

**REGIONAL DISTRICT OF NANAIMO**

**REGULAR BOARD MEETING  
TUESDAY, MAY 14, 2002  
7:30 PM**

***(TO BE HELD AT BEBAN PARK AUDITORIUM,  
2300 BOWEN ROAD, NANAIMO)***

**A G E N D A**

**PAGES**

1. **CALL TO ORDER**
2. **DELEGATIONS**
  - 13 **Diane Pertson**, re Proposed Amendments to Growth Management Plan - Area E.
  - 13 **Jeannette Thomson**, re Proposed Amendments to Growth Management Plan - Area E.
  - 14 **Frederick Smith**, re Proposed Amendments to Growth Management Plan - Area E.
  - 15 **Brian Dempsey**, re Proposed Amendments to Growth Management Plan - Area D.
3. **BOARD MINUTES**
  - 16-34 Minutes of the Board meeting held on Tuesday, April 9<sup>th</sup>, 2002 and the Special Board Meetings held on Tuesday, April 30<sup>th</sup> and May 7<sup>th</sup>, 2002.
4. **BUSINESS ARISING FROM THE MINUTES**
5. **COMMUNICATIONS/CORRESPONDENCE**
  - 35-43 **Kirk Miller, Land Reserve Commission**, re New Legislation - Agricultural Land Commission Act; New Appointments to the Land Reserve Commission.
6. **UNFINISHED BUSINESS**
  - Bylaws For Third Reading & Adoption.**
    - Bylaw No. 500.281** - Land Use & Subdivision Amendment Bylaw - Home Lake. (Electoral Area Directors except EA 'B' - One Vote)
    - Bylaw No. 1218.01** - Home Lake Service Area Sewage Disposal Regulation Amendment Bylaw. (All Directors - One Vote)

**Bylaws For Adoption.**

**Bylaw No. 500.269** - Land Use & Subdivision Amendment Bylaw - Ronkainen/Earthy - 3452 Jingle Pot Road - Area D. (Electoral Area Directors except EA 'B' - One Vote)

**Bylaw No. 1059.02** - Southern Community Recreation LSA Amendment Bylaw. (All Directors - One Vote)

**Bylaw No. 1264** - Electoral Area 'D' Noise Control Service Establishment Bylaw. (All Directors - One Vote)

**Bylaw No. 1265** - Electoral Area 'D' Noise Control Regulatory Bylaw. (All Directors - One Vote)

**Bylaw No. 1283** - RDN Security Issuing (City of Parksville) Bylaw. (All Directors - Weighted Vote)

**Public Hearing.**

44-47 Minutes of the Public Hearing held May 2, 2002 with respect to Bylaw No. 500.282 - Land Use and Subdivision Bylaw Amendment - Chouinard - 7184 Lantzville Road - Area D. (Electoral Area Directors except EA 'B' - One Vote)

48-51 Minutes of the Public Hearing held March 21, 2002 with respect to Bylaw No. 500.280 - Land Use and Subdivision Bylaw Amendment - Senini - Dickenson Road - Area D. (Electoral Area Directors except EA 'B' - One Vote)

52-93 Minutes of the Public Hearing held April 24, 2002 with respect to Bylaw No. 1285 - Electoral Area 'F' Zoning and Subdivision Bylaw. (All Directors except EA 'B' - One Vote)

**7. STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**

**7.(f) ELECTORAL AREA PLANNING STANDING COMMITTEE**

94-97 Minutes of the regular Electoral Area Planning Committee meeting held April 23, 2002. (for information)

**CORRESPONDENCE/COMMUNICATIONS**

**Greta Taylor, re Water 1 Zone to Exclude Aquaculture.** (Electoral Area Directors except EA 'B' - One Vote)

*That the correspondence from Greta Taylor, Deep Bay Planning and Environmental Association, with respect to the proposed change in water zoning to have water 1 zone amended to exclude aquaculture as a permitted use, be received.*

## PLANNING

### AMENDMENT APPLICATIONS

**Zoning Amendment Application No. 0204 – PRA Holdings Ltd. – Harold Road – Area A.** (Electoral Area Directors except EA 'B' - One Vote)

1. *That Amendment Application No. 0204 submitted by PRA Holdings Ltd. to rezone a portion of the property legally described as Lot 9, Section 12, Range 7, Cranberry District, Plan 27070 from Industrial 1 (IN1) to Industrial 2 (IN2) be advanced to a public hearing subject to the conditions outlined in Schedule No. 1.*
2. *That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.285, 2002" be given 1<sup>st</sup> and 2<sup>nd</sup> reading and proceed to Public Hearing.*
3. *That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.285, 2002" be delegated to Director Elliott or his alternate.*

**Zoning Amendment Application No. 9809 – Cedar View Estates Ltd. – Cedar & Hemer Roads – Area A.** (Electoral Area Directors except EA 'B' - One Vote)

1. *That Amendment Application No. 9809 submitted by Cedar View Estates Ltd. to rezone a portion of the property legally described as Lot A, Plan VIP57874 and Lot 6, Plan VIP59634 Both of Section 14, Range 1, Cedar District from Commercial 2 (CM2) to Comprehensive Development 12 (CD12) be advanced to a public hearing subject to the conditions outlined in Schedule No. 1.*
2. *That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.284, 2002" be given 1<sup>st</sup> and 2<sup>nd</sup> reading and proceed to Public Hearing.*
3. *That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.284, 2002" be delegated to Director Elliott or his alternate.*

### DEVELOPMENT PERMIT APPLICATIONS

**DP Application No. 0215 – Fairwinds/Dafne – 3730 Fairwinds Drive – Area E.** (Electoral Area Directors except EA 'B' - One Vote)

*That Development Permit Application No. 0215 to facilitate bank stabilization works on 45 metres of stream channel on Dolphin Creek within a Watercourse Protection Development Permit Area on the property legally described as Lot 1, District Lot 8, 30 and 78, Nanoose District, Plan 48585, Except Part in Plan 51142 be approved subject to the conditions outlined in Schedules No. 1, 2 and 3.*

**DP Application No. 0218 – Rainsford – Horne Lake Cave Road – Area H.**  
(Electoral Area Directors except EA 'B' - One Vote)

*That Development Permit Application No. 0218 to vary the maximum floor area of the main floor of the recreational residence from 70 m<sup>2</sup> to 72 m<sup>2</sup>; the maximum floor area of the second story from 35 m<sup>2</sup> to 45 m<sup>2</sup>; and the maximum building height of 6.1 metres to 6.5 metres pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 to permit the relocation of a recreational residence and to permit a landscape deck to be located a minimum of 12.5 metres from the natural boundary, the removal of vegetation, and the development of a 1 metre wide beach access within the Environmentally Sensitive Areas Development Permit Area on the property legally described as Strata Lot 26, District Lot 251, Alberni District, Plan V155160, be approved subject to the requirements outlined in Schedules No. 1, 2 and 3.*

**DP Application No. 0220 – Bulger – Horne Lake Cave Road – Area H.** (Electoral Area Directors except EA 'B' - One Vote)

*That Development Permit Application No. 0220 to facilitate the relocation of a recreational residence and deck to be located a minimum of 8 metres, an accessory building to be located a minimum of 11 metres from the natural boundary of Horne Lake, and a 1 metre wide beach access located within the Environmentally Sensitive Areas Development Permit Area on the property legally described as Strata Lot 58, District Lot 251, Alberni District, Plan V155160 be approved subject to the conditions outlined in Schedules 1 and 2.*

**DP Application No. 0221 – Gerard/Fern Road Consulting – Lot 14, Amberwood Lane – Area E.** (Electoral Area Directors except EA 'B' - One Vote)

*That Development Permit Application No. 0221 submitted by Helen Sims, on behalf of Patricia Gerard to facilitate construction of a single dwelling, attached patio, patio for hot tub, and retaining walls within the Watercourse Protection Development Permit Area pursuant to "Nanoose Bay Official Community Plan Bylaw No. 1118, 1998" for the property legally described as Lot 14, District Lot 78, Nanoose District, Plan 47638 be approved subject to the conditions and variances outlined in Schedule No. '1' and notification requirements pursuant to the Local Government Act.*

**DP Application No. 0222 – Mauriks/Fern Road Consulting – 1429 Dorcas Point Road – Area E.** (Electoral Area Directors except EA 'B' - One Vote)

*That Development Permit Application No. 0222, submitted by Helen Sims on behalf of Patricia Mauriks to legalize the siting and renovation of an existing dwelling unit within the Watercourse Protection Development Permit Area pursuant to "Nanoose Bay Official Community Plan Bylaw No. 1118, 1998" for the property legally described as Lot 5, District Lot 110, Nanoose District, Plan 17536 be approved subject to the conditions and variances outlined in Schedule No. '1' and notification requirements pursuant to the Local Government Act.*

## **OTHER**

**Home Based Business Regulations - RDN Land Use and Subdivision Amendment Bylaw No. 500.286 - Areas A, C, D, E, G & H. (Electoral Area Directors except EA 'B' - One Vote)**

1. *That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.286, 2002" be introduced and given 1<sup>st</sup> and 2<sup>nd</sup> reading.*
2. *That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.286, 2002" be advanced to a public hearing.*
3. *That the public hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.286, 2002" be delegated to Director Holme or his alternate.*

## **7.(II) COMMITTEE OF THE WHOLE STANDING COMMITTEE**

98-106

Minutes of the regular Committee of the Whole Committee meeting held April 23, 2002. (for information)

## **COMMUNICATIONS/CORRESPONDENCE**

**Dan Whiting, School District 69, re Appointment of Trustee Barbara Terry to the D69 Recreation Commission. (All Directors - One Vote)**

*That the correspondence received from School District 69 with respect to the appointment of Barbara Terry to the D69 Recreation Commission, be received.*

**Jerri New, Office & Professional Employees International Union, re BC Hydro. (All Directors - One Vote)**

*That the correspondence received from the Office & Professional Employees International Union with respect to a resolution for the retention of BC Hydro as a complete entity within a regulated pricing structure by the provincial government, be received.*

**Charles Lang, re Regional Growth Management Plan Amendments - Horne Lake - Area H. (All Directors - One Vote)**

*That the correspondence received from Charles Lang with respect to the Horne Lake Draft Interim Management Plan, former pass holders and the March 27, 2002 public meeting, be received.*

## **DEVELOPMENT SERVICES**

### **BUILDING INSPECTION**

**Section 700 Filings. (All Directors - One Vote)**

*That a notice be filed against the title of the property listed, pursuant to Section 700 of the Local Government Act and that if the infractions are not rectified within ninety (90) days, legal action will be pursued;*

- (a) Lot 1, Section 12, Range 3, Mountain District, 3043 Jameson Road, Electoral Area A, owned by W. Kosak;
- (b) Lot 22, Section 2, Range 6, Plan 27748, Cedar District, 3361 McGuire Way, Electoral Area A, owned by I. and D. Stewart;
- (c) Lot 25, Block 586, Plan 29314, Nanoose District, 2825 Sea Blush Drive, Electoral Area E, owned by K. Husson and T. Fallow.

## PLANNING

**OCP/Zoning Bylaw Amendment for E & N Railway Corridor.** (All Directors except EA 'B' - One Vote)

### Electoral Area 'A' Official Community Plan

1. That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.01, 2002" has been considered in conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.
2. That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.01, 2002" has been considered in conjunction with the Regional District of Nanaimo waste management plans.
3. That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.01, 2002" has been considered in conjunction with the Regional District of Nanaimo Growth Management Plan.
4. That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.01, 2002" has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.

That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.01, 2002" be given 2<sup>nd</sup> reading and proceed to public hearing.

That the holding of the Public Hearing with respect to "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.01, 2002" be delegated to Director Holme or his alternate.

### Electoral Area 'C' Arrowsmith Benson-Cranberry Bright Official Community Plan

1. That "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.02, 2002" has been considered in conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.
2. That "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.02, 2002" has been considered in conjunction with the Regional District of Nanaimo waste management plans.

3. That "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.02, 2002" has been considered in conjunction with the Regional District of Nanaimo Growth Management Plan.
4. That "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.02, 2002" has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.

That "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.02, 2002" be given 2<sup>nd</sup> reading and proceed to public hearing.

That the holding of the Public Hearing with respect to "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.02, 2002" be delegated to Director Holme or his alternate.

Electoral Area 'D' Lantzville Official Community Plan

1. That "Regional District of Nanaimo Lantzville Official Community Plan Bylaw Amendment Bylaw No. 974.02, 2002" has been considered in conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.
2. That "Regional District of Nanaimo Lantzville Official Community Plan Bylaw Amendment Bylaw No. 974.02, 2002" has been considered in conjunction with the Regional District of Nanaimo waste management plans.
3. That "Regional District of Nanaimo Lantzville Official Community Plan Bylaw Amendment Bylaw No. 974.02, 2002" has been considered in conjunction with the Regional District of Nanaimo Growth Management Plan.
4. That "Regional District of Nanaimo Lantzville Official Community Plan Bylaw Amendment Bylaw No. 974.02, 2002" has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.

That "Regional District of Nanaimo Lantzville Official Community Plan Bylaw Amendment Bylaw No. 974.02, 2002" be given 2<sup>nd</sup> reading and proceed to public hearing.

That the holding of the Public Hearing with respect to "Regional District of Nanaimo Lantzville Official Community Plan Bylaw Amendment Bylaw No. 974.02, 2002" be delegated to Director Holme or his alternate.

Electoral Area 'E' Nanoose Bay Official Community Plan

1. That "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1118.03, 2002" has been considered in conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.

2. That "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1118.03, 2002" has been considered in conjunction with the Regional District of Nanaimo waste management plans.
3. That "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1118.03, 2002" has been considered in conjunction with the Regional District of Nanaimo Growth Management Plan.
4. That "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1118.03, 2002" has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.

That "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1118.03, 2002" be given 2<sup>nd</sup> reading and proceed to public hearing.

That the holding of the Public Hearing with respect to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1118.03, 2002" be delegated to Director Holme or his alternate.

Electoral Area 'G' Englishman River Official Community Plan

1. That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.07, 2002" has been considered in conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.
2. That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.07, 2002" has been considered in conjunction with the Regional District of Nanaimo waste management plans.
3. That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.07, 2002" has been considered in conjunction with the Regional District of Nanaimo Growth Management Plan.
4. That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.07, 2002" has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.

That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.07, 2002" be given 2<sup>nd</sup> reading and proceed to public hearing.

That the holding of the Public Hearing with respect to "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.07, 2002" be delegated to Director Holme or his alternate.

Electoral Area 'G' French Creek Official Community Plan

1. That "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.02, 2002" has been considered in



*conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.*

2. *That "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.02, 2002" has been considered in conjunction with the Regional District of Nanaimo waste management plans.*
3. *That "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.02, 2002" has been considered in conjunction with the Regional District of Nanaimo Growth Management Plan.*
4. *That "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.02, 2002" has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.*

*That "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.02, 2002" be given 2<sup>nd</sup> reading and proceed to public hearing.*

*That the holding of the Public Hearing with respect to "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.02, 2002" be delegated to Director Holme or his alternate.*

*Electoral Area 'H' Shaw Hill-Deep Bay Official Community Plan*

1. *That "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.03, 2002" has been considered in conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.*
2. *That "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.03, 2002" has been considered in conjunction with the Regional District of Nanaimo waste management plans.*
3. *That "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.03, 2002" be considered in conjunction with the Regional District of Nanaimo Growth Management Plan.*
4. *That "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.03, 2002" has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.*

*That "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.03, 2002" be given 2<sup>nd</sup> reading and proceed to public hearing.*

*That the holding of the Public Hearing with respect to "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.03, 2002" be delegated to Director Holme or his alternate.*

**Delegation of Authority Amendment Bylaw No. 1166.01 – Horne Lake – Area H.**  
(All Directors except EA 'B' - One Vote)

1. That "Regional District of Nanaimo Delegation of Authority Amendment Bylaw No. 1166.01, 2002" delegating authority to the General Manager to approve development permits where:
  - i. the applicant has requested a development permit to alter land to within 30% of the applicable development permit guidelines;
  - ii. the applicant has requested a development permit to enhance and restore riparian areas, fish and fish habitat; and
  - iii. properties are designated within Development Permit No. 5 pursuant to the "Shaw Hill-Deep Bay Official Community Plan Bylaw No. 1007, 1996", where the permitted use includes recreational residential as defined in Bylaw No. 500 for:
    - (1) any land alteration in connection with construction of a building or structure between 8 and 15 metres of the present natural boundary of Horne Lake and any non-structural land alteration undertaken within the development permit area; and
    - (2) any non-structural land alteration undertaken within the development permit area

be given three (3) readings.

(All Directors except EA 'B' - 2/3 Vote)

2. That "Regional District of Nanaimo Delegation of Authority Amendment Bylaw No. 1166.01, 2002", having received three (3) readings, be adopted.

**Horne Lake Regional Park – Interim Management Plan.**

(All Directors - One Vote)

1. That the Interim Management Plan for Horne Lake Regional Park be endorsed and approved, thereby giving authority to proceed with opening of the Park in the spring of 2002 for uses including general camping, boating, programmed recreation and day use.

(All Directors - Weighted Vote)

2. That staff be authorized to establish and enter into an interim management contract with Rick Canfield for the 2002 season, subject to the acceptance of the Horne Lake Strata Corporation without prejudice to their right of first refusal on a 2003-08 management plan.

(All Directors - One Vote)

3. That staff be authorized to proceed with the regularization of property encumbrances and anomalies at Horne Lake Regional Park, and prepare terms of reference for the preparation of a long term management and operating plan necessary to secure a 5-year operating contract.

## **CORPORATE SERVICES**

### **ADMINISTRATION**

**Application for a Temporary Change to Liquor Licence – Cassidy Inn – Area A.**  
(All Directors - One Vote)

*That the Cassidy Inn's request for a temporary change to their Liquor Licence to provide for an extended patio area for their Show 'n Shine event scheduled for June 23, 2002 be approved.*

### **ENVIRONMENTAL SERVICES**

### **LIQUID WASTE MANAGEMENT**

**Release of Reserve Funds for Land Purchase – Southern Community LSA Wastewater Treatment Reserve Fund Expenditure Bylaw No. 1298.**

(All Directors - 2/3 Vote)

1. *That "Southern Community Local Service Area Wastewater Treatment System and Facilities Reserve Fund Expenditure Bylaw No. 1298, 2002" be introduced for three readings.*
2. *That "Southern Community Local Service Area Wastewater Treatment System and Facilities Reserve Fund Expenditure Bylaw No. 1298, 2002" having received three readings, be adopted.*

**Application for Infrastructure Planning Grant.** (All Directors - One Vote)

*That the Board of the Regional District of Nanaimo support the Bowser/Qualicum Bay/Dunsmuir Infrastructure Planning Grant application.*

## **7.(III) EXECUTIVE STANDING COMMITTEE**

### **7.(IV) COMMISSION**

### **7.(V) SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE**

**Intergovernmental Advisory Committee.** (All Directors - One Vote)

- 107-110 Minutes from the Intergovernmental Advisory Committee meeting held May 1, 2002. (for information).

### **ADMINISTRATOR'S REPORT**

- 111-117 Request to Vary Contribution Formula - Vancouver Island Regional Library. (Electoral Directors - Weighted Vote)
- 118-119 Structure Removal Bylaw No. 1262 - Crossley - 3154 DeCourcy Drive - Area A. (All Directors - One Vote)

- 120-121 Bring Up To Standard Bylaw No. 1294 - Dyck/Robertson - 1716 Cedar Road - Area A. (All Directors - One Vote)
- 122-229 Community Forum Report - Fairwinds Development Concept Proposal - Area E. (All Directors - One Vote)
- 230-248 Regional Growth Strategy Bylaw No. 1309. (All Directors - One Vote) (Bylaw included as separate enclosure)

8. **ADDENDUM**

10. **BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

11. **NEW BUSINESS**

12. **BOARD INFORMATION** (Separate enclosure on blue paper)

13. **ADJOURNMENT**

14. **IN CAMERA**

**Pearse, Maureen**

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**From:** Otter Point [otterpt@macn.bc.ca]  
**Sent:** Friday, April 12, 2002 11:58 AM  
**To:** Pearse, Maureen  
**Subject:** Delegation to May 14th Board Meeting

We would like to register as "delegations" to speak to changes to the GMP. I am told that we may address the Board at the May 14th meeting.

Diane Bertson  
Jeannette Thomson

22 April 2002

RECEIVED

APR 22 2002

REGIONAL DISTRICT  
of NANAIMO

I wish to be a delegation  
at the regular Board Meeting  
of May 14<sup>th</sup>, 2002, with  
respect to amendments to  
the Regional Growth Management  
Plan.

FHS

Frederick H. Smith  
2420 Nanose Rd  
Nanose Bay  
468-9576

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**Burgoyne, Linda**

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**From:** Brian Dempsey [bdempsey@nanaimo.ark.com]

**Sent:** Wednesday, May 08, 2002 4:02 PM

**To:** Burgoyne, Linda

**Subject:** speakers list Board meeting May 14/00

Please include my name on the speakers list for the Board meeting on May 14/00.  
I wish to address the Board about the proposed changes to the RGMP as it effects Lantzville's OCP.

Thankyou

Brian dempsey

390-4222

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5/8/2002

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE REGULAR MEETING OF THE BOARD  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, APRIL 9, 2002, AT 7:30 PM IN THE  
NANAIMO CITY COUNCIL CHAMBERS**

**Present:**

Director G. Holme	Chairperson
Director L. Elliott	Electoral Area A
Director B. Sperling	Electoral Area B
Director E. Hamilton	Electoral Area C
Director D. Haime	Electoral Area D
Director J. McLean	Electoral Area F
Director J. Stanhope	Electoral Area G
Director R. Quittenton	Electoral Area H
Director J. Macdonald	City of Parksville
Alternate	
Director A. Kruyt	Town of Qualicum Beach
Director D. Rispin	City of Nanaimo
Director G. Korpan	City of Nanaimo
Alternate	
Director S. Lance	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director B. Holdom	City of Nanaimo

**Also in Attendance:**

B. Lapham	Gen. Mgr. of Development Services
N. Connelly	Gen. Mgr. of Community Services
J. Finnie	Gen. Mgr. of Environmental Services
C. Mason	Gen. Mgr. of Corporate Services
M. Pearse	Manager of Administrative Services

**MOMENT OF SILENCE**

The Board observed a moment of silence in recognition of the Queen Mother.

**SPECIAL RECOGNITION**

Director Quittenton commended Planning staff on their handling of the Horne Lake issue.

**DELEGATIONS**

**Ron Tomlin, Port Theatre, re Referendum Vote, November 2002.**

Mr. Tomlin requested the Board's advice on financing options available for the Port Theatre.

**Ted Jeffs, re Inclusion of Property in the City of Nanaimo.**

Mr. Duncan Watt, speaking on behalf of Mr. Jeffs, advised of their desire to work with the Regional District in determining options available with the Jeffs' property.



**Jim Rutter, Garry Oak Ecosystems Recovery Team, re Recovery Strategy for Garry Oak and Associated Ecosystems and their Associated Species at Risk in Canada.**

Mr. Rutter asked for the Board's endorsement of the Recovery Strategy for Garry Oak and Associated Ecosystems and their Associated Species at Risk in Canada.

#### LATE DELEGATIONS

MOVED Director Stanhope, SECONDED Director Hamilton, that the following delegations be permitted to address the Board.

CARRIED

**Ian MacDonald, Oceanside Minor Hockey, re District 69 Arena RFP.**

Mr. MacDonald spoke in support of the proposal to twin the existing arena as opposed to having an additional ice surface at Wembley Mall.

**Trevor & Eileen Wicks, re Arrowsmith Watershed Stewardship Team.**

Ms. Dorothy Sly requested that the Board have staff prepare a report on drinking water protection in the Arrowsmith Watershed Area.

**Ron & Maureen Groves, re DP Application No. 0209 - 5457 West Island Highway - Area H.**

Mr. Groves spoke in response to two letters of concern the Board received from neighbouring properties and urged the Board to approve his application.

#### BOARD MINUTES

MOVED Director Sherry, SECONDED Director McNabb, that the minutes of the regular Board meeting and the Special Board meeting held on Tuesday, March 12, 2002 and Tuesday, March 26, 2002 be adopted.

CARRIED

#### COMMUNICATIONS/CORRESPONDENCE

**Jim Rutter, Garry Oak Ecosystems Recovery Team, re Recovery Strategy for Garry Oak and Associated Ecosystems and their Associated Species at Risk in Canada.**

MOVED Director Rispin, SECONDED Director Stanhope, that the correspondence from the Garry Oak Ecosystems Recovery Team with respect to a request to the Board to endorse the Recovery Strategy for Garry Oak and Associated Ecosystems and their Associated Species at Risk in Canada, 2001 - 2006, be received.

CARRIED

**Mary Jane Puckrin, re DP Application No. 0209 - Groves - 5457 West Island Highway - Area H.**

MOVED Director Rispin, SECONDED Director Stanhope, that the correspondence from Mary Jane Puckrin with respect to DP Application No. 0209 be received.

CARRIED

**John & Shirley Flint, re DP Application No. 0209 - Groves - 5457 West Island Highway - Area H.**

MOVED Director Rispin, SECONDED Director Stanhope, that the correspondence from John & Shirley Flint with respect to DP Application No. 0209 be received.

CARRIED

**UNFINISHED BUSINESS**

**BYLAWS**

**Bylaw No. 889.20.**

MOVED Director McLean, SECONDED Director Rispin, that "Regional District of Nanaimo Northern Community Sewer Local Service Area Boundary Amendment Bylaw No. 889.20, 2002" be adopted.

CARRIED

**Bylaw No. 930.02.**

MOVED Director Rispin, SECONDED Director McNabb, that "Arbutus Park Estates Water Local Service Area Amendment Bylaw No. 930.02, 2002" be adopted.

CARRIED

**Bylaw No. 1288.**

MOVED Director Kruyt, SECONDED Director Sherry, that "Fairwinds Water Service Area Conversion and Boundary Amendment Bylaw No. 1288, 2002" be adopted.

CARRIED

**STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**

**ELECTORAL AREA PLANNING STANDING COMMITTEE.**

MOVED Director Hamilton, SECONDED Director Haime, that the minutes of the regular Electoral Area Planning Committee meeting held March 26, 2002, be received for information.

CARRIED

**PLANNING**

**AMENDMENT APPLICATIONS**

**Zoning Amendment Application – Chouinard – 7184 Lantzville Road – Area D.**

MOVED Director Hamilton, SECONDED Director Haime, that the minutes of the Public Information Meeting held March 14, 2002 for Amendment Application No. 0201, submitted by Winnifred Chouinard, to amend the Commercial 2 (CM2) zone by removing site area requirements for Residential Use, and specifically for the subject property legally described as Lot 6, District Lot 27G (Formerly Known as District Lot 27), Wellington District, Plan 6757, be received for information.

CARRIED

MOVED Director Hamilton, SECONDED Director Haime, that Amendment Application No. 0201, submitted by Winnifred Chouinard, to amend the Commercial 2 (CM2) zone by removing site area requirements for Residential Use, and specifically for the subject property legally described as Lot 6, District Lot 27G (Formerly Known as District Lot 27), Wellington District, Plan 6757, be given 1<sup>st</sup> and 2<sup>nd</sup> reading.

MOVED Director Haime, SECONDED Director McLean, that the resolution be amended to read: "that Amendment Application No. 0201, submitted by Winnifred Chouinard, to amend the Commercial 2 (CM2) zone by removing site area requirements for Residential Use accessory to commercial use be approved and that the bylaw be given 1<sup>st</sup> and 2<sup>nd</sup> reading".

CARRIED

The question was called on the main motion, as amended.

The motion CARRIED.

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MOVED Director Hamilton, SECONDED Director Haime, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.282, 2002" be advanced to a public hearing.

CARRIED

MOVED Director Hamilton, SECONDED Director Haime, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.282, 2002" be delegated to Director Haime or her alternate.

CARRIED

#### **DEVELOPMENT PERMIT APPLICATIONS**

##### **Development Permit Application No. 0207 – Smith – Cave Road – Area H.**

MOVED Director Quittenton, SECONDED Director Hamilton, that Development Permit Application No. 0207, to facilitate the relocation of a recreational residence and decks to be located a minimum of 10.5 metres and an accessory building to be located a minimum of 8.0 metres and the stairs to be located a minimum of 1.2 metres from the natural boundary of Horne Lake located within the Environmentally Sensitive Areas Development Permit Area on the property legally described as Strata Lot 52, District Lot 251, Alberni District, Plan VIS5160 be approved subject to the conditions outlined in Schedule No. 2.

CARRIED

##### **Development Permit Application No. 0208 – A & W Food Services of Canada/Nanoose Hill Station Ltd. – 1666 East Island Highway – Area E.**

MOVED Director Hamilton, SECONDED Director McLean, that Development Permit No. 0208 for the changes to the signage to the A & W Restaurant Building on the property legally described as Lot 1, of Amended Lot 167 (DD 66169-N), Nanoose District, Plan 9428 Except Parcel A (DD 80609-N) Thereof; and Except Part in Plan 19267 be approved subject to the conditions as outlined in Schedule '1' of the staff report.

CARRIED

##### **Development Permit Application No. 0209 – Groves – 5457 West Island Highway – Area H.**

MOVED Director Quittenton, SECONDED Director Stanhope, that this item be deferred for one month.

CARRIED

##### **Development Permit Application No. 0212 – Stull – Cave Road – Area H.**

MOVED Director Hamilton, SECONDED Director Quittenton, that Development Permit Application No. 0212 to facilitate the construction of a recreational residence and decks to be located a minimum of 8.0 metres from the natural boundary of Horne Lake and located within the Environmentally Sensitive Areas Lands Development Permit Area on the property legally described as Strata Lot 119, District Lot 251, Alberni District, Plan VIS5160 be approved subject to the conditions outlined in Schedule No. 2.

CARRIED

##### **Development Permit Application No. 0214 – Kristjanson – Higginson Road – Area E.**

MOVED Director Hamilton, SECONDED Director Stanhope, that Development Permit Application No. 0214 to permit the construction of a shoreline protection device, consisting of granite rock, in place of the damaged retaining wall, on the property legally described as Lot 10, District Lot 102, Nanoose District, Plan 21022 be approved, subject to the conditions outlined in Schedule No. 1 of this report.

CARRIED

**DEVELOPMENT VARIANCE PERMIT**

**Development Variance Permit Application No. 0209– Lyon – Chartwell Road – Area G.**

MOVED Director Hamilton, SECONDED Director Stanhope, that Development Variance Permit No. 0209, submitted by Lynda Middlemass, Agent, acting on behalf of Nancy Joan Lyon, to facilitate the development of a single dwelling unit and vary the minimum setback requirement for a building or structure within a Residential 1 zone from 5.0 metres to 3.2 metres for the other lot line located along Miraloma Drive for the property legally described as Lot 33, District Lot 88, Nanoose Land District, Plan VIP57488, be approved as submitted subject to the notification requirements pursuant to the *Local Government Act*.

