

City of Nanaimo
REPORT TO COUNCIL

DATE OF MEETING: 2013-SEP-09

AUTHORED BY: D. JENSEN, COMMUNITY DEVELOPMENT PLANNER,
COMMUNITY PLANNING SECTION
D. STEWART, PLANNER, PLANNING & DESIGN

RE: OFFICIAL COMMUNITY PLAN AMENDMENT OCP75
REZONING APPLICATION RA317
CITY OF NANAIMO / SCHOOL DISTRICT 68 LAND EXCHANGE

STAFF RECOMMENDATION:

That Council receive the report pertaining to "OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW 2013 NO. 6500.021" and "ZONING AMENDMENT BYLAW 2013 NO. 4500.045".

NANAIMO ADVISORY PLANNING COMMITTEE RECOMMENDATION:

That Council consider approving Official Community Plan (OCP) Amendment OCP00075 and Rezoning Application RA000317, for the City of Nanaimo / School District 68 Land Exchange process.

PURPOSE

To describe OCP and zoning amendments required for properties included in the City of Nanaimo / School District 68 Land Exchange process.

BACKGROUND

Initiated in 2012 and formalized 2013-MAR-12, the City of Nanaimo and School District 68 has entered into a formal process to exchange select parcels of land. The properties to be transferred include:

Transfer to City of Nanaimo

6780 Dickinson Road (Pioneer Park)
A Portion of 5101 Rutherford Road
(Oliver Woods area)
502 Howard Avenue
(Harewood Field)
2249 Northfield Road
(Northfield School)

Transfer to School District 68

140 View Street (Bayview School)
260 Irwin Street
(Princess Royal School)
400 Campbell Street / 445 Comox Road
(Pauline Haarer School)
430/436 Selby Street and 421 Franklyn Street
(Quennell Square)

Once complete, the land exchange process resolves a number of issues associated with historical land ownership, and assists both organizations with asset management and best use of the lands.

As part of the exchange process, a number of these sites require an OCP amendment and / or rezoning to reflect the existing and future use of the sites. This report is intended to address those properties that require an OCP amendment or rezoning.

DISCUSSION

Properties to be Acquired by the City of Nanaimo

1. 5101 Rutherford Road

Approximately 5.5 hectares (13.5 acres) will be transferred to the City for park land by 2014-DEC-31, and includes the northeastern portion of the site, along McIntosh Road and Rutherford Road. The existing wetland and steep slope portions of the property are included in this portion of the site. The area is proposed as a nature park, with 1.5 acres reserved for a future road connection bisecting the site, connecting Linley Valley Drive with Rutherford Road. Approximately 2.4 hectares (6 acres) is being retained by the School District, for a 34 lot single family residential development. This involves the southwest portion of the site, abutting Oliver Woods Community Centre.

Required as Part of Exchange:

- OCP amendment to redesignate a portion of lands from Corridor to Parks and Open Space, and Neighbourhood.
- Rezone a portion of lands from Single Dwelling Residential (R1) zone to Parks, Recreation and Culture One (PRC-1) zone, and Single Dwelling Residential – Small Lot (R2) zone to accommodate development of park and approximately 34 single family homes.
- Subdivision of property into two separate parcels, and dedication of the future road connection.
- Park land to be dedicated by bylaw.
- Road access (via Linley Valley Drive) to be constructed to development parcel.
- Approximately 0.6 hectares (1.5 acres) reserved for future road connection.



The subject property is currently designated Corridor, and is subject to the Watercourse Development Permit Area (DPA1). The Corridor designation encourages a higher intensity of land use and provides for mixed commercial and residential, with residential use in a medium to high density range (50 to 150 units per hectare). An amendment to the Neighbourhood designation (for a portion of the site) would reflect lower density residential land uses (10 to 50 units per hectare).

The subject property is currently zoned Single Dwelling Residential (R1), which does not align with the Corridor designation. This proposed amendment would rezone the lands to Single Dwelling Residential – Small Lot (R2) for the proposed residential development; and to Parks, Recreation and Culture One (PRC-1). *Attachment A* shows the proposed redesignation and zoning for the site.

