

From: [REDACTED]
To: [REDACTED]
Subject: Construction of 266 family residential units at 6340 McRobb ave.
Date: Thursday, November 9, 2023 11:53:40 AM

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I very strongly disagree with the building of so many housing units in such a small footprint of land! A proposed 266 unit complex is just too dense for this area. This project notice has given the surrounding residents extremely short notice to study or time to respond to the project. I feel that the additional volume of vehicles, estimated to be around an additional 400 vehicles, is going to add to the already heavy traffic volume and loud noise level which is going to get a lot worse! There are going to be a lot more vehicular accidents! I have driven around in a 2 1/2 km circle of this site and I did not find an apartment or condo building built or being built more than 4 stories high. This looks to be the present building height restrictions at the present time. This would allow for approximately 180 units which is more inline with the surrounding density and your official city planning?

--

John Rooyackers

[REDACTED]

From: [REDACTED]
Sent: Thursday, November 09, 2023 11:56 AM
To: [REDACTED]
Subject: Fwd: Covenant CA17 - 6340 McRobb

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Sent from my iPad

Begin forwarded message:

From: Fred Lyons [REDACTED]
Date: November 9, 2023 at 11:52:59 AM PST
To: [REDACTED]
Cc: [REDACTED]
Subject: Covenant CA17 - 6340 McRobb

We live at [REDACTED] [REDACTED] on northern border of the proposed development.

We are strongly opposed to the changes to the development plan, particularly that the 2 six storey units would allow only a 7.5 meter setback rather than the currently approved 17 meters. This will greatly affect our privacy, foot traffic, noise level and with virtually complete shade / all day, rendering our back yard unusable most of the year. I also believe it will have a negative impact on the property value of several Pachena Place units.

Additionally we are concerned about lack green space remaining, probable traffic congestion on Sentinel Drive and the very real potential for illegal parking on Sentinel and its effect on Emergency Services.

Fred and Diana Lyons

Sent from my iPad

From: [REDACTED]
To: [REDACTED]
Subject: Covenant Amendment App No. CA000017 6340 McRobb Ave.
Date: Tuesday, November 14, 2023 12:34:45 PM

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

Attn: City of Nanaimo Mayor Krog & Council Members
RE: Covenant Amendment Application No. CA000017, Lot 4, District Lot 48
Wellington District, Plan VIP78452

We are original property owners at [REDACTED] in the 16-unit Pacific Place Strata located just north of the proposed development at 6340 McRobb Avenue.

Having this property sit empty and undeveloped has resulted in homeless campers, drug use & a couple of fires over the years.
We would certainly like to see a responsible owner-manager of this property join the strata communities in our neighbourhood.

We are in favour of the proposed amendment to have a 6-storey multi-family development instead of 20-storey towers.
Our main concern with the proposed Covenant Amendment No. CA000017 is the **reduction in set-back** from 17 metres to 7.5 metres along our southern border.
We are opposed to that change.

There is a **marked difference in elevation** between the 6340 McRobb property and the Pacific Place Strata units bordering it.
6401 Pachena Place has a 4-ft. retaining wall along Sentinel Drive, which rises gradually in elevation from McRobb Avenue. There is a deep ditch and a 4-foot slope on the 6340 McRobb property along our southern border
This raises concerns about **drainage/flooding** onto our property.
The 6-storey building may also shadow Pacific Place more severely if it sits higher over underground parking. The proposed set-back of **10 meters** for the 6th floor could apply to the top 3 floors.
Having a wide band of dedicated green space/parkland with trees, shrubs and a retaining wall would provide a **privacy buffer & drainage protection** for Pacific Place Strata.
Keeping green space in our neighbourhood is a priority in such a high-density/commercial area.

The new development plan should address these concerns.

Respectfully submitted,

Linda & Jim Harris
[REDACTED]

From: [REDACTED]
Sent: Tuesday, November 14, 2023 12:21 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Fwd: Public hearing for Covenant amendment application CA000017

This was sent to me.

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: November 13, 2023 at 12:17:11 PM PST
To: [REDACTED]
Subject: Public hearing for Covenant amendment application CA000017

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Hello Janice,

Hope you and Ben are doing well. Thank you for helping us to provide our comments on this matter. I am attaching a letter which sets out the reasons for our opposition to Covenant amendment CA000017 as well as 3 attachments that are referred to in the letter.

Thanks again,

Gary and Laurie Myres
778-931-0530

Gary and Laurie Myres
[REDACTED]

November 14, 2023

City of Nanaimo
Planning & Development
Service and Resource Centre
411 Dunsmuir Street
Nanaimo, B.C.

