

AGENDA

Regional District of Nanaimo
Electoral Area 'A' Official Community Plan Review Citizen's Committee

Monday September 13, 2010 @ 6:30 pm
(*North Cedar Improvement District – 2100 Yellow Point Road*)

1. Minutes

Adoption of the July 19, 2010 meeting notes - Page 2

2. Official Community Plan Implementation

Options for reducing development potential on lands outside the GCB's - Page 5
Discussion and Committee recommendation

5. Draft Official Community Plan

Discussion – Comments on the draft

6. Other

Open House Schedule
October 2010 meeting date selection - Page 11

Regional District of Nanaimo
Summary of the Electoral Area ‘A’ Official Community Plan Review
Citizen’s Committee Meeting Held on Monday, July 19th, 2010 at 6:30pm
At the North Cedar Improvement District Hall
2100 Yellow Point Road

Joe Burnett	Committee Chair
Mike Hooper	Committee Member
Geoffrey Macaulay	Committee Member
Anne Fiddick	Committee Member
Chris Pagan	Committee Member
Garry Laird	Committee Member
Jack Anderson	Committee Member
Donna Sweeney	Committee Member
Joanne McLeod	Committee Member
Jill Maibach	Committee Member
Ray Digby	Committee Member
Ting Pan	Sustainability Coordinator
Greg Keller	Senior Planner
Stephen Boogaards	Recording Secretary

CALL TO ORDER

The meeting was called to order at 6:32 pm by the Chair. There were approximately 4 people in attendance.

MINUTES

The Chair asked the Committee for a motion to adopt the summary of the May 10, 2010 meeting.

MOVED Donna Sweeney, SECONDED Geoffrey Macaulay, that the summary of the Area ‘A’ Citizen’s Committee meeting held on June 14, 2010 be adopted.

CARRIED

SUSTAINABILITY CHECKLIST

The Chair introduced Ting Pan, the RDN’s new sustainability coordinator. Ms. Pan explained that the RDN was open to comments from the community and the Mid Island Sustainable Stewardship Initiative on the revised sustainability checklist. Her preliminary thoughts are that there is a strong desire to have a land use component in the checklist. This may mean that there will be two components that make up the checklist: land use and building. Each component may have different weighting. She also explained that another consideration in a revised checklist is the incentives to make green building effective.

The committee discussed the focus group and organisations that should be consulted for the sustainability checklist. The members thought farmers would be an important stakeholder to be part of the focus group. Ms. Pan explained that the suggestions have been for the RDN to consult with people in different

electoral areas since the checklist will be region wide. The process will be open to everyone in the community and will parallel the Official Community Plan (OCP) review process.

NANAIMO AIRPORT UPDATE

Greg Keller provided an update on the airport section of the OCP. At the last Citizen's Committee meeting the Board recommendations on the airport were not well received. New recommendations went to the Committee of the Whole in July which suggested removing the airport section and the Urban Containment Boundary around the airport lands. It still must be approved by the Board, but if approved it will allow for a separate process to deal with the airport lands. The process reflects the comments received from the Citizen's Committee meetings. In particular the RDN will first seek a new legal opinion. Based on the outcome of the legal opinion there will be the same process but different actions depending on if the RDN has jurisdiction on airport lands. The process for the airport lands would be budgeted for 2011, as the resources are not available in the current budget. Mr. Keller could not commit to releasing the new legal opinion to the committee.

OFFICIAL COMMUNITY PLAN IMPLEMENTATION

Greg Keller reviewed the discussions on implementation over the past couple of meetings. He explained that the policies of the current OCP are not consistent with the zoning for land outside of the Urban Containment Boundary. The community has also made many statements about protecting rural integrity and the environment which could not be accomplished if growth continues outside of the Growth Containment Boundaries.

The group discussed some of the other options to achieve the community objectives without changing the zoning. The group discussed making the development rules more ridged through the sustainability checklist so only green developers are attracted to the area. Mr. Keller reminded the committee that not all the policies have to be implemented; there may be an intermediate amount of zoning changes that might not remove all the subdivision potential.

The group discussed how much of the land was in the Agricultural Land Reserve, and if that could be a sufficient deterrent to new subdivisions. Mr. Keller suggested that it may not be a sufficient deterrent since the commission does allow development if it can be proven that there is a benefit to agriculture or there is no agricultural potential on the land. The group also discussed if the zoning was not changed if people would farm the 5 acre parcels.

One of the committee members suggested that the high growth in the rural areas may be because there is not sufficient land within the Growth Containment Boundaries. Some in attendance felt there were development constraints, such as floodplain, that were not considered in the development build-out of the Cedar Village Centre. Because it was not considered the number of units within the boundaries was overstated. Mr. Keller explained that they have considered these constraints, though the GIS analysis may be affected by the quality of the data available. Mr. Keller also explained that the figures provided were an estimate and are based on the best available information.

