

**REGIONAL DISTRICT OF NANAIMO**

**COMMITTEE OF THE WHOLE  
TUESDAY, APRIL 8, 2008**

**CIRCULATED REPORT  
FOR AGENDA**

**PAGES**

***DEVELOPMENT SERVICES***

**PLANNING**

2-13

City of Nanaimo's Draft OCP Referral.



RDN REPORT	
CAO APPROVAL	
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BOARD	

**MEMORANDUM**

**TO:** Carol Mason  
Chief Administrative Officer **DATE:** April 2, 2008

**FROM:** Paul Thorkelsson **FILE:** 6520 00 Nana  
General Manager, Development Services

**SUBJECT:** City of Nanaimo Draft Official Community Plan Referral

**PURPOSE**

To provide comment to the City of Nanaimo on the City's draft Official Community Plan.

**BACKGROUND**

The City of Nanaimo (CON) has undertaken a 10 year review of their Official Community Plan (OCP) for possible amendment. Based on the review, the City prepared a draft OCP bylaw and forwarded a copy to the Regional District of Nanaimo (RDN) for comment. Pursuant to the Local Government Act, the City is undertaking a consultative process and as such has requested that the RDN provide comment on the draft. The effect of the OCP on the RDN may relate to the Regional Growth Strategy (RGS), unincorporated areas and/or regional services provided by the RDN. It is important to note that this review and commentary is relatively narrow in scope, only relating to aspects of the City's OCP most directly interconnected with RDN interests.

**COMMUNITY PLANNING COMMENTS**

From a development regulation perspective, the Draft OCP has been updated to include objectives and policies that incorporate best practices in both land use and urban design within the various land use designations. This approach, which provides direction to site planning, building orientation, environmental protection, infrastructure, pedestrian and vehicle movement within traditional land uses, represents an effective approach to development regulation and implementation. The objectives and policies within the plan address the pressures related to the City's continued growth while supporting development focused on high standards.

**GROWTH MANAGEMENT COMMENTS**

Overall, the City's draft OCP is clearly supportive of the goals of the RGS. The draft OCP contains goals, objectives and policies that reflect those contained in the RGS and that work towards and support the eight primary goals of the Region established under the RGS. In particular, the draft OCP contains objectives and policies that reinforce the RGS goals of nodal structure, improved mobility, environmental protection and a vibrant and sustainable economy. To provide comment on the draft OCP it is revealing to review the draft against each of the eight main goals of the RGS.

- Goal 1 – Strong urban Containment. The draft OCP includes changes with respect to the urban containment boundary (UCB) that could be considered inconsistent with the goals and policies of the RGS as currently envisioned. Notwithstanding this inconsistency, it is recognized that under the current structure of RGS, plan Nanaimo OCP, context statements and UCFAMIA, the City is

empowered to make these changes within the municipal boundary and the draft OCP reflects this. Overall, the objectives and policies included in the draft plan with respect to urban containment and future changes to the UCB are aligned with those of the RGS. The draft plan would benefit from clarification regarding the provision of services by the City outside of the UCB to ensure that these services do not result in additional new development.

