



AGENDA

FOR THE SPECIAL MEETING OF THE COUNCIL OF THE CITY OF NANAIMO (PUBLIC HEARING)

Thursday, May 10, 2018, 7:00 P.M.

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

SCHEDULED RECESS AT 9:00 P.M.

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 and Subdivision, to explain the required procedures in conducting a Public Hearing and the regulations contained within Part 14 of the *Local Government Act*.

a. Covenant Amendment No. CA7 - 4745 Ledgerwood Road

6 - 10

To be introduced by Tamera Rogers, Planner.

Presentation: Sean Roy and Terry Hoff, Westurban Developments Ltd., applicant.

Call for Submissions from the Public.

b. Rezoning Application No. RA387 - 311 Selby Street - Bylaw 4500.120

11 - 20

To be introduced by Tamera Rogers, Planner.

Presentation: Donna Hais, R.W. (Bob) Wall Ltd., applicant.

Call for Submissions from the Public.

c.	<u>Rezoning Application No. RA388 - 2202 Meredith Road - Bylaw 4500.121</u>	21 - 32
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To be introduced by Tamera Rogers, Planner.

Presentation: Alan Lowe, Alan Lowe Architect Inc., applicant.

Call for Submissions from the Public.

6. FINAL CALL FOR SUBMISSIONS:

Following the close of a Public Hearing, no further submission 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: 33

a.	<u>"Zoning Amendment Bylaw 2018 No. 4500.120</u>	34 - 35
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That "Zoning Amendment Bylaw 2018 No. 4500.120" [To rezone 311 Selby Street from Community Service Three (CS3) to Fitzwilliam (DT2)] pass third reading.

b.	<u>"Zoning Amendment Bylaw 2018 No. 4500.121"</u>	36 - 37
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That "Zoning Amendment Bylaw 2018 No. 4500.121" [To rezone 2202 Meredith Road from Single Dwelling Residential (R1) to Townhouse Residential (R6) with site-specific provisions to increase the maximum permitted building height to 9.2m and increase the maximum allowable floor area ratio to 0.7] pass third reading.

9. REPORTS:

a.	<u>Covenant Amendment Application - CA000007</u>
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That "Covenant Amendment Application" (CA000007), to amend the Section 219 Covenant (EL70929) registered on the title of 4745 Ledgerwood Road, be approved.

Note: Accompanying report is found under 5a - Public Hearing section of the agenda.

Introduced by Dale Lindsay, Director of Community Development.

Purpose: To obtain Council authorization to pursue remedial action to remove the structure at the right side at the rear of the main dwelling at 432 Stable Place.

It is requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice - 432 Stable Place.

Recommendation: That Council:

1. Issue a Removal Order at 432 Stable Place pursuant to Sections 72 and 73 of the *Community Charter*, and,
2. Advise the owner that he may request that Council reconsider the Remedial Action Order by providing written notice within 14 days of the date on which notice of the remedial action requirement was sent; and,
3. Direct Staff or its authorized agents to take action in accordance with Section 17 of the *Community Charter* without further notice and at the owner's expense if the said remedial action is not undertaken within 30 days of Council's resolution

Introduced by Dale Lindsay, Director of Community Development.

Purpose: To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 206 Fifth Street.

It is requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice - 206 Fifth 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 206 Fifth Street for construction not completed as per the conditions of the building permit.

- d. Bylaw Contravention Notice - Construction Not Completed As Per Road Conditions of Building Permit - 5030 Lost Lake Road 44 - 45

Introduced by Dale Lindsay, Director of Community Development.

Purpose: To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 5030 Lost Lake Road.

It is requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice - 5030 Lost Lake 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 5030 Lost Lake Road for construction not completed as per the conditions of the building permit.

- e. Bylaw Contravention Notice - Construction Started Without a Building Permit - 53 Nicol Street 46 - 47

Introduced by Dale Lindsay, Director of Community Development.

Purpose: To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 53 Nicol Street.

It is requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice - 53 Nicol 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 53 Nicol Street for construction started without a building permit in contravention of "Building Bylaw 2016 No. 7224".

- f. Bylaw Contravention Notices - Secondary Suites 48 - 49

Introduced by Dale Lindsay, Director of Community Development.

Purpose: To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of the property listed within this report.

It is requested that Council hear anyone wishing to speak with respect to Bylaw Contravention Notice - 3139 Monk Place or 671 Haliburton 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 following properties:

1. 3139 Monk Place – illegal secondary suite
2. 671 Haliburton Street – illegal secondary suite

10. ADJOURNMENT:

DATE OF MEETING | March 19, 2018 |

AUTHORED BY | TAMERA ROGERS, PLANNER, CURRENT PLANNING AND
SUBDIVISION |

**SUBJECT | COVENANT AMENDMENT APPLICATION NO. CA7 –
4745 LEDGERWOOD ROAD |**

OVERVIEW

Purpose of Report

To present Council with an application to amend the Section 219 covenant registered on the title of 4745 Ledgerwood Road in order to increase the permitted number of dwelling units from 114 to 120. |

Recommendation

That Council direct Staff to proceed with a Public Hearing for Covenant Amendment Application No. CA7 at 4745 Ledgerwood Road. |

BACKGROUND

The City has received a covenant amendment application, CA7, for 4745 Ledgerwood Road from Westurban Developments Ltd. on behalf of White Lion Developments Ltd. to amend the Section 219 covenant (EL70929) to increase the permitted number of dwelling units from 114 to 120.

In 1995, 4745 Ledgerwood Road and 4801 Ledgerwood Road (now consolidated into 4745 Ledgerwood Road) were rezoned from Single Family Residential Zone (RS-1) and Light Industrial Zone (I-2) to Medium Density Multiple Family (Suburban) Zone (RM-5) through rezoning application RA95-15 to allow a multiple family development on each lot. Through the rezoning application, a covenant was placed on the property titles to secure the following:

- \$400/unit community contribution;
- maximum of 40 dwelling units on Lot A and 80 units on Lot B;
- maximum lot coverage of 26% on Lot A and 28% on Lot B;
- subdivision (boundary adjustment) per Schedule A;
- 10% of dwelling units to be three-bedroom or larger; and,
- one underground parking space per dwelling unit.

In 2010, new owners consolidated the lots and applied to amend the covenant (RA265) to allow for a new development proposal. The covenant was amended to:

- permit a maximum of 114 dwelling units (a reduction of 6 dwelling units);
- remove the lot coverage restriction;
- remove the requirement to subdivide; and,
- reduce the percentage of units required to be three-bedroom or larger from 10% to 5%.

The subject property is now under new ownership with a new development proposal to

maximize the unit yield on the property. A future development permit will be required for the proposed multiple family development.