The proposed development site abuts the Oliver Woods Community Centre to the south, and multiple family residential developments to the west. Future commercial and multiple family residential development is proposed for the area to the northwest along Uplands Drive and Turner Road. The 34 lot single family residential development (see *Attachment B*) requires rezoning as the R1 zone does not support the proposed 325 m² to 400 m² residential lots. The 17 units per hectare (uph) residential density proposed for this development is, however, supported under a Neighbourhood designation. The proposed density is higher than the traditional single family subdivision approved under the R1 zone, and provides for another form of housing not currently available in the area.

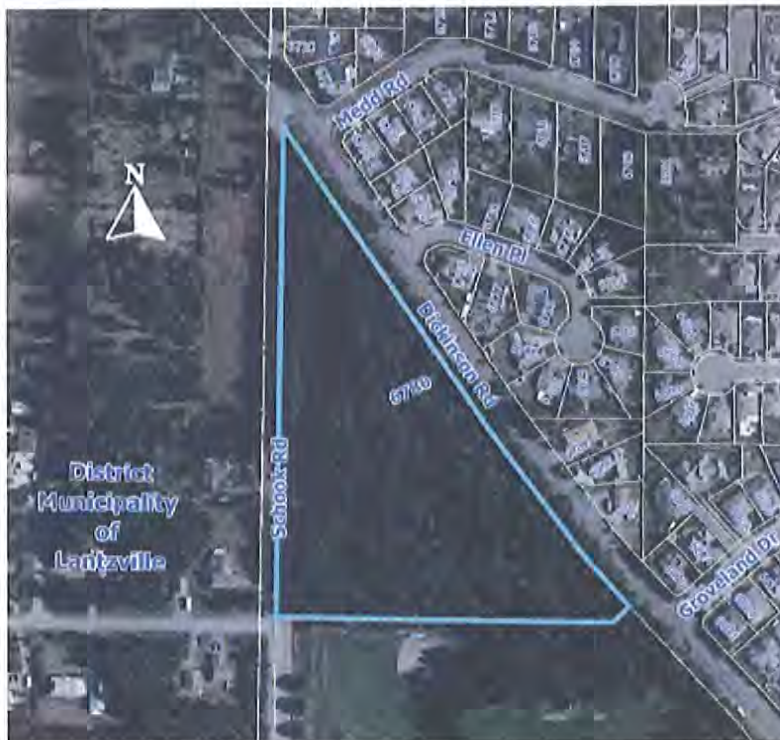
The proposed redesignation and rezoning for a nature park also serves to meet objectives of the OCP by providing adequate parks and open space, and acquiring lands for future parks in ways that achieve a better distribution of parks throughout the city, balancing the provision of active and passive parks. The environmentally sensitive area, which includes a wetland and steep slopes (see *Attachment C*) would be protected from future development currently permitted under both the OCP Corridor designation and R1 zone.

2. 6780 Dickinson Road

Approximately 3.4 hectares (8.3 acres) will be transferred to City for park land by 2014-DEC-31. The property is located adjacent to May Richards Bennett Pioneer Park; and the City currently has a License of Use Agreement with the School District to use the land as a dog off leash park. The area is proposed as a nature park.

Required as Part of Exchange:

- Rezone property from Single Dwelling Residential (R1) zone to Parks, Recreation and Culture One (PRC-1) zone.
- Road dedication required for Schook Road.
- Park land to be dedicated by bylaw.



The subject property is currently designated Parks and Open Space, and does not require an OCP amendment for the proposed use as a nature park.

The subject property is currently zoned Single Dwelling Residential (R1). The proposed rezoning to Parks, Recreation and Culture One (PRC-1) for a nature park serves to meet objectives of the OCP by providing adequate parks and open space, and acquiring lands for future parks in ways that achieve a better distribution of parks throughout the city, balancing the provision of active and

passive parks. Located immediately adjacent to May Richards Bennett Pioneer Park playing fields, the addition of a nature park provides that balance in close proximity to one another. *Attachment D* shows the proposed zoning for the site.

3. 502 Howard Avenue

This approximately 1 hectare (2.5 acres) parcel was transferred to the City, from the School District, for park land on 2013-JUN-25. The property is located along Fifth Street, near Harewood School and the University Village Shopping Centre. The area is proposed as an active play area, reflecting objectives laid out in the draft Harewood Neighbourhood Plan.

