

From: [City of Nanaimo](#)
To: [Public Hearing](#)
Subject: New form entry is submitted - Public Hearing Submission
Date: Friday, March 10, 2023 3:10:23 PM

[Public Hearing Submission](#)

Submitted on 10 March 2023, 03:10 PM

Your Name	Ian Gartshore
Your Address	<div style="background-color: black; width: 100%; height: 1.2em;"></div>
Bylaw Number or Subject Property Address Which You Are Addressing Your Comments	4500.206, 878 Park Avenue
Comments	<p>I am in favour of the proposed rezoning of the subject property, with three caveats. In the staff report it is stated: "Opportunities for further active transportation connections through the site were explored as part of the rezoning process, however no viable option was identified given the environmental and geotechnical constraints posed by the Chase River." In the presentation made to local residents a stairwell was proposed down to the Chase River, as well as a pathway along the eastern edge of the develop-able area. Both represent an active transportation component, especially once the pathways are connected to other pathways. I understand the city intends on creating a public trail along the Chase River; could the once-proposed stairwell not connect to this trail? I certainly hope so. Nanaimo needs far more interlinked active transportation options such as this one. If so much attention can be devoted in this application to motor vehicles surely suitable pedestrian amenities could be provided. Secondly, carsharing offers an intermediary method between private car ownership and active transportation. Given that there is currently a Modo carshare vehicle at the near-by Pacific Gardens co-housing (347 Seventh), and that it is vital to have two or more vehicles located near each other, a helpful condition would be to provide a dedicated parking spot for a future Modo vehicle close to Park Ave on this development. Since Modo is planning on electrifying all of its vehicles in the near future this dedicated site must be equipped with a suitable charging system. Thirdly, my only other concern is for the properties located between the two entrances to this proposed development, especially the one having a house located at the far east end of its property line. I appreciate that the proposal provides some space between that house and the proposed buildings, but I understood two months ago that the current owners were not satisfied with the lack of conversation with the subject property owner. Perhaps purchasing their property would be in order? Could this not lead to having greater density in this development, a goal of the proponent? If so then purchasing the other two properties would be in order.</p>

From: [City of Nanaimo](#)
To: [Public Hearing](#)
Subject: New form entry is submitted - Public Hearing Submission
Date: Wednesday, March 15, 2023 4:32:51 PM

[Public Hearing Submission](#)

Submitted on 15 March 2023, 04:32 PM

Your Name	Russell Lang
Your Address	██████████
Bylaw Number or Subject Property Address Which You Are Addressing Your Comments	Bylaw No. 4500.206, 878 Park Avenue
Comments	<p>RE: Bylaw NO. 4500.206 878 Park Ave File: RA000484 Dear Ladies and Gentlemen of the Council, On the matter of Bylaw no. 4500.206 we, Russell and Melody Lang, appreciate this opportunity to object to the rezoning of 878 Park Ave from Steep Slope Residential R10 to Low Density Residential R6. We base this objection on the following considerations. The proposed development allowed by R6 zoning is less than 1 block away from the area's primary elementary school. The number of people living in such a development will substantially increase vehicular traffic along Park Ave, which is a main pedestrian corridor of children to and from school. We can reasonably expect over 50 vehicles to occupy an R6 development at this site versus less than 20 vehicles if the property is developed within R10 guidelines. The Low Density Residential designation allows for increased building heights. The steep slope feature of this property forces the new buildings tightly alongside adjoining property lines and will severely affect the peaceful enjoyment of these adjacent properties. I can imagine gardening in my back yard and looking up to see someone stuck in their third floor bedroom looking down on me and disrupting my peaceful activities. This is a common concern of the other adjoining owners who we have talked with. A fence high enough to prevent this intrusion is not allowed under City of Nanaimo current bylaws. Another concern, which must not be overlooked, is the impact of public access to properties adjacent to 878 Park Ave where none exists now. A zoning designation of R6 will open over 1000 feet of (fence-line) property lines to public access of the adjacent Park Avenue properties (860, 864, 872, 874 & 882). We know from almost daily news stories that public access is featured in conjunction with property damage and violence in the problems associated with the homeless population. One only needs to look around at the temporary fences around town and extra patrols to know this is true. There are two examples of recent residential developments on Park Avenue that will not raise the level of concerns, stated above, that we have. The examples are Vienna Place (north of the City Sewage Pumping Station) and 1030/1050 Park Avenue Subdivision SUB01411. In closing, we urge the council to keep 878 Park Ave R10 zoning designation intact for the sake of the children and neighbouring properties. Recognizing that the area is under severe growth pressures we believe the ideal locations for Low Density Developments are along Tenth Street and Eighth street west of Bruce Avenue. Respectfully submitted, Russell and Melody Lang</p>

BYLAW NO.	4500.206
Location:	878 Park Avenue
The subject property is legally described as:	LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 30265
File No:	RA000484
Intent of Proposed Bylaw:	The purpose of this bylaw is to rezone the subject property from Steep Slope Residential (R10) to Low Density Residential (R6) with site-specific provisions for height (9.0m-12.5m) and density (0.81 FAR), to facilitate a multi-family residential development.

