON DISTRICT  
PLAN EPP33196

## **8. Bylaw**

CITY OF NANAIMO

BYLAW NO. 4500.168

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

---

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 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 Amendment Bylaw 2019 No. 4500.168".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning a portion the land legally described as LOT 1, SECTION 4, WELLINGTON DISTRICT, PLAN 7577 (4271 Jingle Pot Road) from Single Dwelling Residential (R1) to Low Density Residential (R6) as shown on Schedule A.

By rezoning a portion of the land at 4271 Jingle Pot Road from Single Dwelling Residential (R1) to Duplex Residential (R4) as shown on Schedule A.

By rezoning a portion of the land at 4271 Jingle Pot Road from Duplex Residential (R4) to Single Dwelling Residential (R1) as shown on Schedule A.

PASSED FIRST READING: 2019-DEC-16

PASSED SECOND READING: 2019-DEC-16

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

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

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: \_\_\_\_\_

ADOPTED: \_\_\_\_\_

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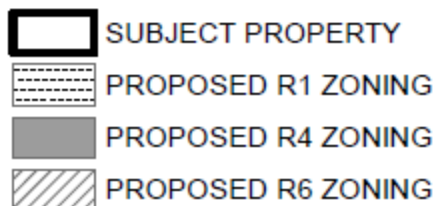
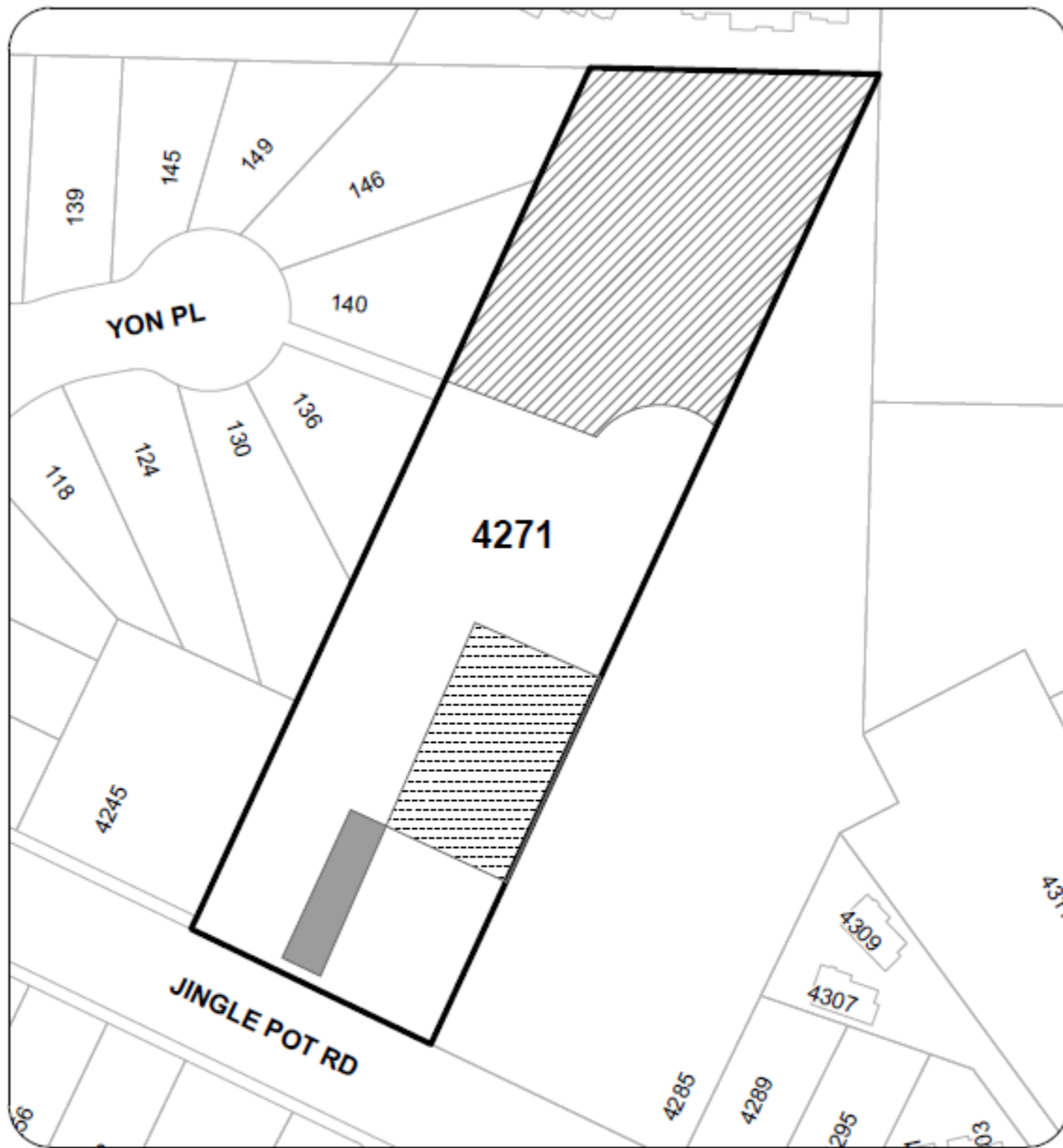
MAYOR

