

City of Nanaimo
REPORT TO COUNCIL

DATE OF MEETING: 2012-JUN-11

AUTHORED BY: D. JENSEN, COMMUNITY DEVELOPMENT PLANNER,
COMMUNITY PLANNING
D. STEWART, PLANNER, PLANNING & DESIGN

RE: OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION OCP65
REZONING APPLICATION RA291
1850 AND 1860 DUFFERIN CRESCENT

STAFF RECOMMENDATION:

That Council:

1. receive the report pertaining to "OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW 2012 NO. 6500.018";
2. receive the report pertaining to "ZONING AMENDMENT BYLAW 2012 NO. 4500.023"; and
3. direct staff to secure the following, prior to adoption of Bylaw No. 4500.023, should Council support the bylaw at Third Reading:
 - a) Parking and Access Agreement with the owners of the property at 1800 Dufferin Crescent; and
 - b) community contribution.

APC'S RECOMMENDATION:

That Council consider approving Official Community Plan (OCP) Amendment Application OCP65 and Rezoning Application RA291 for a mixed use development at 1850 and 1860 Dufferin Crescent.

PURPOSE:

The purpose of this report is to describe an OCP amendment application to redesignate lands from Light Industrial to Corridor; and a rezoning application that would rezone lands from High Tech Industrial (I3) to Community Corridor (COR3), in order to allow a mixed use development including a liquor store and community meeting room.

SUMMARY:

The City of Nanaimo has received applications from Anderson Greenplan Ltd to amend the Official Community Plan and rezone the subject properties to allow for construction of a mixed use development, including a liquor store and community meeting room. The rezoning application also includes site specific text amendments to allow for the liquor store. The subject property is located on Dufferin Crescent, west of Bowen Road. The proposed use is supported under the Official Community Plan's Corridor designation.

BACKGROUND:

The subject property, 1850 and 1860 Dufferin Crescent, is located near the intersection of Dufferin Crescent and Bowen Road in the newly created Green Rock Industrial Business Park. Located along the Bowen Road corridor, the approximately 1807 m² subject property (Attachment A) is in an area of newly developed industrial and commercial lands. The site, which is currently vacant, is located adjacent to the Country Grocer and TD Canada Trust bank that are currently under construction.

The applicant, Anderson Greenplan Ltd, has submitted an OCP amendment application to redesignate lands from Light Industrial to Corridor; and a zoning amendment application to rezone from High Tech Industrial (I3) to Community Corridor (COR3) to allow for a mixed use development including a liquor store and community meeting room.

The OCP application to redesignate the subject property from Light Industrial to Corridor, and received as part of the 2011-NOV-01 round of OCP amendment applications, is to allow for a mixed use development that will include a liquor store and community meeting space. This is a relocation of the Windward Wine and Beer Store from Beaufort Centre (adjacent to the hospital) to the Bowen Road area. The OCP application is running concurrently with a rezoning application to rezone the subject lands from High Tech Industrial (I3) to Community Corridor (COR3). In support of the application, the applicant has stated that the overall proposal is for a "green" liquor store that promotes economic development, reduces vehicle trips through combined trips with the adjacent grocery store, banking facilities, etc., and operates through green technologies (stormwater management and geothermal / solar energy technologies). The mixed use development also provides for approximately 107 m² of community meeting space.

DISCUSSION:

Official Community Plan

The subject property is designated Light Industrial under the OCP. Objectives of this designation include supporting a diversified economy, encouraging a broad range of uses, protecting industrial lands from conflicting adjacent urban land uses, providing an adequate serviced industrial land supply, and protecting the environment. Policies also encourage a mix of uses where they do not create noise or emissions, operate at hours incompatible with residential uses, require outdoor storage space, or utilize hazardous materials. Office use is permitted where it is ancillary to the light industrial primary uses; residential use is not supported.

The Corridor designation proposed for the subject property encourages a higher intensity of land use and provides for mixed commercial and residential, with residential use in a medium to high density range. The proposed development for the subject property includes commercial space and community meeting space.

Proposed Development and Zoning – RA291

The subject property is currently zoned High Tech Industrial (I3). This zone allows for a variety of uses such as commercial schools, custom workshops, laboratories, light industry, mini storage, production bakeries, repair shops, restaurants, sign shops and veterinary clinics. The minimum lot area in the I3 zone is 900 m², with a maximum height of 14.0 m.

As the existing zoning does not provide for the uses proposed for the site, the applicant proposes to rezone the subject property from High Tech Industrial (I3) to Community Corridor (COR3) in order

As the existing zoning does not provide for the uses proposed for the site, the applicant proposes to rezone the subject property from High Tech Industrial (I3) to Community Corridor (COR3) in order to allow for the construction of a mixed use two-storey building containing the relocated Windward liquor store and community meeting space area. The applicant is proposing to transfer the existing licensee retail store (LRS) from 1588 Boundary Crescent (The Windward Wine and Beer Store) to the proposed site at 1850 and 1860 Dufferin Crescent.

The amendment would also require site specific zoning for a liquor store. The total Gross Floor Area is approximately 936 m², resulting in an overall Floor Area Ratio (FAR) of 0.52. Approximately 30 parking spaces are required to address the parking requirements for the retail, storage and community meeting space. The proposed Site Plan (Attachment B), and the conceptual elevations (Attachment C) are attached to this report.

Should the OCP amendment and rezoning applications be approved, the applicant would still be required to proceed with a development permit application in order to construct the proposed development.

