



## AGENDA

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

Thursday, May 4, 2017, 7:00 P.M.  
Board Room, Service and Resource Centre,  
411 Dunsmuir Street, Nanaimo, BC

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Pages

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

Lainya Rowett, Manager, Current Planning 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. Bylaw 4500.105

3 - 13

Bylaw 4500.105 - RA000373 - 3598 Norwell Drive. To be introduced by  
Tamera Rogers, Planner.

Presentation:

1. From Applicant

Call for Submissions from the Public:

b. Bylaw 4500.107

14 - 21

Bylaw 4500.107 - RA000368 - 5264 Sherbourne Drive - To be introduced by  
Tamera Rogers, Planner.

Presentation:

1. From 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:**

- a. Bylaw No. 4500.105 22 - 23

That "ZONING AMENDMENT BYLAW 2017 NO. 4500.105" (RA373 – To rezone 3598 Norwell Drive from Single Dwelling Residential [R1] to Row House Residential [R7]), pass third reading.

- b. Bylaw No. 4500.107 24 - 25

That "ZONING AMENDMENT BYLAW 2017 NO. 4500.107" (RA375 – To rezone 5264 Sherbourne Drive from Single Dwelling Residential [R1] to Duplex Residential [R4]) pass third reading.

**9. ADJOURNMENT:**

DATE OF MEETING April 3, 2017

AUTHORED BY TAMERA ROGERS, PLANNER, CURRENT PLANNING AND  
SUBDIVISION

SUBJECT REZONING APPLICATION NO. RA373 - 3598 NORWELL DRIVE

## **OVERVIEW**

### **Purpose of Report**

To present Council with an application to rezone 3598 Norwell Drive from Single Dwelling Residential (R1) to Row House Residential (R7) to permit a ten-unit row house development.

### **Recommendation**

1. That "Zoning Amendment Bylaw 2017 No. 4500.105" (RA373 – To rezone 3598 Norwell Drive from Single Dwelling Residential [R1] to Row House Residential [R7]) pass first reading;
2. That "Zoning Amendment Bylaw 2017 No. 4500.105" pass second reading; and,
3. That Council direct Staff to secure a covenant for the community contribution, road dedication, road cross-sections with off-set sidewalk, and street trees prior to adoption of the bylaw, should Council support the bylaw at third reading.

## **BACKGROUND**

The City has received a rezoning application, RA373, for 3598 Norwell Drive from 1089305 BC Ltd., on behalf of Mr. Fred Van Gerven, to rezone the subject property from Single Dwelling Residential (R1) to Row House Residential (R7). The purpose of the rezoning application is to allow a ten-unit row house development.

### ***Subject Property***

<i>Location:</i>	The subject property is located on the northeast corner of the Norwell Drive/107 <sup>th</sup> Street intersection, across from Country Club Mall.
<i>Total Lot Area:</i>	2,298m <sup>2</sup>
<i>Current Zone:</i>	R1 – Single Dwelling Residential
<i>Proposed Zone</i>	R7 – Row House Residential
<i>Official Community Plan Designation:</i>	Corridor

The subject property is currently vacant with a remnant urban forest. The area is a mixture of residential uses, with large single dwelling lakefront lots to the north and west, a townhouse and seniors' housing development to the east and Country Club Mall to the south.

## **DISCUSSION**

### **Proposed Development**

The application is to rezone the subject property from Single Dwelling Residential (R1) to Row House Residential (R7) to allow a ten-unit, fee-simple row house development with units arranged in groups of two. Units are proposed to be sited to provide street presence on all adjacent roads with site access via shared driveways off of 107<sup>th</sup> Street and Saxman Road. A design review of the proposed dwelling units will be completed through a future development permit process and a subdivision application will be required to create the fee-simple lots. To achieve the fee-simple housing form the developer desires, a lot depth variance will be required for all future lots.

#### *Community Planning & Development Committee*

The application was not reviewed by the Community Planning and Development Committee as the inaugural committee meeting is scheduled for 2017-APR-18.

### **Staff Review**

#### *Official Community Plan*

The Official Community Plan (OCP) designates 3598 Norwell Drive as "Corridor". The Corridor land use designation encourages higher intensity land uses such as medium to high density residential. It also encourages developments with a pedestrian oriented form that address the transition between Corridors and Neighbourhoods through design elements sensitive to Neighbourhood scale.

The proposed development would achieve a density of 46 units per hectare, which is comparable to the density range of 50-150 units anticipated in the Corridor designation. The row house housing form offers a scale complementary to the existing neighbourhood. Additionally, the location of the proposed development is within easy walking distance of services and transit. Staff is of the opinion that the proposed development complies with the intent of the OCP.

#### *Community Contribution*

As outlined in Section 7.3 of the OCP, in exchange for value conferred on land through rezoning, the applicant shall provide a community contribution. In response to Council's policy, the applicant is proposing a monetary contribution of \$10,000 directed toward improvements to Loudon Park. Staff is supportive of the community contribution proposal.