---

CORPORATE OFFICER

File: RA000433  
Address: 4271 Jingle Pot Road

## SCHEDULE A



### LOCATION PLAN

Civic: 4271 JINGLE POT ROAD  
Legal Description: LOT 1, SECTION 4  
WELLINGTON DISTRICT, PLAN 7577

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wor\GIS\Projects\TEMPLATES\LOCATION\_PLAN\Map\RA403\_BYLAWMAP.mxd





CITY OF NANAIMO

BYLAW NO. 4500.170

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

---

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 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 Amendment Bylaw 2019 No. 4500.170".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

(A) By rezoning the lands legally described as LOT C, DISTRICT LOT 51, WELLINGTON DISTRICT, PLAN EPP33196 (4771 Hammond Bay Road) from Single Dwelling Residential (R1) to Low Density Residential (R6) as shown on Schedule A.

PASSED FIRST READING: 2019-DEC-16

PASSED SECOND READING: 2019-DEC-16

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

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

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: \_\_\_\_\_

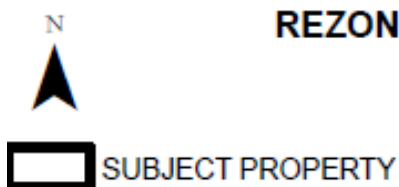
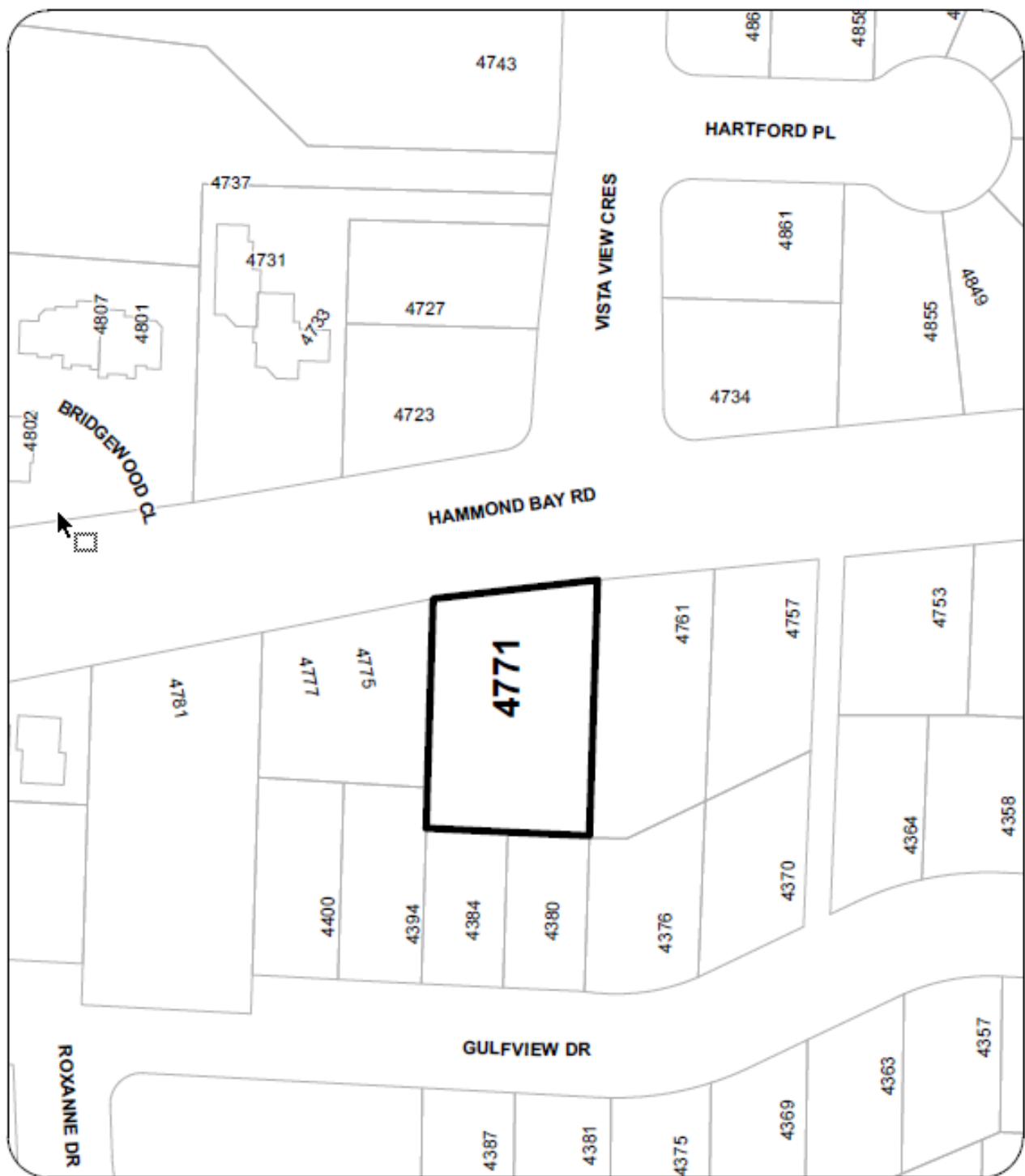
ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