Required as Part of Exchange:

- OCP amendment to redesignate lands from Corridor to Parks and Open Space. [Note: this amendment is occurring in conjunction with the Harewood Neighbourhood Plan adoption process.]
- Rezone lands from Community Service One (CS1) zone to Parks, Recreation and Culture Three (PRC-3) zone.
- Road dedication on Howard Avenue and Fifth Street.
- Park land to be dedicated by bylaw.



The subject property is currently designated Corridor, which encourages a higher intensity of land use and provides for mixed commercial and residential, with residential use in a medium to high density range (50 to 150 units per hectare). An amendment to the Parks and Open Space serves to meet not only the OCP objectives by providing adequate parks and open space, but also the draft Harewood Neighbourhood Plan that acknowledges the site as an important open space within *Harewood Village*. Staff note that an OCP amendment to redesignate this site to Parks and Open Space is proceeding through a separate process to consider adoption of the Harewood Neighbourhood Plan. The proposed amendment is listed here for information only.

The subject property is currently zoned Community Service One (CS1), which provides for public oriented uses designed to serve the community, such as schools, assembly halls and cultural facilities. The proposed rezoning to Parks, Recreation and Culture Three (PRC-3) more closely reflects the long term vision for the site by allowing for organized recreational and cultural activities in developed parks. *Attachment E* shows the proposed zoning for the site.

Properties to be Acquired by School District 68

4. 445 Comox Road

Approximately 0.6 hectares (1.5 acres) will be transferred to School District for school use by 2014-DEC-31. Pauline Haarer School occupies a portion of Comox Park located at 445 Comox Road. It is only this portion of the site that will be transferred to the School District, and which will be consolidated with property at 400 Campbell Street to recognize the existing school use across these lands.

Required as Part of Exchange:

- OCP amendment to redesignate lands from Parks and Open Space to Neighbourhood.
- Rezone lands from Parks, Recreation and Culture Three (PRC-3) zone to Community Service One (CS1) zone.
- Laneway to be dedicated along eastern edge of school property.
- Lands at 445 Comox Road and 400 Campbell Street to be consolidated.



The subject property is currently designated Parks and Open Space, which is intended to provide for the addition of parks and open space, and acquire lands for future parks in ways that achieve a better distribution of both active and passive parks throughout the city. The proposed redesignation of lands to Neighbourhood is to recognize the existing school facility (Pauline Haarer) located in Comox Park at 445 Comox Road. The Neighbourhood designation contains policy that provides for both schools and parks and open spaces in supporting local residential neighbourhoods.

The subject property is currently zoned Parks, Recreation and Culture Three (PRC-3), which does not provide for school use. This proposed amendment would rezone the existing school site to Community Service One (CS1) only, with the remainder of the site retaining its PRC-3 zoning. *Attachment F* shows the proposed redesignation and zoning for the site.

Should the OCP amendments and rezonings be approved, other processes will still require completion, as laid out for each specific site. These include park dedication, lot consolidation, and road dedication. Staff also note that the exchange process and proposed amendments result in no net loss of parkland. Rather, it recognizes and enhances existing land use, and provides for park dedication to reflect the best use for individual sites.

Public Input

The City of Nanaimo / School District Land Exchange project was presented to the community at an Open House held 2013-JUN-27 at Oliver Woods Community Centre. Aproximately 20 people attended the Open House to obtain additional information on the project. The focus of questions and comments received related to the sites at 5101 Rutherford Road and 6780 Dickinson Road. Discussions regarding 5101 Rutherford Road included protection of the wetland, access into the proposed development, and the proposed use as single family development versus higher density multiple family residential development.

Consultation Under Sections 879 and 881 of the *Local Government Act*

When amending an Official Community Plan, Council must undertake consultation in accordance with sections 879 and 881 of the *Local Government Act*.

To date, City staff have undertaken the following steps in relation to the consultation requirements of sections 879 and 881 of the *Act*:

2013-JUL-02	Initial Referral to the Ministry of Forests, Lands and Natural Resource Operations
2013-JUL-02	Initial Referral to the Ministry of Transportation and Infrastructure
2013-JUL-02	District of Lantzville
2013-JUL-02	Initial Referral to School District 68

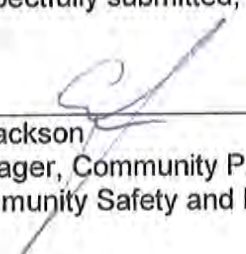
In addition to these consultative steps, staff recommends that the following actions be taken in relation to the consultation requirements of sections 879 and 881 of the *Local Government Act*:

Formal Referral to: Ministry of Forests, Lands and Natural Resource Operations
 Ministry of Transportation and Infrastructure
 District of Lantzville
 School District 68


All formal referrals will include a copy of the relevant staff report and proposed bylaw amendment.

