

COPY

2010-JUL-28

STAFF REPORT

REPORT TO: A. TUCKER, DIRECTOR OF PLANNING,
COMMUNITY SAFETY & DEVELOPMENT

FROM: J. HOLM, MANAGER, PLANNING SECTION,
COMMUNITY SAFETY & DEVELOPMENT

RE: REPORT OF THE PUBLIC HEARING HELD THURSDAY, 2010-JUL-08
FOR BYLAWS NO. 4000.478, 4000.479, 4000.481 AND 4000.480

STAFF'S RECOMMENDATION:

That Council receives the report and the minutes of the Public Hearing held on Thursday, 2010-JUL-08.

EXECUTIVE SUMMARY:

A Public Hearing was held on 2010-JUL-08, the subject of which was four items. Approximately 55 members of the public were in attendance. Minutes of the Public Hearing are attached.

BACKGROUND:

1. BYLAW NO. 4000.478

RA243 – Part of 953 Park Avenue

This bylaw, if adopted, will rezone part of the subject property from Single Family Residential Zone (RS-1) to Residential Duplex Zone (RM-1) in order to facilitate the inclusion of two duplex lots within an approved subdivision development. The subject property is legally described as part of SECTION 10, RANGE 10, SECTION 1, NANAIMO DISTRICT, PLAN 630, EXCEPT PART IN PLAN 35919.

This application appears before Council this evening for consideration of Third Reading.

There was one verbal and one written submission received for this bylaw.

2. BYLAW NO. 4000.479

RA244 – 368 Hillcrest Avenue

This bylaw, if adopted, will rezone the subject property from Single Family Residential Zone (RS-1a) to Low Density Multiple Family Residential (Townhouse) Zone (RM-3) in order to facilitate the construction of a multi-family development. The subject property is legally described as THAT PART OF SECTION 30, RANGE 5, SECTION 1, NANAIMO DISTRICT, PLAN 630, OUTLINED IN RED ON PLAN 461-R, EXCEPT PART IN PLANS 17699, 23894, 28966, AND 30286.

This application appears before Council this evening for consideration of Third Reading.

There were 14 verbal and 7 written submissions received for this bylaw.

3. BYLAW NO. 4000.481

RA241 – Part of 2256 Meredith Road

This bylaw, if adopted, will rezone part of the subject property from Single Family Residential Zone (RS-1) to Medium Density Multiple Family Residential (Suburban) Zone (RM-5) and Residential Triplex and Quadruplex Zone (RM-2) in order to facilitate subdivision and development of multi-family dwellings. The subject property is legally described as part of LOT A, SECTION 17, RANGE 7, MOUNTAIN DISTRICT, PLAN 31449.

This application appears before Council this evening for consideration of Third Reading.

There was one verbal and one written submission received for this bylaw.

4. BYLAW NO. 4000.480

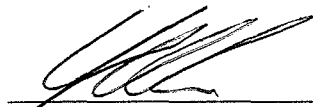
RA223 – Part of 650 Terminal Road – Port Place Mall

This bylaw, if adopted, will rezone part of the subject property from Harbour Park Zone (C-29) to Harbour Park Zone (C-29h) in order to add the 'h' designation to a portion of the site to allow an increase in building height from 19.8m or 65 feet (6 storeys) to 87m or 285 feet (26 storeys). The subject property is legally described as part of LOT 1, SECTION 1, NANAIMO DISTRICT AND OF THE BED OF THE PUBLIC HARBOUR OF NANAIMO, PLAN 21477, EXCEPT PART IN PLAN VIP61716

This application appears before Council this evening for consideration of Third Reading.

There were 11 verbal and 9 written submissions received for this bylaw.

Respectfully submitted,



J. Holm
Manager, Planning Section
Community Safety & Development



A. Tucker
Director of Planning
Community Safety & Development

**MINUTES OF THE PUBLIC HEARING HELD PURSUANT TO THE
LOCAL GOVERNMENT ACT, VANCOUVER ISLAND CONFERENCE CENTRE,
SHAW AUDITORIUM, 101 GORDON STREET, NANAIMO, BC,
ON THURSDAY, 2010-JUL-08, TO CONSIDER AMENDMENTS TO
THE CITY OF NANAIMO "ZONING BYLAW 1993 NO. 4000"**

PRESENT: His Worship Mayor J.R. Ruttan, Chair
Councillor W.L. Bestwick
Councillor W.J. Holdom
Councillor D.K. Johnstone
Councillor J.A. Kipp
Councillor L.D. McNabb
Councillor J.F. Pattje
Councillor L.J. Sherry
Councillor M.W. Unger

STAFF: A. Tucker, Director of Planning, Community Safety & Development
J. Holm, Manager, Planning Section
P. Masse, Planning Clerk, Planning Section

PUBLIC: There were approximately 55 members of the public present.

CALL TO ORDER:

Mayor Ruttan called the meeting to order at 7:00 pm. Mr. Holm explained the required procedures in conducting a Public Hearing and the regulations contained within Section 892 of the *Local Government Act*. Mr. Holm read the items as they appeared on the agenda, adding that this is the final opportunity to provide input to Council before consideration of Third Reading of Bylaws No. 4000.478, 4000.479, 4000.481, and 4000.480 at the next regularly scheduled Council meeting of 2010-AUG-09.

1. BYLAW NO. 4000.478

RA243 – Part of 953 Park Avenue

This bylaw, if adopted, will rezone part of the subject property from Single Family Residential Zone (RS-1) to Residential Duplex Zone (RM-1) in order to facilitate the inclusion of two duplex lots within an approved subdivision development. The subject property is legally described as part of SECTION 10, RANGE 10, SECTION 1, NANAIMO DISTRICT, PLAN 630, EXCEPT PART IN PLAN 35919.

Mr. Ken Grewal, 2090 Skaha Drive - Applicant Representative

- Proposal is for two lots within an existing 18-lot subdivision. Construction to begin in two weeks. Size and scale of the duplexes have been designed to match the existing adjacent single family homes. Two on-site parking spaces are proposed for each duplex as well as private space in the rear of each home. This would provide additional affordable housing for Nanaimo.

Councillor Bestwick asked if green space requirements would be met for this proposal.

Mr. Holm noted that the green space proposed is typical of what is required for the RM-1 Zone.

Councillor Pattje asked for clarification regarding access to Park Avenue for the homes proposed in the centre of the subdivision.

Mr. Grewal noted that a new, almost complete, road would be the primary access to Park Avenue and would connect directly to Bruce Avenue.

There was one verbal and one written submission (attached as "Attachment 'A' – Submission received for Bylaw No. 4000.478") received for this application. No further submissions were received for this application.

2. BYLAW NO. 4000.479

RA244 – 368 Hillcrest Avenue

This bylaw, if adopted, will rezone the subject property from Single Family Residential Zone (RS-1a) to Low Density Multiple Family Residential (Townhouse) Zone (RM-3) in order to facilitate the construction of a multi-family development. The subject property is legally described as THAT PART OF SECTION 30, RANGE 5, SECTION 1, NANAIMO DISTRICT, PLAN 630, OUTLINED IN RED ON PLAN 461-R, EXCEPT PART IN PLANS 17699, 23894, 28966, AND 30286.

Mr. Gur Minhas, 3205 Ridgeview Drive - Applicant

Mr. Mark Garrett, 4970 Fillinger Crescent - Applicant Representative

- Proposal is for two duplexes and two single family residences with a common driveway. Additional affordable housing stock for the city. Proposal offers two parking stalls per unit, which exceeds bylaw requirements.

Councillor Pattje asked what efforts had been made to inform and discuss the proposal with surrounding neighbours.

Mr. Garrett noted that newspaper ads had been published in all available news publications from Parksville to Nanaimo.

Mr. Minhas stated that he hand-delivered letters to all residents on the block and held an open house with 13 attendees. One person was opposed to the proposal at the open house and three people were in favour.

Mayor Ruttan asked for clarification on why the person was in opposition to the proposal.

Mr. Minhas noted that the person who was opposed was upset that his attempt to install a legal suite in his home had failed.

Councillor Bestwick asked for clarification on the total number of dwellings proposed.

Mr. Minhas confirmed that six dwellings are proposed; two duplexes and two single family dwellings and that each dwelling has its own entry.

Councillor Unger asked for clarification on the proposed size of the dwellings.

Mr. Garrett stated that the subject property is a large double lot, which is 1587m² in size; all 3-bedroom, 2.5-bathroom dwellings would range in size from 1200 ft² to 1300 ft².

Councillor Sherry asked for clarification on the dimensions of the subject property.

Mr. Minhas noted that the lot dimensions are 100 ft by 200 ft.

Councillor Holdom asked for clarification on what could be built if the subject property were to be divided into two lots, which would be permitted under the existing zoning.

Mr. Garrett stated that two, almost three, single family residential lots could be created on the subject property. If those dwellings created secondary suites the total unit count could be anywhere from four to six.

Councillor Johnstone asked if the developer intends to rent or sell the duplex units.

Mr. Minhas noted that the primary goal would be sell the units.

Councillor Kipp asked for confirmation that the duplexes could not house future possible secondary suites.

Mr. Minhas confirmed that the duplexes would not house secondary suites at any time in the future.

Mr. Jeff Hill, 363 Hillcrest Avenue – Opposed

- Mr. Hill's presentation is attached as a part of "Attachment B – Submissions for Bylaw No. 4000.479".

Mayor Ruttan asked Staff for clarification on the speaker's comment regarding the size of the lot being smaller than the minimum requirements for the RM-3 Zone.

Mr. Holm confirmed the speakers comment, adding that the RM-3 minimum lot size is 1800m² and the subject property is 1583m² in size. Noted that it is not unusual to rezone an existing parcel to a zone that does not necessarily meet the lot size for that zone. There is a density provision in the RM-3 Zone that applies to the area of the lot. The density on the property is limited by the area of the lot to .45 FAR, therefore the density will reflect the lot size.

Mayor Ruttan noted that the speaker's comment regarding the units being rented out is not correct, as the developer had stated the intention is to sell the units.

Mr. Hill stated that he believes there is a possibility that the units could be rented.

Councillor Bestwick asked if variances would be required in order to accommodate the dwellings on the subject property due to its size.

Mr. Holm confirmed that variances are proposed for the subject property. Noted that the applicant had originally proposed two RM-2 lots and it is Staff's opinion that the property is better developed as one RM-3 lot, which would achieve the same density and general layout as the original proposal but would allow for design review at the development permit stage of the entire property. The variances would include a side yard setback variance from 3m to 1.5m and a rear yard setback variance from 7.5m to 6m.

Mr. Hill asked if a variance is another way of saying it is an exception to the rule.

Mr. Holm stated that a variance is a relaxation of a bylaw requirement.

Councillor Bestwick asked if a certain amount of green space is required for six units on a lot that is .39 acres in size.

Mr. Holm noted that the developer is proposing individual, private yard areas for each unit. Added that the RM-3 Zone does require lot coverage and provision of open space and private yard areas, which would be reviewed through development permit application. This proposal meets the requirements of the RM-3 Zone.

Councillor Pattje asked the speaker to elaborate on his comments regarding existing parking issues and whether or not they are due to the neighbourhood's proximity to Vancouver Island University (VIU).

Mr. Hill noted that he does not believe the parking issues are due to VIU but instead by overcrowding on the street. He does not believe that the street can handle the additional parking from this development.

Councillor Pattje asked Staff to confirm if parking requirements had been met for the proposal.

Mr. Holm confirmed that the applicant proposed two cars per unit; one within the garage of each unit and one in front of the garage on a driveway apron for a total of 12 parking spaces. The requirement is 1.66 per unit, which would create a total of 9 parking spaces; therefore, the proposal is providing three parking spaces in excess of the bylaw requirement.

Ms. Kara Arnold, 621 Foster Street – Opposed

- Ms. Arnold's presentation is attached as a part of "Attachment B – Submissions for Bylaw No. 4000.479".

Mr. Richard Clarke, 367 Hillcrest Avenue – Opposed

- Mr. Clarke's presentation is attached as a part of "Attachment B – Submissions for Bylaw No. 4000.479".

Ms. Katrina Hawkins, 375 Hillcrest Avenue - Opposed

- Purchased her home two years ago. Chose the neighbourhood due to the family atmosphere, large yards and the care and pride residents took in their property.

- Fears that the neighbourhood will change negatively if the development is approved. Believes the proposal, if approved, would add too many additional people and cars into the neighbourhood.
- Noted that the lot is 100 feet wide and 170 feet deep.
- Believes the proposed development would not include enough green space and would therefore not fit into the existing neighbourhood.
- Hopes that the thoughts and feelings of existing, tax-paying residents of the neighbourhood come before a developer who is trying to make money.

Mr. Dale McEachern, 827 Douglas Avenue – Opposed

- Does not believe that all neighbourhood residents were effectively contacted regarding the proposal or the open house.
- Believes most sixplex developments are rental properties and not maintained properly. Believes property values will decrease.
- This is a family neighbourhood, does not want transients moving in.

Councillor Unger asked for clarification on the size of the lot.

Mr. Holm noted that the size of the lot is 100 feet by approximately 170 feet.

Councillor Pattje asked the speaker he would be amenable to any kind of development on the subject property and if anything less than six units would be appropriate.

Mr. McEachern noted that a duplex would be appropriate. Added that tree removal on the property has been unnecessary.

Ms. Barb Ferkes, 363 Hillcrest Avenue - Opposed

- Ms. Ferkes' presentation is attached as a part of "Attachment B – Submissions for Bylaw No. 4000.479". Included in Ms. Ferkes' submission is a petition with 31 signatures of opposition.

Mayor Ruttan asked if the speaker had discussed her concerns with Staff prior to the Hearing.

Ms. Ferkes noted that she had not discussed her concerns with Staff.

Mr. Tucker addressed the speaker's comments regarding Staff "breaking rules" for the proposal. Noted that the Zoning Bylaw establishes a series of rules that cover the majority of circumstances that occur during the development process; there is also a development variance permit process which is used when certain aspects of a development do not meet the standards of the bylaw but other aspects of the proposal are worthy of support. In reference to two lots versus one, the original proposal called for two separate lots, which would have forced a common access. Staff support for a single lot is based upon providing a better traffic circulation pattern on the lot.

Councillor Unger asked for clarification regarding the distribution of Public Hearing Notices.

Mr. Holm stated that, in accordance with Section 892 of the *Local Government Act* and Council's Procedure and Notification Bylaw, Notices are distributed to properties within 10m, and directly adjacent to, the subject property. These properties had Notices hand delivered and mailed to them. Advertisement of the Notice is placed for 2 consecutive days in the News Bulletin and for one day in the Daily News. The applicant is also required to update the onsite signage regarding the Public Hearing.

Councillor Unger asked how long the signage on the property is required to be erected.

Mr. Holm noted that the signage remains on the property prior to the application proceeding to the planNanaimo Advisory Committee and is then updated following First and Second Reading and prior to proceeding to Public Hearing.

Councillor Holdom asked for clarification on the trees that were removed from the subject property and whether they were designated as heritage trees that should have been protected.

Mr. Holm noted that the Tree Removal Permit may have been granted during the subdivision process and that property owners are allowed to remove up to four non-protected trees per year on a single family lot.

Councillor Holdom asked for clarification on whether or not the City's parking requirements specify that either parking space be used without interfering with the other.

Mr. Holm noted that for a development proposal where two parking spaces are provided for each multi family unit there would be no control over which stall is used by whom. It would be required that they operate independently.

Councillor Holdom noted that the plans seem to indicate that the driveway stall would block a car in the garage, as there is no room to manoeuvre around the car on the driveway. Asked for clarification on what the rear yard setback is under the RM-3 Zone.

Mr. Holm noted that rear yard setback in the RM-3 Zone is 7.5m and the applicant is proposing a 6m rear yard setback. Added that there is a large, undeveloped parcel to the rear of the subject property and the applicant does provide for private yard / patio areas behind the homes within the 6m proposed setback.

Councillor Sherry asked for clarification on why the delivery of Notices to neighbouring properties is only required at 10m. Believes that more effort should be made for close-knit communities and that notification boundaries needs to be reviewed by Staff. Asked for clarification regarding the side yard setbacks and whether or not they would be infringed upon in this proposal.

Mr. Holm noted that the patio areas are not part of the building itself. Noted that the project, if approved, would go through the development permit review prior to building permit; any fire or code related issues would be addressed at that time.

Councillor Sherry asked if the rear yard setback variance request of 6m is measured to the patio or to the dwelling.

Mr. Tucker stated that the 6m setback is to the face of the building, added that the reason the patios are not included within that is because they are at grade.

Councillor Sherry asked if the proposal is going to be a strata development and, if so, where the common area for the development would be.

Mr. Holm noted that the City might not be involved in approving how the common area would be divided if the project were not built in phases, adding there may be limited common property areas that correspond to the patio areas.

Councillor Kipp noted that people have the right to ask Council to ask for something yet they do not always have the right to receive it.

Ms. Natasha Clarke, 367 Hillcrest Avenue – Opposed

- Lives directly across from the subject property. Asked for clarification regarding any proposed fencing for the development.
- Concerned that a sidewalk would take away from available parking, adding the street is already narrow. Concerned about graffiti, vandalism, pollution, and garbage.

Mr. Ron Bolin, 3165 King Richard Drive – Opposed

- Asked what principles Council uses to make decisions for one against the many and, if there is a principle of public interest in that decision.

Mayor Ruttan noted that Council is not making any decisions during the Hearing; Council is listening to all opinions.

Councillor Pattje stated that while deliberating he will be evaluating the right of the developer against the public good. He will have to make a difficult comparison and decision. The principle is that there are two sides that need to be considered.

Councillor Holdom stated that the Official Community Plan, which was approved by the representatives of the population of Nanaimo, is the public interest.

Mr. Michael Ridder, 390 Hillcrest Avenue – Opposed

- Concerned about potential parking issues, garbage and an unwanted change to the neighbourhood.

Ms. Hanne Maltesen, 391 Hillcrest Avenue - Opposed

- Ms. Maltesen's presentation is attached as a part of "Attachment B – Submissions for Bylaw No. 4000.479".

Mr. Derek Johnstone, 379 Hillcrest Avenue – Opposed

- Grew up in the neighbourhood, it was safe and family oriented. Has purchased his childhood home to allow his children to experience the same neighbourhood feel of the area.
- Believes the density is too much for the size of the lot and that traffic would be dangerous.

Mr. Dale McEachern, 827 Douglas Avenue – Redress

- Noted that the trees that were removed from the property would have qualified as heritage trees if the lot was .5 acre or bigger.

Mr. Ole Maltesen, 391 Hillcrest Avenue – Opposed

- Asked for clarification on when the proposal would be going to Council for decision.

Mr. Holm stated that the application will appear before Council for Third Reading on 2010-AUG-09.

Mr. Tucker noted for the record that the submitted petition has 31 names of opposition.

Mr. Michael Ridder, 390 Hillcrest Avenue – Redress

- Asked if the proposed patios are part of the foundations of the buildings.

Mr. Holm stated the proposed rear yard setback is 6m; therefore, the patios, as proposed, are not part of the building foundation. They would likely be a landscaped patio not requiring a building permit and would be reviewed during the development permit process.

Councillor Pattje asked Staff if the signage for an application is not required to note the zone being applied for.

Mr. Holm confirmed that the sign describes the general intent of the bylaw, but there is no requirement for signage to indicate what zone is being applied for.

