



**Regional Growth Strategy and Official Community Plan Application No. PL2021-005
2935 Trans Canada Highway – Electoral Area A
Amendment Bylaw No. 1615.05, 2021 and 1620.08, 2021 – Third Reading and Adoption**

RECOMMENDATIONS

1. That the Board receive the report of the Public Hearing held on December 7, 2021 for “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.05, 2021” and “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.08, 2021”.
2. That the Board give third reading to “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.05, 2021”.
3. That the Board give third reading to “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.08, 2021”.
4. That the Board adopt “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.05, 2021”.
5. That the Board adopt “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.08, 2021”.

BACKGROUND

The Regional District of Nanaimo (RDN) received an application from Toby Seward of Seward Developments on behalf of Steel Container Systems Inc. (SCS) to amend the “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011” (RGS), “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Bylaw No. 1620, 2011” (OCP) and subsequently “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” to extend the existing permitted industrial use to the entire property. The subject property is legally described as Lot 11, Section 4, Range 7, Cranberry District, Plan 2700 (civic address: 2935 Trans Canada Highway) and is 7.8 hectares in area. The property is located in Electoral Area A and is bound by the Trans Canada Highway to the east and the Nanaimo River on the remaining three sides. The current land use designation and zoning is ‘split’: ‘Rural Residential’ (6.0 hectares) and ‘Industrial’ (1.8 hectares). The land is currently occupied by three residential dwellings that have been in place for about 30 years and an industrial steel manufacturing business, operated by SCS since 1986. Currently, SCS employs approximately 20 people and produces a variety of custom steel products, including roll-off containers, recycling containers and scrap containers.

The purpose of the application is to amend the RGS to remove the ‘Rural Residential’ designation and replace with the ‘Industrial’ designation on the entire property, and; to amend the OCP to remove the ‘Rural’ designation and replace with the ‘Industrial’ designation on the entire property. If this application is successful, the applicant intends to apply to rezone the property to facilitate the future expansion of the existing industrial business.

Amendment Bylaw No. 1615.05, 2021 and 1620.08, 2021 were introduced and given first and second reading on October 12, 2021. This was followed by a Public Hearing held on December 7, 2021. No comments or concerns were raised by the public about this application as part of the Public Hearing process. The summary of the minutes and submissions are attached for the Board's consideration (see Attachment 1 – Summary of the Public Hearing).

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.

Project Engagement

Public engagement for the proposed RGS and OCP amendments commenced in October of 2021 and concluded in December of 2021.

The Board adopted the RGS Engagement Plan on October 12, 2021. Advertisement for the proposed amendment bylaws included posting in multiple RDN Monthly Ads and editions of the Nanaimo News Bulletin to inform the public in the RDN about the project and advertise for the Public Hearing held on December 7, 2021. Project information and updates were also posted both the RDN and Get Involved project webpage. Property owners and occupants within 500 metres were sent notification of the project and Public Hearing, and two separate referrals were sent out to stakeholders and First Nations for review and comment. A sign was also placed on the subject property providing information about the proposed amendment bylaws. A summary report of the public engagement for the project is provided in Attachment 2 – What We Heard: Engagement Summary Report.

Referrals to identified stakeholders and First Nations were sent at two stages of the project for review and comment on the proposed amendment bylaws. As part of the referral process, the Ministry of Transportation and Infrastructure (MOTI) requested no changes to current use on the property be approved until legal access to the site was confirmed. The applicant recently submitted documentation confirming legal access, and after review, MOTI advised their request had been met and they had no further objections to the proposal proceeding. Island Health responded with recommendations to ensure all applicable legislation and existing covenants and permits on the property were enforced to advance healthy built environment initiatives. No further comments or concerns were raised by the stakeholders or First Nations about this application through the referral process. A summary of project referrals and comments is provided in Attachment 3 – Summary and Compilation of Referral Responses.

The online community engagement enabled the public to provide feedback and submit questions about the proposed amendments throughout the duration of the project on the RDN Get Involved webpage at getinvolved.rdn.ca/pl2021-005. The Get Involved program tracks statistics on website traffic classified into categories of: aware, informed, and engaged (with engaged and informed being subsets of aware). At the completion of public engagement, the Get Involved Summary Report identified 59 aware visitors who visited the website at least once and may not have clicked on any additional information links. A further 16 informed visitors viewed additional information links, and one follower registered with the project website to receive email updates. For engaged visitors, three comments/questions on the proposed bylaws were posted on the Q & A section of the RDN Get Involved webpage asking property specific questions and clarification on the amendment process. No further comments or concerns were raised by the public about this application through the online community engagement process. A summary of the online community engagement is provided in Attachment 4 – Get Involved Summary Report).

Regional Growth Strategy Amendment Acceptance

As required by the *Local Government Act (LGA)* for an amendment to the RGS, the Board adopted an Engagement Plan. As part of the Engagement Plan, and subject to Part 13, Division 3, Section 436 of the *LGA*, the RDN Board, prior to consideration of third reading, submitted the RGS amendment bylaw to seven affected local governments (all four member municipalities and the three adjoining regional districts) requesting a resolution of acceptance within 60-days. Three of the seven affected local governments (Cowichan Valley Regional District, Alberni-Clayoquot Regional District, and District of Lantzville) have provided a response with a resolution of acceptance. The remaining four affected local governments (City of Nanaimo, City of Parksville, Town of Qualicum Beach and Comox Valley Regional) did not provide a response in the 60-day period (see Attachment 3 – Summary and Compilation of Referral Responses). If an affected local government does not provide a response within the 60-day period, the local government is deemed to have accepted the RGS amendment.

FINANCIAL IMPLICATIONS

The proposed development has been reviewed and has no implications related to the Board 2022 - 2026 Financial Plan.

STRATEGIC PLAN ALIGNMENT

These objectives align with the Board's 2019-2022 Strategic Plan goals as follows:

Growth Management - Provide effective regional land use planning and responsible asset management for both physical infrastructure and natural assets.

Economic Coordination – Set the table to enable diverse economic opportunities across the region.

REVIEWED BY:

K. Fowler, Manager, Long Range Planning, Energy and Sustainability
L. Grant, General Manager, Planning and Development
D. Holmes, Chief Administrative Officer

ATTACHMENTS:

1. Summary of the Public Hearing
2. What We Heard: Engagement Summary Report
3. Summary and Compilation of Referral Responses
4. Get Involved Summary Report
5. Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.05, 2021
6. Regional District of Nanaimo Electoral Area 'A' Official Community Plan Amendment Bylaw No. 1620.08, 2021