

MINUTES

DEVELOPMENT PROCESS REVIEW COMMITTEE

TUESDAY, 2013-JUN-11 AT 11:30 A.M.

BOARD ROOM, SERVICE & RESOURCE CENTRE, 411 DUNSMUIR STREET



PRESENT:

Committee Members:

Councillor Bill Bestwick, Chair

Councillor Jim Kipp

Councillor Bill McKay

Byron Gallant, Canadian Home Builders' Assoc – CVI

Maureen Pilcher, Maureen Pilcher & Assoc.

Rod Smith, Newcastle Engineering

Bob Wall, RW Wall Ltd.

Absent:

Greg Constable, Island West Coast Developments

Ian Niamath, Ian Niamath Architects

City Staff:

Ted Swabey, GM, Community Safety & Development

Andrew Tucker, Director of Planning

Toby Seward, Director of Development

Dale Lindsay, Manager, Building Inspections

Bruce Anderson, Manager, Planning & Design

Chris Jackson, Manager, Community Planning

Rob Lawrance, Environmental Planner

David Stewart, Planner

Holly Pirozzini, Administrative Assistant

Invited Guests:

Keith Brown, Keith Brown Associates Ltd.

Adam Compton, Environmental Dynamics Inc.

1. CALL TO ORDER

The meeting was called to order at 11:30 a.m.

2. ADOPTION OF MINUTES

It was MOVED and SECONDED that the minutes of 2013-May-28 be adopted.

CARRIED

3. Watercourse Setback Variance Review Report

Bruce Anderson provided the Watercourse Setback Variance Review report from Rob Lawrance, Environmental Planner, to the Committee (DPRC), and stated that it will also be provided to the Advisory Committee on Environmental Sustainability (ACES) to review the following options to be recommended for Council's consideration:

- ❖ Review Development Permit Area (DPA) guidelines for Watercourses and Environmentally Sensitive Areas;
- ❖ Develop clear criteria for staff and Council on how a proposed variance could be supported;
- ❖ Review the role of professional experts in reviewing watercourse setback variances;
- ❖ Develop an Education and Public Awareness Program on Watercourses / Riparian Areas;
- ❖ Explore the feasibility of establishing a watercourse habitat compensation bank (either physical or financial) or some other form of City-wide watercourse restoration incentive program;
- ❖ Develop a watercourse variance checklist;
- ❖ Require a pre-meeting for DPA 1 (Watercourses) and 2 (Environmentally Sensitive Area – Non Riparian Areas Regulation (RAR) watercourses/wetland) applicants;
- ❖ During the process, look for opportunities to vary the parking, side/front yard setback and building footprint requirements;
- ❖ Require the Qualified Environmental Professional (QEP) to assess broader ecological features and functions other than what is required for fish protection under the RAR;
- ❖ Add a clearly written executive summary (prepared by the QEP) to accompany the RAR report, for use in Council reports;
- ❖ As part of a variance application, identify opportunities to raise public awareness of watercourse / riparian habitat throughout the City;
- ❖ Ensure the QEP is retained during construction phase to ensure variance / mitigation recommendations from QEP reports are implemented; and
- ❖ Annually report on the total size of riparian areas set aside for protection as a result of development.

Committee's comments:

- Suggested wording change: Review the professional expertise in reviewing watercourse setback variances.
 - a) The City to **hire (instead of retain)** a professional biologist on staff; and
 - b) The City to **retain (instead of hire)** a QEP on an as-needed basis.
- When Council receives two reports from two qualified professionals with contradictory information this causes debate at a Council meeting and is confusing to the applicant.
- Suggested that before bonds are returned, there is a mechanism in place to ensure that QEP recommendations have been followed.
- Suggested that an applicant/developer receive a bonus (cash value incentives, etc.) when they do more than what is required.

Staff's comments:

- A QEP will be required for all Riparian Areas Regulations (RAR) watercourse setback variances.
- A checklist and guidelines will assist staff and Council to accept/reject the variance.
- The executive summary (prepared by the QEP) to accompany the RAR report and to be included in Council reports, will change this from an RAR process to a Council-approval process.
- The City should always have a professional biologist involved during the construction phase for ESAs and RARs to ensure mitigation requirements are followed.
- Review stewardship of streams on an annual basis and the Committee could recommend that some policies be put in place to recognize good development with incentive programming for developments that exceed established standards.

Adam Compton stated that when there is a previously identified watercourse, a QEP can perform a site visit to determine how to move forward with development of the property. Anyone reading a QEP report has the right to question it because it is subjective information. He agreed that there is value in the City retaining a QEP, on an as-needed basis, to review reports. He supports the recommendation of establishing a watercourse habitat compensation bank or some other form of City-wide watercourse restoration incentive program. Although the province is mandated to follow up on RAR reports, he does not believe this has been happening.

