

MINUTES OF THE PLANNING, ENVIRONMENT AND DEVELOPMENT  
STANDING COMMITTEE MEETING HELD IN THE BOARD ROOM, CITY HALL,  
ON THURSDAY, 2004-MAR-11, COMMENCING AT 3:30 P.M.

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PRESENT: Councillor L. J. Sherry, Chair

Members: Councillor R. A. Cantelon  
Councillor W. J. Holdom

Staff:	G. D. Berry (4:09 p.m.)	G. Savage
	B. N. Mehaffey	J. T. Bowden
	E. C. Swabey	K. L. Burley
	D. Lindsay	L. Mitchell

1. ADOPTION OF MINUTES:

- (a) Minutes of the 2004-FEB-26 Meeting of the Planning, Environment and Development Standing Committee held in the Board Room, City Hall at 3:30 p.m.

Moved by Councillor Cantelon, seconded by Councillor Holdom that the Minutes be adopted as circulated. The motion carried.

2. RECEIVING OF DELEGATIONS:

Moved by Councillor Cantelon, seconded by Councillor Holdom that the Delegations be permitted to address the Committee. The motion carried.

Councillor Sherry advised that the Delegations would be permitted 15 minutes each to make their presentation.

- (a) Mr. David Birch and Mr. Eric Ricker, Departure Bay / Stephenson Point Associations, Nanaimo, B.C., regarding the rezoning application for 3008 Hammond Bay Road.

Mr. Birch and Mr. Ricker were previously authorized to address the Committee.

Mr. Birch stated that:

- an application has been made to rezone the land at 3008 Hammond Bay Road.
- his wife Dianne owns the adjacent land on the west side, and Mr. Ricker owns the land on the east side.
- the Departure Bay neighbourhood does not yet have a neighbourhood plan to define the type of development it wants, despite years of asking and that neighbourhood plans are a fundamental part of the Official Community Plan.

- they feel that putting a spot RM3 zoning into their single family area will seriously and negatively change its character and erode the lower density and privacy they expect in a single family neighbourhood.
- they feel this site should be developed sensitively to take advantage of its unique location and qualities, and they would like Council to reject this rezoning application.
- they are concerned that it may result in similar rezonings along Hammond Bay Road and exacerbate existing traffic problems.
- they would like a Neighbourhood Plan for their neighbourhood before considering any spot rezonings in SF1 zoned areas.
- the Growth Management Strategy of the OCP encourages the utilization of undeveloped zoned land.
- creation of neighbourhood plans is a fundamental part of the OCP, and they are intended to ensure that development in residential neighbourhoods proceeds as approved by the neighbourhood residents.
- they feel that Staff are using parts of the OCP to justify densities to 25 units per hectare, while ignoring other parts intended to protect neighbourhood character.
- this was not expected by the neighbourhood residents and they are upset.
- they feel this process is clearly in need of revision and that it warrants a moratorium on rezoning in their area until the process is fixed.
- they would like this rare site and stretch of coastal drive to be developed as a statement of the new image that we are trying to create for Nanaimo.
- they feel it is not the place to solve the problems of urban sprawl.
- it is difficult to understand why planning Staff are so supportive of a concept which will ruin a "one of a kind" property and degrade the adjacent neighbourhood.
- they hope that Council will reject this proposal in favour of one that makes a more positive contribution to the ambiance of our City.
- he introduced Mr. Fred Pattje.

(Mr. Ricker submitted a back-up presentation, and turned the time over to Mr. Pattje.)

Mr. Pattje stated that:

- he resides at 2830 Fandell Street and is the Treasurer of the Departure Bay Neighbourhood Association (DBNA).
- the DBNA is opposed to this spot rezoning because of the absence of a neighbourhood plan; however, such a development may be acceptable within the constraints of a neighbourhood plan.
- they have an urgent need for a neighbourhood plan and have concerns about the effects this rezoning might have.
- they feel this is putting the cart before the horse and should not even reach first reading.
- they would like Council to keep the whole of Departure Bay in mind when considering any rezoning that affects the waterfront at Departure Bay.
- they do this on behalf of every citizen of Nanaimo who will expect that Departure Bay be handled with the utmost of care and vision.

