

2007-JUN-19

## STAFF REPORT

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

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

RE: REPORT OF THE PUBLIC HEARING HELD THURSDAY, 2007-JUN-07  
FOR BYLAWS NO. 4000.414, 4000.416, 6000.071, 6000.074, AND 6000.075

---

### STAFF'S RECOMMENDATION:

That Council receive this report and the minutes of the Public Hearing held on Thursday, 2007-JUN-07.

### EXECUTIVE SUMMARY:

A Public Hearing was held on 2007-JUN-07, the subject of which was five items. Approximately 40 members of the public were in attendance. Minutes of the Public Hearing are attached.

### BACKGROUND:

#### **1. BYLAW NO. 4000.414:**

*RA187 – 1064 Old Victoria Road.*

This Bylaw, if adopted, will rezone property from Mixed Use Commercial Zone (C-4) to Public Institution Zone (P-2) in order to permit the development of a church. The subject property is legally described as LOT "C", SECTION 1, NANAIMO DISTRICT, PLAN 630, EXCEPT PART IN PLANS 12119 AND 3212 RW.

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

Two members of the public attended the Public Hearing to speak to this issue. No written submissions were recognized at the Public Hearing.

#### **2. BYLAW NO. 4000.416:**

*RA183 – 6231 Hammond Bay Road.*

This Bylaw, if adopted, will rezone property from Rural Agricultural / Residential Zone (A-2) to Low Density Multiple Family Residential (Townhouse) Zone (RM-3) in order to permit a multiple family residential development. The subject property is legally described as LOT 7, DISTRICT LOT 20, WELLINGTON DISTRICT, PLAN 10912, EXCEPT PART IN PLAN VIP55954.

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

Three members of the public attended the Public Hearing to speak to this issue. No written submissions were recognized at the Public Hearing.

**3. BYLAW NO. 6000.071:**

*OCP33 – 6200 Doumont Road.*

This Bylaw, if adopted, will amend the Neighbourhood designation, Section 1.2.2.1. of the "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000" by adding a new policy (5.6). This policy would permit a townhouse development of up to 31 dwelling units on the site. The applicant is proposing to develop a multiple-family residential complex on the eastern portion of the subject property. The subject property is legally described as LOT 1, SECTION 10, WELLINGTON DISTRICT, PLAN 23170 EXCEPT PART IN PLANS 4201 AND VIP64771.

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

Three members of the public attended the Public Hearing to speak to this issue. No written submissions were recognized at the Public Hearing.

**4. BYLAW NO. 6000.074:**

*OCP32 – 553 Third Street.*

This Bylaw, if adopted, will amend the Neighbourhood designation, Section 1.2.2.1. of the "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000" by adding a new policy (5.7). This policy would permit a maximum four-storey multiple-family residential development of up to 80 dwelling units on the site. The subject property is legally described as LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 14951.

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

Six members of the public attended the Public Hearing to speak to this issue. Three written submissions were recognized at the Public Hearing.

**5. BYLAW NO. 6000.075:**

*OCP35 – 2421, 2425, 2429 Bowen Road.*

This Bylaw, if adopted, will amend the Neighbourhood designation, Section 1.2.2.1. of the "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000" by adding a new policy (5.8). This policy would permit a maximum four-story multiple-family residential development of up to 40 dwelling units on the subject properties. The subject properties are legally described as LOTS 26 to 28, BLOCK 5, SECTIONS 19 AND 20, RANGE 7, MOUNTAIN DISTRICT,

PLAN 526; and LOT 1, SECTION 20, RANGES 6 AND 7, MOUNTAIN DISTRICT, PLAN VIP51494.

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

Four members of the public attended the Public Hearing to speak to this issue. No written submissions were recognized at the Public Hearing.

Respectfully submitted,



D. Lindsay  
Manager, Planning Division  
**Development Services Department**



A. Tucker  
Director, Planning & Development  
**Development Services Department**

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, 2007-JUN-07, TO CONSIDER THE  
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 M.D. Brennan  
Councillor J.D. Cameron  
Councillor W.J. Holdom  
Councillor C.S. Manhas  
Councillor W.M. Unger

**REGRETS:**

Councillor W.L. Bestwick  
Councillor L.J. Sherry  
Councillor L.D. McNabb

Staff

A. Tucker, Director, Planning & Development, DSD  
J. Carvalho, Planner, Planning Division, DSD  
D. Jensen, Planner, Community Planning, DSD  
P. Masse, Planning Clerk, Planning Division, DSD

Public

There were approximately 40 members of the public present.

