

**MINUTES OF THE PLAN NANAIMO ADVISORY COMMITTEE MEETING
HELD ON TUESDAY, 2005-JAN-18, 4:45 P.M., BOARD ROOM,
CITY HALL, 455 WALLACE STREET**

Present:

Gail Adrienne	Gordon Mackinnon
Carey Avender	Ralph Meyerhoff
Councillor Diane Brennan	Neil McNiven
Stu Donaldson	Joan Perry
Bill Forbes	Michael Schellinck
Shirley Lance	
<u>Staff</u>	
Andrew Tucker	
Dale Lindsay	
Lisa Bhopalsingh	
Jason Carvello	
Rob Lawrance	
Fran Grant (Recording Secretary)	

**Chase River
Neighbourhood
Representatives:**

Jim Young	Shari Young
Kate Lowe	

Regrets:

Robert Borden	Ken Tully
Chris Erb	

1. Call to Order:

The meeting was called to order by Chair D. Brennan at 4:50 p.m.

A. Tucker introduced staff members Lisa Bhopalsingh, Jason Carvello and Rob Lawrance to the Committee.

2. Adoption of the Minutes for 2004-Dec-14:

MOVED by R. Meyerhoff, SECONDED by S. Lance, that the minutes of 2004-Dec-14 be adopted as presented.

CARRIED

3. Approval of Agenda and Late Items:

Late Item: Resignation of K. Tully (A. Tucker)

MOVED by G. Mckinnon, SECONDED by B. Forbes, that the Agenda be approved with the addition of one late item.

CARRIED

4. OCP Amendments – Applicant Presentations:

UCB EXTERNAL APPLICATIONS

- 1 Jim & Kathleen Russell, 2360 – 2364 Arbot Road & 2365 Mill St.
 - To move the subject property inside the UCB and to re-designate it from “Rural Resource Lands” to “Suburban Neighbourhood”.

J. Russell gave a brief description of the property and the purpose of the application. He gave the following answers to questions from PNAC:

- There is a mobile home on the portion of the property outside the UCB.
- The property is not in the Agricultural Land Reserve (ALR).

The Chair thanked J. Russell for his presentation.

2 Keith Brown (Agent for Todd Venier, Retire West Communities Ltd.), 3950 Biggs Road

- To move the far westerly portion of the subject property inside the UCB and to re-designate it from "Rural Resource Lands" to "Suburban Neighbourhood".

K. Brown gave a presentation attached to the minutes as Appendix A. He gave the following answers to questions from PNAC:

- The portion of the property that is outside the UCB is ALR.
- The property was originally under a land use contract.
- The part of the property in the ALR is sloped and has poor soil structure and is not suitable for agricultural use.
- Asked that PNAC give their recommendation to approve this application subject to approval of removal from the ALR.

The Chair thanked K. Brown for his presentation.

3 Gorden Halkett (Agent for Herman & Teresa Vanden Broek), 6101 Pearce Road

- To move the subject property inside the UCB and to re-designate it from "Rural Resource Lands" to "Suburban Neighbourhood".

R. Meyerhoff left the room due to a perceived conflict of interest.

G. Halkett gave a presentation on this application and noted that:

- Property is currently in the ALR and an application has been made for exclusion.
- Was a hobby farm but increased density in surrounding development has made that unappealing.
- Circulated pictures of the property and adjacent development.
- Best use for the property is residential development.
- Would be subdivided into approximately 40 lots if inside the UCB.
- North Nanaimo has only 43 residential lots currently listed for sale.
- There are fewer and fewer residential lots available within the City.

H. Vanden Broek (owner) noted that:

- Has lived on the property for 18 years.
- Surrounding area has changed dramatically and this property is no longer private.
- Would be difficult to sell the property as a hobby farm.
- Services come right to the property line.
- Does not feel that residential development of this property would impose on any other property owners.

There were no questions from PNAC.

The Chair thanked G. Halkett and H. Vanden Broek for their presentation.