The group discussed the possible reaction from the community if the zoning was changed. Mr. Keller explained that it would be legal to change the zoning. He suggested that implementation is essential to realising the goals of the OCP, but any change to zoning would still have a full consultation process separate from the OCP review. The group discussed compensation for people who may be affected by the changes in zoning. Mr. Keller suggested that RDN staff have looked into the transfer of development rights, but believe that it may be too complex to apply it within the RDN in the near future. The group also discussed phasing in the zoning changes or only applying the zoning changes to new property owners.

The committee reviewed what goals the implementation of the OCP would accomplish. Implementation can protect rural integrity, protect groundwater, create compact forms of development, reduce infrastructure costs or reduce greenhouse gas emissions. The committee emphasized the broader benefits of implementation and not focussing solely on protecting rural integrity. Mr. Keller agreed to look into the feasibility of other options to achieve OCP goals and report back to the committee.

OFFICIAL COMMUNITY PLAN DRAFT

Greg Keller explained that an internal review of the draft was done through the RDN office and some changes have been made. One was to the Kirkstone way designation. The proposed Agricultural Lands designation was no longer appropriate as the property has been removed from the Agricultural Land Reserve. The other change was to the land use designation in Cassidy. The centre has been renamed to the Cassidy Rural Village Expansion Area and the airport section was removed.

The draft will be on the RDN website shortly and will go out for public consultation in September. Mr. Keller also explained that prior to the adoption of the OCP, he would also like to initiate the Cedar village planning process in November and the OCP implementation around January. The OCP should be adopted around March 2011. The group discussed a possible consultation strategy, including using mailouts or displays that have a synopsis of the differences between the old OCP and the new one.

ROUNDTABLE

One of the committee members identified a piece of property that was proposed to be included in the Urban Containment Boundary but was not specifically discussed by the Citizen's Committee. Greg Keller explained that the property currently has significant development potential under the current zoning so it made sense to consider it for inclusion into the Urban Containment Boundary.

ADJOURNMENT

The meeting was adjourned at 8:47 pm.

Certified correct by:

Director Joe Burnett, Committee Chairperson

Options for Reducing Development Potential on Lands Outside the Growth Containment Boundary For Discussion Purposes Only

The following represents a brief overview of potential options for reducing development potential on lands located outside the Growth Containment Boundary. Please note, this is for information purposes only. None of the following options are being recommended or proposed at this time.

	Option Description	Pros	Cons	Observations
1	<p>Increase Minimum Parcel Size in Zoning Bylaw</p> <p>This option supports increasing minimum parcel sizes on lands located outside the GCB to be consistent with what is supported by the OCP.</p>	<ul style="list-style-type: none"> • From a community perspective it addresses development potential in rural areas • Most direct method of helping to achieve the community vision • Strongest tool available to direct growth into designated areas within the GCB in order to preserve rural lands for rural activities and address issues of fragmentation and suburban sprawl. • It is consistent with the draft OCP and every previous OCP for Area A. • Addresses historic zoning patterns which were put in place at a time when the issues facing the community were different. • Would help preserve rural character. • Reduced subdivision potential in rural areas. • Helps preserve lands valued for agricultural production, environmental protection, etc. • Helps strengthen the village 	<ul style="list-style-type: none"> • Perceived/real financial impacts on property owners. • Likelihood that it would be difficult to gain community support. • Politically difficult decision for the Board to make. • Some property owners would no longer be able to subdivide land and or have reduced subdivision potential. 	<ul style="list-style-type: none"> • It has been done elsewhere in the RDN (Electoral Areas 'C' and 'E') • Satisfies all legal requirements • Issue with this option appears to be primarily financial. • Zoning is subject to change over time. • There is no right to profit from property in Canada. • There is a strong perception that increasing minimum parcel sizes is taking away 'a right'.

