



**MINUTES**  
**planNANAIMO ADVISORY COMMITTEE**  
**HELD TUESDAY, 2010-NOV-16 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  
Ric Kelm  
Darwin Mahlum  
Meg Savory  
Randall Taylor  
Pete Sabo

Brian Anderson  
Sarah Boyd  
Chris Erb  
John Hofman  
Shirley Lance  
Ralph Meyerhoff  
Nadine Schwager  
Clem Trombley

**STAFF:**

J. Holm, Manager, Current Planning  
D. Jensen, Community Development Planner  
S. Herrera, Planner, Current Planning  
D. Stewart, Planner, Current Planning  
Cindy Hall, Recording Secretary

**OTHER:**

M. Pilcher, Maureen Pilcher and Associates  
W. Melville, deline design consultants ltd.  
D. Creba  
S. Creba

**1. Call to Order**

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

**2. Adoption of Minutes from 2010-SEP-21**

MOVED by R. Kelm, SECONDED by S. Lance that the Minutes from 2010-SEP-21 be adopted. CARRIED

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

MOVED by A. Davidson, SECONDED by R. Taylor that the Agenda be approved with the following additions:

- Delegation – M. Harrison, Brechin Hill Community Association regarding the Newcastle + Brechin Neighbourhood Plan process;
- New Business – C. Erb regarding containers; and
- New Business – R. Meyerhoff regarding supportive housing.

CARRIED

**4. Correspondence**

**5. Presentations**

## **6. Information Items**

### **a. Drinking Water Regulations**

N. Schwager advised that the Provincial Contaminated Sites Regulation is changing on 2011-FEB-01 to include any water that could be used as drinking water. This more stringent regulation could cause sites, such as closed gas stations, to sit vacant for longer periods of time.

MOVED by S. Lance, SECONDED by R. Meyerhoff to receive the information.

CARRIED

### **b. Previous Rezoning Applications**

#### **i. RA238 – 6000 Thyme Place (formerly 6090 Hammond Bay Road)**

Rezoned from RS-1 to RM-5 to facilitate a multi-family development.

D. Jensen advised that this application was considered by PNAC on 2010-FEB-16 where they recommended approval to Council, and was subsequently adopted by Council on 2010-SEP-13.

### **c. Previous OCP Amendments**

#### **i. OCP052 – South End Neighbourhood Plan**

D. Jensen advised that the South End Neighbourhood Plan was considered by PNAC on 2010-SEP-21 where they recommended approval to Council. A Public Hearing was held on 2010-NOV-04, and the bylaw will return to Council on 2010-NOV-22 for consideration of third reading and adoption.

MOVED by S. Lance, SECONDED by R. Meyerhoff to receive the report.

CARRIED

## **7. Old Business**

## **8. New Business**

### **a. Rezoning Applications**

#### **i. RA259 – 6553 Portsmouth Road**

To allow for a mixed use commercial and multiple family residential development.

S. Herrera introduced the application.

M. Pilcher, applicant, advised that the property is on the edge of the Urban Node designation for the Woodgrove area. The project was designed to consider the scale and density of the surrounding neighbourhood while meeting the requirements of the OCP, and includes two buildings with office space on the ground floor and residential units on the second floor. The third building has four floors of office space and a fifth floor with four residential units. The significant number of required parking spaces have been carefully integrated into the layout, and the road reserve area will be used for parking until the adjacent properties build out. Traffic reduction/calming measures will be implemented. The proposal will support the need for accessible office space in the north end, and the addition of multi-family dwelling units will add an important housing choice to the area. The location is close to many amenities, which will make it a prime site for a mixed use development. A public information meeting will be held by the applicant in the near future.

W. Melville, project designer, commented on site organization, noting that the significant frontage and great depth gives the perception of a narrow site. As it will take time to transform the Portsmouth Road area, the project will include its own internal streetscape. He also noted that buildings of lower mass will be built along Portsmouth Road, and the taller building will be built at the back of the property.

#### Committee Comments

The Committee inquired about the view of the buildings from the highway, and how parking would be affected when the road is built midway on the property.

The applicants advised that all sides of the buildings will be treated equally in design, and that there would be a loss of three or four parking spaces when the road is built. As the parking spaces of the multi-family units will most likely be vacant during the day, those spaces could be shared.

The Committee asked what the proximity of the middle building was to the church, whether underground parking had been considered for the taller building, and what landscaping was proposed.

The applicants responded that the middle building will be approximately 10 m from the church. Including underground parking would be prohibitive to building costs, and as the building is not large, it would have required a large parking structure for a small footprint. A landscape architect will be engaged at the development permit stage, but they do expect to use drought tolerant plants, and mature trees to shade the courtyard.