Moved by Councillor Cantelon, seconded by Councillor Holdom that the presentation be received. The motion carried.

- (b) Mr. Carl Steele and Mr. Rick Windley, c/o #1 – 3179 Barons Road, Nanaimo, B.C., regarding the rezoning application for 3008 Hammond Bay Road.

Mr. Steele and Mr. Windley were previously authorized to address the Committee.

Mr. Steele stated that:

- he asked the Committee to take notice of the efforts they have made in the report.
- neighbourhood discussions depend on who you talk to and who they represent.
- as a developer, are they supposed to postpone a project that fits in the planned direction of the OCP, will provide thousands of man hours in employment, and improve the City's tax base, while neighbourhood associations try to deal with this?
- the neighbourhood associations are asking Council to retain the status quo; is it just the owners of single family waterfront and view properties driving the concern that no other types of housing as described in the OCP be allowed in these existing areas?
- the neighbourhood contends that multi-family rezonings along Hammond Bay Road will exacerbate existing traffic problems; but the problems on Hammond Bay will continue unless identified road improvements continue to be made.
- traffic and growth will continue to increase at a predictable rate, and Council's policy is to have developers pay for these improvements where possible.
- they do not think that the community as a whole would be interested in paying higher taxes to ensure waterfront splendor for Nanaimo's finer single family neighbourhoods.
- what they are hearing is that the residents want nothing but single family housing for this area, but the OCP does identify that a multi-family site is needed.
- 77 percent of the residents in the immediate area support this type of development.
- the OCP accommodates coastal views by placing restrictive heights on zonings such as theirs.
- recently, the planning emphasis in waterfront areas has been to promote public access, footpaths, bike trails and safe walking sidewalks, such as they propose.
- the neighbourhood's suggestion to use development cost charge funds to avoid denser development clearly goes against the OCP.
- they feel it shows that the neighbourhood strictly wants it single family by spending from the community DCC fund for the benefit of one area.
- they have met, and even exceeded, the required setbacks for this project.
- they have also changed their design to accommodate Mr. Ricker's concerns, so he now has one small single unit twice the distance from his property line than a larger single family home would be required to have under current zoning.
- for years now, Mr. Ricker has been aware that his driveway is on their property, but he has made no effort to correct the situation.
- Mr. Birch is 120 feet away and is guaranteed a 30-metre leave strip around a fish-bearing stream of forested property between their project and his place.

Mr. Windley stated that:

- they have been working with Staff for six months to keep in line with the neighbourhood.
- he displayed drawings of the site, showing the view from Hammond Bay Road, as well as the layout of the buildings.
- while there is other appropriately zoned land, no piece is as unique as this.

- everyone except these neighbours agree that this is the right type of development for the site.
- there would be single family dwellings at the front of the property.
- they feel that this is not a dense design, considering the amount of green space.
- he is surprised that people from more than two kilometres away are expressing opposition to their proposal.
- they are looking forward to Council's support of their project.

Moved by Councillor Holdom, seconded by Councillor Cantelon that the presentation be received. The motion carried.

- (c) Mr. Mervyn Jones, Stephenson Point Neighborhood Association, 3327 Stephenson Point Road, Nanaimo, B.C., regarding the rezoning application for 3008 Hammond Bay Road.

Mr. Jones was previously authorized to address Council.

