



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

Thursday, July 22, 2021, 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 MEETING TO ORDER:**

**2. INTRODUCTION OF LATE ITEMS:**

**3. ADOPTION OF AGENDA:**

**4. PUBLIC HEARING REQUIREMENTS:**

Lainya Rowett, Manager, Current Planning, to explain the requirements for conducting a Public Hearing.

**5. CALL THE PUBLIC HEARING TO ORDER FOR REZONING APPLICATION NO. RA469 - 2220, 2232, 2238, 2246, 2254 NORTHFIELD ROAD AND 2230 BOXWOOD ROAD, ZONING AMENDMENT BYLAW 4500.187**

- a. Rezoning Application No. RA469 - 2220, 2232, 2238, 2246, 2254 Northfield Road and 2230 Boxwood Road

3 - 17

To be introduced by Caleb Horn, Planner.

Call for submissions from the Applicant and the Public.

**FINAL CALL FOR SUBMISSIONS:**

Following the close of the Public Hearing for Rezoning Application No. RA469 - 2220, 2232, 2238, 2246, 2254 Northfield Road and 2230 Boxwood Road, no further submissions or comments from the public or interested persons can be accepted by members of City Council.

ADJOURN THE PUBLIC HEARING FOR RA469 - 2220, 2232, 2238, 2246, 2254 NORTHFIELD ROAD AND 2230 BOXWOOD ROAD.

**6. BYLAWS:**

- a. "Zoning Amendment Bylaw 2021 No. 4500.187" 18 - 22
- That "Zoning Amendment Bylaw 2021 No. 4500.187" (To rezone the properties at 2220, 2232, 2238, 2246, 2254 Northfield Road, and 2230 Boxwood Road from Single Dwelling Residential [R1], Duplex Residential [R4], Medium Density Residential [R8], and Community Service One [CS1] to Mixed Use Corridor [COR2] with site-specific maximum gross floor area for a grocery store) pass third reading.
- b. "Property Maintenance and Standards Amendment Bylaw No. 7242.01" 23 - 24
- That "Property Maintenance and Standards Amendment Bylaw 2021 No. 7242.01" (To update the graffiti removal language, replace the Violation and Penalty section and delete the fine schedule) be adopted.
- c. "Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.11" 25
- That "Bylaw Notice Enforcement Amendment Bylaw 2021 No. 7159.11" (To delete the fine schedule for the repealed Property Maintenance Bylaw 1990 No. 3704 and replace it with fine schedule for Property Maintenance and Standards Bylaw 2017 No. 7242) be adopted.

**7. ADJOURNMENT:**

DATE OF MEETING July 5, 2021

AUTHORED BY CALEB HORN, PLANNER, CURRENT PLANNING

**SUBJECT REZONING APPLICATION NO. RA469 – 2220, 2232, 2238, 2246, 2254 NORTHFIELD ROAD and 2230 BOXWOOD ROAD**

## **OVERVIEW**

### **Purpose of Report**

To present Council with an application to rezone the properties at 2220, 2232, 2238, 2246, 2254 Northfield Road, and 2230 Boxwood Road from Single Dwelling Residential (R1), Duplex Residential (R4), Medium Density Residential (R8), and Community Service One (CS1) to Mixed Use Corridor (COR2) with site-specific maximum gross floor area for a grocery store to allow for a mixed-use commercial and residential development.

### **Recommendation**

That:

1. "Zoning Amendment Bylaw 2021 No. 4500.187" (To rezone the properties at 2220, 2232, 2238, 2246, 2254 Northfield Road, and 2230 Boxwood Road from Single Dwelling Residential [R1], Duplex Residential [R4], Medium Density Residential [R8], and Community Service One [CS1] to Mixed Use Corridor [COR2] with site-specific maximum gross floor area for a grocery store) pass first reading;
2. "Zoning Amendment Bylaw 2021 No. 4500.187" pass second reading; and
3. Council direct Staff to secure road dedication and the community amenity contribution should Council support the bylaw at third reading.

## **BACKGROUND**

A rezoning application, RA469, was received from Island West Coast Developments Ltd. on behalf of NF Holdings Ltd., 1279779 BC Ltd., Jenwest Enterprises Inc., and the City of Nanaimo. The applicant proposes to amend "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") to rezone the subject properties to the Mixed Use Corridor (COR2) zone to allow for a mixed-use commercial and residential development. There is a concurrent boundary adjustment application to adjust the boundary of the City-owned property at 2230 Boxwood Road (SUB01413).

