

DATE OF MEETING May 07, 2018

AUTHORED BY BRIAN ZUREK, PLANNER, COMMUNITY AND CULTURAL PLANNING

SUBJECT **OCP AMENDMENT APPLICATION NO. OCP87 AND ZONING AMENDMENT APPLICATION NO. RA386 – 40 MAKI ROAD**

OVERVIEW

Purpose of Report

To present for Council's consideration an Official Community Plan amendment application to change the land use designation within the Official Community Plan from Neighbourhood to Light Industrial, and the land use designation in the Chase River Neighbourhood Plan from Low-Medium Density Residential to Service Industrial Enterprise Area; and to concurrently rezone the subject property from Single Dwelling Residential-R1 to Highway Industrial-I1 in order to continue developing a self-storage business at 40 Maki Road.

Recommendation

1. That "Official Community Plan Amendment Bylaw 2018 No. 6500.038" (OCP87 – To re-designate 40 Maki Road on the Future Land Use Plan (Map 1) from 'Neighbourhood' to 'Light Industrial'; and to re-designate 40 Maki Road on the Chase River Neighbourhood Plan Land Use schedule A-7.3 from 'Low-Medium Density Residential' to 'Service Industrial Enterprise Area') pass first reading;
2. That "Official Community Plan Amendment Bylaw 2018 No. 6500.038" pass second reading;
3. That "Zoning Amendment Bylaw 2018 No. 4500.119" (RA386-To rezone 40 Maki Road from Single Dwelling Residential-R1 to Highway Industrial-I1) pass first reading; and,
4. That "Zoning Amendment Bylaw 2018 No. 4500.119" pass second reading.

BACKGROUND

The applicant, Mark Kuhn, submitted two applications on behalf of Des Bosa of Deer Lake Properties Inc., regarding the property at 40 Maki Road. The first application proposes to amend the Official Community Plan (OCP) and Chase River Neighbourhood Plan by designating the subject property Light Industrial and Service Industrial Enterprise Area, respectively. The existing OCP and Neighbourhood designations support residential land use. The second application proposes to amend the Zoning Bylaw by changing the zone from Single Dwelling Residential – R1 to Highway Industrial – I1. The property owner operates a self-storage business on the property.

Location	The subject property is east of the intersection of Island Highway South and Tenth Street (Southgate) on the north side of Maki Road.
Existing OCP Designation	Neighbourhood
Proposed OCP Designation	Light Industrial

Existing Chase River Neighbourhood Plan Designation	Low-Medium Density Residential
Proposed Chase River Neighbourhood Designation	Service Industrial Enterprise Area
Existing Zoning	Single Dwelling Residential – R1
Proposed Zoning	Highway Industrial – I1

Existing land uses on Maki Road include commercial, industrial, and residential. Several vacant or underdeveloped properties are also located on Maki Road.

Maki Road terminates approximately 450 metres east of the subject property. The Transportation Master Plan and the Sandstone Master Plan propose connecting Maki Road to the future development in south Nanaimo.

The subject property is located near Nanaimo Estuary. Several wetlands and drainages exist throughout the local area.

DISCUSSION

Policy Context

In 1999, the Chase River Neighbourhood Plan designated the general area near the intersection of the Island Highway South and Tenth Street generally as a Main Street, with Medium-High Density Residential uses to the west, and Commercial and Low-Medium Residential Densities to the east (Attachment E).

Council adopted the OCP in 2008. The OCP's Future Land Use plan (Map 1) included land use designations to reflect those contained in the Chase River Neighbourhood Plan (Attachment D).

The Chase River Neighbourhood Plan surrounded the Main Street with lands designated for commercial uses and medium-high or low-medium residential densities. Additionally, the Neighbourhood Plan designates industrial uses on properties outside commercial or residential areas.

Zoning Bylaw and Development Permits

Prior to 2011, the subject property was zoned Light Industrial (I2). Based on the industrial zoning, the owner received a Development Permit in 2007 to authorize the construction of a self-storage business on the property. The owner began to develop the property in 2007, and to operate the business in 2008. The owner continues to operate the self-storage business today.

In 2011, Council adopted Zoning Bylaw No. 4500, which included zoning updates to bring existing lands into compliance with the OCP and Neighbourhood Plans. Zoning Bylaw No. 4500 changed the zoning on the subject property from Light Industrial (I2) to Single Dwelling Residential – R1 to be consistent with both the OCP and Chase River Neighbourhood Plan.

Evaluation of the Amendment Proposals

In terms of land use, the owner proposes a future land use for the subject property that is contrary to the designations in the OCP and the Neighbourhood Plan.

Council had adopted the Chase River Neighbourhood Plan in 1999, including the future land use designations, after broad public engagement with local residents.

Consideration of the proposed amendments in this application is occurring both without a broader review of future land use designations in the area surrounding the subject property, and in the absence of the robust public consultation comparable to that done for the original Neighbourhood Plan. Staff suggest that the proposed amendments could be considered in the context of a review beyond the scope of the proposed amendment applications.

Considering the proposed land use change in the context of a review of the Chase River Neighbourhood Plan would allow for a more comprehensive review of the proposed policy change and its potential implications for the future development of the surrounding properties.

The OCP does not include the review of the Chase River Neighbourhood Plan as a part of the current implementation section. Council could identify the review of existing neighbourhood plans, including the Chase River Neighbourhood Plan, as a priority and incorporate their review into the implementation plan of an updated OCP.

The owner has chosen to submit the amendment applications prior to a comprehensive review of the Chase River Neighbourhood Plan and provides the rationale to support this approach.

Public Amenity

The owner did not provide a community contribution as part of the application amendment processes. Due to the history of land use designation and zoning changes on the subject property, Staff do not recommend that Council seek a community contribution from the owner as part of the amendment application processes.

Neighbourhood Consultation

Section 7.1 of the OCP requires applicants to consult with area residents as part of the formal OCP and Neighbourhood Plan amendment process. The owner attended the regular meeting of the Chase River Community Association on 2018-MAR-13 to present the amendment applications to area residents.

Community Planning and Development Committee

Section 7.2 of the OCP requires the Community Planning and Development Committee to consider the OCP and Neighbourhood Plan amendment and to invite up to three members of the local neighbourhood association to represent the community at a meeting. Three members of the Chase River Community Association participated in the Community Planning and Development Committee meeting on 2018-MAR-20. Additionally, the applicant presented the Committee with the proposed amendment applications.

Area residents represented by the members of the Chase River Community Association supported the applicant's amendment requests. The Community Planning and Development Committee recommended that Council approve the amendment applications.

SUMMARY POINTS

- The owner proposes to amend the Official Community Plan, the Chase River Neighbourhood Plan, and the Zoning Bylaw to support an existing self-storage business and industrial land use for the property.
- Previously, Council amended the OCP in 2008 and the Zoning Bylaw in 2011 to be consistent with the Chase River Neighbourhood Plan adopted in 1999.
- The existing land use and zoning designations support residential land uses.

ATTACHMENTS

ATTACHMENT A: Location Plan

ATTACHMENT B: Site Plan

ATTACHMENT C: Letters of Rationale

ATTACHMENT D: OCP Future Land Use

ATTACHMENT E: Chase River Neighbourhood Future Land Use

ATTACHMENT F: Aerial Photo

"Official Community Plan Amendment Bylaw 2018 No. 6500.038"

"Zoning Amendment Bylaw 2018 No. 4500.119"

Submitted by:

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Concurrence by:

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