

**MINUTES OF THE PUBLIC HEARING HELD PURSUANT TO THE  
LOCAL GOVERNMENT ACT, VANCOUVER ISLAND CONFERENCE CENTRE,  
SHAW AUDITORIUM, 101 GORDON STREET, NANAIMO, BC,  
ON THURSDAY, 2009-SEP-03, TO CONSIDER AMENDMENTS TO  
THE CITY OF NANAIMO "ZONING BYLAW 1993 NO. 4000"**

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**PRESENT:** His Worship Mayor J.R. Ruttan, Chair  
Councillor W.L. Bestwick  
Councillor W.J. Holdom  
Councillor D.K. Johnstone  
Councillor J.A. Kipp  
Councillor L.D. McNabb  
Councillor J.F. Pattje  
Councillor L.J. Sherry  
Councillor M.W. Unger

**STAFF:** A. Tucker, Director of Planning, DSD  
S. Herrera, Planner, Planning Division, DSD  
D. Stewart, Planner, Planning Division, DSD  
P. Masse, Planning Clerk, Planning Division, DSD

**PUBLIC:** There were approximately 100 members of the public present.

**CALL TO ORDER:**

Mayor Ruttan called the meeting to order at 7:02 pm. Ms. Herrera explained the required procedures in conducting a Public Hearing and the regulations contained within Section 892 of the *Local Government Act*. Ms. Herrera read the items as they appeared on the agenda, adding that this is the final opportunity to provide input to Council before consideration of Third Reading of Bylaws No. 4000.458, 4000.461, 4000.457, 4000.455 and 4000.456 at the next regularly scheduled Council meeting of 2009-SEP-14.

**1. BYLAW NO. 4000.458:**

*RA222 – 1918 Latimer Road*

This bylaw, if adopted, will rezone the subject property from Single Family Residential Zone (RS-1) to Single Family Residential Small Lot Zone (RS-6) in order to facilitate a two-lot subdivision. The subject property is legally described as LOT 1, SECTION 17, RANGE 8, MOUNTAIN DISTRICT, PLAN 19641.

**Mr. Doug Romain, 1894 Richardson Road – Owner**

- Application is proposing to rezone the site into two lots of equal size to facilitate the construction of a new home on the new lot.

Councillor Bestwick enquired if the existing lot is currently vacant.

Mr. Romain noted that there is currently a home located on the existing lot, which will remain; the hope is to build one new home on the proposed new lot.

There was one verbal and no written submissions received for this application.

## **2. BYLAW NO. 4000.461:**

### *RA221 – 6057 Doumont Road*

This bylaw, if adopted, will rezone the subject property from Single Family Residential Zone (RS-1) to Medium Density Multiple Family Residential (Suburban) Zone (RM-5) in order to permit a multiple family residential development. The subject property is legally described as LOT 3, DISTRICT LOT 23G, WELLINGTON DISTRICT, PLAN 19319.

### **Mr. Leif Rosvold, 2788 Webster Road – Owner; and**

### **Mr. William Lawson, 7390 Sundbury Road, Lantzville - Owner**

- Have dealt extensively with Staff to ensure the proposal is appropriate for the existing neighbourhood and conforms to the policies of the Official Community Plan (OCP).

Councillor Bestwick asked for clarification on the parking that would be available for the proposal.

Mr. Rosvold stated that each unit has been assigned one underground parking stall, creating 42 underground stalls, along with 10 surface visitor-parking stalls.

Councillor Holdom asked if the proposal would fit into the surrounding neighbourhood and area.

Mr. Lawson stated that the proposal does fit in with the surrounding area.

Councillor Holdom asked if the proposal is to be constructed in an environmentally friendly manner.

Mr. Lawson stated that the specific details have not yet been determined; however, plans are to construct environmentally friendly buildings.

### **Mr. Kevin Pearn, 2404 Mill Road – Neither Opposed nor In Favour**

- Asked for clarification on the number of buildings proposed and how they would be situated.

Mr. Rosvold noted that the development would consist of three buildings; one facing Doumont Road.

There were three verbal and no written submissions received for this application.

