

# 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, 2015-OCT-01 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:**

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. 4500.083 – RA000355 – 2392 Barclay Road – to be introduced by Mr. Dave Stewart, Planner, Planning & Design Section. Pg. 3-9

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 a two lot subdivision.

- (b) Bylaw No. 4500.085 – RA000344 – 901/925 Harbour View Street – to be introduced by Mr. Dave Stewart, Planner, Planning & Design Section. Pg. 10-20

This bylaw, if adopted, will rezone 925 Harbour View Street and part of 901 Harbour View Street from Single Dwelling Residential (R1) and Medium Density Residential (R8) to Single Dwelling Residential-Small Lot (R2) and Row House Residential (R7) in order to subdivide and develop the majority of the site with small residential lots and row houses. A portion of the lot will retain the existing Medium Density Residential (R8) zone.

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

- (a) That "ZONING AMENDMENT BYLAW 2015 NO. 4500.083" (RA355) 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 a two lot subdivision. Pass Third Reading. Pg. 8-9

- (b) That "ZONING AMENDMENT BYLAW 2015 NO. 4500.085" (RA344) to amend "ZONING BYLAW 2011 NO. 4500," by rezoning 925 Harbour View Street and part of 901 Harbour View Street from Single Dwelling Residential (R1) and Medium Density Residential (R8) to Single Dwelling Residential-Small Lot (R2) and Row House Residential (R7) in order to subdivide and develop the majority of the site with small residential lots and row houses. A portion of the lot will retain the existing Medium Density Residential (R8) zone to pass Third Reading.

*Pg.19-20*

**7. PUBLIC MEETING**

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

# NOTICE OF PUBLIC HEARING

October 1<sup>st</sup> 2015 at 7:00 pm



There will be a Public Hearing on Thursday, **October 1<sup>st</sup> 2015**, 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. 4500.083 at the Public Hearing.

## BYLAW NO. 4500.083

**Purpose:** To permit the use of land for a small lot residential subdivision.

**Location(s):** 2392 Barclay Road, Shown on Map A

**File No.:** Rezoning Application - RA000355

This bylaw, if adopted, will rezone the subject property from Single Dwelling Residential (R1) and to Single Dwelling Residential – Small Lot (R2) in order to facilitate a subdivision of the land into two small residential lots.

The subject property is legally described as LOT C, SECTION 19, RANGE 6, MOUNTAIN DISTRICT, PLAN 25481, and is shown on Map A.

## WANT TO FIND OUT MORE INFORMATION?

**IN PERSON:** A copy of the above-noted bylaw and related documents may be inspected from September 18<sup>th</sup> 2015 to October 1<sup>st</sup> 2015, 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:

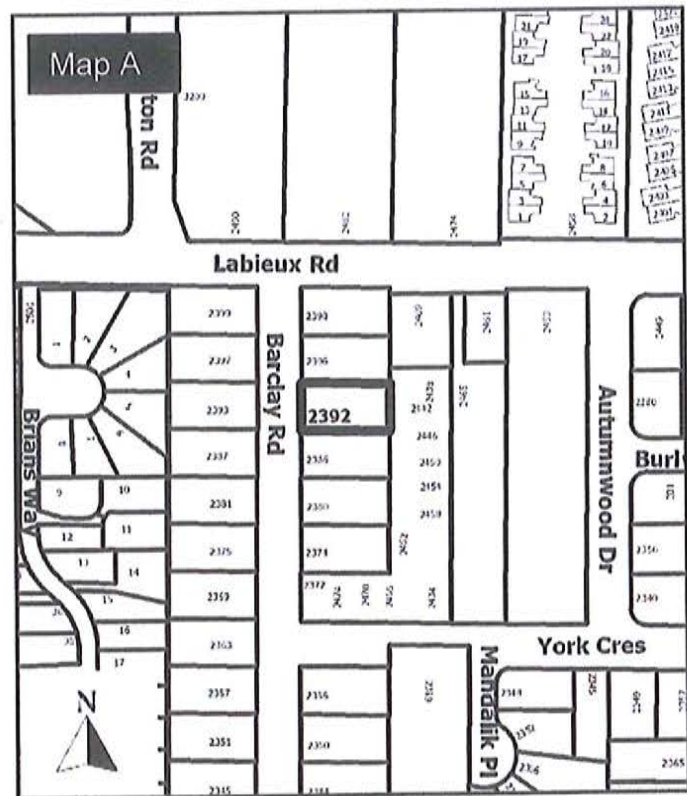
*What's Building In My Neighbourhood?*  
[www.nanaimo.ca/whatsbuilding](http://www.nanaimo.ca/whatsbuilding)

**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?

If you are unable to attend the Public Hearing, written submissions must be received no later than 4:00pm, October 1<sup>st</sup> 2015, to ensure their availability to Council at the Public Hearing. Written submissions can be provided by any of the following methods:

**IN PERSON:** Drop off at the Service and Resource Centre, located at 411 Dunsmuir Street

**EMAIL:** Email should be sent to [public.hearing@nanaimo.ca](mailto:public.hearing@nanaimo.ca)

**WEBSITE:** Submit comments directly through the City's website at [www.nanaimo.ca/publichearing](http://www.nanaimo.ca/publichearing)

**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 892 of the Local Government Act. Notice given by the Corporate Officer.*



# City of Nanaimo

## REPORT TO COUNCIL

DATE OF MEETING: 2015-AUG-17

AUTHORED BY: DAVE STEWART, PLANNER, PLANNING & DESIGN SECTION

RE: REZONING APPLICATION NO. RA355 – 2392 BARCLAY ROAD

### STAFF RECOMMENDATION:

That Council:

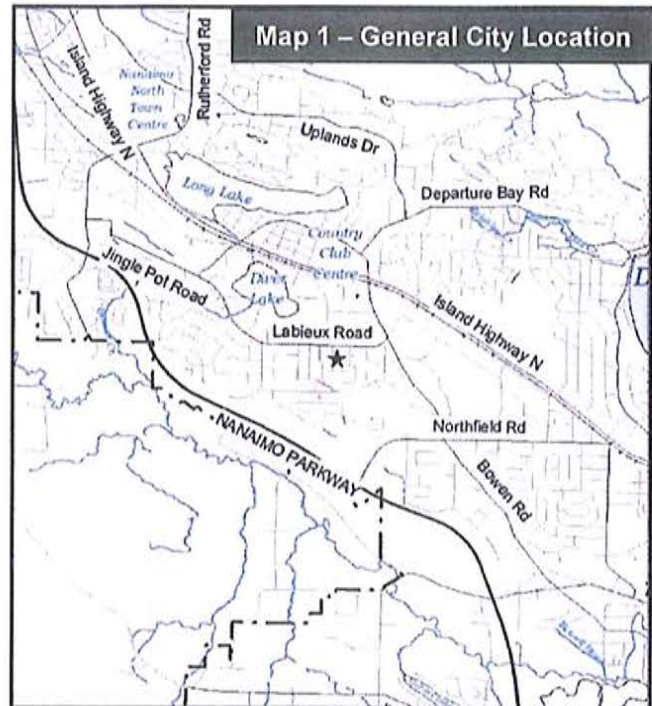
1. receive the report pertaining to "ZONING AMENDMENT BYLAW 2015 NO. 4500.083"; and,
2. direct Staff to secure the community contribution prior to the adoption of the bylaw, should Council support the bylaw at Third Reading.