Keith Brown suggested that the City could have a list of QEPs to use for their expertise instead of having one permanently on staff.

It was MOVED and SECONDED that the Committee endorse the recommended options as presented in the report, and include an additional recommendation to explore ways to incent developers to implement environmental stewardship.

CARRIED

4. Triggers for Development Bylaws (Monetary Thresholds)

Dale Lindsay presented a ppt entitled, *Re-Use of Existing Buildings* at the previous meeting held on 2013-May-28 to clarify what is considered with the renovation or change of use of an existing building. At that meeting, the Committee directed staff to review the issue and consider an amended recommendation for the following meeting. Staff has now reviewed the issue and amended the table respecting triggers for development bylaws as follows:

		CURRENT TRIGGER	PROPOSED TRIGGER
DPA 9 OCP	Reno	> \$100,000	> \$150,000
	Addition	> \$100,000	> \$150,000
WORKS & SERVICES ~ BUILDING BYLAW	Reno	CV > \$100,000 (> \$150,000 light industry) Not required in Industrial (heavy)	CV > \$150,000 (> \$250,000 light industry) Not required in Industrial (heavy)
	Addition	Up to 10% of existing floor area to max 100 m ² <u>or</u> CV < 20% of the assessed value	Up to 25% of existing floor area (including all additions in previous 2 years)
FIRE SPRINKLER	Reno	CV > 50% of the assessed value	CV > 50% of the assessed <u>or</u> appraised value

	Addition	Up to 25% of existing floor area (including all additions within previous 2 years)	Up to 25% of existing floor area (including all additions within previous 2 years)
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*** Construction Value (CV) is exclusive of fire sprinklers not required by BCBC**

It was MOVED and SECONDED that the Committee support the amendments to the OCP and Building Bylaw as recommended.

CARRIED

5. Development Application Fees Review

David Stewart provided a ppt presentation respecting Development Application Fees (attached) and explained each of the following points:

- Why review?
- What do we do?
- Who pays?
- Existing costs vs. actual costs
- How does Nanaimo compare to other municipalities?
- Proposed changes
- Next steps

Staff is recommending the following:

- (1) *No change* for Development Permits.
- (2) *No change* for Commercial/Multi or Single Family Dwelling/Duplex - \$100 GFA charge to be removed; all other charges to remain the same.
- (3) Board of Variance – *increase* from \$100 to \$250.
- (4) Liquor License Application – New License \$500 + Public Hearing advertising cost
 - Permanent Change: *increase* from \$250 to \$300; and
 - Temporary Change: \$100 (*no increase*)
- (5) Rezoning – change from charging based on lot area to the following flat rate:
 - Lot under 0.2 ha *increase* from \$500 to \$1,000 + Public Hearing advertising cost
 - Lot over 0.2 ha *increase* from \$1,000 to \$1,500 + Public Hearing advertising cost
- (6) OCP Amendments: *increase* from \$500 to \$1,000 + advertising costs to replace public hearing fee.

The consensus of the Committee was to support Staff's recommendations and provide a report to Council for bylaw adoption.

6. Future Meeting Schedule

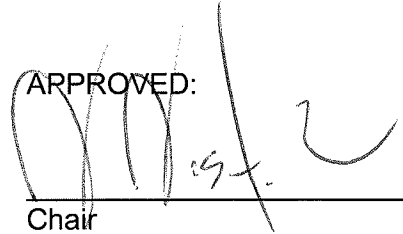
The June 25 and July 23 meetings are cancelled and there will be no meetings in August. In September, the Committee will resume with two meetings per month.

7. NEXT MEETING

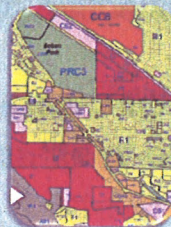
The next meeting will be held on Tuesday, 2013-Jul-09, 11:30 a.m., Service & Resource Centre, Board Room.

8. ADJOURNMENT

The meeting adjourned at 1:05 p.m.

APPROVED: 
Chair

City of Nanaimo - Planning & Design Development Application Fees Review



Outline

- Why Review?
- What do we do?
- Who pay's?
- Existing costs versus actual costs.
- How does Nanaimo compare to other municipalities?
- Proposed Changes
- Next Steps



Why review?