Re: Covenant Amendment Application – CA000017

We have reviewed the documents made available on the City of Nanaimo website regarding this application and offer these comments for consideration.

Our residence at [REDACTED] sits on the northern border of the subject property. We purchased our home in February 2021 knowing that two 20 story towers were proposed to be built on the 6340 McRobb Avenue property and that the tower closest to us would have a 17m setback. It was our view that the distance of the setback and the relatively narrow footprint of the towers would maintain our sightlines of the horizon on either side of the towers, and we were ok with that. The height of the towers was less important to us.

The covenant amendment if passed will reduce the setback to 7.5m and increase the footprint of the structure so that it blocks the view of the horizon for most of the Pachena Place properties on the north border. It will effectively create the equivalent of a prison wall running along the length of our properties.

I would like to reference two documents submitted by the developer to support the requested amendment and a photo I took on November 13, 2023. Attachment 1 is the Overall Site Plan that is available on the Public Hearing website. You will note that it shows a fire truck access and drop off area coming off Sentinel Drive, presumably at the same elevation as Sentinel Drive. Attachment 2 is the Northern Property Boundary / Site Cross Section that shows the proposed buildings foundation being level with the Pachena Place properties. These two documents do not recognize the fact that there is a significant difference in elevation between the 6340 McRobb property and the Pachena Place properties. Attachment 3 is a photo showing the difference in elevation between the back garden of 6401 Pachena Place and 6340 McRobb Avenue property. The proposal to support the amendment does not speak to this anomaly. You will note that attachment 1 refers to a ramp to the underground parking on the south side of the development, yet there is no

reference to a ramp for the Sentinel Drive access. This leads me to the conclusion that the foundation for the proposed buildings will be at that level, which is anywhere from 4 feet to 9 feet above the level of the Pachena Place properties, given that the 6340 McRobb property slopes down to the west. This means that the shadow studies presented to support this application are flawed or a deliberate misrepresentation. They are based on the premise that the proposed building foundations will be level with the Pachena Place properties and that does not seem to be the case.

We oppose covenant amendment application CA000017 for the following reasons:

The applicant has not provided sufficient information to council and city staff on the accuracy of the shadow studies and the related need to reduce the north boundary setback to the bare minimum, given the issues raised above.

The proposed changes to the buildings' footprint, particularly its width combined with the reduced setback do not adequately address general design guidelines, including that building heights should be designed in consideration from overlooking properties, access to sunlight of adjacent properties, and provide privacy from overlooking adjacent uses. Buildings shall be located to preserve the privacy of adjacent residential land uses. Building siting should consider view and sunlight access of adjacent land uses.

The approval of the covenant amendment will cause us undue hardship regarding our private enjoyment of our property and potentially future financial loss due to reduced saleability of our property because of the proximity of the proposed building caused by the reduced setback.

We ask that council do not approve this application. The issues raised above should be addressed before any final decision is made.

We appreciate the opportunity to provide comment.

Gary and Laurie Myres

PUBLIC HEARING NOVEMBER 16, 2023
Covenant Amendment Application, 6340 McRobb Avenue

Submission by Norm Winton

INTRODUCTION

My name is Norm Winton, my wife and I live [REDACTED] and the front of our house and our front yard face the proposed apartment building. The Application includes the reduction of the setback from our property line from 17 m (56 ft) to 7.5 m (25 ft). I object to this reduction and ask Council to reject this Application.

OPEN HOUSE

In the application the Developer claims that from the Open House “..the two six-storey buildings were strongly preferred...” to the two tower proposal. This is a misrepresentation since it was not explained that the hypothetical tower shown on drawings at the Open House was a building that is uneconomical to construct, and would not be acceptable under the City of Nanaimo General Design Guidelines. The presentation did not offer two viable options for consideration, and people simply picked what appeared to be the lesser of two evils. This does not constitute support for the Developer's proposal.

GROUND ELEVATIONS

At the Open House it was pointed out to the Developer that there is a sloping bank at the property line, with the result that the front lawns of Pachena Place are roughly 3 to 5 feet lower than the site of the apartments. The lawns also slope down from east to west. This is not reflected in the Developer's drawings.

The ground floor elevation of the apartment appears to be uniform throughout but drawings accompanying the Application do not show the actual elevation. It appears that the entry on Sentinel will determine the level. This will be about 6 feet above the nearest Pachena Place lawn and about 9 feet above the lawn at the west end of the apartment. This will increase the length of the shadows cast.