Other inquiries from the Committee were whether the development would be phased, whether there is a market demand for office space, and if any variances would be required.

The applicants advised that the development will be phased and that they expect to start building within two years with a build-out of several years. Office space is in demand in the north end, and they will require no variances.

MOVED by S. Lance, SECONDED by C. Trombley to recommend that Council approve RA250. CARRIED

- ii. RA262 – 2469 Labieux Road / 2368 Barclay Road  
To allow for a 12-unit multiple family residential development.

S. Herrera introduced the application.

M. Pilcher, applicant, advised that the proposed development complies with the OCP which encourages a broad social mix and access to adequate housing at all housing levels. The site is close to many amenities, and is ideal for a relatively small scale multi-family development. Full transit services are available nearby and commercial services are within walking distance. A Tree Management Plan has been completed, and a detailed landscape plan will be submitted at the

development permit stage. The Wellington Action Committee has been contacted, and a public meeting will be held.

W. Melville, project designer, stated that there is a strong market for single family detached homes in a multi-family format. This proposal is in context with the neighbourhood, but provides another housing alternative.

#### Committee Comments

The Committee inquired at build out, what the narrow strip of land would be used for, whether the house on Labieux would be subdivided off, and if the neighbours had been consulted yet.

The applicant advised that as the adjacent property did not wish to participate in property assembly, that a covenant to allow access would be required. The house on Labieux will be subdivided off. Immediate neighbours have been consulted, but a public information meeting will be held after responses to City staff referrals have been taken into consideration.

The Committee also asked what the difference is between this type of strata development and a small lot subdivision.

The applicant replied that some purchasers prefer strata as maintenance is taken care of by the strata council. Staff noted that street frontage would have been required for a small lot subdivision. If the plan changes during the process, the unit sizes cannot be increased with RM3 zoning, so the application is more about configuration than density.

MOVED by A. Davidson, SECONDED by M. Harrison that the applicant seek public input prior to the application being forwarded to Council.

Discussion on the motion included:

- D. Jensen noted that PNAC is to make a recommendation to Council indicating support or no support for a recommendation. Conditions would not be attached to the recommendation. Rather, PNAC could offer comments that are separate from the recommendation.
- PNAC is here to consider whether proposals would be a good use of land.
- PNAC members are here to represent various interests, and to forward their opinions.
- Where properties are subject to an amendment process, neighbours should have input on the changes.
- Thought there was agreement that neighbourhood consultation was to be done prior to the applications coming before PNAC.

Staff advised that there is no requirement for a rezoning applicant to consult with the neighbourhood, but applicants are encouraged to do so. Ultimately, it is up to the applicant to devise their own strategy on how they do that. The requirement for erecting a notification sign is seven days prior to PNAC, so this gives neighbours an opportunity to contact staff if they have concerns regarding the

proposed rezoning. Staff have not received any public submissions on this application.

Staff also advised that with an OCP amendment application, there is a requirement for applicants to contact the neighbourhood.

The motion was DEFEATED.

MOVED by D. Mahlum, SECONDED by C. Trombley to recommend that Council approve RA262. CARRIED

b. OCP Amendment Applications

- i. OCP058 – 421 Milton Street (in conjunction with RA258)  
To allow for a 5-unit multiple family residential development.

D Jensen introduced the application.

Doug and Sue Creba, applicants, advised they have lived on the property for 15 years and would like to rebuild and live on the property, replacing their house which was built in 1912. They have spoken to their immediate neighbours, distributed a pamphlet throughout the neighbourhood, and attended the Nanaimo Old City Association AGM on 2010-OCT-18. They also plan to hold an informal information session in their home in January. They noted that the development will somewhat obstruct their neighbour's views, but not significantly.

Committee Comments

The Committee inquired whether the units would be strata or rental, if the house had any heritage significance, why the applicant would want one unit more than what the neighbourhood plan allows, and if the extra height is within scale of the neighbourhood.

The applicant responded that the units will be strata, the present house does not have heritage designation, they are applying for an extra unit in order to make the development affordable, and that there is 1-3/4m difference in height.

MOVED by C. Erb, SECONDED by S. Lance to recommend that Council approve RA258 / OCP058. CARRIED

- ii. OCP064 – General Amendments (*i.e. Parks Mapping, Steep Slope DPA*)  
D. Jensen advised that due to parks zoning and other mapping discrepancies, approximately 76 properties require amendments to their OCP designation, and she highlighted some of the proposed changes. In response to a question, she will look into whether there is a sewer right-of-way at the edge of Diver Lake. D. Stewart clarified that any property now indicated as park has been zoned parkland, and would require a zoning amendment to change.

