

MINUTES OF THE PLANNING, ENVIRONMENT AND DEVELOPMENT
STANDING COMMITTEE MEETING HELD IN THE BOARD ROOM, CITY HALL, ON THURSDAY,
2004-DEC-02, COMMENCING AT 3:30 P.M.

PRESENT: Councillor L. J. Sherry, Chair

Members: Councillor W. J. Holdom

Absent: Councillor R. A. Cantelon

Staff:	B. N. Mehaffey	K. Brydges
	D. Kiedyk	K. L. Burley
	A. Tucker	L. Mitchell
	R. Lawrance	

1. ADOPTION OF MINUTES:

- (a) Minutes of the 2004-NOV-18 Meeting of the Planning, Environment and Development Standing Committee held in the Board Room, City Hall at 3:42 p.m.

It was moved and seconded that the Minutes be adopted as circulated. The motion carried unanimously.

2. RECEIVING OF DELEGATIONS:

It was moved and seconded that Delegations (a) and (b) be permitted to address Council. The motion carried unanimously.

- (a) Councillor Charlie Cornfield, District of Campbell River, provided a Power Point presentation regarding the District of Campbell River's Estuary Management Plan.

Councillor Cornfield's presentation outlined the following:

- how Estuary Management Plans (EMP's) are formed.
- how EMP's are managed.
- the purpose and benefits of EMP's.
- the various groups that participate.

It was moved and seconded that the presentation be received. The motion carried.

- (b) Mr. Scott Northrup, Nanaimo Estuary Coalition, 3225 Stephenson Point Road, Nanaimo, B.C., regarding the status of the Nanaimo Estuary Management Plan.

Scott Northrup stated that:

- he is an estuary management biologist.
- estuary management plans are already in place in Campbell River, Courtenay, Port Alberni and Cowichan.

- Nanaimo has the biggest estuary on Vancouver Island and one of the only ones that does not have an active plan in place.
- in 2000, several stakeholders started plans for managing the estuary.
- in the Spring of 2001, the First Nations challenged the Provincial Government regarding Treaty rights.
- the steering committee selected a contractor early in 2002.
- the City decided they were not interested in being on the Committee.
- the planning process has been on hold for 8 - 9 months now, and there has not been a meeting for approximately six months.
- one of the problems the Committee was asked to solve was City participation.
- the Estuary Support Coalition, which is made up of groups such as the Fish and Game Club, Friends of Chase River, the Naturalist's Club, put some funds in so the contractor could put a plan together.
- it is 90 percent done now and they are waiting for word from members when they can go forward with the planning and review process.
- one of the problems is that all the estuary management plans in the Strait of Georgia have been done in different ways.

It was moved and seconded that the presentation be received. The motion carried.

It was moved and seconded that Council direct Staff to liaise with the current Nanaimo Estuary Management Committee and provide a report back to Council. The motion carried unanimously.

3. REPORTS OF ADVISORY BODIES:

Social Planning Advisory Committee:

(a) Proposed City Council's Excellence in Social Development Award

In the Social Planning Advisory Committee's (SPAC) annual report to Council dated 2004-FEB-16, the Committee indicated that they would be evaluating the possibility of establishing an annual awards program to recognize individuals and/or community agency achievement. The Committee has completed its evaluation and determined that an awards program that recognizes achievements in social development would complement existing City awards programs recognizing accomplishments in the fields of environmental and heritage conservation, arts and culture and architectural design.

The Social Planning Advisory Committee proposes that the City of Nanaimo initiate the *Excellence in Social Development Awards* program. This would be an annual program, introduced in the Spring of 2005, the goal of which would be to recognize Nanaimo citizens for their unpaid voluntary contributions and the exceptional commitment and leadership shown by individuals, families or groups in the field of social development. The proposed program is also an opportunity to celebrate community and raise awareness about our community's social issues.

The attached brochure outlines a strategy for gathering nominations, selecting award winners and presenting the awards that is similar in nature to that of the Environmental Achievement Awards. It is proposed that the awards be available in each of five categories:

1. Caring Citizen,
2. Caring Young Person (under 19) or School/Youth Group,
3. Caring Corporate Citizen,
4. Caring Non-profit Society,
5. Community Collaboration.

It is not mandatory that an award be given in all categories each year. The Social Planning Advisory Committee would review submitted nominations against the criteria listed in the brochure. The Committee would then recommend award winners for Council's endorsement. A plaque would also be created for each award recipient to recognize his or her achievement.