### PURPOSE:

The purpose of this report is to present a rezoning application for property located at 2392 Barclay Road to rezone the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential-Small Lot (R2) in order to facilitate subdivision of the property.

### BACKGROUND:

The City has received a rezoning application from RAWEL PARMAR to rezone the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential-Small Lot (R2) in order to facilitate a two-lot subdivision of the property.



### ***Subject Property***

Current Zone:	Single Dwelling Residential (R1)
OCP Designation:	Neighbourhood
Proposed Zone:	Single Dwelling Residential-Small Lot (R2)
Purpose:	To subdivide into two residential lots.
Location:	Barclay Road, off Labieux Road, near the Labieux and Shenton Road intersection.
Lot Size / Total Area:	858m <sup>2</sup> (0.21 acres)

☒ Council - Special  
☐ Committee.....  
☒ Open Meeting  
☐ In-Camera Meeting

2015 SEP 14

## DISCUSSION:

### **Site and Surrounding Area**

The subject property is an 858m<sup>2</sup> property located on Barclay Road near the Barclay Road / Labieux Road intersection. A mobile home is located in the centre of the property.

The subject property borders a low to medium density multiple family development to the east and single dwelling residential uses on all other sides.

The surrounding area is primarily comprised of single dwelling residential properties, many of which contain legal non-conforming mobile homes. The nearest commercial use is located on the corner of Labieux and Bowen Road, approximately 325m to the northeast.

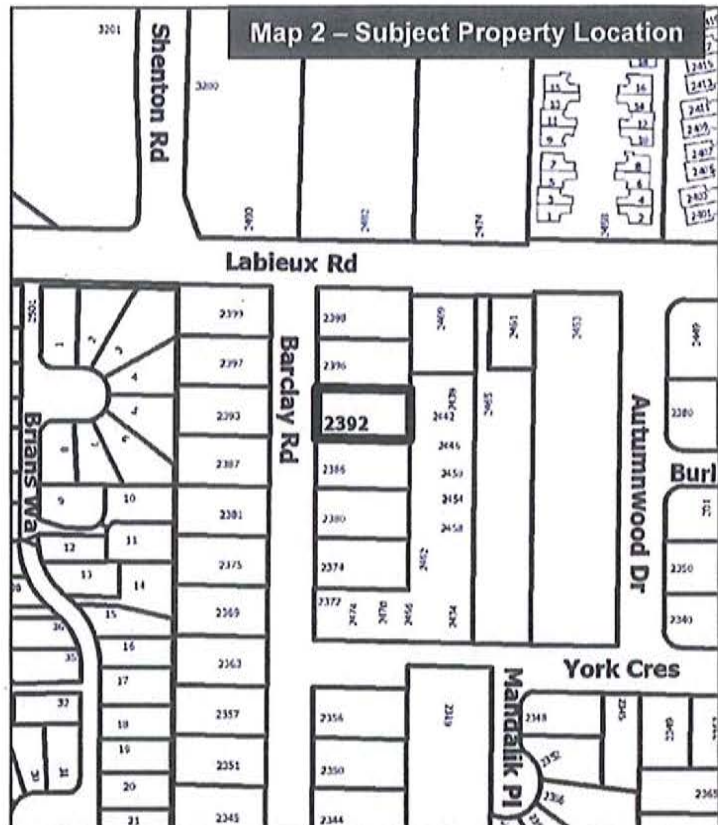
### **Small Lot Policy**

Council adopted the following Small Lot Policy on 2015-FEB-05, which now forms part of the Neighbourhood designation of the Official Community Plan (OCP):

- Small lot, single family housing lots will be encouraged within neighbourhoods where:
  - an adjacent lane exists, or will be provided through site development, or the proposed small lot development is an infill development and all lots will be accessed from an existing city street;
  - the site is within walking distance or accessible by transit to a local service centre or commercial services and neighbourhood amenities exist, such as a park, school, or cultural facility; and,
  - the proposed development contributes to a mix of housing types within the existing neighbourhood or within the proposed development, including a range of lot sizes; and the proposed development encourages attractive, pedestrian-oriented, housing.

The proposed rezoning is to allow subdivision of the property into two small lots. Given the small scale (one additional lot) and site context (accessed by an existing street and surrounded by developed lots), the proposal can be considered an infill development. While no lane is provided, both proposed lots will be accessed from Barclay Road, an existing street.

The subject property is within walking distance of Divers Lake Nature Park, approximately 150m to the northwest; and Beban Park, approximately 550m to the east. Both Labieux Road to the north, and Bowen Road to the west, are on an active bus route.



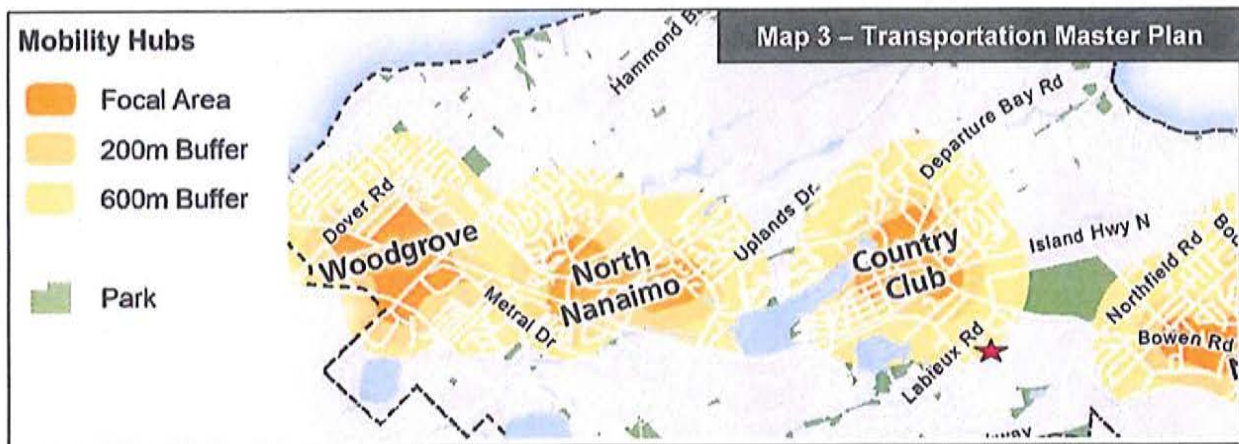


### Official Community Plan

The subject property is located within the Neighbourhood designation of the Official OCP. The Neighbourhood designation provides for lower density residential areas. Development in neighbourhoods will be characterized by a mix of low density residential uses and may include detached and semi-detached dwelling units, secondary suites, special needs housing, mobile homes, duplexes, triplexes, quadruplexes and townhouses. Residential densities from 10 to 50 units per hectare, in two to four-storey building forms will be supported in neighbourhoods. The proposed concept equates to a density of 24 units per hectare, which falls within the Neighbourhood density range, as noted above. Staff is of the opinion the proposed rezoning complies with the intent of the OCP.