CARRIED

**COMMITTEE OF THE WHOLE STANDING COMMITTEE**

MOVED Director Stanhope, SECONDED Director Sherry, that the minutes of the Committee of the Whole meeting held March 26, 2002, be received for information.

**COMMUNICATIONS/CORRESPONDENCE**

**Richard Taylor, UBCM, re 2002 Resolution Process.**

MOVED Director Rispin, SECONDED Director Stanhope, that the correspondence received from UBCM with respect to the 2002 resolution process, be received.

CARRIED

**Town of Ladysmith, re Transit System.**

MOVED Director Rispin, SECONDED Director Stanhope, that the correspondence received from the Town of Ladysmith with respect to regional transit linkages between the RDN and CVRD transit systems, be received.

CARRIED

**Jim Bowden, City of Nanaimo, re Regional Transit Authority Feasibility Study Request.**

MOVED Director Rispin, SECONDED Director Stanhope, that the correspondence received from the City of Nanaimo with respect to the City's request for a feasibility study of various options and costs of providing a high frequency transit link between Malaspina University College and the downtown core, be received.

CARRIED

**Agnes & Albert Meers, re Request to Survey Park Boundaries – Crows Nest Park – Area E.**

MOVED Director Rispin, SECONDED Director Stanhope, that the correspondence received from Agnes and Albert Meers with respect to the RDN's park policy on trimming of trees in parks, be received.

CARRIED

**George Legg, re Performance Review Committee**

MOVED Director Rispin, SECONDED Director Stanhope, that the correspondence received from George Legg with respect to comments made at the February 27, 2002 Performance Review Committee meeting, be received.

CARRIED

**Felicity Adams, re Performance Review Committee Minutes.**

MOVED Director Rispin, SECONDED Director Stanhope, that the correspondence received from Felicity Adams with respect to the minutes of the Performance Review Committee meeting held February 27, 2002, be received.

CARRIED

**Gayle Jackson, City of Parksville, re Electoral Area 'F' OCP Bylaw No. 1152.02.**

MOVED Director Rispin, SECONDED Director Stanhope, that the correspondence received from the City of Parksville with respect to a potential reduction in minimum lot size for designated resource lands which are within the ALR from 4.0 ha to 2.0 ha in Electoral Area 'F', be received.

CARRIED

**DEVELOPMENT SERVICES**

**BUILDING INSPECTION**

**Section 700 Filings.**

The Chairperson advised that the filing on the following property has been resolved:

Re-amended Lot A (DD 27360N), District Lot 8, Plan 1949, except Parts in Plans 14093, 17057 and VIP58478, Newcastle Land District, 250 Hilliers Road, Electoral Area 'G', owned by Qualicum Farms Ltd.

**PLANNING**

**Request for Acceptance of Cash-in-Lieu of Park Land and Relaxation of the Minimum 10% Perimeter Requirement – Glencar Consultants on behalf of Chris Ball – Barnes & Leask Road – Area A.**

MOVED Director Elliott, SECONDED Director Hamilton, that the requests, submitted by Glencar Consultants Inc., on behalf of Chris Ball, for cash-in-lieu of park land dedication be accepted and to relax the minimum 10% frontage requirement for proposed Lot 4, as shown on the plan of subdivision of Lot 1, Section 18, Range 4, Cedar District, Plan 7206 Except Parcel A (DD 9441 IN) Thereof and Except Part in Plan 36841, be approved subject to the applicant registering a section 219 covenant on proposed Lot 4 restricting further subdivision unless the minimum 10% requirement pursuant to section 944 of the Local Government Act can be met.

CARRIED

**Building Strata Conversion Application – Philip Sopow – 2525 Myles Lake Road – Area C.**

MOVED Director Hamilton, SECONDED Director Macdonald, that the request from Philip Sopow, to amend the Board resolution with respect to approval of the building strata conversion as shown on the Sketch Plan of Lot A, Cranberry District, Section 8, Range 3, Plan VIP53510, be approved subject to the conditions being met as set out in Schedule No. '1' of the staff report.

CARRIED

**Update on Implementation of Community Sewers for the Cedar Village and Surrounding Suburban Residential Lands – Area A.**

MOVED Director Hamilton, SECONDED Director Elliott,:

1. That staff prepare an information pamphlet providing an update on the expansion of community sewers into the Cedar Urban Containment Boundary for direct mail to property owners within the proposed servicing area.
2. That staff prepare Terms of Reference for the preparation of a comprehensive study of soils, hydrology and a survey of on-site septic systems as part of the application process for the Cedar Sewer Infrastructure Implementation Grant and report back to the Board.

MOVED Director Elliott, SECONDED Director Stanhope, that this item be deferred to the next Committee meeting.

CARRIED

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**Land Use and Subdivision Amendment Bylaw No. 500.281 & Horne Lake Service Area Sewage Disposal Regulation Bylaw No. 1218.01 – Area H.**

MOVED Director Sherry, SECONDED Director Hamilton, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.281, 2002” be introduced and given 1<sup>st</sup> and 2<sup>nd</sup> reading.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that the requirements for the public hearing for “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.281, 2002” be waived pursuant to Section 890 (4) of the Local Government Act.

CARRIED

MOVED Director Sherry, SECONDED Director Kruyt, that notification for “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.281, 2002” be undertaken pursuant to Section 893 of the Local Government Act.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that the “Horne Lake Service Area Sewage Disposal Regulation Bylaw No. 1218.01, 2002” be introduced and given 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading and referred to the Provincial Health Officer for approval.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.274, 2001” be repealed.

CARRIED

**Electoral Area ‘F’ OCP Amendment Bylaw No. 1152.02.**

MOVED Director McLean, SECONDED Director Haime, that “Regional District of Nanaimo Electoral Area ‘F’ Official Community Plan Bylaw Amendment Bylaw No. 1152.02, 2002” has been considered in conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.

CARRIED

MOVED Director Stanhope, SECONDED Director Rispin, that “Regional District of Nanaimo Electoral Area ‘F’ Official Community Plan Bylaw Amendment Bylaw No. 1152.02, 2002” has been considered in conjunction with the RDN waste management plans.

CARRIED

MOVED Director Stanhope, SECONDED Director Rispin, that “Regional District of Nanaimo Electoral Area ‘F’ Official Community Plan Bylaw Amendment Bylaw No. 1152.02, 2002” has been considered in conjunction with the RDN growth management plan.

CARRIED

MOVED Director Stanhope, SECONDED Director Rispin, that “Regional District of Nanaimo Electoral Area ‘F’ Official Community Plan Bylaw Amendment Bylaw No. 1152.02, 2002” has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.

CARRIED

MOVED Director Stanhope, SECONDED Director Haime, that “Regional District of Nanaimo Electoral Area ‘F’ Official Community Plan Bylaw Amendment Bylaw No. 1152.02, 2002” be given 2<sup>nd</sup> reading and be referred to a public hearing.

A recorded vote was requested.

The motion was DEFEATED with Directors Holme, Hamilton, Quittenton, Haime, Elliott, McLean and Stanhope voting in the affirmative and Directors Kruyt, Sherry, Macdonald, Holdom, McNabb, Lance, Korpan and Rispin voting in the negative.

MOVED Director Korpan, SECONDED Director Macdonald, that the staff report be received and that "Regional District of Nanaimo Electoral Area 'F' Official Community Plan Bylaw Amendment Bylaw No. 1152.02, 2002" be abandoned.

MOVED Director McLean, SECONDED Director Haime, that this issue be referred back to the Committee.

DEFEATED

The question was called on the main motion.

A recorded vote was requested.

The motion CARRIED with Directors Kruyt, Sherry, Macdonald, Holdom, McNabb, Lance, Korpan and Rispin voting in the affirmative and Directors Holme, Hamilton, Quittenton, Haime, Elliott, McLean and Stanhope voting in the negative.

MOVED Director Korpan, SECONDED Director Rispin, that "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" be reintroduced and given 1<sup>st</sup> and 2<sup>nd</sup> reading as amended to increase the minimum lot size for the A-1 to 4 ha and referred to Public Hearing.

MOVED Director McLean, SECONDED Director Stanhope, that this issue be referred back to the Committee.

DEFEATED

The question was called on the main motion.

The motion CARRIED.

MOVED Director Stanhope, SECONDED Director Rispin that the motion delegating the public hearing with respect to "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" to Director McLean or Director Stanhope as his alternate, be rescinded and that the holding of the public hearing with respect to "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" be delegated to Director McLean or his alternate.

CARRIED

MOVED Director Stanhope, SECONDED Director Rispin, that "Regional District of Nanaimo Impact Assessment Bylaw Amendment Bylaw No. 1165.02, 2002" be introduced and given 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading.

CARRIED

MOVED Director McLean, SECONDED Director Quittenton, that the Regional District of Nanaimo be dissolved and broken into two separate areas.

DEFEATED

Director Elliott left the meeting.

**COMMUNITY SERVICES**

**REGIONAL GROWTH MANAGEMENT**

**Growth Management Plan Monitoring Program – Scope & Approach.**

MOVED Director Sherry, SECONDED Director Hamilton, that the Regional District fulfill its obligation to monitor Growth Management Plan implementation and progress towards Plan objectives and action by pursuing a comprehensive monitoring program, including staff's preparation of terms of reference for a new committee, as described in Alternative 4.

CARRIED

**CORPORATE SERVICES**

**FINANCE**

**2001 Audited Financial Statements.**

MOVED Director Stanhope, SECONDED Director Hamilton, that the report on the audited financial statements for the year ended December 31, 2001 be received.

CARRIED

**2001 Public Bodies Information Report.**

MOVED Director Stanhope, SECONDED Director Hamilton, that the 2001 Public Bodies Financial Information Report on supplier payments and employee remuneration be received for information.

CARRIED

**HOSPITAL**

**2001 Audited Financial Statements.**

MOVED Director Stanhope, SECONDED Director Kruyt, that the report on the 2001 audited financial statements of the Nanaimo Regional Hospital District be received.

CARRIED

**ENVIRONMENTAL SERVICES**

**LIQUID WASTE MANAGEMENT**

**Wastewater Treatment and Disposal Options Review – Qualicum Bay/Dunsmuir, Bowser (Area H) and Extension (Area C).**

MOVED Director Quittenton, SECONDED Director Kruyt, that the wastewater treatment and disposal option and servicing studies for Qualicum Bay/Dunsmuir and Bowser and Extension be received.

CARRIED

MOVED Director Quittenton, SECONDED Director Sherry, that staff be directed to consult with the stakeholders to determine the preferred servicing option and to take that option to pre-design to determine costs of final construction.

CARRIED

**UTILITIES/ENGINEERING**

**Rural Streetlighting LSA Amendment Bylaw No. 791.03.**

MOVED Director Stanhope, SECONDED Director Sherry, that "Rural Streetlighting Local Service Area Amendment Bylaw No. 791.03, 2002" be granted first three readings and be forwarded to the Inspector for approval.

CARRIED



**COMMISSION, ADVISORY & SELECT COMMITTEE**

**District 69 Recreation Commission.**

MOVED Director Quittenton, SECONDED Director Macdonald, that the minutes of the District 69 Recreation Commission meeting held March 14, 2002 be received for information.

CARRIED

MOVED Director Stanhope, SECONDED Director Quittenton, that the following Community Grant In Aid be approved:

Family Resource Association	\$	500
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CARRIED

MOVED Director Quittenton, SECONDED Director Macdonald, that the following Youth Grant In Aids be approved:

Kidfest	\$	1,500
Errington Therapeutic Riding Association		1,500
Erik Goetzinger BMX Society		3,200
Arrowsmith Mountain Bike Society		3,400
Deep Bay Yacht Club Junior Sailing Program		2,700

CARRIED

**Gabriola Island Recreation Commission.**

MOVED Director Sperling, SECONDED Director Korpan, that the minutes of the Gabriola Island Recreation Commission meeting held March 11, 2002 be received for information.

CARRIED

MOVED Director Sperling, SECONDED Director Korpan, that the report be received and that the Regional District of Nanaimo enter into an agreement with the Gabriola Recreation Society for the provision of recreation services to the residents of Gabriola Island.

CARRIED

MOVED Director Sperling, SECONDED Director Haime, that staff prepare a report on the options available on the restructure of the Recreation Commission.

CARRIED

**SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE**

**Board of Variance Appointment.**

MOVED Director Stanhope, SECONDED Director McNabb, that Brock Williamson be appointed as the Board's representative on the Board of Variance for a three year term ending April, 2005.

CARRIED

**ADMINISTRATOR'S REPORT**

**Tender Award – Davenham Road, Dolphin Drive & Sea Lion Crescent Watermain Replacement – Bylaw No. 1297 – Area E.**

MOVED Director Sherry, SECONDED Director Macdonald, that "Regional District of Nanaimo Nanoose Water Local Service Area Excess Capital Funds Expenditure (Watermain Improvements) Bylaw No. 1297, 2002" be given three readings.

CARRIED

MOVED Director Sherry, SECONDED Director Hamilton, that "Regional District of Nanaimo Nanoose Water Local Service Area Excess Capital Funds Expenditure (Watermain Improvements) Bylaw No. 1297, 2002" be adopted:

CARRIED

MOVED Director Sherry, SECONDED Director Kruyt, that the Davenham/Dolphin Drive Watermain Replacement Contract be awarded to Fournier Excavating Ltd. for the tendered price of \$144,901.11.

CARRIED

**Annual Operating Agreement – BC Transit.**

MOVED Director McNabb, SECONDED Director Holdom, that the 2002/2003 Annual Operating Agreement between BC Transit and the Regional District of Nanaimo for the provision of Conventional and Custom Transit services be approved.

CARRIED

**District 69 Arena Project – Review of Request for Proposals.**

MOVED Director Macdonald, SECONDED Director Stanhope,

That the Regional District proceed with further discussions with RG Properties Ltd. on their proposal for a twinned arena facility at Wembley Mall and with CAPE Developments Corporation on their proposal for a twinned arena facility at the existing arena site.

That staff prepare a report to allow for the Board's consideration of a proposal and next steps, including a schedule for a referendum.

A recorded vote was requested.

The motion CARRIED with Directors Holme, Quittenton, Kruyt, Macdonald and Stanhope voting in the affirmative and Director McLean voting in the negative.

**Response Regarding Treaty Positions.**

MOVED Director Korpan, SECONDED Director Holdom, that the report with respect to the Provincial response to Treaty Positions be received.

CARRIED

MOVED Director Hamilton, SECONDED Director Stanhope, that based on the information received, a new meeting date be arranged to meet with Trevor Proverbs.

CARRIED

Director Korpan requested that meetings be arranged on weekends when possible.

Director Sperling requested that he be replaced as Director Hamilton's alternate on treaty issues.

**Update on Treaty Related Measure.**

MOVED Director Holdom, SECONDED Director Hamilton, that the update on the Treaty Related Measures be received for information.

CARRIED

**Southern Community Recreation LSA Amendment Bylaw No. 1059.02.**

MOVED Director Sherry, SECONDED Director Kruyt, that "Southern Community Recreation Local Service Area Amendment Bylaw No. 1059.02, 2002" be introduced for first three readings and be forwarded to the Inspector for approval.

CARRIED

**Alternative Facility Use for the District 69 Arena.**

MOVED Director Stanhope, SECONDED Director Kruyt, that the Alternative Facility Use for the District 69 Arena report be received as information.

CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Garry Oak and Associated Ecosystems.**

MOVED Director Stanhope, SECONDED Director Korpan, that the Board endorse the Recovery Strategy for Garry Oak and Associated Ecosystems and their Associated Species at Risk in Canada, 2001 – 2006 (Draft 20 February 2002).

CARRIED

**Arrowsmith Watershed.**

MOVED Director Stanhope, SECONDED Director Holdom, that staff prepare a report on drinking water in the Arrowsmith watershed.

MOVED Director Stanhope, SECONDED Director Holdom, that this issue be referred to Committee.

CARRIED

**Port Theatre.**

MOVED Director Korpan, SECONDED Director Rispin, that staff prepare a report in consultation with the Port Theatre staff on financing options for the Port Theatre for the affected areas.

A recorded vote was requested.

The motion CARRIED with Directors Holme, Hamilton, Quittenton, Kruyt, Haime, Sperling, Macdonald, Holdom, McNabb, Lance, Korpan, Rispin and Stanhope voting in the affirmative and Directors Sherry and McLean voting in the negative.

**IN CAMERA**

MOVED Director Stanhope, SECONDED Director Sherry, that pursuant to Section 242.2 1(e) of the *Local Government Act* the Board proceed to an In Camera meeting to the acquisition of land.

CARRIED

**ADJOURNMENT**

MOVED Director Sherry, SECONDED Director Rispin, that this meeting be adjourned to allow for an In Camera meeting.

CARRIED

TIME: 9:30 PM

The meeting reconvened at 9:50 PM

**Soil Conservation Permit No. 0104 – Champoux – 3230 Palmer Road – Area F.**

MOVED Director Rispin, SECONDED Director McNabb, that the Board reconsider the terms of the Permit to allow for the off-site removal of any excess soil not required to construct the road.

CARRIED

**Greater Nanaimo Pollution Control Centre – Land Purchase.**

MOVED Director Rispin, SECONDED Director McNabb, that the purchase and lease agreements for the Pipers Inn pub and adjacent Lagoon Grocery store properties (Lot 2, Plan 7504, District Lot 51, Wellington Land District and Lot 1, Plan 23005, District Lot 51, Wellington Land District) be approved.

CARRIED

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CHAIRPERSON

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GENERAL MANAGER, CORPORATE SERVICES

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE SPECIAL BOARD MEETING  
HELD ON TUESDAY, APRIL 30, 2002, AT 7:30 PM  
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,  
455 WALLACE STREET, NANAIMO, BC**

**Present:**

Director G. Holme	Chairperson
Director L. Elliott	Electoral Area A
Director B. Sperling	Electoral Area B
Director E. Hamilton	Electoral Area C
Director J. McLean	Electoral Area F
Director J. Stanhope	Electoral Area G
Director R. Quittenton	Electoral Area H
Director J. Macdonald	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director G. Korpan	City of Nanaimo
Director D. Rispin	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director T. Krall	City of Nanaimo
Director B. Holdom	City of Nanaimo

**Also in Attendance:**

K. Daniels	Chief Administrative Officer
C. Mason	General Manager of Corporate Services
N. Connelly	General Manager of Community Services
B. Lapham	General Manager of Development Services
J. Finnie	General Manager of Environmental Services
C. McIver	Manager of Solid Waste
M. Pearse	Manager of Administrative Services
F. Demmon	Councillor, City of Parksville

**ADMINISTRATOR'S REPORT**

**Municipal Benefiting Area Amendment Bylaw No. 1216.02 – City of Nanaimo.**

MOVED Director McNabb, SECONDED Director Holdom, that "Municipal Benefiting Area Amendment Bylaw No. 1216.02, 2002" be introduced for three readings and be forwarded to the City of Nanaimo for consent.

CARRIED

**Landfill Gas Utilization Study.**

MOVED Director McLean, SECONDED Director Holdom, that the Board approve the implementation of an LFG migration monitoring program.

CARRIED

MOVED Director Rispin, SECONDED Director McNabb, that the Board proceed with the investigation and identification of a beneficial LFG utilization option as outlined in the CRA reports.

CARRIED

**District 69 Arena Referendum.**

MOVED Director McNabb, SECONDED Director Westbrook, that this item be brought forward to a Special Board meeting on May 7, 2002.

CARRIED

**UNFINISHED BUSINESS**

*From the Electoral Area Planning Committee meeting held March 26, 2002.*

**Development Permit Application No. 0209 – Groves – 5457 West Island Highway – Area H.**

MOVED Director Quittenton, SECONDED Director Westbrook, that Development Permit Application No. 0209 to vary the maximum height of a dwelling unit in the Residential 2 zone pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" from 8.0 metres to 9.5 metres to facilitate the construction of a single dwelling unit and the removal of a single dwelling unit within the Hazard Lands Development Permit Area pursuant to "Shaw Hill-Deep Bay Official Community Plan Bylaw No. 1007, 1996" for the property legally described as Lot 3, District Lot 16, Newcastle District, Plan 15105 be approved subject to the conditions outlined in Schedule No. '1' and pursuant to the notification requirements of the *Local Government Act*.

CARRIED

**COMMISSION, ADVISORY & SELECT COMMITTEE**

**Building Addition Committee.**

MOVED Director Krall, SECONDED Director Stanhope, that the minutes of the Building Addition Committee meeting held on Tuesday, April 23, 2002 be received for information.

CARRIED

MOVED Director Rispin, SECONDED Director McNabb, that the Board endorse Schematic Design Option 1, which provides for construction of an addition to the RDN Administration Building with the Board Room located on the main floor.

A recorded vote was requested.

The motion CARRIED with Directors Holme, Hamilton, Quittenton, Westbrook, Sperling, Macdonald, Holdom, McNabb, Elliott, Krall and Stanhope voting in the affirmative and Directors McLean, Korpan and Rispin voting in the negative.

MOVED Director Stanhope, SECONDED Director Westbrook, that the Regional District of Nanaimo retain NSDA Architects, including their listed sub-consultants, to complete the Final Design, prepare the Tender Documents and oversee the Construction Phase of the RDN Building Addition Project for a fixed fee of \$88,000 plus disbursements.

CARRIED

**NEW BUSINESS**

MOVED Director Quittenton, SECONDED Director Westbrook, that:

WHEREAS it is expected that the Board of the Regional District of Nanaimo will act in a manner which is equitable to all residents of the Regional District of Nanaimo;

NOW THEREFORE BE IT RESOLVED that the Board of the Regional District of Nanaimo discourages block voting by Directors and encourages all Directors to vote as individuals according to their conscience.

DEFEATED

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**ADJOURNMENT**

MOVED Director Krall, SECONDED Director McNabb, that this meeting terminate.

CARRIED

TIME: 7:42 PM

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CHAIRPERSON

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GENERAL MANAGER, CORPORATE SERVICES

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE SPECIAL BOARD MEETING  
HELD ON TUESDAY, MAY 7, 2002, AT 7:30 PM  
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,  
455 WALLACE STREET, NANAIMO, BC

**Present:**

Director G. Holme	Chairperson
Director L. Elliott	Electoral Area A
Director B. Sperling	Electoral Area B
Director E. Hamilton	Electoral Area C
Director D. Haime	Electoral Area D
Director J. McLean	Electoral Area F
Director J. Stanhope	Electoral Area G
Director R. Quittenton	Electoral Area H
Director J. Macdonald	City of Parksville
Director T. Westbrook	Town of Qualicum Beach
Director D. Rispin	City of Nanaimo
Director L. McNabb	City of Nanaimo

**Also in Attendance:**

K. Daniels	Chief Administrative Officer
C. Mason	General Manager of Corporate Services
N. Connelly	General Manager of Community Services
T. Osborne	Manager of Recreation and Parks
M. Pearse	Manager of Administrative Services
F. Demmon	Councillor, City of Parksville

**MOTION TO CLOSE MEETING**

MOVED Director MacDonald, SECONDED Director Hamilton, that pursuant to Section 242.2(1)(j) of the *Local Government Act* the Board proceed to an In Camera meeting to consider information which is prohibited from disclosure under Section 21 of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

The meeting reconvened at 8:20 PM.

**LATE DELEGATIONS**

MOVED Director Stanhope, SECONDED Director McNabb, that Mr. Levirs be permitted to speak as a late delegation.

CARRIED

Don Levirs, re District 69 Arena.

Mr. Levirs voiced his concerns with respect to the lack of involvement the Arena Commission had with the actual proposals received for the additional ice surfaces.



## ADMINISTRATOR'S REPORT

### District 69 Arena Referendum.

MOVED Director Stanhope, SECONDED Director Westbrook, that the Regional District, provide for the January 2002 arena twinning project at the existing arena site at a project cost of \$6,260,000 to proceed to referendum on June 15, 2002.

A recorded vote was requested.

The motion CARRIED with Directors Westbrook, McLean and Stanhope voting in the affirmative and Directors Holme, Quittenton and Macdonald voting in the negative. (Weighted Vote)

MOVED Director Stanhope, SECONDED Director Quittenton, that the Board endorse proceeding to referendum on June 15, 2002 to obtain voter assent for the following questions:

- (i) Are you in favour of "Regional District of Nanaimo District 69 Arena Twinning Project Loan Authorization Bylaw No. 1286, 2002", which if approved, would authorize the borrowing of SIX MILLION TWO HUNDRED AND SIXTY THOUSAND DOLLARS (\$6,260,000) for the purpose of constructing a second ice sheet at the District 69 Arena located at Parksville Community Park?
- (ii) Are you in favour of the Regional District of Nanaimo entering into a Lease for a term of thirty (30) years at a rental of FIVE DOLLARS (\$5.00) per year for an area of approximately 20,100 m<sup>2</sup> within Parksville Community Park for the District 69 Ice Arena and accessory parking area as shown on the sketch attached to the Lease Agreement as Schedule 'A'. The Lease will include the following obligations on the part of the Regional District of Nanaimo:
  - The payment of any taxes, rates, user fees and charges for public utilities and assessments resulting from the Regional District of Nanaimo's occupation of the premises;
  - Indemnification of the City of Parksville from all liability arising from the Regional District of Nanaimo's breach of any enactment, a defect in the premises, an injury to person or loss to property;
  - A requirement that the Regional District of Nanaimo take out and maintain public liability insurance for the term of the Lease;
  - A requirement that the Regional District of Nanaimo indemnify the City of Parksville for any liens filed against title to the land;
  - Maintenance of the premises to a reasonable standard.

CARRIED

Director Rispia and McNabb left the meeting.

MOVED Director Stanhope, SECONDED Director Quittenton, that the "Regional District of Nanaimo District 69 Arena Twinning Project Loan Authorization Bylaw No. 1286, 2002" be introduced and given three readings and proceed to referendum to obtain voter assent.

CARRIED

MOVED Director Stanhope, SECONDED Director Quittenton, that the Lease Agreement between the Regional District of Nanaimo and the City of Parksville for the land located within the Parksville Community Park for the District 69 Arena and accessory parking be approved for a term of thirty (30) years, subject to the assent of electors.

CARRIED

PAGE  
33

MOVED Director Stanhope, SECONDED Director Quittenton, that C. Mason be appointed as Chief Elections Officer and M. Pearse as Deputy Elections Officer for the referendum.

CARRIED

**UNFINISHED BUSINESS**

Bylaw No. 921.01.

MOVED Director Quittenton, SECONDED Director Sperling, that "Official Regional Park Plan Designation Amendment Bylaw No. 921.01, 2002" be adopted.

CARRIED

**ADJOURNMENT**

MOVED Director Stanhope, SECONDED Director Hamilton, that this meeting terminate.

CARRIED

TIME: 8:34 PM

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
GENERAL MANAGER, CORPORATE SERVICES



# Land Reserve Commission

*Working Farms, Working Forests*

REGIONAL DISTRICT OF NANAIMO			
MAY - 7 2002			
CHAIR	<input checked="" type="checkbox"/>	GMCrs	
CAO	<input checked="" type="checkbox"/>	GMDS	<input checked="" type="checkbox"/>
GMCms		GMES	
<i>Bob - added 4 recommendations for COU.</i>			

May 2, 2002

Chair and Members of the Board  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC  
V9T 6N2

Chair and Members of the Board

Re: **New Legislation - Agricultural Land Commission Act;**  
**New Appointments to the Land Reserve Commission**

Further to my letter of January 29, 2002, I wish to take this opportunity to update you on recent steps being taken to implement the new directions of the Commission following the completion of the core review and the appointment of new Commissioners.

**New Legislation - Agricultural Land Commission Act**

On April 15<sup>th</sup>, Bill 21, (*Agricultural Land Commission Act*), was introduced to the legislature. Through the implementation of the act, the restructured commission will be able to protect farmland more efficiently in a way that meets the interests and needs of local communities. This bill responds to the Land Reserve Commission's Core Review and government's deregulation initiative by making the regulatory framework for the Agricultural Land Reserve more enabling and less prescriptive, by streamlining processes and expanding permitted uses in the ALR.

The new legislation and restructuring will come into effect following the approval of the act by government and through implementation of the necessary regulations as approved by Cabinet. We anticipate that the legislation will be approved this spring with the new provisions being brought into force through regulations approved by Cabinet later. We will keep you advised on the processes of bringing the provisions into force. Until this occurs, the existing legislation and regulations remain in place.

Following is a brief summary of the legislative changes in relation to the three strategic shifts identified through Core Review:

**Commission Restructuring**

- A minimum of 7 Commissioners (up from 5) with the objective of having 19 in total.
- The Chair and Vice Chairs will be appointed by Cabinet.
- Remaining Commissioners may be appointed by Cabinet or the Minister of Sustainable Resource Management.
- The Chair may establish up to 6 panels based on geographic regions with the objective of having a panel for each of 6 regions of the province.
- Each panel will consist of 3 members; a Vice Chair and 2 Commissioners.
- An Executive Committee consisting of the Chair and all 6 Vice Chairs will deal with matters of province-wide interest.
- Commissioners will be appointed from and make decisions for the regions in which they live.
- Panels will meet regularly in their regions.
- Panel decisions are final; there is no appeal to the Executive Committee or full Commission.

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**PAGE**  
**35**

#### **Collaborative Governance**

- Delegation, which is now available to local governments, will be extended to other authorities such as the Oil and Gas Commission and possibly other public bodies.
  - In the course of negotiating such agreements, the Commission will be seeking advice from, and consulting with local governments.
  - For authorities, the delegation agreement negotiated with the Commission may exempt specific uses from application requirements. **As is the case with general orders and regulations which currently exempt some land uses from applications, the restrictions of local government bylaws and regulations and other legislation would still apply.**
- As is now the case, only subdivision and land use decision-making may be delegated and delegation agreements continue to be voluntary.
- For local governments with delegated authority, enforcement and compliance powers under the Act are enhanced.
- A new dispute resolution process is provided for community issues where the Commission and local government are in disagreement.

#### **Deregulation and Streamlining**

- The 3 former Acts (*Land Reserve Commission Act, Agricultural Land Reserve Act and Soil Conservation Act*) are consolidated into one – the *Agricultural Land Commission Act*.
- The purpose of the Commission is focused on agricultural land preservation.
- Many procedures are simplified and streamlined.
- *Soil Conservation Act* approvals and permits are eliminated and replaced by a new results-based process that includes notification and terms and conditions for reclamation set by the Commission.
- There are new enforcement and compliance tools for the Commission.
- As part of Bill 21, consequential amendments to the FLR Act will repeal the subdivision and land use restrictions and recapture charge provision for private land in the FLR. With the elimination of these provisions, while the FLR remains as a legal designation, **land use and subdivision would continue to be subject to local government bylaws and regulations where applicable.**
- These changes will significantly reduce the number of approvals required and the number of applications to the Commission.

