



MINUTES
planNANAIMO ADVISORY COMMITTEE
MEETING HELD TUESDAY, 2011-MAY-17 AT 5:00 PM
BOARD ROOM, CITY HALL, 455 WALLACE STREET

PRESENT:

Bill Holdom, Chair
Chris Erb
Ric Kelm
Darwin Mahlum
Pete Sabo
Nadine Schwager

Sarah Boyd
John Hofman
Shirley Lance
Ralph Meyerhoff
Meg Savory
Clem Trombley

REGRETS:

Carey Avender
Allan Davidson
Randall Taylor

Brian Anderson
Michael Harrison

STAFF:

Jeremy Holm, Manager, Current Planning
Deborah Jensen, Community Development Planner
Dave Stewart, Planner, Current Planning
Cindy Hall, Recording Secretary

OTHER:

Sharon Kofoed
Fred Taylor
Kevin Krastel
Klaus Richter
Jim Rutledge

1. Call to Order

Chair Holdom called the meeting to order at 5:00 pm.

2. Adoption of Minutes from 2011-MAR-15

MOVED by S. Lance, SECONDED by C. Trombley that the Minutes from 2011-APR-19 be adopted.

CARRIED

3. Approval of Agenda and Late Items

MOVED by P. Sabo, SECONDED by R. Kelm that the Agenda be approved as presented.

CARRIED

4. Correspondence

None.

5. Presentations

None.

6. Information Items

- a. PNAC Representatives – D. Jensen advised that ads have been placed requesting applications for the four positions on PNAC that are expiring at the end of June (Neighbourhood, Community-at-Large, Youth, and Environment) . Letters have been sent to agencies whose representative's terms are also expiring at the end of June (Nanaimo Port Authority, Canadian Home Builders' Association of Central Vancouver Island, and Vancouver Island University), as well as inquiries put forward with Snuneymuxw First Nation requesting a representative.
- b. Previous Applications
 - i. OCP53 – Newcastle + Brechin Neighbourhood Plan
The application was considered by PNAC on 2011-FEB-15 where they recommended approval to Council. A Public Hearing was held on 2011-MAY-05, and the bylaw was adopted 2011-MAY-16.
 - ii. RA242 – 440 Wakesiah Avenue - Rezone from RS-1 to RM-12 for a student housing project.
The application was considered by PNAC on 2010-JUN-15 where they recommended approval to Council. The bylaw was adopted by Council on 2011-MAY-02.
 - iii. RA269 – 5650 Hammond Bay Road - Rezone from RS-1 to RM-2 for a multiple family residential development.
The application was considered by PNAC on 2011-MAR-15 where they recommended approval to Council. The bylaw was adopted by Council on 2011-MAY-02.
 - iv. RA276 – 6414 Portsmouth Road - Rezone from RS-1 to RM-2 for a multiple family residential development.
The application was considered by PNAC on 2011-MAR-15 where they recommended approval to Council. The bylaw was defeated by Council on 2011-MAY-02.

7. Old Business

None.

8. New Business

- a. Delegations re Draft Zoning Bylaw
 - i. S. Kofoed advised that the Westwood Lake area has a long history of large lots. In response to opposition from residents in the area regarding the proposed smaller R1 lot size, the City sent out a survey to the residents. 92% of the surveys returned indicated the residents of that area did not support the proposed smaller lot size. There is no demonstrated need to increase density in the area. City staff have stated there is sufficient zoned land there to accommodate additional housing needs. The Official Community Plan states that the character of neighbourhoods will be preserved and protected. The residents want to maintain the form, shape and character of their neighbourhood, which consists of large lots. There already is a mix of housing types with a mobile home park and an RV park in the neighbourhood.

Regarding the RV park, S. Kofoed requested that the word “alteration” be removed from the definition of the R11 zone, noting that no other zone states that changes can be made “at whim”.

She also noted another concern of the neighbourhood regarding a lot on which three houses were allowed to be built, and read out a letter from the owner of the adjacent lot. Two of the houses face onto Ashlee Road and one backs onto the adjacent lot. The houses have been converted into rental suites and parking on Ashlee Road, as well as blocking the neighbour’s driveway, has become an issue. She stressed that small lots do cause problems.

Regarding the request to remove the word “alteration” from R11 wording, J. Holm advised there would be no effect in removing the word, but it can be done.

With respect to the small lot issue, S. Kofoed advised that City staff do not know how many lots this will create. Secondary suites, carriage houses, and duplexes in the area will provide densification. The RDN believes population is decreasing, so why are smaller lots needed at all? The areas most impacted will be the ones without covenants, like Westwood. She requested that PNAC be respectful of the survey. Retaining the status quo would allow neighbours of properties applying to be rezoned to a smaller size, a say at the public hearing stage. Blanket rezoning would remove such opportunity.

Comments were made from the Committee that if the majority of property owners in the Westwood Lake area do not want small lots, they will not subdivide them into small lots, and that preservation of neighbourhoods is important, and a commitment in the OCP.

