

TO: Electoral Area Services Committee **MEETING:** June 12, 2018

FROM: Kristy Marks
Planner **FILE:** PL2018-013

**SUBJECT: Zoning Amendment Application No. PL2018-013
Pitt Road – Electoral Area ‘H’
Amendment Bylaw 500.420, 2018 – First and Second Reading
Lots 1 and 2, District Lot 36, Newcastle District, Plan 2076 Except That Part Shown
Outlined In Red On Plan 1104-R And Except That Part Lying North Of The Island Highway
As Said Highway Is Shown On Said Plan**

RECOMMENDATIONS

1. That the Board receive the Summary of the Public Information Meeting held on May 16, 2018.
2. That the Board require the applicant to complete the conditions as set out in Attachment 2 as a condition of Amendment Bylaw No. 500.420 being adopted.
3. That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.420, 2018”, be introduced and read two times.
4. That the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.420, 2018”, be chaired by Director Veenhof or his alternate.

SUMMARY

The applicant proposes to rezone the southern half of the subject properties from Residential 2 (RS2), Subdivision District ‘M’ to Public 4 (PU4), Subdivision District ‘D’ to permit a wastewater treatment facility. A Public Information Meeting was held on May 16, 2018. It is recommended that Amendment Bylaw No. 500.420, 2018 be granted first and second reading.

BACKGROUND

An application has been received from the Regional District of Nanaimo (RDN) on behalf of the Province of BC to rezone the subject property in order to permit the development of a wastewater treatment facility. These two parcels of Crown Land, currently held under lease by the RDN, are approximately 4.2 hectares in area and are currently vacant. The RDN lease was granted by the Province of BC (the Province) in 2012 for a term of 20 years for “seniors supportive living complex, sewage treatment facility and waste water management system purposes”. The applicant is currently in the process of amending the existing lease to separate it from that of the Bowser Seniors Housing Society. Through the

amendment to the existing lease agreement the Province has advised that it will amend the lot line between the two parcels from a north/south orientation to an east/west orientation to reflect the amended tenure agreements and the uses proposed for each area of the subject properties.

The properties are located within the Bowser Village Centre (BVC) and are surrounded by developed commercial property (Magnolia Court) to the north, undeveloped residential zoned lands to the east, unconstructed road and Crown Land to the south and west and rural zoned lands within the BVC to the northwest (see Attachment 1 – Subject Property Map).

Proposed Development

The applicant proposes to rezone the southern half of the subject properties from Residential 2 (RS2), Subdivision District 'M' to a Public 4 (PU4), Subdivision District 'D' to allow the construction of a wastewater treatment facility. In support of the application, the applicant has submitted a proposed site plan and proposed building elevations (see Attachment 3 – Proposed Site Plan and Attachment 4 – Proposed Building Elevations). The wastewater treatment facility is proposed to be located in the southwestern corner of the subject properties and is proposed to include the construction of a single storey building with a floor area of approximately 245 m². The proposed building would house processing equipment and a small office/lab/control room and the entire facility would be fenced. The development is proposed to be serviced by community water from the Bowser Waterworks District. Access to and from the subject properties will be from the currently unconstructed Pitt Road to the west.

Official Community Plan Implications

The subject property is designated Civic and Cultural pursuant to the “Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2017” and the Bowser Village Centre Plan (BVCP). The OCP and BVCP recognize that the subject properties were leased to the RDN in 2012 for the purpose of a wastewater treatment facility and support the development of a community wastewater treatment facility within the BVC. The establishment of a community sewer system will support the development of the BVC as a compact, complete community and allow increased residential density within the BVC. The proposed amendment is consistent with the OCP and BVCP policies.

