

REGIONAL DISTRICT OF NANAIMO

**REGULAR BOARD MEETING
TUESDAY, OCTOBER 2, 2007**

**CIRCULATED REPORT
FOR AGENDA**

PAGES

ADMINISTRATOR'S REPORTS

2-43 Urban Containment Boundary Change Requests – City of Nanaimo. (All
Directors – One Vote)



RDN REPORT	
CAO APPROVAL	
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MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: October 1, 2007

FROM: Paul Thorkelsson
General Manager, Development Services

FILE: 6780 30

SUBJECT: URBAN CONTAINMENT BOUNDARY CHANGE REQUESTS – CITY OF NANAIMO

PURPOSE

To consider the City of Nanaimo request to include two areas of land inside the Urban Containment Boundary.

BACKGROUND

On August 17, 2007, the Regional District of Nanaimo received a request from the City of Nanaimo to include two areas of land inside the Urban Containment Boundary (UCB). The City provided comprehensive reports (see attached CoN reports in Appendix D) on the proposals and the rationale for the changes relative to the criteria outlined in the Urban Containment and Fringe Area Management Implementation Agreement (UCFAMIA). Both proposals were subsequently reviewed by the members of the Intergovernmental Advisory Committee (IAC) at their meeting on September 12, 2007, which undertook its own review pursuant to the Agreement. The IAC consists of the directors of planning for each member municipality and the regional district.

City of Nanaimo Urban Containment Boundary Change Proposals

The following summarizes the UCB changes the City of Nanaimo is requesting:

141 Westwood Road (Appendix A)

The City of Nanaimo wishes to include inside the UCB a 1.3 hectare parcel located at 141 Westwood Road. The property at this address is legally described as: That part of Lot 10, Section 14, Range 7, Mountain District, Plan 2494, shown outlined in Red on Plan 914R, except part in Plans VIP58984 and VIP60427.

The subject property is located on the west side of Westwood Road, just to the south of East Wellington Road. The subject property is bordered to the north and west by single-family residential lots, to the south by farmland located within the Agricultural Land Reserve and to the east by Westwood Road and the Nanaimo Parkway.

The subject property is designated Rural Resource Lands to reflect its current location outside the UCB. The property is zoned A-2 (Rural Agricultural Residential) and is not in the ALR.

The proposed UCB change is intended to correct a previous mapping error in which this property was mistakenly placed outside of the UCB when it should have been located within the UCB. It was designated for urban development in the City's previous OCP (1987) and connected to community water and sewer services prior to 1996.

This property is designated by the Regional Growth Strategy as Resource Lands and Open Space. It is understood that the City would likely intend that this land use designation be changed to Urban Area as a part of the next Regional Growth Strategy Review to correspond with the proposed urban use.

South Nanaimo Lands (Appendix B)

The City of Nanaimo wishes to include inside the UCB an area of approximately 249 hectares (640 acres) consisting of three subject properties located at 1200 Frew Road and 1560 and 1650 Island Highway South. The subject properties are located to the east of the Chase River neighbourhood on the southern boundary of the City adjacent to Electoral Area 'A'. The site is bisected by the Trans Canada Highway, the Duke Point Highway and Cedar Road. The RDN Regional Landfill is in the middle of the subject properties.

The proposed development includes a number of uses to be developed at different locations on the subject properties. The different uses include commercial, industrial, and residential and a portion of the lands would be included in a new regional shopping town centre.

The majority of the subject properties are designated Rural Resource Lands in the Nanaimo OCP to reflect its undeveloped state and location outside the UCB. The Rural Resource Lands are zoned Rural Agricultural/Residential (A1, A2 and A3). The A2 zoned portion of the subject property at 1200 Frew Road is completely within the Agricultural Land Reserve (ALR). The southeast portion of the site, about one quarter of the subject property, is designated industrial to reflect the current heavy industrial (I4) zone.

The City of Nanaimo has initiated the amendment of Schedule 'A' of its OCP (Future Land Use and Mobility) by amending the UCB to include the subject property inside the UCB except that portion located adjacent to the Nanaimo River Estuary which is subject to, and located within the ALR. Also, the proposed OCP amendment would redesignate the subject property from Rural Resource Lands to Neighbourhood, Town Centre, Regional Shopping Town Centre, Industrial and Service Industrial (see Appendix B).

These properties are designated by the Regional Growth Strategy as Resource Lands and Open Space and Industrial. It is understood that the City would likely intend that this land use designation be changed to Urban Area and Industrial as a part of the next Regional Growth Strategy Review to correspond with the proposed urban and industrial uses.

Policy Applicable to Urban Containment Boundary Changes

The Regional Growth Strategy (RGS) establishes regional policy direction regarding changes to the UCB. Policy 1C of the RGS states,

The RDN and member municipalities agree that Urban Containment Boundaries (UCBs) should only be amended every five years in conjunction with a review of the regional growth strategy, or at an interval specified in an official community plan. The RDN and member municipalities agree that all UCB changes should be considered according to

the process and criteria of the Urban Containment and Fringe Area Management Implementation Agreement.

The Urban Containment and Fringe Area Management Implementation Agreement (UCFAMIA) specifies that UCB changes are to satisfy the following five criteria:

1. is required to meet documented community needs which cannot be met on other lands inside the UCB;
2. can be serviced in a cost effective manner with reference to plans to capital programs for municipal and regional district provided services;
3. is not in the ALR or FLR;
4. will not lead to adverse changes to the health and ongoing viability of sensitive ecosystems, and will be subject to conditions to ensure this; and
5. will not lead to adverse changes to the resource productivity of adjacent lands and will be subject to conditions to ensure this.

The UCFAMIA also establishes the process for changing UCBs. It specifies that:

1. UCB changes will only be considered at periodic review intervals specified in the RGS and municipal official community plans (OCPs), and will require amendment of both the RGS and OCP provisions regarding applicable urban containment policies and UCBs;
2. UCB changes will be supported with information, impact assessments and impact management conditions which address the above criteria;
3. UCB changes will be subject to a technical review and recommendations by a sub-committee formed of the Intergovernmental Advisory Committee (IAC);
4. UCB changes, if approved, and where advised by the responsible government agencies, will be subject to conditions to protect ongoing resource production and environmental quality.

Intergovernmental Advisory Committee Review

The Intergovernmental Advisory Committee is comprised of the directors of planning for each of the member municipalities and the RDN. In accordance with the UCFAMIA, the IAC is required to review UCB change proposals and make recommendations in relation to the Regional Growth Strategy. In conducting the review, the IAC must consider whether the proposal satisfies the five criteria outlined above.

The IAC considered the UCB amendment proposals at its September 12, 2007 meeting, and supported one change but felt it did not have enough information to make a recommendation on the second proposed change (Alternative No. 2). A full analysis of the requested changes pursuant to the criteria in the Agreement was undertaken (see Appendix C). The IAC agreed that the criteria in the Agreement were adequately addressed for the 141 Westwood Road proposal and that the change would not compromise the goals of the Regional Growth Strategy. However, the IAC was not able to make a recommendation on the South Nanaimo Lands proposal due to the complexity of the application and the information provided.

Should the Board approve the requested UCB amendments, the RDN would amend the RGS to reflect the Board approved UCB amendments as a part of the next scheduled RGS Review, and the City would be able to amend its OCP bylaw to effect the proposed changes in advance of the RGS Review. The City of Nanaimo Council has already given both proposals first and second readings and has scheduled a public hearing for the South Nanaimo Lands OCP Bylaw amendment on October 4, 2007. As part of the RGS Review, the RGS land use designation of the subject areas of land would also be changed from Resource Lands and Open Space to Urban Area.

Environmental Services Review

As the South Nanaimo Lands proposal surrounds the RDN Regional Landfill in Cedar, the RDN's Environmental Services staff has reviewed the proposal from the perspective of possible impacts on the landfill and landfill operations, and impacts of landfill operations on the proposed development.

The current Solid Waste Management Plan indicates the Regional Landfill will provide residual disposal capacity to residents and businesses in the RDN for the next 15-20 years. This timeframe may be extended considerably if energy recovery from the residual waste stream becomes feasible. Consideration that the Regional Landfill will be an "active" neighbour to the proposed development for many years to come should inform the development of the subject property. If this application proceeds, the Regional District will be working with the City of Nanaimo to address the impacts of the development on landfill operations and of the landfill on adjacent use.

ALTERNATIVES

1. That the Board support the City of Nanaimo requests to move the UCB to include the Westwood Road property and South Nanaimo Lands properties.
2. That the Board not support the City of Nanaimo requests to move the UCB to include the Westwood Road property and South Nanaimo Lands properties.
3. That the Board provide an alternative recommendation with respect to the City of Nanaimo requests to move the UCB to include the Westwood Road property and the South Nanaimo Lands properties.

FINANCIAL IMPLICATIONS

There are no financial implications. The review of the proposed UCB changes by the Intergovernmental Advisory Committee and RDN staff is included under the Regional Growth Management Services 2007 budget.

INTERGOVERNMENTAL IMPLICATIONS

The City of Nanaimo staff have indicated that the South Nanaimo Lands proposal merits being moved inside the UCB for the following reasons:

- This application is required to meet documented needs which cannot be met on other lands within the UCB;
- Has no impact on lands within the ALR or adjacent resource lands;
- Will be developed in accordance with "Development Permit Area No. 23 – Watercourses" and "Development Permit Area No. 24 – Environmentally Sensitive Areas", with respect to the watercourse and wetlands on the subject property.

The City has indicated that the comprehensive nature of Island Wolf's South Nanaimo Lands development will greatly enhance the City's ability to meet future demand, and that this application to realign the UCB will accommodate growth pressures.

Given the interest of the City on proceeding to public hearing with this application, RDN staff are recommending that the Board consider allowing the application to proceed through the public hearing process to receive community input.

CONCLUSION

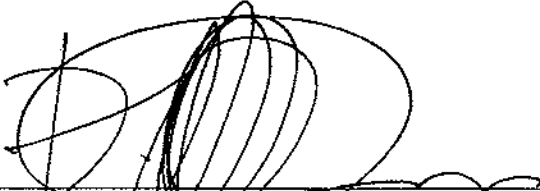
The City of Nanaimo has requested Regional District of Nanaimo Board support for its proposal to include two areas of land inside the Urban Containment Boundary (UCB) pursuant to the Urban Containment and Fringe Area Management Implementation Agreement (UCFAMIA). The request, which included staff reports (see Appendix 4) and supporting rationale based on the requirements of the Agreement, was reviewed by the Intergovernmental Advisory Committee at their meeting on September 12, 2007.

The 141 Westwood Road proposal appears to satisfy the criteria for changes specified in the UCFAMIA, and it was recommended by the IAC that the Board support the City of Nanaimo request.


The IAC was not able to make a technical assessment and recommendation on the South Nanaimo Lands proposal due to the complexity of the application and the information provided. However, the City of Nanaimo have indicated that the proposed UCB amendment meets the UCFAMIA criteria and will address broader economic development and community objectives. Based on the position put forward by the City of Nanaimo, staff are recommending that the Board support the City's position on the UCB amendments.

RECOMMENDATION

That the Board support the City of Nanaimo requests to move the UCB to include the Westwood Road property and South Nanaimo Lands properties.