MOVED by R. Meyerhoff, SECONDED by A. Davidson to recommend that Council approve OCP064. CARRIED

iii. OCP062 – 1985 Island Diesel Way

To redesignate from 'Light Industrial' to 'Corridor', in preparation for a comprehensive commercial and multiple family residential development in conjunction with 2019 Bowen Road (already designated 'Corridor').)

D. Jensen advised that the application will come before PNAC following staff review.

iv. OCP063 – 1060 Phoenix Way

To include the subject property within the Urban Containment Boundary and redesignate from 'Resource Protection' to 'Resort Centre' for a residential, commercial and marina-related recreational use. (The adjacent property at 950 Phoenix Way, also owned by Island Timberlands, was previously considered by PNAC and was redesignated to 'Resort Centre'.)

D. Jensen advised that the application will come before PNAC following staff review.

c. Neighbourhood Plans

i. OCP053 – Newcastle + Brechin Neighbourhood Plan Update

D. Jensen advised that the Newcastle + Brechin Neighbourhood Plan is in Phase 4, and that a draft plan has been prepared. A public open house was held on 2010-NOV-04, and comments on the draft neighbourhood plan will be accepted until 2010-NOV-19. Referrals were also sent to external agencies, and staff are awaiting their comments. The draft neighbourhood plan will be given to PNAC at their December meeting, for review at their January meeting.

The Chair advised that Michael Harrison has requested to speak as a delegation at today's PNAC meeting, as a representative from the Brechin Hill Community Association, as he is unable to attend PNAC's December meeting where the draft neighbourhood plan will be presented.

MOVED by R. Meyerhoff, SECONDED by A. Davidson that Michael Harrison be permitted to speak as a representative from the Brechin Hill Community Association with regard to the Newcastle + Brechin Neighbourhood Plan process.

CARRIED

Comments from M. Harrison included:

- Brechin Hill Community Association agree with most of the draft neighbourhood plan, except for the issue regarding the waterfront.
- The neighbourhood plan steering committee was created by City staff. It consists of three representatives each from the Newcastle Neighbourhood Association, the Brechin Hill Community Association, and the Stewart Avenue Stakeholder's Association.
- Membership has been a contentious issue because the Stewart Avenue representatives are also property owners that would like to develop their

properties, thereby having a vested interest; as such, this is not a fair committee structure.

- When the process began, members of the neighbourhood plan steering committee were given Terms of Reference for the neighbourhood plan. It stated that "... neighbourhood and area planning, and the development of neighbourhood plans, is critical to achieving the objectives of planNanaimo."
- The Brechin Hill Community Association feel that DPA6 in planNanaimo has been ignored. Part of DPA6 states "A three storey height limitation should be observed along Stewart Avenue" which they feel is to ensure that no highrises get built along that area.
- The "staff proposal" calls for eight-storey base buildings along the shipyard and waterfront suites with no height limitation and 150+ units per hectare. This unlimited height restriction and density is the same as the downtown, which is not appropriate in this area. There is concern that this will detract from revitalization of the downtown area.
- The shipyard and Moby Dick properties are small properties with most of the site leased from the Port Authority, which they are not allowed to develop on.
- They would endorse the neighbourhood plan if: (1) there was a three storey height restriction and 50 units per hectare restriction on the Nanaimo Shipyard/Waterfront Suites, consistent with the scale of buildings across the street; (2) a three storey height restriction on the Stones property (six storeys would be appropriate further back near the waterfront) at 75 units per hectare; and (3) on Pimbury Point, a height restriction of eight storeys and 100 units per hectare. They feel that is a balance that would generally conform to the vision of the OCP.
- Density should be around Terminal Park, not on the waterfront.
- BC Ferries do not want to see any interruption to ferry traffic flow.
- To date there have been four opportunities for the public to provide comments, and at all of these, the public has been strongly opposed to tall buildings on the waterfront.

#### Committee Comments

The Committee inquired whether the OCP called for these lands to be marine-oriented.

M. Harrison advised that it did, and that this is the only area remaining with marine commercial potential.

The Committee commented that the steering committees for the Departure Bay neighbourhood plan process and the South End neighbourhood plan process were very different from the Newcastle + Brechin neighbourhood plan process, which appears to be three small entities fighting each other. In the Departure Bay neighbourhood plan process, City staff made it clear that the neighbourhood association was not going to be the main voice, and there was emphasis on a broad community voice. The two large developers in the area were not included on the steering committee.

D. Jensen advised that the Newcastle / Brechin area has two neighbourhood associations, and bringing in the Stewart Avenue business community provided broad representation on the steering committee.

