From: [redacted]
To: [redacted]
Subject: Please change the date of the Public Hearing
Date: Thursday, August 31, 2023 3:01:29 PM

---

sending this just to check that the block from our email address has been removed

Dear Mayor and Council and Kristine Mayes,

We live at [redacted].
As you can imagine, we are deeply invested in the proceedings of this rather massive change to our neibourhood.

We go the notice TODAY regarding the public hearing and we are travelling for business and will be in Montreal without proper time or access to streaming services.

We help bring others to these public engagement meetings and the timing on this is impossible to communicate with others. Only 2 weeks notice is not enough time.

To not be able to be there in person does NOT work for us.

We request politely, but somewhat insistently that the date be moved to after Sept 19th.

In lieu of this happening, we do NOT support the rezoning or the build and we will be quite upset. This is not the right kind of foot we want to start out on with new neibours.

Please change the date so those directly involved can participate in this democratic process.

Thank you.

Sincerely,

Valentina Cardinalli, Dave Read and Nico Read

[redacted].

From: [redacted]
To: [redacted]
Subject: Public Hearing Sept 14t Old Victoria Rd
Date: Wednesday, September 6, 2023 12:22:40 PM

Dear Mayor and Council,

I live on [redacted] and I am opposed to the zoning change from R1 to I3 on 1044 and [redacted]

To allow for a storage facility I feel it must have a site specific clause because I do not want other things that fall under the I3 zoning. I am concerned because the OCP has this whole area zoned "industrual"... Right where our homes are!

Some industrial things have already had an adverse affect on this community and quality of life here, like the Recycling Depot. It would be better for this area if it were elsewhere.

I understand that once the zoning changes our community opens ourselves up to many things that would cause harm to our enjoyment of life here.

In order to agree to this change, the storage facility must be site specific so if they decide to change and become something else other than a storage facility we as residents still have the ability to voice our needs.

I would additionally request that the OCP change zoning in this area to Residential Corridor, which better reflects what is organically happening here. With the expropriation of businesses and homes that this city is setting precedents for, I am uneasy and do not feel like I trust this process very much.

Please consider these requests and note that I am opposed to this zoning change.

Sincerely,
Valentina Cardinalli
[redacted]

From: [redacted]
To:
Subject: Sept 14th Old Victoria Road Public Hearing and OCP zoning issue
Date: Thursday, September 7, 2023 5:35:03 PM

Dear Mayor and Council,

Please, if possible, have someone read this letter aloud at the public hearing in its entirety.

I will keep the content of this letter focused on zoning and the process that city staff and, to a lesser degree, city council uses to communicate with the public.

Later, I would like to address details about the structures on lots 1044 and 1048 Old Victoria Road, like the location of the mailboxes, possible saving of some fruit producing trees, construction hours hopefully starting later than 7:30am but able to go later in the evening...but I understand this is not the time for that.

How will I know when the date for details like this can be discussed? Can I ask to be notified of the time and location for this meeting via text and email? May I please have reasonable notice so that I can reorganize my schedule in order to attend?

I am not personally opposed to a storage facility UNLESS it does not have a site specific clause. In fact, they are blameless in this and I want them to succeed and prosper for years to come. I am ONLY opposed to this rezoning because the OCP plan makes me nervous and because I do not trust industrial zoning unless it has a site specific clause. One that states that another public hearing would have to be held, and all of the things that go with that, if the property changes from a storage unit to ANYTHING else. This is only fair to us living here it offers us a little protection while at the same time encouraging the storage unit to be "on our side" and welcomed.

Although I know that expropriation is not yet at my doorstep I do not feel that I'm wrong to be worried about this. I have had conversations regarding the businesses Black and Blue and Inprint which were exproprated for a very unpopular and stalled bus depot. From my perspective I've seen that people are quite horrified and uneasy about what happened there.

Now I am hearing that there are more expropriation of homes being discussed. Do other cities do this? Do they do it as much as Nanaimo has?

It cannot be lost on you that Nanaimo is considered to have made terrible decisions regarding city planning. We are the laughingstock of cities that have thought ahead in more intelligent ways and not been duped by corruption from within or smooth talking salespeople. Our city is highlighted in the worldwide media for examples of what NOT to do.

I am of the opinion that because YOU made mistakes this area on Old Victoria Road is zoned incorrectly. Honestly, I'm frustrated and disgusted by this. I'm told by city staff that the reason this area is zoned "industrual" on the OCP is because there are other industrial businesses nearby and because there wasn't enough industrial land allotted in the north end, so now it

needs to be placed somewhere in the south end.

There are only 2 industrial areas on the OCP. One is at Duke Point, the other is literally on top of my home. I'd like to say that these homes were here first and in many cases where industrial zoning was proposed the was feedback and concern about what it would do to this area.

There HAVE been movements organically of a less industrial nature. A church, a new house and a big residential zoned project that seemes stalled at the moment. I wonder if they are having issues selling units because the Recycling Depot is nearby?

This area should be zoned Residential Corridor on the OCP. It is close to 3 levels of schooling, elementary, high school and university. It is near a grocery store, pharmacy and a home improvement store. It is within walking distance to downtown Nanaimo culture and night life. To waste this area on industrial land would destroy many peoples lives, cause huge upset, create a giant legal battle and, in general, it is just a bad idea.

A working community is golden. Why on earth would any city wish to destroy that via a poor choice of inappropriate zoning?

I'm sure I'm going to be told that the OCP cannot be updated for years and years. Well, I TRIED to write and ask for the zoning to be changed and no one answered any of my emails or any of my questions.

As residents we have repeatedly tried to communicate our concerns with this zoning and because we are not savvy to mysterious, frustrating, impossible, bureaucracy with a healthy dose of greed and corruption, we have been ignored.

I say that YES you COULD change the OCP now. I believe staff should put in this recommendation to change from I3 zoning to Residential Corridor today, NOW at this public hearing.

Another irritation is that I'm told emails from ma and pa businesses and individual emails have a problem being blocked. The reason I was told that this happens is for "safety". Apparently our privacy is at risk. I joked and said I felt a lot "safer" not being able to contact our community leaders. What isn't funny is that I feel city staff and council make it obvious they only want to hear from business and developers. I feel city staff regards residents as annoyances. No one REALLY wants to hear from us and every trick is used to dissuade us from taking part in the democratic process.

An example of this was the refusal to consider changing the date of this public hearing even though we arguably are the property most affected by this new storage facility development. It looks on the surface like we are given lots of time to prepare, when really from the day the public hearing was announced it is only 2 weeks over a long weekend to prepare. Additionally, there are several properties that are "in flux" where the homes are on the market or recently sold but impossible to reach the new owners. Is it fair these new people moving to the area very likely know nothing of what the OCP plans to do to their residentially zoned home one day?

The city and the developers get all the time they need. The residents are told that a PUBLIC hearing cannot be moved to accommodate their schedule. It makes me feel that the public isn't

really wanted or invited to this, the only time we are allowed to speak. The word "public" in "public hearing" has a ring of irony in it to me.

In closing, I would like to clearly state so there is no misunderstanding: I am opposed to the I3 zoning change unless it is site specific. I would also like staff to request now, today, that the OCP recommend this area changes from industrial to residential corridor. I feel I am being reasonable and fair.

Thank you, in advance for saying yes to these reasonable and polite requests.

Sincerely,
Valentina Cardinalli
[redacted]

From: [redacted]
To:
Date: Friday, September 8, 2023 10:07:42 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mayor and Council,

I live on [redacted] and I am opposed to the zoning change from R1 to I3 on 1044 and 1048 Old Victoria Rd.

To allow for a storage facility I feel it must have a site specific clause because I do not want other things that fall under the I3 zoning. I am concerned because the OCP has this whole area zoned "industrial"... Right where our homes are!

Some industrial things have already had an adverse affect on this community and quality of life here, like the Recycling Depot. It would be better for this area if it were elsewhere.

