

STAFF REPORT

TO: A. TUCKER, ACTING DIRECTOR, PLANNING AND DEVELOPMENT, DSD

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

RE: REPORT OF THE PUBLIC HEARING HELD THURSDAY, 2006-NOV-02
FOR BYLAWS NO. 4000.402, 4000.404, AND 4000.405

STAFF'S RECOMMENDATION:

That Council receive this report and the minutes of the Public Hearing held on Thursday, 2006-NOV-02.

EXECUTIVE SUMMARY:

A Public Hearing was held on 2006-NOV-02, the subject of which was three items. Approximately 15 members of the public were in attendance. Minutes of the Public Hearing are attached and information regarding procedures for Bylaws No. 4000.402, 4000.404, and 4000.405 are contained within the report.

BACKGROUND:

A Public Hearing was held on 2006-NOV-02, the subject of which was three items. Approximately 15 members of the public were in attendance.

1. BYLAW NO. 4000.402

This bylaw, if adopted, will rezone property from Single Family Mobile Home Residential Zone (RS-3) to Public Institution Zone (P-2) in order to allow for the expansion of the neighbouring residential care facility (Dover House). If approved, the proposed development will provide up to 75 care rooms. The subject property is legally described as ALL THAT PART OF LOT 4, DISTRICT LOT 20, WELLINGTON DISTRICT, PLAN 10912 LYING TO THE EAST OF A BOUNDARY PARALLEL TO AND PERPENDICULARLY DISTANT 121 FEET WESTERLY FROM THE EAST BOUNDARY OF SAID LOT 4.

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

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

2. BYLAW NO. 4000.404:

This bylaw, if adopted, will rezone property from Single Family Residential Zone (RS-1) to Residential Duplex Zone (RM-1) in order to permit the development of a duplex.

The subject property is legally described as LOT 6, SECTION 4, RANGE 4, WELLINGTON DISTRICT, PLAN VIP80527.

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

No 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. 4000.405:

This bylaw, if adopted, will rezone portions of the subject properties from Light Industrial Zone (I-2) to Medium Density Multiple Family Residential (Suburban) Zone (RM-5) in order to allow for the development of a residential care facility. If approved, the proposed development will provide 150 residential care units. The subject properties are legally described as parts of SECTION 28, RANGE 17, SECTION 7, NANAIMO DISTRICT, PLAN 1332, EXCEPT THE EAST 34.3 FEET OF THE SOUTH 208.7 FEET, 40473 AND 45275 and SECTION 29, RANGE 17, OF SECTION 7, NANAIMO DISTRICT, PLAN 1332, EXCEPT PART OUTLINED IN RED ON PLAN 522 RW AND EXCEPT PART IN PLAN 3212 RW.

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

No 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
Acting 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, 2006-NOV-02, TO CONSIDER PROPOSED
AMENDMENTS TO THE CITY OF NANAIMO "ZONING BYLAW 1993 NO. 4000"**

PRESENT:

Councillor L.J. Sherry - Chair / Acting Mayor
Councillor M.D. Brennan (arrived at 7:06 p.m.)
Councillor W.L. Bestwick (arrived at 7:08 p.m.)
Councillor W.J. Holdom
Councillor C.S. Manhas
Councillor L.D. McNabb

Staff

D. Lindsay, Manager, Planning Division, DSD
J. Carvalho, Planner, Planning Division, DSD
P. Masse, Planning Clerk, Planning Division, DSD

Public

There were approximately 15 members of the public present.

CALL TO ORDER:

Councillor Sherry called the meeting to order at 7:00 p.m. 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 last opportunity to provide input to Council before consideration of Third Reading to Bylaws No. 4000.402, 4000.404, and 4000.405 at Council's next regularly scheduled meeting of 2006-NOV-20.

1. BYLAW 4000.402:

This bylaw, if adopted, will rezone property from Single Family Mobile Home Residential Zone (RS-3) to Public Institution Zone (P-2) in order to allow for the expansion of the neighbouring residential care facility (Dover House). If approved, the proposed development will provide up to 75 care rooms. The subject property is legally described as ALL THAT PART OF LOT 4, DISTRICT LOT 20, WELLINGTON DISTRICT, PLAN 10912 LYING TO THE EAST OF A BOUNDARY PARALLEL TO AND PERPENDICULARLY DISTANT 121 FEET WESTERLY FROM THE EAST BOUNDARY OF SAID LOT 4.

