

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-MAY-05 COMMENCING AT 7:00 P.M.

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:**

Mr. Bruce Anderson, Manager, Planning & Design Section to explain the required procedures in conducting a Public Hearing and the regulations contained within Part 26 of the *Local Government Act*.

- (a) Bylaw No. 4500.096 – RA000364 – 1099 Bruce Avenue - to be introduced by Mr. Dave Stewart, Planner, Planning & Design Section. Pg. 2-13

This bylaw, if adopted, will rezone a portion of the subject property from Steep Slope Residential (R10) to Townhouse Residential (R6) in order to construct a 21 unit townhouse development.

- (b) Bylaw No. 4500.097 – RA000361 – 3150 Mexicana Road – to be introduced by Ms. Karin Kronstal, Planner, Planning & Design Section. Pg. 14-22

This bylaw, if adopted, will rezone the lands of the subject property from Single Dwelling Residential (R1) to Townhouse Residential (R6) in order to permit the construction of a four unit multi-family development.

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

- (a) That "ZONING AMENDMENT BYLAW 2016 NO. 4500.096 (RA364) - to amend "ZONING BYLAW 2011 NO. 4500," by rezoning a portion of the subject property from Steep Slope Residential (R10) to Townhouse Residential (R6) in order to construct a 21 unit townhouse development pass Third Reading. Pg. 12-13

- (b) That "ZONING AMENDMENT BYLAW 2016 NO. 4500.097" (RA361) - to amend "ZONING BYLAW 2011 NO. 4500," by rezoning the lands of the subject property from Single Dwelling Residential (R1) to Townhouse Residential (R6) in order to permit the construction of a four unit multi-family development pass Third Reading. Pg. 21-22

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

NOTICE OF PUBLIC HEARING

May 5th 2016 at 7:00 pm



There will be a Public Hearing on Thursday, **May 5th, 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."

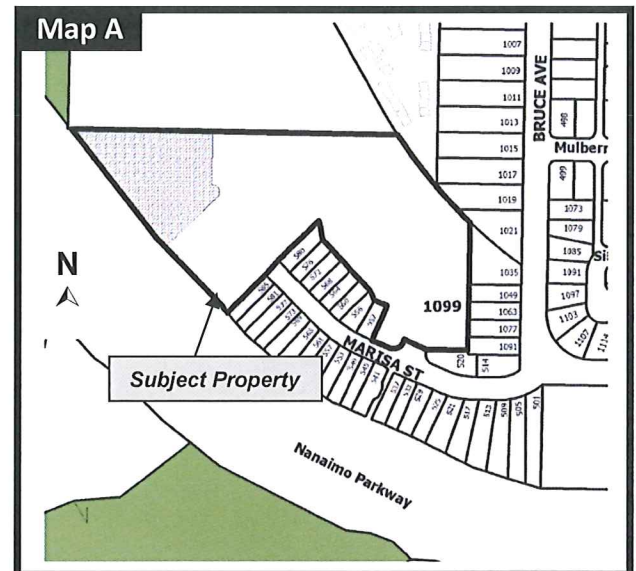
All persons who believe their interest in property is affected by the proposed bylaw will be given the opportunity to be heard in person, by a representative, or by written submission, on the matters contained within Bylaw No. 4500.096 at the Public Hearing.

BYLAW NO. 4500.096

Purpose: By rezoning the lands legally described as LOT A, SECTION 1, NANAIMO DISTRICT, PLAN EPP22207, EXCEPT PART IN PLAN EPP52198 (1099 Bruce Avenue) from Steep Slope Residential (R10) to Townhouse Residential (R6) to permit a 21 unit townhouse development.

Location(s): 1099 Bruce Avenue, as shown on Map A

File No.: Rezoning Application - RA000364



The rezoning bylaw, if adopted, will rezone the subject properties from Steep Slope Residential (R10) to Townhouse Residential (R6) in order to permit a 21 unit townhouse development.

The subject properties are legally described as LOT A, SECTION 1, NANAIMO DISTRICT, PLAN EPP22207, EXCEPT PART IN PLAN EPP52198.

WANT TO FIND OUT MORE INFORMATION?

IN PERSON: A copy of the above-noted bylaw and related documents may be inspected from April 22nd 2016 to May 5th 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

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

WANT TO MAKE A WRITTEN SUBMISSION?

If you are unable to attend the Public Hearing, written submissions must be received no later than 4:00pm, May 5th 2016, to ensure their availability to Council at the Public Hearing. Written submissions can be provided by any of the following methods:

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EMAIL: Email should be sent to public.hearing@nanaimo.ca

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

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

DATE OF MEETING April 18, 2016

AUTHORED BY DAVE STEWART, PLANNER, PLANNING AND DESIGN

SUBJECT REZONING APPLICATION NO. RA364 – 1099 BRUCE AVENUE

OVERVIEW

Purpose of Report

To present Council with a rezoning application to rezone a portion of 1099 Bruce Avenue from Steep Slope Residential (R10) to Townhouse Residential (R6) in order to permit a 21-unit townhouse development.

Recommendation

That Council:

1. receive the report pertaining to the City of Nanaimo "Zoning Amendment Bylaw 2016 No. 4500.096"; and,
2. direct Staff to secure covenants for a pedestrian trailway and the community contribution, prior to the adoption of the bylaw, should Council support the bylaw at third reading.