**CALL TO ORDER:**

Mayor Korpan called the meeting to order at 7:02 p.m. Mr. Tucker explained the required procedure in conducting a Public Hearing and the regulations contained within Section 892 of the Local Government Act. Mr. Tucker 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 to Zoning Amendment Bylaws No. 4000.414 and 4000.416, and Third Reading and Adoption of Official Community Plan Amendment Bylaws No. 6000.071, 6000.074 and 6000.075 at Council's next regularly scheduled meeting of 2007-JUN-25. Mr. Tucker added that the OCP Amendment Bylaws, if approved, would require a subsequent rezoning application and Public Hearing prior to any development occurring.

**1. BYLAW NO. 4000.414:**

*RA187 – 1064 Old Victoria Road.*

This Bylaw, if adopted, will rezone property from Mixed Use Commercial Zone (C-4) to Public Institution Zone (P-2) in order to permit the development of a church. The subject property is legally described as LOT "C", SECTION 1, NANAIMO DISTRICT, PLAN 630, EXCEPT PART IN PLANS 12119 AND 3212 RW.

**Mr. Rob Siddall / Mr. Clint Babcock** – Applicants

- Purpose is to construct a new Kingdom Hall of Jehovah's Witnesses to service the existing congregation, which presently includes 800-900 members.
- Congregation currently gathers at the two existing Kingdom Halls (Meredith Road and Doumont Road). Believes the subject property is geographically an ideal location.
- Noted that Kingdom Halls are used to provide bible education, social counselling, guidance to youth and families, and to assist cultural and language issues of Witnesses while endeavouring to provide positive influences for families and communities.
- Met with the immediate neighbours to discuss the rezoning and received a predominantly favourable response adding that many neighbours offered assistance.
- Noted that this rezoning, if approved, would bring the property back into conformance with the OCP.

Councillor Unger asked for clarification on what the existing Kingdom Halls seating capacity is and what the proposed Hall capacity would be.

- Mr. Babcock noted that both the existing and the proposed Hall's have a seating capacity of 165 persons, adding that there are six congregations which would use the Halls at staggered times in order to accommodate all gatherings.

**Ms. Debbie Bourne, 580 Sperling Road** – Neither Opposed nor In Favour

- Asked for clarification regarding Melideo Road and that the map indicates that it leads onto the Highway when in fact it does not. Further asked if plans were in place for Melideo Road to be connected to the Highway, adding that she believed this would cause confusion to motorists.

Mr. Tucker stated that the Ministry of Transportation does not support additional accesses onto the Island Highway, adding that Melideo Road is a designated, un-constructed road.

Mayor Korpan noted that the City has recommended that the Ministry of Transportation install lights at the intersection of Haliburton Street and Old Victoria Road, adding that the general principle on major roads is to prevent additional accesses due to the difficulty of getting up to speed safely.

A photo of an existing Kingdom Hall of Jehovah's Witnesses is attached as "Schedule A – Submissions for Bylaw No. 4000.414".

No further verbal or written submissions were recognized at the Public Hearing for this Bylaw.

**2. BYLAW NO. 4000.416:**

*RA183 – 6231 Hammond Bay Road.*

This Bylaw, if adopted, will rezone property from Rural Agricultural / Residential Zone (A-2) to Low Density Multiple Family Residential (Townhouse) Zone (RM-3) in order to permit a multiple family residential development. The subject property is legally described as LOT 7, DISTRICT LOT 20, WELLINGTON DISTRICT, PLAN 10912, EXCEPT PART IN PLAN VIP55954.

**Mr. Mark Garrett, 5672 Muggie's Way** – Applicant Representative

- Mr. Garrett presented a plan of the development noting that it is a well spaced out project which provides considerable open space.

Mayor Korpan asked for clarification regarding the access points proposed for the project.

- Mr. Garrett noted that there would be a single access in and out along Uplands Drive and that access to the individual units would be via a rear laneway (internal strata road) that runs the length of the lot.

Councillor Cameron asked for clarification on the number of units.

- Mr. Garrett stated that 24 units are being proposed.

Councillor Holdom asked for clarification on landscaping requirements when considering the size and shape of the property.

- Mr. Garrett noted that this development provides nearly twice as much open / green space than required; noted that the project is also under the permitted density and lot coverage.

**Mr. Brian Rigby, 6240 Parkwood Drive** – Opposed

- Asked for clarification on what would happen to the mature trees that exist on the Hammond Bay Road end of the property, and would any of them be retained.
- Mr. Garrett responded that the project would retain as many trees as possible; however, any trees that are within the proposed building footprint will have to be removed.

