



THE VILLAGE OF
N A K U S P

VILLAGE OF NAKUSP

AGENDA

PUBLIC HEARING

AUDITORIUM, NAKUSP & DISTRICT SPORTS COMPLEX

200-8TH AVENUE NW

Monday, June 22, 2020 - 6:30 PM

1. CALL TO ORDER

- a) The purpose of this Hearing is to consider changing a zoning designation of Lot 16 District Lot 397 Kootenay District Plan 4917 (PID 013-289-349), located at 240 Glenacres Road, Nakusp, BC from R2-Suburban Residential to R3-Multi-Family Residential.
- b) All persons who believe that their interest in property is affected by the proposed bylaw shall be given an opportunity to be heard or to present written submissions respecting matters pertaining to the bylaw that is the subject of this hearing.
- c) All information, correspondence or reports that have been received regarding this application have been made available to the public. This information is available for inspection during the course of this hearing and is located on the staff table.
- d) Council debate on the proposed application is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted however, that a final decision regarding the application may not be reached at this regular Council meeting.
- e) It must be emphasized that Council will not receive any representation regarding the application, from members of the public after the conclusion of this hearing.

2. PROCEDURES ON EACH BYLAW SUBMISSION

- a) Brief description of the bylaw by Village Staff.
- b) Village staff to report on all information or correspondence received.
- c) Everyone will be given a reasonable opportunity to speak one time only. We will hear first from anyone who lives or owns property in the Village, if there is sufficient time, we will then hear presentations from people outside Village limits. In addition, anyone who wishes may submit a written presentation.

- d) Speakers are limited to 5 minutes to provide their remarks. However, Council may allow more time for one delegate to speak if representing a group. The gallery must remain quiet during a presentation so that everyone can hear.
- e) Please state your name and address for the record when expressing your views.
- f) Your only opportunity to comment on the application will be during this hearing.
- g) Council is **not** permitted to receive further verbal or written submissions after the public hearing is closed.
- h) Council is not here to debate the merits of the application but rather to listen to any presentations from the public. During this Hearing, Councillors may only ask questions of the applicant, public or staff for clarification purposes.

3. PUBLIC HEARING MATTERS

A. BYLAW 614-26, 2020 REZONING – 640 GLENACRES ROAD.

Purpose of the Amendment: To change the zoning designation from R2 – Suburban Residential to R3 – Multi-Family Residential to allow for construction of a multi – family residents.

- i) Copies of application and information and correspondence received.
- ii) Speakers
- iii) Questions from Council

4. CLOSE PUBLIC HEARING

Attached:
Staff Report – June 8, 2020
Bylaw
Notice to Neighbours
Buffer Map
Application
Correspondence Received



STAFF REPORT – Request for Council Decision

DATE: June 8, 2020
SUBJECT: Rezoning Amendment – 240 Glenacres Rd - Clark
TO: Mayor and Council
FROM: Cheryl A. Martens, Chief Administrative Officer

PURPOSE:

To rezone the designation of the subject property from the R2-Suburban Residential to R3-Multi-Family Residential.

BACKGROUND

Owner: MQR Holdings LTD/Troy Clark
Applicant: MQR Holdings LTD/Troy Clark
Folio: 553.00644.000

Existing Zoning R2-Suburban Residential
Proposed Zoning R3-Multi-Family Residential

Legal Description: Lot 16 District Lot 397 Kootenay District Plan 4719 (PID 013-289-349)

The new owners are applying to rezone their property to allow for the construction of multi-family residential family housing. One of the units will be occupied by the owners and the addition units will be rented out.

If Council advances this application to a public hearing, the hearing will be scheduled for June 22nd, 2020 to be held immediately before the Council meeting. The hearing will be advertised in the paper and notices will be sent to property owners within 30 meters of the subject property as provided for in Village of Nakusp Development Procedures Bylaw No. 681.

STAFF RECOMMENDATIONS:

THAT the report dated June 8, 2020 from the CAO entitled Rezoning Amendment – 240 Glenacres Rd – Clark, be received for information;

AND THAT the Rezoning Application to amend the Village of Nakusp Zoning Bylaw No. 681, 2020 by changing the zoning classification of Lot 16 District Lot 397 Kootenay District Plan 4719 (PID 013-289-349), located at 240 Glenacres Road, Nakusp, BC from R2-Suburban Residential to R3-Multi-Family Residential, be considered by Council;

AND the Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

Respectfully submitted,

Cheryl A. Martens,
CAO

VILLAGE OF NAKUSP
BYLAW NO. 614- 26, 2020
REZONING – 240 GLENACRES ROAD

A bylaw to amend Village of Nakusp Zoning Bylaw No. 614, 2008;

The Municipal Council of the Village of Nakusp, in open meeting assembled enacts as follows:

1. THAT Village of Nakusp Zoning Bylaw No. 614, 2008 be amended by changing the zoning designation of Lot 16 District Lot 397 Kootenay District Plan 4719 (PID 013-289-349), located at 240 Glenacres Road, Nakusp, BC from R2-Suburban Residential to R3-Multi-Family Residential.