The Chair commented that every neighbourhood plan process has been different. They are as different from each other as the neighbourhoods they represent. There are three landowners on the waterfront within the Newcastle + Brechin neighbourhood plan area. It seemed to be a visionary way to address a diverse neighbourhood by including them in the process. The difference of opinion regarding height and density restrictions along Stewart Avenue has been noted.

MOVED by S. Lance, SECONDED by C. Erb to receive the delegation.

CARRIED

d. Zoning Bylaw Review Update

D. Stewart displayed a draft Zoning map, and gave an overview presentation on the draft Zoning Bylaw. Some of his comments were:

- Zoning has been applied to the map based on OCP designation and existing uses on the property.
- For Residential designations, minimum lot size will be reduced from 600m<sup>2</sup> to 450m<sup>2</sup>, and within the R1 zone, duplexes will be permitted on corner lots between 800m<sup>2</sup> and 1000m<sup>2</sup>.
- Agriculture Rural Residential zones will be added.
- A new Local Service Centre zone will be added for small-scale community services within neighbourhoods with individual uses not to exceed 500m<sup>2</sup>.
- There will be a new Neighbourhood Centre zone for small-scale commercial services with retail use limited to 560m<sup>2</sup>.
- The new Woodgrove Urban Node zone will be for regional-scale commercial uses and medium to high density residential. It will be the only zone to permit “big box” retail.

Committee Comments

Using Corridors to transition in order to minimize rezoning was discussed; i.e. rezoning as a city initiative. Corridors can also be refined through neighbourhood plans. It was noted that there is a wider corridor along Bowen Road because of the traffic. Where the character has changed on Bowen, it hasn't yet on Wakesiah Avenue, but in time, will.

The Committee inquired how zoning would change on a piece of property once the new mapping is final. J. Holm advised that existing zoning is being reflected in the new mapping as much as possible. The *Local Government Act* states that the OCP must be conformed to. Staff are seeking legal counsel on compliance of the directive, but staff's direction is to recognize existing uses as much as possible.

Another question was what happens in areas where there are covenants?



D. Stewart replied that covenants and land use contracts would still apply.

J. Holm noted that some required changes that come about as a result of this process may be better dealt with through general amendments.

The Chair commented that the Zoning map, definitions and OCP are becoming more closely integrated. Staff concurred, stating that this is the first time the Zoning Bylaw has been written after the OCP, which is the correct way to match goals and objectives.

MOVED by R. Taylor, SECONDED by S. Lance to receive the presentation.

CARRIED

## 9. Late Items

### a. Shipping Containers

C. Erb inquired about a business operating in an I2 zone, which has been directed by the City to remove its shipping containers.

D. Stewart advised that City staff are meeting on this issue tomorrow. The current bylaw does not allow shipping containers anywhere within the city. Staff do recognize their uses however, and that many of the uses were not anticipated when the bylaw was written.

Staff will report back on this issue at the next PNAC meeting.

In response to a question with regard to using these types of containers for housing, staff replied that they would be modified to a degree where they would not be considered containers. It was also noted that they are permitted to be used as emergency kiosks.

### b. Supportive Housing

R. Meyerhoff advised that the provincial government has provided funds for a supportive housing project to be built on City-owned property at the corner of Boundary Avenue and Dufferin Crescent. The neighbourhood has come out strongly opposed to the proposal. These types of facilities are very much needed, however, and the Boundary/Dufferin site is appropriate because of the amenities located in that area. The Social Planning Advisory Committee will be sending a letter to Council in support of the proposal, and he would like to suggest that PNAC also send a letter to Council in this regard.

The Chair advised that provision of supportive housing is a provincial program based upon the principle that to address homelessness, you must provide homes. The principle is to distribute the units throughout the community so that it becomes the responsibility of the whole city. The projects will have 24-hour supervision.

### Committee Comments

The projects should also be in context with the neighbourhoods they are proposed for with respect to density, and not be chosen for those areas simply because the City owns the properties.

MOVED by R. Meyerhoff, SECONDED by C. Erb that a letter be sent by PNAC to City Council encouraging Council to retain their stance regarding supportive housing projects planned for Nanaimo, and to not react to fear from a minority of the citizens of the city.

CARRIED

### 10. Next Meeting

The next meeting of PNAC is scheduled for 2010-DEC-15. (The date was changed from the regular meeting date of 2010-DEC-21.)

*Please note: The regular meeting will begin at 5:00 pm in the City Hall Board Room. This will be followed by the PNAC Christmas dinner at The Rendezvous.*

### 11. Adjournment

The meeting adjourned at 7:40 pm.