

AGENDA

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

Thursday, September 7, 2017, 7:00 P.M. Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC

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. <u>Rezoning Application No. RA380 - 615 and 699 Harewood Road - Bylaw No.</u> 3 - 13 4500.112

To be introduced by Tamera Rogers, Planner.

Presentation:

Michele Hayden, de Hoog & Kierulf Architects on behalf of 1035137 BC Ltd, applicant.

Call for Submissions from the Public.

b. <u>Official Community Plan Amendment Application - 301 Eaton Street - Bylaw</u> 14 - 22 <u>No. 6500.035</u>

To be introduced by Brian Zurek, Planner.

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:

a.	"Zoning Amendment Bylaw 2017 No. 4500.112"	24 - 25
	That "Zoning Amendment Bylaw 2017 No. 4500.112" (RA380 – To rezone 615 and 699 Harewood Road from Single Dwelling Residential [R1] to Three and Four Unit Residential [R5]) pass third reading.	
b.	"Official Community Plan Amendment Bylaw 2017 No. 6500.035"	26
	That "Official Community Plan Bylaw 2017 No. 6500.035" (OCP84 - To amend "Official Community Plan Bylaw 2008 No. 6500" by designating the lands legally describe as LOT A SECTION 1 NANAIMO DISTRICT VIP74056 [301 Eaton Street] as an area eligible for the issuance of a Temporary Use Permit) pass third reading.	

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9. ADJOURNMENT:



File Number: RA000380

AUTHORED BY TAMERA ROGERS, PLANNER, CURRENT PLANNING AND SUBDIVISION

SUBJECT REZONING APPLICATION NO. RA380 – 615 AND 699 HAREWOOD ROAD

OVERVIEW

Purpose of Report

To present Council with an application to rezone the properties located at 615 and 699 Harewood Road from Single Dwelling Residential (R1) to Three and Four Unit Residential (R5) in order to permit a fourplex on each lot.

Recommendation

- That "Zoning Amendment Bylaw 2017 No. 4500.112" (RA380 To rezone 615 and 699 Harewood Road from Single Dwelling Residential [R1] to Three and Four Unit Residential [R5]) pass first reading;
- 2. That "Zoning Amendment Bylaw 2017 No. 4500.112" pass second reading; and,
- 3. That Council direct Staff to secure the community contribution and lane dedication prior to the adoption of the bylaw, should Council support the bylaw at third reading.

BACKGROUND

A rezoning application (RA380) for 615 and 699 Harewood Road was received from de Hoog & Kierulf Architects (Mr. Glenn Hill) on behalf of 1035137 BC Ltd. (property owner) to rezone the subject properties from Single Dwelling Residential (R1) to Three and Four Unit Residential (R5). The purpose of the rezoning is to allow a fourplex on each proposed lot to be created through a separate boundary adjustment application.

The applicant submitted a rezoning application (RA367) in 2016 to rezone the subject properties from Single Dwelling Residential (R1) to Townhouse Residential (R6) to allow an 11-unit development. The application received first and second readings 2016-SEP-12 but was denied at third reading on 2016-OCT-06 due to concerns raised about the proposed density. To address these concerns, the applicant has submitted a new application with a revised concept based on a lower density residential use.

Subject Property

Location	The subject properties are located at the southeast corner of the Wakesiah Avenue/Harewood Road intersection
Total Area	615 Harewood Road - 476m ² ; 699 Harewood Road - 2,016m ²
Current Zone	R1 - Single Dwelling Residential
Proposed Zone	R5 – Three and Four Unit Residential



Official Community Plan Designation	Neighbourhood
Harewood	Neighbourhood
Neighbourhood	
Plan Designation	

The subject properties are located at the southeast corner of the intersection at Harewood Road and Wakesiah Avenue directly across from Colliery Dams Park to the west and the Department of National Defence lands to the northwest. Vancouver Island University is located one block to the north and University Village Mall is approximately 700m to the northwest. The nearest bus stop is located 250m to the north on Fifth Street.

Single Dwelling Residential (R1) lots border the subject properties to the south and west with some townhouses and duplexes located nearby. The house on the adjacent lot to the south at 624 Wakesiah Avenue is included on the City of Nanaimo's heritage register.