Mr. Jerry Ellins, 923 Barry Point Road, Gabriola – Applicant / Jerry Ellins, Architect

- Public meeting with neighbourhood community took place in the existing facility in September; concerns noted were potential traffic volume increases and possible trail right-of-way towards rear of properties. Trail right-of-way no longer being considered and existing portion of the right-of-way to be discharged through rezoning.

Mr. Joe Holmes, 6142 Avery Lane – Opposed

- Lives directly adjacent to subject property and is concerned with height of the proposed structure and that it may infringe on the privacy of the surrounding neighbourhood. Asked for confirmation that the height of the proposed building would be approximately 3-storey's and added that he was concerned that there will not be adequate screening for the immediate neighbours.

Mr. Lindsay confirmed that the building, as proposed, will have a 3-storey façade and be approximately 35'.

Councillor McNabb asked for clarification on the current zoning of the property and whether or not it is zoned to allow for a Mobile Home Park.

Mr. Lindsay noted current zoning is RS-3 (Single Family Mobile Home Residential Zone), which allows for the placement of a single-wide mobile on the lot, however does not permit the development of what is typically known as a mobile home park.

Councillor Holdom asked if the applicant had plans to provide screening for the immediate neighbours.

Mr. Lindsay noted that current plans at the rezoning stage include bylaw requirements for landscaping (1.8 metre wide buffer with fencing) and added that through the development permit stage greater detail will be given to the landscaping plan.

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

2. BYLAW NO. 4000.404

This bylaw, if adopted, will rezone property from Single Family Residential Zone (RS-1) to Residential Duplex Zone (RM-1) in order to permit the development of a duplex. The subject property is legally described as LOT 6, SECTION 4, RANGE 4, WELLINGTON DISTRICT, PLAN VIP80527.

Councillor Manhas removed himself from the Hearing for this Bylaw due to a perceived conflict of interest.

No written or verbal submissions were received for this application.

Councillor Manhas returned to the Hearing.

3. BYLAW NO. 4000.405:

This bylaw, if adopted, will rezone portions of the subject properties from Light Industrial Zone (I-2) to Medium Density Multiple Family Residential (Suburban) Zone (RM-5) in order to allow for the development of a residential care facility. If approved, the proposed development will provide 150 residential care units. The subject properties are legally described as parts of SECTION 28, RANGE 17, SECTION 7, NANAIMO DISTRICT, PLAN 1332, EXCEPT THE EAST 34.3 FEET OF THE SOUTH 208.7 FEET, 40473 AND 45275 and SECTION 29, RANGE 17, OF SECTION 7, NANAIMO DISTRICT, PLAN 1332, EXCEPT PART OUTLINED IN RED ON PLAN 522 RW AND EXCEPT PART IN PLAN 3212 RW.

Ms. Alice Blackburn, Good Samaritan Society – Applicant

- Ms. Blackburn's submission is attached as 'Schedule 'A' – Submission for Bylaw 4000.405.

Councillor Holdom asked if the proposed housing would be available to people who require subsidies.

Ms. Blackburn confirmed the project is affordable housing and the assisted living will be based on 70% of net income. Intended as affordable, subsidized residential care.

Councillor Brennan asked if Good Samaritan Society was a for profit or not-for-profit company.

Ms. Blackburn confirmed that Good Samaritan Society is a not-for-profit society.

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

MOVED by Councillor McNabb, SECONDED by Councillor Bestwick, that the meeting be adjourned at 7:18 p.m.

CARRIED

Certified Correct:



D. Lindsay
Manager, Planning Division
DEVELOPMENT SERVICES DEPARTMENT

Schedule “A”

Submission

For

Bylaw 4000.405

(80 & 90 Tenth Street)

Good Samaritan Society is a not-for-profit, care giving organization established in 1949 in Alberta. The Society extends Christian Hospitality through a continuum of care to those in need or at risk, regardless of race or religious belief. Our facilities reflect our values of servant leadership, healthy relationships and hospitable environments. We currently serve over 6,000 individuals in Alberta and BC. We employ approximately 2,500 staff and have over 1,200 volunteers. We currently have several facilities in BC communities such as Kelowna, Penticton, Salmon Arm and Gibsons and soon we are opening facilities in Vernon and New Westminster.