I understand that once the zoning changes our community opens ourselves up to many things that would cause harm to our enjoyment of life here.

In order to agree to this change, the storage facility must be site specific so if they decide to change and become something else other than a storage facility we as residents still have the ability to voice our needs.

I would additionally request that the OCP change zoning in this area to Residential Corridor, which better reflects what is organically happening here. With the expropriation of businesses and homes that this city is setting precedents for, I am uneasy and do not feel like I trust this process very much.

Please consider these requests and note that I am opposed to this zoning change.

Sincerely,
Allison Traviss
[redacted]

From: [redacted]
To: [redacted]
Subject: Rezoning 1044/1048 Old Victoria Road/Public Hearing
Date: Saturday, September 9, 2023 5:04:05 PM

Dear Mayor and Council,

I live on Old Victoria Road and I am opposed to the zoning change from R1 to I3 on 1044 and 1048 Old Victoria Rd. Unfortunately we were given just 2 weeks notice of the upcoming public hearing (including over a long weekend) scheduled to happen on 14 September 2023, and as I will be travelling and unavailable even for a Facetime/Zoom at the time of this hearing (I am performing in Montreal and will be on stage at that exact time) I would like to request that this public hearing me moved from this month's agenda to the following month so that we are able to attend. Seeing as the City does this all the time themselves, surely it will not be too much to ask to have this postponed to a later date, no?

To allow for a storage facility (which I support), I feel the property should have a site specific clause included, should the storage facility go out of business at a later date, allowing for something else zoned I3 to take its place. It is quite hard finding other examples of I3 online, but I do recall for example, a *train station* being listed as possible options in the literature provided by the City and the Mini Storage applicant at one of their past open houses. I am concerned because the OCP has this whole area zoned 'High Tech Industrial'.

Some industrial things have already had an adverse effect on this community and quality of life here, like the Recycling Depot. It would be better for this area if it were elsewhere.

I understand that once the zoning changes our community opens ourselves up to many possible things that would cause harm to our enjoyment of life here.

In order to agree to this change, the storage facility must be site specific so if they decide to change and become something else other than a storage facility we as residents still have the ability to voice our needs.

I would additionally request that the OCP change zoning in this area to Residential Corridor, which better reflects what is organically happening here. With the expropriation of businesses and homes that this city is setting precedents for, I am uneasy and do not feel like I trust this process very much.

Please consider these requests and note that I am opposed to this zoning change.

Sincerely,
Dave Read
[redacted]

Dear Mayor Krog and Councillors,

We live at [redacted].

We initially attended the Public Information meeting held by the applicant, Westmark Construction, on March 22, 2023 at the Loyal Order of Moose Hall with interest. We generally agreed with the conceptual design as presented, specifically as a mini-storage development only. In reading the Staff Report on the rezoning application we found it curious and disturbing that it states "questions were raised regarding the potential industrial uses, intensification of the development . . . security". This verbiage seriously downplays the very strong concerns expressed by those in attendance.

The change of zoning to High Tech Industrial (R13) will only be supported if the plans are SITE SPECIFIC with no change from the original presentation at the information meeting. The R13 zone that "allows a range of light industrial uses and supporting commercial uses such as clean high tech indoor production, storage and food processing with complementary accessory uses" is far to loose a definition and can too easily be manipulated to mean something else entirely which opens the door to setting a precedent that would destroy the character of the neighbourhood and the quality of life currently enjoyed by the residents.

We would also respectfully but strongly encourage you to change the zoning in the Official Community Plan for the area from Industrial to being a Residential Corridor instead. This change would help to protect not only the residential nature of the area but also the unique and fragile outdoor area immediately surrounding the Chase River only a couple of hundred yards away thereby limiting the encroachment of road traffic, pollution, noise etc. which would quickly destroy the habitat of wildlife, birds and indigenous plant life.

In short, we will support the change of zoning from R1 to R13 ONLY if the plans and zoning change are classified as SITE SPECIFIC, otherwise we STRONGLY OPPOSE it.

Thank you for your consideration, we sincerely hope that you as fellow residents of Nanaimo would feel the same way if this plan were to be considered as a major change in your own neighbourhoods.

Yours truly,

E. Violet Molnar

From: [redacted]
To:
Subject: New form entry is submitted - Public Hearing Submission
Date: Monday, September 11, 2023 3:10:15 PM

Public Hearing Submission

Submitted on 11 September 2023, 03:10 PM

Your Name	Terry Pope
Your Address	[redacted]
Bylaw Number or Subject Property Address Which You Are Addressing Your Comments	Bylaw No. 4500.212, Rezoning Application - RA000486 at 1044 & 1048 Old Victoria Road
Comments	Dear Mayor Krog and Councillors, We first heard of this proposed change when we attended the Public Information meeting held on March 22, 2023. The presentation by Westmark Construction was interesting but there were serious concerns raised by those attending, particularly the potential industrial uses and intensification of the development and changes of the plans after the fact assuming the plans were passed in council. Many stories of the changes and outright deceit by previous applicants specifically evidenced by the Recycling Depot development and construction on Old Victoria Road were told. They were extremely troubling. Much thought has gone into our decision. We are supportive of the change in zoning from R1 to R13 ONLY if the plans as initially presented on March 22, 2023 are SITE SPECIFIC and DO NOT lead to changes which would open the door to expanded zoning changes to industrial development of the area. If the above application for change in zoning is NOT classified as SITE SPECIFIC we STRONGLY OPPOSE IT. Expanded zoning changes would destroy the mixed residential neighbourhood and negatively impact the current green space which is the home of birds, wildlife, indigenous plants and the chase River itself which runs through it. We also strongly suggest that the area along Old Victoria Road be reclassified as a Residential Corridor to protect both the quality of life of the current residents but also to protect the natural habitat it is adjacent to for future generations. Thank you for your attention in this serious matter. Yours sincerely, Terry F. Pope

Dear Mayor and Council,

I live on Old Victoria Road and I am opposed to the zoning change from R1 to I3 on 1044 and 1048 Old Victoria Rd.

To allow for a storage facility I feel it must have a site specific clause because I do not want other things that fall under the I3 zoning. I am concerned because the OCP has this whole area zoned "industrial"... Right where our homes are!

Some industrial things have already had an adverse affect on this community and quality of life here, like the Recycling Depot. It would be better for this area if it were elsewhere.

I understand that once the zoning changes our community opens ourselves up to many things that would cause harm to our enjoyment of life here.

In order to agree to this change, the storage facility must be site specific so if they decide to change and become something else other than a storage facility we as residents still have the ability to voice our needs.

I would additionally request that the OCP change zoning in this area to Residential Corridor, which better reflects what is organically happening here. With the expropriation of businesses and homes that this city is setting precedents for, I am uneasy and do not feel like I trust this process very much.

Please consider these requests and note that I am opposed to this zoning change.

Sincerely, [redacted] 8 Sept. 2023 (Application No. RA000486)
Name: Terisa Bilton
Address: [redacted]

[redacted]

RECEIVED
SEP 12 2023
CITY OF NANAIMO
COMMUNITY DEVELOPMENT

From: [redacted]
To: [redacted]; [redacted]
Subject: Old Victoria Zoning Change Public Hearing
Date: Monday, September 11, 2023 6:50:00 PM

Dear Mayor and Council,

I live on Old Victoria Road and I am opposed to the zoning change from R1 to I3 on 1044 and 1048 Old Victoria Rd.

To allow for a storage facility I feel it must have a site specific clause because I do not want other things that fall under the I3 zoning. I am concerned because the OCP has this whole area zoned "industrial"... Right where our homes are!

Some industrial things have already had an adverse affect on this community and quality of life here, like the Recycling Depot. It would be better for this area if it were elsewhere.

I understand that once the zoning changes our community opens ourselves up to many things that would cause harm to our enjoyment of life here.

