

REGIONAL DISTRICT OF NANAIMO

**ELECTORAL AREA PLANNING COMMITTEE
TUESDAY, MAY 8, 2007**

A D D E N D U M

PAGES

AMENDMENT APPLICATIONS

2-10

Zoning Amendment Application No. 0707 – Mountain Fire Protection District –
Jingle Pot Road and Meadow Drive – Area C.



RDN	
CAO	GMF&IS
GMDS	GMR&PS
GMES	GMTS
MAY - 3 2007	
SMCA	ECRD
CHAIR	ECARD

MEMORANDUM

TO: Geoff Garbutt
 Manager, Current Planning

DATE: May 3, 2007

FROM: Susan Cormie
 Senior Planner

FILE: 3360 30 0707

SUBJECT: Zoning Amendment Application No. 0707 – Mountain Fire Protection District
 Electoral Area 'C' – Jingle Pot Road and Meadow Drive

PURPOSE

To consider an application to amend the current Public 4 zone to allow the construction of a community fire hall.

BACKGROUND

The Regional District has received an application to rezone a parcel in the Benson Meadows area of Electoral Area 'C'. The subject property, which is legally described as Lot 12, Section 14, Range 4, Mountain District, Plan VIP80079 located at Jingle Pot Road and Meadow Drive in Electoral Area 'C', is currently zoned Public 4 and is situated within Subdivision District 'D' (PU4D) pursuant to the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" (see Attachment No. 1 for location of subject property). The purpose of this application is to amend specific provisions of the Public 4 zone to facilitate the construction of a fire hall for the property.

The Electoral Area Planning Committee may recall that Amendment Bylaw No. 500.335, 2006, was adopted on October 31, 2006 which rezoned the subject property to the Public 4 zone. Since that time, the applicant has prepared development plans and has found that the proposed site development will not meet maximum parcel coverage provision set out in the Public 4 zone. As this zoning provision cannot legally be varied by way of a development variance permit or by the Board of Variance, an amendment to the land use and subdivision bylaw is required.

In addition, the applicant is also requesting that the maximum height requirement of the Public 4 zone be increased to accommodate the proposed building which includes a hose tower and that a portion of the proposed off-street parking be permitted within the minimum setback area.

As the Electoral Area Planning Committee is aware, the East Wellington Fire Department has recently requested use of the adjacent RDN owned property. This staff report does not address this request; rather a separate staff report will be forwarded to the EAPC for consideration of the future use of this RDN property including the possible use of the RDN land by way of a user agreement with no change in ownership.

Summary of Application

The applicants' agent has supplied the following documentation in support of this amendment application:

1. Site Plan showing the location of the proposed fire hall, on-site parking, septic disposal location, and access points (see Attachment No. 2);
2. Floor plan of proposed fire hall;
3. Building Elevations of the proposed fire hall; (see Attachment No. 3);

4. Landscape plan (see attachment No. 4); and
5. Images of the proposed fire hall from various viewpoints.

The subject property has been cleared and is currently vacant. Surrounding land uses include Meadow Drive and rural zoned parcels to the northwest; Jingle Pot Road and rural zoned parcels to the east; rural zoned parcel in the ALR in the south; and an RDN parcel given for park land purposes to the southwest.

The subject property is designated within the Fish Habitat Protection Development Permit Area pursuant to the East Wellington Pleasant Valley Official Community Plan Bylaw No. 1055, 1998 for the purposes of protecting riparian areas within and adjacent to streams. The applicant has submitted a declaration stating that there is no water course feature on or within 30.0 metres of the parent parcel. The Environmentally Sensitive Areas Atlas indicates there are no environmentally sensitive features on or within 30.0 metres of the parent parcel. This application will meet the exemption provisions of the development permit area.

ALTERNATIVES

1. To approve the amendment bylaw as submitted for 1st and 2nd reading and waive the Public Hearing for Amendment Bylaw 500.340, 2007.
2. To approve the amendment bylaw as submitted for 1st and 2nd reading and proceed to a Public Hearing for Amendment Bylaw 500.340, 2007.
3. To deny the amendment application as submitted.

OFFICIAL COMMUNITY PLAN IMPLICATIONS

Pursuant to Section 7.4 - Fire Protection of the OCP Bylaw No. 1055, the Plan supports the expansion of fire protection services to improve the safety of area residents and their property and to enhance the efficiency and cost-effectiveness of the fire protection services.