As pointed out to the Architect at the Design Advisory Panel meeting in March, a retaining wall will be required parallel to the property line. It was suggested that a cross-section through the property line would be helpful. No such cross-section has been submitted.

SHADOWS

When the sun is at its highest in December the shadows at the west end will be about 28 feet longer than presented, because of the elevation differences. But the angles of the shadows are also wrong. The drawings assume the property line runs east-west, but, as the map shows, the alignment is southeast to northwest. So the alignment shown is reached later in the day, when the sun is lower in the sky and thus the shadows are even longer. For the purposes of assessing shadow effects these drawings are useless.

I am objecting to this development on the grounds of the shadows that will be cast, but Council is not being presented with accurate drawings to allow a proper assessment to be made.

JUSTIFICATION FOR CHANGING THE SETBACK

In justifying the change to the setback the Developer starts by assuming that his hypothetical towers could be built and approved. From this he calculates the number of hypothetical units that could be accommodated in his hypothetical building. He then assumes that he should provide close to that number of units and says that this “necessitates” the change to the setback. There is no necessity here, he could simply build within the existing setbacks.

INVASION OF PRIVACY

The distance from the face of the apartment block from our living room and bedroom windows would be 13 m (44 feet). There would be 36 balconies looking down on us from that distance. This is unacceptable.

GENERAL DESIGN GUIDELINES

Here are a few quotations from the Guidelines.

- Building heights should be designed in consideration from overlooking properties, access to sunlight of adjacent properties, and provide privacy from overlooking adjacent uses.
- Buildings shall be located to preserve the privacy of adjacent residential land uses.
- Building siting should consider view and sunlight access of adjacent land uses.

The Application does not consider or mention privacy and does not present accurate shadow diagrams. This is grounds for rejection of the Application.

CONCLUSIONS

- This Application does not provide accurate information on shadows to be cast.
- This Application does not address privacy impacts.
- This Application does not meet the City's General Design Guidelines.

COUNCIL DECISION

Tonight Council must make a value judgment. The advantage to the City of reducing the setback is that more housing units will become available. The disadvantage to the City is that existing neighbours will lose access to sunlight and will suffer a loss of privacy. Since accurate drawings of the shadows are not available and the increase in the number of apartments are not presented, it appears to me that Councillors do not have enough information before them to make a decision on this basis.

This Application should be rejected to allow the Developer to submit a revised and more complete Application for Council's consideration.

Again I ask that Council reject this Application.

PHOTOGRAPHS

1. Photo of Pachena Place from apartment site showing difference in elevation.



The road surface of Sentinal Drive can be seen between the trees, the house on the left is [REDACTED]. It is assumed that the ground floor of the apartment block will be higher than Sentinal, with the result that the ground floor is about 6 feet higher than the Pachena Place lawn. The photograph also shows how close the front of the house is to the property line, in fact less than 20 feet.

2. Photo of apartments on Metral Drive



The proposed apartments at 6340 McRobb will be approximately the same height as those in this Photo. To have these only 25 feet from our property line is unacceptable

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Submission from the Dover Community Association to the CA17 Public Hearing
Date: Wednesday, November 15, 2023 9:48:31 AM
Attachments: [DCA SUBMISSION TO THE CITY OF NANAIMO ON CA17.docx](#)

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

Good Morning,

Attached is the submission from the Dover Community Association to the Public Hearing on CA17 for 6340 McRobb Avenue.

The Dover Community Association recommends rejection of CA17.

Bill Manners
President
Dover Community Association

SUBMISSION TO THE CITY OF NANAIMO

FOR CA17 – 6340 McROBB AVE.



BY THE DOVER COMMUNITY ASSOCIATION

NOVEMBER 2023

1. SUMMARY

1.1 This is a submission from the Dover Community Association (DCA) to the City of Nanaimo for the Public Hearing on November 16, 2023 regarding CA17 (6340 McRobb Ave.). Reflecting input from the community, it describes background considerations, including location, environment, the adjacent private road (Sentinal Drive), and neighbourhood development history. The report identifies and discusses the following issues: 1) the neighbourhood park proposal; 2) building footprint; 3) traffic/parking; and 4) consultations with the City and with the developer. In conclusion, the DCA recommends **not approving** the current CA17 application. Instead, the City should encourage negotiations among the DCA, City staff and the developer, and perhaps neighbouring owners to create a park on the property's existing 17 m. setback and to address parking concerns.

2. BACKGROUND

2.1 Community Feedback

2.1.1 In preparing this submission, the DCA consulted with its members, its non-member mailing list, neighbouring stratas on Sentinal Dr., and Block Watches.

