
TO: Regional District of Nanaimo Board **DATE:** February 26, 2019

FROM: Angela Buick
Planner **FILE:** PL2018-092

SUBJECT: **Zoning Amendment Application No. PL2018-092**
2995 Ridgeway Road - Electoral Area C
Amendment Bylaw 500.423, 2019 –Third Reading
Lot 1 of Section 11, Ranges 3 and 4 and of Section 12, Range 4, Mountain
District, Plan 31326

RECOMMENDATIONS

That the Board give third reading to “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”.

SUMMARY

The applicant proposes to amend the zoning for the property from Rural 1 (RU1), Subdivision District ‘D’ to RU1 Zone, Subdivision District ‘F’, to allow the subdivision of the subject property into two lots. The requirements set out in the Conditions of Approval are to be completed by the applicant prior to the Board’s consideration of the Bylaw for adoption (see Attachment 2).

The Board at its January 22, 2019 regular meeting gave first and second reading to the amendment bylaw and waived the requirement to hold a public hearing in accordance with Section 464(2) of the Local Government Act. As the notification requirements of the Local Government Act have been satisfied, it is recommended that “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019” be considered for third reading.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Douglas Holme of JE Anderson & Associates Ltd. on behalf of David and Elaine Seymour to rezone the subject property in order to permit a two-lot subdivision. The subject property is approximately 2.25 hectares in area and contains one dwelling unit and one accessory building. The property is located north west of Ridgeway Road and south of Jameson Road and is surrounded by large Rural 1 (RU1) zoned lots (see Attachment 1 – Subject Property Map).

Procedural Considerations

If a local government waives the holding of a public hearing under the *Local Government Act*, it must give notice of the waiver in accordance with Section 467 of the *Act*. In order to meet the statutory notification requirements notification of the Board's waiver of the public hearing and intent to consider third reading of the bylaw was published in the Nanaimo News Bulletin. Notices were also mailed to owners and tenants in accordance with "Regional District of Nanaimo Development Approval Procedures and Notification Bylaw No. 1432, 2005". As the notification requirements of the *Local Government Act* have been satisfied, it is recommended that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019" (Bylaw 500.423) be considered for third reading (see Attachment 3 – Amendment Bylaw 500.423, 2019).

As the public hearing was waived, in accordance with the *Local Government Act*, any delegations wishing to speak to Bylaw 500.423 should be required to limit comments to matters related to the consistency of Bylaw 500.423 with the Official Community Plan and the waiver of the public hearing. Delegations wishing to speak to other aspects of Bylaw 500.423 should not be permitted.

ALTERNATIVES

1. To give third reading to "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019".
2. To not give third reading to "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019".



