

MINUTES
SPECIAL MEETING OF THE COUNCIL OF THE CITY OF NANAIMO
HELD IN THE SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC
ON THURSDAY, 2016-AUG-04 COMMENCING AT 7:00 P.M.

PRESENT: His Worship Mayor W. B. McKay, Chair

Members: Councillor W. L. Bestwick
Councillor M. D. Brennan
Councillor G. W. Fuller
Councillor I. W. Thorpe
Councillor W. M. Yoachim
Councillor J. Hong

Absent: Councillor W. Pratt
Councillor J. A. Kipp

Staff: D. Stewart, Acting Manager, Current Planning
J. Collinson, Planner, Current Planning
S. Matthewman, Steno, Community & Cultural Planning

Public: 21

1. CALL THE SPECIAL MEETING OF COUNCIL TO ORDER:

The Special Meeting was called to order at 7:00 p.m.

2. ADOPTION OF AGENDA:

It was moved and seconded that the Agenda be adopted. The motion carried unanimously.

3. CALL THE PUBLIC HEARING TO ORDER:

Mayor McKay called the Public Hearing to order at 7:00 pm and advised that members of City Council, as established by Provincial case law, cannot accept any further submissions or comments from the public following the close of a Public Hearing. Mr. Stewart explained the required procedures in conducting a Public Hearing and the regulations contained within Part 14 of the *Local Government Act*. Mr. Stewart advised this is the final opportunity to provide input to Council prior to consideration of further Readings of Bylaw Nos. 4500.100 and 4500.101 at this evening's Special Council meeting.

- a) Bylaw No. 4500.100 – RA000368 – 5264 Sherbourne Drive – was introduced by Ms. Jill Collinson, Planner, Current Planning.

This bylaw, if adopted, will rezone the subject property from Single Dwelling Residential (R1) to Duplex Residential (R4) to permit two separate duplexes on two separate lots.

Jason Burrows - Owner / Applicant to present.

Mr. Burrows' presentation is attached as "Attachment A".

Rodney Nielsen - 5265 Sherbourne Drive - Opposed

- Concerned that it would not enhance the look of the neighbourhood as there are mostly single family dwelling residences set back on large lots.
- Concerned with loss of green space.
- Would lose their RV access, RVs or boats would be parked in the front yard.
- Not opposed to development, but this one is too dense for our quiet neighbourhood.
- Would prefer a single family dwelling with a suite.

Michelle Dennis - 5274 Sherbourne Drive - Opposed

- Chose neighbourhood based on lot size, green space and family disposition of the neighbourhood, and felt this development would change the look and feel of that.
- Concerned with increase traffic and parking overflow.
- The duplex would be too close to the side yard, and they would lose their privacy.

Amanda & Warren Watkins - 5323 Somerset Drive - Opposed

- Lived there for six years.
- Duplexes would negatively affect the neighbourhood.
- Concerned with loss of green space.
- Large lots with room for children to play, this development would negatively affect the neighbourhoods character.
- They spoke to residents on Somerset, and were able to gather a petition with 22 signatures. Petition is attached as "Attachment B".

Lionel Foulem - 5255 Sherbourne Drive – Opposed

- Mr. Foulem's presentation is attached as "Attachment C".
- Lived there for 16 years.
- Development happening on Big Bear Ridge with duplexes, not suitable for the area.
- Concerned with increased traffic.
- Concerned street will change to row housing.

Kerry Wagler - 5245 Sherbourne Drive – Opposed

- Lived there for 20 years.
- Area of large lots, would like to keep it in the same manner of country space within the city.
- Loves the quiet and peacefulness of the neighbourhood.
- Prefer single family dwelling to be built.

Tyler Kyle - 5257 Somerset Drive - Opposed

- Concerned with the possible dominion affect of row housing.
- Purchased property because of large lots
- Concerned with loss of green space.
- Concerned with increase in number of people, noise and traffic.
- Would prefer a single family dwelling first then one with a suite.

Ben Wagler - 5245 Sherbourne Drive - Opposed

- Opposed to two duplexes on this property.
- There will be no room on the side of the house of 5250 Sherbourne Drive.
- Concerned with increased traffic and parking overflow.
- Peaceful, quiet neighbourhood, and don't want to lose that.
- Not against development, but does not want the proposed duplexes, a single family dwelling would be better suited to the neighbourhood.

Ms. Burrows readdressed stating that she grew up in Nanaimo, and had seen a lot of changes. Single family dwellings with suites create a lot of congestion and affect onstreet parking. The duplexes would have their own driveways. She understand why the people have chosen this neighbourhood for the large lots, but we could build the maximum single family dwelling with setbacks. She appreciated the neighbours coming out and expressing their opinions. We are following the Official Community Plan (OCP), and would bring what is already existing in the area.

Mayor McKay said there would be few properties with a sidewalk in front. The 7.5 meters of frontage (20 foot driveway) could allow for two vehicles in the driveway without obstructing the sidewalk.