R. Meyerhoff returned to the meeting.

UCB HOUSEKEEPING AMENDMENT:

1 Staff: 3950 Biggs Road

- To amend the location of the UCB to be consistent with the RM8 zoning boundary on the property (following the existing trail right-of-way).
- To re-designate that portion of the subject property from "Rural Resource Lands" to "Suburban Neighbourhood" to be consistent with the RM8 zoning boundary.

A. Tucker gave a brief explanation of this proposed amendment and noted that it was a mapping error from 1996 and that this portion of the property already has zoning for a mobile home park.

SITE SPECIFIC AMENDMENTS: EXTERNAL APPLICATIONS:

1. Rick Jones. (Agent for Alfa Pacific Holdings Inc.): 1321 Island Highway

- To re-designate that portion of the property designated "Medium-High Density Residential" to "Mainstreet (Commercial/Residential)".

D. Lindsay advised that

- Three members of the Chase River Neighbourhood were invited to join PNAC for this application and are present to give their feedback.
- There are some technical issues with this application regarding the proximity of Wexford Creek to the proposed building site.

R. Jones gave a presentation on the proposed amendment and noted that:

- Maps of the proposed development were distributed to PNAC.
- This is a local grocery store that is looking to expand to a larger premises close to their current location.
- The location of Wexford Creek makes it difficult to orient the building to Lawlor Road.
- Parking ratio meets the requirements.
- Will meet the required set backs from the Creek.

C. Watt (Watt Ventures Ltd.) noted that:

- Is working with the owners of Food Country.
- Hope to get a hardware store into the old Food Country building.

W. Large noted that:

- He is a co-owner of Food Country and the building.
- Have had preliminary discussions with a hardware business but need this project to get the go ahead from the City before they can make any commitment.
- The proposed new store would be 35,000 sq.ft. which would meet the needs of the growing population of the south end.
- Have been in the grocery business for 20 years.

The following answers were given to questions from PNAC and Chase River Neighbourhood representatives:

- Fisheries has said that 50 (15m) feet on both sides of the Creek is the required setback.
- Would like to tidy up the buffer by clearing out some of the underbrush and putting in a safe walking trail.
- No tenant has been secured for the proposed second building. Starbucks is a possibility but not for sure.

- Cannot have the larger building along the highway with the smaller building in the back because this would block the exposure of the smaller building from the highway. Any tenant would want to have their business seen from the highway.
- Connection to the highway would be egress only and not access to the development.
- Drive through would be on the subject property and not on the adjacent property.
- All buildings would be used for retail businesses.
- Residential development has not been considered for this site.
- Have not considered residential above because we do not feel that anyone would want to live above a grocery store.
- The applicants attended a public meeting (attended by 7 residents) to get community input.
- The community seems to support this proposal especially if a hardware store moves into the old grocery store building.
- Will continue to consult with the community.

D. Lindsay noted that:

- A survey would need to be done to identify the top-of-bank and 15m setback from there.
- Community amenities would be acquired at the rezoning stage of the proposal.

Comments from representatives of the Chase River Neighbourhood:

- Would like to see more space between the building and the setback from the Creek.
- Another drive-through (proposed Starbucks) does not fit with the communities vision.
- Community plan calls for a Mainstreet and higher density residential.
- Traffic from the coffee shop could cause problems.
- Would prefer to have the coffee shop in the grocery store instead of in the second building.
- Most of the people who will use the proposed businesses will use the highway to access so the larger building should be closest to the highway.
- Creek should be used as park space.

Comments from PNAC:

- Would like to see Wexford Creek given a break with as little impact as possible by moving building more to the east and not putting in a trail.
- Residential should be considered for this site as called for in the Neighbourhood Plan.
- The proposed development fits into the growth pattern for the area.

The Chair thanked the applicants for their presentation.

2. Jerry Ellins (Agent for Uplands Drive Investments): 6010 Uplands Drive
 - To make a site specific amendment to the "Neighbourhood" designation to permit a density of up to 0.45 floor area ratio (FAR).

J. Ellins gave a presentation on this proposed amendment and noted that:

- Current zoning is P2.
- Proposal is for eight – fourplexes of affordable housing.
- Circulated a picture of form, character and massing of a similar development.
- Would require increased density for this site to a maximum of .45 FAR
- Ideal location for families as it is close to schools, services and bus route.

