

2008-MAR-26

STAFF REPORT

TO: A. TUCKER, DIRECTOR, PLANNING & DEVELOPMENT, DSD

FROM: D. LINDSAY, MANAGER, PLANNING DIVISION, DSD

RE: REPORT OF THE PUBLIC HEARING HELD THURSDAY, 2008-MAR-06
FOR BYLAW NO. 4000.431

STAFF'S RECOMMENDATION:

That Council

1. receive this report and the minutes of the Public Hearing held on Thursday, 2008-MAR-06 and,
2. provide direction with respect to the proposed covenant amendment to increase the building height on 6340 McRobb from 15 to 25 storeys. (The associated zoning bylaw amendment appears on this evening's agenda for consideration of the third reading.)

EXECUTIVE SUMMARY:

A Public Hearing was held on 2008-MAR-06, the subject of which was two items. Approximately 60 members of the public were in attendance. Minutes of the Public Hearing are attached.

BACKGROUND:

1. BYLAW NO. 6000.080:

OCP44 – 3800 Wiltshire Drive (Glen Oaks)

This bylaw, if adopted, will include the subject properties within the Steep Slope Development Permit Area of the Official Community Plan, thereby making the Steep Slope Development Permit Area Guidelines applicable to the subject properties.

2. BYLAW NO. 4000.432:

RA167 – 3800 Wiltshire Drive (Glen Oaks)

This bylaw, if adopted, will rezone the properties from Single Family Residential Zone – Large Lot (RS-2) to Steep Slope Residential Zone (RS-7) in order to permit a comprehensive development in a steep slope area.

These applications appear before Council this evening for consideration of Third and Final Reading.

Three verbal and two written submissions were received for this bylaw.

3. BYLAW NO. 4000.433:

RA202 – 6340 McRobb Avenue

This bylaw and associated covenant amendment, if adopted, will permit a site-specific text amendment to the existing RM-7 Zone (High Density Multiple Family Residential – Highrise – Zone) for an increase in height from 15 storeys (50 metres) to 20 storeys (66 metres).

This application appears before Council this evening for Third Reading and covenant approval.

Twenty verbal and fifteen written submissions were received for this application.

4. BYLAW NO. 4000.434:

RA198 – 1210, 1222, 1232, 1234, 1240, 1250, and 1260 Island Highway South - RONA

This bylaw, if adopted, will rezone the property from Single Family Residential Zone (RS-1), Mixed Use Commercial Zone (C-4), and Light Industrial Zone (I-2) to Service Commercial Zone (C-13) in order to permit the development of a home centre.

This application appears before Council this evening for Third Reading.

There were no verbal or written submissions received for this application.

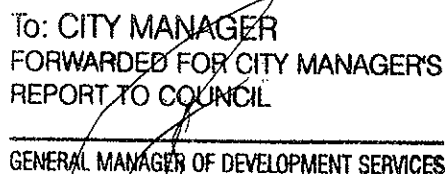
Respectfully submitted,



D. Lindsay
Manager, Planning Division
Development Services Department

A. Tucker
Director, Planning & Development
Development Services Department

**TO: CITY MANAGER
FORWARDED FOR CITY MANAGER'S
REPORT TO COUNCIL**



GENERAL MANAGER OF DEVELOPMENT SERVICES

**MINUTES OF THE PUBLIC HEARING HELD PURSUANT TO THE
LOCAL GOVERNMENT ACT, IN THE BOARD CHAMBERS OF THE
REGIONAL DISTRICT OF NANAIMO, 6300 HAMMOND BAY ROAD, NANAIMO, BC,
ON THURSDAY, 2008-MAR-06, TO CONSIDER AMENDMENTS TO
THE CITY OF NANAIMO "ZONING BYLAW 1993 NO. 4000"
AND "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000".**

PRESENT: Mayor G.R. Korpan
Councillor W.L. Bestwick
Councillor M.D. Brennan
Councillor J.D. Cameron
Councillor W.J. Holdom
Councillor C.S. Manhas
Councillor L.J. Sherry
Councillor M.W. Unger

REGRETS: Councillor L.D. McNabb

STAFF: D. Lindsay, Manager, Planning Division, DSD
S. Smith, Planner, Planning Division, DSD
P. Masse, Planning Clerk, Planning Division, DSD

PUBLIC: There were approximately 60 members of the public present.

CALL TO ORDER:

Mayor Korpan called the meeting to order at 7:01 pm. Mr. Lindsay explained the required procedure in conducting a Public Hearing and the regulations contained within Section 892 of the *Local Government Act*. Mr. Lindsay 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 and Adoption of Zoning Amendment Bylaw 1993 No. 4000.432 and Official Community Plan Amendment Bylaw 1996 No. 6000.080; Third Reading to Zoning Amendment Bylaw 1993 No. 4000.433; and Third Reading to Zoning Amendment Bylaw 1993 No. 4000.434 at the next regularly scheduled Council meeting of 2008-MAR-31.

1. BYLAW NO. 6000.080:

OCP44 – 3800 Wiltshire Drive (Glen Oaks)

This bylaw, if adopted, will include the subject properties within the Steep Slope Development Permit Area of the Official Community Plan, thereby making the Steep Slope Development Permit Area Guidelines applicable to the subject properties.

2. BYLAW NO. 4000.432:

RA167 – 3800 Wiltshire Drive (Glen Oaks)

This bylaw, if adopted, will rezone the properties from Single Family Residential Zone – Large Lot (RS-2) to Steep Slope Residential Zone (RS-7) in order to permit a comprehensive development in a steep slope area.

Mr. Lindsay noted that the subject properties are not developed although the lots exist and the roads have been dedicated as part of a previous subdivision a number of years ago. If the properties are successfully rezoned the applicants' intention is to include it with the neighbouring properties to the west to form a comprehensive development under the RS-7 Zone.

Mr. Peter Dandyk, Architect / Applicant

- Mr. Dandyk's presentation is attached as a part of "Schedule A: Submissions for Bylaws No. 6000.080 and 4000.432".

Mayor Korpan asked for clarification regarding "parking pockets", including how many cars they could facilitate and the dimensions.

Mr. Dandyk stated that parking projections had been worked on closely with Staff for the proposal. The difference between the number of cars accommodated by the parking pockets versus traditional parking is a difference of less than 10%. The parking pockets will accommodate two cars each on both sides of the street throughout the development and have been planned well into the detailed design stage of the process.

Mayor Korpan asked for clarification on the statement that the homes "that better relate to the street".

Mr. Dandyk noted that all homes would include a reduced front yard.

Councillor Cameron asked for clarification on any proposed bicycle paths throughout the development.

Mr. Dandyk noted that both pedestrian and bicycle paths (two separate networks) will be carried through the development, adding that the concept was to have less focus on asphalt by creating the parking pockets with landscaping opportunities which both visually and functionally makes the street more compact, however the driving lane is as wide as a conventional street.

Councillor Holdom asked for clarification on the configuration being safer for cyclists as they do not have to manoeuvre around parked cars on the roadway.

Mr. Dandyk confirmed the configuration is safer for cyclists as there is a roll-up curb with a focussed area along the edge and a separation, adding that the parking pockets themselves are a few inches higher than the regular roadway, so it is distinct, clear and attractive.

Councillor Holdom asked for clarification on the focus on "craftsman style homes" and whether or not that will be controlled via covenant.

Mr. Dandyk noted that all of the multi-family developments would be built by Century Holdings and, at the very least, very strict standards will be employed, added that all involved are committed to creating a special development.

Councillor Unger asked for clarification on any impact the narrow streets may have on emergency vehicle access.

Mr. Dandyk noted that the roadways are as wide as conventional streets and meet all standards.

Councillor Unger asked if the road on the west side would be a through road in the future.

Mr. Dandyk confirmed that the road would be accessed in the future.

Councillor Unger asked if smaller lots would increase the affordability of the project.

Mr. Dandyk noted that the lots are predetermined by the Steep Slope Bylaw and they meet that bylaw precisely. The smallest lot permitted under the bylaw is 6,000 ft², so the lots are not small, however there is extensive green space included in the proposal, therefore trees are preserved and larger community spaces are created, which include three predominant wetlands. Land cost has not changed and 12 units per acre are being maintained.

Councillor Bestwick asked for clarification on the size of the consolidated project.

Mr. Dandyk confirmed the size of the consolidated project at approximately 70 acres.

Councillor Bestwick asked for the percentage of build-out footprints versus the proposed green space.

Mr. Dandy noted that he did not have that figure on hand but will make it available to Council.

Councillor Bestwick asked what a sustainable development is, by definition.

Mr. Dandyk noted there a number of features, which contribute to a sustainable development including dealing with water responsibly, preserving natural features, medians using local materials, less hard surface, houses more compact using recyclable materials, and encouraging pedestrians and bicycles.

Councillor Bestwick asked for clarification regarding the roadways and any transit implications.