Licensee Retail Store Criteria

Following a decade long provincial moratorium on the addition of new liquor stores, the Province allowed new applications for a brief period of time between 2002-AUG-12 and 2002-NOV-29. Within that timeframe, 17 applications were made to the Province for new liquor stores within Nanaimo. Of the 17 applications, six had zoning in place. The remaining 11 required rezoning.

Council, at its regular meeting of 2003-AUG-18, adopted rezoning criteria for Licensee Retail Stores (LRS's) and subsequently directed Staff to receive and process rezoning applications related to Licensee Retail Stores. The following chart summarizes the LRS criteria as they are applied to this application.

CRITERIA	RESPONSE	MEETS CRITERIA
The LRS should be on or in close proximity to a major road.	The proposed liquor store will be located on Dufferin Crescent, a Minor Collector Road, and will be approximately 125 m from Bowen Road, an Urban Arterial Road.	Yes
The LRS shall not be within 150 m of a school.	The nearest school to the proposed site is Quarterway Elementary School, which is located 690 m from the site, and is beyond the 150 m criteria.	Yes
The LRS shall not be located adjacent to a nightclub.	There is currently no nightclub within the vicinity of the proposed LRS.	Yes
The size of the LRS shall be consistent with the nature of the immediate area, and the size of the existing retail stores.	The applicant is proposing to construct an approximately 829 m ² LRS, of which 468 m ² will be used for retail space. The proposed building will also include a 107 m ² community meeting room. The proposed LRS will be located adjacent to a 4402 m ² Country Grocer and a 488 m ² TD Canada Trust site, both of which are currently under construction at 1800 Dufferin Crescent.	Yes

CRITERIA	RESPONSE	MEETS CRITERIA
<p>The design of the LRS should enhance or improve the aesthetics of the surrounding area, not detract from them.</p>	<p>In accordance with Liquor Control and Licensing Branch (LCLB) policy, the architecture of the proposed LRS (see conceptual drawings in Attachment C) is distinct from the surrounding retail units; it is staff's opinion that the building is aesthetically appealing and suitable for the area.</p> <p>In keeping with the City's OCP and zoning policies for development in Corridors, the proposed building will be two storeys. Due to the site's sloping conditions, access to the second storey will be at grade from the Country Grocer parking lot. The community meeting room and storage will be located on the lower level, and also accessed at grade. All delivery vehicles will access from the lower level on site. It is staff's opinion that the separation of uses between floors and grades will act as a buffer between the commercial uses to the east of the subject property and the industrial uses to the west.</p>	<p>Yes</p>
<p>Consideration shall be given to a requirement for on-site parking and loading for each LRS within the downtown core, and mandatory outside the downtown core.</p> <ul style="list-style-type: none"> • 1 space / 20 m² of Gross Floor Area must be provided. 	<p>The City's "DEVELOPMENT PARKING REGULATIONS BYLAW 2005 NO. 7013" requires 23 parking spaces for the retail portion of the liquor store, an additional space for storage, and eight spaces for the community meeting room. The total required parking for the proposed development is 32 spaces.</p> <p>11 parking spaces will be provided on site. The applicant and the owners of the adjacent Country Grocer site (1800 Dufferin Crescent) have agreed to enter into a parking agreement to allow 21 excess parking spaces on the Country Grocer site to be used for customer parking for the liquor store and community meeting room. These parking spaces were constructed in addition to the minimum required parking for the shopping centre development at 1800 Dufferin Crescent. Staff recommends the shared parking agreement be completed with the City as a condition of rezoning.</p> <p>The applicant has retained Newcastle Engineering to review the proposed loading bay. The applicant's engineer has met with the City's traffic engineer, and all parties agree the proposed loading bay is safe and will not negatively impact surrounding traffic patterns.</p>	<p>Yes</p>
<p>The applicant must outline his awareness of potential negative impacts and include proposed limits on the hours of operation, the product range, target markets, property maintenance, and beautification programs.</p>	<p>The applicant's response is provided (Attachment D).</p>	<p>For Council Consideration</p>
<p>Consideration of impact of LRS, when within close proximity of libraries, public recreation centres, community centres, parks, places of worship, and other family oriented facilities.</p>	<p>The proposed LRS will include a 107 m² community meeting room on the ground floor. Staff believes this additional community meeting space is a benefit to the community and the presence of the LRS will not have a negative effect on the use of this space.</p> <p>No existing community spaces or public facilities are within 200 m of the site.</p>	<p>For Council Consideration</p>

CRITERIA	RESPONSE	MEETS CRITERIA
The projected traffic volumes and on-street parking associated with the LRS should not negatively impact nearby residential and commercial areas.	The proposed LRS is to be located adjacent to the Country Grocer commercial centre to the east, and industrial park to the west. No residential uses exist within the immediate vicinity of the subject property.	Yes
The support of local community, neighbourhood property owners, and the local neighbourhood association for the proposed LRS is important to Council's decision.	This OCP amendment application and rezoning application are posted on the City website. To date, no submissions have been received as a result of this application. The applicant hosted an Open House on 2012-APR-12 at the Beban Park Social Centre. The Open House was advertised in the 2012-APR-10 edition of the Nanaimo Daily News and representatives from the Hospital Area Neighbourhood Association and Western Neighbourhood Association were invited to attend. Approximately 10 residents attended the Open House, and the majority of those were generally supportive of the proposed OCP amendment and rezoning.	For Council Consideration
The application shall be reviewed by the Social Planning Advisory Committee (SPAC).	SPAC reviewed the application at its regular meeting of 2012-APR-03 and recommended that the application be approved as presented.	Yes
The application shall be reviewed by the RCMP.	The RCMP reviewed the application and is not opposed to the proposed relocation of the LRS (Attachment E).	For Council Consideration
The application shall be reviewed by the Rezoning Advisory Committee (RAC). <i>RAC, a subcommittee of PNAC (planNanaimo Advisory Committee) has since been dissolved back into PNAC (now APC).</i>	The Nanaimo Advisory Planning Committee (previously known as the planNanaimo Advisory Committee) reviewed the application at its regular meeting of 2012-APR-17, and recommended the application be approved as presented.	Yes
A copy of the LCLB letter of approval for the proposed LRS.	The LCLB has issued a pre-clearance approval for the Windward Liquor Store relocation application.	Yes

