

**MINUTES OF THE PUBLIC HEARING HELD PURSUANT
TO THE LOCAL GOVERNMENT ACT IN THE BOARD CHAMBERS
OF THE REGIONAL DISTRICT OF NANAIMO, 6300 HAMMOND BAY ROAD,
NANAIMO, BC, ON THURSDAY, 2006-AUG-03, TO CONSIDER
A COVENANT AMENDMENT AND PROPOSED AMENDMENTS TO
THE CITY OF NANAIMO "ZONING BYLAW 1993 NO. 4000"**

PRESENT:

Mayor G.R. Korpan	
Councillor J.D. Cameron	Councillor W.J. Holdom
Councillor L.D. McNabb	Councillor L.J. Sherry
Councillor M.D. Brennan	Councillor W.L. Bestwick

Staff

D. Lindsay, Manager, Planning Division, DSD
R. Anderson, Planning Assistant, Planning Division, DSD
P. Masse, Planning Clerk, Planning Division, DSD

Public

There were approximately 80 members of the public present.

CALL TO ORDER:

Mayor Korpan called the meeting to order at 7:02 p.m. Mr. Lindsay explained the required procedure in conducting a Public Hearing and the regulations contained within Section 892 of the Local Government Act. Mr. Lindsay read the items as they appeared on the Agenda, adding that this is the last opportunity to provide input to Council before consideration of Third Reading to Bylaws No. 4000.380, 4000.395, 4000.396, 4000.397 and 4000.398, and consideration of the proposed covenant amendment at Council's next regularly scheduled meeting of 2006-AUG-14.

1. COVENANT AMENDMENT:

This covenant amendment, if approved, will increase the maximum permitted floor area of the existing liquor store at 6404 Metral Drive from 500 m² (5382 ft²) to 625 m² (6728 ft²), resulting in an 125 m² (1346 ft²) increase in floor area. The proposed expansion of the liquor store will be accommodated within an existing adjacent commercial space.

The subject property is legally described as LOT 1, SECTION 12, WELLINGTON DISTRICT, PLAN 26877 EXCEPT PLAN VIP57955.

Mr. Leo Therrien, Powerhouse Enterprises Ltd. – Applicant / Operator Northgate LRS

- Application is to increase the size of an existing LRS in order to better serve a consistently growing customer base.
- Has received letters of support from mall tenants as well as a petition of support (500+) from surrounding community (*please note that Mr. Therrien did not submit these items to be attached to the public record*).
- Sales are steadily increasing and they need the extra space for warehousing and storage, noting that additional space was considered when Northgate opened over a year ago (January 2005) but the location adjacent to the space was occupied. Space is now vacant and available.
- New space is 1450 ft², with 600 ft² devoted to warehouse, storage, receiving and shipping. Remaining space will be dedicated to merchandising.
- Supports local wineries that are too small to be listed at government LRS locations.

Councillor Cameron asked for clarification regarding the square footage noted in the “premises needed” section of the business plan for the 2005 application for Northgate.

- Mr. Therrien noted they wanted the original store as big as possible; however, they had to go with the space that was available at the time.

Councillor Cameron asked whether the original business plan specified an ideal square footage.

- Mr. Therrien replied that it did not note an ideal space requirement, adding that because the business has grown as quickly and as much as it has, the present space is just not adequate.

One written submission was received for this application and is attached as “Schedule ‘A’ – Submissions for Covenant Amendment (6404 Metral Drive – Northgate Liquor Store)”. There were no further written or verbal submissions received for this application.

2. BYLAW NO. 4000.380:

This bylaw, if adopted, will allow ‘Liquor Store’ as a site specific use on land located at 1275 Island Highway South. The applicant is proposing to develop a 279 m² (3000 ft²) liquor store within existing commercial space at South Parkway Plaza.

The subject property is legally described as LOT 1, SECTION 7, NANAIMO DISTRICT, PLAN VIP67048.

Mr. Paul Manhas, Chase River Arms / South Parkway Plaza – Applicant

- People in the Chase River area are desperate for more available services in the area, including a liquor store. Many supporters of the application are attending the Public Hearing to show their support of this LRS proposal.

Councillor Cameron asked if the supporters in attendance represented the Chase River Neighbourhood Association.

- Mr. Manhas noted that those in attendance to show their support are community members and citizens in the immediate area of the South Parkway Plaza.

Councillor Brennan asked if Mr. Manhas has received any letters of support from any of the merchants in the South Parkway Plaza.