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I would additionally request that the OCP change the industrial zoning in this area to Residential Corridor, which better reflects what is organically happening here. With the expropriation of businesses and homes that this city is setting precedents for, I am uneasy and do not feel like I trust this process very much.

Please consider these requests and note that I am opposed to this zoning change.

Sincerely,

Name: Jessy Bokvist
Address: [redacted]

From: [redacted]
To: [redacted]
Subject: sept 14 mtg rezoning: old victoria rd.
Date: Tuesday, September 12, 2023 10:31:14 PM
Attachments: PostMinutes_Public_Hearing_May-01-2014-3.pdf

When the previous rezoning application of this property (and the adjoining property at 1030 Old Victoria Rd) was under public discussion, it was well established that the residents of this "corridor" were firmly against the Industrial designation.
...attached is a copy of the minutes of that hearing May 1, 2014 . (pls scroll down to page 7).

As anticipated, many of the concerns expressed at that time have manifested in the resulting relocation of the recycling depot further up the road. Thanks to council's attention to that submission, our residents have been spared the resulting shopping cart/garbage dump/littering/loitering in our front yards.

The adjoining property, (1030)currently used as a heated storage facility and boat/RV/vehicle storage, is well run, although.... large diesel rigs regularly do their warm up idle under my bedroom window at 3:00 to 3:30 AM (earlier or later 2:30-4am depending on the season).

HOWEVER... my greatest concerns are:

- that, in a town shrieking for affordable housing, staff would bring this industrial proposal to replace residential zoning to council.
- that the I3 zoning applied for will also allow for manufacturing, helicopter landing pad, railway (and railway station) and a myriad of other uses, including a recycling depot.
- that although the application states that it is for "storage purposes", IF this designation is approved, <u>there is no guarantee</u> that it will be built.

*Should council choose to ignore the wishes of the neighbourhood (*note the root word of Neighbourhood Plan!) ....PLEASE ensure the designation of SITE SPECIFIC is added to the application so at least we **know** what we are going to be saddled with....against our wishes.

[In addition, please note that previous council (May1, 2014) also supported the request that deciduous trees be replaced by conifers to mitigate noise.]

Very *sincerely*,
Kathleen Currie
[redacted].

MINUTES OF THE SPECIAL MEETING
OF THE COUNCIL OF THE CITY OF NANAIMO
HELD IN THE SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC
ON THURSDAY, 2014-MAY-01 COMMENCING AT 7:00 P.M.

PRESENT: His Worship Mayor J. R. Ruttan, Chair

Members: Councillor G. Anderson
Councillor W. L. Bestwick
Councillor M. D. Brennan
Councillor G. E. Greves
Councillor D. K. Johnstone
Councillor J. A. Kipp
Councillor W. B. McKay
Councillor J. F. K. Pattje

Staff: B. Anderson, Manager, Planning & Design Section, CD
D. Jensen, Community Planner, Planning & Design Section, CD
S. Herrera, Planner, Planning & Design Section, CD
P. Masse, Planning Clerk, Planning & Design Section, CD

Public: There were approximately 60 members of the public in attendance.

1. CALL THE SPECIAL MEETING OF COUNCIL TO ORDER:

The Special Meeting was called to order at 7:05 pm.

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 Ruttan 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 26 of the *Local Government Act*. Mr. Anderson advised this is the final opportunity to provide input to Council before consideration of Third Reading of Bylaws No. 4500.061, 4500.062, 4500.058, 6500.025 and 4500.063 at this evening's Special Council meeting.

(a) Bylaw No. 4500.061 – RA000332 – 3240 Fieldstone Way

This bylaw, if adopted, will rezone the subject property from Single Dwelling Residential (R1) to Townhouse Residential (R6) in order to construct three dwelling units.

Mr. Brian Senini, Barrister and Solicitor – Applicant Representative

- Mr. Senini's presentation is attached as a part of "Attachment A – Submissions for Bylaw No. 4500.061".

Councillor Pattje asked for confirmation that only three units will be constructed.

Mr. Senini noted he has a contractual arrangement with the adjoining strata owners who had agreed to either three or four units; three units were agreed upon.

There was one verbal and six written submissions received with regard to Bylaw No. 4500.061.

(b) Bylaw No. 4500.062 – RA000334 – 1795 Stewart Avenue

This bylaw, if adopted, will rezone the subject property from Single Dwelling Residential (R1) to Single Dwelling Residential – Small Lot (R2) in order to facilitate a three-lot subdivision.

Mr. Luke Harrison, 302 - 1477 West 15th Avenue, Vancouver, BC – Applicant

- Born and raised in Nanaimo, not a current resident but he still calls it home and cares about the future growth and prosperity of Nanaimo.
- Has learned what makes for good city building in other cities; his intention is to take that experience and apply it to some of the neighbourhoods that make Nanaimo unique.
- This proposal is in line with the sustainability goals of the Official Community Plan (OCP), the intent is for three well-designed, green homes on the subject property in an area which he believes is a gateway to the city. Believes it would be a benefit to Brechin Hill and the city as a model of sustainable development that will continue the trend of good architecture along Stewart Avenue.
- The amenities of Stewart Avenue, the waterfront and the downtown core are accessible by foot, bicycle or transit.
- This infill site makes great use of existing infrastructure, lowering the cost for public safety, sewer, water and transit.
- Opportunity to increase density and diversity of housing types in a way that relates well to the existing neighbourhood. Brechin Hill welcomes human-scale density that respects view corridors and this proposal will achieve that key objective of the Neighbourhood Plan.
- Will create social interaction between neighbours which will promote safety and a stronger sense of community.

Councillor Pattje asked if the applicant had contacted the Brechin Hill and Newcastle Neighbourhood Associations, and surrounding neighbours.

Mr. Harrison noted he had not contacted the Brechin Hill or Newcastle Neighbourhood Associations, nor had he knocked on surrounding neighbour doors; however, he has not received many inquiries from the erected signage on the property.

Mayor Ruttan asked if the applicant had received any opposition from neighbours.

Mr. Harrison confirmed he has not received any opposition from neighbours.

Councillor Bestwick asked Staff for confirmation on minimum size requirements for small lots.

Ms. Herrera confirmed the minimum lot size for small lots is 325m^2.

Councillor Bestwick asked for the size of the proposed three lots.

Ms. Herrera noted the proposed lot sizes are 435m^2, 493m^2 and 540m^2.

Councillor Greves asked for clarification on the proposed access easement.

Ms. Herrera noted the common driveway would include a registered easement on lots 1 and 2 in order to provide access for all lots.

Councillor Greves asked for clarification on who would be responsible for maintenance of the common driveway.

Ms. Herrera noted the owners would be jointly responsible for the common driveway.

Councillor Johnstone noted a concern from one neighbour that referenced an underground spring or creek on the subject property and asked for confirmation regarding any geotechnical assessment concerns.

Mr. Harrison stated he is unaware of any geotechnical concerns regarding water on the subject property. Added the subject property is on the downhill side of rest of the community; cannot see how development on the property would affect the uphill lots.

Ms. Herrera confirmed that no issues were noted during the internal referral process for this application, adding that further geotechnical assessment would be undertaken through the subdivision and building permit processes.

Mayor Ruttan asked Staff to clarify what steps would be taken if an underground spring were to be discovered.

Ms. Herrera noted that the developer would be responsible for installing infrastructure if any issues are encountered through the detailed design review, which would occur during the subdivision process.

Councillor Brennan asked for clarification regarding who would be responsible for maintaining the common driveway.

Ms. Herrera confirmed the developer would be responsible for maintenance of the common driveway until such time that the lots are sold; the responsibility for maintaining the common driveway would then fall to the new owners.

<u>Mr. Fred Taylor, 204 Emery Way</u> – Neither Opposed nor In Favour

- Noted that development has not occurred on the subject property in the past due to unstable land.