## Conditions of Rezoning

Should Council support this application and pass third reading of Bylaw No. 4500.105, Staff recommends the following items be secured prior to final adoption of the bylaw through registration of a Section 219 covenant:

1. *Road Dedication*

The following road dedication is required to be provided prior to the issuance of a building permit:

- Norwell Drive: 0.75m (southeast corner) to 1.35m (southwest corner)
- Saxman Road: 0.75m
- 107<sup>th</sup> Street: 0.75m

2. *Road Cross-Sections with Off-Set Sidewalk*

Road cross-sections with off-set sidewalk are to be provided on Norwell Drive, 107<sup>th</sup> Street and Saxman Road generally as per Attachment D - Road Concept Drawing and to be determined through detailed design review.

3. *Street Trees*

Street trees are required to be provided prior to building occupancy along the frontage of Norwell Drive, 107<sup>th</sup> Street and Saxman Road in addition to any replanting required as a result of tree removal. The number of street trees will be determined through detailed design review.

4. *Community Contribution*

The applicant is proposing a monetary contribution of \$10,000 towards Loudon Park improvements. Staff supports the community contribution proposal and recommends securing the monetary contribution to be paid prior to the issuance of a building permit.

5. *Development Permit*

A form and character development permit approval is required prior to the subdivision of the proposed multiple family dwelling units.

## SUMMARY POINTS

- The application is to rezone the subject property from Single Dwelling Residential (R1) to Row House Residential (R7).
- The proposed development meets policy objectives of the Corridor designation of the OCP.
- A \$10,000 community contribution towards Loudon Park improvements is proposed.

## ATTACHMENTS

ATTACHMENT A: Location Plan

ATTACHMENT B: Conceptual Site Plan

ATTACHMENT C: Conceptual Elevation

ATTACHMENT D: Road Concept Drawing

ATTACHMENT E: Aerial Photo

ATTACHMENT F: "Zoning Amendment Bylaw 2017 No. 4500.105"

**Submitted by:**



L. Rowett  
Manager, Current Planning and Subdivision

**Concurrence by:**



D. Lindsay  
Director, Community Development

ATTACHMENT A  
LOCATION PLAN



REZONING APPLICATION NO. RA000373



**LOCATION PLAN**

Civic: 3598 Norwell Drive  
Lot 4, Section 5, Wellington,  
Plan 16449



Subject Property  
Rezone from  
R1 to R7



# ATTACHMENT B CONCEPTUAL SITE PLAN

Site Plan  
Scale: 1:300



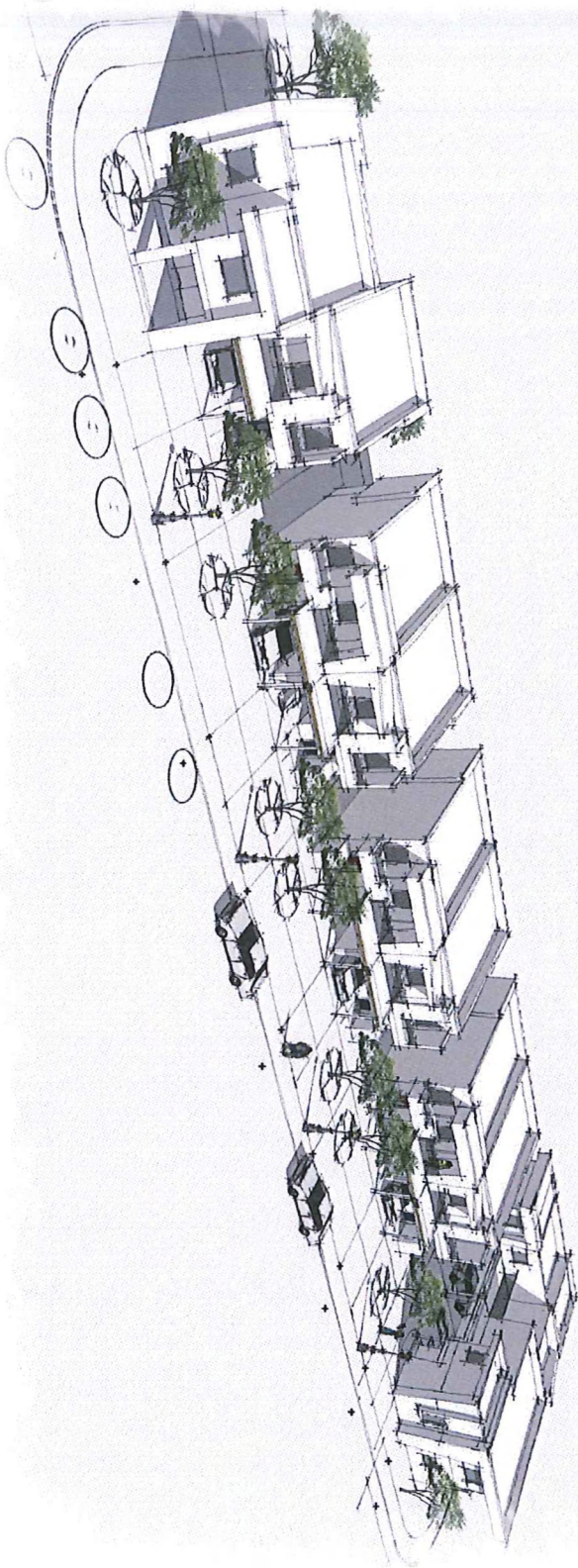
RECEIVED 2017-FEB-20  
Current Planning & Subdivision