**3. BYLAW NO. 4000.457:**

*RA220 – 477 Tenth Street*

This bylaw, if adopted, will rezone the subject property from Single Family Residential Zone (RS-1) to Public Institution Zone (P-2) in order to permit a personal care facility for supportive housing. The subject property is legally described as THAT PART OF SECTION 1, NANAIMO DISTRICT, SHOWN OUTLINED IN RED ON PLAN 1006R EXCEPT PART IN PLAN VIP60488.

**Mr. Chris Beaton, 6553 Southampton Road – Applicant Representative**

- Currently employed as the Project Manager for Tillicum Lelum's affordable housing project. The proposed housing project will provide 18 self-contained housing units. Ten units for young adults (aged 18-24) and eight units for elders (aged 55+).
- The design of the housing will include common living areas, with the purpose of creating a natural environment that builds a cohesive community.
- Tenants will be sought that will make good neighbours and will represent Tillicum Lelum well within the community. This is not crisis, emergency or short-term housing; it is independent, affordable housing.
- Tillicum Lelum has worked closely with BC Housing to create an annual operating budget for the proposal, which will include a full-time staff member who will be on-site 35-40 hours per week, and who will be responsible for maintenance in and outside of the building. Tillicum Lelum has a very high standard of maintenance and this staff member will be expected to live up to that standard.
- This housing project is part of the Memorandum of Understanding (MoU) that Council signed with BC Housing and the federal government to bring five much needed affordable housing projects to Nanaimo. Tillicum Lelum is excited to be included in that group of five and is proud to be the furthest along in terms of design; it is anticipated that construction could begin within the next 8-10 weeks.
- Tillicum Lelum has been in Nanaimo's community since 1968 and has proven itself as a very good neighbour by providing a full continuum of programs and services to the residents of south and central Nanaimo. This proposal hopes to build upon that success.

Councillor Pattje noted his involvement with the Housing First Strategy, asked for clarification on how future tenants would be selected.

Mr. Beaton stated that tenant selection criteria has not been determined; however, they will be looking for tenants with a proven record of living independently. There would be a natural opportunity to refer individuals who may partake in the services and programs that Tillicum Lelum currently offers the community. The tenant selection process will involve interviews and background checks.

Councillor Unger complimented Tillicum Lelum on its initiative and the fact that it is the first of the five Housing Strategy projects to get underway.

Mayor Ruttan asked for clarification on whether or not there are plans to provide evening supervision on the site.

Mr. Beaton noted that the hours of the on-site staff member have not yet been determined; however, it is not a live-in position. The expectation is that the staff member would be on-site from 9am to 5pm.

Mayor Ruttan noted that he is pleased to see the project's progress to date.

**Mr. James Gallant, 1132 Beechwood Drive – Neither in Favour nor Opposed; and**

**Ms. Janet Arnoldi, 1144 Beechwood Drive – Neither in Favour nor Opposed**

- Noted that the original plan included a two-storey, 12-unit dwelling; current proposal includes a three-storey, 18-unit dwelling with four parking stalls. Does not believe this is a sufficient amount of parking, which could create traffic problems.
- Curious as to the criteria that will be in place for potential tenants.
- Asked for clarification on what future developments could occur on the property.
- Asked for clarification on why the property would need to be rezoned to Public Institutional Zone as opposed to Multiple Family Zone.

Mr. Tucker stated that the long-term proposal for the site is to develop the site to other uses related to Tillicum Lelum's programs and projects, including assembly uses. It is a community service and therefore the Institutional P-2 zoning that is proposed is more appropriate than multi-family zoning.

Mr. Gallant asked if plans to extend transit into the area is possible or being planned.

Mr. Beaton noted that all zoning requirements are being met by supplying four parking stalls for the proposal. Based on existing Tillicum Lelum housing (Haliburton Street), most program participants do not have vehicles. Tillicum Lelum has owned the property for 6 years, and purchased the property with the intent to consolidate its services and programs on the site; however, there is no access to capital funds at this time. Intention is to place housing correctly on the site now with future development in mind.

Mayor Ruttan noted that a great deal of effort and time has been put into the project, suggested that the applicant hold meetings with neighbours to ensure any concerns are addressed.

Councillor Sherry asked for clarification on why only four parking stalls are required for the proposal.

Mr. Tucker noted that P-2 Zoning covers a variety of uses; this project, if approved, will require a development permit, which will address any parking issues. The site is a 4-acre site, which would allow for ample additional parking, as required.

