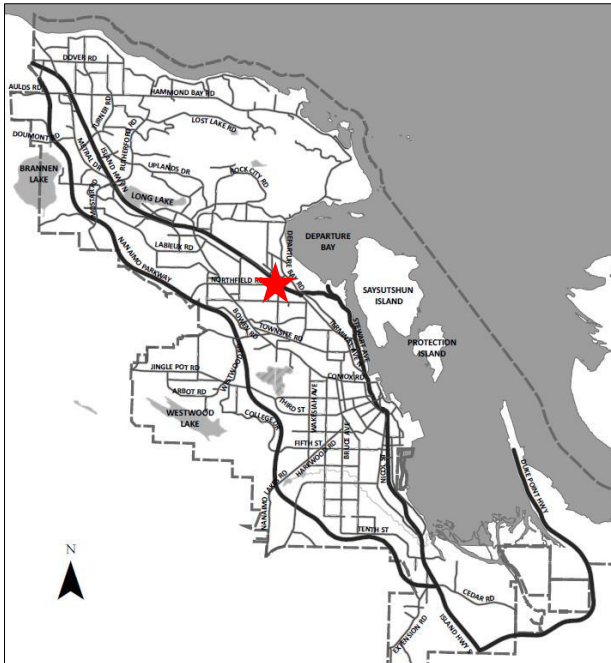


FOR: COUNCIL MEETING

MEETING DATE: July 20, 2026

DEPARTMENT: PLANNING AND DEVELOPMENT

SUBJECT: COVENANT AMENDMENT APPLICATION NO. CA23 – 2137 BOUNDARY AVENUE



Proposal:

To discharge a covenant from the property title to allow four dwelling units

CA

Zoning:

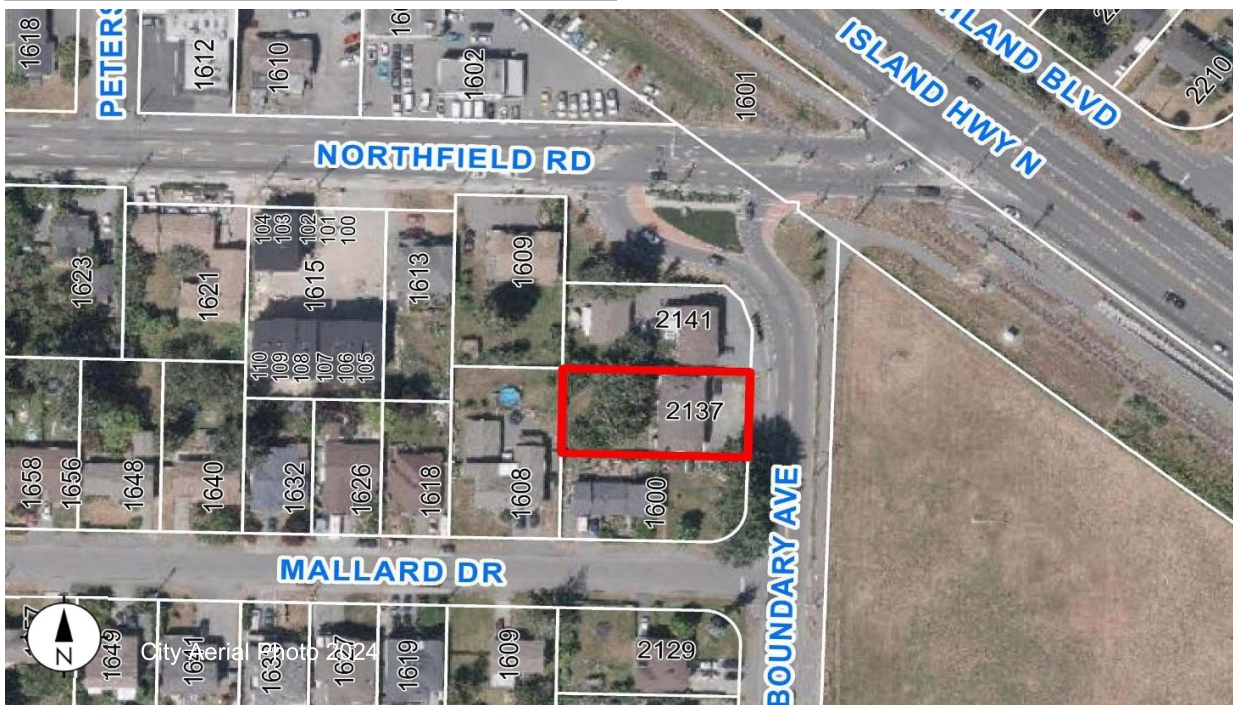
R5 – Three and Four Unit Residential

City Plan Land Use Designation:

Neighbourhood

Lot Area:

1,037m²



OVERVIEW**Purpose of Report**

To present for Council's consideration a covenant amendment application to discharge a Section 219 covenant from the property title of 2137 Boundary Avenue, to allow up to four dwelling units on the subject property.

Recommendation

That Council direct Staff to discharge covenant FB193416 from the property title of 2137 Boundary Avenue.

BACKGROUND

A Covenant Amendment Application, CA23, was received from Bryan McIntosh to discharge a Section 219 covenant (FB193416) from the property title of 2137 Boundary Avenue.

On 2026-JUL-06, Council provided direction to proceed with public notification prior to consideration of the Covenant Amendment application. Public notification was undertaken on 2026-JUL-09 and notices were mailed to neighbouring property owners and occupants as per the Council Policy COU-188: Covenant Amendment Process.

Subject Property and Site Context

The subject property contains an existing triplex and is located in the Townsite neighbourhood. The surrounding neighbourhood uses include low-density single residential dwellings to the northeast, south and west, Woodlands Secondary School to the east, highway industrial uses to the northwest, as well as Brooks Landing Shopping Centre and Nanaimo Regional General Hospital.

DISCUSSION**Proposed Development**

The applicant is proposing to discharge a Section 219 covenant (FB193416) which was registered on the property title through a previous rezoning application (RA000201) in 2008 to restrict the number of units on the subject property to three, and to secure a 1.8 metre landscape buffer and parking improvements, including the provision of four off-street parking stalls. In order to allow a fourth dwelling unit to be developed within the existing building on the subject property, the applicant proposes to discharge a covenant.

Following the adoption of Zoning Bylaw No. 4500 in 2011, the zoning of the subject property was changed to Three and Four Unit Residential (R5), which permitted a maximum density of three dwelling units and a maximum floor area ratio of 0.55. In 2024, "Zoning Amendment Bylaw 2024 No. 4500.223" was adopted to implement the Provincial Small-Scale Multi-Unit Housing legislation. As such, under the current R5 zone, lots greater than 280m² may contain up to four dwelling units. However, the covenant restricting the subject property to three dwelling units remains in effect.

The site was developed in accordance with the registered covenant, including the required landscape buffer and parking improvements. The proposed covenant discharge would remove the existing restriction and allow up to four dwelling units on the subject property, consistent with the current R5 zoning. Following the proposed discharge of the covenant, the property will meet or exceed current landscape buffer requirements and parking requirements for a four dwelling unit development. A building permit will be required for the proposed additional dwelling unit.

Policy Context

City Plan

City Plan identifies the subject property within the Neighbourhood future land use designation, which supports low to modest increases in density and diverse housing that respects existing residential character. The Neighbourhood designation supports the provision of ground-oriented multi-unit dwellings including triplex and fourplex building forms. The proposed discharge of covenant FB193416 to allow four dwelling units as permitted in the existing R5 zone is consistent with the intent of the Zoning Bylaw and City Plan vision for infill development in the Neighbourhood designation.

Staff support discharging covenant FB193416, given that four dwelling units are permitted in the existing R5 zone and the proposed Covenant Amendment application is consistent with City Plan policies to support ground-oriented multi-unit dwellings in the Neighbourhood designation.