File: RA000401  
Address: 4771 Hammond Bay Road

## SCHEDULE A



### REZONING APPLICATION NO. RA000401

Civic: 4771 HAMMOND BAY ROAD  
Legal: LOT C, DISTRICT LOT 51  
WELLINGTON DISTRICT  
PLAN EPP33196

DATE OF MEETING | December 2, 2019 |

AUTHORED BY | LISA BRINKMAN, PLANNER, CURRENT PLANNING |

SUBJECT | LIQUOR LICENCE APPLICATION NO. LA140 – 6359 HAMMOND BAY ROAD. |

## **OVERVIEW**

### **Purpose of Report:**

To inform Council of a new liquor licence application to permit liquor to be served at a spa at 6359 Hammond Bay Road.

## **BACKGROUND**

A notice of application was received from Huong Thi Dinh on behalf of Beyond Beauty Bar Inc. requesting a local government resolution in support of their application to the Provincial Liquor and Cannabis Regulation Branch (LCRB) to permit liquor to be served at a new spa to be located in Unit 101, 6359 Hammond Bay Road. The primary focus of the business is spa and esthetic services. The spa also intends to offer other beverages and snacks to spa clients. |

## **DISCUSSION**

The property at 6359 Hammond Bay Road is zoned 'Woodgrove Urban Centre' (CC4). The uses permitted in the CC4 zone include Personal Service Use, Retail Store, Neighbourhood Pub, Micro-Brewery, and Restaurant.

The proposed hours of the liquor service are 9am to 7pm on Saturday, Monday, and Tuesday; 9am to 9pm Wednesday, Thursday, and Friday; and 9am to 6pm on Sunday. The business is proposing an occupant load capacity of 40-50 persons. Location, hours of service, and capacity in relation to the liquor service are subject to local government consideration and comment. A municipal resolution is required before the LCRB will consider the liquor licence application further. |

In 2017, the LCRB changed their policies such that any business can apply for a liquor primary licence. The LCRB asks the local government to gather the views of nearby residents and business owners. The City requires a public hearing for all new liquor licence applications, and the hearing for this application is anticipated to be held in January 2020. A public notice and comment sheet will also be sent to all property owners and occupants within 100m of the subject property to seek public input on the liquor licence proposal. Once the responses have been returned, they will be summarized and attached to a future report to Council.

The LCRB has requested the local government comment on the impact of noise on the community in the immediate vicinity of the establishment, and the impact on the community if the application is approved. Staff will comment on these criteria in a future report following the Public Hearing and after referral responses have been received.

### **SUMMARY POINTS**

- An application for a new liquor primary licence has been received to permit liquor to be served at the 'Beyond Beauty Bar' spa to be located in Unit 101, 6359 Hammond Bay Road.
- Public notices will be delivered and the public will have an opportunity to comment on the liquor licence application at a January 2020 Public Hearing.
- A summary of public comments and evaluation of community impacts will be brought to Council for consideration in a meeting following the Public Hearing.