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

<i>Location</i>	The subject properties are located on the north side of Northfield Road, west of Bowen Road and east of Boxwood Road.
<i>Total Area</i>	4.58ha
<i>Development Site Area</i>	2.22ha

<i>Current Zoning</i>	2220, 2238, 2246, and 2254 Northfield Road: <ul style="list-style-type: none"> <li>• R1 – Single Dwelling Residential</li> </ul> 2232 Northfield Road: <ul style="list-style-type: none"> <li>• R4 – Duplex Residential</li> </ul> 2230 Boxwood Road: <ul style="list-style-type: none"> <li>• R8 – Medium Density Residential; and</li> <li>• CS1 – Community Service One</li> </ul>
<i>Proposed Zoning</i>	COR2 – Mixed Use Corridor with site-specific maximum gross floor area for a grocery store
<i>Official Community Plan (OCP) Future Land Use Designation</i>	Corridor
<i>Neighbourhood Plan Land Use Designation</i>	n/a

The subject properties are part of the Mid-Town Gateway Project that involves the extension of Boxwood Road north of Northfield Road, and the Rosstown Connector and Boxwood Connector (see Attachment C). The project also includes remediation of the site as the area was previously impacted by historical coal mining activity. The future development site will be bound by Northfield Road to the south, Boxwood Road to the west, and the Boxwood Connector to the north.

Surrounding land uses include a mix of commercial, institutional, and residential uses. Beban Park is located across Bowen Road to the northeast, and a stormwater detention pond and public trail will be developed across the Boxwood Connector to the north. As part of the Mid-Town Gateway Project, the properties are envisioned as a significant development site at the junction of key corridors in the city. The site will be located at one of the primary entry points to Nanaimo, with access on Northfield Road from the Nanaimo Parkway.

## **DISCUSSION**

### **Proposed Development**

The applicant proposes to rezone the subject properties to the Mixed Use Corridor (COR2) zone to facilitate a mixed-use residential and commercial development. The COR2 zone allows for a range of office, retail, and residential uses with a maximum building height of 14m, or 18m where parking is provided underground. The base maximum permitted Floor Area Ratio (FAR) in the COR2 zone is 1.25. There is opportunity to gain additional density up to a maximum FAR of 2.00 in the COR2 zone where a development includes underground parking and where amenities are provided as outlined in Schedule D of the Zoning Bylaw.

In support of the rezoning application, the applicant has provided a conceptual site plan and perspective views to demonstrate how development could occur on the development site (see Attachments E and F). Detailed design review will occur through any subsequent Development Permit application. The conceptual development plans show a mix of uses in five buildings on the site. Both surface and underground parking areas are shown. Anticipated uses include:

- A standalone grocery store with a floor area of 3,716m<sup>2</sup>;
- Additional retail units at the ground level of multi-level buildings;

- 1,765m<sup>2</sup> of office floor area; and
- 188 residential dwelling units in a multi-level, multi-family building form.

The density contemplated by the conceptual plans is an FAR of 0.99, below the maximum permitted density in the COR2 zone.

A large portion of the City-owned property will be dedicated as road for the Boxwood Connector in the future and the remainder will be consolidated with the properties addressed along Northfield Road to create the development site. Road dedication for an expanded Northfield Road will be required as a condition of this rezoning application. Vehicular access point to the development site shown on the site plan are conceptual and will be reviewed further through detailed design review.

#### *Site-Specific Gross Floor Area*

The maximum gross floor area for a grocery store in the Corridor zones is 2,500m<sup>2</sup> as per the condition of use in Section 9.2.1 of the Zoning Bylaw. The applicant is proposing a grocery store with a floor area no greater than 3,716m<sup>2</sup>, which will require a site-specific zoning amendment. The proposed grocery store is envisioned to serve a regional population beyond the immediate neighbourhood, and a gross floor area larger than 2,500m<sup>2</sup> is required in order to accommodate a large-format grocery store. The proposed site-specific zoning amendment will also require the overall site to develop with a residential component of equal size to any commercial component, ensuring that future development retains a mixed-use nature.

### **Policy Context**

#### *Official Community Plan*

The Official Community Plan (OCP) identifies the subject property within the Corridor future land use designation, which is characterized by a mix of residential, commercial, professional, and service uses. Residential densities from 50 to 150 units per hectare (uph) in two- to six-storey building forms are generally supported by the OCP. The number of units in the conceptual plans for the residential component of the proposed development equal approximately 85uph, within the anticipated density range for Corridor developments. In addition, commercial services within mixed-use developments serving a regional population are supported in the Corridor designation.

The proposed rezoning with site-specific maximum gross floor area for a grocery store meets the intent of the OCP future land use designation.