2.2 Location

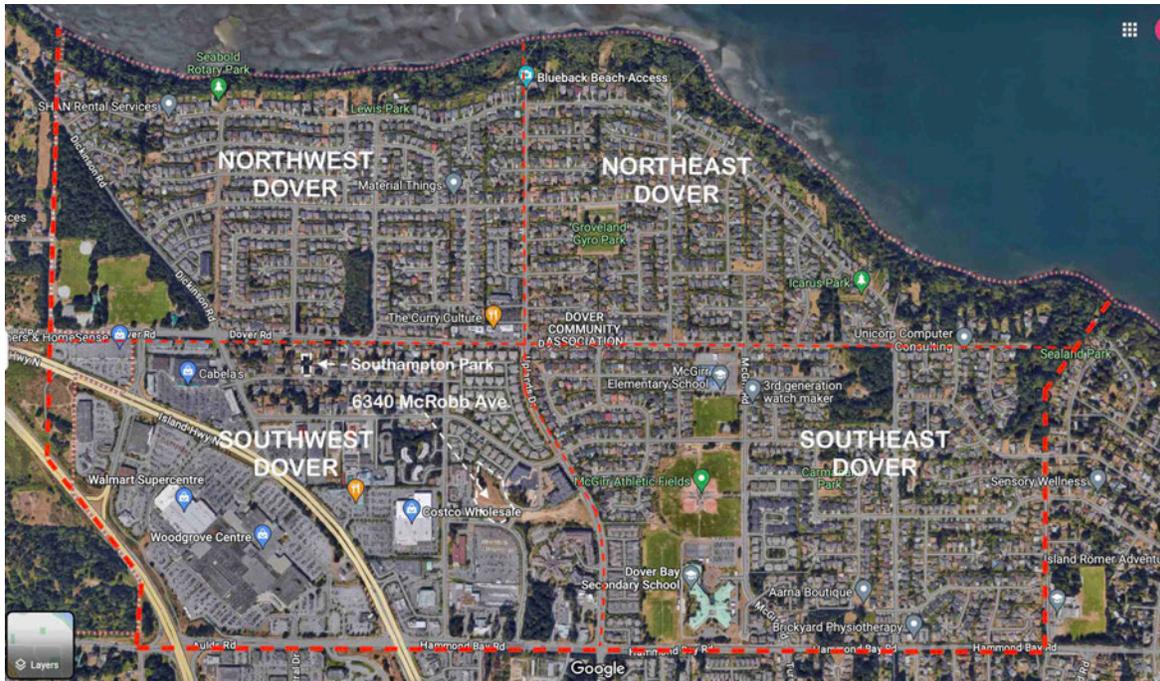


Figure 1 – Dover Community Association boundaries and four Quarters (November 2023).

2.2.1 The boundaries of the Dover Community Association are the Georgia Strait (Salish Sea) to the north, Hammond Bay Road/Aulds Rd. to the South, Nanaimo City Limits to the west,

from 6340 McRobb Ave. by city streets or about 500 m. by shortcut through public walkways (not 350 m. as stated in the Staff Report, page 3), serves as Georgia View Village’s neighbourhood park. While it is an excellent sports facility with baseball diamonds and space for soccer, it is not a neighbourhood park with playground amenities. Nor would the DCA support converting one of the sports fields into a neighbourhood park with benches, picnic tables and playground equipment. The existing facility serves its specialized sports purpose well as it is.

- 2.3.2 6340 McRobb Ave. (Phases 2 and 3) is a flat property, partially treed and partially open green space on its north end, including on the currently mandated 17 m. setback next to the Pachena Place townhouses (see Figures 3 and 4 below). Currently, a footpath, popular with neighbours who sometimes stop to rest on large rocks along the route and often are walking dogs, cuts through the treed north side of 6340 McRobb Ave. between Sentinel Dr. and the Georgia View Village commercial centre. The City has suggested that a public walkway in the area of the existing path may be part of the Phase 2/3 development.



