

TO: Regional District of Nanaimo Board **DATE:** September 4, 2018

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

**SUBJECT: Zoning Amendment Application No. PL2018-013
Pitt Road – Electoral Area H
Amendment Bylaw No. 500.420, 2018 – Adoption
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**

RECOMMENDATION

1. That the Board receive the Delegate’s Report of the Public Hearing held on July 9, 2018 for “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.420, 2018”.
2. That the Board adopt “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.420, 2018”.

SUMMARY/CONCLUSIONS

The proposal, advanced by the Regional District of Nanaimo (RDN) itself as agent for the Province, involves the rezoning of approximately half of the subject properties to permit construction and operation of a wastewater treatment facility by the RDN. The amendment bylaw was given third reading on July 24, 2018 and was approved by the Ministry of Transportation and Infrastructure on July 26, 2018. It is recommended that “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.420, 2018” be considered for adoption.

BACKGROUND

An application was made by the RDN on behalf of the Province of BC to rezone the southern portion of the subject properties from Residential 2 (RS2), Subdivision District ‘M’ to Public 4 (PU4), Subdivision District ‘D’ to permit the development of a wastewater treatment facility as part of a community sewer service. Amendment Bylaw No. 500.420 was introduced and given first and second readings on June 26, 2018 (see Attachment 2 – Amendment Bylaw No. 500.420, 2018). A Public Hearing was held on July 9, 2018 by Chair Veenhof, as the delegate of the Board. The delegate’s report of the public hearing which contains a summary of oral presentations and to which the written submissions have been appended is attached for the Board’s consideration (see Attachment 1 – Delegate’s Report of the Public Hearing). This report has been certified as being fair and accurate by Director Veenhof as the Board delegate,

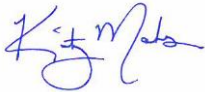
and forms the delegate's report required to be provided to the Board under s.469(2) of the *Local Government Act* prior to adoption of the bylaw.

The bylaw received third reading on July 24, 2018 and the Ministry of Transportation and Infrastructure approved the bylaw on July 26, 2018.

Following the close of the public hearing no further submissions from the public or interested persons can be considered by members of the Board, as established by legal precedent, unless the public is given a further opportunity to address such submissions by way of a further public hearing. Directors may discuss the matters raised at the public hearing and may fully debate the proposed bylaw. The Board may also direct questions arising from the public hearing to staff for follow up information and advice.

ALTERNATIVES

1. To receive the Delegate's Report of the Public Hearing and adopt "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.420, 2018".
2. To receive the Delegate's Report of the Public Hearing and not adopt "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.420, 2018".



Kristy Marks
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August 1, 2018

Reviewed by:

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

Attachments

1. Delegate's Report of the Public Hearing
2. Amendment Bylaw No. 500.420, 2018