

City of Nanaimo

REPORT TO COUNCIL

DATE OF MEETING: 2014-JUL-14

AUTHORED BY: S. HERRERA, PLANNER, PLANNING & DESIGN SECTION

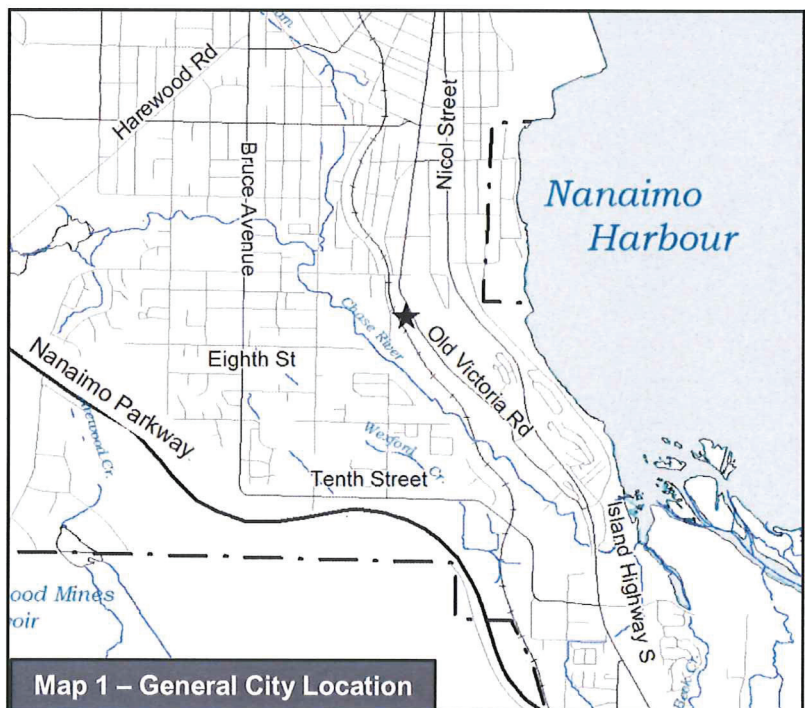
RE: REZONING APPLICATION NO. RA333 – 839 OLD VICTORIA ROAD

STAFF RECOMMENDATION:

That Council receive the report pertaining to “ZONING AMENDMENT BYLAW 2014 NO. 4500.067.”

PURPOSE:

The purpose of this report is to present a Zoning Bylaw text amendment application to allow for a minor text amendment to the Highway Industrial (I1) zone. The bylaw, if adopted, will replace the existing use of ‘Refund Container Recycling Depot’, with ‘Recycling Drop Off Centre’. The amendment will apply to all I1 zoned land including the subject property at 839 Old Victoria Road.