DEVELOPMENT IMPLICATIONS

On-Site Servicing

The applicant has provided general information with respect to the provision of septic disposal and potable water. Through the building permit process, the applicant will be required to provide details on these issues which will include certification of septic disposal.

Site Development Implications

With respect to the request to increase to the maximum parcel coverage provision, the applicant wishes to construct a fire hall building that will meet the long term needs of the Fire District and has found that the current 10% parcel coverage will not be able to be met. The proposed fire hall building is primarily a single storey building with a small mezzanine and floor space of approximately 485 m². Staff sees merit in this long range planning approach and as a result supports this request to increase the maximum parcel coverage. While the applicant has requested an increase to 17% parcel coverage, staff recommends an increase to 20% to allow the possibility of future expansion of the building. It is noted that, at this time, large scale fire practice training will continue to be performed offsite.

With respect to the request to increase to the maximum height requirement, the applicant is requesting this increase in order to accommodate a hose tower (and fire siren) as part of the building to 12.5 metres. The principal components of the fire hall building meeting the maximum height of 10 metres and the amendment to the Public Use 4 zone will only apply to the hose tower. Given its location adjacent to the

RDN park property and site topography, the proposed tower is not expected to have a negative impact on the surrounding residential properties.

With respect to site development, the subject property is approximately 4000 m² in size and has proven to be a challenging site to develop due to the irregular configuration of the parcel and the fact that it is a corner lot. In addition, the proposed use involves emergency vehicles which require separate access. This means that 2 access points are required to ensure the emergency vehicles are assured open access at all times while providing safe circulation of fire fighters' vehicles. This necessitates more of the site being required for aisle ways and off-street parking, some of which is proposed to be located within the setback area. Staff recommends that reduced setbacks for parking be included in the amendment bylaw in order to ensure sufficient parking and a safe site.

The applicant is proposing to provide 17 parking spaces with a hard pack, dust control treated surface which will meet the minimum Bylaw No. 500, 1987 requirements for number of spaces and treatment. Parking spaces will be delineated with curb stops. In addition, the access entrances (aprons) are proposed to be finished with asphalt and the fire truck pads are proposed to be concrete.

The applicant has not provided details on the Fire Hall signage, but is aware that the requirements of Sign Bylaw No. 993 are applicable. In addition, the applicant would like to erect a forest fire rating sign. As this is a public information sign, the applicant would be exempt from meeting the requirements of Bylaw No. 993; however, siting of the sign would be subject to Bylaw No. 500, 1987 in terms of sight triangle distances.

The applicants have submitted a Landscaping Plan as shown on Attachment No. 4. This use is exempt from requiring a development permit and there is no means to secure bonding for these works. The applicant's agent has indicated that the landscaping will be completed as per the attached landscaping plan drawings.

SUSTAINABILITY CHECKLIST

The applicant has submitted a completed RDN Sustainable Community Builder Checklist.

PUBLIC CONSULTATION IMPLICATIONS

As the purpose of this amendment application is to refine the site and construction details of the future fire hall and not to consider the specific land use, and as the proposal is consistent with the OCP, staff recommends that the public hearing for this amendment application be waived.

INTERGOVERNMENTAL IMPLICATIONS

Ministry of Transportation – Ministry staff has verbally indicated that they have no objection to this proposed zoning amendment application provided that the applicant obtains a new valid access permit.

VOTING

Electoral Area Directors – one vote, except Electoral Area 'B'.

SUMMARY

The purpose of Bylaw No. 500.340, 2007 is to amend the current Public 4 zone to increase the maximum parcel coverage, the maximum building height requirement, and reduce the minimum off-street parking setbacks to accommodate the development of a fire hall use on the property. The proposal is consistent with the applicable policies of the East Wellington – Pleasant Valley Official Community Plan Bylaw No.


1055, 1999". The applicant has provided information to support this amendment request including a detailed site plan, building plans, on-site potable water and septic details, and a landscape plan. Initial referrals have been forwarded to the Ministry of Transportation and the Vancouver Island Health Authority. Ministry staff have verbally indicated the Ministry will support the application and septic disposal approvals will be addressed through the building permit process.

With respect to the public process, staff recommends that the public hearing be waived as the purpose of the amendment application is to further define the site and construction details of the future fire hall and not to consider the specific land use.

