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

FROM: Kristy Marks
Planner **FILE:** PL2017-202

**SUBJECT: Zoning Amendment Application No. PL2017-202
Pitt Road – Electoral Area H
Amendment Bylaw No. 500.418, 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

That the Board adopt “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.418, 2018”.

SUMMARY/CONCLUSIONS

The proposed Amendment Bylaw No. 500.418 would amend the zoning of the northern half of the subject properties to permit the development of a supportive seniors housing facility. The amendment bylaw was given third reading on July 24, 2018 and was approved by the Ministry of Transportation and Infrastructure on November 13, 2018. It is recommended that “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.418, 2018” be considered for adoption.

BACKGROUND

The Regional District of Nanaimo has received an application from the Bowser Seniors Housing Society on behalf of the Province of BC to rezone the northern half of the subject properties from Residential 2 Zone (RS2), Subdivision District ‘M’ to a new Lighthouse Seniors Comprehensive Development Zone 52 (CD52), Subdivision District ‘D’ to permit the development of a 40 unit seniors housing facility. Amendment Bylaw No. 500.418 was introduced and given first and second reading on June 26, 2018 (see Attachment 1 – Amendment Bylaw 500.418, 2018). In accordance with Section 464 of the *Local Government Act* the Public Hearing was waived and notification of the Board’s waiver and intent to consider third reading of the bylaw was given in accordance with Section 467 of the *Act*. Amendment Bylaw 500.418 received third reading on July 24, 2018 and was approved by the Ministry of Transportation and Infrastructure on November 13, 2018.

Following the close of a public hearing or the granting of third reading no further submissions or comments from the public or interested persons can be accepted by members of the Board. In accordance with Section 470 of the *Local Government Act*, a Board member who was not

present at the public hearing may vote on the adoption of a bylaw if an oral or written report of the hearing has been given to the member by an officer or employee of the local government or the delegate who conducted the public hearing. Given that the public hearing was waived and third reading of the bylaw occurred prior to the 2018 local government elections, eligible Board members may vote on the bylaw.

As a condition of rezoning approval, and prior to development of the subject property, the applicant is required to complete the following:

- 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.
- 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.

ALTERNATIVES

1. To adopt "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.418, 2018".
2. To not adopt "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.418, 2018".



Kristy Marks
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November 13, 2018

Reviewed by:

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

Attachments

1. Proposed Amendment Bylaw No. 500.418, 2018

Attachment 1
Proposed Amendment Bylaw No. 500.418, 2018