Issue:	Schematic Design #2	Nov. 18 2016	R2 Feb. 18 2017	3598 Norwell Nanaimo, B.C.



# ATTACHMENT C CONCEPTUAL ELEVATION

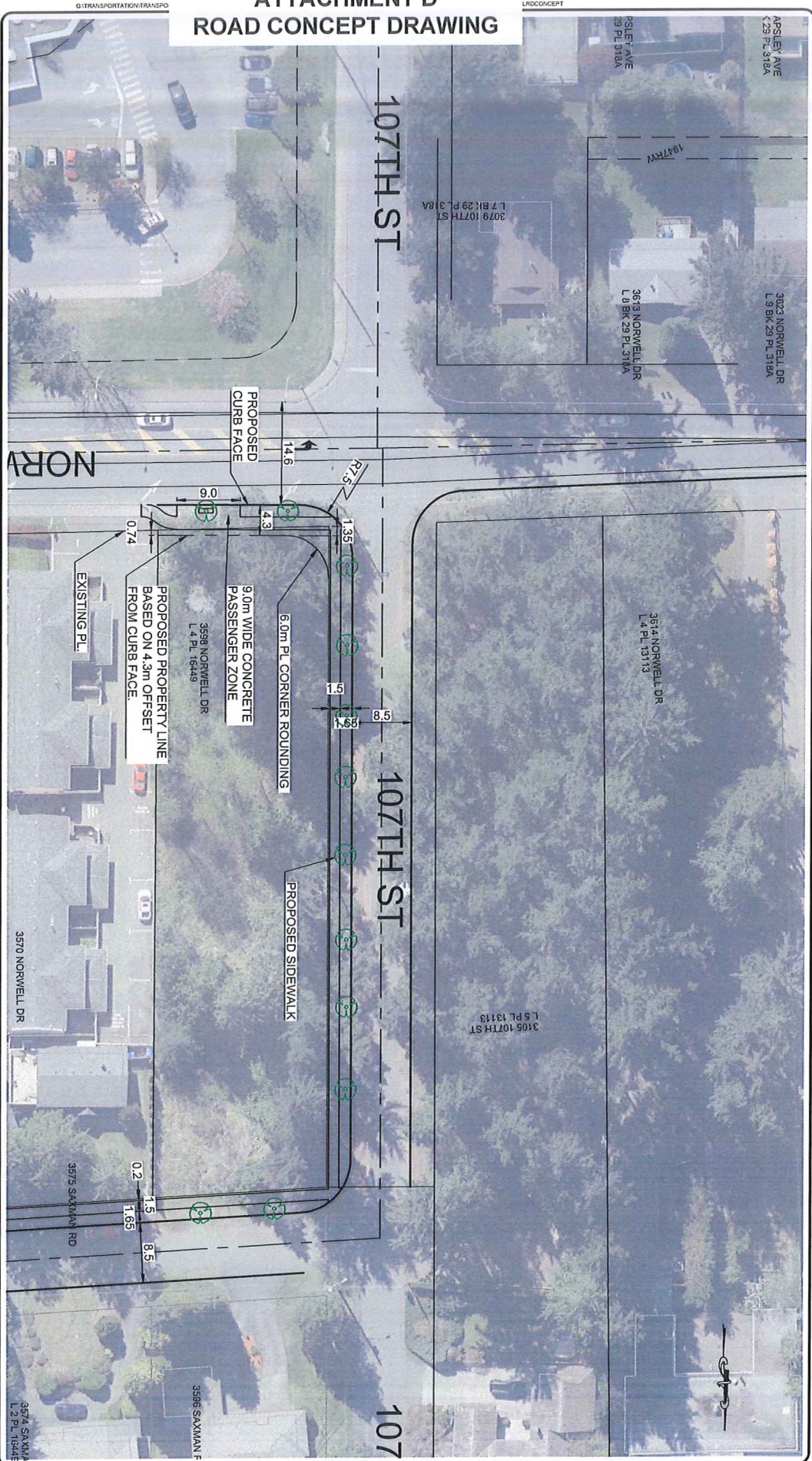
Street View From 107th Street



Issue:	Schematic Design #2	Nov. 18, 2016	3598 Norwell Nanaimo, B.C.



