



**TOWN OF HINTON
PUBLIC HEARING
on Bylaw No. 960-49
June 4, 2013
Hinton Government Centre**

PRESENT: Mayor Ian Duncan, Deputy Mayor Ryan Maguhn, Councillors Bill Bulger, Dale Currie
Lorraine Johnston-MacKay

ABSENT: Councillor Jane Macridis
Bernie Kreiner, Town Manager

ALSO PRESENT: Mike Schwartz, Town Manager
Denise Parent, Director of Corporate Services
Carol Lukasiewich, Development Officer

SECRETARY: Lil Wallace – Executive Assistant

CALL TO ORDER:

Deputy Mayor Ryan Maguhn called the Public Hearing meeting to order. The time was 7:25 p.m.

INTRODUCTION & PROCEDURES

Deputy Mayor Maguhn informed the hearing attendees as follows:

- The Public Hearing is held pursuant to the Municipal Government Act.
- Rules of conduct will be followed during this Public Hearing.
- Presentations should be brief and to the point.
- The order of presentation shall be:
 - entry of written submissions
 - those supporting the Bylaws
 - those opposing the Bylaws
 - any other person deemed to be affected by the Bylaws
- Council may ask questions of the speakers after each presentation for clarification purposes.
- There will be no debating the Bylaws, however, questions to the Councillors or other parties will be accepted through the Chair.

HEARING:

Deputy Mayor Maguhn declared the Public Hearing relating to Bylaw No. 960-49 open.

1. Denise Parent, Director of Corporate Services, informed that the purpose of Bylaw 960-49 is to amend the Land Use Bylaw as follows:

Lot 20, Block 15, Plan 1980KS – 140 Sherwood Drive

From: R-1B Single Family Residential (Class B) District
To: R-2 Low Density Multiple Family Residential District
As shown on the attached Schedule "A"

First reading was given to Bylaw 960-49 on April 16, 2013.

Notice of this Public Hearing was advertised in the Hinton Voice on May 23 and May 30, 2013.

The following written comments have been received to date:

- Report from the Development Officer; and
- Letter dated May 13, 2013, from Kurt and Cyndy Mork; and
- Email dated May 26, 2013, Addendum to May 13, 2013, letter and photographs from Kurt & Cyndy Mork, Chris Taylor & Cyndi Van Alphen, Ross Lunn, Adam Daubrasti and Agnes & Steve Borda.

Deputy Mayor Maguhn requested:

a) Are there any late written submissions relating to the Bylaws?

Yes – four letters in support have been received as follows:

- 1) D. Lord dated June 3, 2013
- 2) P. A. Krywulak dated June 3, 2013
- 3) Louise Gale dated June 3, 2013
- 4) Judy Nearing and Phillip Nearing dated June 3, 2013.

b) Is there anyone who supports the Bylaws and wishes to speak?

Curtis Colbourne, the owner and developer of this property, spoke to council about rumours going around the neighborhood, he will supply sufficient parking, this is not a 4-plex unit; he would incorporate a clause in his rental lease that on-street parking must be for visitors only; intention to put 2 parking spaces in front and 2 in the back.

c) Is there anyone who opposes the Bylaws and wishes to speak?

Cindy Mork spoke to council to voice her concerns re 6th multi-family residence in the area; always had issues with parking; constantly blocked into their driveway; another multi-family dwelling will only lower property value; 600 multi-family units coming online in the Town of Hinton, so why take a well maintained, older residential area that is priced affordable and re-zone this area into R2; if approved others in the area say they also will apply for the same thing; main issue is their parking being blocked; multi-family needs to be spread out a little more in the Town and no more multi-family in this area; feels it has lowered her property values.

The mayor questioned Ms. Mork about the history of the other 3 developments that she previously opposed in this neighborhood. She said she had, as each other development came into being, provided council with her opinions on the parking situation. Mrs. Mork indicated the RCMP have been called on occasion to clear the blocked driveway. She indicated regardless of Mr. Colbourne providing a letter stating the tenants would not block her driveway, that would not alleviate her concerns; still concerned about property values in the neighborhood.

When council questioned Mrs. Mork if she has spoken to administration about her property values being low, she indicated she had not. They recently received their tax notice with the property assessment and noticed it has not gone up substantially like some other neighbourhoods have.