The new legislation will be followed by new use and procedure regulations for the ALR. These will:

- Clarify and increase the number of permitted uses and simplify requirements in the regulations for uses now permitted under General Orders, and
- Incorporate almost all General Orders of the Commission into regulations, which will result in a more transparent process.
- Set out the notification procedure for soil removal and placement of fill and provide for exemptions from this requirement.

All of these changes will help the Commission be more regionally responsive, bring decision-making closer to those affected and increase the efficiency and the effectiveness of the land reserve program. The Commission will continue to work collaboratively with local government and other partners in preserving British Columbia's important foodlands. Over the next 3 years, the Commission's work will be guided by its Service Plan, which sets out its goals and objectives, which are in support of government's strategic goals. For reference purposes, the Service Plan can be found on our Website; [www.lrc.gov.bc.ca](http://www.lrc.gov.bc.ca).

As the Commission implements these changes, we wish to assure local governments that further details and background will be provided. For example, we will be seeking advice on delegation of decision making authority to other agencies; we will be seeking input into effective operation of the panels as they conduct Commission business; we will be providing further details about the facilitated dispute resolution process concerning community issues and asking for suggestions on how this may be approached; we will be providing further guidance and seeking advice on the results based approach to dealing with proposals to remove soil, or place fill on ALR lands due to the replacement of the *Soil Conservation Act* by provisions within the new ALC Act.

#### New Appointments to the Land Reserve Commission

I am very pleased to announce that 19 new Commissioners have now been appointed to the soon to be renamed Provincial Agricultural Land Commission. They come from every region of British Columbia and bring a wealth of experience in farming, local government, business and several other relevant disciplines. I have been re-appointed as Chair and I also continue in my role as Chief Executive Officer.

#### The new Commissioners for your Island Panel include:

- Vice Chair Lorne Seitz, Courtenay
- Commissioner David Craven, Shawnigan Lake
- Commissioner Donald Rugg, Victoria

For your information I have also enclosed a list of the entire Commission, with a brief biography and their regional responsibilities.

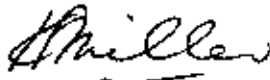
You will recall that an interim Commission consisting of five senior civil servants has been conducting the Commission's day-to-day business since December. In addition to myself the interim Commissioners were Jon O'Riordan, Deputy Minister of Sustainable Resource Management as Vice-Chair; Gordon Macatee, Deputy Minister of Agriculture, Food and Fisheries; Brian Underhill, the Commission's Director of Strategic Planning and Corporate Policy; and Colin Fry, our Director of Regional Operations. I would like to thank each of them for their contributions and wise counsel as Commissioners over the past few months.

The new Commission will be holding its first regional panel meetings in June and depending on their availability, some meetings may be held in the latter part of May. We intend to provide you with a meeting schedule for your region once we have confirmed it with the new Commissioners. If you are interested in meeting with your Panel or have suggestions about land use issues we could look into, I encourage you to contact our regional staff. Enclosed is the contact information for the staff which support each of the six panels. Please note that some of the staff contacts may have changed for your region.

I look forward to working with our new Commissioners, our dedicated staff, local governments and the ALC's many stakeholders as we continue to preserve BC's foodlands in the years to come.

If you have any questions about these changes please contact me at 604 660-7000. Or visit the LRC's website at: [www.lrc.gov.bc.ca](http://www.lrc.gov.bc.ca). I look forward to working with our local government partners and will be providing a more detailed explanation of the legislation and regulations and further updates as the implementation phase continues.

Yours sincerely,



Kirk B. Miller  
Chair and Chief Executive Officer

**Agricultural Land Commission Panel Regions - Staff Contacts May 2002**

<b>Island Panel</b>		
Alberni, Cowichan, Capital, Comox, Strathcona, Cowichan Valley, Mount Waddington and Nanaimo Regional Districts and the Island Trust		
Planner	Roger Cheetham	604 660-7020 Roger.Cheetham@gems9.gov.bc.ca
Research Officer	Keeva Kehler	604 660-7016 Caoimhe.Kehler@gems4.gov.bc.ca

<b>South Coastal Panel</b>		
Fraser Valley, Greater Vancouver, Powell River, Squamish, Fraser and Sunshine Coast Regional Districts including Bowen, Campbell and Beada Island		
Planner	Tony Pellett	604 660-7019 Tony.Pellett@gems5.gov.bc.ca
Research Officer	Karen Moores	604 660-7006 Karen.Moores@gems6.gov.bc.ca

<b>Okanagan Panel</b>		
Central Okanagan, Columbia Shuswap, North Okanagan and Okanagan Similkameen Regional Districts		
Planner	Martin Collins	604 660-7021 Martin.Collins@gems9.gov.bc.ca
Research Officer	Elisa Martin	604 660-7017 Elisa.Martin@gems2.gov.bc.ca

<b>Kootenay Panel</b>		
Central Kootenay, East Kootenay and Southern Bulkley Regional Districts		
Planner	Roger Cheetham	604 660-7020 Roger.Cheetham@gems9.gov.bc.ca
Research Officer	Gordon Bednard	604 660-7011 Gordon.Bednard@gems2.gov.bc.ca

<b>Interior Panel</b>		
Cariboo, Central Coast and Thompson-Nicola Regional Districts		
Planner	Martin Collins	604 660-7021 Martin.Collins@gems9.gov.bc.ca
Research Officer	Ron Wallace	604 660-7022 Ron.Wallace@gems4.gov.bc.ca

<b>North Panel</b>		
Bulkley, Nechako, Fraser-Fort George, Kootenai-Stikine, Northern Rockies, Peace River and Skeena Regional Districts		
Planner	Bruce Gunn	604 660-7014 Bruce.Gunn@gems4.gov.bc.ca
Research Officer	Sherry Gordon	604 660-7015 Sherry.Gordon@gems6.gov.bc.ca

## ISLAND PANEL

### Areas of Responsibility:

- Regional District of Alberni – Clayoquot
- Capital Regional District
- Regional District of Comox – Strathcona
- Cowichan Valley Regional District
- Regional District of Mount Waddington
- Regional District of Nanaimo
- Islands Trust - (All islands except for Bowen, Gambier and Texada Islands)

### Vice Chair:

Lorne Seitz – Courtenay

### Commissioners:

David Craven – Shawnigan Lake  
Donald Rugg – Victoria

### Regional Planner:

Roger Cheetham  
Telephone: (604) 660 – 7020  
E-mail: Roger.Cheetham@gems9.gov.bc.ca

### Regional Research Officer:

Caoimhe (Keeva) Kehler  
Telephone: (604) 660 – 7016  
E-mail: Caoimhe.Kehler@gems4.gov.bc.ca

Telephone (Receptionist) (604) 660 – 7000  
Office Fax: (604) 660 – 7033  
Website: [www.lrc.gov.bc.ca](http://www.lrc.gov.bc.ca)



Land Reserve Commission  
*Working Farms, Working Forests*

**AGRICULTURAL LAND COMMISSIONERS – BIOGRAPHIES**

**Provincial Chair**

**Kirk Miller**

Kirk Miller is the chief executive officer of the Land Reserve Commission. He has been employed at the commission since June 1976 in various positions including administrative officer, soil conservation act enforcement officer, director of property and soils management, and general manager. He also served six years as chair of the Agricultural Land Commission. Miller is involved with a number of charitable organizations in Vancouver and Burnaby. He is a former member of the Farm Folk City Folk board of directors. Miller lives in Vancouver.

**North Panel**

**Frank Read – Vice-chair**

Frank Read was mayor of the District Municipality of Vanderhoof for nine years. He has served as alderman, chair of the Stewart Nechako Hospital District and vice-chair of the Regional District of Bulkley Nechako. For the past 35 years, Read has owned and operated Lake Hotels Ltd. and has also been active in logging, ranching and guiding. Read lives in Vanderhoof.

**John Kendrew**

John Kendrew is a retired educational administrator and retired registered psychologist with training in conflict resolution, mediation and negotiation. Kendrew runs a cow and calf ranch in Pouce Coupe. He is director of the South Peace River Forage Association, the B.C. Forage Association and South Peace Stockmen's Association; and a member of the B.C. Cattlemen's Association.

**James Davidson**

James Davidson has been involved in farming for over 40 years and is president and manager of Canyon Creek Farm Ltd. He is past president of the Bulkley Valley Dairyman Association, past director of the B.C. Dairy Foundation, past director of the Dairy Bureau of Canada and past member of the B.C. Regional Advisory Agrifoods International Co-op. Davidson brings with him 10 years of experience as a councillor for the Town of Smithers, including six years as mayor. He lives in Smithers.



### Interior Panel

#### **Grant Huffman – Vice-chair**

Grant Huffman is an agrologist and rancher in Williams Lake. He is the co-owner and operator of Riske Creek Ranching Ltd. Huffman is director and past president of the B.C. Cattlemen's Association. He is the past chair of the land stewardship committee and aboriginal affairs committee of the B.C. Cattlemen's Association, past director of the Canadian Cattlemen's Association, a panelist on the farm debt review board, past chair of the Cariboo/Chilcotin Grazing Enhancement Fund, and a member of the B.C. Cattle Industry Development Council.

#### **Guy Rose**

Guy Rose is owner-manager of the Quilchena Cattle Co. in the Nicola Valley. In addition to his 3,000-head cattle ranch, he also owns and operates the restored turn-of-the-century Quilchena Hotel. Rose is past president of the Nicola Stock Breeders, past chair of the B.C. Cattlemen aboriginal affairs committee and member of the Forest Alliance of B.C.

#### **Holly Campbell**

Holly Campbell co-owns a family-run cow, calf and yearling ranch near Kamloops. During the late 1970s, she worked for the Ministry of Agriculture, co-ordinating the 4H program in the south central Interior. Campbell is currently secretary-treasurer of the Kamloops Stockmen's Association. She is also a volunteer at the South Thompson 4H Beef Club.

### Okanagan Panel

#### **Ravinder (Sid) Sidhu – Vice-chair**

Sid Sidhu is general manager of the Bella Vista Farm Market and Orchards in Vernon. He is a past commissioner of the Land Reserve Commission, past member of the Okanagan Landing Advisory Planning Commission, past treasurer of the Southern Interior Direct Farm Marketing Association, a member of the B.C. Fruit Growers' Association and a member of the Greater Vernon Chamber of Commerce.

#### **Susan Irvine**

Susan Irvine is a self-employed, part-time farmer who owns and operates an orchard and vineyard in Naramata. She has chaired committees for the provincial government and is a director of the B.C. Grape Growers' Association, director of the B.C. Federation of Agriculture, and director of the B.C. Marketing Board.

#### **Sharon McCoubrey**

Sharon McCoubrey is a professor in the faculty of education at Okanagan University College and part owner of McCoubrey Organic Farms in Lake Country. She is a member of the Agriculture in the classroom committee and the Lake Country Official Community Plan Review Forum. McCoubrey holds a doctor of philosophy degree from the University of B.C.

### Kootenay Panel

#### **Monika Marshall – Vice-chair**

Monika Marshall is the co-owner and manager of Advance Orchard Co. Ltd., a wholesale tree nursery business in Grand Forks. Advance Orchards Co. owns or has interests in Cherries Kokanee Inc. and Creston Orchards Ltd.

#### **Cheryle Huscroft**

Cheryle Ann Huscroft has served agriculture in the Creston Valley and the province in a variety of positions. She was a commissioner on the Provincial Agricultural Land Commission and co-ordinator of the Creston Valley Agricultural Society. She is trained in conflict resolution and has taught conflict resolution skills at Kootenay Employment Services. Huscroft lives in Lister.

#### **Carmen Purdy**

Carmen Purdy is retired from Crestbrook Forest Industries where he worked in management positions for 29 years. He has served as a commissioner on the Forest Resources Commission of B.C. and has been actively involved in wildlife and land-use issues for the past 37 years. Purdy is past president of the B.C. Wildlife Federation and director of the Nature Trust of B.C. He is also the founding president of the Kootenay Wildlife Heritage Fund and is president of the B.C. Conservation Foundation. He lives in Cranbrook.

### South Coastal Panel

#### **Peter Dhillon – Vice-chair**

Peter Dhillon is the chief operating officer of the Richberry Group of Companies, which operates a cranberry business in Richmond. He is also a managing partner of the B.K. Ranch Ltd. Partnership. Dhillon lives in Richmond, where he has served on foundations and committees in the community.

#### **Walter Dyck**

Walter Dyck has been a self-employed poultry farmer in Chilliwack for the past 36 years. He is currently chair of the Chilliwack Agricultural Commission, a position he has held since 1997; and director of the Chilliwack Chamber of Commerce.

#### **Carol Paulson**

Carol Paulson has worked in the dairy industry for almost 25 years, most recently as the national marketing manager, refrigerated categories for Dairyland Fluid Division, where she was responsible for strategic planning, product development and new product launches. Paulson is a member of the Langley Economic Development Commission. She is past president of the B.C. Farm Writers' Association, founding director and president of Agriculture in the Classroom, member of the grant application peer review committee of the Science Council of B.C., and past president of the Vancouver branch of the B.C. Institute of Agrologists. Paulson lives in Langley.

**Island Panel**

**Lorne Seitz – Vice-chair**

Lorne Seitz acts as a consultant to government on organizational management and land-use issues. He is the past chair and chief executive officer of the B.C. Assets and Land Corp. and past deputy minister of agriculture, fisheries and food. Seitz is past president and chief executive officer of the B.C. Trade Development Corp. and director of the Okanagan Valley Tree Fruit Authority. He lives in Courtenay.

**Donald Rugg**

Donald Rugg is president of View West Marketing Inc., a Victoria company that provides market research, market development planning and contract administration for a range of products, firms, and associations. Previously, Rugg was director of the marketing branch of the Ministry of Agriculture, Food and Fisheries; and export development officer for the agricultural division of the federal Department of Industry, Trade and Commerce. He is a member of the B.C. Institute of Agrologists and the Canadian Consulting Agrologists Association. Rugg is also director of the West Shore Chamber of Commerce.

**David Craven**

David Craven is a self-employed hog farmer with 40 years' experience farming in the Shawnigan Lake area. He is director of the Cowichan Agriculture Society and is past director of Agripro and Island Farm Alliance. Craven is an active member of the B.C. Pork Producers and director of the B.C. Hog Commission. Nationally, he represented the B.C. Pork Producers on the Canadian Pork Council and as vice-chair and chair of Canada Pork Inc.



REGIONAL DISTRICT OF NANAIMO			
MAY - 3 2002			
CHAIR		GMCrs	
CAC		GMDS	
CLACms		GMES	

MEMORANDUM

**TO:** Pamela Shaw  
Manager of Community Planning

**DATE:** May 3, 2002

**FROM:** Deborah Jensen  
Planner

**FILE:** 3360 30 0201

**SUBJECT:** Bylaw No. 500.282 - Chouinard  
Lot 6, District Lot 27G (Formerly Known as District Lot 27), Wellington District,  
Plan 6757  
Electoral Area 'D' - 7184 Lantzville Road

PURPOSE

To consider the minutes of the Public Hearing held Thursday, May 2, 2002 with respect to Bylaw No. 500.282, and further, to consider Bylaw 500.282 for 3<sup>rd</sup> reading.

BACKGROUND

Bylaw No. 500.282 was considered by the Board and given 1<sup>st</sup> and 2<sup>nd</sup> reading on Tuesday, April 9, 2002.

Bylaw 500.282 is a result of an application for a text amendment, submitted by Winifred Chouinard, to remove the minimum site area requirements for Residential Use within a Commercial 2 (CM2) zone. Further direction from the Regional Board, at their meeting held Tuesday, April 9, 2002, resulted in a further revision to this text amendment to ensure that the Residential Use remain accessory to the permitted uses on the property (see Schedule No. 1).

The Public Hearing concerning the proposed amendment was held Thursday, May 2, 2002. A summary of the proceedings is attached for the Board's consideration (see Attachment No. 1).

ALTERNATIVES

- To grant 3<sup>rd</sup> reading to Bylaw 500.282.
- To deny Bylaw 500.282.

INTERGOVERNMENTAL IMPLICATIONS

Should the Bylaw be granted 3<sup>rd</sup> reading, the *Highways Act* requires that the rezoning application be approved by the Ministry of Transportation prior to the Bylaw being considered by the Board for adoption. This approval is required for any rezoning application within 800 metres of a controlled access interchange.

PAGE 1/1

## PUBLIC CONSULTATION IMPLICATIONS

No written submissions were received at the Public Hearing, and verbal comments focused on support of the zoning amendment application.

## VOTING

Electoral Area Directors except Electoral Area 'B' - one vote.


## SUMMARY/CONCLUSIONS

"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.282, 2002" was given 1<sup>st</sup> and 2<sup>nd</sup> reading on Tuesday, April 9, 2002. A Public Hearing with respect to this Bylaw was conducted on Thursday, May 2, 2002.

The following recommendations are provided for consideration by the Board.

## RECOMMENDATION

1. That the Minutes of the Public Hearing held Thursday, May 2, 2002 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.282, 2002", be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.282, 2002", be given 3<sup>rd</sup> reading.
3. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.282, 2002", be forwarded to the Ministry of Transportation for consideration of approval prior to the Board's consideration of adoption of the Bylaw.



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Report Writer



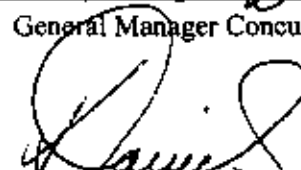
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General Manager Concurrence



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Manager Concurrence



---

CAO Concurrence

COMMENTS:

**Schedule No. 1  
Proposed Commercial 2 Zone Amendments**

Section 6.4.12

**COMMERCIAL 2****CM2****Permitted uses and Minimum Site Area**

Permitted Uses	Required Site Area with:		
	Community Water & Sewer System	Community Water System	No Community Services
a) Funeral Parlour	2000 m <sup>2</sup>	4000 m <sup>2</sup>	6000 m <sup>2</sup>
b) Gas Bar	1000 m <sup>2</sup>	1600 m <sup>2</sup>	2000 m <sup>2</sup>
c) Nursery	4000 m <sup>2</sup>	5000 m <sup>2</sup>	8000 m <sup>2</sup>
d) Office	500 m <sup>2</sup>	1000 m <sup>2</sup>	1500 m <sup>2</sup>
e) Personal Service Use	800 m <sup>2</sup>	1600 m <sup>2</sup>	2400 m <sup>2</sup>
f) Recreation Facility	4000 m <sup>2</sup>	5000 m <sup>2</sup>	8000 m <sup>2</sup>
g) Restaurant	2000 m <sup>2</sup>	4000 m <sup>2</sup>	6000 m <sup>2</sup>
h) Retail Store	1000 m <sup>2</sup>	1600 m <sup>2</sup>	2000 m <sup>2</sup>

**Accessory Uses**

a) Residential Use	n/a	n/a	n/a
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**Maximum Number and Size of Buildings and Structures**

Dwelling units/parcel	- 1
Floor area ratio	- 0.75
Height	- 8.0 m
Parcel coverage	- 50%

**Minimum Setback Requirements**

Front lot line	- 8.0 m
Other lot lines	- 5.0 m

except where:

- a) the adjoining parcel is zoned industrial or commercial then the setback from the common interior side lot line may be reduced to zero;
- b) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 6.3.8 shall apply.

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**Attachment No. 1  
Minutes of Public Hearing  
Held Thursday, May 2, 2002**

**REGIONAL DISTRICT OF NANAIMO**

**SUMMARY OF PROCEEDINGS OF A PUBLIC HEARING  
HELD THURSDAY, MAY 2, 2002 AT 7:00 PM  
AT SEAVIEW ELEMENTARY SCHOOL  
TO CONSIDER BYLAW NO. 500.282, 2002**

Denise Haime                      Director, Electoral Area 'D'  
Deborah Jensen                 Planner

There were two people in attendance.

The Director called the Hearing to order at 7:05 pm, introduced those present at the head table, and outlined the procedures to be followed during the Hearing.

The Planner provided a summary of the Bylaw.

The Director called for formal submissions with respect to Bylaw No. 500.282.

**Brian Dempsey, 6930 Owen Road, Lantzville, BC,** stated that he fully supports this application. Brian Dempsey made reference to the Lantzville Official Community Plan and its support of residential uses in the node. Brian Dempsey suggested that any future properties affected by a rezoning should be required to connect to community sewer when it becomes available.

The Chairperson called for further submissions.

The Chairperson called for further submissions a second time.

The Chairperson called for further submissions a third time.

There being no further submissions, the Chairperson adjourned the Hearing at 7:07 pm.

Certified true and correct this 2<sup>nd</sup> day of May, 2002.

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Deborah Jensen  
Recording Secretary

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Director Denise Haime  
Electoral Area 'D'



REGIONAL DISTRICT  
OF NANAIMO  
MAY - 3 2002

CHAIR		GMCrs	
CAO		GMDS	
GNCms		GMES	

**MEMORANDUM**

**TO:** Pamela Shaw  
Manager of Community Planning

**DATE:** May 3, 2002

**FROM:** Deborah Jensen  
Planner

**FILE:** 3360 30 0107

**SUBJECT:** Bylaw No. 500.280 - Senini  
Lot 2, District Lot 37, Wellington District, Plan VIP64358  
Electoral Area D - Dickinson Road

**PURPOSE**

To consider the minutes of the Public Hearing held March 21, 2002 with respect to Bylaw No. 500.280, and further, to consider Bylaw 500.280 for 3<sup>rd</sup> reading.

**BACKGROUND**

Bylaw No. 500.280 was considered by the Board and given 1<sup>st</sup> and 2<sup>nd</sup> reading on February 12, 2002.

Bylaw 500.280 is a result of an amendment application submitted by Bruce Senini and Cindy Senini to rezone the above noted property from Residential 2 (RS2), Subdivision District 'D' to Residential 1 (RS1), Subdivision District 'F'. The purpose of this amendment application is to facilitate the subdivision of the subject property into two parcels and allow for one dwelling unit per parcel.

The Public Hearing concerning the proposed amendment was held Thursday, March 21, 2002. A summary of the proceedings is attached for the Board's consideration. (see Attachment No. 1)

**ALTERNATIVES**

1. To grant 3<sup>rd</sup> reading to Bylaw 500.280.
2. To deny Bylaw 500.280.

**INTERGOVERNMENTAL IMPLICATIONS**

Should the Bylaw be granted 3<sup>rd</sup> reading, it would need to be forwarded to the Ministry of Transportation pursuant to the *Highway Act* prior to the Bylaw being considered by the Board for adoption.



## PUBLIC CONSULTATION IMPLICATIONS

Written submissions for this application were received at the Public Information Meeting, and focused on providing dedication of a park trail along the subject property. Subsequent to this meeting, the applicants have agreed to provide a 2.0 metre corridor of park trail, running from Dickinson Road to Owen Road along the east boundary of the subject property.

No written submissions were received at the Public Hearing, and verbal comments focused on clarification of the zoning amendment application.

## VOTING

All Directors except Electoral Area 'B' - one vote.


## SUMMARY/CONCLUSIONS

"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.280, 2002" was given 1<sup>st</sup> and 2<sup>nd</sup> reading on February 12, 2002. A Public Hearing with respect to this Bylaw was conducted on Thursday, March 21, 2002.

The following recommendations are provided for consideration by the Board.

## RECOMMENDATION

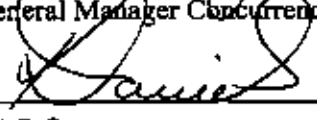
1. That the Minutes of the Public Hearing held Thursday, March 21, 2002 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw 500.280, 2001", be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.280, 2001", be given 3<sup>rd</sup> reading.
3. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.280, 2001", be referred to the Ministry of Transportation as required under the *Highways Act* for approval prior to the Board's consideration of adoption.

  
\_\_\_\_\_  
Report Writer

  
\_\_\_\_\_  
Manager Concurrence

COMMENTS:

  
\_\_\_\_\_  
General Manager Concurrence

  
\_\_\_\_\_  
CAO Concurrence

**Attachment No. 1  
Minutes of Public Hearing  
Held March 21, 2002**

**REGIONAL DISTRICT OF NANAIMO**

**SUMMARY OF PROCEEDINGS OF A PUBLIC HEARING  
HELD THURSDAY, MARCH 21, 2002 AT 7:00 PM  
AT COSTIN HALL  
TO CONSIDER BYLAW NO. 500.280, 2001**

Bob Jepson                      Alternate Director, Electoral Area 'D'  
Deborah Jensen              Planner

There were 3 people in attendance, including the agent for the applicant.

The Alternate Director called the Hearing to order at 7:05 pm, introduced those present at the head table, and outlined the procedures to be followed during the Hearing.

The Planner provided a summary of the Bylaw.

The Director called for formal submissions with respect to Bylaw No. 500.280.

Frank Kondas, 6910 Rosalyn Crescent, questioned the specifics of the application and how this development may affect road construction.

Jocelyn Weight, 6910 Rosalyn Crescent, wanted clarification as to where the park trail would be placed, and whether this zoning amendment application was related another application for the same property a few years ago.

The Director called for further submissions.

The Director called for further submissions a second time.

The Director called for further submissions a third time.

There being no further submissions, the Chairperson adjourned the Hearing at 7:17 pm.

Certified true and correct this 21<sup>st</sup> day March 2002.

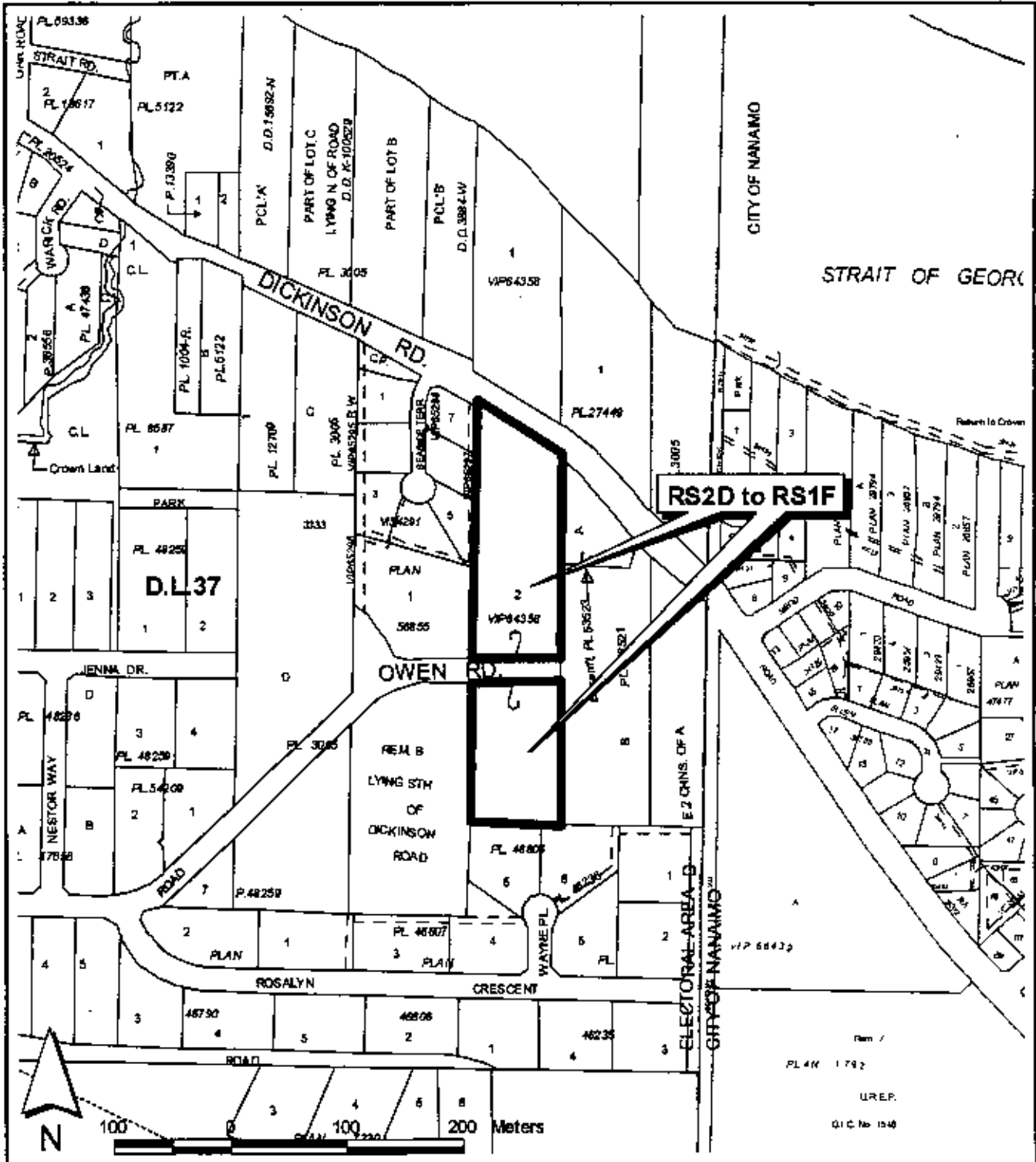
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Deborah Jensen  
Recording Secretary

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Alternate Director Jepson  
Electoral Area 'D'

Attachment No. 2  
Subject Property Map





REGIONAL DISTRICT OF NANAIMO			
MAY - 6 2002			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
		<i>Bud</i>	<input checked="" type="checkbox"/>
DATE:			

MEMORANDUM

TO: Pamela Shaw  
Manager of Community Services

May 3, 2002

FROM: Geoff Garbutt  
Senior Planner

FILE: 3900 20 1285 EAF

SUBJECT: Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002

PURPOSE

To receive the Summary of Proceedings of the Public Hearing held April 24<sup>th</sup>, 2002 on "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002", and further, to consider Bylaw No. 1285 for 3<sup>rd</sup> reading.

BACKGROUND

The Electoral Area 'F' Zoning Bylaw process has been underway since February of 2001. Recent actions on this project include the following:

- The Regional Board granted 1<sup>st</sup> and 2<sup>nd</sup> reading to "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" at its regular meeting on April 9, 2002.
- Prior to the Public Hearing, the Bylaw was referred to the Ministry of Transportation, Land Reserve Commission, Town of Qualicum Beach, City of Parksville, City of Nanaimo, Cowichan Valley Regional District, Qualicum and Nanoose First Nations, Oceanside Construction and Development Association, and School District No. 69 (see Attachment No. 1 for referral responses received prior to April 24).
- A public hearing was held pursuant to the *Local Government Act* on April 24, 2002 (see Attachment No. 2 for the Summary of the Proceedings of the Public Hearing and Submissions).

ALTERNATIVES

1. To receive the Summary of Proceedings of the Public Hearing on Bylaw No. 1285, 2002, grant 3<sup>rd</sup> reading to Bylaw No. 1285, 2002 and to refer the Bylaw to the Ministry of Transportation for consideration of approval.
2. To receive the Summary of Proceedings of the Public Hearing on Bylaw No. 1285, 2002 and to grant 3<sup>rd</sup> reading of Bylaw No. 1285, 2002 with minor amendments and to refer the Bylaw to the Ministry of Transportation for consideration of approval.