Currently, there are two houses located on 699 Harewood Road. The properties are located on a laneway, which provides site access.

DISCUSSION

Proposed Development

The applicant is proposing to build a two-storey, ground-oriented fourplex on each lot. A boundary adjustment is necessary to create the two similar sized lots and all existing structures will need to be removed from the site. The fourplexes are proposed to face Harewood Road and Wakesiah Avenue respectively, with a shared parking area accessed from the lane. Common access and parking will be secured through the subdivision via reciprocal access easement.

Lane dedication will be required as part of the rezoning application to widen the existing lane. Off-set sidewalks and street trees in the boulevard will be part of the required works and services on Harewood Road and Wakesiah Avenue and will be secured through a subdivision application (boundary adjustment). On-street parking will be available on both road frontages.

The applicant has completed a tree management plan to review opportunities for retaining existing trees on site. If the rezoning is approved, tree retention will be reviewed further through the development permit process.

Official Community Plan

The Official Community Plan (OCP) designates 615 and 699 Harewood Road as Neighbourhood. The Neighbourhood land use designation encourages a mix of low density residential uses (10 to 50 units per hectare) in two to four-storey building forms. The proposed density range is 35uph on proposed Lot A and 34uph on proposed Lot B. The Neighbourhood designation encourages building design that complements existing neighbourhood character, including the ground-oriented nature of the existing housing. The proposed infill development complies with the policy objectives of the OCP.



Harewood Neighbourhood Plan

The Harewood Neighbourhood Plan designates the subject properties as Neighbourhood. The Neighbourhood designation supports a mixture of residential building forms in two to four-storey building forms, including townhouses, at a residential density of 10 to 50uph. The proposed development meets the intent of the Neighbourhood Plan in terms of use and density, and it will facilitate infill development in close proximity to area parks and Vancouver Island University.

The adjacent property at 624 Wakesiah Avenue is on the City of Nanaimo's heritage register. The Harewood Neighbourhood Plan has design guidelines for developments adjacent to residential heritage properties. These guidelines will be addressed through the development permit process.

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. In response to Council's policy, the applicant is proposing a monetary contribution of \$1,000/unit for a total of \$8,000 towards park improvements within Harewood Centennial Park. Staff is supportive of the community contribution proposal.

Conditions of Rezoning

Should Council support this application and pass third reading of Bylaw No. 4500.112, Staff recommends the following items be secured prior to final adoption of the bylaw:

- 1. Community Contribution An \$8,000 monetary contribution towards improvements to Harewood Centennial Park.
- 2. Lane Dedication

Approximately 1.97m of road dedication is required through an application to deposit a plan of road dedication. The alignment of the dedication area is to match the existing road dedication to the south.

SUMMARY POINTS

- The application is to rezone the subject properties from Single Dwelling Residential (R1) to Three and Four Unit Residential (R5) to permit the construction of a fourplex on each lot to be created through a lot boundary adjustment.
- The proposed development meets the policy objectives of the OCP and Harewood Neighbourhood Plan and offers an infill development in an established neighbourhood near parks and Vancouver Island University.
- An \$8,000 community contribution towards Harewood Centennial Park improvements is proposed.



ATTACHMENTS

ATTACHMENT A: Location Plan ATTACHMENT B: Conceptual Site Plan ATTACHMENT C: Rendering and Site Context ATTACHMENT D: Conceptual Streetscape ATTACHMENT E: Aerial Photo ATTACHMENT F: "Zoning Amendment Bylaw 2017 No. 4500.112"

Submitted by:

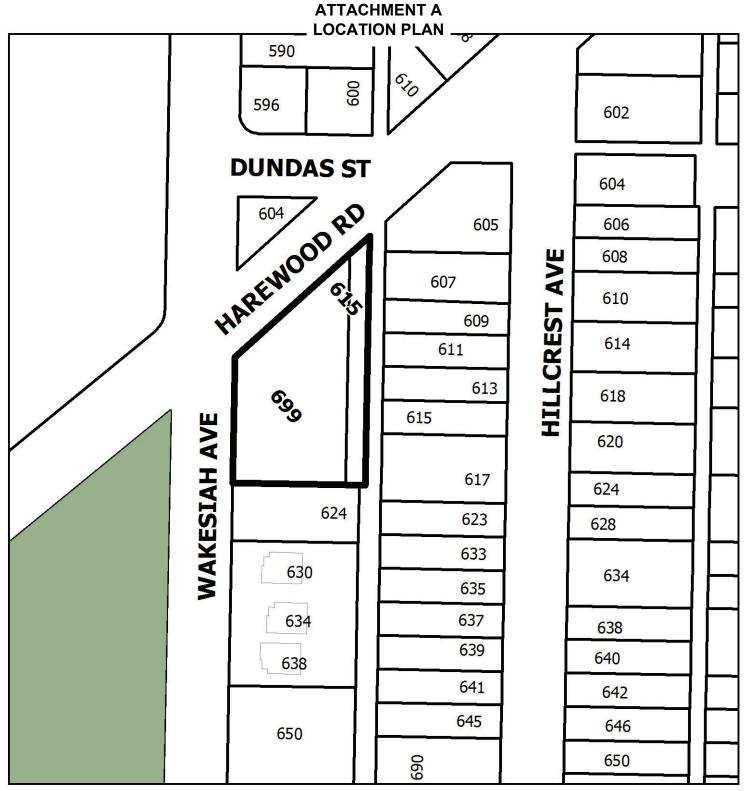
Concurrence by:

Howth

L. Rowett Manager, Current Planning and Subdivision

Mar

For D. Lindsay Director, Community Development



REZONING APPLICATION NO. RA000380

LOCATION PLAN



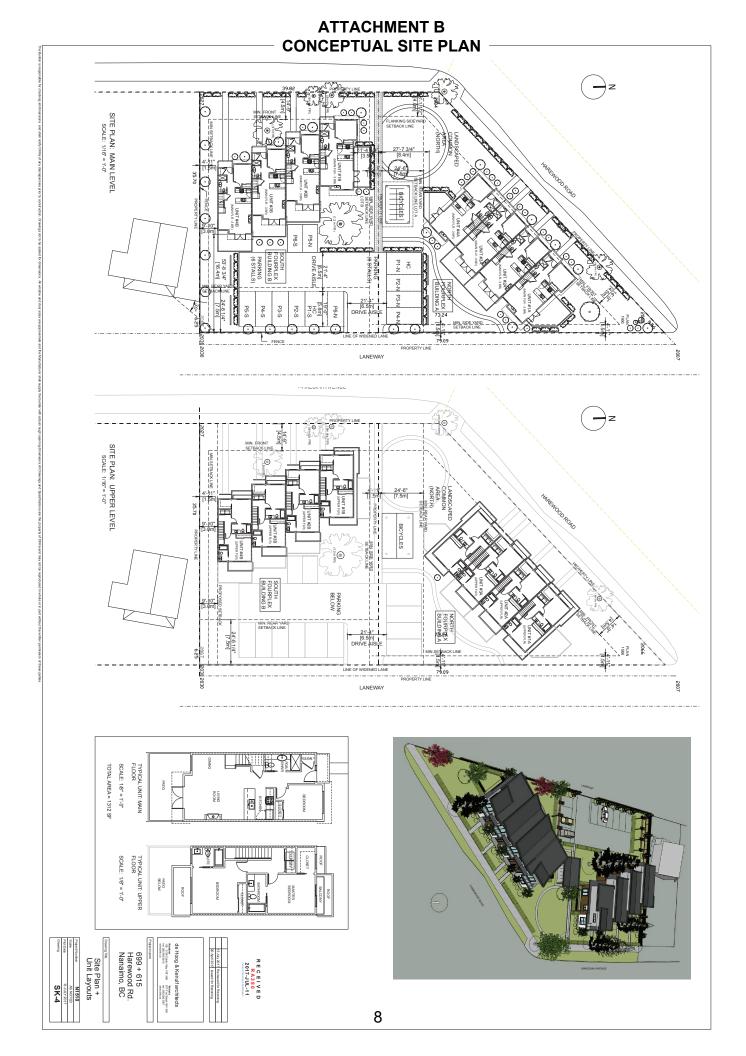
Civic: 615 and 699 Harewood Road Lot B, Section 1, Nanaimo District, Plan 1566 (PID 007-180-756) and Section 22, Range 5, Section 1, Nanaimo District, Plan 630

and Section 22, Range 5, Section 1, Nanaimo District, Plan 630 Except those parts in Plans 1566 and 1575 (PID 008-742-316)



