



ZONING AMENDMENT APPLICATION NO. PL2022-014
2875 CRAVEN CLOSE, ELECTORAL AREA H
AMENDMENT BYLAW 500.437, 2022 – INTRODUCTION

RECOMMENDATIONS

1. That the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.437, 2022” not be held in accordance with Section 464(2) of the *Local Government Act*.
2. That the Board direct staff to complete the required notification in accordance with Section 467(2) of the *Local Government Act*.
3. That the Board receive the Summary Report of the Community Engagement as provided in Attachment 4.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from the property owners, Barry Salmon and Margaret Salmon to rezone the subject property in order to reduce the minimum parcel size to facilitate a two-lot subdivision. The subject property: legally described as Lot 9, Block 347, Newcastle District, Plan 34021, Except Part in Plan VIP71819, is approximately 8.45 hectares in area and contains one dwelling unit (see Attachment 2 - Subject Property Map). The property is located north of Blacktail Road, south of the Inland Island Highway, east of Horne Lake Road, west of Spider Lake Road and is surrounded by large rural and agriculture zoned lots.

In accordance with Section 464 (2) of the *Local Government Act*, the Board may choose to not hold a public hearing if there is an official community plan (OCP) in effect for the area subject to the zoning bylaw and the bylaw is consistent with the OCP. The proposed development is consistent with the OCP, and no interest has been expressed by the community with respect to the proposed amendment. Therefore, it is recommended that the Board not hold a public hearing and provide a motion to proceed with the notification of first reading in accordance with Section 467(2) of the *Local Government Act*.

Proposed Development

The applicant proposes to rezone the subject property from Rural 1 (RU1), Subdivision District ‘B’ (8.0 hectare minimum parcel size) to RU1 zone, Subdivision District ‘CC’, (4.0 hectare minimum parcel size) to support a two-lot subdivision (See Attachment 2 – Current and Proposed Zoning Map and Attachment 3 - Proposed Plan of Subdivision).

The property is subject to the Eagle and Heron Nesting Tree and Freshwater and Fish Habitat Development Permit Areas (DPA) per the Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2017” (OCP)”, a development permit application will be required for each of these DPA’s unless specifically exempt, prior to the subdivision approval.

Proposed Lot 1 contains one dwelling unit and is serviced by an existing well and an on-site septic system, proposed Lot 2 is vacant and is proposed to be serviced by a well and on-site septic system. Access to and from the subject property is from Craven Close cul-de-sac.

Official Community Plan Implications

The subject property is designated Rural pursuant to the OCP. The Rural designation supports a minimum parcel size of 4.0 hectares for the subdivision of land. The proposed amendment is intended to facilitate a two-lot subdivision, both over 4.0 hectares in size which is constant with the OCP policies.

The proposed zoning amendment is required to demonstrate compliance with “Board Policy B1.21 Hydrological (groundwater) assessment requirements for rezoning of un-serviced lands and for development permits” (Policy B1.21). As such, the applicant has provided a Preliminary Hydrological Assessment prepared by Chinook Arch Geoscience Inc., dated June 23, 2022, and Soil Test Pit Results for Onsite Sewage Disposal System prepared by Recap Waste Water Inc., dated November 1, 2022.

These reports conclude that the proposed development will be able to meet Board Policy B1.21 and OCP policies by confirming the lands have the capability to service the proposed development with regards to water quality and quantity and onsite sewage disposal (see Attachment 3 – Proposed Plan of Subdivision and Attachment 5 – Planning Implications).

Land Use Implications

The applicant has submitted a proposed plan of subdivision by JE Anderson & Associates Ltd., dated June 28, 2022. The current RU1 zoning permits two dwelling units on a lot greater than 2.0 hectares in size. In this case, proposed Lot 1 and Lot 2 would be permitted to construct two dwelling units and two suites. However, Hydro/Telus Statutory Right of Way (SRW) encompasses approximately 3.0 hectares of proposed Lot 2, as such, the remaining buildable site area is restricted to 1.24 hectares. In this case, it is recommended that a Section 219 Covenant be registered on the title of proposed Lot 2, to restrict the development of Lot 2 to a density of one dwelling unit and one accessory suite only. Additional land use implications are discussed within Attachment 5 - Planning Implications.

Conditions of approval are provided in Attachment 6 and proposed “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.437, 2022” is included in Attachment 7.

Provided the recommendations in the reports prepared by qualified professionals and the Conditions of Approval are met, the proposal is deemed consistent with RDN Policies and is recommended that the Board approve the recommendations as presented.

Community Engagement

Community engagement was conducted online through the RDN’s Get Involved site with notices sent to all properties within 200 metres and a notice published in the newspaper. The public was invited to provide feedback and submit questions about the proposed zoning amendment application through the Get Involved page at www.getinvolved.rdn.ca/pl2022-014. The Get Involved webpage also provided information and professional studies that were only previously available at the PIM or by viewing the material at the RDN Administration Office.

The Get Involved program tracks statistics on the traffic to the website in terms of visitors who are aware, informed and engaged, in which engaged and informed are subsets of aware. The report identified 63 aware

visitors who have visited the website at least once though may not have clicked on any information; 11 informed visitors who have viewed the attached information; and 0 engaged visitors who participated in the webpage content. There were no community comments received in support or against the proposal (see Attachment 4 – Summary Report of the Virtual Engagement Process).

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 development has been reviewed and has no implications for the 2019 – 2022 Board Strategic Plan.

REVIEWED BY:

P. Thompson, Manager, Current Planning
L. Grant, General Manager, Planning and Development
D. Holmes, Chief Administrative Officer

ATTACHMENTS:

1. Subject Property Map
2. Current and Proposed Zoning Map
3. Proposed Plan of Subdivision
4. Summary Report of the Virtual Engagement
5. Planning Implications
6. Conditions of Approval
7. Proposed Amendment Bylaw No. 500.437, 2022