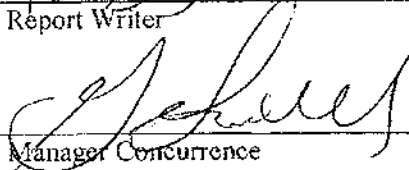
Given the lack of impacts related to the requested amendments to lot coverage, height and parking location; and further that the applicant will provide site improvements such as landscaping, staff supports Alternative No. 1, to approve the amendment application and to waive the requirement for a public hearing and instead give notice pursuant to the *Local Government Act*.

RECOMMENDATIONS

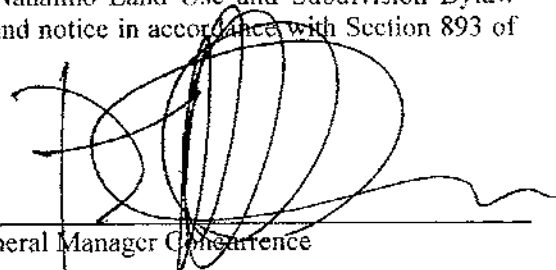
1. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.340, 2007" to amend the Public 4 zone be given 1st and 2nd reading.
2. That the public hearing for "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.340, 2007" be waived and notice in accordance with Section 893 of the *Local Government Act* be given.