Mr. Lindsay reiterated that although the road right-of-way will be reduced from 20 metres to 17.5 metres, the physical amount of asphalt constructed is very similar to other roadways, in fact slightly wider because the parking is defined separately.

Mayor Korpan asked if Century Holdings had constructed similar projects in the past.

Mr. Dandyk noted that this is a new approach and will be a pilot project for Century Holdings, added that all future projects will employ these principles.

Mayor Korpan asked if Staff was aware of any similar projects that have been completed in the mid-Island area.

Mr. Lindsay did not identify any new urbanism projects in the mid-island; adding there are many examples in the lower mainland. The closest example would be the Hawthorne subdivision in Nanaimo by the Insight Group.

Mr. Roy Richmond, 3728 Glen Oaks Drive -- Opposed

- Appeared before Council previously and was concerned about all construction vehicles accessing the cul-de-sac during building. Would like confirmation that the west end road would be accessed as opposed to Hammond Bay Road and Glen Oaks Drive.

Mayor Korpan noted that it is City policy for truck traffic to use the closest route to the highway system that is safe.

Mr. Lindsay added that it would be ideal to have multiple accesses to any development property, although this location has limited access opportunities. The road to the west is under development, whether the road will be constructed up to the property line at the time construction commences is unsure at this point. Added that the applicant has committed to limiting development to 77 units (subdivision already approved) until the road has been constructed.

Mr. Richmond reiterated he would prefer the applicant to commit to constructing the road prior to development.

Mayor Korpan reiterated that Hammond Bay Road has some limited access issues, it is an area of growth and heavy truck traffic is essential for providing development that is occurring; if they can find a direct route they are required to use it to access the site.

Mr. Barry Page, 3664 Oakridge Drive – Opposed

- Has lived in the area for 22 years and has always had concerns regarding traffic flow up Oakridge Drive. Assumes the heavy traffic created by this development will use Oakridge Drive to gain access to Glen Oaks Drive. Asked for clarification on how many homes would be built in this proposal and what traffic flow may be once completed.

Mr. Lindsay noted that the ultimate build-out of the property would provide two access points, one west to Long Lake and one to the east down from Glen Oaks Drive. The road will provide egress for future property owners as well as access opportunities for those on Glen Oaks Drive; the primary intent is interconnecting these existing neighbourhoods.

Mr. Page reiterated that he would appreciate the developer providing access other than through Oakridge Drive.

No further written or verbal submissions were received for this application.

3. BYLAW NO. 4000.433:

RA202 – 6340 McRobb Avenue

This bylaw and associated covenant amendment, if adopted, will permit a site-specific text amendment to the existing RM-7 Zone (High Density Multiple Family Residential – Highrise – Zone) for an increase in height from 15 storeys (50 metres) to 20 storeys (66 metres).

Mr. Paul Lobofsky, Matrix Architecture & Planning – Applicant

- Proposal is to increase the height of the existing, approved towers on the site from 15 storeys to 20 storeys.

- Public meeting in February that was attended by approximately 40 people and was an opportunity for the development team to hear what the neighbours had to say and to understand any concerns would like to show how the applicants have addressed any issues.
- Current, approved towers had floor plates of 10,600 ft², which is a big floor plate for a residential floor plate and would result in a “high, bulky” building. Proposal reduces the area of the footprint by 16% to produce a slender, taller building.
- Surface parking on the approved plan has a large area for surface parking (75 cars); new proposal places all parking underground except for 8 parking stalls resulting in a significantly larger area of green space on the site.
- Eco Density recognizes the relationship between density and ecologically responsible development, which has been strived for in the new proposal. Growth can be achieved either through sprawl or through density; responsible growth is achieved through density. Due to the accessible commercial and residential factors, it is ideal for density growth.
- Access off Calinda Road will ensure traffic directly to the larger roadways without going through other neighbourhoods.
- Community Contribution of \$175,000 towards the Affordable Housing Legacy Fund, it is also hoped that this development will provide affordable housing for the existing, local community.
- Green space will include a neighbourhood park and pedestrian paths.
- Shadow studies conclude that due to the towers being taller yet more slender they will cast less of a shadow. The setbacks have been increased from 25 feet to 55 feet on one tower and 37 feet on the other. Functionally, the shadow impact is virtually the same in both proposals.

Mr. Peter Joyce, Bunt & Associates – Traffic Consultant

- Did not attend the public open house but does understand there are some traffic concerns. For the amount of density contemplated, the anticipation of traffic in the weekday afternoon peak hour period the project would generate approximately 120 cars (inbound and outbound). This amounts to approximately two cars per minute.
- With the direct access to Calinda Road to Hammond Bay Road and Applecross Road, those two vehicles per minute would largely be focussed to the larger roadways.
- Emphasized the importance of this type of project to a growing city. Locating a project in an urban core area where there is transit, shops and services with walking distance makes a profound difference in the traffic characteristics of a project, strongly encourages approval.

Councillor Manhas asked for clarification on the traffic during peak hours and the possible difference caused by the increase of five storeys.

Mr. Joyce stated that the number of cars is in relationship to the number of units; the additional five storeys relates to an additional 10-12 vehicle trips in the peak hour.

Councillor Manhas asked for clarification on the number of units being increased in the proposal.

Mr. Lobofsky stated that the new proposal calls for an additional 32 units.

Councillor Cameron asked for clarification on the underground parking.

Mr. Lobofsky stated that the underground parking would be two storeys and will include as many stalls as required by the City.

Councillor Sherry asked for clarification on the number of units approved on the previous project versus this proposal.

Mr. Lobofsky confirmed that the original plan called for 240 units, new proposal includes approximately 275 units.

Councillor Sherry asked for clarification on the size of the proposed units.

Mr. Lobofsky stated that the units would be approximately 1,000 to 1,100 ft².

Mr. Lindsay noted that the RM-7 Zone restricts density based on the floor to area ratio. The original proposal showed 15-storey towers with 240 units; however, there was no covenant in place to limit the number of units. They were well below the FAR limits and will continue to be in this proposal. An increase in density is not being requested, just an increase in height.

Councillor Bestwick asked for clarification on the units being considered affordable housing and what the unit size breakdown would be.

Mr. Lobofsky stated that, at this point, there would likely be a predominance of two-bedroom suites, some one-bedrooms with bachelor suites unlikely. Conceptual planning includes 8 units per floor with an average size of 1,100 ft².

Councillor Holdom asked for clarification on whether or not the community contribution of \$175,000 to the Affordable Legacy Fund would be enough to purchase one of the units.

Mr. Lobofsky confirmed it was not likely.

Mr. Peter Eich, 6421 Pachina Place – Opposed

- House is on the northeast side of the development, will fall under shadow of the tower.
- Accepted the original plan of 15 storeys, but believes the shadows created will be "significantly" more dramatic with the increased height, furthermore believes the shadow studies for the new proposal are incorrect and misleading.
- Concerned about the increased density in traffic.
- Does not believe the proposal is in the best interest of anyone in the community.

Councillor Brennan asked Staff for clarification on the shadow studies produced for the original proposal.

Mr. Lindsay confirmed that Staff has copies of the original shadow studies and will make them available.

Councillor Unger asked Mr. Eich if he has any documents that firmly state that the 15-storey towers would not go over a certain height in the purchase agreement.

Mr. Eich stated that the disclosure agreement clearly stated that it would be a 15-storey development on the proposed location.

Mayor Korpan asked Staff for clarification on whether any statements regarding current shadow studies being misleading is correct or not.

Mr. Lindsay stated that Staff believe the shadow studies accurately reflect the original and current rezoning proposals.

Mr. Jim Harris, 6430 Pachina Place – Opposed

- Main concerns are the shadows created and the increased density.
- Believes there will be more than 120 cars per hour created by the development and that traffic in the area is already hazardous.
- Agreed to two 15-storey towers, believes the shadows from the new proposal will be more dramatic.
- Understands densification, does not believe this area needs any more densification and will result in the area being less amenable to the people living there.
- Concerned about the negative effect the development would have on neighbourhood properties.

Mr. Alan Falconer, 6410 Pachina Place – Opposed

- Did accept the previous development plans, which was detailed in the purchase agreement. Believes it is a matter of ethics on the developer's part to inform the neighbourhood. He purchased in good faith based on those plans, believes it should be developed in good faith.

Mayor Korpan asked Mr. Falconer his opinion on how long a property should retain the design and capacity of plans that has since had changes occur to it. For example, if a society says we want to go tall and narrow as opposed to short and squat for density purposes, should the property follow the old rules or the new rules.

Mr. Falconer stated he believes that Council should follow the old rules.

Councillor Brennan asked Mr. Falconer if the change to creating underground parking and more green space has any effect on his judgement of the proposal.

Mr. Falconer stated that if more green space could be achieved for a 20-storey tower then it could also be achieved for a 15-storey tower.

