

FILE COPY

( ) Report of the Public Hearing held 2005-NOV-03 for Bylaw No. 4000.381 and a Covenant Amendment

A Public Hearing was held on 2005-NOV-03, the subject of which was two items. Approximately 14 members of the public were in attendance. Minutes of the Public Hearing are attached and information regarding procedures for Bylaw No. 4000.381 and the covenant amendment is contained within the report.

**BYLAW NO. 4000.381:** This bylaw, if adopted, will rezone property from Steep Slope Residential Zone (RS-7) to Medium Density Multiple Family Residential (Suburban) Zone (RM-5) in order to permit development of a 25-unit multiple family residential development.

The subject property is legally described as PARCEL D (DD 14897N) OF SECTIONS 15 AND 16, RANGE 11, SECTION 1, NANAIMO DISTRICT, PLAN 630.

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

One member of the public, a representative for the applicant, attended the Public Hearing to speak to this issue. 12 written submissions were recognized at the public hearing, and are attached as "Schedule A – Submissions for Bylaw No. 4000.381" to the Public Hearing minutes.

**COVENANT AMENDMENT:** This covenant amendment, if approved, will amend an existing covenant (EX002364) registered on the title of the subject property located at 6201 Oliver Road. If approved, the covenant amendment would reduce the required amount of underground parking from 65% to 50%, and revise the existing site plan to allow for the development of a seniors' congregate housing facility.

The subject property is legally described as LOT B, DISTRICT LOT 14, WELLINGTON DISTRICT, PLAN VIP56222, EXCEPT PLAN VIP71177.

This application appears before Council this evening for consideration of approval of the covenant amendment.

One member of the public, a representative for the applicant, attended the Public Hearing to speak to this issue. Two written submissions were recognized at the public hearing, and are attached as "Schedule B – Submissions for Covenant Amendment" to the Public Hearing minutes.

Recommendation: That Council:

1. Receive this report and the minutes of the Public Hearing held on Thursday, 2005-NOV-03; and
2. Direct Staff to proceed with the proposed covenant amendment for 6201 Oliver Road.

## FOR CITY MANAGER'S REPORT

REPORT TO: E.C. SWABEY, DIRECTOR, PLANNING AND DEVELOPMENT, DSD

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

RE: REPORT OF THE PUBLIC HEARING HELD THURSDAY, 2005-NOV-03  
FOR BYLAW NO. 4000.381 AND A COVENANT AMENDMENT

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### RECOMMENDATION:

That Council:

1. Receive this report and the minutes of the Public Hearing held on Thursday, 2005-NOV-03; and
2. Direct Staff to proceed with the proposed covenant amendment for 6201 Oliver Road.

### BACKGROUND:

A Public Hearing was held on 2005-NOV-03, the subject of which was two items. Approximately 14 members of the public were in attendance. Minutes of the Public Hearing are attached and information regarding procedures for Bylaw No. 4000.381 and the covenant amendment is contained within the report.

### DISCUSSION:

#### **1. BYLAW NO. 4000.381:**

This bylaw, if adopted, will rezone property from Steep Slope Residential Zone (RS-7) to Medium Density Multiple Family Residential (Suburban) Zone (RM-5) in order to permit development of a 25-unit multiple family residential development.

The subject property is legally described as PARCEL D (DD 14897N) OF SECTIONS 15 AND 16, RANGE 11, SECTION 1, NANAIMO DISTRICT, PLAN 630.

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

One member of the public, a representative for the applicant, attended the Public Hearing to speak to this issue. 12 written submissions were recognized at the public hearing, and are attached as "Schedule A – Submissions for Bylaw No. 4000.381" to the Public Hearing minutes.

#### **2. COVENANT AMENDMENT:**

This covenant amendment, if approved, will amend an existing covenant (EX002364) registered on the title of the subject property located at 6201 Oliver Road. If approved, the covenant amendment would reduce the required amount of underground parking from 65% to 50%, and revise the existing site plan to allow for the development of a seniors' congregate housing facility.

The subject property is legally described as LOT B, DISTRICT LOT 14, WELLINGTON DISTRICT, PLAN VIP56222, EXCEPT PLAN VIP71177.

This application appears before Council this evening for consideration of approval of the covenant amendment.

One member of the public, a representative for the applicant, attended the Public Hearing to speak to this issue. Two written submissions were recognized at the public hearing, and are attached as "Schedule B – Submissions for Covenant Amendment" to the Public Hearing minutes.