### Nanaimo Transportation Master Plan Considerations

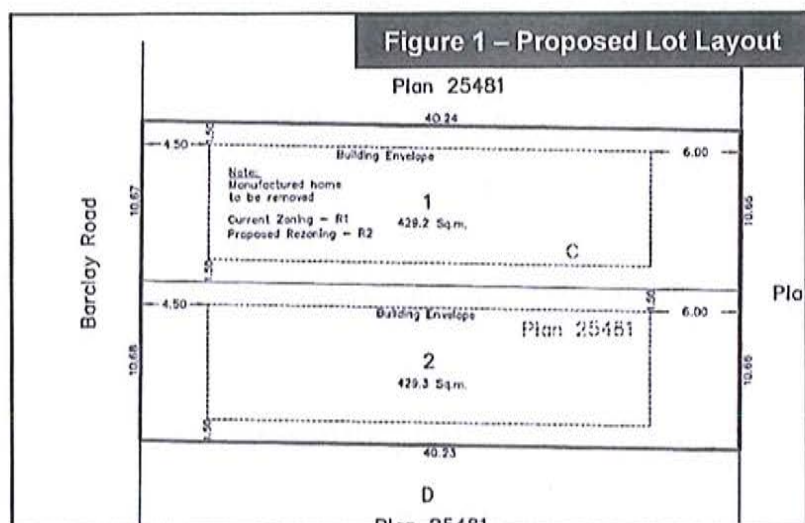
The subject property is located within the 600m buffer area of the Country Club Mobility Hub. Due to its central location within the city, and access to transit, residents near Country Club are more likely to drive less than in other parts of the city.



### Proposed Development

The applicant proposes to rezone the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential-Small Lot (R2) in order to facilitate subdivision. The lot is proposed to be split into two small lots, as shown in Figure 2 - Proposed Lot Layout.

Both lots will be 429m<sup>2</sup> each with 10.7m of frontage and will exceed the minimum requirements for lot area, lot frontage and lot depth within the R2 zone. Each lot would be permitted to have one principal dwelling and a secondary suite.



The existing legal non-conforming mobile home will be removed as a condition of subdivision. The applicant's letter of rationale is included as Attachment A.

***Community Contribution***

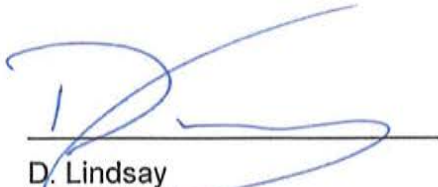
As outlined in Section 7.3 of the OCP, in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution. In response to Council's policy, the applicant is proposing a monetary contribution of \$2000 towards affordable housing. Staff is supportive of the community contribution proposal.

Respectfully submitted,

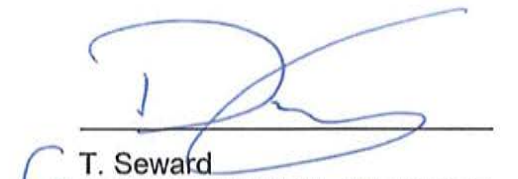



B. Anderson  
MANAGER  
PLANNING & DESIGN SECTION

Concurrence by:



D. Lindsay  
DIRECTOR  
COMMUNITY DEVELOPMENT

  
 T. Seward  
ACTING GENERAL MANAGER  
COMMUNITY DEVELOPMENT &  
PROTECTIVE SERVICES

CITY MANAGER COMMENT:

I concur with the staff recommendation.

CITY OF NANAIMO

BYLAW NO. 4500.083

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 890, 891, 903 and 904 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 2015 NO. 4500.083".
2. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT C, SECTION 19, RANGE 6, MOUNTAIN DISTRICT, PLAN 24581 (2392 Barclay Road); from Single Dwelling Residential (R1) to Single Dwelling Residential – Small Lot (R2) as shown on Schedule A.