## PUBLIC CONSULTATION IMPLICATIONS

The Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002 is the result of a 14-month planning process involving public consultation with residents, property owners, stakeholders, municipal, provincial agencies. Throughout this process, community preferences and values were identified relative to land use regulations to ensure that the Bylaw meets community expectations while at the same time following the objectives and goals of the Official Community Plan and applicable provincial policy guidelines.

Referral comments received from agencies prior to the Public Hearing are included as *Attachment No. 1*. Replies from the remaining referral agencies were not received prior to the April 24 Public Hearing. It should be noted, however, that comments were received on the draft version of the Bylaw from these referral agencies, and the comments of these agencies have been incorporated into the Bylaw where possible.

At the April 24<sup>th</sup> Public Hearing, there were approximately 125 persons in attendance and speakers raised a number of issues. Key issues that were identified included the number of properties that would become legal non-conforming with the adoption of the proposed Bylaw, the desire to have smaller minimum permitted parcel sizes for ALR land and a request to have more public input on the Bylaw prior to adoption. The Minutes from the Public Hearing along with all written submissions received at the Public Hearing are included in *Attachment No. 2*.

## LAND USE IMPLICATIONS

During the Public Hearing a number of speakers identified areas of concern with respect to the proposed Zoning and Subdivision Bylaw as identified in the section above. With respect to the level of public consultation and input on the Bylaw, the RDN Board adopted and approved the Electoral Area 'F' Zoning Bylaw Public Consultation Strategy and staff was directed to directly engage the public to receive input on the drafting of this Bylaw. Residents were contacted via a telephone survey, RDN Site Office, 2 direct-mailed Comment Sheets, Stakeholder Meetings and a Public Information meeting. Out of this process came 2 drafts of the proposed bylaw and input received during this process culminated in the recommendations put forth by the Select Committee of Electoral Area Directors that were received and endorsed by the Regional Board their Regular Meeting January 8, 2002. During the process to draft and consult the public with respect to this Bylaw, staff had interactions with over 500 people representing an interest in over 800 properties in Electoral Area 'F'.

With respect to non-conforming properties created by this Bylaw, to date the purported effect, in the opinion of staff, has been overstated. Given the input received during the site office and the Select Committee deliberations, the majority of landowners who have chosen to participate in the process have been legally recognized through site-specific zoning or comprehensive development zones. It must be recognized, however, that due to the nature of this Bylaw and the history of no land use regulations in this community, that there will be instances where existing development has not been addressed in the Bylaw, particularly where property owners have not chosen to participate in the process.

Additionally, staff is aware of a small number of property owners that have approached the RDN with recommended amendments or changes following 2<sup>nd</sup> reading of the Bylaw. These landowners are aware of the process and that their proposed changes will need to be addressed following the adoption of the Bylaw. Recognizing this situation, staff is recommending that following the adoption of the Bylaw, 'Housekeeping Amendments' will be brought forward to the Board to ensure that all development issues

are addressed in the Zoning Bylaw. It is anticipated that this will take place using the Site Specific Zoning approach or Comprehensive Development Zones. As with other properties already recognized in the Bylaw, all properties will be assessed based on the criteria outlined in the Area F Official Community Plan (OCP). This process will address issues around 'non-conforming' status where development can meet the criteria for recognition in the OCP.

With respect to minimum permitted parcel size for ALR properties the Board voted to decide this issue at the regular Board meeting held on April 9, 2002. Staff is of the opinion that this remains a regional issue of particular importance to rural communities that needs to be addressed comprehensively. Conversations with the Land Reserve staff indicate that the new Commission will be in place shortly and with proposed changes to Land Reserve legislation, it may be appropriate to consider directly engaging the LRC with respect to future policy on land use and subdivision regulations. Further, it is noted that issues concerning the processing of ALR exclusion applications are being considered as part of the current Growth Management Plan review.

In addition, Schedule 'A' of Bylaw No. 1285 has a typographical error that should be amended. In site specific zone R-2.29, Lot 34 of Plan VIP 67560 was omitted but is recognized on Schedule 'B' Zoning Map of Bylaw 1285. The suggested amendment is minor in nature and is consistent with the overall direction of the Bylaw and zoning regulations for those parcels on Meadowood Way.

#### **LEGAL IMPLICATIONS**

The process to draft and adopt Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002 is consistent with the requirements of the *Local Government Act*.

The Bylaw is consistent with the policies and objectives of Electoral Area 'F' Official Community Plan as required pursuant to the *Local Government Act*.

#### **VOTING**

All Directors – one vote except Electoral Area 'B'.

#### **SUMMARY**

The Regional Board granted 1<sup>st</sup> and 2<sup>nd</sup> reading to "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" at its regular meeting on April 9, 2002. At the April 24<sup>th</sup> Public Hearing, there were approximately 125 persons in attendance and speakers raised a number of issues. Key issues that were identified included the number of properties that would become legal non-conforming with the adoption of the proposed Bylaw, the desire to have smaller minimum permitted parcel sizes for ALR land and a request to have more public input on the Bylaw prior to adoption.

Given the level of public consultation, recognition of existing uses on properties through site specific zoning and flexible approach to implementing "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285" staff are of the opinion that this Bylaw may now be considered for 3<sup>rd</sup> reading.

**RECOMMENDATIONS**

1. That the Summary of Proceedings of a Public Hearing held Wednesday, April 24, 2002 at 7:00 pm, together with all written submissions to the Public Hearing on the "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" be received.
2. That "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" be granted 3<sup>rd</sup> reading with a minor amendment to Schedule A to correct a typographical error to add the R-2.29 zone as recommended in the staff report.
3. That "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" be forwarded to the Ministry of Transportation for consideration of approval prior to the Board's consideration of adoption of the Bylaw.

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Report Writer

\_\_\_\_\_  
Manager Concurrence

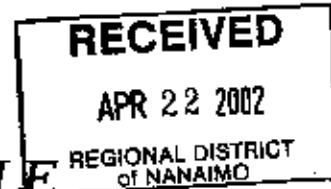
  
\_\_\_\_\_  
General Manager Concurrence

  
\_\_\_\_\_  
CAO Concurrence

**COMMENTS:**

*devsvs/reports/2002/3900 20 1285 ma brd EA F 3<sup>rd</sup>.doc*

**Attachment No. 'F'  
Agency Referral Comments**



PO Box 1390, 100 E. Jensen Avenue, Parksville, BC, V9P 2H3  
Telephone: (250) 248-6144 Fax: (250) 248-6650  
www.city.parksville.bc.ca

April 17, 2002

VIA FAX: (250) 390-7511

PAGE 1 OF 1

Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2



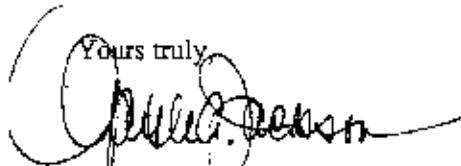
**ATTENTION: GEOFF GARBUTT, SENIOR PLANNER**

Dear Sirs:

**SUBJECT: ELECTORAL AREA "F" OFFICIAL COMMUNITY PLAN  
AMENDMENT BYLAW NO. 1152.02, 2002**

At the regular meeting of Council held Monday, April 15, 2002 the following resolution was adopted:

"02-127 That the report from the Director of Community Planning, dated April 12, 2002 entitled "Comment to Regional District of Nanaimo (RDN) Regarding Area F Zoning Bylaw", be received;  
And That the Regional District of Nanaimo be advised the City strongly supports the concept of adopting a Zoning Bylaw for Area F, but that it will only consider support of this specific bylaw when a development permit designation for the purpose of protection of groundwater and water-sources generally is applicable and in place under the Official Community Plan, for all industrial and commercial situations, and a building permit requirement and process is established by Bylaw. CARRIED."

Yours truly,  
  
GAYLE A. JACKSON  
Director of Community Planning

GAJ/sh

gj:0480-RDN/AreaF/Garbult-2.

**PAGE**  
5/6





**ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT**

3008 Fifth Avenue, Port Alberni, B.C. CANADA V9Y 2E3 Telephone (250) 720-2700 FAX: (250) 723-1327

April 25, 2002

Geoff Garbutt  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, B.C.  
V9T 6N2

**RECEIVED**

**APR 29 2002**

**REGIONAL DISTRICT  
of NANAIMO**

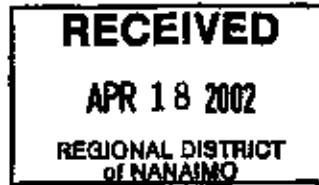
**Re: Regional District of Nanaimo Area "F" Zoning Bylaw Referral**

Dear Mr. Garbutt:

The Alberni-Clayoquot Regional District's interests are unaffected by the proposed bylaw.

Yours truly,

Mike Irg  
Planner



File: 53170-53/CID

April 16, 2002

Nanaimo Regional District  
6300 Hammond Bay Road  
Nanaimo, B.C. V9T 4C6

Attention: Geoff Garbutt, Senior Planner

Dear Sir:

Re: Electoral Area "F" Zoning and Subdivision Bylaw No. 1285/2002

Further to your letter of April 10, 2002, please be advised that I have now had the opportunity to review the above-noted document and offer the following comments.

- Section 6 page 4 6.10 – As the Regional District has set the quantity of potable water required for each lot being created by subdivision, I suggest it would be appropriate for the Regional District to advise the Provincial Approving Officer when this requirement has been complied with.

Yours truly,

  
Rob Howat  
Provincial Approving Officer  
e-mail: Rob.Howat@gems6.gov.bc.ca

RJH/rp  
cc: B. Wylie, Sr. District Dev. Technician, Nanaimo Area Office



Oceanside Development & Construction Association  
P.O. Box 516, Parksville, BC V9F 2G7  
E-mail: [odca@sidanet.net](mailto:odca@sidanet.net)

April 24, 2002

Regional District of Nanaimo  
P.O. Box 40  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

VIA Fax: 390-7511

Attention: **Geoff Garbutt**  
**Senior Planner**

Dear Sir,

**RE: Area 'F' Zoning & Subdivision Bylaw No. 1285,2002**

Our Association has been contacted by several members regarding the Electoral Area 'F' Zoning & Subdivision Bylaw No. 1285,2002. The main concern that we are hearing at this time is in regards to how the Zoning Bylaw for Area 'F' will effect the development of Building Strata's on Rural Properties. From our discussion with several property owners and other consultants who are commonly involved with the development of land in Area 'F' and the rest of the Regional District of Nanaimo, there is a great deal of confusion over the ability or inability to do a building strata under the Strata Property Act in Zone R-1 for example. This zone allows for 2 dwelling units per lot under the zoning, provided the lot is over the 2 ha. minimum lot size. The question then is if a building strata under the Strata Property Act could legally be registered on the dwellings. This is a common practice in this area and for that matter other areas of the Regional District as long as the total number of dwellings conforms to the zoning designation.

We are in receipt of a copy of your fax dated April 22, 2002 to Helen Sims stating that the new Bylaw will not specifically prohibit the continuation of Building Strata Development within Area 'F'.

However, there is still some confusion among our membership. The confusion stems from the definition of a lot. Following is the definition as defined in Bylaw 1285, and Bylaw 500.

#### DEFINITIONS

- **Bylaw 1285**

Lot means any parcel, block or other area in which land is held or into which it is subdivided whether under the Land Title Act or the Strata Property Act.

• **Bylaw 500**

**Lot** means the same as parcel.

**Parcel** means the smallest area of land which is registered in the Land Title Office, except that a parcel divided pursuant to the Condominium Act and amendments thereto and not contained within a Bare Land Strata Plan shall not be considered subdivided for the purpose of this Bylaw.

While the stated intent of the Regional District (4/22/02 fax) is not to prohibit the creation of Building Strata's within Area 'F', by altering the definition of a lot from that which is customary within the remainder of the Regional District of Nanaimo, our membership and area residents are confused and concerned.

We request that the Regional District review the definition of "lot" under the proposed Bylaw 1285,2002 and revise it to clarify this confusion. This amendment would go a long way in showing the residents of Area 'F' that the Regional District of Nanaimo is not trying to impose a change to the status quo in regards to the ability to register Building Strata's on lots which allow for two dwelling units.

Thank you in advance for your consideration of this matter. If you wish to discuss this matter further, please feel free to contact our Association at 250-752-6214 to arrange an appropriate time to discuss this matter.

Yours truly,



Rob Hill  
President

Manley Lafoy  
Vice President

Helen Sims  
RDN Committee

Michelle Jones  
Secretary/Treasurer

c.c. Mr. Jack McLean, Area 'F' Director VIA Fax: 752-2549

**Attachment No. '2'**  
**Public Hearing Meeting Minutes and Submissions**

**SUMMARY OF PROCEEDINGS OF A PUBLIC HEARING HELD WEDNESDAY, APRIL 24, 2002 AT 7:00 PM AT BRADLEY CENTRE 975 SHEARME ROAD TO CONSIDER "REGIONAL DISTRICT OF NANAIMO ELECTORAL AREA 'F' ZONING AND SUBDIVISION BYLAW NO. 1285, 2002"**

*Note that these minutes are not a verbatim recording of the proceedings, but summarize the comments of those in attendance at the Public Hearing.*

**Present:**

J. McLean	Chair	Director, Electoral Area 'F'
L. Elliott		Director, Electoral Area 'A'
E. Hamilton		Director, Electoral Area 'C'
D. Haime		Director, Electoral Area 'D'
G. Holme		Director, Electoral Area 'E'
J. Stanhope		Director, Electoral Area 'G'
B. Holdom		Director, City of Nanaimo
L. McNabb		Director, City of Nanaimo
J. MacDonald		Director, City of Parksville
T. Westbrook		Director, Town of Qualicum Beach
R. Lapham		General Manager, Development Services
G. Garbutt		Senior Planner
L. Chase		Planner

There were approximately 115 people in attendance.

The Chairperson called the Hearing to order at 7:00 pm, introduced those present at the head table, and outlined the procedures to be followed during the Hearing.

The Chairperson called for formal submissions with respect to Bylaw No. 1285, 2002.

**Rusty Joerin, 1765 Errington Road**, indicated that he is in favour of the Bylaw. Mr. Joerin commented that, through a Bylaw, personal security of homes and neighbourhoods is preserved, land use issues can be addressed, and people can work together on land use conflicts. Mr. Joerin indicated that he believes it is important for people to have security in land use through zoning.

**Gerard Janssen, 3290 Alberni Highway**, indicated he supports the Bylaw. Mr. Janssen questioned the number of ALR parcels available in the 2 to 4 ha size in the ALR and indicated that he did not support smaller parcel sizes. Mr. Janssen commented in favour of larger parcels sizes, protecting the environment, and protecting the rural way of life.

**Red Williams, 980 Pratt Road**, stated that 65% of the people polled supported a smaller parcel size for the ALR lands. Mr. Williams commented that the Land Reserve Commission has jurisdiction in approving the final parcel size for subdivision and that elsewhere in the RDN smaller parcel sizes are allowed. Mr. Williams questioned the notification distance for rezoning applications in Area 'F'

compared to the rest of the RDN and questioned why the distance requirements in Area 'F' are so much greater. Mr. Williams commented that legal non-conforming status on properties results in businesses not growing and financing property and insurance difficult. Mr. Williams commented that the Bylaw should recognize all existing uses and site-specific zoning is not the answer to this issue. Mr. Williams questioned Parksville's concerns for groundwater and indicated that other provincial Ministries are in place to protect the environment. Mr. Williams stated that the people in Area 'F' are not being consulted and the community is being destroyed as a result. Mr. Williams stated that the Bylaw was a work in progress and that it should not be adopted as is, and there should be a steering committee-led process to create a zoning bylaw.

**Reg Nosworthy, Tranquility Woods**, indicated that he does support planning and zoning, but does not support this bylaw. Mr. Nosworthy commented on the time period between adoption of the OCP and presentation of a draft Zoning Bylaw to the community, and that the Zoning Bylaw was created in isolation of the community with no input from the community or the Area Director. Mr. Nosworthy commented on the Area 'F' Site Office consultation process and that by the second draft of the Bylaw it had increased in size by 71%. Mr. Nosworthy questioned when 65% of people surveyed about ALR minimum parcel size say they wanted a decrease in parcel size, why has it not decreased. Mr. Nosworthy questioned why the change to the OCP was voted against in a block by Municipal Directors, and the he commented on a news article that indicated the Director from Parksville would not support the Bylaw unless Building Inspection and development permit areas were brought in. Mr. Nosworthy concluded by asking for a referendum.

**Mary Anne Mulvihill, on behalf of Frank Berger**, read a written submission for the record, which is attached to the minutes.

**William McLean, 1115 McLean Road**, stated that the 2-hectare lot size is appropriate for the ALR lands, and that the ALR lands are not suitable for farming.

**Don Hutchinson, 1306 Middlegate Road**, stated that he was in full support of the OCP and the Land Use Bylaw and that in the past 15-20 years he had seen the community disintegrate over this issue.

**Trevor Wicks, 1246 Middlegate Road**, commented that the process to create an OCP and Zoning Bylaw was supposed to take 2 years, and it is time to acknowledge that the perfect bylaw does not exist. Mr. Wicks stated that this Bylaw was a reasonable compromise and that the majority of people in Area 'F' would like to see the process resolved. Mr. Wicks asked the Board to support this Bylaw so the people of Area 'F' can get on with their lives.

**Barbara Mansell, on behalf of Sharon Tomaczyk of 1080 Melon Road**, read a written submission for the record, which is attached to the minutes.

**Allen Looy, 1019 Errington Road**, requested that the Bylaw be held in abeyance until the Union of BC Municipalities (UBCM) speaks to the Land Reserve Commission (LRC). Mr. Looy commented on increased rural-urban conflict. Mr. Looy concluded by again requesting that the Bylaw be held in abeyance, that the UBCM should be consulted, and requested that a referendum be called on the issue of zoning.

**Joe Pullen Sr., on Behalf of Mrs. Pullen, 1949 Swayne Road**, read a written submission for the record, which is attached to the minutes.

**Joe Pullen Sr., 1949 Swayne Road**, commented that this Bylaw would result in the appointment of a Bylaw Enforcement Officer and that section 700 filings registered on title make the owners subject to legal action, and that disobeying such notices was a civil offence. Mr. Pullen commented that the public hearing was supposed to be for the residents of Area 'F', but that in the past, Directors from the municipalities have ignored the findings from hearings from Area 'F'. Mr. Pullen stated that he believes that the municipal Directors have already resolved to adopt this Bylaw in advance of the Hearing. Mr. Pullen concluded by asking for a referendum.

**Ross Harvey, 865 Seashell Road (Electoral Area 'G')** read a written submission for the record, which is attached to the minutes. In addition, Mr. Harvey commented on the change from 2.0 hectare to 4.0 hectares in the ALR and indicated the Board had gone against the Select Committee recommendation it had previously supported. Mr. Harvey concluded by asking the Board to not give the Bylaw 3<sup>rd</sup> reading.

**Steve Chomolok, 1227 Leffler Road**, indicated that he supports the Bylaw although it wasn't perfect. Mr. Chomolok questioned the site specific zoning regulations on page 23, Section R-1.5, and indicated that the zoning recognized an illegal land use. Mr. Chomolok asked the Board to amend this section. Mr. Chomolok also asked about the subdivision of the parks and open space zone and the parcel coverage allowed in the Parks and Recreation zone. Mr. Chomolok also stated that under Section 4.20, this zone allows for corporate uses including microwave towers, accessory office and retail sales, gas lines, and hydro lines. Mr. Chomolok concluded by stating, that for lack of a better choice, he does support the Bylaw.

**Gunther Buschans, 2315 Kerr Road**, indicated that he can not support the Bylaw as it is not in the best interest of the people in Area 'F'. Mr. Buschans commented that a referendum was needed to let the people of Area 'F' decide for themselves and he suggested that the Bylaw be held in abeyance until the province decides what to do about the ALR.

**Dave Monro, 1694 Schidler Road**, indicated that he does not support the Zoning Bylaw as he feels the community has not been listened to. Mr. Monro commented on a newspaper article from Parksville that building permits should be required as part of the Zoning Bylaw. Mr. Monro commented that there is lots of room for industry in Area 'F' and that Chatsworth Road would be a good location. Mr. Monro questioned the need for a sign bylaw and then commented on the 65% who wanted the 2-hectare parcel size in the ALR. Mr. Monro concluded that he would like to see a referendum and Area 'F' as a municipality.

**Michelle Jones, on behalf of the Oceanside Development Association**, read a submission for the record, which is attached to the minutes.

**Doug Schug, 1580 Alberni Highway**, indicated that he does not agree with the Zoning Bylaw process and indicated that he would like to see a vote by the people on the issue.

**Howard Fowler, 891 Virginia Road**, commented that there is no need for this bylaw. Mr. Fowler indicated he was not in support of the 4-hectare minimum parcel size in the ALR. Mr. Fowler concluded that he is opposed to this Bylaw.

**Andy Brown, 1642 McKibben Road**, spoke in favour of the Bylaw and indicated he is tired of living with the threat of an industrial business moving in and he feels that land uses need to be separated, and is in favour of 10-acre minimum parcel size in order to protect the watershed. Mr. Brown indicated he has concerns about protecting the water supply and this cannot be done through small lots.

**David Nicholson, 1775 Gibbs Road**, stated that enough has been said already.

**Richard Arnold, 2095 Swayne Road**, indicated he is in support of this Bylaw and planning and zoning as it may be the last chance we have to protect the Area. Mr. Arnold concluded that Area 'F' needs planning and zoning and that he would like to see an anti-noise component when this Bylaw goes into effect.

**Ray Tinkling, 1439 Tyler Road**, commented that Area 'F' had open zoning when he started own business on his property and is concerned that the business will be legal non-conforming. Mr. Tinkling stated that his ALR property was not suitable for farming. Mr. Tinkling concluded that that nobody from the RDN listens to the people and that this issue should go to referendum.

**Stephen Stahley, 1040 Virginia Road**, indicated that his property was non-conforming to the bylaw and commented on correspondence from the RDN with respect to his property. Mr. Stahley stated that the Area does not need regulations. He concluded that he is not in favour of this Bylaw, and he would like to see a referendum.

**Joe Pullen Jr., 1949 Swayne Road**, indicated that he is not in favour of the Bylaw. Mr. Pullen commented on the difficulty in getting a Bylaw and that the Area was different from the municipalities, but the Bylaw does not reflect that. Mr. Pullen stated he does not support the larger parcel size in the ALR. Mr. Pullen questioned why the railway has not been recognized as a transportation corridor and commented that there was no ability to zone the federal right-of-way. Mr. Pullen expressed concern about the bylaw enforcement process with respect to zoning. Mr. Pullen commented on the costs of a rezoning application and the base fee and the surcharge based on the size of the land and expressed concern that the costs apply even if it doesn't go to public hearing. Mr. Pullen also questioned where the authority to have zoning came from and that the Area Director was representing the views of the people on this issue.

**Andrew Knorr, 1216 Station Road**, stated that he is opposed to the Bylaw. Mr. Knorr concurred with previous speakers. He stated that the bylaw should be put to referendum.

**Gordon Cory, 1550 Laura's Loop**, questioned the minimum parcel sizes for strata subdivision, and indicated that the provisions of Section 943 of the *Local Government Act* should be used instead of the subdivision regulations proposed. Mr. Cory commented on the need for instream status for building strata subdivision, subject to sewage permits being provided for those that were in progress, and indicated that building strata developments assist in providing affordable accommodation. Mr. Cory suggested that 2 residences be allowed on a 2.5-acre lot in support of affordable housing. Mr. Cory indicated that, with the good septic capability and available water supply, smaller parcel sizes should be allowed in of certain areas.

**Derek Baldwin, 1607 Errington Road**, indicated that he believes that Area 'F' had been treated with disrespect and that it seems that Area 'F' is not equal in the Board process. Mr. Baldwin indicated that he does not support the ALR minimum 10-acre parcel size and does not support the Bylaw or this process. Mr. Baldwin concluded that this should be put to referendum.

**David Needen, 1030 Howard Road**, indicated that the ALR lands are not farm land and that there was nothing in the Bylaw the agricultural community wanted. Mr. Needen indicated that he wants the regulations to be enforced by the Land Reserve Commission. He indicated that the setbacks for agricultural buildings are excessive and that there is no protection for farmers in terms of buffering for



farm uses and the ALR. Mr. Needen requested that the Bylaw go to referendum as there were many flaws in it.

**Hildegard Buschhaus, 2315 Kerr Road**, stated that she is opposed to the zoning bylaw and that she supports a 2-hectare minimum parcel size and asked for a referendum.

**Red Williams, 980 Pratt Road**, commented on how little time people have had to look at the Bylaw and how little notice they had. Mr. Williams referred to an ALR application he has made for his property in order to get site specific zoning and that it was taking 8 months to do so. Mr. Williams indicated that he likes the idea of in-streaming applications in order to give them a chance to get their site specific zoning. Mr. Williams concluded by asking that more thought be taken on the bylaw and requested that it go to referendum.

**The Chair** called for further submissions.

**Murray Chantler, 1225 Stagdowne Road**, commented that this process has been ongoing for a number of years. Mr. Chantler indicated that there was no need for a 2-hectare minimum parcel size in the ALR as there are provisions in the current legislation that allows for subdivision for family members. Mr. Chantler indicated that there is support for community planning, but that the people who believe in community planning are afraid to come out. Mr. Chantler spoke against a referendum and indicated that there was a great deal of hearsay and misinformation and that this would not be conducive to running a fair referendum. Mr. Chantler commented that the Bylaw is not perfect, but that something is needed. Mr. Chantler stated he is in favour of the Bylaw.

**Ken Erickson, 111 Popham Road**, commented that he would be put out of business by legal non-conforming status. Mr. Erickson stated that that this process is not functioning, as the Board does not hear what the people want.

**John Mansell**, commented on the OCP criteria for zoning, and indicated that he did not think the saw sharpening business on Kopernick Road should be allowed any expansion opportunity under the Bylaw. Mr. Mansell indicated that he was glad to see the Bylaw come in and commented on noise in the Area from mills and indicated that billboards were objectionable. Mr. Mansell concluded that he did not support the Area Director, and he supports for the Zoning Bylaw.

**Alf Addy, Addy Power Ltd.**, indicated that he does not wholly support the bylaw, nor does he wholly disagree with it. Mr. Addy expressed concern that his land was going to be legal non-conforming. Mr. Addy stated that if it takes more time to work on the Bylaw, let it take more time.

**Terry Moore, Leffler Road**, indicated that he believes that the bylaw should go to referendum. Mr. Moore stated he supports the Bylaw.

**The Chair** called for further submissions a first time.

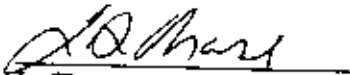
**Fred, Chatsworth Road**, commented that there was too much interference by city people in the affairs of rural people and that the people just want to be left alone.

**The Chair** called for further submissions a second time.

**Joe Pullen Jr., 1949 Swayne Road**, noted that the conflict appears to be between the rural areas and the urban area. Mr. Pullen stated that this bylaw requires ministerial approval and urged people to write to the Minister of Community, Aboriginal, and Women's Services to oppose the Bylaw.

**The Chair** called for further submissions a third time. There being no further submissions, the Chairperson adjourned the Hearing at 9:30 pm.

Certified true and correct this 26<sup>th</sup> Day of April, 2002

  
L. Chase  
Recording Secretary

\_\_\_\_\_  
Director J. McLean  
Electoral Area 'F'

April 24/02

Well were do we start. I am going to start with Parkvilles little blurb in the paper. Now Parkville wants to see development and building permits hoping this will help protect their water. I think Parkville has a right to be concerned about their water when you see what Lee mar has done. Chopped a big notch and plunked themselves on the water aquifer. Mind you that is partly parkvilles fault because of their anti-business attitude they are always chasing business's out of town. On the other hand who's idea is to have a industrial park on top of a water supply. It seems to me that this is the RDNs idea. There is no need to have a industrial park in this location. Area f is big area and there is lots of room. the end of Chatsworth rd. is one place that comes to mind we already got lots of noise happening there with the mill running. Just go to the agriculture land Commission and tell them we have a environmentally sensitive area on Church rd and we would like to turn that area into cow pasture or a park and get them to give us a different area in trade. Question I have is what incentive did RDN have to put the ind park there to start with. It is not a very smart move for a planner, maybe someone is lining someone's pocket with cash. The transfer station doesn't need to be there either. The RDN has spent thousands of dollars getting a consultant to convince us that there is no danger of Pollution but why take that risk when there is no need to. The church rd property is on a slope and traditionally industrial buildings are big so a lot of business's moving in will have to do big excavations like lee mar did. A herd of cows could never do that much damage. It seems like RDN PLANNERS have their own ideas and they don't have to make sense like the SIGN bylaw that nobody asked for. They wrote one just for me at the Junction 4 and 4a. The planner wants my sign to be close to a busy corner 10 meters. that seems like a dumb thing to ask for. there is already enough accidents on that corner as it is. Also a while ago I was wondering if every body that goes thru this zoning process has to fight every inch of the way. the way we have been fighting the RDN. So I called and talked to a head hanchio of another regional district. This person explained the two biggest problems we have. One is the government has set out guidelines that the Regional district has to follow but nowhere does it say that the rdn has to listen to the people when they are creating a ocp or zoning bylaws. Which has been very obvious. This person also said the other problem we have is if the head planner doesn't want to listen to the public then if he thinks it fits you then you are going to wear it. This also has been very obvious in this zoning process. All the rules and regulations are not going to stop the potential for pollution if the industrial park is sitting on a water supply. If Parkville is concerned their mayor should ask to have the planners and their ideas turfed. Maybe we could get someone with some sense to replace them someone who would work with us and protect our interests for the future.

Now we have a board of directors who have no respect for democracy and are on their own little power trip. you tried to get Jack McLain for conflict of interest on this 5 acre deal. When the rdn did a survey and found that 65% of the people wanted 5acre subdivision in area f and that Jack was right, then Nanimo voted as a block to defeat what they knew the residents of area f wanted. You other directors can laugh and make fun of Jack all you want but not one of you has the guts to stand up and represent your area the way Jack does. Most of you are not decent enough to be embarrassed by your little back room sweetheart deals. This was our first attempt to amend our OCP and Nanimo blocked it. No wonder people in area f are upset. We don't want your ocp or zoning and I hope the minister George Abbott sees this as a good reason to let us become our own municipality.

DAVE MUNRO  
COOMBS B.C.

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24 02 03:11p

Sims Assoc.

