

CITY OF NANAIMO

MINUTES OF THE MEETING OF THE REZONING ADVISORY COMMITTEE HELD ON THURSDAY, 2005-FEB-17, AT 4:45 P.M. IN THE BOARD ROOM, CITY HALL, 455 WALLACE STREET, NANAIMO, BC

PRESENT: Bill Forbes – Chair
Ralph Meyerhoff
Neil McNiven
Chris Erb

APPLICANT(S): Doug Bromage
Fred Brooks
Will Mellville
Russ Johnson
Russ Tyson
Brian Chatwin
Dr. L. Winkler
Dean Finlayson
Richard Provost

STAFF: Dale Lindsay, Manager of Planning, Planning Division, DSD
Jeremy Holm, Planner, Planning Division, DSD

1. CALL TO ORDER

The meeting was called to order at 4:55 p.m.

2. ADOPTION OF MINUTES

MOVED by Mr. Meyerhoff, SECONDED by Mr. Forbes that the minutes of the 2004-OCT-07 Rezoning Advisory Committee meeting be adopted.

CARRIED

3. NEW AND PENDING APPLICATIONS

RA000132: Insight Holdings Limited has applied to rezone a portion of 1400 Jingle Pot Road (proposed corner lot at Wakesiah Avenue and Jingle Pot Road) from RS-1 to CD-3 in order to construct a residential / commercial / retail development.

Mr. Holm provided a brief background on the proposal.

- Designated Neighbourhood Village in the Official Community Plan (OCP). Ultimately a Neighbourhood Village Concept Plan would work through the details of Mainstreet policy. In the interim, and as per OCP policy, this application is undergoing a Rezoning Application and Development Permit concurrently.
- Applicant is also subdividing PLA, of which the subject lot is the remainder.
- The proposal includes approximately 55 residential units, 11 live/work studies and 322 m² of commercial floor area, which would be contained within three separate CRU's.
- A key feature of the proposal is a pedestrian corridor running diagonally through the site.
- Proposed lot is approximately 1 hectare in area and is zoned Single-Family Residential.
- Looking to develop a Comprehensive Development (CD) Zone in response to the complexity of the development and proposed uses.

Mr. Erb noted that although he may be involved in a nearby development he did not believe that this would not constitute a conflict of interest.

Mr. Bromage introduced himself and gave a brief presentation on the proposed development.

- Undertook 3 neighbourhood information sessions (OCT and NOV-2003 / JUL-2004). Obtained feedback from the community, which helped in forming the current plans.
- The current site development plan respects the land and topography and addresses some environmental issues.
- Pedestrian component is key to the site development plan; the park area has been reconfigured to be larger and more appropriate to the wetland and tree use with a pedestrian trail.
- On subject site they are proposing going for small residential units (approximately 600 ft²) geared towards singles or young couples, including college students (campus-like feel).
- The retail / service components would consist of coffee shops, dry cleaner, etc. Mainly a complimentary service to the overall community.
- Have retained Mr. Mellville as the project architect and Mr. Brooks as the landscape architect.

Mr. Mellville gave a brief presentation on the proposed plan.

- The OCP designation of Neighbourhood Village is very fitting to this project plan. The concept is, in effect, creating a village in of itself, including the pedestrian corridor.
- Three areas that are commercial in the plan. Everything is small in scale; the biggest commercial unit would be approximately 1,500 ft².
- Live / work studio's would add a nice compliment to the village feel.
- Wanted to reinforce the street-edge on Wakesiah, which has been accomplished in the plan.
- Flexibility was key in the plan to allow for fitting to the demand of the user.
- Streetscape along Jingle Pot was given special attention; small-scale is key.

- This plan has a great mix of different housing and commercial options and opportunities.
- Size and scale of buildings allow for manipulation of floor plates and topography issues.
- Parking will be distributed around the fringe of the site.

Mr. McNiven asked if the units would be rental, sale or strata.

Mr. Bromage stated that this had not yet been decided, but that they would likely strata to allow for the option of a later sale.

Mr. Brooks gave a brief presentation regarding the landscape plans of the proposal.

