

**MINUTES OF THE PLAN NANAIMO ADVISORY COMMITTEE MEETING
HELD ON TUESDAY, 2007-OCT-16 AT 5:00 PM, IN THE
BOARD ROOM, CITY HALL, 455 WALLACE STREET**

Present:

Councillor Bill Holdom	Jane Gregory
Brian Anderson	Darwin Mahlum
Chris Erb	Ralph Meyerhoff
Bill Forbes	Gord Turgeon
Michael Geselbracht	Nadine Schwager
Jolyon Brown	Michael Schellinck
David Hill-Turner	

Staff:

Andrew Tucker, Director, Planning and Development
Bruce Anderson, Manager, Community Planning
Deborah Jensen, Community Development Planner
Fran Grant (Recording Secretary)

Consultants:

Kathleen Callow, UMA Engineering Ltd.
Pam Shaw, UMA Engineering Ltd.

Regrets:

Carey Avender	Shirley Lance
Gail Adrienne	

Members of the public: 2

1. Call to Order:

The meeting was called to order by Chair B. Holdom at 5:07 pm.

2. Adoption of Minutes for 2007-SEP-18:

MOVED by R. Meyerhoff, SECONDED by C. Erb, that the minutes of 2007-SEP-18 be adopted as presented.

CARRIED

3. Approval of Agenda and Late Items:

Late Items:

- A. Tucker advised that E. Deas will no longer be representing Malaspina University-College on PNAC. Staff will contact Malaspina University-College requesting a replacement.
- M. Geselbracht circulated information regarding a presentation on local agriculture being held on Friday, 2007-OCT-19, 6:30 pm., at Christ Community Church.

MOVED by B. Forbes, SECONDED by D. Hill-Turner, that the Agenda be accepted as presented.

CARRIED

4. Correspondence:

a) Nanaimo City Centre Association Position Paper

B. Holdom gave a brief overview of the position paper which was included in the Committee agenda package.

MOVED by B. Forbes, SECONDED by J. Brown, that the correspondence be received.
CARRIED

5. New Business:

a) OCP Draft Plan Update

K. Callow and P. Shaw, consultants for UMA Engineering, gave a presentation on Goals Three through Seven and also noted:

- This is a work in progress and the next draft will reflect Committee comments from this meeting.
- PNAC will do a final review of the plan in November before the plan goes to the public.

PNAC Comments:

- Not sure about the name of the plan - sustainNanaimo.
- Feel name captures modified focus of new plan.
- Every person on this Committee may have different definition of what 'sustain' means to them.
- Don't want the title to turn people off or have them think it doesn't meet their view of what 'sustain' means.

MOVED by B. Forbes, SECONDED by C. Erb, that the new plan not be called 'sustainNanaimo'.

CARRIED

- After some discussion, the Committee did not reach consensus on a new name for the plan.

Committee members made the following comments on each of the topic areas as noted.

Goal Three – Encourage Social Enrichment

- Need to look at reducing or eliminating DCCs on social housing projects.
- Social planning is very relevant to what we need in our community.
- There is only so much a local government can do towards addressing social issues.
- We should encourage proposals that help address social issues.
- Affordable housing – need to know what the term means and include it in the plan. Also need to separate out 'social housing' from 'affordable housing'.
- 32% of housing costs are taxes and levies that the City controls.
- What policies can we bring forward to encourage more affordable housing?
- Could we take the 5% development levy that goes towards parks and, for a set number of years, put that towards social housing?

- Offer incentives such as higher density or other trade off to encourage developers to provide a certain percentage of their projects as affordable housing. This is done in other cities.
- To promote higher densities, we should require a certain amount of density in each subdivision. It would be a requirement, not a choice. There is currently too much underdevelopment.
- With changing demographics, extended and long-term care is a form of housing we need to encourage.
- Cultural facilities should be directed to the Downtown, not necessarily in all areas of the City.
- Housing taxes currently based on assessed values, with single family paying less than multi-family even though the cost to service single family is higher. It should be based on footprint of the building which could encourage more multi-family development.
- Not about maintaining status quo in neighbourhoods; it is about helping neighbourhoods densify.

Goal Four – Promote Thriving Economy

- A huge economic driver is the construction industry but this is not recognized by the Economic Development Strategy.
- Retirement is going to be an important economic factor.
- Let's create the "most liveable small city in North America".

Goal Five – Protect and Enhance the Environment

- Need to encourage energy efficiency – perhaps spell out what the benefits are. Every proposal that goes through the development process is treated the same no matter whether they are environmentally friendly or not. No rules or regulations are relaxed for this type of development.
- Need to reward those who reduce their environmental footprint.
- City should investigate this issue.
- There is a sustainability check list (see draft OCP, pg 47) which will provide the first step towards generating awareness and incentives for green development.
- Think corridors are great idea. Could relax parking requirements here because they are on transit routes.
- We are trying to discourage car use but we keep requiring huge parking lots.
- LEED does not have residential component so we need to have something to recognize. Home Builders are bringing forward a green plan to Council. Some other municipalities are doing it. If we are encouraging green building, there needs to be some pay back. If projects use less services, developers should see a savings.
- Enhancing environment - need a statement in the plan about not sending rain water out to the ocean. We keep "over engineering" things and putting all runoff water into pipes.
- Bruce Anderson noted that staff are developing a sustainability check list and are planning to meet with industry representatives.
- A green building code will come into effect 2008-APR-01 so the City will need to meet with the construction industry before then.
- Could there be a policy in the plan that if a development proposal comes forward that doesn't require any parking, they don't have to have it?
- Need to recognize that uses within a development change over time, and this could impact the parking needed for the use.

