



Nanaimo Old City Association

May 28, 2019

Brian Zurek, Planner
Community and Cultural Planning
Community Development
City of Nanaimo
455 Wallace Street
Nanaimo BC V9R 5J6

**RE: OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION NO. OCP89 AND
ZONING AMENDMENT APPLICATION NO. RA395 – 388 MACHLEARY STREET
NANAIMO, BC**

Dear Mr. Zurek,

The Nanaimo Old City Association (NOCA) appreciates the opportunity to respond to the above amendment applications. We do not support either application. However, we support the right kind of development for this site and our neighbourhood. We support a development whose density is within the guidelines of the *Official Community Plan (2008)* and the *Old City Neighbourhood Concept Plan (1992)*. We support a mix of housing including four-plex, duplex, cluster housing and town homes. And we support city's strategic goal of affordable and accessible housing for all our community needs.

It's important to note that NOCA made numerous references (in our November 8, 2017 letter to the Molnar Group) to the importance of ensuring the future development of this property be undertaken in a manner consistent with the *Official Community Plan* and the *Old City Neighbourhood Concept Plan*.

As the recognized neighbourhood association in Nanaimo's old city, NOCA has been interested in the future of the site at 388 Machleary Street since 2016 when we initiated conversations with the former owner, Chartwell Retirement Residences. We are an active neighbourhood association with a keen interest in the development of this property.

NOCA has received feedback from neighbourhood residents at community meetings held in March 2018, May 2017 and March 2017. This feedback dealt with issues including types of development, architectural character, massing and height, community amenities, traffic, and landscape design.

In March/April 2019 we sent a survey to neighbourhood residents to gauge their support on the specifics of the Molnar Group's OCP and zoning amendment applications in the areas of density, land use and parking (see attachments: *Executive Summary of NOCA Survey Results* and *Verbatim Additional Comments from NOCA March/April Survey*). The purpose of the survey was also to help ensure residents of the Old City understand the importance of the *Official Community Plan (2008)* and the *Old City Neighbourhood Concept Plan (1992)* as a lens through which to view any new development in the Old City.

We received 148 responses which is two and a half times the response we received from our May 2017 visioning workbook. Ninety-three percent (93%) of those surveyed did not support the application as proposed by the Molnar Group. Seventy-one percent (71%) said any development at 388 Machleary Street should follow the *Official Community Plan* and the *Old City Neighbourhood Plan* very closely.

The current *Official Community Plan* designation of the 388 Machleary Street property is "neighbourhood", which supports a density of 10 to 50 dwelling units per hectare. This property is 1.16 hectares therefore a density of up to **58 units** may be supported. The density proposed by the Molnar Group is **172 units**, or **151 units per hectare**, i.e. three times what is permitted in the "neighbourhood" designation.

There are an average of 20 homes per block on the 300 and 400 blocks of Machleary and Kennedy Streets. The Molnar Group wishes to place the equivalent of 8.6 blocks of dwelling units into a space smaller than one city block. This density is far too high.

In their Letter of Rationale, and in previous public statements, the Molnar Group has suggested they have responded to NOCA's concerns. This is not accurate. In November 2017, NOCA identified (in a detailed letter), 22 issues in response to Molnar's preliminary plans. In their OCP and zoning amendment applications, Molnar only addressed 6 of NOCA's 22 identified issues. (see attachment: *Summary of NOCA's Recommendations Contrasted with the Molnar Group's Feb 2019 Application*).

The visual impact and massing along Machleary Street with the addition of the town homes; the mix of rental and owner tenure to reflect that of the neighbourhood; the expanded view corridor; the building setbacks from the street and the partial setback (4th floor only) of the apartment-style buildings; the elimination of the use of the laneway between Machleary and Kennedy Streets; and the provision of on-site underground parking that exceeds the City's requirements are acknowledged by NOCA as issues with the Molnar Group's preliminary proposal that were addressed in whole or in part by their February 2019 application. However, our concerns about other significant issues such as density in the three proposed apartment blocks have not been addressed.

In this letter we will address each of the four main areas of concern the Molnar Group feels they have addressed, as noted in their Letter of Rationale dated February 19, 2019.