Earlier this year Good Samaritan Canada responded to a request for proposal through Partnerships BC to develop, in partnership with Vancouver Island Health Authority and BC Housing, a Campus of Care in Nanaimo providing 110 Residential Care beds and 40 Assisted Living Suites. Good Samaritan Society was the chosen provider in Nanaimo and our project is one of several on the island put forth at the same time. The Health Authority has put a deadline on opening the facility by Summer 2008. This is part of the provincial governments mandate to provide 5,000 new care beds in BC.

Also We chose the site in the Chase River community for several reasons. Much of Nanaimo development and growth is occurring on the north side, so we recognized the need in the South. It's close proximity to key services such as medical and dental services, pharmacy, groceries, banking, post office, restaurants, and more. We are also pleased that our development falls within the Official Community Plan with multi-family residential housing. The land consists of 2 sites, lot 80 and lot 90, which lies between 10 street and Lawlor Road, and between 10th Street and the rail road spur lines to the north. Both sites are currently zoned Industrial. We will re-zone the westerly portion of each site to RM-5 which is Medium Density Multiple Family Residential and consolidate the lands. The east piece will not be re-zoned at this time as the schedule simply does not allow for it. Therefore a restrictive covenant will be placed on the land, which will protect the city and restrict future re-zoning of this land to be in accordance with the Community Plan. There is a riparian set back of 50 feet which runs along Wexford Creek and 10th Street. We are following strict watercourse protection guidelines set for by the city for within this set back. We will ~~also~~ provide a community pedestrian walk way within our site which will follow the creek along the edge of the set back. Although the zoning by-law allows for a 3 story structure, we will limit the building to a 2 story facility. The Chase River Neighborhood Plan outlines architectural guidelines for the exterior building design which is 'Agrarean' or 'Finnish'. We have followed this guideline in our proposed design.

There will be 110 Residential Care beds, 80 of which will be located within the main building on 2 floors. There will be 2 square pods of 20 units with a secure courtyard in each. The complex ~~residential~~ care program is intended for residents that can no longer be supported independently in the community and require 24 hour professional licensed care. Each room will have a bathroom and wheelchair accessible shower. (186 sq.ft units)

The other 30 residential care beds will be located in 3 cottages with 10 beds in each, located at the north end of the site. These cottages will be single story duplexes creating a home-like setting for residents with dementia including Alzheimer's. Each half duplex will have 5 bedrooms, a living room with a fireplace, a dining room and access to a secure fenced yard. Residents are included in the every day events of daily living to the extent that they are accustomed and able, within a familiar home-like environment.

There will also be 40 assisted living suites located on the south side of the site, within 2 wings on 2 floors. Assisted living programs are intended for residents who can no longer live in their own home with supports, but who do not require 24-hour professional nursing care and supervision. Each suite will be approximately 550 sq ft and will have one bedroom, a wheelchair accessible bathroom with shower, a kitchen with a fridge and stove, and a living room. Residents will bring their own furniture. The program offers residents the flexibility to prepare breakfast in their own suite if they choose. Residents pay rent, which includes two meals per day, housekeeping and linen service and TeleCare Emergency Response.

The facility will also include a multi-purpose room for various activities, a chapel, a beauty parlor and outdoor patios and walkways.

Placement into the campus of care will be through the Vancouver Island Health Authority.

The facility will employ approximately 150 staff in positions such as registered nurses, licensed practical nurses, health care aides, physiotherapist, occupational therapist, recreation aide, social worker, pastoral care, dietician, assisted living workers, education assistants, food service workers, hospitality, housekeeping, laundry, maintenance and clerical. In addition approximately 200 volunteers will be utilized. (\$4.6 annual wages \$5.4 with benefits)

We are excited about this project and look forward to opening our first campus of care on Vancouver Island. We're very pleased that the Chase River neighborhood will be home to our future residents.