**RECOMMENDATION:**

That Council:

1. Receive this report and the minutes of the Public Hearing held on Thursday, 2005-NOV-03; and
2. Direct Staff to proceed with the proposed covenant amendment for 6201 Oliver Road.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Lindsay', is written over a horizontal line.

D. Lindsay, Manager  
Planning Division

**DEVELOPMENT SERVICES DEPARTMENT**

/dj/pm

Council: 2005-NOV-28

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**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, 2005-NOV-03, TO CONSIDER  
PROPOSED AMENDMENTS TO THE CITY OF NANAIMO  
"ZONING BYLAW 1993 NO. 4000", AND A COVENANT AMENDMENT**

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**PRESENT:** Councillor D. Tyndall – Acting Mayor  
Councillor M.D. Brennan  
Councillor L.D. McNabb  
Councillor L. Sherry  
Councillor W.J. Holdom

Staff

D. Lindsay, Manager, Planning Division, DSD  
J. Holm, Planner, Planning Division, DSD  
P. Masse, Planning Clerk / Recording Secretary, DSD

Public

There were approximately 14 members of the public present.

**CALL TO ORDER:**

Councillor Tyndall 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 final opportunity to provide input to Council before consideration of Third Reading of Bylaw No. 4000.381, and approval of the Covenant Amendment at Council's next regularly scheduled meeting of 2005-NOV-28.

**1. BYLAW NO. 4000.381:**

This bylaw, if adopted, will rezone property from Steep Slope Residential Zone (RS-7) to Medium Density Multiple Family Residential (Suburban) Zone (RM-5) in order to permit development of a 25-unit multiple family residential development.

The subject property is legally described as PARCEL D (DD 14897N) OF SECTIONS 15 AND 16, RANGE 11, SECTION 1, NANAIMO DISTRICT, PLAN 630.

**Ms. Christina Knight, 216 Princess Street – Applicant Representative**

- Director on Pacific Gardens Co-Housing Board of Directors, and attending on behalf of the Board regarding this rezoning application. Introduced members of the Board, along with future owners that were in attendance, and who are in support of the proposal.

- Proposal includes a 25-unit multi-family residential project. Environmental considerations have been built into the project and it would make excellent use of the current site. The project would also add value to the neighbourhood and provide tax dollar contributions.
- Neighbourhood support is strong (12 letters of support from neighbours were submitted).

12 submissions for this application were received and are attached as "Schedule 'A' – Submissions for Bylaw No. 4000.381."

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

## **2. COVENANT AMENDMENT:**

This covenant amendment, if approved, will amend an existing covenant (EX002364) registered on the title of the subject property located at 6201 Oliver Road. If approved, the covenant amendment would reduce the required amount of underground parking from 65% to 50%, and revise the existing site plan to allow for the development of a seniors' congregate housing facility.

The subject property is legally described as LOT B, DISTRICT LOT 14, WELLINGTON DISTRICT, PLAN VIP56222, EXCEPT PLAN VIP71177.

Councillor Brennan asked for clarification on the purpose of this application.

### **Mr. Doug Bromage – Applicant Representative / Insight Development Corp.**

- Insight Development Corp. considers this property to be a part of the Longwood development, which is why they purchased it and entered into partnership with a national congregate care operator. In their opinion, this is the best location to integrate the extended on site care portion of the Longwood lifestyle.

Councillor Brennan asked for further information regarding the level of care included in congregate care facilities.

Mr. Bromage indicated that, in this case, congregate care would extend the lifestyle opportunities at Longwood only, but not provide any medical operations on site, adding this would be a service platform only. At some point in the future, a second phase of the development may include extended operations.

Councillor Brennan asked for an example of congregate care within the community.

Mr. Bromage noted that the retirement concepts of Berwick could be defined as a congregate care facility.

Councillor Holdom asked for further clarification on the application, asking for confirmation that the land is currently zoned appropriately and that this application is for a covenant amendment only.

Mr. Bromage responded that the application is for a covenant amendment only with respect to underground parking. It is Insight's opinion that, with the change of scope experienced by converting from a condo concept to a congregate care facility, the unit sizes are smaller and less parking is required; therefore the stated percentage of underground parking needed (65%) is unnecessarily high.

Councillor McNabb noted that the applicant had handled the neighbourhood notification and polling well.

Mr. Bromage agreed, noting that Insight held a public information session at Longwood, with 130 people attending, resulting in very positive feedback.