Opposition to Rezoning Application

Issues

Increase in Traffic – Safety Concerns for Area Residents and School Children

With 32 dwelling units, the traffic along Park Avenue will obviously increase. The proposed in & out connection to Park Avenue is at the top of a hill where children walk to the Park Avenue School just down the block. With the limited amount of proposed parking spots (64 for the 109 beds, and only 4 for visitors) where are the rest of the residents going to park? Street parking on Park Avenue is non-existent on West side of the street, on the East side where there is no sidewalk for the children to walk to school, and vehicles are already using up the allotted spaces. The access for the in & out connection to Park Avenue hasn't, in our opinion, been given proper attention to ensure the safety of the people currently using that corridor, nor addressed the subject of the increase in the volume of corridor users and the subsequent impact on the area. The idea the new influx of residents to the area will forgo cars and increase their use of public transport or ridesharing is, at best, unrealistic. The area is not yet a well planned walking community; the increase in residents will only increase the vehicles utilizing the existing infrastructure.

On page 4 of the Staff Report dated February 27, 2023 ("Staff Report") *"Frontage works will be required at the time of building permit to formalize improvements to Park Avenue."* One would think the impact on residents and users of Park Avenue would have been delineated prior to approving such a large impact on the population of the area.

Height Allowance Change from Maximum 9m to Maximum 12.5m

The increase of 3.5m in sloped roof height will severely hamper the peace and enjoyment of the current residents being engulfed by this development. Yes, the setback of 7.5m will be still at 9m, but at 7.6m that changes to 12.5m, thus creating a large area of overlooking from the proposed townhouses of 3 storeys onto the existing dwellings of merely 1 storey. No height of fencing or riparian planting will divert or mitigate this infringement.

Increase Public Access to Previously Private Fenced Area in Surrounding Properties

Currently, the property at 878 Park Avenue is privately owned and the properties abutting are protected from public access to their yards and the perimeters to their yards. If the City approves the rezoning

changed from R10 to R6 and the developer's plan of adding 32 dwelling units of various sizes (5 two-beds, 9 three-beds, and 18 four-beds = 109 bedrooms) we will be looking at a large increase in the foot traffic past our previously private yards. We are all aware of the increased instances of crime in the City; this type of access only increases the probability of all our homes being similarly adversely affected.

Short-Term Rentals

No mention has been made to the potential variation in the number of people residing within the new development, if the rezoning changes from R10 to R6. Currently R10 limits the amount of short-term guest rooms to 2 rooms with maximum 4 guests. R6 increases those numbers to 4 rooms, and 6 guests. Not only does this increase the vehicular traffic, but it also increases the amount of transient public access to the surrounding homes.

Future Extension of Murray Street and Setbacks

The Staff Report states on page 3 *"... road dedication is proposed along the south property line for a future extension of Murray Street to a half-road standard on the east side of Park Avenue. This road dedication will not only provide vehicle access to the site but will also facilitate future subdivision of lands to the south."* The setback for this half-road standard is 3m to the existing house at 874 Park Avenue. There will be 64 to 68 cars passing by their house daily, impacting the noise level and enjoyment of their property. As well, this *"future subdivision"* is currently conjecture, as the owners of the adjacent land have shown no indication of selling. The setback for the other primary parking route is 3 metres from our property as well, and with our property being an older home we are quite close to the property line; the proposed road would be right beside our bedroom windows, with 64-68 cars driving past *at least* twice daily, and at minimum 109 people walking by as well, also at least twice daily.

Summary

This development is almost completely surrounding our house at [REDACTED], with exception of our current neighbour at [REDACTED]. Currently, we have wildlife all around us. With the proposed change from R10 to R6 within 3 meters of our yard we would, instead, have multiple 3 storey building surrounding us on three sides of our property; the fourth side being the street with vehicles coming and going at all hours of the day and night, a large increase in the residents of the area as well as public access all surrounding our home. To say this will severely impact the peaceful enjoyment of our home is a vast understatement.

We fiercely oppose the proposed rezoning from R10 to R6.

Respectfully,

Michelle & Scott Kennedy