



**MINUTES**  
**planNANAIMO ADVISORY COMMITTEE**  
**MEETING HELD TUESDAY, 2011-FEB-15 AT 5:00 PM**  
**BOARD ROOM, CITY HALL, 455 WALLACE STREET**

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**PRESENT:**

Bill Holdom, Chair  
Carey Avender  
Allan Davidson  
Michael Harrison  
Ralph Meyerhoff  
Meg Savory  
Randall Taylor

Brian Anderson  
Sarah Boyd  
Chris Erb  
Ric Kelm  
Pete Sabo  
Nadine Schwager

Joy Bremner, Newcastle + Brechin Neighbourhood Committee  
Lee-Anne Stark, Newcastle + Brechin Neighbourhood Committee  
Marc Stones, Newcastle + Brechin Neighbourhood Committee

**REGRETS:**

John Hofman  
Darwin Mahlum

Shirley Lance  
Clem Trombley

**STAFF:**

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

**OTHER:**

12 members of the public

**1. Call to Order**

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

**2. Adoption of Minutes from 2011-JAN-18**

MOVED by R. Kelm, SECONDED by A. Davidson that the Minutes from 2011-JAN-18 be adopted. CARRIED

**3. Approval of Agenda and Late Items**

MOVED by C. Erb, SECONDED by R. Meyerhoff that the Agenda be approved as presented. CARRIED

**4. Correspondence**

**5. Presentations**

a. Zoning Bylaw Review Update

D. Stewart gave a presentation (attached) regarding Open Houses held to date, results from the 'Proposed New Zoning Bylaw Survey' and the 'Westwood Lake Survey', and outlined proposed changes to shipping container regulations.

## 6. Information Items

- a. Previous Applications
  - i. OCP064 – General Amendments  
Parks Mapping, Steep Slope Exemptions  
D. Jensen advised that these amendments were considered by PNAC on 2010-NOV-16 where they recommended approval to Council, and was subsequently adopted by Council on 2011-JAN-24.
  - ii. OCP058/RA258 – 421 Milton Street  
OCP / rezoning applications for a five unit multiple family residential development.  
D. Jensen advised that this application was considered by PNAC on 2010-NOV-16 where they recommended approval to Council, and was subsequently given third reading by Council on 2011-FEB-14. At that meeting, Council directed staff to place a covenant on the development restricting its height to RM9 requirements.

## 7. Old Business

## 8. New Business

- a. OCP Amendments
  - i. OCP053 – Newcastle + Brechin Neighbourhood Plan  
Chair Holdom introduced this item noting that it is easier for PNAC to receive a proposal from a neighbourhood that is unanimously supported by everyone who worked on it and the neighbours that they represent. It is more of a challenge when it comes to PNAC with the support of the steering committee, but not necessarily all of the participants in the planning process or in the neighbourhood itself, as is the case with this neighbourhood plan. PNAC's job is to try to give Council the best advice it can on what to do with this document, whether to amend it, or support it as is, or to send it back. As a city-wide committee, PNAC must decide how this neighbourhood plan would fit in to the overall objectives of the OCP, and how it would benefit the city as a whole.

PNAC previously received an introduction from staff regarding the draft Neighbourhood Plan and the neighbourhood plan process. PNAC could now review materials received from presentations at the last meeting. As N. Mitchell's presentation summarizes about 90% of the issues in a single document, it may be worthwhile to move through that. When considering the items, PNAC needs to consider why the item is in the Neighbourhood Plan, what is the nature of the objection, and does it have sufficient merit for PNAC to question what is in the Newcastle + Brechin Neighbourhood Plan.

M. Harrison referenced correspondence from the Newcastle Neighbourhood Association dated 2011-JAN-10, and inquired whether the Newcastle Neighbourhood Association had held a meeting with all members since 2010-NOV-03 where they had received majority approval to support the draft Newcastle + Brechin Neighbourhood Plan. L. Stark replied that she would speak to the letter in question when it was her turn to speak.