There were two verbal and four written submissions received with regard to Bylaw No. 4500.062.

(c) Bylaw No. 4500.058 – RA000327 – 867 Bruce Avenue and 538 Eighth Street

This bylaw, if adopted, will permit a site specific text amendment to the existing Neighbourhood Centre (CC2) zone in order to allow for a retail grocery store larger than 2,000m^2.

Mr. Bruce Robertson, Quality Foods – Managing Partner, Applicant

- Purchased present grocery store located in the University Village in 1999. Continued growth has resulted in several expansions and renovations over the years.
- Subject property was purchased in 2009 as Quality Foods recognized the future growth of their business and the fact that the continued rise of the Harewood population is going to exceed the capacity of the current location.
- Zoning on the subject property was changed with the adoption of Zoning Bylaw No. 4500, which they were unaware of until 2012.
- Since 2012 he has attended open houses, public information meetings and Neighbourhood Association meetings, who were supportive of their goals.
- Grocery industry has radically changed over the past 20 years; the days of the small, local grocery store are gone. Full scale grocery stores are now local grocery stores.
- Current drawings are conceptual only, final designs will be provided at the development permit stage. Would like to defer rezoning requirements until that time. They have a history of building beautiful, award-winning stores.

Councillor McKay asked if Quality Foods had received any formal notification regarding the rezoning of the subject property in 2011 with the adoption of Zoning Bylaw No. 4500.

Mr. Robertson confirmed he did not receive any notification of the zoning change.

Councillor McKay noted that one of the conditions for the subject property would be no left turn access from Bruce Avenue. Asked if the applicant sees this stipulation as a challenge.

Mr. Robertson noted a traffic impact study was conducted for the subject properties, which recommended the installation of a separate left lane on Bruce Avenue to better serve the site and avoid any unnecessary traffic delay which could block northbound traffic. They would prefer that approach versus disallowing the access.

Councillor McKay noted the current configuration of the lots and access points are challenging.

Mr. Robertson agreed that the current configuration could be quite challenging, adding that the current drawings are conceptual only; the final plans could be radically different. The landscape design is also conceptual at this point. Much more work needs to be done at the development permit stage.

Mayor Ruttan asked for an estimate in the difference in size between the current store and proposed store.

Mr. Robertson confirmed the proposed store is approximately twice the size of the current store.

Mayor Ruttan asked if the proposed store would be similar to the store located in Qualicum Beach.

Mr. Robertson confirmed the proposed store would be similar to the store in Qualicum Beach.

Mayor Ruttan asked if a completion date had been determined.

Mr. Robertson noted they would like to be up and running by 2016.

Mayor Ruttan asked if any neighbours had expressed negative feedback.

Mr. Robertson noted they have not received any negative feedback; the area is currently under-serviced and the area continues to experience growth.

Councillor Greves asked for clarification regarding the difference in footprint size between the current buildings on site and the proposed buildings.

Mr. Anderson noted there would not be a significant difference in the current and proposed building footprint.

Mr. Robertson noted that they are trying to create a marketplace character; the growth will be in the perimeter more than in the centre of the site. They are requesting the zoning be reinstated to the zoning in place for the subject properties prior to the adoption of Zoning Bylaw 4500.

Councillor Johnstone noted she has been a customer of the Harewood grocery store for 32 years and she agrees it does need to be enlarged due to the ever-increasing growth in the area.

Ms. Heather Campbell, 616 Bruce Avenue – In Favour

- Noted that Mr. Robertson has attended the Harewood Neighbourhood Association meetings twice to produce conceptual drawings, discuss impact and receive community input. From the standpoint of the Neighbourhood Association, the applicant is proposing a grocery store with a community feel that is walkable and welcoming. Looking forward to a new and bigger Quality Foods in the neighbourhood.

Ms. Elizabeth Good, 898 Georgia Avenue – Opposed

- Bought her home one year before Quality Foods bought the subject properties. She has worked very hard for her home, she believes her home will never be the same again and the value of her property will decrease if the proposal is approved.
- Her husband suffers from Multiple Sclerosis and dementia; he is very concerned and upset about this application.
- Worried her home could experience damage due to the construction of this large building and that they may lose some of the rear portion of their property. Their taxes may go up due to the new amenities.
- Believes the light and noise pollution will affect her quality of life in a serious way.
- She and her husband would be directly and negatively affected by this proposal. Many people who are offering their support for the proposal are renters in the area; her home is her livelihood.
- Traffic will increase to dangerous levels and all of it would be right in front of her home.
- Feels like her fears do not matter.

Mayor Ruttan noted Staff may be able to assist in ascertaining where generators would be located and the proposed layout of the building.

Councillor Bestwick asked Staff for clarification regarding the speaker's concern regarding the possible reduction of her property.

Ms. Herrera confirmed access points would be on the subject properties only and no private land or easements would be required. Access is proposed from 538 Eighth Street and 867 Bruce Avenue.

Councillor Bestwick asked if the access point on 538 Eighth Street is a result of not having a left turn lane from Bruce Avenue.

Ms. Herrera noted the applicant would like to have both access points and the proposal was presented that way to Staff.

Mr. Jeff Solomon, 656 Sixth Street - Opposed

- Quality Foods has been a tremendous community partner in Harewood. It really is a community store that is extremely well used. Friendly staff is hired from within the community.
- Concerned with the proposal as the current location is the "center" of Harewood and many residents walk to the current store. The subject properties are far enough away that people will not be able to walk to the store anymore; also it would be fairly close to Southgate Mall which has a grocery store. Believes the potential loss of Quality Foods in the mall could be detrimental to the community and the mall.

Mayor Ruttan noted that he spoke to Quality Foods in 2012 when it was realized that a zoning change was needed; they preferred to stay where they currently are but the expansion required could not be achieved in University Village.

Ms. Louise Ross, #28 - 285 Harewood Road (Maple Tree Village) – Opposed

- Current Quality Foods location is a five-minute walk from her home and is very convenient. Her family visits the store 5-10 times per week. She respects Quality Foods as a community partner.
- Density around the current location is much higher than the proposed location. She would have to drive to the new location, which is a drawback.
- Potential loss of property value if Quality Foods were to leave the University Village. Other stores may leave as a result.
- She believes the proposed location is too close to Southgate Mall.

Councillor Pattje asked Ms. Jensen if the intent of the Harewood Neighbourhood Plan was to establish higher densities in Harewood.

Ms. Jensen noted there are a number of different concepts for the Harewood area, including a residential corridor developing along Bruce Avenue, which would serve to support the neighbourhood centre. The Harewood Neighbourhood Plan identifies the neighbourhood centre as something the community wanted to see; it does not speak specifically to the uses that would be in that area, but it is intended to be a smaller commercial centre for the surrounding neighbourhood.

Councillor Brennan asked for clarification on whether or not the only decision needed tonight is if the grocery store can be larger.

Ms. Herrera confirmed that the decision before Council is whether or not the grocery store could be larger than 2,000m^2.

Ms. Deidre Woodward, 525 Deering Street – In Favour

- The subject properties are currently empty, run-down, and an eye-sore. Would love to see the new Quality Foods developed on the properties.
- Curious to know where the power sources will be located as noise at night travels across the parking lot. Certain that Quality Foods will address any concerns efficiently.

Mr. Bruce Robertson, Quality Foods. – Managing Partner, Applicant - Redress

- It is not the intention of Quality Foods to cause any of their neighbours any kind of hardship. Past history indicates that densities and property values increase for the land that surrounds new Quality Foods locations. People like to live close to grocery stores.
- The storefront in University Village is a great location and it will likely be taken over by competition to Quality Foods.
- Harewood has grown so much and yet there still is a shortage of services for the area that could be proposed for the mall. Business brings business; some of their most successful stores are directly across from competition.
- Quality Foods intends to adhere to all regulations and be a true bonus for the community.

