



**OFFICIAL COMMUNITY PLAN AND ZONING AMENDMENT APPLICATION NO. PL2023-045
1236 ISLAND HIGHWAY WEST AND 957 LEE ROAD WEST, ELECTORAL AREA G
OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 1540.05, 2023 - INTRODUCTION
AND ZONING AMENDMENT BYLAW NO. 500.441, 2023 – INTRODUCTION**

RECOMMENDATIONS

1. That the Board approve the proposed Public Consultation Plan as outlined in Attachment 6 and receive the Summary Report of the Community Engagement as provided in Attachment 4.
2. That the Board introduce and give first reading to “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Amendment Bylaw No. 1540.05, 2023”.
3. That the Board give second reading to “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Amendment Bylaw No. 1540.05, 2023”, having considered the impact on the current Financial Plan, Liquid Waste Management Plan, and Solid Waste Management Plan.
4. That the Board introduce and give first and second reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.441, 2023”.
5. That the Board delegate the Public Hearing on “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Amendment Bylaw No. 1540.05, 2023” and “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.441, 2023” to the Director of Electoral Area G.
6. That the Conditions of Approval outlined in Attachment 5 be adopted prior to the adoption of Amendment Bylaws No. 1540.05 and 500.441 and made applicable to the proposed development and required for the use of the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from RDN Regional and Community Utilities and Solid Waste on behalf of the RDN to amend the Official Community Plan (OCP) Land Use designation and rezone the subject property in order to facilitate the expansion of the French Creek Pollution Control Centre (FCPCC).

This application includes two subject properties:

- Lot A, District Lot 28, Nanoose District, Plan EPP80238 (Lot A). Lot A is on the corner of the Island Highway and Lee Road West and is currently developed with the FCPCC. This subject parcel is approximately 4.13 hectares in area, and is designated Institutional by “Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008” (OCP). Lot A is zoned Public 1 Zone (PU1), Subdivision District ‘Q’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” (Bylaw 500). Morningstar Creek runs through the east side of Lot A.

- Lot 1, District Lot 28, Nanoose District, Plan 37634 (Lot 1). Lot 1 is to the west of Lot A and is adjacent to the Island Highway West and currently contains a dwelling unit. Lot 1 is approximately 3.9 hectares in area and is designated Neighbourhood Residential by the OCP and is zoned Residential 1 Zone (RS1), Subdivision District 'Q', pursuant to Bylaw 500. French Creek flows through the west side of Lot 1 (see Attachment 1 – Subject Property Map and Attachment 2 – Current and Proposed OCP and Zoning Maps).

Lot A is serviced with community water and sewer services and is accessed off Island Highway West. Lot 1 is serviced by an onsite well and septic field and is accessed off Lee Road West. An OCP and zoning amendment are required to facilitate the planned and future potential expansions of the FCPC.

Proposed Development

This application proposes changes to both the OCP land use designation and the zoning. The proposed changes are as follows:

- Lot A: To rezone the property from PU1 to PU4 with 50 percent maximum parcel coverage.
- Lot 1: To change the OCP land use designation from Neighbourhood Residential to Institutional and a portion adjacent to French Creek to Parkland/Greenspace/Natural Area. In addition, to rezone the property from RS1 to PU4 with 50 percent maximum parcel coverage.

In addition to the above, the applicant intends to undertake the required processes to close a portion of dedicated road as well as to dispose of and/or exchange parkland for the purpose of improved site functionality and increased public benefit at a later date. It is noted that these aspects of the project will be undertaken under separate processes, which would not affect or be dependant on the OCP land use designation or zoning.

The properties are subject to the Hazard Lands, Aquifers, and Freshwater and Fish Habitat Development Permit Areas (DPAs) per the Electoral Area G OCP. As per the applicable DPA guideline exemptions, works undertaken by the RDN or its authorized agents are exempt from the DPA guidelines where measures are taken to satisfy the DPA guidelines. Therefore, a DP will not be required for the proposed expansion of the FCPC.

Land Use Implications

Regional Growth Strategy

The “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011” (RGS) designates the subject properties as Rural Village Area and are within the Growth Containment Boundary (GCB). Therefore, the proposed OCP and zoning amendments are consistent with the RGS.