There were 14 verbal and 7 written submissions (attached as "Attachment 'B' – Submissions received for Bylaw No. 4000.479") received for this application. No further submissions were received for this application.

3. BYLAW NO. 4000.481

RA241 – Part of 2256 Meredith Road

This bylaw, if adopted, will rezone part of the subject property from Single Family Residential Zone (RS-1) to Medium Density Multiple Family Residential (Suburban) Zone (RM-5) and Residential Triplex and Quadruplex Zone (RM-2) in order to facilitate subdivision and development of multi-family dwellings. The subject property is legally described as part of LOT A, SECTION 17, RANGE 7, MOUNTAIN DISTRICT, PLAN 31449.

Ms. Maureen Pilcher, Maureen Pilcher & Associates Ltd. – Applicant Representative

- Ms. Pilcher's presentation is attached as "Schedule C – Submission for Bylaw No. 4000.481".

Mayor Ruttan asked if the applicant had received any negative feedback from the community regarding the proposal.

Ms. Pilcher confirmed that no negative feedback had been received from the community.

Councillor Unger asked what exists on the adjacent property.

Ms. Pilcher noted that a small hobby farm is located on the property adjacent to the subject property. Sheep are on the property, which is why a large fence has been requested as part of the proposal.

There was one verbal and one written submission (attached as "Attachment 'C' – Submission received for Bylaw No. 4000.481") received for this application. No further submissions were received for this application.

4. BYLAW NO. 4000.480*RA223 – Part of 650 Terminal Avenue*

This bylaw, if adopted, will rezone part of the subject property from Harbour Park Zone (C-29) to Harbour Park Zone (C-29h) in order to add the 'h' designation to a portion of the site to allow an increase in building height from 6 storeys to 26 storeys. The subject property is legally described as part of LOT 1, SECTION 1, NANAIMO DISTRICT AND OF THE BED OF THE PUBLIC HARBOUR OF NANAIMO, PLAN 21477, EXCEPT PART IN PLAN VIP61716

Mr. Rick Jones, Urban Design Group Architect Ltd. – Applicant

- Mr. Jones' presentation is attached as a part of "Attachment D – Submissions for Bylaw 4000.480".
- Original plan proposed the tower in the southeast corner of the lot, next to Thrifty's. Revised plan ties all residential together on the north end of the site and was approved by the Design Advisory Panel.
- 26-storey tower is proposed with a tapered residential component.
- The distance between Cameron Island and the proposed tower is 75% greater than what the Zoning Bylaw requires.
- View corridors from Nob Hill and Fitzwilliam Streets would not be hindered.

Ms. Cheryl Fu, Urban Design Group Architect Ltd. - Project Architect

- Part of First Capital Realty's corporate mandate that all new construction pursue LEED certification; this project will target a LEED Silver minimum.
- A large part of the redevelopment effort involves strengthening the pedestrian connections to the surroundings.

- 'High Street' concept has been applied to the design of the site, which opens up the west side towards the ocean. The street would include interlocking pavers for pedestrian scale and would be furnished with street furniture in the gathering places. The sidewalks will vary from 10 ft to 15 ft with many pedestrian nodes and entry plaza areas. Existing sidewalks on the east and west sides of the building would be widened to 10 ft.
- A sidewalk perimeter would be installed around the entire subject site as some sidewalk areas currently do not exist. Bicycle lanes will be installed along Front Street, which has been approved by the City and the Ministry of Transportation.
- The proposal strengthens connections to the south end, the future cruise ship terminal, the Gabriola ferry, the waterfront and Piper's Park. Stairs to Front Street, the museum and the future hotel site will be created.

Councillor Pattje asked for clarification on why the proposed tower was moved from the southeast corner of the lot to the north corner of the lot.

Mr. Jones noted that requests from City Engineering Staff (i.e. a bike lane on Front Street, sidewalk widening) resulted in a loss of 58 parking stalls. Thrifty's and the liquor store, in the new configuration, will be sharing parking space and they were concerned that adequate parking would not be available. If the tower were to be located in the original location, it would take away more parking stalls and the tenants would not have sufficient parking available to their clients..

Councillor Pattje asked when Phase III tower would be completed, if approved.

Mr. Jones stated that the intention is to relocate several tenants and begin demolition with building to begin on the back building and 'High Street'. If the residential market were there, the tower would be built up with the rest of the project.

Councillor Pattje noted that three Neighbourhood Associations are unhappy with the consultation process.

Mr. Jones stated two public open houses were held; the second one for the revised plans took place 2010-JUN-30 at the mall, which was advertised in the mall and in newspapers. Calls were made directly to all Neighbourhood Associations. Approximately 100 people attended the June public open house.

Councillor Pattje asked for clarification on why December, or the winter solstice, is not included in the shadow studies submitted.

Mr. Jones noted he was unaware that December was not included the shadow study and that he will provide one to City Staff.

Councillor Unger asked for clarification on whether or not the gathering spots on the 'High Street' area would be covered.

Mr. Jones noted that there would be large overhangs on the 'High Street' area in front of each tenant and larger overhangs in areas of outdoor seating.

Councillor Unger asked if the rooftop parking will be retained.

Mr. Jones noted that the rooftop parking will be retained except for the areas of the mall that would be demolished.

Mayor Ruttan asked if bike racks would be made available for the mall.

Mr. Jones confirmed that there will be four or five areas that will contain bike racks.

Mayor Ruttan asked if the moves of CIBC, the medical clinic and the liquor store are temporary and if these tenants will remain when the renovation is complete.

Mr. Jones confirmed that they are temporary moves only to facilitate demolition and that they will remain tenants of the mall.

Councillor Holdom asked for confirmation that this application is in relation to rezoning to the siting of the tower, which is permitted in the general design guidelines for the site.

Mr. Jones confirmed that the application is in relation to rezoning for the siting of the proposed tower.

Councillor Holdom asked if there are advantages of siting the tower close to Cameron Island and concentrating all the residential to that side of the mall.

Mr. Jones noted that it all ties together and is interconnected, the lower level of the tower will be commercial. This is strictly a height application, the design review still needs to occur.

Councillor Johnstone asked for clarification on how accesses to the waterfront would be improved through the proposal.

Ms. Fu noted that the signalized intersection will be retained and traffic calming measures will be included on the 'High Street' areas.

Councillor Johnstone asked for clarification on the term 'High Street'.

Mr. Jones noted that the term 'High Street' is a reference as to design and concept, much like the term 'Main Street'.

Mr. Wally Wells, 154 Promenade Drive – In Favour

- Understands this application is in regards to zoning only and that a development process still needs to take place.
- Has considerable knowledge in municipal infrastructure in Nanaimo and other cities in Canada.
- Moved to Nanaimo five years ago; loves the city and the downtown. The City has spent considerable effort and money in rebuilding the downtown; it is getting better every day.
- We need to support and sustain downtown businesses; the economy and our tax base is fragile.
- Although high rises are controversial, the OCP allows for different forms of housing in the right places. Many of the tax base problems are due to the urban sprawl of single family dwellings. The municipal infrastructure costs for road, water, sewer, sidewalk and lighting for the average single family lot is between \$40K and \$75K. The capital cost of that infrastructure is 15% of the infrastructure life cycle (20-85 years). Due to the conference centre and Phase I and II of the proposal, the infrastructure is essentially in place for any further development on the subject property.

- Cameron Island taxpayers add approximately \$420K to the tax base; this is accomplished over approximately 100m of roadway and 100m of water main and sewer. High rise development is not appropriate everywhere but it makes sense in the proposed location and the number of units proposed would result in approximately \$750K in tax revenue with no real increase in costs because the infrastructure exists.
- Believes approval of the proposal would be in the best interest of the downtown, would result in more people being downtown and would serve future developments well, like the cruise ship terminal. Other developers may be encouraged to put money into the downtown and support and sustain our businesses if this proposal is approved.

Mr. Lawrence Rieper, 990 Campbell Street - Opposed

- Mr. Rieper's presentation is attached as part of "Schedule D – Submissions for Bylaw No. 4000.480".

Mr. Don Hubbard, 1679 Janes Road, Cedar – In Favour

- Believes the proposal would fit in very well with other development that has taken place in Nanaimo and the downtown.
- The new road to Front Street is great and the mix of residential with commercial is crucial for more people working and living downtown.
- Port Place mall has been in the downtown for a long time; it has served the residents well but it is time for change.

Councillor Bestwick asked Staff for clarification on how many storeys are in Cameron Island.

Mr. Holm noted that Cameron Island has 26 storeys and is roughly the same height as the proposed tower.

Councillor Sherry asked the speaker if he has pride in his neighbourhood.

Mr. Hubbard stated that he has a lot of pride in his neighbourhood.

Councillor Sherry asked for clarification on where Janes Road is located.

Mr. Hubbard noted that he lives in downtown Cedar, which is not within the City of Nanaimo, but he is planning on moving to downtown Nanaimo when he retires.

Councillor Pattje asked the speaker if he believes there are any places along the waterfront that are not suitable for a high rises.

Mr. Hubbard noted that parks are not a suitable location for high rises.

Ms. Andrea Blakeman, 66 Kennedy Street / Interim President / NOCA – Opposed

- Ms. Blakeman's presentation is attached as part of "Schedule D – Submissions for Bylaw No. 4000.480".

Councillor Holdom asked the speaker for confirmation that the Nanaimo Old City Association (NOCA) is opposed to the proposal.

Ms. Blakeman noted that NOCA is opposed to the 26 storey concept, not to densification.

Councillor Holdom asked if NOCA is opposed to the 26 storey concept anywhere in the city or specifically at this location.

Ms. Blakeman stated that NOCA is opposed the 26 storey concept at the proposed location.

Councillor Holdom noted that NOCA is opposed to the OCP and the Downtown Design Guidelines, as they encourage this kind of development.

Mr. Louis Devault, 154 Promenade Drive – Opposed

- Has lived in the downtown for 30 years; is in favour of towers being built downtown but not in favour of the location being proposed. Believes that all views from a tower in that location will be blocked by Cameron Island and that units will not sell due to that.

Mayor Ruttan asked the speaker if he agreed it is the developer's prerogative to apply to locate their proposal where they want.

Mr. Devault agreed that it is the developer's prerogative but believes units will not sell at that location. Happy with all development taking place in the downtown; does not agree with the location of the proposal.

Mr. Daniel Rajla, 306 – 380 Third Street - Opposed

- Believes a high-income ghetto is being created in the downtown. Does not believe downtown has been revitalized, thinks the downtown is "empty" that downtown residents will now all have to travel to the north to shop while the mall is under construction.

Mr. Gord Fuller, 604 Nicol Street – Opposed

- Wonders why the developers are approaching businesses about the proposal but not the Neighbourhood Associations. Only had two days notice regarding the public open house. First Capital deals in shopping centres, not housing. Believes they may sell the rights of the residential components of the proposal.
- Concerned about additional traffic in the area and how far the bike lane will extend on Front Street.
- Believes, if the proposal is approved, that Council should request an appropriate community contribution. For example, high barrier social housing as part of the residential component of the project or a monetary amount equal to two residential units.

Mr. Dana Wagg, 525 Selby Street – Neither Opposed nor In Favour

- Believes it is premature for the developer to seek Phase III approval for a high rise residential project that could be years in the future.

- The density bonus to the developer will be enormous if they choose down the road to build more high rises on the mall property, which has served the downtown area well for decades.
- Recommends that if Council approves the upzoning that a minimum of 10% of the financial benefit from the increased density go to the City for projects like buying parkland, providing affordable housing or reducing taxes through a density bonus reserve fund.
- Further recommends that the City provide an estimate of the density bonus value to a developer who is applying for upzoning and that Council consider requiring contributions to the density bonus reserve fund based on that number.

Ms. Jackie Howardson, 650 Prideaux Street – Opposed

- Has lived in Nanaimo for over 35 years; currently lives and shops downtown. Loves the views from the Old City. Very proud to live in Nob Hill.
- Does not understand why the waterfront needs to be built up while taking the view away from many people.
- Not against high rises, higher density or development in general. Interested in preserving our waterfront.

There were 11 verbal and 9 written submissions (attached as "Attachment 'D' – Submissions received for Bylaw No. 4000.480") received for this application. No further submissions were received for this application.

Moved by Councillor McNabb, **SECONDED** by Councillor Sherry, that the meeting be adjourned at 9:28 pm.

CARRIED

Certified Correct:



Jeremy Holm
Manager, Planning Section
Community Safety & Development



Andrew Tucker
Director of Planning
Community Safety & Development

Attachment A

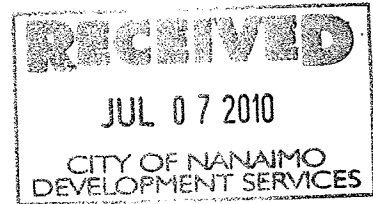
Submission

For

Bylaw No. 4000.478

(RA243 – Part of 953 Park Avenue)

City of Nanaimo
Community Safety and Development Division
238 Franklyn Street
Nanaimo, B.C.
V9R 2X4



Regarding Bylaw No. 4000.478 (953 Park Avenue)

July 3, 2010

Dear Sirs/Madams,

I live about two blocks from the property identified in this proposed bylaw. Because of the increased traffic caused by developments taking place south of my property I am aware that there will be increased traffic near my property, and so believe myself to be impacted by this and other developments in Harewood.

I am writing in support of this proposed bylaw. This may be surprising given my proceeding statement. My reasons are as follows:

1. There are few larger undeveloped sites currently available for development within the urban containment boundary of Nanaimo and close to existing services. I believe Harewood has most of them.
2. Rezoning more properties to multi-family increases the population density
3. The denser the population the better the efficiencies of the city. This leads to reduced taxes, improved infrastructure (including public transit, car share co-ops, car pooling, integrated planning, more pathways, reduced water, sewer and road expenses for the taxpayer, etc.), and more services (stores, localised workplaces, schools). Such reduce the use of private, single-occupancy, vehicles.
4. The net effect is a lower carbon footprint, lower costs to residents and the city, fewer complaints about city taxes, and an improved quality of life for our residents.

Thus I support higher density applications close to existing services, such as this one.

Sincerely,

A handwritten signature in black ink, appearing to read "Ian Gartshore".

Ian Gartshore
353 Seventh St.
Nanaimo, B.C.
V9R 1E3
250-754-0698

Attachment B

Submissions

For

Bylaw No. 4000.479

(RA244 – 368 Hillcrest Avenue)

Jeff Hill, 363 Hillcrest Avenue.

I am opposed to the development of multifamily dwellings at 368 Hillcrest Avenue.

I have been living across the street from the property in question for 8 years. I feel that this development will negatively impact myself and my neighbors in a number of ways.

There is insufficient parking on Hillcrest Ave to support this development. A housing project with 6, 3 bedroom units could require parking for up to 24 cars if each contained a family of 4. I understand that there are plans for onsite parking, but this will not reflect the reality of human behavior. Imagine that the occupants of each dwelling own and drive ~~two~~^{four} cars daily. There will be constant chaos as up to 24 vehicles are juggled into place. All occupants will not necessarily be using the garage for parking for various reasons. Some will use the tiny garage as a workshop or for storage eliminating it as a parking space. In addition, any vehicle parked in the garage will be trapped by a vehicle on the apron. Friends and family of the occupants will not find adequate parking while visiting. The solution to this problem will quickly become apparent: Park on Hillcrest Ave. As there will be a sidewalk constructed in front of the property, there will be limited room for vehicles to park in front of the property and these vehicles will be dispersed up and down Hillcrest Ave. Monday to Friday, parents currently fill the limited parking on Foster Street while dropping off and picking up their children who attend NDSS. Accommodating parking on Hillcrest Avenue for the numerous residents and visitors of 368 Hillcrest Avenue will place an unfair burden on myself and my neighbors.

The development plans are for 6 units on this site. This means, by definition, that all of the units will likely be rentals with the owners maintaining ownership of the property and living off-site since this will maximize revenue. There are numerous problems associated with the addition of 6 new dedicated rental units in a neighborhood that is already saturated with rental properties. Occupants of rental properties are transient by nature. Moving vans will become a frequent sight in the neighborhood as short term tenants come and go. Since the tenants will not be long-term residents of the neighborhood, they will likely not make any effort to join the community and will simply exist until they can find more suitable housing. We, the residents of Hillcrest Avenue will not be getting new neighbors; we will simply be getting more density.

This high-density rental housing will also have a negative effect on the property values of the houses of Hillcrest Avenue in direct proportion to their proximity to the development. When considering purchasing property in the neighborhood, one of the dominating factors for me was the proximity of the Government Housing Project to the north of Foster Street. I felt, at the time, that the fence and combination locked gate would provide a measure of separation. Without the fence, I would not have purchased in this area. If I was to consider purchasing the same property again, but with additional high density housing across the street, I would not have made the purchase. I feel that potential future buyers will have similar feelings and that can only have a negative effect on my property value. There is no reason that the residents of Hillcrest Avenue should

suffer simply to put more revenue into the pockets of the owners of this property who will never live in the neighborhood.

It appears the owners of the property have no interest in input from the neighborhood. This became quite clear when I asked Gur a few questions about the property. I introduced myself and asked what the plans were for the property. I was told by Gur that there will be 6 units built on the property. I asked about the sign referring to the application for rezoning for the development and was told: "It's all done. It has all been approved and everything is going ahead." I asked why the sign was still in place if approval had already been granted. I was told by Gur "Oh, I'm just the developer and I don't really know the rules about the sign." It was after this second direct lie that I politely thanked him for his information and returned home. I believe these lies were told to me in an attempt to remove my opposition to this development. The reason for this is quite clear: if I believe that approval has already been given by the City for this development, I would think that there is nothing I can do about it and simply accept it.

Further, the owners of this property have already demonstrated their readiness to ignore the rules outlined in the Residential Tenancy Act of British Columbia. Section 3.3 states:

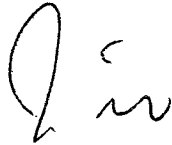
(3) A landlord who is an individual may end a tenancy in respect of a rental unit if the landlord or a close family member of the landlord intends in good faith to occupy the rental unit.

This reason was given for the eviction of a previous tenant. Subsequent to this eviction, the property was again rented in direct violation of this section of the Act. I believe that this demonstrates that the owners are interested only in maximizing the revenue from this property in any way possible – legal or not.

In summary:

- The neighborhood is already saturated with high-density housing.
- There will be parking nightmares with up to 24 persons occupying the development with each having the legal right to own a vehicle.
- The owners are misleading the public as to the status of this application.
- The owners have no regard for the existing character of the neighborhood and are only interested in maximizing rental income from this property.
- The owners have already demonstrated their disregard for the law regarding rental properties.
- The proposed development will drive down the resale value of homes in the neighborhood.
- Tenants will not be neighbors in the normal sense as there will likely be a high turn over rate.
- The family oriented character of this neighborhood will be adversely affected by the proposed high-density housing project.
- The dimensions of the property do not meet the minimum requirements for an RM-3 designation

Thank you for your attention to my objections and I sincerely hope that you will reject this application now and in the future. I love living in my neighborhood. I would hate to see its character destroyed by this proposed housing project.

A handwritten signature in black ink, appearing to be "Lin". The first letter is a large, stylized "L" with a loop, followed by the letters "i" and "n" in a cursive script.

July 8, 2010

My name is Kara Arnold and I have owned 621 Foster Street since January 2006. My house is right across the road from the property in question and I would like to take a moment of your time to explain my opposition to the rezoning proposed for the lot.