- Provincial policies were adopted some time ago to address contaminated sites (see draft OCP, pg 56).

Goal Six – Improve Mobility and Servicing

- What type of incentives can the City offer to bring about change to the auto-based focus of development?
- We can set out policies that encourage change such as reduced parking requirements.
- Mobility is about increased density. Need to zone properties so that rezoning not required by developers; they suffer huge public backlash during the process, only to be turned down by Council.
- Bruce Anderson noted this plan calls for density along corridors. If the designation is there, rezoning should be easier and less contentious.
- How do we go about having a demonstration site that takes this part of the plan and becomes a 'showcase' for good density development.
- Do a pilot project – pre-zone a certain area and see how it goes (e.g. in a node).
- If something is zoned properly already, why do we have to go through the Development Permit process which makes development more difficult and costly when it is already properly zoned (eg. steep slope development permit)?
- A. Tucker noted that Kelowna is doing an audit of their hillside DPA. Maybe Nanaimo could look at doing the same for the Steep Slope Development Guidelines and DPA.
- All costs that are paid by the developer are passed along to the consumer.
- Should be looking at promoting using grey water. Committee agreed with this concept.

Goal Seven – Work Towards a Sustainable Nanaimo

- No comments.

K. Callow and P. Shaw asked PNAC members for their comments on each of the following questions:

Question 1 – OCP Amendment Policies

- There are not usually many OCP amendments under the current intake process twice a year. This gives the community an opportunity to be organized for an amendment in their area. Allowing applications at any time would make it difficult for neighbourhoods to keep track of proposed OCP changes. This process is a corner stone of the Plan.
- Like idea of once a year. All neighbourhood group representatives are volunteers and they can't keep up to a process that can happen at any time.
- We want to emphasize planning, and how good is it if we allow it to be changed every six months?
- Think the current process of twice a year works well. Some amendments are good and make community a better place.
- Think twice a year is good.

Committee agreed, with consensus, to keep the current twice a year amendment process.

Question 2 – UCB Amendment Process

The Committee agreed, with consensus, to keep the current practice of accepting applications every three years.

Question 3a – Concurrent Process for OCP and Rezoning Applications

A. Tucker noted:

- Level of information required for OCP and rezoning processes is different. Certain studies (e.g. traffic, environmental, archaeological, etc.) aren't done for OCP amendment applications which need to be done for rezoning. This leads to difficulty in reviewing applications and providing adequate information to the public.
- Neighbourhoods have to come out repeatedly for PNAC public meeting, OCP public hearing, and then rezoning public hearing.
- Developers could have the option of using the concurrent process.
- It is possible for Council to approve an OCP amendment but turn down the rezoning application even if they run concurrently.

Bruce Anderson noted that most municipalities combine the OCP and rezoning process. All information is dealt with at the same time with more detailed information available.

- Think concurrent is easier from development point of view. PNAC tends to want information outside its Terms of Reference when dealing with OCP amendments. If they run concurrent, then would have those details.
- With OCP amendment and rezoning running separately, it takes a year to get the approvals to start a development. This is very costly to developers.
- We sometimes approve an OCP amendment application only to see the property subsequently sold with the higher use; then the new owner comes back for another amendment. Should run concurrent.
- OCP amendments should have a time limit like a development permit.
- Concern is that if they run concurrent and OCP and rezoning are approved, public input is over. Neighbourhood would lose second chance to give input.

Question 3b – Combine PNAC and Rezoning Advisory Committee (RAC)

- Feel should be combined especially if applications are run concurrently. RAC is already a subcommittee of PNAC.
- Not in favour. OCP is very general, rezoning is much more specific. Don't see that they tie together.

MOVED by G. Turgeon, SECONDED by D. Mahlum, that the OCP and rezoning applications be allowed to run concurrently and that PNAC be the review committee for both.

CARRIED (7 in favour, 3 opposed)

Question 4 – PNAC Public Meetings as Part of Application Process

- Do not agree that public meetings should not be held.
- PNAC meetings are public.

- Public thinks the public meetings are “public hearings”; PNAC members are volunteers, and it is hard to deal with an angry public.
- The public meetings are held so PNAC gets to hear from the public and not just the developer. They are an important component of what we do, and for the public as well. Most public meetings have been manageable.
- Need to make sure public knows difference between public meeting and public hearing.
- It is important that this Committee hears what the public thinks about an application before PNAC makes a recommendation. Some developers do not hold public meetings.
- Take exception to the format that looks like a public hearing. Perhaps call it ‘public consultation’ instead.
- Don’t think we should only hear from the developers.
- Agree with current practice but should be different format from public hearings.