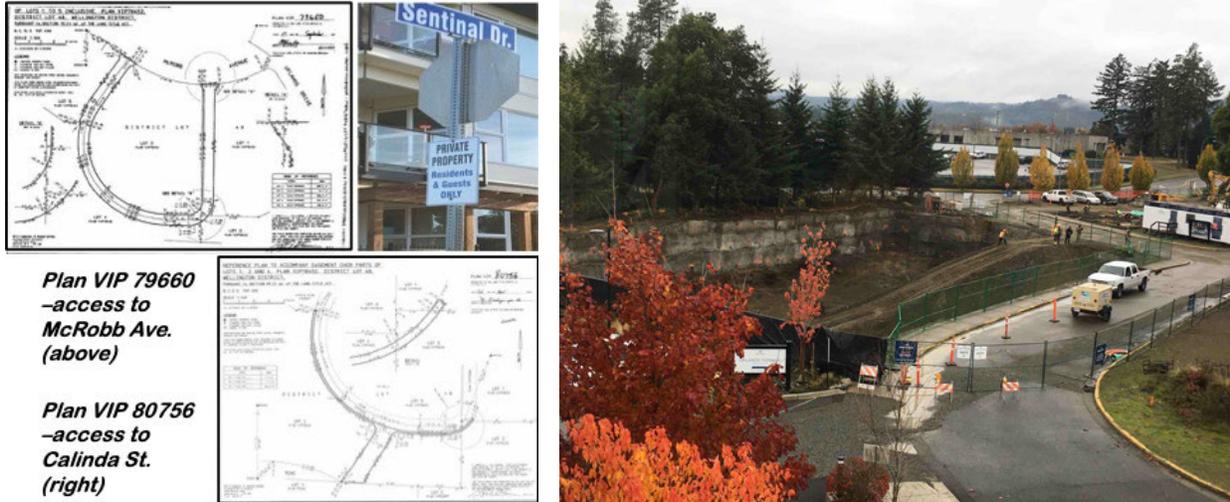
Figures 3 & 4 – 17 m. setback on northern border of 6340 McRobb Ave., western end (left) and eastern end (right).

2.4 Sentinel Drive

- 2.4.1 The five residential properties in Georgia View Village are linked by Sentinel Dr., a private road governed by General Instrument EX124369 of 2005. Part 2, Section 9 prohibits any parking on any part of the road and bars placing any obstruction on any part of the road that may interfere with or prevent the safe use of the road.

- 2.4.2 Notwithstanding the provisions of EX124369 and without prior consultation with the other parties to that instrument, in August 2023, the 6340 McRobb Ave. developer, 6340 McRobb Holdings Ltd., closed a portion of Sentinel Drive (for construction in Phase 1) from the entrance of Uplands Terrace in the east to the entrance to Dover Ridge in the North and to the intersection of Calinda St. in the south (see Figure 2 above and Figures 5 and 6 below). The blockage is still in place and includes fencing across Sentinel Drive in the foregoing three locations and on the adjacent property of 6330 McRobb Ave., hindering

access to the portion of that property, which the owner wishes to develop pursuant to DP1241. This road was commonly used by vehicles and pedestrians to travel within and through Georgia View Village. While some temporary restrictions around the construction site may be necessary for safety reasons, unilateral closure is a violation of EX124369.



Figures 5 & 6 - Sentinel Drive plans (left) and 6340 McRobb Ave. Phase 1 excavation and Sentinel Dr. closure (right).