Subject Properties

Parks & Open Spaces



ATTACHMENT C **RENDERING AND SITE CONTEXT**

PRELIMINARY CONCEPT: VIEW OF COURTYARD FROM BACK ALLEY





Nay VIT 298

Vetoria 077 F o1 Steet V6 tet 250 656 3007 neve dNc co architects

SK-2 N1510 18"=1'0" 13 JULY 2017

ATTACHMENT D CONCEPTUAL STREETSCAPE











Streetscapes

N1510 18"=1'0" 13 JULY 2017 SK-5

STREETSCAPE ALONG HAREWOOD ROAD

ATTACHMENT E AERIAL PHOTO



REZONING APPLICATION NO. RA000380





ATTACHMENT F

CITY OF NANAIMO

BYLAW NO. 4500.112

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:

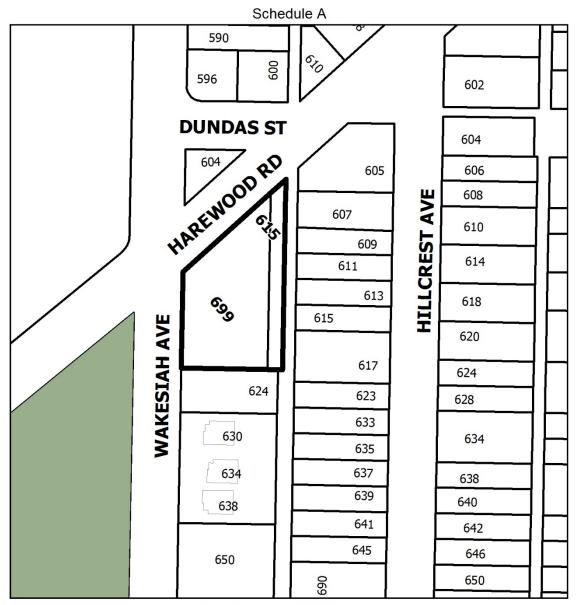
- 1. This Bylaw may be cited as the "ZONING AMENDMENT BYLAW 2017 NO. 4500.112".
- 2. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT B, SECTION 1, NANAIMO DISTRICT, PLAN 1566 (615 Harewood Road) and SECTION 22, RANGE 5, SECTION 1, NANAIMO DISTRICT, PLAN 630 EXCEPT IN THOSE PARTS IN PLANS 1566 AND 1575 (699 Harewood Road) from Single Dwelling Residential (R1) to Three and Four Unit Residential (R5) 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



REZONING APPLICATION NO. RA000380

LOCATION PLAN



Civic: 615 and 699 Harewood Road Lot B, Section 1, Nanaimo District, Plan 1566 (PID 007-180-756) and Section 22, Range 5, Section 1, Nanaimo District, Plan 630 Except those parts in Plans 1566 and 1575 (PID 008-742-316)



Parks & Open Spaces



File Number: OCP00084

DATE OF MEETING August 14, 2017

AUTHORED BY BRUCE ANDERSON, MANAGER, COMMUNITY AND CULTURAL PLANNING

SUBJECT OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION – 301 EATON STREET

OVERVIEW

Purpose of Report

To present for Council's consideration an Official Community Plan amendment application to amend the Official Community Plan by designating 301 Eaton Street as a property eligible to be granted a temporary use permit.

Recommendation

- That "Official Community Plan Amendment Bylaw 2017 No. 6500.035" (OCP84 To amend Section 7.7.1 Temporary Use Permits of the Official Community Plan to designate the subject property at 301 Eaton Street as a Temporary Use Permit Area to allow consideration of an application for a Temporary Use Permit on lands designated Neighbourhood) pass first reading; and,
- 2. That "Official Community Plan Amendment Bylaw 2017 No. 6500.035" pass second reading.