Mr. Beaton noted that Tillicum Lelum has communicated with the neighbourhood via letters and through an open house invite to 100 members of the community. Agrees that the community is family oriented, added that this project would fit perfectly as they are attempting to create a strong sense of family and community. Encouraged that the neighbours would support Tillicum Lelum's request to the Transit Authority to install a bus stop on Tenth Street. Reiterated that he is always available for discussion with neighbourhood members.

Mr. Gallant asked if there are any existing, comparable housing projects in the city that he could assess as a working model of the proposal.

Councillor Kipp noted that the project at the corner of Meredith Road and Bowen Road is similar.

Mayor Ruttan noted that the applicants are responsible and they will take concerns seriously and will address them where possible.

Councillor Kipp noted that an additional project that is similar in nature is located at Labieux Road and Shenton Road.

**Mr. Bradford Hill, 424 Tenth Street - Opposed**

- Believes the proposal, if approved, will degrade property values in the neighbourhood. Questioned why the provincial government has signage erected on the property prior to any approvals. Does not have any animosity towards the proposed residents of the housing project; however, does not like the idea of rezoning from single family to institutional in this neighbourhood. Noted his concerns regarding possible parking issues if the proposal is approved.

Mayor Ruttan noted that the proposal, if well maintained and executed correctly, may increase neighbourhood property values. Stated that he is neither in favour or opposed to the proposal at this time; he is attempting to expand upon some of the issues or concerns that have been raised.

**Ms. Christel Martin, 641 Stirling Avenue – Neither in Favour nor Opposed**

- Asked for clarification on whether or not the proposal called for any farming or food production on the property.

Mr. Beaton noted that no farming is taking place on the property, although a small fruit orchard exists. There are no plans to remove any of the fruit trees; it is anticipated that the residents will establish community gardens on the property. The Tree Management Plan that is in place states that 95% of the existing trees will be maintained.

There were five verbal and no written submissions received for this application.

**4. BYLAW NO. 4000.455:**

*ZA1-11 – Park Zoning*

This bylaw, if adopted, will:

1. Rezone two separate areas within Westwood Lake Park: a part of the walking trail; and an area east of the parking lot from Parks, Recreation and Culture Two Zone (PRC-2) to Parks, Recreation and Culture One Zone (PRC-1) in order to recognize the existing use of the subject areas.
2. Rezone 5291 Entwhistle Drive (known as 'Entwhistle Park') from Parks, Recreation and Culture Two Zone (PRC-2) to Parks, Recreation and Culture One Zone (PRC-1) in order to recognize the existing use of the property.
3. Rezone 5373 Fillinger Crescent (known as 'Springfield Place') from Parks, Recreation and Culture Two Zone (PRC-2) to Parks, Recreation and Culture One Zone (PRC-1) in order to recognize the existing use of the property.
4. Rezone 2043 Healy Road from Steep Slope Residential Zone (RS-7) to Parks, Recreation and Culture Two Zone (PRC-2) in order to recognize this recently dedicated park.

**Ms. Sharon Kofoed, 2322 Panorama View Drive – In Favour**

- Delighted that Council has responded to the concerns of citizens regarding the Westwood Lake Park amendments, commended Council and Staff and hopes that parkland continues to be protected in the future.

**Mr. Lawrence Rieper, 990 Campbell Street – In Favour**

- Congratulated Staff on the proposed bylaw.
- Believes Bowen Park amendments are required.

Mayor Ruttan reminded the speaker that the items on the agenda do not include Bowen Park.

Councillor Pattje confirmed that a park plan for Bowen Park is currently being worked on by the Parks, Recreation and Culture Department.

**Ms. Barbara Jones, 5201 Entwhistle Drive – In Favour**

- Asked Staff for clarification regarding the proposed amendment bylaw.

Mr. Tucker noted that the PRC-1 Zone is essentially leaving parks in their natural state with development being very limited. PRC-2 Zone is a neighbourhood park, which could include a higher level of development through playing fields, for example. The two parks noted on the agenda are in a natural state and one is a partial wetland and therefore belongs in the PRC-1 Zone.