PASSED FIRST READING 2015-SEP-14

PASSED SECOND READING 2015-SEP-14

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

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

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

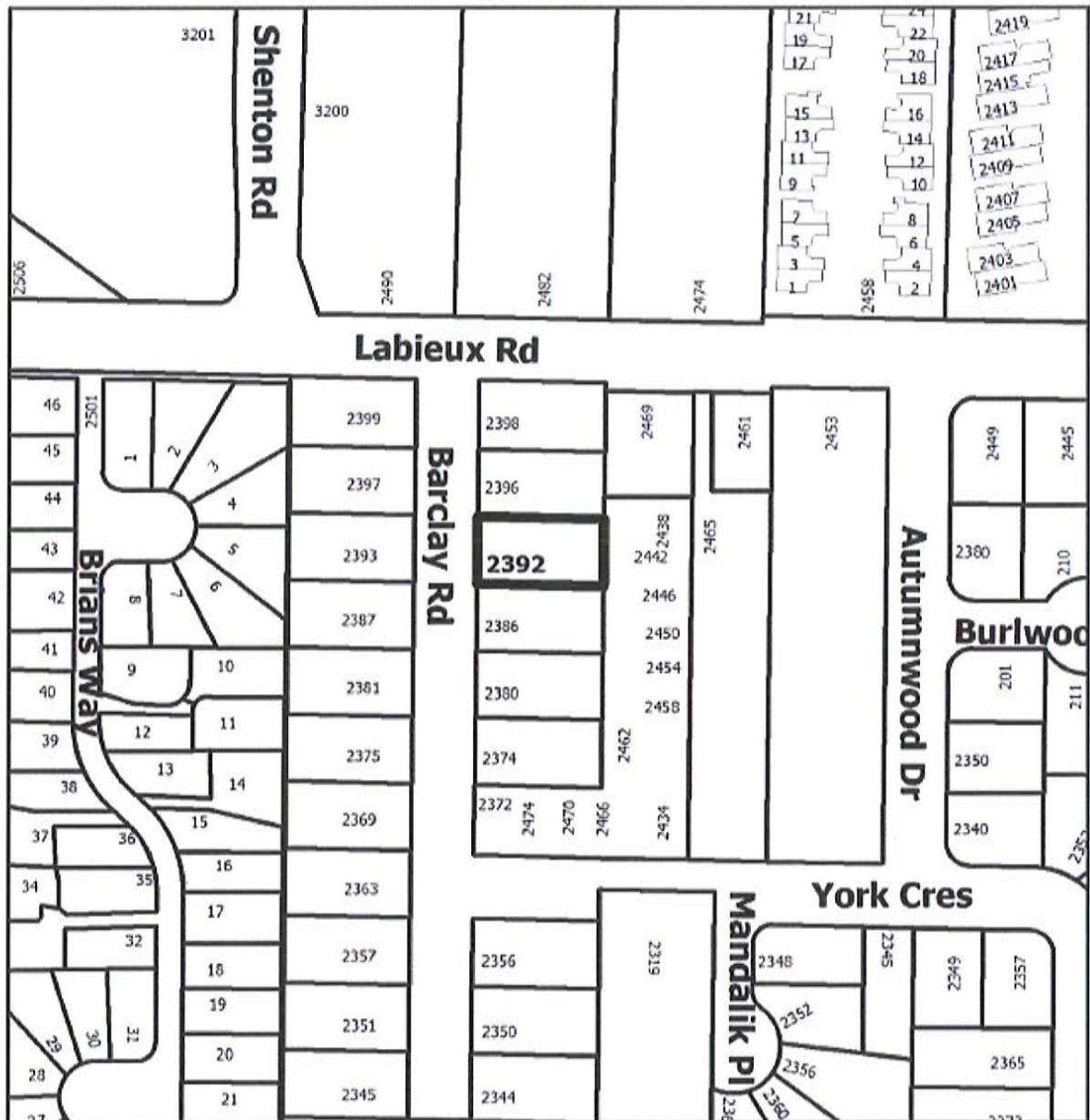
ADOPTED \_\_\_\_\_

\_\_\_\_\_  
MAYOR

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



## Schedule A



REZONING APPLICATION NO. RA000355

## LOCATION PLAN

Civic: 2392 Barclay Road



### Subject Property

# NOTICE OF PUBLIC HEARING

October 1<sup>st</sup> 2015 at 7:00 pm



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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. 4500.085 at the Public Hearing.

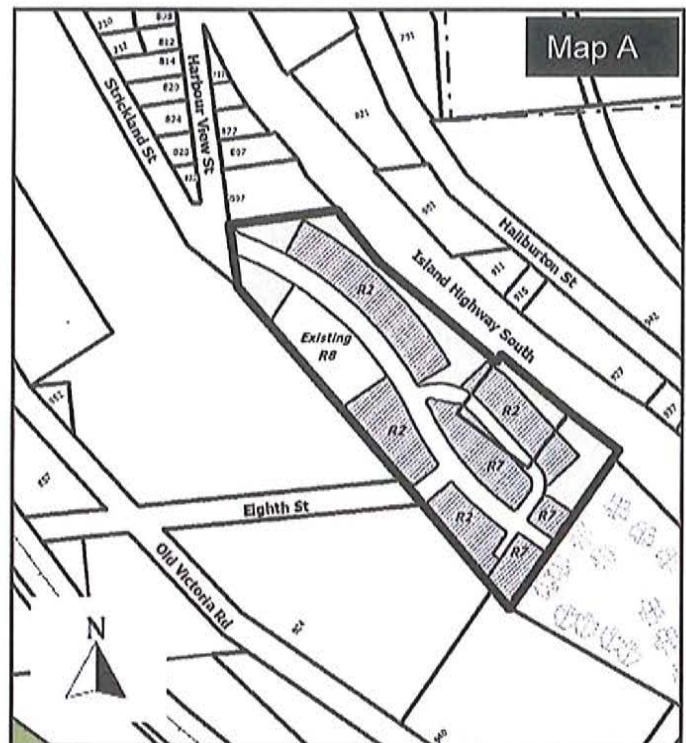
## BYLAW NO. 4500.085

**Purpose:** To subdivide and develop the majority of the site with small residential lots and row houses.

**Location(s):** 901 and 925 Harbour View Street, Shown on Map A

**File No.:** Rezoning Application - RA000344

This bylaw, if adopted, will rezone a portion of the subject property from Single Dwelling Residential (R1) and Medium Density Residential (R8) to Single Dwelling Residential-Small Lot (R2) and Row House Residential (R7) in order to subdivide and develop the majority of the site with small residential lots and row houses. A portion of the lot will retain the existing Medium Density Residential (R8) zone.



The subject property is legally described as THAT PART OF BLOCK C, SECTION 1, NANAIMO DISTRICT, PLAN 1748 SHOWN OUTLINED IN RED ON PLAN 1140R EXCEPT PARTS IN PLANS 3212 RW AND 956 RW, and BLOCK "HUGHES", SECTION 1, NANAIMO DISTRICT, PLAN 1482, EXCEPT PART IN PLAN 3212 RW as shown on Map A.

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# City of Nanaimo

## REPORT TO COUNCIL

DATE OF MEETING: 2015-SEP-14

AUTHORED BY: DAVE STEWART, PLANNER, PLANNING & DESIGN SECTION

RE: REZONING APPLICATION NO. RA000344 – 901 and 925 Harbour View Street

### STAFF RECOMMENDATION:

That Council:

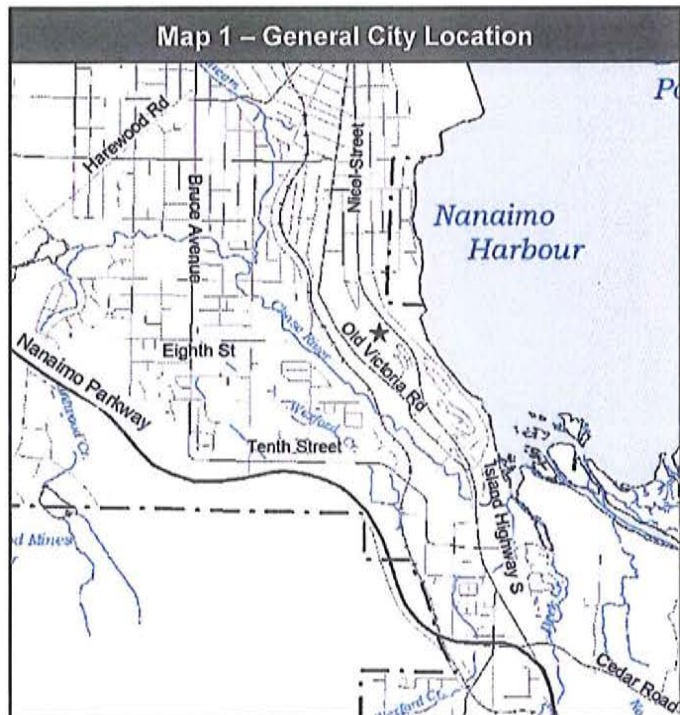
1. receive the report pertaining to "ZONING AMENDMENT BYLAW 2015 NO. 4500.085"; and
2. direct Staff to secure covenants for off-site improvements, lot consolidation, row house building orientation, single car garages, shared driveways, and front yard setbacks prior to the adoption of the bylaw, should Council support the bylaw at Third Reading.