#### *Transportation Master Plan*

The subject properties are located outside of a mobility hub, as identified by the Nanaimo Transportation Master Plan (NTMP). The NTMP's vision and strategies encourage inclusive transportation choices for people of all ages and abilities to walk, cycle, and use transit. The Mid-Town Gateway Project will provide improved active transportation facilities, including a connection for the Off-Bowen Bikeway on the west side of Boxwood Road. Additional trail connections will be available from the Boxwood Connector. A frequent transit network is identified along Bowen Road, approximately 60m east of the site.

The Boxwood Connector is identified in the NTMP as a short-term future major road network improvement project. The project will assist with alleviating existing traffic capacity issues at the intersection of Northfield and Bowen Roads by providing an alternative route for road users.

### **Community Consultation**

The subject properties are within the area of the Wellington Community Association. The rezoning application was referred to the Wellington Community Association who had no comment. The applicant hosted a public information meeting on 2021-MAY-25 at the Christ Community Church, which is adjacent to the subject properties. Approximately 18 neighbours attended this meeting, and comments were made regarding density, traffic, and availability of parks.

Staff note the proposed density is within the range envisioned for the site in the OCP, and the overall Mid-Town Gateway Project will improve traffic conditions in the immediate area. Beban Park will be connected to the development site by a new intersection with crosswalk across Bowen Road.

### **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). Typically, the value of CACs received from residential projects is at least \$1,000 per dwelling, and at least \$34/m<sup>2</sup> of gross floor area for commercial projects. In this case, the applicant is only proposing an increase in density through rezoning for the privately-owned properties currently fronting Northfield Road, and these properties comprise 49.8% of the future development site. With an anticipated total of 188 residential units and a commercial floor area of 7,572m<sup>2</sup>, a contribution value of at least \$221,833 would be expected (49.8% of \$445,448).

For a Community Amenity Contribution, the applicant is proposing to construct a public plaza as part of the development of the site. The plaza is proposed to have an area of at least 527m<sup>2</sup> and is to include a textured surface, seating, landscaping, and public art. The conceptual site plan demonstrates that a plaza can be located on the site, and the exact location and design of the plaza will be reviewed through detailed design review. The estimated value of the public plaza, including soil remediation, is \$328,838. The value of the proposed CAC is greater than what would typically be expected, and Staff support the proposed CAC.

### **Conditions of Rezoning**

Should Council support this application and pass third reading of “Zoning Amendment Bylaw 2021 No. 4500.187”, Staff recommend the following be secured as a condition prior to final adoption of the bylaw:

1. *Road Dedication* – Road dedication to be taken from the Northfield Road frontage to allow for a future modified Urban Arterial cross-section as identified as part of the Mid-Town Gateway Project, in addition to corner rounding at the intersection of Northfield Road and Boxwood Road.
2. *Community Amenity Contribution* – The development of a public plaza with an approximate area of at least 527m<sup>2</sup>, to include a textured surface, seating, landscaping,

and public art, to be constructed by the property owner prior to site development and protected by statutory right-of-way.

### **SUMMARY POINTS**

- The application is to rezone to subject properties from Single Dwelling Residential (R1), Duplex Residential (R4), Medium Density Residential (R8), and Community Service One (CS1) to Mixed Use Corridor (COR2) with site-specific maximum floor area for a grocery store to allow for a mixed-use commercial and residential development
- The subject properties are part of the Mid-Town Gateway Project that involves the extension of Boxwood Road north of Northfield Road, with connector roads to Bowen Road and Rosstown Road.
- The development of a public plaza is proposed as a Community Amenity Contribution.

### **ATTACHMENTS**

ATTACHMENT A: Context Map  
ATTACHMENT B: Location Plan  
ATTACHMENT C: Mid-Town Gateway Project Plan  
ATTACHMENT D: Site Context Plan  
ATTACHMENT E: Conceptual Site and Building Plans  
ATTACHMENT F: Conceptual Perspective Views  
ATTACHMENT G: Aerial Photo  
"Zoning Amendment Bylaw 2021 No. 4500.187" |