Due to the proximity of the existing townhouse complex located at 309 Hillcrest Ave, my property has been used and abused by many people who have no right to do so. There is no fence on my property which has resulted in garbage being left in bushes and strewn across my lawns. Being a corner lot my yard is commonly used as a 'short cut' by anyone walking by. Also there are often people found loitering in my yard because they just wanted a place to sit for a while. There is graffiti all over the fence across the road from me and on a few occasions my own house has been targeted for no reason other than it is there. The word "fag" has been indelibly printed on the stucco wall of my house, and every day I look out my living room window to see many other offensive words scrawled across that fence. More dwellings nearby will just add to these problems. For these reasons I strongly disagree with increasing the population density in and around my neighborhood.

Hillcrest Ave and Foster St are narrow streets with limited parking that already commonly gets taken up by students from both the University and High School who are either trying to avoid paying to leave their vehicle for the day or just avoiding a busy parking lot. I often come home to a road packed with vehicles. As far as I can tell there will be nowhere near enough spaces in this proposed complex to accommodate the residents never mind any visitors they may have. Obviously this will result in even more vehicles on our roads. The street is already used as a short cut, and u-turn route by many people and I am not happy with the idea of even more traffic on my small road.

When I purchased my house four years ago I was drawn in by the small neighborhood with little opportunity for growth. When I was a child and again when I was a teenager I had friends who lived in this neighborhood with their families. The memory of the type of area this is helped me to make the decision to purchase there. When I am ready to have children of my own I would like them to be able to have a similar fondness of our corner of Nanaimo, not tainted by the population density that, in my opinion, plagues other areas.

Thank-you for your time and I hope that you will take these points and any others voiced today into consideration when deciding what will happen with OUR neighborhood.

A handwritten signature in black ink that reads "Kara Arnold". The script is cursive and fluid, with the first name "Kara" and last name "Arnold" clearly distinguishable.

July 8, 2010

Dear Mayor John Ruttan;

In regards to Bylaw No 4000.479 to rezone 368 Hillcrest Avenue from Single Family Residential to a Low Density Multiple Family Residential property, that my wife and I definitely oppose this request.

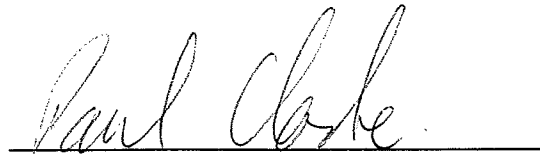
We live directly across from this property at 367 Hillcrest Avenue and would not appreciate the additional increase in noise, traffic and litter that would come with the finished product of such a development.

When we purchased our property, we were very happy with the area and what we could see out our front windows. We would not have purchased our home if there was a Townhome complex across the way. We don't get a lot of traffic on the street and would like to keep it that way.

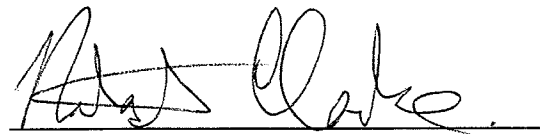
In addition, our 3 year old daughter Audrey's safety is top on our minds when thinking about the impact that such a development would have over the years of her playing outside.

We already have a townhouse complex on our street at 309 Hillcrest Ave, and with it has come plenty of noise and graffiti. We definitely do not want to see any further increases of either.

Thank you for your time in this matter.

A handwritten signature in cursive script, appearing to read "Paul Clarke", written over a horizontal line.

Richard P Clarke

A handwritten signature in cursive script, appearing to read "Natasha Clarke", written over a horizontal line.

Natasha A Clarke

Barb Farkes, 363 Hillcrest Avenue

Mayor Ruttan and Council:

Opposition to Application RA244 RM-3 368 Hillcrest

My name is Barb Farkes and I have lived on Hillcrest Avenue for the past 8 years. I am opposed to the proposed development at 368 Hillcrest Avenue.

The Third Street Corridor includes the west side of Hillcrest. It does not, however, include the east side of Hillcrest where this proposed development is located.

PlanNanaimo's OCP PLanGoals, Objectives, and Policies:

Objective 2.3 states:

“to maintain the character and livability of existing neighborhoods. This ensures that the new development and redevelopment maintains and enhances the resident character of existing neighborhoods.”

With this development, this objective is not maintained and will not enhance the livability of my neighborhood.

The proposed 6-unit development at 368 Hillcrest does not complement the existing character of my neighborhood.

If this development is allowed to proceed, there is the possibility of up to 24 additional vehicles parking on my street. I do not want to look out my front window and see a parking lot of vehicles. This will not enhance the livability of my neighborhood.

309 Hillcrest Avenue is zoned as RM-3 with 34 Townhouses. This is a Provincial Housing Project located one lot away from 368 Hillcrest. The OCP states that one of its objectives is to increase housing choices. 309 Hillcrest meets this objective and another housing project will over densify the neighborhood detracting from its current family neighborhood character.

Last year, there was underground work completed by the City Works department in front of my home to accommodate the development of 368 Hillcrest. This proposal for development had not been accepted at that time.

Clear cutting of the land occurred in early April; a 40 year old Monkey Puzzle tree was cut down along with mature conifers and deciduous trees of various stages of growth. The developer stated all trees had to be removed in order to move the house. The house was not moved; it was demolished on June 9. I believe that the trees were removed to facilitate the construction of this development and to ensure that mature trees would not hinder the development at a later date.

It would appear that neither of the owners plan to live on this property and with this application it strongly shows that they have no interest in maintaining the character of my family oriented neighborhood. With this application, my house and my neighbors' homes will decrease in value and our neighborhood, as we know it, will not be maintained. The owners have no right to destroy our neighborhood with this proposed development.

I would now like to refer to the staff report dated May 31. This report states that there has been an ongoing active subdivision application for the past 5 years which remains incomplete. City staff has advised against a subdivision because the two narrow lots would create challenges in the design of 2 self-contained triplexes. In this initial proposal, the developer proposed a 6-unit complex. Now, with this new application, City staff accepts the concept of a 6-unit complex on a single lot. The same number of units are being proposed on this site. No matter how you propose it, if this application is accepted, a 6-unit complex will be developed.

It would appear that City staff is working closely with the developer in order for this proposal to be accepted. The City staff is making exceptions to the rules of the RM-3 lot size to accommodate this complex. This lot is too small for an RM-3 development. Why is the City staff suggesting that rules be broken so that this development can be accepted?

The notice of the public hearing was given to me the week of June 21 and the following week, I received another copy in the mail. This notice was also given to the following addresses: 621 Foster St, 362, 367, 371, and 390 Hillcrest Ave. My other neighbors did not receive this notification. The residents of the entire street have the right to receive this notification and this did not occur. I canvassed the residents of Hillcrest Avenue and informed them of the proposed development. I have a petition signed by my neighbors which declares their opposition to this application.

This forum tonight is the first time that the public has had the opportunity to discuss their concerns. I believe the so-called "open house" on May 8 (which consisted of Gur sitting behind a card table

in front of the rezoning sign with a box of Tim Bits at 368 Hillcrest) I believe was just an opportunity for him to gather information in order to tailor the application so that neighbors would have less ability to oppose the construction of this proposed development.

I have heard from the developer that it is a done deal. Yes, we have had the opportunity to view relevant staff reports and background information from June 25 to July 8. However, the developers have had all the time in the world to work on this application. It seems that this developer does not believe that the public has the right to express its' opinion. I sincerely hope this Council will, in fact, consider my opinion and those of my neighbors.

In conclusion, I would like the following questions answered:

Why is City staff suggesting that zoning rules be broken so that this application for development can be accepted?

Why were only a limited number of residents in the 300 block of Hillcrest Avenue provided with notification of this public hearing?

B. Farkes

We, the undersigned residents / neighbours oppose 'multi family'
rezoning of 368 Hillcrest Avenue, City of Nanaimo

Name	Address	Signature	Date
HANNE MALTESEN	391 HILLCREST AVE	Hanne Maltesen	MAY 18/10
OLE MALTESEN	391 HILLCREST AVE	Ole Maltesen	MAY 18/10
Barb Farke's	363 Hillcrest Ave	B Farke's	May 18/10
ELLEN PEARSON	398 HILLCREST AVE	E Pearson	MAY 18, 10
KEN PEARSON	398 HILLCREST AVE	Ken Pearson	MAY 18, 10
PARMJIT SHAHI	396 HILLCREST AVE	P Shahi	MAY 18/10
J SHAHI	396 Hillcrest Ave	J Shahi	MAY 18/10
Hayward Russell	394 Hillcrest	Hayward Russell	May 18/10
JEAN RUSSELL	394 Hillcrest	Jean Russell	May 18/10
Sandra Lindeman	392 Hillcrest	Sandra Lindeman	May 18/10
WARREN LINDEMAN	392 HILLCREST	Warren Lindeman	MAY 18/10
Kara Arnold	621 Foster St.	Kara Arnold	May 18/10
Karen Arnold	621 Foster St.	Karen Arnold	May 18/10
Brian Andrews	623 FOSTER ST	Brian Andrews	May 18/10
Rocky Zamba	623 FOSTER ST	Rocky Zamba	May 18/10
Elizabeth Zamba	623 Foster	Elizabeth Zamba	May 18/10
Darkey Ekstrom	390 Hillcrest	Darkey Ekstrom	May 18/10
Dan Barnes	367 Hillcrest	Dan Barnes	May 18/10
Paul Clarke	367 Hillcrest	Paul Clarke	May 18/10
Natasha Clarke	367 Hillcrest	Natasha Clarke	May 18/10
Sarah Griffin	371 Hillcrest	Sarah Griffin	May 18/10
Mike Litter	390 Hillcrest	Mike Litter	May 18/10
Katrina Hawkins	375 Hillcrest Ave.	Katrina Hawkins	May 18/10
Deek Johnston	379 Hillcrest Ave.	Deek Johnston	May 18/10
Maureen Jamnischne	379 Hillcrest Ave	Maureen Jamnischne	May 18/10
Laura Normand	383 Hillcrest Ave	Laura Normand	May 18/10
YVONNE VALETTE	387 HILLCREST AVE	Yvonne Valette	May 18/10
Jeff Hill	363 Hillcrest Ave	Jeff Hill	May 18/10

We, the undersigned residents / neighbours oppose 'multi family' rezoning of 368 Hillcrest Avenue, City of Nanaimo

[illegible]

Like more knowledge

Hanne & Ole Maltesen
391 Hillcrest Avenue
Nanaimo, BC V9R 3L8
Phone: 250-754-7180 email: maltesen@shaw.ca

July 8, 2010

City of Nanaimo
455 Wallace Street
Nanaimo, BC

Mayor Ruttan & Council Members:

I am here today to speak against rezoning application RA244 of 368 Hillcrest Avenue. My husband and I have many concerns about this application and I am here today to present these to you.

I understand there is an active application to subdivide the land at 368 Hillcrest Avenue into two equal sized lots; however, City records do not indicate this subdivision has been approved. Yet, in August 2007, an application was made by the property owner for City services (water, sewer, storm sewer) to be installed for the subdivided property. These services were installed, some requiring digging across Hillcrest to the opposite side of the roadway. It should be noted that only 20mm (3/4") water services were installed as per the application to the City, which I understand is only sufficient for a single family dwelling on each lot.

Furthermore, I understand that prior to final subdivision approval, the house on the property had to be moved or demolished as it could not straddle the common property line between the two newly created lots. As well, required street improvements such as sidewalk and curb would need to be completed. Demolition Permit BP112980 was issued by the City on June 5, 2008; however, the building and mess were not removed until June 2010 and the required street improvements have not been done.

In early April 2010, the property owner had all the large trees cut down; all before any redevelopment approval. Among them were two large Fir trees and a large Monkey Tree. These trees were already on the property when we moved into our house 36 years ago meaning they were well established beautiful trees.

1. There are also significant discrepancies in the direction of the rezoning for this property. A rezoning application sign was erected on the property stating an
 2. application to rezone from RS-1 to Multi Family. A March 5, 2010 Satgur letter to the neighbourhood stated rezoning from RS-1 to RS-2, Multi Family. And,
 3. the PNAC minutes show a request to rezone to RM-2 was changed to RM-3.
-
4. The March 5, 2010 Satgur letter (Signed by GUR MINHAS) to the neighbourhood also advised the existing house would be moved (a false statement as Satgur was in possession of a demolition permit) and that the property had been divided into two lots (another false statement as subdivision approval was not in hand). We are of the opinion the developer is attempting to discourage public participation by saying the subdivision has already been done.

An open house was held on May 8, 2010 to show plans and answer questions. During the open house, I asked the "builder" why the property had already been cleared. He confirmed the property had been subdivided and room was needed so the existing house could be moved to an address off Jingle Pot Road.

5. Strata title has also been mentioned to the neighbours. A most recent Rental Market Report from CMHC shows that Nanaimo has a 4.4% vacancy rate. Therefore, we believe a strata title should not be a condition of the redevelopment of this property.

On June 9, 2010 (two days after Council gave first and second reading) the house was demolished. Following that, I understand the developer told some neighbours that redevelopment was now approved. Again, we believe this was done in order to discourage public participation. Temporary power service has already been installed indicating redevelopment can begin at any time.

- The rezoning issue then proceeded to PNAC. Apparently, at the PNAC meeting there was no mention of subdivision in progress. Also, I understand PNAC was misled about the level of support from the neighbourhood because the only opposing remark written on the developer's comment papers was "NO DAMN
6. WAY". However, as you can see on the petition no one, except one adjoining neighbour who stated he "doesn't care", supports the redevelopment of the property.

PNAC was also not advised of our zoning bylaw requirement for RM3 zoning, which stipulates a property minimum size of 19,375 square feet. The property at 368 Hillcrest Avenue is only 17,000 square feet (12% smaller than the minimum requirement). With subdivision on active file, the square footage of each lot would be 8,500 square feet, which is 45% of the bylaw requirement for RM3. According to the PNAC minutes, "many development variance permits would have to be addressed."

7. The property at 368 Hillcrest Avenue is not within any corridor as adopted in our OCP. The 300 block of Hillcrest already has its share of multi family units, namely 34 units on one property at 309 Hillcrest.

In closing, I and my fellow neighbours, support our OCP and agree that:
"each city neighbourhood has a unique character, housing style, physical setting, location and people."

We support the OCP:
"to insure that infill and redevelopment is sensitive to neighbourhood character."

We also support the objectives of the OCP to:
"maintain the character and livability of existing neighbourhoods" and
"insure that new development is in harmony with the existing neighbourhood."

Therefore, we do not believe the proposed development at 368 Hillcrest meets these OCP guidelines.

8. One final note: as of today the rezoning application sign on the property at 368 Hillcrest Avenue still does not indicate the zone applied for.

It is for all these reasons I ask Council to vote against rezoning of this property.

Thank you.



REZONING APPLICATION

AN APPLICATION HAS BEEN SUBMITTED TO THE CITY OF NANAIMO
TO REZONE THIS SINGLE FAMILY RS-1 TO MULTI FAMILY TO
FACILITATE DEVELOPMENT OF MULTI FAMILY RESIDENTIAL DWELLINGS

FOSTER ST		HILLCREST AVE	
361			362
363			368
367			
371			376
375			380

A PUBLIC HEARING WILL BE HELD
ON _____ TIME _____
PLACE _____
LOCATION _____

FOR FURTHER INFORMATION CONTACT:

THE APPLICANT IS:

NAME: SATGUR DEVELOPMENT INC.

ADDRESS: 3205 RIDGEVIEW PLACE NANAIMO BC

PHONE: 250-618-6814

THE CITY OF NANAIMO

DEVELOPMENT SERVICES DEPARTMENT

238 FRANKLYN STREET NANAIMO

(250) 755-4429



SATGUR

Licensed Builder

05.03.10

Dear Neighbors:

Re – 368 Hillcrest Avenue

This letter is to inform you that the existing home on the property will be moved, and the land cleared. Currently 368 Hillcrest Avenue is classified as an RS-1 zone. The property has been divided into two and will be rezoned into RS-2 or multi-family to allow a duplex and single family.

I will be having an open house on Saturday May 8th, from 11am-1pm to show you the plans and answer any questions you may have. Please feel free to come by and see what's happening or to have a coffee and doughnut.

Thanks in advance for your co-operation.

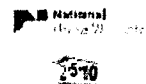


GUR MINHAS

(PS) Please also have a look for the ad in the local papers this week

-
- General Contractor
 - Home Builder
 - Project Management
 - Renovations
 - Commercial
 - Industrial
 - Multi-family
 - Insurance Claims

www.satgur.ca
250-618-6814



Cindy Hall, 11:57 AM 25/05/2010, Info re 368 Hillcrest

Page 1 of 1

Attached is the report considered by PNAC on May 18, regarding a rezoning application at 368 Hillcrest Avenue, which you requested on Friday, May 21 from Deborah Jensen. The application subsequently changed from a request to rezone to RM-2, to a request to rezone to RM-3, and that change will be reflected in the PNAC Minutes.

Regards,
Cindy Hall.



RA244.pdf



SATGUR

Licensed Builder

05.03.10

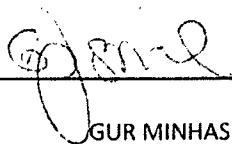
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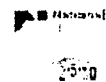
Thanks in advance for your co-operation.


GUR MINHAS

(PS) Please also have a look for the ad in the local papers this week

- General Contractor
- Home Builder
- Project Management
- Renovations
- Commercial
- Industrial
- Multi-family
- Insurance Claims

www.satgur.ca
250-618-6814



Tenants get breathing room as vacancy rate reaches 4.4%

Good mortgage rates and lower prices
move more renters into housing market

DARRELL BELLAART

A \$350 monthly hydro bill over winter was incentive enough for Vicky Dempsey to find something more affordable before fall.

So she was glad to located a rancher in the hospital district just right for her three small children.

She moves in Aug. 1, thanks to Nanaimo's 4.4% vacancy rate and the help of a property manager.

The rental rate is up more than a full percentage point from this time last year, as reported in the spring 2010

Rental Market Report from Canada Mortgage and Housing Corp., the federal agency that monitors housing activity.

The change is not unexpected. Lower housing prices last year, combined with affordable mortgage rates are causing many renters to move into home ownership, and that's freeing up rental properties.

It also creates new ones when buyers choose to put in a suite as a "mortgage helper."

Longer term, though, the rental market could always snap back.

A city council policy against allowing strata conversions on rental properties only applies when the vacancy rate is below 3%. That hasn't been the case for a year, and some large rentals including the 110-unit Seacrest Tower downtown have applied for strata conversion, which could remove units from the city's pool of rental units.

Although several new rental properties were built last year, CMHC says it wasn't enough to affect rental supply much.

It made Dempsey's life easier when the first place Widsten Property Management gave her proved suitable for her family.

"It's especially hard to find a decent place for a decent price," Dempsey said. Her new place is smaller, but she said her present duplex is poorly maintained.

"In the 18 months I've been there I've had three landlords."

A higher vacancy rate means more choice for renters.

"They have more negotiating room, I suppose," said Mary Jo Purvis, Ardent Properties property manager. "They don't have to take everything they see."

A strong economy is helping drive vacancy rates up.

"This is reflecting a lot of things that happened a couple quarters ago," said Travis Archi-

bald, CMHC's senior analyst for Vancouver Island.

"The thing we're still seeing, where prices came down last year and with low mortgage rates, (it allows) people to move into home ownership."

Many are buying homes with secondary suites, and that too is helping prop up supply.