Subject Property

<i>Zoning</i>	R8 – Medium Density Residential
<i>Location</i>	The subject property is located on the south side of the road, adjacent the Jordan Avenue/Ledgerwood Road intersection.
<i>Total Area</i>	12,817m ²
<i>Official Community Plan</i>	Map 1 – Future Land Use Plans – Light Industrial Map 3 – Development Permit Area No. 4 – Nanaimo Parkway Design; Development Permit Area No. 5 – Steep Slope Development; Development Permit Area No. 9 – Commercial, Industrial, Institutional, Multiple Family and Mixed Commercial/Residential Development

The subject property is adjacent to the Boban Industrial Park to the north, south and west, a single dwelling residential neighbourhood to the east, and the Wellington Cemetery directly across the street. The lot is designated a steep slope property. |

DISCUSSION

The applicant proposes to amend the covenant to increase the number of permitted dwelling units from 114 to 120. When the property was rezoned in 1995, the City's Official Community Plan did not include a steep slope development permit area or steep slope design guidelines to regulate the development of properties with steep slopes. Registration of the Section 219 covenant as a condition of the rezoning application was intended to minimize the impact of future development on the steep slope through restrictions to lot coverage and the permitted number of dwelling units. As the City now has a designated Steep Slope Development Permit Area (DPA5) and design guidelines for steep slopes, developments on steep slopes are now more comprehensively addressed through the development permit review process to ensure sensitive steep slope development. As such, Staff support the increase in the maximum number of dwelling units from 114 to 120, with the detailed design to be reviewed through a future development permit application. This number also reflects the total number of units originally permitted through the rezoning on the subject property in 1995.

All other covenant conditions will be maintained, including the community contribution, the requirement for 5% of dwelling units to have three or more bedrooms, and the requirement of one underground parking space per dwelling unit.

Staff request Council direction to proceed with public notification and a Public Hearing for this application.

SUMMARY POINTS

- A covenant amendment application (CA7) was received to increase the permitted number of dwelling units from 114 to 120.
- Prior to its amendment in 2010, the original covenant allowed a total of 120 dwelling units on the subject property (40 on Lot A and 80 on Lot B).
- Staff support the amendment of the Section 219 covenant to increase the maximum number of dwelling units to 120.

ATTACHMENTS

ATTACHMENT A: Location Plan

ATTACHMENT B: Aerial Photo

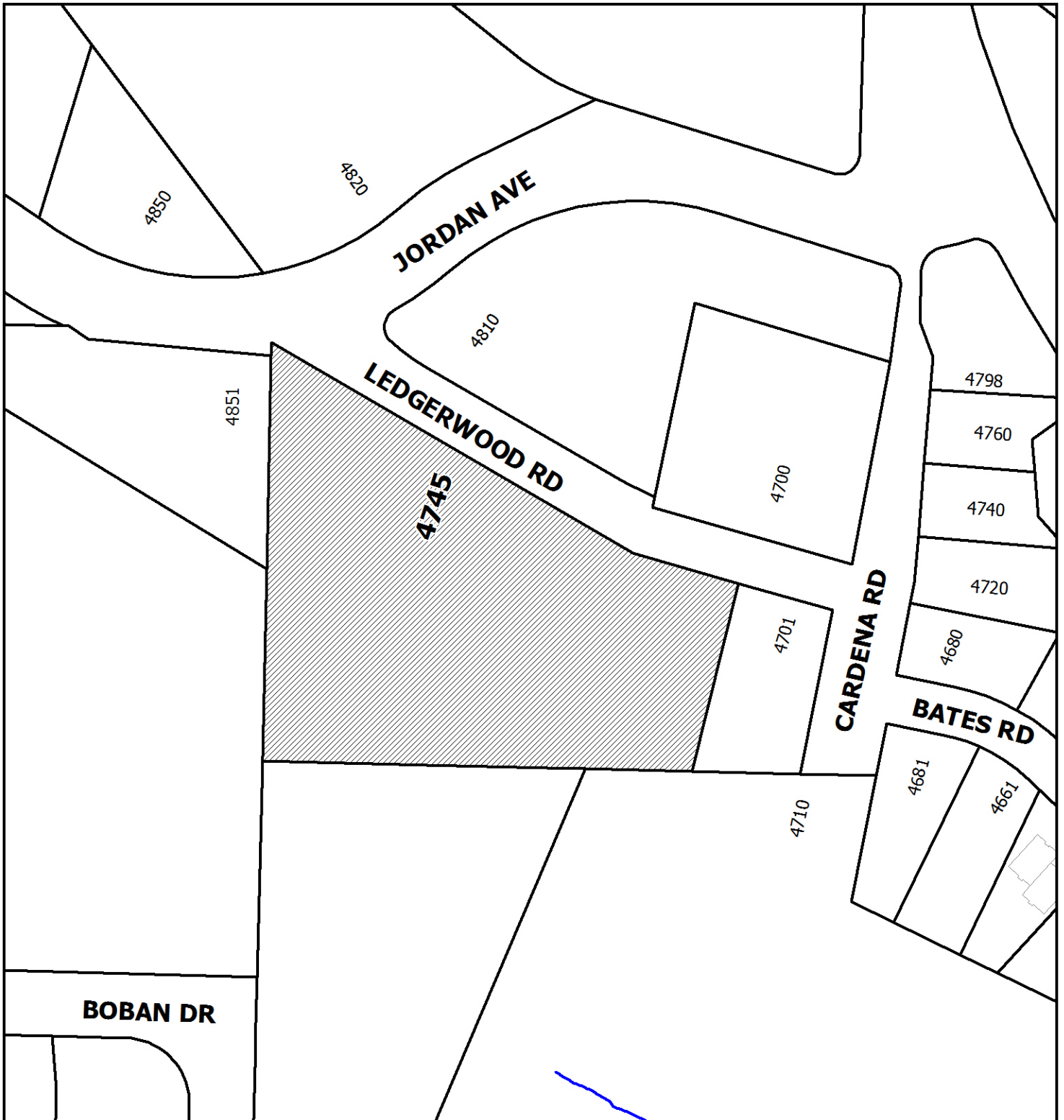
Submitted by:

L. Rowett
Manager, Current Planning and Subdivision

Concurrence by:

D. Lindsay
Director, Community Development

ATTACHMENT A
LOCATION PLAN



COVENANT AMENDMENT NO. CA00007

LOCATION PLAN

Civic: 4745 Ledgerwood Road
Lot 1, Section 5, Wellington District,
Plan EPP9079



 **Subject
Property**

ATTACHMENT B
AERIAL PHOTO



COVENANT AMENDMENT NO. CA00007



DATE OF MEETING April 23, 2018

AUTHORED BY TAMERA ROGERS, PLANNER, CURRENT PLANNING AND SUBDIVISION

SUBJECT REZONING APPLICATION NO. RA387 – 311 SELBY STREET

OVERVIEW

Purpose of Report

To present Council with an application to rezone the property located at 311 Selby Street from Community Service Three (CS3) to Fitzwilliam (DT2) to allow an office use in the existing building and to facilitate future redevelopment of the property.

Recommendation

1. That “Zoning Amendment Bylaw 2018 No. 4500.120” [To rezone 311 Selby Street from Community Service Three (CS3) to Fitzwilliam (DT2)] pass first reading;
2. That “Zoning Amendment Bylaw 2018 No. 4500.120” pass second reading; and,
3. That Council direct Staff to secure the closure of the Selby Street access and the community contribution through a covenant prior to the adoption of the bylaw, should Council support the bylaw at third reading.

BACKGROUND

A rezoning application (RA387) for 311 Selby Street was received from Donna Hais on behalf of the property owner, Lindsay Widsten. The applicant proposes to rezone the subject property from Community Service Three (CS3) to Fitzwilliam (DT2) to allow an office use in the existing building and to facilitate future redevelopment of the property.