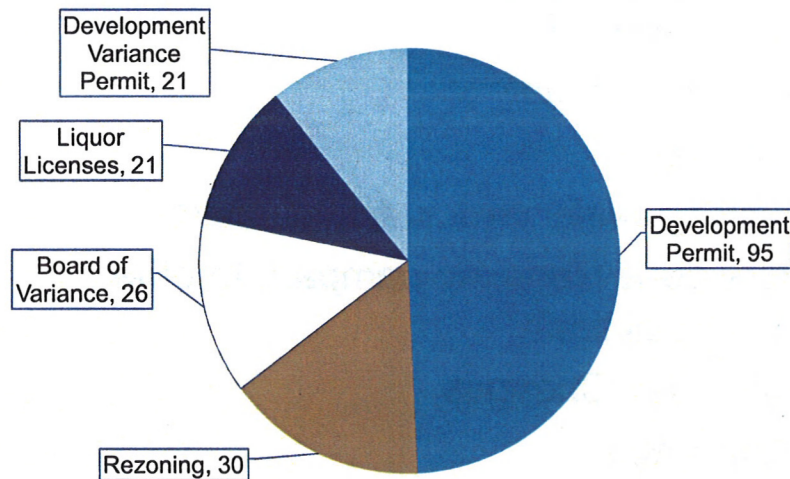
- Current Fees and Charges bylaw adopted in 2005.
- Existing rezoning, development permit and variance application fees date back to 1999.
- Rising advertising and facility rental costs.

We need to consider:

- Are existing fees reflective of the cost of service?
- Is existing fee structure easy to understand?
- How do we compare to other municipalities?



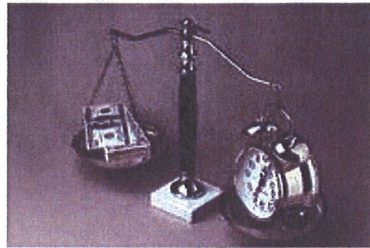
Planning & Design Applications by Type Number of Applications Active in 2012