### PURPOSE:

The purpose of this report is to present a rezoning application to rezone a portion of the properties located at 925 and 901 Harbour View Street from Single Dwelling Residential (R1) and Medium Density Residential (R8) to Single Dwelling Residential-Small Lot (R2) and Row House Residential (R7) in order to subdivide and develop the majority of the site with small residential lots and row houses. A portion of the lot will retain the existing Medium Density Residential (R8) zone.

### BACKGROUND:

The City has received a rezoning application from Frank Basciano, on behalf of Hogler Enterprises (Harry Hogler), to rezone a portion of the properties located at 925 and 901 Harbour View Street from Single Dwelling Residential (R1) and Medium Density Residential (R8) to Single Dwelling Residential-Small Lot (R2) and Row House Residential (R7) in order to subdivide and develop the majority of the site with small residential lots and row houses. A portion of the lot will retain the existing Medium Density Residential (R8) zone.



☒ Council *special*  
☐ Committee.....  
☒ Open Meeting  
☐ In-Camera Meeting  
Meeting Date: *2015 SEP-14*



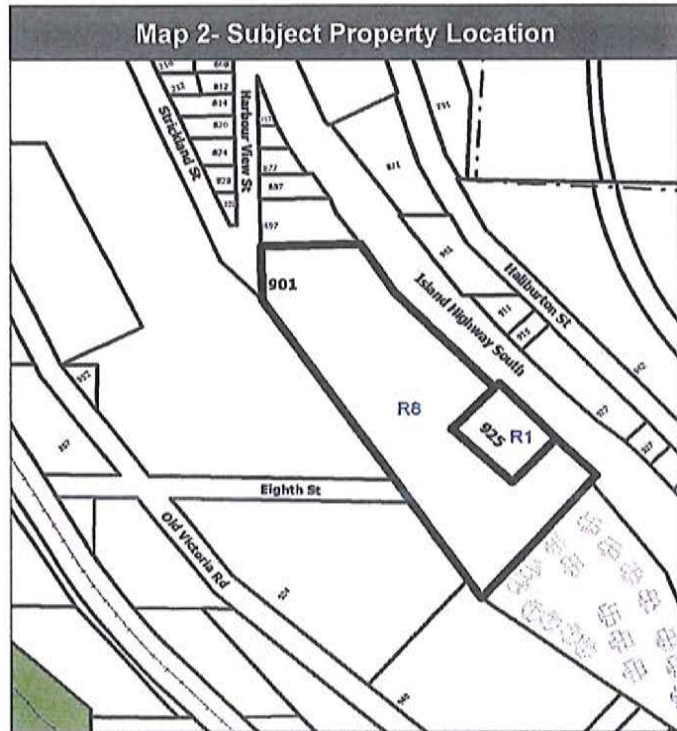
**Subject Property**

Current Zones	Single Dwelling Residential (R1)/ Medium Density Residential (R8)
OCP Designation	Neighbourhood
Neighbourhood Plan (South End)	Neighbourhood
Proposed Zone	Single Dwelling Residential Small Lot (R2)/ Row House Residential (R7), Medium Density Residential (R8)
Purpose	To permit a small lot and fee simple row house subdivision.
Location	Far south end of Harbour View Street, immediately south-west of the Island Highway.
Lot Size / Total Area	Subject properties- 3.8ha (9.46 acres) Area to be rezoned- 3.4ha (8.5 acres)

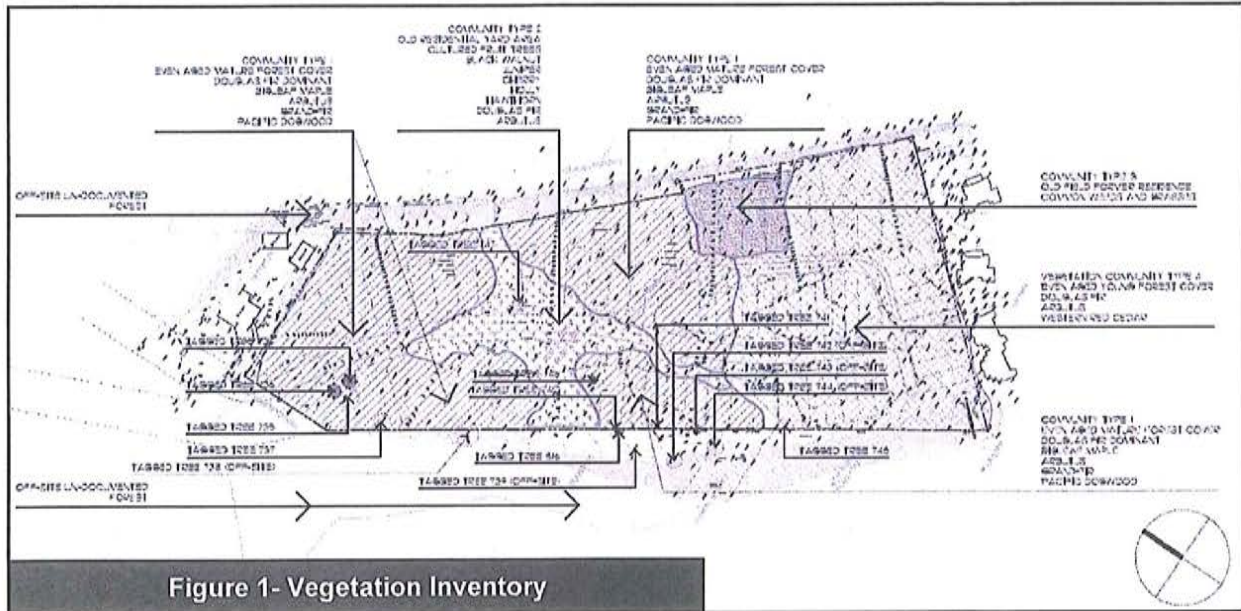
**DISCUSSION:****Site and Surrounding Area**

The subject area is located in south Nanaimo, on the southwest side of the Island Highway. The surrounding area contains a range of land uses including single residential homes to the north on Harbour View Street and Strickland Street, a medium density patio home residential development immediately south of the subject area, and a former school building recently purchased as a Cultural Centre to the north. A number of industrial uses exist to the south-west on Old Victoria Road. Uses on the opposite side of the Island Highway to the east are predominantly residential, with the exception of the Coastland Mill site on Haliburton Street and the Days Inn Hotel on the Island Highway to the northeast.