1. **Added traffic and loss of street parking** – Forty-two percent (42%) of comments made by those who completed our March/April 2019 survey were concerns about added traffic and loss of street parking if the development goes ahead.

A Transportation Impact Assessment (TIA) was prepared for 388 Machleary Street by Watt Consulting Group. Extrapolating the report's data, the volume of traffic in the 300 and 400 blocks of Machleary and Kennedy Streets on completion of the proposed development would be **2.8 times higher** than if R13 (single-family/duplex) zoning were applied to the property (see attachment: *Transportation Impact Figures for 300 Blocks of Machleary and Kennedy Streets*). Even if the OCP maximum density were applied to the property (i.e. 58 dwelling units), the increase in volume to those blocks would be **2 times higher**. The *No Through Roads* at Franklyn and Milton Streets, and in the 400 block of Machleary, eliminate two routes of traffic flow away from the property. The laneway at the 900 block of Franklyn, (incorrectly stated as 1-way in the TIA), can be expected to see an increase in traffic to and from Albert Street which would be a congestion and safety concern to residents.

It is curious the TIA concluded "the additional trips did not make an impact on the traffic network" and that "mitigation measures were not required for the surrounding traffic due to the development." Perhaps that is why the Molnar Group did not outline how the information from the TIA "will be used to propose traffic directing and calming strategies", in their letter. NOCA strongly disputes the TIA conclusions and contends that 2.8 (or even 2) times the additional trips will have a significant negative impact on the neighbourhood traffic.

The City of Nanaimo's Master Transportation Plan map identifies Machleary, Franklyn and Kennedy Streets as "Local Roads", whose primary focus is on access and "intended to carry smaller volumes of traffic within neighbourhoods..." i.e. smaller volumes of traffic from lower density housing.

Safety concerns, most notably at the intersection of Fitzwilliam and Machleary due to the shortness of the block between the traffic light at Pine, Third and Fitzwilliam and the crest of the hill toward Machleary, were **not** acknowledged in the TIA. At that intersection, even with low volume numbers, it is difficult and/or dangerous to navigate the intersection, especially during peak times, or on a bicycle, or as a pedestrian. Adding to the situation, cars parked on Fitzwilliam south of Machleary (e.g. for church functions) obscure the sight lines for cars navigating from Machleary onto Fitzwilliam in either direction or straight through the intersection.

No assessment of speed of traffic along Kennedy and Machleary was made. Residents along Kennedy report that because there is no stop sign at the intersection of Kennedy and Franklyn, drivers speed between Fitzwilliam and Albert Streets. At the very least, a

traffic circle at Kennedy and Franklyn should be recommended with any residential development at 388 Machleary Street.

During the construction of any approved development, (which we understand will be approximately two years or longer), traffic from on-site labourers, contractors, delivery of materials and equipment, and tie-ins to existing infrastructure will create traffic-related impacts in the area. NOCA recommends that improvements be made to the Fitzwilliam and Machleary intersection prior to the start of construction or site preparation at 388 Machleary Street for any approved development.

Regarding parking, we note in Appendix A of the TIA that "Parking demand for the proposed uses will be estimated." We understand from City staff that this study did not proceed because the on-site parking proposed in the development is higher than what is required by the City. The Molnar Group was also silent on the subject of parking in their letter. However, the biggest parking-related issue for residents of the streets surrounding the 388 Machleary Street property is the anticipated significant increase of **on-street** parking. In a 172-unit development there will likely be a sizable percentage of two-car households, preference for on-street parking (e.g. the town homes), and visitor and overnight guest on-street parking demand. For security reasons, even some existing residents with lane-way parking park in front of their homes.

Parking on the entire 300 block of Machleary Street is already challenged when St. Peter's Roman Catholic Church is being used for Sunday mass, weddings, funerals, and church or community meetings and events. The number of Sunday masses has recently decreased from four to two, which has caused an even greater parking problem due to increased attendance at the two services.

Increased traffic volumes and parking along Franklyn Street (one of two vehicle entrances onto the 388 Machleary Street site) will impact the safety of children and families at Pawson Park. No consideration of this, or a recommendation for crosswalks to the park, was made in the TIA.