- Mr. Manhas noted that he spoke to most of the tenants in the plaza and he received verbal positive feedback from 95% of them.

Mr. Jeremy Edden, #18 – 1226 Lawlor Road – In Favour

- Currently employed at the Chase River Arms.
- Resubmitted a petition of 865 signatures of support that was submitted when this issue was last before Council, as well as submitting an additional petition of 126 signatures of support which was recently completed. *(Due to size constraints these petitions are available for viewing in the Councillor's office or in Legislative Services.)*

Mr. Leslie Curtis, 2817 Glenayr Drive – In Favour

- Previous resident of the south end, and believes the area should have a liquor store convenient to the area so residents do not have to drive to other areas.
- Believes it is time that the south end receives some conveniences and developments, adding that the north end receives all the conveniences and attention from City Hall.

Mayor Korpan noted that the City of Nanaimo does not initiate any application for a liquor store in any geographical area of the City, adding that none of the stores in the north end were initiated by the City of Nanaimo. Applications come from the private sector only.

Mr. Frank O'Neill, 32 Thirteenth Street – In Favour

- Resident of Chase River for the past 25 years, adding the community has to fight "tooth and nail" for every development approved in the south end.
- A liquor store is needed in the area; there are five mobile home parks surrounding this property and many residents do not drive. Being able to walk to a local liquor store would take traffic off the streets and would be a benefit to the entire neighbourhood.
- Believes Mr. Manhas deserves support for his efforts.

Mr. Shane Desbiens, 9 Rosamond Street - Opposed

- Traffic issues already exist in the area and this would only make those issues worse, and the City already has a problem with under age people drinking and driving; there is a river nearby which poses a danger. There are already four or five liquor stores in a 15 mile radius; we do not need another one.

Mr. Myles McCullough, 187 Adams Avenue - Opposed

- Believes it is ludicrous to think that more liquor stores would decrease driving or traffic. There are currently six liquor stores within a five-minute drive from his home.
- Does not want to see a liquor store on every corner; it does not help social problems, and hurts business in the area of a liquor store. Estimates that residents of the area could easily get to an existing liquor store within 10 minutes.

Ms. Jenna Beck, 3255 Tranquil Bay - Opposed

- 4th year criminology student, deals with social issues often and which usually involve alcohol. Many LRS and drinking facilities exist in Nanaimo, we do not need any more.
- Tired of reading, hearing of and writing papers on the issues surrounding alcoholism.

Ms. Anna Diggs, 239 Pine Street – In Favour

- The south end does not have a proliferation of liquor stores, many people have to drive to a liquor store even if they drink alcohol only once a month. Something is needed in the south end for convenience to those in the community.
- The Chase River Arms is a clean, safe, non-violent pub; believes the owner would do just as good a job with the liquor store.

Ms. Debra Palmer, 659 Lambert Avenue - Opposed

- Believes there are enough liquor stores and bars in Nanaimo.

Mr. Chuck Pearce, #11 – 61 Twelfth Street – In Favour

- South end resident at Brookdale Seniors' Mobile Home Park.
- Noted that several developments are underway for the area in the next few years, which would increase the need for a liquor store in the community.
- Many citizens in the community do not like to drive, most especially the seniors. This is a convenience issue only, not a social one.
- Sick and tired of the "two class society" in Nanaimo, where everything north is approved and nothing is approved in the south.
- A proud Nanaimo resident for 60 years, it's time the City supported the south end.

Ms. Laura Beck, 187 Adams Avenue - Opposed

- Believes prevention is up to the citizens of Nanaimo. Asked how many more of her friends and co-workers have to die before the City stops approving additional liquor in Nanaimo.

Ms. Beck's submission is attached as part of "Schedule 'B' – Submissions for Bylaw No. 4000.380".

Ms. Shirley Flannigan, 25 Maki Road – In Favour

- Resident of Chase River. Noted that there are many seniors in this community who would appreciate the convenience of walking to a liquor store as opposed to driving. It is time for the south end to get a liquor store.

Ms. Lisa Hayes, 5542 Tulip Place - Opposed

- Believes there are plenty of liquor stores in the City, especially in the south end. South end should be approved for more developments (i.e. hardware stores, shopping centres), but not liquor stores.
- Do not need any more people dying on the roads or alcohol related accidents.
- A liquor store would result in more drug related problems in the area.

- Suggested that several residents pool their money and send one person to pick up liquor for 10 or more people. Cabs or delivery companies could also assist the community.

