



**Regional Growth Strategy and Official Community Plan Application No. PL2021-043
1329, 1333, 1340 Kipp Road and PID 026232391, Electoral Area A
Amendment Bylaw No. 1615.06, 2022 and 1620.09, 2022 – Third Reading and Adoption**

RECOMMENDATIONS

1. That the Board receive the report of the Public Hearing held on June 28, 2022, for “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.06, 2022” and “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.09, 2022”.
2. That the Board give third reading to “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.06, 2022”
3. That the Board give third reading to “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.09, 2022”.
4. That the Board adopt “Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.06, 2022”.
5. That the Board adopt “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1620.09, 2022”.

BACKGROUND

The Regional District of Nanaimo has received an application from Toby Seward of Seward Developments on behalf of Kipp Road Holdings Inc. 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” for properties located at 1329, 1333, 1340 Kipp Road and PID 026232391 in Electoral Area A. The existing industrial business known as Vehicle Mounted Air Compressors (VMAC) currently operates at 1329 and 1333 Kipp Road.

The subject properties are legally described as Lot 1, Section 14, Range 6, Cranberry District, Plan 40297 Except that Part in Plan VIP77316 (1329 and 1333 Kipp Road) and Lots 1 and 2, Section 14 and 15, Range 6, Cranberry District, Plan VIP78539 (1340 Kipp Road and PID 026232391), with an estimated total area of 11.4 hectares for all three properties (see Attachment 1 – Subject Property Map). The properties are located in Electoral Area A and bound by the Trans-Canada Highway on the east side, a community park to the north, vacant residential land to the west and industrial land to the south.

Established in 1990, VMAC has expanded its engineering and manufacturing operation into different types of air compressors that are exported globally. Currently, VMAC employs 135 people and anticipates their workforce to continue to grow to approximately 200 to 250 employees as a result of their proposed future expansion plans.

The purpose of the application is to make a minor amendment¹ to the RGS to remove the 'Rural Residential' land use designation and replace with 'Industrial' on all of the subject properties and amend the OCP to remove the 'Rural Residential' land use designation and replace with the 'South Wellington Light Industrial and Commercial Area' land use designation for properties located at 1340 Kipp Road and PID 026232391. This application has been submitted as an initial step, with a future goal of rezoning the two properties located at 1340 Kipp Road and PID 026232391 to an industrial designation to allow the construction of new buildings and facilitate the future expansion of the VMAC business.

A Preliminary Hydrogeological Study prepared by GW Solutions stated it is unlikely the well will have adverse impacts on existing groundwater users given the distance from other wells, low water demand, and no net change in current usage. Additionally, withdrawal from the well in Aquifer 165 should not have an impact on surface water flows in the Nanaimo River given the very low yield of the well compared to the flow of the river. If the OCP amendment is successful, an Aquifer Development Permit will be required prior to any development or land alteration on the subject property

Amendment Bylaw No. 1615.06, 2022 and 1620.09, 2022 were introduced and given first and second reading on January 25, 2022. This was followed by a Public Hearing held on June 28, 2022. The summary of the comments and submissions received at the Public Hearing are attached for the Board's consideration (see Attachment 2 – Summary of the Public Hearing). No further comments or concerns were received as part of the Public Hearing notification process.

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

Community engagement for the proposed RGS and OCP amendment commenced in November of 2021 and concluded in June of 2022.

The Board adopted the RGS Engagement Plan on November 23, 2021. Advertisement for the proposed amendment bylaws included posting in one RDN Monthly Ad and two editions of the Nanaimo News Bulletin to inform the public about the project and advertise for the Public Hearing held on June 28, 2022. The Public Hearing notice was posted on the RDN website and project information was consistently updated on the Get Involved project webpage. Property owners and occupants within 500 metres were sent notification of the project and Public Hearing, and 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 detailing the community engagement for the project is provided in Attachment 3 – What We Heard: Engagement Summary Report.

Referrals to identified stakeholders and First Nations were sent on November 24, 2021. As part of the referral process, the Ministry of Transportation and Infrastructure (MOTI) requested the applicant's Stormwater Management Plan be updated to conform to Provincial standards to determine whether MOTI's ditch system was adequate to take additional runoff from the proposed development. The applicant updated the Stormwater Management Plan to address MOTI's concerns and confirmed the detailed site design of the property will capture and infiltrate all additional runoff between the predevelopment and post development flows, resulting

¹ The Board passed a resolution on November 23, 2021, for this application to proceed as a minor amendment. As the amendment is a result from a full Electoral Area OCP review process and necessary to correct a mapping error, it meets the established criteria to be considered a minor amendment to the RGS.

in no change to the runoff entering the ditch system. No further comments or concerns were raised by stakeholders or First Nations about this application through the referral process. A summary of project referrals and comments is provided in Attachment 4 – Affected Local Government and Stakeholder 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 Get Involved project webpage at getinvolved.rdn.ca/development-application-no-pl2021-043. 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 community engagement, the Get Involved Summary Report identified 149 aware visitors who visited the website at least once and may not have clicked on any additional information links. A further 37 informed visitors viewed additional information links, and one follower registered with the project website to receive email updates. 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 5 – Get Involved Summary Report.

Regional Growth Strategy and Intergovernmental Implications

To meet the requirements set out in the RGS and the *Local Government Act* regarding RGS and OCP amendments, an Engagement Plan was adopted by the Board on November 23, 2021.

This consultation included a written referral sent to each of the seven affected local governments (all four member municipalities and the three adjoining regional districts) requesting a response within a 45-day period. The referral included notice that the proposed RGS amendment was determined to be a minor amendment, accompanied by relevant supporting documentation and the date, time and place of the Board meeting at which the amendment bylaw was considered for first reading. An official referral response stating unanimous support for the proposed RGS minor amendment was received on behalf of the City of Nanaimo and the Cowichan Valley Regional District provided a resolution of acceptance. The City of Parksville provided an official referral response stating that the proposed RGS minor amendment had been received and the District of Lantzville submitted a resolution stating no comments on the proposed minor amendment (see Attachment 4 – Affected Local Government and Stakeholder Referral Responses). The Town of Qualicum Beach, Alberni-Clayoquot Regional District and Comox Valley Regional District did not provide a response. If an affected local government does not provide a response within the 45-day period, the local government is deemed to have accepted the RGS minor amendment.

FINANCIAL IMPLICATIONS

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

STRATEGIC PLAN ALIGNMENT

The proposed amendment 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. Subject Property Map
2. Summary of the Public Hearing
3. What We Heard: Engagement Summary Report
4. Affected Local Government and Stakeholder Referral Responses
5. Get Involved Summary Report
6. Regional District of Nanaimo Regional Growth Strategy Amendment Bylaw No. 1615.06, 2022
7. Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.09, 2022