

# AGENDA

AGENDA FOR THE SPECIAL MEETING OF  
THE COUNCIL OF THE CITY OF NANAIMO,  
TO BE HELD IN THE SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC  
ON THURSDAY, 2016-AUG-04 COMMENCING AT 7:00 P.M.

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CHAIR: MAYOR MCKAY

1. **CALL TO ORDER THE SPECIAL MEETING OF COUNCIL:**

2. **ADOPTION OF AGENDA:**

3. **CALL TO ORDER THE PUBLIC HEARING:**

4. **PUBLIC HEARING AGENDA:**

Dave Stewart, Acting Manager, Current Planning & 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 No. 4500.100 – RA000368 – 5264 Sherbourne Drive - to be introduced by Ms. Jill Collinson, Planner, Current Planning & Subdivision. Pg. 2-8

This bylaw, if adopted, will rezone the subject property from Single Dwelling Residential (R1) to Duplex Residential (R4) to permit 2 separate duplexes on 2 separate lots.

- (b) Bylaw No. 4500.101 – RA00369 – 2408 York Crescent – to be introduced by Ms. Jill Collinson, Planner, Current Planning & Subdivision. Pg. 9-20

This bylaw, if adopted, will rezone the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential - Small Lot (R2) in order to permit subdivision to two lots.

5. **ADJOURNMENT OF THE PUBLIC HEARING:**

6. **BYLAWS:**

- (a) That “ZONING AMENDMENT BYLAW 2016 NO. 4500.100” (RA368) - to amend “ZONING BYLAW 2011 NO. 4500,” by rezoning the subject property from Single Dwelling Residential (R1) to Duplex Residential (R4) to permit 2 separate duplexes on 2 separate lots pass Third Reading. Pg. 8

- (b) That “ZONING AMENDMENT BYLAW 2016 NO. 4500.101” (RA369) - to amend “ZONING BYLAW 2011 NO. 4500,” by rezoning the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential – Small Lot (R2) in order to permit the subdivision to two lots pass Third Reading. Pg. 20

7. **ADJOURNMENT OF THE SPECIAL COUNCIL MEETING:**

# NOTICE OF PUBLIC HEARING

August 4<sup>th</sup> 2016 at 7:00 pm



There will be a Public Hearing on Thursday, **August 4<sup>th</sup>, 2016**, starting at **7:00 pm** in the **Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC**, to consider a proposed amendment to the City of Nanaimo "ZONING BYLAW 2011 NO. 4500."

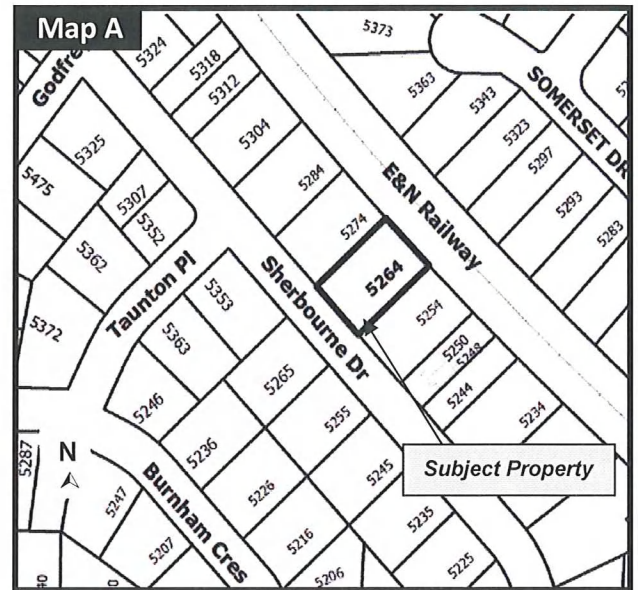
All persons who believe their interest in property is affected by the proposed bylaw will be given the opportunity to be heard in person, by a representative, or by written submission, on the matters contained within Bylaw No. 4500.100 at the Public Hearing.

## BYLAW NO. 4500.100

**Purpose:** To rezone the property located at 5264 Sherbourne Drive from Single Dwelling Residential (R1) to Duplex Residential (R4) to permit two separate duplexes on two separate lots

**Location:** 5264 Sherbourne Drive, as shown on Map A

**File No.:** Rezoning Application - RA000368



The rezoning bylaw, if adopted, will rezone the subject property from Single Dwelling Residential (R1) to Duplex Residential (R4) in order to permit two separate duplexes on two separate lots.