2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 8th day of June, 2020

Read a second time by the Municipal Council this 8th day of June, 2020

Considered at a Public Hearing on the day of , 2020

Read a third time by the Municipal Council this day of , 2020

Adopted by the Municipal Council of the Village of Nakusp this day of , 2020

Mayor

Chief Administrative Officer



**NOTICE OF APPLICATION
REZONING and OFFICIAL COMMUNITY PLAN AMENDMENT**

Lot 16 District Lot 397 Kootenay District Plan 4719

PID: 013-289-349

Address: 240 Glenacres Rd.

Registered Owners/Applicants: MRQ Holdings LTD/Troy Clark

Notice is given that Village Council will hold a public hearing on:

Monday, June 22, 2020 at 6:30 p.m.

Auditorium, Nakusp & District Sports Complex

200 – 8th Avenue NW , Nakusp BC

Council will be hearing representations from the public who deem their property affected by the proposed amendments to Zoning Bylaw No. 614.

Bylaw 614-26, 2020: To change the land use designation from R2 – Suburban Residential to R3 – Multi Family Residential.

Purpose of the amendments: To allow for the construction of Multi-Family housing.

Provide your comments: Comments can be made in person at the public hearing, or submitted by email to cao@nakusp.com, or by letter to the Village of Nakusp, Box 280, Nakusp, BC V0G 1R0.

Correspondence and emails related to this application must include your name and civic address. Correspondence and emails received until noon June 17th, 2020 will be copied and circulated to Council for consideration at the public hearing.

Council cannot receive any submissions, comments or concerns after the close of the public hearing on Monday, June 22, 2020.

The proposed bylaws, reports and related materials are available at the Village Office for viewing from 8:00 a.m. to 4:00 p.m. as of June 10th, 2020.

Please feel free to contact the undersigned at 250-265-3689 or by email cao@nakusp.com if you have questions or require further information.