Councillor Unger asked if any community consultation had occurred for the proposed project and, if so, how it was advertised.

- Mr. Garrett noted that an open house was held and approximately 20 members of the community attended; added that he believes they answered most of their concerns by incorporating changes into the plan. Stated that flyers were delivered to all homes surrounding the subject property.

**Ms. Doris Chown, 5957 Waterton Drive** – Opposed

- Her home is closest to the property line and believes that noise and pollution from the rear laneway will be a problem.

Mr. Tucker noted that the development would be required to meet the setbacks in the Zoning Bylaw and that the laneway is a common driveway to be used exclusively by the residents and would not be used as a public through-way.

- Ms. Chown asked for clarification on where the entrance to the laneway would be located.

Mr. Carvalho noted that the access would be located in a spot similar to the existing access to the property, adding that it would be restricted to right-in / right-out only.

- Ms. Chown noted her concerns regarding possible drainage issues on the property after development and whether the large trees being removed could lead to instability on the bank.

Mr. Carvalho stated that as a condition of rezoning, a covenant would be registered on the property which would maintain development flows at pre-development levels, ensuring there would be no additional runoff to neighbouring properties. Added that the laneway would be engineered to ensure there is no erosion or sediment slippage onto neighbouring properties.

**Ms. Debbie Bourne, 580 Sperling Road** – Redress / Neither Opposed nor In Favour

- Suggested the laneway plan be “reversed” and it be “moved” to the opposite side, placing it directly adjacent and parallel to Uplands Drive.

Mr. Tucker noted that the site design is required to consider turning movements for garbage, delivery and emergency vehicles and if the laneway were located directly adjacent to Uplands Drive there would be no turning opportunity coming onto the site for those vehicles. Added that moving the lane to the rear would be similar to the triplexes recently built opposite to Beban Park.

- Ms. Bourne reiterated that she believes space would be used more efficiently if the laneway were moved to the “opposite side”, adding that it would also prevent disturbance to the bank. Believes that having a road on both sides of your property “seems ludicrous” and would be very noisy for the people living in the proposed development.

Mr. Tucker noted that the laneway would only be used by people living within the development and would not include excessive traffic or noise.

- Ms. Bourne stated that she personally would not purchase within the development because of the placement of the laneway; should be moved onto the other side so “all the noise is contained within one spot”.

Councillor Holdom noted that this meeting is to ascertain correct use of the land, adding that questions or concerns regarding design details would be taken into consideration at a later stage.

Mr. Tucker agreed that the project would be subject to detailed design at the development permit stage and the Design Advisory Panel would also be looking at the proposal.

Councillor Holdom asked for confirmation that placing the laneway at the rear of the properties is to attempt to implement Main Street design principles, which includes having buildings closer to property frontages.

Mr. Tucker agreed that Main Street principles encourage a street presence for the buildings rather than a series of driveways.

No further verbal or written submissions were recognized at the Public Hearing for this Bylaw.

### 3. BYLAW NO. 6000.071:

#### *OCP33 – 6200 Doumont Road*

This Bylaw, if adopted, will redesignate the subject property at 6200 Doumont Road from "Rural Resource Lands" to "Neighbourhood" and will amend the Neighbourhood designation, Section 1.2.2.1. of the "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000" by adding a new policy (5.6). This policy would permit a townhouse development of up to 31 dwelling units on the site. The applicant is proposing to develop a multiple-family residential complex on the eastern portion of the subject property. The subject property is legally described as LOT 1, SECTION 10, WELLINGTON DISTRICT, PLAN 23170 EXCEPT PART IN PLANS 42101 AND VIP64771.

#### **Ms. Maureen Pilcher, Maureen Pilcher and Associates** – Applicant Representative

- Ms. Pilcher's presentation is attached as a part of "Schedule B – Submissions for Bylaw No. 6000.071".

Mayor Korpan asked for a clear definition regarding the proposed access and egress points and what the applicants believe "affordable housing" is in relation to cost of the units.

- Ms. Pilcher indicated that Jenkins Road (currently closed) would be closed at a different point to allow for access at the beginning of the property. Noted that the target price of the units would be between \$300,000 - \$400,000.

#### **Mr. Bryon Calverley, 6124 Denver Way** – Opposed

- Believes the mapping of the Public Hearing Notice is misleading; does not indicate where the E&N railway is so people could assume the project is on the opposite side.
- Asked for clarification regarding Plan Nanaimo policy that calls to protect parkway areas from urban development in order to maintain the natural character, and provide for future interchange potential when considering development within the Urban Containment Boundary. Asked if Council intended on allowing residential development along the entire length of the Parkway.