SPAC proposes that the recipients of the awards from this program and all other City award programs be recognized at a reception hosted by City Council. Shaw Cable could tape the event and profile the awards ceremony on the community channel. This format would offer more time than is available at a regular meeting of Council to profile the accomplishments of award recipients.

Recommendation: That the PEDSC recommend that Council:

1. endorse the annual Excellence in Social Development Awards Program proposed in this report and authorize the Social Planning Advisory Committee to seek nominations from the community in the Spring for the 2005 Awards; and
2. explore the feasibility of organizing an annual reception hosted by City Council at which the recipients of all City award programs would be recognized.

It was moved and seconded that the recommendations be adopted. The motion carried unanimously.

Nanaimo Community Heritage Commission:

(b) Applications for National Historic Site Status

At its 2003-OCT-01 Meeting, the Nanaimo Community Heritage Commission received a presentation by Gerry Borden, a commemorations officer for Parks Canada. Mr. Borden gave an overview of the application process for nominating a person, place or event for national historic status by the Historic Sites and Monuments Board of Canada. Mr. Borden also noted that Parks Canada is encouraging nominations from communities on Vancouver Island.

The Commission determined that the most successful candidate would be Newcastle Island, due primarily to the Island's use as a Snuneymuxw First Nation settlement and spiritual site, as well as its use as an resource/industrial and recreational site from the late 19th Century to the present.

However, the Commission also felt strongly that a nomination should be submitted for the Pacific Biological Station. Although this nomination does not fit the focus areas currently of interest to the Board, the site is a unique representation of a Federal facility on the West Coast that has figured prominently in Canadian fisheries and oceanographic research. To the Commission's knowledge such a facility has not yet been recognized by the Board anywhere in Canada. Currently, a portion of the site, the old Pacific Biological Station Residence, constructed in 1928, is listed on the City's Heritage Register.

The Commission believes that both sites illustrate a nationally important aspect of Canadian history and should be commemorated at a national level.

Provided Council directs the applications to proceed, the Commission will ensure that other organizations with an interest in the sites are notified and requested to submit letters of support for the designation. In the case of Newcastle Island, the Snuneymuxw First Nation has already submitted a letter of support to the Province's Ministry of Water, Land and Air Protection . The Commission will also request a letter of support directly from the Provincial Government. In the case of the Pacific Biological Station a letter of support will be requested from Fisheries and Oceans Canada. In either case, should support not be forthcoming then the application will not proceed.

Based on information provided by Parks Canada, it will be at least 1-2 years before the applications are considered by the Historic Sites and Monuments Board. Sites designated for their national historic significance are usually commemorated by means of a bilingual bronze plaque. The designation does not impose any legal obligation for conservation on the owner of the site.

The Parks Canada Agency offers complimentary professional and technical assistance to owners of national historic sites to encourage heritage conservation practices.

Recommendation: That the PEDSC recommend that Council direct Staff, with the assistance of the Heritage Commission, to prepare and submit nomination applications to the Historic Sites and Monuments Board of Canada to designate Newcastle Island and the Pacific Biological Station as National Historic Sites.

It was moved and seconded that the recommendation be adopted. The motion carried unanimously.

(c) Community Heritage Register Update

Council adopted the City's first official Heritage Register at its regular meeting held 2002-OCT-07. A heritage register is an official listing of properties identified by the City as having heritage value. Adoption of a register ensures that building owners

and prospective buyers are aware of the building's heritage status. In addition, creation of a heritage register permits Council, through a Heritage Procedures Bylaw, to implement temporary protection measures for buildings threatened with demolition or alteration. These temporary protection measures allow Council to:

1. temporarily withhold approval for an action that would lead to alteration of a listed heritage property;
2. temporarily withhold a demolition permit; and,
3. require an impact assessment to determine the effect of a proposed development on a heritage resource, before the development takes place.

Buildings on a heritage register can also take advantage of special "equivalency" provisions contained in the B.C. Building Code Heritage Building Supplement. The register can also be used as a criterion for municipal grants, tax exemption, and non-monetary incentives, such as zoning relaxation or development bonuses.

In October, 2002 the Register included 140 historic buildings, six cemeteries, and six historic structures.