Dated this 10th day of June, 2020

Cheryl Martens,
Chief Administrative Officer

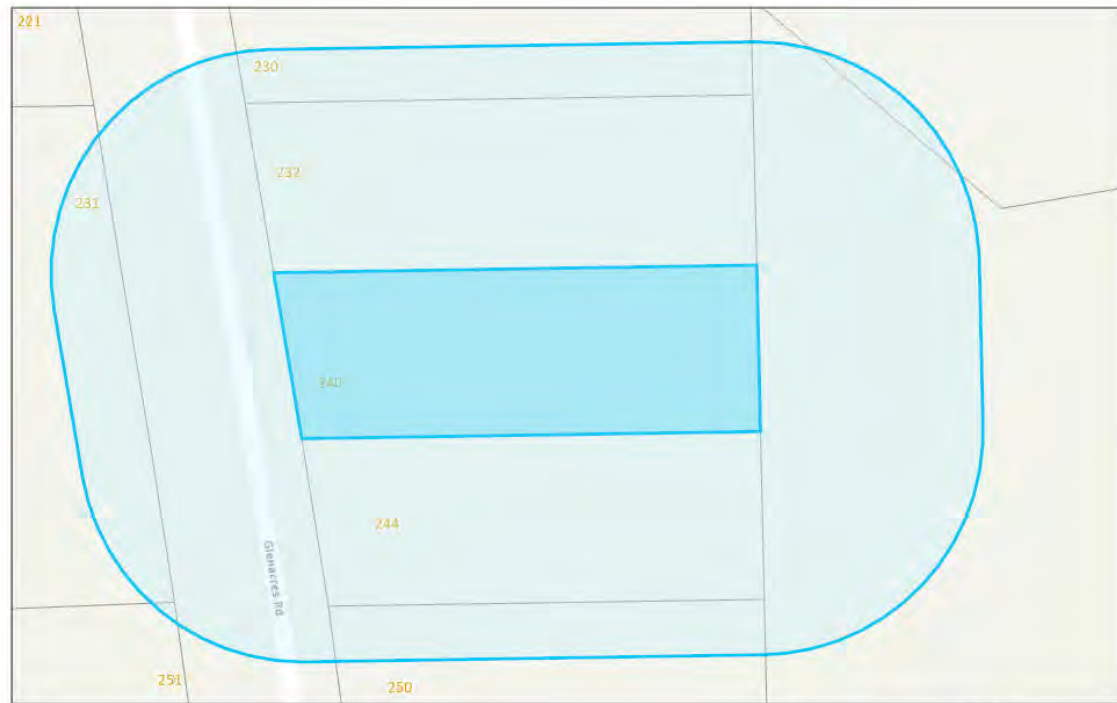


240 Glenacres Road - 30m Mail Out List

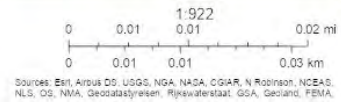
Rezone Mail out

Area : 2.32 acres

Jun 9 2020 15:27:35 Pacific Daylight Time



Cadastre Report Results
Civic Address Report Results



VILLAGE OF NAKUSP
PROCEDURES BYLAW NO.355
APPLICATION FOR A ZONING AMENDMENT

Application / File No. _____

I/We hereby apply for:

an amendment to the text of Zoning Bylaw No.614
 the rezoning of the property described as (legal description) 013-289-349
LOT 16 DL 397 KOOTENAY DISTRICT PLAN 4719
and located at (street address or general location) 240 GLENACRES ROAD
from R2 zone to R3 zone.

Required application fee of \$ 500.00 and the complete Rezoning Information Form are attached.

MAY 22 2020
Date

Troy Clark
Applicant's Signature

THIS APPLICATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT

MAY 22 2020
Date

Troy Clark
Registered Owner's Signature

WHERE THE APPLICANT IS NOT THE REGISTERED OWNER, THE APPLICATION MUST BE SIGNED BY THE REGISTERED OWNER OR HIS SOLICITOR.

FOR OFFICE USE ONLY

APPLICATION FEE \$ 500 RECEIVED

RECEIPT NUMBER _____

Date

Signature of Official

ZONING AMENDMENT INFORMATION FORM

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST STAFF IN PREPARING A RECOMMENDATION.

This form is to be completed in full and submitted with all requested information, Zoning Amendment Application, Application Fee and Certificate of State of Title or of Indefeasible Title for the subject property.

APPLICANT AND REGISTERED OWNER

- 1. 1. Applicant's Name TROY CLARK
Address BOX 279 NAKUSP
Telephone: Business 250-265-2228 Home 250-265-1568
- 2. Registered Owner's Name MRQ HOLDINGS LTD / TROY CLARK
Address BOX 279 NAKUSP
Telephone: Business 250-265-2228 Home 250-265-2218
- 3. A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than 30 days prior to submission of the application must accompany the application as a proof of ownership.

APPLICATION FEE

- 2. An Application Fee as set out in Schedule B of the Bylaw (applicable section of which is attached) shall be made payable to the Village of Nakusp and shall accompany the Application.

TEXT AMENDMENT

- 3. Describe the Proposed Text Amendment _____

REZONING - PROPERTY TO BE REZONED

- 4. 1. Legal Description in Full
LOT 16 DL 397 KOOTENAY DISTRICT PLAN 4719
- 2. Location (street address of property, general description or map) _____
240 GLENACRES ROAD

3. Size of Property (area, number of parcels) 0.33 ACRES
4. Present Zoning R2
5. Proposed Zoning R3
6. Description of the Existing Use / Development SURBURBAN RESIDENTIAL
-
7. Description of the Proposed Use / Development MULTI FAMILY RESIDENTIAL
3 or 4 one bedroom plus den separate living units, level entry, ground floor living
-
8. Services Currently Existing or Readily Available to the Property (check applicable area)
- | Services | Currently Existing | | Readily Available* | |
|-----------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| | YES | NO | YES | NO |
| Road Access | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Water Supply | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sewage Disposal | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Hydro | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Telephone | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
- *Note - readily available means existing service can be easily extended to the subject property.
9. Proposed Water Supply Method MUNICIPAL
-
10. Proposed Sewage Disposal Method MUNICIPAL
-
11. Approximate Commencement Date of Proposed Project JUNE 1 2020
-

REASONS IN SUPPORT OF APPLICATION

5. Reasons and comments in support of the application (use separate sheet if necessary)
HISTORY OF LACK OF RENTAL ACCOMODATION SUPPLY IN NAKUSP FOR
MANY YEARS BUT CONSIDERABLE ORSENING SUPPLY OVER THE LAST TWO
YEARS.
-
-
-

ATTACHMENTS

6. At the time of providing Application and Information Forms to the applicant, the Municipal Clerk or designated official shall indicate which of the following attachments are required or not required for this Application. The Municipal Clerk or designated official may require additional information.

1. A dimensioned Sketch Plan drawn to a scale of _____ to _____ showing the parcel(s) or part of the parcel(s) to be rezoned and the location of existing buildings, structures and uses.

REQUIRED: Yes No

2. A dimensioned Site Development Plan drawn to a scale of _____ to _____ showing the proposed use, buildings and structures, highway access, etc.