BACKGROUND

An official community plan amendment application (OCP84) for 301 Eaton Street was received from Mr. Doug Pauzé of Coastland Wood Industries Ltd. (Coastland). The subject property is located in south Nanaimo between Haliburton Street and the Snuneymuxw First Nation (SFN) Reserve No. 1 at Woodhouse Street. Currently, the subject property is vacant and overgrown with vegetation.

The subject property and the surrounding area within the City of Nanaimo boundary is designated Neighbourhood in the Official Community Plan (OCP). The subject property is zoned Single Dwelling Residential – R1. Single dwelling and multifamily residential land uses predominate near the subject property, however, industrial land uses have occurred throughout the area historically. Coastland operates its wood veneer plant on the industrial-zoned parcel (Industrial - I4) at 942 Haliburton Street.

The subject property and Coastland's wood veneer plant are located adjacent to the SFN Reserve No. 1.



DISCUSSION

Coastland and the SFN are in discussions regarding the use of the subject property by the SFN for the purpose of processing and distributing firewood. The SFN proposes to cut and package bundles of firewood from wood waste (reject cores) supplied by Coastland and from raw logs cut locally and delivered to the subject property. The bundled firewood would be delivered, or stored temporarily for later delivery, to customers in Nanaimo or to members of the SFN, including its elders.

Coastland and the SFN have indicated that a suitable location does not exist for the proposed processing and distribution of firewood on either the industrially-zoned property or Reserve No. 1. The subject property was selected as an alternative location for the proposed project because of the lot's proximity to Coastland and the SFN.

The subject property is, however, zoned Single Dwelling Residential – R1 which does not permit the proposed use (wood and paper processing). The subject property and the local area is also designated Neighbourhood in the OCP. The proposed use may be permitted through a temporary use permit (TUP).

TUPs are described in Section 492 of the *Local Government Act.* This legislation allows municipalities to approve proposed uses, on a temporary basis (for a period of three years with a three-year renewal) that are not permitted in the underlying zoning of a property. The City of Nanaimo provides for TUPs within the OCP and although this is a rarely used provision, TUPs within industrial and commercial areas have been considered in the past. This tool is typically used to measure the success and compatibility of a use over a short term period. Should the review determine the use acceptable, rezoning the property can then be considered.

Within Section 7.7.1 of the OCP, applications for TUPs can be considered if the subject property is on lands designated Industrial, Light Industrial, Commercial or Urban Node. For Council to consider a TUP application on lands designated Residential (or Neighbourhood), an amendment to the OCP is required. The subject property is designated in the OCP as Neighbourhood on Map 1 – Future Land Use. The proposed amendment to Section 7.7.1 is to designate the specific property at 301 Eaton Street as an area where a TUP application may be considered by Council.

The proposed amendment is to "amend Section 7.7.1 Temporary Use Permits of the Official Community Plan 2008 to allow the lands designated as Neighbourhood and located at 301 Eaton Street, legally described as Lot A, Section 1, Nanaimo District, Plan VIP74056, to allow consideration of a Temporary Use Permit application."

The proposed amendment is specific to the subject property; as opposed to allowing TUP consideration for all lands designated Neighbourhood in the City. The City has expressly not included Residential (or Neighbourhood) designated areas from consideration of TUPs through this provision in the OCP. This is primarily because the purpose of the TUP is to allow a use that is not permitted in the underlying zoning, essentially varying use (but only on a temporary basis), and there is less acceptance and most likely greater issues of compatibility and impact in residential neighbourhoods for non-residential uses (e.g. industrial or commercial). It is also anticipated there would be very few (and unique) circumstances where non-residential uses on a residential property would be appropriate or require a temporary period to review. More often, lands are zoned in neighbourhoods to allow commercial and community uses to be located nearby the residents they are serving.



SUMMARY POINTS

- The applicant proposes to amend the OCP to designate 301 Eaton Street as a property eligible to be granted a TUP.
- If Council approves the proposed OCP amendment, the applicant will make a subsequent TUP application to permit the cutting and packaging of firewood on the property at 301 Eaton Street.