In addition to the above LRS criteria, the Provincial Liquor Distribution Branch requires a 1 km buffer distance between liquor stores. The subject property is 1.07 km from the Landlubber liquor store and 1.13 km from the Quarterway Liquor Store, and therefore meets the buffer criteria.

Parking Agreement and Vehicle Access

The proposed development will require a total of 32 parking spaces; 11 parking spaces will be provided on site, and a variance of 21 spaces will be required. As a condition of rezoning, the applicants have agreed to enter into a use agreement with the owners of the adjacent Country Grocer retail site (1800 Dufferin Crescent) for use of the required 21 parking spaces on the Country Grocer site. These parking spaces are not required by the Country Grocer site to meet their minimum parking requirements.

Six of the proposed on site parking spaces will be accessed through the Country Grocer parking lot; as such, a shared access agreement will be required. The applicant has been in contact with the owners of Country Grocer, and both parties have agreed to enter into a shared access and parking agreement, with the City being named a party to the agreement.

Community Contribution

As outlined in Section 7.3 of the Official Community Plan (OCP), in exchange for value conferred on land through a rezoning, the application should provide a community contribution. The applicant proposes the provision of a community meeting space as their community contribution. The applicant has agreed to enter into a use agreement with the City regarding the community meeting room. The use agreement will state that the room will be available to community groups from Mondays to Thursdays (except statutory holidays) between the hours of 10:30 am and 8:30 pm, at no charge, for a period of five years from the date of opening. After the five year period expires, the room must continue to remain open to the public, but the building owner may charge a user fee. The applicant has agreed in writing (Attachment F) to enter into such an agreement with the City.

Planning Review

The subject area comprises two lots (Lots 6 and 7) as a result of the recently developed Green Rock Industrial Business Park. The creation of this industrial park has resulted in an increase of 5.6 ha in the amount of land available for industrial use. The 1807 m² subject property represents two of the 362 legal lots (273.2 ha) within the city currently designated Light Industrial. Of those lots, approximately 64% (175.1 ha) of the land base is currently occupied for industrial or other land uses, while 36% (98.1 ha) of the lands is currently vacant or underutilized. Removal of the subject property from the Light Industrial designation would represent a 0.02% decrease in available industrial land.

The subject area represents two lots within the Light Industrial designation that border the existing Corridor designation along Bowen Road. With the existing Light Industrial designation, the subject property is limited to the uses that can be accommodated. However, given its location to the adjacent Corridor area, the proximity of other adjacent commercial and residential uses, public amenities, and its siting on a major transportation corridor with public transit available, the subject property may be an appropriate candidate for inclusion in the Corridor designation.

The mix of uses proposed for the subject property (commercial liquor store and community meeting space) helps to provide a transition from the light industrial uses to the adjacent development found within the Corridor designation. A change in grade between the proposed development and other nearby commercial development also characterizes a separation between the commercial and industrial uses within the adjacent industrial development area.

The proposed development does represent a mix of uses supported within the Corridor designation. The mix of retail (liquor store) and office (community meeting space) use is not the full mix of uses contemplated in the Corridor designated area. However, given the location at the entrance to the industrial park, a residential and commercial mix of uses may not be the best suited for this site. Providing for residential uses on the proposed Corridor site would create an isolated pocket of residential activity where no other residential occurs within the surrounding area. Provincial policy would also restrict the number of acceptable uses that could occur within the same building as the proposed liquor store.

No servicing analysis was provided as part of the application, but water, storm and sewer services are available for the proposed development.

Public Input

This OCP amendment application and rezoning application are posted on the City website. To date, no submissions have been received as a result of this application. Three members of the Western Neighbourhood Association were invited to sit on the APC (previously PNAC) while the application was being considered; one representative attended. Correspondence received from the Association to date indicates no issues identified for the proposal. The applicant hosted an Open House on 2012-APR-12, of which approximately 10 people attended. No major concerns were identified.

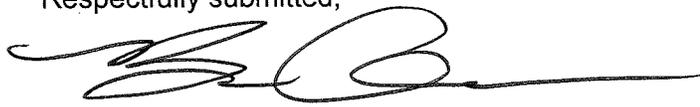
APC Recommendation

The APC, at their regular meeting of 2012-APR-17, recommended that Council approve Official Community Plan amendment application OCP65 and rezoning application RA291. The Committee also requested comments be forwarded to Council ensuring that adequate parking be provided for the proposed development. Staff has addressed the parking requirements in a previous section of this report.

Staff Recommendation

Based upon a review of the application, as provided in the Planning Comments section above, staff are in a position to recommend support of the proposed development submitted as OCP amendment application OCP65 and rezoning application RA291.