Mr. Willie Gilman, #105 - 25 Maki Road – In Favour

- Supports the Chase River Arms and all businesses in the south end. Would love to see a liquor store in the area as he would appreciate being able to walk to buy beer as opposed to driving.

Ms. Deena Balstead, 1385 McMillan Road – Opposed

- Equated cancer to alcohol. Related stories of loved ones and friends who abuse alcohol.
- Believes patrons were offered tickets to attend this Public Hearing and return to the bar for free drinks and prizes.

Mr. Joey Wickham, 235 Seven Oaks Place – Opposed

- Believes the south end is sufficiently accommodated with alcohol establishments.
- Lost two friends who died due to alcohol related vehicle accidents.

Mr. Cam Grewal, 5368 Kenwill Drive – In Favour

- Supportive of Mr. Manhas; believes he will do a professional job with the new liquor store.

Mr. Bill Dempsey, 5933 Tasha Place – Opposed

- Owner of Harewood Arms Pub.
- Asked Council if City staff is assisting Mr. Manhas in finding a location for the Dizzy's liquor license.

Mayor Korpan reminded Mr. Dempsey that this hearing is to discuss 1275 Island Highway South and if he has any other concerns, he should feel free to call the Mayor's office and make an appointment.

Ms. Jami Calder, 440 Wharton Street – Opposed

- Does not believe this is a north or south City issue, but instead revolves around there being a sufficient amount of liquor stores in the south end. We do not need easier access to liquor stores. Should focus on other more important issues.

Ms. Jeanne Ulstrum, 485 Sixth Street – In Favour

- In support of a liquor store in the Chase River area.

Mr. Finley Judson, 1314 Island Highway South – In Favour

- Stopping a liquor store in Chase River will not curtail or cut down on impaired drivers. If someone is going to drive drunk, they will regardless of whether or not there is a liquor

store in the south end. Would appreciate being able to walk to a liquor store as opposed to driving. Does not feel this is an unreasonable request.

Mr. Harry Beck, 3255 Tranquil Bay – Opposed

- Owner of Harewood Arms Pub.
- Noted that his partner had just addressed Council inquiring whether or not City Staff is assisting Mr. Manhas in relocating his Dizzy's liquor license. Stated he believes this is very relevant to this evening's hearing.
- Believes that it is not Chase River Arms who is initiating this application; it is Dizzy's license that is in wait. Does not understand why a LRS application is going forward to a Public Hearing when a primary license is not yet in place. This is special treatment.

Mayor Korpan asked Mr. Beck to relate his comments to the application at hand, adding that if he has other issues to address, to make an appointment with the Mayor and the City Manager and it will be investigated.

- Mr. Beck stated that he believes his points are relevant. Mr. Manhas bussed patrons from the Chase River Arms to support him at this hearing when it has nothing to do with this liquor store; rather, it is Dizzy's license. He also added that the owner currently has the Chase River Arms for sale, which he assumes his supporters are unaware of.

Mayor Korpan reminded the speaker to address the issue on the agenda of the hearing and to make an appointment with his office if he wants to speak about another issue, adding that Council is not permitted under the statute to focus on other matters.

- Mr. Beck read from newspaper articles that illustrate the dangers of abusing alcohol, including drunken driving statistics and the problem of under age drinking.
- Mr. Beck related that he has driven from the Chase River area to nine different liquor stores in a matter of five to six minutes of where this liquor store is proposed, adding that this proves the area does not need a liquor store.
- Noted that Council hired consultants five years ago, at taxpayers' expense, to aid in the fight against alcohol related social problems in the City and that the recent Neilson-Welch report was adopted unanimously by Council, including the recommendations that no more liquor-primary liquor establishments or liquor stores be permitted. Currently the City has more than double the amount of liquor stores it had at the time consultants were hired to aid in this problem.
- Nanaimo courts are overflowing with criminal cases, of which over 75% involve either alcohol or drug dependant people. Sure that the citizens of Chase River and all of Nanaimo, knowing the facts, would not mind driving three to five minutes out of their way to make their purchases.
- In the latest municipal election, all candidates noted their concern of the social problems of Nanaimo. Alcohol is a controlled substance for a reason.

Mr. Chris Rowe, 501 Sixth Street – In Favour

- Informed Council that he is the president of the NASCAR Club in Nanaimo. His Club funded the bus transportation to and from this evening's Public Hearing and they are also providing alcoholic beverages at the Chase River Arms after the hearing.