- The landscape is divided in two particular areas, street portion at Jingle Pot and Wakesiah and the promenade portion in the rear. This makes for a nice transition between social gathering areas (i.e.: coffee shop) and the personal homes / space.
- Live / work areas can be accessed by vehicular traffic, which would lead to larger routing systems.
- A gently graded path system will be part of the pedestrian trails.
- Lighting will be low-key with shielded light fixtures on a smaller scale while still promoting safety and security issues.
- All circulation systems will be connected while at the same time there is a definite main path, allowing for pedestrians to traverse the area easily.

Mr. Meyerhoff asked if the promenade would allow for overnight parking.

Mr. Brooks responded that it could be used for incidental access (i.e.: delivery purposes) but not for parking, which would be managed by the owner.

Mr. Meyerhoff asked if the parking areas would be paved.

Mr. Brooks stated that the parking areas would most likely be paved, although may be a permeable surface. A permeable surface is the new trend.

Mr. Meyerhoff suggested that a permeable surface be encouraged.

Mr. Meyerhoff asked for clarification regarding on-street parking.

Mr. Mellville responded that Wakesiah is not being looked at for on street parking, but potentially for Jingle Pot. Mr. Mellville added that the City Engineering Department will need to be consulted on this issue.

Mr. Meyerhoff asked Staff to clarify whether the mix of commercial and residential would be pre-determined.

Mr. Lindsay responded that a zone specific to the development being proposed will be created.

Mr. Forbes asked if the public would be consulted again prior to First Reading.

Mr. Bromage agreed that they be conducting another public information session prior to the Public Hearing, adding that they have been very well attended in the past.

Mr. Erb MOVED that the application be accepted as presented. Seconded by Mr. Meyerhoff.

CARRIED

RA000141: Matterhorn Village Developments Inc. (Brian Chatwin) has applied for a site specific zoning amendment at 2323 Arbot Road, to permit strata lots of 200 square metres, in order to apply for a bare land strata development under the Bare Land Strata Act.

Mr. Lindsay provided a brief background on the proposal.

- The property on Arbot Road contains an existing recreational vehicle park which borders along Westwood Lake and is surrounded by primarily suburban neighbourhoods and is adjacent to an established mobile home park.
- In 1990's Council established a Campground Committee to look at a number of issues, including permanent residency within recreational vehicle units. As a result of that Committee there was a recommendation that a RV-1 Zone be created. Three properties were rezoned to allow campgrounds to permit permanent residency within recreational vehicles, this site is one of those properties. The zoning at the time allowed for a minimum lot area of 5 acres, so it did not allow for the subdivision or the stratification of individual lots.
- Last Fall Staff received an application from the owners of the subject property indicating that they were interested in stratifying the property. The zoning needs to be amended to allow for a lot area of 200 m². There also was an existing Council policy that did not permit the stratification of rental units if the vacancy rate was below 3%, currently Nanaimo has a vacancy rate of approximately 1.2%.
- Staff went to Council with this issue last Fall and asked if the existing policy applied to recreational parks.
- Council indicated that the policy did not apply to recreational vehicle parks, but did give directives to Staff to follow when considering applications, including: all applications should be looked at individually with consideration given to demonstrated availability of rental pads within the community, that there be compliance with the City's RV Parks Bylaw, that the impact on the surrounding community be looked at and that there be compliance with the goals and objectives of the OCP. Staff is in the process of completing the review for this application.

Mr. Lindsay noted that Dr. Winkler, who is a resident in the area of the proposed development, wishes to be received by the Committee as a delegation for this evening's meeting.

Mr. Chatwin gave a brief presentation regarding the proposal.

- Representing the company that owns the property but also representing a number of local investors who have invested in this high-quality RV Park and members of the park who have purchased 200-year ownership membership in the park. Long-term renters from the park are also being represented this evening who have chosen this form of affordable housing to live out their retirement. Tourists who enjoy the facilities every year are also being represented this evening.
- The reasons for stratifying the park are numerous: for the financial health of RV Resort on the Lake; \$4,000,000 has been invested to create one of the best RV Parks on central Vancouver Island.
- One way of recovering capital was to sell long-term memberships to citizens in the community. In 1995 the Real Estate Act changed disallowing membership sales, they were told they needed a prospectus. In order to do this they needed to stratify lots. Capital can be recaptured and long-term financial stability can be attained included improvements and maintenance of the park.
- If stratification is allowed they can turn title over at no cost to those who originally purchased membership (30 families) so they can enjoy the ownership of property under the Strata Titles Act.
- Stratification will also allow existing renters to purchase the land they are renting for a mortgage payment similar to their current rental payment.
- The City of Nanaimo will benefit cash-in-lieu of park dedication, DCC's for the project and additional taxes.
- The RV Park will continue to operate under a rental-pool structure and the stratification of this park will be seamless and have no impact on the surrounding neighbourhood.
- When the park was built in 1994 it was not without controversy, as it was a new housing form being introduced to the City in response to the then-current trends in RV living. Council was promised that they would build a park that Nanaimo could be proud of and that promise was kept. This would be good for the renters, owners, tourists and the City.