Option Description	Pros	Cons	Observations
<p>2</p> <p>Increase minimum Site Area Requirements for a second dwelling</p> <p>This option would reduce the number of potential dwelling units by increasing the amount of land which is required for a second dwelling unit.</p>	<ul style="list-style-type: none"> centres by directing future residential growth. Increased density is needed in these areas to support services, shops, transit, etc. Would become eligible to receive community servicing grants. 	<ul style="list-style-type: none"> Does not help limit the number of potential new lots in the rural areas Some properties may not be able to have 2 dwelling units May affect property values of some lots. Continue to be ineligible for community servicing grants 	<ul style="list-style-type: none"> This is something that is easily achievable Could apply only to new lots created after a specified date. Does not strongly address the issue of development potential in rural areas due to existing minimum parcel sizes.
<p>3</p> <p>Support the creation of a density transfer program</p> <p>This option would allow for the creation of a program to allow the sale and transfer of development sites especially from lands outside the GCB to inside the GCB.</p> <p>Areas outside the GCB would be designated as donor areas where</p>	<ul style="list-style-type: none"> Could substantially address the financial impacts of downzoning Encourages growth within the GCB's Less subdivision and development in rural areas Participation is voluntary Little if any cost to the community at large Helps preserve lands valued for agricultural production, environmental protection, etc. 	<ul style="list-style-type: none"> Market conditions need to exist to warrant sale of development credits at a suitable price. More complex than downzoning and requires the development of a system for issuing and tracking credits and administering the program. (E.g. finding a suitable matching donor and receiving sites would likely be challenging) May require cooperation from the City of Nanaimo or other municipalities as a growth receiving area. 	<p>A study is needed looking into the feasibility of a density transfer program in Electoral Area 'A'.</p>

	Option Description	Pros	Cons	Observations
4	<p>Use of Amenity Zoning</p> <p>This option would include a form of downzoning. Properties would be rezoned to a new zone that permits a minimum parcel size equal to what the OCP supports. The new zone would also permit a smaller minimum parcel sizes equal to what is in place now if a community amenity is provided. In this context the community amenity could potentially include preservation of green space, housing designed to meet certain energy efficiency targets, green design and infrastructure, clustering of development, minimizing the length of new roads, etc.</p> <p>This option provides choice. Either create a standard traditional subdivision based on the larger minimum</p>	<ul style="list-style-type: none"> From a property owner's perspective, does not reduce subdivision potential. Encourages green development by providing a significant density bonus. Rezoning to obtain the smaller minimum parcel size is not required as it would be specified in the zone. 	<ul style="list-style-type: none"> The community would have to be willing to accept more growth within the GCB's to provide a location for the development credits to be applied. Voluntary participation may limit use of program. From the community perspective, it may not result fewer subdivisions in the rural areas. Introduces more stringent controls on new subdivision May make it more difficult for property owners to subdivide as they would be required to do extra work in the design process and in proving that they met the new standards. For those not interested in green development, subdivision potential is reduced. Does not necessarily reduce development potential. Relies on property owners making the right choices. Continue to be ineligible for community servicing grants. 	<p>A more thorough review on the use of Amenity Zoning for this purpose would need to be done prior to implementing this option.</p>

	Option Description	Pros	Cons	Observations
	<p>parcel size supported by the OCP or create a green subdivision and be allowed to have a smaller minimum parcel size.</p>			
5	<p>Incentives and Disincentives</p> <p>This approach would establish disincentives for subdividing land outside the GCB which could include increased fees, more stringent requirements for proving water supply. This approach would create incentives for development located on land inside the GCB.</p>	<ul style="list-style-type: none"> • May not affect long-term subdivision potential • Discourages development which does not help the community achieve its vision. • Encourages development in appropriate locations. 	<ul style="list-style-type: none"> • No guarantee that it would have desirable results as it relies on personal choice. • It would cost more to subdivide land in areas where the community does not support more subdivision. • Continue to be ineligible for community servicing grants. 	<ul style="list-style-type: none"> • May help protect groundwater resources by ensuring that new subdivisions are only created where they can be provided with a sustainable water supply which does not have a negative impact on groundwater resources.
6	<p>Do nothing (Status Quo)</p> <p>This approach would involve maintaining the status quo. The OCP would continue to support larger minimum parcel sizes than the current zoning permits. The OCP could note that increases to minimum parcel sizes are important in achieving the community vision, but are not being proposed at this time.</p>	<ul style="list-style-type: none"> • Would not affect any property owners • Could be considered at a later date 	<ul style="list-style-type: none"> • Would not help to achieve the community vision, • Impedes ability of village centres to thrive. • Increased cost of provincial services to fragmented and scattered development. • Risk of losing rural qualities of Electoral Area 'A'. • Continued loss of productive agricultural land and agricultural productivity • Zoning would continue to support significant development potential in the rural areas. 	<ul style="list-style-type: none"> • This approach is consistent with what has happened since the first OCP was adopted which supported larger minimum parcel sizes than what the current zoning supports. • The zoning has not changed since it was applied in the mid 1970's at a time when the issues