Councillor Brennan asked Mr. Falconer if his judgement would be altered if the shadow studies submitted were in fact accurate and correct.

Mr. Falconer noted that he has not seen the shadow studies as of yet, adding that a narrower shadow does not sway his opposition to the proposal.

Mr. Doug Johnston, 5604 Hiquebran Road – In Favour

- Lives approximately 2–3 km's away from the proposed development, travels along Hammond Bay Road to the mall regularly. The additional units proposed would be 1km away from the busiest high school and mall in the City, does not believe traffic would be noticeably increased.
- Purchased his property in 1989 and in 2006 his property was rezoned to RS-7, believes we have to follow through with concepts of new urbanism, eco density, sustainability and smart growth and "walk the walk, not just talk the talk".

Mr. Mike Hunter, 3522 Osprey Lookout – In Favour

- Respects the local resident point of view, however, as a resident of Nanaimo would like to stress to Council that its support for densification and greening is part of the reason Nanaimo is becoming the popular place it is. Council will continue to have to consider applications to accommodate the demand for growth and housing in Nanaimo.
- Has looked at this from a broad approach; believes it meets all the goals that have been set out with respect to the Woodgrove Urban Node to attempt to make it a more dense area of the City. More importantly, the more people that can be compressed into smaller areas so that people can walk to services, schools and commercial centres is an important principle that has been established and needs to be encouraged.
- This proposal meets all the Smart Growth BC principles, it helps minimize sprawl and the impacts of the proposal are marginal in the right direction.

Councillor Holdom asked Mr. Hunter as a previous government representative about the amenity contribution offered by the applicant. While he agrees the proposal satisfies a number of the planning objectives in place and that it is a project worthy of merit, increasing the density is likely to increase the value of the property. Asked Mr. Hunter if he believes the public should share a bit more in the increase in value that what has been offered.

Mr. Hunter declined to "offer a silver bullet for the homelessness issue". Does believe that this Council is ahead of many other communities within BC in addressing the issue and that it is a legitimate question to the developer.

Mr. Bob Rutherford, 6372 McRobb Avenue – Opposed

- Asked Staff for clarification on what criteria City Planners considered apart from the amenity contribution and the underground parking that led to "sign off" on the proposal.

Mr. Lindsay noted that the first step is for Staff to evaluate whether the application meets the goals of the OCP; adding that there were specific aspects on the revised application that were of sufficient merit to forward to Council for consideration. These included the elimination of surface parking, the increased setbacks for the town homes and reduced the floor plates.

Mayor Korpan added that the addition of an access road is also beneficial.

Mr. Lindsay noted that the road was not constructed at the time of the previous rezoning, but Calinda Road has now been constructed to a width and standard to accommodate high density.

Mr. Rutherford asked if there was a master plan for north Nanaimo and, more specifically, if a library is planned for the area.

Councillor Holdom stated that the OCP is in the process of being reviewed, a draft of which will be available to the public in the immediate future. Public consultation will then be undertaken for concerns including density concerns.

Added that a significant library was built downtown not that long ago by the Vancouver Island Regional Library Board. Many other communities are now awaiting facilities of their own that may have greater need than Nanaimo at this time.

Mr. Ken McKenzie, 6624 Groveland Drive – In Favour

- Does not see any negatives for an increase in only five storeys, instead sees positives with the reduced above ground parking, increased green space and setback increases.

Mr. Don Hubbard, 1679 James Road – In Favour

- Believes there is a looming shortage of developable land in Nanaimo due to the trend of sprawl in the past.
- We have an opportunity to show a lead as we have a project that is approved at 15 storeys. It is within walking distance to shopping and schools, which is a healthy living attribute.
- Green space is much more desirable than asphalt.
- Does not believe a five-storey increase would have any real impact.
- Amenity contribution is not the only thing to consider; the DCC's created from the project would help with much needed infrastructure.

Mayor Korpan asked Mr. Hubbard, with his experience in construction, if it is fair to say that underground parking is exceptionally expensive to construct and whether or not an increase in density is a way to offset those high costs.

Mr. Hubbard agreed underground parking is expensive to construct and that an increase in density would definitely offset those expenses.

Councillor Bestwick asked Staff for an estimate on anticipated DCC contribution as it relates the difference in storeys being added to the proposal.

Mr. Lindsay approximated a DCC of \$2,000,000.

Mr. Chris Sharp, 3520 Monteray Drive – In Favour

- Densification makes sense for the area as it is in walking distance to many amenities, decreasing vehicular traffic.
- At the time the original proposal was approved Calinda Drive was non-existent; this new road will reduce impact to existing roadways.
- Believes the project is a positive for the City overall.

Mr. Darren Moss, 1315 Waddington Road – In Favour

- Believes there are many technical merits of the proposal, it is exciting to watch a development make some concessions required to create housing for younger people and families. Many projects often cater to the retirement community or more established persons.
- Supports and applauds the smaller footprint being proposed.

Councillor Brennan asked Mr. Moss what kinds of opportunities exist for buying affordable homes in Nanaimo for people his age, given their youth and perhaps short attachment to the work force.

Mr. Moss stated that he is 32, works in construction management in Nanaimo and he and his wife recently purchased a home for \$220,000; his salary pays for the mortgage and his wife's salary pays for the incidentals. If a developer can get the footprint and the construction costs to a level of approximately \$300,000, it makes it achievable for many young families.

Councillor Brennan asked Mr. Moss sees that most people his age are able to purchase homes.

Mr. Moss if a couple buys a home together than it is more attainable, however it would usually be an older home that needs to be upgraded.

Councillor Brennan noted that she has four children under the age of 35 and only two of them are in a position to purchase housing, adding that purchasing on the whole is difficult for younger people / families and that she believes Mr. Moss is quite lucky to have been able to purchase housing.

Mr. Moss thanked Councillor Brennan and agreed.

Mr. Peter Meridew, 6245 Waterbury Road – Opposed

- Not opposed to development of high rises per say, as he used to live in Toronto. However, high rise development is usually arranged in an area where high rises are intended to be. The tallest building in the area is only five storeys, very concerned about the proposals physical presence at either 15 or 20 storeys.
- Believes it is out of character with the neighbourhood and that it is unlikely that any future high rises will be constructed in the area.
- Concerned about fire protection and whether or not the Fire Department has any training on fighting fires on the 20th storey of a concrete tower.

Councillor Brennan stated that the Fire Chief has indicated that specialized training for the Fire Department to equip them with the knowledge of fighting fires in high rises.

Mayor Korpan noted that the entire Woodgrove Regional Town Centre Node has had some of the highest densities and heights allowances going back prior to 1980, it is not that there hasn't been the legal right to construct these densities it is that the market has spread horizontally instead of vertically.

Ms. Marlene Ball, 6424 Pachina Place – Opposed

- Concerned how approval of this proposal would affect her building during construction, i.e.: underground parking construction, she believes homes will be affected structurally to some degree. Asking Council to offer an opportunity for compensation, should cracks appear in neighbouring home foundations and ceilings.

Mayor Korpan stated that there is an existing inherent right to remedy and compensation by any damage by whatever action takes place on a neighbouring property, asked Staff to elaborate.

Mr. Lindsay noted that any development would carry insurance, especially where blasting or risk is inherent, an inventory would probably occur prior to construction. Added that he does not believe blasting will occur in this case as it is mostly sand.

Mayor Korpan noted that it is useful for owners regardless to take digital images of your entire foundation and building to ensure any changes are documented. If blasting does take place, there is an obligation by the blaster to be bonded and insured, all information would be posted and on record at the Planning Department at City Hall.

Ms. Eva Rutherford, 6372 McRobb Avenue— Opposed

- Does not believe the towers will fit neighbourhood character, encourages a neighbourhood plan to ensure so.
- Believes that the two towers look strange. Supports density but this is not the “only place for density”.

Mayor Korpan noted that the new draft OCP is available at City Hall and on the website points out all of the different urban nodes and town centres where higher density is being proposed.

Ms. Rutherford noted that she walks a lot but that a lot of people “don’t”, therefore she is unsure that as many people will walk to amenities as stated.

Mr. Jim Stewart, 6521 Dover Road – In Favour

- Has no affiliation with the applicant.
- Intends to downsize with his wife now that their children have left, they intend to purchase in the proposed area. Active in the community and they intend to continue living in the area and supporting the neighbourhood.

Ms. Leslie Lorenz, 40 Kennedy Street – In Favour

- The environmental impact of our community having to create another 60-unit development if this project is denied will be huge.

Mr. Craig Weir, 5324 Kenwill Drive – In Favour

- Lives and works close to the proposal site.
- Does not understand the difference between a taller shadow or a wider shadow, the developers are willing to decrease the footprint, increase green space and create underground parking. No matter what, there will be some shadow.
- Does not believe the extra units will adversely affect traffic, the City needs more housing.