BACKGROUND

The City has received a rezoning application (RA364) for a portion of 1099 Bruce Avenue from Keith Brown Associates Ltd. on behalf of 0948423 BC Ltd. (Mr. Alan Steeves) in order to rezone a portion of the subject property from Steep Slope Residential (R10) to Townhouse Residential (R6) to permit a 21-unit townhouse development.

Subject Property:

Location:	This property is located west of the intersection of Bruce Avenue and Tenth Street, and bordered by the Nanaimo Parkway to the south.
Total Lot Size:	3.9 hectares
Subject Area Size:	0.77 hectares
Current Zone:	Steep Slope Residential (R10)
Proposed Zone:	Townhouse Residential (R6)
Official Community Plan Designation:	Neighbourhood
Neighbourhood Plan (Harewood):	Neighbourhood

The subject property is located west of the intersection of Bruce Avenue and Tenth Street, and bordered by the Nanaimo Parkway to the south. The property is included within the Nanaimo Parkway Design Development Permit Area No. 4 (DPA4). Surrounding land uses are primarily single residential lots.

Regular Council Meeting
2016-APR-18

The area subject to rezoning is Lot 30 within the proposed subdivision application. The proposed lot is 0.77ha in area and is located within the north-west corner of the property, adjacent to the Nanaimo Parkway.

The subject property was formally part of a larger 57.62ha property, commonly referred to as Harewood Plains. In 2012, the Harewood Plains property was subdivided in order to create four parcels and separate the developable portion of the property from ecologically significant areas that required protection. The subdivision included the subject property and 13.13ha of area dedicated as park. The park area includes a significant environmentally sensitive area containing rare 'lotus pinnatus' plants (the City's floral emblem). There is no environmentally sensitive habitat within the area subject to the rezoning application.

The property is currently the subject of an active subdivision application for 75 lots. At its Special Meeting of 2015-SEP-14, Council adopted a rezoning amendment (RA350) for an R4 zone on certain lots to permit 11 duplex lots within the proposed subdivision. At the time of the rezoning, it was noted that proposed Lot 30 is planned for a multiple family residential development, and that the applicant had chosen to address the proposed multi-family development through a future rezoning application. The applicant is now ready to proceed with the rezoning of the proposed Lot 30 site.

DISCUSSION

Proposed Development

The application is to rezone a portion of the subject area from Steep Slope Residential (R10) to Townhouse Residential (R6) to construct a 21-unit townhouse development. The townhouses will each be three storeys and have an approximate unit floor area of 158m². All townhouse units will have a single car garage and additional surface parking. The development will be accessed from the end of the currently unnamed city road to be constructed through the proposed subdivision.

A pedestrian trail connection to the parkway trail will be secured through the rezoning covenant. The exact trail location will be determined through the subsequent development permit process.

Staff Review

Official Community Plan/ Harewood Neighbourhood Plan

The Official Community Plan (OCP) designates the subject area as 'Neighbourhood'. The area is also designated as 'Neighbourhood' within the Harewood Neighbourhood Plan. The Neighbourhood designation supports a mix of housing types including single family dwellings and multiple family units. Residential densities from 10 to 50 units per acre in two to four storey building forms will be supported in the Neighbourhood designation. The 21 proposed townhouse unit development on the 0.77ha proposed lot, equates to a density of 16 units per hectare. Staff is of the opinion that the proposed housing type and density comply with the intent of the OCP and Neighbourhood Plan.

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 is proposing a monetary contribution of \$21,000 towards local park improvements.

SUMMARY POINTS

- The application is to rezone the property to R6 to permit a 21-unit townhouse development.
- The proposed development meets the policy objectives of the OCP and the Harewood Neighbourhood Plan.
- The proposed townhouse development is part of a 75-lot subdivision development that also includes duplex and single family dwellings.

ATTACHMENTS


ATTACHMENT A: Location Plan
ATTACHMENT B: Aerial Photo
ATTACHMENT C: Subdivision Plan
ATTACHMENT D: Concept Plan and Elevations
ATTACHMENT E: Applicant's Letter of Rationale
ATTACHMENT F: "Zoning Amendment Bylaw 2016 No. 4500.096"

Submitted by:

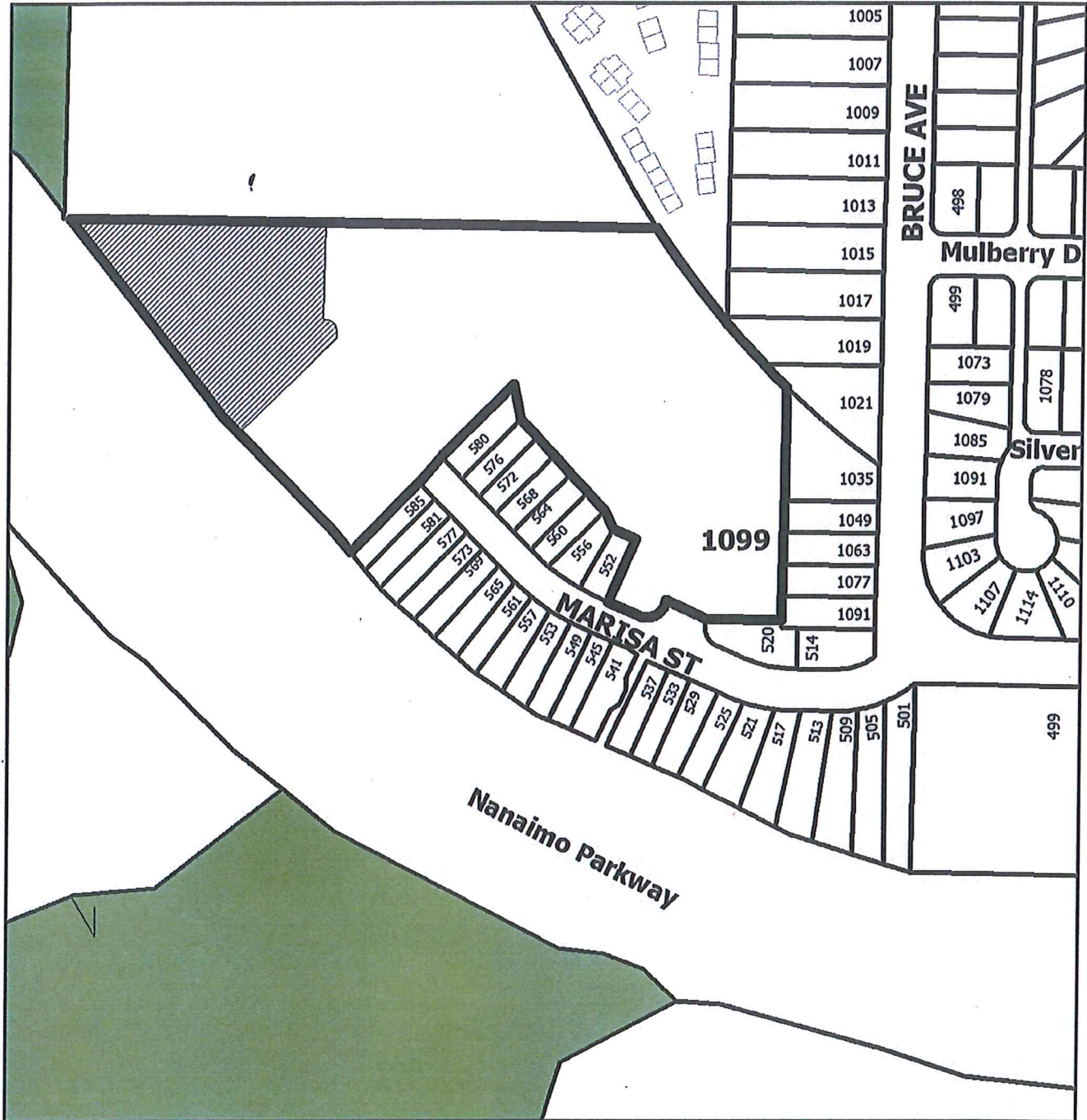


B. Anderson
Manager, Planning and Design

Concurrence by:


D. Lindsay
Director, Community Development

ATTACHMENT A






REZONING APPLICATION NO. RA000364

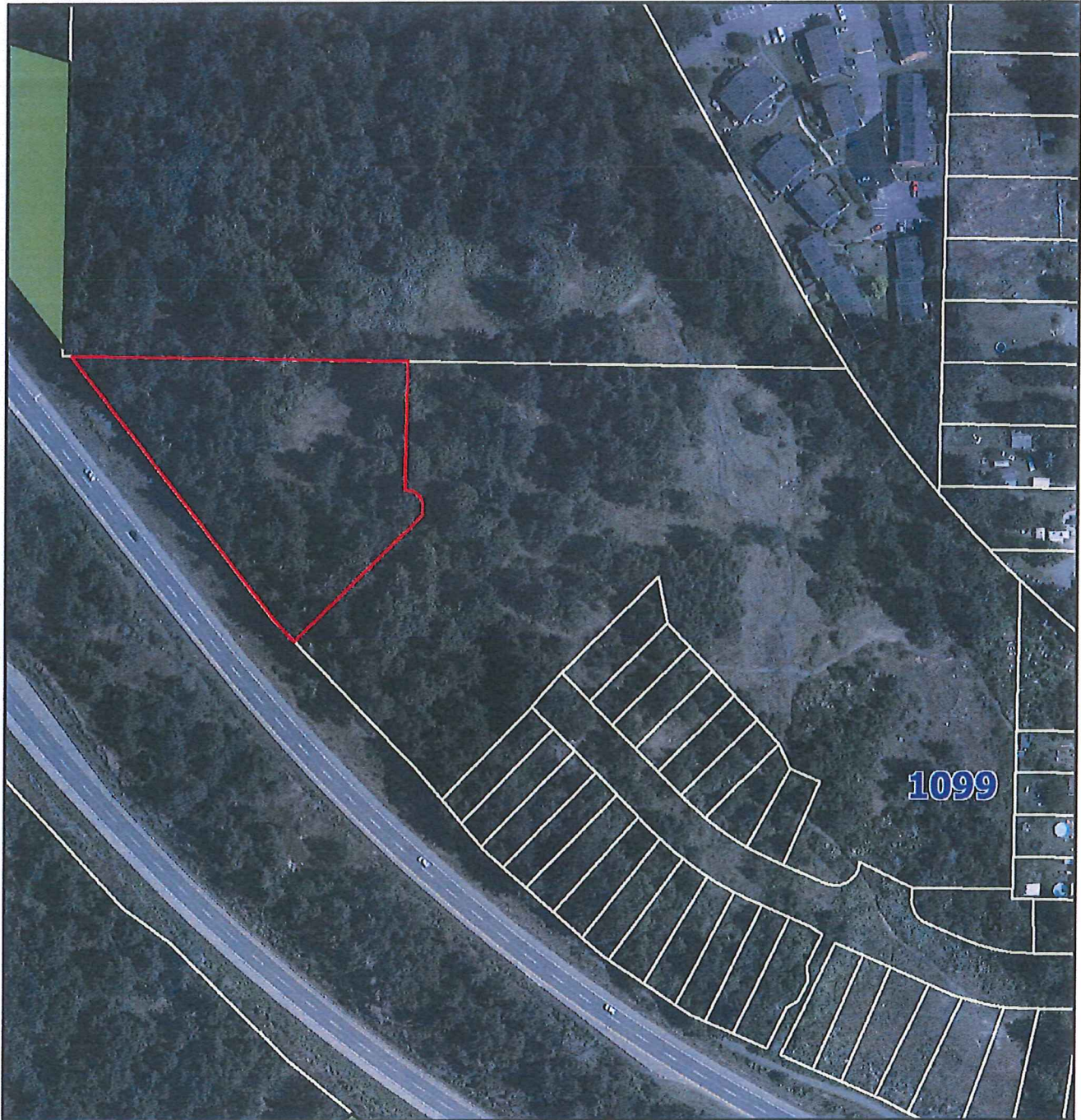
LOCATION PLAN

Civic: 1099 Bruce Avenue



-  **Subject Property**
-  **Portion to be Rezoned**
-  **Parks & Open Spaces**

ATTACHMENT B





REZONING APPLICATION NO. RA000364

LOCATION PLAN

Civic: 1099 Bruce Avenue



-  Portion to be Rezoned
-  Parks & Open Spaces

[illegible]

Project Location: New York City, New York
Project Name: 21 Unit Townhouse Development
Site Address: 1234 5th Avenue, New York, NY 10017
Owner: ABC Development LLC
Architect: XYZ Architects, Inc.
Engineer: DEF Engineering, Inc.
Scale: 1" = 10'-0"

Site Information

EXISTING ZONE: R6
 PROPOSED ZONE: R6
 PROPOSED USE: 21 UNIT TOWNHOUSE DEVELOPMENT
 SITE AREA: 12,345 SQ. FT.
 BUILDING AREA: 12,345 SQ. FT.
 21 UNITS @ 1,100 SF
 17% PROVIDED / 14% REQUIRED
 24% REQUIRED / 42% PLUS 1 VARIATION PROVIDED

Typical Front Elevation

ASPHALT DRIVEWAYS
 VINYL CLADDING WITH WOOD TRIM
 RECREATIVE ENTRY DETAIL

Upper Floor Plan 676 SF

18'-0" 17'-0" 17'-0" 22'-0"

Main Floor Plan 676 SF

Basement Floor Plan 326 SF Plus Garage 350

Proposed Marisa Street Rezoning

CHARACTER DEVELOPMENTS: 64-74-8005

SCALE: NOTED
 DATE: NOV 2015
 SHEET: 1

ATTACHMENT E

KEITH BROWN ASSOCIATES LTD.
5102 Somerset Drive Nanaimo, BC V9T 2K6
Tel. 250-758-6033 Cel. 250-741-4776
kelthbrown@shaw.ca

January 27, 2016

File No.959.16

City of Nanaimo
411 Dunsmuir Street
Nanaimo, BC V9R 0E4

ATTENTION: Mr. Dave Stewart, Manager
Planning Division
Development Services Department

Dear Sir

SUBJECT: REZONING APPLICATION
PORTION OF LANDS PROPOSED FOR SUBDIVISION.
LOT 30 WITHIN: LOT A, SECTION 1, NANAIMO DISTRICT,
PLAN EPP22207, EXCEPT PART IN PLAN EPP52198.

Please note the enclosed documentation in support of the Rezoning Application for the above referenced property:

1. Completed Rezoning Application.
2. Rezoning Application fee (cheque) in the amount of \$1,500.
3. Copy of current Title search for property.
4. Copy of Appointment of Agent form signed by owner.
5. Schedule 'C' declaration regarding Contaminated Site Exception.
6. Four 11" x 17" copies of the Rezoning Plan referencing subject site.
7. One plan print of the overall Subdivision Plan at a scale of 1:750.

This Rezoning Application being presented to the City represents the last residential lot (Lot 30) within the second phase of subdivision development.

The proposal represents rezoning Lot 30 from R10 to R8 Zone for the development of 21 townhouse/apartments. The balance of the lots within the subdivision represent a mix of 63 single family lots and 11 duplex lots.

A large portion of the lands (approximately 20 ha.) lying to the south of the 'Parkway' contain environmentally sensitive areas and were reserved/dedicated for park in advance of the subdivision development. Buffering has been provided between the 'Parkway' and the mixed use housing development.

This planned mixed use development compliments the policies within the Harewood Neighbourhood Plan. It also represents one of the few remaining larger properties under development located at the southerly end of the Harewood neighbourhood. The subdivision access is at the corner of Bruce Avenue and 10th Street.

RA 364
/2

As per our recent meeting with the client, the Manager of Planning and you, it was agreed that \$11,000. would be provided for the uplift in rezoning. That is, 11 new dwelling units are being created over what would be permitted under subdivision prior to the rezoning process. The owner's request is that the funds be allocated to play-grounds within the area.