2.5 Development History

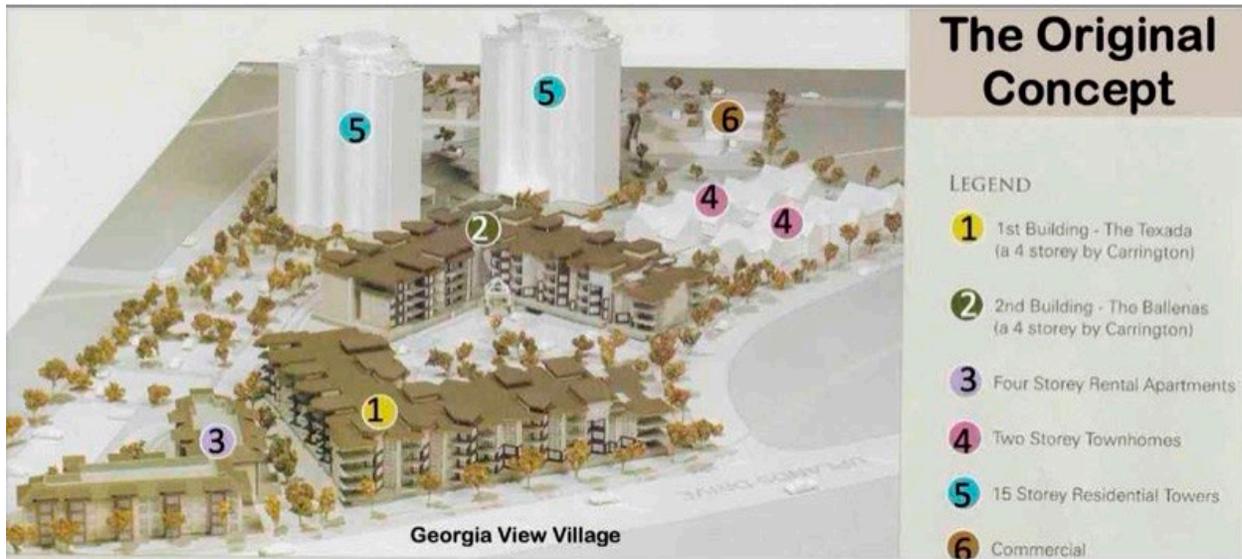


Figure 7 – The original development concept for Georgia View Village.

2.5.1 The original concept for Georgia View Village comprised six properties (see Figure 7 above): The Texada at 6310 McRobb Ave. (4-storeys as it now exists); Texada’s mirror image, The Ballenas, at 6330 McRobb Ave. (now the 4-storey Dover Ridge and an approved 6-storey future building there); a 4-storey building at 6117 Uplands Dr. (now the 5-storey Uplands Terrace); the Pacific Place townhouses on Pachena Place (as they now exist); an open green space (which could have been used for a park) at what is now Phase

1 of 6340 McRobb Ave. (6-storey building now under construction) and two high rise towers on what are now Phases 2 and 3 of 6340 McRobb Ave. (now proposed two 6-storey buildings in CA17); plus the Georgia View Village retail centre as it currently exists.

- 2.5.2 Over the past 20 years, the development plans and covenants for 6340 McRobb Ave. have changed repeatedly. Phase 1, currently a deep hole (see Figure 6 above), has evolved from an open green space to townhouses, and finally to a 6-storey building. Phases 2/3 have transformed from two 12-storey towers to two 15-storey towers, to two 20-storey towers, to two 20 storey-towers linked by a 5-storey building, and now to two 6-storey buildings.
- 2.5.3 Altogether, if the plans for 6340 McRobb Ave. are approved, there will be 724 residential (1-, 2-, and 3-bedroom) units in Georgia View Village (see Figure 2 above). Assuming one, two or more residents per unit, that points to a neighbourhood population conservatively in the range of 1,000 to 1,500 upon completion of construction of all three phases of 6340 McRobb Ave. and Phase 2 of 6330 McRobb Ave. This does not include immediate neighbours of Georgia View Village, such as the Pinewood Lane complex of townhouses (19 units) or the Nanaimo Seniors Village (358 units), which would add to the estimated local population.
- 2.5.4 As described in the CA17 Staff Report (Page 3) the proposal calls for two 6-storey buildings and reduction of the northern setback from 17 m. to 7.5 m. (10 m. for the top floor). The DCA agrees that the current proposal of two 6-storey buildings is an improvement over the developer's previous proposal of two 20-storey towers linked by a 5-storey building. However, shortcomings remain – namely, the absence of a neighbourhood park, the building's footprint, traffic and parking considerations, and inadequate and incomplete consultations.

3. ISSUES

3.1 Neighbourhood Park

- 3.1.1 On April 25, 2023, the DCA shared with City Council a Dover Parks Plan Outline, which was subsequently forwarded to Parks and Planning staff. Among other information, the outline identified the need for new parks in Dover's Southwest Quarter, including a proposed Georgia View Park at 6340 McRobb Ave.
- 3.1.2 Based on that outline, the DCA has gone on to draft a Dover Parks Report that examines the parks and green spaces in the Dover Community area in detail, including designated parks, public beach accesses, sports fields, and trails, plus their amenities. While acknowledging that three quarters of the Dover area enjoys excellent parks and green spaces with good amenities, the report notes that the Dover Community's greatest and immediate need is for new parks and amenities in its Southwest Quarter (part of the Woodgrove Urban Node), including in the Georgia View Village neighbourhood. The report recommends seeking a negotiated agreement involving the City, the developer and

the DCA, and possibly neighbouring property owners, to establish a Georgia View Park. The report suggests that consideration could be given to an alternative for the \$175,000 Community Amenity Contribution, to a land use agreement for a park along the lines of the Sentinal Dr. right-of-way agreement, and/or to some other type of neighbourhood cooperation. When reviewed and approved by the DCA's members, the draft will be finalized and the report shared with City staff, hopefully facilitating future park discussions.