7529241



223 Fern Road West  
Qualicum Beach, B.C. V9K 1S4  
Telephone: (250) 752-9121 Facsimile: (250) 752-9241

TO: Ross Harvey

COMPANY:

FAX: 248 8084

FROM: Helen Sims

DATE: 2002 04 24

No. of Pages 5 (including cover sheet)

File No:

**COMMENTS:**

Ross

Re: Forest Land Reserve

Gordon Bednard sent me the attached email regarding the proposed changes to the Forest Land Reserve Act. I've also printed the proposed changes to this Act from the website & have attached the pages relevant to the FLR. The biggest change in the revised Act is repealing Sections 14, 15 & 16. These Sections deal with the land use & subdivision controls. Therefore, when these Sections are removed, the Land Commission will no longer have any responsibilities for land use controls or subdivision. After this Act is adopted, the Commission will be responsible for only:

1. inclusions
2. exclusions
3. forest practice

Since the Commission will no longer have any responsibilities for land use controls, it is unfair to have a 50 ha minimum parcel size for former FLR land in Area F only.

I'm not sure if I will be able to go to the meeting tonight but please feel free to use this as a submission on my behalf.

Helen

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May 3, 2002

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**Helen Sims**

**From:** "Bednard, Gordon LRC:EX" <Gordon.Bednard@gema2.gov.bc.ca>  
**To:** <helen.sims@shaw.ca>  
**Sent:** April 24, 2002 2:32 PM

Helen,

This confirms our conversation of this afternoon.

The FLR Act is proposed to be amended by Bill 21.

Among other things, Sections 14, 15 and 16 which deal with land use and subdivision in the FLR are being repealed. Following adoption of the legislation, the Commission will no longer be responsible for subdivision or land use control in the FLR; that responsibility will naturally devolve to local government bylaws.

The Commission will remain responsible for inclusion, removal and forest practices in the private land portion of the FLR, until next year, when the FLR is replaced with another agency dealing with forest practices on private land.

More information can be found on our website at: [http://www.gema2.gov.bc.ca](#) or on the provincial government site.

Cheers,

GB

PS - have a good time at the zoning meeting

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24 02 03:12p

Sims Assoc.

7529241

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BILL 21 -- 2002: AGRICULTURAL LAND COMMISSION ACT

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(ii) in an agricultural land reserve with the approval under the *Agricultural Land Commission Act* of the Provincial Agricultural Land Commission; .

*Forest Land Reserve Act*

*64 Section 1 (1) of the Forest Land Reserve Act, R.S.B.C. 1996, c. 158, is amended*

(a) in the definition of "agricultural reserve land" by striking out "Agricultural Land Reserve Act;" and substituting "Agricultural Land Commission Act;"

(b) in the definition of "chief executive officer" by striking out "of the commission appointed under section 5 (1) of the Land Reserve Commission Act;" and substituting "appointed under the Agricultural Land Commission Act;"

(c) by repealing the definition of "commission" and substituting the following:

"commission" means the commission established under the *Agricultural Land Commission Act*;

(d) by repealing the definition of "forest reserve land" and substituting the following:

"forest reserve land" means land designated under section 10; , and

(e) by repealing the definition of "recapture charge".

*65 Section 2.1 is repealed and the following substituted:*

*Object of the commission*

2.1 The object of the commission under this Act is to work with owners, local governments, first nations and other communities of interest to encourage responsible forest management practices on identified land.

*66 Section 9 (1) is repealed and the following substituted:*

(1) The Forest Land Reserve consists of

(a) private land that is designated as forest reserve land under section 10, and

(b) additional private land that was designated as forest reserve land by or under this Act before February 12, 2002.

*67 Sections 11 (4) and (5) and 12 are repealed.*

*68 Section 12.1 (2) is repealed and the following substituted:*

(2) This Act governs forest practices on identified reserve land whether or not notice under

[http://www.legis.gov.bc.ca/37th3rd/1st\\_read/gov21-1.htm](http://www.legis.gov.bc.ca/37th3rd/1st_read/gov21-1.htm)

4/24/02

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subsection (3) is filed in the land title office.

*69 Sections 13 to 16 are repealed.*

*70 Section 18 is amended*

*(a) by repealing subsections (3) and (4), and substituting the following:*

(3) If a removal is approved by the commission, the designation of land as forest reserve land is removed when any applicable conditions under subsection (2) have been met, and

*(b) by adding the following subsections:*

(5) The commission, by resolution, may establish criteria under which applications for exclusion from the reserve may be approved by the chief executive officer.

(6) An approval of an application by the chief executive officer under subsection (5) is a decision of the commission for the purposes of this Act.

*71 Section 19 is repealed and the following substituted:*

**Criteria for removal**

(1) The commission may approve a removal if the commission is satisfied that the removal is in the public interest.

(2) The commission must give the applicant and the local government written notice of its decision regarding an application under this section.

*72 Sections 20 to 24 are repealed.*

*73 Section 25 (2) and (3) is repealed.*

*74 Section 28 (2) to (4) is repealed.*

*75 Section 33 (3) is amended by striking out "a use permitted under section 13." and substituting "timber production and harvesting."*

*76 Section 34 (2) (c) is amended by striking out "as permitted under section 13." and substituting "for timber production and harvesting."*

*77 Section 37 (2) (c) to (e), (f), (g), (i), (j) and (l) (ii) and (iii) is repealed.*

*78 Section 38 is repealed.*

*79 Section 39 (2) is amended by striking out everything after "this section".*

*80 Section 40 is repealed.*

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BILL 21 -- 2002: AGRICULTURAL LAND COMMISSION ACT

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**Explanatory Note**

This Bill repeals the *Agricultural Land Reserve Act*, the *Land Reserve Commission Act* and the *Soil Conservation Act*, and replaces them with a new Act that incorporates some of the provisions from the repealed Acts and establishes the Provincial Agricultural Land Commission.

This Bill also amends the land use provisions of the *Forest Land Reserve Act*, but retains the forest land reserve designations and the authority of the commission to regulate forest practices for private forest reserve lands.

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[ [Return to: Legislative Assembly Home Page](#) ]

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BILL 56

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- (2) Before making an order under this section, the Lieutenant Governor in Council may refer the proposal to the commission for its comments.

**Permitted uses of forest reserve land**

13. (1) Forest reserve land that is Crown land or Crown licence land must not be used except as permitted by or under the *Forest Act*.
- (2) Forest reserve land, other than Crown land or Crown licence land, must be used in a way that is consistent with one or more of the following:
- (a) timber production, utilization and related purposes;
  - (b) forage production and grazing by livestock and wildlife;
  - (c) forest or wilderness oriented recreation, scenery and wilderness purposes;
  - (d) water, fisheries and wildlife, biological diversity and cultural heritage resources purposes;
  - (e) a use or occupation authorized under the *Coal Act*, *Geothermal Resources Act*, *Mineral Tenure Act* or *Petroleum and Natural Gas Act*;
  - (f) a use or purpose permitted by the regulations, subject to any applicable conditions established by the commission;
  - (g) a use specifically permitted by the commission under section 14 in relation to the land on which the use is to take place.

**Specifically permitted uses of forest reserve land**

14. (1) Subject to the regulations, on application of the owner made in accordance with section 26, the commission may permit a use of forest reserve land referred to in section 13 (2) other than one authorized by paragraphs (a) to (f) of that section.
- (2) If applicable, before or at the same time as making the application under subsection (1), the owner must apply to the applicable local government for the authorization required by subsection (3).
- (3) If an application under this section requires, in order to proceed, an amendment to an official settlement plan, official community plan, official development plan, rural land use bylaw or zoning bylaw of a local government, the application may not proceed under this section unless authorized by a resolution of the local government.

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BILL 56

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- (4) Subject to the regulations, the commission may make a use permitted under this section subject to any conditions the commission considers advisable.
- (5) Without limiting subsection (4), the commission may require as a condition of permitting a use that a covenant against the land in favour of the commission be registered under section 215 of the *Land Title Act*.

**Non-conforming uses of forest reserve land**

- 15. (1) As an exception to section 13 (2), if on the date this Act receives First Reading in the Legislative Assembly private forest reserve land subject to the restrictions of that provision was lawfully used for other than a purpose or use permitted by that provision, the use may be continued as a non-conforming use.
- (2) Subsection (1) does not authorize the non-conforming use to be continued on a scale or to an extent or degree greater than that at the time referred to in that subsection.
- (3) For certainty,
  - (a) the exception in subsection (1) applies only to the land that was actually being used for a use other than one permitted by section 13 (2) and not to the entire parcel on which that use was being conducted, and
  - (b) a change of owners, tenants or occupants of the land does not, by reason only of the change, affect the use of the land.
- (4) The exception for a non-conforming use under subsection (1) ceases to apply if
  - (a) the use ceases to be lawful under another enactment, or
  - (b) the non-conforming use is discontinued for a continuous period of 6 months.
- (5) For the purposes of subsection (4) (b), the use of forest reserve land for seasonal uses or for agricultural purposes is not discontinued as a result of normal seasonal or agricultural practices, including
  - (a) seasonal, market or production cycles,
  - (b) the control of disease or pests, or
  - (c) the repair, replacement or installation of equipment to meet environmental standards or standards for the health or safety of people or animals.

**BILL 56**

**Restriction on subdivision of forest reserve land**

16. (1) A parcel, all or part of which is private forest reserve land other than Crown licence land must not be subdivided unless
- (a) the subdivision is permitted under the regulations without approval of the commission, or
  - (b) the subdivision is approved by the commission under subsection (3) or in conjunction with the removal of all or part of the parcel from the reserve.
- (2) An owner who wishes to have a parcel referred to in subsection (1) subdivided must
- (a) indicate to the applicable approving officer in the application for subdivision that the subdivision affects forest reserve land, and
  - (b) if subsection (1) (b) applies, at the time the application for subdivision is submitted, apply to the commission in accordance with section 26 for approval of the subdivision.
- (3) If an application for approval of a subdivision to which subsection (1) applies is not made in conjunction with an application for removal of the land from the reserve, the commission may approve the subdivision if satisfied that the subdivision will not affect the use of the forest reserve land in accordance with the objects of this Act.
- (4) The commission may require, as a condition of authorizing a subdivision under this section, that a covenant against the land in favour of the commission be registered under section 215 of the *Land Title Act*.

**Restriction on local government authority regarding uses of forest land**

17. (1) A local government must not
- (a) adopt a bylaw under any enactment, or
  - (b) issue a permit under Part 21 or 29 of the *Municipal Act*
- that would have the effect of restricting, directly or indirectly, a forest management activity relating to timber production or harvesting
- (c) on land that is forest reserve land, or
  - (d) on managed forest land other than forest reserve land, so long as the managed forest land continues to be used only for that purpose.
- (2) For certainty, this section applies if the bylaw or permit would have the effect described in subsection (1) even though the bylaw or permit does not directly apply to land referred to in that subsection.

**Sharon and Shawn Tomczyk,  
3250 Melon Rd  
Coombs**

**I grew up in area F and I have now chosen to raise my children with the same rural lifestyle and sense of community that I valued growing up. Sadly it seems this lifestyle has been harder and harder to maintain due to an imbalance between the wants of larger business, versus those that just live in and enjoy our rural lifestyle.**

**I understand the importance of bigger businesses and industry, however, does it need to come at the expense of those who simply live with the expectation of a clean water supply, a safe place for our kids to play and moments of tranquility. The only way that I can see to meet the needs of both of these groups, is with some regulations and zoning that encourage economic growth, yet still protects the family next door.**

**It will mean that we all have to give a little, but that is essential to maintain what is important to us. For the past 5 years, I have made it a priority to attend information sessions and public planning meetings. I believe that during that time there has been many opportunities for the communities members to be heard and to have their viewpoints considered.**

**It is now time to put zoning in place to protect what we all treasure. Whether or not we personally agree with all of the bylaws or not, it must be done. To all those who put in many volunteer hours to civilly and respectfully share their ideas and opinions, I thank you for all your efforts.**

**Sharon Tomczyk.**

Delegation to the Board of the Regional District of Nanaimo  
Concerning  
Electoral Area 'F' Zoning and Subdivision Bylaw #1285,2002.

Re: "Site Specific Zoning Regulations Section 4.22  
Page 23 Section 4 "Additional R-1 Zones"

Zone R 1.5

During an inquiry to the local provincial health officer about the recognition of this usage on this parcel I was informed : **IT IS ILLEGAL**. This is a direct quote. As a representative of a senior level of regulation he immediately informed by telephone the Regional District planner in my presence.

Section 1.4 of the Bylaw clearly states "**1. The lawful use of any land.....**"

By recognizing a land use that is illegal the proposed zoning R 1..5 violates the Bylaw it is contained in, as well as provincial regulations in place to protect the public.

Immediate residents as well as the general public are threatened by the recognition of this **illegal non-conforming** usage.

Regional Board members are asked to see amended this section : Section 4.22 to protect the safety of residents prosecuting legal conforming usages on neighbouring parcels.

Re: Parks and Open Spaces1 Section 4.20

Section 4.20.1 d) permits as a recognized use in a park "Dwelling Unit"

At no time in the public process was inhabitation of public parklands discussed . The Official Community Plan makes no mention of inhabitation of parklands.

Section 4.20.2 b) permits "Accessory Office and Retail Sales" in a public park. At no time in the public process was the establishment of retail use in a public park agreed upon. The majority public comment was to preserve and enlarge parklands. Never in the public process was office space considered as a permitted use. At no time in the public process was the keeping of animals or the density of subdivision of parklands discussed. Section 4.20 specifically creates a zoning to reduce free recreational use of public parklands in direct contrast to the stated aims of the Official Community Plan.

Sec. 6 page 2 of the Official Community Plan #5 Support public private initiatives to **provide recreational services and maximize public resources** . This section proceeds from "Section 6 page 1 Objectives #5 Encourage public/private partnerships or private interests to **provide recreational services**.

At no time did the public indicate that private interests were to operate in public parklands . The Official Community Plan clearly states public desire for public parks. The provision only of "services" to enhance recreation in parks would be allowed. Prior to final reading this must be addressed. Coupled with permitting of utilities construction and operations in parklands the primary use of parks- public recreation- in greatly curtailed.

*March 14/02  
April 23/02*

To: Geoff Garbutte

Re: Area F Plan

We own a 20 acre parcel of land on Grafton near the Errington School. In the proposed Area F Plan, it is slated for FR-1 zoning. We were told that this very restrictive zoning was necessary to match the Provincial FLR Zoning. Since the FLR has been eliminated by the Provincial Government, the FR-1 classification is no longer needed, especially in our area where there are just a few FR-1 parcels surrounded by R-2 and R-1.

Has the RDN addressed this matter? We think it is important to do so before the Area F Plan goes any farther. We would like our parcel changed to R-2 to be consistent with neighbouring properties.

Yours sincerely,

Marv and Carol Wolver

Lot 25, District Lot 139, Nanoose District, Plan 1913

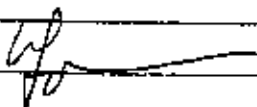
250-951-2317 cwolver@yahoo.com

*April 23, 2002  
Rusty Joerin  
1765 Errington Rd  
Errington VOR 1V0*

*Regional District Board: Public Hearing  
Electoral Area F Zoning & Subdivision Bylaw 1285-2002*

*I support the implementation of this bylaw  
It's been a long & winding road*

*Best wishes*



*Rusty J. Joerin*

April 23, 2002

To: The Board, Regional District  
of Nanaimo.

From: Carol Joerin

RE: Electoral Area "F" Zoning and  
Subdivision Bylaw No. 1285, 2002

I support the implementation of  
Electoral Area "F" Zoning and  
Subdivision Bylaw No. 1285, 2002

Carol Joerin  
1765 Errington Rd.  
Box 286 Errington BC  
V0R 1V0  
250 - 248 - 4318

Re the question of what adoption  
it is my understanding that  
the matter may be put to  
a referendum.

Andrew A. Knox  
116 St. Rd.  
Courtenay

Eileen & Trevor Wicks  
P O Box 196 Errington B C  
V0R 1V0  
250 248 9824  
[teiwicks@island.net](mailto:teiwicks@island.net)

Board of the  
Regional District of Nanaimo

April 24<sup>th</sup> 2002

Re: Area 'F' Zoning Bylaw

**The process to develop an Official Community Plan and Zoning Bylaw for Electoral Area 'F' stated in October 1997. At the initial meeting of the Area 'F' Steering Committee, our goal was to have the whole process completed in about one year. Four and a half years of meetings and public input, and hundreds of thousands of dollars later, it is time that we acknowledge the fact that the 'perfect' zoning bylaw does not and never will exist. Somebody will always find an issue to complain about.**

**Planning a community is not unlike planning a new home, at some point we must stop disagreeing about the size of the spare bedroom, and start the job of building. This bylaw, is a reasonable compromise between the many interests and issues that have evolved in the area.**

**The majority of the people in Area F would like to see this process finalized. I am requesting the Board of the regional District of Nanaimo to adopt this Zoning Bylaw so that we can get on with our lives and spend more time enjoying our rural lifestyles.**

**Sincerely, Eileen and Trevor Wicks.**



31(6)

Box 4, FERRING

B.C. V.O.E.

24 April

Dear Jack,

Keep up the good work, & try to  
keep those people who know what  
good for us all, out of area "F"

We don't want bylaw 1285  
foisted up on us. Besides, most  
of the land in area "F" is in the  
Agricultural Land Reserve  
(ALR) & does not come under  
the jurisdiction of the R.D.S.

Also, we are more self-sufficient  
than people who live in town.

Thanking you.

Yours sincerely,  
Ellen Pullen,

TIGER LILY PRESS  
PO BOX 283  
ERRINGTON B.C.  
V0R 1V0

APRIL 24, 2002.

To the Board of Directors  
of the Regional District of Nanaimo,

I would like you to note that I am in favour  
of restricting land parcel sizes in Area F Agricultural  
Land to at least 4 hectares. Farm land must  
be protected for future generations.

Sincerely,

*Cecil R. Mercer*

Cecil R. Mercer  
1692 Errington Rd.  
Errington, B.C.  
V0R 1V0

TIGER LILY FARM  
PO BOX 282  
ERRINGTON, B.C.  
V0R 1V0

April 24, 2002

To:  
the Board of Directors of the R.D.N.,

~~This is my vote against reducing the~~  
allowable size of parcels of Agricultural  
Land. For all the obvious reasons that Agricultural  
Land Reserves were created, they should be protected  
- supported at all levels of government. I am a  
member of Island Farmers Alliance, whose ultimate  
goal is to create an island as self-sufficient  
~~as possible. Only with the support of the~~  
support is this possible. Please protect the farmland.

Sincerely,

Joan K. Mercer  
1692 Errington Rd.  
Errington B.C.

MAY 24, 2002  
RE PROPOSED BYLAW 1285

IT IS CERTAIN THAT THIS BYLAW WOULD RESULT IN THE APPOINTMENT OF A BYLAW INSPECTOR FOR PURPOSES OF BYLAW ENFORCEMENT.

HAVING VIEWED WHAT THE R.D.N. CALLS SECTION 700 FILINGS, WHICH ARE NUMEROUS NOTICES FILED AGAINST THE TITLES OF PROPERTIES LISTED FOR ALLEGED INFRACTIONS, AND HAVING NOTED THE PUNISHMENT IF SO CALLED DEFICIENCIES ARE NOT RECTIFIED WITHIN A PRESCRIBED TIME LIMIT, IT MAKES THE OWNERS SUBJECT TO LEGAL ACTION.

IT MAY NOT SEEM LIKE IT TO MANY PEOPLE, BUT DISOBEYING SUCH NOTICES FILED AGAINST YOU IS A CIVIL OFFENCE.

REGIONAL GOVERNANCE DOES NOT ABIDE BY USEFUL CONCEPTS, LIKE LIVE AND LET LIVE. THE VOTING METHOD IS A FARCE AND DISGRACEFUL.

THIS PUBLIC HEARING IS SUPPOSED TO BE FOR US, THE INHABITANTS OF AREA F. IN THE PAST, DIRECTORS FROM THE THREE MUNICIPALITIES OF QUINCY, PARKSVILLE, AND NAHAINO, HAVE TOTALLY IGNORED THE FINDINGS FROM PUBLIC HEARINGS IN AREA F. IN FACT SOME HAVE ALREADY DECIDED TO IMPOSE BYLAW 1285 FAR IN ADVANCE OF THIS SO CALLED HEARING, WHICH CONFIRMS THE POINT MADE ABOVE. IT IS ALL A FARCE.

ONE GOOD REASON FOR OPPOSING THIS AND OTHER R.D.N. BYLAWS IS THE FACT THAT DIRECTORS FROM THE THREE MUNICIPALITIES PUT A CHILDREN'S GO-CART OPERATION OUT OF BUSINESS WHICH WAS DEVELOPED QUITE LEGALLY AND PAID FOR BY PARENTS AND FRIENDS. WESTBROEK AND MACDONALD WERE INVOLVED. WHO CAN TRUST THESE KIND OF PEOPLE?

LET'S HAVE A REFERENDUM  
JOE PULLEN, SENIOR

2(14)

FRANK BURGER  
970 PRATT ROAD  
QUALICUM BEACH BC  
V9K 1X2 250-752-0079

①

My name is Frank Burger

I am the owner of lot #6 in area F, with an area of 15.46 acres.

It stretches from Port Alberni highway to the E+N Railway

I am in favor of the land in area F being allowed to be split into 2 hectare lots.

When I purchased the lot it had two (2) derelict homes. I have renovated both homes and improved the landscaping

2(14-2)

(2)

near the houses.

The land is all sand and gravel and rocks. It is loaded with stumps and has three (3) different levels and boggy near the railway.

The little area I have developed required that I bring in many many yards of top soil and it would be ~~impractical~~ impractical to do a large area.

This land is not suitable for agriculture.

Subdividing the property into 2 hectare lots would make it

2(14-3)

(3)

possible to develop ~~the~~  
small acreages for families

~~It~~ finally I reiterate  
that this land would  
best serve the  
community if it were  
subdivided into 2 sector  
lots.

Thank you for  
allowing me to make  
this presentation

J. Fryer

Public Hearing April 24 2002 RDN Bylaw1285/ 2002

My Name Is Evelyn McLean and I reside at 1115 McLean Rd Coombs  
I am NOT in support of Bylaw 1285/2002.  
I DO SUPPORT the Zha. Lot size in the ALR

*Evelyn McLean*

Evelyn McLean

April 24 2002



Wednesday April 24<sup>th</sup> 2002

To whom it may concern: -

Although I am in favour generally of the zoning bylaw - I am totally opposed to the proposed reduction in minimum lot size from 4 hec to 2 hec. This is the thin edge of the wedge. If the rural integrity of Area F is to be maintained, then the Agricultural land **MUST** be saved and protected. Hence that land is lost through subdivision - it is lost forever - and as a result the food producing potential and the rural nature of Area F will also be lost.

This is an Island and as such is particularly susceptible to the effects of natural or manmade disasters. The emphasis should be towards saving agricultural land and becoming as self sufficient as possible with regard to food production.

When the O.C.P. was being worked on - a description to help differentiate between "Rural" and "Agricultural" was formulated: -

Rural is a lifestyle.

Agriculture is a life support.

I think we should all remember this.

In closing I would like to commend those members of the R.D.N who voted in favour of retaining a 4hec minimum lot size. It would seem that they maybe have a broader view and a concern for the overall negative effect in the long term of lot size reduction that is being proposed.

Submitted by -

Shila Emmens (EMMENS)  
1333 Dobson Road

Regional District of Transima  
Attn Mr. Geoff Harbutt

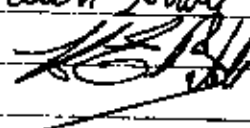
RECEIVED  
04-24-2002  
PLANNING DEPT

Dear sir,

I would ask that you read the attached letter to tonight's meeting on behalf of the four people I have had time to contact.

These people, and many, many more will not be attending the meeting because of the raucous nature of the McKean crowd, the foul language used & the jiving & threatening remarks hurled at anyone of views opposed to theirs.

I am sure that the R.D.M. is aware that the views of Mr McKean and the noisy people at these meetings are not in the ~~majority~~ majority they would have you believe.

Yours Truly  


RECEIVED  
2002-02-24  
PLANNING DEPT

We, the below listed adult residents of Area F  
do not agree with the reduction in minimum  
size of A.L.R. parcels to two hectares.

A two hectare parcel with home (or homes),  
garage, shop, outbuildings, roadsides, well site,  
& septic field would leave precious little land  
for agriculture, certainly not able to provide  
food for future generations.

We therefore recommend that the bylaw  
be adopted as it stands at four hectares.

H. BERR  
ERRINGTON  
*[Signature]*

- H. BERR
- D. BERR
- T. WICKS
- J. CARPENTER
- E. WICKS
- MRS S TOMZYK
- F. GORMAN
- I WICKS
- B. CARPENTER
- MR S. TOMZYK
- D. CARPENTER
- P. PENTLEY

April 24/02

To: RDM Planning

J. McLean, Chair, Area F Public Mtg.

FROM: J. Carpenter, 1070 Price Rd., Errington

PLANNING DEPT  
04-24-2002  
RECEIVED

Area F has had many water systems, involving hundreds of households, on boiled water advisories, some of them for periods of years. Many private wells are having even more trouble with water quantity and quality. Surface water in public areas has been measured with high levels of common contaminants. Air particulate and noise levels in some areas have measured well into the danger level. There are areas that are or should be on the provincial Contaminated Site Registry. Englishman River and other local waterways frequently make it onto "most endangered river" lists. We have already had people seeking medical attention because of what has happened here.

It has been obvious for many years that the increased residential densities in this so-called "rural" area, the types of industries practiced in residential areas, etc., were creating problems. We have had many years to fix the problems using community sanctions, municipalization, or anything else, but we didn't, and no one has any right to whine if something is imposed. The proposed bylaw has flaws, but it is important to get some regulation in place NOW.

It ~~is~~ is also important to stop further erosion of agricultural property.

Much has been made of the fact that there are more than 700  
ALR parcels in the area, but look at the median size, what  
they are currently being used for, etc. They do not in fact  
contribute to "rural lifestyle" in a meaningful way. I am  
not in favour of allowing agricultural land to be divided into  
2 HA parcels.

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE  
MEETING HELD ON TUESDAY, APRIL 23, 2002, AT 7:00 PM  
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,  
455 WALLACE STREET, NANAIMO, BC**

**Present:**

Director E. Hamilton	Chairperson
Director L. Elliott	Electoral Area A
Alternate	
Director B. Jepson	Electoral Area D
Director G. Holme	Electoral Area E
Director J. McLean	Electoral Area F
Director J. Stanhope	Electoral Area G
Alternate	
Director J. Pipes	Electoral Area H
Director T. Westbrook	Town of Qualicum Beach

**Also in Attendance:**

B. Lapham	General Manager of Development Services
N. Tonn	Recording Secretary

**DELEGATIONS**

**Ross Rainsford, re DP Application No. 0218 - Horne Lake Cave Road - Area H.**

Mr. Rainsford provided a short history of the cabin which has to be moved from Lot S47 to Lot 26 and the difficulty in complying with the height restrictions for the cabin at its new location.

**George Tinga, re Water 1 Zone to Exclude Aquaculture.**

Mr. Tinga raised his concerns with respect to shellfish farming, foreshore tenures and water tenures and their effect on the existing residential waterfront properties (upland owners). Mr. Tinga requested that the Board approve an exclusion of aquaculture from water zoning.

**Robert Fuller, re Zoning Amendment Application - Cedar View Estates Ltd. - Cedar and Hemer Roads - Area A.**

Mr. Fuller provided an oral and visual overview of the mixed use development as proposed in Zoning Amendment Application No. 9809.

**MINUTES**

MOVED Director McLean, SECONDED Director Pipes, that the minutes of the Electoral Area Planning Committee meeting held Tuesday, March 26, 2002 be adopted.

CARRIED

**CORRESPONDENCE/COMMUNICATIONS**

**Greta Taylor, re Water 1 Zone to Exclude Aquaculture.**

MOVED Director Holme, SECONDED Director Stanhope, that the correspondence from Greta Taylor, Deep Bay Planning and Environmental Association, with respect to the proposed change in water zoning to have water 1 zone amended to exclude aquaculture as a permitted use, be received.

**PLANNING**

**AMENDMENT APPLICATIONS**

**Zoning Amendment Application No. 0204 – PRA Holdings Ltd. – Harold Road – Area A.**

MOVED Director Elliott, SECONDED Director Stanhope,:

1. That Amendment Application No. 0204 submitted by PRA Holdings Ltd. to rezone a portion of the property legally described as Lot 9, Section 12, Range 7, Cranberry District, Plan 27070 from Industrial 1 (IN1) to Industrial 2 (IN2) be advanced to a public hearing subject to the conditions outlined in Schedule No. 1.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.285, 2002" be given 1<sup>st</sup> and 2<sup>nd</sup> reading and proceed to Public Hearing.
3. That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.285, 2002" be delegated to Director Elliott or his alternate.

CARRIED

**Zoning Amendment Application No. 9809 – Cedar View Estates Ltd. – Cedar & Hemer Roads – Area A.**

MOVED Director Elliott, SECONDED Director Stanhope,:

1. That Amendment Application No. 9809 submitted by Cedar View Estates Ltd. to rezone a portion of the property legally described as Lot A, Plan VIP57874 and Lot 6, Plan VIP59634 Both of Section 14, Range 1, Cedar District from Commercial 2 (CM2) to Comprehensive Development 12 (CD12) be advanced to a public hearing subject to the conditions outlined in Schedule No. 1.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.284, 2002" be given 1<sup>st</sup> and 2<sup>nd</sup> reading and proceed to Public Hearing.
3. That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.284, 2002" be delegated to Director Elliott or his alternate.

CARRIED

**DEVELOPMENT PERMIT APPLICATIONS**

**DP Application No. 0215 – Fairwinds/Dafoe – 3730 Fairwinds Drive – Area E.**

MOVED Director Holme, SECONDED Director Stanhope, that Development Permit Application No. 0215 to facilitate bank stabilization works on 45 metres of stream channel on Dolphin Creek within a Watercourse Protection Development Permit Area on the property legally described as Lot 1, District Lot 8, 30 and 78, Nanoose District, Plan 48585, Except Part in Plan 51142 be approved subject to the conditions outlined in Schedules No. 1, 2 and 3.

CARRIED

**DP Application No. 0218 – Rainsford – Horne Lake Cave Road – Area H.**

MOVED Director Pipes, SECONDED Director Stanhope, that Development Permit Application No. 0218 to vary the maximum floor area of the main floor of the recreational residence from 70 m<sup>2</sup> to 72 m<sup>2</sup>; the maximum floor area of the second story from 35 m<sup>2</sup> to 45 m<sup>2</sup>; and the maximum building height of 6.1 metres to 6.5 metres pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 to permit the relocation of a recreational residence and to permit a landscape deck to be located a minimum of 12.5 metres from the natural boundary, the removal of vegetation, and the development of a 1 metre wide beach access within the Environmentally Sensitive Areas Development Permit Area on the property legally described as Strata Lot 26, District Lot 251, Alberni District, Plan VIS5160, be approved subject to the requirements outlined in Schedules No. 1, 2 and 3.