## ROAD CONCEPT DRAWING

[illegible]

Design by	Date
<hr/>	
Drawn by	
<hr/>	
Checked by	
<hr/>	
Approved by	
<hr/>	



Scale	Vert.	
Horiz.		
Cost Center	Sheet	of
Eng File No.		
Dwg No.		

Project	3598 Norwell Dr
Ten	Road concept



ATTACHMENT E  
AERIAL PHOTO



REZONING APPLICATION NO. RA000373



CITY OF NANAIMO

BYLAW NO. 4500.105

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 2017 NO. 4500.105".
2. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 4, SECTION 5, WELLINGTON DISTRICT, PLAN 16449 (3598 Norwell Drive) from Single Dwelling Residential (R1) to Row House Residential (R7) as shown on Schedule A.

PASSED FIRST READING \_\_\_\_\_  
PASSED SECOND READING \_\_\_\_\_  
PUBLIC HEARING HELD \_\_\_\_\_  
PASSED THIRD READING \_\_\_\_\_  
MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE \_\_\_\_\_  
ADOPTED \_\_\_\_\_

\_\_\_\_\_  
MAYOR

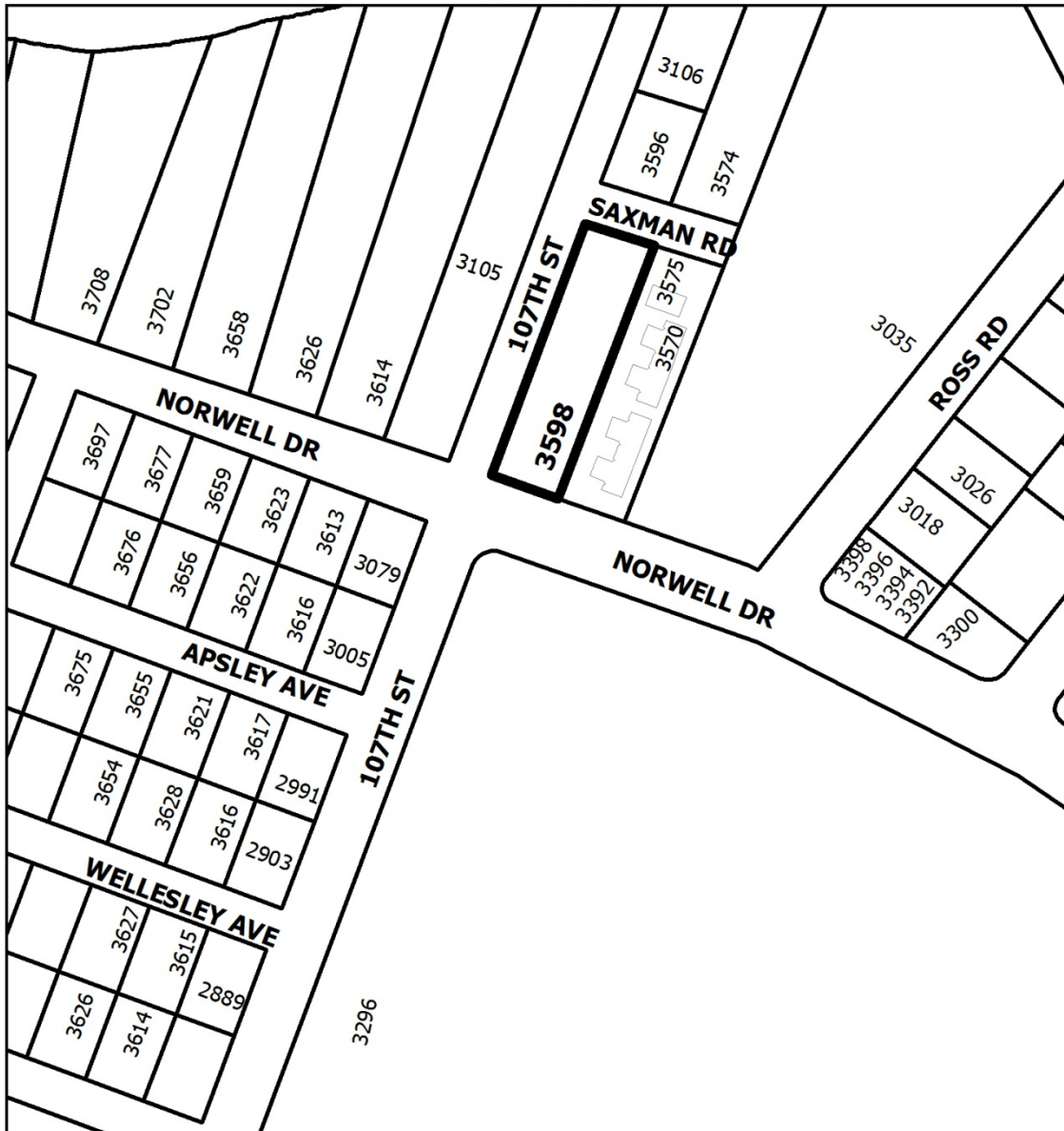
\_\_\_\_\_  
CORPORATE OFFICER

File: RA000373  
Address: 3598 Norwell Drive

Council Meeting  
2017-APR-03



Schedule A



REZONING APPLICATION NO. RA000373



## LOCATION PLAN

Civic: 3598 Norwell Drive  
Lot 4, Section 5, Wellington,  
Plan 16449



Subject Property  
Rezone from  
R1 to R7

DATE OF MEETING April 3, 2017

AUTHORED BY JILL COLLINSON, PLANNER, CURRENT PLANNING AND SUBDIVISION

SUBJECT REZONING APPLICATION NO. RA375 – 5264 SHERBOURNE DRIVE

## **OVERVIEW**

### **Purpose of Report**

To present Council with a rezoning application to rezone a portion of 5264 Sherbourne Drive from Single Dwelling Residential (R1) to Duplex Residential (R4) to permit the construction of a duplex.

### **Recommendation**

1. That “Zoning Amendment Bylaw 2017 No. 4500.107” (RA375 – To rezone 5264 Sherbourne Drive from Single Dwelling Residential [R1] to Duplex Residential [R4]) pass first reading;
2. That “Zoning Amendment Bylaw 2017 No. 4500.107” pass second reading; and,
3. That Council direct Staff to secure the community contribution prior to adoption of the bylaw, should Council support the bylaw at third reading.

## **BACKGROUND**

The City has received a rezoning application, RA375, for 5264 Sherbourne Drive from the property owner, Mr. Jason Burrows, to rezone a portion of the subject property from Single Dwelling Residential (R1) to Duplex Residential (R4). The purpose of the rezoning application is to construct a duplex on a proposed new lot.

A previous rezoning application (RA368) to rezone the entirety of the lot to allow for two duplexes was denied at third reading.