Ms. Maureen Pilcher, Applicant Representative – In Favour

- Ms. Pilcher’s submission is attached as a part of “Schedule B: Submissions for Bylaw No. 4000.433”.

Mr. Peter Eich, 6421 Pachina Place – Opposed - Redress

- Noted that sale of the property is subject to approval of the proposal, asked for clarification on what would happen if the proposal were denied.

Mayor Korpan suggested Mr. Eich speak to the developer about the sale of the property.

Mr. Bob Moss, 2732 Neyland Road – Opposed

- Our OCP encourages increased residential density in designated town centres and it is a key concept to sustainable growth. Woodgrove is one of our most important town centres and it is important that we encourage residential density in that node.
- High rise is also important to increased residential density, but the economic viability of high rise development in today's construction market has yet to be proven.
- We should encourage developers to increase residential density to rational high rise development. If adding five storeys to the currently approved development makes it economically viable, he encourages Council to support the application in order to achieve the worthwhile objectives of our OCP.

Councillor Brennan asked Staff for clarification on how long the housing on Pachina Drive has been there.

Mr. Lindsay noted that the housing has been on Pachina Drive for approximately three years.

Councillor Brennan asked if a rezoning was required at that time.

Mr. Lindsay stated that the entire block has gone through a number of configurations in the last 15 years.

Councillor Brennan requested that Staff provide the zoning history for this lot.

Councillor Cameron requested that a copy of the Disclosure Statement be distributed to Council.

Mayor Korpan requested that Staff follow up on these issues.

No further written or verbal submissions were received for this application.

4. BYLAW NO. 4000.434:

RA198 – 1210, 1222, 1232, 1234, 1240, 1250, and 1260 Island Highway South - RONA

This bylaw, if adopted, will rezone the property from Single Family Residential Zone (RS-1), Mixed Use Commercial Zone (C-4), and Light Industrial Zone (I-2) to Service Commercial Zone (C-13) in order to permit the development of a home centre.

Councillor Sherry asked Staff for confirmation that if the rezoning were to be approved that all lots would be consolidated into one parcel.

Mr. Lindsay confirmed that lot consolidation will occur and the current fronting road will be decommissioned and one new property will be accessed off Maki Road.

No presentations were made.

MOVED by Councillor Sherry, SECONDED by Councillor Unger, that the meeting be adjourned at 9:01 pm.

CARRIED

Certified Correct:



D. Lindsay
Manager Planning Division
Development Services Department

/pm/ctb

Council: 2008-MAR-31

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Schedule “A”

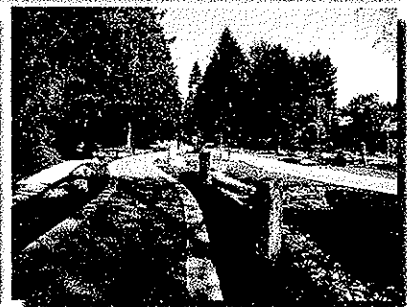
Submissions

For

Bylaws No. 6000.080 and 4000.432

(OCP44 / RA167 – Glen Oaks)

Nanaimo's First Sustainable Community



Glen Oaks "A Neighbourhood with Old Time Values"

Glen Oaks is a new type of Sustainable Community that protects the beauty of the existing environment, enhances the diversity of the vegetation and wildlife and reduces the amount of pavement to create green space.

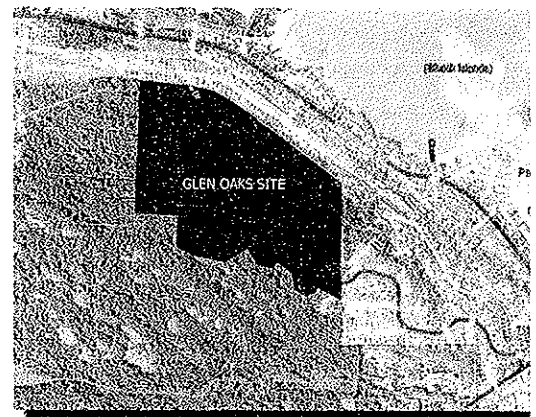
Glen Oaks introduces truly beautiful and functional streets that enhance pedestrian safety and minimize hard surfaces to reduce storm water run-off and nurture the significant wetlands on the site.

These innovative Sustainable Streets allow the rainwater to infiltrate the ground and be filtered by the natural vegetation. Impervious road surfaces are minimized (eliminating several acres of asphalt) resulting in cleaner water and a more

natural run-off that mimics the areas original conditions.

Craftsman Style homes (both single family houses and townhome groupings) combine the quality craftsmanship of the past with modern conveniences. The beauty of traditional architecture is matched with modern floor plans and clad in natural materials.

Durable, energy efficient and attractive homes are set among leafy sidewalks, community trails and extensive green spaces. Majestic trees, dramatic rock outcroppings and lush wetlands are complemented by effective bioswales, indigenous landscaping and porous surfaces.



Contacts:

info@davehammond.com ,
pdandyk@dccnet.com
McCollumG@CenturyGroup.ca

the City of Sustainable Community Narrative

Towards A More Liveable & Environmentally Sensitive
Community

Presentation to Public Hearing
by Sean Hodgins & Peter Danovik
Century Group
6th of March 2003

Century Group Lands Corporation

Century's Vision:

"To create a more liveable, environmentally sensitive community in Nanaimo."

- ▶ Member, Congress of The New Urbanism
- ▶ Member, Canada Green Building Council
- ▶ Nearing completion of first LEED project
- ▶ Founded in 1957—Celebrating 50 Years

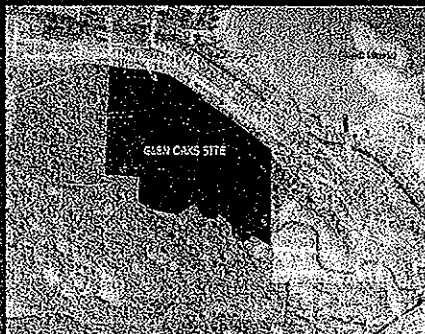
Central Themes to Glen Oaks Redesign

- ▶ To create a more liveable and environmentally sensitive residential development in Nanaimo
- ▶ Toward 'New Urbanist' Concepts
- ▶ Embracing the 'Steep Slopes' zoning rationale and creating a context sensitive street design
- ▶ The creation of narrower, intimate, walkable streetscapes is central to the community
- ▶ Craftsman style single family homes and
- ▶ townhome clusters

New Urbanism

- ▶ Walkable, human scaled neighborhoods
- ▶ Compact Mixed-use forms
- ▶ Connected & Accessible
- ▶ Sustainability vs. Sprawl
- ▶ 'Shared' community spaces
- ▶ Quality 'traditional' character
- ▶ Pedestrian focus; safety & security
- ▶ Preservation of natural features

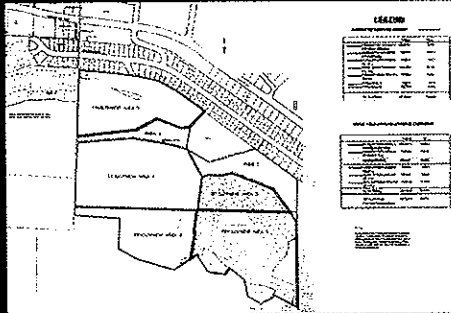
Glen Oaks Context



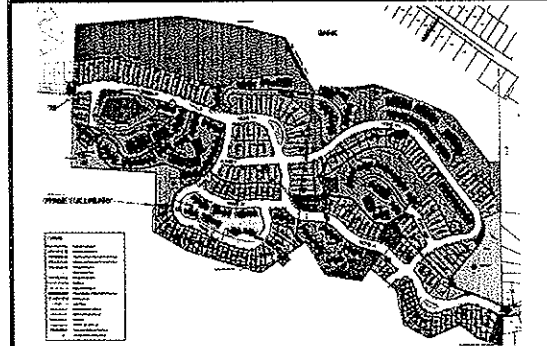
Current Situation: Glen Oaks 2

- ▶ 77 Building Lots Subdivided 11 years ago
- ▶ Never Constructed—currently intact forest
- ▶ Part of larger 75 acre parcel
- ▶ Unique Opportunity to start again, and build a community NOT a subdivision

Current Glen Oaks Property (including 77 subdivided lots)



Redesigned 'New Urbanist' Plan for Glen Oaks

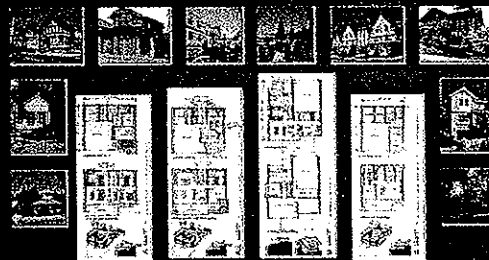


Key Features of Glen Oaks Redesign



- Varied Housing Types
- The Beauty of Natural Storm water
- Retained Wetlands and
- Enhanced Green Spaces
- Inter-Connected Pathways
- Homes That Better Relate to the Street
- Narrower, more appropriately scaled streets
- Blend of New Urbanism and Steep Slopes zoning.