Report Writer



Manager Concurrence



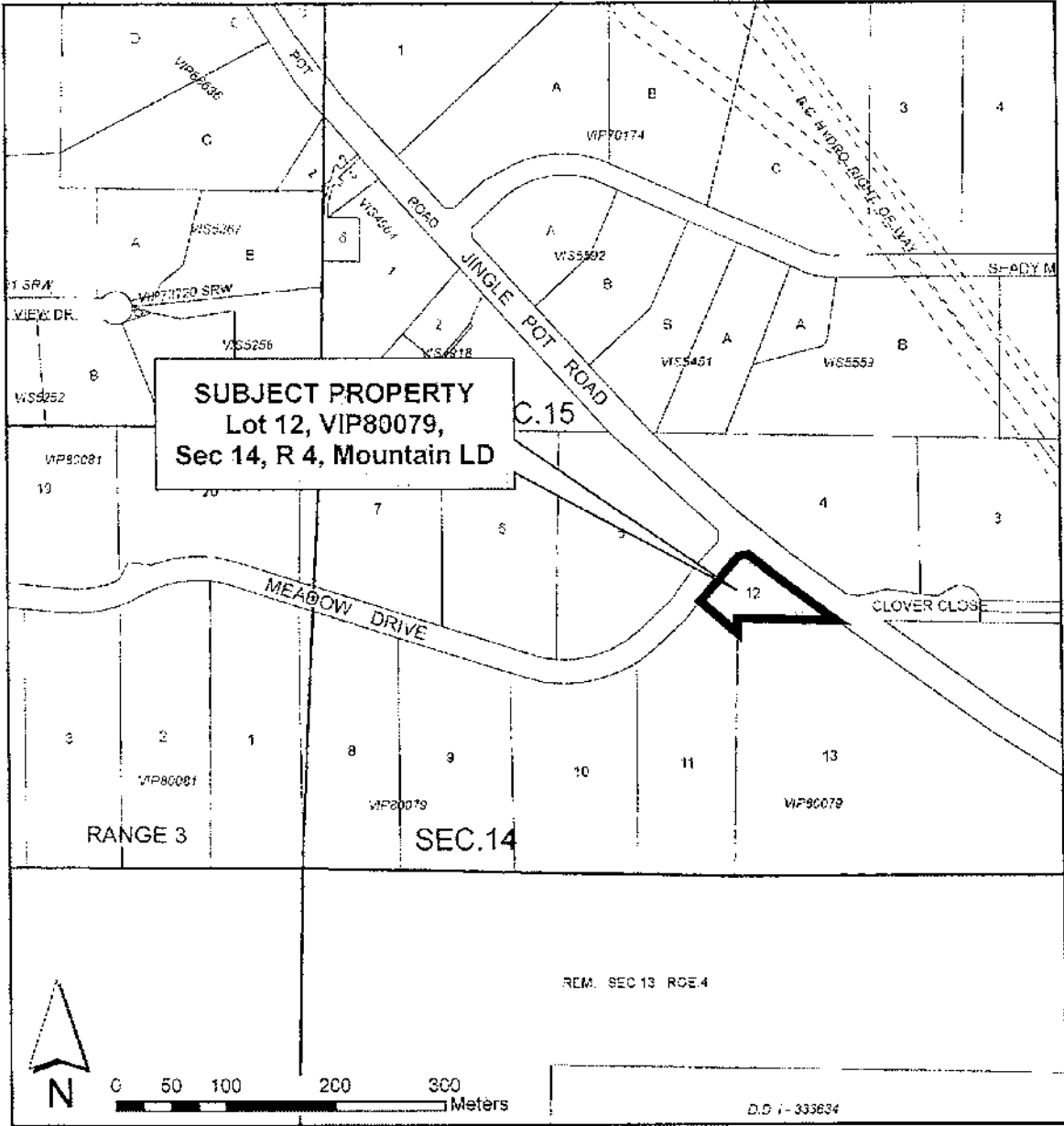
General Manager Concurrence



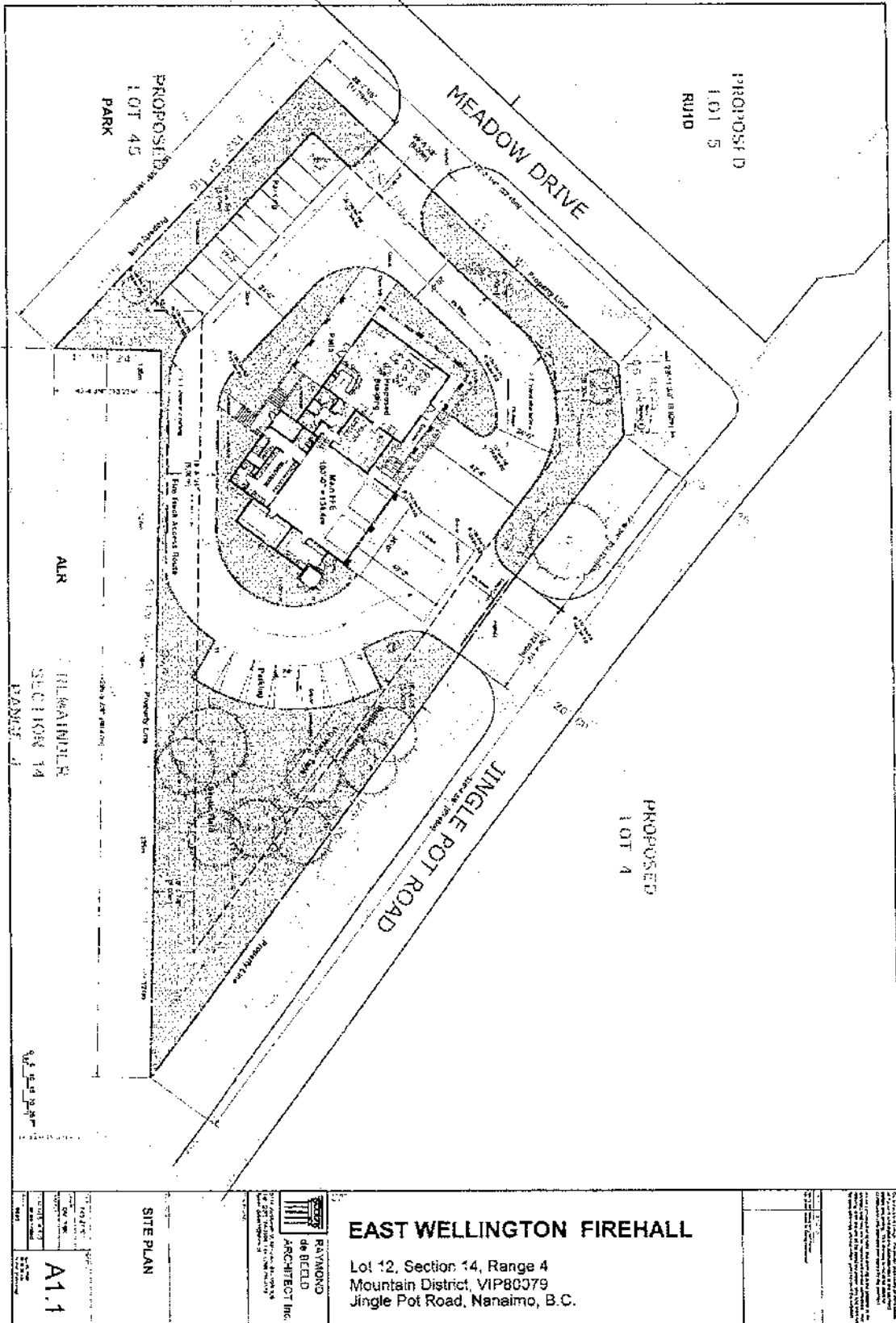
CAO Concurrence

COMMENTS:

Attachment No. 1
Zoning Amendment Application No. 0707
Location of Subject Property



Attachment No. 2
Zoning Amendment Application No. 0707
Proposed Site Plan
(as submitted by applicant / reduced for convenience)



EAST WELLINGTON FIREHALL

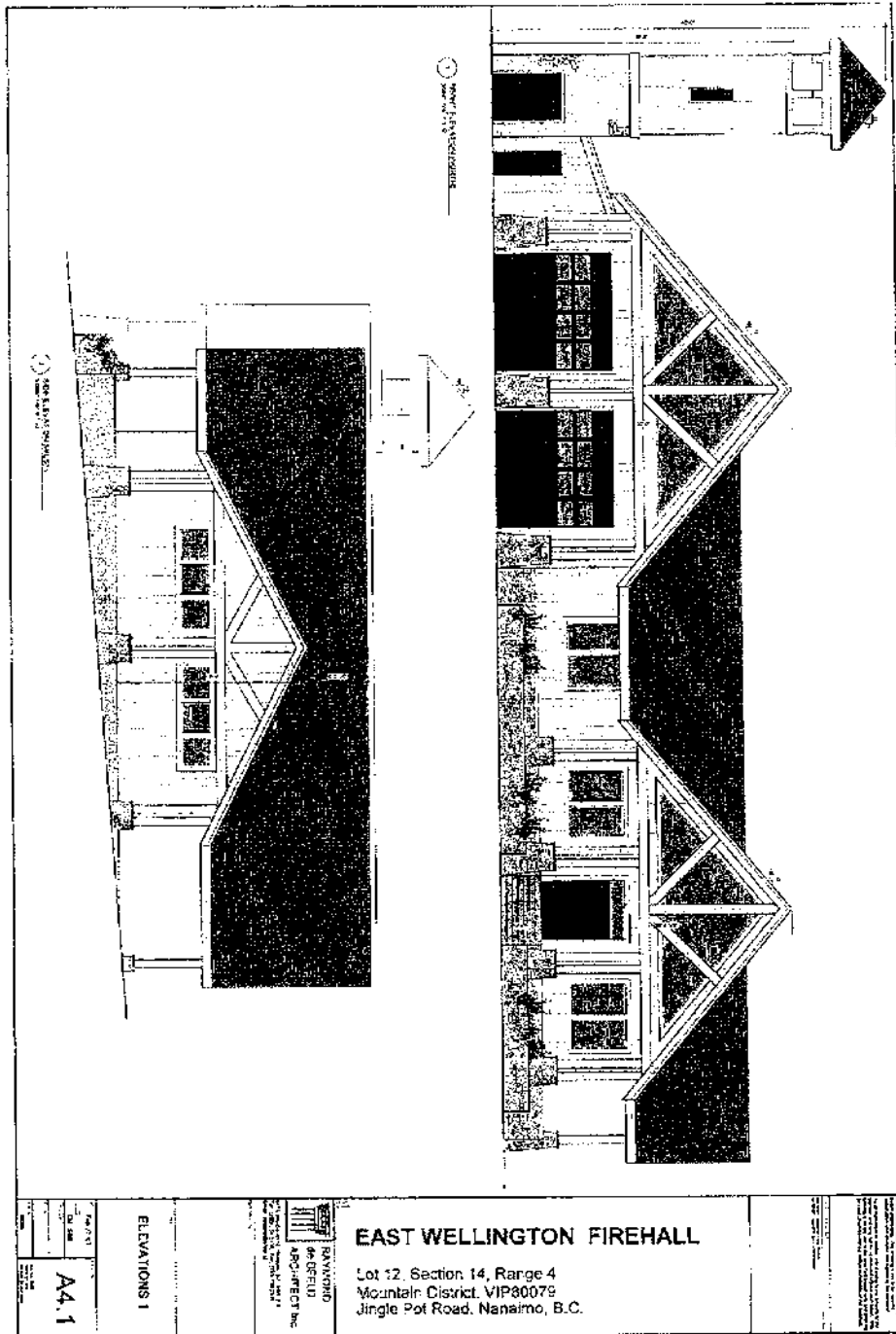
Lot 12, Section 14, Range 4
Mountain District, VIP80J79
Jingle Pot Road, Nanaimo, B.C.