### **Subject Property**

Location:	The subject property is located north of Dunster Road (midpoint of Sherbourne Drive) backing onto the railway
Total Lot Size:	1,419m <sup>2</sup>
Subject Area Size:	707.6 m <sup>2</sup>
Current Zones:	Single Dwelling Residential (R1)
Proposed Zone:	Duplex Residential (R4)
Official Community Plan Designation:	Neighbourhood

## **DISCUSSION**

### **Proposed Development**

The application is to rezone a portion of the subject property from Single Dwelling Residential (R1) to Duplex Residential (R4) to allow construction of a duplex on a proposed new lot. As part of the concurrent subdivision application (SUB01189), road upgrades and sidewalk construction will occur. The rezoning is not required to permit subdivision, but is required to permit the construction of a duplex on proposed Lot A.

The surrounding area is predominately Single Dwelling Residential (R1) with some Duplex Residential (R4) and Three and Four Unit Residential (R5) within a 400m radius. The subject property backs on to the railroad tracks, and is located at the midpoint of Sherbourne Drive. The subject property is 200m from a connection to both the Parkway Trail and the E&N Trail (Dunster Road).

The 1,419m<sup>2</sup> subject property has an existing single family dwelling (mobile home) which is being relocated to proposed Lot B. Proposed Lot A (707.6 m<sup>2</sup>) is the subject of this rezoning application. All accessory buildings on the property have been removed.

### **Staff Review**

#### *Official Community Plan*

The Official Community Plan (OCP) designates 5264 Sherbourne Drive 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 development equates to a density of 28 units per hectare, which falls within the 'Neighbourhood' density range. The 'Neighbourhood' designation encourages design to complement existing neighbourhood character, including the ground oriented nature of the existing housing. Staff is of the opinion the proposed infill development complies with the intent 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. In response to Council's policy, the applicant is proposing a monetary contribution of \$2,000 towards Park, Recreation & Culture youth programming. Staff is supportive of the community contribution proposal.

## **SUMMARY POINTS**

- The application is to rezone a portion of the property to Duplex Residential (R4) in order to facilitate construction of a duplex on proposed Lot A.
- The proposed development infill development meets policy objectives of the OCP and would complement the existing surrounding residential uses.