Key Feature: Varied Housing Types

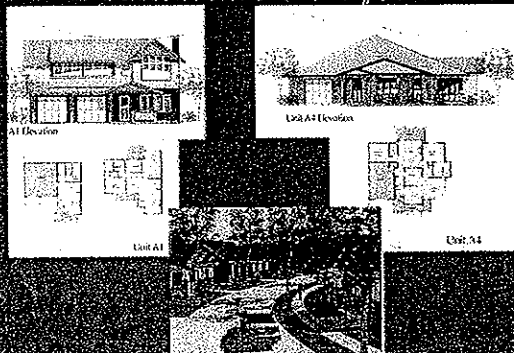


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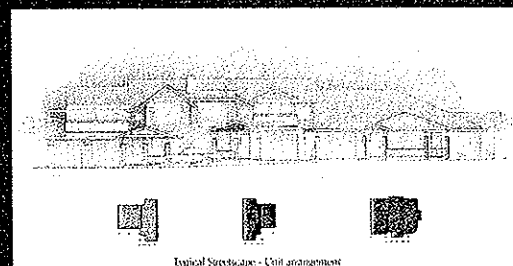
Glen Oaks
Redesign

25

Townhome Variety



Townhome Cluster



Typical Streetscape - Unit arrangement

Key Feature: Beauty of Storm Water



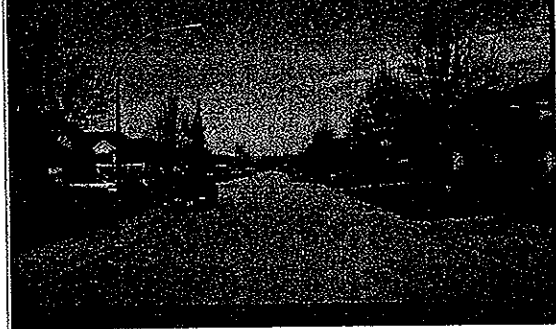
Key Feature: Retained & Enhanced Green Spaces



Key Feature: Inter-Connected Paths



Typical Design Standards and Widths less Intimate, More Car-Oriented



Key Feature: Narrower, More Intimately Scaled Streetscapes



Narrower Road, Homes Set Close to Road = Intimate, Human Scale



Homes Relating to Street
Clear Boundary, Yet Welcoming



Schedule “B”

Submissions

For

Bylaws No. 4000.433

(RA202 – 6340 McRobb Avenue)

Penny Masse

From: Marilyn Smith
Sent: Friday, February 15, 2008 11:51 AM
To: 'Rick Hoggarth'; Mayor&Council; SENIOR MANAGEMENT; Dale Lindsay; Bruce Anderson; Penny Masse; Sheila Smith
Subject: RE: Zoning Amendment RA 202 (15-20 story increase in height)

Thank you for your email regarding RA202. Each member of Council has received a copy of your email and I am forwarding a copy to members of our senior staff.

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

From: Rick Hoggarth [mailto:rhoggarth@telus.net]
Sent: Friday, February 15, 2008 11:27 AM
To: Mayor&Council
Subject: Zoning Amendment RA 202 (15-20 story increase in height)

To the Mayor and Council,

Good morning,

I'm writing in response to the proposed zoning amendment RA 202 at 6340 McRobb Avenue.

I have several concerns about the proposal as well as the original concept. From my readings, the most livable cities in the world have restricted building height to four stories. This provides ample density to support an efficient and economic supply of services to them. Your planners should be aware of this and the reasons a four story limit works so well. Surely you and council want to ensure Nanaimo remains a desirable community to live and work in?

I realize that several buildings in the downtown core already exceed this limit. Nevertheless, that doesn't mean you can't adjust the zoning for new developments. If you can increase the proposed density for an area, you can decrease it too. As you well know, precedents are made to be broken. We don't want Nanaimo to become another tacky town.

High rises are expensive to build. (I know--that's not really your concern.) However, it does have an impact on the livability of a project, which should be your concern. To increase the revenue on these units, the builder makes them smaller so the buyers get a tiny living space. Thus there can be a great deal of turnover as tenants find the place they bought is too small for their comfort. I know. We fell in love with the view from a high rise apartment in Vancouver a number of years ago and soon found that we needed more space. Waiting for elevators is also a real pain. Safety becomes a concern to a number of high rise residents when they realize that fire rescue ladders (in Vancouver) only reached up ten stories. I don't know how high your ladder trucks reach. Do you? If the developer points out that there are emergency stairwells, you might mention to them the high proportion of elderly in Nanaimo (their likely tenants) and how they are going to manage going down so many stairs at any time, never mind an emergency. You will be putting your own fire rescue people at risk in climbing up to get to those unable to make the trek down.

The developer proposes to increase the unit density by 28%. That won't turn out to be a 28% increase in their profit. It's much more expensive to build a taller building and because the units are smaller, you can't command as much for each. They also need higher speed elevators to compensate in part for the increased height. They

2/21/2008

will have to build an additional 101 underground parking spaces and that will add to their costs too. Thus you aren't necessarily helping them significantly increase the profitability of their development. They bought the initial property with it's existing zoning expecting to make a profit. They still should be able to do so. There is no need for the city to make sacrifices to satisfy the developer's greed for a little more profit.

Of more direct concern to the council should be the impact on services to be provided and the area the development will be going into. The visual impact will be terrible. This will be the only high rise in the area. Moving the buildings to the south will not appreciably change the permanent shadow cast nor the blight on the gorgeous views many people currently have.

Much is made of the proposed increase from 80% on site parking to 95%. Another way to look at it would be to see that the company plans to add 68 new units and supposedly reduce offsite parking by 32 spots. A better way to look at it would be to realize that many people own two cars and have friends who would like to visit them. The proposal doesn't even cover one car per unit nor any visitors. I know that we are trying to reduce people's reliance upon the automobile. However, this site is not in an urban area where everything they need is within a short walk or bus ride. You also have to consider that many of them are likely to be elderly and will be reluctant to walk to those stores which are nearby. You can't assume that people will think these things through before they buy or rent.

I don't know whether these units are for purchase or rent. Will this development trigger a significant change in the renter/owner or socio-economic demographics for this area? This should be considered as any major change brings disruption. You have to consider that other developers may want a similar favorable treatment. Your approval may lead to many other developers wanting a similar advantage and this would magnify the impact.

Significantly changing the density of an area triggers the premature and costly replacement of infrastructure such as water lines, sewer, electric supply, telephone and roads. This causes major disruption to the area and will not be matched by any potential increases in revenues from that density. Thus property taxes must rise unnecessarily and that causes major problems for people on fixed incomes--a good proportion of the Nanaimo electorate. A disgruntled electorate become upset with elected officials at all levels of government and that's not good for anyone.

In conclusion, I urge you to speak with your planners regarding the true impact of a high rise on a city and in particular on low density areas such as this one. I'm certain you will come away with a different perspective.

Regards,

Rick Hoggarth

Penny Masse

From: Marilyn Smith
Sent: Monday, February 18, 2008 8:51 AM
To: 'Rick Hoggarth'; Mayor&Council; SENIOR MANAGEMENT; Bruce Anderson; Dale Lindsay; Penny Masse; Sheila Smith
Subject: RE: Zoning Amendment RA 202 (15-20 story increase in height)

Thank you for your email regarding RA 202. Each member of Council has received a copy of your email and I am forwarding a copy to members of our senior staff.

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

From: Rick Hoggarth [mailto:rhoggarth@telus.net]
Sent: Sunday, February 17, 2008 9:49 PM
To: Mayor&Council
Subject: Zoning Amendment RA 202 (15-20 story increase in height)

To the Mayor and City Council,

Further to my communication to you on the morning of 15 February, I thought I should share with you my findings upon attending the Public Open House meeting that evening and talking with Andy Tam, the Project Manager.

He explained that the original development plan for this property was for an eight story building. It was increased by council to fifteen stories. Now Seville Properties has applied for this to be increased to twenty stories. He did not know why city hall approved the previous change. The incentive to city hall for this rezoning change is a small donation to the affordable housing fund. As far as he knows, this will be the only high rise development in the area and it's not part of an Official Community Plan to make this a high-density area.

Two other attendees also talked to Mr. Tam while I was there. One stated that high-rise towers in this area were totally inappropriate. The other fellow was concerned about the high-rises too. He already had problems with low-rise construction adjacent to his property cracking his gyproc and foundation walls. Andy said Seville hoped to find a firm foundation for the high rises without having to drive any piles. He believed the subsurface was hard packed sand. I don't know if anyone has drilled the area to confirm what might be required to support a tall structure in this high-risk earthquake zone. I got the impression they planned to excavate the site and then see if they needed to do anything special. From what the one neighbour already experienced and the scale of work proposed, I'd suspect that Seville and the city are exposing themselves to complaints from all the adjacent neighbours and businesses.