ATTACHMENTS

ATTACHMENT A: Location Plan ATTACHMENT B: Aerial Photo ATTACHMENT C: Site Plan ATTACHMENT D: SFN Letter of Rationale ATTACHMENT E: OCP Amendment Bylaw

Submitted by:

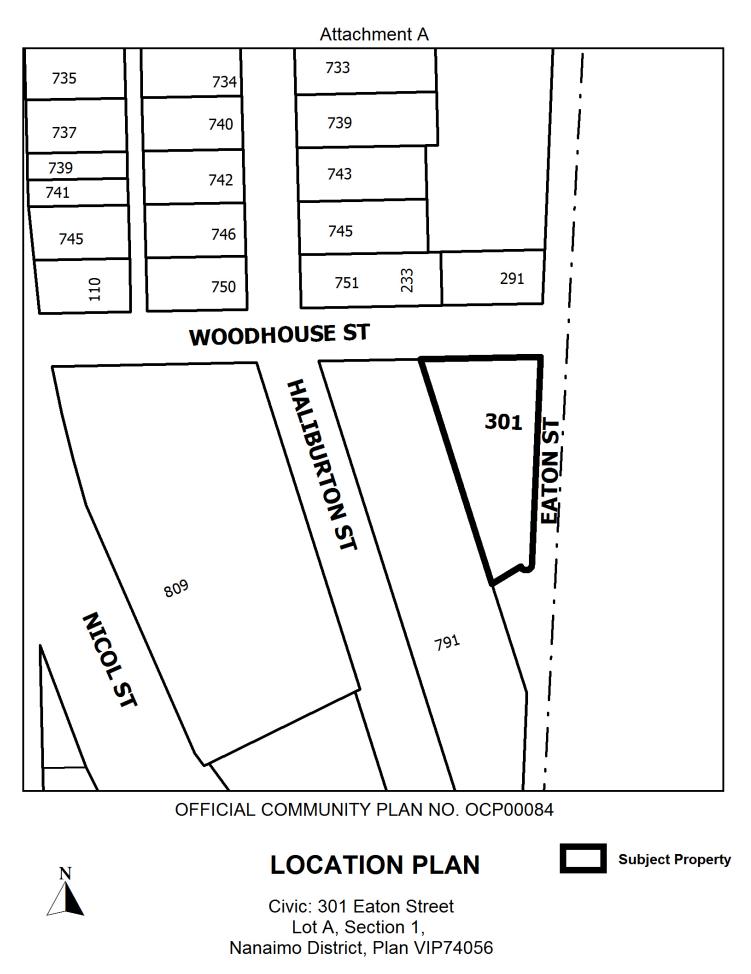
Mar

Bullonar

for / Bruce Anderson Manager, Community and Cultural Planning

for / Dale Lindsay Director, Community Development

Concurrence by:



Attachment B



OFFICIAL COMMUNITY PLAN NO. OCP00084





DENOTES IRON POST FOUND AT LOT CORNER

▲ DENOTES STAKE SET ON PROPERTY LINE



ATTACHMENT D



Snuneymuxw First Nation Mt. Benson Forestry Lands LP

Business Plan

Executive Summary

The core idea for this business is to create community infrastructure in regards to supplying the elders with firewood. From there it becomes an opportunity to create jobs and develop work-related skills in community members while at the same time amassing equity and assets for the nation. The goal is to be able to afford to supply elders with firewood through the sales of pre-packaged bundles of firewood, kindling, and reject round-wood cores that Coastland Wood Industries Ltd. will be supplying to SFN. In following with our own traditional teachings, and the business ideology of Coastland we will be utilizing every piece of the wood harvested that we possibly can.

The primary product of this business shall be packaged cores but kindling and packaged regular firewood will be sold as well. The firewood is all high quality lumber logged in the Nanaimo area on Snuneymuxw land from Mt. Benson. The wood shall be sold in bundles at a standard 0.75 cubic foot size with 16" length to meet the needs of all different uses. The services offered by the business are the processing of firewood for the band and delivery of firewood to local businesses and elders.

Firewood has been a mainstay need for millennia: for cooking, supplementary

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heating, recreational use, or art crafts. There are many individuals frequently looking for firewood in public and or social media as well as a steady supply of private citizens looking to cut wood in SFN lands, as such, there is a high demand within the local region.