	Option Description	Pros	Cons	Observations
7	<p>Phased Approach to Increasing Minimum Parcel Sizes</p> <p>In this option, minimum parcel sizes would incrementally be increased over time (5-10 years?) to be consistent with what is supported by the OCP. A schedule would be created that specified when each incremental increase would take effect. A lenient timeframe could be built in to provide property owners adequate notice of upcoming changes.</p>	<ul style="list-style-type: none"> • Prepares property owners for change. • The change is predictable and property owners could plan accordingly. • Reduces development potential over time. • Those serious about subdividing would have adequate time to make a subdivision application. • Would help achieve the community vision by preserving rural character over time through small incremental steps. • Would help preserve land for agriculture and resource use. • Changes could be location specific (i.e. changes only in certain land use designations such as Agricultural Lands). • Would become eligible for community servicing grants over time. 	<ul style="list-style-type: none"> • Could have a rush of property owners applying to subdivide land/ • May have similar financial impacts as downzoning all at once. • A longer timeframe to obtain consistency with the Official Community Plan. • May force subdivision, which may have an effect on land values as more lots become available in the rural areas. 	<ul style="list-style-type: none"> • May be a challenge to draft an appropriate zoning designation to capture the essence of this option. • May be challenges associated with developing an appropriate schedule for increasing minimum parcel size.
8	<p>Provide Compensation</p> <p>This option supports</p>	<ul style="list-style-type: none"> • Rural property owners would be compensated for any loss of property value which is a result of 	<ul style="list-style-type: none"> • It would be difficult to if not impossible to account for all costs and benefits associated with 	<ul style="list-style-type: none"> • This option is not considered feasible. However, the

	Option Description	Pros	Cons	Observations
	<p>providing compensation to property owners who would be affected by reduced property values as a result of increasing minimum parcel sizes. This is based on the premise that the community at large benefits from reducing the subdivision potential of lands located outside the GCB.</p>	<ul style="list-style-type: none"> • increases to minimum parcel sizes. • Helps reduce development potential and achieve the community vision. • Distributes the costs of reduced development potential evenly. 	<p>increasing the minimum parcel size.</p> <ul style="list-style-type: none"> • In the absence of significant grant funding, this approach is cost prohibitive for the tax payers in Electoral Area 'A' who would have to fund this option. • The community would not have access to any additional land • The community would be paying for a right that does not exist (i.e right to develop/subdivide and profit from land) • Continue to be ineligible for community servicing grants. 	<p>transfer of development credits option shares some similar characteristics.</p> <ul style="list-style-type: none"> • This approach may work for large parcels that the community values for other purposes such as park, aquifer protection, etc.
9	<p>Clustered Development</p> <p>This option encourages subdivision to occur within a smaller footprint. A density neutral approach would be taken. For example, if the current zoning supports the creation of five 2.0 ha lots, the OCP could support an equal number of lots within a slimmer footprint such as four 1.0 ha lots and one 6 ha lots.</p>	<ul style="list-style-type: none"> • From a property owner's perspective, it does not reduce subdivision potential. • Supports more efficient forms of subdivision which reduce land fragmentation, maintain larger parcels for agricultural use, reduce the cost of infrastructure and roads, reduced ecological footprint, and provide opportunities for additional green space and natural area. • Allows for proposals to be evaluated on a case by case basis with opportunities for public input. 	<ul style="list-style-type: none"> • From a community perspective, it does not reduce subdivision potential. • Continue to be ineligible for community servicing grants. • Does not address one of the core issues, which is auto dependency and the need to locate development in appropriate areas close to services. 	<ul style="list-style-type: none"> • May be considered 'green washing' by some. • Could be accomplished by rezoning or potentially through the issuance of a Development Variance Permit on a case by case basis.



Electoral Area 'A' Official Community Plan Review

A Shared Community Vision

After two years of work and significant community effort, the RDN is seeking your input on the draft Electoral Area A Official Community Plan. The draft is available on the project website at www.asharedcommunityvision.ca and hardcopies may be requested by contacting our office at the number below.

The draft will be presented at three Open Houses scheduled as follows:

Electoral Area A Official Community Plan Review Open House Schedule Fall 2010		
Date	Time	Location
Saturday, September 11 th	10am - 4pm	Cranberry Community Hall 1555 Morden Road (South Wellington)
Monday, September 20 th	3pm - 9pm	Cedar Community Hall, 2388 Cedar Road
Wednesday, September 22 nd	3pm - 9pm	Western Maritime Institute 3519 Hallberg Road (Cassidy)

Please direct any questions, comments, or ideas with respect to the draft OCP to the RDN Planning Department by email to areaaocpreview@rdn.bc.ca or by calling **(250) 390-6510**. RDN planning staff are available during regular business hours to discuss the draft Plan and to answer any questions you may have.

Following the Open Houses, the draft Plan will be amended in response to the comments received. Once amended, the next step in the process is to proceed to the Regional Board to begin the adoption process for the draft Electoral Area A Official Community Plan.