But two years after a city policy disallowed any rental-to-strata conversions during times of low vacancy four complexes are now seeking conversion. What that means for the market remains to be seen.

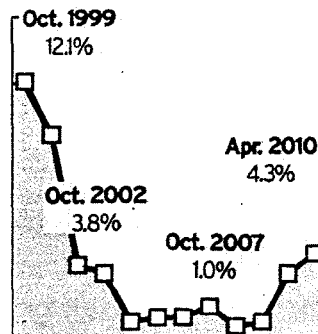
"They may still be rentals," said Toby Seward, city permits and properties director.

Dempsey looks forward to her new home.

"A nice little house like that is perfect," she said.

Rental vacancy rates

From 2003 to 2008 the city's vacancy rate stayed below 2%. It began to rise in 2009, hitting a 10-year high this spring.



SOURCE: CMHC
[DAILY NEWS ILLUSTRATION]

POLICY
BELOW
3%

We, the undersigned residents / neighbours oppose 'multi family'
rezoning of 368 Hillcrest Avenue, City of Nanaimo

Name	Address	Signature	Date
HANNE MALTESEN	391 HILLCREST AVE	Hanne Maltesen	MAY 18/10
OLE MALTESEN	391 HILLCREST AVE	Ole Maltesen	MAY 18/10
Barb Farkes	363 Hillcrest Ave	B Farkes	May 18/10
ELLEN PEARSON	398 HILLCREST AVE	E Pearson	MAY 18, 10
KEN PEARSON	398 HILLCREST AVE	Ken Pearson	MAY 18, 10
PARMJIT SHAHI	396 HILLCREST AVE	P Shahi	MAY 18/10
J SHAHI	396 HILLCREST AVE	J Shahi	MAY 18/10
Waymond Russell	394 Hillcrest	Waymond Russell	May 18/10
JEAN RUSSELL	394 Hillcrest	Jean Russell	May 18/10
Sandra Lindeman	392 Hillcrest	Sandra Lindeman	May 18/10
WARREN LIDEMAN	392 HILLCREST	Warren Lindeman	MAY 18/10
Kara Arnold	621 Foster St.	Kara Arnold	May 18/10
Karen Arnold	621 Foster St.	Karen Arnold	May 18/10
Brian Amerew	623 FOSTER ST	Brian Amerew	May 18/10
Boddy Zamba	623 FOSTER ST	Boddy Zamba	May 18/10
Elizabeth Zamba	623 Foster	Elizabeth Zamba	May 18/10
Darkey Ekstrom	390 Hillcrest	Darkey Ekstrom	May 18/10
Dan Barnes	367 Hillcrest	Dan Barnes	May 18/10
Paul Clarke	367 Hillcrest	Paul Clarke	May 18/10
Natasha Clarke	367 Hillcrest	Natasha Clarke	May 18/10
Sarah Griffin	371 Hillcrest	Sarah Griffin	May 18/10
Mike Ritter	390 Hillcrest	Mike Ritter	May 18/10
Katrina Hankins	375 Hillcrest Ave	Katrina Hankins	May 18/10
Derek Johnstone	379 Hillcrest Ave	Derek Johnstone	May 18/10
Marianne Johnson	379 Hillcrest Ave	Marianne Johnson	May 18/10
Laura Normand	383 Hillcrest Ave	Laura Normand	May 18/10
VIVIANE VALETTE	387 HILLCREST AVE	Viviane Valette	May 18/10
Jeff Hill	363 Hillcrest Ave	Jeff Hill	May 18/10

**We, the undersigned residents / neighbours oppose 'multi family'
rezoning of 368 Hillcrest Avenue, City of Nanaimo**

[illegible]

Like more knowledge

3RD. STREET

HILLCREST

WAKESIAH AVENUE

RM3
34 UNITS

RS1

HILLCREST

RS1

4TH STREET

REZONING APPLICATION

AN APPLICATION HAS BEEN SUBMITTED TO THE CITY OF NANAIMO
TO REZONE THIS SINGLE FAMILY RS-1 TO MULTI FAMILY TO
FACILITATE DEVELOPMENT OF MULTI FAMILY RESIDENTIAL DWELLINGS

FOSTER ST	
361	362
363	368
367	
371	388
375	390

HILL CREST AVE



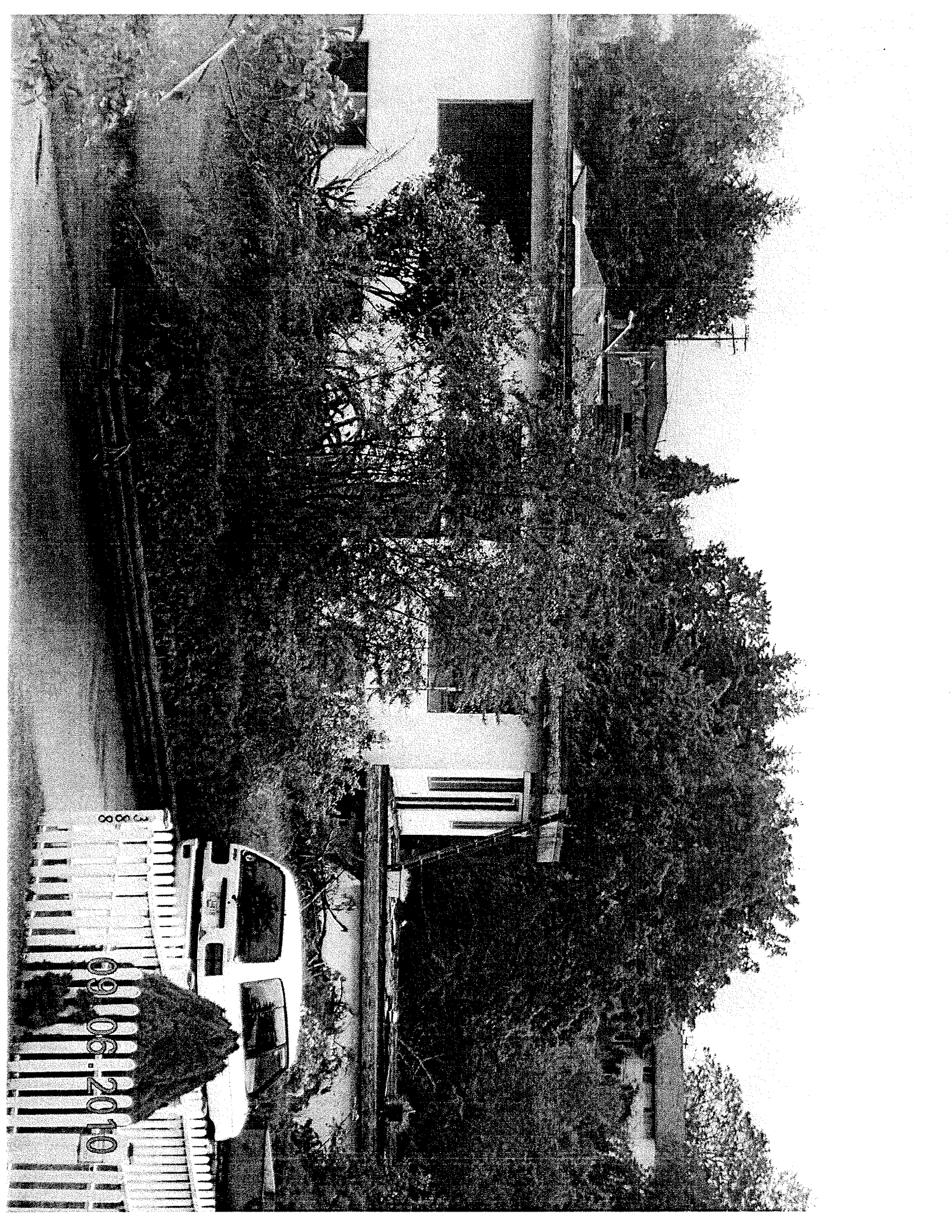
FOR FURTHER INFORMATION CONTACT:

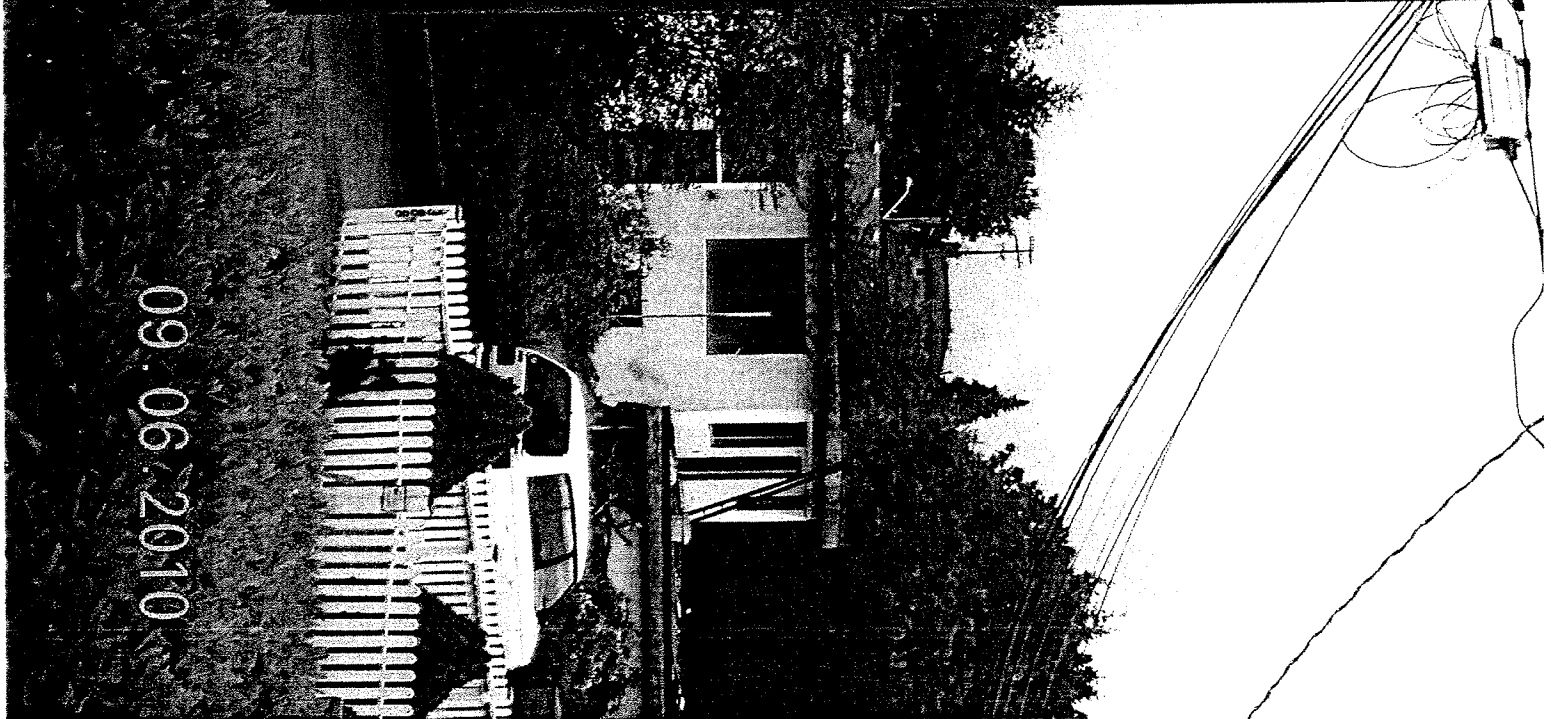
THE APPLICANT IS:

NAME: SATGUR DEVELOPMENT INC
ADDRESS: 3205 RIDGEVIEW PLACE NANAIMO BC
PHONE: 250-618-6814

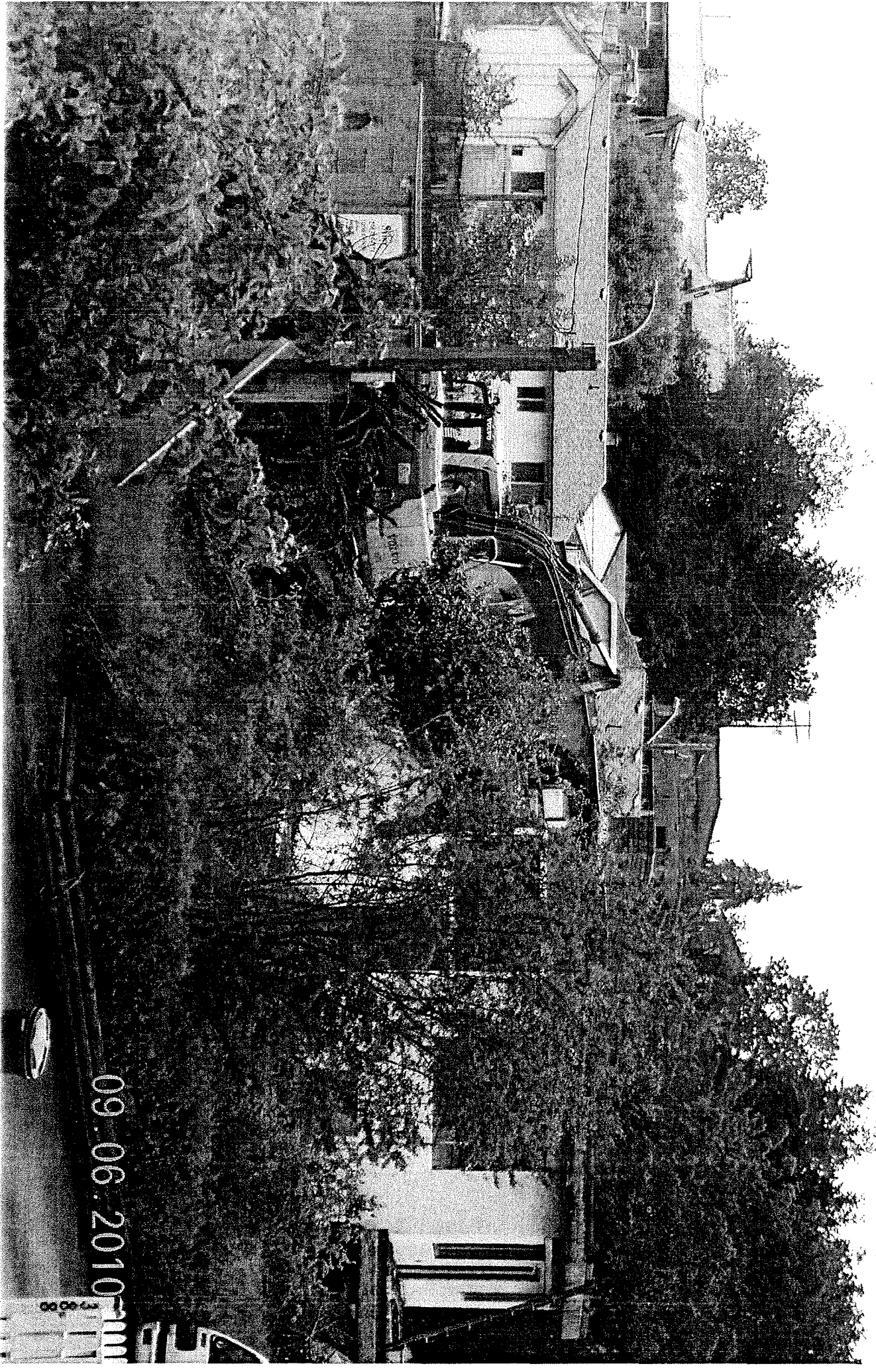
A PUBLIC HEARING WILL BE HELD
ON THURS JULY 08 TIME: 7:00PM
PLACE: SHAW AUDITORIUM VANCOUVER ISLAND CONFERENCE CENTRE
LOCATION: 80 COMMERCIAL STREET