Answers to questions from PNAC:

- Zoning for Ocean Walk is RM3 (max .45 FAR).

- Across the road is zoned RM5.
- Would be family style units.
- Have discussed this proposal with several people who live at Ocean Walk . Their main concern was that this not be a four story or higher development which was part of the previous congregate care proposal.
- Did not know at the time of the discussion with neighbours that this would be a family oriented development.
- There was an error on the sign regarding the dates of meetings but that has been corrected.

Answers from staff to questions from PNAC:

- Neighbourhood designation does not base density on FAR but on number of units per hectare.
- OCP policies would not allow this development because it is situated next to existing multi-family development and the combined sites are larger than 1 ha.
- Properties that front on major roads are considered suitable for higher density.
- Notification of the neighbourhood is done through signage on the property and not on an individual basis through a mail out. Advertisement about the public meeting are placed in local newspapers by staff.
- Individual notification is done during the rezoning process as required in the Local Government Act.

Comments from PNAC:

- Neighbourhood should be notified that this is a family-oriented proposal.

The Chair thanked J. Ellins for his presentation.

3. Trevor Johnston (Agent for Windley Holdings Co. Ltd.) 3721 Shenton Road
 - To make a site specific amendment to the "Neighbourhood" designation to allow office use.

T. Johnston gave a presentation on this proposed amendment and noted that:

- Intent is for a building for office use similar to the one next door.
- Site is currently vacant.
- Two homes in the area are currently occupied.

Answers to questions from PNAC:

- Would be of similar design to the neighbouring development.
- Have been in discussion with the Development Services Department regarding the riparian set backs and development of pathways.

D. Lindsay noted that:

- A similar proposed OCP amendment allowing office use was successful on a neighbouring site.
- PNAC had recommended that the rest of the lots on Shenton Road be subject to an internal OCP amendment to allow for office use.

The Chair thanked T. Johnston for his presentation.

INTERNAL APPLICATIONS:

1. Staff: DPA and ESA amendment of Schedule B

- To create a development permit and development approval information area for non-aquatic environmentally sensitive areas (ESAs) identified on Schedule B of the OCP.
- Also to recommend boundary changes to some ESAs identified on Schedule B of the OCP.

R. Lawrance, Environmental Planner, gave a presentation on the proposed Bylaws 6000.058 and 6000.059 and distributed maps of the affected sites. He also noted that:

- Policy amendments would be made in Section 2.1 of the OCP to update the text.
- These bylaws would establish a Development Permit Area (DPA) for non-aquatic Environmentally Sensitive Areas (ESAs) to be found in Section 8.2.24 of the OCP.
- Non-aquatic ESAs are identified in the OCP Schedule B but not as a DPA.
- Technical information is contained in Bylaw 6000.058 and boundary changes are outlined in Bylaw 6000.059.

Answers to questions from PNAC:

- The proposed DPA would be on private land. Owners would be asked to have an environmental assessment done if development is proposed.
- Affects properties with approximately 20 ESA sites that have particularly high ecological significance of the 70 sites originally identified as containing ESAs in Schedule B.
- From the property owners stand point, this formalizes the process that is currently in place.
- Local Government Act calls for protection of ESA sites to be done through a DPA.
- New federal and provincial legislation calls for rare and endangered species to be protected.
- A subdivision or building permit application would trigger the DPA.

The Chair thanked R. Lawrance for his presentation.

2. Staff: 3721 Shenton Road

- PNAC recommended at their previous meeting for the Official Community Plan amendment OCP00003 (3701/3711 Shenton Road) that staff review those properties located between 3711 and 3789 Shenton Road, to determine whether alternative options exist for the re-designation of this group of properties.

A. Tucker advised that:

- This amendment was brought forward because of an earlier recommendation by PNAC.
- Re-designation would allow for office use.

PNAC further discussed each of the applications and made the following general comments:

2360 Arbot Road:

- It is important to remember that there needs to be a good reason to move the UCB.
- Changing the UCB whittles away at the plan for vertical and infill growth and to stop urban sprawl.
- If it makes sense, that is what we should be looking at.
- Should look at other criteria such as do we need more lots for houses.
- If we need more green space, we should buy this for park.

