

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-MAR-02, TO CONSIDER
PROPOSED AMENDMENTS TO THE CITY OF NANAIMO
"ZONING BYLAW 1993 NO. 4000" AND
"DEVELOPMENT PARKING REGULATIONS BYLAW 2005 NO. 7013":

PRESENT: Mayor G.R. Korpan
Councillor L.D. McNabb Councillor M.W. Unger
Councillor L.J. Sherry Councillor C.S. Manhas

Staff

B. N. Mehaffey, General Manager, DSD
D. Lindsay, Manager, Planning Division, DSD
J. Holm, Planner, Planning Division, DSD
J. Carvalho, Planner, Planning Division, DSD
P. Masse, Planning Clerk, Planning Division, DSD

Public

There were 27 members of the public present.

CALL TO ORDER:

Mayor Korpan 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 and Final Adoption of Bylaw No. 7013.01, and Third Reading of Bylaws No. 4000.382, 4000.385, 4000.386, 4000.387, and 4000.388, at Council's next regularly scheduled meeting of 2006-MAR-13.

1. BYLAW NO. 4000.382:

This bylaw, if adopted, will rezone property from Rural Agricultural / Residential Zone (A-2) to Single Family Residential Zone (RS-1) in order to permit the development of a proposed 19-lot single family residential subdivision. The applicant is proposing to provide access to this subdivision from Doumont Road. The subject property is legally described as LOT A, SECTION 10, WELLINGTON DISTRICT, PLAN VIP61442.

Mr. Brian Henning, Williamson & Associates, Land Surveyor – On behalf of Owners

- Noted that the subject property is a 4.5-acre site formally part of the Black Bear Pub property, and is located between the Nanaimo Parkway and the E&N Railway.

- Proposal includes 19 single-family lots as bare land strata development. Houses proposed to be 1400 – 1600 ft² with a value that is intended for entry level buyers.

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

2. BYLAW NO. 4000.385:

This bylaw, if adopted, will rezone property from Light Industrial Zone (I-2) to Industrial Service Highway Zone (IS-1a) in order to permit an automobile sales and service dealership (Tom Harris Chevrolet). The applicant is proposing to relocate the existing dealership to this site, and will include a vehicle service area, showroom and display area, and car wash. The subject property is legally described as LOT 1, SECTION 5, WELLINGTON DISTRICT, PLAN 17696.

Mr. David Murchie, 2700 – 102 Street – Opposed

- Concerned with traffic safety issues in the area.
- The applicant and City have acknowledged that an intersection at Bowen Road will be constructed. Traffic travelling north would likely go along Kenworth up to Shenton Road rather than attempting to make two left-hand turns on a very busy street. The Shenton and Jingle Pot intersection is already a safety concern for the general public but most notably to the elementary school children nearby.
- Asked Council for a commitment that the City will improve the intersection and make it safe for the community.
- Asked Staff if a traffic study had been conducted in relation to this application.

Mr. Lindsay stated that the applicant had hired a third-party engineer to conduct a traffic study for the site that looked at traffic generation to and from the site, access opportunities on local roads, and impact on the broader road networking. Mr. Lindsay noted that the one recommendation resulting from that traffic study was that work for the intersections at Bowen Road and Kenworth Road (tentatively scheduled for 2009) proceed as is necessary in order for this project to go forward. No further recommendations were forthcoming from this traffic study.

Mayor Korpan suggested that Mr. Murchie contact the Engineering Department at the City to ascertain future road working plans for the area, including time frame. Mayor Korpan added that Council is unable to give any kind of commitment other than to state that public safety is a top priority for the Municipality and if there are safety issues at this intersection then the Engineering Department would be working on ways to try to alleviate that.

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

3. BYLAW NO. 4000.386:

This bylaw, if adopted, will rezone property from Mobile Home Park Subdivision Zone (RM-8) to Single Family Residential Small Lot Zone (RS-6) in order to permit development of a proposed 70-lot single family residential subdivision. The applicant is proposing to provide access to this proposed subdivision from Ninth Street. The subject property is legally described as LOT A, SECTION 1, NANAIMO DISTRICT, PLAN VIP54848.

Mr. Allen Steeves, 265 Ninth Street – Applicant / Owner

- His family has owned the property since 1991. It was approved for a 75-unit mobile home park in 1993 and at that time the market did not warrant the development even though building permits were obtained and DCC's had been paid. The building permit has since lapsed.
- Market conditions have improved; therefore, an application was made to rezone the property from Mobile Home Park to the RS-6 Zone in order to create a 70-lot subdivision.
- Catering to a mid-income, family-oriented buyer. They realize it is tough to find affordable housing. His objective is to allow for cost-effective homes for the first-time buyer.