CARRIED

**DP Application No. 0220 – Bulger – Horne Lake Cave Road – Area H.**

MOVED Director Pipes, SECONDED Director Stanhope, that Development Permit Application No. 0220 to facilitate the relocation of a recreational residence and deck to be located a minimum of 8 metres, an accessory building to be located a minimum of 11 metres from the natural boundary of Horne Lake, and a 1 metre wide beach access located within the Environmentally Sensitive Areas Development Permit Area on the property legally described as Strata Lot 58, District Lot 251, Alberni District, Plan VIS5160 be approved subject to the conditions outlined in Schedules 1 and 2.

CARRIED

**DP Application No. 0221 – Gerard/Fern Road Consulting – Lot 14, Amberwood Lane – Area E.**

MOVED Director Holme, SECONDED Director Stanhope, that Development Permit Application No. 0221 submitted by Helen Sims, on behalf of Patricia Gerard to facilitate construction of a single dwelling, attached patio, patio for hot tub, and retaining walls within the Watercourse Protection Development Permit Area pursuant to "Nanoose Bay Official Community Plan Bylaw No. 1118, 1998" for the property legally described as Lot 14, District Lot 78, Nanoose District, Plan 47638 be approved subject to the conditions and variances outlined in Schedule No. '1' and notification requirements pursuant to the *Local Government Act*.

CARRIED

**DP Application No. 0222 – Mauriks/Fern Road Consulting – 1429 Dorcas Point Road – Area E.**

MOVED Director Holme, SECONDED Director Stanhope, that Development Permit Application No. 0222, submitted by Helen Sims on behalf of Patricia Mauriks to legalize the siting and renovation of an existing dwelling unit within the Watercourse Protection Development Permit Area pursuant to "Nanoose Bay Official Community Plan Bylaw No. 1118, 1998" for the property legally described as Lot 5, District Lot 110, Nanoose District, Plan 17536 be approved subject to the conditions and variances outlined in Schedule No. '1' and notification requirements pursuant to the *Local Government Act*.

CARRIED

**OTHER**

**Home Based Business Regulations – RDN Land Use and Subdivision Amendment Bylaw No. 500.286 – Areas A, C, D, E, G & H.**

The General Manager of Development Services noted that the words "convenience stores" should be removed under the heading of "Proposed replacement text" in the staff report.

MOVED Director Stanhope, SECONDED Director Holme,:

1. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.286, 2002" be introduced and given 1<sup>st</sup> and 2<sup>nd</sup> reading.



2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.286, 2002" be advanced to a public hearing.
3. That the public hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.286, 2002" be delegated to Director Holme or his alternate.

**ADJOURNMENT**

CARRIED

MOVED Director Holme, SECONDED Director Stanhope, that this meeting terminate.

CARRIED

TIME: 7:43 PM

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CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE COMMITTEE OF THE WHOLE  
MEETING HELD ON TUESDAY, APRIL 23, 2002, AT 7:30 PM  
IN THE CITY OF NANAIMO COUNCIL CHAMBERS,  
455 WALLACE STREET, NANAIMO, BC

**Present:**

Director J. Stanhope	Chairperson
Director L. Elliott	Electoral Area A
Director B. Sperling	Electoral Area B
Director E. Hamilton	Electoral Area C
Alternate	
Director B. Jepson	Electoral Area D
Director G. Holme	Electoral Area E
Director J. McLean	Electoral Area F
Alternate	
Director J. Pipes	Electoral Area H
Director J. Macdonald	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director D. Rispin	City of Nanaimo
Director T. Krall	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director L. McNabb	City of Nanaimo

**Also in Attendance:**

K. Daniels	Chief Administrative Officer
C. Mason	General Manager of Corporate Services
B. Lapham	General Manager of Development Services
J. Finnie	General Manager of Environmental Services
N. Tonn	Recording Secretary

**DELEGATIONS**

**Joe Truscott, Coast & Marine Planning, Ministry of Sustainable Resource Management, re Baynes Sound Action Plan.**

Mr. Truscott presented an overview of the Baynes Sound Shellfish Aquaculture Action Plan including the research completed in the process of its development.

MOVED Director Holme, SECONDED Director McLean, that the following late delegations be permitted to address the Committee.

CARRIED

**Diane Pertson, re Growth Management Plan Review - Proposed Amendments to the Urban Containment Boundary - Area E.**

Ms. Pertson raised her concerns with respect to a proposed change to the Nanoose urban containment boundary which would include Crown land which is currently in the Forest Land Reserve in Nanoose Bay. Ms. Pertson distributed copies of her presentation and urged the Board to defeat this change.

**Jeannette Thomson, re Growth Management Plan Review – Proposed Amendments to the Urban Containment Boundary – Area E.**

Ms. Thomson spoke in opposition to the proposed changes to the Growth Management Plan that would allow Fairwinds to buy or acquire the Crown Land legally described as Lot 137, Lots 10 to 16, and noted that she has collected a total of 583 individually signed protests to the proposed change to date. Copies of Ms. Thomson's presentation and attachments were distributed to the Committee members.

**Diane Aussum, re Growth Management Plan Review – Proposed Amendments to the Urban Containment Boundary – Area E.**

Ms. Aussum raised her concerns with respect to the lack of information provided to the residents of Nanoose on current RDN issues including the proposed amendments to the urban containment boundary, which strongly effect everyone in the area. The Regional Perspective produced by the RDN, is considered by a number of residents as a source of information.

**Cornel Sawchuk, re Growth Management Plan Review Amendments – Area E.**

Mr. Sawchuk noted the importance of protecting the vegetation of the Crown land legally described as Lot 137, Lots 10 to 16 in Nanoose from the proposed acquisition as a second golf course and urged the Board to approach the Provincial government to dedicate the land as a provincial heritage site.

**Karen Zaborniak, re Growth Management Plan Review – Proposed Amendments to the Urban Containment Boundary – Area E.**

Ms. Zaborniak spoke in opposition to the proposed amendments to the urban containment boundary which would allow the development of a second golf course in Nanoose and invited Board members to participate in a guided tour of the Crown land before a decision is made.

**MINUTES**

MOVED Director McNabb, SECONDED Director Krall, that the minutes from the Committee of the Whole meeting held on Tuesday, March 26, 2002 be adopted.

**COMMUNICATIONS/CORRESPONDENCE**

CARRIED

**Dan Whiting, School District 69, re Appointment of Trustee Barbara Terry to the D69 Recreation Commission.**

MOVED Director McLean, SECONDED Director Westbrook, that the correspondence received from School District 69 with respect to the appointment of Barbara Terry to the D69 Recreation Commission, be received.

CARRIED

**Jerri New, Office & Professional Employees International Union, re BC Hydro.**

MOVED Director McLean, SECONDED Director Westbrook, that the correspondence received from the Office & Professional Employees International Union with respect to a resolution for the retention of BC Hydro as a complete entity within a regulated pricing structure by the provincial government, be received.

CARRIED

**Charles Lang, re Regional Growth Management Plan Amendments – Horne Lake – Area H.**

MOVED Director McLean, SECONDED Director Westbrook, that the correspondence received from Charles Lang with respect to the Horne Lake Draft Interim Management Plan, former pass holders and the March 27, 2002 public meeting, be received.

CARRIED

**DEVELOPMENT SERVICES**

**BUILDING INSPECTION**

**Section 700 Filings.**

The Chairperson listed each filing and asked that any property owner in the audience wishing to address the Committee come forward when their name was called.

MOVED Director Krall, SECONDED Director Macdonald, that a notice be filed against the title of the property listed, pursuant to Section 700 of the *Local Government Act* and that if the infractions are not rectified within ninety (90) days, legal action will be pursued:

- (a) Lot 1, Section 12, Range 3, Mountain District, 3043 Jameson Road, Electoral Area A, owned by W. Kosak;
- (b) Lot 22, Section 2, Range 6, Plan 27748, Cedar District, 3361 McGuire Way, Electoral Area A, owned by I. and D. Stewart;
- (c) Lot 25, Block 586, Plan 29314, Nanoose District, 2825 Sea Blush Drive, Electoral Area E, owned by K. Husson and T. Fallow.

CARRIED

**PLANNING**

**OCP/Zoning Bylaw Amendment for E & N Railway Corridor.**

Electoral Area 'A' Official Community Plan

MOVED Director Elliott, SECONDED Director Westbrook,:

1. That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.01, 2002" has been considered in conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.
2. That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.01, 2002" has been considered in conjunction with the Regional District of Nanaimo waste management plans.
3. That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.01, 2002" has been considered in conjunction with the Regional District of Nanaimo Growth Management Plan.
4. That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.01, 2002" has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.

CARRIED

MOVED Director Krall, SECONDED Director Westbrook, that "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.01, 2002" be given 2<sup>nd</sup> reading and proceed to public hearing.

CARRIED

**PAGE**  
**100**

MOVED Director Elliott, SECONDED Director Krall, that the holding of the Public Hearing with respect to "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.01, 2002" be delegated to Director Holme or his alternate.

CARRIED

Electoral Area 'C' Arrowsmith Benson-Cranberry Bright Official Community Plan

MOVED Director Hamilton, SECONDED Director Westbroek,:

1. That "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.02, 2002" has been considered in conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.
2. That "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.02, 2002" has been considered in conjunction with the Regional District of Nanaimo waste management plans.
3. That "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.02, 2002" has been considered in conjunction with the Regional District of Nanaimo Growth Management Plan.
4. That "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.02, 2002" has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.

CARRIED

MOVED Director Hamilton, SECONDED Director Holdom, that "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.02, 2002" be given 2<sup>nd</sup> reading and proceed to public hearing.

CARRIED

MOVED Director Hamilton, SECONDED Director Westbroek, that the holding of the Public Hearing with respect to "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.02, 2002" be delegated to Director Holme or his alternate.

CARRIED

Electoral Area 'D' Lantzville Official Community Plan

MOVED Director Jepson, SECONDED Director Rispin,:

1. That "Regional District of Nanaimo Lantzville Official Community Plan Bylaw Amendment Bylaw No. 974.02, 2002" has been considered in conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.
2. That "Regional District of Nanaimo Lantzville Official Community Plan Bylaw Amendment Bylaw No. 974.02, 2002" has been considered in conjunction with the Regional District of Nanaimo waste management plans.
3. That "Regional District of Nanaimo Lantzville Official Community Plan Bylaw Amendment Bylaw No. 974.02, 2002" has been considered in conjunction with the Regional District of Nanaimo Growth Management Plan.
4. That "Regional District of Nanaimo Lantzville Official Community Plan Bylaw Amendment Bylaw No. 974.02, 2002" has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.

CARRIED

PAGE  
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MOVED Director Jepson, SECONDED Director Rispin, that "Regional District of Nanaimo Lantzville Official Community Plan Bylaw Amendment Bylaw No. 974.02, 2002" be given 2<sup>nd</sup> reading and proceed to public hearing.

CARRIED

MOVED Director Jepson, SECONDED Director Pipes, that the holding of the Public Hearing with respect to "Regional District of Nanaimo Lantzville Official Community Plan Bylaw Amendment Bylaw No. 974.02, 2002" be delegated to Director Holme or his alternate.

CARRIED

Electoral Area 'E' Nanoose Bay Official Community Plan

MOVED Director Holme, SECONDED Director Krall,:

1. That "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1118.03, 2002" has been considered in conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.
2. That "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1118.03, 2002" has been considered in conjunction with the Regional District of Nanaimo waste management plans.
3. That "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1118.03, 2002" has been considered in conjunction with the Regional District of Nanaimo Growth Management Plan.
4. That "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1118.03, 2002" has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.

CARRIED

MOVED Director Holme, SECONDED Director Krall, that "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1118.03, 2002" be given 2<sup>nd</sup> reading and proceed to public hearing.

CARRIED

MOVED Director Holme, SECONDED Director Krall, that the holding of the Public Hearing with respect to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1118.03, 2002" be delegated to Director Holme or his alternate.

CARRIED

Electoral Area 'G' Englishman River Official Community Plan

MOVED Director Holme, SECONDED Director McNabb,:

1. That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.07, 2002" has been considered in conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.
2. That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.07, 2002" has been considered in conjunction with the Regional District of Nanaimo waste management plans.
3. That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.07, 2002" has been considered in conjunction with the Regional District of Nanaimo Growth Management Plan.

4. That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.07, 2002" has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.

CARRIED

MOVED Director Holme, SECONDED Director Hamilton, that "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.07, 2002" be given 2<sup>nd</sup> reading and proceed to public hearing.

CARRIED

MOVED Director Holme, SECONDED Director Hamilton, that the holding of the Public Hearing with respect to "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.07, 2002" be delegated to Director Holme or his alternate.

CARRIED

Electoral Area 'G' French Creek Official Community Plan

MOVED Director Holme, SECONDED Director Rispin,:

1. That "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.02, 2002" has been considered in conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.
2. That "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.02, 2002" has been considered in conjunction with the Regional District of Nanaimo waste management plans.
3. That "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.02, 2002" has been considered in conjunction with the Regional District of Nanaimo Growth Management Plan.
4. That "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.02, 2002" has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.

CARRIED

MOVED Director Holme, SECONDED Director Holdom, that "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.02, 2002" be given 2<sup>nd</sup> reading and proceed to public hearing.

CARRIED

MOVED Director Holme, SECONDED Director Macdonald, that the holding of the Public Hearing with respect to "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.02, 2002" be delegated to Director Holme or his alternate.

CARRIED

Electoral Area 'H' Shaw Hill-Deep Bay Official Community Plan

MOVED Director Pipes, SECONDED Director Macdonald,:

1. That "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.03, 2002" has been considered in conjunction with the Regional District of Nanaimo 2002-2007 Capital Expenditure Program Bylaw.
2. That "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.03, 2002" has been considered in conjunction with the Regional District of Nanaimo waste management plans.

3. That "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.03, 2002" be considered in conjunction with the Regional District of Nanaimo Growth Management Plan.
4. That "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.03, 2002" has been considered in conjunction with the provincial policy guidelines and comments from the Land Reserve Commission.

CARRIED

MOVED Director Pipes, SECONDED Director Holdom, that "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.03, 2002" be given 2<sup>nd</sup> reading and proceed to public hearing.

CARRIED

MOVED Director Pipes, SECONDED Director Holdom, that the holding of the Public Hearing with respect to "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.03, 2002" be delegated to Director Holme or his alternate.

CARRIED

**Delegation of Authority Amendment Bylaw No. 1166.01 – Horne Lake – Area H.**

MOVED Director Macdonald, SECONDED Director Krall:

1. That "Regional District of Nanaimo Delegation of Authority Amendment Bylaw No. 1166.01, 2002" delegating authority to the General Manager to approve development permits where:
    - i. the applicant has requested a development permit to alter land to within 30% of the applicable development permit guidelines;
    - ii. the applicant has requested a development permit to enhance and restore riparian areas, fish and fish habitat; and
    - iii. properties are designated within Development Permit No. 5 pursuant to the "Shaw Hill-Deep Bay Official Community Plan Bylaw No. 1007, 1996", where the permitted use includes recreational residential as defined in Bylaw No. 500 for:
      - (1) any land alternation in connection with construction of a building or structure between 8 and 15 metres of the present natural boundary of Horne Lake and any non-structural land alteration undertaken within the development permit area; and
      - (2) any non-structural land alteration undertaken within the development permit area
- be given three (3) readings.
2. That "Regional District of Nanaimo Delegation of Authority Amendment Bylaw No. 1166.01, 2002", having received three (3) readings, be adopted.

CARRIED



**Horne Lake Regional Park – Interim Management Plan.**

MOVED Director Pipes, SECONDED Director McLean,:

1. That the *Interim Management Plan* for Horne Lake Regional Park be endorsed and approved, thereby giving authority to proceed with opening of the Park in the spring of 2002 for uses including general camping, boating, programmed recreation and day use.
2. That staff be authorized to establish and enter into an interim management contract with Rick Canfield for the 2002 season, subject to the acceptance of the Horne Lake Strata Corporation without prejudice to their right of first refusal on a 2003-08 management plan.
3. That staff be authorized to proceed with the regularization of property encumbrances and anomalies at Horne Lake Regional Park, and prepare terms of reference for the preparation of a long term management and operating plan necessary to secure a 5-year operating contract.

CARRIED

**CORPORATE SERVICES**

**ADMINISTRATION**

**Application for a Temporary Change to Liquor Licence – Cassidy Inn – Area A.**

MOVED Director Elliott, SECONDED Director McNabb, that the Cassidy Inn's request for a temporary change to their Liquor Licence to provide for an extended patio area for their Show 'n Shine event scheduled for June 23, 2002 be approved.

CARRIED

**ENVIRONMENTAL SERVICES**

**LIQUID WASTE MANAGEMENT**

**Release of Reserve Funds for Land Purchase – Southern Community LSA Wastewater Treatment Reserve Fund Expenditure Bylaw No. 1298.**

MOVED Director Holdom, SECONDED Director McNabb,:

1. That "Southern Community Local Service Area Wastewater Treatment System and Facilities Reserve Fund Expenditure Bylaw No. 1298, 2002" be introduced for three readings.
2. That "Southern Community Local Service Area Wastewater Treatment System and Facilities Reserve Fund Expenditure Bylaw No. 1298, 2002" having received three readings, be adopted.

CARRIED

**Application for Infrastructure Planning Grant.**

MOVED Director Westbrook, SECONDED Director McNabb, that the Board of the Regional District of Nanaimo support the Bowser/Qualicum Bay/Dunsmuir Infrastructure Planning Grant application.

CARRIED

**ADJOURNMENT**

MOVED Director Holme, SECONDED Director Rispin, that the meeting terminate.

TIME: 8:55 PM

CARRIED

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CHAIRPERSON

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**Minutes for the Meeting held:  
Wednesday, May 1, 2002 @ 1:30 PM to 4:30 PM  
Ministry of Water, Land and Air Protection Office – Arrowsmith Room  
2080 Labieux Road, Nanaimo, BC**

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**Present:**  
Bob Lapham, RDN  
Christina Thomas, RDN  
John Finnie, RDN  
David Coombe, VIHA  
Sharon Fletcher, Nanaimo

Paul Butler, Qualicum Beach  
Roger Cheetham, LRC  
Sharon Erickson, MWLAP  
Dan Biggs, MF  
Ted Hall, MEM  
Cynthia Hawksworth, MCWAS

**Guest Presenter:**  
Ken Balmer, RETHINK GROUP  
**Absent:**  
Neil Connelly, RDN  
Gayle Jackson, Parksville  
Dave Edgar, MT

**# Item**

**1. Call to order.**

C. Thomas called the meeting to order at 1:40 PM. C. Thomas indicated that N. Connelly was unable to attend the meeting due to an unforeseen urgent commitment, that G. Jackson was unable to attend the meeting due to a longstanding commitment to attend public meetings regarding the review of the City's official community plan, and that D. Edgar would now attend the IAC meetings on behalf of the Ministry of Transportation as T. Pollock is no longer with the Ministry.

**2. Minutes from the Last Meeting (February 6, 2002).**

The minutes of the meeting were accepted as presented.

**3. Growth Management Plan Review 2001-2002**

**a) Results of Phase III Public Feedback**

K. Balmer, RETHINK GROUP, provided an update on the public consultation process undertaken as a part of Phase III of the Growth Management Plan Review, and the public feedback received as a result of that process.

Each member of the Committee was provided a hard copy of the report, "Growth Management Plan Review: Phase III Public Feedback (April 2002)".

**b) Revisions to Growth Management Plan**

C. Thomas provided an update regarding the changes staff anticipates proposing in the revised regional growth strategy to be provided to the Board for consideration of 1<sup>st</sup> and 2<sup>nd</sup> reading on May 14, 2002.

There was substantial discussion regarding staff's proposal to shorten the length of the regional growth strategy. The strengths and weaknesses of reducing the amount of text in the strategy were discussed and debated. One member was concerned that useful material, such as the guidelines and explanatory text, would be eliminated. C. Thomas noted that the intention of shortening the length of the regional growth strategy was to provide a more easy to understand, clearer document that only includes the critical elements, and that the other material deemed useful would be used to develop explanatory guides for the regional growth strategy bylaw that would not be a part of the bylaw. It was noted that the material that would be eliminated is material that provides only optional, non-mandatory guidance. It was noted that there is no one 'best length' for a regional growth strategy.

and that the appropriate length of a regional growth strategy is a function of the number and type of issues that need to be addressed in a region.

There was substantial discussion regarding the direction the regional growth strategy contains regarding parcel size on lands designated Resource Lands and Open Space.

- C. Thomas noted that the strategy currently does not provide specific mandatory direction regarding the minimum parcel size of lands with this designation, and that the key policy on the matter (3A) only states that official community plans are "to promote and encourage the retention of large rural holdings".
- The Committee expressed grave concern regarding the absence of direction regarding the minimum parcel size desirable for rural lands. It was suggested that the regional growth strategy amendments bring forward specific direction regarding minimum parcel size for land designated Resource Lands and Open Space, and that the minimum parcel size be sufficiently large enough to support resource activities.
- Committee members indicated grave concern regarding the lack of direction regarding the minimum parcel size acceptable for lands with the Resource Lands and Open Space designation given the changes to the legislation governing the use of land in the Forest Land Reserve that could weaken the protection of these lands for forestry uses.
- One member expressed concern that the inclusion of specific policy direction regarding minimum parcel size on Resource Lands and Open Space designated land in the regional growth strategy is the only guarantee a member municipality has regarding the amount of development possible on land within that designation, given that the member municipalities recently opted out of the Regional District's planning function which had given the member municipalities a say on the level of development in these areas through their participation in votes regarding official community plans for these areas.
- C. Thomas requested Committee input regarding the absolute and preferred minimum parcel sizes for land designated Resource Lands and Open Spaces.
- An absolute minimum parcel size of 50 hectares was suggested for land that is presently within the Forest Land Reserve, although it was noted that a minimum parcel size much larger than this was more desirable for retaining forestry use possibilities.
- No specific suggestions were provided regarding the absolute or desirable minimum parcel sizes for land in the Agriculture Land Reserve.
- The recent debate regarding the minimum parcel size appropriate for land in the Agriculture Land Reserve in Electoral Area F was highlighted.
- It was suggested that, at a bare minimum, the revisions to the regional growth strategy recognize this serious issue and mandate an immediate technical study to determine if the regional growth strategy should include more specific direction regarding the minimum parcel size of lands designated Resource Lands and Open Space.
- Another suggestion was that the regional growth strategy limit the development of rural lands to the level specified in the current official community plans.
- Committee members expressed worry that growth is not being contained in the region.

***c) City of Parksville Submission Regarding Urban Containment Boundary in Parksville Area***

C. Thomas outlined the submission received by the Regional District of Nanaimo on April 11<sup>th</sup> from the City of Parksville regarding the City's proposal to move the Urban Containment Boundary (UCB) to include District Lots 12 and 42 and Block 607 inside the boundary. It was noted that District Lots 12 and 42 are in the Agriculture Land Reserve (ALR), and that the City believes the lands are needed to provide housing for the projected population of the City. A letter from the Land Reserve Commission to the Regional District of Nanaimo was distributed to Committee members. The letter outlines the Commission's concerns regarding the City's proposal. The key concern communicated in the letter is that the inclusion of ALR lands inside the UCB sends the message that the lands are intended to be developed for non-agricultural uses in the immediate future.

consequently compromising the perceived agriculture value of the land. The Committee expressed concern regarding the proposal, particularly as it regards to the criterion of the Urban Containment and Fringe Area Management Implementation Agreement that land that is in the ALR or FLR not be included inside the UCB. It was suggested that the UCB not be moved to include the ALR lands unless the Land Reserve Commission approves the removal of the lands from the ALR. It was noted that the Urban Containment and Fringe Area Management Implementation Agreement provides the flexibility to make changes to the UCB at variance to the regional growth strategy and in the intervening period between regional growth strategy reviews, so long as the decision is made by the Regional Board according to the specified process and criteria in the Agreement.

*d) Schedule of Events for Phase IV*

C. Thomas outlined the schedule of events for Phase IV of the Growth Management Plan Review. It was noted that staff will be writing the revised regional growth strategy text between May 1<sup>st</sup> and 8<sup>th</sup>, that the Board is scheduled to consider the revised regional growth strategy bylaw for 1<sup>st</sup> and 2<sup>nd</sup> reading at its meeting on May 14, 2002, that the revised regional growth strategy bylaw would be made available to the public, that open house information sessions regarding the bylaw are anticipated to be conducted on June 12<sup>th</sup> and 13<sup>th</sup>, that the public hearing regarding the bylaw is anticipated to be conducted on June 19<sup>th</sup> and 20<sup>th</sup>, and that the mandatory referral of the bylaw to the member municipalities and adjacent regional districts would take place on June 21<sup>st</sup>.

There was discussion regarding whether the revised regional growth strategy bylaw would be referred to provincial government ministries with related interests. It was noted that the Local Government Act only requires the bylaw to be referred to the member municipalities and the adjacent regional districts and does not require the bylaw to be referred to provincial government ministries. It was suggested that the bylaw be referred, as a courtesy, to these parties after the Board grants it 1<sup>st</sup> and 2<sup>nd</sup> reading, so that the agencies may provide comments on the bylaw for the Board's consideration at 3<sup>rd</sup> reading of the bylaw. C. Thomas indicated that this would be undertaken.

There was discussion regarding the timing of the referral of the revised regional growth strategy to member municipalities and adjacent regional districts. It was suggested that it would be useful for the member municipalities to receive the referral as soon as the bylaw is granted 1<sup>st</sup> and 2<sup>nd</sup> reading by the Regional Board. It was noted that the Local Government Act specifies that the official referral take place after the public hearing on the regional growth strategy bylaw. C. Thomas indicated that that the Regional District would refer the bylaw to the member municipalities on an informal basis immediately after the Board grants it 1<sup>st</sup> and 2<sup>nd</sup> reading, and formally refer the bylaw pursuant to the requirements and timing specified by the Local Government Act (i.e. after the public hearing).

There was discussion regarding the role of the Intergovernmental Advisory Committee in the development and implementation of the regional growth strategy.

*e) Other Questions/Comments/Discussion*

C. Hawksworth indicated that due to recent changes in the organizational structure of the Ministry of Community, Aboriginal and Women's Services Bill Huot would no longer be participating on the IAC, and that she would be handling official community plan bylaw referrals for the region in lieu of Bill Huot.

S. Fletcher provided copies of the Downtown Plan that is currently under consideration for the City of Nanaimo.

P. Butler indicated that the Town is undertaking a neighbourhood plan and invited IAC member

participation in the project.

4. **Next Meeting.**

The next meeting was set for **Thursday, June 6, 2002**. The purpose of the meeting will be to review the regional growth strategy that the Board has granted 1<sup>st</sup> and 2<sup>nd</sup> reading to, with the view to better enabling the agencies represented on the IAC to provide comments and suggestions regarding changes or refinements to the regional growth strategy that could be considered when the Board considers the bylaw for 3<sup>rd</sup> reading.

5. **Adjournment.**

C. Thomas adjourned the meeting at 4:30 PM.

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Christina Thomas, Chair



MAY - 8 2002

CHAIR	GMCrS
CAO	GMDS
SECRETARY	GMES

**MEMORANDUM**

**TO:** C. Mason  
General Manager, Corporate Services

**DATE:** April 30, 2002

**FROM:** N. Avery  
Manager, Financial Services

**FILE:**

**SUBJECT:** Request to vary contribution formula for the Vancouver Island Regional Library

**PURPOSE:**

To obtain Board direction regarding a proposal to change the contribution formula for the Vancouver Island Regional Library to limit differences among jurisdictions to no more than 30% of the group average.

**BACKGROUND:**

At its March 23<sup>rd</sup>, 2002 meeting the Board of the Vancouver Island Regional Library (VIRL) passed a motion to seek member consent to change the contribution formula by re-distributing costs allocated to a member if the per capita rate for that member exceeded the group average by more than 30%. The change would have affected three members in 2002 (District of Tofino, Capital Regional District and Regional District of Powell River) and if supported would be applied commencing in 2003. The amendment would soften the effect to members which have small population bases but which have relatively large land bases.

For instance, the Capital Regional District has an assessment base almost equal to the Towns of Comox and Qualicum Beach, however the rural population base in the Capital Region is less than half that of the Town of Qualicum Beach (and one third the size of the Town of Comox). As a result of the large land values rural residents in the Capital Region pay \$51.20 versus \$24.27 or \$30.45 in Comox or Qualicum Beach.

**ALTERNATIVES:**

1. Support the motion to amend the formula.
2. Do not support the motion to amend the formula.

**FINANCIAL IMPLICATIONS:**

Alternative 1

The impact of the change to the Regional District of Nanaimo in 2002 would have been an increase from \$1,218,688 to \$1,224,906 a difference of \$6,218 or 0.5%. The Regional District per capita rate is \$30.52 and would rise to about \$30.68 per capita. The three members receiving credits would have had an effective rate of \$38.10 per capita, which is still the highest in the group, however the spread between the highest and lowest per capita rate falls from a difference of about \$20.00 per capita to \$9.00 per capita.

Alternative 2


The Regional Library Board taxation levies have increased at 5%, 6% and 4% over the last three years primarily to add additional branch services throughout the system. While the proposed formula change is minor staff are reticent in recommending support for any change which will increase the costs borne by Regional District taxpayers.


**SUMMARY/CONCLUSIONS:**

The VIRL is seeking support from 2/3 of its members for a change in the contribution formula. The change would take any member's allocation which exceeds 30% of the group average and redistribute the dollars 50% by population/50% by assessment to all members. The result would be that no member would have a per capita rate greater than 30% of the group average. The formula would have increased the Regional District's 2002 contribution from \$1,218,688 to \$1,224,609 (\$6,218 or 0.5%). Regional District taxpayers would see a change in the range of .20 cents per \$100,000. Given the relatively large impact that the VIRL taxation levy has on Regional District taxpayers staff are reluctant to support a change which will increase local taxes.

**RECOMMENDATION:**

That the Regional District of Nanaimo not support the change to limit the per capita cost for the Vancouver Island Regional Library levy to a range of 30% from the group average as outlined in their correspondence dated April 8<sup>th</sup>, 2002.

  
\_\_\_\_\_  
Report Writer

  
\_\_\_\_\_  
General Manager Concurrence

  
\_\_\_\_\_  
C.A.O. Concurrence

**COMMENTS:**





# VANCOUVER ISLAND REGIONAL LIBRARY

CENTRAL SERVICES, Box 3333, Nanaimo BC, Canada V9R 5N3  
Deliveries: 6250 Hammond Bay Road, Nanaimo. Phone: (250) 758-4697 Fax: (250) 758-2482 Email: info@virl.bc.ca

REGIONAL DISTRICT OF NANAIMO	
APR 10 2002	
CHAIR	MEMBERS
CAO	GMDS
GMCMS	GMES
<i>Carol reports recommendations by May 8</i>	

April 8, 2002

Chair George Holme  
Nanaimo Regional District  
6300 Hammond Bay Road  
Nanaimo, B.C. V9T 6N2

Dear Chair Holme,

**Re: Request from the V.I.R.L Board for approval of proposed change  
to the library assessment formula**

The Vancouver Island Regional Library is requesting that the Nanaimo Regional District approve a change to the library assessment formula. The Board recommended the change at its meeting on March 23, 2002 by passing the following motion:

Motion VIRL BR 02031: 26

That the member municipalities and regional districts be requested to vote on a change to the Contribution Formula based on reallocating local contributions greater than 30% of the average per capita amount to all members; and

That the revised Contribution Formula be used for the 2003 Budget and subsequent budgets subject to at least 2/3 approval of the member councils.