Ms. Jones thanked Council and Staff for this amendment; she has lived on the property that abuts the wetland for many years and it is important to her that it remains in its natural state.

There were three verbal and two written submissions (attached as Schedule 'A' – Submissions for Bylaw No. 4000.455) received for this application.

**5. BYLAW NO. 4000.456:**

*RA219 – 530 Fifth Street*

This bylaw, if adopted, will permit 'Liquor Store' as a site specific use within the Community Shopping Centre Commercial Zone (C-7) for property located at 530 Fifth Street, 'University Village' (previously known as 'Harewood Mall'). The subject property is legally described as LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 35453.

**Mr. Rick Jones, Urban Design Group – Applicant Representative**

- Urban Design Group has been involved in many shopping centres throughout BC and has worked with many different retailers; has been involved in the design and location of government and private liquor stores within these centres.

- More than 80% of government liquor stores are located within a shopping centre due to convenience for the shopper, added security due to other tenants and security guards, and it provides for cross-shopping opportunities. Many retailers have shown substantial increase in sales when located near a liquor store.
- A liquor store forms an anchor to the centre, which assists the owner in attracting other shops and services that residents need and want and will add to the day-to-day customer base, which in turn results in successful shopping centre stabilization within the community.
- Does not believe Nanaimo is over-serviced with liquor stores; instead it falls within in the middle-average in BC regarding the ratio of population to liquor stores. However, this application is a relocation, which does not add to the number of liquor stores in Nanaimo.
- Due to comments and concerns regarding a possible increase in crime for the area, a CPTED review of the centre was completed (attached as part of "Schedule 'B' – Submissions for Bylaw No. 4000.456). Information retained from the RCMP indicates that reported crimes have decreased and are in fact very low for a centre of this size.

Councillor Pattje noted that the combination of a drug store and liquor store is one of the possibilities that are successful as an anchor combination. Asked for clarification on other possible successful combinations.

Mr. Jones noted that the combination of food store and liquor store is a tremendous combination as they feed off each other. Confirmed that this is not the only successful combination.

**Mr. Edward McCready, 6738 Dickinson Road - Opposed**

- Believes that a rational society would limit the production and availability of liquor. Encouraged Council to deny the application.

**Mr. Dan Scholtz, 530 Sixth Street – Opposed**

- Does not believe a liquor store should be constructed in such close proximity to a school; would prefer to see a bank in the mall.

**Ms. Joan Parsons – 478 Deering Street – Opposed**

- Ms. Parsons' submission is attached as a part of "Schedule 'B' – Submissions for Bylaw No. 4000.456.

Councillor Pattje asked the speaker what was meant by 'socio-economic conditions' and whether or not she intended to imply that the residents of Harewood are less able to handle liquor than people in other parts of the community.

Ms. Parsons noted that she lives in Harewood and believes that Harewood Mall has been the epicentre of the problem for years, and that some people do struggle with alcohol addiction problems, but not everyone in the community.

**Ms. Jenna Beck, 430 High Street – Opposed**

- Works as a therapeutic correctional officer at Nanaimo Correctional Centre; hears about substance abuse daily and the availability of the substance. Harewood has enough liquor outlets.

Councillor Unger reminded the speaker that this is a relocation of a liquor license, not an additional liquor license.

Ms. Beck noted that the relocation of the liquor license from the north end, where these problems do not subside, to an area that is, in her opinion, problematic is not a good idea.

**Ms. Carolyn Iles, 412 Valley Place – Opposed**

- Has lived in Harewood for 30 years, based on her experience as a neighbour and as a community worker she is aware of the danger of increasing the number of liquor outlets in Harewood.
- Believes the liquor store would be too close to the schools and to 7-11 where continued problems exist.
- Believes Bosa has worked very hard to improve the mall.
- Dismayed that the Social Planning Advisory Committee (SPAC) approved this proposal.
- Would like to see a medical clinic or a bank in the mall.

**Ms. Constance Hansey, 629 Nova Street – Opposed**

- Has lived in Harewood for 12 years; alcohol problems and disruptive teens still exist in the neighbourhood.
- Would like to see something in the mall that helps the community grow.