Mr. Meyerhoff asked if the community had been contacted for input.

Mr. Chatwin noted that they had not yet contacted the community but that they intended to do so prior to the Public Hearing.

Mr. Meyerhoff asked if the RV's would be moveable.

Mr. Chatwin noted that there are two types of modular living, both being under different approval classifications by the Federal Government. They have a CMHC approval number, there are frame structures that are set on the ground and then there are those that have wheels permanently attached. All RV's in this park have wheels permanently attached.

Mr. Meyerhoff asked if there were any RV's in the park that have not been moved for more than 5 years.

Mr. Chatwin responded that many have not moved for over 5 years, reiterating that this is a housing form as well as a RV Park.

Mr. Forbes asked if there is an age restriction on units in the park.

Mr. Chatwin responded that there is no age restriction in place.

Mr. Forbes noted that homes being allowed to sit for extremely long periods of time could deteriorate the park.

Mr. Chatwin noted that to date they have not had a problem with ageing homes; they have a high-quality and high standard of housing, adding that stratification would only ensure and perpetuate that standard.

Mr. McNiven asked if there are any restrictions on renting out owned homes in the park.

Mr. Chatwin responded that there is a rental pool. People will purchase the lots as investment or use and it is anticipated that there will always be a large number of investment lots within the rental pool, which the park will facilitate as a rental unit for tourists. Under the Strata Titles Act, the strata will have a Strata Council who will set restrictions and Bylaws, some of those restrictions will cover what is allowed in terms of rental. The rental pool is run as a professional management company to facilitate the tourist needs in the RV community.

Mr. Finlayson added that the Strata Council will also enforce maintenance and care in the park to ensure high standards.

Mr. Meyerhoff MOVED that Dr. L. Winkler be received as a delegate:
SECONDED by Mr. McNiven.

CARRIED

Dr. Winkler gave a brief presentation: (submission attached as Schedule 'A')

- Believes that this RV park is the antithesis of Neighbourhood Village.
- Litmus test of approval for rezoning is simply ratio between benefit to the community and the negative consequences.
- Would like to know exactly how much more taxes would be generated for the City if the rezoning were to be approved.
- Does not believe this is an effective form of low-cost housing as it is not for the citizen's of Nanaimo. This is not low cost housing; it is low quality housing, this is poor land use.
- Safety and liability issues include traffic and access problems, densification, environmental degradation and noise.
- The OCP guidelines are violated by this proposal in Dr. Winkler's opinion.
- The Campground Committee has resulted in "anything goes".
- There are alternatives to what is being proposed; a "boutique" resort, an ecological reserve or a high-quality, large-lot development.

- The City needs to cautiously consider this proposal as it is a "huge" potential problem.

Mr. McNiven asked for confirmation on how many neighbours Dr. Winkler is representing.

Dr. Winkler responded that he is representing approximately 25 neighbours.

Mr. Meyerhoff MOVED that the motion be referred to Council, to restrike the Campground Committee and review this application. SECONDED by Mr. Forbes.

DEFEATED IN A TIE

Mr. Meyerhoff MOVED that the application be rejected. SECONDED by Mr. Forbes.

DEFEATED IN A TIE

Mr. McNiven noted that many people like and use this park, does not live in the neighbourhood so he cannot comment on the issues Dr. Winkler raised, but he believes decisions should wait until after a Public Hearing to receive input from the community.

Mr. Erb noted that the public will have their say at a Public Hearing but the Committee should give its opinion as well.

Mr. Forbes asked how many spaces are currently located in the park.