Two Submissions for this application were received and are attached as "Schedule 'B' – Submissions for Covenant Amendment."

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

MOVED by Councillor Sherry, SECONDED by Councillor Holdom that the meeting be adjourned at 7:13 p.m.

**CARRIED**



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D. Lindsay, Manager  
Planning Division  
**DEVELOPMENT SERVICES DEPARTMENT**

/pm

Council: 2005-NOV-28

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**Schedule “A”**

**Submissions**

**For**

**Bylaw No. 4000.381**

## Deborah Jensen

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**From:** webmaster@nanaimo.ca  
**Sent:** Saturday, October 29, 2005 7:04 PM  
**To:** Public Hearing  
**Subject:** Public Hearing Submission

A Online Public Hearing Submission has been made:

Name: Ian Gartshore  
Address: 353 Seventh St.  
Subject: 347 Seventh St.

Comments:

It is with great regret that I am unable to attend the Public Hearing regarding the rezoning of the property immediately adjacent to my own. Knowing that council members have often heard "not in my backyard" in hearings such as this one, I wish to clearly state that I welcome the proposed rezoning of the subject property.

I believe that the owners are very pro-community minded, and so Harewood will be a most appropriate home for them.

The owners have listened to any concerns that the neighbourhood might have. The improvements this project will bring to our neighbourhood cannot be denied. Indeed, this project will very likely become a model for future developments in our city, and beyond.

In addition, I will be very glad when the property is being occupied, as I am tired of vandals and other trouble-makers using the vacant land to invade my own!

I have only one concern. The City planners have decided that a public access to Chase River be built on the subject property. While I am very receptive to creating such access to recreational areas, I question the wisdom of using this property for such an access. The river can be easily accessed from Park Avenue just four lots away. There is virtually no space for public parking on Seventh St., nor could any more be created. I have already found strangers using my wide driveway to park so as to access this property.

In closing, I would like to commend the owners of the property for their due diligence, excellent long-term planning, and the nature of their project.



Members of City Council

Regarding the rezoning of 347 Seventh St.

October 28, 2005

Dear Council members,

The following letter I submitted to the appropriate webpage of the City's.

It is with great regret that I am unable to attend the Public Hearing regarding the rezoning of the property immediately adjacent to my own.

Knowing that council members have often heard "not in my backyard" in hearings such as this one, I wish to clearly state that I welcome the proposed rezoning of the subject property.

I believe that the owners are very pro-community minded, and so Harewood will be a most appropriate home for them.

The owners have listened to any concerns that the neighbourhood might have.

The improvements this project will bring to our neighbourhood cannot be denied. Indeed, this project will very likely become a model for future developments in our city, and beyond.

In addition, I will be very glad when the property is being occupied, as I am tired of vandals and other trouble-makers using the vacant land to invade my own!

I have only one concern. The City planners have decided that a public access to Chase River be built on the subject property. While I am very receptive to creating such access to recreational areas, I question the wisdom of using this property for such an access. The river can be easily accessed from Park Avenue just four lots away. There is virtually no space for public parking on Seventh St., nor could any more be created. I have already found strangers using my wide driveway to park so as to access this property.

In closing, I would like to commend the owners of the property for their due diligence, excellent long-term planning, and the nature of their project.

Sincerely,



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

October 2005

Mayor and City Council  
City of Nanaimo

Dear Mayor and City Councilors:

RE: Pacific Gardens Cohousing Community

I am aware of the proposed development project of Pacific Gardens Cohousing Community at 347-7<sup>th</sup> Street in Harewood, Nanaimo, B.C.

I am in support of this project. I believe it will be beneficial to the community along with being an environmentally sound development. I also believe it will enhance the amenities of our neighbourhood.

Sincerely,



Name: Ian Gartshore

Address: 357 Seventh St

Comments:

October 2005

Mayor and City Council  
City of Nanaimo


Dear Mayor and City Councilors:

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Sincerely,



Name: Mary Jo Arnold

Address: 396 Seawall

Comments: Go for it. we really need  
more high density housing

October 2005

Mayor and City Council  
City of Nanaimo

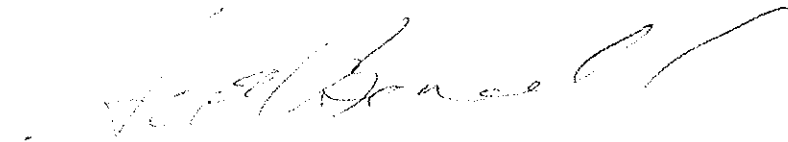
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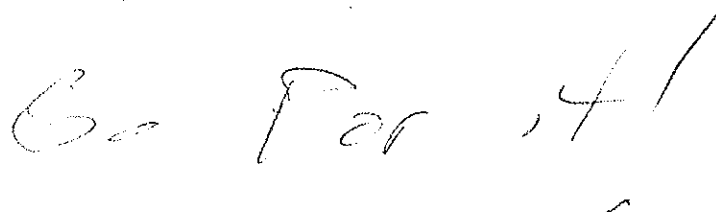
Sincerely,



Name: Scott Bonnell

Address: 795 Beaver Ave.