The subject property is legally described as LOT 6, SECTION 4, RANGE 4, WELLINGTON DISTRICT, PLAN 21691.

## WANT TO FIND OUT MORE INFORMATION?

**IN PERSON:** A copy of the above-noted bylaw and related documents may be inspected from July 22<sup>nd</sup> 2016 to Aug 4<sup>th</sup> 2016, from 8:00am to 4:30pm, Monday through Friday (excluding statutory holidays), at the City of Nanaimo, Community Development Department, Service and Resource Centre, located at 411 Dunsmuir Street.

**WEBSITE:** Access the rezoning application information on the City's webpage:

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[www.nanaimo.ca/whatsbuilding](http://www.nanaimo.ca/whatsbuilding)

**QR CODE:** Use this QR code on your mobile device to go directly to the online information.

Following the close of a Public Hearing, no further submissions or comments from the public or interested persons can be accepted by members of City Council, as established by provincial case law. This is necessary to ensure a fair Public Hearing process and provide a reasonable opportunity for people to respond.

**City of Nanaimo**  
**Community Development Department**  
**Service and Resource Centre**  
**411 Dunsmuir Street**  
**Phone: (250) 755-4429 Fax: (250) 755-4439**  
[www.nanaimo.ca](http://www.nanaimo.ca)

## WANT TO MAKE A WRITTEN SUBMISSION?

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**MAIL:** City of Nanaimo, Community Development Department, 455 Wallace Street, Nanaimo, BC, V9R 5J6

If you would like more information about Public Hearings please go to the City website at [www.nanaimo.ca](http://www.nanaimo.ca) and use the search function to find the '**Public Hearing Information Sheet**', which contains many frequently asked questions.

*This Notice is published in accordance with Section 466 of the Local Government Act. Notice given by the Corporate Officer.*

DATE OF MEETING July 11, 2016

AUTHORED BY JILL COLLINSON, PLANNER, PLANNING AND DESIGN

SUBJECT REZONING APPLICATION NO. RA368 – 5264 SHERBOURNE DRIVE

## OVERVIEW

### **Purpose of Report**

To present Council with a rezoning application to rezone 5264 Sherbourne Drive from Single Dwelling Residential (R1) to Duplex Residential (R4) to permit two separate duplexes on two separate lots.

### **Recommendation**

That Council:

1. receive the report pertaining to the City of Nanaimo "Zoning Amendment Bylaw 2016 No. 4500.100; and,
2. 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 (RA368) for 5264 Sherbourne Drive from the property owner, Mr. Jason Burrows, to rezone the subject property from Single Dwelling Residential (R1) to Duplex Residential (R4). The purpose of the rezoning application is to facilitate subdivision of the property into two lots in order to construct a duplex on each proposed lot.

### ***Subject Properties***

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

## DISCUSSION

### **Proposed Development**

The application is to rezone the subject property from Single Dwelling Residential (R1) to Duplex Residential (R4) allowing construction of a duplex on each newly created lot. The 1,419m<sup>2</sup> subject property currently has a single family dwelling and several accessory buildings,

Regular Council Meeting

which will be removed prior new construction. As part of the concurrent subdivision application, road upgrades and sidewalk construction will occur. The rezoning is not required to permit subdivision, but is required to permit construction of a duplex on each proposed lot.

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 onto 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).

### **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 form. 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 proposal 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 \$4,000 towards a surrounding neighbourhood park. Staff is supportive of the community contribution proposal.

### **SUMMARY POINTS**

- The application is to rezone the property to Duplex Residential (R4) in order to facilitate construction of a duplex on each lot.
- The proposed development meets policy objectives of the OCP.

### **ATTACHMENTS**

ATTACHMENT A: Location Plan

ATTACHMENT B: Site Plan

ATTACHMENT C: Aerial Photo

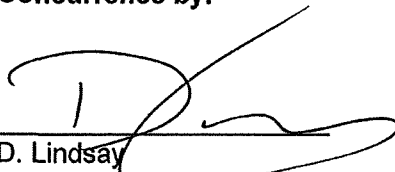
ATTACHMENT D: "Zoning Amendment Bylaw 2016 No. 4500.100"

