



**OFFICIAL COMMUNITY PLAN AND REGIONAL GROWTH STRATEGY AMENDMENT
APPLICATION NO. PL2025-100
ELK TRAIL, ELECTORAL AREA F**

RECOMMENDATION

That the Board not support proposed Official Community Plan and Regional Growth Strategy Amendment Application No. PL2025-100.

BACKGROUND

The Regional District of Nanaimo has received an application from Prism Land Surveying Ltd. on behalf of Elk Trail Estates Ltd., to amend the land use designation for the subject property within the "Regional District of Nanaimo Electoral Area 'F' Official Community Plan Bylaw No. 1152, 1999" (OCP) from Resource Lands to Rural Residential. The amendment would permit the consideration of a zoning amendment application to change the minimum parcel size for subdivision from 50.0 hectares to 1.0 hectare and subsequently permit the subdivision of the property into 16 lots. The proposed OCP amendment requires an amendment to the "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1874, 2023" (RGS), which prohibits the reduction of minimum parcel size of lands on the subject property.

The subject property is legally described as Lot 159, Nanoose District, Plan 1873 and is approximately 24.0 hectares in size. The property is currently zoned Forestry / Resource 1 (FR-1) pursuant to "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" (Bylaw 1285). The property is vacant and previously was Privately Managed Forest Lands (see Attachment 1 – Subject Property Map). The subject property is adjacent to the Englishman River Regional Park to the east and south (within Electoral Area G), Crown land to the west (zoned P-2 - Parks and Open Space 2), and residential building strata lots to the north along Elk Trail (zoned R-1 – Rural 1) (see Attachment 2 – Current Zoning Map). The property is accessed through an unconstructed road right-of-way from Elk Trail, which is adjacent to two building strata lots, Crown Land, and Privately Managed Forest Lands.

Proposed Development

The applicant proposes a change to minimum parcel size from 50.0 hectares to 1.0 hectare to enable the subdivision of the property into 16 lots, which will require amendments to the RGS, OCP and zoning bylaw (see Attachment 3 – Proposed Subdivision Plan). Proposed road dedication would provide access to the subdivision from Elk Trail. Each lot is proposed to have an individual well and onsite septic disposal system. The applicant proposes a Section 219 covenant along the northern property boundary to provide a 10 metre wide vegetative buffer to benefit the immediately adjacent six (6) building strata properties.

The subdivision will include the dedication of a 20 metre wide road right-of-way and road construction for access to the proposed lots. The existing unconstructed road right-of-way on the western property boundary will require additional dedication and approximately 360 metres of constructed road. Within the existing lot boundary, approximately 860 square metres of road would also be dedicated and constructed.

An unnamed watercourse is located on the property and subject to the Riparian Area Protection Regulations (RAPR). Should the proposal proceed to subdivision stage, the applicant will require a development permit

under the Freshwater and Fish Habitat Development Permit Area (DPA). The applicant will also require Water Sustainability Act approvals for the stream crossing for the proposed road.

At subdivision stage, the applicant will also need to comply with the minimum five per cent parkland dedication requirements of Section 510 of the *Local Government Act*. The proposed plan shows the minimum required parkland dedication as 1.21 hectares. A pathway is also proposed between Lots 11 and 12 to provide access to the Englishman River Regional Park. The property is currently used by residents to access the regional park.

Planning Implications

The proposal requires an amendment to the RGS and OCP, to change the land use from resource to rural residential and allowing more subdivision within a rural area. This change goes against the RGS strategic direction to preserve resource lands for forestry, agriculture or long-term open space. The RGS identifies that resource activities on land within the Resource Land and Open Space designation should be encouraged to avoid or reduce harm to the function of natural ecosystems. This position reflects that residential uses may be more impactful to the natural environment due to permanent land conversion compared with regeneration over time with resource based land uses, particularly if properly managed for long-term forest resource production.

The subject property has previously been logged for resource production over a long-term period within the Privately Managed Forest Land classification and vegetation has subsequently regenerated. Any change in direction on the RGS may set policy precedence for other current or previous Privately Managed Forest Lands to similarly be redesignated for residential uses. Any similar consideration of other previously Privately Managed Forest Lands can significantly increase the development potential in rural areas. The proposal does not appear unique from a conventional subdivision to justify compromising these regional policies that limit development in rural areas.

For more planning implication see Attachment 4 – Planning Implications.

FINANCIAL IMPLICATIONS

There are no financial implications to the 2025-2029 Board Financial Plan associated with the recommendation. If the Board supports the report recommendation to not proceed with the application, the applicant will be refunded 50% of the application fee as outlined in “Regional District of Nanaimo Development Application, Notification Procedures and Fees Bylaw No. 1845, 2022”.

STRATEGIC PLAN ALIGNMENT

The proposed development has been reviewed and the proposal will not be in keeping with the 2023-2026 Board Strategic Plan, specifically with respect to Strategic Focus Area 3 – Planning and Managing for Growth. The proposal does not follow the growth management principles of the RGS and affects the integrity of policies limiting growth in rural resource areas. Further growth within rural and resource areas may also not be consistent with Strategic Focus Area 4 – Water Security, given the characterization of aquifers within this area of the French Creek water region as low productivity or high stress.

REVIEWED BY:

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ATTACHMENTS:

1. Subject Property Map
2. Current Zoning Map
3. Proposed Subdivision Plan
4. Planning Implications
5. Regional Growth Strategy Designation Map
6. Official Community Plan Designation Map
7. Legislated Regional Growth Strategy and Official Community Plan Amendment Process