

# MINUTES

## DEVELOPMENT PROCESS REVIEW COMMITTEE

TUESDAY, 2013-MAR-12 AT 11:30 A.M.

BOARD ROOM, SERVICE & RESOURCE CENTRE, 411 DUNSMUIR STREET

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### PRESENT:

#### Committee Members:

Councillor Bill McKay, Acting Chair  
Councillor Bill Bestwick (12:05 p.m.)  
Greg Constable, Island West Coast Developments  
Byron Gallant, Canadian Home Builders' Assoc - CVI  
Ian Niamath, Ian Niamath Architects (11:50 a.m.)  
Maureen Pilcher, Maureen Pilcher & Assoc.  
Rod Smith, Newcastle Engineering  
Bob Wall, RW Wall Ltd.

#### Absent:

Councillor Jim Kipp

#### City Staff:

Ted Swabey, GM, Community Safety & Development  
Andrew Tucker, Director of Planning  
Dale Lindsay, Manager, Building Inspections  
Bruce Anderson, Manager, Planning & Design  
Nelda Richardson, Manager, Dev Support Services & Business Licensing  
Gary Noble, Development Approval Planner  
Sheila Herrera, Planner, Planning & Design  
Shawna Drinnan, Engineering Services Technologist  
Holly Pirozzini, Administrative Assistant

#### Invited Guests:

Kevin Krastel, Chair, Design Advisory Committee  
Councillor Fred Pattje, Chair, Nanaimo Advisory Planning Committee  
Renee Lussier, Landscape Architect  
Toby Gorman

#### Others:

Councillor Diana Johnstone  
Mary Thiess  
Jim Brownie  
Peg Brownie

### 1. CALL TO ORDER

The meeting was called to order at 11:33 a.m.

The Chair welcomed Mr. Toby Gorman, Councillor Fred Pattje, Mr. Kevin Krastel and Ms. Renee Lussier to the meeting.

### 2. ADOPTION OF MINUTES

It was MOVED and SECONDED that the minutes of 2013-Feb-26 be adopted.

CARRIED

### 3. Guest Speaker

Mr. Toby Gorman addressed the Committee respecting infill development and developer/City/resident communication. He showed the Committee the location of his home on Google maps at 3240 Granite Park Road and stated the following:

- His home was built 5 years ago when there were vacant lots with trees behind his property.
- Two years ago he did his due diligence and inquired at the City about what was proposed to be built next door and received information that 3 single-family homes would be constructed.
- Concern is with loss of privacy because of the close proximity of the new two-storey house next door that has 4 windows facing his kitchen window.
- Disappointed that there is no consultation between City staff and the affected property owners respecting the proposed subdivision, prior to the foundations being poured.
- The subdivision should have been laid out better with consideration given to the position of the current home in relation to the new homes.
- Believes that the new Zoning Bylaw has allowed for homes to be built too close to each other.
- Questioned what can be implemented to advise current property owners of future development, prior to construction?

Ms. Mary Thiess, wife of Mr. Gorman, stated that they would not have built their home there if they had known that another home could be constructed on the property next door so close to their home.

Ian Niamath arrived at 11:52 a.m.

Councillor Pattje agreed that the neighbours should have been consulted, prior to the new homes being constructed.

Committee's comments:

- This application did not go before Council because Design Guidelines don't apply to single family developments and there was no rezoning application for this subdivision.
- Frequently new homes are built with the minimum required distance between them (10 ft).
- There is no legislation for the City to regulate that the proposed development is considerate to the neighbours and no requirement for a developer to communicate with the neighbours.

Bill Bestwick arrived at 12:05 p.m.

Staff clarified that the new Zoning Bylaw allows smaller lots (600 m<sup>2</sup> to 500 m<sup>2</sup>), but it did not change the minimum allowable distance between homes. The City has no jurisdiction as to where a single-family dwelling can locate on a lot, except that it must meet minimum setback requirements. If you live beside undeveloped land, you should be aware that it will be developed at some time in the future.

Kevin Krastel, Chair, Design Advisory Panel, stated that there is no legislation to provide design guidelines for single-family lots.

The Committee thanked Toby Gorman for his presentation and asked him to stay for the next item on the agenda, "What's Building in my Neighbourhood?"