The subject property was originally part of the E&N railway right-of-way and the existing building was historically used as a utility building for telecommunications. There is no longer a need for this use on the subject property and the telecommunications tower has been removed.

Subject Property & Site Context

<i>Location</i>	The subject property is located at the southwest corner of Fitzwilliam Street and Selby Street.
<i>Total Lot Area</i>	1,231m ²
<i>Current Zone</i>	CS3 – Community Service Three
<i>Proposed Zone</i>	DT2 - Fitzwilliam
<i>Official Community Plan Designation</i>	Downtown Centre Urban Node
<i>Nanaimo Downtown Plan Designation</i>	Old City Commercial

The subject property is adjacent to the E&N railway, at the corner of Selby Street and Fitzwilliam Street in the Old City Quarter. The area is characterized by a mix of commercial, service, and residential uses in buildings that vary from new construction to heritage-designated properties.

This property is part of the Fitzwilliam Street Heritage Gateway, which extends east along Fitzwilliam Street from the E&N railway and south to the old railway station on Selby Street. The location of the subject property marks an important historical entry point to Nanaimo.

DISCUSSION

Proposed Development

The applicant is proposing to rezone the subject property in order to allow an office use in the existing building. The existing CS3 zone is intended for transportation terminals, depots, corridors, and other required infrastructure and does not allow any of the commercial, residential, and service uses anticipated in the Downtown Centre Urban Node. If approved, the rezoning would allow the use of this building for office space until the property redevelops at a later date. The façade of the building would be updated with exterior paint and finishes to reflect the new office use.

No road dedication is required. Full works and services will be required for the property frontage through future redevelopment of the subject property.

The existing access on Fitzwilliam Street is required to be closed as a condition of rezoning due to its adjacency to the E&N railway crossing. As a result of consultation with Southern Railway of Vancouver Island, it was determined the access is located too close to the railway per the Transport Canada Grade Crossing Standards. The Selby Street property access will be maintained.

Official Community Plan

The subject property is located within the Downtown Centre Urban Node designation (Section 2.1) of the Official Community Plan (OCP). The Downtown Centre Urban Node designation encourages uses that promote the downtown as the heart of the city. These uses include retail, personal service, professional and government offices, cultural facilities, and community services. The anticipated residential density range is 150 or more units per hectare (uph) in highrise building forms. Medium-density residential between 50 to 150 uph is also supported.

The existing CS3 zone reflects the historic use of the property, which only permits transportation-related uses that are no longer suitable for this location. The proposed rezoning would allow an interim office use in the existing building and animate a prominent corner property that serves as a gateway to downtown. It would also facilitate the future redevelopment of the property under the DT2 zone, which permits uses that are more compatible with the objectives of the Downtown Centre Urban Node designation.

Community Contribution

As outlined in Section 7.3 of the OCP, in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution. As the applicant does not yet have a redevelopment proposal for the subject property, they are proposing to secure the community contribution, through a covenant, as follows:

- \$1,000/dwelling unit; and,
- \$34/m² of commercial gross floor area.

The total contribution amount will be based on the future development proposal to be paid prior to the issuance of a building permit. The applicant proposes to direct the community contribution towards the City's Housing Legacy Reserve Fund. Staff support this proposal.

Nanaimo Downtown Plan

The Nanaimo Downtown Plan designates the subject property as Old City Commercial within the Fitzwilliam character area. This area is characterized by a mixed-use, old style shopping street and encourages street-oriented residential or mixed-use, medium-rise infill developments. The proposed DT2 zone meets the intent of the Neighbourhood Plan in terms of use and density, and will facilitate the redevelopment of the property.

Transportation Master Plan

The subject property is located within the Downtown Mobility Hub. The Transportation Master Plan envisions increased residential and commercial densities in this mobility hub to provide broader access to services, as well as improvements to the transportation network that will encourage more sustainable transportation choices. The proposed DT2 zone supports this objective.

Conditions of Rezoning

Should Council support this application and pass third reading of Bylaw No. 4500.120, Staff recommend the following items be secured through covenant prior to final adoption of the bylaw:

- *Community Contribution* – Monetary contribution of \$1,000/dwelling unit and \$34/m² of new commercial gross floor area to be directed towards the City's Housing Legacy Reserve Fund.
- *Closure of Fitzwilliam Street Access* – Due to its proximity to the railway, the Fitzwilliam Street access is required to be closed as a condition of the rezoning.

Community Planning and Development Committee

The Community Planning and Development Committee, at its meeting held on 2018-MAR-20, recommended that Council approve the rezoning application.

SUMMARY POINTS

- The application is to rezone the subject property from Community Service Three (CS3) to Fitzwilliam (DT2) to allow an office use in the existing building.
- The proposed development meets the policy objectives of the OCP and will facilitate the future redevelopment of the property under the DT2 zone, which allows uses that are more compatible with the objectives of the Downtown Centre Urban Node designation.
- The community contribution will be secured through a covenant at a rate of \$1,000 per dwelling unit and \$34/m² of new commercial gross floor area to be directed towards the City's Housing Legacy Reserve Fund.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: Conceptual Site Plan
ATTACHMENT C: Conceptual Building Elevations
ATTACHMENT D: Aerial Photo
"Zoning Amendment Bylaw 2018 No. 4500.120" |

Submitted by:

L. Rowett, Manager
Current Planning and Subdivision

Concurrence by:

D. Lindsay, Director
Community Development

LOCATION PLAN

WENTWORTH ST

PRIDEAUX ST

FITZWILLIAM ST

RICHARDS ST

WALLACE ST

SELBY ST

WESLEY ST

House numbers shown on the map include: 15, 221, 227, 231, 233, 285, 303, 305, 309, 311, 319, 320, 321, 326, 335, 347, 351, 357, 367, 369, 371, 373, 375, 377, 379, 381, 383, 385, 387, 389, 391, 393, 395, 397, 399, 401, 403, 405, 407, 409, 411, 413, 415, 417, 419, 421, 423, 425, 427, 429, 431, 433, 435, 437, 439, 441, 443, 445, 447, 449, 451, 453, 455, 457, 459, 461, 463, 465, 467, 469, 471, 473, 475, 477, 479, 481, 483, 485, 487, 489, 491, 493, 495, 497, 499, 501, 503, 505, 507, 509, 511, 513, 515, 517, 519, 521, 523, 525, 527, 529, 531, 533, 535, 537, 539, 541, 543, 545, 547, 549, 551, 553, 555, 557, 559, 561, 563, 565, 567, 569, 571, 573, 575, 577, 579, 581, 583, 585, 587, 589, 591, 593, 595, 597, 599, 601, 603, 605, 607, 609, 611, 613, 615, 617, 619, 621, 623, 625, 627, 629, 631, 633, 635, 637, 639, 641, 643, 645, 647, 649, 651, 653, 655, 657, 659, 661, 663, 665, 667, 669, 671, 673, 675, 677, 679, 681, 683, 685, 687, 689, 691, 693, 695, 697, 699, 701, 703, 705, 707, 709, 711, 713, 715, 717, 719, 721, 723, 725, 727, 729, 731, 733, 735, 737, 739, 741, 743, 745, 747, 749, 751, 753, 755, 757, 759, 761, 763, 765, 767, 769, 771, 773, 775, 777, 779, 781, 783, 785, 787, 789, 791, 793, 795, 797, 799, 801, 803, 805, 807, 809, 811, 813, 815, 817, 819, 821, 823, 825, 827, 829, 831, 833, 835, 837, 839, 841, 843, 845, 847, 849, 851, 853, 855, 857, 859, 861, 863, 865, 867, 869, 871, 873, 875, 877, 879, 881, 883, 885, 887, 889, 891, 893, 895, 897, 899, 901, 903, 905, 907, 909, 911, 913, 915, 917, 919, 921, 923, 925, 927, 929, 931, 933, 935, 937, 939, 941, 943, 945, 947, 949, 951, 953, 955, 957, 959, 961, 963, 965, 967, 969, 971, 973, 975, 977, 979, 981, 983, 985, 987, 989, 991, 993, 995, 997, 999.