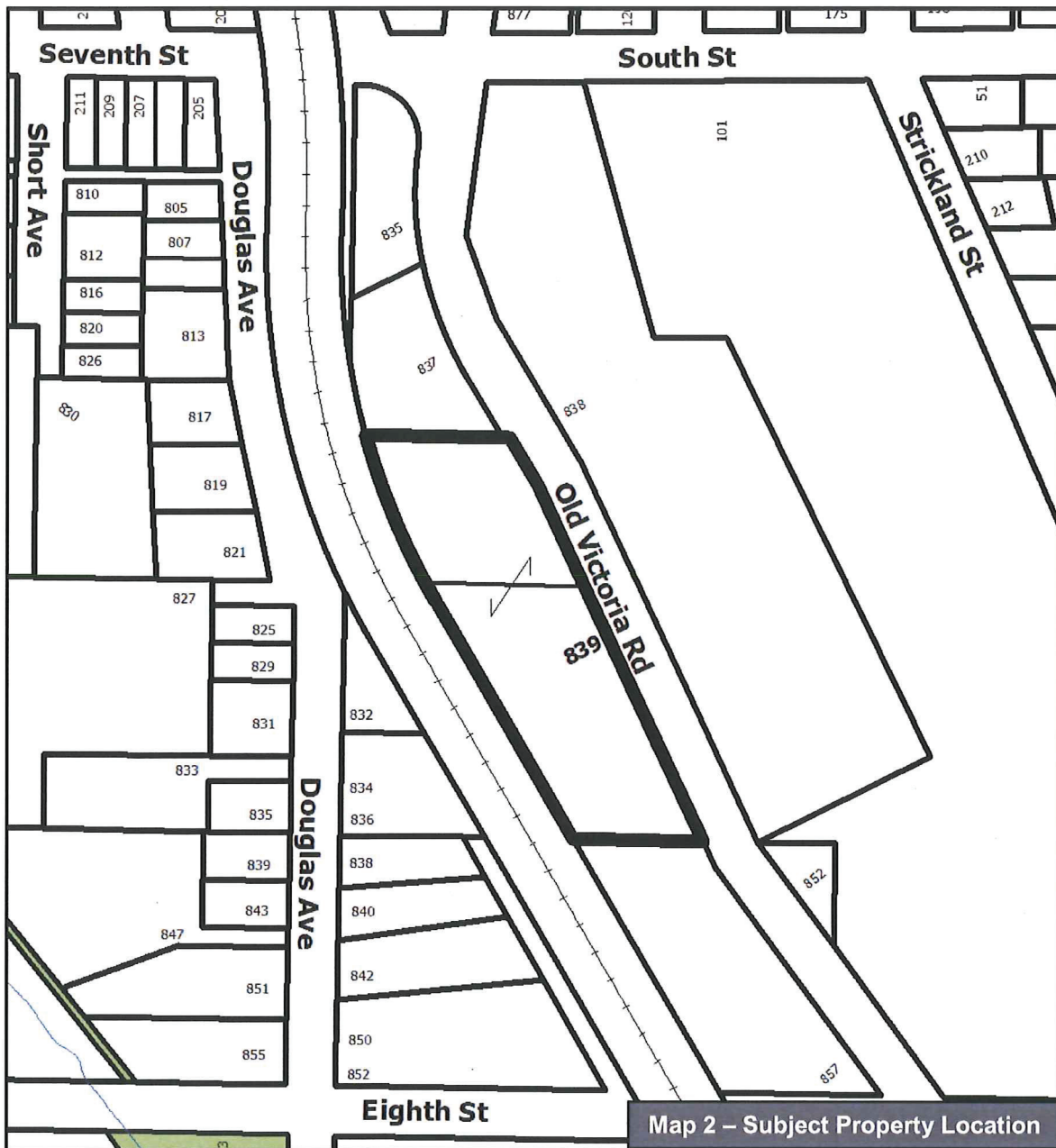
Map 1 – General City Location

BACKGROUND:

The City has received a rezoning application from Maureen Pilcher & Associates Ltd., on behalf of Mr. Paul Shorting (Regional Recycling) and 839 Old Victoria Road Warehousing Ltd., to allow for a minor text amendment to the Highway Industrial (I1) zone.

Subject Property

Current Zone	Highway Industrial (I1)
Future Land Use Designation	Official Community Plan: Corridor South End Neighbourhood Plan: Corridor-Residential
Proposed Development	To utilize the existing building and request a new use of ‘Recycling Drop Off Centre’, which would allow for more than just refundable containers, yet limit drop off items to those where stewardship programs exist.
Location	West side of Old Victoria Road between Seventh Street and Eighth Street (see Map 1 and Map 2)
Site Area	9,712 m ² (2.4 acres)



DISCUSSION:

Site and Surrounding Area

The subject property is located on the west side of Old Victoria Road between Seventh and Eighth Streets. The two properties abutting the site to the north are also industrial properties containing automotive uses. The abutting property to the south is a large vacant lot. Across the street is a large property owned by the School District; the portion directly across from the subject property is vacant; however, the Clay Tree Society occupies the north portion of the lot near the intersection of Old Victoria Road and South Street. A single family dwelling is also located diagonally across the street and south of the subject property.