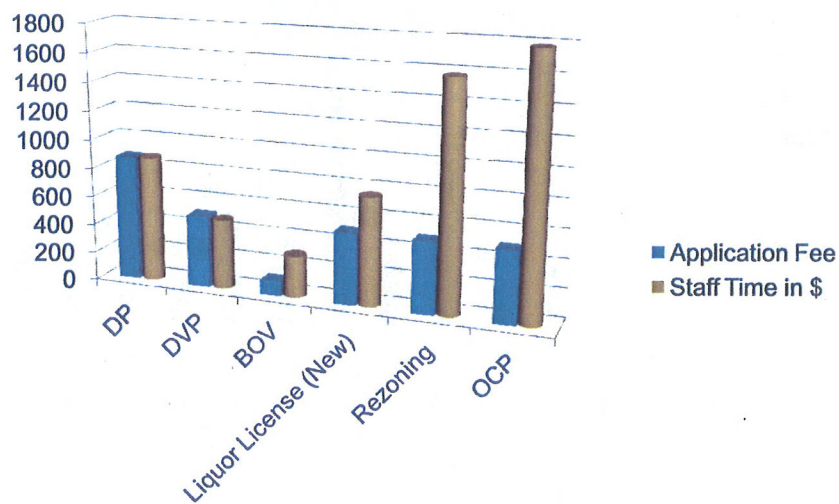


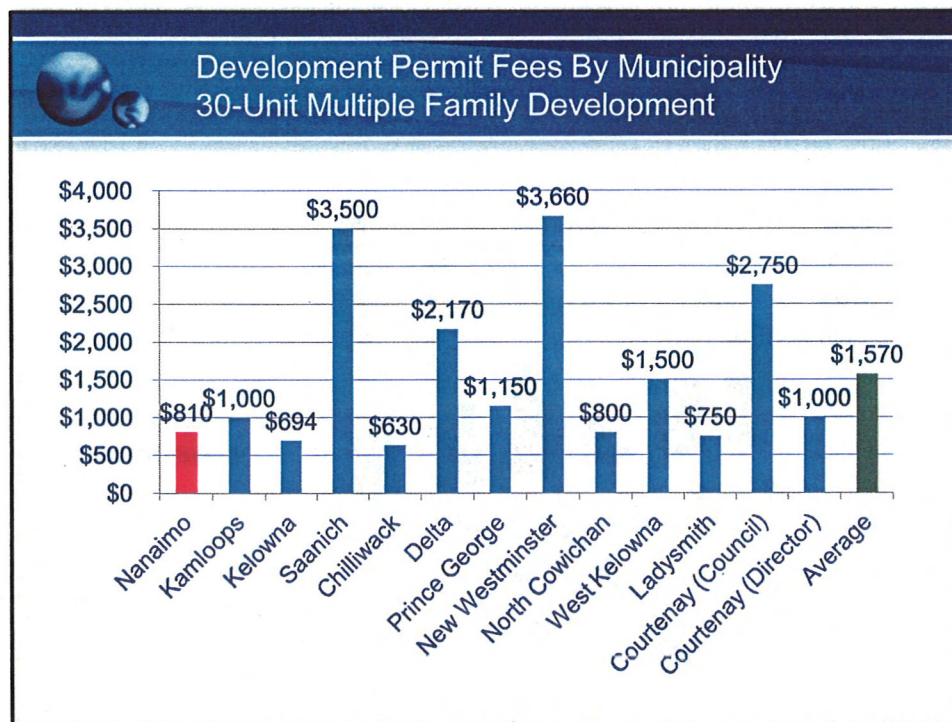
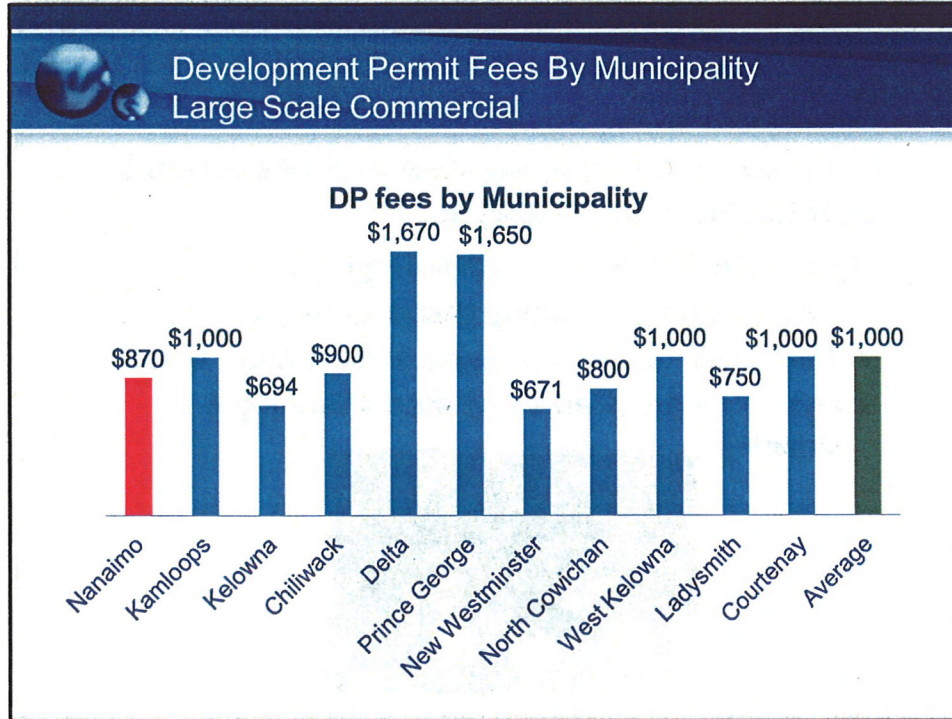
Who Pays?

- Planning is a public service that responds to development applications.
- There are three main philosophy's:
 - Cost recovery (Building Inspections); versus
 - Tax-payer funded (Legislative Services); versus
 - Hybrid model (Parks and Rec, Planning & Design).