2. **Obstructed views and overwhelming density** – Statements in this paragraph of the Molnar Group's Letter of Rationale are erroneous and misleading. The initial concept presented at the October 2017 Open House was four four-storey, not "four six-storey" buildings. If a higher number of storeys was considered by the Molnar Group, this information was not formally presented to the neighbourhood. The revised concept of February 2019 has not changed "the overwhelming density" – the number of units is not appreciably different from the first concept and the density of 172 units continues to be too high. One of the three "four-storey" apartment-style buildings in the current concept has a section showing five storeys (See Building F: drawings A206, A308 & A309), due to the slope of the land. This does not "[utilize] the existing grade to integrate the height of the buildings within the topography". As mentioned in the Molnar Group's Letter of Rationale, there is one view corridor from the stairs of the old hospital straight through the property to Machleary Street.

The *Old City Neighbourhood Concept Plan* designation specifies building heights of 2 to 3 storeys. Given the site's topography only a four-storey building in the centre of the site should be considered.

- 3. Architectural vocabulary and how well it fits into the existing fabric and character of the neighbourhood** – The 1.16 hectares of 388 Machleary Street are located in the middle of the oldest heritage neighbourhood in the city, widely understood to be unique and unlike any other in Nanaimo. Throughout the Old City there are numerous older character homes, some having heritage merit, which serve to establish the traditional residential appearance of the area. NOCA feels strongly the final design must respect this historical character. In our first community survey, a heritage-inspired architectural character was almost unanimously preferred to Westcoast, Modern/Urban and Mountain-inspired styles. Indeed, developers and realtors market the Old City for this "heritage" look and feel.

The renderings of the town home units do indicate preliminary indications of a heritage look, however the "row house" configuration where the set-backs from the street are identical does not reflect the setbacks of the rest of Machleary Street.

While this early in the process architectural renderings are preliminary in nature, nothing about the three apartment-style buildings exudes "heritage" or "arts and crafts" to the average resident. The form of the buildings should be clearly identifiable as "arts and crafts" inspired in order to fit with the historical neighbourhood. We disagree with the opinion expressed in the Molnar Group's Letter of Rationale "that the replication of existing aesthetics only serves to diminish the impact and importance of the original and authentic architecture." The renderings of the buildings do not reflect examples of principles of the arts and crafts movement cited in the letter: "a rich palette of materials and colours" (none have so far been indicated), "private and generous outdoor space that is delineated and protected" (meaning is unclear), "expression of interior functions of space" (again, meaning is unclear and not recognizable as an "arts and crafts" feature). We realize that detailing happens at a later stage, but if a heritage look and feel was being planned for the apartment-style buildings, certainly this would be reflected in the drawings even at this stage (as it is in a preliminary way with the town homes).

To integrate with the surrounding homes, the ground floors of the three apartment-style buildings should include private unit entries from the street rather than one central entrance on each of the front and back sides. On the street side ground floors, only one *common* entry per apartment-style building is given in the present proposal. None of these examples of ways that a development would integrate into the existing community are present in the February 2019 proposal.

- 4. Public engagement** - The Letter of Rationale states the Molnar Group has been doing public engagement for over 40 years and is "keenly aware of the importance of public engagement in the development of communities within established neighbourhoods... extremely careful not to be perceived as the big corporate developer

out to maximize their profits to the detriment of the communities they develop in." To their credit, the Molnar Group has been responsive in a timely way to remedy instances of garbage dumping and evidence of a homeless camp on the site.

However, we feel actual consultation with NOCA and the neighbourhood has been superficial. The Molnar Group has overstated the length of their process with NOCA, their efforts and their interest in responding to the community. They have organized two public open houses: in October 2017 and January 2019. The first was a "Community Talk" to present their "preliminary proposal", with attendance by RSVP ("seating is limited"). The need for an RSVP is unclear: there was no "seating" – the "Community Talk" was a standard open house of poster boards on display held in a spacious church hall. The meeting's notice (12 days), the date and time, the need to RSVP, and the absence of a plan to notify the neighbourhood (relying on NOCA) were problematic. At the open house, a 3-question survey which was vague on specifics and heavy on a sales pitch was available. The results of this survey have not been shared with NOCA.