Over the past two years, nine properties have been nominated by property owners and/or the public for inclusion on the Register. Earlier this year, the Heritage Commission reviewed and evaluated the nominations as required by the City's "HERITAGE PROCEDURES BYLAW 2002 NO. 5549". At its meeting held 2004-Apr-07, the Heritage Commission passed the following motion:

"That the Nanaimo Community Heritage Commission recommend that City Council add the following properties to the Community Heritage Register:

1. Modern Café (221 Commercial Street)
2. Smith/Wilson Residence (12 Irwin Street)
3. Newbury Residence (39 Milton Street)
4. McCannel Residence (757 Northumberland Avenue)
5. Manson Residence (471 Selby Street)"

The successfully nominated properties have been incorporated into a revised Register document attached to this report as Schedule "A".

With Staff assistance, the Heritage Commission also reviewed all existing heritage value/character statements contained in the Register for accuracy. A number of amendments were identified based on input from the Nanaimo Community Archives and on information generated by the recently completed Historic Places Initiative Statements of Significance Project. As a consequence of this review, the Commission has updated, to a lesser or greater degree, the value statements of approximately 62 property entries. These updates have been incorporated into the revised Register document.

Recommendation: That the PEDSC recommend that Council adopt amended Schedule "A" as the City's official Community Heritage Register.

It was moved and seconded that the recommendation be adopted. The motion carried unanimously.

4. CITY MANAGER'S REPORT:

CORPORATE SERVICES:

FINANCE:

(1) Changes to Development Cost Charge Legislation

New development, whether its residential, commercial, or industrial, places a "burden" on the City's existing water, sewer, drainage, parks and road infrastructure systems. To offset the cost of the infrastructure required to accommodate growth, funds are collected on new development through the City's development cost charge (DCC) bylaws. Other costs associated with new development such as increased police, fire, and recreational facilities cannot be offset through DCC's and must be paid for through general taxation.

Provincial legislation governing development cost charges has, until recently, exempted duplex and triplex developments from paying DCC's. It is Staff's view that there has never been strong rationale to support this exemption. Municipalities have been lobbying the province for years to have this apparent loophole closed.

The Provincial government passed legislation in September of this year that now allows the City to amend its bylaws so that it may collect DCC's on duplex and triplex developments. Staff recommends that the City take advantage of this new legislation and begin charging DCC's on these two housing forms. The primary reason for this recommendation is that like all other forms of new construction, duplex and triplex developments put additional "burden" on the infrastructure system and therefore these developments should pay their fair share of upgrade costs. An argument can be made for keeping duplex and triplex developments DCC exempt because it can encourage small infill projects throughout the City that may not be financially viable if DCC's are charged. Staff believes that on balance, it is more important that all development types be treated equally and that the much-needed DCC's collected from duplex and triplex developments will help to pay the ongoing cost of new infrastructure.

In terms of incorporating these two housing forms into the City's existing DCC bylaws, Staff believes many of the characteristics of duplex and triplex housing units are the same as multi-family units. Therefore, duplex and triplexes can be incorporated within the multi-family category and charged the same DCC rate. On average, these housing forms accommodate approximately the same number of people and therefore put about the same amount of "burden" on the City's infrastructure systems. This is an important point because the amount of "burden" placed on the City's infrastructure system is the main basis on which DCC's are calculated. Additionally, Staff forecasts that the number of duplex and triplex units expected to be constructed on a yearly basis will only be a fraction of the

multi-family category (5 percent - 7 percent) and will therefore have little impact on the original DCC assumptions and calculations. Combining duplex and triplex development with the multi-family category will also bring the DCC bylaws in line with the City's zoning bylaw.

It is important to note that the maximum amount of DCC's charged on a multi-family unit cannot exceed the single family unit DCC rate of \$10,750.79. The Regional District of Nanaimo DCC's for sanitary sewer are charged at the rate of \$15.08 m² on multi-family units.

The Provincial legislation pertaining to DCC's was also amended to allow municipalities to adjust the value of work threshold that dictates when DCC's can be charged. Currently, if the value of work authorized by a building permit is less than \$50,000.00, DCC's cannot be charged. Staff feels that the threshold currently used continues to be appropriate and therefore is not recommending a change to the amount at this time.

Recommendation: That the Planning, Environment and Development Standing Committee recommend that Council approve the amendments to the Development Cost Charge Bylaws allowing development cost charges to be charged on duplex and triplex units.

It was moved and seconded that Council direct Staff to prepare the necessary bylaws to allow Development Cost Charges to be charged on triplex units. The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 4:53 p.m. that the meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

DEPUTY MANAGER,
CORPORATE ADMINISTRATION