The brand that Snuneymuxw offers is familiar, local, and speaks to a communal relationship between the people of Nanaimo and the people of the Nation. In the market there are many companies selling pre-packaged firewood through stores in the region, but they are unfamiliar names from elsewhere in the province or Canada at large. We offer something local, something that is affordable, something that is built on sustainability, on the traditions of our people, and a product that not only benefits those who buy it but it benefits the community of Snuneymuxw as a whole through supporting the elders and creating local jobs. With that in mind I think that we provide a far more lucrative product than the competition.

The operations plan is to have one or two workers, a foreman and another worker who operate the site at 301 Eaton St. during regular working hours. They will be receiving the timber two-to-three times a week, sorting, and processing the wood with the use of a skid-steer loader, saws, and axes. Once the wood is processed into the desired size of firewood, it is packaged with a bundler and then either moved into dry storage under a basic roofed structure or into the delivery truck to be brought to customers or the elders.

Attached at the end of this document is the *pro forma* we have assembled which is a basic month-by-month list of revenue and expenses and what to expect from the business annually and at the end of the 5 year lease.

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CITY OF NANAIMO

BYLAW NO. 6500.035

A BYLAW TO AMEND THE CITY OF NANAIMO "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500"

WHEREAS the Council of the City of Nanaimo wishes to amend City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500";

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

- 1. This Bylaw may be cited as "OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW 2017 NO. 6500.035".
- 2. The City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" is hereby amended as follows:

By designating the lands legally describe as LOT A SECTION 1 NANAIMO DISTRICT VIP74056 (301 Eaton Street) as an area eligible for the issuance of a Temporary Use Permit.

PASSED FIRST READING	
PASSED SECOND READING	
PUBLIC HEARING HELD	
PASSED THIRD READING	
ADOPTED	

MAYOR

CORPORATE OFFICER

File:OCP00085Address:301 Eaton Street

8. Bylaws

CITY OF NANAIMO

BYLAW NO. 4500.112

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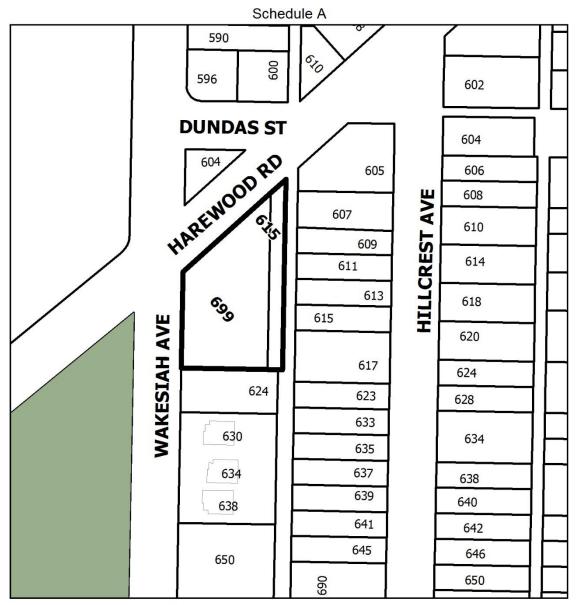
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PASSED FIRST READING: 2017-AUG-14 PASSED SECOND READING: 2017-AUG-14 PUBLIC HEARING HELD ______ PASSED THIRD READING ______ MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: ______ ADOPTED _____

MAYOR

CORPORATE OFFICER



REZONING APPLICATION NO. RA000380

LOCATION PLAN



Civic: 615 and 699 Harewood Road Lot B, Section 1, Nanaimo District, Plan 1566 (PID 007-180-756) and Section 22, Range 5, Section 1, Nanaimo District, Plan 630 Except those parts in Plans 1566 and 1575 (PID 008-742-316)



Parks & Open Spaces

CITY OF NANAIMO

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PASSED FIRST READING 2017-AUG-14
PASSED SECOND READING 2017-AUG-14
PUBLIC HEARING HELD _______
PASSED THIRD READING _______
ADOPTED ______

MAYOR

CORPORATE OFFICER

File:OCP00085Address:301 Eaton Street