Comments:



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Sincerely,

Name:

*L. Gensch*

Address:

*407 - 7<sup>th</sup> St.*

Comments:

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Sincerely,

*Richard Cabell*

Name: RICHARD CABELL

Address: 815 SHORT AVE V9R 4L7

Comments:

October 2005

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City of Nanaimo

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Sincerely,

Name: *S. Carmichael*

Address: *405 7<sup>th</sup> St.*

Comments:

October 2005

Mayor and City Council  
City of Nanaimo

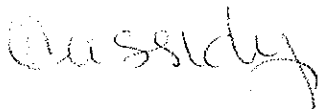
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Sincerely,



Name: Terri Cassidy

Address: 343 Seventh Street

Comments: In favor.



October 2005

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City of Nanaimo

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Sincerely,



Name: MS H. J. HICKS

Address: 216 VIEW ST. NAN. V9R 4N7

Comments:

October 2005

Mayor and City Council  
City of Nanaimo

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Sincerely,

Name: Andrew Hill

Address: 358 7<sup>th</sup> Street

Comments:

October 2005

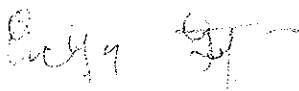
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Sincerely, 

Name: EVELYN LEACOCK

Address: 811 SHOOTING AVE NANAIMO BC V9R-4K7

Comments:

October 2005

Mayor and City Council  
City of Nanaimo

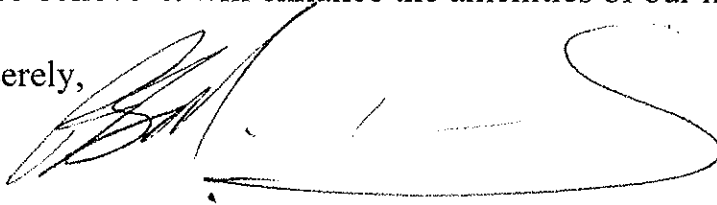
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I am in support of this project. I believe it will be beneficial to the community along with being an environmentally sound development. I also believe it will enhance the amenities of our neighbourhood.

Sincerely,

A handwritten signature in black ink, appearing to read "R. B. Marchand". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Name: *R. B. Marchand*

Address: *347A 7th St.*

Comments: *Good Project.*

October 2005

Mayor and City Council  
City of Nanaimo

Dear Mayor and City Councilors:

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I am in support of this project. I believe it will be beneficial to the community along with being an environmentally sound development. I also believe it will enhance the amenities of our neighbourhood.

Sincerely,

Name:



Address:

376 Seventh St.

Comments:

**Schedule “B”**

**Submissions**

**For**

**Covenant Amendment**

**Deborah Jensen**

---

**From:** Thelma Dunsmore [twdun@telus.net]  
**Sent:** Thursday, October 27, 2005 4:10 PM  
**To:** Public Hearing  
**Subject:** Origin at Longwood

Regarding the Public Hearing concerning Origin at Longwood: My husband and I are both in support of this covenant amendment . We were at the meeting in the Clubhouse at Longwood introducing Origin to the owners by Insight Group Development Corporation. We were both very impressed with the presentation and feel that they will make a welcomed addition to our community. They will fill a void in the care of our valued seniors enabling them to live independently as long as possible and they will be able to stay in their own community with old friends.

