



REGIONAL
DISTRICT
OF NANAIMO

OCP AND ZONING AMENDMENT APPLICATION NO. PL2019-051 – ACKERMAN AND WEMBLEY ROAD, ELECTORAL AREA G, AMENDMENT BYLAWS 1540.03 AND 500.428 – THIRD READING

RECOMMENDATIONS

1. That the Board receive the report of the Public Hearing held on February 16, 2021 for “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Amendment Bylaw No. 1540.03, 2020” and “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.428, 2020”.
2. That the Board give third reading to “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Amendment Bylaw No. 1540.03, 2020”.
3. That the Board give third reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.428, 2020”.

BACKGROUND

The applicant proposes to amend the Electoral Area G Official Community Plan (OCP) and rezone the subject property in order to facilitate a two-lot subdivision and address parcel anomalies that are a remnant of a revised layout for Morningstar Golf Course.

Amendment bylaws “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Amendment Bylaw No. 1540.03, 2020” (Bylaw 1540.03) and “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.428, 2020” (Bylaw 500.428) were introduced and given first and second reading on March 24, 2020. A Public Hearing was held electronically on February 16, 2021. The summary of the minutes and submissions of the Public Hearing are attached for the Board’s consideration (see Attachment 1).

As the Board may recall, the applicant applied to exclude an approximate 3,504 m² portion of the south east corner of proposed Lot 1 from the Agricultural Land Reserve (ALR) concurrently with this application (see PL2020-016). The purpose of the exclusion was to address an unforeseen remnant of ALR land that was recently identified as not being included in the 2006 ALR exclusion to allow future development of proposed Lot 1. The Agricultural Land Commission (ALC) denied the exclusion through Resolution # 272/2020. As it has been confirmed that the application to exclude the land has been denied by the ALC, the conditions of approval have been updated to clarify that the applicant is required to amalgamate the portion of the subject property that will remain in the ALR with the adjacent Morningstar Golf Course (See Attachment 3 - Lands Subject to Amalgamation). Prior to the ALC decision, the conditions of approval did not require amalgamation of the affected lands if the exclusion was approved by the ALC.

Following the close of the Public Hearing no further submissions or comments from the public or interested persons can be accepted by members of the Board, as established by legal precedent. Having received the minutes of the Public Hearing, eligible Board members may vote on the bylaw.

The updated requirements set out in the Conditions of Approval are to be completed by the applicant prior to the Board's consideration of the bylaws for adoption (see Attachment 2). It is recommended that Bylaw 1540.03 (Attachment 4) and Bylaw 500.428 (Attachment 5) be considered for third reading.

FINANCIAL IMPLICATIONS

In accordance with the *Local Government Act*, following first reading of Bylaw 1540.03, the Board considered the financial impact of this application. There are no implications for the 2021-2025 Financial Plan associated with this application.

STRATEGIC PLAN ALIGNMENT

The proposal contributes towards the Board's 2019 – 2022 Strategic Plan key strategic area of growth management by supporting expansion to the Wembley Neighborhood Centre as supported by the OCP.

REVIEWED BY:

P. Thompson, Manager, Current Planning
G. Garbutt, General Manager, Strategic & Community Development
P. Carlyle, Chief Administrative Officer

ATTACHMENT(S)

1. Summary of the Public Hearing
2. Conditions of Approval
3. Lands Subject to Amalgamation
4. Proposed OCP Amendment Bylaw 1540.03, 2020
5. Proposed Zoning Amendment Bylaw 500.428, 2020