General Manager Concurrence

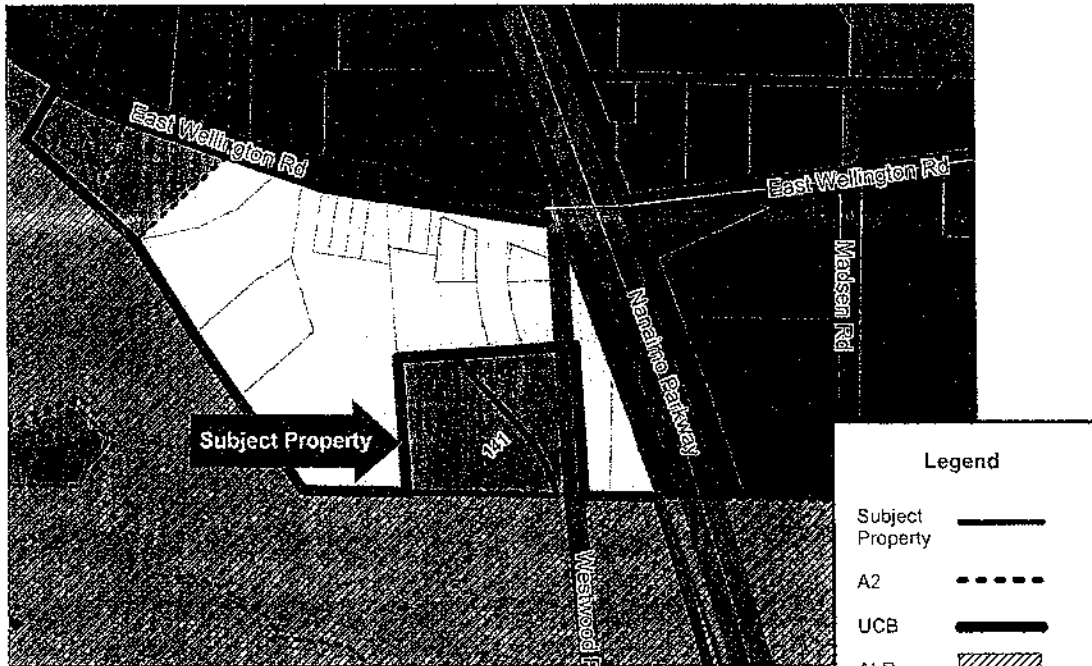


CAO Concurrence

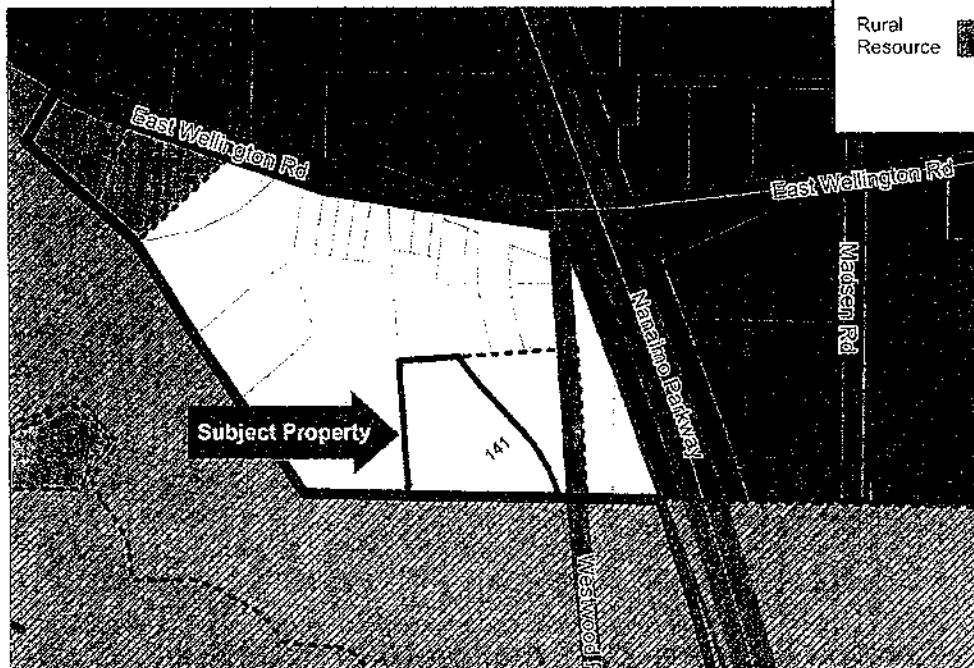
APPENDIX A

EXISTING AND PROPOSED UCB LOCATION

141 Westwood Rd - Housekeeping Amendment



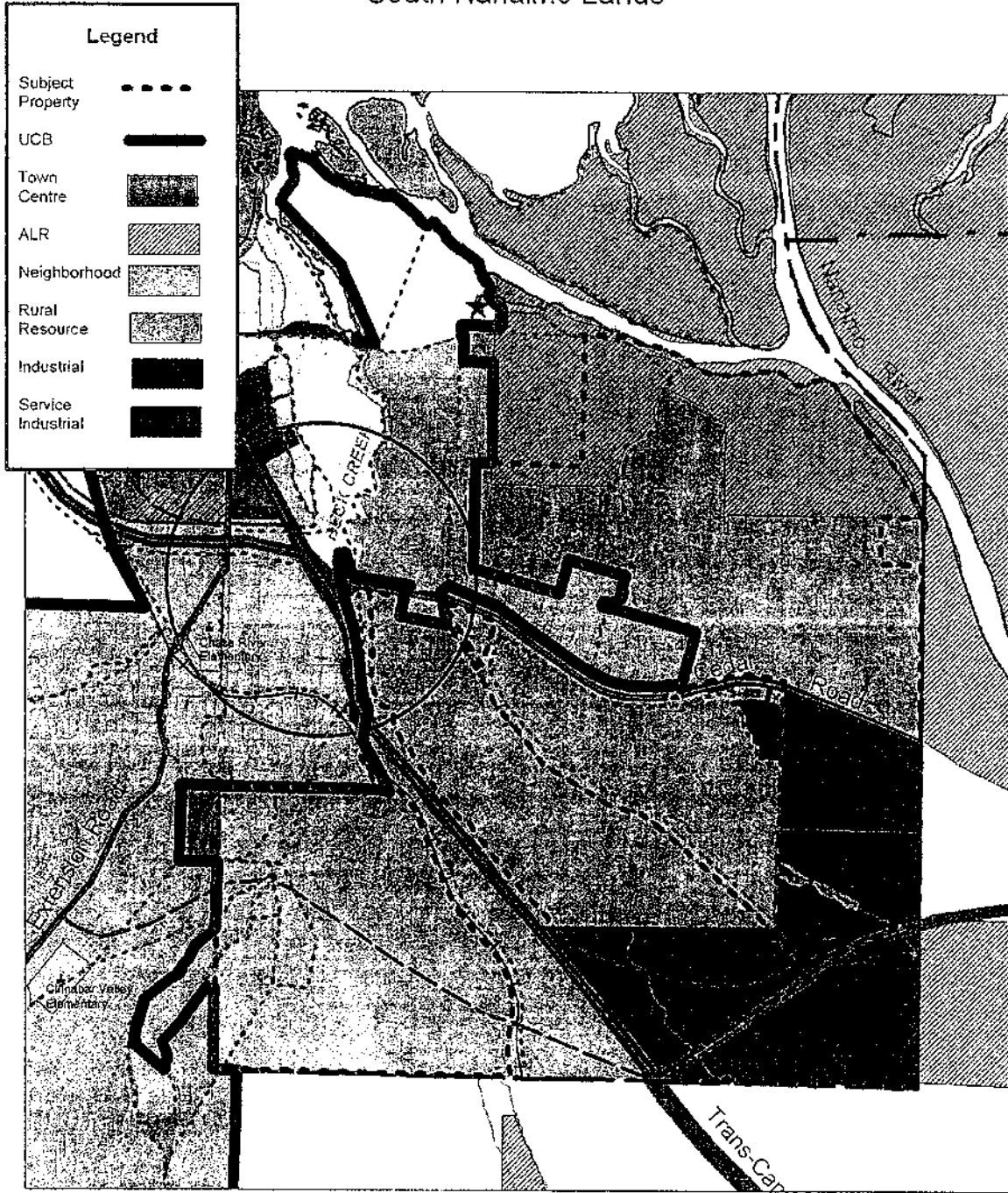
Existing Situation



Proposed Amendments

APPENDIX B
EXISTING UCB LOCATION

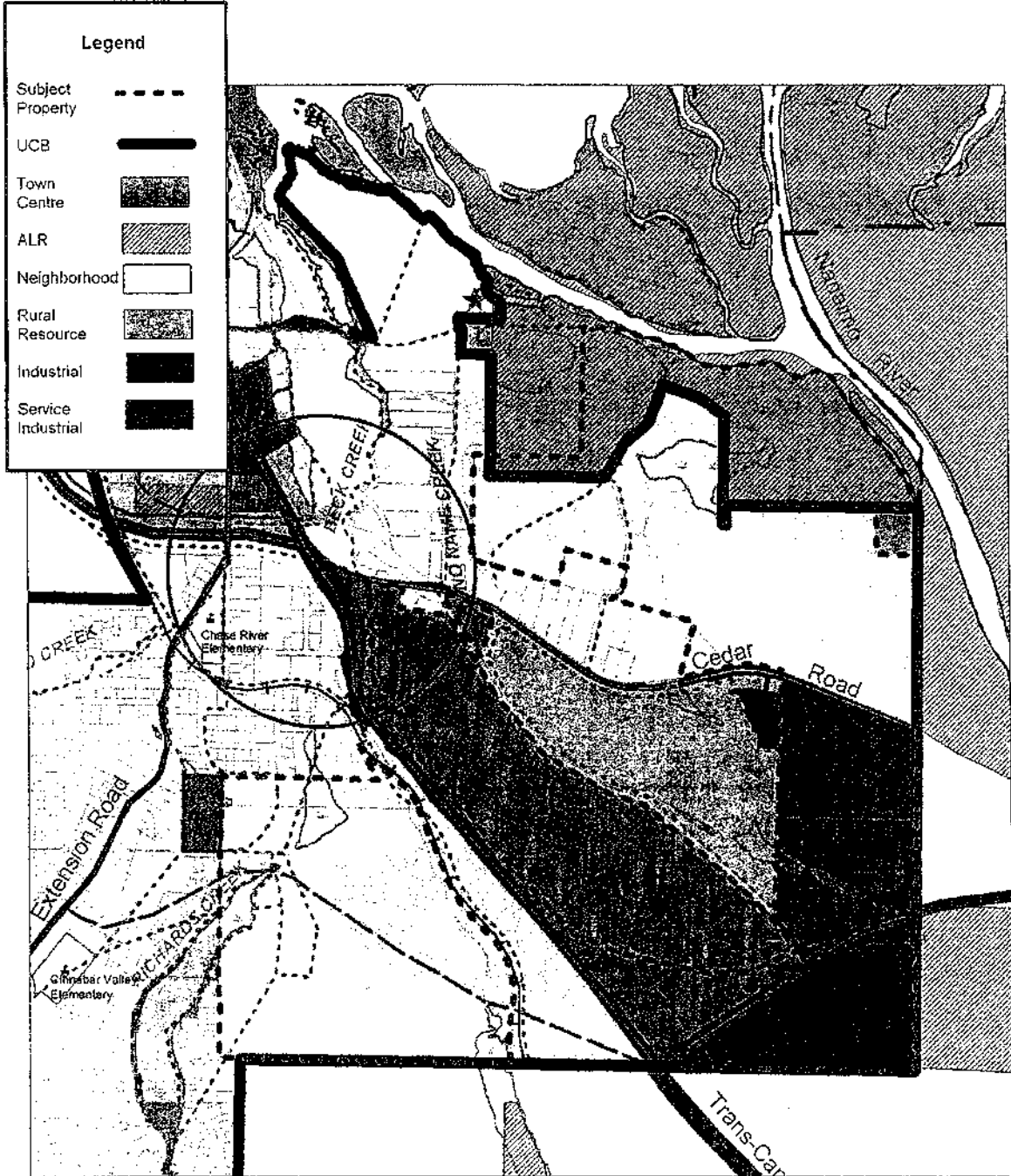
South Nanaimo Lands



Existing Situation

APPENDIX B
PROPOSED UCB LOCATION

South Nanaimo Lands



Proposed Amendment

Appendix C

URBAN CONTAINMENT AND FRINGE AREA MANAGEMENT IMPLEMENTATION AGREEMENT IMPLICATIONS

The following provides an analysis of the requested UCB changes pursuant to the criteria for UCB changes agreed to in the Urban Containment and Fringe Area Management Implementation Agreement (UCFAMIA).

141 Westwood Road Property

UCFAMIA Criteria	City of Nanaimo Assessment	Recommended IAC Assessment
1. is required to meet documented community needs which cannot be met on other lands inside the UCB	The change will correct a mapping error. Given its small size (1.3 ha) will have negligible effect on the City's residential land supply and efforts to manage urban growth.	Concur with City of Nanaimo assessment.
2. can be serviced in a cost effective manner with reference to plans to capital programs for municipal and regional district provided services	Water and sewer services are available on Westwood Road. The subject property was connected to these services prior to 1996. Servicing the property does not require an extension or upgrade and can be done in a cost effective manner.	Concur with City of Nanaimo assessment.
3. is not in the ALR or FLR	The subject area is not in the ALR.	Concur with City of Nanaimo assessment.
4. will not lead to adverse changes to the health and ongoing viability of sensitive ecosystems, and will be subject to conditions to ensure this	There are no ESAs on the subject property or directly adjacent to the property boundary.	Concur with City of Nanaimo assessment.
5. will not lead to adverse changes in resource productivity of adjacent lands and will be subject to conditions to ensure this	The subject property is not being used for agriculture or resource extraction. The proposed amendment will not have any negative impact on the resource productivity of adjacent lands.	Concur with City of Nanaimo assessment.

South Nanaimo Lands

UCFAMIA Criteria	City of Nanaimo Assessment	Recommended IAC Assessment
<p>1. is required to meet documented community needs which cannot be met on other lands inside the UCB</p>	<p>There is adequate capacity to meet projected residential growth within the existing UCB but this will require development of small lots, redevelopment and land assembly. As well, almost all vacant lands within the UCB are constrained in some manner. Given that almost half of the City's residential supply of land inside the existing UCB will require redevelopment or land assembly the projected demand for commercial floor space, and the anticipated shortfall in light industrial land, it is timely that the City of Nanaimo realign its UCB at this time to meet and accommodate growth pressures. The comprehensive nature of the development will greatly enhance the City's ability to meet future demand.</p>	<p>Documented community Need is demonstrated for industrial use and possibly commercial use. Nanaimo's recently completed Land Capacity Analysis indicates adequate land within the UCB to accommodate residential growth. In addition, due to the site characteristics it appears that it will be difficult to accommodate the proposed land uses.</p>
<p>2. can be serviced in a cost effective manner with reference to plans to capital programs for municipal and regional district provided services</p>	<p>No assessment was provided just the following statement: The proposed development will require extension of water, sewer and road infrastructure at the developers cost.</p>	<p>The fiscal impacts of the servicing costs has yet to be determined. The extension of services to this area is not part of current capital planning.</p>
<p>3. is not in the ALR or FLR</p>	<p>The City does not support the inclusion of ALR lands within the UCB. That portion of the subject property that is within the ALR is to retain its Rural Resource Lands designation and will remain outside the UCB. The remainder of the subject property is not affected by the ALR.</p>	<p>Concur with City of Nanaimo assessment. However, there was no assessment of how adjacent ALR lands will be protected.</p>
<p>4. will not lead to adverse changes to the health and ongoing viability of sensitive ecosystems, and will be subject to conditions to ensure this</p>	<p>There are a number of environmentally sensitive areas on the subject property. Any development will be required to obtain a development permit and develop in accordance with the guidelines of DPAs #23 and #24.</p>	<p>There was not enough information provided to enable a full assessment of the proposal's impact on sensitive ecosystems.</p>

UCFAMIA Criteria	City of Nanaimo Assessment	Recommended IAC Assessment
5. will not lead to adverse changes in resource productivity of adjacent lands and will be subject to conditions to ensure this	The subject property is not being used for agriculture or resource extraction. Will not have any negative impact on the resource productivity of adjacent lands. The portions of the site adjacent to the South Wellington industrial area and east of the landfill/Mayco Cement will remain industrial.	There was not enough information provided to make an assessment. However, it appears the proposed development will impact the landfill and vice versa. No conditions were proposed.