**ATTACHMENTS**

ATTACHMENT A: Location Plan

ATTACHMENT B: Site Plan

ATTACHMENT C: Aerial Photo

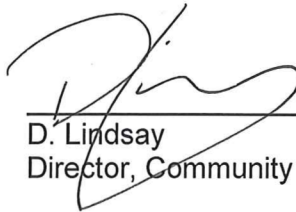
ATTACHMENT D: "Zoning Amendment Bylaw 2017 No. 4500.107"

**Submitted by:**



L. Rowett  
Manager, Current Planning and Subdivision

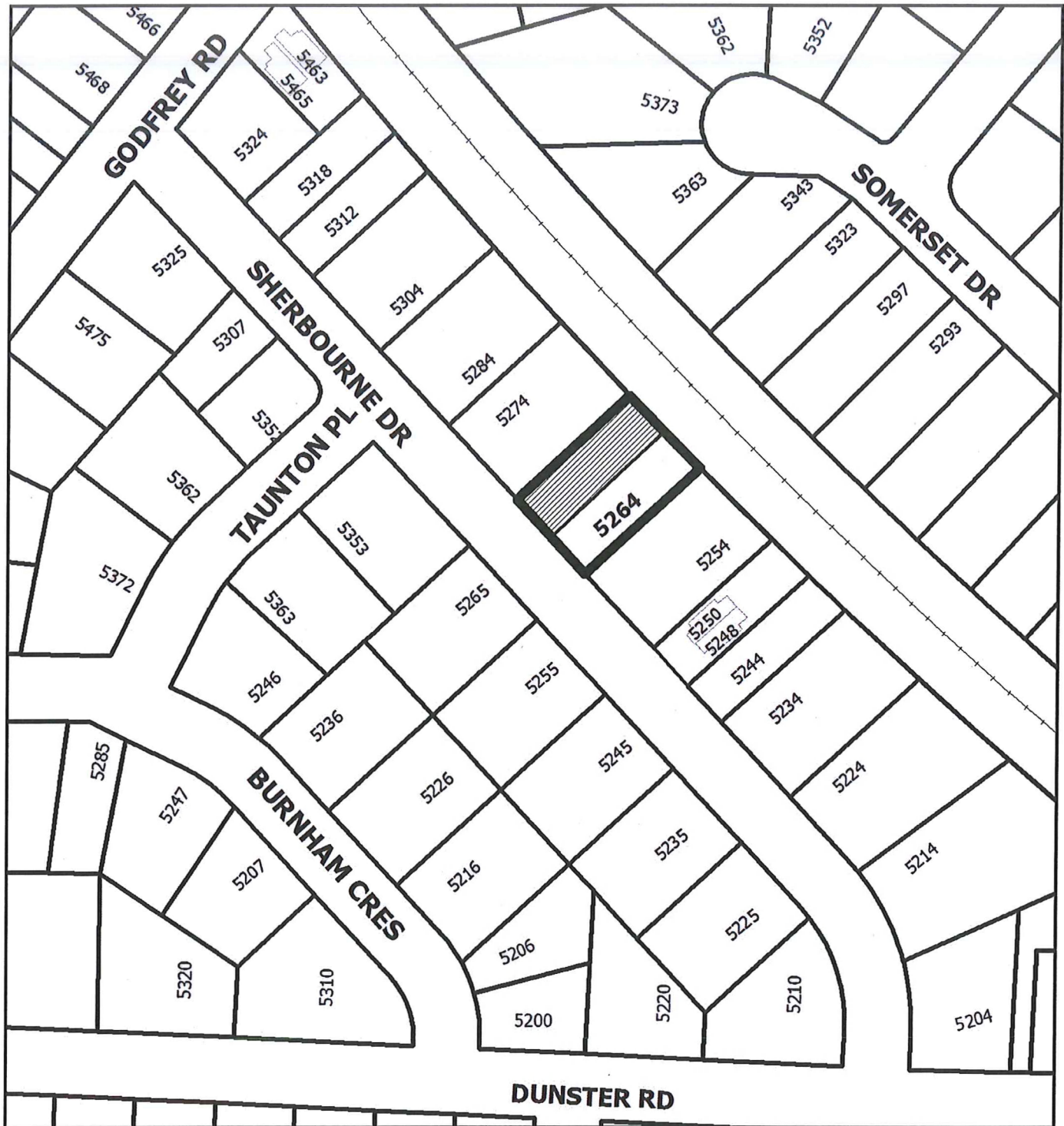