Mayor Korpan noted that the agreement with the provincial government, through the Ministry of Transportation, includes the same restrictions that applied in 1996 when the Parkway was built. Asked Staff to clarify whether current OCP review would include any changes to policy related to setbacks, signage, housing, etc., along the highway.

Mr. Tucker stated that no changes to the Parkway Development Permit Area are planned at this point in time.

Mayor Korpan noted that separated grade interchanges, as opposed to lighted intersections are being considered at designated interchange lands, adding that the Ministry of Transportation made commitments to protect enough land to allow for separated and graded diamond intersections for space constraints.

- Mr. Calverley stated that a large amount of future development may occur within the "wasteland" area above the property, which would turn Doumont Road into a major corridor.



Mayor Korpan noted that the City would have preferred to have grade separated interchanges constructed when the Parkway was originally built, adding that some lighted intersections are considered more dangerous than earlier estimated.

- Mr. Calverley noted his concern for an existing greenbelt of mature trees along the E&N corridor, between Jenkins Road and the E&N right-of-way, and asked for clarification on whether the trees would not be interfered with.

Mayor Korpan noted that the setback requirements in place for any of the City's transportation corridors would have to be protected and neither this, nor any other project, would be allowed to impinge on them without a formal hearing.

Mr. Tucker added that the site plan the City has at this stage is conceptual only; a detailed design is not required at the OCP amendment stage, adding that if the OCP amendment were approved, the rezoning application and development permit would ensure that setback requirements would be met. Parkway Guidelines include maintaining a tree and character protection zone.

- Mr. Calverley asked if greenbelt of trees located within E&N property were to be retained, and if someone wanted to remove trees would it be open to public discussion.

Mayor Korpan confirmed that if tree removal were applied for it would be advertised and a Public Hearing would need to occur. Added that City policy includes maintaining and protecting the E&N right-of-way.

**Ms. Debbie Bourne, 580 Sperling Road – Redress / Neither Opposed nor In Favour**

- Asked for clarification regarding the proposed intersection and whether it would be a diamond interchange.

Mayor Korpan noted that diamond interchanges could be installed where the lighted interchanges are now.

- Ms. Bourne stated that the road would need to rise up from Doumont. Doumont Road and the Parkway would become a major intersection.

Councillor Holdom noted that there is currently no intersection on the property as a bridge exists there now adding that it would be more likely that some work would be done to change the grades at existing lighted intersections. Noted that most applications involving lands that are adjacent to a provincial highway are required to seek Ministry of Transportation approval.

Councillor Holdom asked for clarification on whether the green space indicated on the map is part of the subject property or a buffer along the Parkway.

Mr. Tucker noted that the green space is part of Ministry of Transportation road right-of-way lands for the Parkway, and that the property line for the site is located approximately at the top of that bank.

No further verbal or written submissions were recognized at the Public Hearing for this Bylaw.

**4. BYLAW NO. 6000.074:**

*OCP32 – 553 Third Street.*

This Bylaw, if adopted, will amend the Neighbourhood designation, Section 1.2.2.1 of the "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000" by adding a new policy (5.7). This policy would permit a maximum four-storey multiple-family residential development of up to 80 dwelling units on the site. The subject property is legally described as LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 14951.

**Mr. Rick Sing** - Applicant Representative for CDF Developments Ltd.

- Purpose of application is to increase density, adding that the preliminary concept is to have two storey residential dwellings along the Hillcrest Avenue street frontage, with higher density behind.
- Noted that access at this stage is planned for at the top of Hillcrest Avenue.

Councillor Holdom asked for clarification on the size of the parcel and what the logic was in proposing such a high density for the area.

- Mr. Sing noted that it would be good utilization of existing, serviced property, adding that there are many existing amenities in the area (Malaspina, NAC, NIC) to encourage higher density.

**Mr. Robert Gauld, 561 Sperling Road** - Opposed

- Concerned about the density of the proposed project. Questioned the size of the units (400 ft<sup>2</sup> – 600 ft<sup>2</sup>) being large enough to house a family and believes the development would instead be marketed to students or first-time buyers.
- Many children in the area, concerned about the dangers of increased traffic, which is already congested and dangerous.
- Asked for clarification regarding the proposed building footprint, parking and whether the units would be rental or strata units.

Mr. Tucker stated that this is an OCP amendment application which does not include detailed designs, adding that the applicant is proposing up to 80 units and that the details of the design would be provided at the rezoning and development permit stage; any variances would need to be applied for at that time.