Land Use Implications

The existing Residential 2 (RS2) zoning of the subject properties allows up to two dwelling units on parcels greater than 4000 m² with a community water connection. The proposed Public 4 (PU4) allows public utility use which includes the use of the land, buildings and structures for the provision of community sewer services as proposed. The PU4 Zone permits a maximum height of 10 metres and requires a minimum setback of 8.0 metres from the front lot line and 5.0 metres from all other lot lines. The proposed wastewater treatment facility will meet the requirements of the PU4 Zone (see Attachment 6 – Proposed Amendment Bylaw 500.420, 2018).

The applicant has also provided a stormwater management letter prepared by Stantec submitted May 11, 2018, which outlines potential concepts to be included in the design of a stormwater management system to limit post-development flows. These methods could include retention of vegetation outside the treatment plant site, ensuring all disturbed soils surrounding the site are mulched and seeded to encourage re-vegetation, and directing stormwater from impervious surfaces toward vegetated areas.

Should the Board approve adoption of proposed Amendment Bylaw 500.420, it is recommended that the applicant be required to provide a detailed stormwater management plan confirming that stormwater can be dealt with onsite and that post-development flows do not exceed pre-development flows. This stormwater management plan must be prepared by a Professional Engineer and include detailed drawings and recommended maintenance provisions and be submitted to the satisfaction of the General Manager of Strategic and Community Development prior to the issuance of a building permit (see Attachment 2 – Conditions of Approval).

Environmental Implications

In support of the application the applicant has submitted a Desktop Environmental Review prepared by Stantec dated May 30, 2016. A Stage II Environmental Impact study for the treatment plant site will be completed as part of the Provincial permitting and approval process. In addition, a Construction Environmental Management Plan will also be required to identify monitoring requirements to measure and protect biological, social and cultural resources, and habitat during construction.

The applicant has indicated that vegetation removal will be limited as much as possible to the proposed treatment plant location and that any replanting that is required will include drought tolerant native species. In addition, the applicant must receive permission from the Crown to undertake works onsite including tree cutting and site clearing.

Intergovernmental Implications

The application was referred to the MOTI, local fire department, Bowser Waterworks District, and the Qualicum First Nation.

The MOTI have confirmed that they have no objection to the rezoning application and have indicated that no storm drainage is to be directed towards the MOTI right-of-way and that all surface drainage/stormwater from the development is to be managed onsite.

The Bow Horn Bay Fire Department requested that a fire hydrant be located near the entrance to the property and that given that the site is fenced, an access key must be provided to the fire department to access the site in the event of an emergency.

The Bowser Waterworks District (BWD) has confirmed that the proposed development is within the BWD boundaries and that there is currently excess capacity in the system to provide water service to the site, however, capacity is not allocated until the time of a request for service. The BWD have also indicated that low pressure and limited fire volumes need to be considered and that a right-of-way may be required to ensure water distribution may not be impeded by future development.

RDN Building Inspection have advised that the proposed wastewater treatment facility would be classified as a Part 3 building under the British Columbia Building Code and a fire flow calculation will be required by a professional engineer as part of the building permit review process. Given that the local fire department has requested that a fire hydrant be located onsite and the BWD has indicated that low pressure and limited fire flow should be taken into consideration, an onsite water storage tank may be required for fire protection purposes. It is recommended as a condition of approval that the applicant be required to secure access to, and use of, the water tank(s) and other required firefighting equipment (as

recommended by a qualified engineer) including an obligation to maintain such equipment in good working order to the satisfaction of the RDN Fire Services prior to obtaining a building permit for the proposed development (see Attachment 2 – Conditions of Approval).

Public Consultation Implications

A Public Information Meeting (PIM) was held on May 16, 2018. Approximately 175 members of the public attended and 93 written submissions were received in relation to the PIM (see Attachment 5 – Summary of Minutes of the Public Information Meeting).