Councillor McKay noted he had some concerns with the conditions of rezoning that Staff has requested of the applicant, which are to be secured prior to adoption of the bylaw. Questioned the best time to address these concerns.

Mayor Ruttan stated the best time to discuss concerns about Staff requirements of the applicant would be post Public Hearing and prior to voting on the bylaw receiving Third Reading.

Mr. Anderson concurred with Mayor Ruttan.

There were six verbal and one written submission received with regard to Bylaw No. 4500.058.

(d) Bylaw No. 6500.025 – 1044 & 1048 Old Victoria Road

This bylaw, if adopted, will:

i. amend Map 1 (Future Land Use Plan) of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" by redesignating the subject properties from 'Industrial' and 'Neighbourhood' to 'Light Industrial'; and
ii. amend Schedule A-7.3 of the Chase River Neighbourhood Plan by redesignating lands from Neighbourhoods to Service Industrial Enterprise Area in order to facilitate a recycling drop off centre.

(e) Bylaw No. 4500.063 – 1044 & 1048 Old Victoria Road

This bylaw, if adopted, will:

i. amend "ZONING BYLAW 2011 NO. 4500" by adding a new definition for 'Recycling Drop Off Centre' as a permitted use in the I1 and I3 zones; and

ii. rezone the subject properties from Single Dwelling Residential (R1) to High Tech Industrial (I3) to facilitate a recycling drop off centre.

Mr. Tim Wait, Tim Wait and Company – Applicant Representative

- Mr. Wait's presentation is attached as a part of "Attachment D – Submissions for Bylaws No. 6500.025 and 4500.063".

Mayor Ruttan stated that he and MLA Doug Routley met with the Ministry of Transportation and Infrastructure (MoTI) two years ago to stress their belief that the intersection at Haliburton and Highway 19A needs a traffic light. Not much has happened since that meeting. He sent a letter to MoTI 10 days ago expressing his disappointment that nothing has happened for that intersection as Council sees this intersection as a serious concern. A response was received from MoTI stating that they will try to give a commitment at their earliest convenience.

Councillor Brennan asked the speaker if there is currently a left turn lane on Highway 19A.

Mr. Wait confirmed there currently is a left turn lane on Highway 19A.

Councillor Brennan asked where people would drop off their recyclables if the proposal were approved.

Mr. Wait noted that drop-off areas are dependent upon the items being recycled; bottles are placed in carts, brought inside and processed indoors behind buffered installations. Other items would be dropped off by vehicle at the docks, which face the Island Highway. Nothing is stored outside.

Councillor Brennan asked if the applicant anticipates the movement of bottles would create noise for the neighbours.

Mr. Wait stated that he visited the residential neighbourhood located across from the Victoria recycling depot and he asked specifically about any noise pollution resonating from the depot. Those residents indicated the berming for that depot works well and they hear no noise.

Councillor Brennan asked how many residents would visit the proposed depot on a weekday.

Mr. Wait noted that the traffic count for Old Victoria Road is approximately 2,600 vehicles per day. Old Victoria Road is the same road standard as Wakesiah Road, which has a traffic count of approximately 10,000 vehicles per day.

Councillor Brennan noted she would like to know how many vehicles would use Old Victoria Road if the depot were approved and asked how many vehicles are expected on a daily basis from the south.

Mr. Wait noted the majority of users would come from Cedar and Chase River and the Old Victoria Road neighbourhood.

Councillor Brennan noted that the majority of residential users would have to make a left turn if the speaker's assessment is correct.

Mr. Wait noted the hope is that south Nanaimo would take advantage of the depot, adding that people may walk to the facility.

Mr. Shorting, applicant, stated the average vehicle count per day at the Hayes Road depot is 150 vehicles.

Councillor Brennan noted that the applicant needs to acknowledge the serious traffic concerns of residents and Council. What could the applicant offer to alleviate these concerns? Would the applicant be willing to offer funds to aid in the installation of a traffic light?

Mr. Wait asked if it is a standard City policy to request an applicant to financially aid in the installation of a Provincial traffic light.

Councillor Brennan noted Staff could confirm; however, she is aware of past instances where the City has asked the proponent of an application to install a traffic light.

Mr. Wait noted there are statistics available through ICBC which speak to the degree of danger of any given intersection, as well as statistics on accidents that have occurred at an intersection. The applicant is willing to help mitigate concerns as much as they can; however, they do believe this is the right location for this proposal.

Councillor Johnstone noted that she has walked the subject properties and can understand neighbour concerns. Asked for clarification regarding the proposed berming and the amount of evergreen trees being proposed. The orchard is a wonderful idea; however, it would be deciduous and, therefore, not a significant buffer in the winter. Asked if the applicant had considered a locked gate so people cannot drop off recyclables after hours.

Mr. Wait noted that a locked gate makes a lot of sense and is something the applicant may consider.

Mr. David Read, 1047 Old Victoria Road – Opposed

- Lives directly across from the subject properties. Not opposed to a recycling depot for the south end, instead he is opposed to the "radical and drastic change in zoning" on the subject properties.
- He purchased his property in 2005 and checked the zoning; they were listed as residential then and still are on the City website. The OCP is a "second set of books which no one knew existed" which designates the subject properties as Industrial. He was not aware of the designation change when it occurred in 2008.
- Industrial areas belong well outside of residential areas. Does not believe there is a smooth enough transition from residential to industrial in the Old Victoria area. Has suggested several other more suitable properties on which to locate the recycling depot.
- Does not believe this constitutes "sane City planning". The taxpaying residents of Old Victoria Road do not wish to accept industrial uses across from their homes.

Councillor McKay asked if he had considered driving to Victoria to see the depot there and ask the residents across from the depot about their experience.

Mr. Read noted he did not visit the Victoria facility. He has a friend who grew up in the area who advised that the Victoria depot lands were zoned industrial prior to the homes being built.

Ms. Glenys Patmoll, Executive Director, Clay Tree Society, 838 Old Victoria Road - Opposed

- The Clay Tree Society has 75 participants who have learning and physical disabilities. Participants use Old Victoria Road many times during the day, dangerous speeding already exists, including in the School Zone area. This proposal would bring added traffic and danger.
- Would like to know how many vehicles per day are expected if the depot is approved and whether a traffic study is being completed. Speed needs to be controlled on Old Victoria Road and dangers need to be mitigated.

Mr. Neil Saunders, 211 View Street – Opposed

- Questioned Mr. Wait whether he asked why home owners near the Victoria depot were selling their homes, as he mentioned they sold their homes without difficulty.
- Believes that DBL on Tenth Street and BFI do the exact same service as the proponent, minus recycling bottles. Believes Mr. Shorting manages the three public drop off bins at BFI. Believes this proposal is a "duplicate service".
- Parts of Old Victoria Road are a School Zone and that needs to be addressed.
- Does not believe a traffic light is needed at this intersection.

Mr. Gord Fuller, 604 Nicol Street - Opposed

- An additional 300 or 400 cars turning off of the Highway onto Needham Street will not make much of a difference to him as he sees thousands of cars daily; however, it will affect residents on Old Victoria Road.
- Needham Street is used by parents dropping off and picking up children from Bayview School, which would add even more vehicles.
- The OCP and neigbourhood plans are living documents; however, it is important to remember that neighbourhood plans, regardless of their age, are not dead.
- Referenced OCP No. 6500; Section 2.3 (Neighbourhood), Section 7.1 (Neighbourhood and Area Planning).
- Believes the quoted sections indicate Staff and Council justification for "changing the wishes of those who developed the long-term vision for the neighbourhood".
- Referenced OCP Bylaw No 6000; Section 2.2, Policy 5 (Neighbourhood Plan). The Chase River Neighbourhood Plan was adopted under OCP Bylaw No. 6000. If local community involvement is "a cornerstone" of neighbourhood planning and "community spirit and participation" are valued, why is community involvement being devalued and disregarded through these bylaws if they were to be approved?
- Believes a few on Council are arbitrarily disregarding the wishes of the neighbourhood plan process. Some neighbourhood plans were adopted prior to OCP Bylaw No. 6500 and some post OCP Bylaw No. 6500. Asked what value our City's neighbourhood plans hold if they can be arbitrarily amended.
- Referenced the referral response to this application from the South End Community Association. Believes the Chase River Neighbourhood Plan, ratified in the current OCP, should be binding when it comes to conflict with the OCP. Asked that all neighbourhood plans be given the consideration they deserve; if they are not then why go through the neighbourhood planning process at all?