Mayor Korpan asked for clarification on why beverages were being purchased for supporters of the liquor license application.

- Mr. Rowe explained that the group of supporters will be returning to Chase River Arms for coffee or other beverages. Taxis will be available.

Mayor Korpan asked if supporters were invited to a Public Hearing under the assumption that they will receive some sort of drink afterwards.

- Mr. Rowe clarified that it was only the Club that attended with him on the bus transportation.

Mayor Korpan asked if the Club was paying for other peoples' drinks this evening.

- Mr. Rowe acknowledged that the Club had offered to pay for people's drinks this evening.

Councillor Brennan asked for clarification on what the Club entails and why they would direct the club to pay for refreshments for supporters of a liquor store application.

Mr. Manhas approached the podium to notify Council that the transportation or drink offer has nothing to do with him or the Chase River Arms.

- Mr. Rowe noted that the Club had planned to meet on this date to do the year's racing pool and they had just delayed the timing of that meeting in order to attend and address Council and show their support of this application.

Ms. Susan Beler, 1746 Idaho Place – In Favour

- Resident of Chase River and lived in Harewood prior to that for 23 years where they were within a 15 minute walk to a liquor store, adding she did not go to the liquor store more often because it was close by. Does not understand how this convenience issue can be seen as a motivator for people to drink more alcohol. People are responsible for their choices; the location of a liquor store should not change that.

Councillor Cameron asked for clarification from Ms. Beler on whether or not she believes Nanaimo should have a liquor store within walking distance from every home.

- Ms. Beler responded that she believes if the community surrounding a proposed liquor store is in favour, then it should be approved as it is their choice. Ms. Beler repeated her belief that having a liquor store within 15 minutes from your home doesn't equate to more drinking, adding that someone could drive for 30 minutes if they really wanted to drink; this is just a convenience issue. Noted that many residents are seniors that do not or cannot drive.

Ms. Susan Exter, 501 Sixth Street – In Favour

- Two liquor stores towards Haliburton, but she prefers not to go into that area and the Harewood Arms is usually too busy. Does not believe that availability promotes the excessive use of alcohol. It is up to the responsibility of the individual.

Mr. Gord Fuller, 604 Nicol Street – Opposed

- Does not believe a five minute drive is too inconvenient for someone to buy alcohol. Noted that cabs can deliver alcohol. Went to a liquor store recently and was approached by a teen requesting that liquor be purchased for them; teens will attempt to buy alcohol and they will go to the closest place available to try and get it.

Mr. Jim Crook, #8 – 25 Maki Road – In Favour

- Noted that a liquor store in the area would make weekly shopping much more convenient, particularly for elderly people in the area who do not have transportation and do not have the means to take taxi cabs to and from a liquor store.
- Five mobile home parks in the area would appreciate this convenience.

Ms. Lisa Hayes, 5542 Tulip Place - Redress

- Noted that the younger people in attendance to this evening's hearing are opposed and that the elderly are the ones who want this liquor store. The younger people do not want to see their friends dying in car accidents.

Ms. Anna Diggs, 239 Pine Street - Redress

- Noted that if people do not buy liquor at this proposed liquor store that they will just buy it somewhere else, so why not have the business in their community.

Ms. Deena Balstead, 1385 McMillan Road - Redress

- Her mother could not make it this evening as she is at home "babysitting" her step-father who is "drinking" another bottle of rye that he bought three minutes down the road".
- Her mother received a ticket for the bus transportation from the bartender at Chase River Arms, not the Club president.

Ms. Laura Beck, 187 Adams Avenue - Redress

- Respects everyone's opinions, but there are serious social issues at hand and she finds it frustrating that another liquor store is being considered.

Mr. Paul Manhas, Chase River Arms - Redress

- Reiterated that he had nothing at all to do with the bus transportation or offering drinks to supporters whatsoever, adding that the supporters attended the Public Hearing of their own volition and that they are good, tax-paying citizens of Nanaimo.

Mr. Frank O'Neill, 32 Thirteenth Street - Redress

- Believes a lot of rhetoric was expressed this evening as well as some good points.
- Was a bartender for 24 years and experienced firsthand some of the social issues mentioned tonight. Having more liquor stores will not solve or worsen those social issues. This just makes it more convenient for the people who want to buy liquor.

Mr. Marty Morelli, 6040 Sierra Way – Opposed

- Owner of the Quarterway Pub and liquor store. Asked Council to clarify how Chase River Arms managed to apply during the four months when the moratorium on new liquor stores was lifted, when they were not even open yet.