KEY MESSAGES

- Covenant Amendment Application No. CA23 proposes to discharge Section 219 covenant (FB193416) from the property title of 2137 Boundary Avenue, to allow up to four dwelling units on the subject property.
- Staff support the proposed Covenant Amendment application which is consistent with City Plan policies and the existing R5 zoning to support ground-oriented multi-family development in the Neighbourhood designation.
- Staff support discharging covenant FB193416 from the property title of 2137 Boundary Avenue.

ATTACHMENTS

ATTACHMENT A: Subject Property Map

ATTACHMENT B: Existing Site Plan

Authored by:

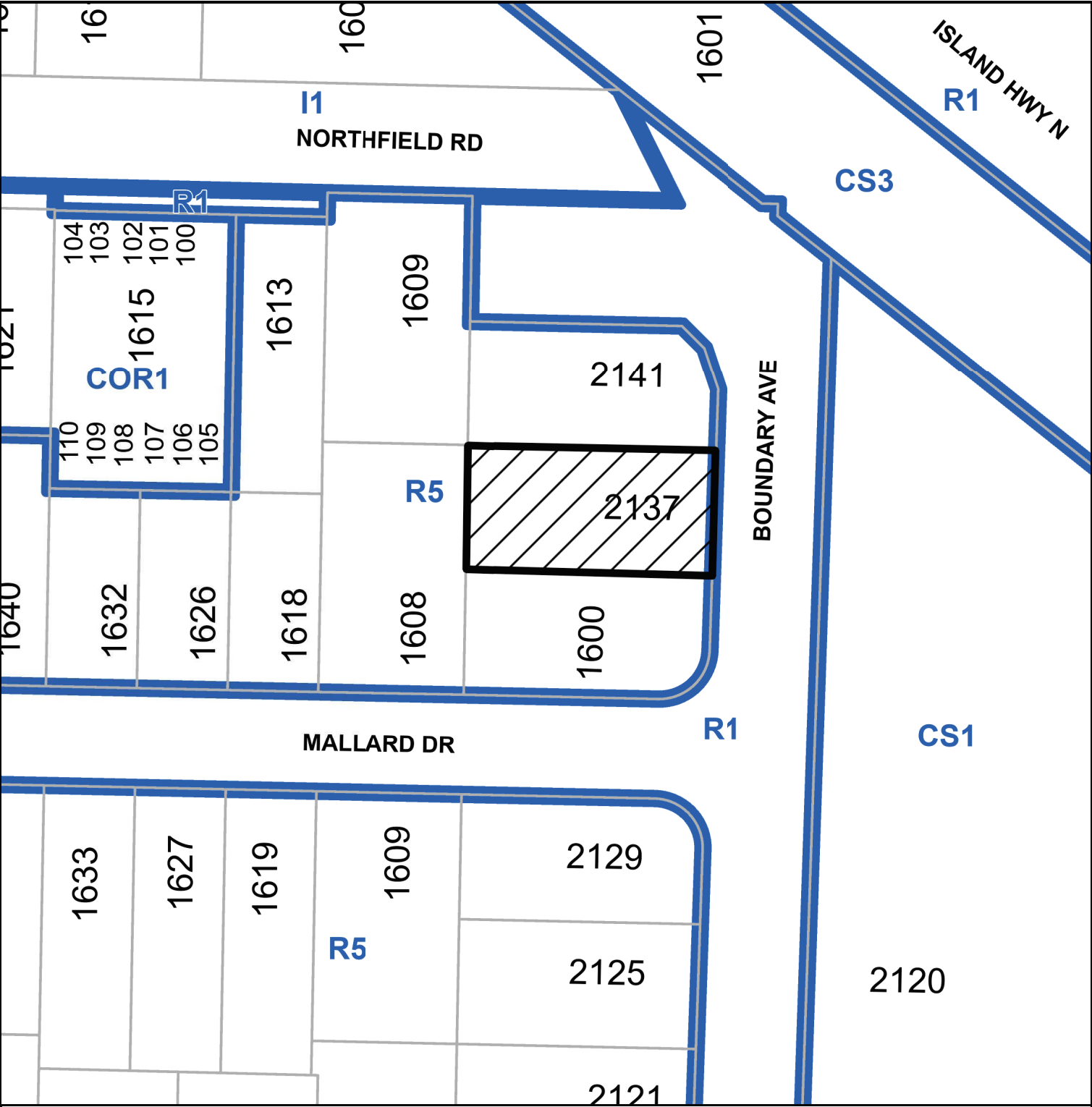
Vidhi Kyada
Planner I, Current Planning

Concurrence by:

Lainya Rowett
Manager, Current Planning

Jeremy Holm
Director, Planning and Development

ATTACHMENT A
SUBJECT PROPERTY MAP

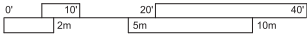


 2137 BOUNDARY AVENUE

ATTACHMENT B EXISTING SITE PLAN

PLANT LIST

SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	MATURE SIZE	SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
SHRUBS												
	12	Azalea Girard Hybrid	Girard's Hotshot Azalea	#1 pot	24" o.c.	6m/8m	Rc	24	Rubus calycinoides	Emerald Carpet	4"(10cm) pot	12" o.c.
	5	Gaultheria shallon	Salal	#1 pot	24" o.c.	6m	PERENNIALS AND FERNS					
	6	Pieris taiwanensis 'Snowdrift'	Snowdrift Pieris	#2 pot	30" o.c.	5m/1.2m	Bc	5	Bergenia cordifolia	Heartleaf Bergenia	4"(10cm) pot	18" o.c.
	4	Rhododendron Vulcan	Vulcan Flame Rhodo (red)	#5 pot	36" o.c.	2m		11	Hosta sieboldiana	Plantain Hosta	4"(10cm) pot	24" o.c.