- Goal 2 – Nodal Structure. The draft OCP focuses on the development of a framework of five urban nodes and connecting corridors where more intensive development is intended to be focussed. The draft plan is in this way aligned with the broader goals of the region under Goal 2 of the RGS.
- Goal 3 – Rural Integrity / Goal 4 – Environmental Protection. The draft OCP recognizes the importance of resource, agricultural and environmentally sensitive lands. In keeping with Goals 3 and 4, the plan provides specific protection of these lands within the municipal boundary. These designations recognize the need to protect these lands from development impacts and pressures. The draft plan makes reference to the City's Corporate Climate Change Plan which is a commendable achievement. The plan could benefit from the inclusion within policy statements reference to the forthcoming broad Community Climate Change Plan underway in the region.
- Goal 5 – Improved Mobility. The mobility related sections of the plan provide support of a wide range of options for mobility within the City that support Goal 5 of the RGS. In the policy section of Cycling Networks (Section 6.3), the draft plan recognizes the importance of working with the RDN on linkages for transportation by bicycle. From a regional perspective, the plan could benefit from additional reference in policy to working with the RDN on broader linking of trail (cycling and otherwise) networks region wide, including the broader potential for the E & N rail corridor. Additional comments specific to RDN Transit Services have been provided in a separate section.
- Goal 6 – Vibrant and Sustainable Economy. The draft plan presents a well developed strategy for a thriving economy and economic development in the City of Nanaimo. A thriving Nanaimo economy is a necessary and positive influence on creating a sustainable economy region wide.
- Goal 7 – Efficient Services. As discussed previously the plan is supportive of the broad considerations of the provision of efficient servicing under Goal 7 of the RGS. The draft plan could benefit from additional detail and policy regarding the provision of services outside of municipal and/or urban containment boundaries to insure additional unplanned growth does not result. Additional specific comments with respect to RDN Liquid and Solid Waste Services have been provided in a separate section.
- Goal 8 – Intergovernmental Cooperation. The most direct link of the draft OCP to the RDN is through the Regional Context Statement (RCS) required under the RGS governing legislation. The draft OCP includes an RCS, the purpose of which is to identify the relationship between the content of the RGS and the municipal OCP and indicate how the OCP and the RGS are either consistent or inconsistent. The regional context statement in the draft OCP has, as would be expected, changed from the context statement previously accepted by the RDN Board. Under the governing legislation the revised context statement must be submitted to the RDN Board for acceptance. For reference on this process, your attention is drawn to the Framework for Content and Development of Regional Context Statements adopted by the RDN Board in February 2004 (a copy has been attached to this report).

The proposed changes to the OCP facilitate the development and expansion of the urban areas within the City that could impact adjacent electoral areas. Although these impacts result from development approval rather than directly from OCP policy, their potential underlines the importance of continued cooperation and discussion between the CON and the RDN on development matters.

## INFRASTRUCTURE SERVICES COMMENTS

RDN Environmental Services staff has reviewed the draft OCP with respect to implications the City of Nanaimo OCP may have for RDN water supply, liquid and solid waste services.

A general comment on these sections is that the wording often reflects the previous (1996) OCP text. Some information is out of date and should be updated to reflect current status. The following information is provided as comments on the draft plan:

- Section 6.9 Water Services, Policies, Water Service Planning. As a preamble to Policy 2 regarding ensuring sustainable use and protection of its water source, the CON may wish to recognize that the RDN Board supports a Drinking Water Watershed Protection initiative for the electoral areas of the RDN. If approved through public referendum, the associated Action Plan will commence in 2009.
- Section 6.10 Sewer Services, the Greater Nanaimo Pollution Control Centre on Hammond Bay Road services the CON and the District of Lantzville. In addition, the Duke Point Pollution Control Centre should be identified as the second RDN treatment facility located in the CON and it services the Duke Point Industrial Park properties and will provide services to limited development in the Cedar Village area.
- Section 6.10 Objectives, 2<sup>nd</sup> bullet. Expansion of sewer services beyond the service area (UCB) previously identified in the OCP may have capacity issues with RDN's interceptor and force mains, pump stations and treatment plants. Verification of system capacity to accommodate additional flows from an expanded service area must be confirmed before a commitment to service can be made.
- Section 6.10 Objectives, 4<sup>th</sup> bullet. We suggest the objective should be to consider a range of technologies and strategies to treat and dispose of sewage, including waste reduction and reuse. The need for sewage treatment and disposal is accepted.
- Section 6.10 Policies. We suggest the goal is to eliminate odour impacts outside the plant property - and not only for GNPCC but DPPPC and RDN interceptor pump stations as well.
- Section 6.11 Solid Waste Services. It is suggested that the second sentence of the introduction read *"For the CON, the RDN is responsible for solid waste management and disposal, including operation of the Regional Landfill site on Cedar Road"*.
- Section 6.11 Objectives. We suggest the CON include some wording that reflects the RDN goal of Zero Waste. For example, the third bullet could state *"To focus on the goal of Zero Waste and minimize the amount of waste that must be landfilled through waste reduction, reuse, recycling, redesign, composting and other practices"*.
- Section 6.11 Policy 1. This section appears to be a version of the original OCP which was adopted before the RDN Board approved the landfill berm construction and site use optimization, and the landfill post-closure plan. We suggest the policy section be revised to: *"The CON supports the RDN's Post Closure Implementation Plan (2004) for the Regional Landfill. Following consultation with the community in the vicinity of the landfill and CON staff regarding potential end-use opportunities for the site, a nature park and associated trail facilities were identified as the preferred post-closure use. Since landfill operations on areas of the site will continue for a number of years, the post-closure plan includes construction of a nature park initially on a portion of the site while active landfilling continues in other areas. Ultimately, after closure and stabilization, the entire site will be developed into a park amenity for resident use"*.