Mr. Lindsay responded that the license is not associated with the Chase River Arms and that the liquor retail store is associated with the license from Dizzy's.

- Mr. Morelli noted that Dizzy's is not currently open and that you need to have a liquor primary open to apply for a retail store license.

Mr. Lindsay stated that the liquor retail store application was not brought forward until such time that the applicant made an application for the liquor primary. That has been done and a report will go to Council for consideration at its meeting of 2006-AUG-14. At that meeting Council will consider both the liquor primary and the licensed retail store.

Mayor Korpan asked the speaker to notify the provincial government if he has concerns over its policies and the timing of these issues, and to contact Mr. Peter Wipper (Manager, Regulation and Risk Management) at City Hall with any technical issues as this evening's hearing is an opportunity for the public to speak to the application in question.

Fourteen written submissions were received for this application and are attached as part of "Schedule 'B' – Submissions for Bylaw No. 4000.380 (1275 Island Highway South – Chase River LRS)". Due to size constraints, all petitions that were submitted can be viewed in the Councillor's office or Legislative Services. There were no further written or verbal submissions received for this application.

3. BYLAW NO. 4000.395:

This bylaw, if adopted, will rezone property located at 540 and 542 Eighth Street from Community Shopping Centre Commercial Zone (C-7) to Residential Duplex Zone (RM-1) in order to facilitate a boundary adjustment of the existing lots and permit the development of two duplexes. The applicant is proposing to construct one duplex building on each lot, with access provided solely from Georgia Avenue.

The subject property is legally described as LOT 2, SECTION 1, NANAIMO DISTRICT, PLAN 12363 and LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN 12363.

Mr. Ivan Plavetic, 5640 Hammond Bay Road - Applicant

- Noted that this application is to downzone the property in order to build two strata titled duplexes. Has built many duplexes in the city and they do have expertise in this area.

There were no written or verbal submissions received for this application.

4. BYLAW NO. 4000.396:

This bylaw, if adopted, will rezone property located at 5194 Dunster Road from Single Family Residential Zone (RS-1) to Residential Duplex Zone (RM-1) in order to permit the development of a duplex.

The subject property is legally described as LOT 4, SECTION 4, RANGE 4, WELLINGTON DISTRICT, PLAN VIP80527.

Mr. Donnie Saywell, 2595 McCullough Road – Builder / Applicant Representative

- Currently developing property adjacent to this property (5199 Dunster Road).

Councillor Brennan asked for clarification on what is currently beside the property in question.

- Mr. Saywell noted that 5186 Dunster Road is a commercial property, 5190 and 5198 Dunster Road is an existing lot that they own which will be developed in the future, and 5202 Dunster Road has an older house which they will demolish and develop, allowing the building up of the entire corner into a quality development.

Councillor Bestwick asked for a description of the development at 5199 Dunster Road.

- Mr. Saywell responded that there are 16 strata-titled, detached patio homes with a clubhouse and common drive being built, and landscaping is currently underway.

There were no further written or verbal submissions received for this application.

5. BYLAW NO. 4000.397:

This bylaw, if adopted, will allow 'Liquor Store' as a site specific use on land located at 3200 Island Highway North. The applicant is proposing to construct an approximately 669 m² (7200 ft²) two-storey, free-standing liquor store along the western portion of the subject property, adjacent to 107th Street.

The subject property is legally described as LOT A, SECTIONS 3 AND 5, WELLINGTON DISTRICT, PLAN VIP60825.

Councillor Brennan removed herself from the proceedings due to a perceived conflict of interest.

Mr. Sam Yehia, #400 – 525 Seymour Street – Applicant / Owner, Cambie Holdings

- Proposal is for a free-standing 6000 ft² liquor retail store and a 1200 ft² mezzanine area, including a cooking school and kitchen, at the Country Club Mall.
- The mall previously housed a government liquor store from 1989 to 2003.
- Unique retail concept with a cooking studio and store located in the mezzanine; will add some entertainment value to the cultural scene in Nanaimo.
- Brochures were produced to inform the public; received 400+ brochures back which were sent in to represent support. *[Due to size constraints, these brochures, along with two other petitions of opposition (one with 85 signatures and one with 682 signatures) are available for viewing in the Councillor's office or in Legislative Services.]*

Mayor Korpan asked for clarification on where the proposed liquor store would reside at Country Club Mall.