RAYMOND
DE BELLO
ARCHITECT INC.

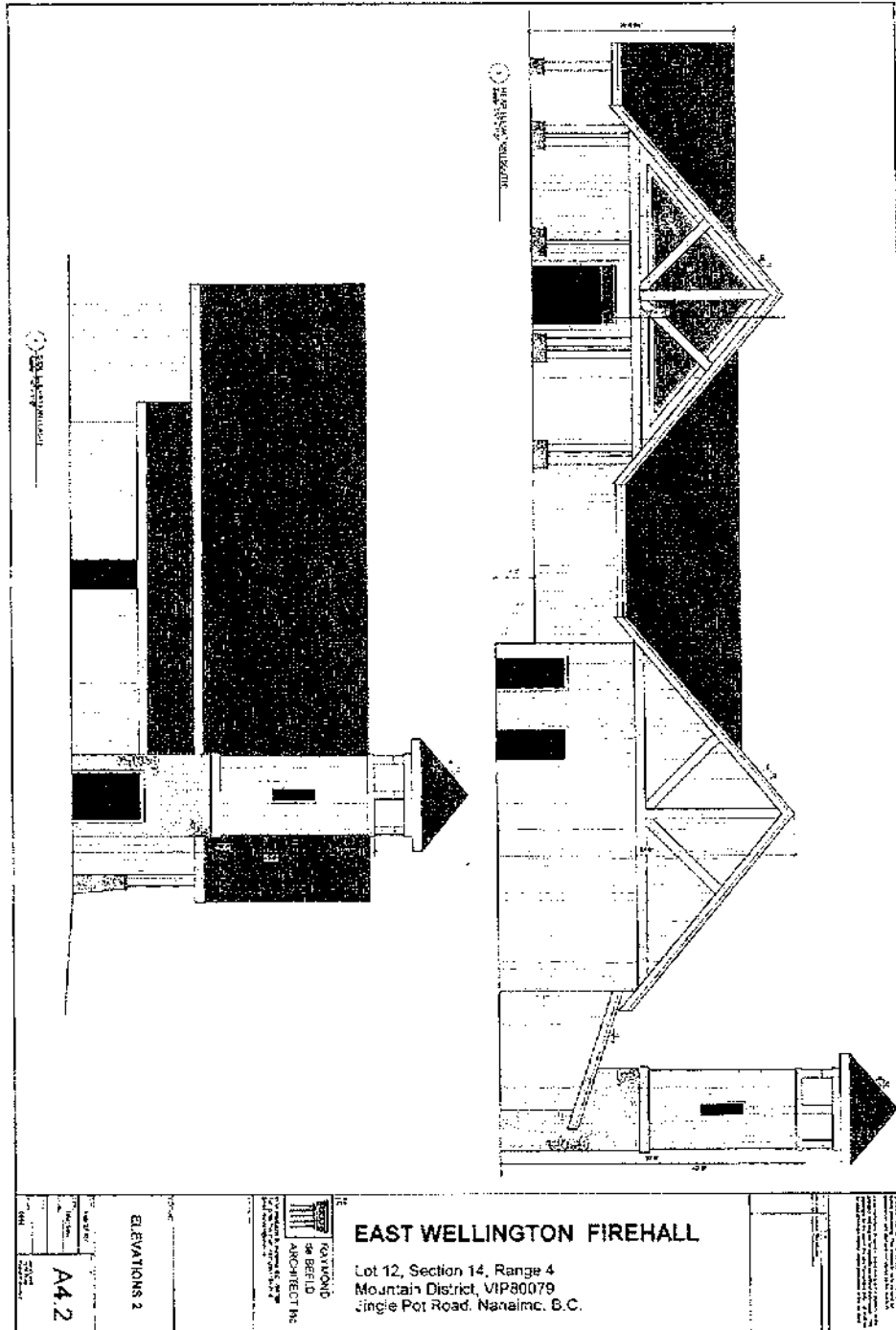
SITE PLAN

A1.1

Attachment No. 3 (page 1 of 2)
Zoning Amendment Application No. 0707
Proposed Building Elevations
(as submitted by applicant / reduced for convenience)



Attachment No. 3 (page 2 of 2)
Zoning Amendment Application No. 0707
Proposed Building Elevations
(as submitted by applicant / reduced for convenience)



Attachment No. 4
 Zoning Amendment Application No. 0707
 Proposed Landscape Plan
 (as submitted by applicant / reduced for convenience)