General

The following comments relate to the South Nanaimo Lands proposal. In accordance with Section 4.2 of the UCFAMIA, the IAC is not able to support this proposal as a determination could not be made as to whether the proposed UCB change meets all of the criteria. For some of the criteria there was not enough technical information nor were proposed impact management conditions provided with which to determine if the UCB revision criteria could be met.

The IAC was concerned that the proposed development may not be possible due to constraints posed by the physical nature of the properties. The proposed concept is not an example of nodal development and it is not clear how it contributes to the overall goals of the RGS. The main concern raised was the topography and environmental constraints. It did not appear that the developer would be incorporating green or sustainable development components into the development. As well, to date access to the site has not been secured.

With respect to the UCFAMIA criteria, there are studies that demonstrate a need for more industrial land and possibly commercial land in Nanaimo but the same is not true for the residential component of the project. In addition, it appears that site constraints will likely not allow the developer to achieve the desired density or level of use. No servicing strategy is currently available and it is currently not part of the City’s plans for extension of water and sewer services.

Due to the level of information provided it was not possible to comment on how the proposal would affect the health of sensitive ecosystems. It was noted that the properties did contain a number of sensitive ecosystems. It is notable that the original proposal did include lands in the ALR. These lands have now been removed from the proposal and are intended to remain in the ALR. With respect to impacts on resource lands, it appeared that the developer made the assumption that the landfill would be closed within a few years. This is not the case as the landfill is expected to continue operating for at least 20 years and most likely in some form indefinitely.

The IAC was not able to make a recommendation on this proposal due to a lack of technical information. Information was lacking in the following areas: land capability, hazards, environmentally sensitive areas, and impacts on adjacent uses, primarily the landfill. The IAC is not currently able to fully support a UCB change of this magnitude without additional technical information and information on how potential impacts from development will be managed.

APPENDIX D City of Nanaimo Impact Assessments

2007-AUG-16

STAFF REPORT

REPORT TO: INTERGOVERNMENTAL ADVISORY COMMITTEE

FROM: ANDREW TUCKER, DIRECTOR, PLANNING & DEVELOPMENT, DSD

RE: IMPACT ASSESSMENT FOR REVISING URBAN CONTAINMENT BOUNDARY
AT 141 WESTWOOD ROAD**Overview**

This report identifies the need to amend the Urban Containment Boundary (UCB) in order to move the subject property at 141 Westwood Road and the adjoining roadway (see Subject Property Map on Schedule 'A') inside the UCB as it was prior to the adoption of Nanaimo's Official Community Plan (OCP) in 1996. The amendment is required to correct a mapping error. Once the property is inside the UCB, the subject property will then be designated "Suburban Neighbourhood" consistent with other properties inside the UCB, west of the Nanaimo Parkway.

Subject Property

File	OCP 030
Civic	141 Westwood Road
Legal	That part of Lot 10, Section 14, Range 7, Mountain District, Plan 2494 shown outlined in red on Plan 914R, except part in Plans VIP58984 and VIP60427
Size	1.3 ha (3.4 acres)
Applicant	John Salmon, et al City of Nanaimo, Development Services Division

Proposed Amendment to UCB and OCP

The City of Nanaimo has initiated the amendment of Schedule A (Future Land Use and Mobility) of Plan Nanaimo - The Official Community Plan by:

- amending the UCB to include the subject property inside the UCB; and
- redesignating the subject property from "Rural Resource Lands" to "Suburban Neighbourhood."

Please see Schedule 'B' showing the proposed amendment.

Background

The subject property is located on the west side Westwood Road, just to the south of East Wellington Road. The subject property is bordered to the north and west by single-family residential lots, to the south by farmland located within the Agricultural Land Reserve (ALR) and to the east by Westwood Road and the Nanaimo Parkway. The subject property is 1.3 ha (3.4 acres) in size.

Prior to 1996, the subject property was serviced by municipal water and sewer services and located inside the UCB under the City's previous 1987 OCP Bylaw No. 3500 adopted in February 1988 (see Schedule 'C'). During construction of the Nanaimo Parkway, a portion of the subject property was expropriated to provide for the realignment of Westwood Road and services to the subject property were disconnected. The property was not serviced when the UCB was drawn in 1996 and so it was placed outside the UCB, despite its previous location inside the UCB.

Current OCP and Zoning

The subject property is designated Rural Resource Lands to reflect its location outside the UCB. The subject property is zoned A-2 (Rural Agricultural Residential).

The subject property is not within the ALR.

Process for Reviewing the Application

The purpose of the proposed UCB amendment is to correct a mapping error. Although the subject property is zoned A-2, it enjoyed development rights due to its location inside the UCB and its being fully serviced until 1996. The proposed UCB amendment will return the status of the property to that which existed until 1996.

At the PNAC meeting of 2007-MAR-13, PNAC passed a motion to support the application. This followed two public meetings held on 2007-JAN-16 and 2007-FEB-27 at which residents of Nanaimo had an opportunity to comment on the application. No comments were received from neighbourhood residents although two speakers were opposed to any change to the UCB.

At the City Council meeting of 2007-APR-30, Council supported the application and directed staff to prepare the necessary OCP Amendment Bylaw. A copy of the Staff Report to City Council is attached as Schedule 'D' and an excerpt from the Minutes is attached as Schedule 'E'.

The OCP Amendment Bylaw No. 6000.073 was given First and Second Reading by City Council on 2007-MAY-14. A copy of that Bylaw is attached as Schedule 'F'.

Criteria for Revising the UCB

Applications for amendments to the UCB should be considered against the criteria contained in Section 4.2 of the Urban Containment and Fringe Area Management Implementation Agreement (UCFAMIA). The five criteria listed in that section are:

- required to meet documented community needs which cannot be met on other lands inside the UCB
- can be serviced in a cost-effective manner
- not in the ALR
- will not lead to adverse changes to the health of sensitive ecosystems
- will not lead to adverse changes to the resource productivity of adjacent lands

Documented Need

As part of the OCP 10-Year Review Process, the City of Nanaimo commissioned a land capacity analysis. That study, the City of Nanaimo Land Inventory and Residential Capacity Analysis (Sheltair Group, January 2007) concluded that there is adequate capacity to meet projected residential growth within the existing UCB. Notwithstanding this finding, the proposed amendment is to correct an existing mapping error and, given its small size (1.3 ha), will have negligible effect on the City's residential land supply and our efforts to manage urban growth.

Servicing

Water and sewer services are available in Westwood Road. The subject property was connected to these services prior to 1996. Servicing of the subject property does not require extension or upgrade at the City's infrastructure and can be done in a cost-effective manner.

ALR

The subject area is not in the ALR.

ESAs

There are no ESAs present on the subject property.

Resource Lands

The subject property is not being used for agriculture or resource extraction and moving the subject property inside the UCB will not have any negative impact on the resource productivity of adjacent lands.

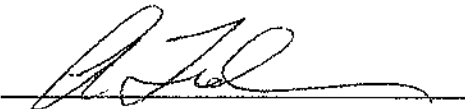
CONCLUSION:

The subject property merits being moved inside the UCB for the following reasons:

- This application can be considered a "housekeeping" amendment to correct a mapping error that occurred at the time that the OCP was adopted in 1996.
- Due to its small size, the amendment will have no impact on the overall goals of managing urban growth or protecting rural character.
- Including the subject property inside the UCB will have no impact on servicing, ALR, ESAs or resource lands.

The Regional District of Nanaimo is recommended to support this UCB amendment application.

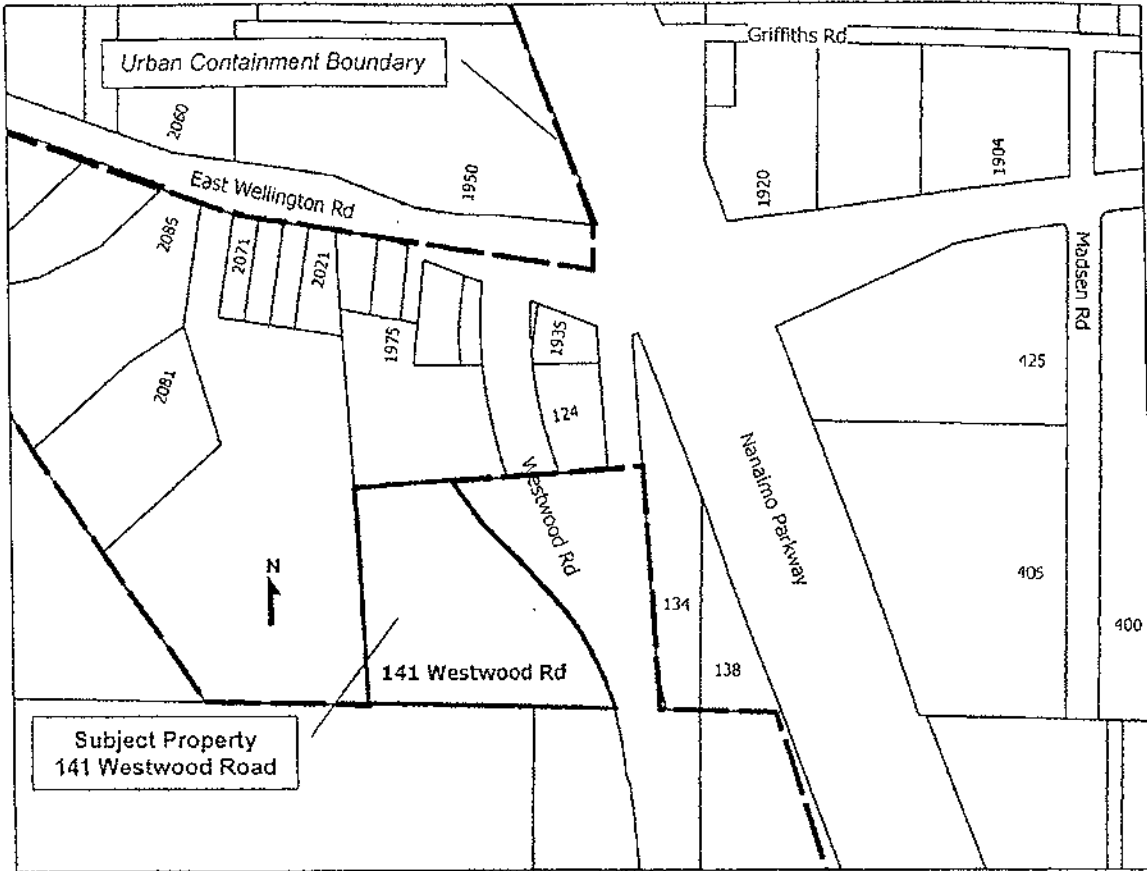
Respectfully submitted,



Andrew Tucker
Director, Planning & Development
Development Services Department

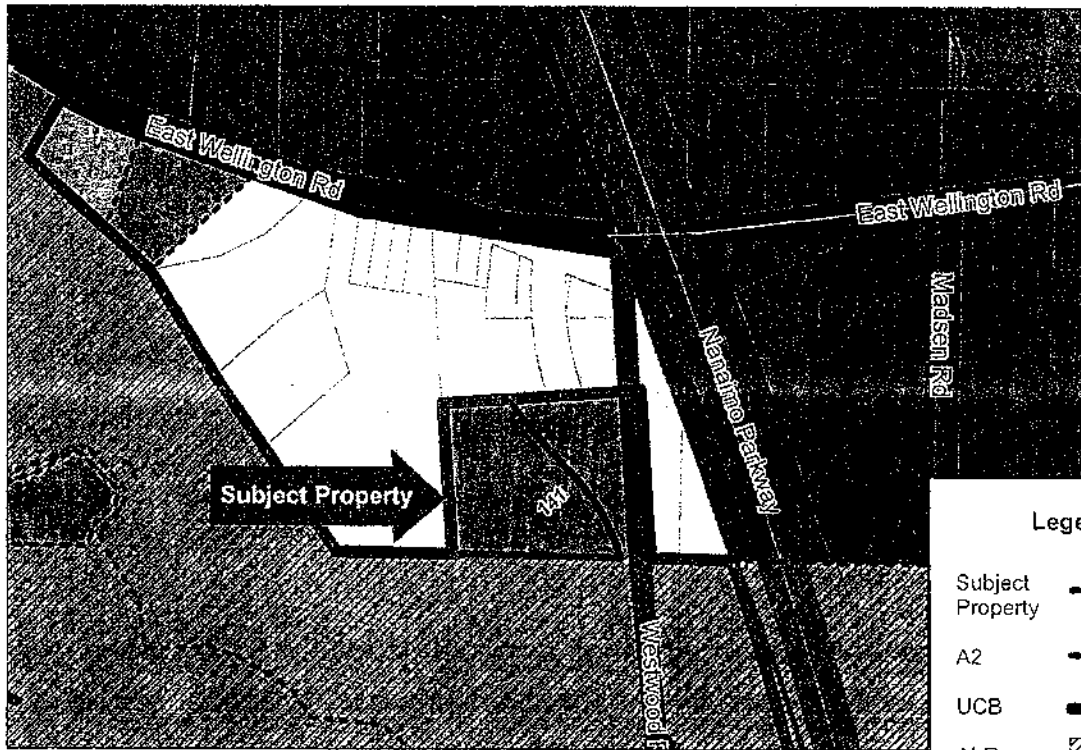
AT/pm
Prospero: OCP30
Council: 2007-SEP-10