Councillor Holdom added that an OCP amendment is simply to designate the subject property, not to zone it, which would require separate application(s).

- Mr. Gauld stated that he would be surprised if a developer received Council approval to build 80 units and did not use that approval.

Councillor Holdom noted that if the OCP amendment is approved the developer will not have permission to build the proposal until the property is rezoned, adding that the property is currently zoned for single-family dwellings and duplexes so that is all that would be permitted even if this amendment application is approved. Noted that an OCP designation is an encouragement for certain land use activity, not a right.

**Ms. Debbie Bourne, 580 Sperling Road** – Opposed

- Does not believe the area can support such an increase in density as the neighbourhood already houses several apartment buildings and low-income developments.
- Believes the neighbourhood should only include single-family dwellings and that proposed developments should encourage stability, not transient tenants. Believes crime rates would increase in the neighbourhood if low-income housing were to be developed.
- Children who attend Fairview School would be in danger with the increased traffic, which is already dangerous.
- Believes the noise generated from a complex of this size would be "horrendous".
- Stated her belief that the entire property is not zoned 'Duplex', but just one small portion.

Mayor Korpan asked for clarification on the current zoning of the subject property and if it does include duplexes.

Mr. Tucker confirmed that the current zoning on the subject property is RS-1a (Single Family Residential Zone) and RM-1a (Residential Duplex Zone). Noted that only a small portion of the site (309 Third Street) is zoned for duplexes.

Councillor Unger asked for clarification on what the possible unit sizes would be and whether or not the proposal would be considered low-income housing.

- Mr. Sing stated that the units are intended to be a family dwelling, adding that detailed designs are not complete. Noted the units would be approximately 800 ft<sup>2</sup>.

**Mr. Keith Brown, Land Planning Development Consultant** – In Favour

- Noted that the amenities existing in the neighbourhood are both varied and plentiful, and the site would be ideal for multiple family housing.
- Stated that Council policy is shifting towards densification, infill and sustainability, adding that this subdivision is 90 years old and needs to be reassessed.
- Noted that pedestrian safety and mobility will be improved with the construction of sidewalks as part of this proposal. Believes that a market exists for this development.

Councillor Brennan asked for clarification on the development being affordable housing versus low-income housing.

- Mr. Brown noted that he believes this development would be affordable housing.

**Name not given** – Opposed

- Asked for clarification on the proposed size of the units; recalls applicant indicating the units would be 560 ft<sup>2</sup> – 800 ft<sup>2</sup> at the public meeting, curious as to how developer has "changed" the proposal already. Does not understand how Council can approve this amendment if they do not know what will eventually be built.

Councillor Holdom reiterated that this application is for an OCP amendment only, adding that if this amendment were to be approved, Council would be indicating that this property is appropriate for a form of multi-family development, if the owner and the developer wish to apply for rezoning. 80 units may be too dense, but that would be evaluated at the rezoning application stage.

Mayor Korpan added that the provincial statutes that were created for local government give property owners the opportunity to apply for whatever they want; it is up to the Council of the day, with advice of Staff, to remind people of previous proposals and appropriate land use.

Councillor Manhas added that this OCP amendment application, if approved, would designate the subject property to allow **up to** 80 units, adding that the public would have a further opportunity to comment on this and other detail design issues of the development at the rezoning stage.

**Ms. Nadine Schwager, 1755 Extension Road** – In Favour

- Nice to see an application that would increase the density on lands within the existing UCB, which is highly regarded in the OCP. Believes the proposal is a great idea.

There were three written submissions received for this application and are attached as a part of "Schedule C – Submissions for Bylaw No. 6000.074".

No further verbal or written submissions were recognized at the Public Hearing for this Bylaw.

**5. BYLAW NO. 6000.075:**

*OCP35 – 2421, 2425, 2429 Bowen Road.*

This Bylaw, if adopted, will amend the Neighbourhood designation, Section 1.2.2.1 of the "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000" by adding a new policy (5.8). This policy would permit a maximum four-storey multiple-family residential development of up to 40 dwelling units on the subject properties. The subject properties are legally described as LOTS 26 to 28, BLOCK 5, SECTIONS 19 AND 20, RANGE 7, MOUNTAIN DISTRICT, PLAN 526; and LOT 1, SECTION 20, RANGES 6 AND 7, MOUNTAIN DISTRICT, PLAN VIP51494.