#### **Submitted by:**

Lainya Rowett  
Manager, Current Planning |

#### **Concurrence by:**

Jeremy Holm  
Director, Development Approvals

Dale Lindsay  
General Manager, Development Services



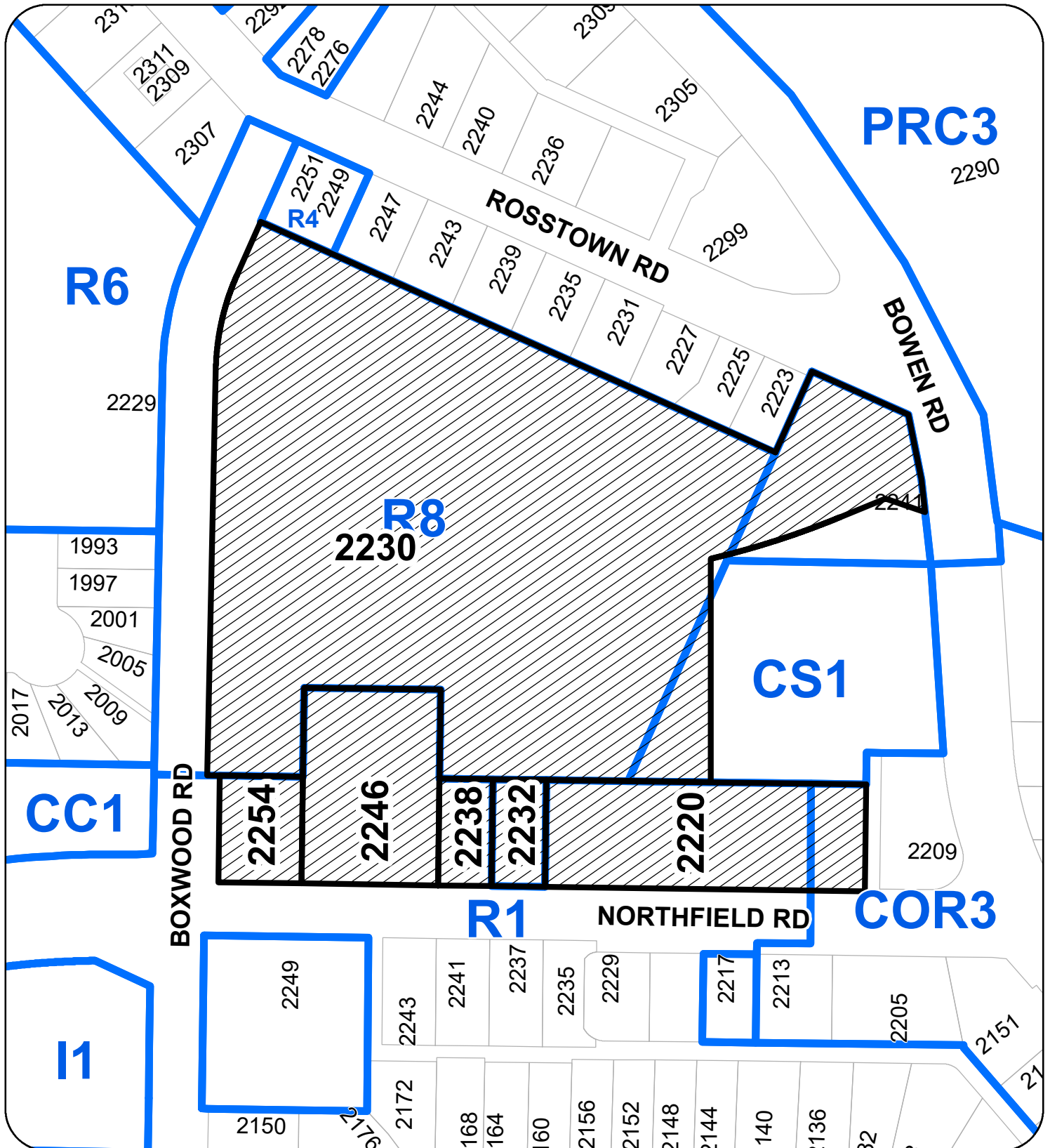
# ATTACHMENT A CONTEXT MAP



2220, 2232, 2238, 2246, 2254 NORTHFIELD ROAD  
2221, 2230 BOXWOOD ROAD



# ATTACHMENT B LOCATION PLAN



REZONING APPLICATION NO. RA000469

## LOCATION PLAN

Civic: 2220, 2232, 2238, 2246, & 2254 NORTHFIELD ROAD,  
2230 BOXWOOD ROAD

# ATTACHMENT C MID-TOWN GATEWAY PROJECT PLAN





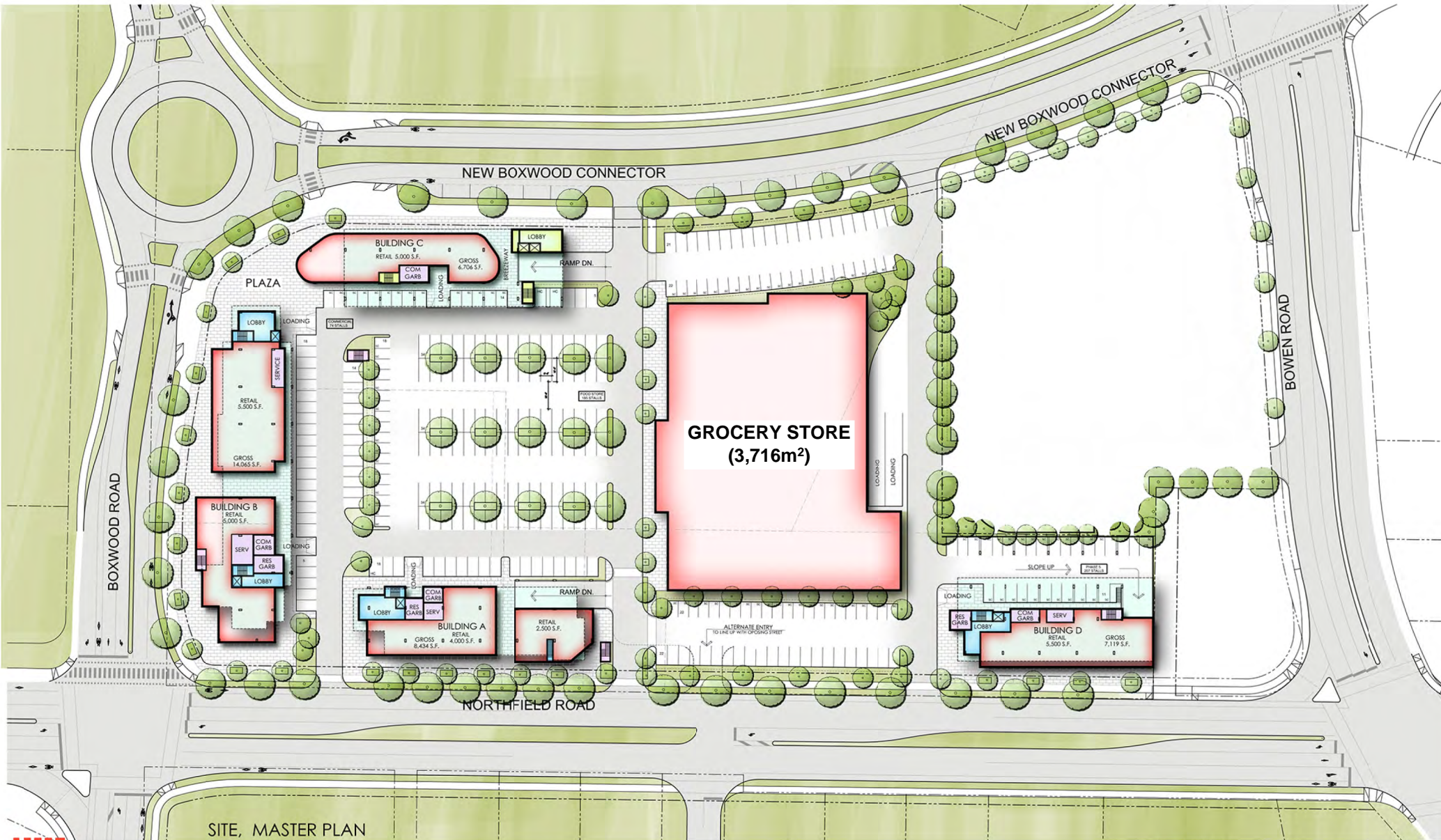
## ATTACHMENT D SITE CONTEXT PLAN





# ATTACHMENT E CONCEPTUAL SITE AND BUILDING PLANS

1 of 2



SITE, MASTER PLAN

**IWA**  
**ARCHITECTS**



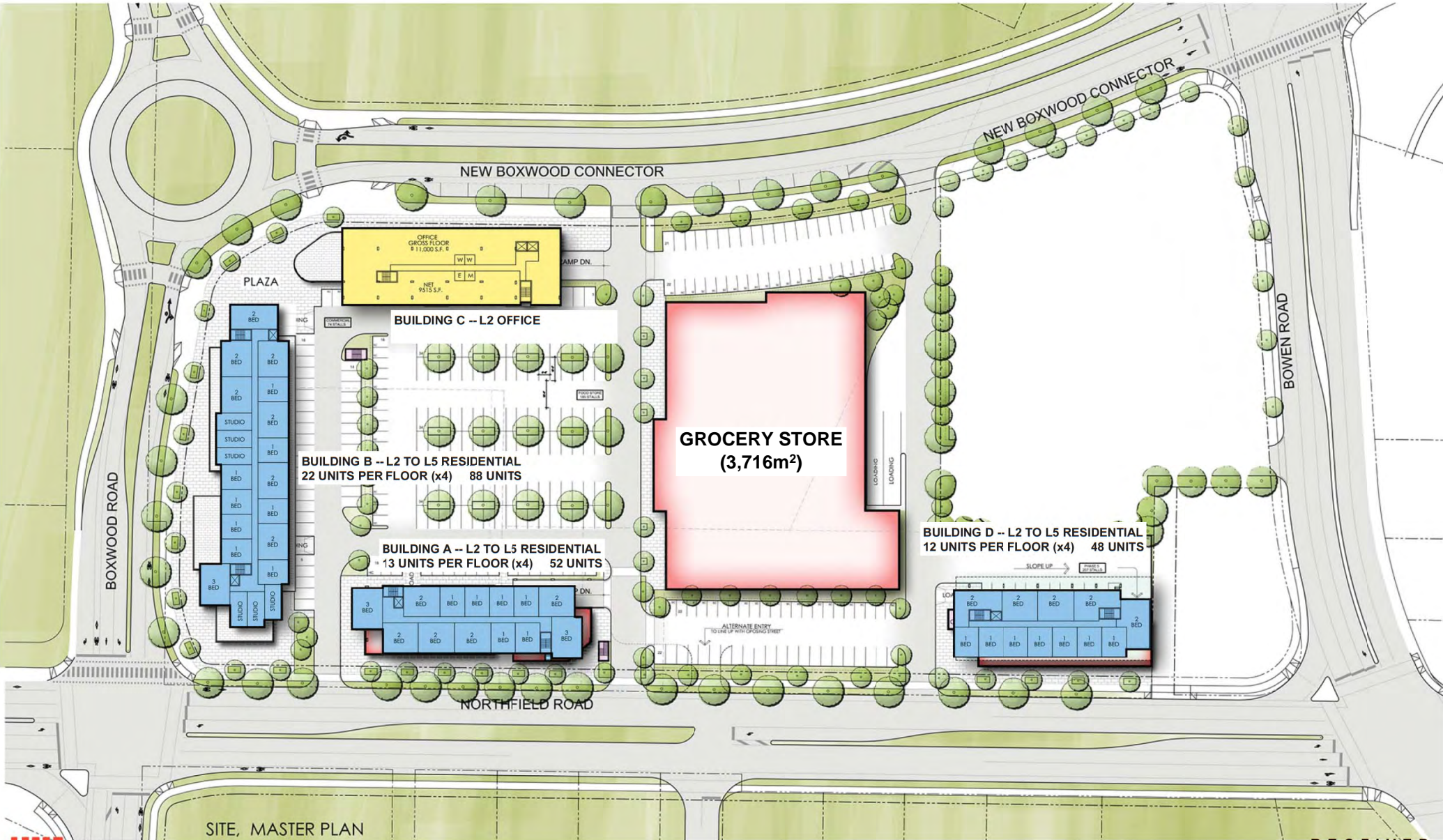
**MIDTOWN GATEWAY PROJECT**

NANAIMO B.C.

RECEIVED  
**RA 469**  
2021-FEB-01  
Current Planning

JANUARY 25 2021







ATTACHMENT F  
CONCEPTUAL PERSPECTIVE VIEWS

1 of 3











ATTACHMENT G  
