

AGENDA

OPEN COMMUNITY PLANNING AND DEVELOPMENT COMMITTEE MEETING
SERVICE AND RESOURCE CENTRE BOARDROOM, 411 DUNSMUIR STREET, NANAIMO, BC
TUESDAY, 2016-NOV-15, AT 5:00 P.M.

1. **CALL THE OPEN MEETING OF THE COMMUNITY PLANNING AND DEVELOPMENT COMMITTEE TO ORDER:**

2. **INTRODUCTION OF LATE ITEMS:**

3. **ADOPTION OF AGENDA:**

4. **ADOPTION OF MINUTES:**

- (a) Minutes of the Special Open Meeting of the Community Planning and Development Committee held in the Service and Resource Centre Boardroom, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2016-OCT-18 at 5:00 p.m. Pg. 2-3

5. **ADMINISTRATION:**

(a) **2017 Key date Calendar**

Recommendation: That the 2017 Key date Calendar for the Community Planning and Development Committee be adopted as presented. Pg. 4

(b) **Official Community Plan Amendment Application No. OCP0082 – 2020 Estevan Road**

Verbal Update – Ms. K. Kronstal

(c) **Official Community Plan Amendment Application No. OCP00083 – 5260, 5280, and 5300 Tanya Drive (and concurrent Rezoning Application No. RA000370)**

Verbal Update – Ms. K. Kronstal

(d) **Schedule D – Density Bonus Review**

Purpose: To provide the Community Planning and Development Committee with information regarding proposed revisions to Schedule D - Amenity Requirements for Additional Density of the City of Nanaimo "Zoning Bylaw 2011 No. 4500". Pg. 5-9

Recommendation: That the Committee support the changes to Schedule D of the City of Nanaimo "Zoning Bylaw 2011 No. 4500" as presented.

Presentation:

1. Mr. D. Steward, Planner, and Ms. L. Rowett, Manager of Current Planning and Subdivision.

(e) **Proposed Hospital Area Plan - Introduction**

Presentation:

1. Ms. K. Kronstal and Mr. C. Sholberg

6. **QUESTION PERIOD:**

7. **ADJOURNMENT:**

MINUTES

SPECIAL OPEN COMMUNITY PLANNING AND DEVELOPMENT COMMITTEE MEETING
SERVICE AND RESOURCE CENTRE BOARDROOM, 411 DUNSMUIR STREET, NANAIMO, BC
TUESDAY, 2016-OCT-18, AT 5:00 P.M.

PRESENT: Members: Councillor M. D. Brennan
 Councillor J. Hong
 M. Plavetic
 G. Adrienne
 D. Appell
 S. Mahon
 S. Herold
 L. Boon

Absent: Councillor G. W. Fuller
 B. Forbes
 R. Finnegan
 C. Avender
 K. Chamberlain
 C. Brown

Staff: D. Lindsay, Director of Community Development
 B. Anderson, Manager of Community and Cultural Planning
 L. Rowett, Manager of Current Planning and Subdivision
 S. Gurrie, Deputy Corporate Officer
 M. Brown, Recording Secretary

1. CALL THE SPECIAL OPEN MEETING OF THE COMMUNITY PLANNING AND DEVELOPMENT COMMITTEE TO ORDER:

The Special Open Community Planning and Development Committee Meeting was called to order at 5:15 p.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Special Open Meeting of the Community Planning and Development Committee held in the Service and Resource Centre Boardroom, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2016-SEP-14 at 4:30 p.m. be adopted and circulated. The motion carried unanimously.

4. ADMINISTRATION:

(a) The Committee discussed the draft of the Terms of Reference and provided the following recommendations:

- Under Purpose:
 - Remove “related plans” and add “related community planning and development plans”.
 - After “implementation” add “and education”.
- Under Membership:
 - After “a minimum of seven (7) members” add “of the community”.
 - Change “Additional members may be appointed as required for the neighbourhood plan.” to “Additional non-voting representatives will be invited to participate as required for neighbourhood plan amendments.”
- Under Eligibility:
 - Change “environmental sustainability” to “environmental stewardship and sustainability”.
- Under Term:
 - Change “cumulative” to “consecutive”.
- Under Accountability:
 - Change “quarterly” to “semi-annual”.
- Under Meeting Frequency:
 - Add “In addition to regularly scheduled meetings”.

It was moved and seconded that the Terms of Reference as amended be submitted to Council for approval. The motion carried unanimously.

It was moved and seconded that the Key Date Calendar including a meeting in December be adopted. The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 6:07 p.m. that the meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:

CHAIR

CORPORATE OFFICER

City of Nanaimo

COMMUNITY PLANNING AND DEVELOPMENT COMMITTEE KEY DATE CALENDAR – 2017

Committee meetings are held in the boardroom on the first floor of the Service and Resource Centre Building at 411 Dunsmuir Street unless otherwise stated.

