
TO: Regional District of Nanaimo Board **DATE:** July 23, 2019

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

SUBJECT: **Zoning Amendment Application No. PL2019-092**
2995 Ridgeway Road – Electoral Area C
Amendment Bylaw No. 500.423, 2019 – Adoption
Lot 1 of Section 11, Ranges 3 and 4 and of Section 12, Range 4, Mountain
District, Plan 31326

RECOMMENDATION

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

SUMMARY

The proposed Amendment Bylaw No. 500.423 would amend the zoning of the subject 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 applicant has satisfied the conditions of approval for proposed “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.423, 2019”.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Douglas Holme of JE Anderson & Associates on behalf of David and Elaine Seymour to rezone the subject property to facilitate a two-lot subdivision. Amendment Bylaw No. 500.423 was introduced and given first and second reading on January 22, 2019 (see Attachment – Proposed Amendment Bylaw No. 500.432, 2019). A public hearing was waived in accordance with Section 467 of the *Local Government Act* as the proposal is consistent with the “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Bylaw No. 1055, 1997.” Amendment Bylaw 500.423 subsequently received third reading on February 26, 2019.

As conditions of rezoning approval, and prior to the adoption of the bylaw, the applicant was required to complete the following:

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*.

The applicant has satisfied the conditions of approval. As such, the Bylaw is presented to the Board for consideration for adoption.

ALTERNATIVES

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



Angela Buick
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July 3, 2019

Reviewed by:

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

Attachment:

- Proposed Amendment Bylaw No. 500.423, 2019

Attachment
Proposed Amendment Bylaw No. 500.423, 2019