In a comprehensive response to the preliminary proposal, NOCA's letter of November 8, 2017 stated, "Meaningful engagement will require significantly more time and effort than a conventional public information meeting and public hearing model of application and approvals." Meaningful engagement would include: (1) a mail-out well in advance of open houses to all Old City residences; (2) a handout of the main features of the development, e.g. number of buildings and storeys, number of units, range of unit descriptors (micro, studio, 1-bedroom, etc.), range of square feet for each descriptor; (3) large-scale posters with information summaries in easily-readable font (rather than blown-up architectural renderings and drawings with detailed specifications which serve to confuse and overwhelm the average resident).

NOCA does not agree the revised site proposal presented to NOCA representatives was "well received". The Molnar Group indicated they **did not** intend to hold a community open house to showcase their proposal to the community however NOCA felt this was important and decided to host such a meeting in March 2018. Two representatives from the Molnar Group attended to present their updated proposal and this was appreciated. Had NOCA not held this meeting, the community may not have had the opportunity until January 11, 2019 to view and consider the revised proposal. NOCA is unaware of any surveys/questionnaires for completion at this meeting referred to in the Letter of Rationale. We have not been informed of the results or numbers of respondents to support the Molnar Group's claim of results that are "overwhelmingly favourable in nature."

Eight months after submitting the OCP and zoning amendment applications, just before Christmas the Molnar Group announced to NOCA their second open house would be on January 11, 2019 and we were asked to "inform our members". The Molnar Group **did not** advertise this open house. At the open house Andre Molnar announced to those present, "*we've given you everything you asked for*". We were stunned by this assertion. It was an echo of an email sent to NOCA's president on

December 21, 2018 which stated, "The good news is that the new plans...for the January 11th [open house] will reflect all the input we have received from NOCA after our [i.e. NOCA's] last community meeting at the end March..., including the comments you compiled and provided to us shortly after...We are looking forward for NOCA to continue to support this exciting new project, as we have designed it now exactly the way you and the members wished for." It was clearly lobbying and a misreading of NOCA's level of support for this project.

In summary, the tone of meetings and open houses has been to present the Molnar Group's vision for 388 Machleary Street as "this is what is going to be built so how can we get you to accept our vision?" Their vision as a whole continues to be one of a scale of project in its density, massing, and lack of heritage character that is unacceptable to the neighbourhood.

The Molnar Group's Letter of Rationale also purports to show how the February 2019 proposed development addresses six of the seven goals of Nanaimo's Official Community Plan. Rather than review their statements in the body of this letter, NOCA has chosen to do so in the attachment "*The Molnar Group's Letter of Rationale Reviewed in the Context of the Goals of the Official Community Plan*".

To reiterate, NOCA does not support the Amendment Application No OCP89 and Zoning Amendment Application No RA395. However, we support the right kind of development for this site and our neighbourhood. We support a development whose density is within the guidelines of the Official Community Plan and the Old City Neighbourhood Concept Plan. We support a mix of housing including four-plex, duplex, cluster housing and town homes. And we support the city's strategic goal of affordable and accessible housing for all our community needs.

Should the Molnar Group decide to submit a new application that addresses the concerns expressed about density and associated issues, NOCA would be pleased to continue our engagement with the Molnar Group, local residents, NOCA members, City of Nanaimo planning staff, and other stakeholders with the goal of achieving a residential development that benefits all parties and preserves and enhances the quality and character of the Old City.

Sincerely,



Joy Adams Bauer, President
Nanaimo Old City Association (NOCA)

cc.

Andre Molnar, Founder and Principal, The Molnar Group
Greg Persanyi, Vice President of Development, The Molnar Group
Mayor and Council, City of Nanaimo

Attachments

- Executive Summary of NOCA Survey Results
- Verbatim Additional Comments from NOCA March/April Survey
- Summary of NOCA's Recommendations Contrasted with the Molnar Group's Feb 2019 Application
- Transportation Impact Figures for 300 Blocks of Machleary and Kennedy Streets
- The Molnar Group's Letter of Rationale Reviewed in the Context of the Goals of the Official Community Plan