	6	Rhododendron 'Yaku Princess'	Pale Pink Yaku Rhodo	#2 pot	36" o.c.	.75m	Ls	4	Leucanthemum superbum SL	Snow Lady Shasta Daisy	4"(10cm) pot	18" o.c.
	2	Skimmia japonica	Reevesiana Skimmia	#2 pot	30" o.c.	.9m/.9m		9	Polystichum munitum	Sword Fern	#1 pot	24" o.c.
	8	Weigelia florida Midnight Wine	Midnight Wine Weigelia	#2 pot	30" o.c.	.9m	Rh	7	Rudbeckia Hirta	Black-Eyed Susan	4"(10cm) pot	18" o.c.



GENERAL NOTES:

All plant material and planting per latest edition of BCSLA/BCLNA Landscape Standards.
Excavate and place planting soil to specified depths for all planting beds.
Topdress all planting areas with 50mm depth decomposed organic mulch.
Contractor is responsible to confirm location of all buried services and foundations.

All drawings remain the property of Greenway Landscape Architecture. Use for any purpose and reproduction only by written consent.

#	DATE	ISSUE/REVISION DATE
1	May 31/08	ISSUED FOR PERMITTING APPLICATION
2	Aug 3/08	WHEEL STOPS ADDED, RESURFACING FOR ADA

LEGEND

CONSULTANT

Greenway
Landscape Architecture
2280 Park Crescent
Coquitlam BC V3J 6T4
T 604 461 9120
F 604 648 9727
E paul@greenwayla.ca

CLIENT

Wayne McIntosh
Langley, BC

PROJECT

2137 Boundary Ave
Nanaimo
Duplex
Development

DRAWING

Landscape
Planting Plan

DRAWING NUMBER

L-1

SCALE

1:100 metric

DRAWN

PACW

PRINT DATE

APRIL 3, 2008

PROJECT NUMBER

8031

Potential location for the fourth unit on the lower floor

RECEIVED
CA23
2026-JAN-06
Current Planning