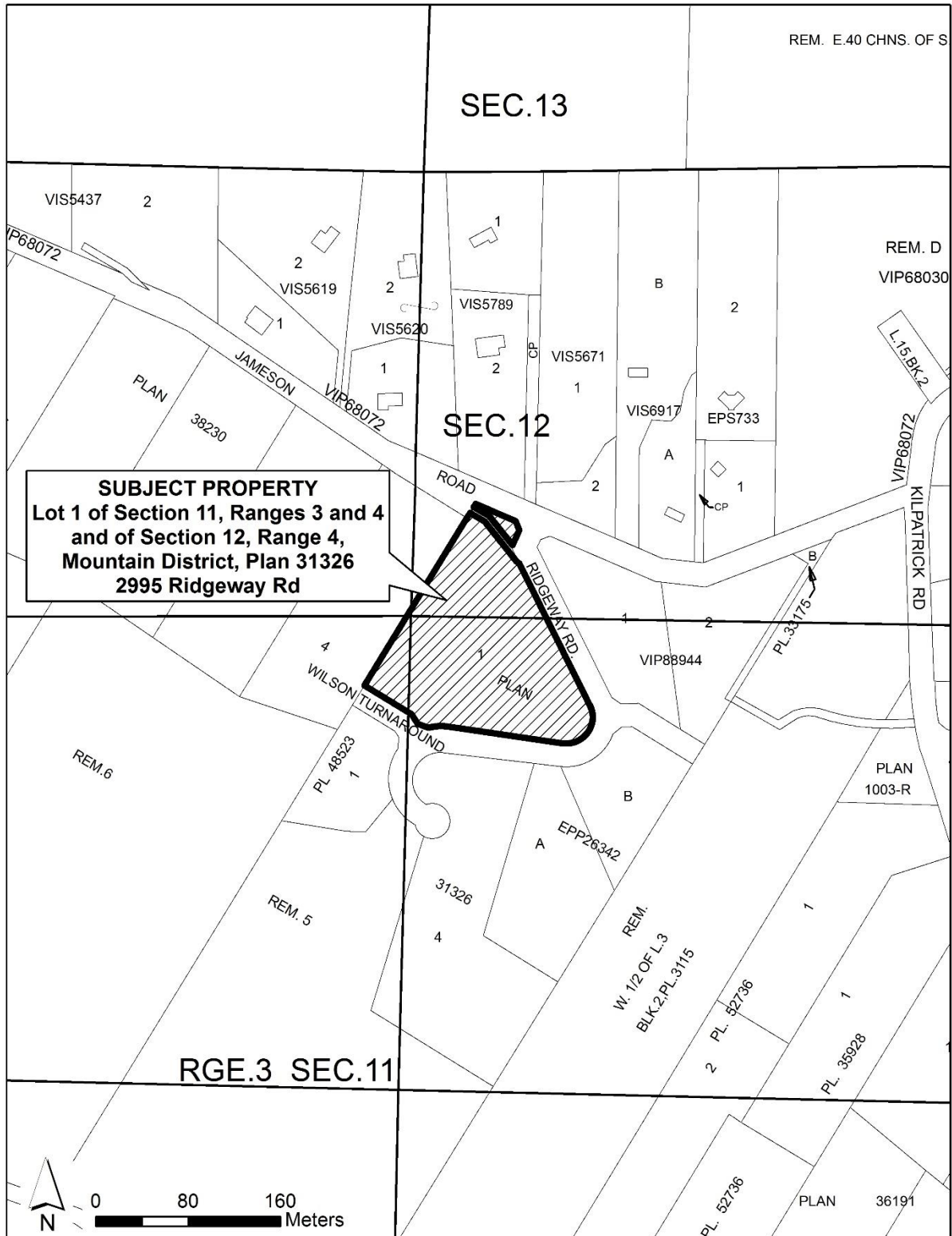
Angela Buick
abuick@rdn.bc.ca
February 20, 2019

Reviewed by:

- P. Thompson, 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 Amendment Bylaw No. 500.423, 2019



Attachment 2

Conditions of Approval

The following is required prior to the “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019” being considered for adoption:

Conditions of Approval

1. The applicant shall register, at the applicant’s expense, a Section 219 Covenant on the property title requiring any new parcel created through subdivision to be 1.0 hectare or greater in area.
2. The applicant shall register, at the applicant’s expense, a Section 219 Covenant on the property title to prohibit the subdivision of the new parcels.
3. The applicant shall register, at the applicant’s expense, a Section 219 Covenant on the property title requiring the development of the land to occur in a manner consistent with the Preliminary Hydrological Assessment report prepared by GW Solutions Inc., dated June 5, 2018.
4. The applicant is required to register, at the applicant’s expense, a Section 219 Covenant on the property title stating that the wells be constructed and tested, and a report from a Professional Engineer (registered in BC) be submitted to the Regional District of Nanaimo prior to final approval of subdivision in accordance with “Board Policy B1.21 – *Groundwater – Application Requirements for Rezoning of Un-serviced Lands*”. No subdivision shall occur until such time that a report from a Professional Engineer (registered in BC) has been completed to the satisfaction of the Regional District of Nanaimo confirming that the wells have been pump tested and certified including well head protection, and that the water meets Canadian Drinking Water Standards.

**Attachment 3
Proposed Amendment Bylaw No. 500.423, 2019**

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 500.423**

**A Bylaw to Amend Regional District of Nanaimo
Land Use and Subdivision Bylaw No. 500, 1987**

The Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

- A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”.
- B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:

- 1. By rezoning the lands shown on the attached Schedule ‘1’ and legally described as

Lot 1 of Section 11, Range 3 and 4 and of Section 12, Range 4, Mountain District,
Plan 31326 from Rural 1 Zone Subdivision District ‘D’ to Rural 1 Zone Subdivision
District ‘F’

Introduced and read two times this 22nd day of January, 2019.

Public Hearing waived in accordance with Section 464(2) of *The Local Government Act*.

Read a third time this ____ day of _____ 20XX.

Adopted this ____ day of _____ 20XX.

Chair

Corporate Officer

Schedule '1' to accompany "Regional District of Nanaimo Land Use
and Subdivision Amendment Bylaw No. 500.423, 2019".

Chair

Corporate Officer

Schedule '1'