In accordance with Section 464 of the *Local Government Act*, should the Board grant first and second reading to the amendment bylaw, a Public Hearing is required to be held or waived prior to the Board's consideration of third reading. The purpose of the Public Hearing is to provide an opportunity for those who believe that their interest in property is affected by the proposed bylaw to be heard by the RDN Board. In addition, the RDN Board may delegate the Public Hearing by resolution in accordance with Section 469 of the *Local Government Act*. Therefore, it is recommended, that should the Board grant first and second reading to the proposed amendment bylaw, that a Public Hearing be held in accordance with Section 464 of *The Local Government Act* and that the Public Hearing be delegated to Director Veenhof or his alternate.

ALTERNATIVES

1. To proceed with Zoning Amendment Application No. PL2018-013, consider first and second reading of the Amendment Bylaw and proceed to public hearing.
2. To not proceed with the Amendment Bylaw readings and public hearing.

FINANCIAL IMPLICATIONS

The proposed land use amendment has no direct implications related to the Board 2018-2022 Financial Plan. The budget for the Bowser wastewater treatment facility has been previously approved and will be paid for through grants, developer contributions and service area property owners.

STRATEGIC PLAN IMPLICATIONS

The proposed wastewater treatment facility will help support the 2016 – 2020 Board Strategic Plans focus to provide service and organizational excellence and economic health by funding infrastructure in support of RDN core services and fostering economic development.



Kristy Marks
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May 31, 2018

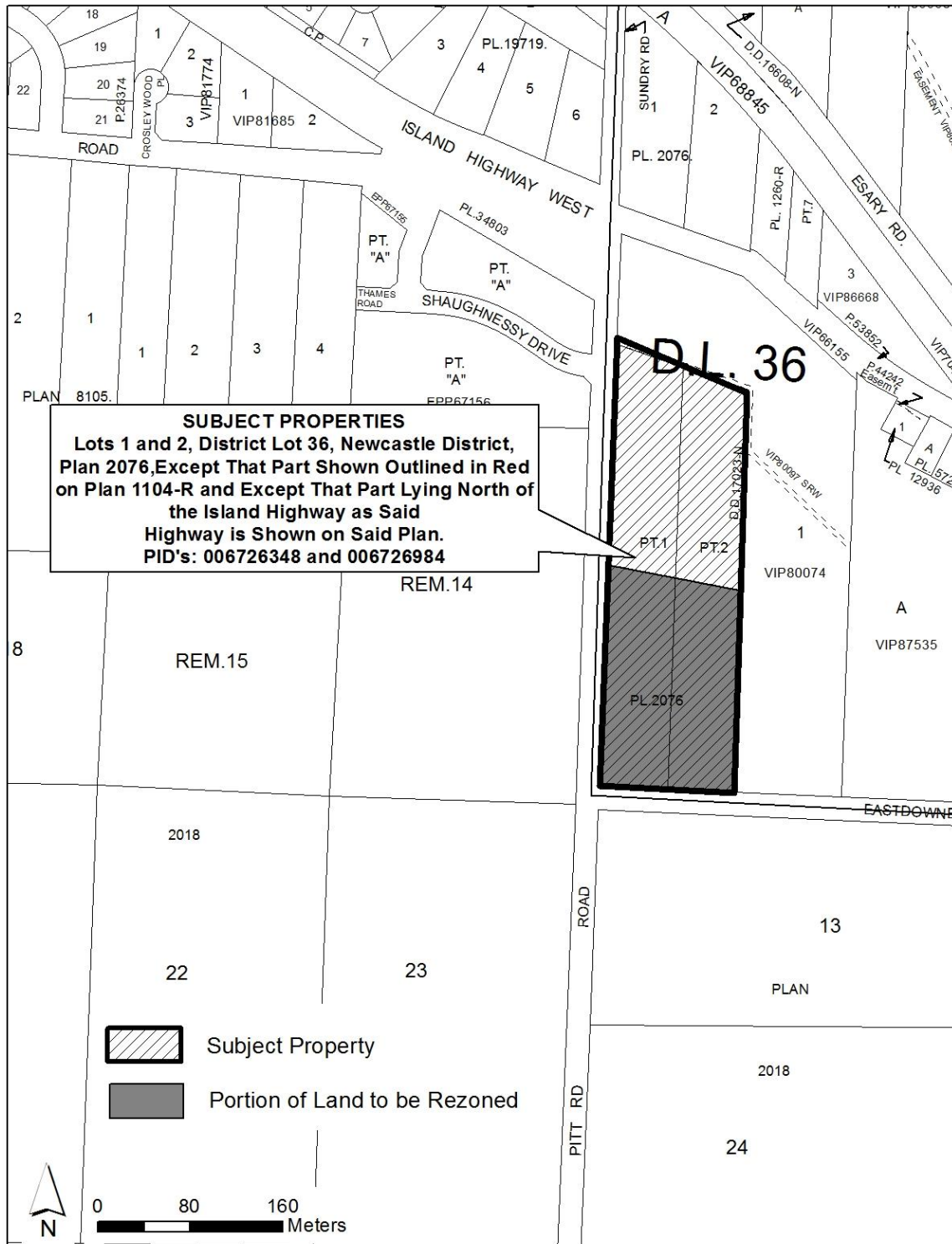
Reviewed by:

- J. Holm, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. Conditions of Approval
3. Proposed Site Plan
4. Proposed Building Elevations
5. Summary of Minutes of the Public Information Meeting
6. Proposed Amendment Bylaw No. 500.420, 2018

Attachment 1
Subject Property Map



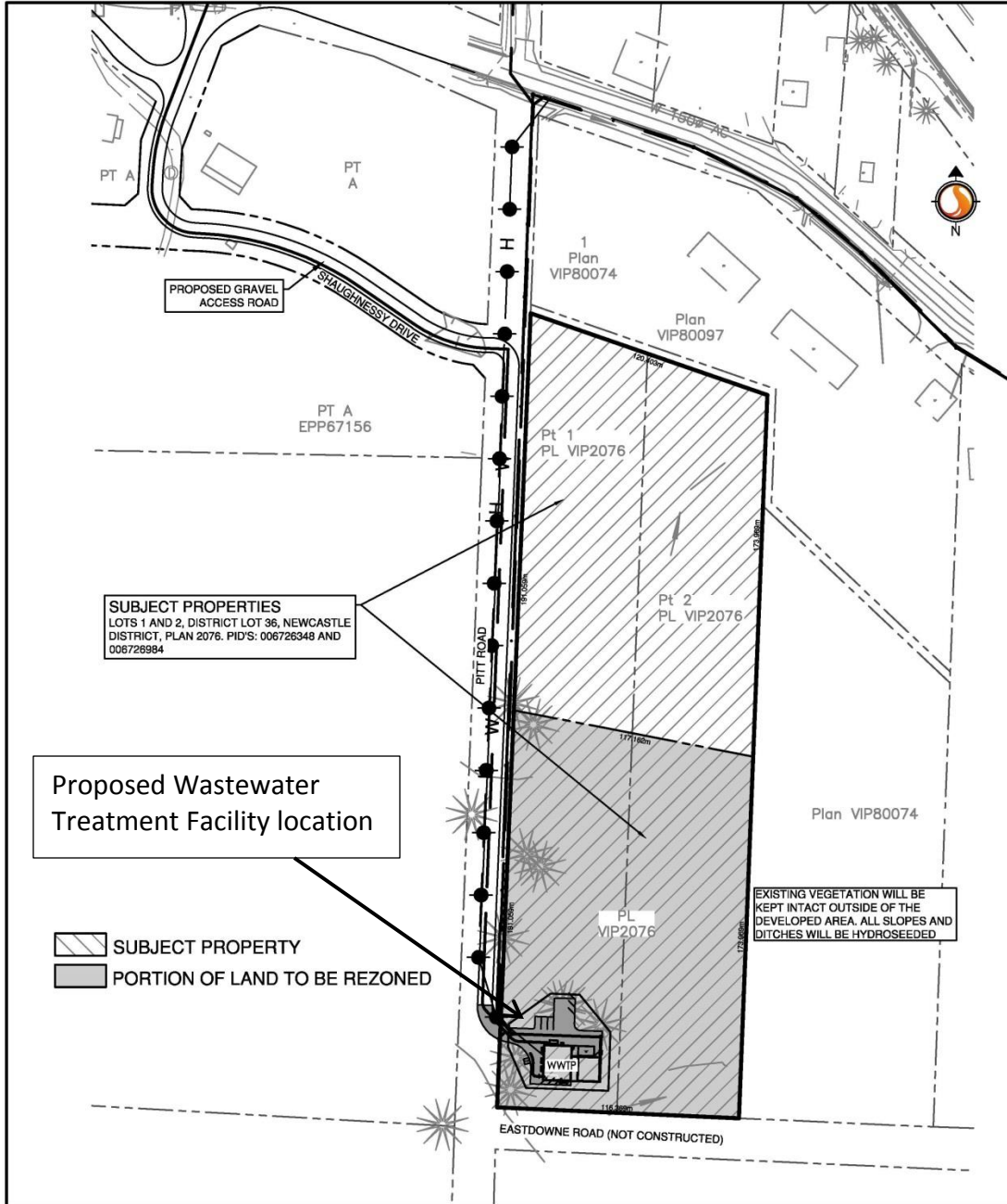
Attachment 2
Conditions of Approval


The following requirements must be addressed by the applicant prior to development of the subject property as a condition of the adoption of “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.420, 2018”:

1. The applicant is required to provide, at the applicant’s expense, a stormwater management plan, including detailed drawings and recommended maintenance provisions, prepared by a qualified Engineer to ensure that post-development flows do not exceed pre-development flows. This plan is to be submitted to the satisfaction of the General Manager of Strategic and Community Development, Regional District of Nanaimo prior to the issuance of a building permit.