- 3.1.3 However, the CA17 Staff Report (page 5) appears to dismiss the immediate need for a neighbourhood park in Georgia View Village, suggesting that future park opportunities will be addressed under the Woodgrove Plan. Indeed, the DCA looks forward to meaningful consultations with the City in the preparation of the Woodgrove Plan. But that will be too late for Georgia View Village if CA17 is approved in the meantime as currently worded. In that event, all available park space in this neighbourhood will have been approved for development, without a park.
- 3.1.4 The failure of successive City Administrations and developers over the last twenty years to identify and explore the need for park space in the neighbourhood of Georgia View Village, a dense area of multi-family buildings, is regrettable. CA17 highlights this failure and confronts the City with its last chance to designate a neighbourhood park for Georgia View Village. The 17 m. setback on the northern border of 6340 McRobb Ave. would be suitable for a neighbourhood park incorporating a public walkway. Surely, the projected 724 residential units and estimated population of 1,000 to 1,500 in Georgia View Village (more if immediate neighbouring complexes are included) is enough to warrant a small neighbourhood park where currently none exist.

3.2 Building Footprint

- 3.2.1 The proposal reverses the trend in site planning in the 2004 and 2009 covenant amendments of increasing height/floors and decreasing footprint. The DCA commends the developer for reducing the proposed height/storeys, now more in keeping with other developments in the neighbourhood. Unfortunately, the buildings' footprint will expand correspondingly. This would not be such a concern if the setback on the northern border were to be maintained at 17 m. as the current covenant requires. Reducing the existing 17 m. setback will result in less privacy for the neighbouring Pachena Place townhouses. A park in the 17 m. setback will create a natural barrier between the two properties and reinforce privacy for both. This is a common point raised by neighbours.

3.3 Traffic/Parking

- 3.3.1 The completion of the three phases of the development of 6340 McRobb Ave. can be expected to add to traffic volumes in the neighbourhood, both on Sentinal Dr. and on nearby city streets. Notwithstanding the development's proposed underground parking and considering the limited availability of parking on the adjacent Calinda St., more

vehicles are likely to attempt to park on the private Sentinal Drive, where parking is prohibited. Parking on nearby City streets, already scarce, will also become more difficult.

- 3.3.2 One suggestion made to the DCA was a plan for parking that could reduce illegal parking along Sentinal Dr. by changing the streetscape. Creating parallel parking spaces along Sentinal Dr. but inside the developable property would create a buffer between the sidewalk and the road. This would effectively widen the streetscape and provide a buffer for traffic and pedestrians. Also, it would create an area for cars to park without encroachment onto Sentinal Drive.
- 3.3.3 The DCA recommends that the developer of 6340 McRobb Ave. be required to adopt measures to discourage illegal parking on Sentinal Drive. Such measures include incorporating private parallel parking spaces (identified accordingly) on its developable property adjacent to Sentinal Dr., as suggested above, and erecting no-parking signs and painting curbs yellow along the rest of the private road.

3.4 Consultations

- 3.4.1 Consultations concerning the proposed development of 6340 McRobb Ave. (Phases 2/3) have been incomplete and inadequate. This applies both to consultations by the City and by the developer with the community.
- 3.4.2 Last year, the City Council passed the Neighbourhood Association Supports Policy, which the Dover Community Association welcomed. Later that year the DCA incorporated as a not-for-profit Society to comply with the policy's requirements for City support. The policy outlines twenty-one points encompassing communication and engagement, administrative, educational, and funding support for neighbourhood associations. One of those points (#7) committed City staff to encourage developers to establish early contact with the neighbourhood association in the area "to build awareness and open dialogue with the community".
- 3.4.3 Did City staff encourage the developer of 6340 McRobb to make early contact with the Dover Community association? Did City staff raise the park concept with the developer at all and encourage the developer to discuss it with the community? In fact, as outlined below, the developer has never contacted the DCA.
- 3.4.4 The community first introduced a proposal for the Georgia View Park at a 2020 community meeting hosted by Current Planning but the City never followed up on it. On Nov. 17, 2022, the DCA again raised the park proposal (along with traffic, parking, and other concerns) with planning staff at the developer's open house and subsequently followed up with Planning staff by telephone and email. Then, on Sept. 14, 2023, DCA representatives met with the City's Parks staff to discuss parks in the Dover Community, highlighting the urgency of exploring the possibility of a neighbourhood park in Georgia View Village before a decision on the CA17 application. Parks staff advised the DCA that they would

consult with City Planning staff and get back to us. While still waiting for the Parks staff's response, we noted in the CA17 Staff Report (page 5) that the Georgia View Park concept is "not something proposed to be revisited at this stage". In the DCA's view, consultation with City staff on the Georgia View Park has been incomplete, with the staff apparently dismissing the proposal without seriously exploring it.