**Mr. Keith Brown, Land Planning Development Consultant** – Owner Representative

- Believes this property is ideal for infill as it is located along a transit line and is within walking distance of 'job creators' (existing commercial and light industrial uses) and the E&N trail.
- Development would include underground parking and upgrading of the rear lane (22 feet width) to handle two-way movement of traffic. Traffic assessment will be completed for this development at the rezoning stage.
- Noted that no view corridors will be impaired through the development as the other properties are lower in elevation.

Mayor Korpan asked if there was any indication that the back laneway access would be a one or two-way laneway.

- Mr. Brown stated that the traffic assessment would confirm the laneway specifics; believes the lane will have to be upgraded through any development that may occur on the site.

Councillor Holdom asked for clarification on the 22 foot laneways and whether they would be on-site or not, and what the realistic and expected density might be for this project.

- Mr. Brown confirmed that the existing lanes would be widened to 22 feet, adding that he believes the density would realistically be 36 to 38 units.

**Mr. and Mrs. Leerholm, 2417 Bowen Road – Opposed**

- Stated the existing laneway is heavily travelled at high speeds, adding that many children and pets are already at risk; believes adding 40 units would add a great deal of traffic and increased danger. Encourages the laneway to be one-way with speed humps. Asked for clarification on whether or not the units would be owned or rented, adding that the existing neighbourhood consists of resident owners and they would like to see that continue.

Mayor Korpan noted that he believes the traffic assessment would most likely encourage a one-way lane for the area and asked for clarification on whether the units would be rented or owned.

- Mr. Brown confirmed that the units would be stratified, adding that the building's Strata Council, when formed, would determine how many of those units could be rented (for example: 10% to 14% of 38 units).

Councillor Unger asked for clarification on the laneway and whether or not it would be a dead end.

- Mr. Brown confirmed that road dedication would be a part of the rezoning, which could result in a one-way lane, after analysis of the traffic assessment.
- Mrs. Leerholm reiterated that her primary concern is the traffic and danger of the laneway and she strongly encourages Council to not approve this proposal unless a one-way lane with speed bumps is guaranteed for the neighbourhood children.

Mayor Korpan noted that the traffic assessment would do a thorough study of safety measures and traffic calming analysis; furthermore, the Engineering Department places public safety as a paramount deciding factor when assessing proposals.

**Ms. Ramona Passarello, 2415 Bowen Road – Opposed**

- Stated that she would fully support a one-way lane toward Labieux Road, adding that she believes that 40 units is too much density and would rather agree to 20 to 25 units in the development.

Councillor Unger asked for clarification on why a laneway is needed as a part of the development seeing as the parking entrance could be used for access / egress and then close the rest of the laneway off. Added that this approach could calm neighbourhood concerns.

- Mr. Brown confirmed that the traffic assessment will need to be analyzed for further clarification, adding that access / egress could conceivably be handled by the parking entrance; however, Labieux Road would be a major consideration in terms of safety and traffic onto Labieux Road itself.
- Ms. Passarello asked for clarification on whether or not home-based businesses would be allowed within the proposed development.

Mr. Carvalho noted that all zones allow for home-based businesses, subject to certain regulations as it relates to traffic, vehicular trips to the property generated per day, restriction of sales on the property, and number of non-resident employees, adding that certain uses are not compatible with residential areas (i.e.: automotive businesses).

Mayor Korpan noted that information on home-based business requirements and permitted uses is available on the website and at DSD front counter at the City Hall Annex. Asked the applicant for confirmation on types of uses being planned for this project.

- Mr. Brown confirmed that no commercial uses are planned for this project, adding that the Strata Council will control the residential operation of the development.

**Mr. Ken Foules, 8 Leam Road** – Neither in Support nor Opposed

- Asked for clarification regarding access / egress from Bowen Road to this project.

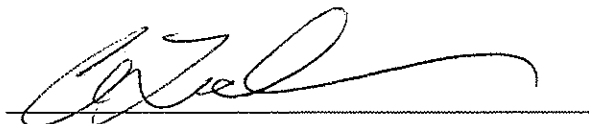
Mayor Korpan stated that when Bowen Road was designated as a major road, any direct access was restricted from adjacent properties, and rear laneways were encouraged to lead to the next available connecting road.

No further verbal or written submissions were recognized at the Public Hearing for this Bylaw.

MOVED by Councillor Holdom, SECONDED by Councillor Brennan, that the meeting be adjourned at 8:35 p.m.