LOCATION PLAN

Subject Property

D:\AutoCAD\0400\0406-014 311 Selby Street\0406-014 Rev01.dwg, 08/02/2018 3:52:48 PM DWG To PDF.pc3



1. THIS PLAN HAS BEEN
CREATED ONLY TO SUPPORT A
REZONING APPLICATION. THE
LOCATION OF ALL EXISTING
SERVICES AND ONSITE FEATURES
ARE SHOWN APPROXIMATELY
AND SHALL BE CONFIRMED IN
THE FIELD BY THE CONTRACTOR
PRIOR TO COMMENCING WORK.

311 SELBY STREET

R.W. (BOB) WALL LTD.

311 SELBY STREET PARKING SCHEMATIC

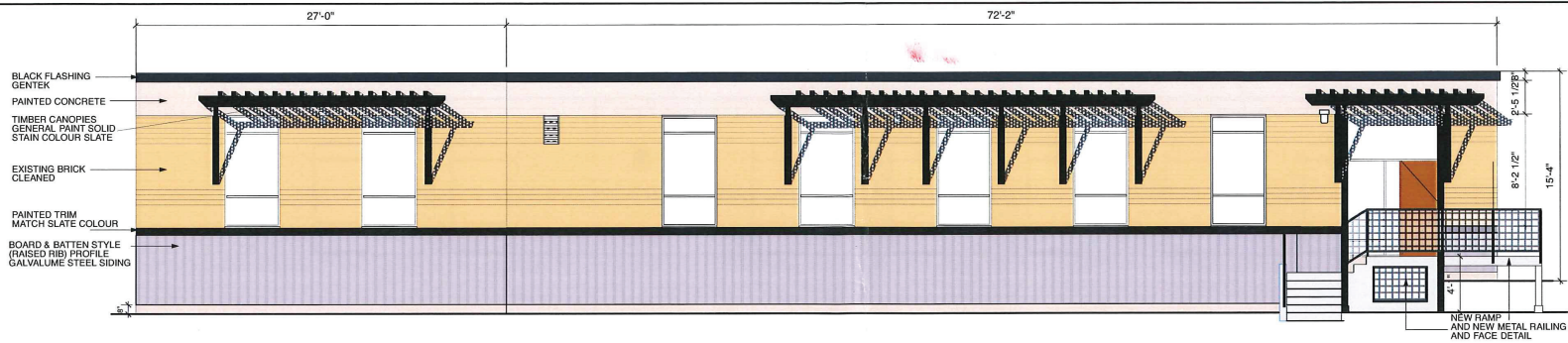


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Drawn	KA
Date:	2018-02-08
Dwg. No.	0406-014-P

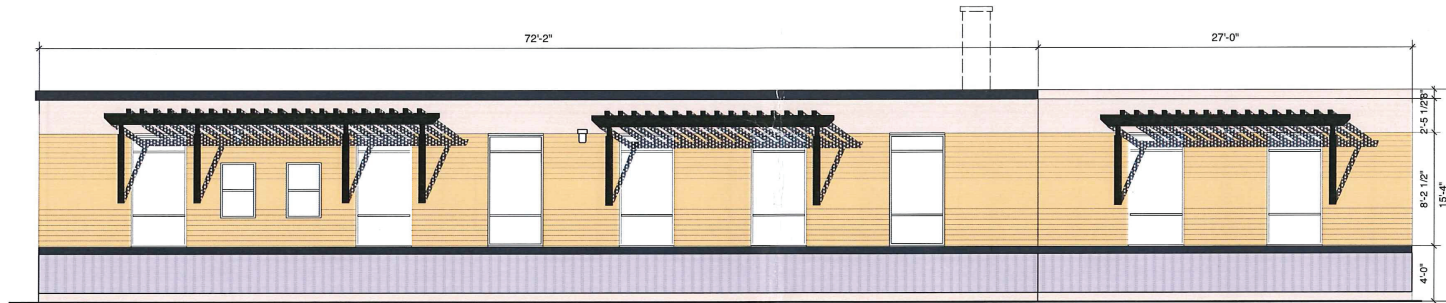
REV 01

ATTACHMENT C

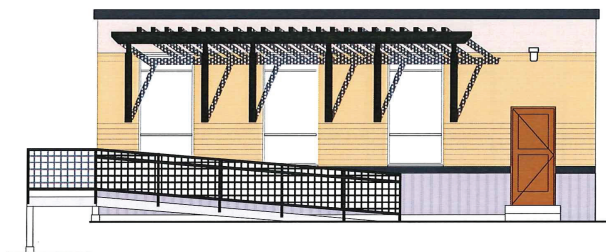
CONCEPTUAL BUILDING ELEVATIONS



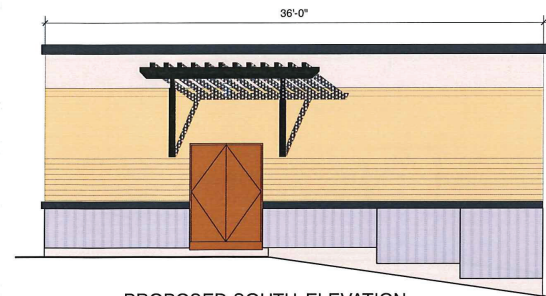
PROPOSED EAST ELEVATION (SELBY STREET)
SCALE 1/4"=1'-0"



PROPOSED WEST ELEVATION
SCALE 1/4"=1'-0"



PROPOSED NORTH ELEVATION
SCALE 1/4"=1'-0"



PROPOSED SOUTH ELEVATION
SCALE 1/4"=1'-0"

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NO: DATE: REVISION:
NOV 9 1987 PRELIM REZONING

311 SELBY STREET
NANAIMO, B.C.
PROPOSED REZONING &
EXTERIOR UPGRADE

311 PR E
RECEIVED
RA387
NOV 17 2017



CITY OF NANAIMO
COMMUNITY DEVELOPMENT

50 Harg Road
 Gabriola Island, B.C. V0R 1X1
 business: (250) 247-0505
 fax/modem: (250) 247-8513

ellins architect inc.
architecture • planning • interior design

DRAWING:

ELEVATIONS
PROPOSED
BLDG. UPGRADE

DRAWN BY:	
DATE:	
SCALE:	
PROJECT NO. 2017-10	DRAWING NO. A1.2

ATTACHMENT D
AERIAL PHOTO



REZONING APPLICATION NO. RA000387



CITY OF NANAIMO

BYLAW NO. 4500.120

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 2018 NO. 4500.120".
2. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN VIP70273 (311 Selby Street) from Commercial Service Three (CS3) to Fitzwilliam (DT2) as shown on Schedule A.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

COVENANT REGISTERED: _____

ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000387
Address: 311 Selby Street

DATE OF MEETING April 23, 2018

AUTHORED BY TAMERA ROGERS, PLANNER, CURRENT PLANNING AND
SUBDIVISION

SUBJECT REZONING APPLICATION NO. RA388 – 2202 MEREDITH ROAD

OVERVIEW

Purpose of Report

To present Council with an application to rezone the property located at 2202 Meredith Road from Single Dwelling Residential (R1) to Townhouse Residential (R6) with site-specific provisions to increase the maximum permitted building height and floor area ratio to allow an eight-unit multiple family development.

