



MINUTES

PLANNING & TRANSPORTATION COMMITTEE MEETING

Tuesday, 2015-AUG-18 at 5:00 p.m.,

Boardroom, 411 Dunsmuir Street Nanaimo BC V9R 0E4

PRESENT: Leo Boon – Acting Chair
Mike Plavetic
Sean Herold
Sean Mahon
Doug Kalcsics
Mayor McKay

REGRETS: Bill Forbes
Carey Avender
Richard Finnegan
Councillor Kipp
Councillor Hong

STAFF: Dave Stewart, Planner, Planning & Design
Shelley Matthewman, Steno, Planning & Design

1. **Call to Order**
Chair Leo Boon called the meeting to order at 5:05.
2. **Adoption of Minutes**
It was moved and seconded that the minutes of the 2015-JUN-16 PTAC meeting be adopted. The motion was carried. 2015-JUL-21 Minutes were for information only as there was not a quorum.
3. **Approval of Agenda:**
It was moved and seconded that the agenda be adopted as presented. The motion carried unanimously.
4. **Information Items:**
5. **New Business:**
 - a) **Rezoning Application – RA000357 – 2000 Island Highway**
 - For a site specific rezoning application in order to permit a site specific liquor retail store within the Brooks Landing shopping centre to be relocated from 1 Terminal Avenue (Howard Johnson).

Mr. Stewart gave a brief introduction to the application.

Applicant Presentation - Bert Hick, Rising Tide Consultants Ltd, Dan Brady, General Manager Howard Johnson Hotel, Jason McAuley TerraCap Management Inc.

B. Hick said this is a relocation not a new store coming into community, moving approximately 1.5 miles up the road, will result in distinguishing the use of LRS site at the Howard Johnson Hotel. The reason for this change is that there is a plan to redevelop Howard Johnson Hotel property for new hotel and arena. The liquor store will be offsite, this is an ideal location as it is in a substantial shopping mall close to a grocery store. It provides a one stop shopping. Location of store will allow owners to shift focus a bit more because it gives a bit more flexibility located close to grocery store to expand wine selection and feature craft beers. The application in terms of the Liquor Control Licensing Branch approval process has obtained approval in principal which means the branch has approved the new location from their perspective in terms of the 1km radius separation and approval of the floor plans of the license retail liquor store. The site is not close to night club or pub use – no conflict with liquor store.

D. Brady said store has been in existence since 1987, Dan has been involved since 1995 and during that time have not had one infraction for under age service due to level of staff training. Regarding the LRS zoning the criteria of distance between schools there are measured two ways from property line to property line and front door to front door. Measured from property line to property line the mall property is obviously too close to either one of the schools, measured from front door to front door as the Liquor Control Board does with respect to distance between stores, the application meets the criteria. The provincial standard for liquor is front door to front door. There is a bit of confusion at the municipal level in terms of how criteria is measured. This is an issue for Council to review and to provide clarification. At meeting with Social Planning Committee the elementary school was not an issue, high school across highway was more of an issue but it may be closing June 2016. The big issue is reading the criteria, we fit well within the mall, spoken already with the Brechin Hill Neighborhood Association, no opposition to store being relocated as Tim Hortons open 24 hours, gas station and Quiznos both open late.

J. McAuley who is representing owner. said this is a mixed used centre, our vision for it is to live, work, play with one day having residential on site with one stop shopping.

S. Herold commented that this is the only mall in Nanaimo that currently does not have a liquor license.

D. Brady discussed the change in shopping habits from original granted liquor licenses that were attached to a Hotel or Pub to liquor stores and now grocery stores, unfortunately liquor sales downtown are now a dying business.

J. McAuley said that the Liquor Control Board in Ontario situates government liquor stores right next to food stores as part of their campaign. Strategy in BC is to locate government liquor stores in centres close to grocery stores, so people can go to stores for one-stop shopping.

Mr. Hick said that in terms of traffic component & parking issues, parking availability at the shopping mall does satisfy the City of Nanaimo parking bylaw. There are access points in either direction. Will promote green agenda by doing all shopping at one location.