**CARRIED**

Certified Correct:



A. Tucker  
Director, Planning & Development  
**Development Services Department**

**Schedule “A”**

**Submissions**

**For**

**Bylaw 4000.414**

**(RA187 – 1064 Old Victoria Road)**



RA187





**Schedule “B”**

**Submissions**

**For**

**Bylaw 6000.071**

**(OCP33 – 6200 Doumont Road)**

**Presentation in Support of Official Community Plan Amendment  
Application for 6200 Doumont Road, Nanaimo  
Public Hearing  
2007-June-07<sup>th</sup>**

Good Evening Mayor Korpan, Members of Council, Ladies and Gentlemen: My name is Maureen Pilcher, and I am a Planning Consultant in the Central Vancouver Island Area. This evening I am representing the owner of the property at 6200 Doumont Road – Pacific Pet Resorts – Lori Camire – who is here with me tonight.

Ms. Camire had hoped to develop a pet resort at this location, and has worked tirelessly to that end for many years. Lori formulated a comprehensive business plan for a Pet Resort – but unfortunately has been unsuccessful in bringing the plan to fruition. Lori has now recognized that there is a need for family style housing in this area, and wishes to develop a 31 unit multi-family project with a high degree of design and function, which will attract young families to this neighbourhood. In 2006 the Agricultural Land Commission removed this property from the Agricultural Land Reserve as it has no meaningful agricultural potential.

The present OCP designation, Rural Resource Lands, is designed to support agriculture and forest lands and properties without services. This property is no longer within the Agricultural Land Reserve, it is located within the boundaries of the Urban Containment Boundary, and is surrounded by properties that are designated “Neighbourhood”. All utilities required to service the property are located in the Doumont Road right of way. The City of Nanaimo Official Community Plan encourages diversity in housing styles and clearly states that establishing housing choices within existing neighbourhoods will help support a sense of community.

The subject property is centrally located, close to commercial areas, transportation corridors, schools, parks and amenity areas. The surrounding neighbourhood has experienced rapid growth over the last decade and a number of housing types exist. A small lot subdivision is currently being developed across the road from the subject property, and a manufactured home park is in close proximity. Those employed in the significant commercial and industrial areas near by, are in need of affordable, family style housing.

The property is effectively hemmed in by the Nanaimo Parkway and the E&N Rail line, however sensitivity to the physical characteristics and acknowledgement and protection of it's natural features, will result in a site that will be environmentally responsible, esthetically pleasing and community friendly. Thirty-one townhouse style dwelling units will be constructed with a high degree of design that will consider the architecture, scale and density of the surrounding area. This housing style will appeal to young families and young professionals

who are unable to, or are reluctant to, purchase expensive single family dwelling units, but still want to live in the north central area of Nanaimo. Shopping nodes, schools and transit are within a short walk or bike ride distance from the proposed homes. A walking trail on the north edge of the property will enhance the development and create safe and convenient pedestrian movement in the neighbourhood. It is our intention to work closely with the Parks and Recreation Department to complete this trail to their required specifications. The proposed development will meet the requirements of the Parkway Design Guidelines by including a character protection zone and a tree protection zone along the Parkway boundary. Noise abatement has been taken into account when locating the dwelling units on the property.

A Public Meeting, held on 2007-February-13, was attended by 37 interested neighbourhood residents. Discussions at that meeting centered around the Official Community Plan amendment process, the proposed use of the property, and the time frame for construction of the proposed townhouses. Feedback forms were available for all attendees – and 8 forms were completed – 4 in favour of the development and 4 who were not in favour. In general the project was well received and many neighbours indicated that they were pleased to see new, high quality but affordable homes being built in their community.

Ms. Camire's vision of a family oriented, environmentally sensitive, and affordable project will be an asset to the existing neighbourhood and to the City of Nanaimo. The project will meet the requirements of the Neighbourhood designation of the Official Community Plan and is a logical extension of the Neighbourhood Designation in this area. We have completed a draft site plan, and will work closely with Development Services staff to ensure that this project meets all requirements of the Zoning Bylaw, Multi-family Development Permit Guidelines and the Parkway Design Guidelines.

Thank you for considering our request to redesignate this property in order to provide a comprehensive, well planned, in-fill development to enhance this neighbourhood. We welcome any questions or comments on this application.