### **ATTACHMENTS**

ATTACHMENT A: Location Plan  
ATTACHMENT B: Salon Floor Plan  
ATTACHMENT C: Aerial Photo |

#### **Submitted by:**

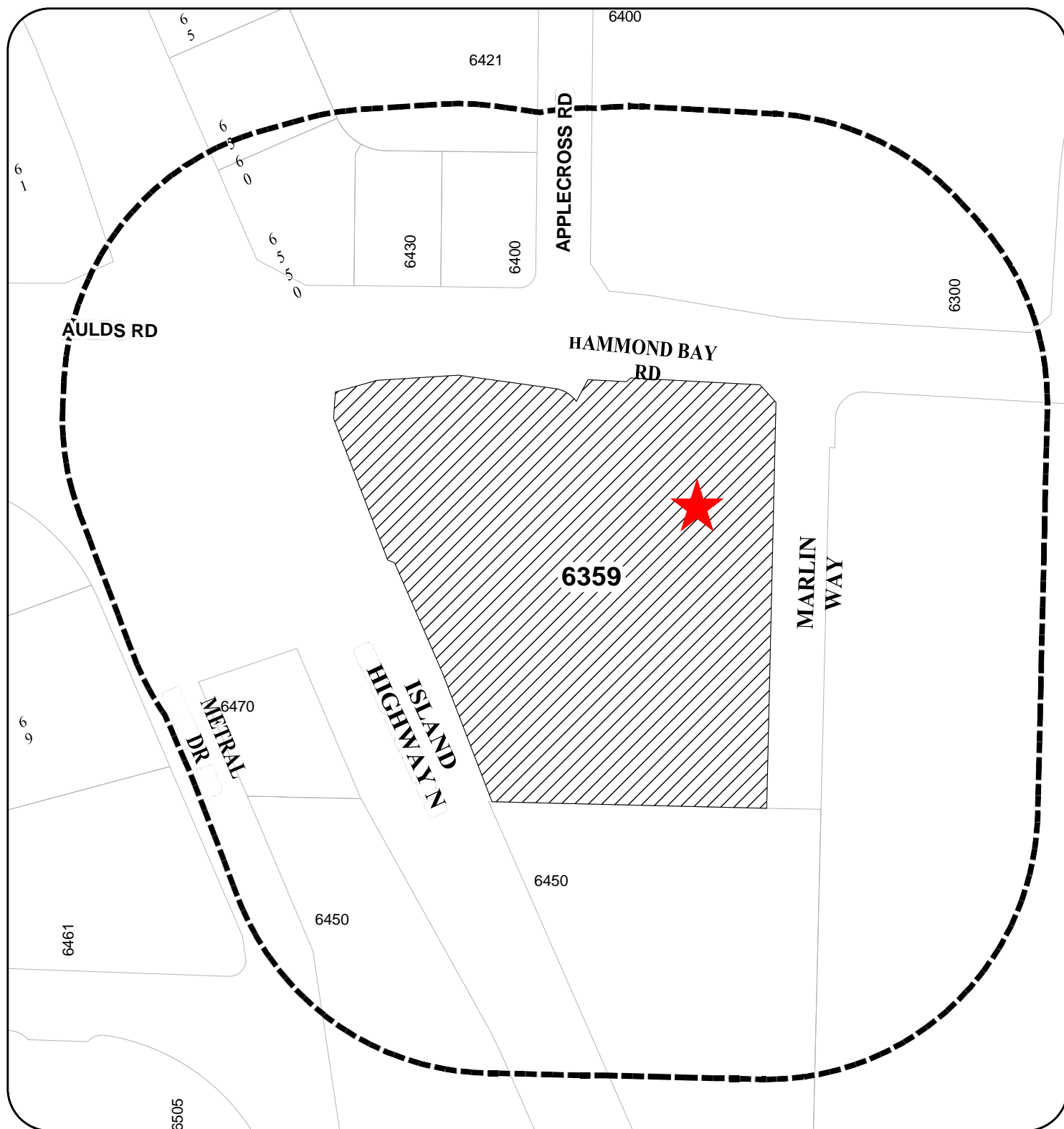
Lainya Rowett  
Manager, Current Planning |

#### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services |



# ATTACHMENT A LOCATION PLAN



**LIQUOR LICENCE APPLICATION NO. LA000140**

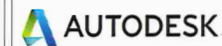
## LOCATION PLAN

### Legend

-  Buffer (100m)
-  Subject Property

Civic: 101-6359 HAMMOND BAY ROAD  
Legal: LOT 1, SECTION 12  
WELLINGTON DISTRICT, PLAN VIP53276

**ATTACHMENT B**  
**SALON FLOOR PLAN**



[www.autodesk.com/revit](http://www.autodesk.com/revit)

Consultant  
Address  
Address  
Phone  
Fax  
e-mail

Consultant  
Address  
Address  
Phone  
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Address  
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## GENERAL SPECIFICATIONS

## GENERAL SPECIFICATIONS

These drawings have been prepared by Larissa Joven to conform to current building standards of the British Columbia Building Code (B.C.B.C.) and The Span Book 2009 edition. The builder is responsible for ensuring that all construction conforms to provincial and local building codes and by-laws.

In some cases, the local building department may require certification from a structural engineer, for parts or all of the structure. Any engineering fees and services that may be required are the responsibility of the owner or builder.

It is the responsibility of the builder to check and verify all dimensions, materials and specifications prior to construction. Any errors or omissions shall be brought to our attention immediately so that corrections can be made and plans replaced.

Dimensions take precedence to scale drawings.

Larissa Joven is not responsible for any unauthorized departures from and/or changes to our plans.

All construction and installation of materials and equipment shall be done in accordance with good building practice and manufacturers instructions in a timely manner.