Respectfully submitted,

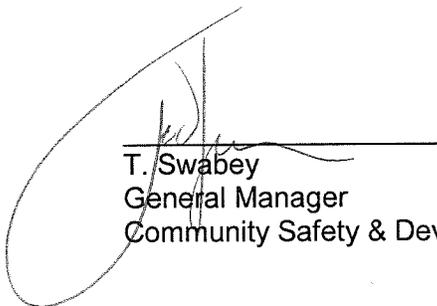


B. Anderson
Manager, Planning & Design
Community Safety & Development

Concurrence by:



A. Tucker
Director of Planning
Community Safety & Development

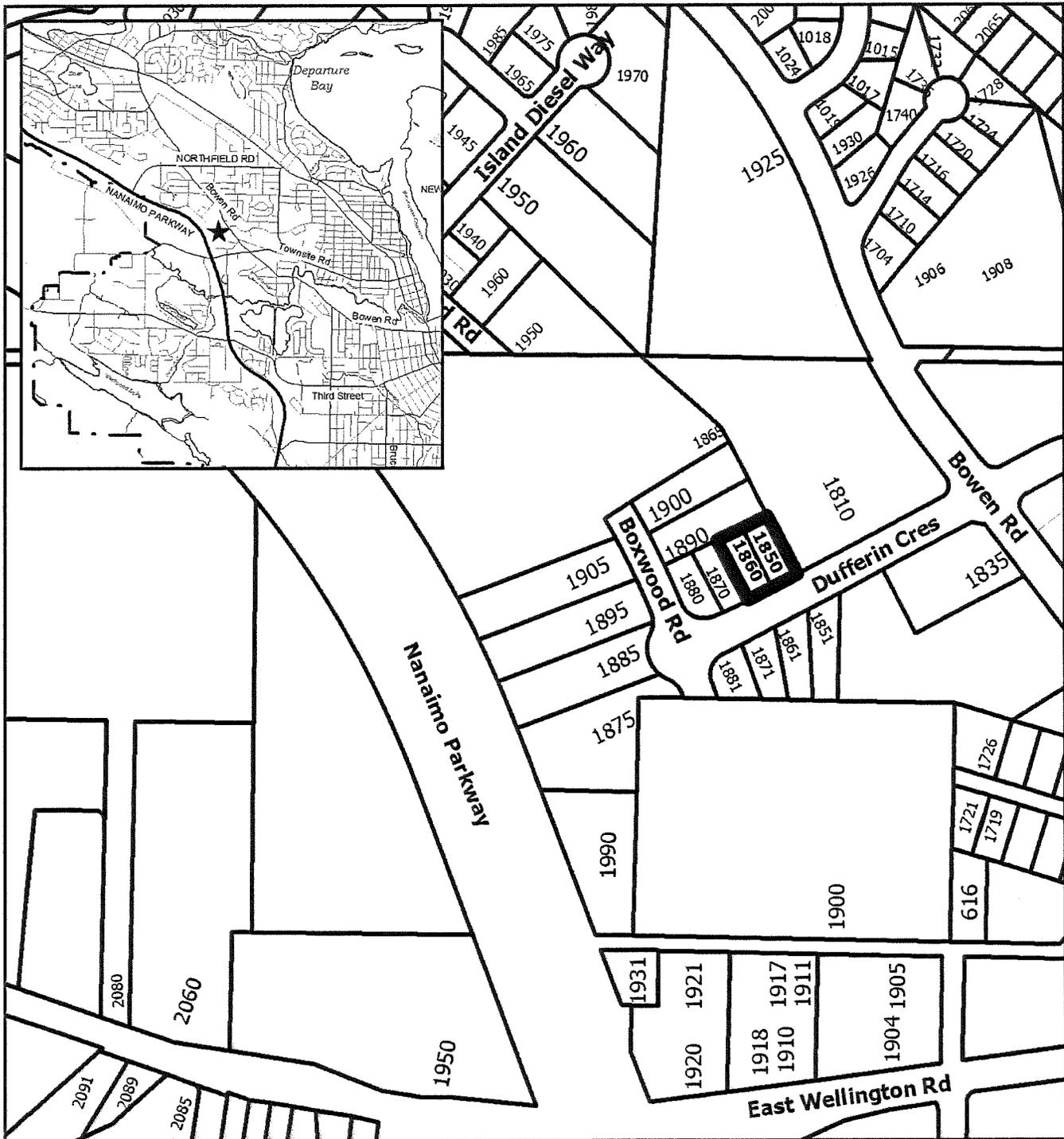


T. Swabey
General Manager
Community Safety & Development

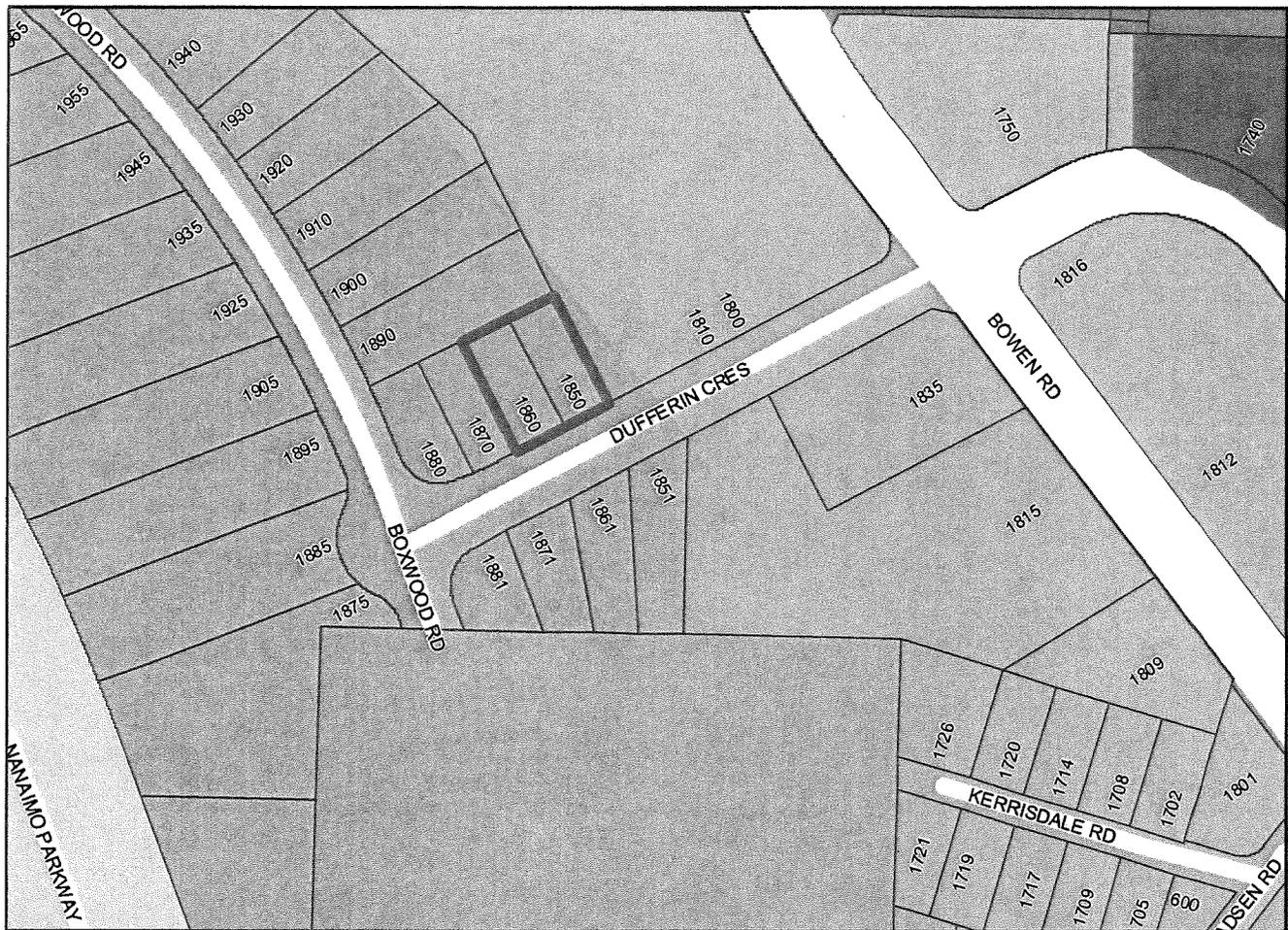
CITY MANAGER COMMENT:

I concur with the staff recommendation.

Attachment A
Subject Property Map
(Page 1 of 2)



Attachment A
Subject Property Map
(Page 2 of 2)