R. Meyerhoff requested clarification regarding the membership of the Newcastle + Brechin Neighbourhood Committee. D. Jensen explained that as per the

Terms of Reference for the Newcastle + Brechin Neighbourhood Plan, which were adopted by City Council, a steering committee was formed to oversee the neighbourhood plan process and to work with City staff. The steering committee was to be comprised of the three groups present in the area at that time, two being neighbourhood associations, and one being a business organization.

R. Meyerhoff inquired whether the condos along Stewart Avenue are part of the Stewart Avenue Waterfront Stakeholders Association (SAWSA), or are they within the boundaries of the other two neighbourhood associations, and whether they were invited to participate in the process. D. Jensen commented that all residents in the area involved were invited to participate. L. Stark advised that the condos fall within the catchment area of the Newcastle Neighbourhood Association.

Chair Holdom noted that the validity of the neighbourhood plan process and the representation on the steering committee is not in question here.

P. Sabo arrived at the meeting.

PNAC proceeded to review the summary items (page 5) of N. Mitchell's submission from the 2011-JAN-18 PNAC meeting.

#### Item No. 1 of N. Mitchell's Submission re Views

J. Bremner stated that protection of views has been drastically changed for the entire hillside in the draft Neighbourhood Plan.

Bruce Anderson advised that the intent was to take the OCP and its language around views and look at refinement of objectives and policies. The result seen in the draft Neighbourhood Plan is from a process that was undertaken to refine what it meant to protect and preserve views in this neighbourhood area. The process has resulted in a proposal particularly around the views regarding the waterfront height issue. The draft Neighbourhood Plan takes an approach that for portions of the waterfront, there would be some consideration of higher buildings on a limited footprint, and that would result in some interruption of views in the neighbourhood area, particularly of the Newcastle Channel and Newcastle Island.

#### Item 2 of N. Mitchell's Submission re Height

A. Davidson stated that the OCP is very clear on height of buildings along the Stewart Avenue corridor. He added that each of the items in N. Mitchell's submission indicate a huge discrepancy between what is in the OCP and what is in the draft Neighbourhood Plan, and questioned why a neighbourhood plan is being written that does not conform to the OCP, if the OCP is just two years old.

M. Stones commented that prior to adoption of the OCP in 2008, the City was questioned as to why suggested changes to the waterfront pertaining to density goals were not being addressed in the OCP. City staff advised at that time that the OCP was a guideline, and that a more detailed review of the waterfront,

including density, would be undertaken through a neighbourhood plan process, which could set policies for the waterfront.

L. Stark confirmed that it was also the understanding of the Newcastle Neighbourhood Association that the neighbourhood plan process was to move beyond the OCP and develop a waterfront plan for the next 10 years or more.

A. Davidson stated that the process appears to be backwards. The waterfront affects the whole city; it is not a neighbourhood plan issue. The OCP should have been amended to what the community wanted to see along the waterfront, prior to starting a neighbourhood plan process.

R. Meyerhoff recalled the discussion in 2008 when planNanaimo was being written that the waterfront should be preserved for marine uses to protect the waterfront and employment. Protection of waterfront marine use is part of Nanaimo's heritage.

Bruce Anderson advised this is included in the draft Neighbourhood Plan.

M. Savory reported that the Advisory Committee on Environmental Sustainability (ACES) informally discussed densification and its relation to the corridor and the waterfront, and that ACES believed that it should not be density at all cost, and that they don't support that as a reason for going against the OCP. The OCP is clear about the aesthetic belonging to the community and the need for the waterfront to stay as the waterfront, and support its history and historical value. Taller buildings need to be built, but not where it is not appropriate. If required, she could ask ACES to provide a formal position on this.

J. Bremner stated that the Brechin Hill Neighbourhood Association's understanding of the process was that they were working within the parameters of the OCP, but that there could be some movement from it

In response to an inquiry on what the Brechin Hill Neighbourhood Association's position was regarding height on the waterfront, S. Bremner advised that because of the steep terrain and the narrow waterfront area on Stewart Avenue that could be built upon, a height of eight+ storeys would be visible three quarters up the hillside. Taking that into consideration, as well as traffic management, they would recommend a maximum of three storeys at 50 units/hectare (uph) on the Waterfront Suites and Nanaimo Shipyards waterfront properties, and three storeys on the Stones Marina/Sealand area.