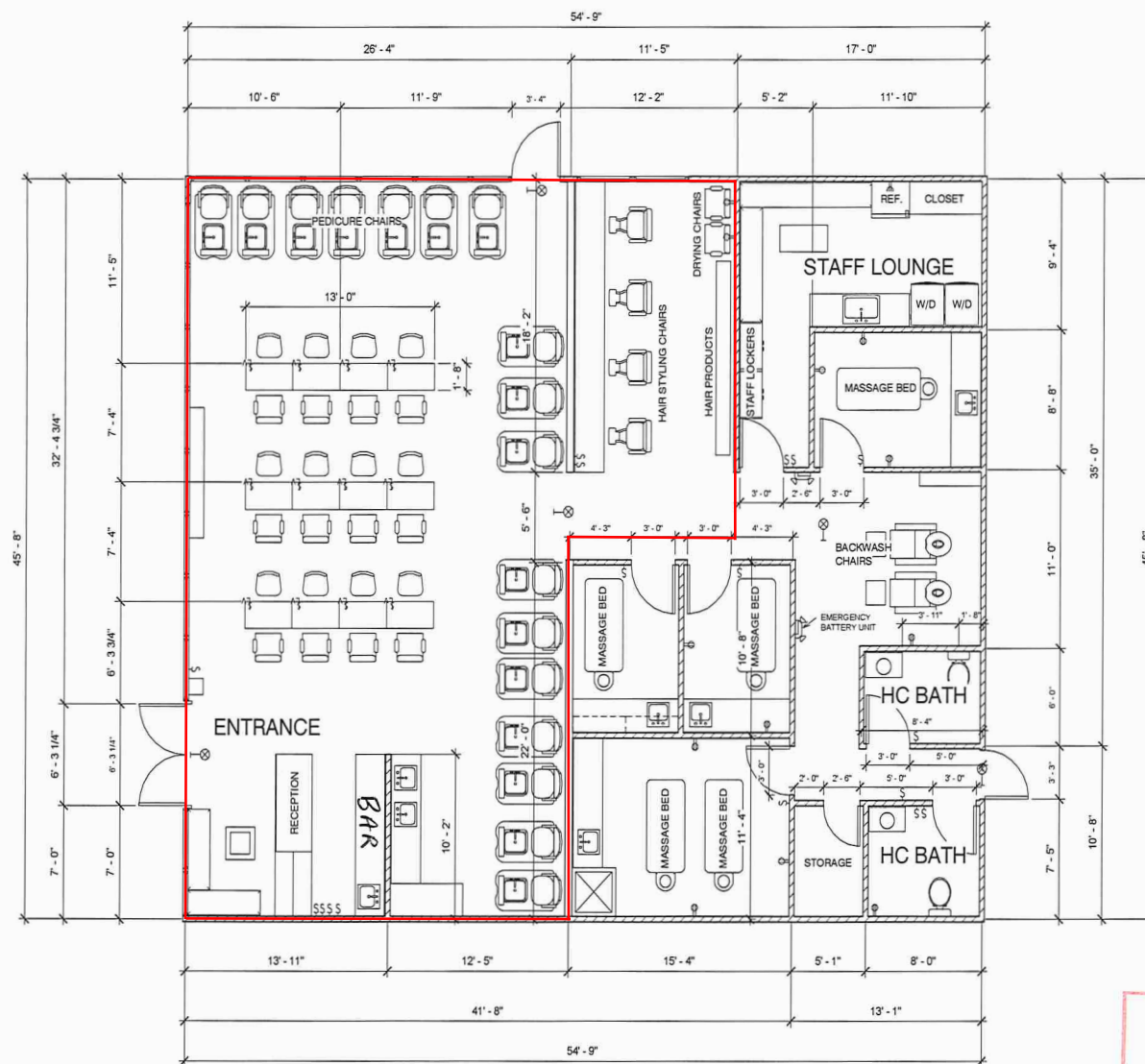
MISC

The installation of plumbing, heating and electrical equipment and materials shall be in accordance with manufacturers specifications and the applicable sections of the B.C.B.C. standards.  
Occupancy load 50 persons.

All guard rails are to be comply to all relevant requirements in B.C.B.C 9.8.8.

All exterior and interior finishes shall be specified by the owner. Finishes specified on our plans shall be confirmed by the owner prior to installation.

Lighting and electrical layouts are to be specified by the owner or builder and must meet B.C.B.C. requirements.



① FLOOR PLAN  
1/4" = 1'-0"

RECEIVED  
OCT 07 2019  
LA140  
CITY OF NANAIMO  
COMMUNITY DEVELOPMENT

A, 6359 HAMMAND  
BAY RD. NANAIMO

PRELIMINARY  
SALON FLOOR PLAN

Project number	1
----------------	---

Date	07/04/2019
------	------------

Drawn by:	LARISSA JOVEN
-----------	---------------

Drawn by	DAISSA JOVEN
Checked by	N/A

Checked by	N/A
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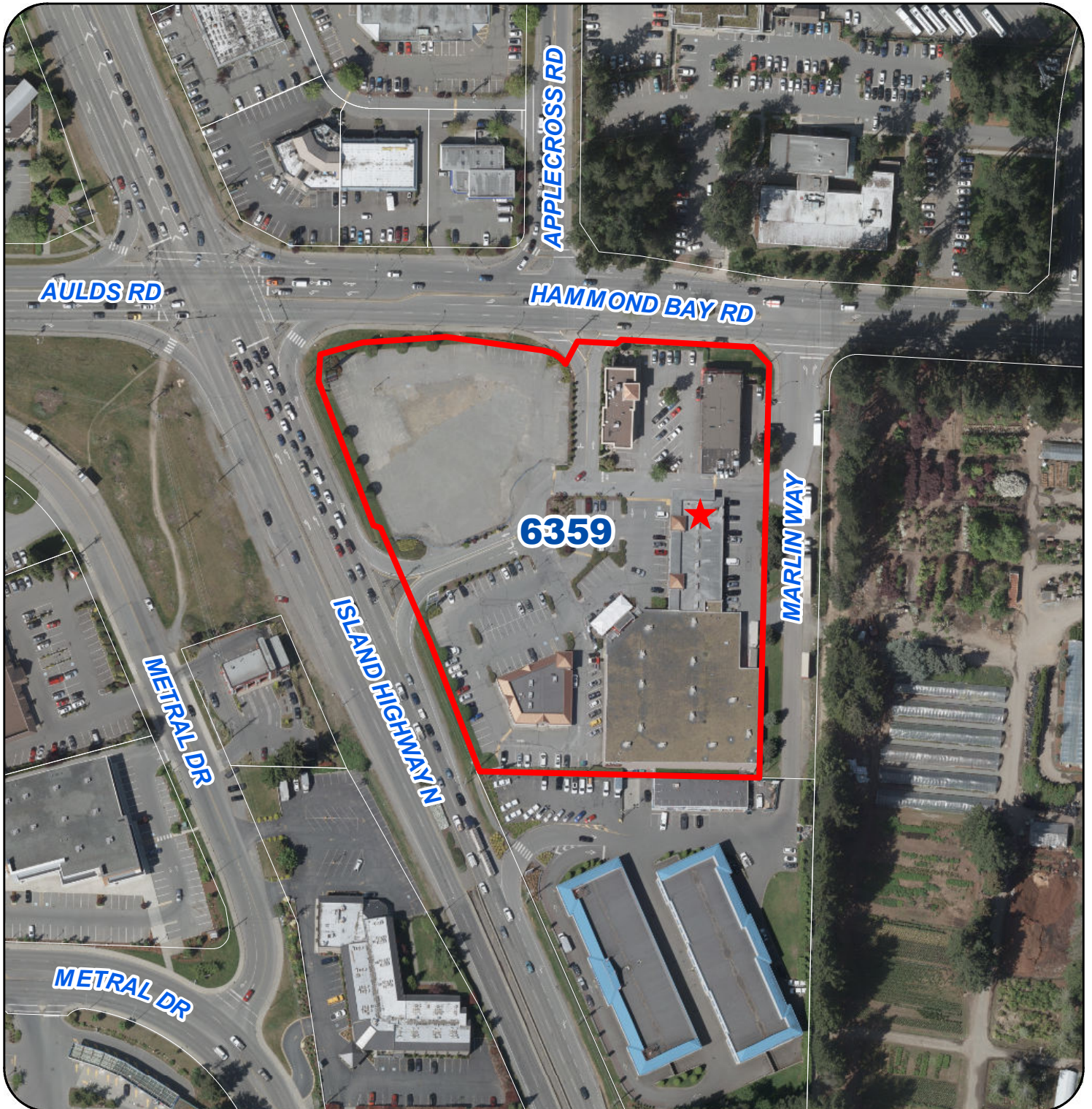
A101