**Attachment B
 Conceptual Site Plan**

**Windward Liquor Store
 Relocation**

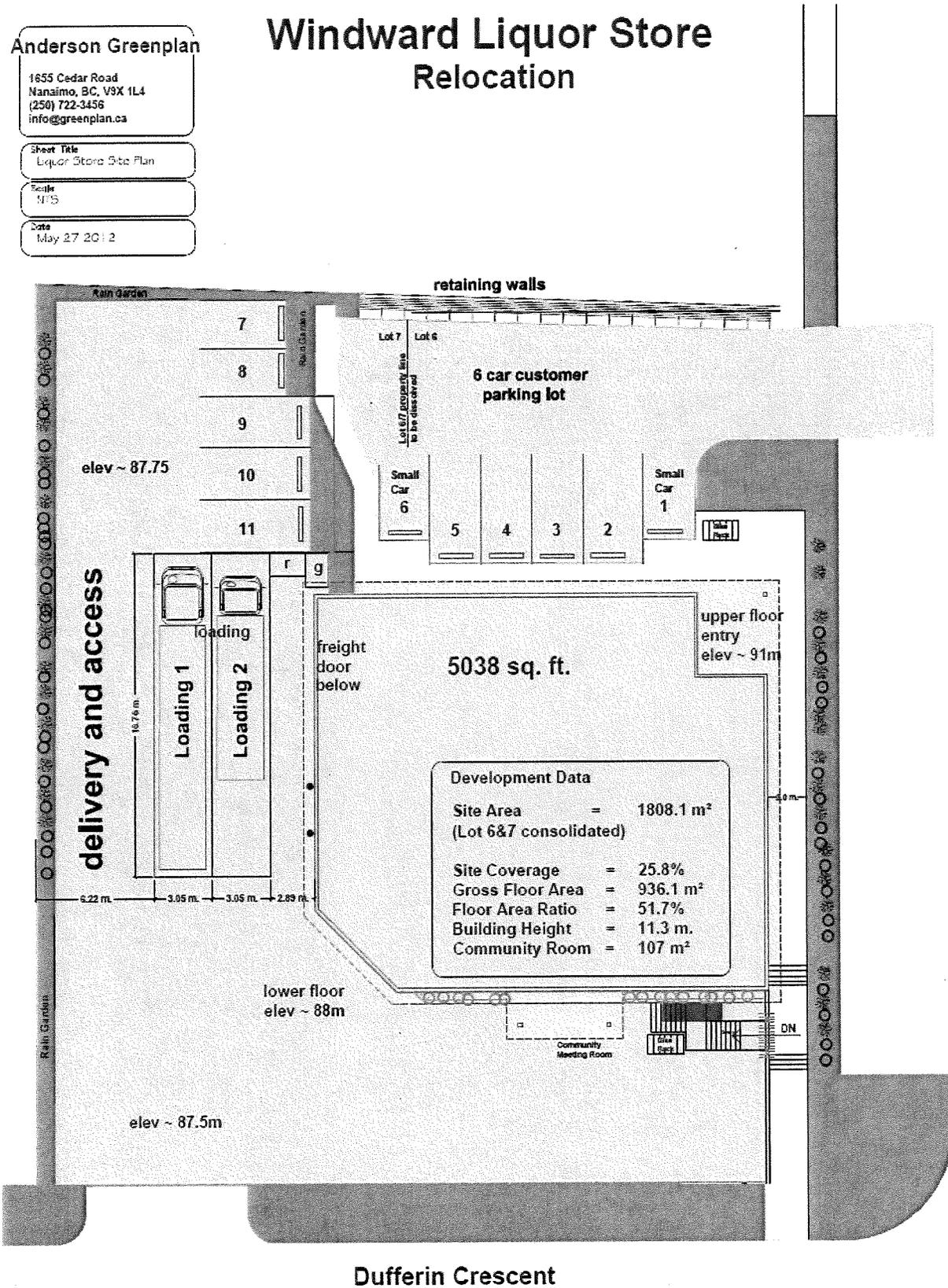
Anderson Greenplan

1655 Cedar Road
 Nanaimo, BC, V9X 1L4
 (250) 722-3456
 info@greenplan.ca

Sheet Title
 Liquor Store Site Plan

Scale
 NTS

Date
 May 27 2012



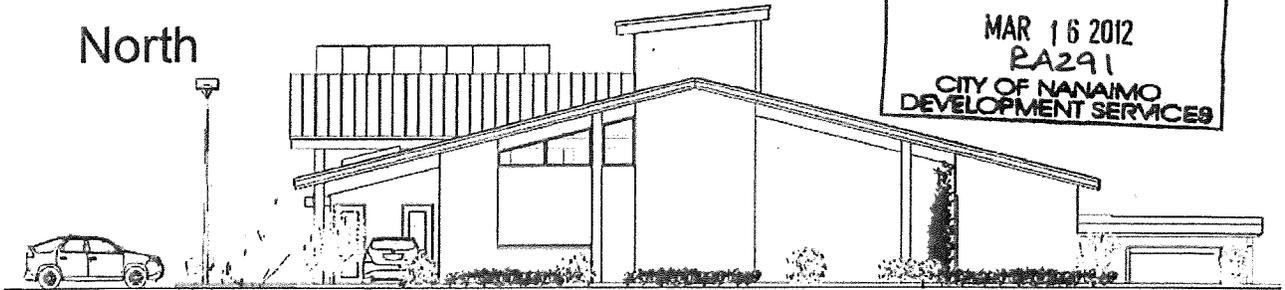
Attachment C
Elevations

Elevations

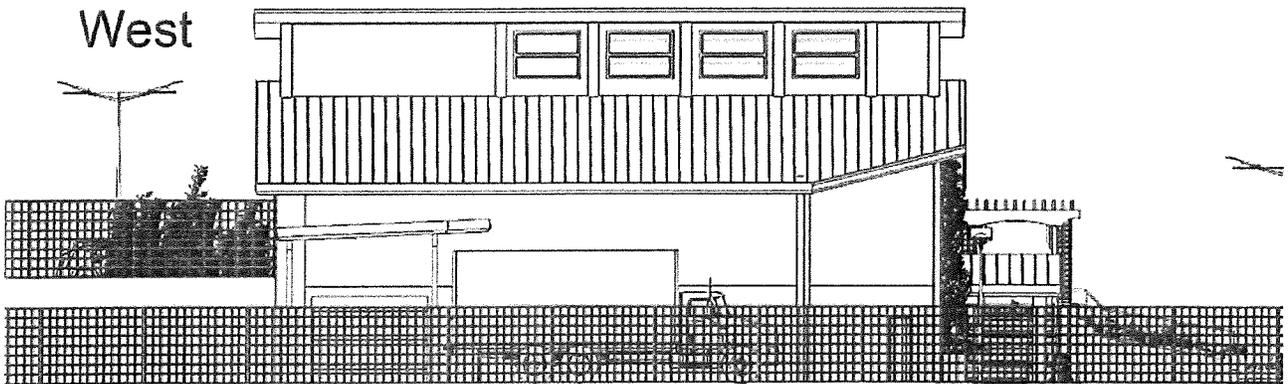
East



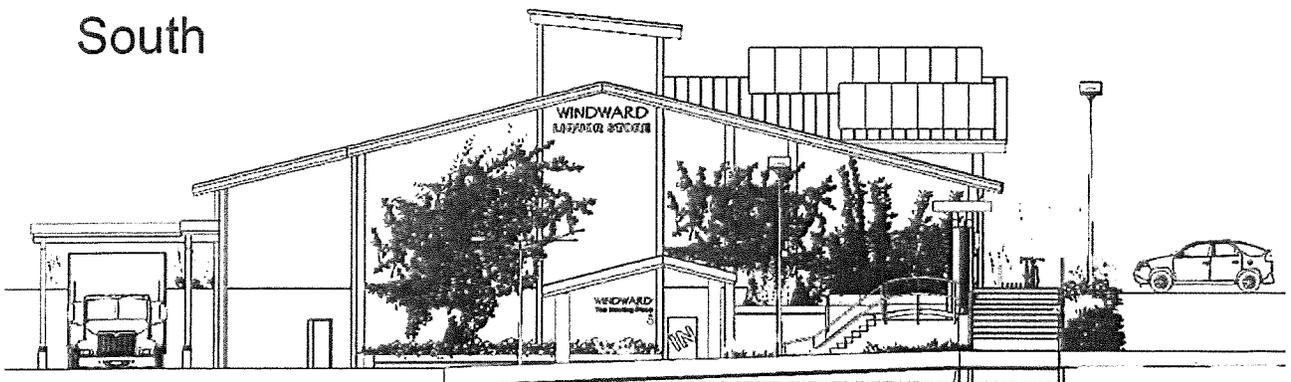
North



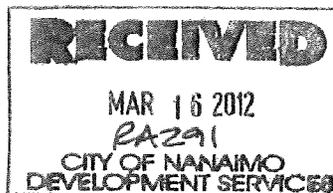
West



South



**Attachment D
Rezoning Rationale
(Page 1 of 2)**



Mar 12, 2012

Rezoning Rationale

**Re: Lots 6&7, Plan EPP15172, Section 15, Range 8, Mountain District
Dufferin Crescent (west of Bowen)**

The objectives of this application will require that the two subject properties, Lots 6 and 7 or the Green Rock Subdivision will need to be consolidated into a single lot. The resulting property will be located so as immediately:

To the east - directly adjacent the large Country Grocer parking lot - zoned COR3

To the south – Dufferin Crescent linking Bowen Road (urban arterial road) to Boxwood (industrial road)

To the west – Lot 8, Green Rock Industrial Park (900m2 lot) – zoned I2

To the north – Lot 10, Green Rock Industrial Park (21,000m2 lot) – zoned I2

To look beyond the immediate neighbouring lots, the surrounding area is impacted by the Nanaimo Parkway to the west, providing a defined western boundary with the nearest Parkway access about 1.5km at Northfield Road. Between the Parkway and the subject property(s) is Boxwood Road which provides a frontage access to light industrial zoned properties extending north to Northfield Road and thereby servicing as a key industrial access route to reduce truck traffic on Bowen Road. Bowen Road itself has historically been a north/south urban arterial route for the traveling public and with major road lane upgrades is being designed to provide corridor access to a multiple of mixed uses for the community. The intersection of Bowen and Dufferin specifically will offer such community needs and services as a grocery store, drug stores, a bank, professional offices and secondary retail. These facilities are anticipated to be predominately patronized by the north/south commuting public and the higher density residential community east of Bowen Road.