The results of this additional consultation will be provided to Council as part of the package provided to Council in advance of the public hearing.

Respectfully submitted,



C. Jackson
Manager, Community Planning
Community Safety and Development



B. Anderson
Manager, Planning & Design
Community Safety and Development

Concurrence by:



A. Tucker
Director of Planning
Community Safety & Development



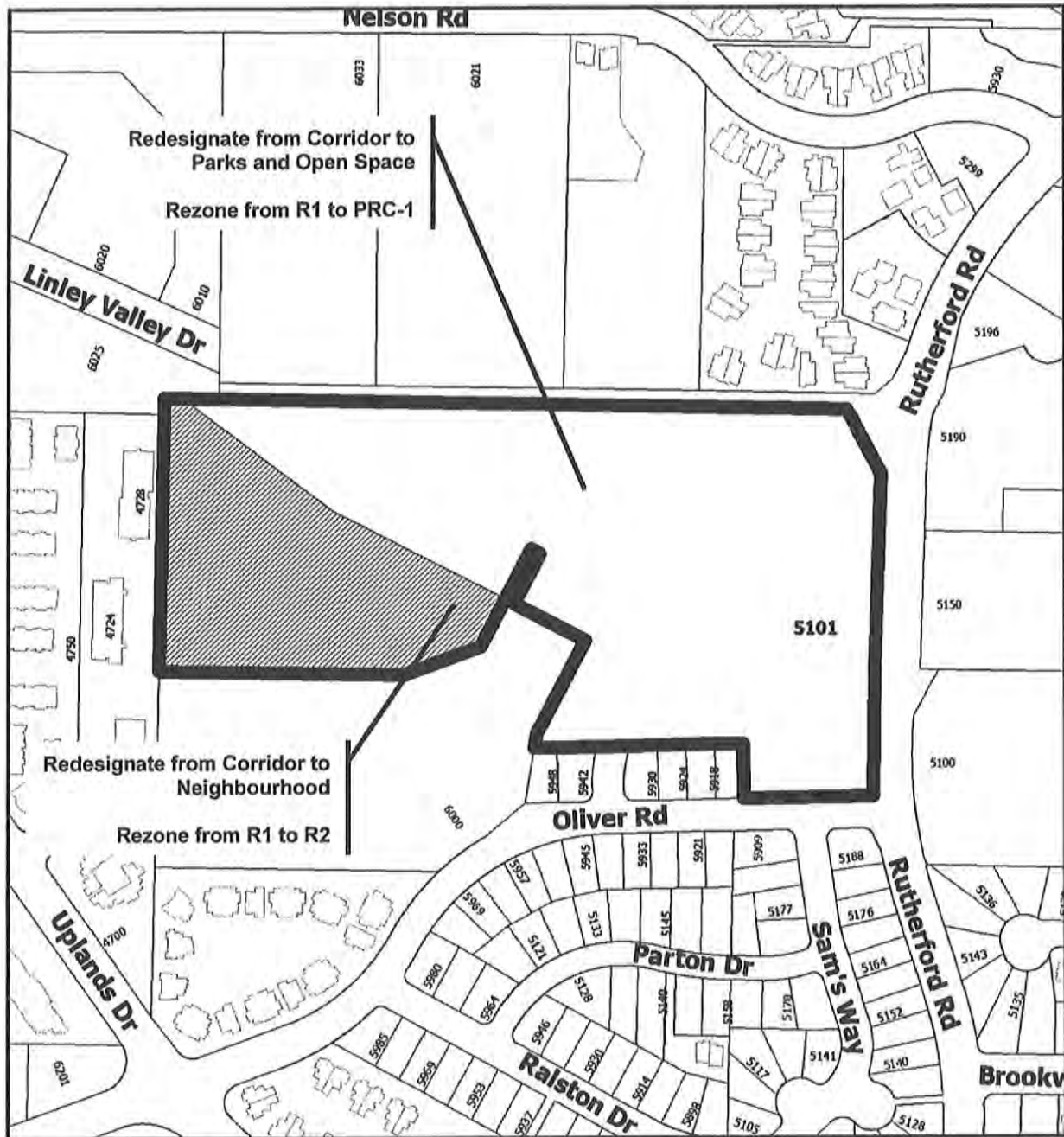
T. Seward
Acting General Manager
Community Safety & Development

CITY MANAGER COMMENT:

I concur with the staff recommendation.