According to the Library Act, any change to V.I.R.L.'s Contribution Formula must be voted on and agreed to by 2/3 of the local government member jurisdictions. Therefore, the library Board is requesting that the Nanaimo Regional District discuss and pass a resolution approving the recommended change at your earliest convenience, preferably before May 31, 2002.

Once you have made a decision please complete the enclosed ballot and send your ballot to Central Services in Nanaimo by Fax to 250 758 2482.

Documentation on the reasons to amend the Contribution Formula, the estimated financial impact on your area (Table 1), and a ballot are enclosed. If you have any questions, please contact Dave Devana, Director Corporate Services at 250 729-2302.

Sincerely,

Donna Gault  
Vancouver Island Regional Library Board Chair

**PAGE**  
**1/2**

## Nanaimo Regional District

# Ballot

That the revised Contribution Formula be used for the Vancouver Island Regional Library 2003 Budget and subsequent budgets subject to at least 2/3 approval of the member councils.

Yes \_\_\_\_\_

No \_\_\_\_\_

Please return the ballot by fax to 250 758 2482.

## **Reasons to Amend Contribution Formula to Reallocate Per Capita Amounts Greater than 30%**

Prepared by Dave Devana, Director Corporate Services, April 5, 2002

Currently the Board determines local contributions based on the formula specified in Section 24 of the Library Act which is based 50% on population and 50% on converted assessments. The only exception is that VURL adjusts the population for residents of First Nations reserves. This adjustment to the formula was approved by more than 2/3 of the municipalities and regional districts in September 1999.

Using the existing VURL Contribution Formula, the average per capita costs paid by the members was \$29.12 for the 2002 Budget. However the per capita per member ranged from a low of \$20.34 to a high of \$51.20. The Chart attached illustrates the per capita amount paid by each member.

Fifty percent of the contribution formula is based on population and it is known that each member paid the same \$14.59 per person for library service in 2002 and the remaining portion of their local contribution was based on converted assessments. The converted assessments account for the significant range of \$20.34 to \$51.20 per person. Municipalities and Regional Districts with proportionately higher converted assessments than the other members have a higher per capita cost than the average member.

The rationale for a portion of the contribution formula being based 50 percent on converted assessments is that it tries to recognize a member's taxation base or "ability to pay". The existing Contribution Formula attempts to balance a member's user base (50% population component) and ability to pay (50% converted assessments) in calculating the member's local contribution.

The proposed change to the contribution formula maintains the principles of "user base" and "ability to pay" while at the same time setting an upper limit control to ensure no member pays greater than 30% of the per capita average.

Table 1 shows the financial impact of the proposed change on the members based on the 2002 Budget.

The library Board request that you support the library Board motion:

**That the revised Contribution Formula be used for the 2003 Budget and subsequent budgets subject to at least 2/3 approval of the member councils.**

Members Per Capita Contributions  
2002 Budget

Members	\$0.00	\$10.00	\$20.00	\$30.00	\$40.00	\$50.00	\$60.00
<input checked="" type="checkbox"/> Skeena-Queen Charlotte <input checked="" type="checkbox"/> Powell River <input checked="" type="checkbox"/> Nanaimo <input checked="" type="checkbox"/> Mount Waddington <input checked="" type="checkbox"/> Cowichan Valley <input checked="" type="checkbox"/> Comox-Strathcona <input checked="" type="checkbox"/> Central Coast <input checked="" type="checkbox"/> Alberni-Clayoquot <input checked="" type="checkbox"/> Uclulet <input checked="" type="checkbox"/> Zeballos <input checked="" type="checkbox"/> Fallis <input checked="" type="checkbox"/> Sooke <input checked="" type="checkbox"/> Sayward <input checked="" type="checkbox"/> Sidney <input checked="" type="checkbox"/> Qualicum Beach <input checked="" type="checkbox"/> Port McNeill <input checked="" type="checkbox"/> Port Hardy <input checked="" type="checkbox"/> Port Clements <input checked="" type="checkbox"/> Port Alice <input checked="" type="checkbox"/> Port Alberni <input checked="" type="checkbox"/> Parksville <input checked="" type="checkbox"/> North Saanich <input checked="" type="checkbox"/> North Cowichan <input checked="" type="checkbox"/> Nanaimo <input checked="" type="checkbox"/> Masset <input checked="" type="checkbox"/> Lake Cowichan <input checked="" type="checkbox"/> Ladysmith <input checked="" type="checkbox"/> Gold River <input checked="" type="checkbox"/> Duncan <input checked="" type="checkbox"/> Cumberland <input checked="" type="checkbox"/> Courtenay <input checked="" type="checkbox"/> Comox <input checked="" type="checkbox"/> Campbell River <input checked="" type="checkbox"/> Capilano <input checked="" type="checkbox"/> Tofino							
Per Capita Contribution				\$37.85			

\$37.85 = 30% greater than Per Capita Average.  
 \$21.2 Per Capita Average of Members

Table 1 - Financial Impact of Changing Contribution Formula using 2002 Budget

	2002		Taxable Value	Per Capita	Percent Greater Than Per Cap Avg of \$29.12	Amount Greater Than 30% of Per Cap Average	Reallocation		Revised 2,002 Local Assessment	Percentage Change
	Contribution	Population					50% Population	Converted Assessments		
Campbell River	890,195	31,294	271,302,968	26.45	-2.30%		2,330.12	2,211.81	894,737	0.51%
Central Saanich	0		0					4,541.93		
Comox	287,350	12,251	74,201,519	24.27	-16.54%		912.20	604.93	298,867	0.51%
Courtenay	542,142	19,788	158,491,951	27.39	-5.94%		1,473.99	1,292.11	544,908	0.51%
Cumberland	62,584	2,719	14,334,306	23.02	-20.95%		202.45	116.86	62,903	0.51%
Duncan	136,457	4,764	41,889,188	28.64	-1.63%		354.72	341.50	137,153	0.51%
Gold River	41,066	1,786	9,388,998	22.99	-21.03%		132.98	76.54	41,276	0.51%
Ledysmith	175,905	6,878	47,269,739	25.58	-12.16%		512.13	385.37	176,803	0.51%
Lake Cowichan	72,250	3,087	17,022,580	23.40	-19.62%		229.85	138.78	72,619	0.51%
Masset	25,745	1,266	4,549,333	20.34	-30.16%		94.26	37.09	25,876	0.51%
Nanaimo	2,120,027	76,639	629,632,539	27.66	-4.99%		5,110.28	5,110.28	2,130,844	0.51%
North Cowichan	781,079	27,610	236,660,737	28.29	-2.84%		2,055.81	1,929.39	785,064	0.51%
North Saanich	403,527	10,931	152,707,392	36.92	26.79%		813.91	1,244.95	405,586	0.51%
Parksville	319,425	10,609	103,013,504	30.11	3.41%		789.93	839.82	321,054	0.51%
Port Alberni	483,789	19,323	126,292,053	25.04	-14.01%		1,438.77	1,029.60	486,257	0.51%
Port Alice	40,655	1,249	14,036,153	32.55	11.79%		93.00	207.43	40,063	0.51%
Port Clementis	12,144	567	2,421,505	21.42	-26.44%		42.22	19.74	12,206	0.51%
Port Hardy	119,189	5,231	26,817,231	22.79	-21.75%		389.49	218.63	119,797	0.51%
Port McNeill	73,088	3,082	17,592,573	23.71	-18.55%		229.48	143.42	73,461	0.51%
Qualicum Beach	227,585	7,473	74,176,972	30.45	4.59%		556.43	604.75	228,747	0.51%
Sayward	11,579	432	3,301,104	26.80	-7.94%		32.17	26.91	11,638	0.51%
Sidney	373,431	11,101	132,319,345	33.84	15.53%		825.57	1,078.74	375,336	0.51%
Sooke	244,544	9,662	64,799,918	25.31	-7.30%	17,068.16	719.42	528.26	245,792	0.51%
Talsis	24,211	897	6,959,588	26.99	-13.07%		66.79	56.74	24,334	0.51%
Tollno	75,389	1,541	33,112,960	48.93	68.04%		114.74	269.96	58,714	0.51%
Ucluel	52,694	1,825	16,291,098	28.66	-0.89%		135.88	132.81	52,933	-22.13%
Zebalos	6,248	274	1,407,481	22.80	-21.68%		20.40	11.47	6,279	0.51%
<b>Regional Districts</b>	<b>7,612,279</b>	<b>272,287</b>	<b>2,277,194,883</b>							
Alberni-Clayoquot	290,316	8,284	96,697,863	31.27	7.40%		691.28	789.97	291,797	0.51%
Capital	162,545	3,175	72,729,045	51.20	75.83%	42,386.40	236.41	592.93	121,008	-25.55%
Central Coast	52,726	2,182	13,069,140	24.16	-17.01%		162.47	106.55	52,985	0.51%
Comox-Strathcona	1,120,564	34,753	383,884,780	32.24	10.74%		2,587.67	3,129.64	1,126,282	0.51%
Cowichan Valley	1,040,593	33,034	348,535,760	31.50	6.19%		2,459.68	2,849.61	1,045,903	0.51%
Mount Waddington	114,125	3,160	42,379,946	35.89	23.26%		236.78	345.50	114,707	0.51%
Nanaimo	1,218,688	39,927	398,039,121	30.52	4.83%		2,972.92	3,245.03	1,224,806	0.51%
Powell River	16,157	420	6,275,725	36.47	32.12%	259.33	31.27	51.16	15,980	-1.09%
Skeena-Queen Charlotte	71,910	2,618	21,111,594	27.49	-5.59%		184.78	172.11	72,277	0.51%
<b>TOTAL</b>	<b>4,087,625</b>	<b>128,571</b>	<b>1,383,923,094</b>	<b>28.12</b>			<b>59,684.90</b>	<b>29,847.45</b>	<b>11,699,904</b>	
	<b>11,699,904</b>	<b>400,858</b>	<b>3,661,117,987</b>				<b>29,847.45</b>	<b>0.00</b>	<b>11,699,904</b>	

PAGE  
1/2



REGIONAL DISTRICT OF NANAIMO	
MAY - 3 2002	
CHAIR	GMCrS
CAO	GMDS
GMCms	GMES

**MEMORANDUM**

**TO:** Stan Schopp  
Manager, Building Inspection and Enforcement

**DATE:** May 3, 2002

**FROM:** Tom Armet  
Bylaw Enforcement Officer

**FILE:** 4020 20 00A069

**SUBJECT:** Building Bylaw Contraventions – Crossley  
3154 DeCourcy Drive – Electoral Area A

**PURPOSE**

To obtain Board direction regarding repealing "Regional District of Nanaimo Structure Removal Bylaw No. 1262, 2001".

**BACKGROUND**

**Property:** 3154 DeCourcy Road, Cedar

**Legal:** Lot 7, Plan 13970, Section 7, Range 5, Cedar Land District

**Owner:** Janice Linda Crossley  
3154 DeCourcy Drive  
Ladysmith, B.C. V9G 1E2

On October 9, 2001, the Board of the Regional District of Nanaimo considered the history of this property and directed "Regional District of Nanaimo Structure Removal Bylaw No. 1262, 2001" be adopted. Staff was authorized to enter the property at the expiration of 30 days from the date of adoption of the bylaw to remove the 3 illegal structures. The property owner immediately removed one of the illegal structures and applied for a building permit for another structure. The building permit was issued on October 22, 2001 and work is continuing on this building. The third building was subsequently certified by an engineer and a building permit was issued on May 2, 2002. The property owner is continuing to work with Building Inspection staff to resolve the deficiencies on the two remaining buildings.

**ALTERNATIVES**

1. To repeal *Regional District of Nanaimo Structure Removal Bylaw No. 1262, 2001*.
2. To not repeal *Regional District of Nanaimo Structure Removal Bylaw No. 1262, 2001*.

**FINANCIAL IMPLICATIONS**

There are no initial financial implications.

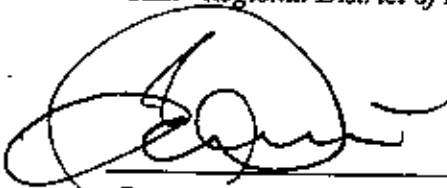
**SUMMARY/CONCLUSIONS**

Ms. Crossley purchased the property in 1998 fully aware of the presence of the three illegal structures and the requirements for complying with Regional District of Nanaimo bylaws. Since purchasing the property, the owner has resisted all attempts by staff at achieving voluntary compliance, leaving the RDN

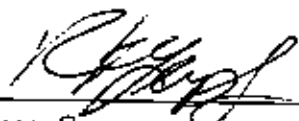
no alternative but to pursue a legal remedy. The property owner failed to take any remedial action until the Board adopted Structure Removal Bylaw No. 1262. One structure was immediately removed by the owner and short term building permits have been issued on the remaining buildings. The property owner is now working with staff to bring the property into compliance and it is expected that the building deficiencies will be resolved within the time frames set out in the permits. Should the property owner not complete the required work, staff will report back to the Board for direction to proceed with further action.

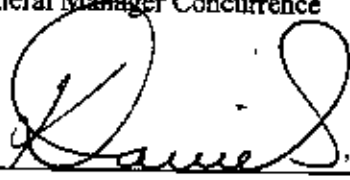
**RECOMMENDATION**

That "Regional District of Nanaimo Structure Removal Bylaw No. 1262, 2001" be repealed.

  
\_\_\_\_\_  
Report Writer

  
\_\_\_\_\_  
General Manager Concurrence

  
\_\_\_\_\_  
Manager Concurrence

  
\_\_\_\_\_  
CAO Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO			
MAY - 3 2002			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
B. Schopp		M. Mackey	

MEMORANDUM

**TO:** Stan Schopp  
Manager, Building Inspection Services

**DATE:** May 3, 2002

**FROM:** Maude Mackey  
Bylaw Enforcement Officer

**FILE:** 4020 20 02A011

**SUBJECT:** Contravention of Regional District of Nanaimo Building Regulation and Fees Bylaw 1250, 2001 - Dyck/Robertson  
Electoral Area 'A' - 1716 Cedar Road

PURPOSE

To obtain Board direction regarding repealing "Regional District of Nanaimo Bring Up to Standard Bylaw No. 1294, 2002".

BACKGROUND

Property: 1716 Cedar Road  
 Legal Description: Lot 4, Plan 23666, Section 15, Range 8, Cranberry Land District  
 Property Owner: Kenneth Dyck & Nicole Robertson  
 1716 Cedar Road  
 Nanaimo, B.C. V9X 1W1

On March 12, 2002, the Board of the Regional District of Nanaimo considered the history on this property and directed "Regional District of Nanaimo Bring Up to Standard Bylaw No. 1294, 2002" be adopted. As well, staff was also authorized to proceed with the legal action necessary to ensure compliance with the Bylaw. The Bylaw required the property owners to obtain a Permit to Complete their residence and to satisfy the deficiencies noted on an earlier Building Inspection report. The property owners subsequently obtained a Permit to Complete, valid for one year, and have since dealt with the imminent safety concerns. On April 29, 2002, Building Inspection staff confirmed the remaining deficiencies were dealt with and the permit was finalized.

ALTERNATIVES

1. To repeal Regional District of Nanaimo Bring Up to Standard Bylaw No. 1294, 2002.
2. To not repeal Regional District of Nanaimo Bring Up to Standard Bylaw No. 1294, 2002.

FINANCIAL IMPLICATIONS

There are no initial financial implications.

PAGE 1a2



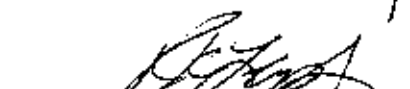
**SUMMARY/CONCLUSIONS**


The Building permit for the dwelling unit at this address had been previously expired and the structure occupied with a number of deficiencies still outstanding. Some of these items had related to possible health and safety issues. The owners had been made aware of the problems with the structure; however, had not attempted to resolve the concerns and were occupying the structure irrespective of the occupancy permit requirement. Subsequent to the Board's review of the property history and the adopting of Bylaw 1294 to bring the property into compliance, the owners voluntarily responded and were issued a Permit to complete the structure. Immediate safety concerns were dealt with and resolution of remaining issues was confirmed by Building Inspection staff on April 29, 2002.

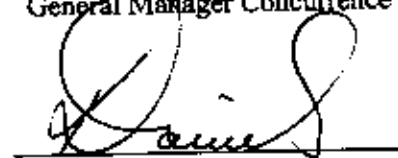
**RECOMMENDATION**

That Regional District of Nanaimo Bring Up to Standard Bylaw No. 1294, 2002 be repealed.

  
\_\_\_\_\_  
Report Writer

  
\_\_\_\_\_  
Manager Concurrence

  
\_\_\_\_\_  
General Manager Concurrence

  
\_\_\_\_\_  
CAO Concurrence

COMMENTS:  
*devsvs/reports/2002/*



REGIONAL DISTRICT OF NANAIMO	
MAY - 7 2002	
CHAIR	GMCrS
CAO	GMDS
GMCmS	GMES

**MEMORANDUM**

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**TO:** Kelly Daniels  
Chief Administrative Officer

**FROM:** Robert Lapham  
General Manager, Development Services

**SUBJECT:** April 15, 2000 Community Forum Report  
Fairwinds Development Concept Proposal  
Electoral Area ' E '

**DATE:** May 7, 2002

**FILE:** 6240 20 NOHI

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**PURPOSE**

To receive a report and the public submissions from the Community Forum held on April 15, 2002 to discuss a Development Concept proposal by the Fairwinds Development Corporation.

**BACKGROUND**

In November 2001, the Chair and staff met with the Honourable Stan Hagen, Minister of Sustainable Resource Management with respect to a proposed land exchange and concept plan involving the Fairwinds Development and crown lands under the jurisdiction of BC Land and Water Incorporated (formerly BC Assets and Lands).

The meeting resulted from earlier discussions with Fairwinds with respect to their proposal and their 'Request for Change' submitted to amend the Growth Management Plan to include part of District Lot 137, Nanoose District (south of Stewart Road) within the Urban Containment Boundary and to exclude part of District Lot 78, Nanoose District (Notch Hill) from the Urban Containment Boundary.

As the proposal involved Crown Land, provincial policy applied to the proposal and meetings were held to agree on public consultation requirements. The RDN requested that the Minister provide the necessary authorization to present the proposal to the general public with the understanding that the results of the consultation were integral to the consideration of the proposal by all parties. The Minister responded by indicating that the Province would work with the RDN and Fairwinds to present a concept plan to the public dealing with the proposed purchase after establishing a framework for how the concept proposal could be structured.

As a result of heightened community interest, pursuant to Fairwind's application to amend the Growth Management Plan, a Community Update Presentation was provided by the RDN on April 2, 2002 immediately in advance of the Board Forum on the Growth Management Plan. A second public event, the Community Forum, was held on April 15, 2002 to provide a more significant opportunity for public input (see *Presentation - Attachment No. 1; Minutes, Letters and Submissions - Attachment No. 2; and responses to Input Sheets - Attachment No. 3*).

The public has raised concerns and objections to the proposal as outlined in the minutes and submissions included with this report and in the Growth Management Plan public consultation report.

Fairwinds responded to the public consultation by withdrawing their proposal as outlined in the attached correspondence (see *Attachment No. 4*).

**PAGE**  
**122**

## ALTERNATIVE

1. To receive the report and submissions for information.
2. To receive the report and take further action as directed by the Board.

## VOTING

All Directors - one vote each.

## DEVELOPMENT IMPLICATIONS

Fairwinds 'Request for Change' submitted as part of the Growth Management Review process allows the RDN to consider development proposals involving amendments to Urban Containment Boundaries or other Plan policies every five years. This process can either be initiated by the review of an OCP or by independent requests brought forward to the review process. Other proposed amendments to Urban Containment Boundaries can be brought forward pursuant to the Fringe Area Management Agreement. If proposed changes to the Urban Containment Boundary were accepted and adopted as part of the Growth Management Plan, an independent application review for the proposed change to the Nanoose Bay OCP would still be required and would also be subject to a community consultation process. A rezoning of the lands would also be required.

## PUBLIC CONSULTATION IMPLICATIONS

In order to specifically respond to the Provincial requirements for the consideration of the sale of Crown Land, the RDN worked with Fairwinds and the Province to advance the proposal directly to the public. It was acknowledged by Fairwinds, as the applicant, that depending on the response to the Development Concept proposal resulting from public consultation on proposed changes to the Growth Management Plan, the amendment might not proceed. Further, despite the Growth Management Plan review, it was also acknowledged by the parties that depending on the public response to the proposal, Fairwinds might not proceed with the OCP and zoning amendment applications necessary for the Province to consider the sale of the Crown Land. As previously noted, Fairwinds has now decided not to proceed with an application at this time.

## SUMMARY/CONCLUSIONS

A Community Forum meeting sponsored by the RDN, Province of BC and Fairwinds was held on April 15, 2002 to consider a Development Concept proposal involving the proposed purchase of approximately 70 hectares of Crown Land (Part of District Lot 137, Nanoose District) by Fairwinds. The development concept plan proposed the inclusion of the Crown Land within the Urban Boundary and removal of Notch Hill, as requested by Fairwinds, as part of the Growth Management Plan review. The proposal suggested the possible acquisition of Notch Hill by the RDN, with the assistance of the Province, and the dedication and protection of the Enos Lake and the Greenway Corridor and other environmentally sensitive areas within the Crown Land and Fairwinds existing holdings by the RDN.

The public has responded to both the Growth Management Plan review and at the Community Forum by raising concerns and objections. Fairwinds has now withdrawn the proposal as outlined in the correspondence attached to this report. Staff recommends that the presentation, minutes and submissions from the April 15, 2002 Community Forum meeting on the Fairwinds Development Concept Proposal be received for information.

**RECOMMENDATION**

That the staff report, presentation, minutes and submissions from the April 15, 2002 Community Forum meeting on the Fairwinds Development Concept Proposal be received for information.



Report Writer

**COMMENTS:**



CAO Concurrence

Attachment No. 1  
Presentation

## Community Forum: Proposed Fairwinds Development Concept

April 15, 2002  
Nanoose Place, Nanoose Bay



Province of  
British Columbia

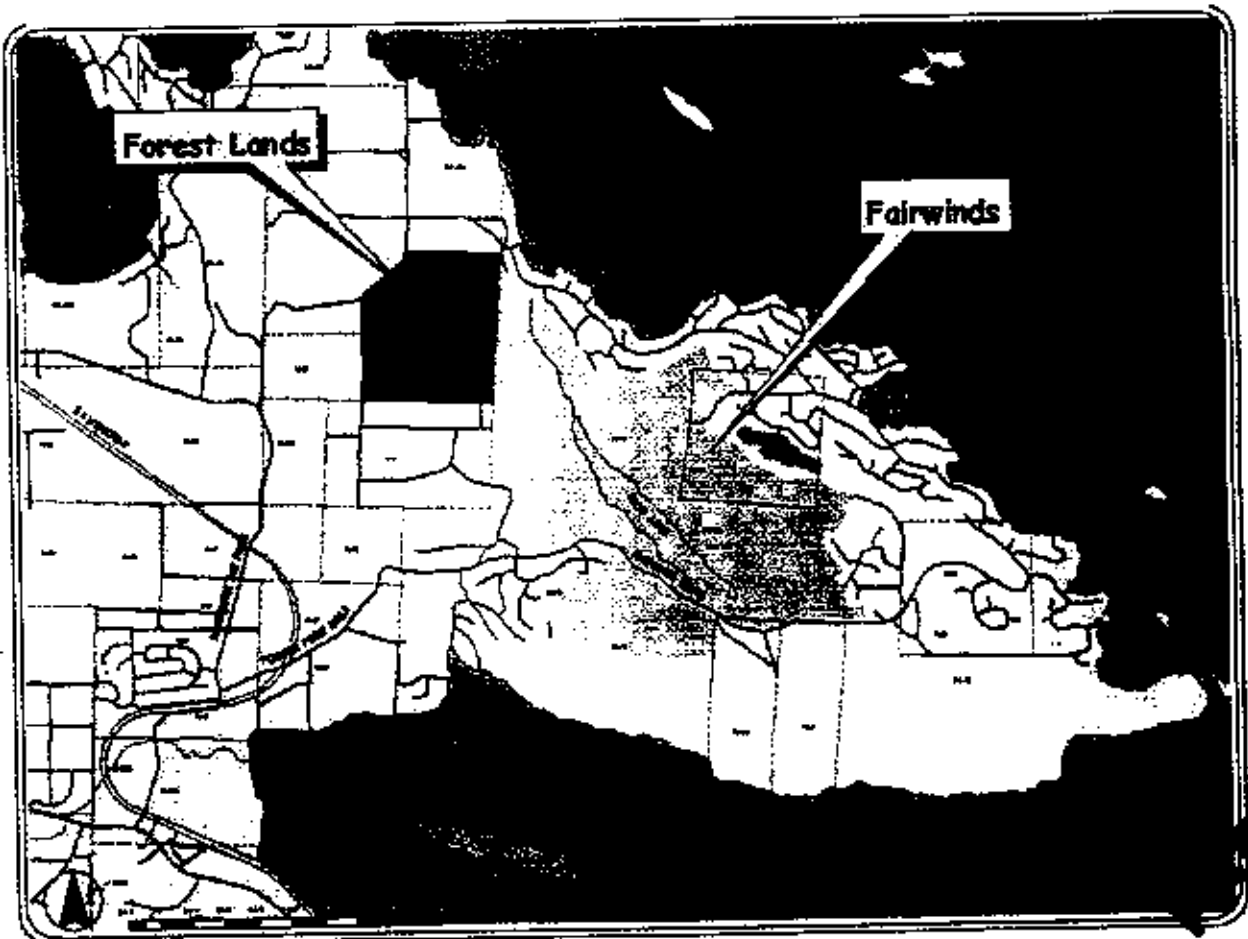
## Purpose of Community Forum

- To initiate public consultation and identify issues prior to reporting to the Regional Board with a possible Official Community Plan Amendment Application
- Proposed sale of Crown Land would only proceed subject to proposed amendment of Nanoose Bay OCP, and Master Plan rezoning negotiations
- Proposed changes to Growth Management Plan (GMP) would not take affect unless Nanoose Bay OCP changed

## Background

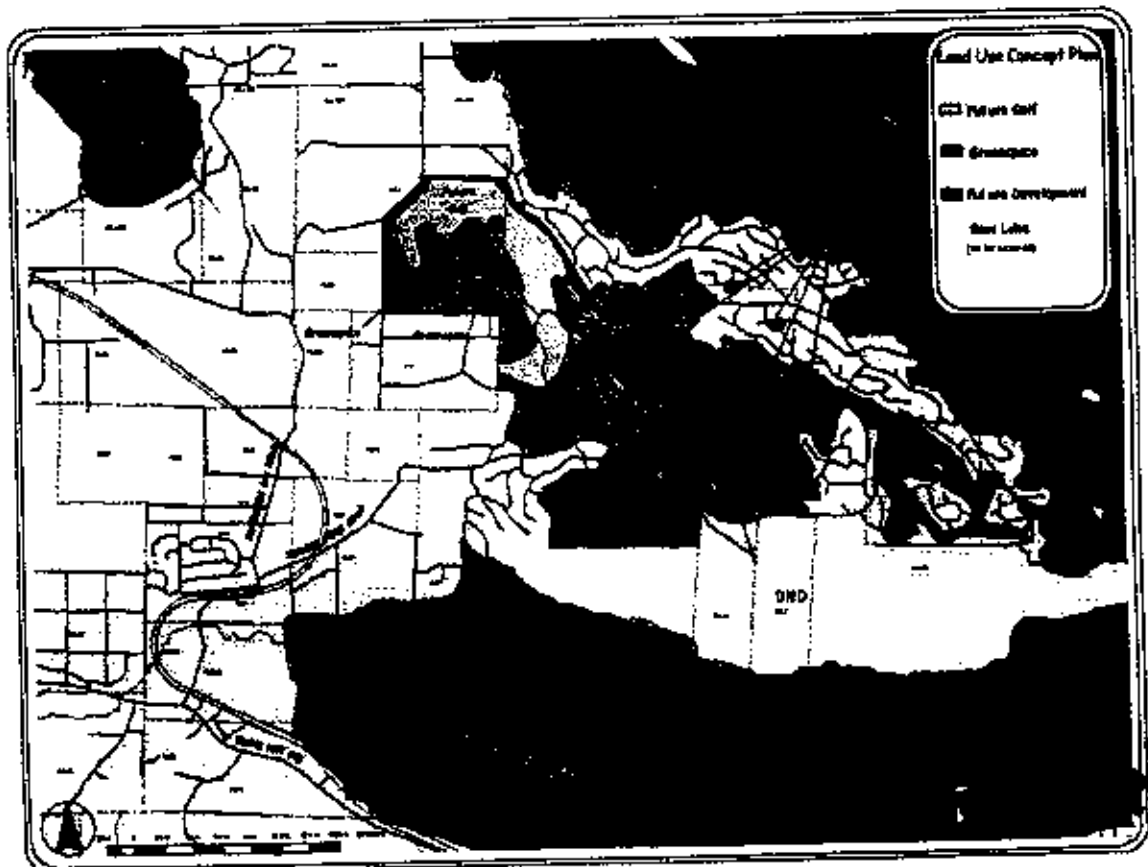
Development concept submitted to  
Honourable Stan Hagen  
Minister of Sustainable Resource Management

- Province, RDN, & Fairwinds to agree on MOU
- Jointly consult with the public
- Prepare a concept plan
- Determine agency interests / approvals required



## Proposal

- Fairwinds proposes to purchase Crown Land Lots 10-16, District Lot 137 – 70.7 ha (174 acres)
- Consolidate with Fairwinds existing lands  
Develop golf course and residential community
- RDN to acquire Nanoose Hill (Notch Hill) as regional park, Enos Lake greenway, other park & protect environmentally sensitive areas
- Memorandum of Understanding – RDN, Fairwinds & BC Lands to jointly consult
- Prepare development concept plan





## **The Province of British Columbia (Land and Water British Columbia Inc.)**

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Committed to use Crown Land and water resources to:

- Create economic growth in a sustainable, balanced manner that reflects sound economic and environmental principles
- Attract high levels of private sector investment
- Grow a private sector economy that creates employment opportunities for all provincial residents.