REQUIRED: Yes No

3. A Contour Map (Plan) drawn to a scale of _____ to _____ with a contour interval of _____, if warranted by the topographic condition (of the subject site).

REQUIRED: Yes No

4. A dimensioned Sketch Plan drawn to a scale of _____ to _____ of the proposed subdivision, where subdivision is contemplated.

REQUIRED: Yes No

May 28 2020

Date

Troy Clark

Applicant's Signature

FOR OFFICE USE ONLY

Forms duly completed, received.

Date

Signature of Official

Cheryl Martens

From: [REDACTED]
Sent: June 15, 2020 4:04 PM
To: Cheryl Martens
Subject: Please see below

Cheryl Martens,

Please be advised that I have received your letter indicating that the owner MRQ Holdings/Troy Clark would like to build Multi-Family housing project at 240 Glenacres Road.

I am a registered nurse (originally from your area) and currently resides in Calgary. I purchased the lot next door (244 Glenacres Road) to the above address last summer. Construction is currently just underway on my property to build my home which I will be living in permanently. I thought I might also work at your hospital as I understand you are in need of RNs (I have a diverse nursing background which includes community, rural, large city critical care and flight transport of critically ill and injured patients - among other vast experience).

I do not support any sort of Multi-family dwelling at 240 Glenacres Road. I chose this lot as I wanted to retire back to the area and for the ease of location to downtown without needing to drive if I chose to do so. Further, I had been looking for some time for a quiet lot as such.

I am now extremely concerned that my property will become less valuable. There will also be increased traffic, noise.

As it stands now I am wondering if it may be wise for me to stop construction on my lot and put it up for sale.

Further, I am unable to view the proposed bylaws, reports and related materials that are at your Village Office as as an RN we are repeatedly refused vacation - particularly now with the current pandemic.

Clearly, your letter has devastated me and I do not support the development of a Multi-Family housing unit at this address.

I will look forward to your timely response to my email.

Thank you for reviewing my email.

[REDACTED]

Cheryl Martens

From: gunn@telusplanet.net
Sent: June 14, 2020 4:01 PM
To: Cheryl Martens
Subject: Bylaw amendment no. 614

To the cao, mayor and council of Nakusp

We are writing in opposition to the rezoning of the property on Glenacre Road referred to in bylaw 614 from R2 suburban residential to R3 multi-family residential. The property owners plan to build a fourplex on the lot does not fit in with the composition of the neighborhood. We bought our house on this block partly because of the make up of the neighborhood being uncrowded, semi-secluded and still close to town. If this development goes ahead it sets a precedent for others on the block to increase density in the area. We do not think that there is ample parking for four families on one lot. Even if each unit has a parking spot on the lot many families own more than one vehicle and would have to park on the street as well as any company they might have. Glenacre Road is not very wide and already has occasional congestion. When there are people parking on the street there is not room for two cars to pass each other. This could prove to be hazardous especially in the winter with many more vehicles parked on the street snow plowing would be difficult and ineffective. If the property owners want to build a multi-family building they should build where there is already proper zoning instead of imposing on the life style of the people that are already happy with the make up of their neighborhood. Please seriously consider denying this amendment, we love living here just the way it is.

Thank You, Ken and Yvette Gunn
294 Glenacre Road.

June 15, 2020,

Village of Nakusp

200-8th Ave NW,

Nakusp, B.C.

Attention Cheryl Martens,

Chief Administrative Officer

Re: Lot 16, DL 397, KD Plan 4719 (240 Glenacres Road)

Dear Ms. Martens,

Thank you for the notice of the proposed rezoning of the above lot. We have no problem with new construction in our neighbourhood. However, there are a couple concerns:

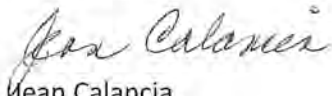
- 1) As long as the owner lives on the premises full time, all should be good.
- 2) Adding a multi-family residence on our road, will add another possibility of another unsightly property. Perhaps the Village could have their staff, who frequently drive on the road, report bylaw infractions to the enforcement officer. Now the Village expects neighbors to report neighbors and this is wrong.
- 3) As all preconstruction projects come with promises, what happens later is what is important. For example, the property sells and the new landlord (slumlord) is not as honest or community-minded. A multi-family property opens up a higher possibility of this to happen.

When we bought our first home in Nakusp, in 1971, we were assured that all homes were to be single family homes, no trailers and no farm animals except dogs and cats. The Village has changed the farm animal aspect and that is another joke. No one from the Village enforces their own bylaws. We were not allowed to park on the street and interfere with snow removal or road maintenance.

Sincerely,



Ernie Calancia



Jean Calancia

231 Glenacres Road,

Nakusp, B.C.