The Committee agreed unanimously to keep the public process but rename it ‘public consultation’.

A. Tucker noted, within the RDN, public information meetings are hosted by RDN with a format that utilizes a much smaller panel. One criticism the City faces is that the public wants to know who is making decisions and that is who they want to speak to.

Next Steps:

- PNAC members are requested to provide any additional comments or suggested changes on the OCP draft to D. Jensen no later than Friday, 2007-OCT-26.
- PNAC’s November meeting will be another chance to review the revised document, which will include changes from tonight’s meeting. If PNAC does not agree with the November draft, a revised document will be brought back to them again.

b) Report on Jingle Pot Neighbourhood Land Use Options

At their previous meeting, PNAC asked staff to bring additional information back to them on this issue.

A. Tucker gave a brief overview of the three options noted in the report from staff to PNAC (in agenda package), and asked that the Committee give direction to staff to then give to Council. He also noted that when the draft OCP goes out to the public, staff would like policy in place for Jingle Pot neighbourhood.

MOVED by R. Meyerhoff, SECONDED by B. Forbes, that R. Mayes be allowed to address PNAC on this issue.

CARRIED

R. Mayes advised that he can currently subdivide 1/6 of acre from his parcel; everyone in the area can subdivide for 1/6 acre lots off the parent parcel. The neighbourhood is asking for one acre parcels.

In answer to a question from PNAC, A. Tucker noted:

- Subdivision to provide residence for a relative is provided for under the *Local Government Act*.
- This allowance freezes the property from further subdivision for five years.
- Pointed out other areas of the City that could also be affected by this change.

D. Jensen noted that Section 946 of the *Local Government Act* could be applied in both options presented to PNAC, dependent upon parcel size, conditions, etc.

The following information is provided to PNAC with respect to Section 946 of the *Local Government Act*, "Subdivision to Provide Residence for a Relative."

- Section 946 specifically states that an approving officer **may** approve the subdivision. The key word being may. This section does not require the approving officer to approve the subdivision to provide a residence for a relative. (His/her discretion remains unfettered by this section and the City's ability to control lot size is maintained).
- In fact, Section 946 goes on to state that the approving officer must not approve a subdivision if the remainder of the parcel would be less than 2 hectares (about 5 acres).
- The subdivision cannot proceed if they have farm status for assessment.
- The parcel created must be at least one hectare and/or in no case must not be less than 2500 m², and there is no guarantee that the approving officer would allow this minimum size, even with community water due to the need to provide adequate area for septic (you could go to an engineered system, but the cost would be very high, potentially in the \$30-50K range).
- A covenant would be registered on Title for the 5 year ownership period, thereby rendering the parcel unsaleable.

PNAC Comments:

- Doesn't make sense to create new zone of one acre within City limits; bad urban sprawl.
- Is it worth getting opinion from health authority on the possibility of having septic systems on so many one acre lots?
- If this proceeded, other areas may want to do the same.

MOVED by G. Turgeon, SECONDED by Brian Anderson, that PNAC approve Option Two – creating a Rural Residential zone.

DEFEATED

MOVED by R. Meyerhoff, SECONDED by J. Brown, that PNAC approve Option One – status quo (revised).

CARRIED

c) Online Survey Results

D. Jensen distributed copies of the survey results and gave a brief overview. She asked the Committee to review the results and it can be discussed at the next meeting.

d) Report on Draft OCP Fall Public Consultation Program

B. Anderson noted:

- Hoping to have PNAC to sign off on the draft at their 2007-NOV-20 meeting; draft will then be made public.
- After Christmas, staff will go out to the community to gather feedback.
- Table in report to PNAC outlines some ideas for public consultation.
- Will always have electronic option for public feedback available.

- Bring any suggestions to 2007-NOV-20 meeting or send to staff.
- If there is any organization that PNAC members know of which would like to have a presentation, please let staff know.

6. Information Items:

a) OCP Amendment Applications Update

B. Holdom gave a brief update:

- 6975 Island Highway North (Cattrell)
 - Public hearing held 2007-OCT-04; going to Council for 3rd Reading and Adoption.
- South Nanaimo Lands (Island Wolf)
 - Public hearing held 2007-OCT-04; going to Council for 3rd Reading and Adoption.
- 141 Westwood Road (Salmon)
 - Approved by Regional District of Nanaimo. Going to public hearing 2007-NOV-01.
- 5220 Metral Drive (KEM Enterprises)
 - Going for 1st and 2nd Readings end of October, then possibly to December public hearing.

7. Next Meeting:

The next regular meeting of PNAC is scheduled for 2007-NOV-20, Board Room, City Hall.

Staff are proposing a tour of the new conference centre for PNAC members at 4:00 pm., prior to the meeting.

8. Adjournment:

The meeting adjourned at 8:30 pm.