**Submitted by:**



B. Anderson  
Manager, Planning and Design

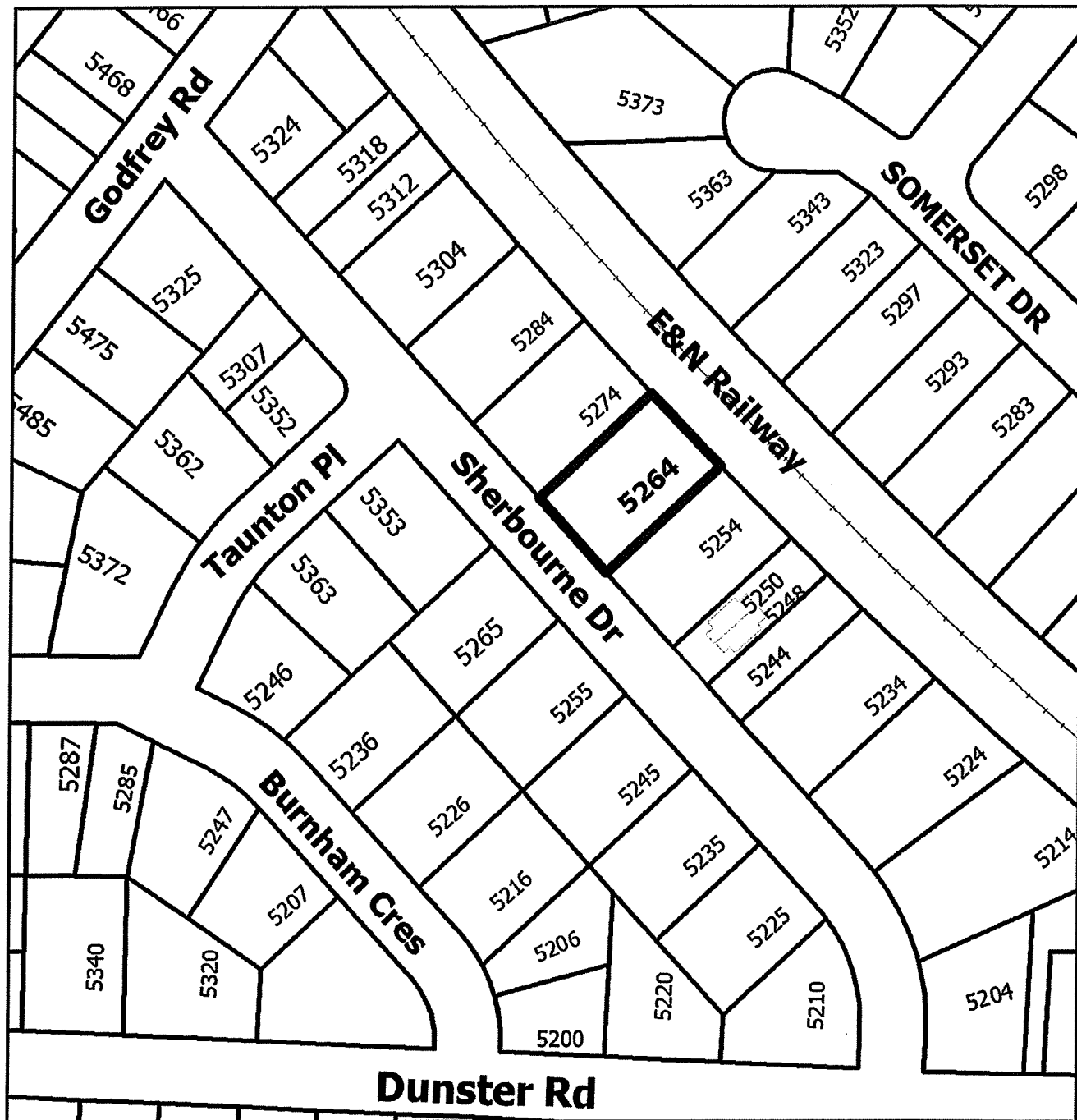
**Concurrence by:**



D. Lindsay  
Director, Community Development



# ATTACHMENT A





REZONING APPLICATION NO. RA000368

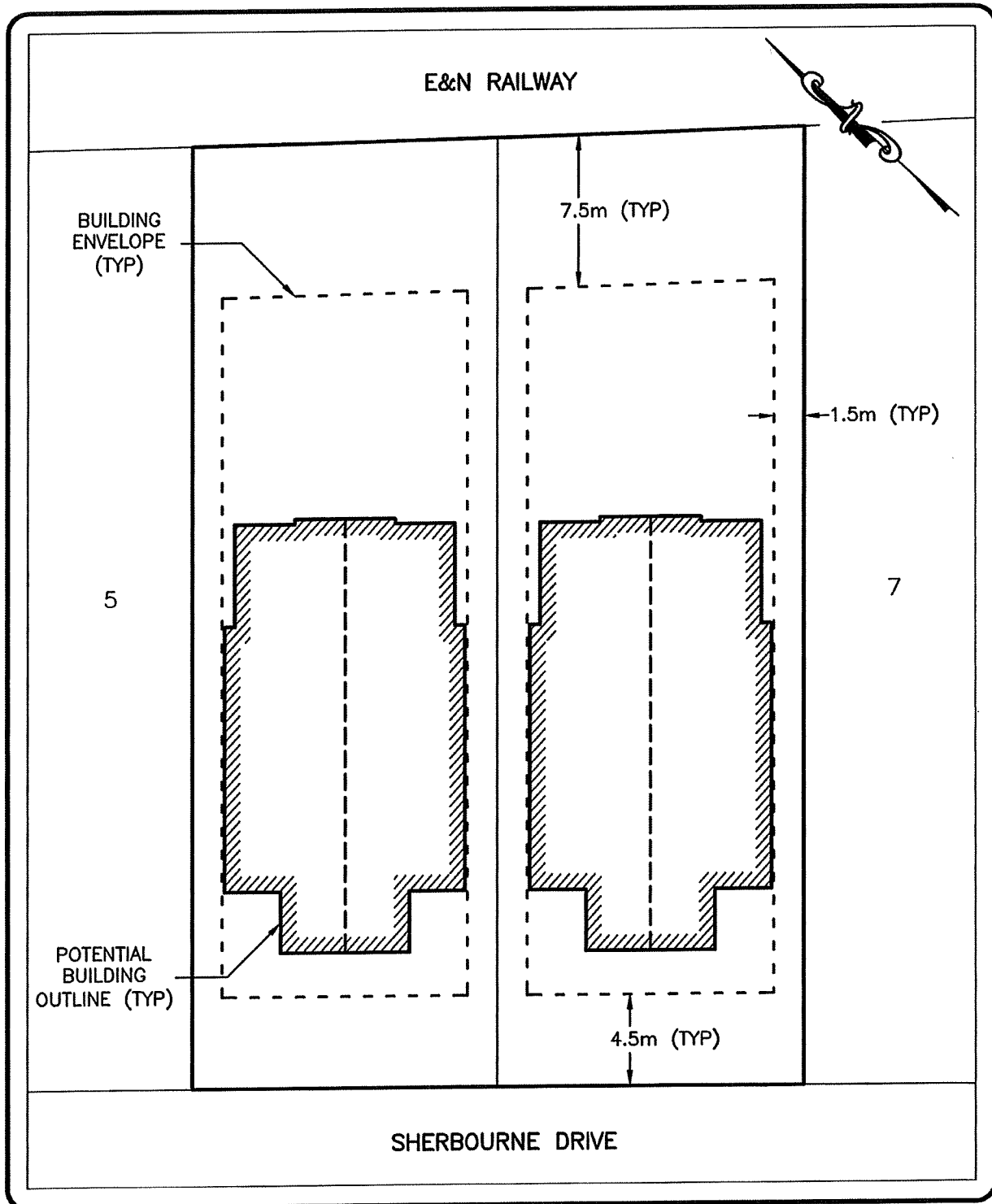
## LOCATION PLAN

**Civic: 5264 Sherbourne Drive**



-  **Subject Properties**
-  **Parks & Open Spaces**

# ATTACHMENT B



DRAWING TITLE

PROPOSED REZONING 5264 SHERBOURNE DRIVE  
POTENTIAL BUILDING LOCATIONS



Scale	1:250
Drawn	drp
Date:	06-09-16
Dwg. No.	1053-001-S1

# ATTACHMENT C



REZONING APPLICATION NO. RA000368



CITY OF NANAIMO

BYLAW NO. 4500.100

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, 477, 480, 548, 469, 479, 481 and 482 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 2016 NO. 4500.100".
2. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby amended as follows:

By rezoning 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: 2016-JUL-11

PASSED SECOND READING: 2016-JUL-11

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

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

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

ADOPTED \_\_\_\_\_

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MAYOR

---

CORPORATE OFFICER

File: RA000368  
Address: 5264 Sherbourne Drive



# NOTICE OF PUBLIC HEARING

August 4<sup>th</sup> 2016 at 7:00 pm



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## BYLAW NO. 4500.101

**Purpose:** To rezone the property at 2408 York Crescent from Single Dwelling Residential (R1) to Single Dwelling Residential – Small Lot (R2) in order to permit subdivision to two lots.