Two written submissions were received and are attached "Schedule 'A' – Submissions for Bylaw No. 4000.386".

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

4. BYLAW NO. 4000.387:

This bylaw, if adopted, will allow 'parking lots' as a site specific use on lands located at 3054 and 3058 Barons Road. The applicant is proposing to develop this site as a parking lot for the use of NCO call centre employees. The subject property is legally described as LOTS 5 and 6, SECTION 5, WELLINGTON DISTRICT, PLAN 29823.

Mr. Lindsay noted that the applicant sends his apologies for not being able to attend the Public Hearing due to illness.

Mr. David Murchie, 2700 – 102 Street – Opposed

- Noted that because Country Club Mall recently decreased the number of parking stalls through the development of Starbucks he believes it is a disservice to Country Club Town Centre to construct a parking lot in the area when they have ample parking available.
- Through some research, discovered that the existing parking lots are rarely full. Excess parking is not normally required.
- In his opinion the public is not interested in additional public parking lots, the Call Centre's parking needs are not a concern for the community, and their parking more than exceeds what office allowance regulations are for a mall. Does not believe this is effective planning.
- Noted that the last item on the agenda this evening is in regards to decreasing the amount of parking required at Country Club; it is inconsistent that a parking lot is being considered that would affect a Town Centre when there seems to be more than enough parking available.

Mayor Korpan asked Staff for clarification regarding the apparent contradiction between the two noted bylaws.

Mr. Lindsay responded that details on the impact of these bylaws can certainly be forwarded to Mr. Murchie, adding that he did not know the exact floor area of Country Club Mall but believes it is in the range of 300,000 ft².

Mr. Murchie stated that he received information indicating that the floor area of Country Club is in the range of 200,000 ft², falling below the required 5.4 stalls, dropping it to 4.3 stalls (one parking spot per 18 m²), therefore they currently have an excess of several hundred parking spaces currently. Believes it is a disservice to have that much asphalt in a Town Centre; higher density developments would be better utilized in this area.

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

5. BYLAW NO. 4000.388:

This bylaw, if adopted, will rezone a portion of the subject property from Single Family Residential Zone (RS-1) to Light Industrial Zone (I-2) in order to expand the adjacent Inland Kenworth operation. The subject property is legally described as part of LOT 5, SECTION 17, RANGE 7, MOUNTAIN DISTRICT, PLAN 1334, EXCEPT PART IN PLAN 23608.

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

6. BYLAW NO. 7013.01:

This bylaw, if adopted, will amend the City of Nanaimo "DEVELOPMENT PARKING REGULATIONS BYLAW 2005 NO. 7013":

1. By adding the definition of "Retail Trade and Services Centre" in Section 8 Definitions as "means one or more buildings containing two or more retail or service-related uses, which share common services and parking on a lot.
2. By adding parking requirements for "Retail Trade and Services Centres" and amending parking requirements for "Shopping Centres" as follows:

Shopping Centres and Retail Trade and Services Centres	<ul style="list-style-type: none">• 4.3 spaces per 100 m² (1076 ft²) of net floor area, where the centre has a net floor area of less than 35,000 m² (376,749 ft²).• 5.4 spaces per 100 m² (1076 ft²) of net floor area, where the centre has a net floor area of 35,000 m² (376,749 ft²) or more.
--	---

3. By adding Subsection 13.3 to clarify that, where disparity exists with respect to parking calculations, metric measurements take precedence over the imperial equivalents.

Mr. Fred Taylor, 204 Emery Way – Opposed

- Mr. Taylor believes that these amendments are "going backwards". He has concerns with respect to the definitions and the number of buildings included as part of a "centre".

- There are more and more residential streets in this area and cars line these streets. Some hospital employees leave an hour early to work just to obtain a parking space. Believes parking restrictions are being continually reduced thus forcing cars on to residential streets surrounding commercial centres. Believes that parking should be maintained by "building up" within parkades.
- Noted that he was "concerned" about Council members that may have a possible perceived conflict of interest with respect to parking issues.

Councillor Unger asked Mr. Taylor for clarification regarding his last statement and any possible conflict of interests to Council members.

Mr. Taylor stated that he is not concerned about Council members' family members being involved in the parking business but rather the parking relaxation demands which have been before Council in the past.

Councillor McNabb noted that there are no conflicts of interest in relation to this bylaw amendment.

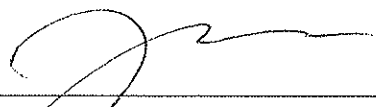
Mr. David Murchie, 2700 – 102 Street – Opposed

- Stated that if this bylaw doesn't ensure that Country Club Mall has adequate parking to meet their needs then the bylaw is inadequate.

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

MOVED by Councillor Sherry, SECONDED by Councillor McNabb that the meeting be adjourned at 7:27 p.m.