Schedule 'A'
Subject Property Map



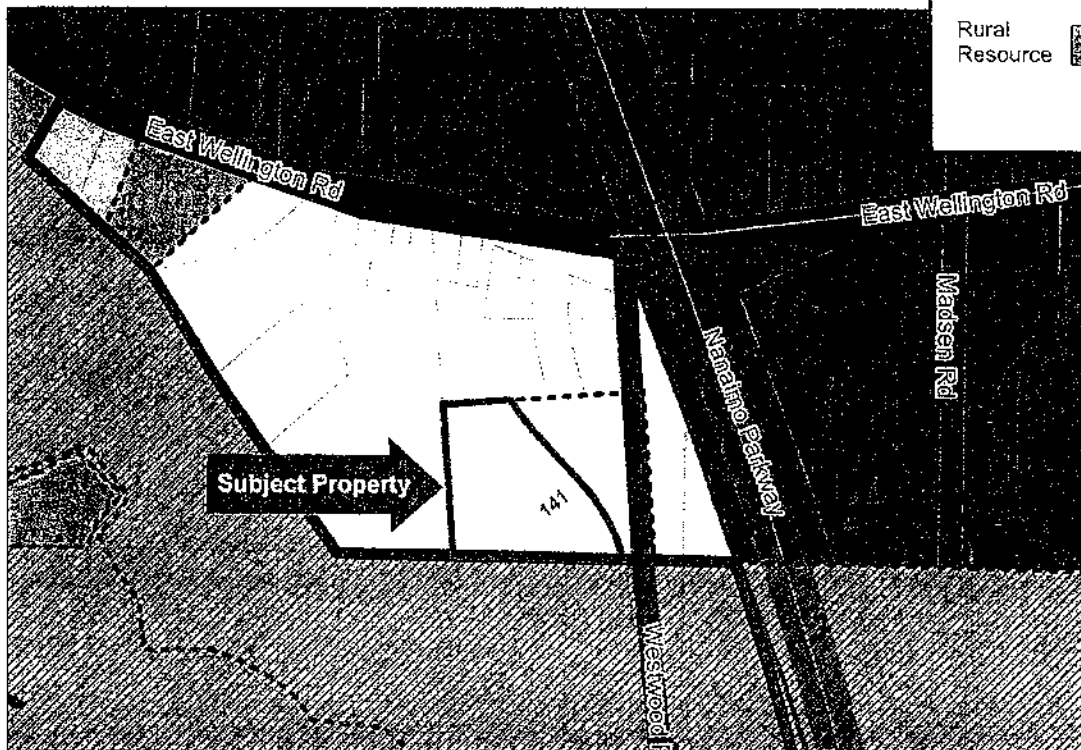
Schedule B

141 Westwood Rd - Housekeeping Amendment



Existing Situation

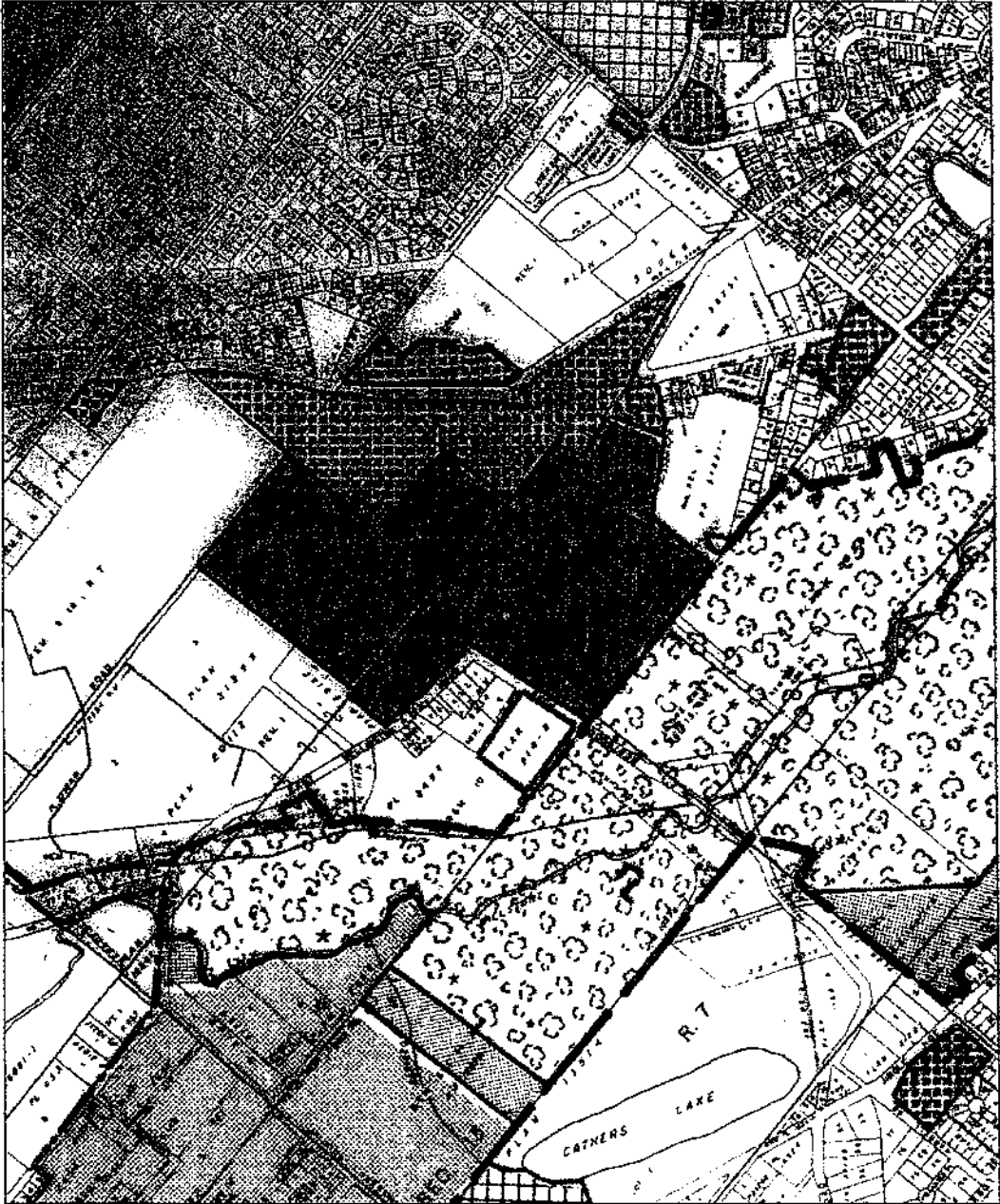
Legend	
Subject Property	—
A2	- - - -
UCB	————
ALR	▨
Suburban Neighb	□
Rural Resource	▩



Proposed Amendments

SCHEDULE C

CITY OF NANAIMO BYLAW 3500 - 1987 OFFICIAL COMMUNITY PLAN



SUBJECT PROPERTY OUTLINED IN GREEN

SCHEDULE D

2007-Apr-19

STAFF REPORT

REPORT TO: TED SWABEY, GENERAL MANAGER, DEVELOPMENT SERVICES

FROM: ANDREW TUCKER, DIRECTOR, PLANNING AND DEVELOPMENT

RE: OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION
OCP30 – 141 WESTWOOD ROAD

STAFF'S RECOMMENDATION:

The Plan Nanaimo Advisory Committee (PNAC) recommends that Council approve Official Community Plan (OCP) Amendment Application 030 for 141 Westwood Road.

Staff concurs with PNAC, and recommends Council direct staff to prepare the necessary Official Community Plan (OCP) Amendment Bylaw to be considered at the next regular meeting of Council.

EXECUTIVE SUMMARY:

The subject property is located along Westwood Road, near the Nanaimo Parkway, and is outside the Urban Containment Boundary (UCB). The applicant is requesting the property be moved inside the UCB and redesignated 'Suburban Neighbourhood' in order to allow division of the property to family members. The Plan Nanaimo Advisory Committee (PNAC) has completed its review, including two opportunities for public input, and is recommending that the application be approved. Staff concur with this recommendation.

BACKGROUND:

This application is one of ten OCP Amendment Applications that were received as part of the 2006-NOV-01 round of applications. All ten applications were presented to PNAC on 2007-JAN-16 at a public meeting that was attended by approximately 200 residents. This meeting provided the applicants with an opportunity to present their proposal to the Committee and for the Committee and members of the public to ask questions of the applicant. The applicant's representative stated that the purpose of the application was to move the subject property inside the UCB and redesignate it to 'Suburban Neighbourhood' to allow for the division of the property to family members.

A second public meeting regarding all ten applications was held on 2007-FEB-27 at which time the public voiced their comments and concerns to the Committee. Between 200 and 300 residents attended this meeting. Applicants did not speak at this meeting.

At its meeting of 2007-MAR-13, PNAC made its recommendation on the application. The purpose of this report is to present both the PNAC and staff recommendation regarding OCP Amendment Application 030 – 141 Westwood Road for Council's consideration.

DISCUSSION:

OCP Designation and Policies:

Sited along Westwood Road, adjacent to the Nanaimo Parkway, this approximately 1.3 hectare (3.4 acre) subject property is located just south of East Wellington Road. The subject property is bordered to the north and west by single family residential lots, to the south by farmland (located within the Agricultural Land Reserve), and to the east by Westwood Road and the Nanaimo Parkway.

The subject property is designated Rural Resource Lands as per the City's OCP, and is located outside of the Urban Containment Boundary (UCB). This designation is intended to protect rural resources and maintain areas of high agricultural and forestry potential, in addition to protecting rural landscapes and rural residential lifestyles. For example:

Policy 3.2.2.3. states "Rural Resource Lands will not be rezoned for higher density residential development than that permitted by zoning existing at the time of the Plan's adoption.

Policy 3.2.2.7. states "future land uses adjacent to ALR lands and Rural Resource Lands should consider buffers and other measures to mitigate against potential impacts between farm and urban uses."

Whereas the applicant is requesting the subject area be brought inside the UCB in order to proceed with the redesignation and potential subdivision of the property, the policies of the OCP require amendments to the UCB be considered if the proposed change meets certain criteria, as set out in the Urban Containment and Fringe Area Management Agreement. For example, the criteria speaks to showing documented community need which cannot be met on lands inside the UCB.

Existing Development Rights:

The subject property is currently zoned Rural Agricultural/Residential Zone (A-2). This agricultural zone allows for uses such as Agriculture, Boarding Kennels, Campgrounds, Golf Courses, Turf Farms, and Single Family Dwellings. The minimum lot area in this zone is 2.0 hectares, with lot coverage of not more than 20%.

Planning History:

Discussions between staff and property owners of 141 Westwood Road began early 2006 respecting the current status of the property. Through detailed review, there was no clear determination as to why the property had been placed outside the Urban Containment Boundary when it was not located within the Agricultural Land Reserve, and when it previously had sewer and water connections (disconnected through realignment of Westwood Road and construction of the Parkway). Ultimately, its current status as 'Rural Resource Lands' outside the UCB appears to be the result of a mapping error.

Services:

No servicing analysis was provided as part of the application, but water and sewer service connections are available to the property.

Public Input:

During the PNAC review of this application, no submissions were received as a result of this application. However, generic comments referring to all UCB amendment applications and the the OCP review were received at the public meetings speaking to no amendment of the Urban Containment Boundary at this time.

PNAC Recommendation:

At its meeting of 2007-MAR-13, PNAC passed a motion that the OCP amendment application for 141 Westwood Road be approved. The motion carried unanimously.

Staff Recommendation:

Given the subject property's history of servicing connections, staff is in support of rectifying what appears to be a mapping error in placing the property outside of the UCB. Approval of this application would effectively redesignate the property to 'Suburban Neighbourhood' as per those properties located immediately to the north, and realign the UCB as a straight boundary running east-west across the area and forming a pocket around the 'Suburban Neighbourhood' properties. Therefore, staff concurs with PNAC's recommendation that this application be approved.