Drafted: 2013-AUG-15
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dj/ds

Attachment A
Subject Property Map – 5101 Rutherford Road



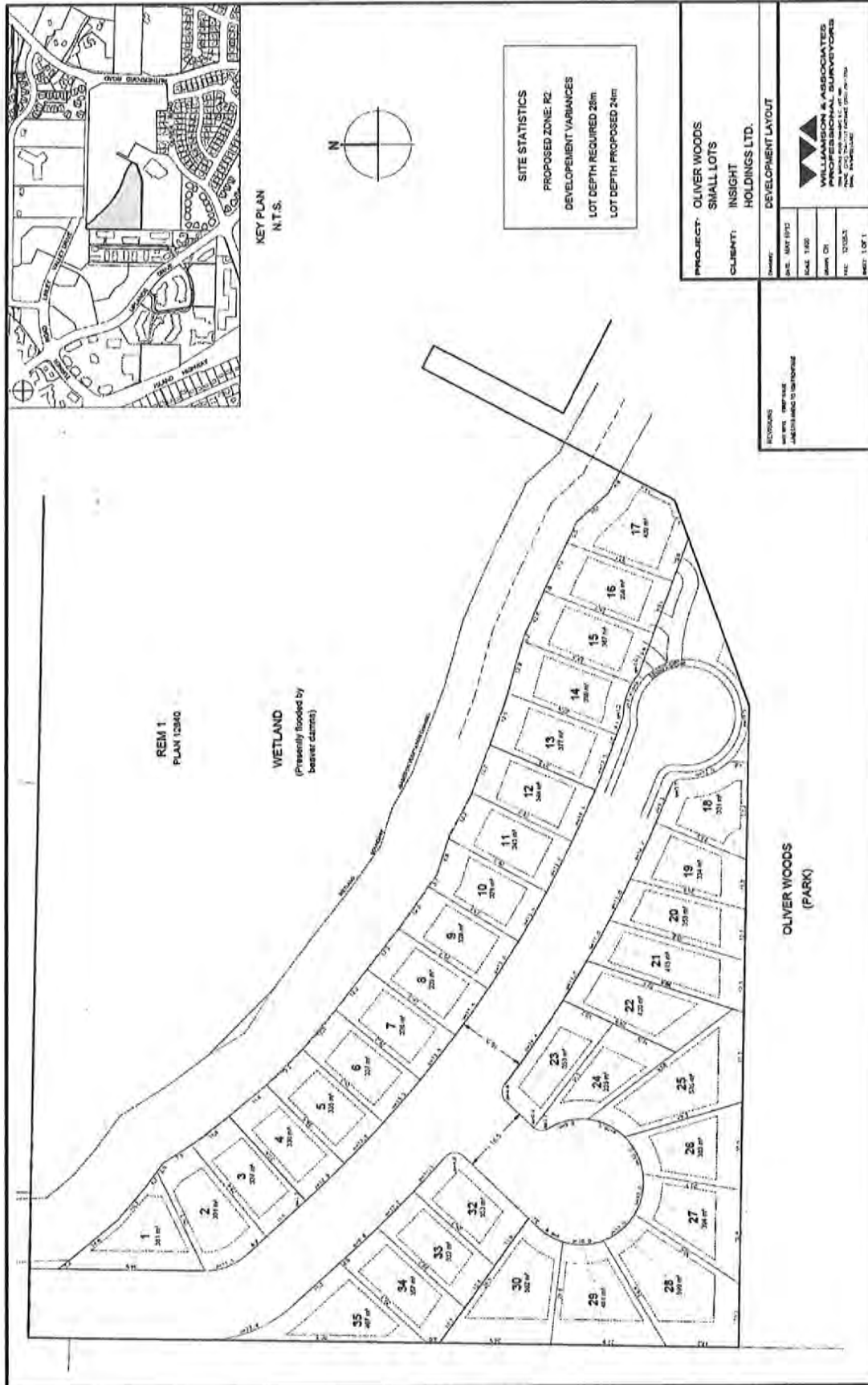
OFFICIAL COMMUNITY PLAN NO. OCP00075
REZONING APPLICATION NO. RA000317

LOCATION PLAN