Trusting that you will give them all the help they need, Sincerely

Thelma G. Dunsmore  
William A. Dunsmore  
410-5650 Edgewater Ln.  
Nanaimo, B.C. V9T 6K1

#6 – 5769 Turner Road, Nanaimo, BC V9T 6L8  
Telephone: (250) 756-0119 Fax: (250) 756-0247

**INSIGHT**

**FAX**

**To:** Jeremy Holm

**From:** Tracy McLean

**Fax:** 755-4439

**Pages:** 5 including cover page

**Phone:** 755-4429

**Date:** November 3, 2005

**Re:** Response to Care Home

**CC:**

☐ **Urgent**    ☐ **For Review**    ☐ **Please Comment**    ☐ **Please Reply**    ☐ **Please Recycle**

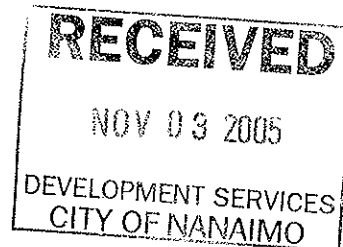
Hi Jeremy,

Attached you find the comments from the Longwood Community regarding the proposed Origin at Longwood Supportive Living Community.

Let me know if you require any information for tonight.

Thank you,

Tracy McLean – InSight Group Development





## Attention: Longwood Homeowners

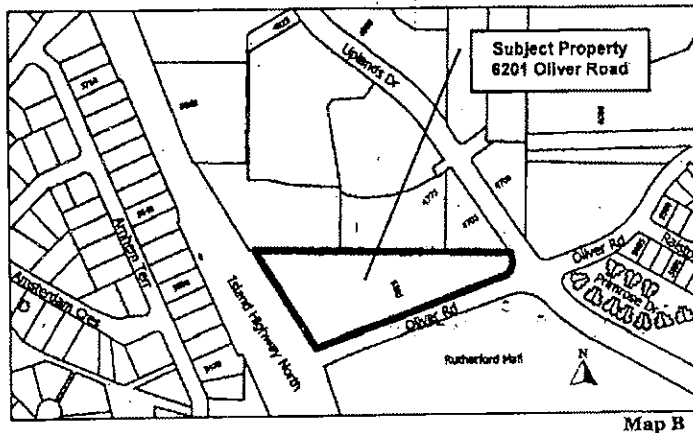
*InSight Group would like to thank you for attending the information session regarding the Supportive Living Community we are planning with our partner, Origin Adult Communities. Below, you will find the Public Hearing details and options for written submissions. We have attached a petition for those who do not have email or who can not attend the Public Hearing in person. This petition will be forwarded to the City of Nanaimo by InSight Group on November 3, 2005. Thank you again for the warm welcome.*

### 2. COVENANT AMENDMENT:

**Purpose:** To permit use of land for a seniors' congregate care housing facility.  
**Location(s):** 6201 Oliver Road  
**File No.:** RA154

An application has been received to amend an existing covenant (EX002364) registered on the title of the subject property located at 6201 Oliver Road. If approved, the covenant amendment would reduce the required amount of underground parking from 65% to 50%, and revise the existing site plan to allow for the development of a seniors' congregate housing facility.

The subject property is legally described as LOT B, DISTRICT LOT 14, WELLINGTON DISTRICT, PLAN VIP56222, EXCEPT PLAN VIP71177, and is shown on Map 'B'.



PLEASE NOTE full details of the covenant amendment are available at Development Services located at 238 Franklyn Street.

#### **Please note the following:**

The above bylaw, covenant amendment, relevant staff reports, and other background information may be inspected from 2005-OCT-21 to 2005-NOV-03, between 8:00 am and 4:30 pm, Monday through Friday, excluding statutory holidays, in the offices of the Development Services Department, 238 Franklyn Street, Nanaimo, BC.

All persons who believe their interest in property is affected by the proposed bylaw or covenant amendment shall be afforded the opportunity to be heard in person, by a representative or by written submission, on the matters contained within Bylaw No. 4000.381 and the covenant amendment at the Public Hearing.

Written submissions may be sent to the City of Nanaimo, Development Services Department, 455 Wallace Street, Nanaimo, BC V9R 5J6.

Electronic submissions (email) should be sent to [public.hearing@nanaimo.ca](mailto:public.hearing@nanaimo.ca), or submitted online at [www.nanaimo.ca](http://www.nanaimo.ca). These submissions must be received no later than 4:00 pm, 2005-NOV-03, to ensure their availability to Council at the public hearing.

Following the close of a public hearing, no further submissions or comments from the public or interested persons can be accepted by members of City Council, as established by provincial case law. This is necessary to ensure a fair public hearing process and provide a reasonable opportunity for people to respond.