The subject property(s) is accessed from the new portion of Dufferin Crescent (west of Bowen) which extends to a round-about intersection at Boxwood Road. Between the subject property and Bowen Road two additional accesses north from Dufferin Crescent provide egress to the parking lot for Country Grocer and TD Bank customers. The subject property(s) are thus located between retail commercial activities (COR3) to the east and future light industrial (I2) operations to the west and thus serves as a transitional property between commercial and industrial zoning designations. Unique to the circumstances of this site is the knowledge that the level of the parking lot east of the subject property(s) will be at about 2.5 to 3m above the grade level of the subject property. This provides the ideal situation for the relocation of the Windward Beer and Wine facilities to this property such that the delivery of liquor for the facilities will arrive at ground level off Dufferin Crescent while the upper floor of the building housing the retail distribution of liquor can be orientated eastward towards the parking lot that serves the bank and grocery store customers. The liquor store in this location would serve to provide a 3rd building anchor to frame the large commercial parking accessed off Dufferin Crescent.

Liquor Stores are permitted on a Site Specific Corridor 3 designated property and in order to facilitate the relocation of the current Windward Beer and Wine Store at Beaufort Center to this location, a zoning amendment from Industrial 2 to Corridor 3 must be approved and is thus the purpose of this application.

Attachment D
Rezoning Rationale
(Page 2 of 2)

We have reviewed this amendment request in light of the insights found in *planNanaimo*, the City's Official Community Plan. There appear to be a number of common goals between the community's vision as expressed in the OCP and Dean Gaudry's vision for this facility. Dean seeks to set new standards for green building design, specifically targeting to be recognized as the greenest liquor store in the province. The planned 2 story building will feature geothermal systems, solar systems, rainwater harvesting, natural lighting and ventilation and green-wall technologies. All of these technologies target energy and water conservation and the reduction of greenhouse gases which underlie the Guiding Principle of the OCP, Sustainability.