Ross Lunn wanted to know what council is doing to protect older areas re aesthetics; this construction is right across street diagonally, blocking his view of skyline; height is too high and would like to lowered; wants to know how to stop this from happening, destroying old neighborhood.

Lou Franche advised the street is wall to wall parking; when is council going to stop allowing rental properties and duplexes; slum landlords around there; said there are some fire traps in the neighborhood. He lives at 512 Sherwood Drive; this street should stay as single-family dwellings.

Agnes Borda said the house is too high for the street and she just doesn't like it.

Karl Hryckowski said he is definitely concerned with parking; doesn't care so much about height of house; concerned about slum landlords in the area; property values go along with that; he will probably do the same type of development if this area is going to become R2;

d) Is there anyone deemed to be affected by the Bylaws and wishes to speak?

No

e) Are there any comments from Council's Planning Advisors?

Carol Lukasiewich, Development Officer, commented as follows:

- purpose of rezoning is to allow 2 dwelling units on this property, one above the other; this development complies with all R1B and also would comply with R2; 960-49 is supported by administration; also, the Integrated Housing Strategy and the Community Sustainability Plan supports this type of development.
- understands that parking is a concern, however, on-street parking is public parking; if driveways are being blocked this can be addressed through bylaw enforcement.
- R1B zoning allows secondary and garden suites, however they are smaller in square footage than what is being proposed in duplex dwelling.
- property assessments are done by a private contractor and can be discussed with the assessors if it is felt corrections are needed
- exterior finish once completed will be consistent with rest of neighborhood, aesthetically pleasing
- height concerns: every development can have 10.6 m (34.7 ft) so a 2-storey is still appropriate as long as fall within 10.6; existing residences could also be renovated as long as meet height requirement;
- can't comment on the "600 units coming online".

f) Do the Councillors have any further questions?

Councillor Johnston-MacKay asked why the bylaw had originally been changed several years ago. The current administration does not have that information.

Councillor Johnston-MacKay asked for and was provided clarification respecting the height restrictions in residential districts.

Mayor Duncan asked if a sidewalk was required and administration advised yes it is required to access the front and is included in landscaping.

Councillor Currie asked if everyone was to build duplexes, how does that impact the infrastructure? Carol Lukasiewich stated she could not provide an answer.

He then asked what could be done about unsightly premises and parking problems. Ms. Lukasiewich stated to contact bylaw enforcement about the unsightly premises and the parking in front on the street is public parking so the public can park there for 72 hours without a ticket. If a driveway is being blocked then contact bylaw enforcement.

Councillor Maguhn asked if the development as it stands right now is developed as per permitted parameters? Administration advised yes it is

Councillor Currie asked if no parking signs could be added to that street in certain areas to eliminate the parking problem? Administration advised council could pass a bylaw if there was a reason to do so but this would take further take public consultation prior to doing so.

Councillor Johnston-MacKay asked if it was taken into consideration the school children that use this road? Administration advised this is a feeder street into the school located close by and so there are going to be children and adults walking to school. Developments look at proximity to schools for residents and families.

Councillor Maguhn asked if the bylaw was not passed, what recourse could landowner have to use the property as rental property? Administration advised this property can have a garden suite (which is a standalone building) in the yard (60 sq. metres in size), could have a secondary suite in the home or in the accessory building; if in the home the maximum square footage would be 35% of total home area; accessory building could be 50%; requirement is one additional parking spot for any of those scenarios.

No further questions were asked.

g) Do the Councillors require further information?

No.

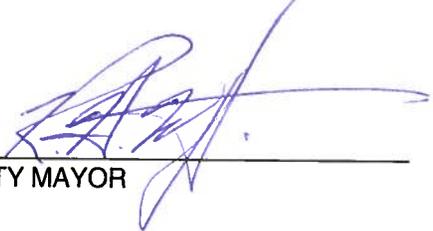
Deputy Mayor Maguhn then declared the Public Hearing closed.

ADJOURN:

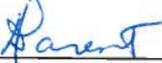
L. JOHNSTON- MACKAY - That the Public Hearing close.

The time was 8:13 pm.

CARRIED UNANIMOUSLY



DEPUTY MAYOR



DIRECTOR OF CORPORATE SERVICES