**Concurrence by:**



D. Lindsay  
Director, Community Development



ATTACHMENT A  
LOCATION PLAN



REZONING APPLICATION NO. RA000375

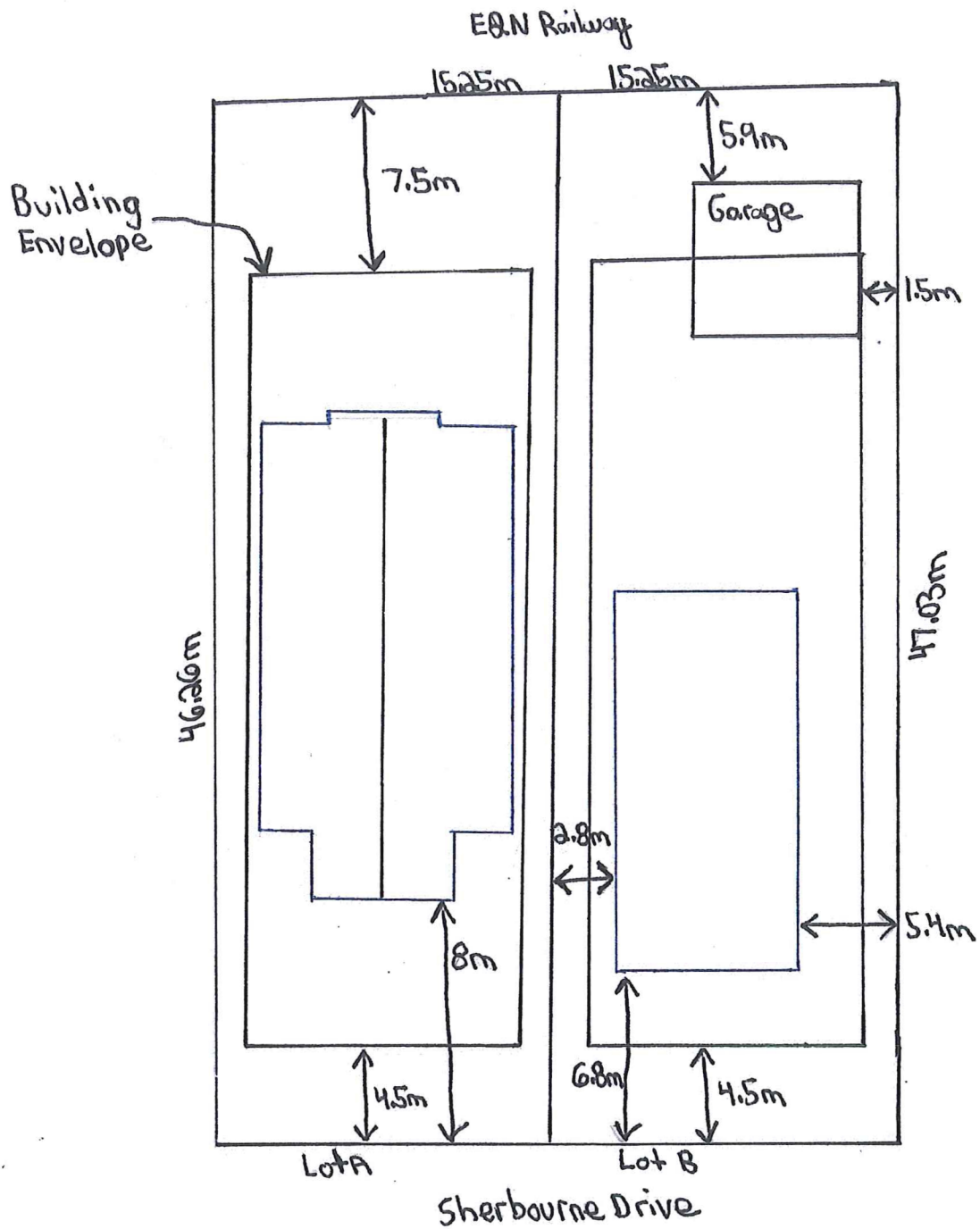
**LOCATION PLAN**

Civic: 5264 Sherbourne Drive  
Lot 6, Section 4, Range 4,  
Wellington District, Plan 21691



