



**ZONING AMENDMENT APPLICATION NO. PL2022-003  
LOT 2, ALLSBROOK RD, ELECTORAL AREA F  
AMENDMENT BYLAW 1285.39, 2023 – INTRODUCTION**

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**RECOMMENDATIONS**

1. That the Board receive the Report of the Community Engagement as provided in Attachment 3.
2. That the conditions set out in Attachment 6 of the staff report be completed prior to Amendment Bylaw No. 1285.39 being considered for adoption.
3. That “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.39”, as provided in Attachment 7, be introduced, and read two times.
4. That the Public Hearing on “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.39, 2023”, be delegated to the Director for Electoral Area F.

**BACKGROUND**

The Regional District of Nanaimo (RDN) has received an application from Collaborative Futures on behalf of 1170737 BC Ltd., Inc. No. BC1170737 to rezone the subject property from MHP-1 (Manufactured Home Park 1) to R-2 (Rural Residential 2) to permit a proposed 5-lot subdivision. The subject property, legally described as Lot 2, District Lot 43, Nanoose District, Plan 2761 Except Plans 2589RW, VIP55647 and VIP68083, is approximately 6.3 hectares in area and is currently vacant. Shelly Creek runs west to east through the northern portion of the subject property and a seasonal ditch runs along the south and eastern boundaries of the property (see Attachment 2 – Concept Plan of Subdivision). The property is surrounded by Allsbrook Road and a developed residential parcel to the north, commercial and ALR/residential parcels to the east, developed rural residential parcels and Little Mountain to the south and developed residential parcels and a cemetery (Yates Memorial Services) to the west (see Attachment 1 – Subject Property Map).

The applicant previously applied to re-zone the subject property to an Industrial use to permit a 4-lot industrial subdivision under application PL2019-033. This application did not proceed to the Board for consideration based on strong community opposition received at and following a Public Information Meeting for that application. The applicant has revised their proposal and submitted a zoning amendment application that would allow for a 5-lot residential subdivision.

***Proposed Development***

The applicant proposes to rezone the subject property from MHP-1 (Manufactured Home Park 1) to R-2 (Rural Residential 2) to allow a proposed 5-lot subdivision (see Attachment 2 – Concept Plan of Subdivision). As the property contains Shelly Creek, it is subject to the Freshwater and Fish Habitat Development Permit Area per the “Regional District of Nanaimo Electoral Area ‘F’ Official Community Plan Bylaw No. 1152, 1999” (OCP).

Therefore, a development permit application will be required prior to the subdivision of the subject property or any land alteration etc. within the 30 metre Riparian Assessment Area.

The development is proposed to be serviced by individual on-site wells, on-site septic systems and individual storm water management systems. Access to and from the subject property will be from a new road access off of Allsbrook Road which will be dedicated through to the currently unconstructed road to the west.

### ***Official Community Plan Implications***

The subject property is designated Commercial/Industrial within the Bellevue/Church Road Rural Separation Area pursuant to the OCP. This designation indicates that future commercial, industrial, public utility and community service uses should be directed to lands within the rural separation boundaries and supports a compatible mix of uses within this area. Given that the OCP supports a compatible mix of uses within this land use designation and that the property is currently zoned for residential use with a maximum density of one dwelling per hectare, the proposal is considered consistent with OCP policies.

### ***Land Use Implications***

The current MHP 1 zone supports a density of one manufactured home per hectare with no specified minimum parcel size for new lots. The proposed change in zoning to R-2 would support the same density as the current zoning of one dwelling unit per hectare but would permit, but not limit, dwelling units to manufactured homes only and would allow a subdivision of up to five lots with a minimum parcel size of 1.0 hectare each. The R-2 zone would also permit up to one secondary suite per lot.

The applicant has submitted a concept plan of subdivision and plans prepared by qualified professionals confirming that the property can support the proposed development. The applicant has demonstrated suitable access, stormwater management, on-site sewage disposal and confirmed the likelihood of adequate water supply to support the proposed development. In addition, the applicant has provided a Riparian Areas Protection Assessment to establish a Streamside Protection and Enhancement Area (SPEA) for Shelly Creek.

Please refer to Attachment 5 – Planning Implications for a comprehensive assessment of the land use planning rationale in support of the recommendations.

Recommended conditions of approval are provided in Attachment 6 and proposed “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.39, 2023” is included in Attachment 7.

### ***Public Consultation***

Community engagement was conducted online through the RDN’s Get Involved web page with notices sent to all properties within 500 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/pl2022-003](http://www.getinvolved.rdn.ca/pl2022-003). The Get Involved webpage also provides information and professional studies that were only previously available at a Public Information Meeting 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 76 aware visitors who have visited the website at least once though may not have clicked on any information; 20

informed visitors who viewed the attached information; and one engaged visitor who participated in the webpage content.

Four comments were received from community members with one siting support for the proposed residential use. Additional comments received were related to stormwater management, encouraging environmental and aquifer protection, and requesting a public meeting be held for the application. The majority of comments or concerns have been addressed in professional reports submitted as part of this application or will be addressed through the requirements for the applicant to obtain a development permit and submit a final well report at the time of subdivision. In addition, the requirement for stormwater management systems to be designed at the time of building permit application is intended to address on-site stormwater management and mitigate potential impacts to Shelly Creek (See Attachment 3 – Summary Report of the Community Engagement and Attachment 4 – Public Submissions Received).

### **FINANCIAL IMPLICATIONS**

The proposed development has been reviewed and has no implications related to the Board 2023-2027 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, Development and Emergency Services  
D. Holmes, Chief Administrative Officer

### **ATTACHMENTS:**

1. Subject Property Map
2. Concept Plan of Subdivision
3. Summary of Report of the Community Engagement
4. Public Submission Received
5. Planning Implications
6. Conditions of Approval
7. Proposed Amendment Bylaw No. 1285.39, 2023