I, like several residents of North Nanaimo I've talked to since I arrived here, escaped from urban areas to enjoy a more tranquil and scenic environment. I don't want to look out my window and see two towers dominating the skyline. I have no problem with attractive compatible low to medium-density construction in the area.

From what I understand, the development is entirely speculative. Seville Properties intends to put on a marketing effort to see what demand there is for their proposal. If there is insufficient interest or the costs of labour and material are too high, they will postpone any development. Construction will be staged to ensure that nothing is built before there are commitments from speculators, first time and retired buyers. I didn't ask if the donation was tied to the completion of all phases of the project or not.

I gather the reason Seville Properties chose to add another five stories was to solve the off-site parking problem created by their fifteen-story high-density proposal. City staff would have been concerned that tenants and visitors would commandeer valuable commercial parking spaces nearby. Putting a few more spaces underground is offset by the higher density they need to make this high-cost steel and concrete project feasible. Only reducing the planned density of this property will work. I wouldn't be surprised if the original eight-story development proposal had the same off-site parking problem. City staff would have the historical information to give an accurate perspective on how and why this project has grown so dramatically.

Other builders in the area are making money constructing low-rise (1-4 story) townhomes in the area and not exporting parking problems. This developer wants to construct something five to twenty times higher than the existing buildings. I know that it would be nice to get a cheque for some low-cost housing but if you consider how much disruption it will cost the city you will see it's no bargain.

I suggest you give consideration to reducing the current zoning to a maximum of four stories so that any development fits into this neighbourhood. This won't be the first or last time a developer has put forward an inappropriate proposal. You won't do them or the city any favour by acceding to it.

Yours sincerely,

Rick Hoggarth

Penny Masse

From: Marilyn Smith
Sent: Friday, February 15, 2008 3:46 PM
To: 'Rutherford-Haro'; Mayor&Council; SENIOR MANAGEMENT; Bruce Anderson; Dale Lindsay; Penny Masse; Sheila Smith
Subject: RE: Rezoning application ---RA202

Thank you for your email regarding RA202. Each member of Council has received a copy of your email and I am forwarding a copy to members of our senior staff.

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

From: Rutherford-Haro [mailto:bobruth@shaw.ca]
Sent: Friday, February 15, 2008 3:35 PM
To: Mayor&Council
Subject: Rezoning application ---RA202

Re Rezoning Application RA 202 (Mcrobb/Uplands Neighbourhood Plan Lot 4

Dear Mr. Mayor and Council

This is to notify you of our opposition to the rezoning application RA 202 that requests permission to increase two proposed condo buildings from 15 to 20 stories.

What is striking in the staff report that we have seen, is city staff's sparse amount of rationale to support its "recommendation". Merely a developer's volunteering of a \$175,000 contribution, and a commitment to hold the developer to it? Surely city council will demand more than that, especially considering the number of possible implications?

Perhaps adequate analysis has been done. If so, could residents like us get to see it, and learn how city staff has considered various factors? For example,

- Visual impact on existing, and relatively restrained and elegant developments such as the Terraces, Pinewood, Pacific Place, etc., of two towers that will dominate the entire neighborhood and risk creating an incoherent effect and a put-off for residents, potential new settlers, and visitors.
- Impact on Light – shadow analysis seems to have been done, but what about the diminishment of ambient light regardless of shadows?
- Residents' Trust in city oversight and stewardship, already shaken by the tree-cutting fiasco [1]

involving this very same land area [see note below]? And, now city acquiescence in "moving the goalposts" after people bought houses based on towers of no more than 15 stories?

- Tax Assessment Implications for surrounding houses that risk becoming less desirable places to live, with potential loss of residents to other communities.
- Compatibility with City Vision and plan for North Nanaimo versus downtown Nanaimo. For

example, where exactly does the city want its density?

- Target or Expected Residents of the towers - boomers, families, retirees, professional people, young singles, etc.?
- Amenities that will be needed, such as a library [already badly needed], bus services, etc., Shopping malls and parking lots are not always enough.
- Likely Work Location of the towers' occupants? Downtown? If so, would such buildings be better near the city core, where vibrant pedestrian traffic would make downtown a better place to be, while avoiding exacerbation of commuting issues to and from North Nanaimo?
- City Staff Negotiation Criteria and Process in concluding that the developer's \$175,000 plus underground parking was sufficient.

We look forward to having access to documentation that addresses the above criteria and others that city officials may have considered.

Eva and Bob Rutherford
6372 McRobb Ave [Pinewood Lanes]
Nanaimo, BC
V9V 1A4

[1]

i.e., illegal cutting of trees, untended wasteland lying barren for an inordinate amount of time, minimal response to the concerns of residents subjected to a quasi-permanent eyesore, blowing dust and grit, late night car spinning, and loss of security.

[1]

i.e., illegal cutting of trees, untended wasteland lying barren for an inordinate amount of time, minimal response to the concerns of residents subjected to a quasi-permanent eyesore, blowing dust and grit, late night car spinning, and loss of security.

Penny Masse

From: Marilyn Smith
Sent: Monday, February 18, 2008 8:45 AM
To: Mayor&Council; SENIOR MANAGEMENT; Dale Lindsay; Bruce Anderson; Penny Masse; Sheila Smith
Subject: FW: Rezoning Application RA202
Attachments: rezoning.rtf

Thank you for your email regarding Rezoning Application RA202. Each member of Council has received a copy of your email and I am forwarding a copy to members of our Senior Staff.

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

From: allan & meryl falconer [mailto:falconers@hotmail.com]
Sent: Sunday, February 17, 2008 2:06 PM
To: Mayor&Council
Subject: Rezoning Application RA202

Dear Mayor & Council Members:

Please find attached our submission regarding the Re-Zoning By Law Amendment By-Law 2008 #4000.433 regarding RA202 McRobb/Uplands Neighbourhood Plan Lot #4.

Please ensure that this submission is provided to all members of council.

Thanks.

Allan Falconer

Penny Masse

From: Marilyn Smith
Sent: Monday, February 18, 2008 12:42 PM
To: 'MARION BEETSTRA'; Mayor&Council; SENIOR MANAGEMENT; Dale Lindsay; Bruce Anderson; Penny Masse; Sheila Smith
Subject: RE: Rezoning application RA 202

Thank you for your email regarding RA202. Each member of Council has received a copy of your email and I am forwarding a copy to members of our senior staff.

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

From: MARION BEETSTRA [mailto:bmbeets@shaw.ca]
Sent: Monday, February 18, 2008 12:40 PM
To: Mayor&Council
Subject: Rezoning application RA 202

As owner/residents of 6431 Pachena Place, we **are opposed** to the added height proposal for the 2 condos, re the above noted application. We purchased knowing there would be towers no higher than 15 storeys with a setback that would not shadow the existing townhouses. It seems practical in the north end that residential housing should be left to no more than 5 or 6 storeys and that towers should be left for downtown water views.

Sincerely,
Bill and Marion Beetstra

PS: we are in sunny Mazatlan Mexico seeking the sun and do not want to be deprived of it in our backyard during summers months as well.....

Penny Masse

From: Marilyn Smith
Sent: Friday, February 15, 2008 8:35 AM
To: 'James young'; Mayor&Council; SENIOR MANAGEMENT; Bruce Anderson; Dale Lindsay; Penny Masse; Sheila Smith
Subject: RE: RA 202

Thank you for your email regarding RA 202. Each member of Council has received a copy of your email and I have forwarded a copy to members of our senior staff.

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

From: James Young [mailto:bikerjames@shaw.ca]
Sent: Friday, February 15, 2008 4:46 AM
To: Mayor&Council
Subject: RA 202

Sirs:

I am strongly opposed to the proposed zoning amendment to allow increasing the two towers from 15 to 20 stories on this property (Lot 4). While it was clearly laid out what the property was approved for at the time we purchased our property, the proposed changes are quite a significant change from that plan. The increased height and resulting shadow lines will affect our entire complex in a negative manner. The increased number of units, more than 30%, will result in much greater traffic, and noise that will impact the neighbourhood in a very negative way.

I strongly urge you to vote against this re-zoning application.

James Young
6404 Pachena Place
Nanaimo, B.C.

Penny Masse

From: Andrew Tucker
Sent: Thursday, February 14, 2008 12:54 PM
To: Sheila Smith; Penny Masse
Subject: FW: Re-zoning of highrise @ 6340 Mc Robb ave

From: Marilyn Smith
Sent: Thursday, February 14, 2008 8:26 AM
To: 'ken davidson'; Mayor&Council; SENIOR MANAGEMENT; Dale Lindsay; Bruce Anderson
Subject: RE: Re-zoning of highrise @ 6340 Mc Robb ave

Thank you for your email regarding 6340 McRobb Avenue. Each member of Council has received a copy of your email and I am forwarding a copy to members of our senior staff.