**Mr. Dawn Porter, 431 Howard Street – In Favour**

- Has lived in Harewood for 35 years. Conducted a survey at University Village Mall asking residents if they would be in favour of a liquor store. 90% signed it and agreed to a liquor store in the mall; those who were neutral or do not drink much did not sign it.
- Does not believe there is too much crime or violence in the area.

**Ms. Louise Ross, Maple Tree Village – In Favour**

- Crime and addiction-related issues in Harewood have improved; however, they still exist. Does not believe neighbourhood problems can be improved by stopping proposals; solutions need to be found that focus on bringing the community together and making it work.
- People want a strong sense of community, healthy families and people to get along well; stopping a liquor store is not going to accomplish that, building a community will do that.
- A bank, family restaurant and dollar store would be appreciated in the mall.
- Asked if any conditions were in place with the Development Cost Charges (DCC's) being waived for this development.



Mr. Tucker noted that because the mall fronts on all four surrounding streets there would have been a requirement to provide sidewalk works and services on all four sides, which would have made the project uneconomical. Council approved a variance to remove the requirement to provide sidewalks on the Georgia Avenue and Albion Street sides of the centre.

Ms. Ross noted that she believes a liquor store may have a positive effect on the community as it may draw a bank and / or a medical clinic to the mall, and the 7-11 issues, which have been a problem for the neighbourhood for many years, could be alleviated due to higher amount of adult and vehicular traffic passing by.

**Mr. Matt Denay, 4701 Uplands Drive – Opposed**

- Grew up in Harewood. Believes the number of crimes in the neighbourhood has decreased because a liquor store has not been in the area for years. Liquor stores bring teenagers trying to buy alcohol and panhandling.

**Ms. Christel Martin – 641 Stirling Avenue – Opposed**

- Believes there are enough bars and liquor stores in town.
- Would like to see a bookstore in the mall and see rental prices reduced to allow the family restaurant to return and halt any chain stores from renting there.
- Would like the mall to have social responsibility; a drug treatment centre should be considered instead of a liquor store.
- Believes the reason crime rates have dropped is due to the mall being closed for the past two years.

**Mr. Darrell Gardner, 1013 Bramblewood Lane – Opposed**

- 17 years as a cab driver in Nanaimo, has seen people buying liquor at 9:30am, this location is too close to the nearby school for this behaviour.
- Believes the crime rates have decreased over the past few years due to the mall being closed.

**Mr. Lance Messer, 450 Prideaux Street – In Favour**

- Does not believe the location of a liquor store matters; alcoholics will buy liquor regardless of where the liquor store is. Most crime is committed after a liquor store closes, not when it opens.

**Ms. Emma Messer, 450 Prideaux Street – In Favour**

- If underage kids want to buy liquor, they will find someone to buy it for them.

**Ms. Darcy Olsen, 345 Howard Avenue – In Favour**

- Ms Olsen's presentation is attached as a part of "Schedule 'B' – Submission for Bylaw No. 4000.456".

**Mr. Chris Wowchuk, 204 – 1908 Bowen Road - Opposed**

- Does not believe liquor should be made available to university students. Does not believe the liquor store will lend any benefit to the community.

**Mr. Ian Complat, 328 Albion Street – Opposed**

- Moved to Harewood two years ago for convenience when he started university. Works as aboriginal mentor on campus; believes some students arrive at university not prepared for the culture shock, many turn to alcohol.
- Does not see many benefits to the community with a liquor store, outside of some employment opportunities.
- Heard reports that Quality Foods and Value Village will leave the mall.
- Not opposed to alcohol; however, is opposed to alcohol outlets so close to schools.

**Mr. Don Gallagher, 196 Harewood Road – Opposed**

- Harewood had many problems with alcohol when a liquor store was located there.
- South end has a great reputation as a community, even with problems.
- Does not believe the mall improvements are substantial.
- Believes teenagers will hassle residents to buy them liquor.

**Ms. Loretta Quindak, 73 Princess Street – In Favour**

- Has lived in Harewood for five years, believes the liquor store will add convenience and one-stop shopping to the mall.
- The adult who is approached by teenagers to buy alcohol is the one responsible for doing the right thing.

**Mr. Gord Miller, 150 Fry Street – In Favour**

- Has lived in Harewood for 30 years; shops at the mall regularly and would appreciate a liquor store in the area.