Ms. Sandra Larocque, 721 Haliburton Street – Opposed

- Not opposed to recycling, but this proposal is not acceptable for this neighbourhood. Believes the traffic impact will be extensive and that the buffering proposed is not sufficient.

Ms. Valentina Cardinalli, 1047 Old Victoria Road – Opposed

- Thanked Council for the attention and consideration they have given this proposal.
- Does not believe any of the uses permitted in the I3 zone are appropriate for a residential neighbourhood.
- Does not believe the neighbourhood was properly notified regarding the industrial designation amendment in 2008. The only map that indicates this industrial designation is the OCP Future Land Use map, which she believes is "hidden" on the City website.
- Believes the majority of residents on Old Victoria Road are opposed to this proposal.
- Believes both the South End Community Association and the Chase River Neighbourhood Association do not support this proposal.
- Feels like she does not matter because there is money to be made at her expense.
- Believes the OCP should be properly reviewed and all industrial properties in the area should be discussed. Asked when the OCP can be reviewed, as she would like to participate. Agrees with Councilor McKay that this appears to be "bad planning".
- Believes the Hayes Road facility does smell and does have wasps. Does not believe the proposed buffering is adequate. Believes the traffic increases would be dangerous to neighbourhood residents.
- Does not believe there is enough transition in the area between industrial and residential designations.
- If the proposal is approved there will be a litany of issues to address.
- Referenced OCP No. 6500 (page 11).
- She and her husband run a home based business which produces and promotes music shows in the city, she has hosted many people at her home as it is an enjoyable space. On any given month they host 100 people from all over the world at their home. This facility would cause "trouble", early hours disagree with them and they will not be able to entice people to their home any longer.
- This proposal achieves the opposite of helping them realize their aspirations and hopes.

Councillor McKay clarified his earlier comments regarding the planning process and "bad planning". The Future Land Use map indicates Old Victoria Road as Residential Corridor, which captures the Richardson Foods property; the applicant has stated they would have liked to use that property but the OCP regulations would not allow the use. The map then goes into industrial use, and then a heavier industrial use. In Nanaimo, the industrial zones, in terms of heavy industrial use, are listed as I1, I3, I2, and then I4. Therefore, I3 is not a particularly heavy industrial use.

Ms. Cardinalli asked Councillor McKay if the I3 zone is not a high industrial use for the existing residential neighbourhood.

Councillor McKay noted that a heavy duty truck shop could be proposed for the subject properties due to the existing industrial OCP designation on the subject property.

Ms. Cardinalli stated she does not want any industrial uses permitted in the neighbourhood. She does not believe a truck shop would bring odour, noise, or as many added people to the area who are not invested in the neighbourhood. She is concerned about the nicely kept trailer park and its residents being in danger when trying to cross the road.

Councillor McKay asked if the speaker if she had visited the Victoria depot and questioned the residents who live across the road from it.

Ms. Cardinalli noted she did not have the money or time to go to the Victoria depot. Suggested the residents living across from the Victoria depot are renters who are charged a lower rent for living there. Maybe it works in Victoria but she does not believe it will work on the subject properties.

Councillor Brennan asked Staff for clarification regarding the frequency of OCP reviews.

Mr. Anderson confirmed that every 10 years a major review of the OCP is undertaken; the last major review occurred in 2008. In the interim, a 5-year progress review is undertaken, and generally considers updates to census information and any minor amendments that may be needed.

Councillor Brennan asked for clarification on when and if neighbourhood residents would have an opportunity to influence concerns of the project if it were approved.

Mr. Anderson noted that if the proposal were approved it would go through a development permit process. He anticipates the property owners would want to meet with neighbours and the neighbourhood association based on the issues raised through the rezoning process. There is not a formal opportunity; it would be between the owners and the neighbours.

Councillor Brennan asked for confirmation that consultation between the owners and the neighbours would take place if the bylaws were approved due to the controversy surrounding this proposal.

Mr. Anderson confirmed that he has seen consultation occur between owners and residents in the past in similar situations.

Mr. Dan Patton, 1059 Old Victoria Road – Opposed

- Referenced the report to Council of 2014-APR-14 regarding this application (Page 4). Noted that all neighbourhood associations should be polled with whether or not they agree that all neighbourhood plans need to be consistent with the OCP.
- Referenced Part C, Section 2.3 of the OCP (Neighbourhood), the Executive Summary of the Chase River Neighbourhood Plan, and the referral response regarding the application from the South End Community Association.
- Believes the Industrial OCP designation has sent the “wrong signal” to the applicant.
- Stated that the comment made by Mr. Wait that residents were approached at their homes is untrue. The applicant may not have invested the money he has to date had he realized how opposed this neighbourhood is to the application. He also stated that Mr. Wait said he mailed out 175 invites to the public open house; he believes that means the applicant thinks there are 175 affected properties.
- The applicant has stated, without proof of receipts, that he had spent $50,000 on the proposal as of the Council meeting of 2014-APR-14. It should be considered what the potential loss of investment may be to the local residents and the market value of their homes.
- Believes he will lose a minimum of $30,000 of market value on his home if this application is approved. Asked Council to consider the total of all neighbourhood homes and their market value losses.

- Noted the OCP five-year review is currently taking place. Referenced the report to Council which sought approval of the Terms of Reference for the OCP five-year review. The listing of items to be reviewed does not include his neighbourhood; however it does include Maki Road. Asked why his neighbourhood is not being reviewed.

Councillor Pattje noted that, as the Chair of the Advisory Planning Committee (APC), Staff may be behind schedule for the five-year OCP review as he has not yet seen any information on the review.

Ms. Jensen confirmed Staff is currently working on Phase 1 of the OCP five-year review and it will be coming forward to the APC.

Mr. Patton asked why his neighbourhood is not on the agenda of items to be reviewed through the 5-year OCP review. Noted he is glad it is an election year.

Councillor Anderson asked if the speaker participated in any of the public consultation undertaken for this application.

Mr. Patton confirmed he attended the public open house and he informed the applicant that his concerns revolved around the process of Industrial designation of the lands and not the proposal.

Councillor Anderson noted that the reason reviews of the OCP and neighbourhood plans are required is to ensure all residents have their say in the vision for that neighbourhood. Asked the speaker to identify what his main concerns are regarding the proposal.

Mr. Patton stated that a summary of his concerns is that he never would have thought that he could live in a neighbourhood that could be jeopardized by poor planning.

Councillor Anderson asked for confirmation that the speaker is only concerned about the OCP designation and not the proposal itself.

Mr. Patton noted his concern is in regard to his beautiful property being jeopardized by the Industrial designation.

Councillor Anderson asked Staff for confirmation that the Chase River Neighbourhood Plan takes precedence over the OCP, as suggested by the speaker.

Mr. Anderson noted he is heartened at how many people are taking such a close look at the OCP and neighbourhood plans; this is not the usual case. It is true the OCP is the overriding policy document with respect to issues like land use designations, neighbourhood plans are amendments to that OCP. These documents are dealt with at different points in time. If you are preparing a neighbourhood plan now it needs to be consistent with the OCP. If it is proposed not to be consistent with the OCP, then one of those documents needs to be modified. If you are preparing an OCP, and as a result of that process, there are discrepancies created in existing neighbourhood plans, the expectation is that those neighbourhood plans would either be reviewed at some point in time so the issue of consistency can be addressed, or there could be applications that come forward that would cause that consistency issue to be addressed on a specific property.