AERIAL PHOTO



N



LEGEND



SUBJECT PROPERTIES

REZONING APPLICATION NO. RA000469

# **Current Bylaw**

CITY OF NANAIMO

BYLAW NO. 4500.187

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 2021 No. 4500.187".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:
  - i. By rezoning the lands legally described as LOT 1, SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN EPP110454 (2230 Boxwood Road), LOT 1, SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN 21250 (2220 Northfield Road), LOTS 13 & 14, BLOCK 2, SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN 526 (2232 and 2238 Northfield Road), LOT N, SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN 22081 (2246 Northfield Road), and AMENDED LOT 2 (DD 62102N), SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN 8097 (2254 Northfield Road) from Single Dwelling Residential (R1), Duplex Residential (R4), Medium Density Residential (R8), and Community Service One (CS1) to Mixed Use Corridor (COR2) as shown on Schedule 'A'.
  - ii. By adding the following subsection as 9.2.1.1 after 9.2.1:
    - 9.2.1.1 Notwithstanding Subsection 9.2.1, on the lands legally described as LOT 1, SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN EPP110454 (2230 Boxwood Road), LOT 1, SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN 21250 (2220 Northfield Road), LOTS 13 & 14, BLOCK 2, SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN 526 (2232 and 2238 Northfield Road), LOT N, SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN 22081 (2246 Northfield Road), and AMENDED LOT 2 (DD 62102N), SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN 8097 (2254 Northfield Road), the following shall apply:
      - a) A Grocery Store shall not exceed a Gross Floor Area of 3,716m<sup>2</sup>;
      - b) Despite Subsection 9.2.2, where a non-residential use exists at least an equal amount of Gross Floor Area on the lands must be dedicated to residential use.