A101

Scale  $1/4" = 1'-0"$



ATTACHMENT C  
AERIAL PHOTO



**LIQUOR LICENCE APPLICATION NO. LA000140**

DATE OF MEETING January 9, 2020

AUTHORED BY DARCY FOX, MANAGER, BUILDING INSPECTIONS

**SUBJECT BYLAW CONTRAVENTION NOTICE – CONSTRUCTION NOT COMPLETED AS PER CONDITIONS OF BUILDING PERMIT – 106 & 110 FRY STREET**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 106 & 110 Fry Street.

### **Recommendation**

That Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 106 & 110 Fry Street for construction not completed as per the conditions of the building permit.

## **BACKGROUND**

A building permit for construction of a retaining wall, originally started without permit, was issued 2017-MAY-09. However, the permit has now expired with deficiencies remaining outstanding, in contravention of the Building Bylaw. Correspondence was forwarded to the owner advising of the expiring permit and providing opportunity to rectify the outstanding deficiencies, but to date, the deficiencies have not been resolved. Pursuant to Section 57 of the *Community Charter*, it is recommended that a notice be registered on the property title to reflect the contravention of “Building Bylaw 2016 No 7224”.

As this matter is a safety issue, Staff will seek a Safety Upgrade Order at a future Council meeting.

## **DISCUSSION**

The purpose of registering a Bylaw Contravention Notice (Section 57 of the *Community Charter*) on the title of the affected property is to advise those with an interest in the property of the regulations contravened, to provide disclosure to future owners and to protect taxpayers against potential claims with regard to the regulations contravened.



### **SUMMARY POINTS**

- Construction was not completed as per the conditions of the permit.
- The deadline to renew the permit has passed.
- Registration of a Bylaw Contravention Notice is required on the title of the affected property to advise those with an interest in the property of the regulations contravened, to provide disclosure to future owners and to protect taxpayers against potential claims with regard to the regulations contravened.

**Submitted by:**

Darcy Fox  
Manager, Building Inspections

**Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services

DATE OF MEETING January 9, 2020

AUTHORED BY DARCY FOX, MANAGER, BUILDING INSPECTIONS

**SUBJECT BYLAW CONTRAVENTION NOTICE – CONSTRUCTION NOT COMPLETED AS PER CONDITIONS OF BUILDING PERMIT – 3326 ROCK CITY ROAD**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 3326 Rock City Road.

### **Recommendation**

That Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 3326 Rock City Road for construction not completed as per the conditions of the building permit.

## **BACKGROUND**

Work to repair rotten structural members on decks and replacement of guardrails was started without permit. A building permit for the work was subsequently applied for and the permit issued 2016-NOV-07. However, the work was completed without the required inspections, and the permit has now expired with deficiencies remaining outstanding, in contravention of the Building Bylaw. Correspondence was forwarded to the owner advising of the expiring permit and providing opportunity to rectify the outstanding deficiencies, but to date, the deficiencies have not been resolved. Pursuant to Section 57 of the *Community Charter*, it is recommended that a notice be registered on the property title to reflect the contravention of “Building Bylaw 2016 No 7224” and the work completed without inspections.