- Mr. Yehia responded that the proposal is for a free-standing building located adjacent to Swiss Chalet.
- Held a presentation of the concept for distributors and food operators of approximately 200 people.
- Plans for the mezzanine include cooking classes, celebrity chefs and a cooking show.
- Proposal has been well received by the public, and has not met opposition.
- Province had established a policy to prevent proliferation of retail liquor outlets by imposing a regulation that ensured two liquor retail stores were at least 500 metres from each other.
- Have received pre-clearance approval from the Province, which confirms that they are indeed out of that radius of competition.
- Plans include expanding product lines, including local wineries and specialty products.
- Will hire an events coordinator to ensure that the community events, in and out of house, are successful. Wine expert will also be hired to aid in expanding the understanding of local wines. (10 full-time employment positions will be created for this proposed project.)
- Community benefits will include sponsorship to Nanaimo youth sports, raffles and events in support of local shelters, association with the working homeless groups, support of the annual bathtub race, and sponsoring events for Vancouver Island Symphony Orchestra.
- Participating merchants have noticed a loss of traffic as a result of the previous liquor store being closed, and are supporting the return of this amenity to that facility.
- 10 full-time employment positions will be created for this proposed establishment.
- Community contribution includes lighting on Victoria Crescent.

Councillor Cameron asked Staff for clarification on the proximity of this applicant to the Wellington Beer and Wine store.

Mr. Lindsay noted that this is not a City of Nanaimo policy, but a Province of British Columbia policy in terms of evaluating the location of liquor stores. The applicant has received the preliminary letter of approval from the Province indicating that the siting complies with the intent of the 500 metre separation rule.

Councillor Cameron asked if the applicant has any background in operating a cooking school.

- Mr. Yehia noted that his background includes converting hotels into bakeries and full-service hostels, including full-time catering, and the entertainment industry. Finds the cooking show as a part of this liquor retail appealing and they believe they have the qualifications to mount these events, having been proficient in providing entertainment levels to the locations currently owned.

Councillor Cameron asked if Mr. Yehia would be running the cooking show and whether or not it will be an ongoing venture.

- Mr. Yehia responded that this is an on going venture and the installation of a cooking studio is a "drawing card" that would allow them to stand apart and provide a retail experience that is unique, novel and memorable.

Councillor Bestwick asked if the applicant knew of any other liquor stores in British Columbia that employ the cooking school and show.

- Mr. Yehia stated that a cooking facility has been installed in one of the government liquor stores in Vancouver; however, does not believe they will produce a cooking show there. Similar and successful concepts like this are currently in Europe. Not aware of any other concepts where they will be using a cooking studio as an entertainment platform in which to make that experience unique by blending the benefits of food and beverage as a retail experience.

Councillor Bestwick asked how often the cooking show would be produced.

- Mr. Yehia responded that they have received positive response from local restaurants and Malaspina's culinary departments. Do not believe there will be any shortage of people interested in participating; believes the room would be busy five out of seven days per week.

Councillor Cameron asked why Council was asked to approve off-site parking for RMH due to a lack of parking on this site, yet now a 7000 ft² facility is being applied for.

Mr. Lindsay noted that the Barons Road parking lot owned by the mall was a proposal that came forward by them for employee parking. It was not a response deficient bylaw required parking at Country Club Mall, and it was their attempt to allow employees to park away from the mall, thereby leaving space for patrons.

- Mr. Yehia stated that during renovation at Country Club Mall, the principals eliminated 25,000 ft² of commercial space and in that redesign they improved ratio of parking stalls to the amount of land owned.

Ms. Nadine Schwager, #422B - 3250 Rock City Road – In Favour

- Shops at Country Club Mall and there is no shortage of parking at all.
- Wanted her support of the application on record.

Mr. John Little, 2039 Bay Street – In Favour

- Believes this proposal would raise the bar for liquor stores and would make the retail experience much more enjoyable. Excellent opportunity for competition as the City is under serviced.
- Has heard several current liquor license owners speak tonight about the ails of alcohol on society; wondered why these owners have not offered to give up their licenses.

Mr. Leo Therrien, 1067 Beach Drive – Opposed

- Believes the 500 metre rule is relevant in high-density areas (Vancouver), but in Nanaimo it is "way too close".
- Asked what kind of licensing would be required of the applicant in relation to the cooking classes and show (i.e. sample of liquor), etc.

Mayor Korpan asked Staff to provide licensing requirements to Mr. Therrien.