Mr. Patton asked why a review of any discrepancies cannot take place prior to this application moving forward. Does not believe that all affected residents have had their say regarding the Industrial designation on the subject properties.

Ms. Sarah Heasemen, 1051 Old Victoria Road - Opposed

- She and her husband bought their home one year ago. The price of her home at the time of purchase was mentioned by Mr. Wait in his presentation.
- Does not believe the proposed facility should be operating directly across from a residential area.
- Her main concern is the increase in traffic; dangerous turning and speeding already takes place on Old Victoria Road.
- The bottle depot in Victoria is only a partner of Regional Recycling and she believes they may only be a bottle depot.
- Noted that the home referenced in Mr. Wait's presentation as having no trouble selling is in the neighbourhood of the depot in Victoria, not across the street from it.
- Where will parking overflow for the church attendees go on Saturdays, the busiest day of the recycling depot operations?

Ms. Terisa Bilton, 1065 Old Victoria Road – Opposed

- Has lived in the Chase River neighbourhood for 22 years and grew up in Harewood. Has owned a home and paid taxes for 33 years.
- Bought her current home in 2011 after checking what the zoning was on her property and surrounding properties. Did not realize that she needed to investigate further to find out what the City had envisioned for the future designation of the lands.
- Believes there is enough industrial land currently existing within our city, the subject properties are a prime location for the recycling depot and she believes the south end should have a depot, but a residential area should not be changed in order to achieve that.
- If the proposal were to be approved, the neighbourhoods of Cedar, Yellowpoint, Extension and South Wellington would all use the depot and traffic would increase dramatically. The area will only continue to grow.
- Future designation of lands should be taken more seriously. They are a neighbourhood of only 19-20 homes that are directly affected by this proposal. Being so few, it feels like they are fighting a losing battle.
- Stated she was not informed in person of the application by the applicant. A flyer was left at her home, but she did not receive an invitation to the public open house by post.
- When the applicant made presentations to both neighbourhood associations he said the neighbourhood was aware of the application; however she was informed after those meetings.
- Asked why the corridor at the north end of Old Victoria Road is being treated differently than the south end of Old Victoria Road.
- Asked how many vehicles are permitted per day at a recycling depot.

Mr. Barry Morton, 224 Woobank Road, Cedar – In Favour

- Nanaimo is justifiably proud of its green reputation, it has been hard earned.
- For recycling to really work it must be both convenient and accessible; for the people in the south end of Nanaimo it is neither. Hayes Road is a great depot; it is clean, does not smell and runs efficiently, yet it is far away. He has been to the depot in Victoria, which is also well run. The citizens in the south of Nanaimo are virtually disenfranchised by not having a similar facility.
- Recycling was not an issue 10 years ago, now it is debated on so many levels and will continue to evolve.

- He would appreciate recycling locally; currently it is easier for him to drive to the Ladysmith depot. The trip to the Hayes Road depot is a 30km return trip, and questioned if the price of recycling is air pollution. He is not the only one who has to drive far way to recycle.
- Urged Council to approve the application based on the concept of recycling and doing it in the neighbourhood where they are going to use it, much like the proposed neighbourhood.
- Has been through this process many times when he worked with the Attorney General in trying to locate prison sites; everyone wants and needs prisons, yet they never want them in their neighbourhood. When looking at the site plan, the smallest side of the subject property faces the homes on Old Victoria Road, the rest of the property is facing the highway.
- He does not know all the answers; however, he does know he is in favour of recycling and from the outside looking in, the site looks like a good site for the facility.

Mr. Darcy Hipwell, Brentwood Bay, Victoria – In Favour

- Is the owner / operator of three recycling depots; one in Victoria and two in Saanich.
- One of the depots in Saanich has been in the same location for 19 years. The depot in Victoria has been there for 4.5 years and in that time they have had zero complaints from neighbours or the municipality.
- Feels very fortunate to be in the recycling industry where there are zero emissions and where they are doing something good for the planet. Feels very fortunate to have a business partner like Paul Shorting.
- Sincerely feels this facility is the right facility for this location and that Mr. Shorting is the right person to do it as he has gained incredible respect throughout the industry for his integrity and community outreach programs.

Ms. Helga Sigmundson, 1043 Old Victoria Road - Opposed

- Ms. Sigmundson's presentation is attached as a part of "Attachment D – Submissions for Bylaws No. 6500.025 and 4500.063".
- Read a letter from Mr. and Mrs. Carver of 140 Davies Lane. Not residents of the direct area; however they attended the public open house. Davies Lane is located in central Nanaimo near industrial areas. The businesses in this area did not cause any negative effects on the surrounding neighbours until the opening of the Nanaimo Bottle Depot on Fremont Road. Their home is located less than 1km from the depot and they have noticed the following since the opening of the depot: increased foot traffic of non-residents, people in their garage stealing their own recyclables, shopping carts left on the street and an increase in petty theft, although no charges have been laid. Believes the residents of Old Victoria area will be faced with increased transient and vehicular traffic, increased noise, pollution, garbage, odours, possible pests, and numerous environmental concerns.
- Ms. Sigmundson believes the proposal may harm the Chase River and that other sites are more suitable for this depot.
- Noted that Old Victoria Road has no sidewalks and traffic is already heavy and dangerous. Believes people with shopping carts will be on the road and that a huge amount of people will use the road. Does not want to live across the street from an "industrial park".
- Does not understand how the designation could be changed without notifying neighbouring properties.
- Stated the applicant did not approach her nor send her an invite to the public open house.

Mr Fred Taylor, 204 Emery Way - Opposed

- Believes this application should be tabled until the five-year OCP review is complete.
- Noted to Council that it is a serious matter for them to determine who they listen to in relation to a development proposal. People who live far away from this proposal will never be bothered by it.
- Residents are entitled to see all documents in relation to a development proposal, asked if the land is owned by the applicant or if it is a proposal to buy pending zoning and OCP amendments. Believes it might have a bearing on Council decision.

Councillor Brennan asked the delegation if he understands that the decision in front of Council is a land use issue and not to do with who owns the land.

Mr. Taylor noted that in the UBCM Advisory Service (Fact Sheet 17) he should be entitled to see any documents related to the proposal. Noted that the applicant representative referenced BC Assessment valuations of properties on Old Victoria Road, which anyone can access. Thought the ownership of the properties might affect Council decision.

Councillor Brennan asked the speaker to confirm whether or not he believes this decision is based on land use or if it is based on who owns the land.

Mr. Taylor confirmed the decision is based on land use but there are other factors.

Mr. Ryan Prontack, Storey Road, Cedar – In Favour

- It would be good for residents in the south end to have access to services that help support a community. It would be beneficial to recycle without having to drive so far, a 25-minute drive adds up every time you want to recycle.
- As a resident of the south end he wants to see recycling services closer.
- All levels of government are promoting recycling; we all have the responsibility to make those services more accessible.
- Aware that a lot of work has gone into finding the most suitable location for this service and, in his opinion, it is a good fit. Believes a lot of work will be done to address any concerns.

Mr. Aaron Payne, 1043A Old Victoria Road - Opposed

- Rents a suite from Ms. Sigmundson, who spoke earlier. His kids play in the area, believes the added traffic will be dangerous.
- Asked why the applicant did not opt for the property across from the RDN dump.

Mayor Ruttan noted the property across from the RDN dump is First Nation lands. The Hearing this evening is in regard to the property the applicant has indicated.

- Mr. Payne believes there are other properties in the area that are better suited for the facility. Believes the noise caused from large trucks will lessen the quality of life for residents in the area.