- ii Klaus Richter, President, Country Club Centre advised that he was previously concerned that the new Zoning Bylaw would remove rights regarding the maximum floor area of stores permitted in the centre, but staff have since clarified the restriction does not apply to shopping centres.
- iii Fred Taylor advised of concerns he has regarding the proposed new Zoning Bylaw. He noted that the *Local Government Act* states that public hearings may be waived if an OCP is in effect for the area that is subject to a proposed zoning bylaw, and the proposed zoning bylaw is consistent with the OCP.

B. Holdom stated that there is nothing in the new Zoning Bylaw that would waive the need for a public hearing.

F. Taylor was also concerned, for safety reasons, about the proposed new Zoning Bylaw reducing the maximum height of fences to 6 feet. He requested that maximum side yard fence heights remain as they are. He believed if they were reduced, people would use shrubs and trees instead.

He also requested that in the section of the new Zoning Bylaw pertaining to urban agriculture, the word “wholesaling” be changed to “retailing”.

Staff noted that the change had already been made.

- iv Kevin Krastel, Krastel Design Group Inc. advised that he supports increasing the height restriction in the residential zone proposed in the new Zoning Bylaw. He noted that in 1979, the height restriction was reduced from 35 feet to 27 feet. In the mid 1980's, larger houses were requested. When footprints increase, truss spans get longer, and houses get taller. People want steeper roofs and curb appeal, such as in craftsman houses. Trying to design houses to meet the market has become a challenge. Other municipalities of similar size to Nanaimo have height restrictions well in excess of 27 feet and some go as high as 15 metres in height.

The Committee inquired why people would not just apply for a variance, and commented that going from 27 feet to 29.5 feet is a conservative compromise.

K. Krastel replied that variances rely on hardships, and are not guaranteed. Variances of this type are rarely approved.

It was noted that taller buildings with smaller footprints are more energy efficient.

- v. Jim Rutledge advised that he is in favour of the new Zoning Bylaw. He believes it has wonderful innovative options such as row houses, reduced setbacks, and smaller lot sizes. It will help Nanaimo grow, as the housing stock needs to increase by 16,000 in the next 10 years.

b. New Zoning Bylaw Review

D. Stewart continued the review of the sections contained in the proposed new Zoning Bylaw (overview attached).

R1 Lot Size

The Committee inquired whether the new proposed R1-A zone would be geographically applied, and if other neighbourhoods could come forward. J. Holm replied that the open houses and survey indicate people support the proposed smaller lot size with the exception of residents in the Westwood Lake area.

MOVED by M. Savory, SECONDED by D. Mahlum that PNAC support a minimum lot size in the proposed R1 zone of 450m². CARRIED

R1 Building Height

MOVED by R. Kelm, SECONDED by C. Erb that PNAC support an increase in the maximum allowable building height for single residential dwellings from 8.25m to 9m, where measured from grade, and from 5m to 5.5m where measured from curb.

CARRIED

A Committee member voiced concern about areas with covenants, noting that unless it is contested in court, the regulations of the City apply.

Fence Height

D. Stewart advised that Crime Protection Through Environmental Design (CPTED) theories support the suggested change.

MOVED by R. Meyerhoff, SECONDED by D. Mahlum that PNAC support a reduction in side and rear yard fence heights from 2.4m to 1.8m. CARRIED

Urban Food Gardens

D. Stewart provided an update.

Corridor

D. Stewart advised the purpose of the proposed minimum building height of two storeys is to increase density, to meet the objectives of the OCP, and that a maximum setback will also be required for buildings in Corridor zones. Prohibiting parking between the front of buildings and the street will bring buildings closer to the street.

The Committee inquired why “drive-thru bank terminals” will be prohibited in the Corridor zones, and not all drive-thrus. D. Stewart advised drive-thrus related to fast food activity are addressed elsewhere in the zoning.

Commercial Centre

D. Stewart provided an update.

Downtown

D. Stewart provided an update.

Parks, Recreation and Culture

The Committee inquired whether all parks are now zoned as parks. D. Stewart confirmed that they were.

Industrial

The Committee inquired if any changes are being proposed in the Industrial zone with regard to the container issue recently discussed. J. Holm stated that no changes are being proposed at this time. They are currently permitted for temporary use. A future amendment to the new Zoning Bylaw would have to come forward.

Community Service

D. Stewart provided an update.

Waterfront

D. Stewart advised that the proposed changes will respond to the recently adopted Newcastle + Brechin Neighbourhood Plan.

N. Schwager left the meeting.

Comprehensive Development

D. Stewart provided an update.

Landscaping

D. Stewart advised that significant changes are proposed with a lot coverage approach to landscaping.

MOVED by R. Kelm, SECONDED by C. Trombley that staff include the changes to the draft Zoning Bylaw recommended by PNAC; and that PNAC recommend that Council approve draft Zoning Bylaw 4500. CARRIED

9. Next Meeting

The next regular meeting of PNAC is scheduled for 2011-JUN-21.

10. Adjournment

The meeting adjourned at 7:15 pm.