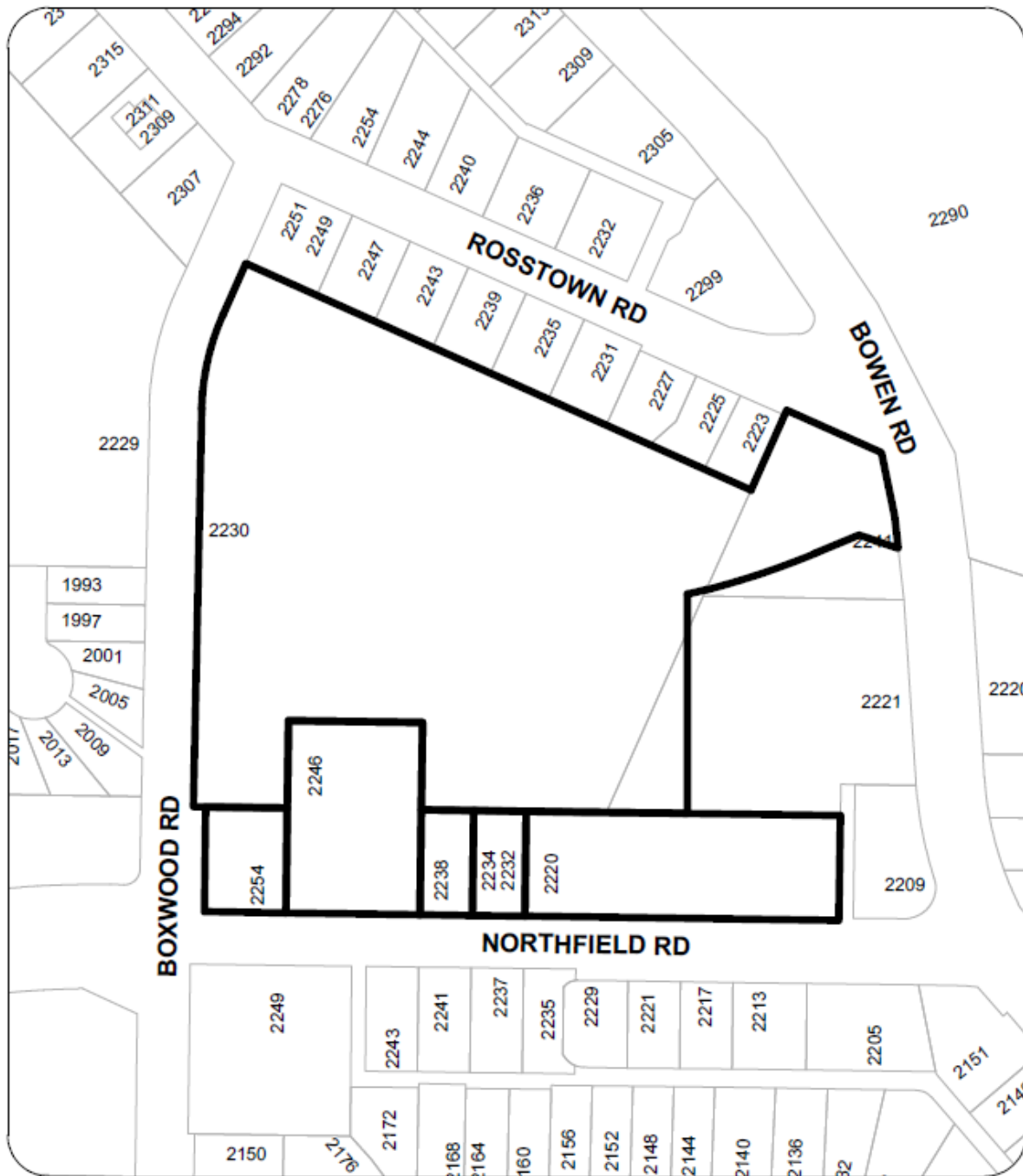
PASSED FIRST READING: 2021-JUL-05  
PASSED SECOND READING: 2021-JUL-05  
PUBLIC HEARING HELD: \_\_\_\_\_  
PASSED THIRD READING: \_\_\_\_\_

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

\_\_\_\_\_  
MAYOR

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

## SCHEDULE A (1/2)



### REZONING APPLICATION NO. RA000469

CIVIC: 2220, 2232, 2238, 2246, & 2254 NORTHFIELD ROAD,  
2230 BOXWOOD ROAD  
LEGAL: SEE NEXT PAGE FOR LEGAL DESCRIPTIONS

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**SCHEDULE A (2/2)**

Civic Address:	Legal Description:
2230 Boxwood Road	LOT 1, SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN EPP110454
2220 Northfield Road	LOT 1, SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN 21250
2232 Northfield Road	LOT 13, BLOCK 2, SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN 526
2238 Northfield Road	LOT 14, BLOCK 2, SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN 526
2246 Northfield Road	LOT N, SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN 22081
2254 Northfield Road	AMENDED LOT 2 (DD 62102N), SECTION 18, RANGE 7, MOUNTAIN DISTRICT, PLAN 8097