Respectfully submitted,

Andrew Tucker, Director
Planning and Development
Development Services Department

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SCHEDULE E

COUNCIL
2007-APR-30
PAGE 5

6. PROCLAMATIONS:

- (a) Mr. Cam Filmer, Executive Director, Ministry of Public Safety and Solicitor General, Provincial Emergency Program, PO Box 9201 Stn. Prov. Govt., Victoria, BC, V8W 9J1, requesting that 2007-MAY-06 to 2007-MAY-12 be proclaimed "EMERGENCY PREPAREDNESS WEEK" in the City of Nanaimo.

It was moved and seconded that 2007-MAY-06 to 2007-May-12 be proclaimed "EMERGENCY PREPAREDNESS WEEK" in the City of Nanaimo. The motion carried unanimously.

- (b) Ms. Nora Loftus, Walk Chair, Bell Walk for Kids Help Phone, BC Regional Office, 1200 West 73rd Avenue, Suite 1100, Vancouver, BC, V6P 6G5, requesting that 2007-MAY-06 be proclaimed "BELL WALK FOR KIDS HELP PHONE DAY" in the City of Nanaimo.

It was moved and seconded that 2007-MAY-06 be proclaimed "BELL WALK FOR KIDS HELP PHONE DAY" in the City of Nanaimo. The motion carried unanimously.

- (c) Mr. Kim Smythe, Executive Director, Vancouver Island International Children's Festival, PO Box 197, Nanaimo, BC, V9R 5K9, requesting that 2007-MAY-08 be proclaimed "FAMILY DAY" in the City of Nanaimo.

It was moved and seconded that 2007-MAY-08 be proclaimed "FAMILY DAY" in the City of Nanaimo. The motion carried unanimously.

- (d) Ms. Julie Coghlan, 30 Days of Sustainability Society, 700 --1155 West Pender Street, Vancouver, BC, Canada, V6E 2P4, requesting that 2007-MAY-16 be proclaimed "ENERGY CONSERVATION DAY" in the City of Nanaimo.
(Supplemental)

It was moved and seconded that 2007-MAY-16 be proclaimed "ENERGY CONSERVATION DAY" in the City of Nanaimo. The motion carried unanimously.

7. REPORTS OF ADVISORY BODIES:

- (a) Official Community Plan Amendment Application OCP030 – 141 Westwood Road

PNAC's Recommendation: That Council endorse Official Community Plan Amendment Application OCP030 for 141 Westwood Road to proceed to Public Hearing.

Staff's Recommendation: That Council direct Staff to prepare the necessary Official Community Plan (OCP) Amendment Bylaw to be considered at the next regular meeting of Council.

It was moved and seconded that Staff and PNAC's recommendations be adopted. The motion carried unanimously.

SCHEDULE F

CITY OF NANAIMO

BYLAW NO. 6000.073

A BYLAW TO AMEND THE CITY OF NANAIMO
"OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000"

WHEREAS the Council of the City of Nanaimo wishes to amend City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000";

THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2007 NO. 6000.073".
2. The City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000" is hereby amended as set out in Schedule A to this Bylaw.

PASSED FIRST READING 2007-MAY-14.
PASSED SECOND READING 2007-MAY-14.
PUBLIC HEARING HELD _____
PASSED THIRD READING _____
ADOPTED _____.

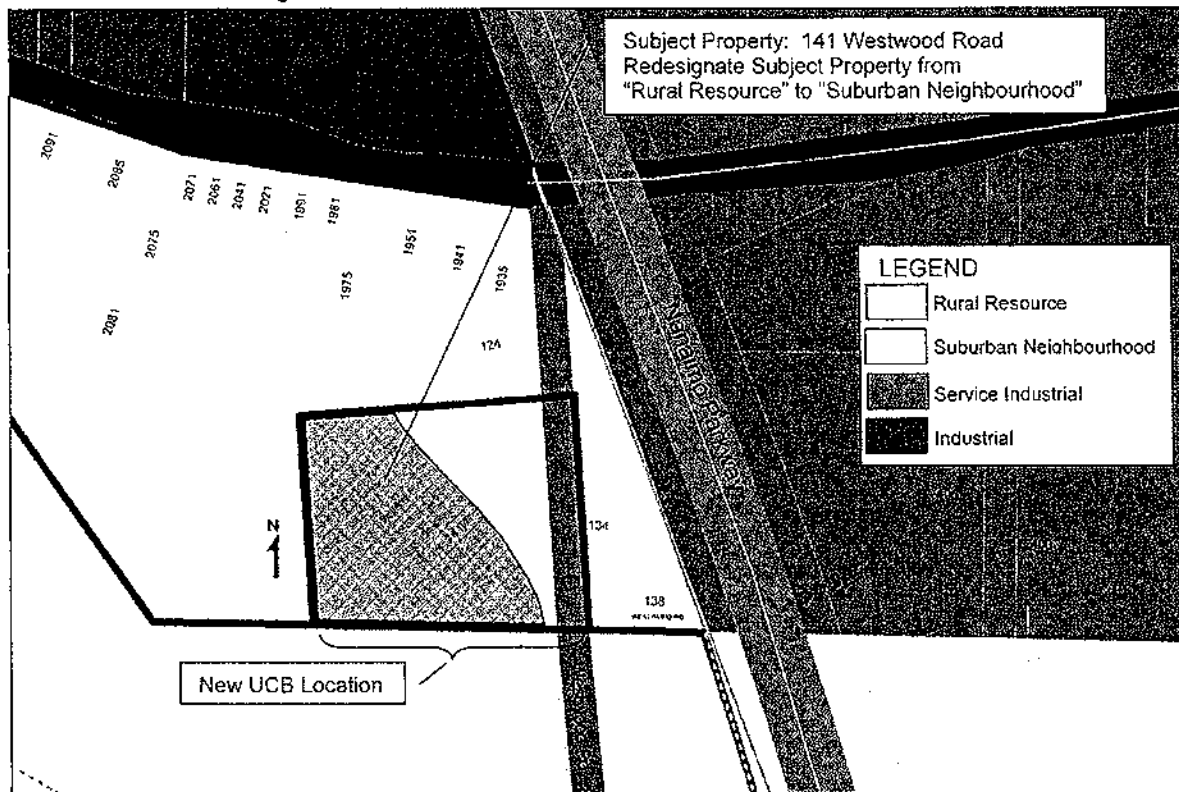
MAYOR

DIRECTOR,
LEGISLATIVE SERVICES

File: OCP00030
Address: 141 Westwood Road
Applicant: John Salmon

SCHEDULE A

1. Schedule A (Future Land Use and Mobility) of the "OFFICIAL COMMUNITY PLAN BYLAW 1996 NO. 6000" is amended as follows:
 - a) Include the subject property at 141 Westwood Road (That Part of Lot 10, Section 14, Range 7, Mountain District, Plan 2494, Shown Outlined in Red on Plan 914R, Except Those Parts in Plans VIP58984 and VIP60427) inside the Urban Containment Boundary; and
 - b) Redesignate the subject property at 141 Westwood Road (That Part of Lot 10, Section 14, Range 7, Mountain District, Plan 2494, Shown Outlined in Red on Plan 914R, Except Those Parts in Plans VIP58984 and VIP60427) from "Rural Resource Lands" to "Suburban Neighbourhood".



STAFF REPORT

REPORT TO: INTERGOVERNMENTAL ADVISORY COMMITTEE

FROM: ANDREW TUCKER, DIRECTOR, PLANNING & DEVELOPMENT, DSD

RE: OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION
OCP38 – 1200 FREW ROAD, 1560 AND 1650 ISLAND HIGHWAY SOUTH

Overview

This report identifies the need to amend the Urban Containment Boundary (UCB) in order to move the subject property at 1560 and 1650 Island Highway South (see Schedule 'A') inside the UCB in order to permit a comprehensive development of the South Nanaimo Lands including residential, commercial, and industrial land uses in accordance with the direction provided by Nanaimo City Council at its meeting of 2007-MAY-14. Once the property is inside the UCB, the subject property will then be designated "Neighbourhood", "Regional Shopping Town Centre", "Industrial", and "Service Industrial".

Subject Property

File	OCP38
Civic	1200 Frew Road, 1560 and 1650 Island Highway South
Legal	<p>1200 Frew Road: AMENDED LOT 1 (DD 72808N), SECTION 2, NANAIMO DISTRICT, PLAN 3354.</p> <p>1560 Island Highway South: SECTION 2, NANAIMO DISTRICT, EXC PLAN 563 630 732 1332 1333 1386 2842 2846 2904 3354 28701 507R/W 1415R 31004 32065 & EXC PART 6.35 ACRES BEING THE R/W OF E&N RAILWAY AS REGISTERED UNDER NO. 8328C AND EXC INDIAN RESERVE & EXC PCL A(3799271), 10769, 48020.</p> <p>1650 Island Highway South: SECTION 3, NANAIMO DISTRICT, EXCEPT THAT PART CONTAINING 6.7 ACRES AND BEING THE ROW OF THE ESQUIMALT AND NANAIMO RAILWAY COMPANY AS SAID ROW IS REGISTERED UNDER #8328C EXC INDIAN RESERVES AND EXC PART IN PLANS 2189, 48020, VIP60041 AND VIP61185.</p>
Size	293 ha (726 acres)
Applicant	Island Wolf (Snuneymuxw First Nation and Northwest Properties joint venture).

Proposed Amendments to the UCB and OCP

The City of Nanaimo has initiated the amendment of Schedule 'A' (Future Land Use and Mobility) of Plan Nanaimo – The Official Community Plan (OCP) by:

- Amending the UCB to include the subject property inside the UCB except that portion located adjacent to the Nanaimo River estuary which is subject to, and located within, the Agricultural Land Reserve (ALR); and
- Redesignating the subject property from "Rural Resource Lands" to "Neighbourhood", "Regional Shopping Town Centre", "Industrial" and "Service Industrial".

Please see Schedule 'B1' indicating the existing designations under the OCP and Schedule 'B2' indicating the proposed amendments. Please note, all of the land at 1200 Frew Road is located in the ALR and therefore, there are no proposed amendments to its location outside the UCB or its designation as "Rural Resource Lands".

BACKGROUND:

The subject property is located to the east of the Chase River neighbourhood at the southern boundary of the City. The site is bisected by the Trans Canada Highway and the Duke Point Highway, as well as by Cedar Road (see location map – Schedule 'A').

The subject property is bordered by single-family residential development in the Chase River neighbourhood to the west; parkland, light industrial and vacant rural land in Electoral Area "A" of the Regional District of Nanaimo (RDN) to the south; Indian Reserves #2 and #3 and the Nanaimo River to the east; and the Nanaimo River estuary to the north. The subject property wraps around the RDN Cedar Landfill site.

The subject property is comprised of 293 ha (726 acres) of vacant, undeveloped land. The northern part of the site, which includes all of the property at 1200 Frew Road and a small portion of 1560 Island Highway South, is located in the ALR. A total of 34.77 ha (85.9) acres is located in the ALR.

Current OCP and Zoning

The majority of the subject property (229.6 ha or 567.3 acres) is designated "Rural Resource Lands" to reflect its undeveloped state and its location outside the UCB. The "Rural Resource Lands" are zoned Rural Agricultural / Residential (A1, A2 and A3). The A2 zoned portion of the subject property located at 1200 Frew Road is entirely within the ALR. The southeast portion of the site (64.4 ha or 158.1 acres) is designated "Industrial" to reflect the existing Heavy Industrial Zone (I-4).

Process for Reviewing Application

This OCP amendment application was received as one of ten applications received as part of the 2006-NOV-01 round of OCP applications. The application was presented and discussed at two public meetings (2007-JAN-16 and 2007-FEB-27), hosted by the Plan Nanaimo Advisory Committee (PNAC). These meetings provided an opportunity for residents of Nanaimo to comment on the application. Generally speaking, residents of the Chase River Neighbourhood Association voiced their support for the application; in particular, they supported the commercial elements of the proposal which will provide much needed commercial services to residents of Chase River, South Nanaimo and Cedar areas. Those who spoke in opposition to the proposal were generally opposed to any change to the UCB and felt the proposal would contribute to sprawl.

At the PNAC meeting of 2007-MAR-13, PNAC passed a Motion in support of the application.

At the City Council meeting of 2007-MAY-14, Council directed Staff to prepare the necessary OCP amendment bylaw. A copy of the report to City Council is attached as Schedule 'C'. That bylaw is expected to receive First and Second Reading at the City Council meeting of 2007-SEP-10. The author will advise the IAC at the 2007-SEP-12 meeting of the status of Bylaw 6000.076.

Criteria for Revising the UCB

Applications for amendments to the UCB should be considered against the criteria contained in Section 4.2 of the Urban Containment and Fringe Area Management Implementation Agreement (UCFAMIA).

The five criteria listed in that section are:

- required to meet documented community needs which cannot be met on other lands inside the UCB;
- can be serviced in a cost-effective manner;
- not in the ALR;
- will not lead to adverse changes to the health of sensitive ecosystems; and
- will not lead to adverse changes to the resource productivity of adjacent lands.

Documented Need

As part of the OCP 10-Year Review Process, the City of Nanaimo commissioned a land capacity analysis. That study, the City of Nanaimo Land Inventory and Residential Capacity Analysis (Sheltair Group, January 2007) concluded that there is adequate capacity to meet projected residential growth within the existing UCB. However, of that supply over 45% of it is on lands that are already developed but in such a manner that the study deemed them to be "effectively vacant" (over 2 ha in size but occupied by only one single-family dwelling). In other words, almost half of our land capacity is composed of small lots which will lead to piece-meal infill development or land assembly prior to development.