A. Tucker will find out if property taxes on this property are paid according to the two different designations.

3950 Biggs Road:

- When the ALR designation is given, no consideration is not given to what the property is good for.

A. Tucker advised that:

- The OCP policy calls for all ALR lands to be outside the UCB.
- UCB amendment applications may have to be put on hold until the decision on the ALR applications is complete. If the ALR application is successful, they would then proceed. These applications will not have to wait three years until the next round of UCB applications is allowed.

6101 Pearce Road:

R. Meyerhoff left the room for this discussion.

- This application fits the argument of where do you draw the line. Is this a reasonable argument for moving the UCB?
- The City is going to grow so we should make the changes now.
- The lifestyle of the owner has been changed by development in the area.
- If this property is developed, the residents who live on adjoining properties would have their lifestyle changed as well.
- The road ends right at the property line which gives an indication that the City plans to expand it.
- Changed lifestyle is not a reason to allow this amendment. The City is not in the business of compensating for this.
- This amendment would be the start of a domino effect.
- Property is still worth a lot of money and it is not up to PNAC to compensate the owner.
- This is not a corner of the property that is cut off. Do not see the importance of giving development rights to make more money.
- Need to build up instead of out.
- What is the date of 1996 on the title? [Staff will check into this.]
- OCP says there is enough zoned land for growth for the next 17-30 years. Do we still have enough land inside the UCB?

A. Tucker noted that:

- The 10 year review of the OCP will look at the availability of land inside the UCB as well as ESAs and steep slopes.
- The review will be completed some time in 2006.

R. Meyerhoff returned to the meeting.

3950 Biggs Road:

No additional comments.

1321 Island Highway:

Comments from representatives of the CRNH:

- People at the public meeting generally favour the development.
- The owners have been good corporate citizens and the community would like to see them stay in the area.
- Concern about the Mainstreet concept as it looks like it is not going to work in this area.

- The impact on Wexford Creek is also a concern by having the back wall of the large building on the edge of the setback.
- The proposal does not consider any façade improvement to this back wall.
- Would like to see a vision of the plan which would include a bridge for pedestrian traffic.
- Do not want riparian zone modified to mitigate the effect of the block wall.
- Do not want a walk way through the riparian zone.
- Would have liked to see a residential component.
- Do not want another drive through.
- This site is not an extension of the South Gate Plaza but a separate mall (South Park).
- Should be more of a buffer between the development and Highway 19.
- This property is supposed to be the gateway to the community so we do not want another strip mall motif.
- Do not know if we still need the higher density residential.
- The Chase River Neighbourhood Plan should be reviewed during the OCP review process to see if the Town Centre should be a Neighbourhood Village instead.
- The biggest stumbling block is the Mainstreet designation.

Comments from PNAC:

- During the rezoning process the City should address the neighbourhoods concerns.
- Should have some residential on some of the site as asked for in the Neighbourhood Plan that the community worked so hard on.
- Some commercial zones also allow for multi-family use.
- Is this the start of another north end mess?
- Believe the neighbourhood wants the larger grocery store.

6010 Uplands Dr.:

- Will cause problems with families next to Ocean Walk seniors.
- Another example that major arterial policies need to be looked at. Single family may not be appropriate at this site.
- Before the public meeting, the applicant should make it clear to the neighbourhood that the proposed development is for families.
- It is not the City's responsibility to advise the neighbourhood but they could encourage the applicant to do so.

3721 Shenton Road:

- Should change the designation for the whole block.

Internal Applications:

No additional comments.

5. Other Business:

- A. Tucker advised the Committee that Ken Tully, Business Community Rep., sent a letter of resignation.

MOVED by S. Lance, SECONDED by S. Donaldson, that PNAC receive the resignation of K. Tully.

CARRIED

Staff will advertise the position.

6. Next Meetings:

OCP Amendment Review Meetings:

Public Meeting: January 27, 2005, 7:00 p.m. Council Chambers

Recommendations: January 27 (following the Public Meeting) and if necessary, complete on February 1, 2005

7. Adjournment:

The meeting adjourned at 7:40 p.m.