- It is suggested that the CON consider recognizing the long term investment and amenity provided by the Regional Landfill and ensure that the OCP and the site zoning accommodate its use as a waste site and ultimately a park facility.

## **PUBLIC TRANSIT COMMENTS**

The Transit section of the OCP aligns well with the RDN's Transit Business Plan which has recently been approved by the Transportation Select Committee. The OCP Bus Transit Policies are very supportive of increasing the use of transit which will assist in the implementation of the main RDN Transit Business Plan objective of doubling the use of transit in the region.

## **ALTERNATIVES**

1. To receive this report for information and provide the report as the RDN's comments on the City of Nanaimo's Draft OCP referral.
2. To not receive this report and provide alternate direction to staff.


## **SUMMARY**


The City of Nanaimo has prepared a draft copy of their OCP and provided a copy to the RDN for comment. The City has continued to maintain many of the principals of the RGS in their OCP and have reinforced some policy areas. The draft OCP does contain changes to urban containment boundary that represent previously approved UCB changes and other changes that are permitted under the current RGS framework. The UCB and the concept of urban containment have been identified by the RDN as important issues for discussion during the current RGS Review. The UCB changes within the draft plan provide additional support to the suggestion that broader region-wide discussions of urban containment and the RGS are necessary.

The referral from The City of Nanaimo on the draft OCP provides the opportunity for the Board to provide comments from the RDN perspective in relation to the RGS, potential impact on Electoral Areas, RDN Liquid and Solid Waste services and RDN Transit services. Alternative 1 will forward these comments and concerns to the City for consideration in the next draft of the OCP.

## **RECOMMENDATION**

1. That the Regional District of Nanaimo Board receive this report for information and that the comments provided in the report be forwarded to the City of Nanaimo for consideration in the next draft of the City's OCP.

  
General Manager Concurrence

  
CAO Concurrence



**REGIONAL  
DISTRICT  
OF NANAIMO**

**REGIONAL CONTEXT STATEMENTS:  
CONTENT AND DEVELOPMENT PROCESS**

**FEBRUARY 10, 2004**

**REGIONAL CONTEXT STATEMENTS:  
CONTENT AND DEVELOPMENT PROCESS**

On February 10, 2004 the Regional District of Nanaimo Board passed the following resolutions:

1. That the proposed framework for developing the content of regional context statements for inclusion in municipal and electoral area official community plans, to satisfy the requirements of the *Local Government Act* and “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309”, be supported as presented in Attachment 1.
2. That the proposed process for developing and considering regional context statements for inclusion in municipal and electoral area official community plans and for confirming continued acceptance of regional context statements, to satisfy the requirements of the *Local Government Act* and “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309”, be supported as presented in Attachments 2 -4.

## ATTACHMENT #1

### REGIONAL CONTEXT STATEMENT CONTENT

Consistencies and inconsistencies between “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309” and Regional District of Nanaimo member municipality and electoral area official community plans will be identified by answering the questions below.