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**– Opposed**

- Believes that a liquor store would be beneficial to the mall and its vendors, but will have a negative impact on residents. Noted that a liquor store in other areas of the city may not be a problem, but the demographics of Harewood would result in a negative impact.

**Ms. Zenaida Maartman, 621 Parkwood Avenue – Opposed**

- Noted that she was originally in favour of the proposal and as a member of SPAC voted in favour of it, because she believes in Harewood and the community.
- Has listened to the concerns of the community and is now opposed to the proposal.

**Ms. Liz Sparkes, 424 Watfield Avenue – In Favour**

- Believes, as a resident of Harewood and the current Manager at the Woodgrove Mall Liquor Retail Store (LRS), which would be moved to the south end, that a positive outcome could be achieved.
- Believes an increase in profit for the businesses surrounding the LRS, convenience for the consumer and job opportunities could be the outcome of this proposal.

**Ms. Abmer Morrison, 424 Watfield Avenue – In Favour**

- As a resident of Harewood, she would like to keep business conveniences close to home.
- Current Manager of the Northtown LRS; has thoroughly trained staff who would not allow alcohol to be served to underage kids. Security cameras around the LRS have benefitted the mall on the whole.

**Ms. Randy Kaplanchuk, 496 Bruce Avenue – Opposed**

- Has lived in Harewood for ten years, has seen the trash in the neighbourhood, now expecting bottles to be added to the garbage.
- Believes the “Red Zone” downtown has caused crime to move into his neighbourhood; does not believe a liquor store is the right choice.

**Mr. Greg McGregor, 501 Weeks Crescent – Opposed**

- Hung out at the Harewood 7-11 as a teenager and would have appreciated a liquor store in the neighbourhood, as he would have asked adults to buy him liquor.
- Does not understand why this is being considered in light of the troubles with 7-11.

Councillor Unger noted that many speakers have voiced their concerns regarding the 7-11 in the area, added that Council has, in the past, restricted the hours of other 7-11's. Asked the speaker if restricting the hours of the 7-11 would alleviate concerns in the community.

Mr. McGregor could not confirm any difference as it would still be a gathering spot for teenagers.

**Ms. Debra Palmer, 659 Lambert Avenue – Opposed**

- Has lived in Harewood for 39 years and is proud of the community, does not believe a liquor store will benefit the area.

**Ms. Ashley Sampson, 412 Wakesiah Avenue – Opposed**

- As a teenager growing in Harewood there are times when the decision not to drink is based on the idea that it is too far of a walk. A liquor store in the mall would be too great of a temptation.

**Ms. Sheila King, 285 Harewood Avenue – In Favour**

- Moved to Harewood from Ontario two years ago. Does not own a car, walks through the whole neighbourhood and has never witnessed an inebriated person. Believes people are living in the past and are not realizing what a vibrant community Harewood is. Very involved in the community and proud of it.
- Has a medical background and would be opposed if the proposal was for a pub; people do not drink at a liquor store, it is a retail outlet only and provides a service.
- Read an excerpt from the November 2007 issue of the *Journal of Studies on Alcohol and Drugs*: “Bars and nightclubs, but not liquor stores, are linked with excessive alcohol consumption and heavy drinking in adults who live nearby. Usually people think that liquor stores define a neighbourhood’s alcohol consumption, but we didn’t find any relationship between liquor stores and problem drinking among the adult population”.

**Ms. Pat Becker, 527 Fifth Street – Opposed**

- Commended the developer on work done to date on the mall; however, not happy with the parking / turning configuration at the Starbucks outlet. Believes it will cause accidents.
- Does not believe the community needs a liquor outlet; will cause noise and traffic issues.
- Agrees with the idea of curtailing 7-11’s hours of operation.
- Services in the mall should include a bank and a restaurant.

Councillor Unger asked the speaker if the traffic issues would be alleviated if the access at Starbucks were closed off.

Ms. Becker noted that the main traffic concern involves the access to the proposed liquor store; believes the access needs to be addressed.

**Ms. Andrea Andrews, 285 Harewood Road – In Favour**

- Knows this is an emotional issue; however, believes the liquor store will attract other desired businesses, which will improve the community economy.
- Has two young children and is not concerned with raising them in the neighbourhood.
- Does not drink alcohol; the location of the liquor store will not encourage her or her husband to drink more.
- Supports the concept of curtailed hours for the 7-11.