Application Fee versus Actual Cost





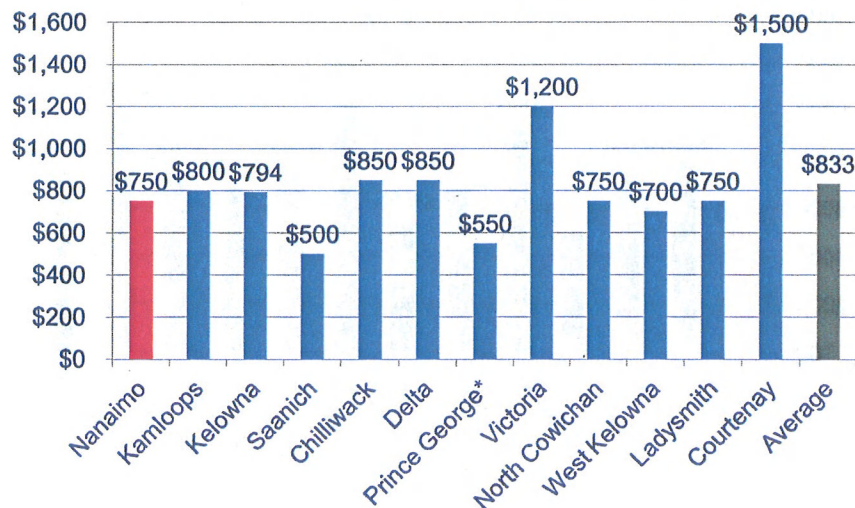


Proposed Changes Development Permit

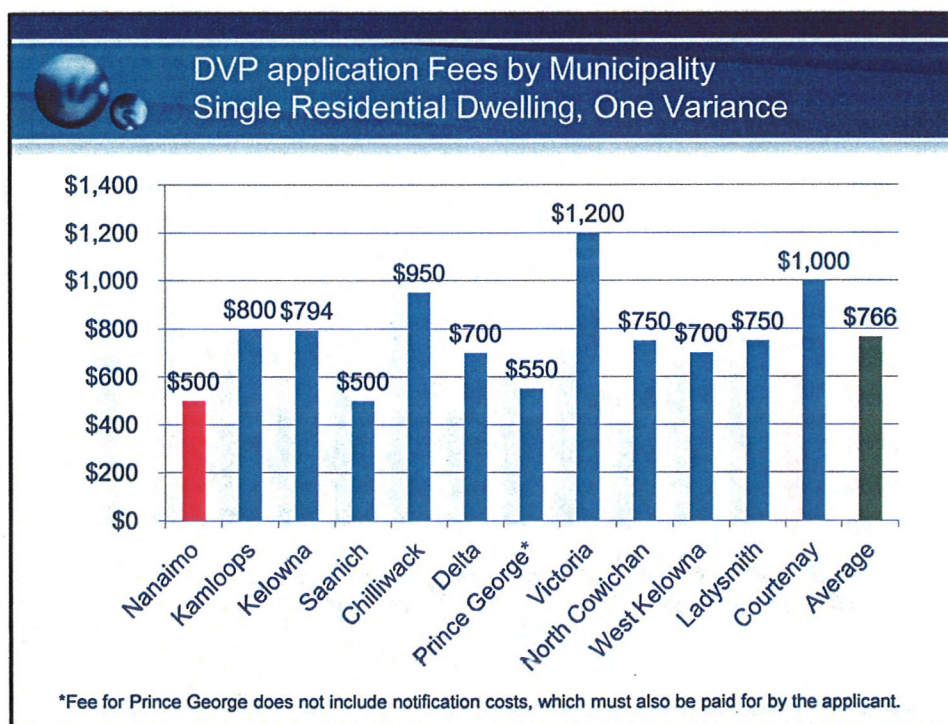
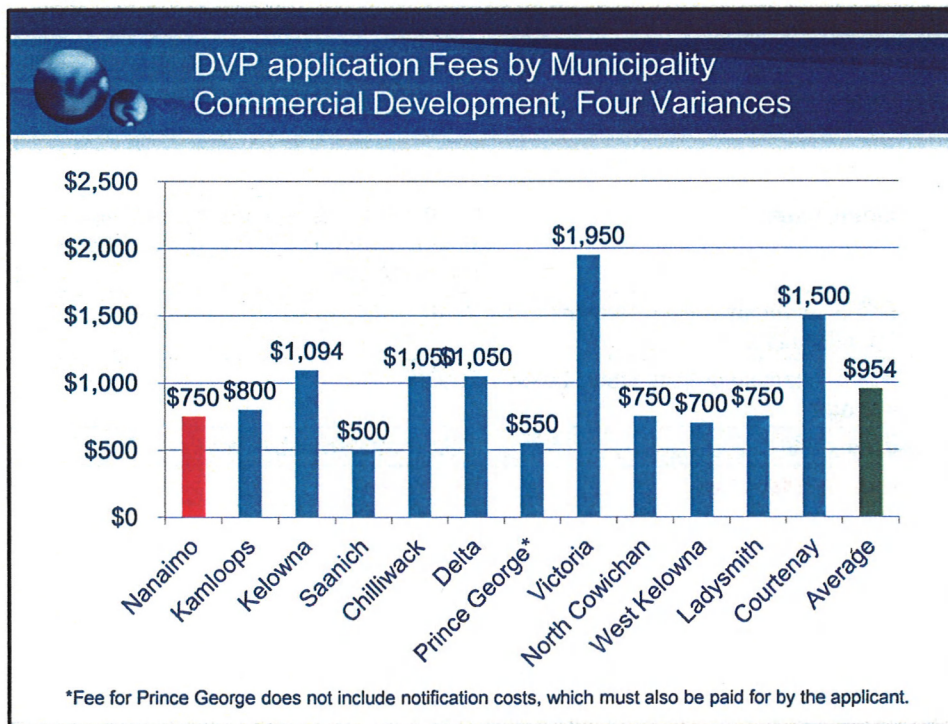
Current Fees	\$750 + \$100 per square metre of new or additional gross building area, to a max of \$2,000.
DP fee- example project- Nanaimo (30-Unit Multiple Family)	\$810
DP fee- example project- Other Cities (average)	\$1,570
Actual Cost	\$860 + additional DAP costs
Proposed New Fee	No change



DVP application Fees by Municipality Commercial Development, One Variance



*Fee for Prince George does not include notification costs, which must also be paid for by the applicant.