The overall development is being serviced by community water, sanitary and storm sewers. The community water system is being looped to the 9th Street water main to provide sufficient fire flows for the townhouse/apartment development.

In summary, the townhouses/apartments rezoning represents the third and last phase of the overall housing development. The development compliments the Harewood Neighbourhood Plan policies providing a range of affordable housing options.

We thank you for your consideration and support for this rezoning application.

Yours truly,



R.K. Brown,
Consultant Planner

Enc.

cc. Mr. Al Steeves, President
0948423 BC Ltd.

Mr. Jeff Tomlinson,
Manager of Engineering
J.E. Anderson & Associates
Engineers - Surveyors

CITY OF NANAIMO

BYLAW NO. 4500.096

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, 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. 4500.096".
2. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby amended as follows:

By rezoning a portion of the lands legally described as LOT A, SECTION 1, NANAIMO DISTRICT, PLAN EPP22207, EXCEPT PART IN PLAN EPP52198 (1099 Bruce Avenue) from Steep Slope Residential (R10) to Townhouse Residential (R6) as shown on Schedule A.

PASSED FIRST READING: 2016-APR-18

PASSED SECOND READING: 2016-APR-18

PUBLIC HEARING HELD _____

PASSED THIRD READING _____

COVENANT REGISTERED _____

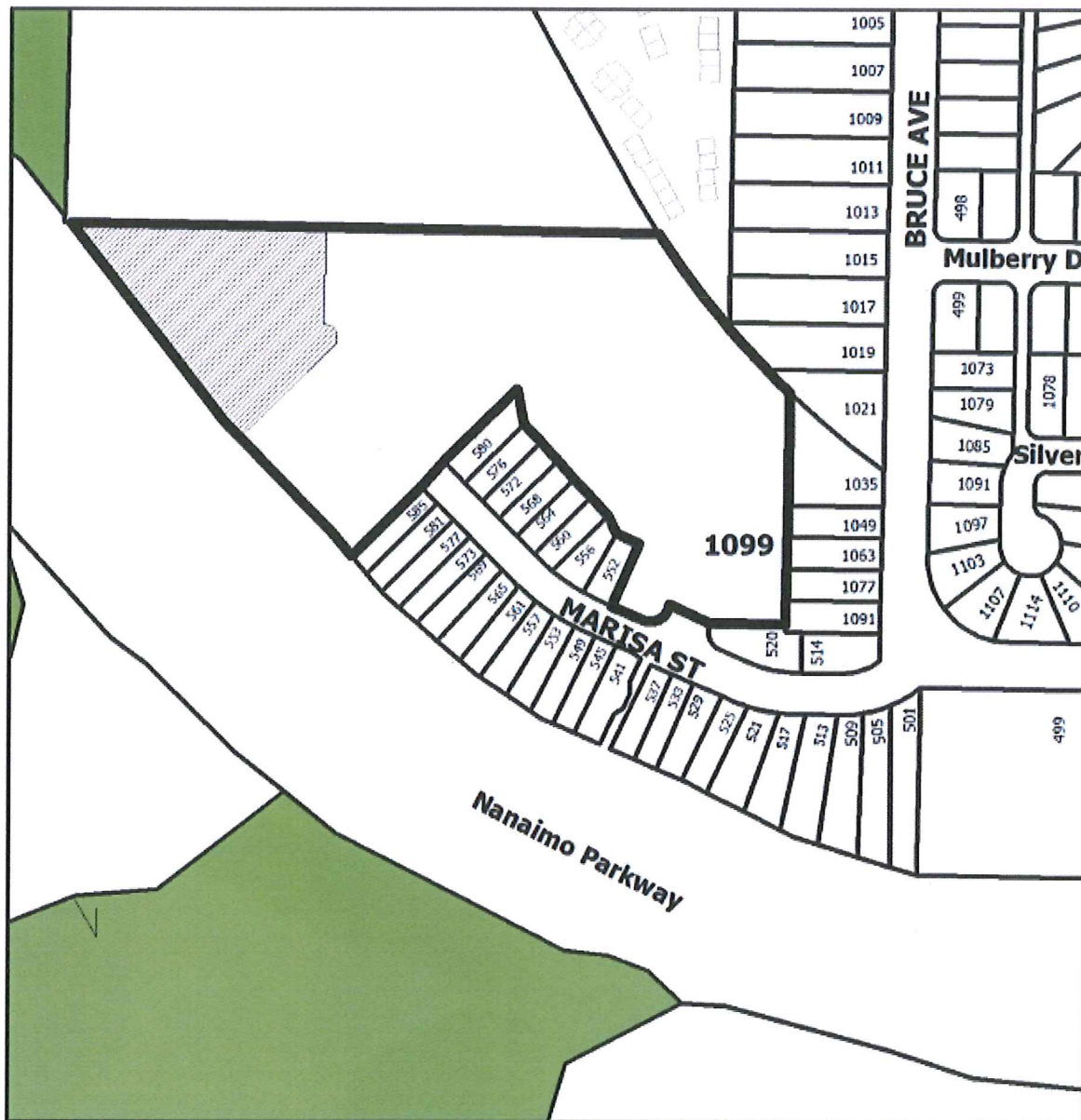
ADOPTED _____

MAYOR

CORPORATE OFFICER

File: RA000364
Address: 1099 Bruce Avenue

Schedule A






REZONING APPLICATION NO. RA000364

LOCATION PLAN

Civic: 1099 Bruce Avenue



-  Subject Property
-  Portion to be Rezoned
-  Parks & Open Spaces

NOTICE OF PUBLIC HEARING

May 5th 2016 at 7:00 pm



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BYLAW NO. 4500.097

Purpose: By rezoning the lands legally described as LOT B, SECTION 5, WELLINGTON DISTRICT, PLAN 43181 (3150 Mexicana Road) from Single Dwelling Residential (R1) to Townhouse Residential (R6) to permit a four unit multi-family development.

