

MINUTES OF THE 2001-MAR-15 MEETING OF THE
PLANNING AND DEVELOPMENT STANDING COMMITTEE,
HELD IN THE BOARD ROOM, CITY HALL, COMMENCING AT 4:00 P.M.

PRESENT: Members: Councillor L. J. Sherry, Chair
 Councillor W. J. Holdom
 Councillor L. D. McNabb
 Ex-Officio Member: His Worship Mayor G. Korpan

 Staff: E. C. Sw abey J. T. Bow den
 S. E. Fletcher A. D. Archer
 S. Hvoz danski

1. ADOPTION OF MINUTES:

- (a) Minutes of the 2001-FEB-22 Meeting of the Planning and Development Standing Committee held in the Board Room, City Hall at 4:00 p.m.

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

2. INTRODUCTION OF LATE ITEMS:

- (a) Councillor McNabb advised that Mr. David Wright was in attendance and wished to address Council as a late delegation regarding the Departure Bay Neighbourhood Plan.

 Moved by Councillor Sherry, seconded by Councillor McNabb that Mr. Wright be permitted to address Council as a late delegation with a five-minute time limitation. The motion carried.

3. RECEIVING OF DELEGATIONS:

 Moved by Councillor Sherry, seconded by Councillor McNabb that the Delegations be permitted to address Council. The motion carried.

- (a) Mr. Dave Shillabeer spoke on behalf of Mr. Allan Davidson, Departure Bay Neighbourhood Association, regarding a request for the Departure Bay Neighbourhood to be considered for a neighbourhood plan.

 Mr. Shillabeer was previously authorized to address Council.

Mr. Shillabeer stated that:

- Departure Bay Neighbourhood Association is interested in becoming involved in the Neighbourhood planning process as set out in Plan Nanaimo.
- when their group formed about a year ago, they circulated a questionnaire throughout the neighbourhood to find out what the priority issues were; the number one issue identified was future development along the waterfront.
- over the past few months, they have had a subcommittee looking at how they could best play a meaningful role in helping to shape future changes in the area.
- City Planning Staff have been very helpful in providing them with background information and advice on how this might be achieved.
- their understanding is that the Official Community Plan (OCP) recognizes the neighbourhood planning process as the means of involving residents in implementing the OCP.
- neighbourhood planning is also described as the means of balancing local interests, with the broader needs of the community.
- Section 5.2 of Plan Nanaimo states that priority will be given to developing neighbourhood plans based on the following criteria, of which the first three apply to Departure Bay:
 - neighbourhoods experiencing redevelopment pressures;
 - neighbourhoods under growth pressures;
 - neighbourhoods designated in the OCP with neighbourhood villages;
 - neighbourhoods adjacent to expanding town centre boundaries.
- the area to be included within the plan would have to be agreed to with the City.
- their thinking is to concentrate on a relatively small area - primarily the beach-front, roughly from Hammond Bay Road to the end of Battersea Road and from the beach back to about Haliday Crescent.
- that is what they consider to be the focal point of their neighbourhood and includes the beach, the commercial properties and apartments along Departure Bay Road, and the parkland and recreational areas close to Departure Bay.
- that is also the area that they feel is most likely to experience development pressures in the near future.
- they are aware that in the past, plans have been undertaken for Chase River and for the Old City Neighbourhood, and that the Rocky Point/Hammond Bay/Stevenson Point Plan is nearing completion.
- they don't know if the City has a priority listing, or a schedule for future plans.
- they are asking that the Departure Bay area be considered as a candidate site for the next plan to be undertaken.
- as the goal of the exercise is to prepare a document that can be included in Plan Nanaimo, they are anticipating that some City resources will be required - likely Staff time and some funding, to ensure the end product is suitable for this purpose.
- they are asking Council to consider providing this support, together with the decision to proceed with a Departure Bay Neighbourhood Plan.

Moved by Councillor Sherry, seconded by Councillor McNabb that the presentation be received. The motion carried.

- (b) Mr. David Wright, Departure Bay Neighbourhood Association, regarding becoming involved in the neighbourhood planning process as set out in Plan Nanaimo.