THE CITY OF NANAIMO
DEVELOPMENT SERVICES DEPARTMENT
238 FRANKLYN STREET NANAIMO
(250) 755-4429

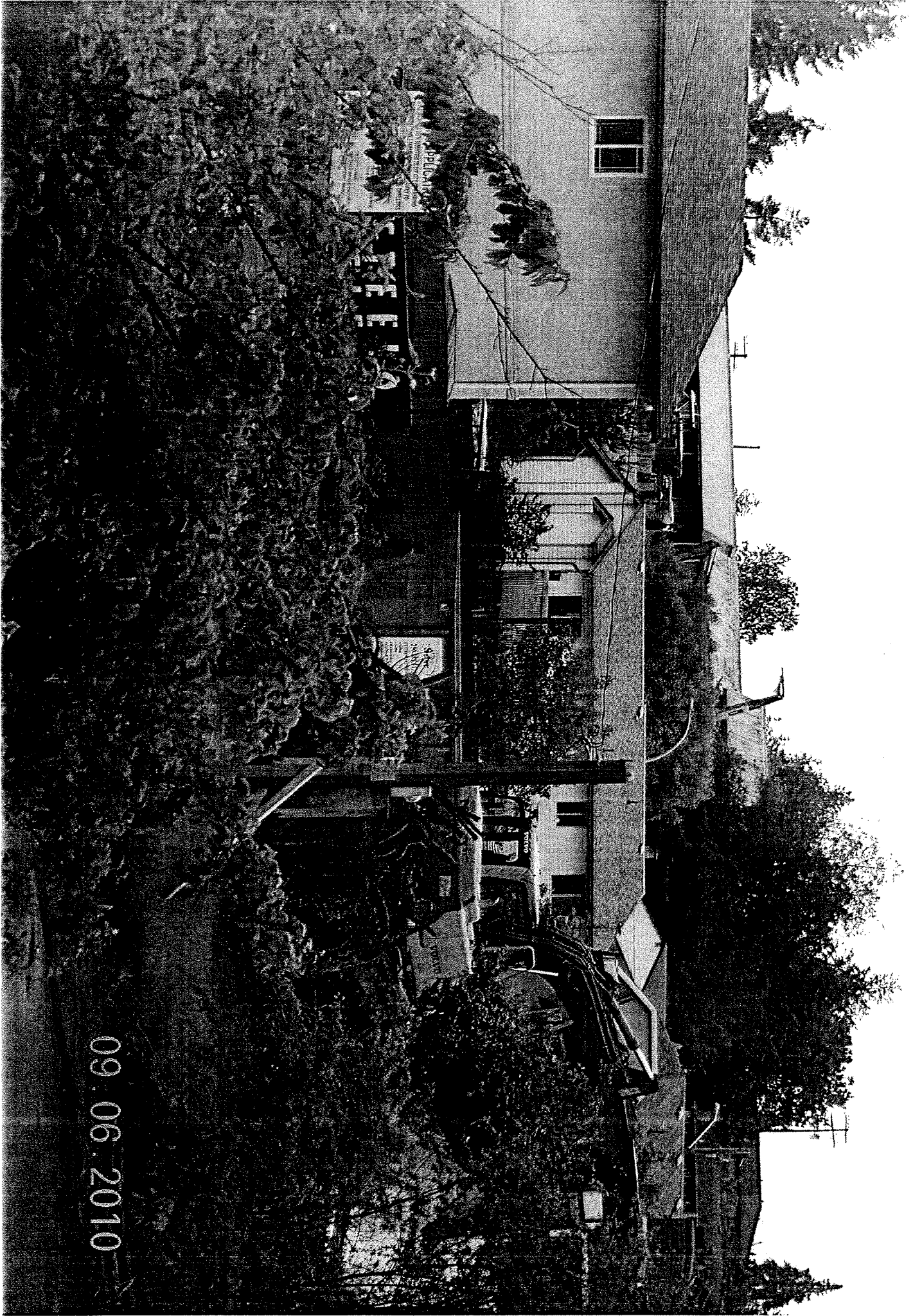




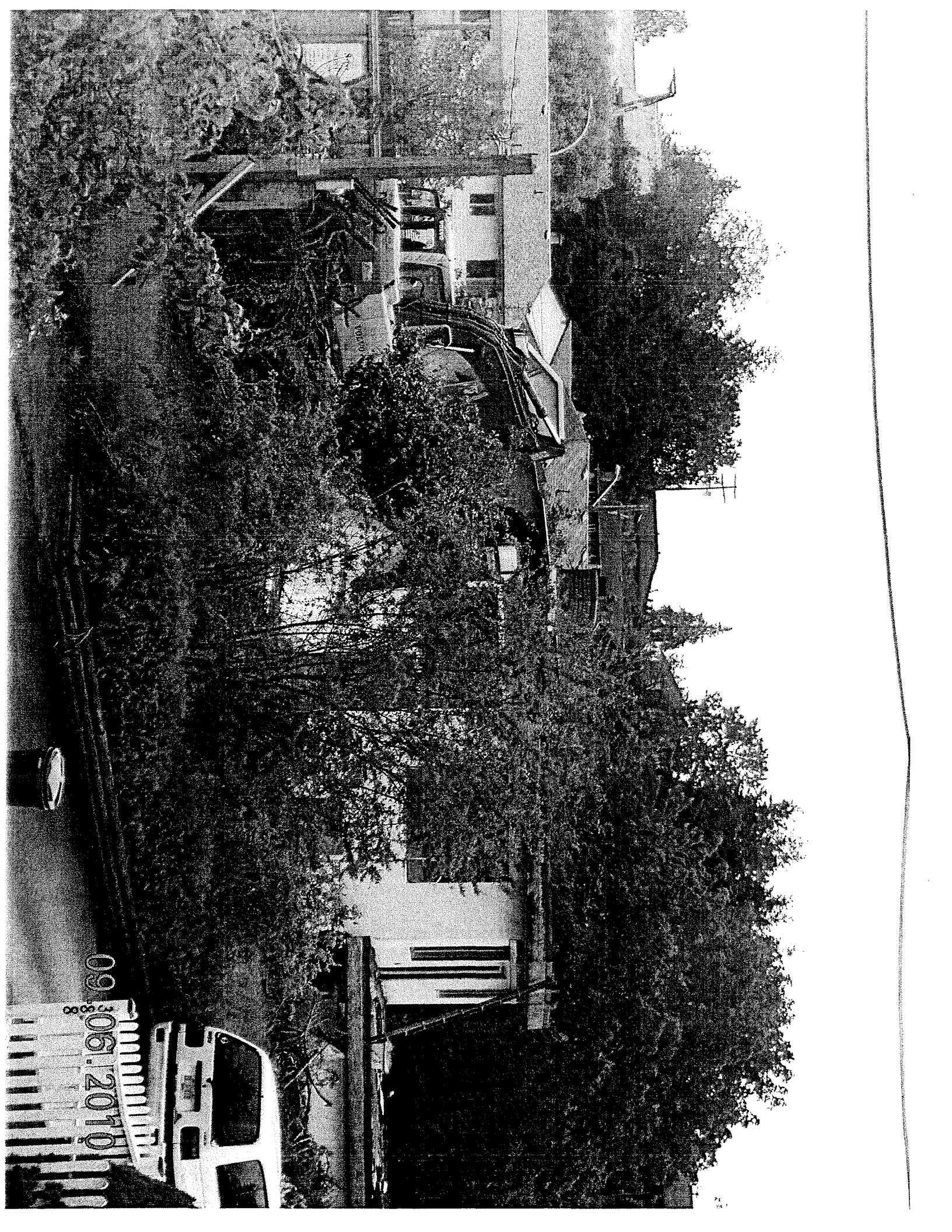
09.06.2010

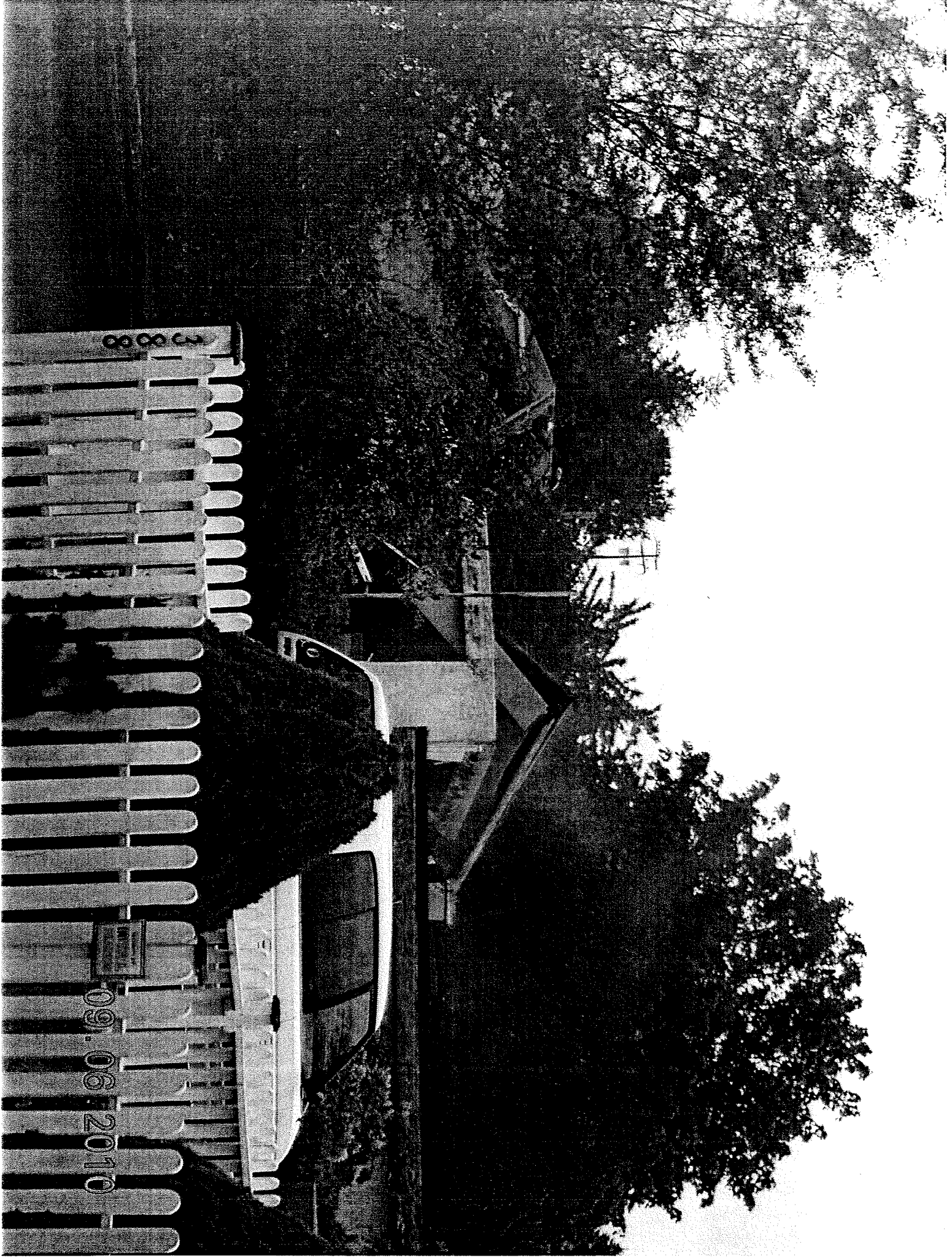


09.06.2010 21:00



09.06.2010







Penny Masse

From: Alexia Dozzi [adozzi@hotmail.com]
Sent: Thursday, July 08, 2010 11:18 AM
To: Public Hearing
Subject: Public Hearing on July 8, 2010 RE: Bylaw #4000.479

RE: Bylaw #4000.479
368 Hillcrest Ave

Attention: City Council

My name is Alexia Dozzi, owner 390 Hillcrest Ave, and I would like to vote against the proposed plans for 368 Hillcrest Ave for the following reasons:

1. It doesn't fit with the rest of the neighbourhood. This is a 6-unit development in the middle of a single family residential street and will be the only townhouse development on Hillcrest south of Foster St.
2. Increased traffic noise and volume. There will be a parking lot for 12 cars in the middle of the property which will increase road traffic and noise and is will be visible from my property.

As it is a large lot and I recognize that density in the university district will likely increase in the coming years, I'd prefer that the development be limited to two - two unit town homes which would allow for increased density but limit disruption to the neighbourhood.

Sincerely,

Alexia Dozzi
Owner, 390 Hillcrest Avenue

Attachment C

Submission

For

Bylaw No. 4000.481

(RA241 – Part of 2256 Meredith Road)

Re: Rezoning Application for 2256 Meredith Road – RA241
Maureen Pilcher

Good Evening Mayor Ruttan, Members of Council, Members of Staff, Ladies and Gentlemen:

My name is Maureen Pilcher. Thank you for giving me the opportunity to discuss this exciting new project with you, which is being developed by longtime Nanaimo residents Carey Miller and Craig Weir.

This site is centrally located, close to many commercial services, transportation corridors, schools, parks and other amenities. The OCP indicates support for increasing the residential densities in neighbourhoods and encourages the development of different housing styles, while enhancing the residential character of existing communities. We recognized immediately that this location is ideal for a relatively small scale multiple family project that can provide varied living options for the community and offer economically attainable homes. Ultimately this project will consist of 3 separate lots, however we intend on providing a comprehensive development that will reflect the neighborhood character.

When redeveloping within an existing neighbourhood it is always important to maintain the “flavour” of the community by recognizing the site organization and building forms of the adjacent properties. The multi-family site will only contain 6 units – two single family dwellings and two duplexes, and the other two lots will each contain a duplex building. Both the single family dwellings and the duplexes will replicate the context of the more mature homes in the area, by incorporating porch and gable elements. Finishes will be appropriate to the building form and will be durable in nature, including bold wood trims, laminated shingles, vinyl siding and wood columns with decorative rock accents.

You will note that we have developed a less intrusive street profile by locating the single family dwellings at the front of the multiple family site. The duplexes, located toward the rear of the properties, will enjoy useable private space at the front and rear of the buildings. A single access to the site is a safe alternative for access and egress and a central parking area can contribute to a safer complex. The duplex on the corner lot has street presence on both Meredith Road and Lang Crescent and each unit has a separate access – these units are single storey to mirror the duplex across the street and provide a more interesting streetscape. The duplex planned for Lot 3 reflects the style of the surrounding homes and has well defined entrances and varied roof lines to add architectural interest.

The units range in size from 1370 square feet to 1828 square feet – a good size for a family - and each unit will contain three bedrooms and two and a half

bathrooms. These dwellings will maintain a high degree of design and function, while remaining affordable. They will appeal to a broad range of purchasers – young families, downsizing seniors and young urban professionals who want to live in Central Nanaimo close to the amenities in the area.

It is expected that these buildings will utilize innovative design and energy efficient construction methods. Water use reduction strategies will be employed, as well as incorporating energy saving features. On site storm water management, and oil/water separators for parking lot drainage, will be incorporated into the design of services for this project.

We will be submitting a more detailed landscape plan through the Development Permit process, and will work closely with City Staff to ensure that the landscaping includes mature plantings and shrubbery as well as drought tolerant plants. The over-all landscaping plan will take into account that this is infill development - we understand that people who have lived adjacent to this large lot will be concerned about a loss of privacy - so we will step up the required landscaping buffer areas with mature plantings and shrubbery as well as fencing.

We also know that it is important to include the community and utilize their input to accurately reflect concerns for their neighbourhood. A Public Information Meeting was held at Beban Park on Tuesday, June 22nd. Six interested neighbours attended – and one gentleman completed a feedback sheet. His comments centred on the widening of Lang Crescent. I spoke with Mrs. Wytinck – the adjacent neighbour most affected by this development, and assured her that we would build a significant fence along the neighbouring property lines.

We have closely studied the objectives and policies of the Neighbourhood designation, and feel that this project will not only comply with the OCP, but will invigorate this neighbourhood in a sensitive manner while complimenting the existing character of the community. This development will utilize modern design techniques and environmentally sustainable construction and will enhance the area with a form of housing that meets the needs and demands of a growing city. We intend on producing a project that is not only an asset to the community, but will be viewed as an excellent example of sensitive residential development in this area.

I will be pleased to answer any questions you may have.

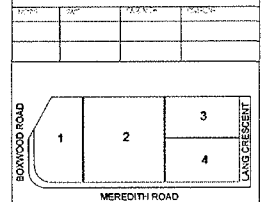
Thanks.

MEREDITH ROAD SUBDIVISION

Folio: 05687.500
Civic Address: 2256 MEREDITH
ROAD
PID: 001-161-521
Legal Description: LOT A, SECTION 17,
RANGE 7, MOUNTAIN DISTRICT, PLAN
31449

Zoning SINGLE FAMILY RESIDENTIAL
ZONE - RS-1

REZONE TO ZONE - RM-2 LOTS
& RM-5 LOT



Mark Garrett

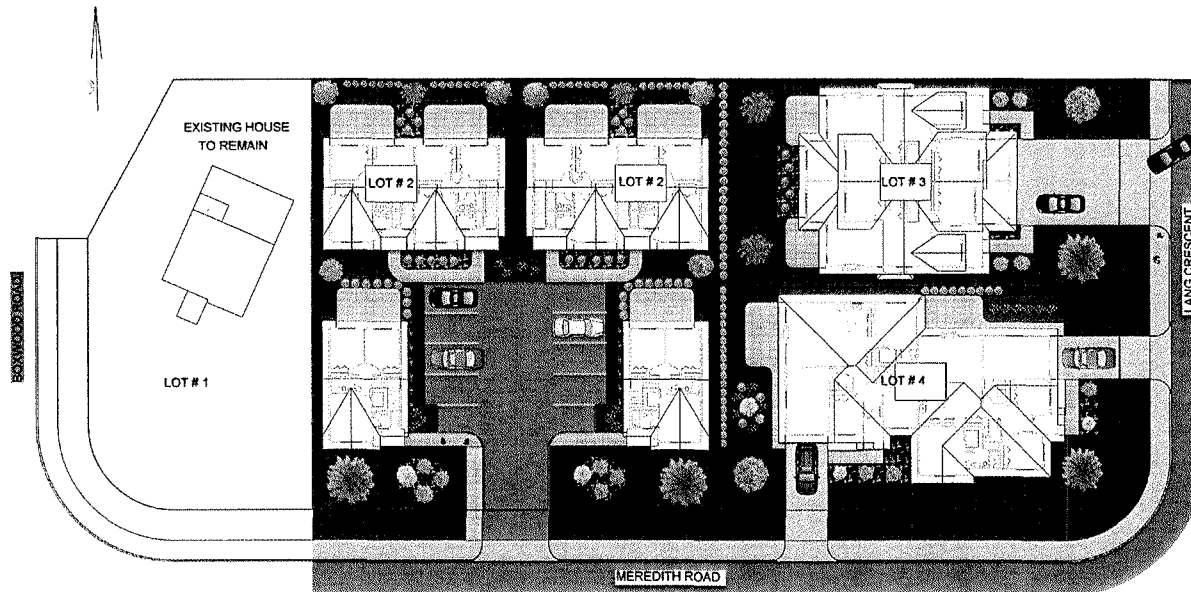
PROJECT DESIGNER
4970 FILLINGER CRES. Burnaby, B.C. V5V 1J1
(250) 760-1027 Bus. (250) 802-1027 Cell
email-garrettbydesign@yahoo.com

NOT TO SCALE
DATE: JULY 2007
BY: [Signature]

DATE: JULY 2007
BY: [Signature]

DATE: JULY 2007
BY: [Signature]

MASTER
SITE PLAN



TOTAL SITE AFTER ROAD DEDICATION
37,621.596 SQ' / 3,495.16 M²

SCALE 1/16" = 1'

Lot 2

LOT SIZE 15,382 SQ'
6 UNITS (2 DUPLEX, 2 SINGLE UNIT)
DENSITY 8,220 SQ' OR .53
LOT COVERAGE 4,534 SQ' OR 29 %
PARKING 6 X 1.66 OR 9 SPACES

Lot 3

LOT SIZE 678 m sq. 7,298 SQ'
2 UNITS (DUPLEX)
LOT COVERAGE ALLOWABLE 40% (2,919 SQ')
LOT COVERAGE 2,762 SQ' OR 37.8 %
DENSITY 3,642 SQ' OR .50
PARKING 2 X 1.66 OR 3 SPACES
PARKING PROVIDED 4

Lot 4

LOT SIZE 729 m sq. 7,847 SQ'
2 UNITS (DUPLEX)
LOT COVERAGE ALLOWABLE 40% (3,138 SQ')
LOT COVERAGE 3,117 SQ' OR 39.7 %
DENSITY 2,541 SQ' OR .32
PARKING 2 X 1.66 OR 3 SPACES
PARKING PROVIDED 4

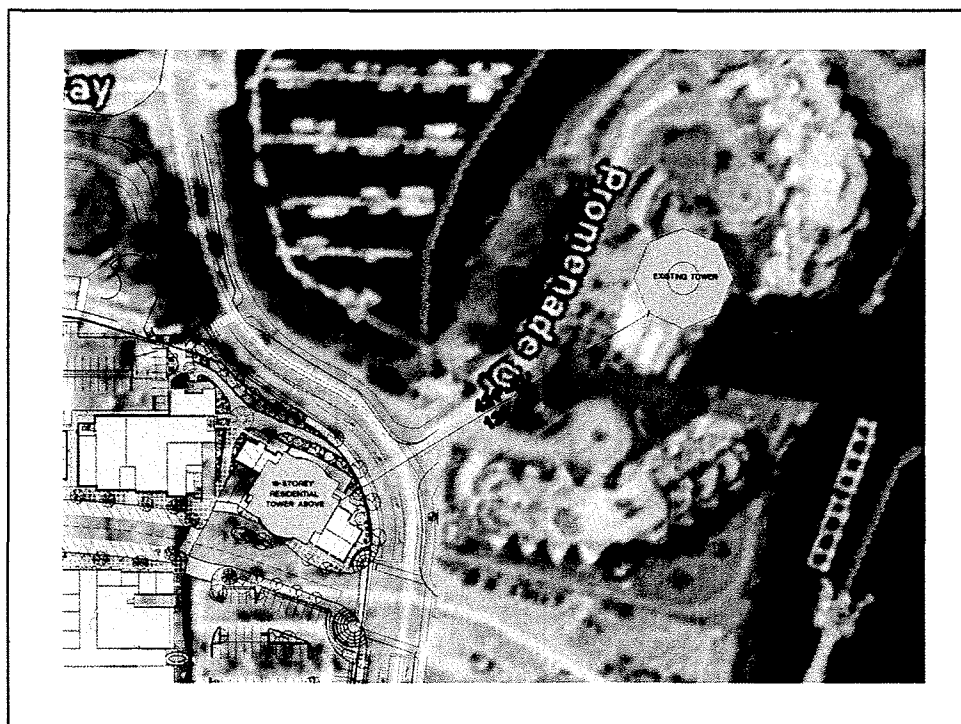
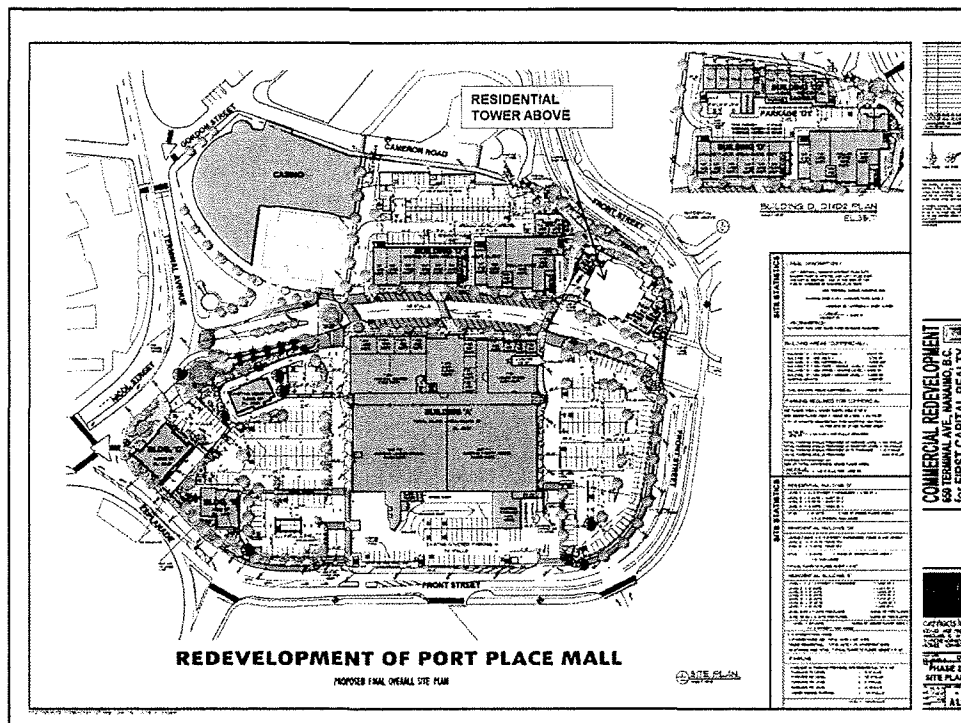
Attachment D

