

MINUTES
SPECIAL MEETING OF THE COUNCIL OF THE CITY OF NANAIMO
HELD IN THE SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC
ON THURSDAY, 2016-MAY-05 COMMENCING AT 7:00 P.M.

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

Members: Councillor M. D. Brennan
Councillor G. W. Fuller
Councillor J. A. Kipp
Councillor W. M. Yoachim
Councillor I. W. Thorpe
Councillor J. Hong
Councillor W. Pratt
Councillor W. L. Bestwick arrived 7:03 p.m.

Staff: B. Anderson, Manager, Planning & Design Section, CD
D. Stewart, Planner
K. Kronstal, Planner
S. Matthewman, Steno Planning

Public: 11

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. Anderson explained the required procedures in conducting a Public Hearing and the regulations contained within Part 14 of the *Local Government Act*. Mr. Anderson advised this is the final opportunity to provide input to Council prior to consideration of further Readings of Bylaw Nos. 4500.096 and 4500.097 at this evening's Special Council meeting.

a) Bylaw No. 4500.096 – RA000364 – 1099 Bruce Avenue

This bylaw, if adopted, will rezone a portion of the subject property from Steep Slope Residential (R10) to Townhouse Residential (R6) in order to construct a 21 unit townhouse development.

Keith Brown, Keith Brown Associates Ltd – Applicant Representative on behalf of Mr. Allan Steeves

Mr. Brown's presentation is attached as "Attachment A".

There were no written or verbal submissions received with regard to Bylaw No. 4500.096.

b) **Bylaw No. 4500.097 – RA000361– 3150 Mexicana Road**

This bylaw, if adopted, will rezone the lands of the subject property from Single Dwelling Residential (R1) to Townhouse Residential (R6) in order to permit the construction of a four unit multi-family development.

Robyn White, White Lion Developments – Applicant

The applicant stated that the property is located across from Wellington High School. He proposes to construct four detached single-family dwellings, which would be priced in the \$325,000-\$350,000 range to target the market for affordable housing. The applicant intends for the properties to be strata-title buildings with limited common property. The applicant intends to preserve the existing trees to the greatest extent possible as well as planting a hedge or erecting fence along the rear and side yard of property for screening. The \$4,000 community contribution would also contribute to area improvement.

Councillor Brennan stated that a few neighbours have asked questions and indicated fears regarding additional density in the neighbourhood. One has asked if provisions could be made by providing a fence or hedge not more than seven feet high, and commit to not having windows facing their yards on Uplands Drive. She asked if the applicant is in agreement to their request.

Mr. White stated he was in agreement with the neighbourhood request and would be willing to provide the screening.

Councillor Thorpe said he went out and looked at the property. He couldn't see how four units could fit on that piece of land or where the vehicle access to the property was, and asked whether the units include garages.

Mr. White replied that the units will not have a garage, and the parking is at the back of the property. The common property would provide access via a shared driveway for the four units.

William & Heather Hall - 3147 Uplands Drive - Opposed

Mr. Hall is concerned with the proposed development of four houses on the lot, driveway access, and parking. He stated that he and his family have been long-standing residents of the area, and that they own adjacent property as well. Both Mr. and Mrs. Hall expressed concern that their quality of life would be affected and that the value of both their properties would be negatively impacted by the increase in density. They requested that if the rezoning is approved that the property be screened to a minimum of seven feet and there not be windows facing the rear yard.

Councillor Brennan asked Mr. Hall if the developer met with them and/or the neighbourhood to show them the proposed development at 3150 Mexicana Road.

Mr. Hall replied that the developer had mentioned the possibility of developing the property in the future, but they did not have any discussions with him about this specific project. They had viewed the public hearing sign on the property and met with city staff to view the site plan.

Peter Laffin - 3192 Mexicana Road – Opposed

Mr. Laffin is concerned with how the houses will be positioned on the property, parking and increased vehicle traffic on Mexicana Road. He expressed concern that the new units will be rental properties which have been a problem. He asked if the neighbourhood could have some kind of guarantee that people who buy will live there.

Councillor Brennan commented that the law in Canada states that if someone owns a property, they can rent it out. Council cannot consider the proposed tenure of the property when deciding on a rezoning application.

Andrew Thomas - 3185 Uplands Drive - Opposed

Mr. Thomas stated that he is opposed to the rezoning, there is no need for a townhouse development in this area.

Wayne Daynes - 3198 Mexicana Road – Opposed

Mr. Daynes stated that he grew up in the neighbourhood and purchased his home from his parents. He was concerned with the amount of units proposed on the property, parking issues and increased traffic on Mexicana Road. He also had concerns about the potential of new rental properties.

There were 2 written and 4 verbal submissions received with regard to Bylaw No. 4500.097.

4. **BYLAWS:**

- (a) That “ZONING AMENDMENT BYLAW 2016 NO. 4500.096 (RA364) - to amend “ZONING BYLAW 2011 NO. 4500,” by rezoning a portion of the subject property from Steep Slope Residential (R10) to Townhouse Residential (R6) in order to construct a 21 unit townhouse development pass Third Reading.

It was moved and seconded that Rezoning Application RA000364 pass Third Reading. The motion carried unanimously.

- (b) That “ZONING AMENDMENT BYLAW 2016 NO. 4500.097” (RA361) - to amend “ZONING BYLAW 2011 NO. 4500,” by rezoning the lands of the subject property from Single Dwelling Residential (R1) to Townhouse Residential (R6) in order to permit the construction of a four unit multi-family development pass Third Reading.

It was moved and seconded that Rezoning Application RA000361 pass Third Reading. The motion carried.

Opposed: Councillors Fuller, Thorpe, Bestwick and Brennan

6. ADJOURNMENT:

It was moved and seconded at 8:00 p.m. that the meeting terminate. The motion carried unanimously.

M A Y O R

CERTIFIED CORRECT:

CORPORATE OFFICER