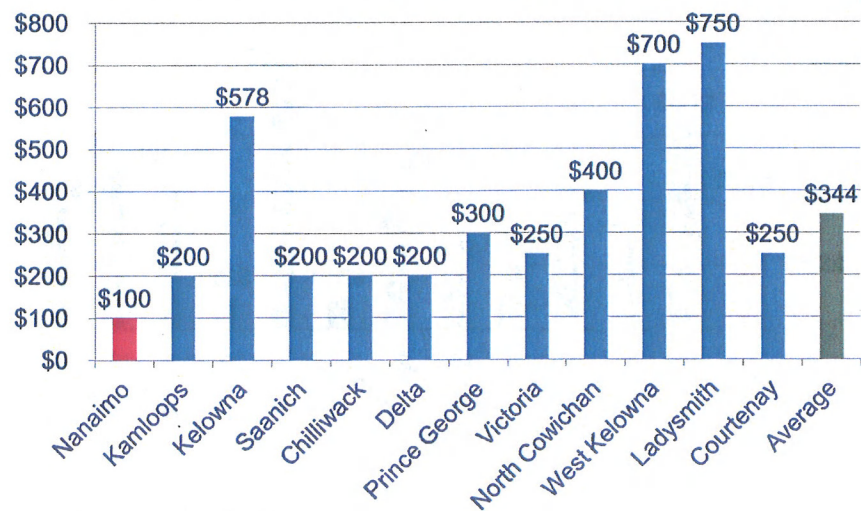


Proposed Changes Development Variance Permit

Current Fees	\$750 – Commercial / Multi \$500 - Single Family Dwelling / Duplex \$100 - Single Family Dwelling GFA
DVP fee- example project- Nanaimo (Commercial, one variance)	\$750
DVP fee- example project- Other Cities (average)	\$833
Actual Cost	
Proposed New Fees	\$750 – Commercial / Multi \$500 - Single Family Dwelling / Duplex



Board of Variance Fees by Municipality



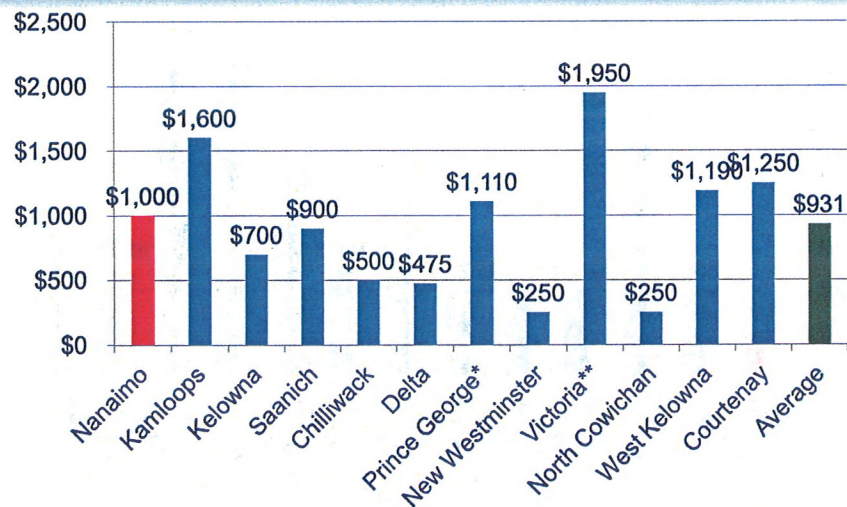


Proposed Change Board of Variance

Current Fee	\$100
Other Cities (average)	\$344
Actual Cost	\$292 + Board mileage and food costs
Proposed New Fee	\$250



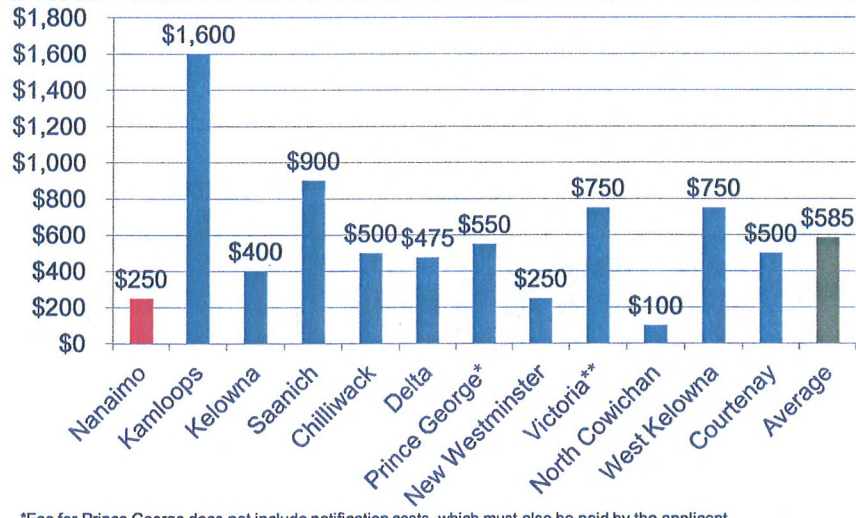
Liquor License Fees by Municipality New Liquor Primary License



*Fee for Prince George does not include notification costs, which must also be paid for by the applicant.
**Fee for Victoria includes an estimated public consultation fee of \$1,200, as per Victoria's website.