Committee	Start Time	Day of the Month
Community Planning and Development Committee	5:00 p.m.	3 rd Tuesday

January 1.....	New Year's Day
January 17	Community Planning and Development
February 13	Family Day
February 21	Community Planning and Development
March 21	Community Planning and Development
April 7-9	AVICC-Convention – Campbell River
April 14	Good Friday
April 17	Easter Monday
April 18	Community Planning and Development
May 16	Community Planning and Development
May 22	Victoria Day
June 1 to 4	FCM Convention - Ottawa
June 20	Community Planning and Development
July 3	Canada Day Stat
July 18	Community Planning and Development
August 7	Canada Day Stat
August 15	Community Planning and Development
September 4	Labour Day
September 19	Community Planning and Development
September 25 to 29	UBCM Conference - Vancouver
October 9	Thanksgiving Day
October 17	Community Planning and Development
November 13	Remembrance Day Stat
November 21	Community Planning and Development
December 19	Community Planning and Development
December 25	Christmas Day
December 26	Boxing Day

DATE OF MEETING November 15, 2016

AUTHORED BY DAVE STEWART, ENVIRONMENTAL PLANNER, ENGINEERING AND ENVIRONMENT

SUBJECT FILE NO. ZA1-23 - SCHEDULE D - DENSITY BONUS REVIEW

OVERVIEW

Purpose of Report

To provide the Community Planning and Development Committee with information regarding proposed revisions to Schedule D - Amenity Requirements for Additional Density of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500".

Recommendation

That the Committee support the changes to Schedule D of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500" as presented.

BACKGROUND

Schedule D - Amenity Requirements for Additional Density of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500", was created to promote sustainable building practices by rewarding developers who meet or exceed the City's sustainable amenity criteria with additional density. The schedule was adopted as part of the Zoning Bylaw on 2011-AUG-08. The Zoning Bylaw was recognized with an Award of Excellence in Planning Practice (Cities) by the Planning Institute of British Columbia in 2012 in part due to the density bonus schedule. To date, Schedule D has been used to award additional density for ten separate residential and mixed use developments.

The density bonus schedule contains seven different categories and two tiers. Each category contains a list of desirable amenity features, each with a weighted point value and a minimum amount of points needed to achieve the category. The existing categories are:

1. Site Selection and Connectivity;
2. Retention of Natural Features;
3. Parking and Pedestrian Connectivity;
4. Building Materials;
5. Energy Management;
6. Water Management; and,
7. Social Sustainability

Additional density is awarded within a number of residential and mixed use zones in two separate density tiers. Staff are currently reviewing the schedule in order to ensure the amenities listed are both achievable and desirable. The amount of additional density awarded within the aforementioned zones will remain unchanged.

In order to achieve the second available density tier (Tier 2), an applicant must meet the minimum point values for all seven categories. Some of the categories are more easily

achieved for certain development types and locations than others. It is difficult, or impossible, for some developments to achieve Tier 2 despite exceeding the amenity requirements in other categories. For example, Category 7 is focused on rental, small unit or non-market housing and, as such, a market condominium or mixed use development would have difficulty meeting this category, even though it would achieve other desired outcomes.

Staff have reviewed the existing Schedule D criteria and are proposing a number of changes in order to ensure the amenities included are more achievable and desirable. The proposed revisions are included within the discussion section of this report and shown in Attachment B.

OPTIONS

1. That the Committee support the changes to Schedule D of the City of Nanaimo "ZONING BYLAW 2011 NO. 4500" as presented.
 - **Budget Implication:** Schedule D rewards developers with additional density in exchange for sustainable building and site design or providing desirable amenities at no cost to the City.
 - **Legal Implication:** Section 482 of the *Local Government Act* permits a local government to establish conditions within a Zoning Bylaw that will entitle an owner to higher density where conditions relating to the conservation or provision of amenities are met.
 - **Policy Implication:** Section 7.3 of the Official Community Plan (OCP) encourages the establishment of public amenities in conjunction with development. Section 3.2 (10) of the OCP encourages the development of affordable housing through density bonusing. Finally, Section 5.1 (3) of the OCP supports the creation of a sustainability "checklist" as part of the development permit process. Many items suggested to be included within the sustainability checklist are included as amenities within Schedule D.
 - **Engagement Implication:** A number of local industry professionals and developers were consulted regarding the proposed changes to Schedule D. The revised schedule was endorsed by DAP on 2016-JUN-23. A Public Hearing will be required following first and second reading of the Zoning Amendment Bylaw to seek additional public comment.
 - **Strategic Priorities Implication:** The categories and amenities included within Schedule D address the four pillars of sustainability within the Strategic Plan. The balance of amenities included, such as protection of natural features and water and energy management, reflect Environmental Responsibility objectives. Category 7 of the revised schedule has been updated to include cultural amenities while maintaining the social amenities currently included. By rewarding developers with additional density, the schedule also addresses the economic pillar included within the Strategic Plan.
2. That the committee recommend Staff return to a future committee meeting in order to provide further information or suggested revisions to the revised Schedule D as proposed.
 - **Budget Implication:** There are no anticipated budget implications in deferring the proposed amendment to a future committee meeting.
 - **Legal Implication:** Any proposed revisions must be permitted within the *Local Government Act* and may require legal review.