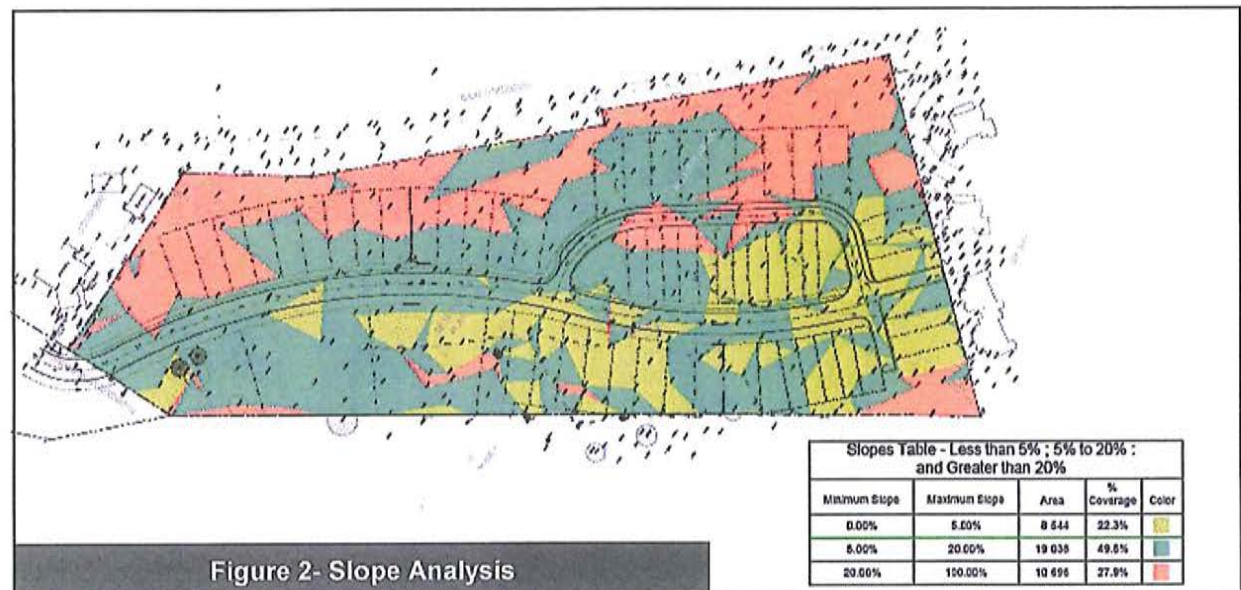
The subject area includes two separate properties, the larger property (901 Harbour View Street) is 3.4ha in area and is currently zoned Medium Density Residential (R8). The smaller lot (925 Harbour View Street) is zoned Single Dwelling Residential (R1) and borders 901 Harbour View Street on three sides with the remaining side fronting on the Island Highway. The property is accessed from the far south end of Harbour View Street, near the Harbour View Street/Strickland Street intersection.



Both lots were historically occupied, however, they are currently vacant. The larger lot is heavily treed and includes a mixture of mature forest cover and planted fruit trees, while the smaller lot was used as a former residence and includes common weeds and grasses. No environmentally sensitive areas are present on the subject property. A vegetation inventory of the subject area is included below as 'Figure 1- Vegetation Inventory'.



Both subject properties are included within the Steep Slope Development Permit Area (DPA5); and 93% of the site has a slope of less than 30%, with 72% of the site having a slope of less than 20%. The applicant's slope analysis plan is shown below as 'Figure 2- Slope Analysis.'





### **Official Community Plan**

The subject properties are located within the Neighbourhood designation in both the Official Community Plan (OCP) and the South End Neighbourhood Plan. The Neighbourhood designation provides for low and medium density residential areas. Development in neighbourhoods will be characterized by a mix of low density residential uses and may include detached and semi-detached dwelling units, secondary suites, special needs housing, mobile homes, duplexes, triplexes, quadruplexes and townhouses. Residential densities from 10 to 50 units per hectare, in two to four-storey building forms, will be supported in neighbourhoods.

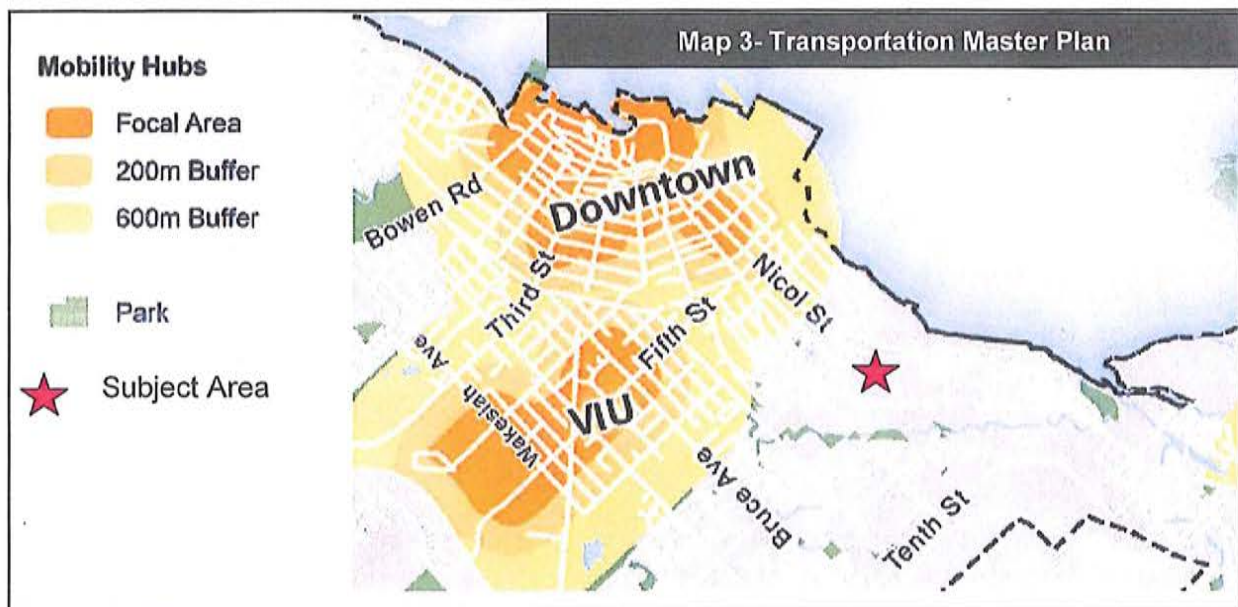
When calculated, based on the area to be rezoned only (including proposed park area), the proposed density is 15 units per hectare (54 residential units on 3.4ha of land). Staff is of the opinion that the proposed rezoning complies with the intent of the OCP.

The South End Neighbourhood Plan land use map includes the subject area as a desirable location for future park space.

### **Nanaimo Transportation Master Plan Considerations**

The subject property is located in a neighbourhood area, outside of a mobility hub. The area is not well served by transit. The closest bus route is the 7 (Cinnabar/Cedar) and includes stops on Old Victoria Road when traveling southbound and Haliburton Street when traveling northbound, towards downtown.

The subject area is approximately 825m south of the existing Neighbourhood Commercial Centre, which includes the Jolly Miner Pub on Haliburton Street and just over 1km from the southern boundary of the downtown urban node.