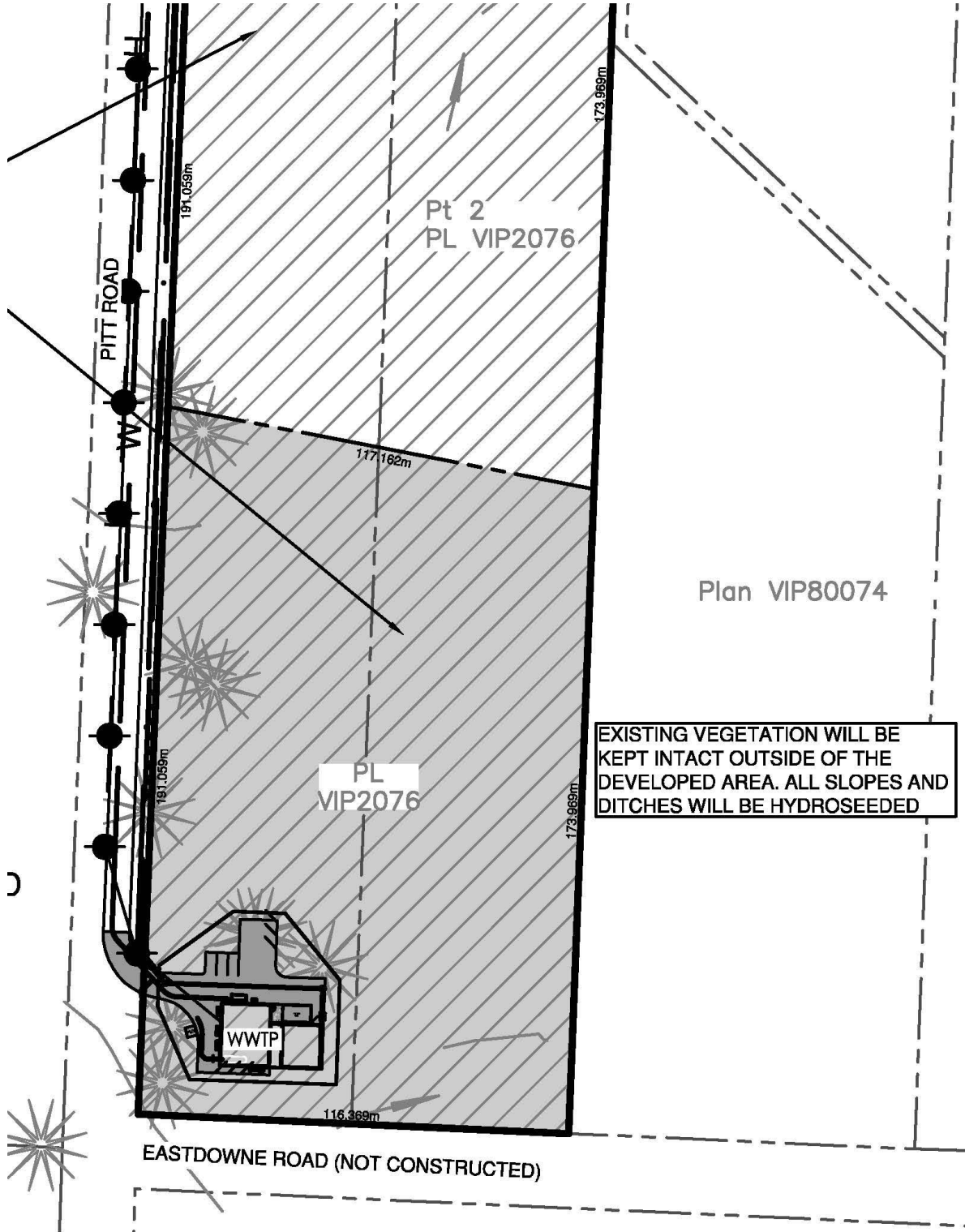
2. The applicant is required to secure access to, and use of, water storage tank(s) and other required firefighting equipment (as recommended by the qualified engineer through building permit application) including an obligation to maintain such equipment in good working order to the satisfaction of RDN Fire Services and the General Manager of Strategic and Community Development, Regional District of Nanaimo prior to the issuance of a building permit.