For more information, please contact the City of Nanaimo Development Services Department  
Phone: (250) 755-4429 ♦ Fax: (250) 755-4439 ♦ Website [www.nanaimo.ca](http://www.nanaimo.ca)  
238 Franklyn Street, Nanaimo, BC V9R 5J6

# Origin at Longwood - Supportive Living Community

This petition and your comments will be forwarded to The City of Nanaimo on November 3, 2005

Name	Address	Phone	Comments
PAT HOOBY	110-5685 EDGEWATER LN.	729-3959	WONDERFUL IDEA! VERY WELCOME
BETTY WAHL	302-5685 EDGEWATER LANE	758-1785	A real asset to this area.
ESMIE HERMAN	305-5685 " "	390-0609	GREAT - IDEA - WELCOME TO ORIGIN
PAT REYNOLDS	210-5685 EDGEWATER LN.	756-0139	GREAT ADDITION TO OUR COMMUNITY.
ERNEST LUCIE KOENIG	412-5685 EDGEWATER LN.	757-3659	Wonderful idea
Marie Schuster	403-5685 Edgewater Ln	751-8961	Great idea. Necessary
R.W. Spranger	408-5685 Edgewater Ln.	758-6570	A welcome addition.
A.D. McRobbie	415-5685 Edgewater Lane	751-4608	Wonderful idea
RUTH HAMER	315-5685-EDGEWATER LANE	751-0279	GREAT ADDITION + VERY MUCH NEEDED
A'NE HADZET	204-5685 EDGEWATER LANE	758-467	MUCH NEEDED - GREAT
Kenneth MITCHELL	410-5685 EDGE LANE	751-2715	Sounds like a real asset. Needed.
Helen Ross	103-5685 Edgewater Lane	751-0203	needed
Susan Mjoen	101-5685 Edgewater Lane	756-1789	needed
Gene & Joyce Janzen	113-5685 Edgewater Lane	756-0486	Very much needed - we will be there!
MILLIE GRAVES	407-5685 "	792-9631	will be needed.
Clifford	311-5685 "	751-1424	Great idea
L. Furlen	414-5685 "	390-5155	Great idea - much needed!
Shirine Liden	109 " "	756-0155	Need more assisted living!
Inge Riem	314-5685 " "	729-0830	<del>Great</del> Great
Adrianne Head	409- " "	729-3907	much needed
Shirley Bagg	114 " "	756-4452	needed 100%
Shirley	111 " "	752-2627	needed
W. M. Campbell	307 " "	751-8273	Great
Eve Thompson	315 " "	756-8961	agreeable

# Origin at Longwood - Supportive Living Community

This petition and your comments will be forwarded to The City of Nanaimo on November 3, 2005

Name	Address	Phone	Comments
William Mithum	104-5650 Edge water	758-1848	We need this Community Support group
William Cruse	107-7111	756-4432	good idea
Kay Chapman	310 5650 EDGEWATER	756-3556	Needed
Ray Walker	3125-5650 Edgewater	290-4320	Needed for Subject
B. L. MONTGOMERY	313-5650 Edgewater	758-1605	
M. V. HEATON	301 5650 Edgewater	756 3515	GOOD IDEA. HAS MY SUPPORT
P. K. HADLEY	409 "	758-4549	I'm for it
Phyllis Chaisson	109-5650 EDGEWATER LN	756-3586	I am in favour of Community Support
Michael Warrick	410 5650 EDGEWATER LN	758 2854	Very needed for safety
Trudalene Johnson	415-5650 Edgewater Ln	758-3672	Phyllis needed
Muriel Burger	211-5650 Edgewater Ln	756-6582	Great idea
Phyllis Helander	307-5650 Edgewater Lane	756 3512	It is a very good Plan - Much Needed
V. GILDER	201-5650 EDGEWATER LN	756-7702	yes - needed
JEAN KLEIN	404-5650 Edgewater Ln	756-4132	✓
Betty Smith	309- " "	758-3091	Sound Great idea
BILLY HENRY BLENKIN	309 - " "	390-4726	MUCH NEEDED
ROSEMARY JACKSON	4106 ✓ ✓ ✓	741 0644	Excellent - VER Important
RAUL & MARGARET WHITE	4106 ✓ ✓ ✓	329-4919	A PERFECT FOR THE COMMUNITY!
Ed McCallum	1011-5650	751-2669	" "
J. WILSON	4081	758-7142	" "
Paul TESSER	110		Great Idea for Community
Tracy Bant	413-5650 Edgewater Lane	751-7530	yes needed

**This petition and your comments will be forwarded to The City of Nanaimo on November 3, 2005**

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Origin at Longwood - Supportive Living Community

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