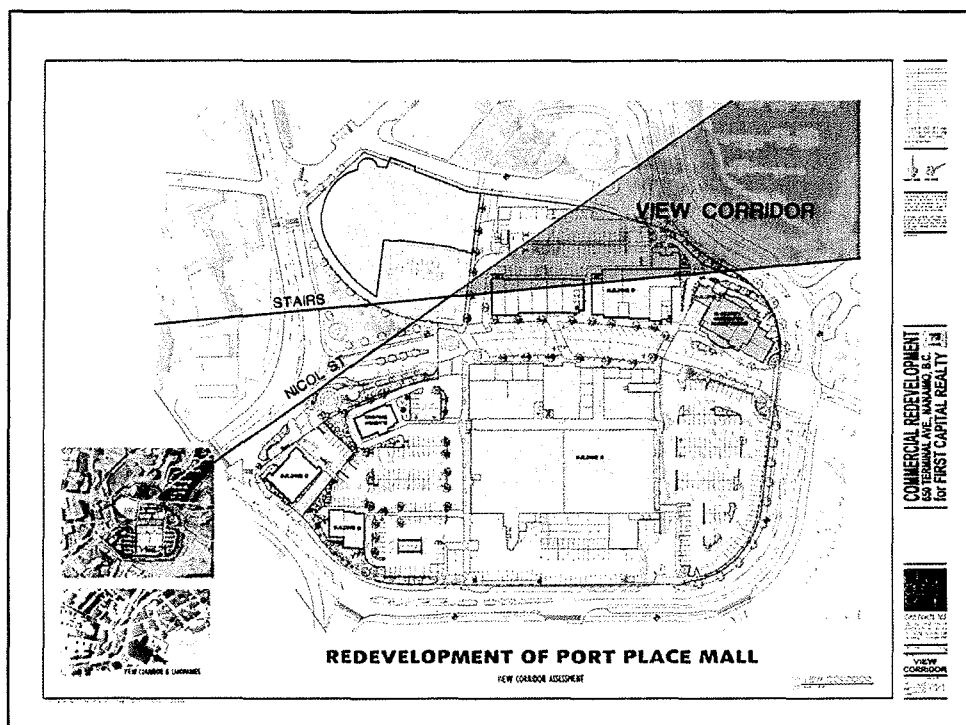
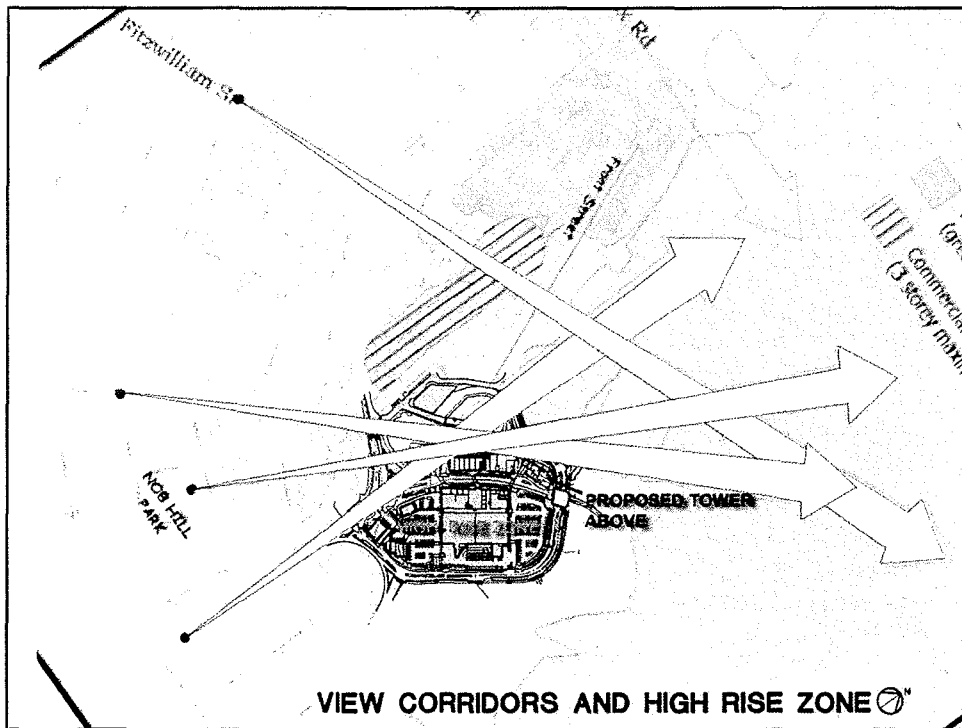
Submissions

For

Bylaw No. 4000.480

(RA223 – Part of 650 Terminal Road)

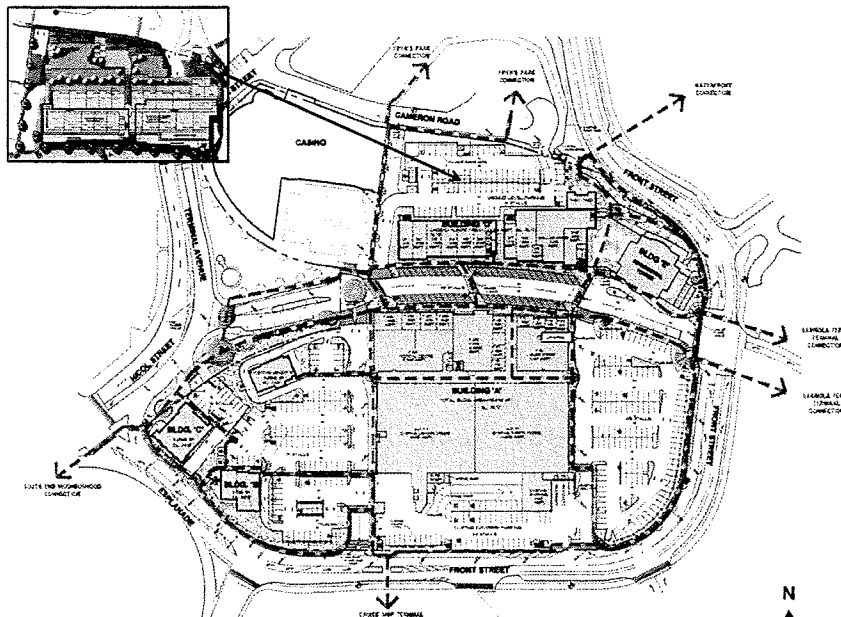




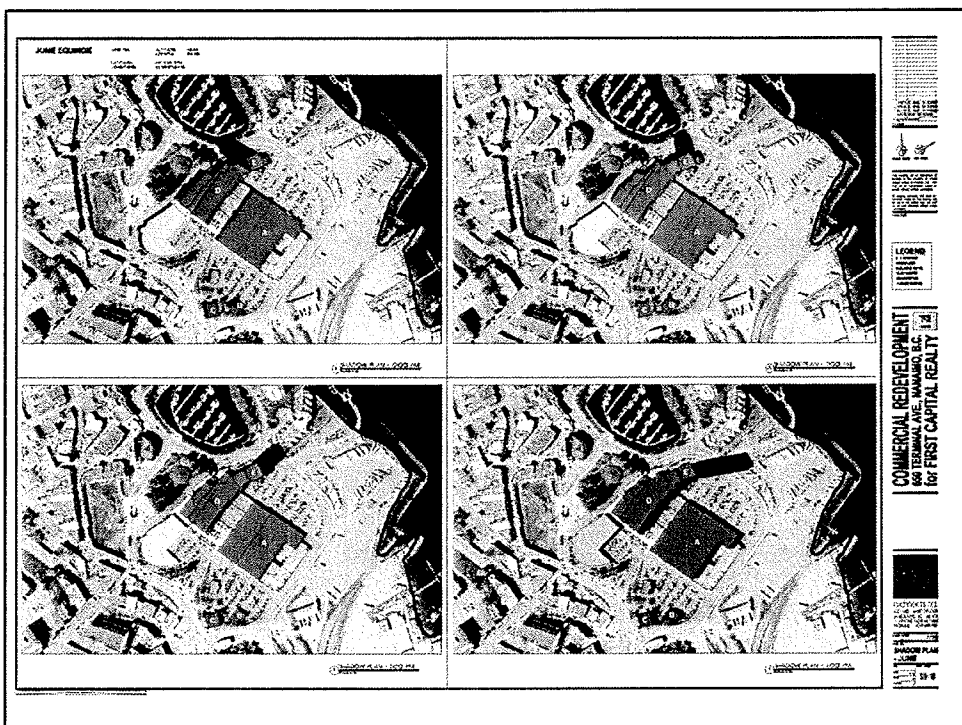
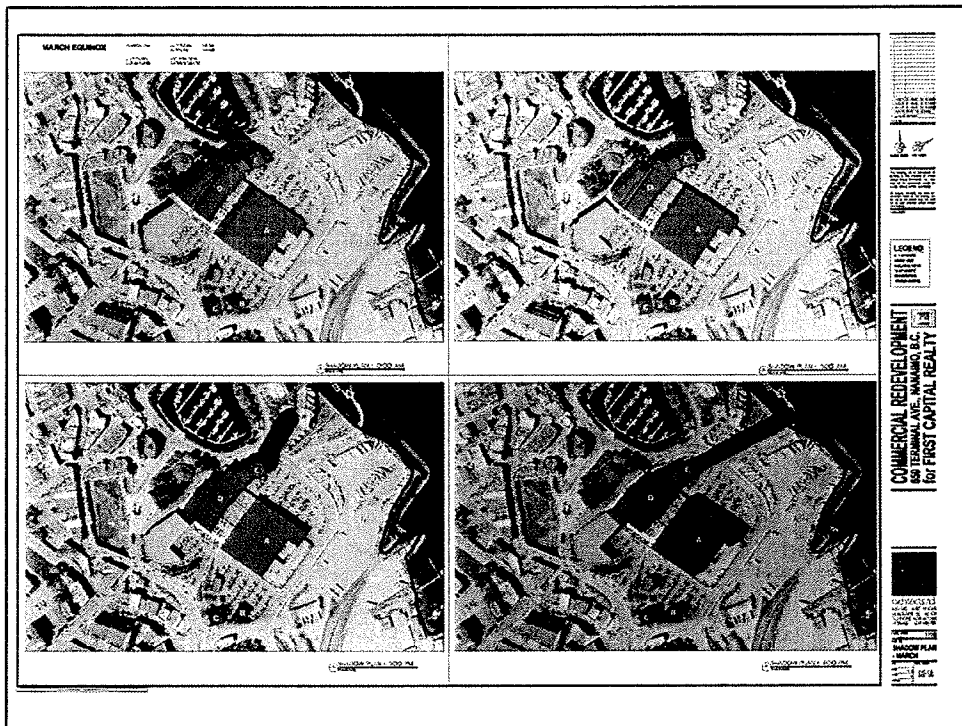


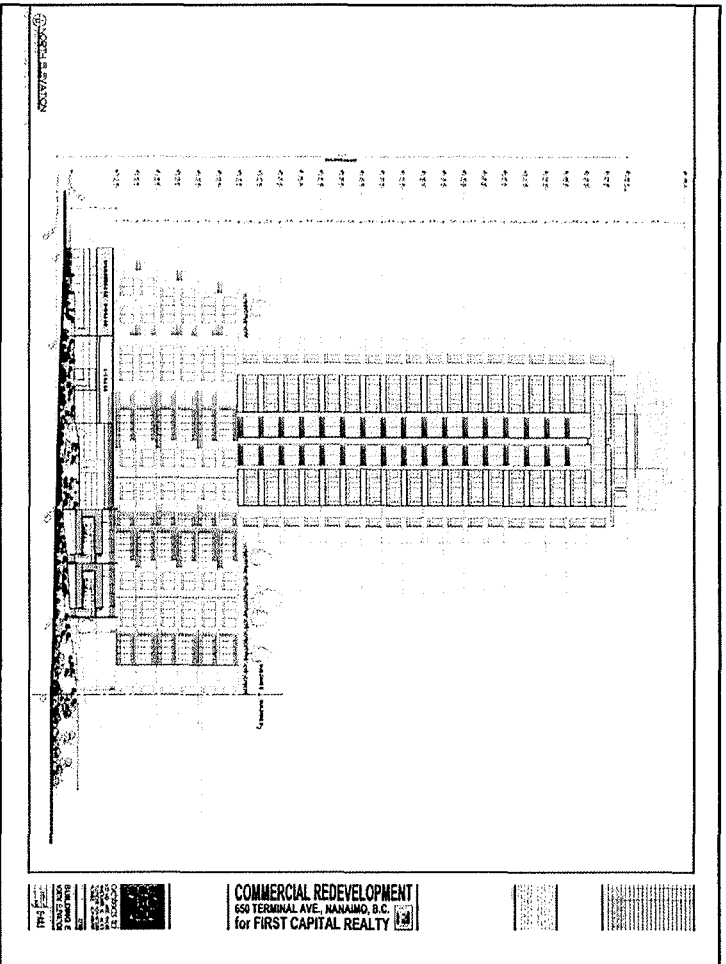
REDEVELOPMENT OF PORT PLACE MALL
 HAMILTON, BC
 for FIRST CAPITAL REALTY

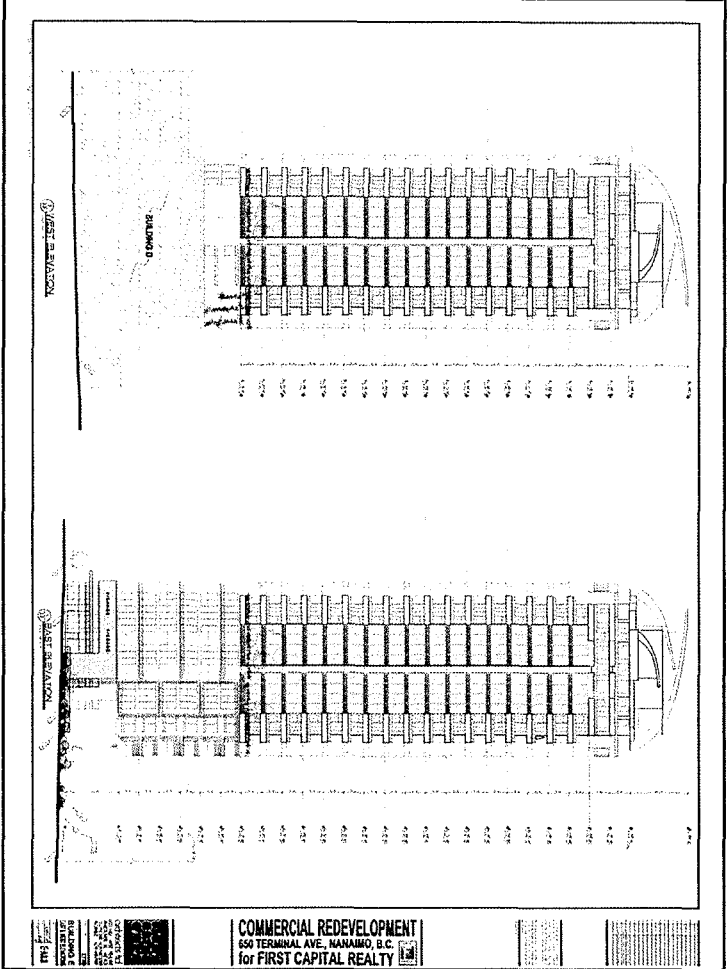
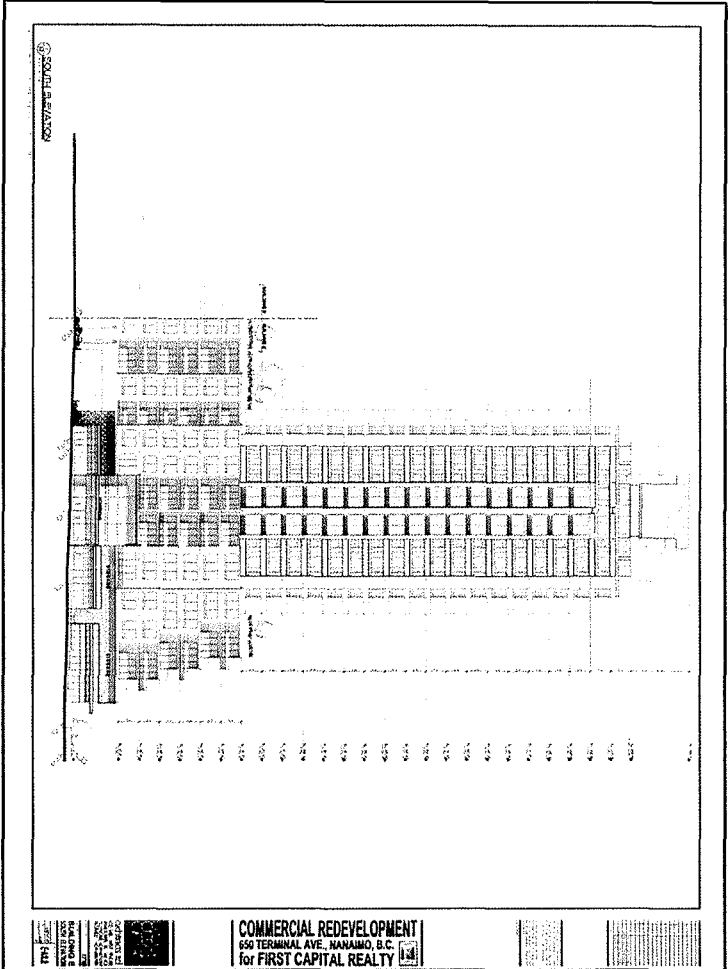
PROPOSED PHASE 2 OVERALL RENDERING