Liquor License Fees by Municipality Permanent Change - Liquor Primary License



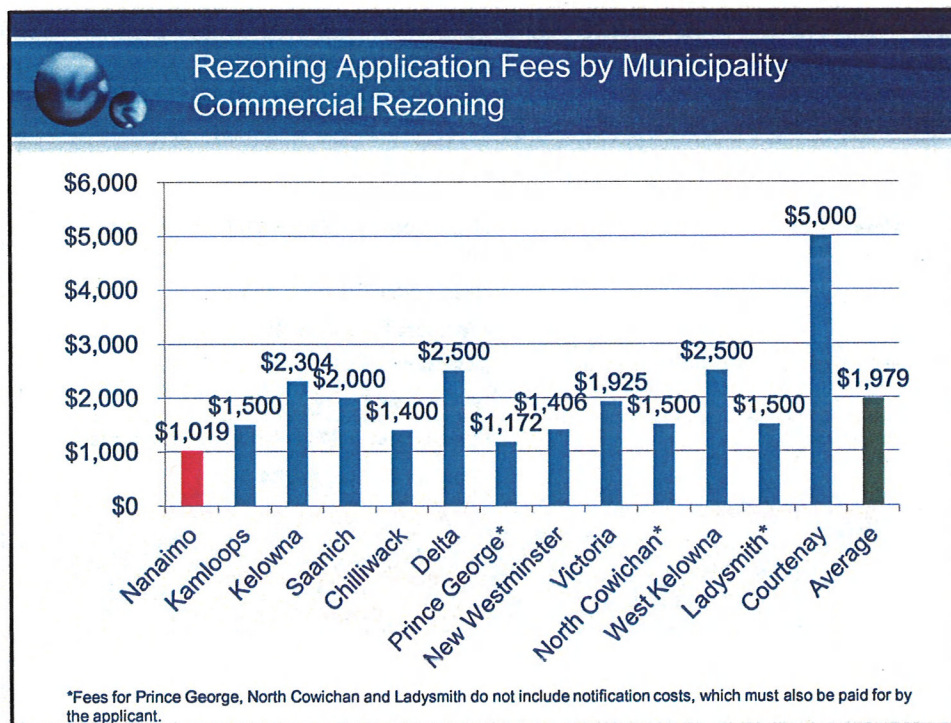
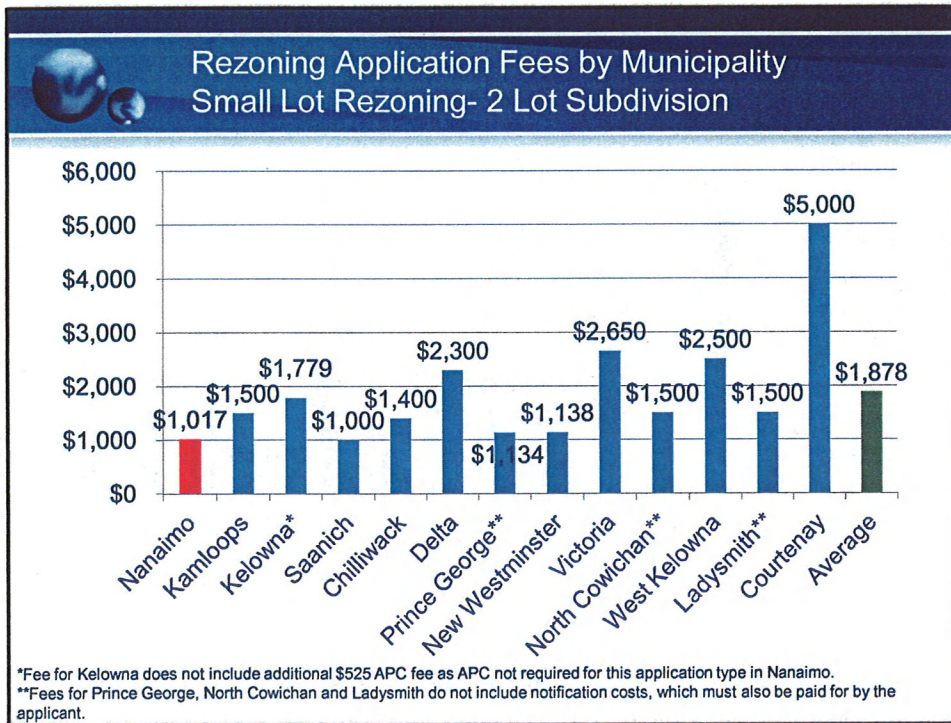
*Fee for Prince George does not include notification costs, which must also be paid by the applicant.

**Victoria charges fees in 2 stages, Staff Review (\$375) and Council (\$375), the fee shown includes both stages but does not include public consultation fees.