Dean's vision to promote sustainability would appear consistent with OCP Goals #2 and #7 while OCP Goal #6 - Improve Mobility and Servicing Efficiency - is addressed with the relocating of the Liquor Store from the hospital area to this arterial corridor site, removing heavy delivery truck traffic from a more residential area making the collector roads safer for the pedestrians, cyclists and motorists in the community. The proposed site offers the opportunity for a significantly larger facility and more full and part-time employees thereby serving the economic objectives of OCP Goal #4. Construction of the facility will provide building trade employment for about 8 months. There does not appear to be any component of this initiative that is contrary to any of the OCP Goals.

Review of Section 2.2 on Corridors and Commercial Centres and Section 2.5 on Light Industrial use provides more specific objectives on which to evaluate this rezoning request. Review of the Light Industrial objectives notes concerns that the adjacent land uses are considered compatible and not conflicting with Light Industrial land uses. This reflects an importance on those properties perceived to be transitions between commercial and light industrial land use. This application assists this cause by orientating the upper floor of the liquor store towards the commercial parking area of corridor zoning while the lower floor area is orientated to Dufferin Crescent providing access for large delivery trucks to overhead doors and loading bays common in many light industrial operations. The perspective from the adjacent lot 8 will be the feel of a light industrial neighbour on the consolidated lots 6 and 7. The retention of the strong light industrial building look, south and west may suggest that a liquor store is an ideal operation for a transitional property bridging between commercial and light industrial activities particularly given the additional benefit of easy access of large delivery vehicles from Boxwood Road. The planned liquor store appears to have minimal negative implications for the objectives of the Light Industrial zone and has several supportive elements in meeting the objectives of the Corridor designation. This proposed relocation of the Windward Liquor Store will provide much better transit, cycling and motorist access to purchasing liquor and when planned with grocery pickup needs, this operation reduces overall vehicle traffic within the community serving the sustainability initiative of reducing greenhouse gases. The nature of the planned building design speaks favourably to the additional sustainability objectives of reducing consumption of energy and water and protection of the environment by setting new precedents for green building construction and utilizing rain water harvesting and storm water management practices.