Regional Context Statements may be organized and structured in the manner deemed most appropriate by each municipality and electoral area, so long as the Regional Context Statement clearly identifies consistencies and inconsistencies between the official community plan and the Regional Context Statement that will become evident by answering the questions below. Where an inconsistency is identified, the method of addressing the inconsistency should be described in the Regional Context Statement.

#### Goal 1: Strong Urban Containment

1. Does the OCP designate Urban Containment Boundaries consistent with the Regional Growth Strategy?
2. Does the OCP only support the approval of:
  - a. New residential development of a density greater than 1 unit per hectare, commercial uses, and institutional uses on land designated by the Regional Growth Strategy as Urban Areas inside Urban Containment Boundaries?
  - b. New residential development to a maximum density of 7.5 units per hectare on land designated by the Regional Growth Strategy as Sub-Urban Area?
  - c. For Parcel Z, DDK83923, Sections 12 & 13, Ranges 1&2, Cranberry Land District, in Electoral Area C, development up to a maximum density of one unit per hectare?
3. Does the OCP only support amendments to the Urban Containment Boundary that are considered according to the process and criteria of the Urban Containment and Fringe Area Management Implementation Agreement (or its replacement, to be developed in 2004)?

#### Goal 2: Nodal Structure

1. Does the OCP encourage a mix of uses that includes places to live, work, learn, play, shop and access services within designated nodal areas inside Urban Containment Boundaries?
2. Does the OCP support collaboration at the local level by governments, residents and business interests regarding the design, character, land use and ultimate level of development in designated nodal areas inside Urban Containment Boundaries.

#### Goal 3: Rural Integrity

1. Does the OCP promote and encourage the retention of large rural holdings on land designated by the Regional Growth Strategy as Resource Lands and Open Space and Rural Residential:
  - a. By allowing minimum parcel sizes for lands in these designations that are the same as, or larger than the minimum parcel size established for these lands in the applicable OCP by June 10, 2003?



- b. If the minimum parcel size for these lands is less than specified in the OCP by June 10, 2003, was the subject land in a community water service area on June 10, 2003 and is the maximum level of development supported the same or less intensive than was able to be permitted on June 10, 2003 by the zoning bylaw with the community water service?
2. Does the OCP encourage forestry uses on land designated by the Regional Growth Strategy as Resource Lands and Open Space, particularly on land in the Forest Land Reserve?
3. Does the OCP encourage agricultural uses on land designated by the Regional Growth Strategy as Resource Lands and Open Space, particularly in the Agricultural Land Reserve?
4. Does the OCP promote sensitive development on land designated by the Regional Growth Strategy as Urban Area and Sub-Urban Area, so that impacts are minimized on rural uses on land designated by the Regional Growth Strategy as Resource Lands and Open Space and Rural Residential?

**Goal 4: Environmental Protection**

1. How does the OCP provide for the protection of the environment and the minimization of ecological damage related to growth and development?

**Goal 5: Improved Mobility**

1. Does the OCP support a mix of uses that includes places to live, work, learn, play, shop and access services within designated nodal areas inside the Urban Containment Boundaries?

**Goal 6: Vibrant and Sustainable Economy**

1. Does the OCP support cooperative initiatives related to economic development?
2. Does the OCP support the provision and improvement of infrastructure to attract desirable economic development?
3. Does the OCP provide for tourism related economic development?
4. Does the OCP:
  - a. generally support aggregate resource development on land designated by the Regional Growth Strategy as Resource Lands and Open Space?, and
  - b. only support small-scale aggregate removal on land designated by the Regional Growth Strategy as Rural Residential, Sub-Urban Area, and Urban Area?

**Goal 7: Efficient Services**

1. Does the OCP support the provision of community water and community sewer services to land designated as Urban Area, as a first priority, to accommodate future growth and development?
2. Does the OCP only support the provision of community water and community sewer services to land designated as Resource Lands and Open Space and Rural Residential for the purpose of addressing an environmental or public health hazard, and not for the purpose of facilitating additional development beyond that supported in the applicable official community plan in place on June 10, 2003?