As for commercial land demand the study forecasts the need for an additional 1.3 to 1.8 million ft² of development store type retail, 2.0 to 2.8 million ft² of retail / restaurant / service commercial and 0.9 to 1.7 million ft² of office space by 2031. The study also identifies an immediate shortfall in the supply of light industrial land within the next 5 to 15 years. A copy of the summary of the report is attached as Schedule 'D'.

Given that almost half of the City's residential supply of land inside the existing UCB will require redevelopment or land assembly, the projected demand for commercial floor space, and the anticipated shortfall in light industrial land, it is timely that the City of Nanaimo realign its UCB at this time to meet and accommodate growth pressures. The comprehensive nature of Island Wolf's South Nanaimo Lands development will greatly enhance the City's ability to meet future demand.

Servicing

The proposed development will require extension of water, sewer and road infrastructure at the developers cost.

ALR

The City does not support the inclusion of ALR lands within the UCB. That portion of the subject property that is within the ALR is to retain its designation "Rural Resource Lands" and will remain outside the UCB. The remainder of the subject property is not affected by the ALR.

ESAs

There are a number of environmentally sensitive areas on the subject property associated with watercourses and riparian areas.

Any development that takes place on the subject property will be required to obtain a development permit and develop in accordance with the guidelines of "Development Permit Area No. 23 – Watercourses" and "Development Permit Area #24 – Environmentally Sensitive Areas".

Resource Lands

The subject property is not being used for agriculture or resource extraction and moving the subject property inside the UCB will not have any negative impact on the resource productivity of adjacent lands. In this regard, the proposal retains the "Industrial" designation on the southeast portion of the site adjacent to the South Wellington Industrial Park and proposes designating the eastern portion of the site, south of Cedar Road, and adjacent to the Cedar landfill and Mayco Cement as "Light Industrial"

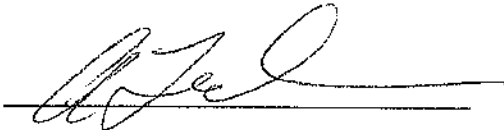
CONCLUSION:

The subject property (except that portion in the ALR) merits being moved inside the UCB for the following reasons:

- This application is required to meet documented needs which cannot be met on other lands within the UCB.
- Has no impact on lands within the ALR or adjacent resource lands.
- Will be developed in accordance with "Development Permit Area No. 23 – Watercourses" and "Development Permit Area No. 24 – Environmentally Sensitive Areas", with respect to the watercourse and wetlands on the subject property.

The Regional District of Nanaimo is recommended to support this UCB amendment application.

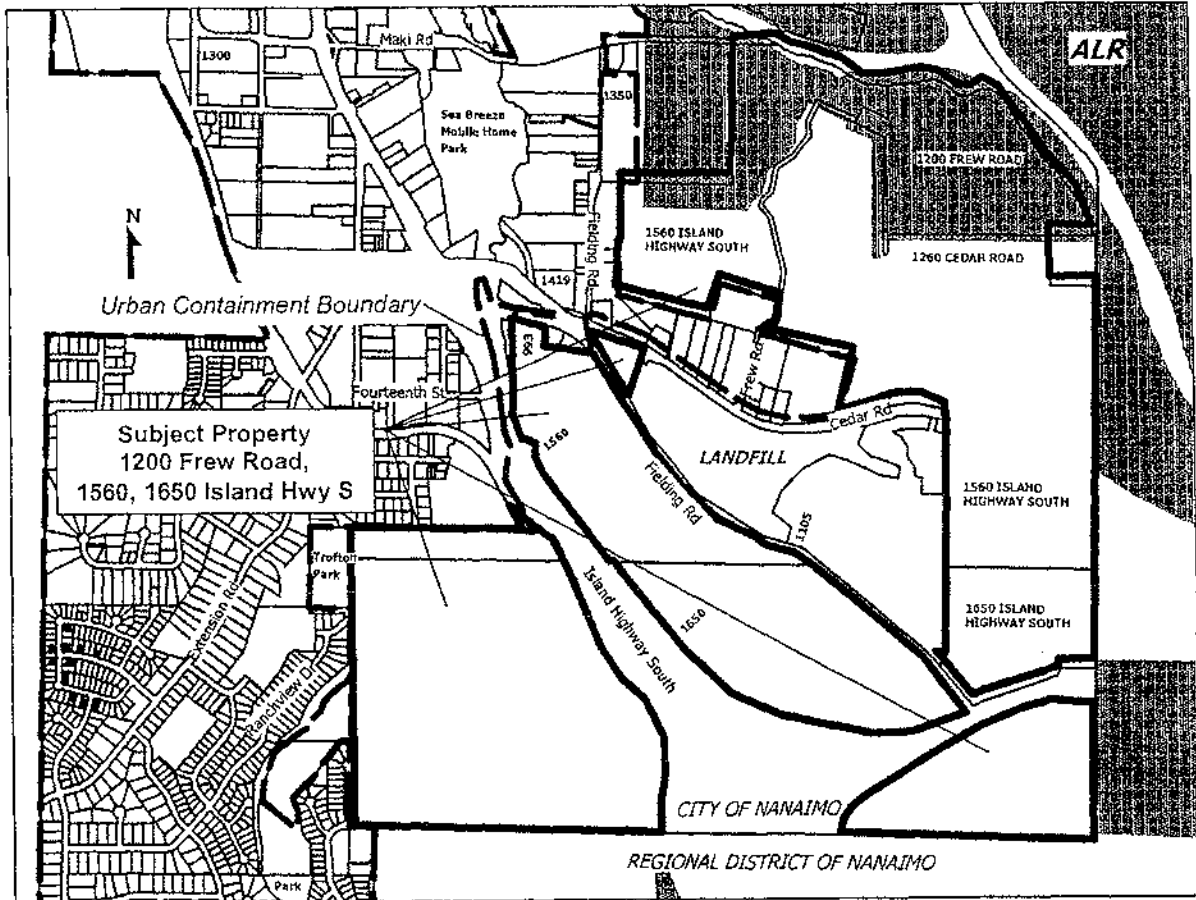
Respectfully submitted,



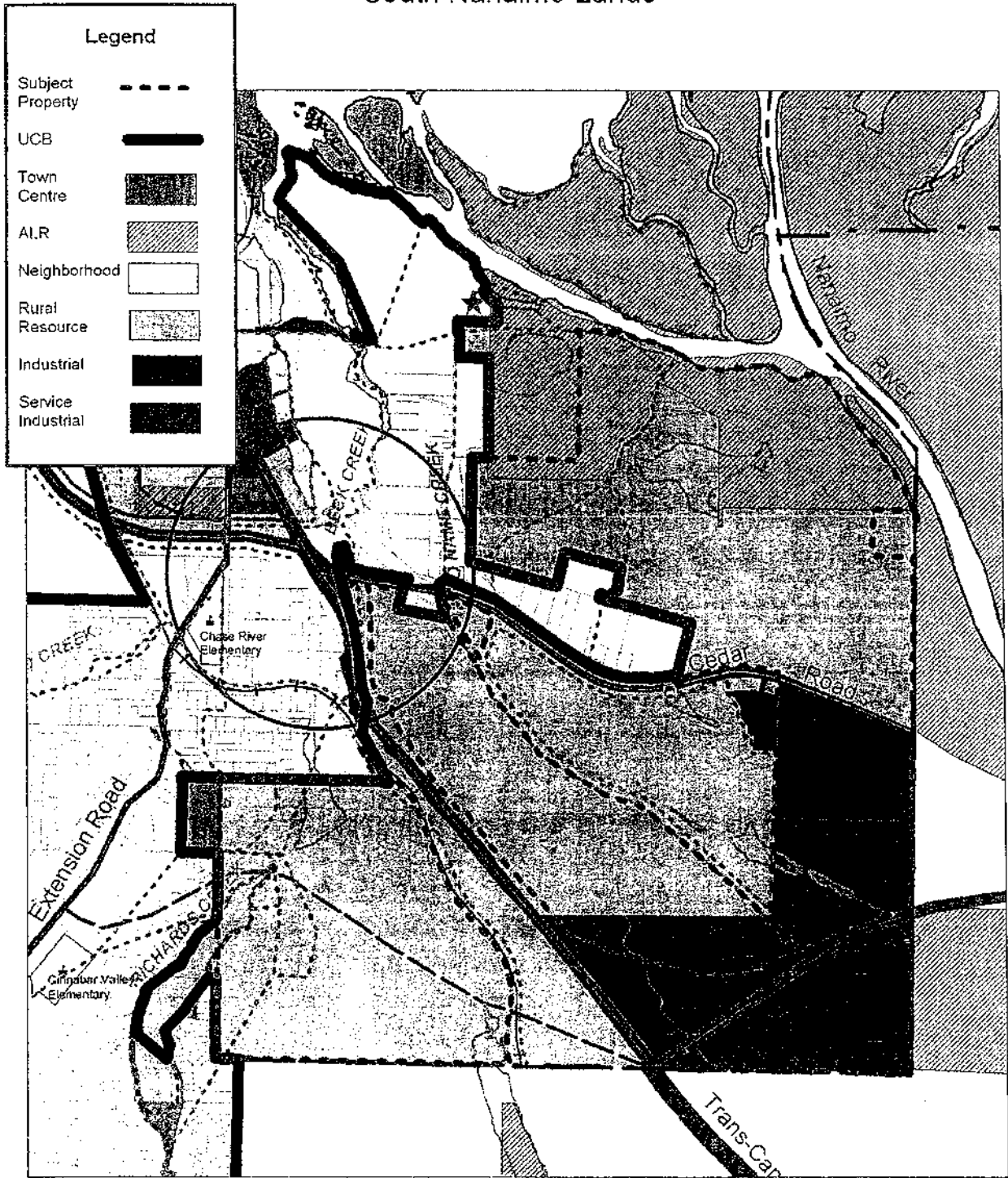
Andrew Tucker
Director, Planning & Development
Development Services Department

AT/pm
Prospero: OCP38
Council: 2007-SEP-10

Schedule 'A' Subject Property Map

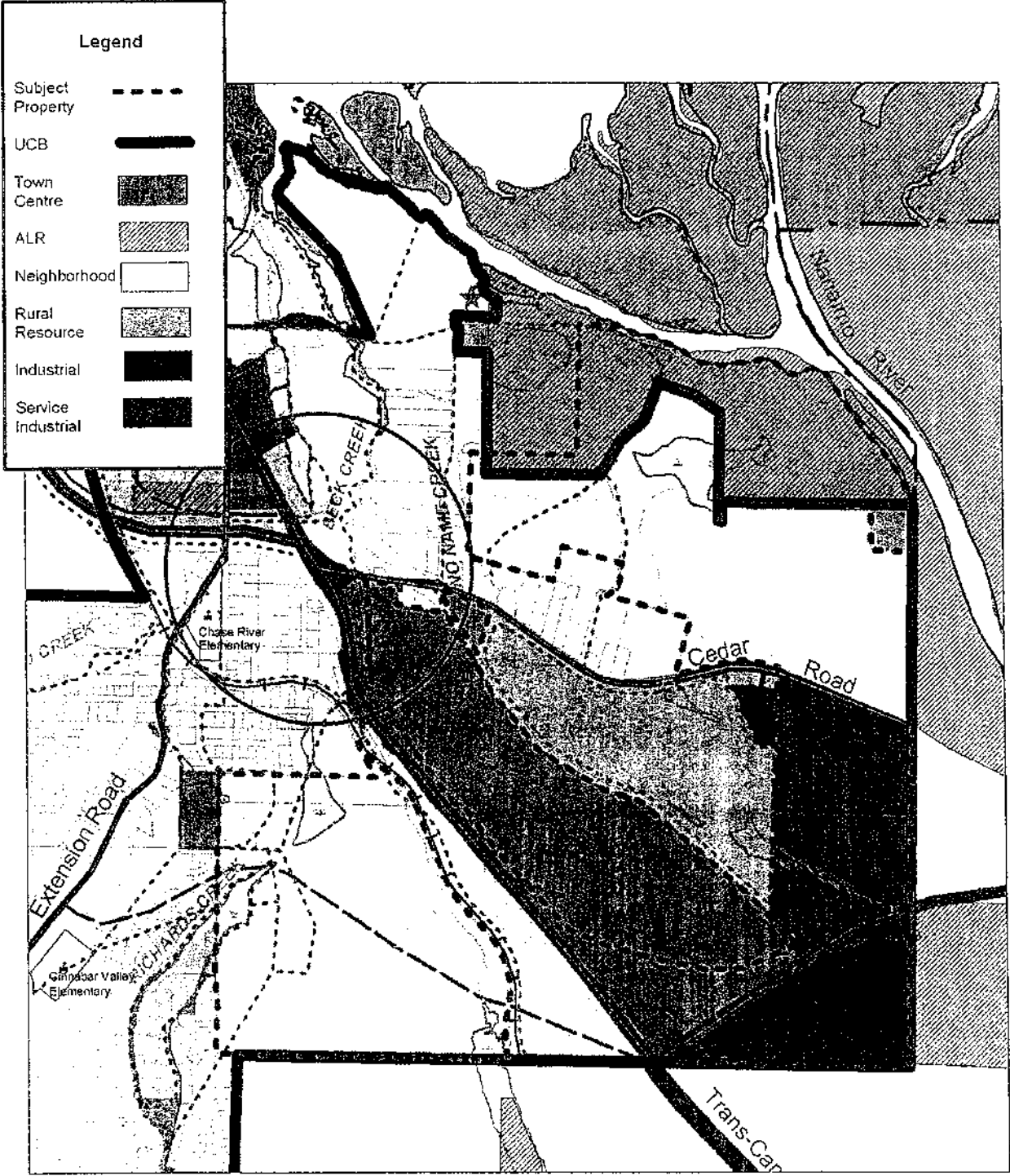


Schedule B1 South Nanaimo Lands



Existing Situation

Schedule B2 South Nanaimo Lands



Proposed Amendment

SCHEDULE C

2007-MAY-10

STAFF REPORT

REPORT TO: INTERGOVERNMENTAL ADVISORY COMMITTEE

FROM: ANDREW TUCKER, DIRECTOR, PLANNING & DEVELOPMENT, DSD

RE: OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION
OCP38 – 1200 FREW ROAD, 1560 AND 1650 ISLAND HIGHWAY SOUTH

STAFF'S RECOMMENDATION:

The Plan Nanaimo Advisory Committee (PNAC) recommend that Council approve Official Community Plan (OCP) Amendment Application 038 for 1200 Few Road and 1560 and 1650 Island Highway South.