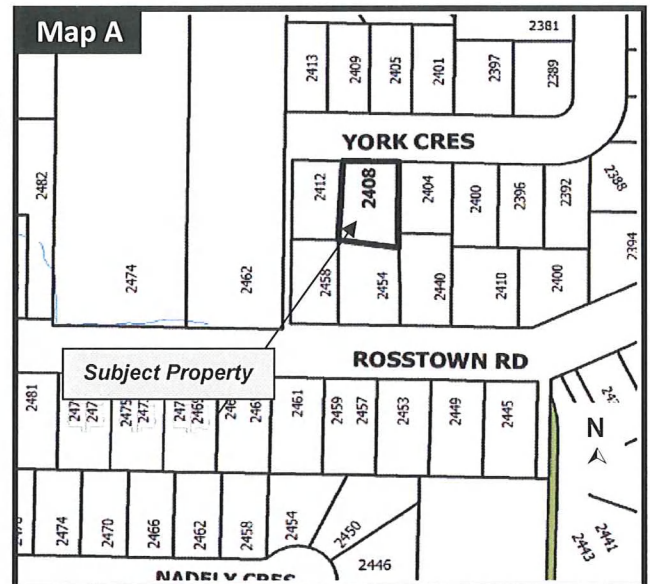
**Location:** 2408 York Crescent,  
as shown on Map A

**File No.:** Rezoning Application -  
RA000369



The rezoning bylaw, if adopted, will rezone the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential – Small Lot (R2) in order to permit subdivision to two lots.

The subject property is legally described as LOT 5, SECTION 19, RANGE 6, MOUNTAIN DISTRICT, PLAN VIP86765.



## WANT TO FIND OUT MORE INFORMATION?

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given by the Corporate Officer.*

DATE OF MEETING July 11, 2016

AUTHORED BY JILL COLLINSON, PLANNER, PLANNING AND DESIGN

SUBJECT REZONING APPLICATION NO. RA369 – 2408 YORK CRESCENT

## **OVERVIEW**

### **Purpose of Report**

To present Council with a rezoning application to rezone 2408 York Crescent from Single Dwelling Residential (R1) to Single Dwelling Residential - Small Lot (R2) in order to permit a two lot subdivision.

### **Recommendation**

That Council:

1. receive the report pertaining to the City of Nanaimo "Zoning Amendment Bylaw 2016 No. 4500.101; and,
2. 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 (RA369) for 2408 York Crescent from the property owner, Mr. Stephen Halliday, to rezone the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential - Small Lot (R2). The purpose of the rezoning is to facilitate subdivision of the property into two lots.

### ***Subject Properties***

<b>Location:</b>	North of Rosstown Road on the south side of York Crescent
<b>Total Lot Size:</b>	750m <sup>2</sup>
<b>Subject Area Size:</b>	750m <sup>2</sup>
<b>Current Zones:</b>	Single Dwelling Residential (R1)
<b>Proposed Zone:</b>	Single Dwelling Residential – Small Lot (R2)
<b>Official Community Plan Designation:</b>	Neighbourhood

## **DISCUSSION**

### **Proposed Development**

The application is to rezone the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential - Small Lot (R2) to permit subdivision to two lots. The 750m<sup>2</sup> subject property is currently vacant and surrounded by single dwelling residential properties. The

Regular Council Meeting

2016-JUL-11

surrounding area is primarily single dwelling residential, with a few larger residentially zoned lots to the west.

### **Staff Review**

#### *Official Community Plan*

The Official Community Plan (OCP) designates 2408 York Crescent 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 form. The proposed development equates to a density of 15 units per hectare, which falls within the 'Neighbourhood' density range, as noted above. Policy supports infill of residential lots designed to complement existing neighbourhood character and offer residential options for all demographic categories and levels of affordability.

As this rezoning application is for small lot development, OCP policy 2.3(17) is applicable. The policy states small lot, single family housing lots will be encouraged within neighbourhoods where the lots will be accessed from an existing street, is walking distance to a local service centre and neighbourhood amenities, contributes to a mix of housing types and range of lot sizes, and encourages attractive, pedestrian oriented housing.