- **Policy Implication:** Section 7.3 of the Official Community Plan (OCP) encourages the establishment of public amenities in conjunction with development. Section 3.2 (10) of the OCP encourages the development of affordable housing through density bonusing. Finally, Section 5.1 (3) of the OCP supports the creation of a sustainability “checklist” as part of the development permit process. Many of the items suggested to be included within the sustainability checklist are included as amenities within Schedule D.
 - **Engagement Implication:** A number of local industry professionals and developers were consulted regarding the proposed changes to Schedule D. The revised schedule was endorsed by DAP on 2016-JUN-23. Deferring the bylaw amendment may allow for more opportunities for public engagement as directed by the Committee.
 - **Strategic Priorities Implication:** Deferring the changes will allow Staff to further enhance the objectives of the Strategic Plan but will delay the implementation of a revised Schedule D to be included within the bylaw.
3. That the committee recommend Council defer the proposed Zoning Bylaw amendment to Schedule D, until the ‘stretch code’ has been adopted and incorporated into the revised schedule.
- **Budget Implication:** There are no anticipated budget implications in delaying the proposed amendments until the stretch code has been implemented.
 - **Legal Implication:** Section 482 of the *Local Government Act* permits a local government to establish conditions within a Zoning Bylaw that will entitle an owner to higher density where conditions relating to the conservation or provision of amenities are met.
 - **Policy Implication:** Section 7.3 of the Official Community Plan (OCP) encourages the establishment of public amenities in conjunction with development. Section 3.2 (10) of the OCP encourages the development of affordable housing through density bonusing. Finally, Section 5.1 (3) of the OCP supports the creation of a sustainability “checklist” as part of the development permit process. Many of the items suggested to be included within the sustainability checklist are included as amenities within Schedule D.
 - **Engagement Implication:** A number of local industry professionals and developers were consulted regarding the proposed changes to Schedule D. The revised schedule was endorsed by DAP on 2016-JUN-23. Deferring the bylaw amendment will allow for more opportunities for public engagement.
 - **Strategic Priorities Implication:** Deferring the changes will allow Staff to address the Environmental Responsibility objectives of the Strategic Plan but delay the other improvements to the schedule included within the bylaw.

DISCUSSION

In order to permit more flexibility within the revised schedule, it is proposed that applicants would no longer need to meet point totals for all the categories but instead must achieve a total point score of 60 points among all seven categories.

Other changes proposed within the revised Schedule D include:

- New amenities added (as shown in bold in Attachment B), while other amenities were removed (as shown in strikethrough in Attachment A)

- While the overall number of points available will be reduced from 138 to 120, each category (with the exception of Category 6 - Energy Management) has twice the number of points available to select from in order to achieve the category
- Category 2 renamed to Retention and Restoration of Natural Features
- Category 3 renamed to Parking and Sustainable Transportation
- Passive house certification points have been added to Category 5 (Energy Management)
- A Cultural component was added to Category 7, and the category is renamed Social and Cultural Sustainability. Points have been added for public art, heritage protection, children's play space, and community gardens

With the exception of the addition of points for a certified Passive House and points for additional signage, Category 5 (Energy Management) remains largely unchanged and continues to reference the American Society of Heating, Refrigerating and Air-Conditioning Engineers Standard. The amenity requirement has been changed to include the current standards and requires the development to exceed those standards now incorporated into the BC Building Code.

BC Hydro, in partnership with the Province of British Columbia, the Urban Development Institute, and a number of lower mainland municipalities, is currently working on developing a Stretch Code (an energy performance standard) to be used by BC municipalities for energy performance and modeling. The stretch code is a provincially endorsed process that could be integrated into local government incentive programs such as density bonusing. When the stretch code is finalized, Staff anticipates amending Category 5 to include amenity rewards for achieving stretch code standards. The stretch code is anticipated to be finalized by the Province in 2017.

Overall, the changes are intended to ensure the amenities are achievable, desirable and can easily be secured. On 2016-JUN-23, the Design Advisory Panel (DAP), as well as a number of guest architects and developers, received a presentation regarding the proposed changes to Schedule D. During the same meeting, DAP voted to support the revised schedule as presented.

SUMMARY POINTS

- Schedule D is included within the City's Zoning Bylaw in order to reward developers who meet or exceed the City's sustainable amenity criteria with additional density.
- Proposed changes are intended to provide more flexibility in achieving the second density tier and ensure the amenities are achievable, desirable and can easily be secured.
- The Design Advisory Panel voted to support the revised schedule as presented.

ATTACHMENTS

ATTACHMENT A - SCHEDULE D (current version)
ATTACHMENT B - SCHEDULE D (proposed version)

Submitted by:



L. Rowett
Manager, Current Planning and Subdivision

Concurrence by:

for 

D. Lindsay
Director, Community Development