Mr. Fred Taylor, 204 Emery Way – Opposed

- Noted that previous applications on this site (eastern side) failed due to not satisfying the 500 metre rule.
- Strongly believes parking stalls were created for this mall with all merchants in mind, including the previous liquor store; wonders why off-site parking needs to be created. More and more parking on side streets all over city.
- Confused as to why some students appearing tonight to speak against a previous application would not speak to the same issue on another agenda item. Two elections ago, a liquor store was being pursued at the college and now they appear to oppose them elsewhere.
- Concerned that Council is “relocating” businesses out of the downtown core and doesn't this applicant have empty space elsewhere that could be used for this application.

Mayor Korpan noted that Council has a general premise to revitalize the downtown core; this general premise can seem inconsistent, especially in light of the Neilson-Welch report on social services and the concentration of certain types of businesses in the downtown and what is the priority.

Ms. Maureen Moore, 2597 Labieux Road – In Favour

- Asked that her support be a part of the public record.

Ms. Lynette Jarrett, 403 Eighth Street – In Favour

- Long-time resident of the south end (10+ years) and has watched Nanaimo grow with an increase in our cultural and retail selections.
- Believes we should take the opportunity to improve our services and increase our growth. We all benefit from competition in a retail setting.
- Enthusiastic about broadening our epicurean scope and trends. This applicant provides a venue for culinary arts, believes the city should benefit from this.
- Local talented chefs and Malaspina graduates need to be nurtured and this allows for a venue at a local level.

Mr. David Murchie, 2700 102nd Street – Opposed

- Noted that he believes the distance between liquor stores is less than 500 metres in this case. Local residents already have a local pub; a liquor store is not needed.
- Cambie successful in Vancouver because of cheap beer; wonders what will happen if the cooking school is not successful and what the space will turn into.
- Close to schools, library, parks and lakes all equal negative impacts to the community.
- This is not a tourist area but instead is a community commercial centre.
- If an additional 50 or 60 parking stalls are needed, would they then want to buy another lot and pave it for additional parking? The town centre should not be paved over to accommodate expansion of the mall for parking needs.
- Traffic would only worsen; already dangerous.
- The community contribution for Victoria Crescent is seven kilometres away and does not help the local community in any way.
- The City is already paying for security at Loudon Park; this will increase that need.

Councillor Holdom asked if the speaker would also oppose a government liquor store at this site.

- Mr. Murchie responded that he would oppose any liquor store that is close to other liquor stores.
- This concept might do well in a bigger city, does not believe it is viable here in Nanaimo and would not be sustainable.

Mr. Gord Fuller, 604 Nicol Street – Opposed

- Cooking store would be contingent upon a liquor store.
- In attendance at the presentation; wonders why the public was not involved in this presentation and questioned why people were not asked for identification as alcohol samples were available.
- Opposed to any additional liquor stores in Nanaimo.

Mr. Fred Van Gerven, 2886 102nd Street – Opposed

- Owner of the Wellington Pub.
- Asked Staff to clarify whether this plan is the same plan that was presented at the Planning Advisory Committee.

Mr. Lindsay noted that this is the plan associated with the Province's preliminary letter of approval.

- Mr. Van Gerven noted that he brought some petitions of opposition. *[Due to size constraints, these petitions of opposition (one with 85 signatures and one with 682 signatures), along with brochures submitted through the applicant, are available for viewing in the Councillor's office or in Legislative Services.]*
- Stated he does not believe the applicant meets the 500 metre rule and that "they are receiving special treatment".
- Applicant is not entitled to a liquor store in this area just because there used to be a government liquor store in place.
- Believes the cooking / food approach is a small part of this application, or not at all.
- Noted that the owners do not live in the City.

Mr. Van Gerven's presentation is attached as part of "Schedule 'C' – Submissions for Bylaw No. 4000.397 (3200 Island Highway North – Country Club LRS)".

Mr. Fred Carroll, 359 Harwell Road – In Favour

- Owner of Quizno's in Country Club Mall.
- Vested interest; hopes it is approved. The small business owners would benefit from Country Club having this high-end liquor store.
- Goes to the Wellington Pub often and believes business is flourishing for Mr. Van Gerven.
- All shopkeepers would like increased business.

Mr. Tony Manguel, 2955 Vancouver Way – In Favour

- Likes the idea of food and liquor education available to the public and those in the industry. This application would aid in Nanaimo's reputation and tourism market.

- This would raise the bar for liquor stores, and competition improves business for all, and the strong will survive.
- This is a service the mall provided in the past and it was a success. This area will not be decreasing in population; enough population in the area to support the liquor stores.