Mr. Jones stated that:

- he is secretary of the Stephenson Point Neighbourhood Association, and their area does have a neighbourhood plan.
- they think that Departure Bay is a unique part of Nanaimo and would like to see it stay the same.
- they share the concerns with the local neighbourhood association, and oppose this application for rezoning.
- their interpretation of the OCP does not recommend spot rezoning for the change of "character" of existing neighbourhoods.
- this area of Hammond Bay/Departure Bay is predominantly single family residential and a development of this scale is not in keeping with the character of the area.
- they fear that this type of rezoning will set a precedent for similar developments on waterfront properties, and feel this would be detrimental to the long-term beauty of the region.
- they also feel that the proposed road improvements would be inadequate to cope with the increase of traffic that this type of development will encourage.
- if further multi-family developments are to be encouraged by this type of rezoning within the area of Hammond Bay Road, spot upgrades of the road system will not solve the resulting traffic density problems and, a total upgrade of this road is financially unfeasible.
- he cited sections from the OCP pertaining to neighbourhoods.

Moved by Councillor Cantelon, seconded by Councillor Holdom that the presentation be received. The motion carried.

3. REPORTS OF ADVISORY BODIES:

Nanaimo Community Heritage Commission:

(a) Staffing Reductions Province of B.C. Heritage Branch

The Nanaimo Community Heritage Commission recently learned that Provincial Government cutbacks have reduced the staff of the Provincial Heritage Branch from 15 to 7 employees. In particular, this reduction included elimination of the Branch Director position as well as the Manager of the Heritage Properties position.

The latest reductions are consistent with a long-standing pattern of cutbacks to the Provincial Heritage Branch that have occurred over the past 12 years. By way of example, in 1991, the B.C. Heritage Trust committed approximately \$2.7 Million to 118 heritage projects across the Province. In 2003, with the budget reduced to \$250,000., the Province eliminated the B.C. Heritage Trust entirely. It has also embarked on a process of "devolution" of its collection of 15 unique Provincial heritage sites, a process intended to hand over the management of these sites to independent operators.

At its Annual General Meeting held in Winnipeg, Manitoba, on 2003-SEP-20, the membership of the Heritage Canada Foundation unanimously endorsed the following resolution expressing its concern at the Provincial government's actions:

"Whereas the Government of British Columbia has begun the devolution of its heritage properties, terminated the British Columbia Heritage Trust, eliminated so many staff positions in the Heritage Branch and Barkerville that those operations are unsustainable, and appears to be on a course of disbanding its heritage program entirely; and whereas the municipalities and property owners of British Columbia require leadership and continued service delivery from the Provincial Government to be able to continue their own heritage management programs, the membership of the Heritage Canada Foundation, assembled at its Annual General Meeting in Winnipeg, declare unanimously that these actions are untenable and destructive, and they request that the Government of British Columbia maintain a heritage program of sufficient strength to enable the continued stewardship of the built heritage of British Columbia, and to fulfill the expectations of the people of British Columbia, the other provinces and territories of Canada and the Government of Canada."

The Heritage Canada Foundation is a national, membership-based organization and registered charity. It was incorporated in 1973 to encourage Canadians to protect and promote their built, natural, historic and scenic heritage.

At its Regular Meeting held 2003-DEC-03, the Nanaimo Community Heritage Commission recommended that the City of Nanaimo support the Heritage Canada resolution by passing the following motion:

“That the Heritage Commission recommend to City Council that the City of Nanaimo send a letter to the Minister of Community, Aboriginal and Women’s Services, expressing its opposition to the reduction of staff and financial resources for the Provincial Heritage Branch, and that the letter include examples where Nanaimo benefited from funding opportunities, and the effect this action will have on the whole Province.”

Recommendation: That the Planning, Environment and Development Standing Committee recommend that Council send a letter to the Honourable Murray Coell, Minister of Community, Aboriginal and Women’s Services, expressing its opposition to the continued reduction of staff and financial resources, for the Provincial Heritage Branch.

Moved by Councillor Cantelon, seconded by Councillor Holdom that the recommendation be adopted. The motion carried.

4. ADJOURNMENT:

Moved by Councillor Cantelon, seconded by Councillor Holdom at 4:25 p.m. that the meeting terminate. The motion carried.

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C H A I R

CERTIFIED CORRECT:

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SENIOR MANAGER,  
CORPORATE ADMINISTRATION