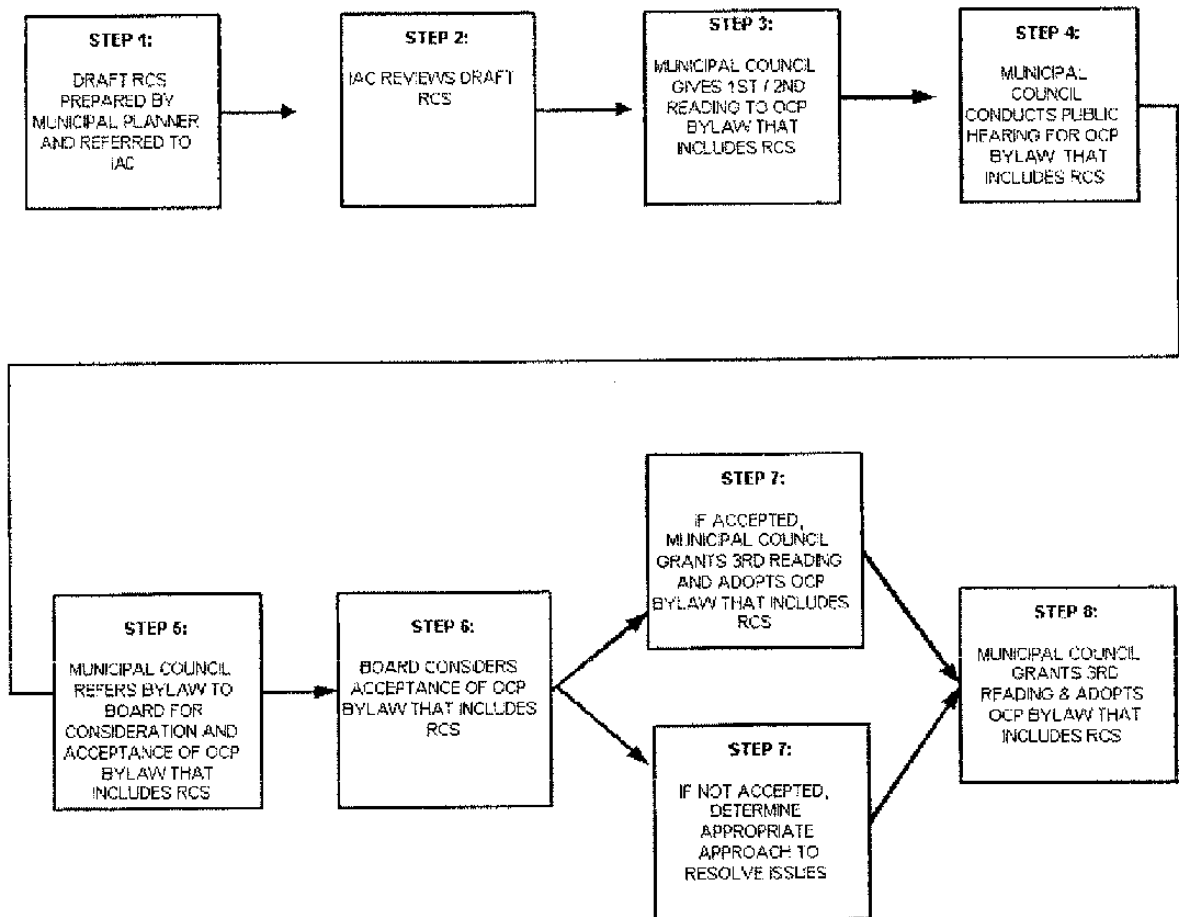
3. Does the OCP support the provision of community water and community sewer services to land designated by the Regional Growth Strategy as Industrial, in recognition of the potential environmental or public health risks associated with industrial uses?

**Goal 8: Cooperation Among Jurisdictions**

1. How does the OCP help to facilitate an understanding of, and commitment to the goals of the growth management among all levels of government, the public, and key private and voluntary sector partners?