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

From: ken davidson [mailto:kendavidson@shaw.ca]
Sent: Wednesday, February 13, 2008 4:50 PM
To: Mayor&Council
Subject: Re-zoning of highrise @ 6340 Mc Robb ave

We would like to add our protest to the above re-zoning application, mainly the increase in traffic in an already saturated area. We are also concerned about the sun shadows caused by the increase in height. Ken & Sylvia Davidson

Penny Masse

From: Andrew Tucker
Sent: Thursday, February 14, 2008 12:54 PM
To: Sheila Smith; Penny Masse
Subject: FW: Rezoning application RA 202

From: Marilyn Smith
Sent: Thursday, February 14, 2008 10:45 AM
To: 'Peter'; Mayor&Council; SENIOR MANAGEMENT; Bruce Anderson; Dale Lindsay
Subject: RE: Rezoning application RA 202

Thank you for your email regarding Rezoning RA 202. Each member of Council has received a copy of your email and I am forwarding a copy to members of our senior staff.

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

From: Peter [mailto:ptrnbc@shaw.ca]
Sent: Thursday, February 14, 2008 10:43 AM
To: Mayor&Council
Subject: Rezoning application RA 202

Your worship and councillors ,

Please take note of our opposition to the above refenced rezoning application which seeks permission to increase the height of the 2 proposed condo units from 15 to 20 stories .

When we bought our townhouse located at 6421 Pachena Place in July 2005 we were made aware of the proposed future development on lot 4 of the McRobb Neighbourhood plan , and were given a plan which showed the proposed highrise condo buildings . These proposed buildings were limited to 15 storeys , we did accept that as a future development . But because we are located directly behind the proposed units we are very much opposed to the increase of the buildings to 20 storeys , we would be in the shadow of these units almost all day (as the plan of the developer clearly shows) .

Besides that the increase of the building height which results in a larger number of residential units , will lead to a much larger pedestrian and automobile traffic increase , detrimental to the overall acceptability of the area and the resale value of our home .

We believe that the approval of the rezoning application is not in the best interest of the surrounding community nor our enjoyment of life and property . We urge you to deny the application accordingly .

Please favour us with a reply at your earliest convenience .

2/21/2008

Yours respectfully ,

Elly and Peter Eich
6421 Pachena Place
Nanaimo , BC , V9V 1W4
Tel. : (250) 390 - 1892
E-mail : PtrnBC@shaw.ca

Penny Masse

From: Marilyn Smith
Sent: Wednesday, February 13, 2008 8:33 AM
To: 'E.Lewis'; Mayor&Council; SENIOR MANAGEMENT; Dale Lindsay; Penny Masse; Bruce Anderson
Subject: RE: Rezoning of 6340 McRobb Ave.

Thank you for your email regarding 6340 McRobb Avenue. Each member of Council has received a copy of your email and I am forwarding a copy to members of our senior staff.

Thank you.

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

From: E.Lewis [mailto:eglewis@shaw.ca]
Sent: Tuesday, February 12, 2008 10:21 PM
To: Mayor&Council
Subject: Rezoning of 6340 McRobb Ave.

Regarding Zoning Bylaw Amendment Bylaw 2008 # 4000.433 :

As an owner of a townhouse directly opposite the proposed towers I am opposed to increasing the height of the towers from 15 stories to 20 stories.

I purchased my townhouse in the spring of 2005 from Georgiaview Village Ltd., representative Lance McNabb. I was told there was zoning for two 15 story towers on the lot at 6340 McRobb Ave. At the time the area was forested and I was told there were no plans to build in the near future. I bought in good faith that if future building would take place the towers would be a maxime of 15 storys.

All of the other buildings in the area have a maxime 4 storys and to add another 5 storys is not appropriate. Since the zoning amendment regarding height of building towers was made in the fall of 2004 why didn't Georgiaview Village Ltd. request a rezoning at that time? Before the townhouse strata I am living in was built.

Sincerely,
Elizabeth Lewis
6434 Pachena Place
Nanaimo, B.C.

2/21/2008

Penny Masse

From: Sheila Smith
Sent: Wednesday, February 13, 2008 3:02 PM
To: Penny Masse
Subject: Submission for McRobb Public Hearing

From: Gary Noble
Sent: Monday, February 11, 2008 2:30 PM
To: 'ERIC SCHWARTZ'
Subject: RE: Property Concerns

Mr. Schwartz your concern has been forwarded to Randy Churchill Manager of Bylaw for review and action. The comment regarding the twin tower complex has been forwarded to Sheila Smith Planner looking after the rezoning application to increase the height of the towers. The increase in height will require a public hearing and neighbours will be informed of the date for this public meeting. Gary Noble.

From: ERIC SCHWARTZ [mailto:ericschwartz@shaw.ca]
Sent: Friday, February 08, 2008 8:42 PM
To: Gary Noble
Cc: Mayor Gary Korpan
Subject: Property Concerns
Importance: High

Dear Mr. Noble,

My wife and I reside at 6415 Pachena Place, which is in the Executive Townhome Complex of Pacific Place (near Sentinal Drive and McRobb Avenue). There had been a large pile of logs sitting directly behind our home for over a year and we are extremely displeased that this has not been removed. Furthermore, a large tractor that was parked adjacent to the logs several weeks ago is still there. This situation is totally unacceptable. We would like your intervention to contact the property owner and direct them to resolve this issue immediately and have them remove the logs and tractor. I understand that the property has recently been sold, but regardless who is responsible, this must be dealt with "poste haste". Please advise when this direction has been given and when the necessary action will be taken to resolve this issue.

It was also brought to my attention that the new property owner has petitioned to increase the proposed twin tower complex from 15 stories to 20 stories. My wife and I are both adamantly opposed to this change. Our property value would diminish significantly and our privacy would be adversely affected if this were to happen...this too is unacceptable. Your intervention in this matter and opposition to this proposed change would also be greatly appreciated.

Should you wish to discuss our concerns please do not hesitate to contact me.

Awaiting your response.

Sincerely,

Eric D. Schwartz
c. 604-506-2699

2/21/2008

Penny Masse

From: Steve [ivesclan@shaw.ca]
Sent: Friday, February 29, 2008 11:00 AM
To: Public Hearing
Subject: Bylaw No. 4000.433 / Covenant Amendment

Dear Members of the Council and interested members of the public,

I would wish to make a formal objection to the proposals to permit a site specific text amendment for an increase in height from 15 storey's to 20 storey's. My objections are as follows:-

1. The current limit of 15 storey's is already questionable and a further additional 5 storey's would significantly impact on the character and streetscape of the immediate area. The scale would be totally at odds with the adjoining development of two storey townhomes to the north fronting McRobb. This would seriously impact on the visual amenities currently enjoyed by the occupants of these residences. In particular those properties, having a rear southerly aspect, would be subject to loss of light and overshadowing not to mention issues of privacy and impacting on outlook generally.
2. If this is considered to be site specific it must be deemed that this is an acceptable location for a 20 storey building. This is totally unjustified in this location where the predominant scale of development is well under 20 storey's. Other than the Texada development currently under course of construction, the site adjoins and established residential area of single family dwellings of single and two storey homes.
3. Regard must be paid to the impact of a 20 storey building not only in the context of the immediate locality but in the wider context of its huge visual impact from further afield. The location has no significance so far as providing a focal point to demarcate a particular area or theme. This part of Nanaimo has been developed against a backdrop of wooded hills and mountains with a distant seascape and mountains across to the mainland. The very character of this pleasing and attractive backdrop will be seriously compromised if this proposal is allowed and lead to a further erosion of this pleasant town to the detriment of residents of the community.
4. On the basis of there being no sound town planning reasons to allow this proposal it nevertheless provides a serious threat to creating a precedent for similar unwelcome schemes to gradually swarm and devour our pleasant community.

On a more general note, is it not time for our local government to seriously consider formulating more detailed and specific controls to deal with these types of proposals in the future. Perhaps placing an onus on developers to give the community more facts and information to substantiate their proposals so that the community in general can come to a more informed decision.

Yours faithfully,

STEVE IVES

5342 Scenic Place,
Nanaimo, BC V9T 5Z9



FACSIMILE COVER SHEET

To: Legislative Services

Company: City of Nanaimo - Attn. Councillors

Fax: 755-4435

From: **FRED KOLODRUBSKY, C.F.P.**
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Date: March 6, 2008

Number of pages including Cover Sheet: 1

Comments:

It was my intention to come tonight and speak at the hearing regarding the ammendment of Bylaw to add an additional 5 stories to 6340 McRobb.