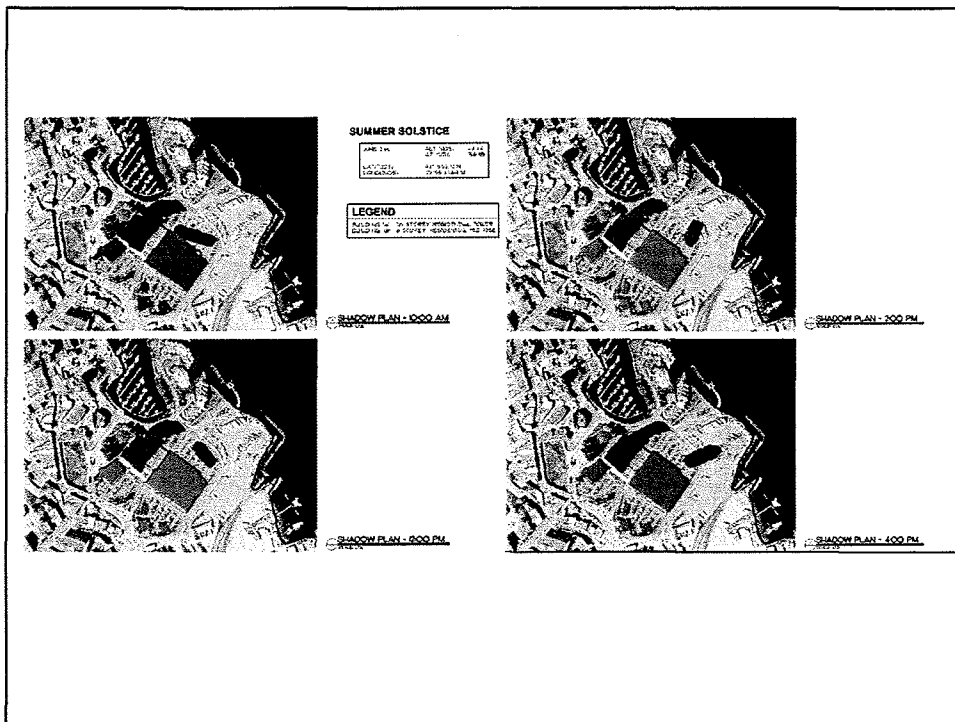
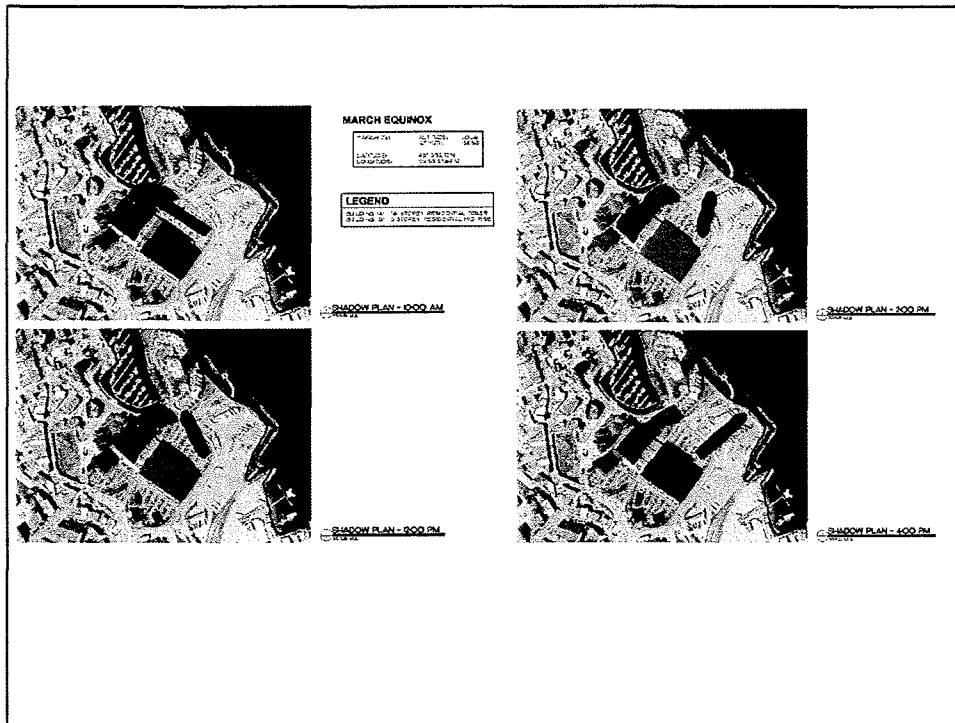


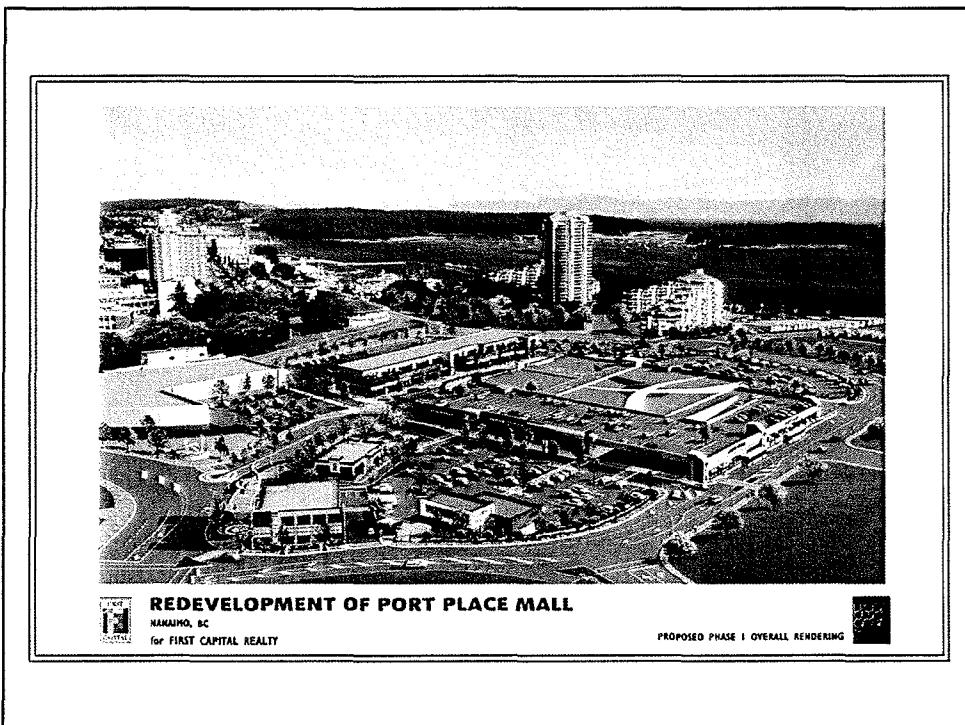
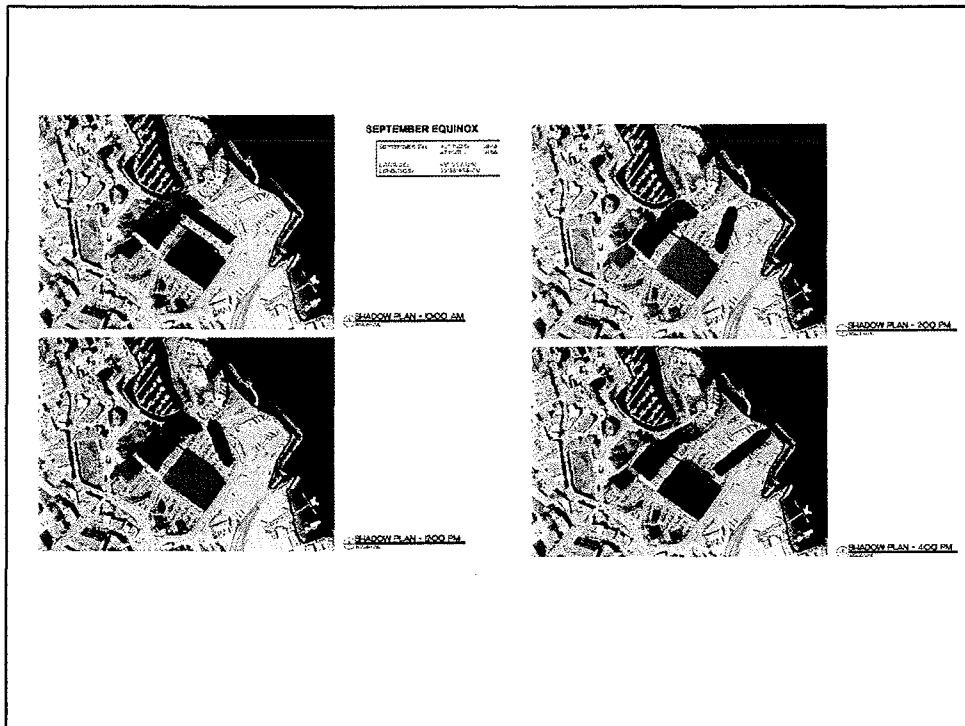
**REDEVELOPMENT OF PORT PLACE MALL –
 PEDESTRIAN CONNECTIONS PLAN**

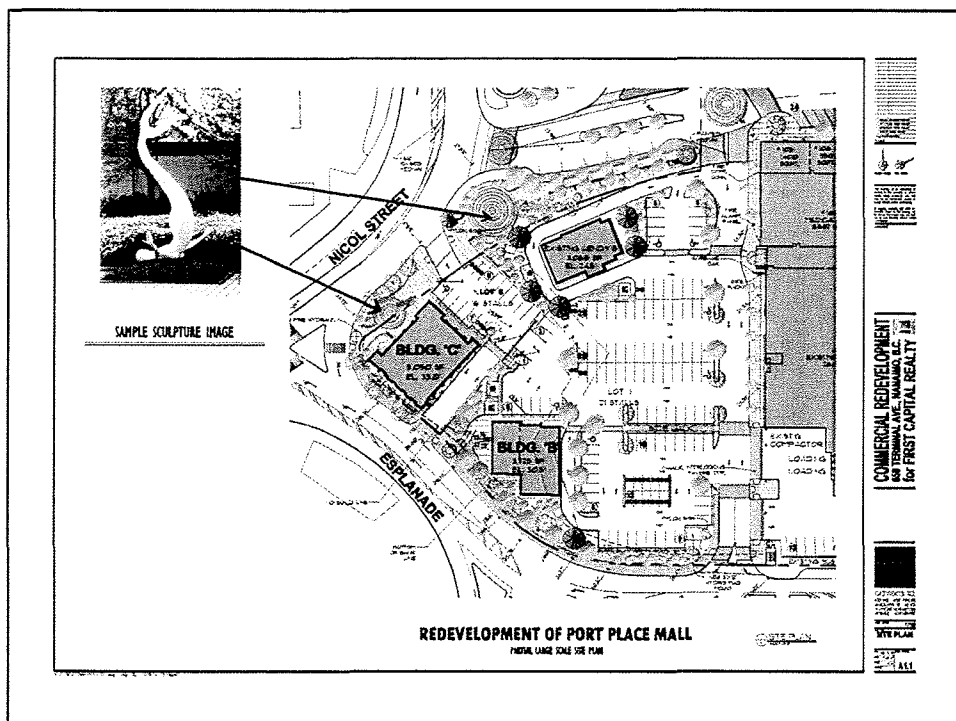
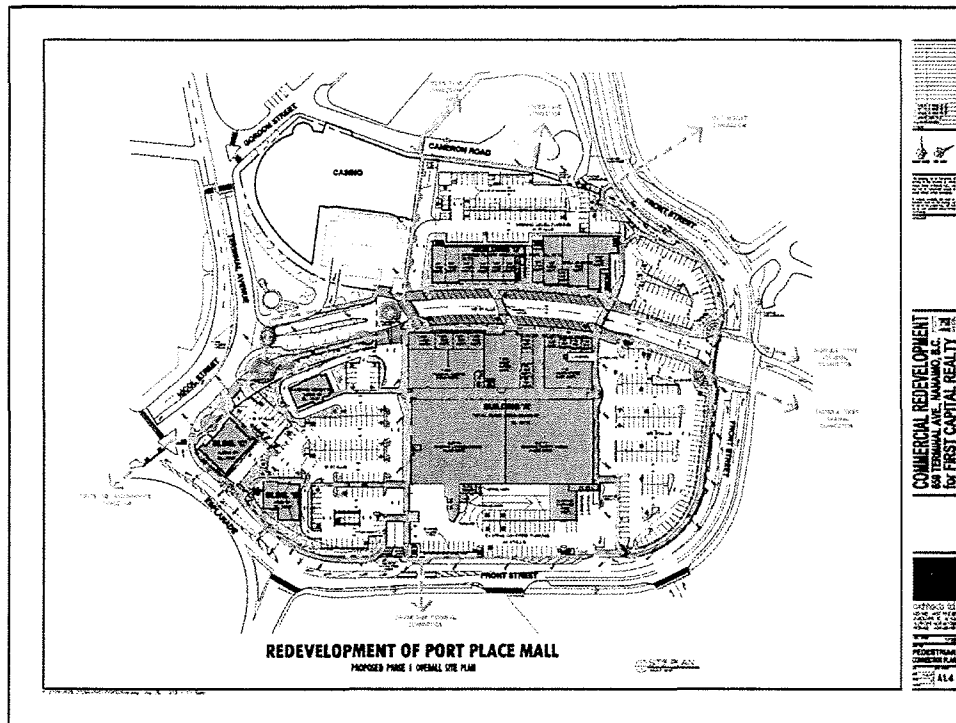








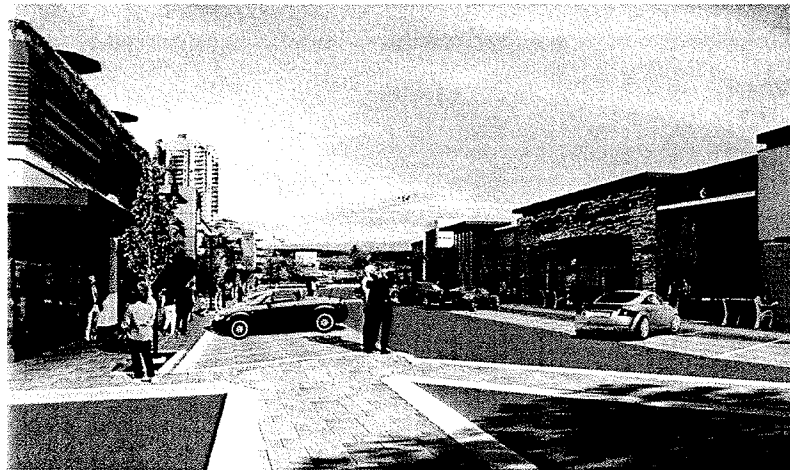






REDEVELOPMENT OF PORT PLACE MALL
 NANAIMO, BC
 for FIRST CAPITAL REALTY

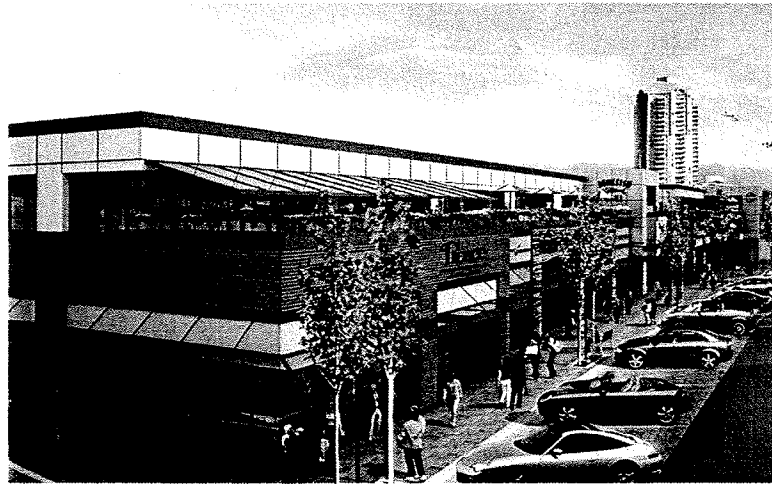
PROPOSED LONDON DRUGS ELEVATION



REDEVELOPMENT OF PORT PLACE MALL
 NANAIMO, BC
 for FIRST CAPITAL REALTY

PERSPECTIVE OF PROPOSED HIGH STREET





REDEVELOPMENT OF PORT PLACE MALL

NANAIMO, BC
for FIRST CAPITAL REALTY

BUILDING 'D' - LEVEL 2



REDEVELOPMENT OF PORT PLACE MALL

NANAIMO, BC
for FIRST CAPITAL REALTY

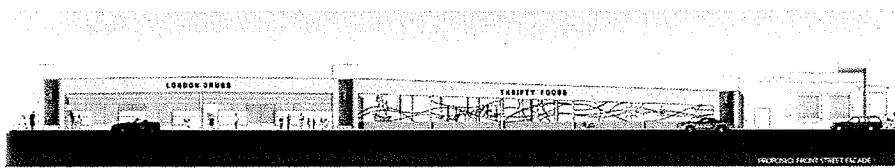
PROPOSED THRIFTY FOODS ELEVATION





REDEVELOPMENT OF PORT PLACE MALL
NANAIMO, BC
for FIRST CAPITAL REALTY

PROPOSED GATEWAY PLAZA



REDEVELOPMENT OF PORT PLACE MALL
NANAIMO, BC
for FIRST CAPITAL REALTY

PROPOSED FRONT STREET FACADE





REDEVELOPMENT OF PORT PLACE MALL

NANAIMO, BC
for FIRST CAPITAL REALTY

PROPOSED BUILDINGS 'B' & 'C'



REDEVELOPMENT OF PORT PLACE MALL

NANAIMO, BC
for FIRST CAPITAL REALTY

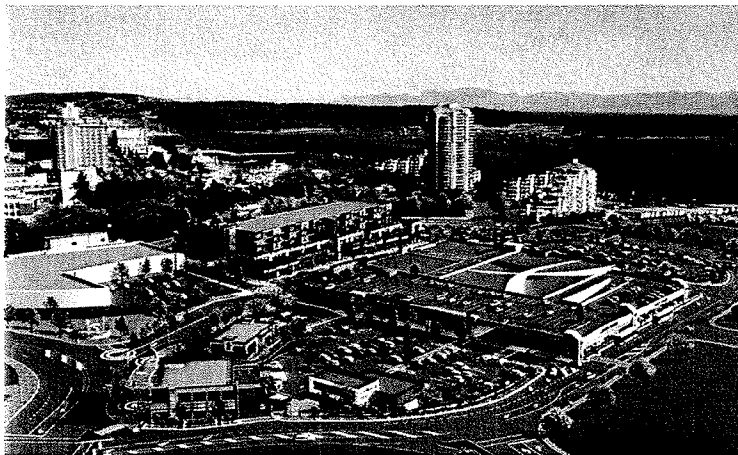
PROPOSED BUILDING 'C'





