

DATE OF MEETING May 07, 2018

AUTHORED BY BRIAN ZUREK, PLANNER

**SUBJECT OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION OCP86
AND REZONING APPLICATION RA384 – 801, 1150, AND
1151 NANAIMO LAKES ROAD**

OVERVIEW

Purpose of Report

To present for Council's consideration concurrent Official Community Plan and Zoning Bylaw amendment applications to designate portions of 801, 1150, and 1151 Nanaimo Lakes Road as parkland.

Recommendation

1. That "Official Community Plan Amendment Bylaw 2018 No. 6500.036" (OCP86 – To re-designate from Resource Protection to Parks and Open Space a portion of 801, 1150, and 1151 Nanaimo Lakes Road; and to designate a separate portion of 801 Nanaimo Lakes Road as Parks and Open Space) pass first reading;
2. That "Official Community Plan Amendment Bylaw 2018 No. 6500.036" pass second reading;
3. That "Zoning Amendment Bylaw 2018 No. 4500.114" [RA384 - To rezone a portion of 801 and 1150 Nanaimo Lakes Road from Rural Resource (AR1) to Parks, Recreation and Culture One (PRC1); to rezone a portion of 801, 1150, and 1151 Nanaimo Lakes Road from Rural Resource (AR1) to Parks, Recreation and Culture Two (PRC2); and to rezone a portion of 1151 Nanaimo Lakes Road from Community Service Two (CS2) to Parks, Recreation and Culture Two (PRC2)] pass first reading;
4. That "Zoning Amendment Bylaw 2018 No. 4500.114" pass second reading;
5. That "Park Dedication Bylaw 2018 No. 7259" (To dedicate land for park purposes) pass first reading;
6. That "Park Dedication Bylaw 2018 No. 7259" pass second reading; and,
7. That "Park Dedication Bylaw 2018 No. 7259" pass third reading.

BACKGROUND

Council, at its Regular Meeting of 2017-AUG-14, endorsed Resolution No. 36017 as follows:

"That Council:

1. *direct Staff to amend the proposed land use designations for 801, 1150, and 1151 Nanaimo Lakes Road by designating properties, except the specific lands under negotiation for lease with Nanaimo Search and Rescue and the Reservoir Proper, as Park and Open Space as shown on the attached schedule, titled Attachment A, Map showing proposed land use designations; and,*

2. *direct Staff to proceed with the designation of park and open space lands as shown on the amended schedule, including amendments to the Official Community Plan, Zoning Bylaw, and the preparation of a Park Dedication Bylaw.”*

Following Council’s direction, Staff have prepared concurrent applications for an Official Community Plan (OCP) amendment and a rezoning application for portions of the former Greater Nanaimo Water District Lands addressed as 801, 1150, and 1151 Nanaimo Lakes Road.

DISCUSSION

Subject Properties

Location	The subject properties are located south of the Colliery Dam Park near the intersection of Nanaimo Lakes Road and the Nanaimo Parkway.
Total Lot Area	96.08ha
Current OCP Designations	Resource Protection, Parks and Open Space, Undesignated
Current Zones	Rural Resource - AR1, Community Service Two (CS2)
Proposed OCP Designation	Parks and Open Space
Proposed Zone	Parks, Recreation and Culture 1 and 2 (PRC1 and PRC2)

The subject properties are located adjacent to the Colliery Dam in south Nanaimo (Attachments A and B). A portion of the south and west property boundaries coincides with the City’s Urban Containment Boundary. Adjacent land uses are Neighbourhood, and Parks and Open Space. The subject properties are outside of the Harewood Neighbourhood Plan area.

The Greater Nanaimo Water District (GNWD) disbanded in 2004 and subsequently transferred the subject properties to the City. The GNWD lands included seven parcels. The Nanaimo Parkway separates (hooks) two legal parcels. Additionally, covenants further define two areas [the proposed Nanaimo Search and Rescue (NSAR) site (Attachment C), and the existing Nanaimo Animal Shelter] on separate parcels. In total, the former GNWD lands include eleven polygons (Attachment D). The table below describes each area:

CIVIC ADDRESS	MAP AREA	DESCRIPTION	PROPOSED OCP DESIGNATION	PROPOSED ZONE
801 Nanaimo Lakes Road	1a	North of and adjacent to the Nanaimo Parkway	Parks and Open Space	PRC1
	1b	South of and adjacent to the Nanaimo Parkway	Parks and Open Space	PRC2
	1c*	Reservoir #1	No Change (Excluded)	No Change (Excluded)
	1d	West of and adjacent to Nanaimo Lakes Road	Parks and Open Space	PRC2
1150 Nanaimo Lakes Road	2a	North of and adjacent to the Nanaimo Parkway	No Change (Parks and Open Space)	PRC1
	2b	South of and adjacent to the Nanaimo Parkway	Parks and Open Space	PRC2
	2c*	Nanaimo Animal Shelter Covenant Area	No Change (Excluded)	No Change (Excluded)

	3a*	Parks Yard and Proposed Nanaimo Search and Rescue site Covenant Area	No Change (Excluded)	No Change (Excluded)
1151 Nanaimo Lakes Road	3b	Between Nanaimo Lakes Road and existing Parks Yard	Parks and Open Space	PRC2
	3c	West of Nanaimo Lakes Road	Parks and Open Space	PRC2
	3d	East of Nanaimo Lakes Road and adjacent to Reservoir #1	Parks and Open Space	PRC2
	*Areas described in bold text are excluded from the proposed development applications			

Proposed Development

At Council's direction, Staff propose to designate the majority of the subject properties as parkland. The formal designation requires amendments to the Future Land Use Plan (Map 1) of the OCP and the Zoning Bylaw. Council requested Staff to prepare a Park Dedication Bylaw to provide additional protection to the proposed parkland.