**Schedule “C”**

**Submissions**

**For**

**Bylaw 6000.074**

**(OCP32 – 553 Third Street)**

**Jason Carvalho**

**From:** Dylan [dylanj@shaw.ca]  
**Sent:** Saturday, June 02, 2007 6:45 PM  
**To:** Public Hearing  
**Subject:** development at 553 third st. bylaw no 6000.074

To Whom It May Concern:

As a happy on site owner of a near by property **I must whole heartedly disagree with the city decision of building an 80 unit, 4 level high structure in our area.**

**We now have two apartments on the corner of Thrid and Wakasiah that causes considerable problems both crime wise and esthetically.**

**We have the low rentals on the corner of Thrid and Howard**

**We have the low rentals on Hillcrest and Fourth**

**Now you want to box us in with an additional 80 unit monstrosity of a building. NO I do not approve!**

I will be happy to approve nice, tidy single family homes on that property that will increase the value of my property. **Your plan of condos will only drag down the area.**

With the fine Collage, High School, Swimming pool and the new Ice Arena **we do not need to be harnessed with a potential slum building in our area.**

I believe mine and my neighbours properties will be negatively affected by the proposed bylaws. **I vote NO.**

6/4/2007

**Jason Carvalho**

**From:** carol d [ceedeeis@telus.net]  
**Sent:** Monday, June 04, 2007 6:31 PM  
**To:** Public Hearing  
**Subject:** Re : Property at 353 Third Street bylaw 6000.074

MY NAME IS CAROL DOWNIE AND I RESIDE AT 372 SPERLING ROAD NANAIMO, B.C. - V9R 5T5  
I AM SUBMITTING THIS NOTICE OF OBJECTION TO THE PROPOSED DEVELOPMENT AT 355 THIRD STREET

AS A MULTI FAMILY APARTMENT BUILDING -

PERHAPS MR. HARINGA DOES NOT REMEMBER THE OBJECTIONS TO THIS PROPOSAL THAT WERE SUBMITTED

TEN YEARS AGO TO BASICALLY THE SAME PLANS THAT HE HAD TRIED TO SLIDE THROUGH.

WE HAVE ALREADY BEEN INDUNATED WITH LOW RENTALS IN OUR AREA AND AS A RESULT OUR PROPERTY VALUES ARE LOWER THAN THE REST OF THE CITY -I.E. THOSE ON THIRD - (OPPOSITE TO WERE HE NOW WANTS TO BUILD) -

ALSO ON HILLCREST AVENUE AND WAKESIAH AVENUE . I AM THINKING THAT IT REALLY DOES NOT MATTER TO HIM OR ANYONE INVOLVED WITH THIS PROPOSAL THAT WE NOW HAVE A NEW DEVELOPMENT OF BEAUTIFUL HOMES WITHIN 4 BLOCKS OF THIRD STREET OR THAT MOST OF THE RESIDENTS IN THE AREA TAKE VERY GOOD CARE OF THEIR HOMES AND YARDS. - THE OBJECTIONS PUT FORWARD THEN HAVE NOT CHANGED (EXCEPT TO INCREASE) BECAUSE WE NOW HAVE TO FIGHT TRAFFIC TO GET OFF WATFIELD ROAD (I HAVE WAITED FOR 22 CARS TO PASS ONCE BEFORE I COULD TURN ON TO THIRD.) THE LAST THING WE NEED IS MORE TRAFFIC FROM A 80 UNIT SLUM BUILDING - (GUARANTEED TO BECOME THIS IF THESE UNITS ARE TO BE BETWEEN 550 AND 650 SQUARE FEET). - I THOUGHT THAT WE WERE ON AN UPSWING IN OUR NEIGHBOURHOOD AFTER THE AQUATIC CENTER AND ICE CENTER WERE BUILT - BUT ONCE MORE I FEEL THAT I AM A POOR CHURCH MOUSE BECAUSE I DO NOT LIVE IN THE "NORTH END" - WELL - I MUST SAY THAT I LOVE NANAIMO AND HAREWOOD ESPECIALLY - SO GIVE US A BREAK AND DO NOT PASS THIS AMENDMENT

LET MR. HARINGA BUILD 7 OR 8 SINGLE FAMILY HOMES ON THIS PROPERTY IF HE WISHES - BUT NO MULTI FAMILY DWELLINGS - THIS PROPERTY IS ALREADY ZONED FOR SINGLE FAMILY DWELLINGS.  
CAROL DOWNIE

6/5/2007

**Jason Carvalho**

---

**From:** Ilona Baan [ibaan@shaw.ca]  
**Sent:** Thursday, June 07, 2007 1:07 PM  
**To:** Public Hearing  
**Subject:** concerned

Hello

My name is Ilona Baan and I live on 350 Watfield Ave. I am very concerned about apartments moving into our region here... It was suppose to be family units only. It is very hard to get on third street with the traffic now.. We take our lives on risk sometimes to pull out to third street. More traffic from apartments would only fuel the traffic to havoc capacity. I hope we are not having any more condos.. We need family homes in this area.. Thanks for hearing me out  
Ilona Baan

6/7/2007