Official Community Plan

The FCPC treats sewage from residential, commercial, and industrial users in Parksville, Electoral Area 'G', and Qualicum Beach. The OCP recognizes that the FCPC is nearing its design capacity and that major capital works including expansion would be required to service population growth within the areas it serves. Lot 1, where the FCPC is currently located, is nearing its capacity and is unable to reasonably accommodate future expansion. In response, the RDN acquired the adjacent Lot A to facilitate expansion requirements.

As Lot A is currently designated Neighbourhood Residential, an OCP amendment is required to support the proposed expansion of the FCPC. As the subject properties are located in the GCB and future growth and

development is dependant on having sewer servicing capacity, the proposal to redesignate Lot A to Institutional is consistent with the spirit and intent of the OCP.

Section 6 of the OCP supports the acquisition of land for the purpose of park land, green space, and or natural areas as a condition of rezoning. Further, the OCP identifies French Creek and associated riparian areas as being desirable park/conservation lands due to their environmental value and potential opportunities for low-impact recreation. In response, the applicant is proposing to designate an area adjacent to the natural boundary of French Creek as Park Land/Green Space/ Natural Areas in the OCP.

Refer to Attachment 3 – Planning Implications for a comprehensive assessment of the land use planning rationale in support of the recommendations.

Conditions of approval are provided in Attachment 5, proposed “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Amendment Bylaw No. 1540.05, 2023” in Attachment 7, and “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.441, 2023” are included in Attachment 8.

Community Engagement

As is standard practice, community engagement was initiated online through the RDN’s Get Involved site with notices sent to all properties within 500 metres and a notice published in the Parksville Qualicum Beach 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/pl2023-045. The Get Involved webpage also provided 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 155 aware visitors who have visited the website at least once though may not have clicked on any information; 63 informed visitors who have viewed the attached information; and 13 engaged visitors who participated in the webpage content. There were 12 respondents who participated in the online survey. Common themes among respondents were a desire to protect French Creek, support for environmental protection, support for low impact recreation, interest in an initiative to transform the dwelling unit into a learning centre, and public access (see Attachment 4 –Report of the Community Engagement).

In accordance with Section 475 of the *Local Government Act*, during the development of an official community plan, or the repeal or amendment of an official community plan, the local government must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected.

The local government must specifically consider whether consultation is required with:

- i. the board of the regional district in which the area covered by the plan is located;
- ii. the board of any regional district that is adjacent to the area covered by the plan;
- iii. the council of any municipality that is adjacent to the area covered by the plan;
- iv. first nations;
- v. boards of education, greater boards, and improvement district boards; and,
- vi. the provincial and federal governments and their agencies.

Author: Greg Keller
Senior Planner
File No. PL2023-045

This consultation is in addition to the public hearing required under Section 477 of the *Local Government Act*.

It is recommended that the Board approve the proposed consultation plan as outlined in Attachment 6, which includes referrals to the City of Parksville, Snaw-Naw-As First Nation, Qualicum First Nation, School District 69 Board of Education and relevant provincial agencies. No federal agencies were identified as relevant for consultation in relation to the proposed amendments. It is proposed that should the amendment bylaws receive first and second reading, the Public Hearing not be scheduled until the associated referrals have been completed.

FINANCIAL IMPLICATIONS

In accordance with Section 477 of the *Local Government Act*, following the first reading of an OCP bylaw amendment, a local government must consider the amendment in conjunction with its financial plan and any applicable waste management plan. In discussions with finance and Regional and Community Utilities and Solid Waste staff, it was confirmed that the proposed OCP amendments have no implications for the current 2023 – 2027 Financial Plan, the Liquid Waste Management Plan, or Solid Waste Management Plan. In addition, the expansion of the FCPC is identified in the Financial Plan.

STRATEGIC PLAN ALIGNMENT

The proposed development has been reviewed and the proposal will be in keeping with the 2019-2022 Board Strategic Plan's key growth management strategic area by ensuring that adequate sewage treatment capacity is available to address future growth.

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. Current and Proposed OCP and Zoning Maps
3. Planning Implications
4. Report of the Community Engagement
5. Conditions of Approval
6. Proposed Consultation Plan
7. Draft OCP Amendment Bylaw 1540.05, 2023
8. Draft Zoning Amendment Bylaw 500.441, 2023