Staff concur with PNAC's recommendation, and recommend the application be approved and forwarded to public hearing, and that Council direct staff to prepare the necessary Official Community Plan (OCP) amendment bylaw be considered at the next regular meeting of Council.

EXECUTIVE SUMMARY:

The subject properties are located adjacent to the Island Highway, Duke Point Connector, and Cedar Road, and are located outside of the Urban Containment Boundary (UCB). The applicant is requesting that the property be moved inside the UCB in order to allow a mixed use comprehensive development of residential, commercial and industrial uses, and including a new town centre. The policies of the OCP require amendments to the UCB be considered if the proposed change meets certain criteria, as set out in the Urban Containment and Fringe Area Management Agreement. The Plan Nanaimo Advisory Committee (PNAC) has completed its review, including two opportunities for public input, and is recommending that the application be approved. Staff concur with this recommendation in principle.

BACKGROUND:

The approximately 293 hectare (726 acre) subject property, located outside of the UCB, is bordered by the Cinnabar Valley residential area to the west, industrial and rural residential areas to the south and east (located within the Regional District of Nanaimo), and Nanaimo River estuary to the north. The subject area is intersected by the Island Highway, Duke Point Connector, and Cedar Road. The Cedar landfill site is surrounded by the subject properties, but does not form part of this application.

This application is one of ten OCP amendment applications that were received as part of the 2006-NOV-01 round of applications. All ten applications were presented to PNAC on 2007-JAN-16 at a public meeting that was attended by approximately 200 residents. This meeting provided the applicants with an opportunity to present their proposal to the Committee and for the Committee and members of the public to ask questions of the applicant.

The applicant's representative stated that the purpose of the application was to allow for a comprehensive development, including 800 to 900 units (four to five units per acre) of low – medium density residential housing, 900 to 1000 units (30 to 40 units per acre) of medium – high density residential housing, 600,000 to 700,000 ft² of mixed use industrial/business park activity, 400,000 to 500,000 ft² of other industrial activities (e.g. warehousing, manufacturing, distribution), 500,000 to

950,000 ft² of commercial, institutional and office space within a new town centre, as well as commercial space within a local service centre, additional road networking, and construction of trailways.

A second public meeting regarding all ten applications was held on 2007-FEB-27 at which time the public voiced their comments and concerns to the Committee. Between 200 and 300 residents attended this meeting. Applicants did not speak at this meeting.

In addition to the two public meetings hosted by PNAC, the applicant met with the Chase River Community Association at its regularly scheduled meeting of 2007-JAN-10 and again on 2007-MAY-09.

At its meeting of 2007-MAR-13, PNAC made its recommendation on the application. The purpose of this report is to present both the PNAC and staff recommendation regarding OCP Amendment Application 038 – 1200 Frew Road, and 1560 and 1650 Island Highway South for Council's consideration.

DISCUSSION:

OCP Designation and Policies:

Located within the Chase River Neighbourhood Plan area, the subject property is designated 'Rural Resource' and 'Industrial' lands under the OCP. The 'Rural Resource' designation is intended to protect rural resources and maintain areas of high agricultural and forestry potential, in addition to protecting rural landscapes and rural residential lifestyles. For example:

Policy 3.2.2.3. states "Rural Resource Lands will not be rezoned for higher density residential development than that permitted by zoning existing at the time of the Plan's adoption."

Policy 3.2.2.7. states "future land uses adjacent to ALR lands and Rural Resource Lands should consider buffers and other measures to mitigate against potential impacts between farm and urban uses."

Policy 3.2.2.5. states "outside the UCB, applications to the Agricultural Land Commission to remove lands from the ALR will not be supported by Council except in extraordinary circumstances where such exclusion would otherwise be consistent with the goals, objectives and other policies of the plan." As noted on Schedules A and B, the applicant is proposing that portion of the subject properties, located within the ALR, be utilized for residential development.

In addition to the above, the 'Industrial' designation also provides for activities such as processing, manufacturing and assembly operations, storage, warehousing and distribution. Specific to this particular area (the Inucan lands), policy 1.5.2.2.9. speaks to the possible expansion of these industrial lands through an OCP amendment subject to certain conditions (servicing, traffic flow, environmental impacts).

Whereas the applicant is requesting the subject area be brought inside the UCB in order to proceed with the proposed comprehensive development, the policies of the OCP require amendments to the UCB be considered if the proposed change meets certain criteria, as set out in the Urban Containment and Fringe Area Management Agreement:

- Documented Community Need (cannot be met elsewhere in the community)

The recently completed Land Capacity Analysis indicates adequate land within the UCB to accommodate growth; however, most sites within the UCB are small in area. The proposed site is the only one in the community of sufficient size (excluding redevelopment of existing properties) to accommodate a comprehensive development. The proposal suggests approximately one-half of the residential units to be of medium-high density, which is more compact than the norm for Nanaimo. In addition, the proposal includes a new regional scale shopping centre (500,000 ft² to 800,000 ft²); a development of this scale requires a large site which is not available elsewhere in the City.

- Cost Effective Servicing
Located outside the UCB, no servicing has yet been provided to the subject properties, and costs for initial servicing will be borne by the developer.
- ALR
A portion of the subject properties is currently located in the Agricultural Land Reserve (ALR); staff does not support inclusion of the ALR portion of the site inside the UCB.
- Sensitive Ecosystem Viability
The subject properties are home to a number of watercourses and sensitive ecosystems. Should a development proposal compromise environmental areas, a development permit would be required.
- Resource Productivity
With the exception of ALR lands noted above, the subject properties are not considered to have significant value as rural resource lands.

Existing Development Rights:

The subject property is currently zoned Rural Agricultural/Residential Zone (A-1), Rural Agricultural/Residential Zone (A-2), Rural Agricultural/Residential Zone (A-3) and Heavy Industrial Zone (I-4). The agricultural zones allow for a range of uses, including agriculture, horse riding and boarding stables, campgrounds, golf courses, and single family dwellings. Minimum lot area is set at 2.0 hectares (0.8 hectares for A-1 zone) with 20% lot coverage. In contrast, the I-4 zone allows for uses such as wrecking yards, concrete asphalt plants, log sorting and storage, recycling depots and storage yards, with a minimum lot area of 1800 square metres and lot coverage not more than 60% of the lot area.

Therefore, should this OCP amendment application be approved, the applicant would still be required to proceed with a rezoning application and development permit application (DPA 21 - Form and Character; DPA 22 – Parkway; DPA 23 – Watercourse; DPA 24 – Environmentally Sensitive Areas; DPA 25 – Steep Slope Development) in order to construct the proposed mixed-use comprehensive development.

Planning History:

While a detailed analysis of a development is usually dealt with during a rezoning application or development permit application, it is anticipated that further studies would be required to address a range of issues. For example:

- A traffic study must be completed to determine impacts on the area and infrastructure; and the Ministry of Transportation (MOT) must issue approval for the project. In particular, the MOT must authorize any connections to the Island Highway and Duke Point Connector. To date, no

comments have been received from MOT in relation to the proposed connections / access locations, although staff is aware of discussions between MOT and the applicant on this matter. Given the scale of the proposed development, it is essential MOT consent to the road connections/ access locations prior to the proposed development being approved.

- The site is located in an area of potential archaeological sites, with one known archaeological site (DgRx-90) located nearby, within the Nanaimo River Estuary. Further archaeological analysis may be required prior to development.
- A portion of the subject property is also located within the Agricultural Land Reserve. While the applicant proposes to utilize the ALR portion for residential development, to date no application has been received to either exclude the property from the ALR or to propose a subdivision/non-farm use within the ALR. The applicant is in the process of assessing the soil production and will consider development options on this portion of the land, pending input from the Agricultural Land Commission.
- The proposed development is bordered by the RDN, and surrounds the existing RDN landfill site. While it is anticipated the RDN will be submitting formal comments in early May regarding this proposal, to date expressed concerns have included the close proximity to an active landfill operation and the potential for future complaints that may arise as a result of its continued operation. A covenant in favour of the RDN may be suitable to resolve this issue. In addition, there has been some constructive discussion that the proposed development ties in with existing and future RDN parks through construction of trailways and buffer areas.

Services:

While the South Nanaimo Lands Concept Servicing Design was submitted to the City, it was predicated on the City providing infrastructure to support the proposed development. The City has advised the applicant that all servicing will be provided at the developer's cost. The fiscal impact of the servicing costs has yet to be determined. Additionally, as the subject area is located outside the UCB and outside the Sewer Benefiting Area, extending services to accommodate the proposal may be premature and is not supported by Goal Four of the OCP, which encourages cost effective use of existing service infrastructure before extending services.

All lands Council moves within the UCB will be reviewed as part of the City's development cost charges review being initiated this year.

Public Input:

During the PNAC review of this application, the Committee heard numerous comments that the UCB should not be changed. The public cited the Land Capacity Study which notes adequate land is already available inside the UCB to support projected growth of the city. While general comments were presented regarding the UCB in its entirety, concern was also raised as to how this potential development may impact downtown revitalization, create more urban sprawl, impact the carrying capacity of the City (infrastructure), and generate increased traffic pressures (access).

Conversely, while no support was apparent for amending the UCB for other major proposals (for example, Cable Bay, Linley Valley), some support was voiced for this application, citing mobility, improved retail services for south Nanaimo residents, and interaction between the community and First Nation and positives of the development.

Residents of Chase River, who participated in the PNAC review, stressed the level of services readily available in the north end, yet very little available within their area. This argument is substantiated by the level of building permit activity throughout the city over the last 25 years, which clearly indicates the majority of development taking place in the north end (see Schedule C).

PNAC Recommendation:

At its meeting of 2007-MAR-13, PNAC passed a motion that the OCP amendment application for 1200 Frew Road and 1560 and 1650 Island Highway South include lands within the UCB and permit a comprehensive development, including development of residential, commercial and industrial uses, and a new town centre be approved. The motion carried with eight in favour and six opposed.

Staff Recommendation:

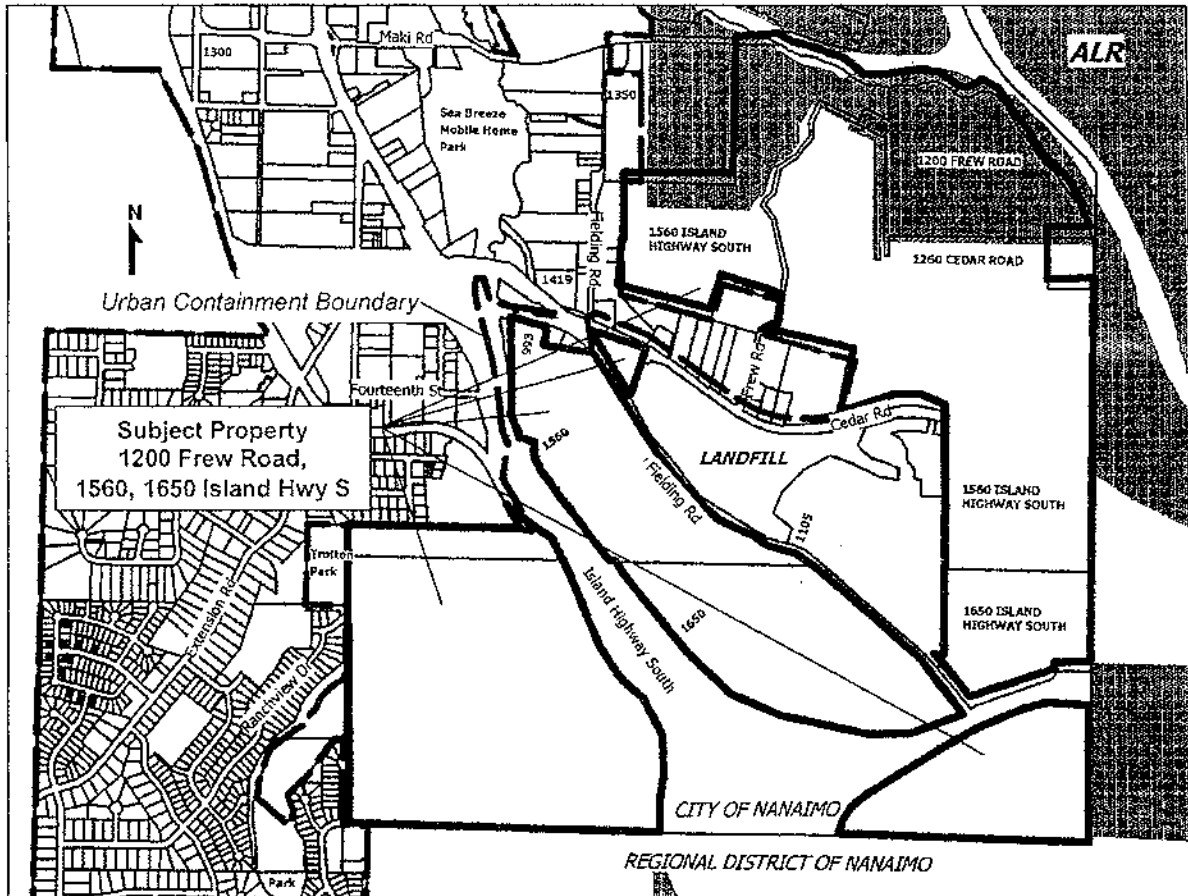
Staff recognizes this is a complex application with numerous aspects and with many issues to resolve. Staff concur with PNAC's recommendation, and recommend the application be forwarded to public hearing.