REDEVELOPMENT OF PORT PLACE MALL
NANAIMO, BC
for FIRST CAPITAL REALTY

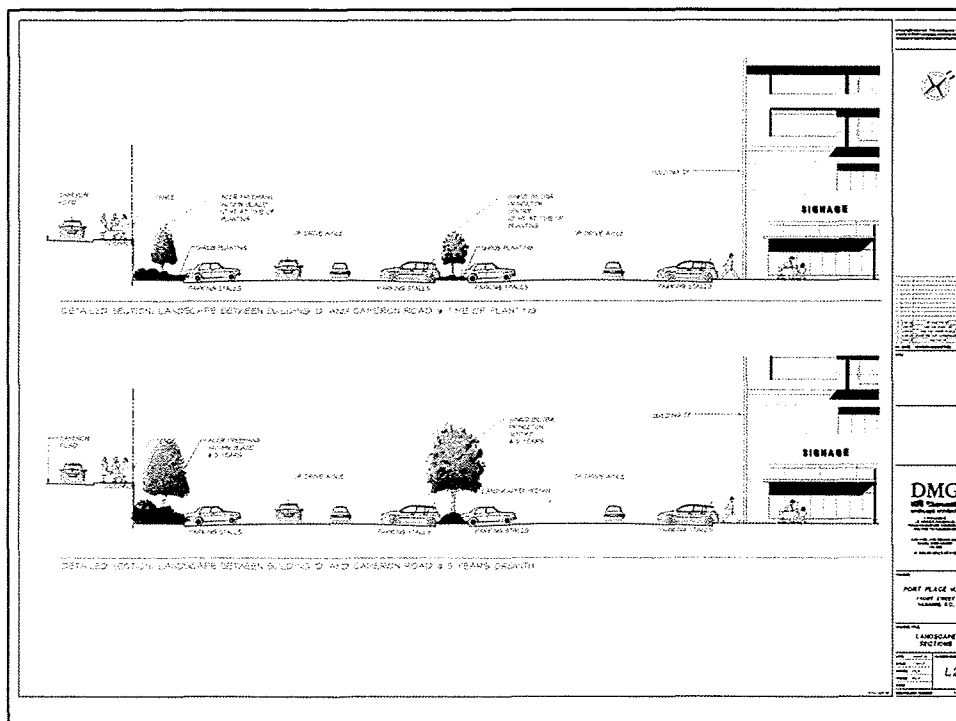
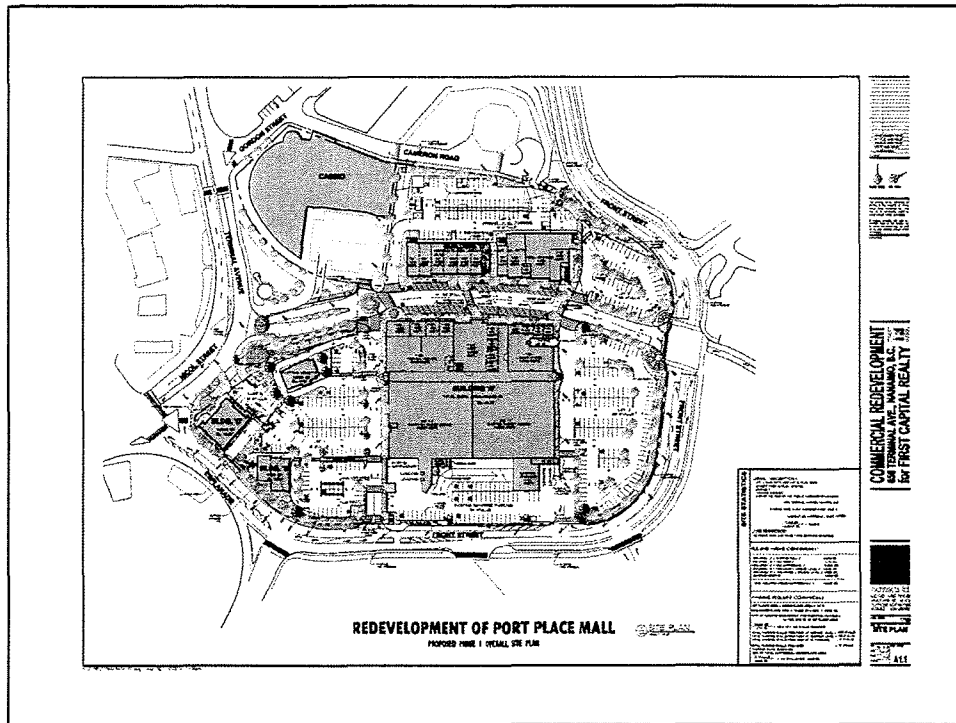
PROPOSED RESIDENCES
- VIEW ALONG CAMERON ROAD

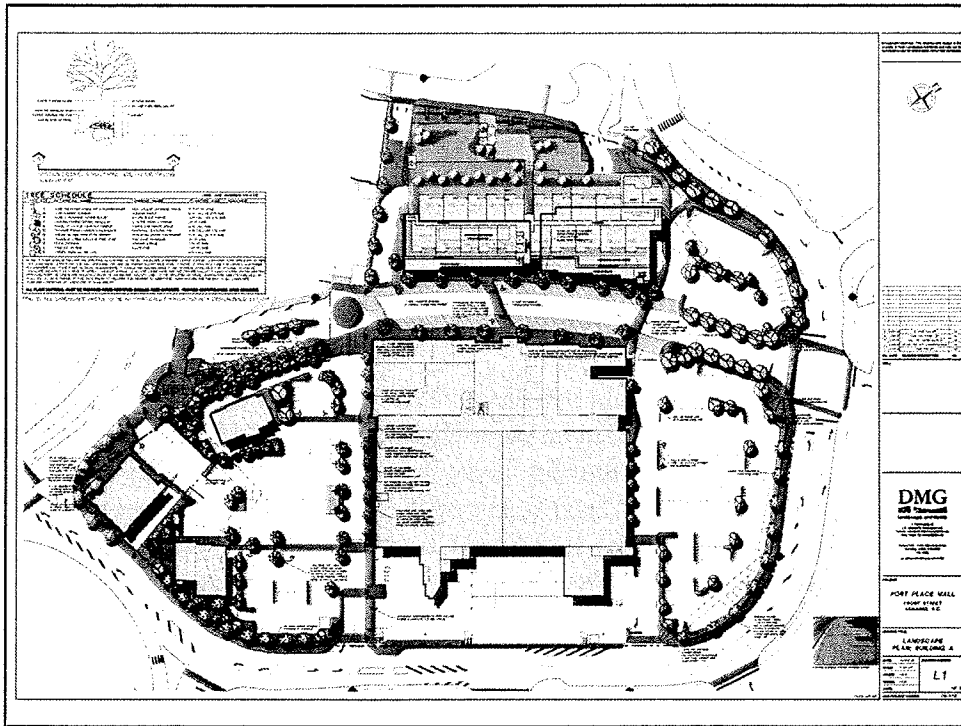


REDEVELOPMENT OF PORT PLACE MALL
NANAIMO, BC
for FIRST CAPITAL REALTY

PROPOSED OVERALL RENDERING
FOR DEVELOPMENT PERMIT APPLICATION







Lawrence Rieper
990 Campbell Street,
Nanaimo

July 8th 2010

Lady & Gentlemen,

I wish to address the issue of a 26 story high-rise building at Port Place Mall. From my brief perusal of maps and the site itself, I conclude that if one can see the present clock tower advertising Port Place, one will be able to see the high-rise.

I want to tell you that it appears that this building will impact on the view corridors of Albert Street and Victoria Road (and maybe even Nichol Street). Currently, of the fan-out roads leading west from downtown: Franklin Street is impacted by the Beacon; Fitzwilliam Street is impacted by the Coast Bastion; Westworth Street is somewhat impacted by the former Nanaimo Realty building; Campbell Street is very seriously impacted by the Pacifica; Comox Road has long been impacted by Seacrest.

Over the past several years, I have heard references, from City Staff, to the importance of maintaining view corridors. As you can see from the preceding list, somebody hasn't done a very good job of maintaining this goal. We in the Old City/Nob Hill area have a neighbourhood plan which speaks to the preservation of view corridors. We have almost lost them all. If you approve this plan, you will have accomplished this entirely. Our neighbourhood plans are an article of faith between you and the populace. You breach this trust at your peril. You cannot fool all the people for all time.

I know that Port Place/Harbour Park Mall has had a long standing authority for a high rise at its centre, but this location is different. I understand they need a firm foundation, and most of it is built on fill. I don't understand why we need high-rises anyway. Clearly, the demand for them in this city isn't very great -- just look at the low occupancy rate at Pacifica.

I strongly advise you to reconsider this proposal. It is not very well thought out.

*
HILL I AM
STANDS FROM
LIVES IN
STANDS IN
THE HILL
RECENTLY IT
HAD BEEN
DEDICATED THAT
HIGH RISE
WAS BE
CONSIDERED ON
THE SITE OF
CLOCK TOWER
IT THE
TOWER OF
THE MALL
PARKING AREA.
THIS MIGHT HAVE
BEEN A LESS
DENSE LOCATION
TAKING INTO
ACCOUNT THE
NEARNESS OF THE
BEACON TO THE
PRESENT PROPOSAL
WITH A LESS
AS WELL AS THE
LINE A TOWER WOULD
OCCUPY.
NOT VERY MANUSCRIBLE

(OF INDETERMINATE SIZE)

Nanaimo Old City Association (NOCA)
C/O Andrea Blakeman
66 Kennedy Street,
Nanaimo BC
blakemanad@gmail.com

Honourable Mayor and Council Members,

The Nanaimo Old City Association appreciates the chance to express our concerns with regards to the lack of neighbourhood consultation by First Capital on the Port Place Mall project. While we recognize the project does not all within our neighbourhood boundary, it will have an impact on the Old City Neighbourhood.

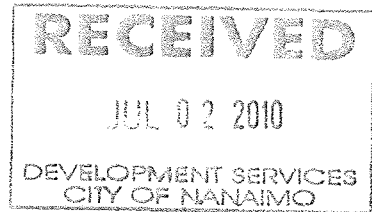
It is our understanding, that phase 3 of the proposed 26 storey component of the Port Place Mall project was added to the original development plan to increase the housing portion of the project. It is our belief that an addition of this type of housing will not have the desired effect of raising downtown density. We would offer as example, Pacifica on Front Street with extremely low year-round occupancy (and possibly Cameron Island ... but need stats on that).

We urge City Council and City Administration to look carefully at the current and long-term needs of downtown Nanaimo. It is possible to maintain a high-density approach to housing while considering models other than high-rise accommodation. It is our hope that City Council will take this into consideration when reviewing phase 3 of the Port Place Mall development plan.

Our association is committed to being involved and informed as Nanaimo continues to evolve.

Sincerely,

Andrea Blakeman, Interim President,
Nanaimo Old City Association (NOCA)



To: City Council Members
City of Nanaimo
Community Safety and Development Division

Re: Bylaw No. 4000.480
(To permit the use of land for a highrise
building of 26 stories)
Location: Part of 650 Terminal Ave.
File No: RA 223

To City Council Members:

Please vote NO to rezone Harbour Park Zone (C-29) to Harbour Park Zone (C-29h) in order to add the 'h' designation to allow an increase in building height from 6 storeys to 26 stories.

If Bylaw No. 4000.480 is passed a 26 storey highrise building will be built with an existing 26 storey highrise (Beacon Highrise Building 154 promenade Dr.) directly in line or dead centre between it and the open ocean or ocean view.

I feel that law suits will be filed from owners of condominiums in the Beacon Highrise because of obstruction to city views. When the owners purchased their condominiums they understood the bylaw (C-29) limit to only 6 storeys.

Yours Truly,
Louis DeVault (250) 741-1972
Louis DeVault

Penny Masse

From: jim miller [jmillertd@shaw.ca]
Sent: Monday, June 28, 2010 3:02 PM
To: Public Hearing
Cc: jim miller
Subject: Bylaw No. 4000.480

City of Nanaimo
City Safety and Development Division
455 Wallace St.
Nanaimo, BC V9R 5J6

We wish to express our concern over allowing approval for a 26 story building in lieu of the proposed 6 story building. We live on the 16th floor of the Beacon on Cameron Island, with our balcony & bedroom view facing directly towards the proposed 26 story building. Consider that we recently moved from Vancouver to Nanaimo (October, 2009).

My concerns are as follows:

1. Our view of the mountains to the southwest will become obstructed.
2. Our bedroom privacy will be invaded with a tall building directly across the street.
3. We recently moved to Nanaimo to avoid traffic and noise. With a large residence right across the street, our recent move to here will become more crowded and noisy, like Vancouver.
4. There will be a long construction period, with much noise and inconvenient access delays, especially so if there is pile driving.
The noise pollution will be a considerable detriment.
5. Our property value will be decreased considerably during construction, as well as after completion of the building. Will the city reduce the property assessment and tax rate for Cameron Island residents accordingly?
6. We just spent \$60,000.00 renovating our suite to make this our home the way we wish it to be (remember we just moved here 6 months ago).
We hope you will appreciate the desire we have to live here in Nanaimo, the way it currently is, and not to become another Vancouver.

Please do not allow a variance in the Bylaw to allow for the 26 story building. The 26 story building as proposed will most certainly erode our recent investment in your city. If it has to be built, why not place it in the parking area between the Wendy's and London Drug? It would still have a great view, and not be a detriment to the many residents of Cameron Island.

Cameron Island is a unique jewel for the City of Nanaimo. Please don't destroy this city amenity.

Sincerely

Jim & Mary Miller
#1602 - 154 Promenade Drive
Nanaimo, BC V9R 6Y3

250-591-1125

email: jmillertd@shaw.ca

Penny Masse

From: Webmaster
Sent: Tuesday, June 29, 2010 10:53 AM
To: Public Hearing
Cc: Cam Scott
Subject: Send a Submission Online

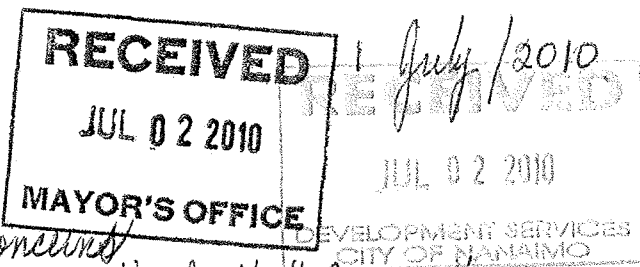
Dorothy McCuish has sent a Public Hearing Submission Online.

Address: 2402-154 Promenade Dr.

Bylaw Number or Subject Property Address to Which they Are Addressing Your Comments: 4000.480 Comments/ object to allowing developer to change height of building.

He has been allowed many concessions already such as limiting services in the Mall

CITY HALL
MTN. MAYOR



To Whom This Concerns

I live on the 5th of the Beacon on
Cameron Island and my balconies face the Mall and
part of the "Marine". I can see Mtn. Benson
and all of the Coastal Mountains now.

I will not be here for the Public Hearing
on the 8 July as I will be travelling to Alberta. I
am worried that this highrise will be changed again
like the property near Lancashire Ave on Northfield
that the property owners have to deal with lies and
changes behind the property owners back including
parking on their road. As you know this isn't
a great thing for the rest of us as taxes are
on the rise and at my age (senior) we don't need
changes.

I am not in favour of any 26 story
building going up in this area for reasons I about
Northfield.

Miss S. Nordal

#502-154 PROMENADE DR.

SHIRLEY NORDAL

NANAIMO, BC V9R6Y3 Aloha, Hawaii

Penny Masse

From: Marilyn Smith
Sent: Monday, July 05, 2010 9:10 AM
To: DIRECTORS; Penny Masse
Subject: FW: Submission for Public Hearing - Bylaw 4000.480

FYI

Marilyn Smith
Administrative Assistant to Mayor and Council
CITY OF NANAIMO
Phone: 250-755-4400 Fax: 250-754-8263

From: Scot Merriam [mailto:srmerriam@telus.net]
Sent: Sunday, July 04, 2010 8:53 PM
To: Mayor&Council
Subject: Submission for Public Hearing - Bylaw 4000.480

Dear Mayor and Council:

Once again I see the push on to shroud our beautiful waterfront with towers, casting shade onto areas where both tourists and locals like to enjoy a stroll on the seawall or just relaxing at the boat basin. Why is it that we can't learn from the past – Cape Developments Pacifica, though a beautiful building, screens the sunlight from the seawall for most of the day, making it cold and uninviting. Why is it that high-rise buildings – which can provide commanding views when placed significant distances from the waterfront – invariably end up on the water? Are we so focused on development profits that we are willing to compromise the very thing that keeps people coming to Nanaimo – our waterfront?

While a tall, thin tower may in some cases be preferable to a lower rise but much wider building, in this case the proposed location for such a tower is a mistake as it is way too close to the seawall and boat basin. The tower should be located on the south corner of the property if anything.

Please accept this letter in opposition to the proposed bylaw change. I truly hope common sense will prevail and you will have the courage to make the right long term decisions on this. Nanaimo is a very desirable place, so let's try to keep it that way.

Sincerely,

Scot Merriam
3555 Falcon Drive

Penny Masse

From: Larry Mashinter [larmash@shaw.ca]
Sent: Tuesday, July 06, 2010 10:38 AM
To: Public Hearing
Subject: Zoning Bylaw 1993 No. 4000

City of Nanaimo,
Community Safety and Development Division.

We have the following comments with regard to Bylaw No. 4000.480 File No. RA223

1. We find the inclusion of Map D in the Notice to be at the very least deceitful if not openly fraudulent. The subject property is tucked away at the top right hand corner of the map and the one street name of significance, being Promenade Drive has been carefully omitted. The tax-payers most directly affected by this re-zoning are those mostly retired seniors residing in The Beacon, The Gabriola and The Newcastle buildings on Cameron Island. In talking to many of these neighbours, I find that due largely to the deceptive map, most people do not realize this tower will materialize right in front of the only entrance/exit to Promenade Drive. Also, the original shopping center re-design proposed a low-rise condo building on the westerly portion of Lot 650 off Terminal Ave., no where near this location.
2. Unlike a 6 storey structure which can be "stick-built" in a relatively short time period, a 26 storey tower becomes a major construction project entailing bed-rock drilling and blasting for foundations and parking facilities, delivery and on-site storage of huge quantities of structural steel, re-bar and concrete as well as a greatly extended construction time period.
3. Let me be clear that I do not oppose a 26 storey luxury condo project in the down-town redevelopment area. In fact the more rich retirees we can attract to this section of town the better. More residents means more restaurants, shops and additional other necessary services we require. However, in case the Planning Department hasn't noticed, this area of Front Street is already a parking lot with travellers and residents waiting to get into the Gabriola ferry waiting area. More traffic congestion here we do not need.
4. In summary, do we need more traffic congestion on this portion of Front St. and at the only entrance to Promenade Dr? NO. Do we need two years of dust, noise and truck traffic at our front doors? NO.
5. The obvious solution is to fix the Gabriola ferry traffic congestion problem by moving it to either the area to be created around the new Cruise Ship Terminal or relocate it to the under-utilized Duke Point facility.
6. Reject the proposed by-law amendment but restore the original 6 storey condo to its original location, no harm done.
7. Rezone the Convention Center Hotel site and suggest that First Capital Realty construct four or six (or whatever is the required number) of hotel floors as the base for their 26 storey condo project on that already prepared site. Previous Council seemed incapable of giving this property away, surely we long-suffering tax-payers should receive market value for a zoned 26 storey condo development site.

Thank-you for your consideration,

Larry Mashinter and Charlene Jamieson
#110, 158 Promenade Dr.
250-714-1162