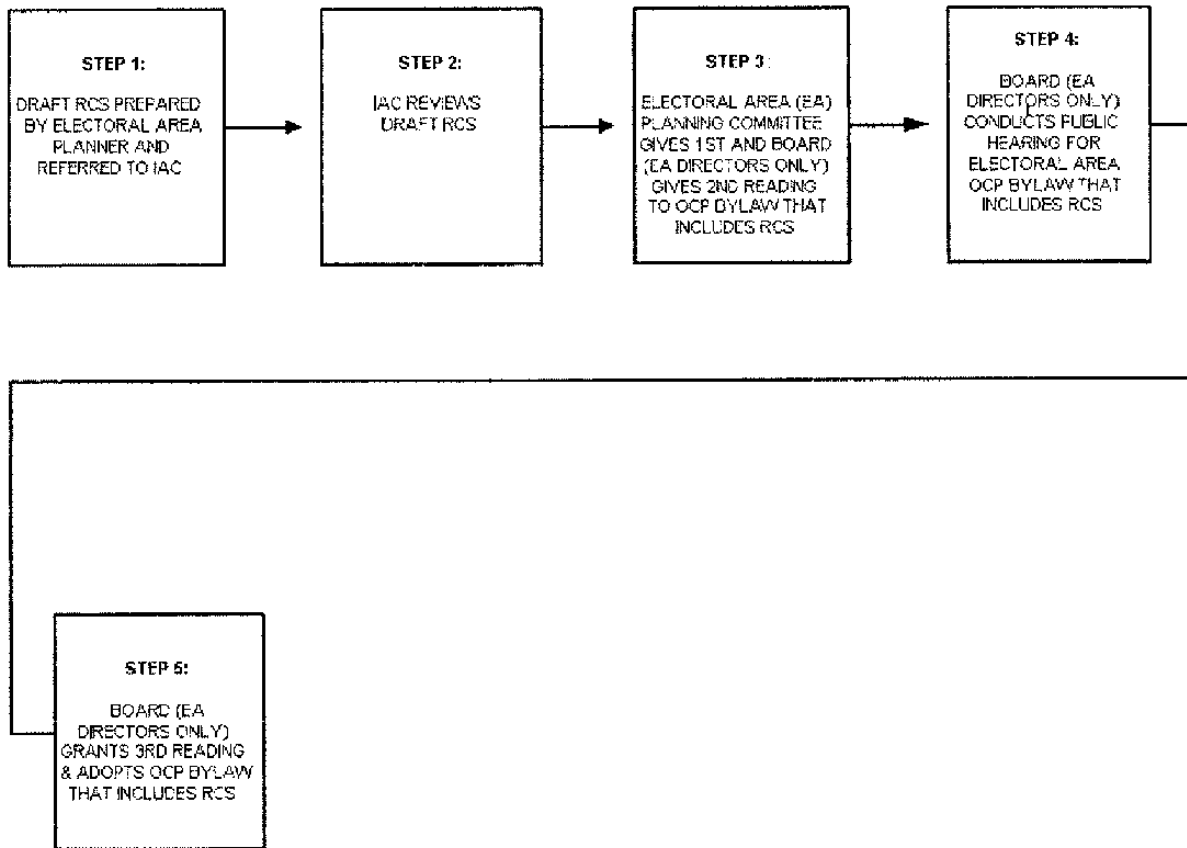
ATTACHMENT #2

MUNICIPALITY -  
NEW REGIONAL CONTEXT STATEMENT / CHANGE TO REGIONAL CONTEXT STATEMENT



ATTACHMENT #3

ELECTORAL AREA - NEW CONTEXT STATEMENT / CHANGE TO  
REGIONAL CONTEXT STATEMENT



ATTACHMENT #4

CONSIDERATION OF BOARD'S CONTINUED ACCEPTANCE OF  
REGIONAL CONTEXT STATEMENT