**Attachment 3
Proposed Site Plan
(Page 1 of 2)**

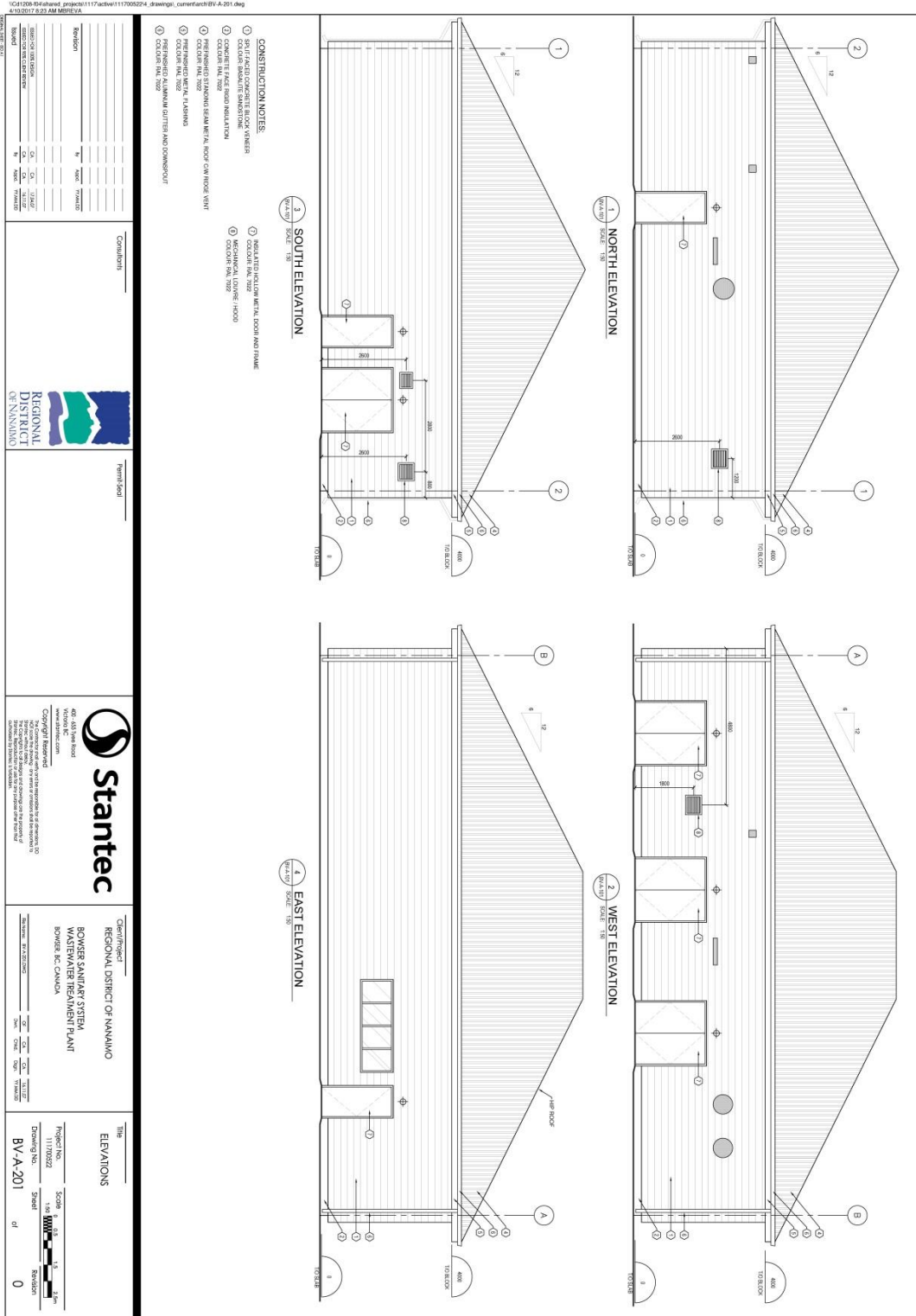


 <p>Stantec Consulting Ltd. 400-655 Tyee Road Victoria BC V9A 4X5 Tel: (250) 388-9161 www.stantec.com</p>	<p>Client/Project REGIONAL DISTRICT OF NANAIMO BOWSER WASTEWATER TREATMENT PLANT</p>	<p>Title WWTP AND ACCESS SITE PLAN</p>
	<p>Project No. 111700522</p>	<p>Revision _____ Date _____ Reference Sheet _____ Figure No. _____</p>