Ms. Kathleen Currie, 1011 McKenzie Road – Opposed

- Agrees that a recycling depot is needed in the south end; but not on residentially zoned land.
- Council has been provided with a list of south end properties that are more appropriate for the proposal.
- Stated that six amendments are required to existing documents to allow this proposal, which seems excessive to her.
- Believes the S-curve on Old Victoria Road is very dangerous, speed is controlled, but not policed and traffic is already very heavy.
- Was not informed when the subject property was designated as industrial, does not believe it is appropriate. Believes the area could become an industrial park.
- A neighbour used to live near a bottle depot in Nanaimo. He does not want a bottle depot in the neighbourhood because the "crack heads" are looking for their next fix, they will cruise the area for bottles. She does not want this in her neighbourhood.
- Questioned how to ensure the plans presented will be what is built.
- Old Victoria Road is a dangerous road to walk on.
- Believes the applicant has done a beautiful job and she has no doubt the concept would result in an attractive facility. Evergreen trees should be a mandatory inclusion in the landscape plan.
- When reading the APC recommendation she was concerned to see that it was a Staff recommendation that the applicant apply for the I3 zoning on the subject properties. Referenced the I2 and I3 zones in the Zoning Bylaw; believes that the I3 zone does not protect residents from excessive noise. Feels the intent of the application is to specifically remove the control of the Zoning Bylaw to protect the neighbouring properties from noise, waste and noxious fumes. Believes that if Council approves the application they are intentionally removing resident rights to uphold the intent of the Zoning Bylaw.
- Owners have paid a premium for these unusually large lots with a protected stream in their rear yards.
- Strongly supports recycling in the south end but not on the subject properties. Believes the application is a direct "slap" to the community at large.

Mr. Jim Routledge, 6024 Monashee Way – In Favour

- Has learned to appreciate the value of a passionate group of neighbours, it is obvious this community is passionate about bettering their neighbourhood.
- Knows it is a delicate situation; believes the applicant can work to address neighbour concerns. It can be done responsibly and could help the community and not harm it.

Gord Fuller, 604 Nicol Street – Opposed - Redress

- When speaking earlier, he was speaking as the Chair of the Nanaimo Neighbourhood Network, which is why he referenced neighbourhood plans and the OCP.
- Asked why 1030 Old Victoria Road was designated Industrial when the properties surrounding it were residential. Believes the highest and best land use of the subject properties would be to remain as residential with the potential of rezoning 1030 Old Victoria back to residential.
- A portion of north Old Victoria Road already has industrial lands.
- Makes more sense for this proposal to go into the South End Community Association area as there is a large amount of industrial land.

- A residential subdivision on the subject properties would create sidewalks, would be more viable for transit in the area and would create higher residential densities.

Ms Maureen Pilcher, 1149 Pratt Road, Qualicum Beach – In Favour

- Ms. Pilcher's presentation is attached as a part of "Attachment D – Submissions for Bylaws No. 6500.025 and 4500.063".

Mr. Dan Patton, 1059 Old Victoria Road – Opposed - Redress

- Noted the APC recommendation to approve was not unanimous, one person was opposed.
- Believes the plans indicate a nice proposal with an orchard. His opposition is based on the OCP designation to industrial in 2008. Even if the applicant cancelled his proposal the industrial designation would still exist on the lands and other industrial uses could be applied for. He is not opposed to Mr. Shorting or his charitable actions in the community.
- Believes the orchard would be beautiful. Asked what the orchard does for his property; the orchard benefits the subject properties only so how is that a community contribution?

Ms. Valentina Cardinalli, 1047 Old Victoria Road – Opposed - Redress

- Does not believe the reality of this facility will be the beautiful plans and orchard; it will take years for the trees to mature. Her impression of the Hayes Road depot is that it is noisy, smelly, and she was stung three times from wasps when she visited the facility.

Mr. Neil Saunders, 211 View Street – Opposed - Redress

- Asked why the City is proposing to remove residential land while it is currently building on questionable steep slope lots.

Ms. Helga Sigmundson, 1043 Old Victoria Road – Opposed - Redress

- A previous speaker noted that the City does not want to "go back on our word" to developers by not adhering to the OCP, asked why the same consideration is not given to the residents of Old Victoria Road.
- Believes the impact from foot and vehicular traffic will be "horrendous"; someone will be killed on Old Victoria Road.

Ms. Kathleen Currie, 1011 McKenzie Road – Opposed - Redress

- Noted the proposed new definition of a Recycling Drop-off Centre indicates that it does not require a Waste Stream Management License. The RDN Waste Stream Management Plan allows for complaints to go to the RDN if there is mismanagement or issues that are not being dealt with in a proper manner.
- No matter how wonderful the applicant is there is no guarantee for the community if it is not being run correctly.

Mayor Ruttan noted that there are existing bylaws that could be enforced in the event of non-compliance. There are mechanisms in place to ensure compliance.

- Ms. Currie does not believe existing bylaws "hold a lot of weight". Believes one of the mechanisms to ensure compliance, the Zoning Bylaw, has been circumvented by this "arbitrary application". Does not understand why the RDN Waste Management Plan is not required for this proposal.

There were 7 verbal and 38 written submissions received with regard to Bylaw No. 4500.059.

The Public Hearing was adjourned at 10:38 pm.

It was moved and seconded that the Special Council meeting proceed past 11:00 p.m. The motion carried unanimously.

4. BYLAWS:

(a) "ZONING AMENDMENT BYLAW 2014 NO. 4500.061" (RA000332 – to amend "ZONING BYLAW 2011 NO. 4500" by rezoning the subject property from Single Dwelling Residential (R1) to Townhouse Residential (R6) in order to construct three dwelling units).

It was moved and seconded that "ZONING BYLAW 2014 NO. 4500.061" pass third reading. The motion carried unanimously.

(b) "ZONING AMENDMENT BYLAW 2014 NO. 4500.062" (RA000334 – 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 facilitate a three-lot subdivision).

It was moved and seconded that "ZONING BYLAW 2014 NO. 4500.062" pass third reading. The motion carried unanimously.

(c) "ZONING AMENDMENT BYLAW 2014 NO. 4500.058" (RA000327 – to amend "ZONING BYLAW 2011 NO. 4500" by permitting a site specific text amendment to the existing Neighbourhood Centre (CC2) zone in order to allow for a retail grocery store larger than 2,000m^2) **and**

That Council direct Staff to secure covenants for pedestrian features; lot consolidation; road dedication and access; and a community contribution prior to the adoption of the bylaw.

It was moved and seconded that "ZONING BYLAW 2014 NO. 4500.058" pass third reading. The motion carried unanimously.

(d) "OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW 2014 NO. 6500.025" (OCP77 – to amend "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" by amending Map 1 (Future Land Use) by redesignating the subject properties from 'Industrial' and 'Neighbourhood' to 'Light Industrial' and amend Section A-7.3 of the Chase River Neighbourhood Plan by redesignating the lands from Neighbourhoods to Service Industrial Enterprise Area in order to facilitate a recycling drop off centre).

It was moved and seconded that "OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW 2014 NO. 6500.025" be deferred. The motion carried unanimously.

(e) "ZONING AMENDMENT BYLAW 2014 NO. 4500.063" (RA331 – to amend "ZONING BYLAW 2011 NO. 4500" by adding the definition of 'Recycling Drop Off Centre' and adding 'Recycling Drop Off Centre' as a permitted use in the I1 and I3 zones and by rezoning the subject properties from Single Dwelling Residential (R1) to High Tech Industrial (I3) to facilitate a recycling drop off centre).

It was moved and seconded that "ZONING AMENDMENT BYLAW 2014 NO. 4500.063" be deferred. The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 11:39 p.m. that the meeting terminate. The motion carried unanimously.

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M A Y O R

CERTIFIED CORRECT:

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CORPORATE OFFICER