-  Subject Property
-  Portion to be rezoned

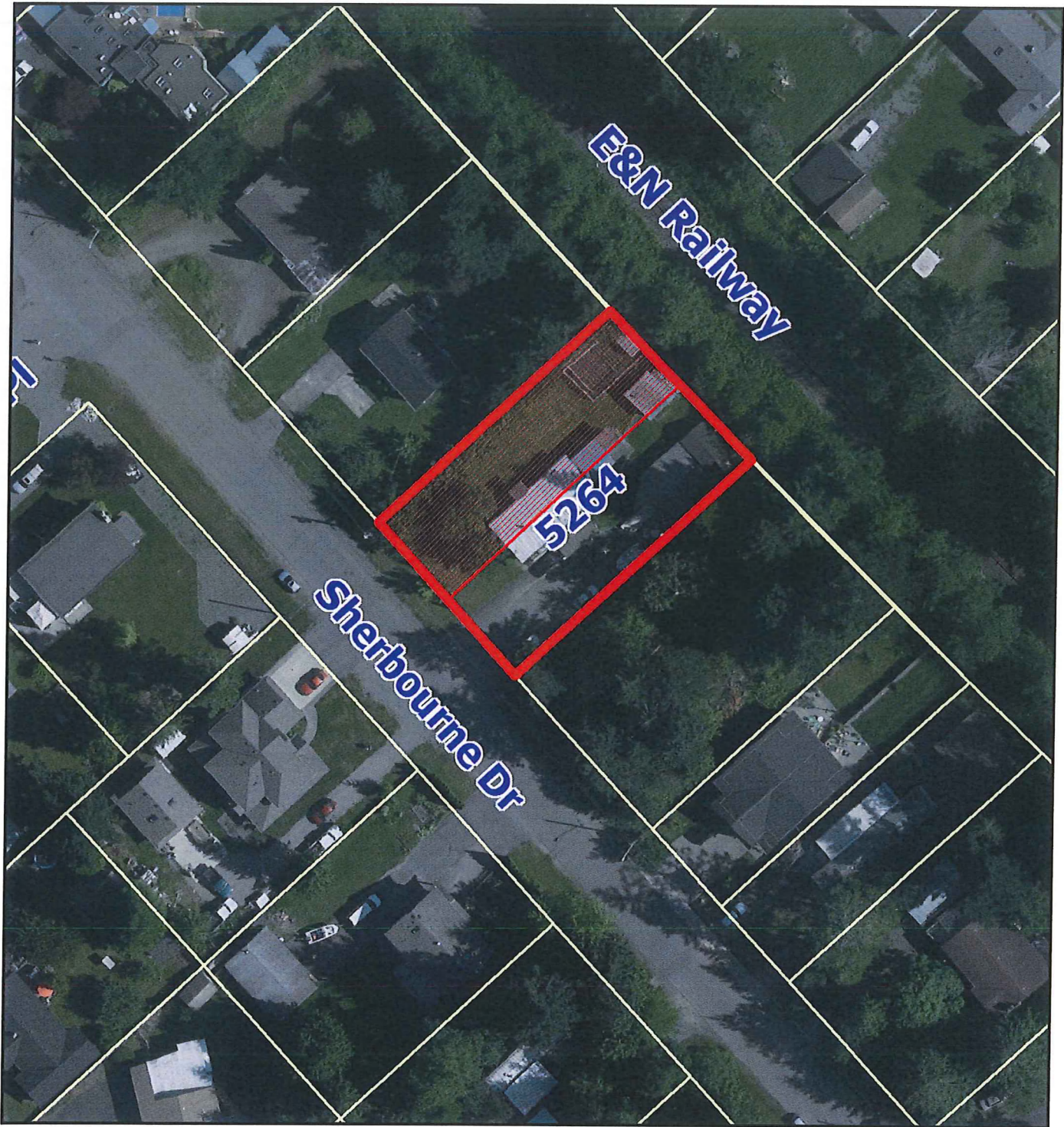
# ATTACHMENT B SITE PLAN



RECEIVED  
RA000375  
2017-FEB-21  
Current Planning & Subdivision





ATTACHMENT C  
AERIAL PHOTO



REZONING APPLICATION NO. RA000375



-  Subject Property
-  Portion to be rezoned

CITY OF NANAIMO

BYLAW NO. 4500.107

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

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

By rezoning a portion the lands legally described as LOT 6, SECTION 4, RANGE 4, WELLINGTON DISTRICT, PLAN 21691 (5264 Sherbourne Drive) from Single Dwelling Residential (R1) to Duplex Residential (R4) as shown on Schedule A.

PASSED FIRST READING \_\_\_\_\_  
PASSED SECOND READING \_\_\_\_\_  
PUBLIC HEARING HELD \_\_\_\_\_  
PASSED THIRD READING \_\_\_\_\_  
MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE \_\_\_\_\_  
ADOPTED \_\_\_\_\_

\_\_\_\_\_  
MAYOR

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

File: RA000368  
Address: 5264 Sherbourne Drive

Council Meeting  
2017-APR-03



Schedule A





REZONING APPLICATION NO. RA000375

## LOCATION PLAN



Civic: 5264 Sherbourne Drive  
Lot 6, Section 4, Range 4,  
Wellington District, Plan 21691

-  Subject Property
-  Portion to be rezoned

CITY OF NANAIMO

BYLAW NO. 4500.105

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PASSED FIRST READING 2017-APR-03

PASSED SECOND READING 2017-APR-03

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

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

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

ADOPTED \_\_\_\_\_

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MAYOR

---

CORPORATE OFFICER

File: RA000373  
Address: 3598 Norwell Drive

## Schedule A




REZONING APPLICATION NO. RA000373

## LOCATION PLAN

Civic: 3598 Norwell Drive  
Lot 4, Section 5, Wellington,  
Plan 16449



 **Subject Property**  
**Rezone from**  
**R1 to R7**

CITY OF NANAIMO

BYLAW NO. 4500.107

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

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PASSED FIRST READING 2017-APR-03

PASSED SECOND READING 2017-APR-03

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

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

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

ADOPTED \_\_\_\_\_

---

MAYOR

---

CORPORATE OFFICER

File: RA000368  
Address: 5264 Sherbourne Drive

Schedule A





REZONING APPLICATION NO. RA000375

## LOCATION PLAN



Civic: 5264 Sherbourne Drive  
Lot 6, Section 4, Range 4,  
Wellington District, Plan 21691

-  Subject Property
-  Portion to be rezoned