Unfortunately I cannot make the meeting, but felt I wanted to make a few points that are important me regarding the application.

This project works and fits so well in building the High Density residential housing that is being encouraged in the Woodgrove area. The constant sprawl to add residential units is not a sensible means of urban growth. The costs and demands on services are far too high. This project gives us the residential growth in an area where all important services are within walking distance which reduces the need for vehicles, and therefore wouldn't increase neighborhood traffic. The impact of the height increase is negligible, and does not block views on any surrounding properties.

Then, with the \$175,000 to be donated to Nanaimo Affordable Housing Legacy Fund, this benefits the City by being able to increase our supply of affordable housing.

All in all I believe this is exactly the sort of development that our city needs to manage our urban growth effectively.

I hope council gives it a positive vote.

If you do not receive all of the pages, please contact the sender.

March 6, 2008

Mayor and councillors,

I would like to register my opposition to the rezoning application RA 202 (Bylaw No. 4000.433) (Lot 4, District Lot 48, Wellington District Plan VIP78452) that seeks permission to increase the height of the two proposed condo buildings from 15 to 20 stories.

When my wife and I bought our townhouse in 2005 we were aware that two condo buildings of 15 stories would eventually occupy the property under discussion. We weren't particularly happy about it, but could live with these semi (15 story) high-rises and their attendant shadow. To increase the building height by another 50 feet will increase the shadow effect quite appreciably, especially in the fall and winter months when sunlight is at a premium here on the Coast. It would also add 76 more units to the original plan of 240 units.

This rezoning application reminds me of going to a used car lot to see a car and being told it's not available but this other vehicle is. I think in the sales parlance this is called bait and switch. When we bought our strata properties in 2005 and 2006, our disclosure statement told us what to expect with future development. That was the bait and now this application for a taller building is the switch.

We feel we've been sold a bill of goods.

I'm not against development, per se. But, I am against development that will have a deleterious effect on the local community and be so out of scale with what's already in the neighbourhood.

I will agree that the developers have tried to mitigate some of the problems with the extended shadow by moving the buildings further apart, narrowing them down, moving them back from the north-eastern lot line and putting all the parking in underground parking lot.

The City wants to densify development to reduce servicing costs: that I can understand. There's also a point in densification where it can be over done reflecting negatively on the surrounding community. The original Pacific Place plan of 2004 was already a high-density development. Increasing the height of the condo towers and adding 32% more units will have a negative effect on the surrounding community by increasing traffic flow, noise, pollution and leaving a much larger building shadow.

This will all have a negative effect on the value of our properties.

I trust that you, Mr. Mayor, and City councillors will see that this rezoning application is not in the best interest of the surrounding community and will vote against Bylaw No. 4000.433.

Jim & Linda Harris
6430 Pachena Place, Nanaimo, BC
V9V 1W4
(250) 390-4156

Penny Masse

From: Andrew Tucker
Sent: Wednesday, February 13, 2008 3:06 PM
To: Sheila Smith; Penny Masse
Subject: FW: Rezoning application RA202

For the files RA202

From: Marilyn Smith
Sent: Wednesday, February 13, 2008 2:24 PM
To: 'jim@cdnharris.com'; Mayor&Council
Cc: Allan & Meryl Falconer; Elizabeth Lewis; James Young; Marjorie/Pat Godbout/Conway; Marlene Ball; Peter & Elli Eich; SENIOR MANAGEMENT; Bruce Anderson; Dale Lindsay
Subject: RE: Rezoning application RA202

Thank you for your email regarding the rezoning application RA202. Each member of Council has received a copy of your email and I am sending a copy to members of our senior staff.

Thank You.

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

From: Jim Harris [mailto:jim@cdnharris.com]
Sent: Wednesday, February 13, 2008 1:04 PM
To: Mayor&Council
Cc: Allan & Meryl Falconer; Elizabeth Lewis; James Young; Marjorie/Pat Godbout/Conway; Marlene Ball; Peter & Elli Eich
Subject: Rezoning application RA202

Mayor and councillors,

I would like to register my opposition to the rezoning application RA 202 (McRobb/Uplands Neighbourhood Plan Lot 4) that seeks permission to increase the height of the two proposed condo buildings from 15 to 20 stories.

When my wife and I bought our townhouse in 2005 I was aware that the property under discussion would eventually be occupied by two condo buildings of 15 stories. I wasn't particularly happy about it, but could live with these semi (15 story) high-rises and their attendant shadow. To increase the building height by another 50 feet will increase the shadow effect quite appreciably, especially in the fall and winter months when sunlight is at a premium here on the Coast. It would also add 76 more units to the original plan of 240 units.

I'm not against development, per se. But, I am against development that will have a deleterious effect on the local community and be so out of scale with what's already in the neighbourhood.

The City wants to densify development to reduce servicing costs, that I can understand. There's also a point in densification where it can be over done reflecting negatively on the surrounding community. The original Pacific Place plan of 2004 was already a high density development. Increasing the height of the condo towers and adding 32% more units will have a negative effect on the surrounding community by increasing traffic flow, noise,

2/21/2008

pollution and leaving a much larger building shadow.

I trust that you, Mr. Mayor, and City councillors will see that this rezoning application is not in the best interest of the surrounding community and will vote against it.

Thank you for your time.

Jim Harris
President, Pacific Place Strata VIS 5867
6430 Pachena Place
Nanaimo, BC, V9V 1W4
250-390-4156
jim@cdnharris.com

Good Evening Your Worship Mayor Korpan, Members of Council, Members of Staff, Ladies and Gentlemen:

My name is Maureen Pilcher, and I am speaking this evening in support of the amendment bylaw to increase the height of the two proposed towers at 6340 McRobb Avenue from 15 storeys to 20 storeys.

As you are aware, this property is contained within the Regional Shopping Town Centre Designation of the Official Community Plan which supports high rises consistent with the following criteria:

- ☐ Sufficient underground parking for all residents; with limited surface parking for visitors
- ☐ Siting is to take advantage of views and not block existing views
- ☐ Buildings should front the street with well defined, architecturally detailed pedestrian scale entryways; and
- ☐ Siting should minimize shading and privacy impacts on adjacent land uses

Council wisely took all these criteria into account when allowing two 15 storey buildings at this location back in 2004.

Within the next few months Council will be considering the adoption of a revised OCP – which will designate this area as the Woodgrove Urban Node. This node will support the highest levels of residential density and the most intensive residential land uses in Nanaimo.

By concentrating development in this node you will foster more efficient use of land. Appropriately increasing density will generate transportation demand, and ultimately promote more compact, mixed-use and complete neighbourhoods. People will not have to rely on the automobile in order to carry out their every day lives because they will have easy access to the different services that they need.

Metro Vancouver studies show that residents living in multi-family housing in the downtown area emit one quarter of the carbon of those who live in single family houses. Multi-family housing is more energy efficient - shared walls reduce energy losses, and shared utilities reduce overall consumption. Since roughly half of our emissions come from buildings and a third stem from transportation, denser living can make a dramatic impact on our Greenhouse Gas Emissions.

The amendment you are considering also proposes to reduce the footprint of these buildings. This will result in less land coverage and will increase the amount of green space surrounding the buildings. Walking trails and enhanced landscaping will provide opportunities for the surrounding residents to enjoy this area. Relocation and an increased setback for the western building will result in greater separation from the existing townhomes, which will reduce the impact of the additional height with respect to shadow casting.

At least 95% of the required parking for this development will be located underground - which will result in less impervious surface. This will reduce water run-off into the storm drains, and ultimately into our waterways.

The buildings will be located on a "high point" in the neighbourhood – and will provide stunning views of Georgia Strait – and will not impact the view of upland properties – which was certainly a concern when Council considered increased heights in other areas of the City. The impact of a five storey increase will be negligible to the surrounding properties and will not create a loss in real estate value.

The amendment application before you this evening meets all the requirements of the existing OCP designation – as well as all the requirements of the Draft OCP. The Draft OCP outlines seven goals striving for a more sustainable Nanaimo. This amendment meets all seven of those goals.

It manages urban growth by increasing density within the Urban Containment Boundary. It supports higher density within the Woodgrove Urban Node and provides a mix of housing types and styles. This development will enhance green space, and it will provide the opportunity to live, shop and work in a neighborhood with complete services, reducing reliance on automobiles.

Change in a neighbourhood can be viewed as threatening – or an exciting opportunity to increase the forms and styles of housing available in a community. A balanced mix of housing brings out the best in neighbourhoods and promotes affordability and diversity. Nanaimo needs vital communities that have a balance of living, retail and employment opportunities, without the need for daily automobile use. The time is right to be forward thinking with regard to density. I urge you to allow the building heights to be increased to 20 stories in order to meet the goals of the present and draft Official Community Plans – but more importantly to help create a more sustainable Nanaimo.

I thank you for your time and attention ... and welcome any questions you may have.