In summary, the proposed site rezoned to COR3 will potentially provide a key 3rd anchor tenant to the 232 vehicle commercial parking lot as well as an ideal transitional facility orientated eastward as a Commercial building on the upper floor while providing an industrial flavour on the south and west sides consistent with the grades and activities of adjacent light industrial operations. It should also be noted that the relocation of the Windward Liquor Store away from its current location in the Hospital District may be seen from traffic and social planning perspectives as a positive value to the community in its own right.

Attachment E RCMP Response

From: WALLY TAYLOR
To: David Stewart
Subject: Re: Rezoning application No RA291 Dufferin Crescent
Date: Tuesday, May 15, 2012 5:52:51 PM

Rezoning Application in regards to the transfer of The Windward Liquor Store.

The new Green Rock Industrial area would function well as a location for the transfer of this Liquor outlet. It is complimentary retail to the other new stores going into this location, that being a large grocery store and a bank. It is also in close proximity to mixed retail on the other side of Bowen Rd including two drug stores. There are no schools, daycares, parks, or youth gathering facilities in the immediate vicinity. This new location moves this Licensee Retail Store further away from parks and trails (Beaufort linear Park), which is a positive.

The old location was also in close proximity to proposed supportive housing, which is not the ideal situation. The move further away from this future development is a positive. This can also be said for the Hospital and Psychiatric Service it provides. They were able to co-exist for many years without issue, however removing the temptation of alcohol sales may benefit this vulnerable sector of our society.

The proposed plans call for a community room element to be included in the construction, These types of facilities are always in need, and it is unknown if any limitations can be placed on their usage as it may not be appropriate for minors and youth to be using this community room and having to deal with the clever marketing of alcohol companies. From a police point of view, and again unsure if 'Corridor' zoning allows, a residential suite or caretakers suite would be far more useful. Industrial areas can often be hot zones of property crime and other criminal activity, however when a residential element is added crime drops as there is now an element of surveillance within that area.

The new Liquor store location will be one block off of the main traffic artery of Bowen Road, as well it will be partially blocked from view by the other new construction taking place. Until there are other tenants in Green Rock the natural surveillance of the store will be weak. One block in the other direction is Highway 19, at the present time fencing in minimal and smash and grab type offences, or thefts using this as an escape route might be an issue. The proposed hours of operation will mean it stays open later than other businesses in the area.

As stated earlier there are no youth oriented facilities in the area, however The Edgewood Treatment Center and several of their dry houses are located within a short walk from the new proposed location.

The RCMP are not opposed to this Licensee Transfer application or the amendment to the Official Community Plan, overall it is a better location for this business. If the business owner wishes we would be able to discuss further Crime Prevention techniques that could be employed prior to or during construction and would be mutually beneficial

Hope this is of assistance and not too late,

Wally Taylor, Cst
Nanaimo Bike Unit

Walter Taylor,
Bike Patrol Unit
Nanaimo RCMP

**Attachment F
Community Room Agreement**



May 31, 2012

Planning Department
City of Nanaimo

RE: Community Room Agreement for Relocation of Windward Liquor Store

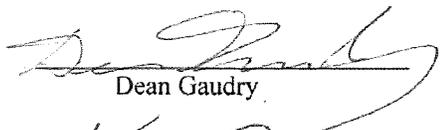
The following information is provided as a basis of the agreement by which Dean Gaudry, (the principle owner of the Windward Liquor Store) is prepared to enter into with the greater community with respect to use of the planned Community Room on the lower floor of the proposed facility at 1850 Dufferin Crescent.

Dean is prepared to allow the use of the Community Room to be used by community groups for meetings under the following conditions:

1. No charge for the use of facilities by any community group for 5 years from the date of opening.
2. Room is available to community groups on Mondays to Thursdays (except statutory holidays) between the hours of 10:00am to 9:00pm.
3. The meeting room must be booked in advance by the community group through a central booking registry organized by the owner of the facilities. The purpose and the expected duration of the meeting must be confirmed at the time of the booking with an understanding that special permission must be given for any use of the space that will exceed 3 hours.
4. Community groups will be asked to tidy up after their meeting however full and regular cleaning of the community room will be the responsibility of the owner.
5. To maintain the mixed use of the property, the community room will continue to be made available to community groups in perpetuity however the owner reserves the right to request fees from community groups to cover the up-keep and maintenance of the community room on expiry of the 5 year agreement.

This document has been prepared by Jack Anderson of Anderson Greenplan Ltd who is acting as the official agent for the zoning amendment application.

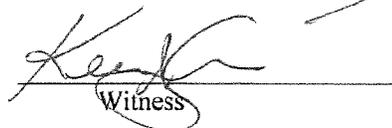
The signature below of the owner, Dean Gaudry, indicates the support for the above noted clauses as written and the intention of the owner to have the above noted clauses officially registered by legal agreement prior to the finalization of the requested zoning amendment.



Dean Gaudry

June 1 12

Date



Witness

June 1 2012

Date