Mr. Igor Sigalis, 449 Walker Street, Coquitlam – Country Club Mall, Managing Partner

- Not a large conglomerate, a local shopping centre developer.
- This 500 metre rule is not a zoning issue, but a Provincial issue. The liquor store is beyond the 500 metres, as is proven by pre-approval from the Province.
- Barons Road lots owned by Country Club Mall; this was purchased for RMH staff for 24-hour parking.
- Previous liquor store left on their own accord, nothing to do with management or Country Club Mall.
- No one is in business to lose money; Mr. Van Gerven owns the number one liquor store in the Province and they have been for the past six years with huge volume. Those profits are being aided by Council policy. First the moratorium blocked applications and then Council took away the zoning they already had for another liquor store. The issues that Mr. Van Gerven is experiencing are a result of Council policy changes. This is not a rezoning, but rather a reinstatement of the zoning Country Club already had in the past.
- A community centre should be convenient to the neighbourhood and many people want this component of the mall to return.
- Believes in the unique concept and would like to see it succeed.

Councillor Cameron asked Mr. Sigalis when the liquor store left Country Club Mall and when they bought the mall.

Mr. Sigalis responded that the liquor store closed in February 2003 and that the purchase of Country Club was in December 2002, adding the liquor store was their tenant for a small amount of time only.

Ms. Mindi Pettitt, 2642 Beaver Creek Crescent – In Favour

- Frequent shopper at Country Club Mall.
- Nanaimo in need of more culinary events and this would be a perfect platform.

Mr. David Murchie, 2700 102nd Street - Redress

- The Wellington Pub does not allow children into the pub; they could make more money by allowing families, but instead is looking at community-based interests. This application does not benefit the community in any way.

Mr. Sam Yehia – 525 Seymour Street– Applicant / Owner, Cambie Holdings - Redress

- Wanted to clarify that Cambie Holdings has been very successful in Vancouver and this application is a way of giving back to the community; it is a worthwhile risk of a \$2.5 Million investment.
- Presentation was handled professionally and all people partaking in alcohol were asked for identification.

- Mr. Van Gerven's comments from the Public Hearing of 2004-AUG-05 noted that he supported the idea of a LRS in Country Club Mall.
- Mr. Van Gerven owns the most profitable liquor store in British Columbia; competition is not an issue here.

Mr. Fred Van Gerven, 2886 102nd Street - Redress

- Owner of the Wellington Pub.
- The minutes from 2004-AUG-05 are not transcribed verbatim and they were incorrectly transcribed. What he said was that if Council wanted another liquor store in the north end of the city, it would be fine if it was handled fairly.

Eight written submissions were received for this application and are attached as part of "Schedule 'C' – Submissions for Bylaw No. 4000.397 (3200 Island Highway North – Country Club LRS)". *[Due to size constraints two petitions of opposition (one with 85 signatures and one with 682 signatures), along with 400+ brochures of support submitted through the applicant, are available for viewing in the Councillor's office or in Legislative Services].* There were no further written or verbal submissions received for this application.

6. BYLAW NO. 4000.398:

This bylaw, if adopted, will rezone part of the subject property located at 1356 Cranberry Avenue from Public Institution Zone (P-2) to Highway Commercial Zone (C-12) in order to permit the development of a gas bar and convenience store. The applicant is proposing to develop a 245 m² (2,640 ft²) convenience store, and gasoline service station.

The subject property is legally described as LOT 1, SECTION 2, NANAIMO DISTRICT, PLAN 29150 EXCEPT PART IN PLAN 3212 RW AND VIP67501.

Mr. Stan Shoemaker, 5133 Kaitlans Way - Applicant Representative

- Representing Mid-Island Co-op, who is the applicant in this submission.
- October 2005 agreement with Order of the Moose to purchase the most northerly 25,000 ft² of the property. To date, has complied with all requests made by Staff, as well as having met with community on two occasions; has full support of the Chase River Neighbourhood Association.

Four written submissions were received for this application and they are attached as part of "Schedule 'D' – Submissions for Bylaw No. 4000.398 (1356 Cranberry Avenue)". There were no further written or verbal submissions received for this application.

MOVED by Councillor McNabb, SECONDED by Councillor Bestwick, that the meeting be adjourned at 9:25 p.m.

CARRIED


D. Lindsay, Manager, Planning Division
DEVELOPMENT SERVICES DEPARTMENT

/pm

Council: 2006-AUG-14

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