B. McKay asked about the distance of 150m, did you say that Ontario and BC Liquor Control Branch uses door to door linear distance?

B. Hick responded the 150m criteria is the City of Nanaimo. The 1km criteria is controlled by the BC Liquor distribution branch and is measured door to door.

D. Kalcsics asked if door to door is measured as the crow flies or as you would walk?

D. Brady said if it's crow flies we are outside of criteria.

D. Brady said the \$10,000 community contribution was discussed with Brechin Hill Association, asked for their ideas and thoughts for trailways, parkways and also the tunnel.

D. Kalcsics. asked is this policy or criteria? Is it in the bylaw? What is the status?

D. Stewart answered that this is the City's criteria intended to guide rezoning applications and was adopted by Council. These are guidelines that can be adjusted or ignored by Council.

D. Kalcsics asked about opportunities for liquor stores in the community.

D. Stewart said the Province has moratorium on liquor licensing, other issue of distance 1km between liquor stores provides a limited opportunity in Nanaimo.

S. Herold asked where is the closest liquor store to the Howard Johnson Hotel?

D. Brady answered the Occidental Hotel was the closest location then the government liquor store in Port Place Mall.

D. Kalcsics had some questions regarding criteria in the policy.

D. Brady said the City of Nanaimo have issued both ways, property line to property line and front door to front door criteria.

J. McAuley discussed the modernization of liquor stores since the 1980s to today on how professional the industry has become with selection and product knowledge.

B. McKay said look at one small corner of Nanaimo, there is currently a private retail liquor store beside Country Grocer, around the corner a distiller of vodka; two blocks down Longwood Brewery. We are seeing a much more sophistication of buyers. Are you seeing across BC that rules surrounding sale of liquor are so far behind reality as to what consumers are looking for?

J. McAuley said there is a huge growth in craft facilities & craft breweries with retail stores and tasting rooms, people do want sophistication. It creates added pressure on the municipalities to review their policies.

Motion to receive delegation, seconded by Sean Herold.

Delegate – Dean Gaudry - 126 Cilaire Drive - Opposed

Was interested in liquor license at Brooks Landing location about 5 years ago. Had a negotiated price for a 4500 sq ft free-standing pad in parking lot in front of West Marine. TerraCap contacted him that they were experiencing difficulty with City of Nanaimo with liquor at Brookes Landing, so pursued different location at Dufferin and Bowen. He is aware of two other proponents who went thru the same process; with that history where location was not suitable it would seem an uneven application of set criteria if a new applicant has been green lighted. The E&N trail is a very significant link for pedestrian and cycle traffic and certainly the tunnel is a key proponent of that. If continuing to promote E&N trail and the pedestrian & cycle traffic that is a strategic linkage which will not be enhanced by liquor at Brooks Landing. Three proponents did not get to application stage as City of Nanaimo policies did not allow for them to go forward. There should be

an even handed approach in regard to policy issues like this.

D. Brady asked if he could approach as an individual delegation to refute inaccuracies in Dean's presentation.

L. Boon said this can be saved for Public Hearing.

Discussion:

D. Kalcsics said there is sufficient merit for this application to proceed to Public Hearing to be discussed by all parties..

B. McKay asked Dean where the site is?

D. Gaudry replied that it was at the top of parking lot in front of West Marine.

D. Kalcsics would support doing both.

B. McKay said application can go to Public Hearing. He will make two motions; recommendation to council to harmonize distance measurements to be the same as the Province front door to front door measurement and to review the liquor control strategy

D. Stewart asked review of rezoning policy or liquor control policy? We have rezoning criteria that includes the liquor control policy.

It was moved and seconded to recommend that Council harmonize our criteria on liquor store licensing to match the Province and to review liquor regulations within the City for siting for modernization of change.
The motion was carried.


6. **NEXT MEETING:**

The next regularly scheduled meeting of the PTAC is scheduled for 2015- SEP-15

7. **ADJOURNMENT:**

The meeting adjourned at 5:45.

APPROVED BY:



CHAIR

09/15/15

DATE

CONCURRENCE BY:



STAFF LIASON

CERTIFIED CORRECT:



Dep. CORPORATE OFFICER