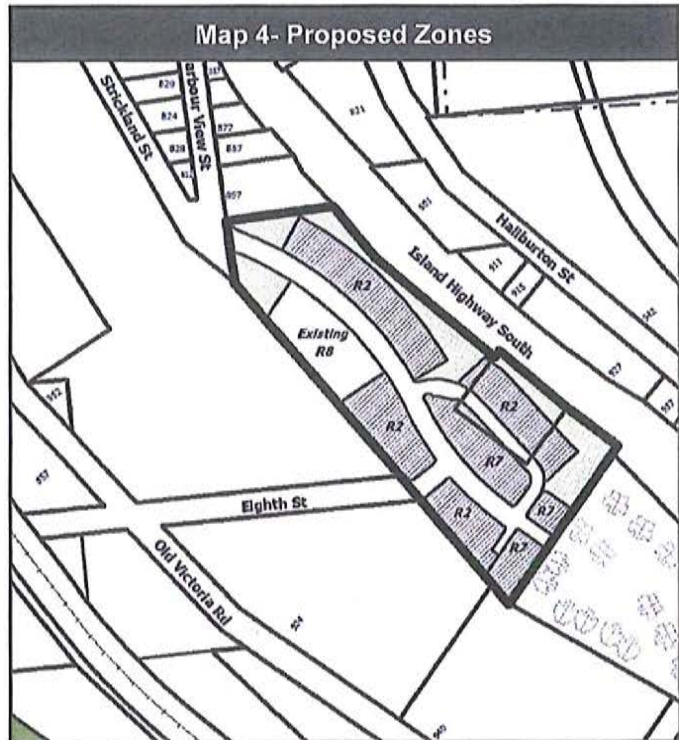


### ***Proposed Development***

The applicant has submitted a rezoning application to rezone the majority of the subject properties in order to permit a 57-lot subdivision comprised of the following:

- a. 34 Single Residential Dwelling- Small Lot (R2) lots;
- b. 20 Row House Residential (R7) lots;
- c. 2 Medium Density Residential (R8) lots; and
- d. 1 lot to be dedicated as city park.

The majority of the subject area is currently zoned Medium Density Residential (R8) which permits multiple family residential developments up to four stories in height with a maximum floor area ratio of 1.25. A small portion (10% of the subject area) will remain R8 zoned. The remainder of the area is proposed to be zoned for small lots, fee simple row houses or dedicated as parkland. The development concept includes 8,234m<sup>2</sup> of park area, which represents over 20% of the site area park to be secured at subdivision. The proposed rezoning represents a reduction in the total number of allowable units within the subject area. A map showing the proposed zoned boundaries is included as 'Map 4 - Proposed Zones'.



The proposed development will be accessed by extending Harbour View Street to the south. In the immediate term, the sole access to the development will be through Harbour View Street, although the development concept includes a future connection to Eighth Street in the event that a road is developed in the future. An emergency only access connection will also be developed through the multiple family site to the south. A second local road loops around the row houses within the site, and will be used to access the row house lots and eight of the proposed small lots.

The majority of the row house lots will be located between the extension of Harbour View Street and the local road, with the buildings facing Harbour View Street and accessed from the local road to the rear. The applicant plans to subdivide the zero lot line row homes to permit individual lot ownership. The R7 lot sizes range from 175m<sup>2</sup> to 281m<sup>2</sup>, and meet the minimum required size and dimensions within the R7 zone.

The proposed 34 small lots (R2) range in size from 328m<sup>2</sup> to 498m<sup>2</sup>, inclusive of the geotechnical setback area. As lot size is calculated exclusive of the geotechnical setback area, the applicant has noted Lots 42 to 44 and Lot 46 may be eliminated or reconfigured pending a further geotechnical evaluation at the subdivision stage. The applicant's conceptual site plan, showing the proposed lots, is shown below as 'Figure 2 - Site Plan'.





The applicant's letter of rationale is included as 'Attachment A'.

### ***Small Lot Policy***

Council adopted the following Small Lot Policy on 2015-FEB-05, which now forms part of the Neighbourhood designation of the OCP:

- Small lot, single family housing lots will be encouraged within neighbourhoods where:
  - an adjacent lane exists, or will be provided through site development, or the proposed small lot development is an infill development and all lots will be accessed from an existing city street;
  - the site is within walking distance or accessible by transit to a local service centre or commercial services and neighbourhood amenities exist, such as a park, school, or cultural facility; and,
  - the proposed development contributes to a mix of housing types within the existing neighbourhood or within the proposed development, including a range of lot sizes; and the proposed development encourages attractive, pedestrian-oriented housing.

The proposed development cannot be considered an infill development. All of the proposed lots will be accessed from a newly constructed street, but a laneway will not be provided. The applicant has elected not to construct a laneway in order to provide more land for park and better address the topography of site.

While it is Staff's opinion that the subject area is not well serviced by transit, nor is it within walking distance of commercial services, it is important to note that the proposed rezoning will actually decrease the permitted density within the subject area. The intent of the small lot criteria regarding the site being within walking distance to services or transit, is to encourage greater density and infill within walkable or transit accessible neighbourhoods. Given the proposed rezoning represents a decrease in density, it is Staff's opinion this criteria is not critical to the rezoning application.



The proposed rezoning includes a wide variety of lot sizes and housing types including row houses, small lots and apartment style housing. A form and character development permit will be required for the proposed row house and apartment units, but not for the single residential dwellings on the small lots. The applicant has agreed to register a covenant which will restrict the dwellings to a single car garage and requiring a maximum 4.5m setback in order to promote a more pedestrian friendly housing form.

### ***Conditions of Rezoning***

Should Council support this application and pass Third Reading of Bylaw No.4500.082, Staff recommends the following items be secured prior to final adoption of the bylaw:

1. *Row House Building Orientation:*

The front of the row house dwellings located between the two proposed roads shall be oriented toward the main road (Harbour View Street) and vehicle accesses and garages shall be located to the rear off the proposed local road.

2. *Single Car Garages:*

All small lots and row houses shall only be permitted to have a single car garage.

3. *Shared Driveways:*

All small lots will be required to have shared driveways.

4. *Front Yard Setbacks:*

All small lots shall have a front yard setback no greater than 4.5m for the principal dwelling (not including the required 6m setback to any carport or garage).

5. *Offsite Improvements:*

A covenant will be registered on the subject properties requiring off-site improvements including the completion of the sidewalk along the south edge of South Street; improvements to the South Street/Strickland Street intersection; and, a realignment of Harbour View Street as it enters the site.

6. *Lot Consolidation:*

The two subject properties will be consolidated prior to Final Adoption of the rezoning bylaw.

### ***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. Given the proposed rezoning represents a decrease in the overall permissible density on the site no community contribution was requested or offered.