4. What's Building in my Neighbourhood?

Sheila Herrera demonstrated the website "What's Building in my Neighbourhood" and stated the following:

- This initiative was built in-house by the City's Information Technology Department in conjunction with Planning Department staff one year ago and has recently been expanded.
- The name for the website was chosen because it would resonate with the community.
- The website provides up-to-date information about development applications (Board of Variance, Development Permits, Development Variance Permits, Land Use Contracts or Covenants, Liquor Licences, Rezoning, and Temporary Use Permits) and is a convenient, searchable, customizable, educational tool with links to regulations, notices, etc.
- Planning information has been available on the website since February, 2012, and Building and Subdivision information was added in January, 2013.

Ms. Peg Brownie, 3274 Granite Park Road, stated that communities in the lower mainland notify the neighbours about developments in their area and suggested that staff could require developers to distribute pamphlets to neighbours to advise them of a proposed development.

Staff advised that developers can be encouraged to do so, but there is no authority to require such notification.

Sheila Herrera stated that subscribing to the website is the best way to keep up-to-date with all development activities in your neighbourhood because you can choose to receive a email (daily, weekly or monthly) when new applications are posted, status changes and updates are made to applications, drawings are updated, Reports are added or Notices are posted.

The Chair thanked Sheila Herrera for her presentation; and thanked Mr. Gorman and others for attending today's meeting.

UNFINISHED BUSINESS:

5. Development Permit Review

Bruce Anderson provided a ppt presentation respecting the Development Permit (DP) process and advised of the following change:

Before you apply –

- Start with an inquiry to staff
- Confirm application requirements, including professional expertise
- Book a pre-application meeting with staff

Copies of an amended DP Process handout were distributed, which now includes a mandatory pre-application meeting, prior to submitting an application.

He then reviewed the Landscape Guidelines, which includes consideration of the General Design Guidelines; Part 17 in the Zoning Bylaw; and Section 14 in the Manual of Engineering Standards and Specification (MoESS). Mr. Anderson proposed that the Part 17 – Landscaping in the Zoning could be revised this year, with a subsequent review of the General Design Guidelines in 2014, followed by a review of rainwater management in the MoESS. This would allow a coordinated and sustainable approach to landscape and stormwater management.

Gary Noble discussed landscape features and stated that developers are more frequently considering alternative stormwater management in the design of their project. He distributed copies of:

- ❖ Sustainable Design Guidelines indicating alternative rainwater management strategies; and
- ❖ Part 17 – Landscaping of the City of Nanaimo Zoning Bylaw No. 4500.

He introduced Ms. Renee Lussier, Landscape Architect, and member of the Design Advisory Panel, who was invited to attend today's meeting to participate in this discussion.

Committee's comments:

- Prefer the look of alternative stormwater management.
- There has to be value retained in the project by installing alternative stormwater management features.
- Expensive, so will need an incentive for the developer to change current practices.
- Concerned with long-term maintenance of alternative stormwater features and with over-regulation by making alternative stormwater management mandatory.
- Alternative stormwater management features cannot be imposed on all other developers because it is more costly, which may then deter development.

Staff suggested that there could be a separate utility rate imposed for alternative stormwater management (which would affect the end user and not the developer) or development cost charge (DCC) credits could be created for projects with environmental considerations.

Kevin Krastel agreed that there needs to be incentives for a developer to build alternative stormwater management features. He stated that the addition of a pre-meeting in the DP application process will reduce the number of times an applicant may be required to return to the Design Advisory Panel, due to requested changes to the project.

Renee Lussier stated that the trend is moving towards a more sustainable stormwater management approach for the health and future of the environment. This approach may be more costly now, but she is hopeful that these costs will decrease in future. She encouraged Nanaimo to be progressive.

The consensus of the Committee was to defer further discussion on the Development Permit process review (General Design Guidelines and Concurrent Processing) to the next meeting.

6. The Committee further discussed Mr. Gorman's issue and recommended that in order to facilitate communication between home owners and builders and encourage the home design process to consider the proposed build-out of the neighbourhood, the Citizen's

Guide to Residential Construction brochure be amended to include information on the "What's Building in my Neighbourhood" website.

Staff will advise Mr. Gorman of this recommendation.

7. Workplan 2013 – deferred to the next meeting

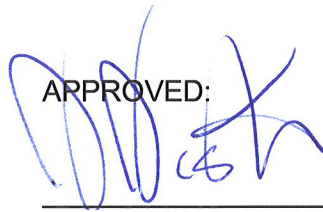
8. NEXT MEETING

The next meeting will be held on Tuesday, 2013-Mar-26, 11:30 a.m., Service & Resource Centre, Board Room.

9. ADJOURNMENT

The meeting adjourned at 1:30 p.m.

APPROVED:



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Bill Bestwick, Chair