The subject property is within walking distance from Brackenwood Park (200m to the north), Beban Park (550m to the east), and Coal Tyee Elementary School (300m to the south). Both Labieux Road to the north and Bowen Road to the west are on an active bus route. Average adjacent property size is approximately 650m<sup>2</sup>.

Given the small scale (one additional lot), conceptual elevations, and site context, the proposal can be considered infill development. Staff is of the opinion the rezoning 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 amenities in the area. Staff is supportive of the community contribution proposal.

### **SUMMARY POINTS**

- The application is to rezone the property to Small Lot (R2) in order to facilitate subdivision to two lots.
- The proposed development meets policy objectives of the OCP.

### **ATTACHMENTS**

ATTACHMENT A: Location Plan

ATTACHMENT B: Site Plan

ATTACHMENT C: Applicant's Letter of Rationale

ATTACHMENT D: Conceptual Building Elevation

ATTACHMENT E: Aerial Photo

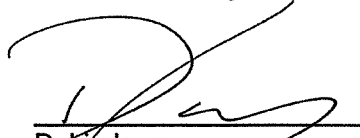
ATTACHMENT F: "Zoning Amendment Bylaw 2016 No. 4500.101"

**Submitted by:**



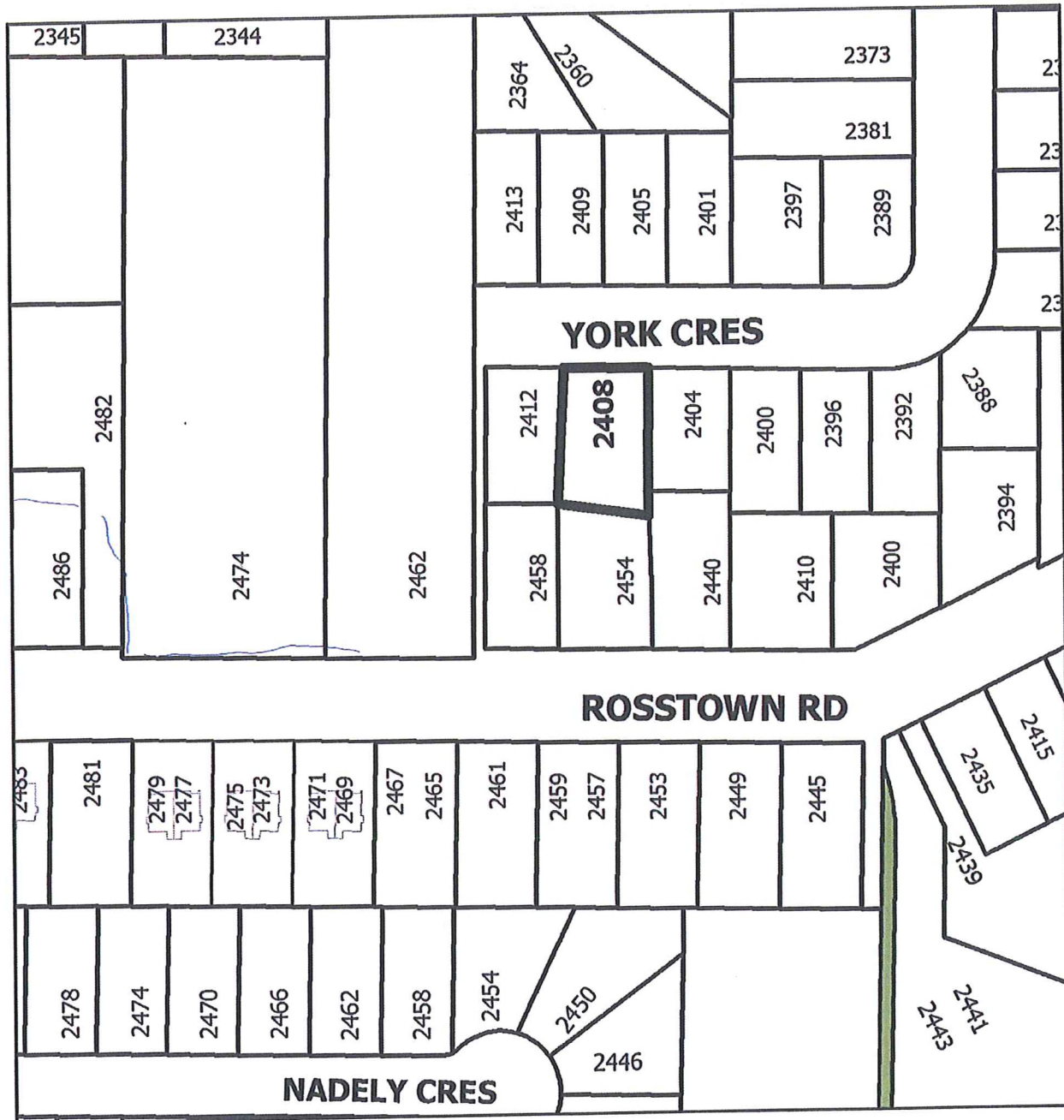
B. Anderson  
Manager, Planning and Design