Council Resolution No. 36017 excluded Reservoir No. 1 (1c) and a portion of the lot containing the proposed NSAR site (3a) from the development applications. The City of Nanaimo is currently negotiating a lease with NSAR for the long-term use of a portion of the existing Parks yard.

Additionally, Staff propose to exclude the portion of 1150 Nanaimo Lakes Road containing the existing Nanaimo Animal Shelter (2c) from the proposed amendments. The Zoning Bylaw permits the Nanaimo Animal Shelter to operate (animal shelter) in the existing Rural Resource – AR1 zone; however, the Zoning Bylaw does not permit the use in the Parks, Recreation and Culture 2 – PRC2 zone.

Official Community Plan

The hooked portions of 801 Nanaimo Lakes Road (1a, 1b) and Reservoir No. 1 (1c) are undesignated on the Future Land Use Plan (Map 1) of the OCP. The OCP designates the remaining 801 Nanaimo Lakes Road parcel (1d) as Resource Protection.

The OCP designates the northern portion of 1150 Nanaimo Lakes Road (2a) as Parks and Open Space, and the southern portion of 1150 Nanaimo Lakes Road (2b, 2c) as Resource Protection.

The OCP designates 1151 Nanaimo Lakes Road (3a, 3b, 3c, 3d) as Resource Protection.

Excluding Reservoir No. 1 (1c), the proposed NSAR site (3a), and the existing Nanaimo Animal Shelter (2c), Staff propose to designate the subject properties as Parks and Open Space (Attachment E).

Zoning Bylaw

The Zoning Bylaw designates 801 Nanaimo Lakes Road (1a, 1b, 1c, 1d) and 1150 Nanaimo Lakes Road (2a, 2b, 2c), and the southern two portions of 1151 Nanaimo Lakes Road (3c, 3d) as Rural Resource - AR1. The Zoning Bylaw designates the northern two portions of 1151 Nanaimo Lakes Road (3a, 3b) as Community Service Two-CS2.

Staff propose to rezone the northeastern portion of 801 Nanaimo Lakes Road (1a) and the northern portion of 1150 Nanaimo Lakes Road (2a) to Parks, Recreation and Culture 1 - PRC1 (Attachment F). This zone allows for recreational and educational uses that are compatible with the natural features of the park.

Excluding Reservoir No. 1 (1c), Staff propose to rezone the remaining portions of 801 Nanaimo Lakes Road as Parks Recreation and Culture 2—PRC2. Excluding the Nanaimo Animal Shelter (2c), Staff propose to rezone the remaining portion of 1150 Nanaimo Lakes Road as Parks, Recreation and Culture 2 - PRC2. Excluding the proposed NSAR site (3a), Staff propose to rezone the remaining portions of 1151 Nanaimo Lakes Road to Parks, Recreation and Culture 2 - PRC2 (Attachment F). This zone allows for recreational and cultural uses within the park.

Rationale for the proposed amendments to the OCP and the Zoning Bylaw are included as Attachment G.

Approval Process

Under Section 30 of the *Community Charter*, Council can dedicate real property as parkland by adopting a bylaw with a vote of at least two-thirds of all members of Council. Once "Park Dedication Bylaw 2018 No. 7259" is adopted, Council may only remove the Park Dedication Bylaw with the approval of its electors, either by alternate approval process or referendum.

As per Part 14 of the *BC Local Government Act* (2015), when considering an amendment to the OCP, local governments must provide one or more opportunities for consultation with organizations/authorities that may be affected by the amendment. Staff invited comment from the following agencies on the concurrent applications: Vancouver Island Health Authority, Snuneymuxw First Nation, School District 68, and the Ministry of Transportation and Infrastructure.

The Community Planning and Development Committee has not yet reviewed the application.

The zoning amendment application has been posted on the City's website, *What's Building in My Neighbourhood?*

SUMMARY POINTS

- At Council's direction, Staff propose to designate the majority of the former Greater Nanaimo Water District Lands as parkland by amending the OCP and Zoning Bylaw.
- Council Resolution No. 36017 directed Staff to exclude Reservoir No. 1 and the existing Parks Yard/future Nanaimo Search and Rescue site from the proposed amendments.
- Additionally, Staff propose to exclude the area surrounding the existing Nanaimo Animal Shelter from the proposed amendments.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: Aerial Photo
ATTACHMENT C: Reservoir No. 1 and Former GNWD Service Buildings
ATTACHMENT D: Greater Nanaimo Water District Lands Overview
ATTACHMENT E: Proposed OCP Amendments
ATTACHMENT F: Proposed Zoning Bylaw Amendments
ATTACHMENT G: Letter of Rationale - OCP and Rezoning Amendments
"Official Community Plan Amendment Bylaw 2018 No. 6500.036"
"Zoning Amendment Bylaw 2018 No. 4500.114"
"Park Dedication Bylaw 2018 No. 7259"

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