**Ms. Robin Cosgrave, 482 Nova Street – Opposed**

- Has lived in Harewood for 31 years.
- Scared for the young children in the area and possible drunk drivers. Does not want a liquor store in the community.

**Ms. Karen Lamb, 405 Howard Avenue – In Favour**

- Does not foresee any problems with a liquor store; all changes to the mall have been positive.

**Mr. Derek Zwyneburg, 841 Dogwood Road – Opposed**

- Has lived in Harewood for 25 years; does not want to see a liquor store so close to an elementary school. Believes there are enough liquor outlets in the area.

**Mr. Finlay Jetson, 507 Ninth Street – In Favour**

- Believes that children who have problems with alcohol are more of a parenting issue and that the mall is a prime location for a liquor store.
- Agreed the access at Starbucks is a dangerous traffic issue.
- Liquor store will have security cameras, believes 7-11 is a problem, as they do not have security measures or sufficient staff.

**Mr. Dale Bosa, Bosa Properties, Burnaby, BC – Owner Representative**

- Bosa is not selling the mall; their investment has been significant because they care about it and the community.
- Bosa is trying hard to get a financial institution into the mall; doing the best they can by increasing traffic to the mall, which attracts different uses.
- The \$10,000 community contribution is a requirement by the city and is not a “bribe”, as described by some neighbourhood residents.
- Quality Foods is not leaving the mall; they have a five-year lease in place, and Value Village is not leaving, as its rent is very low.
- 7-11 is a land lease that was in place prior to the purchase of the mall, so there is very little Bosa can do, but he will send a letter to try to get 7-11 to cooperate with the community.

Councillor Unger asked if Bosa is amenable to addressing concerns regarding the traffic pattern.

Mr. Bosa confirmed the traffic patterns will be looked into to see what can be done.

Councillor Pattje noted his concern regarding the community contribution and where it is directed towards.

Mr. Bosa noted that they are open to Council decision on where the community contribution would be best utilized.

Councillor Holdom asked for clarification if any other properties owned by Bosa are similar to University Village Mall.

Mr. Bosa confirmed that there are three malls similar in nature; University Village Mall is the only mall without a liquor store use.

Councillor Holdom asked if other municipalities prefer to focus liquor stores in malls, as opposed to freestanding structures.

Mr. Bosa noted that it is common to have a liquor store in a mall; it is an economic decision to get as much traffic as possible into the mall to help smaller businesses.

Sympathetic to the emotional nature of the debate, believes the positive should be focussed on and the community will benefit. The mall has had very positive changes; they are doing the best they can.

**Ms. Margaret Fortier, 605 Nova Street – In Favour**

- Believes it would be prejudicial to deny a liquor store in this mall since every other mall in the city has a liquor store.
- Believes that logic, not emotion, should be considered in this decision.

**Mr. Ed Garner, 1860 Kelsie Road – In Favour**

- Works in commercial real estate; believes the nature of the business is that these licenses are going to be moved in the future.
- Bosa has invested millions of dollars into the mall to the benefit of the community.
- Traffic problems should be addressed, as should the operating hours of 7-11.

Councillor Pattje asked the speaker if he thought Council would be seeing future applications for new licenses or for moving existing licenses, further asked if the speaker is familiar with the Nanaimo Liquor Strategy of 2002.

Mr. Garner noted he is familiar with the Liquor Strategy and affirmed that more liquor applications will be coming to Council for decision.

Councillor Pattje asked the speaker if he believed Council should be bothered by the fact that since 2002, when it was decided that no new LRS's should be considered, there are eleven new liquor outlets in the city.

Mr. Garner noted that he believes the Liquor Strategy should be revisited as the study is old and does not apply. The applications that will be coming to Council for decision will involve moving existing liquor licenses. Indication is that they will all end up in malls.

Councillor Unger noted that the provincial government changed the rules in the past few years, which has caused problems at the municipal level.

Mr. Bosa noted that he realizes this issue is important to the community and to Bosa; requested that the application go for Council vote when a full Council is present.

Mayor Ruttan noted that the request would be taken under consideration.