Recommendation

1. That “Zoning Amendment Bylaw 2018 No. 4500.121” [To rezone 2202 Meredith Road from Single Dwelling Residential (R1) to Townhouse Residential (R6) with site-specific provisions to increase the maximum permitted building height to 9.2m and increase the maximum allowable floor area ratio to 0.7] pass first reading;
2. That “Zoning Amendment Bylaw 2018 No. 4500.121” pass second reading; and,
3. That Council direct Staff to secure the road dedication and community contribution prior to the adoption of the bylaw, should Council support the bylaw at third reading.

BACKGROUND

A rezoning application (RA388) for 2202 Meredith Road was received from Alan Lowe on behalf of Branric Enterprises Ltd. The applicant proposes to rezone the subject property from Single Dwelling Residential (R1) to Townhouse Residential (R6) with site-specific provisions to increase the maximum permitted building height and floor area ratio to allow an eight-unit multiple family development.

Subject Property & Site Context

<i>Location</i>	The subject property is located at the northwest corner of the Tulsa Road/Meredith Road intersection
<i>Total Lot Area</i>	1,578m ²
<i>Current Zone</i>	R1 – Single Dwelling Residential
<i>Proposed Zone</i>	R6 – Townhouse Residential with site-specific provisions for building height and floor area ratio
<i>Official Community Plan Designation</i>	Neighbourhood

The subject property is located in an area characterized by a mix of uses and lot sizes. To the north and west of the subject property is a low-density neighbourhood consisting primarily of single dwelling and duplex lots. The Boxwood Industrial Park and large Single Dwelling Residential (R1) lots with development potential are located to the south. The properties directly across the street to the west are designated Corridor per the Official Community Plan (see Attachment F – Official Community Plan Designation). These lots consist of single residential dwellings, a religious institution, two new four-storey multiple-family developments, and a mixed-use building at the corner of Meredith Road and Bowen Road.

The subject property is located within walking distance of the #30 and #40 bus routes, several commercial centres (including two grocery stores), an elementary school, and Beban Park.

DISCUSSION

Proposed Development

The proposed amendments to building height and Floor Area Ratio (FAR) would allow an eight-unit townhouse development fronting Meredith Road and Tulsa Road with two-storey and three-storey buildings.

The Zoning Bylaw does not include a zone with sufficient FAR and building height to allow a three-storey townhouse building form even if the density complies with the permitted 10-50 units per hectare (uph) in the Neighbourhood designation in the Official Community Plan. The following table illustrates the proposed site-specific R6 zone to the maximum building height and base density in the comparable multiple-family zones – Townhouse Residential (R6) and Medium Density Residential (R8):

<i>Zone</i>	<i>Building Height</i>	<i>Base Density (FAR)</i>
R6	7m (4:12 pitch or less) 9m (4:12 pitch or greater)	0.45
R8	14m	1.25
Proposed Site-Specific R6	9.2m	0.7

The applicant is proposing a development that addresses the density gap between the R6 and R8 zones to provide another housing form (three-storey townhouse) in a neighbourhood located near transit, services, and other amenities such as Beban Park. It also provides a transition between the Corridor-zoned properties (across Tulsa Road), which allow for 1.00 FAR and 14m of building height, and the single dwelling residential and duplex properties to the west, which allow for 7m or 9m building height depending on roof pitch.

The proposed 9.2m building height would apply to the entire property; however, to ensure the infill development provides a sensitive transition, the buildings are proposed to step down from a three-storey form adjacent to the Corridor-designated properties to a two-storey form adjacent to the Neighbourhood-designated property to the west. A more detailed design review will be completed through a future development permit application.

Road dedication (2.5m) is required along the Meredith Road frontage as part of the rezoning application. Full works and services will be required through a future building permit, including offset sidewalks with a treed boulevard and on-street parking on both frontages, and a bike lane on Meredith Road.

See the Attachments for more information.

Official Community Plan

The Neighbourhood land-use designation encourages a mix of low-density residential uses (10 to 50 uph) in two- to four-storey building forms. The proposed development achieves the building form and density envisioned in the OCP at approximately 50 uph. Considering the location of the subject property adjacent to higher-density Corridor-designated properties (50 to 150 uph in two- to six-storey building forms), the proposed building form and density will provide a desirable transition from the Corridor designation to lower density developments within the Neighbourhood designation.

The Neighbourhood designation also encourages building design that complements existing neighbourhood character, including the ground-oriented form of the existing housing. The proposed townhouses will be ground-oriented and designed to transition to adjacent development (duplex) to the west. In addition, the three-storey townhouse form will add diversity to the existing housing stock with a new form of housing.

Given the proximity to the Bowen Corridor, which includes transit services and amenities, and the new three-storey townhouse form to transition between Corridor and Neighbourhood designated properties, Staff considers that the proposed infill development meets the objectives of the OCP.

Community Contribution

As outlined in Section 7.3 of the OCP, in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution. The applicant proposes a monetary contribution of \$8,000 towards improvements to nearby Fern Road Park. Staff are supportive of the community contribution proposal.

Transportation Master Plan

The subject property is located within the Nanaimo Regional General Hospital Mobility Hub, which is characterized as the primary centre for health services in the Nanaimo region and is one of the city's largest employers. Increasing residential densities near a high concentration of employment creates opportunities to shift commuting travel patterns to transit, cycling, and walking to reduce automobile dependence. The proposed rezoning will increase the number of dwelling units in the hub area and add to the bike lane and sidewalk network to support alternative modes of transportation in this mobility hub.

Community Planning and Development Committee

The Community Planning and Development Committee, at its meeting held on 2018-MAR-20, recommended that Council approve the rezoning application.

As a clarification, the proposed development concept received by the Community Planning and Development Committee noted a FAR of 0.6. Staff later determined that the FAR is 0.7 as a result of the required road dedication. As such, the proposed FAR is 0.7, reflecting the change in lot size.

Conditions of Rezoning

Should Council support this application and pass third reading of Bylaw No. 4500.121, Staff recommend the following items be secured prior to final adoption of the bylaw:

1. *Road Dedication*
A 2.5m road dedication is required off the Meredith Road frontage through an application to deposit a plan of road dedication.
2. *Community Contribution*
Monetary contribution of \$8,000 to be directed towards improvements to Fern Road Park.