Bruce Anderson advised that various methods of setting height ranges were discussed at the neighbourhood steering committee meetings and it was concluded by the group that the base+ approach would be the most reasonable. The base+ approach is a height range approach that implies there is an upper limit and a lower limit. A height is set up to which a development can go through a rezoning to achieve that height. Above that base, a development would also go through the rezoning process but additional amenities would be sought for the community for consideration of an increase above that base. At the neighbourhood plan steering committee meetings, SAWSA suggested 12 storeys as the base, and Newcastle Neighbourhood Association suggested six to eight

storeys as the base. As no consensus was reached, staff had come forward with a proposal for an eight storey base approach.

L. Stark advised that the Newcastle Neighbourhood Association supported the base eight approach. Presently there are six storey buildings all along Stewart Avenue, with 950 units of condos and apartments in the Newcastle area, and less than 100 houses. The Newcastle area can take this density, being just outside of the Downtown area. Base eight made sense to the Newcastle Neighbourhood Association, with two of the properties in question (Waterfront Suites and Nanaimo Shipyards) being in the Newcastle area.

A. Davidson inquired why a ceiling was not included. Bruce Anderson responded that the steering committee considered a cap; however, there was no interest at the time in including one. He noted that caps in an OCP and neighbourhood plan are different than in a rezoning. Chair Holdom added that the OCP and neighbourhood plans set targets and invite applications to meet those targets but they cannot refuse applications that exceed those targets. So to define “+”, the neighbourhood plan would advise landowners or developers that the City would invite applications to meet the target storeys, and above, if the amenity level would support it. Bruce Anderson added that in addition to amenities, they would also have to meet the other objectives of the neighbourhood plan.

R. Meyerhoff reiterated that the waterfront should be protected. He agreed that to protect views, taller buildings should be built with smaller footprints, but not side by side. He quoted the OCP section pertaining to waterfront, and asked how marine uses are being protected, employment on the waterfront is being created, and access to the waterfront is being provided.

M. Harrison advised that much of the waterfront area is zoned MA3 or MA2, such as the Shipyard site or Stones, and that precludes residential use. In MA3 zoning, there is provision to allow, for every two metres of side setbacks, increased height of another metre, up to a maximum of 59.05 feet. Most of the properties, including the Waterfront Suites, Shipyard and Stones Marina, are generally almost two storeys below Stewart Avenue where they have situated the buildings. They can achieve almost seven storeys within current zoning as.

J. Bremner noted that the two neighbourhoods involved in the neighbourhood plans are quite different. The Newcastle area has streets that go to the waterfront, but the Brechin area does not. How will street end views be preserved?

M. Stones stated that because the streets don't go to the waterfront, they need to create special public access, corridors that go right down to the waterfront through the properties in question, and that is what they work towards when they come through to the development stage. With respect to preserving marine use, they want the present uses on their property to grow. Restaurants along Stewart Avenue and Sealand cannot stay in business without the population to support them. They are asking for a mixed use designation in the draft Neighbourhood Plan so that residential density will support commercial services on the waterfront.

MOVED by R. Meyerhoff, SECONDED by A. Davidson to recommend that Council refer the draft Newcastle + Brechin Neighbourhood Plan back to staff and the neighbourhood plan steering committee to consider height limitations and possible locations of buildings in this proposed area.

Discussion regarding the Motion prior to the vote

L. Stark stated that if this gets referred back to the steering committee, she did not believe the steering committee would be able to come to an agreement regarding a height limit.

A. Davidson commented that if staff believe the OCP is not up-to-date as to what is required along the waterfront, then the OCP should be amended first.

D. Jensen stated that this is not a new issue for PNAC. In 2007, PNAC discussed what is appropriate on the waterfront, and not just the land use, but the built form as well. At that time, PNAC discussed doing a Corridor Plan for the Stewart Avenue area to address these issues. This transferred into the Implementation Strategy in the OCP, and into the current neighbourhood plan process.