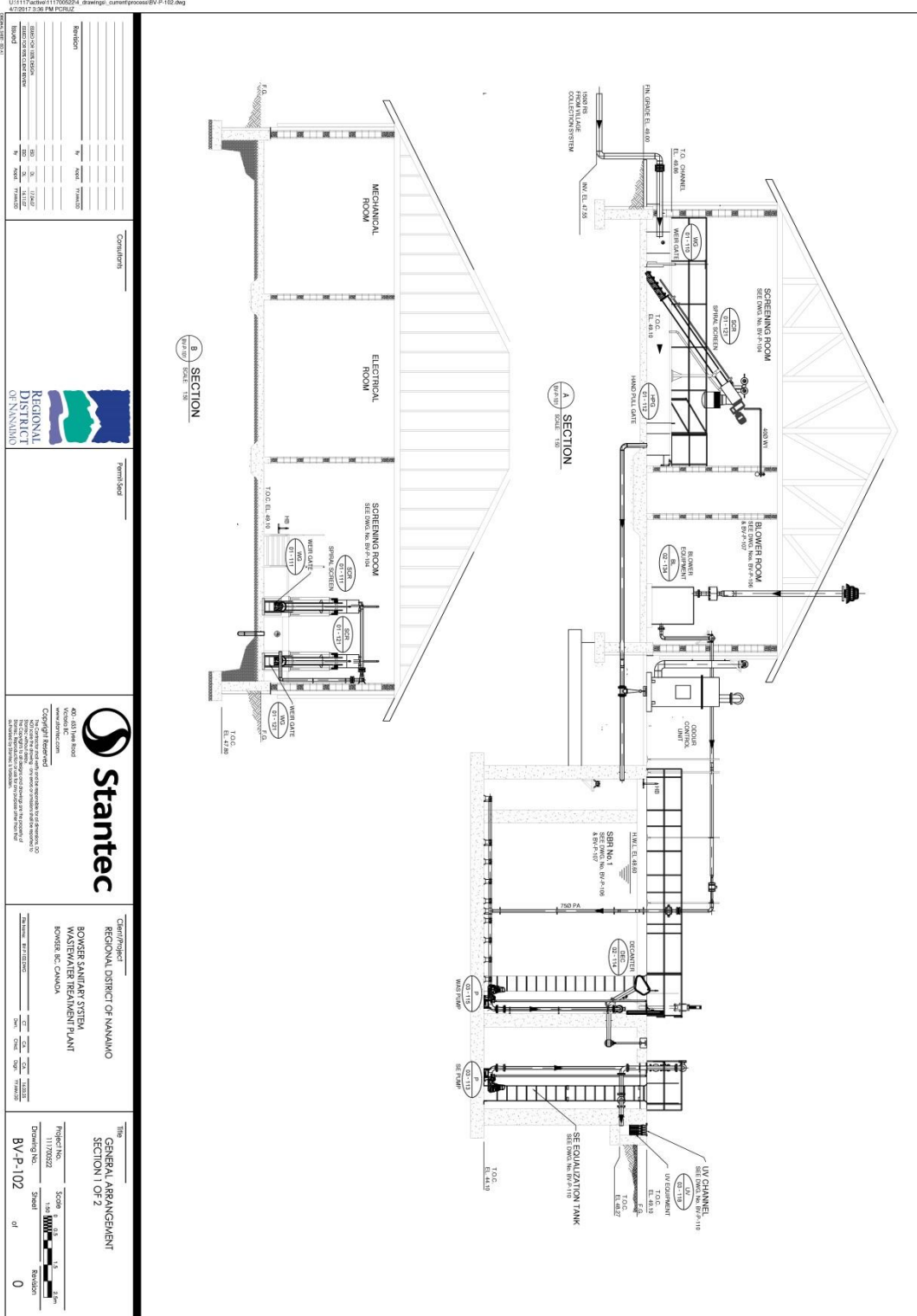
Attachment 3
Proposed Site Plan – Detail
(Page 2 of 2)



Attachment 4
Proposed Building Elevations
 (Page 1 of 2)



Attachment 4
Proposed Building Elevations - Detail
 (Page 2 of 2)



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REVISION	NO.	DATE	BY	CHKD	DESCRIPTION

Consultant: _____
 Project No: _____

REGIONAL DISTRICT OF NANAIMO

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Client/Project: REGIONAL DISTRICT OF NANAIMO
 REGIONAL DISTRICT OF NANAIMO
 BOWSER SANITARY SYSTEM
 WASTEWATER TREATMENT PLANT
 BOWSER, BC CANADA

Title: GENERAL ARRANGEMENT SECTION 1 OF 2

Project No: BV-P-102
 Drawing No: 3/0001
 Scale: 1/8" = 1'-0"
 Sheet No: 0 of 0