Mr. Wright was previously authorized to address Council as a late delegation.

Mr. Wright stated that:

- he referred to the City Manager's Report in which one of the items is a list of the processes that have been gone through to get to this stage in the plan.
- there is more than enough evidence of consultation with the residents in the Plan.
- he assumed that the Committee has the final draft of the Plan with the final schedules.
- there were a few members of the Steering Committee there to respond to any questions.
- they have been operating on the assumption that this is the Plan that is going to Council.
- they understood that bylaws were being drafted based on Staff's recommendations which the Committee is in substantial disagreement with.
- it is a matter of clarification of process and that is an issue that they are very concerned about, and is an issue that needs to be improved before other neighbourhood plans are dealt with.
- they support neighbourhood plans, but think the difficulties they have experienced need to be dramatically improved on for everyone's benefit.
- they are satisfied that the Plan as drafted reflects the wishes of the vast majority of the neighbourhood.

Moved by Councillor Sherry, seconded by Councillor McNabb that the presentation be received. The motion carried.

4. REPORTS OF SOCIETIES, BOARDS, COMMISSIONS AND COMMITTEES:

- (a) Plan Nanaimo Advisory Committee - Official Community Plan Amendments Review Period NOV 2000 – MAY 2001

[Note: A Staff report on this issue was also prepared and it was recommended that they be dealt with at the same time under the City Manager's Report.]

The Plan Nanaimo Advisory Committee met in January and February to review two external OCP applications, two Staff initiated OCP amendments, and three housekeeping amendments.

PNAC's recommendations and rationale are summarized in the body of the report. More detailed information can be obtained from PNAC minutes and the external application submissions, which are located in a binder placed in the Councillor's Office.

A. External Applications

- (1) Application 00-06: (3700 & 3724 Island Highway North): Application to re-designate the subject properties from "Neighbourhood" to "Highway Commercial" to permit the expansion of an existing business (Budget Brake & Muffler).

PNAC Recommendation: Unanimous recommendation to support the proposed amendment to re-designate 3700 & 3724 Island Highway North from "Neighbourhood" to "Highway Commercial" subject to the owner ensuring that a minimum six (6) foot (high) buffer be installed to protect neighbouring residential properties

- (2) Application 00-07: (Rocky Point/Hammond Bay/Stephenson Point Neighbourhood Plan): Application to amend the Official Community Plan to incorporate the subject Neighbourhood Plan. For ease of review, Staff created tables (attached to the report) for the policies in the draft Neighbourhood Plan. These tables are titled Supportable Policies, Unsupportable Policies; Operational Policies; Redundant Policies; General Policies and Steeply Sloped Land.

PNAC Recommendations:

- a. That those policies identified in the supportable table be adopted into the OCP, subject to conditions set out in the comments column of the table.
- b. That the policies identified in the unsupportable table not be adopted into the OCP.
- c. That those policies identified as operational policies not be adopted into the OCP.
- d. That policies identified as redundant not be adopted into the OCP.
- e. That policies identified in the general policies table requiring no further assessment be adopted into Neighbourhood Section of the OCP during this amendment round and general policies requiring additional investigation be reviewed as part of the 5-Year Official Community Plan Review prior to their adoption.
- f. That Council set completion of the Steep Slope Guidelines as a priority and provide the necessary resources to complete the guidelines for inclusion in the next round of the OCP amendments (2001-MAY-01).
- g. That the City provide the resources necessary to undertake a comprehensive plan for the Linley Valley as an urgent requirement.

B. City Initiated Amendments

- (3) Woodgrove Town Centre: Application to acknowledge that not all sites in the Woodgrove Town Centre are suitable for mixed use (commercial and residential) and that flexibility is required when reviewing development applications. The policy currently reads "must consider".

PNAC Recommendation: Unanimous recommendation to not support the proposed amendment to Policy 1.1.2.2.- 43 of the OCP to read: "New development and redevelopment should consider a mix of land uses and densities, particularly residential uses, on or adjacent to shopping centre sites."

- (4) Highway Commercial: Application to acknowledge three (3) existing businesses that are zoned for commercial use, but are designated "Neighbourhood".