Proposed Change Liquor License Applications

Current Fees	New License: \$500 + \$500 Public Hearing fee. Permanent Change: \$250 Temporary Change: \$100
Other Cities (average) - New License	New License: \$931 Permanent Change: \$585
Actual Cost	New License: \$741 + Public Hearing costs Permanent Change: \$412
Proposed New Fees	New License: \$500 + Public Hearing ad cost Permanent Change: \$300 Temporary Change: \$100



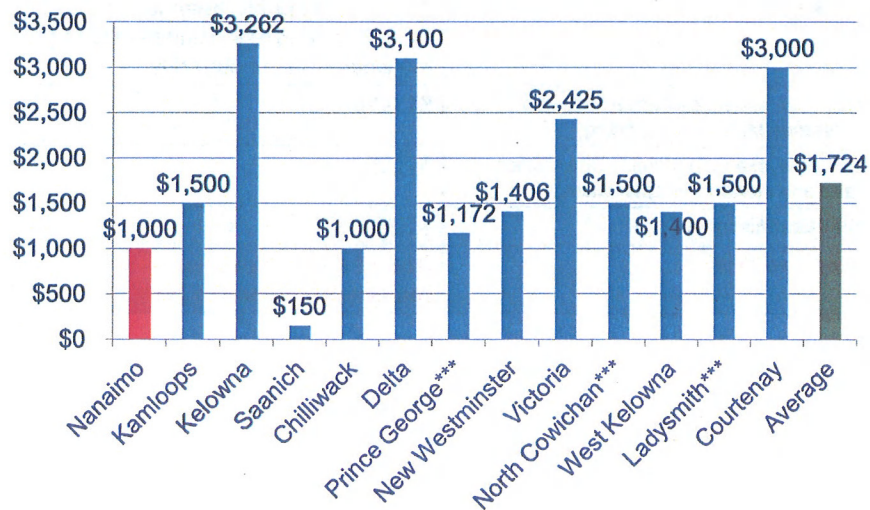


Proposed Change Rezoning

Current Rezoning Fees	Lot under 0.2ha: \$500 + \$2 per 100m ² of site area to a max of \$2,000, plus \$500 Public Hearing fee. Lot over 0.2ha: \$1,000 + \$2 per 100m ² of site area to a max of \$2,000 plus \$500 Public Hearing fee.
Rezoning Fee, example project- Nanaimo (Commercial)	\$1,019
Rezoning Fee, example project - Other Cities (average)	\$1,979
Actual Cost	\$1,623 + Public Hearing cost (advertising, facility rental, Council time) and APC cost.
Proposed New Fees	Lot Under 0.2ha \$1000 + Public Hearing advertising cost. Lot Over 0.2ha \$1,500 + Public Hearing advertising cost.

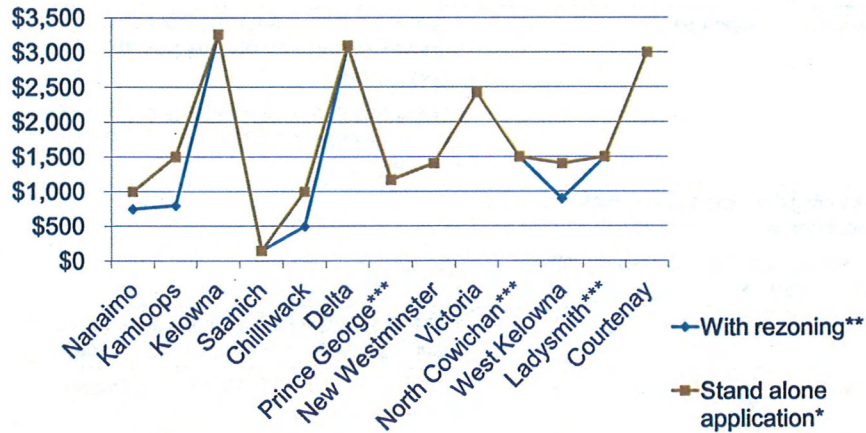


OCP Amendment Application Fees by Municipality Commercial





OCP Amendment Application Fees by Municipality Commercial with and without Rezoning



*Red portion of bar represents additional cost of application if not run concurrently with a rezoning application.
 **Does not include cost of separate rezoning application.
 ***fees for Prince George, North Cowichan and Ladysmith do not include advertising costs, which must be paid for by the applicant.



Proposed Change OCP Amendment

Current Fee	\$500 + \$500 public hearing fee* *public hearing fee includes rezoning fee where run concurrently.
OCP fee- example project- Nanaimo (Commercial without rezoning)	\$1,000
OCP fee- example project- Other Cities (average standalone application)	\$1,724
Staff Cost Estimate	\$1,781
Proposed New Fee	\$1,000 + advertising costs to replace public hearing fee



Next Steps

- Return to the DPRC for comment.
- To Council for information.
- To Council for bylaw adoption.