An existing building occupies the site, which has been used for many years as warehousing. The subject property was zoned industrial prior to the adoption of the 2008 Official Community Plan (OCP) that brought in the Corridor designation. As such, the existing Highway Industrial (I1) zone has carried forward and permits the following principal uses:

Animal Shelter	Prefab Home Sales and Manufacturing
Auction	Printing and Publishing Facility
Automobile Sales and Rentals	Production Bakery
Auto Parts Sales	Production Studio
Automotive Repair	Railway and Railway Station
Boat Sales and Service	Refund Container Recycling Depot
Car Wash	Repair Shop
Custom Workshop	Research Facility
Food and Beverage Processing	Service Industry
Fueling Installation	Sign Shop
Indoor Driving and Shooting Range	Social Service Resource Centre
Injury Management Centre	Tools/Equipment Rentals and Sales
Laboratory	Tow Truck Dispatch and Storage Yard
Light Industry	Truck, Trailer and Heavy Equipment Sales
Lumber Yard	Veterinary Clinic
Manufacturing/Contractor Office	Warehouse
Mini Storage	Wholesale
Pet Day Care	

Proposed Amendment

Currently, the Highway Industrial (I1) zone allows for a 'Refund Container Recycling Depot' use; however, the applicant is requesting to amend the I1 zone in order to collect more than just refundable beverage containers. The proposed amendment is to replace the 'Refund Container Recycling Depot' use with the use of 'Recycling Drop Off Centre' within the I1 zone in order to allow additional recycling items to be collected at the subject property.

The applicant proposes to utilize the existing building and to operate in the same manner as their current facility at 2375 Hayes Road. A marked up aerial photo of the subject property was submitted by the applicant, shown in Figure 1.

Although the applicant has initiated this application for the subject property, Staff are recommending that the new 'Recycling Drop Off Centre' use be allowed within the I1 zone, and would therefore be a permitted use on all I1 zoned lots. Recycling facilities are typically expanding beyond accepting only refundable containers, and the purpose of the new definition is to recognize current recycling needs within the community, while still limiting the types of items accepted to those which are part of Product Stewardship plans approved by the provincial government. The Zoning Bylaw definition has not evolved with the recycling industry and the new definition is more reflective of the changes that are occurring.

The existing Refund Container Recycling Depot definition is as follows:

Refund Container Recycling Depot – means a collection facility and distribution point for bottles, cans, and other refundable containers to be reused or recycled within a building, but does not include processing except packaging for shipping and does not include outside storage.

The proposed new use is defined as:

Recycling Drop Off Centre – means a collection facility and distribution point for materials regulated under the *Environmental Management Act* Product Stewardship program, but specifically excludes tires. All materials must be collected and stored within a building. A Recycling Drop Off Centre does not include processing, except packaging for shipping, does not include outside storage, and does not require a Waste Stream Management Licence from the Regional District of Nanaimo.



Figure 1 - Conceptual Site Plan

Official Community Plan (OCP)

The subject property is located within the Corridor designation of the Official Community Plan (OCP) and the Corridor-Residential designation of the South End Neighbourhood Plan. The subject property is zoned Highway Industrial (I1), therefore the existing zoning is not consistent with the future land use designation. The I1 zoning was applied to the subject property with the adoption of the 2011 Zoning Bylaw in order to reflect previous zoning and the existing use of the property. Staff is supportive of the application as the proposed amendment is to replace an existing use within the I1 zone with a similar use and definition, as such the amendment is not considered to further affect the consistency with the OCP and neighbourhood plan. The zone of the subject property is not proposed to be changed and the proposed amendment to the I1 zone is considered a minor amendment that would apply to not only the subject property, but to all I1 zoned lands. The long term vision for the subject property will remain Corridor and any future site specific rezoning would need to comply with Corridor policies and design guidelines.

Community Contribution

As outlined in Section 7.3 of the OCP, in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution. As the applicant is not requesting a change of zoning, the current zone permits the principal use of Refund Container Recycling Depot, and the proposed amendment is a minor change to the bylaw, Staff recommends that no community contribution be required for this application.

NANAIMO ADVISORY PLANNING COMMITTEE (APC):

At its meeting of 2014-JUN-17, the APC recommended that Council approve the application.

Respectfully submitted,



for

B. Anderson
MANAGER
PLANNING & DESIGN SECTION

Concurrence by:



D. Lindsay
DIRECTOR
COMMUNITY DEVELOPMENT



I. Howat
GENERAL MANAGER
CORPORATE SERVICES

CITY MANAGER COMMENT:

I concur with the staff recommendation.

Drafted: 2014-JUL-04
Prospero: RA000333

SH/pm