Bruce Anderson advised that the draft Neighbourhood Plan may provide a base+ with amenity negotiation direction, but the height cap or limit would be set at rezoning. Council can decide that they want further guidance and a limit set in the draft Neighbourhood Plan, but the rezoning process will look at that range and determine through that process what the final limit would be for the height.

Staff confirmed that if a specific height limit was set in the draft Neighbourhood Plan for structures along the water side of Stewart Avenue, and a developer submitted a proposal in excess of that, staff would still have to consider that, even though they would likely recommend against it to Council.

Chair Holdom stated that a neighbourhood plan endeavours to set targets for guidance, but not a final determination of what is developed there.

The motion was DEFEATED.

Item 3 of N. Mitchell's Submission re Local Service Centres

Bruce Anderson commented that OCP policy states that in the neighbourhoods, local service centres are permitted subject to rezoning and at major intersections. The draft Newcastle + Brechin Neighbourhood Plan also contains this same policy, as well as an urban design framework which provides guidance around potential locations for local commercial, and which is used in the process of development permit review. This framework indicates where local centres should be built, if proposed, and the map shows potential corner store locations. It is not a land use map but is guidance only if there is a proposal. The draft Neighbourhood Plan is not suggesting several corner stores; the market will determine how many corner stores will be in the neighbourhood. There may only be one or two located in the suggested areas, and they will be subject to rezoning. The figure itself offers some guidance as to where it would make

sense, in terms of neighbourhood serving, if there were some proposals brought forward.

M. Harrison stated that the ones on the map are all within two blocks of Terminal Park mall, so did not believe they were necessary. Inclusion of local service centres and small scale commercial developments within the residential areas of the neighbourhood is neither necessary or sustainable.

D. Jensen advised there is provision in the draft Neighbourhood Plan that would allow for some form of commercial development in the residential corridor. The primary focus of this policy is to preserve heritage buildings that are within the corridor rather than removing those buildings to some other form of development. Where amenable, the heritage buildings are encouraged to be maintained and enhanced by a viable commercial business.

J. Bremner added that this can already be done by rezoning; they do not have to be on the map.

N. Schwager advised that she had to leave the meeting, but wanted to advise that she supported the draft Neighbourhood Plan. She acknowledged it is not perfect, but will improve the area and Nanaimo.

#### Item 4 of N. Mitchell's Submission re Density

A. Davidson noted that the OCP dealt with densification up to 50 uph, but this neighbourhood plan is suggesting 10-100 uph.

MOVED by A. Davidson, SECONDED by R. Meyerhoff to recommend that the Newcastle + Brechin Neighbourhood Plan retain what the current OCP sets out regarding neighbourhood densification, from 10-50 uph, and not increase it to up to 100 uph in the draft Newcastle + Brechin Neighbourhood Plan.

#### Discussion regarding the Motion prior to the vote

M. Savory inquired whether what is contained in the draft Neighbourhood Plan regarding density is consistent with what is being done throughout Nanaimo.

D. Jensen replied that it is consistent with density with the neighbourhood designation in the OCP. In the Beach Estates area, for example, Brechin Road acts as a barrier for the neighbourhood. Residential densities were set at 10-30 uph, which would still allow for additional density including duplexes. With Stewart Avenue, it was suggested that the density be increased to make use of the existing infrastructure. The density increase at Stewart Avenue, therefore, balances out with the loss in the Beach Estate area. There is also policy in the draft Neighbourhood Plan to encourage a stepped building form so that it would assist with the view issue for the upper part of the hill and respect the topography. The remainder of the Brechin Hill neighborhood is as laid out in OCP policy at 10-50 uph. The heights in all neighbourhood areas are as specified in the OCP.

M. Harrison commented that because there is no parking on Stewart Avenue and no relief in the back, designating that whole area for higher density is not appropriate.

R. Taylor stated that he did not see where changing the maximum density back to 10-50 uph would have any impact, as applications would come before PNAC in the zoning stage and also have to go through the DP process.