**Mr. Richard Bell, 533 Fifth Street – Opposed**

- Believes Nanaimo has an alcohol problem and that there are too many liquor outlets in the area.
- Believes that liquor stores work in malls in the north end, as the malls are larger.
- Does not believe a liquor store should be located in a residential neighbourhood.
- Believes that the anchor of the mall "is still a mess".
- Believes there is still alcohol-related crime prevalent in the area.
- Believes international students will send photos home that indicate a community that "pushes liquor on kids"; would prefer Nanaimo have the reputation of a nice town.

Councillor Holdom noted that the Jingle Pot Pub and liquor store is surrounded by high-density residential housing and asked the speaker if he was aware of any neighbourhood problems due to the liquor store there.

Mr. Bell stated that the Jingle Pot liquor store is fairly new and he cannot give an opinion on information he does not know. Added that Jingle Pot is not as populated, does not have as many school children or as much traffic as Fifth Street does.

**Mr. Andreas Hanus, 2435 Jingle Pot Road – In Favour**

- Building Manager of University Village and has worked there a total of 16 years. Believes the Harewood community is better than it used to be, yet people still bring up “Scarewood”. Consensus from his conversations with residents in the area is that they are in favour of this proposal. Improvements to the mall and neighbourhood have been positive and beneficial.
- Lives in the neighbourhood of the Jingle Pot liquor store and has never witnessed a problem there.

**Ms. Angela Bell, 9 Rosemond Street – Opposed**

- Has lived in Harewood for 25 years. Does not believe cutting the hours of 7-11 will work, as kids at lunchtime will be trying to get liquor. Believes the liquor store would be better for business, but at what cost to the community?

Mayor Ruttan asked the speaker if she has seen an improvement in the neighbourhood.

Ms. Bell agreed that there have been improvements in the community, but that more can be done. A bank and family restaurant are better suited for the mall.

**Mr. Ian Complat, 328 Albion Street – Redress**

- Grateful to be corrected regarding businesses vacating the mall. Does not understand why Quality Foods is not a sufficient anchor for the mall.

**Ms. Joan Parsons, 478 Deering Street – Redress**

- A firm believer in Harewood, believes in the community; not trying to be negative and stop progress, wants the community to thrive, does not believe a liquor store will benefit the neighbourhood.

**Ms. Deena Bysaid, 1358 McMillan Road – Opposed**

- Manager of the Harewood Arms Pub for eight years. Understands the concept of an anchor store for the mall; however, does not understand why the decision is allowed to compromise existing businesses in the area.
- Has witnessed a decline in sales since the Southgate liquor store was opened and has had to lay off staff; asked how many more people will need to be laid off if this liquor store is approved.

Councillor Holdom asked the speaker if she believes the role of Council is to limit or regulate competition between similar businesses.

Ms. Bysaid noted she believes in competition as it keeps businesses fair and honest. However, if the competition sells the exact same thing as you, it is more difficult to manage. Liquor stores that are three blocks from each other sell the same product; sales will decline.

Councillor Unger asked the speaker if there could be a difference in pricing from one liquor store to the next, which would create open-market competition.

Ms. Bysaid confirmed that pricing could differ from liquor store to liquor store.

**Ms. Brenda Trinkwon, 717 Victoria Road – Opposed**

- Does not believe the proposed liquor store will provide what the competition does; the Harewood Arms Pub provides for charities and programs within the community. The proposed liquor store will take away from those programs.

**Mr. Richard Bell, 533 Fifth Street – Redress**

- Quoted from the Liquor Strategy regarding competition and retail outlets outside of the downtown core.

There were 43 verbal and 3 written submissions (attached as part of “Schedule ‘B’ – Submissions for Bylaw No. 4000.456”) received for this application as part of the Public Hearing. Due to the large number of submissions received prior to the Hearing, they cannot be attached; however, all submissions can be viewed in the Legislative Services Department. A tally of submissions is attached as a part of “Schedule ‘B’ – Submissions for Bylaw No. 4000.456”.

MOVED by Councillor Unger, SECONDED by Councillor McNabb, that the meeting be adjourned at 9:47 p.m.

**CARRIED**

Certified Correct:

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A. Tucker  
Director of Planning  
***Development Services Department***

/pm  
Council: 2009-SEP-14  
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