- 3.4.5 As mentioned above (3.4.3), the developer of 6340 McRobb Ave. has failed to engage with the Dover Community Association. This includes consulting on the proposed Phases 2/3 development and on concerns regarding construction on the Phase 1 development.
- 3.4.6 The Staff Report cites two public information meetings on Phases 2/3 arranged by the developer on Nov. 16 and 17, 2022. While the developer's consultant notified the Pachena Place townhouses about the Nov. 16, 2022 meeting, the consultant failed to notify the other immediate neighbours about either of meetings. The DCA learned about the Nov. 17th open house from a City Councillor only at the last minute and had little time to notify other neighbours. Consequently, the turnout for the Nov. 17th meeting was poor. At the Nov. 17th open house, the DCA raised the park, parking, and other concerns with the developer's consultant. Subsequently, the DCA sent a follow-up email to the consultant reiterating concerns but received no response.
- 3.4.7 The developer failed to consult neighbouring owners in advance of the Sentinal Dr. closure in Aug. 2023 for work on Phase 1. As a result, local residents and owners made several complaints to the DCA about the lack of notice and consultation. As noted above (2.4.2), unilateral closure of Sentinal Dr. is a violation of EX124369, the right-of-way agreement.
- 3.4.8 In addition to vehicles taking Sentinal Dr. between Calinda St. and McRobb Ave., that closure impacted local residents who commonly walk on Sentinal Dr. In Sept. 2023, the President of the DCA spoke to the Phase 1 site superintendent, raising the issue of the unilateral closure and asking that a request be forward to the owner for a possible opening to pedestrians on the weekends when there is no work. After receiving no response, the DCA sent a follow-up email, also to which no reply has been received.
- 3.4.9 The foregoing shows that the developer has failed to engage with the DCA from the earliest stages of the CA17 application, through the open house and its follow-up, to DCA's outreach on the Sentinal Dr. closure. Neighbourhood residents and owners are unhappy with the lack of consultation on the closure of Sentinal Dr. Neighbouring owners have described the developer of 6340 McRobb as difficult to deal with. It is evident that the developer has failed to engage with the community and has poor community relations.

4. CONCLUSION

- 4.1 While incorporating suggestions to discourage illegal parking on Sentinal Dr., the development of 6340 McRobb Ave. should retain the existing 17 m. setback to:

- Create a neighbourhood park in the last remaining undeveloped property in the Georgia View Village residential area.
- Accommodate a public walkway through the property as the City has suggested.
- Save existing trees and serve the public interest in retaining green/park spaces.
- Mitigate the height contrast from a 6-storey multi-family building to the neighbouring 2-storey townhouses and provide more privacy.
- Leave a smaller building footprint in keeping with the old covenant's intent.

4.2 The City Council should **not approve** CA17 as it now stands. Instead, the developer should first engage in meaningful consultation with the community to address the concerns about the park, the buildings' footprint, traffic/parking, and community relations before proceeding with a future application for covenant amendment. The City should also complete meaningful consultations with the community on the Georgia View Park proposal before further consideration of the proposed development of 6340 McRobb Avenue.

From: [REDACTED]
To: [REDACTED]
Subject: Re: RE Covenant Amendment Application-CA000017
Date: Wednesday, November 15, 2023 5:27:29 PM

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

Sorry, I accidentally sent the previous note accidentally. Below is the complete version.
Rob and Eva Rutherford.

1. In purchasing a house on [REDACTED] in 2004, we were advised that the then forested area [then, a "deer hangout"] to the south of us, would eventually be developed with housing erected along the lines of those on McRobb Ave and Applecross.
2. Shortly after, incredibly, the forest was prematurely razed [apparently without City permission]. So, the land has lain in scruffy openness ever since [whereas it could have continued to be a forest or, due to its premature demise, as a temporary park since].
3. As to development, housing ideas 'disappeared' to become multiple storey apartments. And, for a while, the threat of two 20 storey buildings existed; now, fortunately, it seems to have subsided with six storeys intended.
4. As to the current proposal, it is hoped that underground parking will be featured; i.e., not the 'cheap' "pave paradise and put up a parking lot" approach.

Regards, Rob and Eva Rutherford
[REDACTED]

On Wed, Nov 15, 2023 at 4:23 PM Rob Rutherford [REDACTED] wrote:

Thank you for the opportunity to comment.

1. In purchasing a property on McRobb Avenue, we were advised that the then forested area in question would eventually be developed with buildings erected along the lines of those on McRobb Ave and Applecross.
2. Since then; however,