C. Erb added that density maximums are market driven.

M. Harrison stated that 19.5 uph is already being achieved in the Newcastle and Brechin areas, which is double the average density of the average neighbourhood in the city.

L. Stark provided a correction that the 19.5 uph figure was for the Newcastle area.

M. Savory stated the development along Newcastle Avenue and the condos on the waterfront are "awful". If the draft Neighbourhood Plan proceeds, is there a risk of creating that same thing?

Bruce Anderson replied that the zoning currently in place along the corridor, where the condos are located, is RM5 and allows for multi-family medium density development. The draft Neighbourhood Plan contains design guidelines, which were not in place at the time of their construction, regarding how to deal with proposed multi-family development within the neighbourhood plan area. It's a process of looking at what might respond to the policy direction.

Chair Holdom inquired what the zoning is on the water side of Stewart Avenue. D. Jensen stated that a small portion is RS1 around the shipyard, but most of the other area is MA2 and MA3. MA3 allows three storeys with bonusing up to seven storeys. Also, there is provision in the neighbourhood plan that any development proposal that comes forward will require a view analysis study on what they are proposing to do.

R. Meyerhoff stated that the density level should remain the same because the maximum density is not attained. If it is reached in 10 years, increasing the density could be revisited. If a developer requests higher density prior to that, it could be considered on the merit of the proposal, and an amenity requested.

The motion was DEFEATED.

#### Item 5 of N. Mitchell's Submission re Newcastle Avenue

L. Stark stated they have been working with the City since September to have the crosswalk at the end of Pearson bridge moved further along so that it visually connects up with the other crosswalk. They have also requested that the sidewalk be better lit and better marked. Respecting the other suggested changes in this item, she recommended not making any changes to Newcastle Avenue because they believe the one-way will eventually work, with the changes to the sidewalk noted above.



A. Davidson inquired about the large public opposition to the draft Neighbourhood Plan. D. Jensen responded that the figure of 84% reflected the comment sheets opposed to highrises along the waterfront. Such a statement is difficult to quantify respecting the entire plan; i.e. are there certain heights or locations attached to that? So there was opposition to what was categorized as development height on the waterfront, but she would be cautious about how the figure 84% is used.

M. Stones advised that SAWSA submitted one comment from a group of people. If they had known a percentage was going to be discussed, they would have submitted the comments individually instead of being collected into a single response.

Chair Holdom stated that it should be acknowledged that there was significant opposition to certain aspects of the draft Neighbourhood Plan, especially the height on Stewart Avenue.

MOVED by Brian Anderson, SECONDED by C. Erb to recommend to Council that the Newcastle + Brechin Neighbourhood Plan be approved.

MOVED by M. Harrison, SECONDED by R. Meyerhoff that the motion be amended to recommend to Council approval of the Newcastle + Brechin Neighbourhood Plan with the changes noted in Items #1-5 from N. Mitchell's submission included in the plan. **DEFEATED**

The main motion was **DEFEATED**.

MOVED by R. Meyerhoff, SECONDED by A. Davidson to recommend that Council refer the draft Newcastle + Brechin Neighbourhood Plan back to staff and the neighbourhood plan steering committee, and to mention the option of splitting the plan into a Newcastle plan and a Brechin plan. **DEFEATED**

MOVED by M. Savory, SECONDED by S. Boyd that the draft Newcastle + Brechin Neighbourhood Plan be forwarded to Council without a recommendation from PNAC. **DEFEATED**

MOVED by R. Meyerhoff, SECONDED by A. Davidson to recommend that Council reject the Newcastle + Brechin Neighbourhood Plan. **DEFEATED**

MOVED by R. Taylor, SECONDED by B. Anderson to recommend that Council approve the Newcastle + Brechin Neighbourhood Plan noting that there are still significant issues to be resolved; two key items being height on Stewart Avenue and neighbourhood densities. **CARRIED**

## **9. Next Meeting**

The next regular meeting of PNAC is scheduled for 2011-MAR-15.

## **10. Adjournment:**

The meeting adjourned at 8:00 pm.