Respectfully submitted,

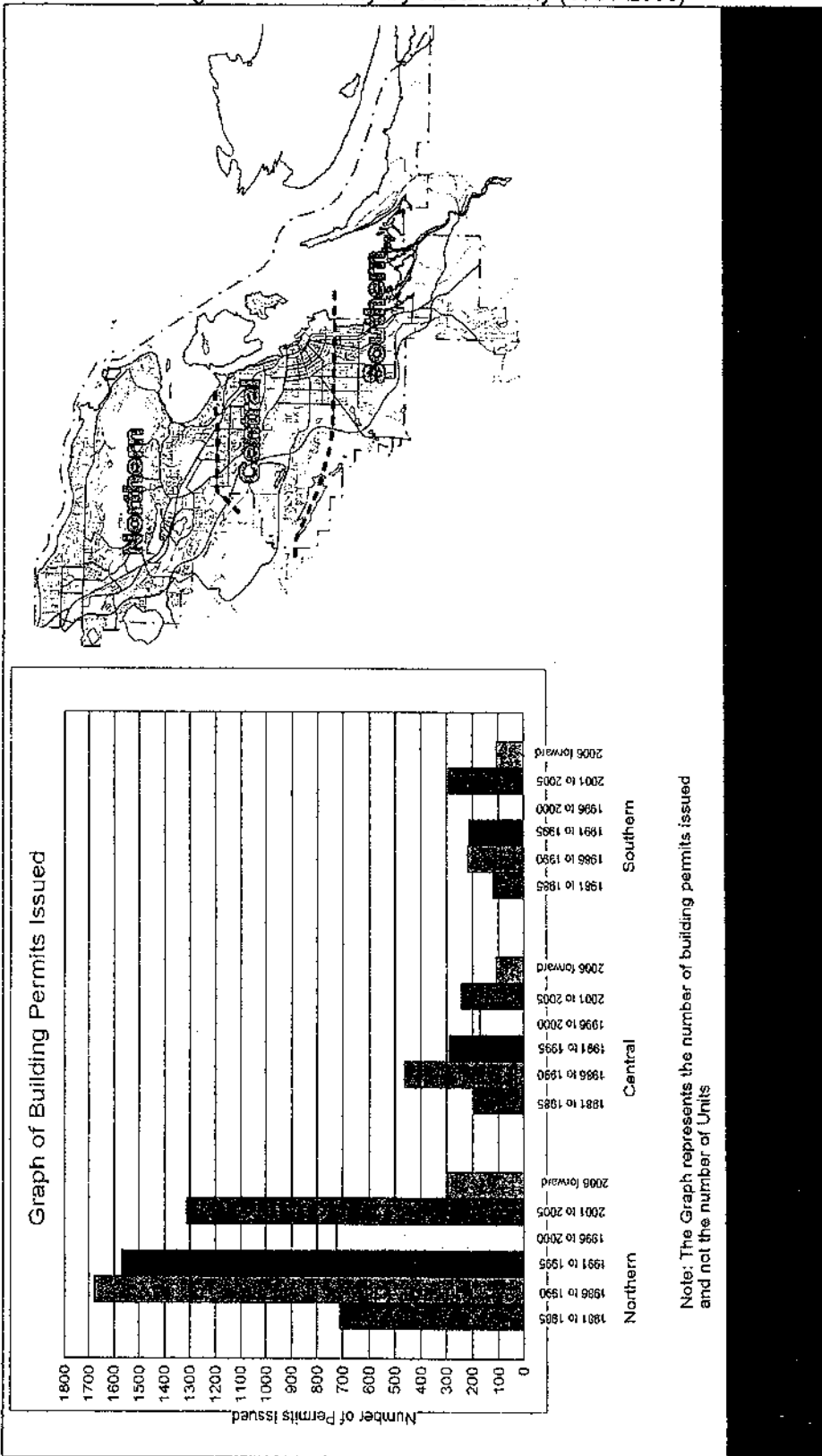
Andrew Tucker, Director
Planning and Development
Development Services Department

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Schedule 'A' Subject Property Map



Schedule 'C'
 Building Permit Activity by Area of City (1981-2006)



SCHEDULE D

2007-Feb-12

FOR INFORMATION ONLY

REPORT TO: TED SWABEY, GENERAL MANAGER, DEVELOPMENT SERVICES

FROM ANDREW TUCKER DIRECTOR, PLANNING AND DEVELOPMENT

RE: CITY OF NANAIMO LAND INVENTORY & RESIDENTIAL CAPACITY ANALYSIS

RECOMMENDATION:

That Council receive this report for information.

EXECUTIVE SUMMARY:

The purpose of this report is to summarize the results of the land capacity study recently completed in relation to the 10 year OCP review.

BACKGROUND:

The City of Nanaimo is currently conducting a review of its Official Community Plan (OCP), which was adopted in 1996 (also known as Plan Nanaimo). To assist in the review a land inventory and capacity analysis of residential, commercial and industrial lands has been completed. This information will form an important building block for the OCP review process and will help the City better understand its current land supply, including the location of vacant and underdeveloped land, remaining capacity, and the ability to meet future demands.

The study was conducted by the Sheltair Group and Eric Vance and Associates and is based on existing zoning.

The picture it paints is that there is residential capacity for an additional 23,500 dwelling units. However, much of that capacity is on already developed lots that the study determined were under utilized. There are only 348 ha of developable vacant residentially zoned land inside the UCB with a further 289 ha of land that is "effectively vacant" (over 2 ac in size but occupied by only one single family dwelling). In other words, 17.5% of the residentially zoned land inside the UCB is vacant or effectively vacant. The choices become one of expanding the UCB to increase the supply of vacant land but contribute to "sprawl" or encouraging infill development and higher densities in existing neighbourhoods.

Either option carries cost implications. The expansion of the UCB and subsequent servicing to urban standards will require investment in infrastructure and may advance the need for certain system upgrades. Infill will add to the complexity, time and cost of residential projects that may yield only a modest increase in the number of dwelling units and may, if recent public hearings are any guide, face vocal neighbourhood opposition.

Residential Capacity Assessment

There are currently 4,880 ha of land that is zoned residential, including rural residential uses, but excluding parks, roads, and road right-of-ways in the City. Of this, 2,876 ha are zoned for single-family uses, and 589 ha for multi-family residential. Over 99% of the urban residential

land is located within the UCB. There are 1,415 ha of rural residential land with 87% of that land located outside the UCB.

Taking into account wetlands, riparian (watercourse) setbacks and slopes of 30% or greater, the amount of developable residentially zoned land drops to 4,036 ha. Of the land zoned for urban residential uses (single-family or multi-family residential) only 348 ha is currently vacant and an additional 289 ha is effectively vacant (greater than 2 ac in size but occupied by only one dwelling unit). The neighbourhoods with the most vacant residential zoned land are Chase River, Diver Lake, Harewood, Hammond Bay, Long Lake, North Slope, and Rutherford. These neighbourhoods represent 70% of the vacant residential zoned land.

In 2005, there were 32,400 dwelling units in the City (excluding secondary suites) and B.C. Stats estimates that the population was 79,600.

If all lands in the City were developed to the maximum density permitted under zoning the practical capacity is 55,900 dwelling units (excluding secondary suites) and an estimated 124,500 people at build-out.

That means we have zoned land for an additional 23,500 dwelling units (in addition to the 32,400 dwelling units that currently exist). Sounds like a more than enough. Look again and the picture becomes more complex.

Of the remaining capacity of 23,500 units, almost half of the capacity (11,000 units) is for apartment units (4 storey or higher), 9300 units are single family units and 3200 units of other ground oriented units (townhouse or mobile home). This represents a major shift from the way Nanaimo has developed in the past. Apart from the early 1980s (1981-83) and early 1990s (1989 – 1990) apartment construction has typically represented only a small fraction of new home construction in Nanaimo (well behind single family and row housing).

A further complicating factor is that much of this multi-family zoned land is located in town centres on land that is currently used for commercial retail uses (i.e. shopping centres). In order to achieve the number of dwelling units identified in the capacity analysis, single use commercial centres will have to be redeveloped as mixed use commercial-residential areas. It should be noted that none of the high rise towers approved for Brooks Landing, Longwood or Woodgrove Town Centres have yet started construction.

As another way of looking at remaining capacity, only 8100 units or approximately 35% of the remaining capacity will be located on the 348 ha of land that is currently vacant. At current rates of development, approximately 500 units per year, this represents a 16 year supply. A further 22% or 5100 units of remaining capacity are located on the 292 ha of land that is effectively vacant; 28% or 6600 units are to be located on land that is currently developed but under utilized; and 14% or 3400 units are on lands zoned mixed use/commercial. In other words, fully 64% of the remaining capacity will require lot consolidation, subdivisions using panhandle lots, possible demolition of existing structures and redevelopment. This requires a significant departure from the greenfield development of large tracts of land which has been the norm in Nanaimo.

The residential capacity analysis also considered housing demand projected by Urban Futures Incorporated (November 2006). Urban Futures predicts a housing demand of 53,300 dwelling units by 2031, which would accommodate a population of 118,000. While the capacity analysis identified practical capacity of 55,900 dwelling units, the mix of housing types that residents are looking for does not match existing capacity.

Urban Futures estimates a demand for 31,600 single family dwellings while the total capacity is 30,000; a shortfall of 1600 units. Similarly, the projected demand for other forms of ground oriented housing is 10,500 units by 2031 while the capacity is only 8,700 units; a shortfall of 1800 units. For apartment units, demand is projected at 11,200 units by 2031 whereas total capacity would accommodate 17,200 units. This indicates the need to adjust growth management policies away from directing such a large portion of our growth to high-rise development in town centres and instead direct it towards ground oriented or lower rise forms of apartment or condominium development throughout the community.

Commercial Land Inventory

There are 241 ha of commercial zoned or designated lands in the City that are not constrained by water bodies, wetlands, riparian setbacks or steep slopes.

The vast majority of the commercial areas are located in the north and central portions of Nanaimo. This includes Downtown Town Centre and Woodgrove Regional Shopping Town Centre, which are the two dominant commercial areas in the City. Only 11 ha of zoned and designated commercial land is located in the southern portion of the city (south of 7th St.). However, as the population increases in the southern portion of the city, demand for commercial services will very likely warrant additional commercial land being made available in this area.

The commercial land inventory found that approximately 215 ha, or 90%, of the realistic supply of land available for commercial uses is already developed. Only 34 ha of the commercially zoned land is vacant and, once constraints are taken into account, there are only 26 ha of developable vacant commercial land.

A retail / service and office floor space forecast was conducted by Urbanics as part of the Growth Centre Concept Assessment (February 2005) undertaken for the City of Nanaimo. The study forecasts the need for:

- between 1.3 million and 1.8 million additional square feet of department-store type merchandise by 2031,
- between 2.0 million and 2.8 million additional square feet of retail / restaurant / service by 2031, and
- between 0.9 million and 1.7 million additional square feet of office space by 2031.

If the additional floor space demand were to be solely accommodated on vacant commercial land, there would be a shortfall of vacant commercial land in the next 10 to 15 years.

Industrial Land Inventory

In 2005, there were 776 ha of land in the City of Nanaimo's industrial land inventory, net of parks and roads. Of this, there are 224 ha of vacant industrial land. Approximately 50 ha is located in lands that are believed to be unavailable in the short-term. Of the remaining 175 ha of vacant industrial land available in the short to medium-term inventory, approximately 147 ha are zoned for industrial uses. Approximately 100 ha are zoned I4 (Heavy Industrial) and are primarily located in Duke Point. The remaining 47 ha are zoned for lighter industrial uses, with most of that land being located in the Parkway and East Wellington Industrial areas.

It is believed that there is sufficient land that is zoned heavy industrial to meet demand for the next 10 to 20 years. However, the supply of light industrial land may be insufficient to meet demand in the next 5 to 15 years. This potential shortage of light industrial land will be exacerbated if demand for non-industrial uses, such as large-format retail, is met by using light industrial land.

Respectfully submitted,

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