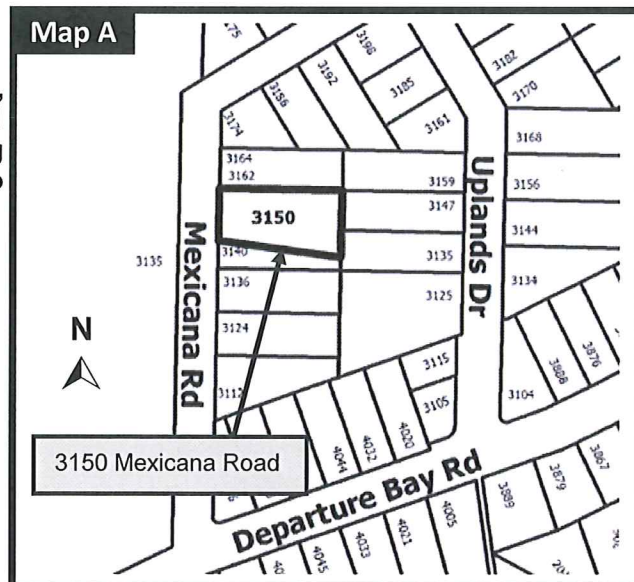
Location(s): 3150 Mexicana Road, as shown on Map A

File No.: Rezoning Application - RA000361



The rezoning bylaw if adopted, will rezone the subject properties from Single Dwelling Residential (R1) to Townhouse Residential (R6) to permit a four unit multi-family development.

The subject properties are legally described as LOT B, SECTION 5, WELLINGTON DISTRICT, PLAN 43181.



WANT TO FIND OUT MORE INFORMATION?

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DATE OF MEETING April 18, 2016

AUTHORED BY KARIN KRONSTAL, PLANNER, PLANNING AND DESIGN

SUBJECT REZONING APPLICATION NO. RA361 – 3150 MEXICANA ROAD

OVERVIEW

Purpose of Report

To present Council with a rezoning application to rezone the lands at 3150 Mexicana Road from Single Dwelling Residential (R1) to Townhouse Residential (R6) in order to permit the construction of a four unit multi-family development.

Recommendation

That Council:

1. receive the report pertaining to the City of Nanaimo "Zoning Amendment Bylaw 2016 No. 4500.097"; and,
2. direct Staff to secure covenants for a lot boundary adjustment, street trees and the community contribution, prior to the adoption of the bylaw, should Council support the bylaw at third reading.

BACKGROUND

The City has received a rezoning application (RA361) for 3150 Mexicana Road from the property owner, Mr. Robyn White.

Subject Property:

Location:	This property is located on the east side of Mexicana Road across from Wellington Secondary School.
Combined Total Lot Size:	0.18 hectares (.44 acres)
Current Zones:	Single Dwelling Residential (R1)
Proposed Zone:	Townhouse Residential (R6)
Current Official Community Plan Designation:	Neighbourhood

DISCUSSION

Subject Property and Surrounding Area

The subject property is located on the east side of Mexicana Road, adjacent to a municipally-owned parcel at 3140 Mexicana Road and across the street from Wellington Secondary School. The rear of the lot abuts properties located along Uplands Drive. The property is located approximately 115m north of Departure Bay Road.

Proposed Development

The applicant proposes to develop the lot with four detached dwellings, which would be strata-titled and have limited common property. As shown on Attachment B (Site Plan), the four units would be accessed off a shared driveway on the north side of the property to minimize disturbance of the existing mature trees on the southern portion of the property.

Staff Review

Official Community Plan

The subject property is located within the Neighbourhood designation of the Official Community Plan (OCP). The Neighbourhood designation encourages a mix of housing types that will provide housing for individuals and families of all age ranges and income levels, and which respects the neighbourhood character. The proposed concept equates to a density of 25 units per hectare, which falls within the Neighbourhood density range of 10-50 units per hectare.

Servicing and Lot Boundary Adjustment

The City owns the parcel adjacent to the subject property (3140 Mexicana Road), which has a right-of-way for service connections located on it. A development cost charge sewer capital project is scheduled for these connections in 2025, at which time the existing open channel storm system may be replaced with a piped system. A survey of the existing services and projected requirement for access determined that the project will require an additional 2m width along the entire lot depth of property (approximate area of 122.8m²) on the north side of the boundary between 3140 and 3150 Mexicana Road. A 2m lot boundary adjustment between the two properties will also provide enough space to build a lane across 3140 Mexicana Road in the future, should further development of the rear of the lots that front Uplands Drive require such access.