CARRIED



B.N. Mehaffey
General Manager

DEVELOPMENT SERVICES DEPARTMENT

/pm

Council: 2006-MAR-13

G:\Devplan\Files\Admin\0575\20\2006\Minutes\2006Mar02PHMinutes

Schedule “A”

Submissions

For

Bylaw No. 4000.386

400.336

Deborah Jensen

From: Gabriele Yanusch [gmerc@shaw.ca]
Sent: Tuesday, February 21, 2006 10:24 AM
To: Public Hearing
Subject: file no. RA152

to whom it may concern:

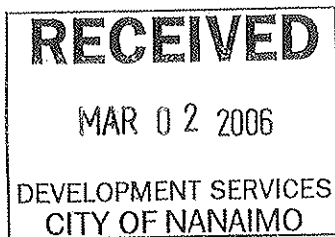
I have read the information forwarded me regarding the change in bylaw to permit a single family subdivision at 9th st. I have a few concerns regarding this issue but the first and primary concern is the proposed access to this subdivision via 9th st. This particular street is currently extremely small--one might say only 1 and 1/2 lanes wide. When someone parks anywhere along the side of this street, it is impossible for 2 vehicles to safely pass each other. If one adds the traffic congestion of 70 families to this, it soon becomes clear that this is an issue that must be addressed. In addition, one must take into consideration the numerous children walking to school along this route; and there are no sidewalks between Douglas and Park on 9th.

I am also concerned with the flow of traffic along Douglas Ave. leading to 10th st from 9th. There is currently a lot of traffic along this road and this would also significantly increase it. There are no street lights along the last stretch of Douglas before 10th.

Thank you

Gabriele Yanusch
353 Aspen Way
Nanaimo

2/24/2006



WRITTEN SUBMISSIONS

RE: Bylaw #4000-386,
265 Ninth Street
File #RA152

Contact Person: Colleen Poole - 754-3190 OR
TRACY SAMPSON 753-4403

This is in response to the proposed rezoning of property located at 265 Ninth Street from Mobile Home Park Subdivision Zone (RM-8) to Single Family Residential Small Lot Zone (RS-6) with access to the proposed subdivision from Ninth Street.

We are all resides who currently reside on either Ninth Street or in the mobile home park whose properties border Ninth Street.

This is a family neighbourhood and family mobile home park where children of all ages reside and still enjoy riding their bikes or roller blading on the street. The access to the proposed subdivision will increase the traffic on Ninth Street, which has been a dead end street for more than 30 years, to a volume that this small street can not handle.

We feel that access to the subdivision can be done without any adverse affect on any residential neighbourhood, or the new subdivision, by accessing it off of 10th Street, which is already a very busy thru road with no residential housing located on it.

We are not opposing the rezoning of the property to a subdivision but are strongly opposing the access off of Ninth Street and wish to be notified of any further meetings regarding this matter.

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
<u>R. POOLE</u>	<u>338 MYRTLE CRES</u>	<u>R.H. Poole</u>
<u>C. POOLE</u>	<u>338 MYRTLE CRES.</u>	<u>C. Poole</u>
<u>S. McDONALD</u>	<u>304 MYRTLE</u>	<u>S. McDonald</u>
<u>Nancy Massop</u>	<u>307 Myrtle Cres.</u>	<u>Nancy Massop</u>
<u>Kendy Massop</u>	<u>307 Myrtle Cres.</u>	<u>Kendy Massop</u>

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
Patricia Bogdan	309 Myrtle	Patricia Bogdan
MIKE NICKS	325 MYRTLE	M J Nicks
PENNY NICKS	325 MYRTLE	P. L. Nicks
LIZ DUERRE	328 MYRTLE	Liz Duerr
ED DUERRE	"	E. D.
L. McLellan	319 MYRTLE	L. McLellan
J. Lawes	323 MYRTLE	J. Lawes
G. Heron	319 MYRTLE	G. Heron
G. Engel	356 Aspenway	Gordon Engel
K. Engel	356 Aspenway	K. Engel
M. Weber	334 Myrtle	M. Weber
Kristine McConnell	312 Ninth	K. McConnell
BEV McLACHLAN	351 ASPENWAY	Bev McLachlan
Gabriela Yanusch	353 Aspen Way.	G. Yanusch
Wayne Dunbar	303 Myrtle Ave	Wayne Dunbar

NAME

ADDRESS

SIGNATURE

ELVIS LINDA McFARLANE

336 Myrtle Cres

Linda McFarlane

VALERIE ROBINSON.

318 MYRTLE CRES

Val Robinson

Tracy Sampson

310 9th St.

Tracy Sampson

George Sampson.

310 9th St

George Sampson

LYNETTE TILLEY

302 MYRTLE

Lynette Tilley