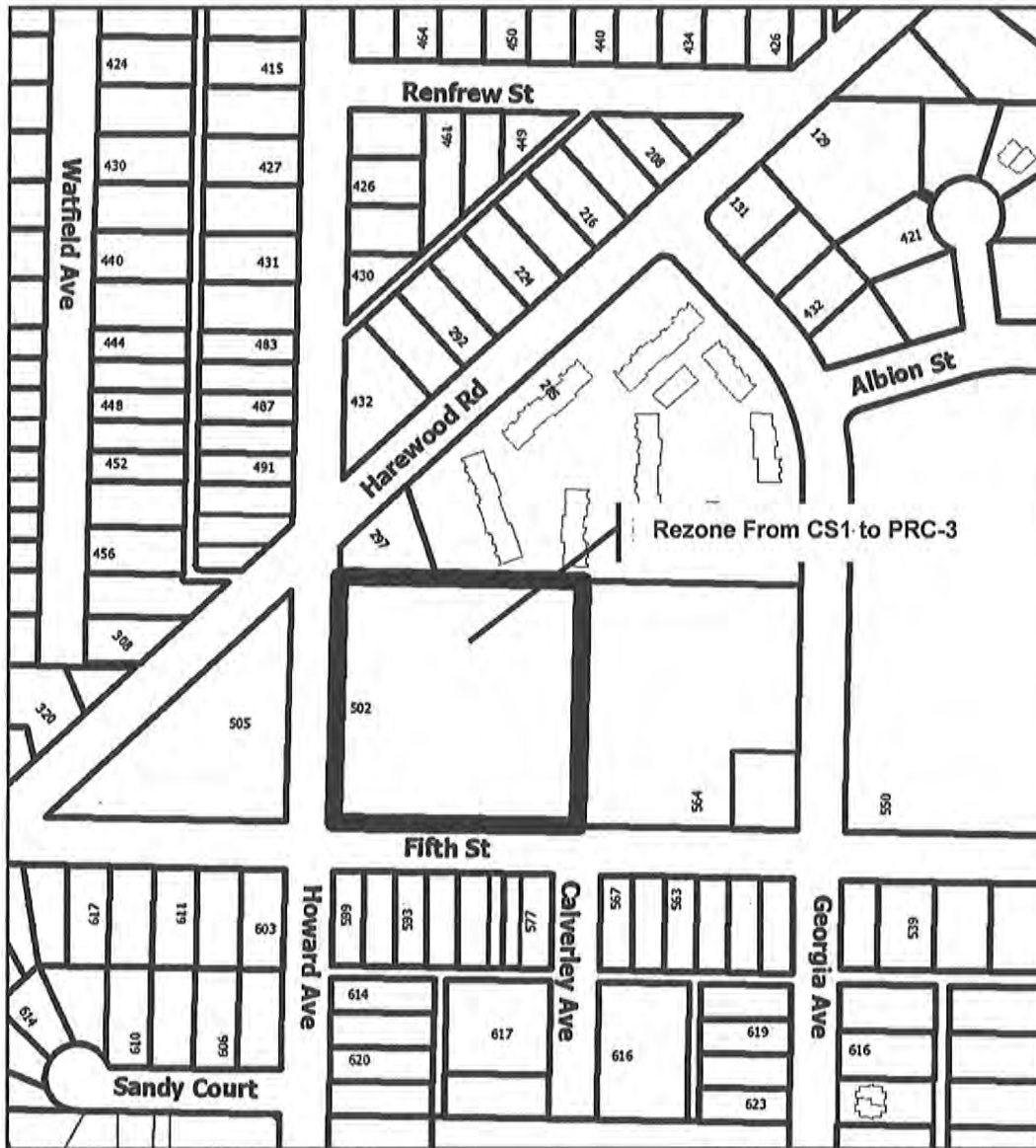
Civic: 5101 Rutherford Road



Attachment B Conceptual Site Plan



Attachment E
Subject Property Map – 502 Howard Avenue



REZONING APPLICATION NO. RA000317

LOCATION PLAN

Civic: 502 Howard Avenue



 **Subject Property**