SUMMARY POINTS

- The application is to rezone the subject property from Single Dwelling Residential (R1) to Townhouse Residential (R6) with site-specific provisions to increase the maximum permitted building height to 9.2m and increase the maximum allowable floor area ratio to 0.7.
- The proposed development meets the policy objectives of the OCP and offers an infill development in a neighbourhood near transit, services, and amenities. The three-storey townhouse form will also offer a new form of housing to the neighbourhood and will provide a transition between the Corridor-designated properties to the west and other Neighbourhood-designated properties to the east.
- An \$8,000 community contribution is proposed to be directed towards improvements to Fern Road Park.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: Conceptual Site Plan
ATTACHMENT C: Conceptual Renderings
ATTACHMENT D: Aerial Photo
ATTACHMENT E: Official Community Plan Future Land Use Designation
"Zoning Amendment Bylaw 2018 No. 4500.121"

Submitted by:

L. Rowett
Manager, Current Planning & Subdivision

Concurrence by:

D. Lindsay,
Director, Community Development

ATTACHMENT A
LOCATION PLAN



REZONING APPLICATION NO. RA000388

LOCATION PLAN

Civic : 2202 Meredith Road
Lot A, Section 17, Range 7,
Mountain District, Plan 34388



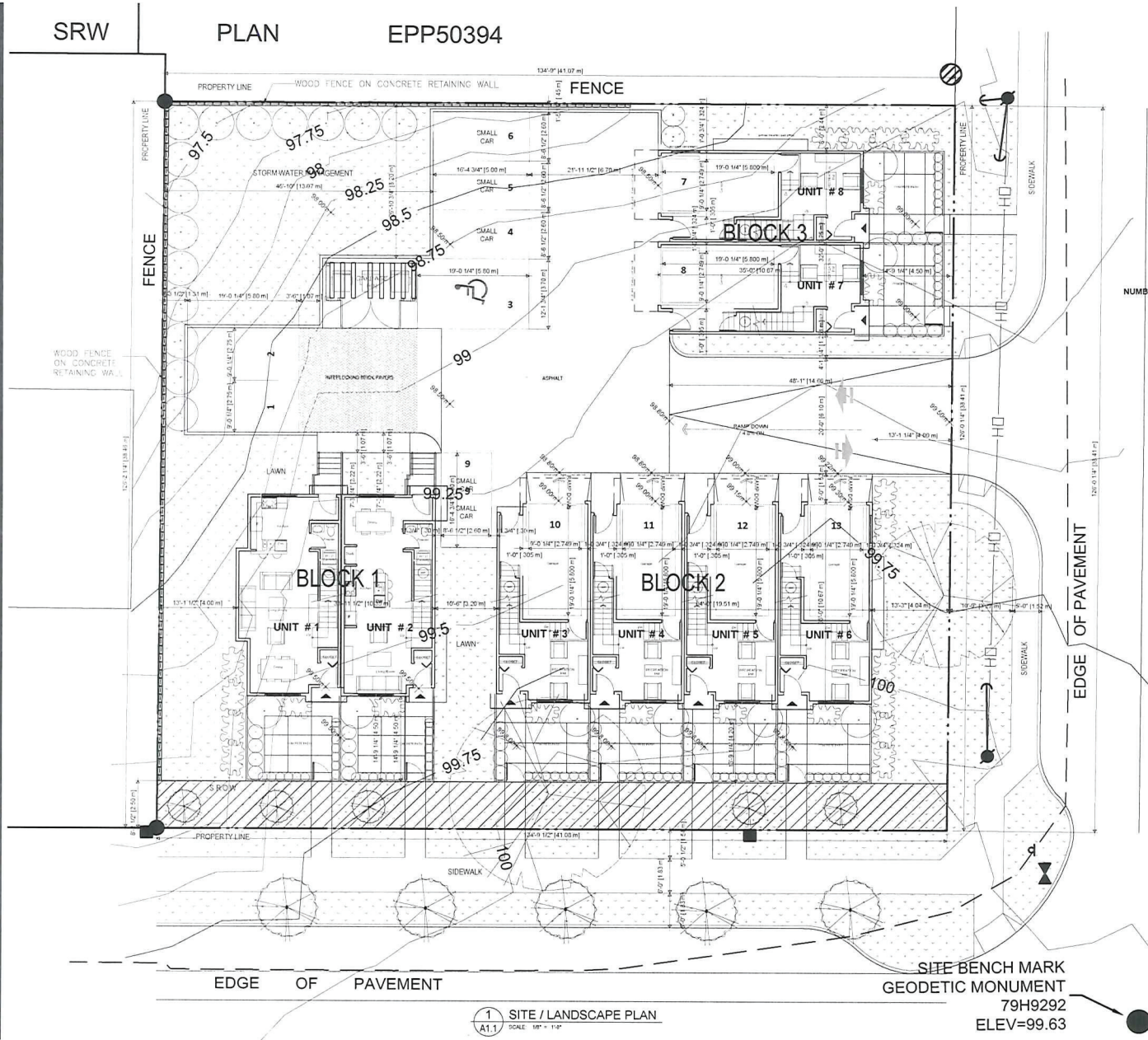
Subject Property

ATTACHMENT B CONCEPTUAL SITE PLAN

SRW

PLAN

EPP50394



PROJECT INFORMATION

LEGAL ADDRESS: LOT A PLAN VP34388 SECTION 17 RANGE 7
LAND DISTRICT 31

CIVIC ADDRESS: 2202 MEREDITH ROAD
NANAIMO, B.C.

ZONING DATA

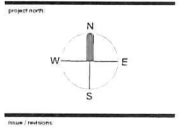
ZONING:
SITE AREA: 16,993 sq. ft. [1,579 m²]
GROSS FLOOR AREA: 10,145 sq. ft. [943 m²]
(EXCLUDING GARAGE)
GROSS FLOOR AREA: 11,869 sq. ft. [1010 m²]
(INCLUDING GARAGE)
FLOOR AREA RATIO: 0.6
FLOOR AREA RATIO: 0.64
(INCLUDING GARAGE)
SITE COVERAGE: 26%

NUMBER OF UNITS: 8
NUMBER OF PARKING STALLS: 13
(INCLUDING 1 HANDICAPPED STALL & 4 SMALL CAR STALLS)

BUILDING HEIGHT: 30'-2" (9.19 m)

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consultants:



Scale: 1 inch = 20 feet

1 REZONING APPLICATION 11 DEC 17
No. Issued / Revisions Date

alan lowe architect inc.
203 - 1110 Government St. 1 250.360.2505
Victoria, British Columbia
www.alanlowe.ca

project title
RESIDENTIAL
DEVELOPMENT

drawing title
SITE / LANDSCAPE PLAN

project no.: 17-510
date: 04 DEC 2017 scale: AS NOTED
checked by: LOWE drawn by: TS - ALA
sheet no.:

A1.0

1 SITE / LANDSCAPE PLAN
A1.1 SCALE: 1/8" = 1'-0"

MEREDITH ROAD

ATTACHMENT C CONCEPTUAL RENDERINGS



1
A3.1 RENDERING #1
SCALE: NTS

TULSA ROAD



2
A3.1 RENDERING #2
SCALE: NTS

CORNER VIEW



3
A3.1 RENDERING #3
SCALE: NTS

MEREDITH ROAD



4
A3.1 RENDERING #4
SCALE: NTS

MEREDITH ROAD



5
A3.1 RENDERING #5
SCALE: NTS



6
A3.1 RENDERING #6
SCALE: NTS

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Consultants:

project north:



Issue / Revisions:

1	REZONING APPLICATION	11 DEC. 17
No.	Issued / Revisions	Date

alan lowe architect inc.