CITY OF NANAIMO

BYLAW NO. 7242.01

A BYLAW TO AMEND THE PROPERTY MAINTENANCE AND STANDARDS BYLAW

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WHEREAS, pursuant to the *Community Charter*, the City is authorized to regulate refuse, garbage or other material that is noxious, offensive or unwholesome; graffiti and unsightly conditions on property; the accumulation of water on property; growths that should be removed, cut down or timed; and unsanitary conditions on property;

AND WHEREAS pursuant to the *Community Charter*, Council to regulate for the protection and enhancement of the wellbeing of its community in relation to matters referred to in Section 64 (nuisances, disturbances and other objectionable situations);

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

1. Title

This Bylaw may be cited as "PROPERTY MAINTENANCE AND STANDARDS AMENDMENT BYLAW 2021 NO. 7242.01"

2. Amendments

"PROPERTY MAINTENANCE AND STANDARDS BYLAW 2021 NO. 7242" is hereby amended as follows:

(1) By deleting the definition of Graffiti and replacing it with the following:

"Graffiti means: letters, symbols or markings made on any structure, building, thing or property without the authorization of the City of Nanaimo."

(2) By deleting section 4.5 and replacing it with the following:

"cause or permit graffiti to accumulate or remain on any fence, surface, or structure which is visible from an adjacent property or public place".

(3) By deleting section 9 and replacing it with the following:

"9. Violation and Penalty

1. Any Person who causes, permits or allows anything to be done in contravention or violation of this Bylaw, or who neglects or fails to do anything required to be done pursuant to this Bylaw, commits an offence against this Bylaw and is liable upon summary conviction to pay a fine of not more than \$50,000, plus the costs of prosecution,

and any other penalty or remedy available under the Community Charter and Offence Act.

- 2 This Bylaw may be enforced by bylaw notice pursuant to the Bylaw Notice Enforcement Bylaw 2012 No. 7159, as amended or replaced.
  - 3 Each day that an offence continues or exists shall constitute a separate offence."
- (4) By deleting section 10 and renumbering the remaining sections of the bylaw.
- (5) By deleting Schedule A.

PASSED FIRST READING: 2021-JUN-21  
PASSED SECOND READING: 2021-JUN-21  
PASSED THIRD READING: 2021-JUN-21  
THIRD READING RESCINDED: 2021-JUL-05  
PASSED THIRD READING, AS AMENDED: 2021-JUL-05  
ADOPTED:

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MAYOR

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CORPORATE OFFICER

CITY OF NANAIMO

BYLAW NO. 7159.11

A BYLAW TO AMEND “BYLAW NOTICE ENFORCEMENT BYLAW 2012 NO. 7159”

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

1. Title

This Bylaw shall be cited as “BYLAW NOTICE ENFORCEMENT AMENDMENT BYLAW 2021 NO. 7159.11”.

2. Amendments

“BYLAW NOTICE ENFORCEMENT BYLAW 2012 NO. 7159” is hereby amended as follows:

- (A) By deleting the fine schedule for “Property Maintenance Bylaw 1990 No. 3704” in Schedule “A” in its entirety and replacing it with the following fine schedule for “Property Maintenance and Standards Bylaw 2017 No. 7242”.

**Property Maintenance and Standards Bylaw 2017 No. 7242**

Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty
4.1	Cause or permit rubbish to collect	150.00	112.50	187.50
4.2	Cause or permit water to accumulate	150.00	112.50	187.50
4.3	Cause or permit rubbish to overflow container	150.00	112.50	187.50
4.4	Cause or permit demolition or construction waste to accumulate	150.00	112.50	187.50
4.5	Cause or permit graffiti to accumulate	200.00	150.00	250.00
4.6	Interfere with Officer	200.00	150.00	250.00
5.1	Fail to clear noxious weeds, brush or overgrowth	150.00	112.50	187.50
6.1	Fail to remove infestation	150.00	112.50	187.50
7.1	Allow temporary shelter	150.00	112.50	187.50

PASSED FIRST READING: 2021-JUN-21  
PASSED SECOND READING: 2021-JUN-21  
PASSED THIRD READING: 2021-JUN-21  
ADOPTED:

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MAYOR

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CORPORATE OFFICER