Mr. Nielsen readdressed and said that he built his home knowing the mobile home was across the street, and never complained about it. His objection was to the building of the setbacks making it 40 feet wide. There is a big back yard which could allow parking for a single family dwelling. Wall to wall house does not enhance the space; two duplexes on 50 foot lots does not enhance the space; and, two duplexes would be too much house for the area. He does not want this kind of development in their neighbourhood.

Ivan Plavetic - 130 Canterbury Crescent - In Favour

- Related to the applicant.
- Six years ago he developed property on Sherbourne with a duplex and left the mobile home on it. They set it back to give it large frontage for parking.
- He never rezoned as the mobile home was new. It did not make sense to rezone the property at that time.
- From experience, in developing and building, a duplex has better appeal than a narrow single wide mobile home.
- The lots on Dunster Road were nice and flat, easy to build on with parking. They provide affordable housing.
- The mobile home is currently in the middle of the lot with outbuildings scattered all over the property, the duplexes would enhance the neighbourhood.

There were 4 written and 7 verbal submissions received with regard to Bylaw No. 4500.100.

- b) Bylaw No. 4500.101 – RA000369 – 2408 York Crescent – was introduced by Ms. Jill Collinson, Planner, Current Planning.
This bylaw, if adopted, will rezone the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential – Small Lot (R2) in order to permit subdivision to two lots.

Stephen Halliday - Applicant / Owner to present.

Mr. Halliday's presentation is attached as "Attachment D".

Councillor Hong asked Mr. Halliday if these properties were going to have suites.

Mr. Halliday replied that there will be no suites on these properties. He will be living in one of the properties.

Roselyn Mandalik - 2440 Rosstown Road- Opposed

- Opposed to small lots, this is a family area.
- Close to bus route, schools and amenities.
- Assumed that single family dwelling with a suite was going to be built.
- Concerned with change of neighbourhood.
- Children ride bikes and play on road because it is a deadend.
- Parking and traffic issues.
- Donated access lane from York Crescent to Rosstown Road with previous subdivision.
- She originally subdivided with large lots and she wanted to keep the integrity of that.

Caitlyn Van Derka & Matthew Thornton - 2412 York Crescent - Opposed

- Lived here for one year.
- Quiet neighbourhood, pedestrian traffic on walkway, and park up the road which is well used.
- Concerned with increased traffic.
- Concerned with loss of green space.

Mrs. Mandalik readdressed stating that she received the Public Hearing Notice July 22nd.

Councillor Brennan asked staff what the rules are regarding the Public Hearing signage?

Mr. Stewart said the sign had to be up 10 days prior to the council meeting for the first and second reading, and the date of public hearing included 10 days prior to public hearing. Criteria for this signage was met.

Mayor McKay commented that the applicant had to send a picture of the signage to the Planning Department when it was first erected, and then again when the Public Hearing information was added to the sign. This procedure was done.

There were 2 written and 2 verbal submissions received with regard to Bylaw No. 4500.101.

4. BYLAWS:

- (a) That “ZONING AMENDMENT BYLAW 2016 NO. 4500.100” (RA368) - to amend “ZONING BYLAW 2011 NO. 4500,” by rezoning the subject property from Single Dwelling Residential (R1) to Duplex Residential (R4) to permit 2 separate duplexes on 2 separate lots pass Third Reading.

Councillor Brennan said she will require more time on this particular item before moving forward.

Mayor McKay asked if the Bylaw will be able to proceed to the 2016-AUG-08 Council Meeting.

Mr. Stewart advised he will check with Legislative Services as council agenda packages are complete.

It was moved and seconded that “ZONING AMENDMENT BYLAW 2016 NO. 4500.100 (RA368) for consideration of Third Reading be deferred until next Special Open Council meeting. Council agreed to defer the item to the next available Council Meeting.

- (b) That “ZONING AMENDMENT BYLAW 2016 NO. 4500.101” (RA369) - to amend “ZONING BYLAW 2011 NO. 4500,” by rezoning the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential – Small Lot (R2) in order to permit the subdivision to two lots pass Third Reading.

Councillor Bestwick said he is concerned with rezoning applications for small lots, and does not support this application.

Councillor Brennan said she would support this application, it is not unreasonable. She commends the first subdivider of this property, but she cannot control what happens to it now. It does not overwhelm or change the form of character of the neighbourhood.

Councillor Fuller said he agreed with Councillor Brennan, this area was 4 acre lots, subdivided over time, it is happening and seems to be the natural progression.

Councillor Hong said he would support this application, it is an affordable option for young families, or seniors to downsize. Will add to the neighbourhood.

It was moved and seconded that Rezoning Application RA000369 pass Third Reading. The motion carried.

Opposed: Councillor Bestwick

6. ADJOURNMENT:

It was moved and seconded at 8:23 p.m. that the meeting terminate. The motion carried unanimously.

M A Y O R

CERTIFIED CORRECT:

CORPORATE OFFICER