## **DISCUSSION**

The purpose of registering a Bylaw Contravention Notice (Section 57 of the *Community Charter*) on the title of the affected property is to advise those with an interest in the property of the regulations contravened, to provide disclosure to future owners and to protect taxpayers against potential claims with regard to the regulations contravened.

### **SUMMARY POINTS**

- Construction was not completed as per the conditions of the permit.
- The deadline to renew the permit has passed.
- Registration of a Bylaw Contravention Notice is required on the title of the affected property to advise those with an interest in the property of the regulations contravened, to provide disclosure to future owners and to protect taxpayers against potential claims with regard to the regulations contravened.

#### **Submitted by:**

Darcy Fox  
Manager, Building Inspections

#### **Concurrence by:**

Jeremy Holm  
Director, Community Development

Dale Lindsay  
General Manager, Development Services

DATE OF MEETING | January 9, 2020 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

**SUBJECT | BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED  
WITHOUT A BUILDING PERMIT – 2110 NORTHFIELD ROAD |**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 2110 Northfield Road. |

### **Recommendation**

That Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 2110 Northfield Road for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. |

## **BACKGROUND**

An inspection conducted 2018-MAR-01 as a result of a business licence referral revealed that construction to create a new commercial rental unit (CRU), without washroom facility, had previously taken place without a building permit. Correspondence was forwarded to the property owner advising a building permit was required for the work completed without a permit. To date, a building permit application has not been received and the business is operating without the required washroom facility or business licence. Pursuant to Section 57 of the *Community Charter*, it is recommended a notice be registered on the property title to reflect the work completed without a permit or inspections in contravention of “Building Bylaw 2016 No. 7224”. |

Further to the registration of the notice, this matter will be referred to Bylaw Services for enforcement action.

## **DISCUSSION**

The purpose of registering a Bylaw Contravention Notice (Section 57 of the *Community Charter*) on the title of the affected property is to advise those with an interest in the property of the regulations contravened, to provide disclosure to future owners and to protect taxpayers against potential claims with regard to the regulations contravened. |

### **SUMMARY POINTS**

- Construction requiring a building permit was undertaken without first obtaining a permit.
- The deadline to submit a building permit application has passed.
- Registration of a Bylaw Contravention Notice is required on the title of the affected property to advise those with an interest in the property of the regulations contravened, to provide disclosure to future owners and to protect taxpayers against potential claims with regard to the regulations contravened.
- Further to the registration of the notice, this matter will be referred to Bylaw Services for further enforcement.

#### **Submitted by:**

Darcy Fox  
Manager, Building Inspections

#### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services

DATE OF MEETING | January 9, 2020 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

SUBJECT | **BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED WITHOUT A BUILDING PERMIT – 131 COLUMBIA STREET** |

## **OVERVIEW**

### **Purpose of Report**

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 131 Columbia Street. |

### **Recommendation**

That Council direct the Corporate Officer to file a Bylaw Contravention Notice at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter* for the property located at 131 Columbia Street for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. |

## **BACKGROUND**

An inspection was completed on 2019-AUG-08 in response to a complaint received regarding illegal construction. The inspection confirmed work was underway to construct a ramp and landing at the front entrance, without a building permit. A Stop Work Order was posted on the job site and correspondence was forwarded to the owner advising that a building permit was required prior to proceeding with any construction. The deadline for a building permit application was 2019-AUG-29. To date, a building permit application has not been received. As the result of another complaint, a follow up inspection on 2019-DEC-02 revealed the Stop Work Order has been taken down and the work to construct the ramp and guardrails was complete. Pursuant to Section 57 of the *Community Charter*, it is recommended a notice be registered on the property title to reflect the work completed without a permit or inspections in contravention of “Building Bylaw 2016 No 7224”. |

## **DISCUSSION**

The purpose of registering a Bylaw Contravention Notice (Section 57 of the *Community Charter*) on the title of the affected property is to advise those with an interest in the property of the regulations contravened, to provide disclosure to future owners and to protect taxpayers against potential claims with regard to the regulations contravened. |

### **SUMMARY POINTS**

- Construction requiring a building permit was undertaken without first obtaining a permit.
- The deadline to submit a building permit application has passed.
- Registration of a Bylaw Contravention Notice is required on the title of the affected property to advise those with an interest in the property of the regulations contravened, to provide disclosure to future owners and to protect taxpayers against potential claims with regard to the regulations contravened.

#### **Submitted by:**

Darcy Fox  
Manager, Building Inspections

#### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services