203 - 1110 Government St. | 250.380.2888
Victoria, British Columbia

seal:



project title:
**RESIDENTIAL
DEVOLVEMENT**

drawing title:
RENDERINGS

project no.: 17-510

date: 04 DEC. 2017 scale: AS NOTED

checked by: LOWE drawn by: TS-AA

sheet no.:

A3.1

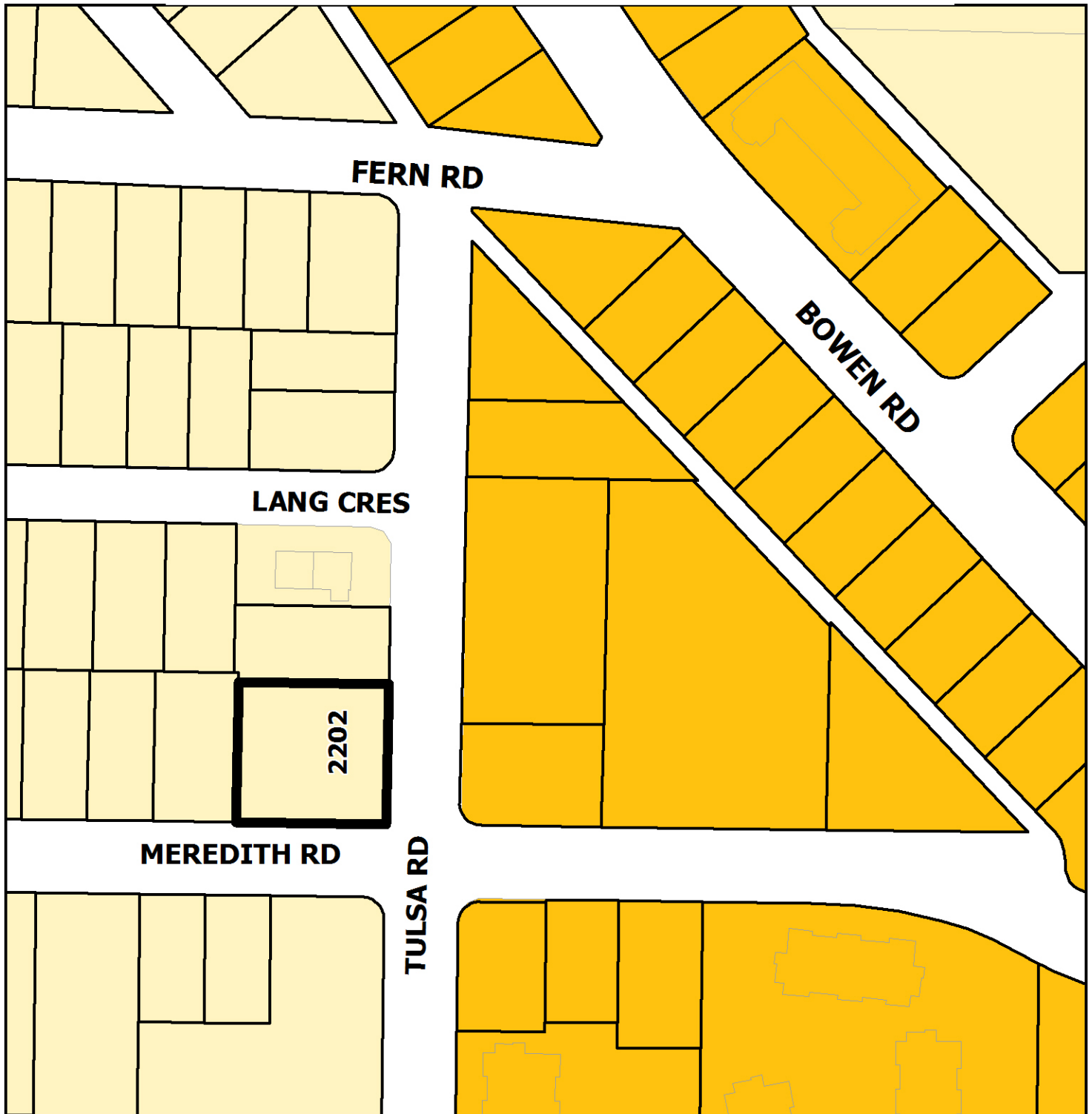
ATTACHMENT D
AERIAL PHOTO



REZONING APPLICATION NO. RA000388



ATTACHMENT E
OFFICIAL COMMUNITY PLAN FUTURE LAND USE DESIGNATION



REZONING APPLICATION NO. RA000388
OCP - Future Land Use

LOCATION PLAN

Civic : 2202 Meredith Road
Lot A, Section 17, Range7,
Mountain District, Plan 34388



- Corridor
- Neighbourhood
- Subject Property

CITY OF NANAIMO

BYLAW NO. 4500.121

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 2018 NO. 4500.121".

2. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby amended as follows:

(A) By rezoning the lands legally described as LOT A, SECTION 17, RANGE 7, MOUNTAIN DISTRICT, PLAN 34388 (2202 Meredith Road) from Single Dwelling Residential (R1) to Townhouse Residential (R6) as shown on Schedule A.

(B) By adding the following after Subsection 7.3.6:

7.3.7 Notwithstanding 7.3.1, the maximum Floor Area Ratio shall not exceed 0.7 on the land legally described as Lot A, Section 17, Range 7, Mountain District, Plan 34388 (2202 Meredith Road).

(C) By adding the following after Subsection 7.6.6:

7.6.7 Notwithstanding 7.6.1, the height of a principal building shall not exceed 9.2m on the land legally described as Lot A, Section 17, Range 7, Mountain District, Plan 34388 (2202 Meredith Road).

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000388
Address: 2202 Meredith Road

SCHEDULE A



REZONING APPLICATION NO. RA000388

LOCATION PLAN



Civic : 2202 Meredith Road
Lot A, Section 17, Range7,
Mountain District, Plan 34388

 Subject Property

8. Bylaws

CITY OF NANAIMO

BYLAW NO. 4500.120

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 2018 NO. 4500.120".
2. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN VIP70273 (311 Selby Street) from Commercial Service Three (CS3) to Fitzwilliam (DT2) as shown on Schedule A.

PASSED FIRST READING: 2018-APR-23

PASSED SECOND READING: 2018-APR-23

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

COVENANT REGISTERED: _____

ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000387
Address: 311 Selby Street

SCHEDULE A



REZONING APPLICATION NO. RA000387

LOCATION PLAN



Civic : 311 Selby Street
Lot 1, Section 1, Nanaimo District,
Plan VIP70273

 Subject Property

CITY OF NANAIMO

BYLAW NO. 4500.121

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 2018 NO. 4500.121".

2. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby amended as follows:

(A) By rezoning the lands legally described as LOT A, SECTION 17, RANGE 7, MOUNTAIN DISTRICT, PLAN 34388 (2202 Meredith Road) from Single Dwelling Residential (R1) to Townhouse Residential (R6) as shown on Schedule A.

(B) By adding the following after Subsection 7.3.6:

7.3.7 Notwithstanding 7.3.1, the maximum Floor Area Ratio shall not exceed 0.7 on the land legally described as Lot A, Section 17, Range 7, Mountain District, Plan 34388 (2202 Meredith Road).

(C) By adding the following after Subsection 7.6.6:

7.6.7 Notwithstanding 7.6.1, the height of a principal building shall not exceed 9.2m on the land legally described as Lot A, Section 17, Range 7, Mountain District, Plan 34388 (2202 Meredith Road).

PASSED FIRST READING: 2018-APR-23

PASSED SECOND READING: 2018-APR-23

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000388
Address: 2202 Meredith Road

SCHEDULE A



REZONING APPLICATION NO. RA000388

LOCATION PLAN

Civic : 2202 Meredith Road
Lot A, Section 17, Range7,
Mountain District, Plan 34388

 Subject Property

DATE OF MEETING | May 10, 2018 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

SUBJECT | REMEDIAL ACTION ORDER – 432 STABLE PLACE |

OVERVIEW

Purpose of Report

To obtain Council authorization to pursue remedial action to remove the structure at the right side at the rear of the main dwelling at 432 Stable Place. |

Recommendation

That Council:

1. Issue a Removal Order at 432 Stable Place pursuant to Sections 72 and 73 of the *Community Charter*; and,
2. Advise the owner that he may request that Council reconsider the Remedial Action Order by providing written notice within 14 days of the date on which notice of the remedial action requirement was sent; and,
3. Direct Staff or its authorized agents to take action in accordance with Section 17 of the *Community Charter* without further notice and at the owner's expense if the said remedial action is not undertaken within 30 days of Council's resolution. |

BACKGROUND

An inspection was completed on 2018-FEB-28 in response to a complaint received regarding illegal construction. The inspection confirmed that a structure on the right side at the rear of the main dwelling had been illegally constructed. As the structure cannot remain in its current location, a deadline of 2018-MAR-29 was given to remove the structure. An inspection 2018-MAR-29 confirmed that the structure was still in place. As such, the City is seeking a Removal Order pursuant to Sections 72 and 73 of the *Community Charter*. |

DISCUSSION

The illegally-constructed addition is located within the setback area in violation of the Zoning Bylaw, and does not conform to building code in violation of the Building Bylaw. As such, the City is seeking removal of the structure.

SUMMARY POINTS

- The structure was built without permit and is located in the setback area.
- Staff recommend that Council issue a Remedial Action Order to remove the illegal structure pursuant to Sections 72 and 73 of the *Community Charter*.
- If the removal has not been completed within 30 days, the City will pursue removal at the owner's expense.

ATTACHMENTS

ATTACHMENT A: Photos

Submitted by:

Darcy Fox
Manager, Building Inspections

Concurrence by:

Dale Lindsay
Director, Community Development

432 Stable Place



432 Stable Place



DATE OF MEETING May 10, 2018

AUTHORED BY DARCY FOX, MANAGER, BUILDING INSPECTIONS

SUBJECT **BYLAW CONTRAVENTION NOTICE – CONSTRUCTION NOT COMPLETED AS PER CONDITIONS OF BUILDING PERMIT – 206 FIFTH STREET**

OVERVIEW

Purpose of Report

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 206 Fifth 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 206 Fifth Street for construction not completed as per the conditions of the building permit.

BACKGROUND

A building permit for construction of a basement suite; a rear two-storey addition, including ensuite; and a front porch addition was issued 2017-FEB-16. However, during an inspection 2018-MAR-16, the inspector observed that the main floor ensuite addition and the front entry addition had been constructed without the owner calling for the required inspections, in contravention of the Building Bylaw. As the owner is unwilling to deconstruct the recently-added additions in order to complete the construction with the required inspections, 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".

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.
- 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:

Dale Lindsay
Director, Community Development

DATE OF MEETING May 10, 2018

AUTHORED BY DARCY FOX, MANAGER, BUILDING INSPECTIONS

SUBJECT BYLAW CONTRAVENTION NOTICE – CONSTRUCTION NOT COMPLETED AS PER CONDITIONS OF BUILDING PERMIT – 5030 LOST LAKE ROAD

OVERVIEW

Purpose of Report

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 5030 Lost Lake 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 5030 Lost Lake Road for construction not completed as per the conditions of the building permit.

BACKGROUND

A building permit for construction of an addition to a single family dwelling was issued 2015-OCT-30. However, the permit has now expired with deficiencies remaining outstanding, in contravention of the Building Bylaw. 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”.

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:

Dale Lindsay
Director, Community Development

DATE OF MEETING | May 10, 2018 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

SUBJECT | **BYLAW CONTRAVENTION NOTICE - CONSTRUCTION STARTED WITHOUT A BUILDING PERMIT – 53 NICOL STREET** |

OVERVIEW

Purpose of Report

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of 53 Nicol 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 53 Nicol Street for construction started without a building permit in contravention of “Building Bylaw 2016 No. 7224”. |

BACKGROUND

An inspection on 2018-MAR-08 conducted as the result of an Evacuation Order issued by the Fire Department revealed that the fire separation between the commercial and residential units had been removed. A Do Not Occupy order was posted and will be in effect until the dwelling is deemed habitable through the successful completion of a building permit. To date, a building permit application has not been received. Pursuant to Section 57 of the *Community Charter*, it is recommended that a notice be registered on the property title to reflect the illegal removal of required fire separation 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:

Dale Lindsay
Director, Community Development

DATE OF MEETING | April 30, 2018 |

AUTHORED BY | DARCY FOX, MANAGER, BUILDING INSPECTIONS |

SUBJECT | **BYLAW CONTRAVENTION NOTICES – SECONDARY SUITES** |

OVERVIEW

Purpose of Report

To obtain Council authorization to proceed with the registration of a Bylaw Contravention Notice on the property title of the property listed within this report. |

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 following properties:

1. 3139 Monk Place – illegal secondary suite
2. 671 Haliburton Street – illegal secondary suite |

BACKGROUND

Illegal Secondary Suites

The following are properties where an illegal secondary suite has been identified and where a building permit application has not yet been received:

- 3139 Monk Place
- 671 Haliburton Street

As such, the Building Inspections Section, with the assistance of the Bylaw Enforcement Section, will seek further action and/or removal of the secondary suites. |

DISCUSSION

The purpose of registering a Bylaw Contravention Notice (Section 57 of the *Community Charter*) on the title of the affected properties 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.

As per the Secondary Suite Enforcement Policy, a Bylaw Contravention Notice is required to be registered on the title of the affected properties in order to identify construction that was originally completed without a building permit and it is, therefore, unknown if the completed works are compliant with the standards of the BC Building Code.

SUMMARY POINTS

- Bylaw Contravention Notices are being registered in compliance with the Secondary Suite Enforcement Policy.
- Registration of a Bylaw Contravention Notice is required on the titles of the affected properties 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:

Dale Lindsay
Director, Community Development