### ***Staff Comment***

The proposed development represents a range of housing types to be constructed within Nanaimo's South End neighbourhood. The applicant met with the South End Community Association (SECA) on 2015-MAY-06 and again on 2015-JUN-03. The application is consistent with the South End Neighbourhood Plan and SECA did not identify any concerns with the proposed application.

While the proposed development does not meet every objective of the City's Small Lot Policy, Staff is in support of the application given the rezoning will result in significant park dedication

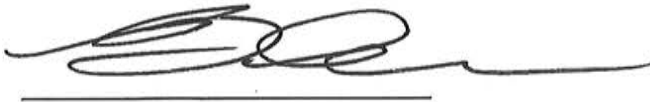


and a more diverse housing form than permitted under the existing medium density residential (R8) zone. It is Staff's opinion that the proposed mix of row houses and small lots is better suited to the existing low-medium density residential neighbourhood.

***Planning and Transportation Advisory Committee / Advisory Planning Committee***

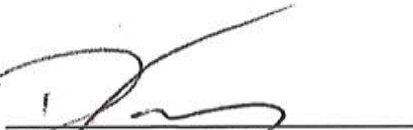
At its meeting of 2015-MAR-17, the Advisory Planning Committee (APC) recommended the rezoning be approved. Since the application was considered by APC, the committee has been disbanded and replaced with the Planning and Transportation Advisory Committee.

Respectfully submitted,



B. Anderson  
MANAGER  
PLANNING & DESIGN SECTION

Concurrence by:



D. Lindsay  
DIRECTOR  
COMMUNITY DEVELOPMENT



T. Seward  
ACTING GENERAL MANAGER  
COMMUNITY DEVELOPMENT &  
PROTECTIVE SERVICES

**CITY MANAGER COMMENT:**

I concur with the staff recommendation.

DS/sm/hd  
Drafted: 2015-SEP-01

CITY OF NANAIMO

BYLAW NO. 4500.085

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 890, 891, 903 and 904 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 2015 NO. 4500.085".
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 THAT PART OF BLOCK C, SECTION 1, NANAIMO DISTRICT PLAN 1748 SHOWN OUTLINED IN RED ON PLAN 1140R EXCEPT PARTS IN PLANS 3212 RW AND 956 RW and BLOCK HUGHES, SECTION 1, NANAIMO DISTRICT, PLAN 1482, EXCEPT PART IN PLAN 3212 RW from Single Dwelling Residential (R1) and Medium Density Residential (R8) to Single Dwelling Residential - Small Lot (R2) and Row House Residential (R7) as shown on Schedule A.

PASSED FIRST READING 2015-SEP-14

PASSED SECOND READING 2015-SEP-14

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

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

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

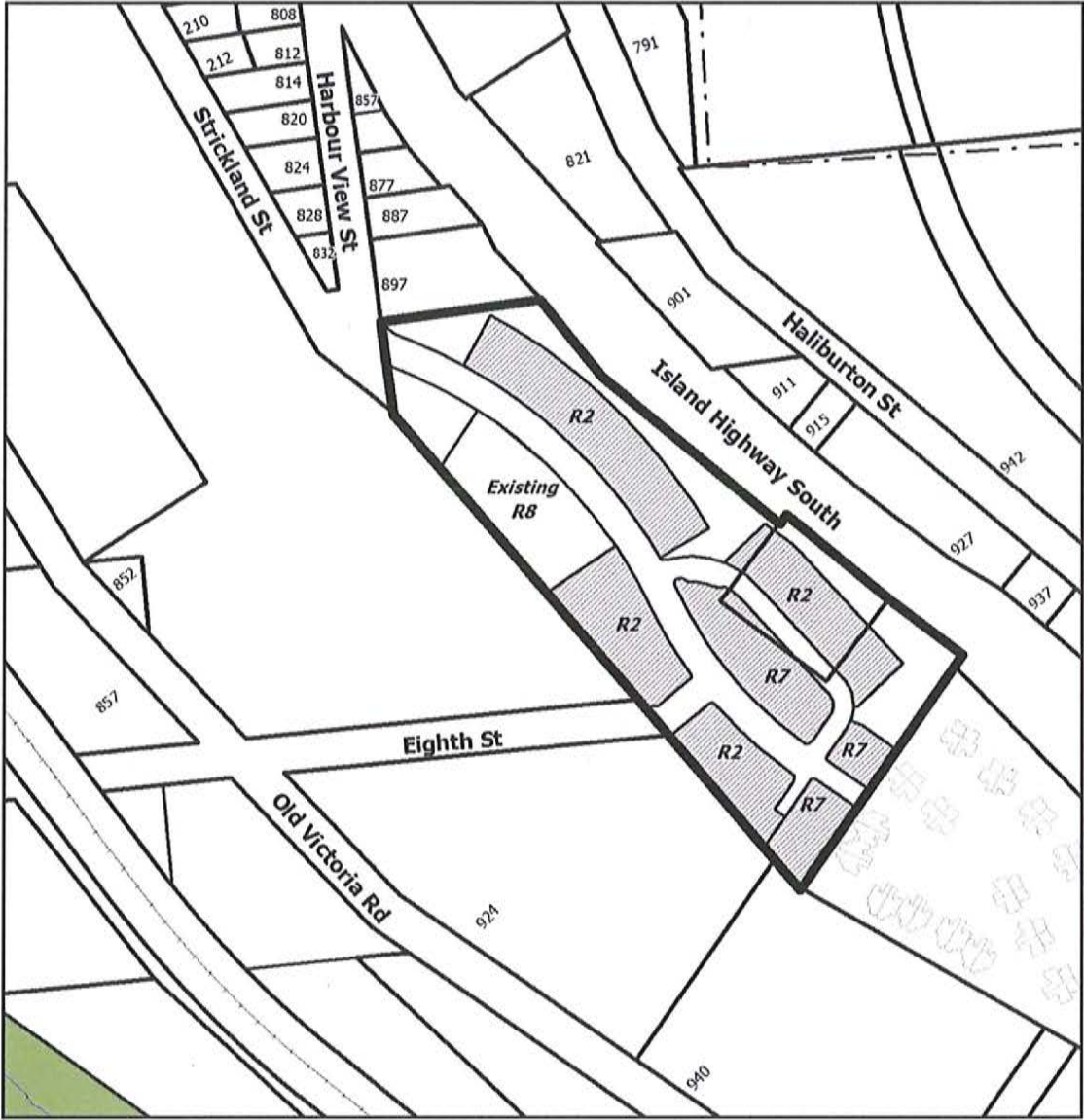
COVENANT REGISTERED \_\_\_\_\_

ADOPTED \_\_\_\_\_

\_\_\_\_\_  
MAYOR

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

Schedule A






REZONING APPLICATION NO. RA000344

**LOCATION PLAN**

Civic: 901 and 925 Harbour View Street



-  Subject Properties
-  Proposed R2 & R7 Zones
-  Parks & Open Spaces