PNAC Recommendation: Unanimous recommendation to support the proposed amendment to re-designate 3612 Island Highway North (Nissan Dealership), 3690 Island Highway North (Payless Gas) and 2789 106th Street (Used Auto Dealership) from "Neighbourhood" to "Highway Commercial".

C. Housekeeping

- (5) E & N Trail: Amend Schedule A of the OCP to acknowledge the new E & N multi-use trail.

PNAC Recommendation: Unanimous recommendation to support the proposed amendment.

- (6) Parkland: Correct a mapping error by amending Schedule A of the OCP to acknowledge existing parkland.

PNAC Recommendation: Unanimous recommendation to support the proposed amendment.

- (7) Nanaimo Port Authority: Amend the OCP to acknowledge the Nanaimo Harbour Commission's recent name change to the Nanaimo Port Authority.

PNAC Recommendation: Unanimous recommendation to support the proposed amendment.

Plan Nanaimo Advisory Committee Recommendations: That Council:

1. accept the Plan Nanaimo Advisory Committee's (PNAC) unanimous recommendation to support the proposed amendment to re-designate 3700 & 3724 Island Highway North (Budget Brake & Muffler & vacant lot) from Neighbourhood to Highway Commercial subject to the owner ensuring that a minimum six-foot (high) buffer be installed to protect neighbouring residential properties;
2. accept PNAC's recommendations in regard to the policies from the Rocky Point-Hammond Bay-Stephenson Point Neighbourhood Plan, Steep Slope Guidelines, and Linley Valley as outlined above;
3. accept PNAC's unanimous recommendation to support the proposed amendment to re-designate 3612 Island Highway North (Nissan Dealership), 3690 Island Highway North (Payless Gas) and 2789 106th Street (Used Auto Dealership) from "Neighbourhood" to "Highway Commercial";
4. accept PNAC's unanimous recommendation to not support the proposed amendment to Policy 1.1.2.2.- 43 of the OCP to read: "New development and redevelopment should consider a mix of land uses and densities, particularly residential uses, on or adjacent to shopping centre sites" (the policy currently reads "must consider");
5. accept PNAC's unanimous recommendation to support the proposed amendment to Schedule A of the OCP, to include the new E & N multi-use trail, which runs parallel to Highway 19A, between Bowen Road and St. George Street;
6. accept PNAC's unanimous recommendation to support the proposed amendment to Schedule A of the OCP, to acknowledge existing parkland, which has a civic address of 4780 Roxanne Drive;
7. amend the OCP, to remove all references to the Nanaimo Harbour Commission and replace with Nanaimo Port Authority.

This item was dealt with under Item (2) of the City Manager's Report.

5. CITY MANAGER'S REPORT:

- (1) Rocky Point/Hammond Bay/Stephenson Point (RPHBSP) Neighbourhood Planning Process

The Rocky Point Hammond Bay Stephenson Point (RPHBSP) Neighbourhood Plan is being considered as part of the current OCP amendment round. The Plan has been reviewed by Staff and PNAC and is now being forwarded to the Planning and Development Standing Committee and Council for their review.

Council formally approved the commencement of the Neighbourhood Planning process for the RPHBSP Neighbourhood in the fall of 1998. The Neighbourhood Planning process is a citizen driven process. The Steering Committee's role was to consult with their Neighbourhood, develop consensus amongst residents and prepare and present a draft Neighbourhood Plan to Council.

The Steering Committee was fully aware of the need to seek input from residents and gain support for the Neighbourhood Plan. Towards that end numerous public input opportunities were provided in the form of open houses, workshops, surveys, mail-outs, and a staffed information office. Also in addition to the full-time Staff liaison, the Steering Committee had access to senior City staff along with representatives from the RDN and the Pacific Biological Station.

Bill 14, which came into effect on 2001-JAN-01, amended the *Local Government Act* to make it mandatory for Local Governments to:

- Provide one or more opportunities for consultation with persons, organizations and authorities it considers will be affected by OCP policy changes, over and above that of the public hearing;
- Consider whether the consultation should be early and/or ongoing; and
- Specifically consider possible pre-public hearing consultations with certain parties like adjacent local governments, school district boards, improvement boards, the Provincial and Federal governments and their agencies, and others.