Conditions of Rezoning

Should Council support this application and pass third reading of Bylaw No. 4500.097, Staff recommends the following items be secured prior to final adoption of the bylaw:

1. **Servicing and Lot Boundary Adjustment**
As discussed above, a Boundary Adjustment Subdivision of 2m in width between 3150 Mexicana Road and 3140 Mexicana Road will be required as a condition of approval.
2. **Street Trees**
In addition to any replanting that may be required as a result of tree removal; three street trees will be required along the frontage of Mexicana Road.
3. **Community Contribution**
The applicant is proposing a monetary contribution of \$4,000 towards area parks (Lakeview Park and Loudon Park). Staff supports the community contribution proposal and recommends securing the monetary contribution prior to final adoption of the bylaw.

SUMMARY POINTS

- The application is to rezone the subject property from R1 to R6 in order to build a four unit multi-family development.
- The proposed rezoning complies with the intent of the OCP.
- The rezoning offers an infill development and provides the necessary land for future servicing requirements in this area.

ATTACHMENTS


ATTACHMENT A: Location Plan

ATTACHMENT B: Site Plan

ATTACHMENT C: Aerial Photo

ATTACHMENT D: "Zoning Amendment Bylaw 2016 No. 4500.097"

Submitted by:


B. Anderson
Manager, Planning and Design

Concurrence by:


D.-C. Lindsay
Director, Community Development

ATTACHMENT A




REZONING APPLICATION NO. RA000361

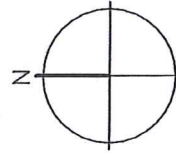
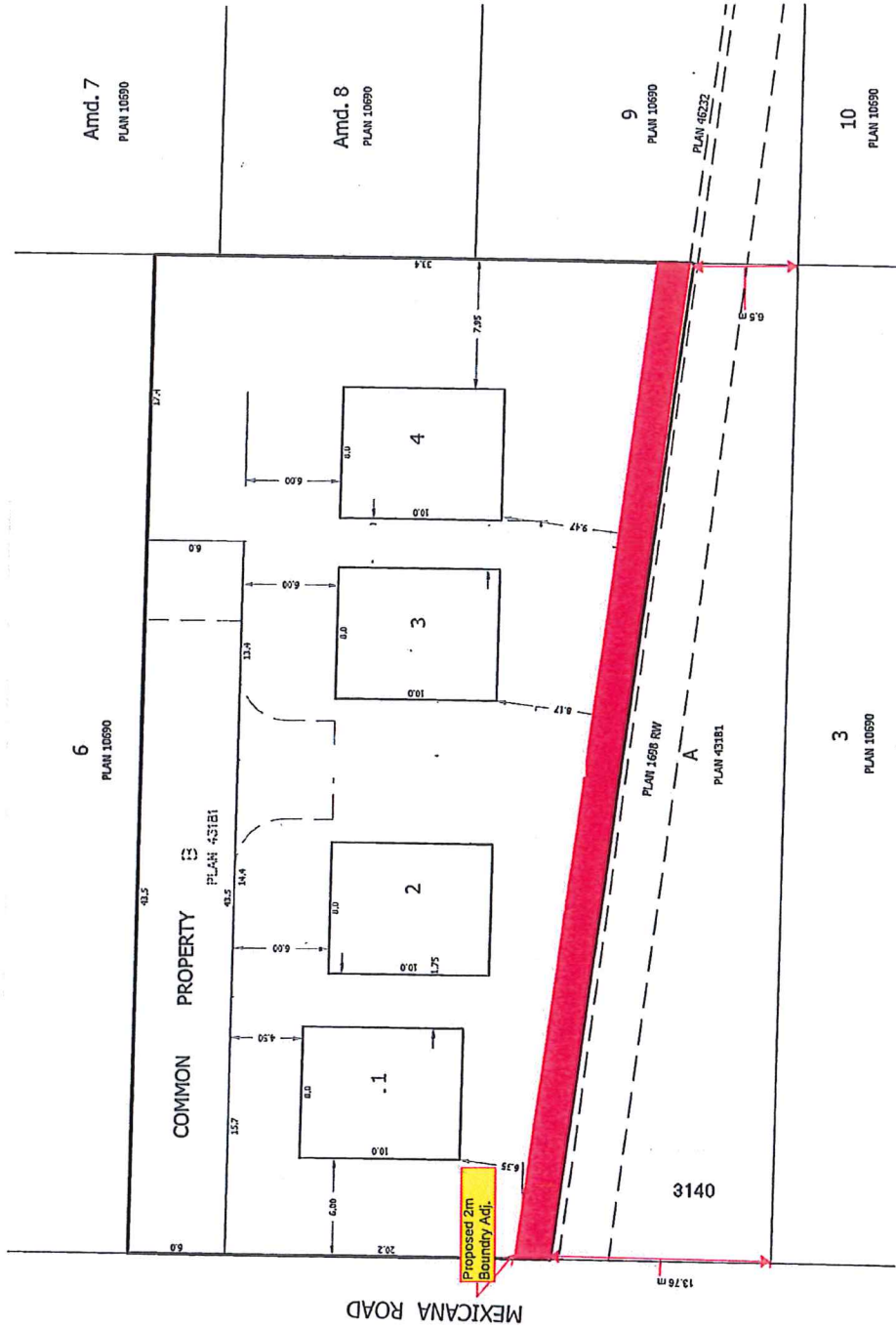
LOCATION PLAN