**Concurrence by:**

  
D. Lindsay  
Director, Community Development



# ATTACHMENT A



REZONING APPLICATION NO. RA000369

## LOCATION PLAN

Civic: 2408 York Crescent



-  Subject Properties
-  Parks & Open Spaces

# ATTACHMENT B

Site Plan showing proposed subdivision of part of: Lot 5, Section 19, Mountain District, Plan VIP86765.		Client: Steve Halliday CMA Address: 2408 York Crescent File: 16-018    Scale: 1:200    Date: May 3rd, 2016    Drawn by: MDS	
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York Crescent

Plan                      VIP86765

**Note:**  
 This property is affected by  
 the following registered documents:  
 M76301, FB273868, FB273869, FB275387.

Distances shown are in metres.  
 Property dimensions are derived from Plan VIP86765

<b>Turner &amp; Land surveying-</b>  250.753.0778 605 Comox Road Nanaimo, BC V9R 3J4	Certified correct this 3rd day of May, 2016.  <div style="text-align: right;">B.C.L.S.</div> (This document is not valid unless originally signed and sealed.)
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## ATTACHMENT C

### Rezoning Rationale

It is my believe that this property will appeal to families of all income levels and age ranges by contributing a mix of housing types within the existing neighbourhood.

The neighbourhood is well established and the property is accessed via an existing street which is within 100m of a major bus route.

Sincerely : Stephen Halliday

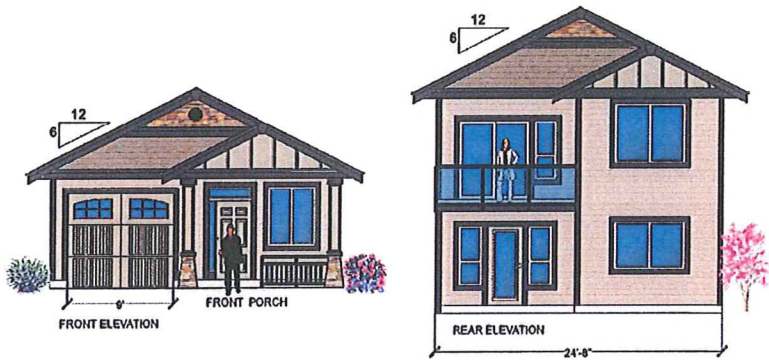
## Community contribution

I propose to contribute the sum of \$2000<sup>00</sup> to go towards amenities in the area.

Proudly : Stephen Halliday



# ATTACHMENT D



2408 YORK CRESCENT, NANAIMO, BC  
 Folio: 05428.005  
 PID: 027-942-767  
 Plan: VIP86765  
 Size: 8080 SQUARE FEET  
 Legal Description: LOT 5, SECTION 19,  
 RANGE 6, MOUNTAIN DISTRICT, PLAN  
 VIP86765  
 Zone R1  
 SINGLE DWELLING RESIDENTIAL

**4 SITE DESIGN LTD.**  
**Mark Garrett**  
 7180 Lancrest Terr.  
 BOX 24 Lantzville B.C. V0R 2H0  
 Skype: nanaimomark  
 (250) 802-1027 May-Oct  
 email-garrettbydesign@yahoo.com

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FOUNDED:	MARK GARRETT
DATE:	JUNE 2016
SCALE:	AS SHOWN





# ATTACHMENT E



REZONING APPLICATION NO. RA000369



CITY OF NANAIMO

BYLAW NO. 4500.101

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

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PASSED FIRST READING: 2016-JUL-11

PASSED SECOND READING: 2016-JUL-11

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

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

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

ADOPTED \_\_\_\_\_

\_\_\_\_\_  
MAYOR

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

File: RA000369  
Address: 2408 York Crescent