The rationale for these new requirements is to ensure that input is received early enough in the process that it can have an impact, and to allow this input to be received in a less formal and daunting forum than at a Public Hearing.

Prior to making any formal action with respect to the RPHBSP Neighbourhood Plan, Council needs to endorse the public consultation process that has taken place during the development of the Neighbourhood Plan as sufficient in meeting the requirements of the *Local Government Act* as amended by Bill 14.

Recommendation: That Council receive this report and endorse the public consultation process undertaken during the development of the subject Neighbourhood Plan as sufficient in meeting the requirements of the *Local Government Act*.

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

(2) Official Community Plan Amendments Review Period Nov. 2000 – May 2001

The Plan Nanaimo Advisory Committee (PNAC) met in January and February to review the two external applications, two Staff initiated amendments and three housekeeping, amendments to the Official Community Plan. PNAC's

recommendations on these applications are outlined in a separate report to Council. Staff concurs with the majority of PNAC's recommendations. Staff's individual recommendations are outlined in this report.

This Staff report responds to those PNAC recommendations which Staff do not support.

Staff concur with all of PNAC's recommendations regarding the Rocky Point/Hammond Bay/Stephenson Point Neighbourhood Plan, with the exception of the four policies noted below .

1. Where walking streets are currently not through streets, only emergency vehicle lanes and trails shall be permitted to be developed.
2. Cul-de-sac Gulfview, Sundown, Stephenson Point and Nottingham Roads for emergency vehicle passage only to maintain and enhance their use as walking streets.
3. The widening of Hammond Bay Road to four lanes is not supported. Consideration should be given to the development of left hand turning lanes and bus pullouts to alleviate future vehicle congestion along Hammond Bay Road.
4. The road network modifications noted on Schedules K and I are to be incorporated in the City's overall Road Network Plan.

Staff does not concur with PNAC's recommendation regarding the Woodgrove Town Centre as they do not believe that requiring a mix of uses, particularly residential, is appropriate in all cases. The proposed amendment to Policy 1.1.2.2-43 would allow each development in the Town Centre to be reviewed on its own merits.

The Linley Valley recommendation arose from discussions regarding the Neighbourhood Plan and surrounding lands and Staff do not concur with PNAC's recommendation on this issue. The majority of the Linley Valley lies outside the Urban Containment Boundary (UCB). Significant development (rezoning) in the Valley would be possible only if landowners went through the UCB amendment process. The UCB amendment process calls for the submission of plans and supporting documentation on the impact of the development of such lands. Given the current policies in the OCP requiring a comprehensive plan, Staff do not believe that a comprehensive plan is warranted at this time.

Recommendations: That Council:

1. support PNAC's recommendations outlined in the PNAC report on this agenda with the exception of the following:
 - recommendation 2a, policies 23 through 26
 - recommendation 2g, comprehensive plan for Linley Valley
 - recommendation 3, Woodgrove Centre amendment.

2. support Staff's recommendation to remove policies 23 through 36 found in the Supportable Table.
3. support Staff's recommendation regarding the Woodgrove Town Centre amendment;
4. support Staff's recommendation not to act on PNAC's recommendation to develop a comprehensive plan for the Linley Valley, and
5. give First and Second Reading to the associated OCP Amendment Bylaws.

Moved by Councillor Holdom, seconded by Councillor McNabb that Council re-designate 3700 and 3724 Island Highway North from "Neighbourhood" to "Highway Commercial" to allow for the expansion of the existing business (Budget Brake & Muffler & vacant lot). The motion carried.

Moved by Councillor Holdom, seconded by Councillor McNabb that Council refer the Rocky Point/Hammond Bay/Stephenson Point Neighbourhood Plan to a Council Seminar Session for further consideration prior to considering the adoption of the Plan. The motion carried.

Moved by Councillor Holdom, seconded by Councillor McNabb that Council re-designate 3612 Island Highway North (Nissan Dealership), 3690 Island Highway North (Payless Gas) and 2789 106th Street (Used Auto Dealership) from "Neighbourhood" to "Highway Commercial". The motion carried.