Civic: 3150 Mexicana Road



 Subject Property

ATTACHMENT B



STATISTICS

SITE AREA = 1817 sqm
PROPOSED ZONE: R6

PROJECT: REZONING - 3150 MEXICANA;

CLIENT: ROBYN & KAREN WHITE

DRAWING: SITE PLAN

DATE: OCT 22, 2015

SCALE: 1:200

DRAWN: CH

FILE: 14035-2 STRATA

SHEET: 1 OF 1

WILLIAMSON & ASSOCIATES
PROFESSIONAL SURVEYORS
13381 BARONS ROAD MANAWA S.E. V1T 4G5
PHONE: (504) 756-7722 FACSIMILE: (504) 756-7724
EMAIL: WAF@TELECOM.NET

ATTACHMENT C



CITY OF NANAIMO

BYLAW NO. 4500.097

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, 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:

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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 5, WELLINGTON DISTRICT, PLAN 43181 (3150 Mexicana Road) from Single Dwelling Residential (R1) to Townhouse Residential (R6) as shown on Schedule A.

PASSED FIRST READING: 2016-APR-18

PASSED SECOND READING: 2016-APR-18

PUBLIC HEARING HELD _____

PASSED THIRD READING _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE _____

COVENANT REGISTERED _____

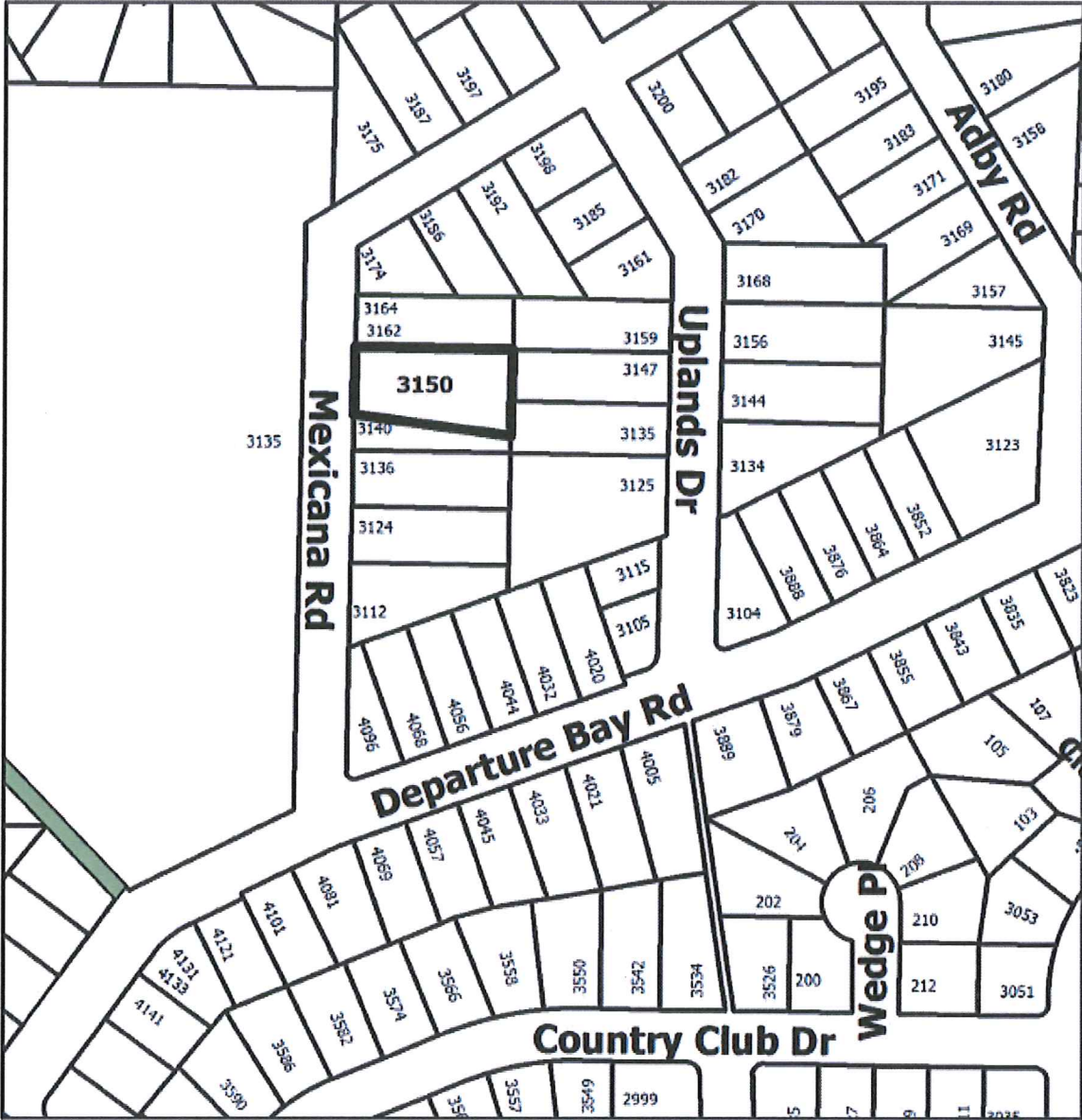
ADOPTED _____

MAYOR

CORPORATE OFFICER

File: RA000361
Address: 3150 Mexicana Road

Schedule A




REZONING APPLICATION NO. RA000361

LOCATION PLAN

Civic: 3150 Mexicana Road



 Subject Property