Mr. Chatwin responded that there are currently 150 spaces in the park. This proposal will not allow for additional spaces, the park will be run as it is currently. Just trying to provide stability to the park.

Mr. Lindsay explained that the process would include a report to Council informing that the Committee received the application and that they were unable to make a recommendation.

RA000139: Russell Johnson has applied to rezone 6000 Hammond Bay Road from RS-1 to RM-3 in order to construct a 9-unit townhouse project.

Mr. Holm gave a brief overview of this application.

- Site is currently occupied by one single-family dwelling.
- The OCP policy most relevant to this application is 25 unit / hectare on a townhouse style development provided that it does not result in undue impact on traffic on neighbourhood streets and is well-separated from other sites.

- This site is approximately 1 acre and is well separated from other sites. It is close to neighbourhood amenities. Prior to development the applicant will need to dedicate a portion of the north part of the property to construct curb, gutter, sidewalk and half road.

Mr. Meyerhoff asked for clarification on access.

Mr. Holm confirmed that the access will be off of Brickyard Road, approximately mid-lot.

Mr. Meyerhoff stated that he believes traffic issues will be problematic.

Mr. Holm agreed that there would be an increase in traffic but that it would not impact neighbourhood streets unduly given that the proposed development accesses off Brickyard Road and is composed of only 9 units.

Mr. Johnson added that parking issues would improve with this development.

Mr. Meyerhoff noted that he is in favour of this project but that he would like to see access further back on Brickyard Road.

Mr. Tyson gave a brief presentation regarding this application.

- Mr. Johnson purchased the property a year and half ago. The City indicated that higher density projects would be supported.
- Extensive market research led to the decision to develop townhomes in the area.
- OCP guidelines are met in this application.
- Community contribution includes a new bus stop and a substantial landscape plan is also planned.

Mr. McNiven asked how big each unit would be.

Mr. Tyson noted that each unit would be approximately 1,600 ft², with two-storeys.

Mr. Forbes asked if any public consultation had taken place.

Mr. Tyson responded that no formal public consultation had taken place as of yet, although the owners in the area had been consulted with and there has been no opposition.

Mr. Meyerhoff asked for further clarification on the parking issues, adding that access should perhaps come off of Clayburn.

Mr. Tyson responded that different access points have been thoroughly looked into, the current plan is the most advantageous.

Mr. Meyerhoff noted that he likes the development but cannot accept the plan based on the problems with parking.

Mr. McNiven noted that the Bus Stop could help the parking issues.

Mr. Meyerhoff suggested that the City correct the problems on Brickyard Road and until so he cannot support this development.

Mr. Forbes MOVED that the application be accepted as presented, adding that the Committee recommends that the City review traffic issues on Brickyard Road, including access to existing parking lots. SECONDED by Mr. McNiven.

CARRIED

4. **NEW BUSINESS**

5. **ADJOURNMENT**

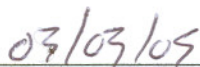
Mr. Erb MOVED that the meeting be adjourned at 6:20 p.m. SECONDED by Mr. Meyerhoff.

CARRIED

APPROVED:



Chair



Date

Schedule A

RA000141

Rezoning Advisory Committee 17 February 2005- "Resort on the Lake"

[1] Potential City/Community Benefits of Approval

- Increased Tax base
- "Low cost Housing"
- "Stability"

[2] Negative Consequences of Approval

- "Site Specificity" Pandora's Box
- Safety/Liability
 - ✓ Bottleneck Entry/Exit- e.g. Fire Hazard Study
 - ✓ Traffic- Impact Study
 - ✓ Density- e.g. Emergency/Disaster Response Study
- Environmental Degradation
 - ✓ Hydrocarbon Runoff
 - ✓ Noise
- OCP Noncompliance
 - ✓ Goal 1: Build Complete, Viable Communities
 - ✓ Goal 2: Protect the Environment
 - ✓ Goal 3: Manage Urban Growth
 - ✓ Goal 4: Improve Mobility and Servicing Efficiency
 - ✓ Goal 5: Community Involvement
- Continued Message of Contempt for Neighborhood/Other Developers

[3] Alternatives

- "Real" Resort
- Quality Homes/Large Lotsize
- Parkland

L. H. Winkler