Moved by Councillor McNabb, seconded by Councillor Holdom that Policy 1.1.2.2 - 43 of the OCP remain the same, and reads "New development and redevelopment should consider a mix of land uses and densities, particularly residential uses, on or adjacent to shopping centre sites" (the policy currently reads "must consider"). The motion carried.

Moved by Councillor Holdom, seconded by Councillor McNabb that Council amend Schedule A of the OCP, to include the new E & N multi-use trail, which runs parallel to Highway 19A, between Bowen Road and St. George Street. The motion carried.

Moved by Councillor Holdom, seconded by Councillor McNabb that Council amend Schedule A of the OCP, to acknowledge existing parkland, which has a civic address of 4780 Roxanne Drive. The motion carried.

Moved by Councillor Holdom, seconded by Councillor McNabb that Council amend the OCP, to remove all references to the Nanaimo Harbour Commission and replace with Nanaimo Port Authority. The motion carried.

Moved by Councillor McNabb, seconded by Councillor Holdom that Council set completion of the Steep Slope Guidelines as a priority and provide the necessary resources to complete the Guidelines for inclusion in the next round of OCP amendments (2001-MAY-01). The motion carried.

Moved by Councillor Holdom, seconded by Councillor Sherry that Council provide the resources necessary to undertake a comprehensive plan for the Linley Valley as an urgent requirement. The motion carried.

(3) Official Community Plan Mandatory 5 Year Review

As Council is likely aware, the *Local Government Act* stipulates that Official Community Plans must be reviewed on a 5-year cycle. The purpose of the mandatory review is to ensure that OCPs are kept current. The City's OCP was adopted in June 1996, and as such the City is required to review its OCP.

Although the *Local Government Act* provides very little direction on how the review is to be conducted, it clearly stipulates the need for appropriate consultation with parties that would be affected by the OCP.

The general review process that Staff recommend be followed for undertaking the review is outlined below.

Phase 1 - Consultation: The primary goal of this phase is to obtain reliable and detailed input from stakeholders on the impact of the policies of the Official Community Plan. Input would be obtained through a series of workshops and survey(s). The stakeholders that would be consulted as part of this process are:

1. Council;
2. Committees of Council;
3. City Staff;
4. Government Agencies (MOE, DFO, MOT, RDN, School Board);
5. General public;
6. Youth;
7. Members of the Development and Business Community; and
8. First Nations.

Phase 2 - Identifying Solutions: The primary goal of this phase is to explore the top one or two areas of interest/concern raised during Phase 1, and identify potential solutions. Staff as required, would solicit external resources and "experts" to assist with developing potential solutions to areas of the OCP requiring attention if it is required.

Phase 3 - Testing Solutions: The primary goal of this phase is to test solutions devised in Phase 2, and make necessary revisions based on input from stakeholders. Comments on the solutions and revised policies would be vetted with stakeholders at a series of workshops.

Phase 4 – Presenting the Revised OCP: This phase would involve presenting the revised OCP to the public through a series of open houses. Phase 4 would also include the formal bylaw process (1st and 2nd Reading, Public Hearing, and 3rd and Adoption)

In order to ensure that Council and the Planning and Development Standing Committee are aware of ongoing activities and decisions, Staff will provide monthly updates throughout the OCP review process with the entire review process being completed (adoption of the revised OCP) in early July 2002.

Recommendation: That Council endorse the general OCP consultation and review process, and direct Staff to commence work on the 5-year OCP review .

Moved by Councillor McNabb, seconded by Councillor Holdom that the report be received and the recommendation be adopted. The motion carried.

6. RECEIVING OF INFORMATION ONLY REPORTS:

- (a) Report from Ms. Sharon Fletcher, Manager, Strategic Planning, re: Implementation of Bill 14.

Moved by Councillor Sherry, seconded by Councillor McNabb that the Information Only Report be received. The motion carried.

7. ADJOURNMENT:

Moved by Councillor Sherry, seconded by Councillor McNabb at 4:55 p.m. that the meeting terminate. The motion carried.

CHAIR

CERTIFIED CORRECT

CITY CLERK