## **The Province of British Columbia (Land and Water BC Inc.) role:**

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- Jointly present concept plan to public dealing with purchase & development of Crown Land
- Participate with the RDN to acquire Notch Hill for regional park
- Ensure priority preservation areas are protected
- Apply to remove land from the Provincial Forest & FLR
- Consider First Nation interests
- Consider sale of Crown Lands to Fairwinds based on subject provisions





## Fairwinds Community and Resort

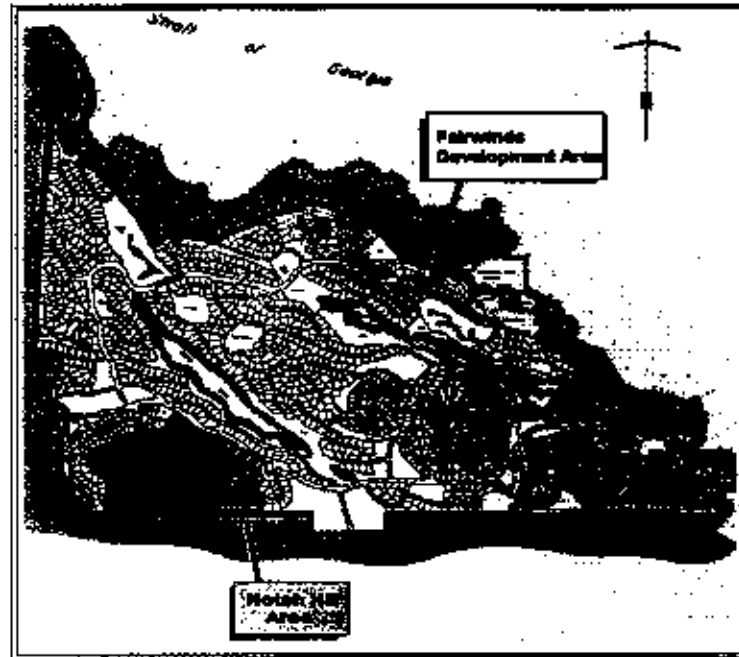
- Fairwinds consists of a resort, marina, golf course and housing
- Fairwinds proposes to develop a second 18 hole championship golf course & clubhouse
- A revised master plan is being considered to include the Crown Land, a new regional park for Notch Hill & greenway corridor
- Substantial capital investment creating economic and employment opportunities



## Fairwinds role:

- Apply to amend GMP, Nanoose Bay OCP, Zoning
- Respond to the interests of the community through public consultation process
- Determine subject provisions for purchase of the Crown Land (land uses and financial viability)
- Prepare agreement to sell Notch Hill and protect Greenway corridor, Environmentally Sensitive Areas, and other park interests

## Fairwinds Original Concept Plan



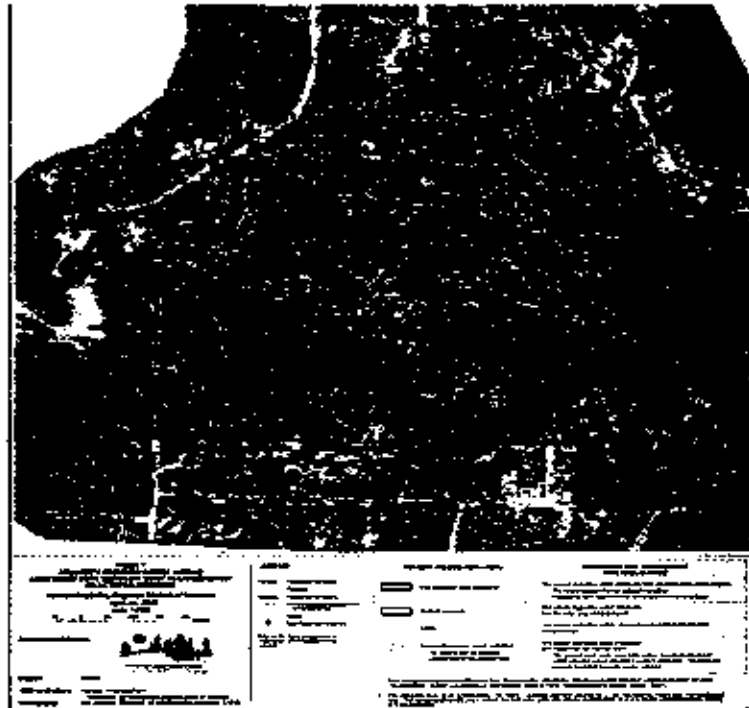
### The RDN role and process:

- Determine interests of the community
- Report to RDN Electoral Area Planning Committee
- Prepare Public Consultation Plan
- Consider GMP, OCP, Zoning Applications
- Secure protection of greenway corridor, environmentally sensitive areas, other park interests
- Participate with the Province to purchase park



## Environmental Assessment of Crown Land –

Determined Provincial priorities for sensitive ecosystem protection.



## Environmental Assessment (Crown Land)

### > TOPOGRAPHY

The topography is gentle. A low ridge extends from the center to the southeastern corner of the property.

### > SOILS

Generally high coarse fragment content, ridge area shallow with exposed bedrock. Soils range from marginal to non-arable because of aridity, fertility and stoniness limitations.



## Ecological Resources

- **Older Forest:** (80-120 years dominant) Past selective cutting of mature trees in western two thirds, with veteran firs scattered in eastern third.
- **Shelterwood Area:** Southern area logged 1987, mature Douglas-firs selectively cut, Arbutus and Garry oaks retained, leaving open canopy.
- **Woodlands:** (4) woodlands located in the southern area, (2) are rare Douglas-fir – Garry Oak / Oniongrass ecosystem.
- **Shrub/Marsh Wetland:** southwestern corner.
- **Seasonal spring** near eastern boundary.
- **Potential Bald Eagle Nest & Perching Tree** northeastern area.



## PRIORITY PRESERVATION AREAS AND PRELIMINARY BUFFERS

Recommended priority preservation areas constitute approximately 8.2 ha (20 acres) of the site and comprise:

- > (2) Douglas-fir – Garry Oak / Oniongrass woodlands
- > Shrub/marsh wetland complex
- > Any Bald Eagle nest tree.
- > Small forest spring
- > Buffer areas

## Next Steps

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- Report to RDN Electoral Area Planning Committee (Anticipated May 2002)
  - Report on Community Forum
  - Review applicants response to forum, respond to community issues and application if submitted
  - Propose public consultation plan for possible Official Community Plan and Zoning amendment review as directed by Board

**Attachment No. 2  
Minutes, Letters and Submissions**

**Summary of a Community Forum  
Held at Nanoose Place  
Nanoose Bay, BC  
April 15, 2002 at 7:30 pm  
On the  
Fairwinds Development Proposal Concept**

*Note: this summary is not a verbatim recording of the proceedings, but is intended to summarize the comments of those in attendance at the Community Forum on the Fairwinds Development Proposal Concept.*

**Present:**

Public in attendance: approximately 380 persons

Director G. Holme

Director J. Stanhope

Director J. McLean

Mark Hallam, BC Land and Water Inc.

Karen Christie, Environmental Consultant

Garry Martin, Project Manager, MGE Consultants

Alistair McLean, Fairwinds Development Corp

Dave Scott, Fairwinds Development Corp

Kelly Daniels, CAO, RDN

Bob Lapham, General Manager, Development Services

Minutes: Pamela Shaw, Manager of Community Planning

Director J. Stanhope opened the meeting at 7:30 pm and followed with greetings to the public and an introduction of the RDN and government agency staff.

Robert Lapham, Alistair McLean, Mark Hallam and Karen Christie each presented on their agencies' interests in the land exchange proposal (see attached presentation).

Director Stanhope then opened the floor for comments and questions.

**Cornel Sawchuk, 2352 Garry Oaks Drive**, indicated that he is opposed to moving the urban containment boundary to include DL 137. Mr. Sawchuk indicated that this issue has been raised at least three times in the past, and raise concerns as to what part of 'no' the government agencies and applicant did not understand. Mr. Sawchuk indicated that according to Origin, this is the best site for expansion. The parent company, BGIMC has developed 5 similar developments; Fairwinds is the sixth. Mr. Sawchuk indicated that there is no need to create islands of sensitive lands within oceans of development. He encouraged the agencies to take a step forward and protect the entire parcel. Mr. Sawchuk indicated that he and the community were saying 'no' to changes in the Growth Management Plan, Official Community Plan and Urban Containment Boundary for a fourth and final time. Mr. Sawchuk indicated that he opposed leapfrog development- that future development of Fairwinds lands should occur adjacent to the existing development instead of leapfrogging to DL 137. Mr. Sawchuk indicated that the owners of Fairwinds are responsible citizens and would respond favorably if the community let them know that they are opposed to this development.

**Barbara Ebell, 1960 Stewart Road**, indicated that she was attending this meeting to talk about safe food. Ms. Ebell indicated that she owns a 23-acre organic farm adjacent to DL 137 that shares air, water

and soil with DL 137. Runoff from the ridge across DL 137 flows onto her property. Ms. Ebell indicated that she has the soil and water tested annually on her property. Ms. Ebell indicated that she employs 2-3 persons year round and 9-10 in summer months, and this employment needs to be considered. Ms. Ebell indicated that in 1950, Vancouver Island produced 85% of food supplies for the Island; this has declined to less than 10%. Ms. Ebell indicated that the agencies should put energy into food production, and look at the nearby market of 2 million people for economic development opportunities. Ms. Ebell inquired as to whether the community wanted another golf course or safe food.

**John Ludgate, 2363 Evanshire Crescent**, indicated that he supports the proposal and is opposed to the position of the Nanoose Property Owners and Ratepayers Association (NPORA). Mr. Ludgate indicated that Fairwinds has been a success and an asset to the community. Mr. Ludgate indicated he is opposed to any organization that is against change, and is offended by NPORA's assertion that the crown land is their land. Mr. Ludgate reiterated his support for the proposal by Fairwinds.

**Dave Russell, 3820 Amberwood Lane**, indicated that he is a resident of Fairwinds, and despite the hysterical observations that have been made, the financial support of Fairwinds is not sinister, but is from an agency with deep pockets and the best interests of the community in mind given their investment in the area. Mr. Russell indicated that the golf course will attract tourists, additional residents, economic development and create jobs- the multiplier effect will become apparent. Mr. Russell commended the government agencies for considering this proposal and further, that any concerns with respect to the environment would be addressed through existing rules and regulations from the provincial and local governments.

**Mel Kuntz, 2765 Transtide Drive**, indicated that this is the third time in less than 10 years that he has objected to this issue. Mr. Kuntz emphasized that, once again, he is strongly opposed. Mr. Kuntz indicated that yesterday, NPORA voted unanimously to oppose this deal. This follows the 1988 and 1993 attempts to consider other land uses for DL 137. With respect to the Notch as parkland, Mr. Kuntz indicated that most people want the Notch protected (as was indicated in Fairwinds' original development plan). Mr. Kuntz indicated that it is clear Fairwinds originally proposed to the RDN and the public that they would give up part of the Notch as park. Mr. Kuntz indicated that Fairwinds should live up to their commitment and give up the Notch as promised.

**Vic Audley, 3077 Dolphin Drive**, indicated that when he was first saw plans for the area in the early 1980's, it was indicated that a road would be constructed to take traffic off Dolphin Drive. Mr. Audley indicated that there have been times when there is a truck and trailer every 20 minutes going to Schooner Cove and toward the golf course. Mr. Audley indicated that it was unacceptable that this road would take on more traffic, and questioned how the public could trust the applicant on this or any other issue.

**Karen Zaborniak, 2621 Northwest Bay Road**, indicated that land is a precious and limited resource. Ms. Zaborniak questioned if we are leaving a legacy of a living forest to be enjoyed by everyone, or a golf course to be enjoyed by a privileged few. Ms. Zaborniak questioned the role of planning if the Growth Management Plan can be changed simply by pressure from a large developer.

**Carleigh Randall, 1910 Sea Otter Place**, indicated that the proposal appears to contain lands within 30 metres of Enos Lake, designating them as parkland. Ms. Randall indicated that the OCP already calls for a 30-metre buffer around the lake and questioned why the public would purchase lands already required to be dedicated under the OCP.

**Diane Aussem, 3458 Blueback Drive**, indicated that the RDN Parks System Plan, published in 1995, listed the Stewart Road Crown Lands parcels as #1 of 38 potential park sites. Ms. Aussem quoted from the plan, indicating that while the plan does not commit the RDN to obtaining the lands listed, it does indicate that the Board will not approve any land use that is not supportive of park use of the site. Ms. Aussem noted that the Nanoose peninsula is special and unique- with waterfront, forests, acreages and

urban areas all in proximity to one another. Residents have different, valid reasons for choosing to live in one or another of these areas. Ms. Aussem indicated that she is angry that people show disrespect and rampant disregard to the community of Nanoose, with the province being willing to sell off the residents' legacy, with the developer, and angry with the RDN who is bargaining away the rights of the community to planning. Ms. Aussem indicated that the RDN's rationale for bargaining seems to be to acquire the Notch- but when or by whom did the community indicate they wanted 110 acres of the Notch? Ms. Aussem indicated that there is a clear legislated procedure for acquisition of parkland as outlined in the Local Government Act and stated in the Nanoose Bay Official Community Plan. Ms. Aussem indicated that an accrual of the parkland requirements for Fairwinds could result in a regional park. Ms. Aussem questioned the long-term plans of Fairwinds to amend the urban containment boundary, and indicated that applications have been made on other adjacent lands to amend the boundary. Ms. Aussem indicated that a pattern of development expansion is evident. Ms. Aussem asked for a show of hands for those opposed to the proposal.

**Diane Pertson, 2971 Dolphin Drive**, indicated that she is not a member of NPORA, nor does she consider herself to have a hysterical viewpoint. Ms. Pertson indicated that she objects to a system of local government that allows Fairwinds and the RDN to meet in private- the public had no notice that such a monumental proposal was being considered had it not been addressed in a local newspaper. Ms. Pertson indicated that this was a frightening chain of events; and that the system must be changed. Ms. Pertson indicated that a similar situation occurred with Fairwinds acquiring Brickyard Bay from the Department of National Defense. Ms. Pertson indicated that this proposal is not good for people, the environment, or the planet. Ms. Pertson indicated that the time frame allowed for comment on the proposal and other changes to the Growth Management Plan was insufficient. Ms. Pertson indicated that if the province was to purchase the Notch, residents would be overjoyed, but not at the expense of the last large lot on the peninsula. Ms. Pertson indicated that 80% of the crown land parcels are within the sensitive ecosystem inventory, while the Notch is protected by virtue of its geography. Ms. Pertson indicated that the BC Conservation Data Centre considers older forests to be extremely valuable, yet this proposal considers putting a golf course through 70 acres of older forest. Ms. Pertson indicated that there is a sad history of land degradation and loss- we should not add to it.

**Pete Gregory, 2800 Transtide Drive**, indicated that the underlying goal of the urban containment boundary is to avoid sprawl- yet that is what the proposal calls for. Mr. Gregory indicated that those benefiting from this proposal are the province, local government, and the developer- not the people in the audience. Mr. Gregory indicated that he fails to see the urgency in moving this project forward, and further indicated that the RDN needs to hear the public saying 'no', as it has since 1993. Mr. Gregory indicated he does not want the OCP or the GMP changed to support this proposal.

**Caroline Dodd, 2345 Eaglesfield Place**, indicated that she is opposed to the proposal and the expansion of the urban containment boundary at this time. Ms. Dodd indicated that the proposal is less about a golf course than about maximizing the lot value of the 2500 parcels in the Fairwinds development. Ms. Dodd indicated concerns with abilities to protect the environment and wildlife given recent situations with eagle trees and otters in the area.

**Jeannette Thomson, 1891 Sealion Crescent**, indicated that she has provided petition signed by 517 individuals from Cassidy to Deep Bay objecting to the change to the Growth Management Plan. Ms. Thomson indicated there were two reasons why people did not sign the petition- because they golf or would like to see another golf course, and because they thought they might see employment out of the proposal. Those who did sign indicated two general reasons for signing- that the area does not need another golf course, and to protect the environment. Ms. Thomson indicated that only a few persons expressed any feelings about the Notch. Ms. Thomson indicated that the Notch is inaccessible to many persons. Ms. Thomson indicated that she only became aware of this proposal through reading an article in the Link newspaper. Ms. Thomson indicated that it appears discussions have taken place and residents have not been kept informed or had time to prepare to voice opposition to this proposal. Ms. Thomson



indicated that Fairwinds has 100s of acres of land yet to be developed that should be completed first. MS. Thomson introduced Tyson, an 11-year-old resident of Nanoose. Tyson spoke to some of the wildlife he has seen in DL 137 who would lose their homes to development. Ms. Thomson indicated that Nanoose Bay should not be deprived of its forestlands.

**Audrey Henderson, 2371 Higginson Road**, indicated that she is against the sale of DL 137 to 3536696 Inc. Ms. Henderson indicated that this is the third time residents have voiced opposition to this proposal and once again the answer is 'no'. Ms. Henderson indicated that Fairwinds still has 2/3 of the land base undeveloped. Ms. Henderson indicated that the GMP and OCP must be changed if DL 137 is to be rezoned. Ms. Henderson indicated that the RDN is using the Notch to force the issue- she asked that the Crown Land be left alone and that the Notch be donated as park.

**Maurice Hedges, 2469 McDivitt Drive**, indicated that an issue was missing from the presentation - the status of the 10-acre shopping centre proposed for the Fairwinds Area. Mr. Lapham responded that the OCP considers the future development of a neighbourhood level shopping centre somewhere in the Fairwinds development- the actual location has not been determined and no site is currently zoned for this use. Mr. Hedges indicated that there is a small parcel currently designated for community shopping.

**Laurel Daly, 1897 Stewart Road**, indicated that Goal 1 of the GMP calls for strong urban containment and questioned how the proposal contained urban sprawl. Ms. Daly indicated that she had lived most of her life in the area, and that it is not wrong to be concerned with keeping the forest. Ms. Daly indicated that it is healthy for the peninsula to contain the forestlands for air quality, and noted that there already is a golf course subdivision on the peninsula. Ms. Daly noted that BC Assets and Lands appeared to consider this an economic development decision and that the people wanted the lands protected as forest. Ms. Daly indicated that 'you don't know what you've got till its gone...pave paradise, put up a parking lot' is an apt description of the proposal being considered.

**Lorne Ebell, 1960 Stewart Road**, indicated that he resides at Nanoose Edibles Farm and is opposed to the development of the forestlands. Mr. Ebell indicated that there was one good thing about the proposal- it draws attention back to the Notch, which could be built on given sufficient funds for site preparation and road work. Mr. Ebell indicated that he did not want to see a billion dollar home looking down on the community from the Notch and requested that the development not be pushed ahead against the wishes of the majority.

**Eric Smith, 2420 Nanoose Road**, indicated that ¼ of NPORA directors are from Fairwinds, and members of the organization enjoy the marina and hotel. Mr. Smith indicated that advertising for the Origin Company has for more than 2 years spoken to a second golf course. Mr. Smith indicated that he had been made aware that the chair of the Fairwinds Corp reports to a board headed by the Deputy Minister of Finance. Mr. Smith indicated that eight years ago, there was a situation where a crown corporation had a share of a private forest company (MacMillan Bloedel)- that is, a public arm having shares in a private company and selling logging rights. Mr. Smith indicated that now we have a similar situation with Fairwinds and the Ministry of Sustainable Resources- this is called a conflict of interest. Mr. Smith indicated he hopes the current premier puts a stop to this relationship as Mike Harcourt did eight years ago.

**Gabrielle Cartledge, 2443 Garry Oaks Drive**, indicated that 20 years ago, Fairwind's development plans included the Notch as a protected feature. Ms. Cartledge indicated that Fairwinds had conceded to an undertaking whereby they would do everything possible for the Notch to be preserved. Ms. Cartledge indicated that she accepted it as true that a golf course would do damage to an organic farm. Ms. Cartledge indicated that the urban containment boundary should not be amended to accommodate a golf course. Ms. Cartledge indicated that we must protect Nanoose Bay and ensure it does not end up like North Nanaimo- all for profitability and not for wildlife. Ms. Cartledge indicated that the Nanoose Bay

Park and Open Spaces Report speaks to DL 137 as being worthy of protection. Ms. Cartledge indicated that she hopes Fairwinds will lower the price of the Notch.

**Charles Brucker, 2780 Powder Point Road,** indicated that Fairwinds should use the lands it holds first, before developing more lands.

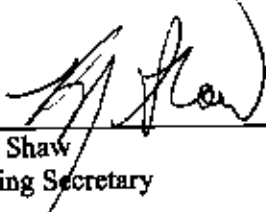
**Eric Smith, 2420 Nanoose Road,** indicated that there will be nothing good coming out of this proposal except for Origin Adult Communities.

A member of the public inquired as to when the public might know about a decision being made on the project.

**Jack Arnold, 2985 Sherrit Drive,** indicated that he moved to Nanoose to get away from the city, and now is an apple farmer. Mr. Arnold indicated that he loves the golf course and houses in the Fairwinds development, but it is not for him. Mr. Arnold indicated that he appreciates having a rural lifestyle amidst the urban areas, but wants to keep them separate. Mr. Arnold indicated that he does not want to see an Eagle Point on the peninsula.

The chair asked if there were any further submissions. There being none, the chair thanked those in attendance and announced that the community forum was over.

The meeting concluded at approximately 9:30 pm.

  
\_\_\_\_\_  
Pamela Shaw  
Recording Secretary

Nettie & William Kokura  
3483 Redden Road,  
Nanoose Bay, B.C. V9P 9H3

Phone: 250-468-7854  
E-mail: [nkokura@shaw.ca](mailto:nkokura@shaw.ca)

April 4<sup>th</sup>, 2002

Board of Directors,  
Regional District of Nanaimo,  
6300 Hammond Bay Road,  
Nanaimo, B.C. V9T 6N2

Attention: George Holmes, Chairman of the Board, Area E Director.

Dear George Holmes:-

In response to public meetings and forums, related to the Growth Management Plan, and more specifically the "Fairwinds land transactions", we have the following comments and questions. For convenience "Fairwinds will be used to identify 3584607 Canada Inc. as an agent for 3536696 Canada Inc. DBA Fairwinds, Schooner Cove.

The Board Forum held on April 2, 2002 was advertised as 7:00 PM in the Regional District of Nanaimo publications and on the web site. Although, a review of the Fairwinds land transactions was held commencing at 6:00 PM this was not circulated to the public in a meaningful way and many missed it. In addition I spoke with the planning department at the Regional District Offices on the afternoon of April 2<sup>nd</sup>, discussing this matter. I was asked if I would be attending the Meeting at 7:00 PM but was not told about the 6:00 PM Review. I could not get answers to the questions I asked and was informed that possibly only Bob Lapham could answer them and he did not return my calls that day.

The proposal for the Fairwinds Land transaction indicates that the Regional District of Nanaimo will acquire a portion of Notch Hill Lands, as part of the process. Staff in the Planning department were unable to answer any of my questions as to how this will be done or the cost. The original proposal to acquire the Notch Hill Lands was that the Residents of Area E purchase them via an assessment on property taxes.

On April 3<sup>rd</sup> in the evening Bob Lapham did call and offered some explanation, but too many loose ends still exist in the deal for anyone to feel comfortable with the deal or

REGIONAL DISTRICT OF NANAIMO			
APR - 5 2002			
CHAIR	<i>[Signature]</i>	GMCYS	
CAO	<i>[Signature]</i>	GMDS	<i>[Signature]</i>
GMCMS	<i>[Signature]</i>	GMES	<i>[Signature]</i>
<i>[Signature]</i>			

confident that the deal will not do more harm than good for the community.

He did say:

- 1/ That no dollar values have been established or agreed to.
- 2/ That the acquisition of the Notch Hill lands are contingent upon Fairwinds obtaining the Forestry lands and RDN re-zoning.
- 3/ The value Fairwinds will demand for Notch Hill will be contingent on the value established for the Forestry Lands.
- 4/ No time line for developing the newly acquired lands exists.
- 5/ No guarantee that Fairwinds will ever develop the acquired lands.
- 6/ When asked If this was not a contrived plan by Fairwinds to sell the entire No Name, faceless Numbered company to a new No Name, faceless Numbered Company, by enhancing their balance sheet, from logging the property thereby increasing revenues, and showing a huge increase in revenues from the sale of Notch Hill while retaining the land asset base. The reply from Bob Lapham was "its possible". Given this scenario, the community would be left with a logged off ruined area, no development, for probably twenty years or more, while the current shareholders of the numbered companies wallow in their profits. This is of no benefit to the community.

The RDN Board should not accept this proposal until the Residents of the RDN and specifically the residents of Area E are given factual answers to the following pertinent questions in writing:

- a/ Some guarantee that the property taxpayers of the RDN will not have an increase in the parks assessment nor will a special assessment be levied to acquire the Notch Hill lands. This would amount to a subsidy to industry.
- b/ Some guarantee that the Forestry lands acquired by Fairwinds would not be logged until the property obtained is actually being developed according to the plan submitted and approved that includes the golf course..
- c/ Assurance in writing that the Notch Hill lands will become when acquired a Regional Park, with all the costs of acquiring the park and the ongoing maintenance being the responsibility of the RDN as a whole not just Area E or a few select areas designated by the RDN Board. No Area, etc. within the RDN should be allowed to "opt out" for the purposes of costs related to Notch Hill.

Fairwinds have a lot of land to develop within their existing boundaries. The RDN must review the GMP every five years under the Local Governments Act. We ask that the

RDN Board postpone any decision for Fairwinds to obtain the Forestry lands until Fairwinds have proven their intention is to actually develop the lands they already have. This would also give the RDN and the community 5 years to evaluate the situation. Should it be determined that The best possible use of the Forestry Lands is a golf course and a housing development, perhaps the lands should be put up to bid, to the highest bidder who is willing to commence development immediately upon acquisition of the Forestry Land. If progress and development is the real goal, this would give some assurance that the land will be developed not just logged, sold and left to sit, in an unsightly state until the timber gets big enough again to attract a new buyer, or sold for a huge profit supported by an approved development plan and valuable mature timber..

The Residents of Nanoose and Area E, have good reason to be concerned. Numbered Companies that are nameless and faceless remain so when things go wrong. The inability of any jurisdiction to hold anybody responsible is evidenced by the "leaky condo" situations that existed, where numbered companies disappeared and were not traceable. On the other hand, the desire for Government employees to show some results for their existence, especially in a time of economic downturns leads to hasty deals being made that can be extremely costly to taxpayers, and this is evidenced by deals like Skeena Cellulose or the Fast Cat Ferries.

The GMP need not be held up, just eliminate the Fairwinds Land proposal and complete it. Continue to negotiate, consult and most importantly be open and accurate when informing the residents and taxpayers of the progress in preparation for reviewing and revising the GMP in five years. The time line is not unreasonable.

Yours truly



Nettie & William Kokura.

p.c. Honourable Ted Nebbling  
Honourable Stan Hangen, Minister of sustainable Resource Managment.

2780 Powder Point Road  
Nanoose Bay, BC  
V9P 9E9  
April 2<sup>nd</sup>, 2002

Mr. K. Daniels and RDN Staff and Directors  
The Regional District of Nanaimo  
6300 Hammond Bay Rd.  
Nanaimo, BC  
V9T 8N2

REGIONAL DISTRICT OF NANAIMO	
APR - 5 2002	
CHAIR	GMCrs
CAO	GMDS
GMCS	SMES

Mr. E. W. Holme  
area "E"

Dear Mr. Daniels, RDN Staff, and RDN Directors,

We have submitted our suggestions for changes to the growth Management Plan Review, as well as our response to the longer document itself, the Growth Management Plan. The meetings regarding the modification of the plan at Fairwinds request would indicate that it is in fact possible for changes to be made to the Growth Management Plan. We are, therefore, requesting the RDN reconsider our suggested changes for our property.

We understand that the RDN is no longer planning to implement Bylaw 500.288, which would prevent the future subdivision of our property, 2780 Powder Point Road. We are pleased to hear of your decision to withdraw that bylaw change, and appreciate the RDN's response to community input on that issue. Your decision to do so addresses part of our concern. Our request to be included in plans for future sewer plans is still an important issue.

We would like to take this opportunity to request that the Growth Management Plan be modified to allow our property at 2780 Powder Point to be hooked up to sewer when it comes to our neighborhood. As we indicated to you earlier, the zoning on the south side of Ashcraft is "coast residential." Although our property, is in fact, actually closer to the coast than Ashcraft, we are designated "rural residential." The opposite side of our block of Powder Point has several homes—we would like to have the same lot sizes available on our side. Aesthetically it would be pleasing to the eye to have four more attractive homes rather than a mass of blackberry bushes and some scrubby alders.

Mr. Lapham and Mr. Daniels, you indicated to us when we met at the RDN's office that it is the wish of the Official Community Plan to contain "urban sprawl." We believe that the creation of four lots can hardly be considered "urban sprawl." You said at an early meeting that the OCP's objective is "preserving green space." We hope you have driven by our home. If so, you will have seen that we are in close proximity to the two Ozero farms, which are designed ALR, and offer lots of green space. Directly behind 2780 Powder Point, there is a very steep embankment, which makes it impossible to build on, and offers more green space. A short distance away, we have the Notch, which provides additional green space. Our school and its fields, Jack Bagley Park and the many farms along Stewart and Northwest Bay Rd. provide even more green space.

Our 3.18 acre property, located across the street from two properties with a combined total of over one hundred acres of ALR land, will not significantly impact the RDN's plans for "green space" in Nanoose if we develop an additional four lots. There is a larger, but very important, issue to be considered as well. If you limit future lots to the Fairwinds area only, you are preventing a balanced economic housing plan. As you know, at one time, the Red Gap area had inexpensive lots—but there are very few left available there now. The lots in Fairwinds are some of the most expensive on all of Vancouver Island. Most of them are in the \$150-200,000 range and many require an additional \$50,000 in bleeding costs. The homes themselves must be built to a very expensive standard to conform to Fairwind's requirements. Our proposed lots on the property located at 2780 Powder Point are flat, easy to build on, and in an area of far more modest homes, well within the reach of young families. Is it the RDN's intention to create a "gated type" of community in Nanoose that appeals only to the wealthy? In order to have a "vibrant mix" as suggested in your GMP, it is important that young families also be able to purchase homes in the Nanoose area.

As you know, municipalities, our province, and our country are facing very pressing financial challenges. The additional lots we hope to develop would generate taxes which would benefit our community as a whole. We estimate that the 10% development donation to the RDN for parklands and schools would be approximately \$40,000. Sewer fees including the initial hookup fee and parcel taxes might be approximately \$25,000 for four

From: Lapham, Bob  
Sent: Thursday, March 28, 2002 10:42 AM  
To: Beetstra, Marion  
Subject: FW: Public Consultation Framework 2000

Marion, please file a copy of this reply with the Fairwinds file. Thanks.

-----Original Message-----

From: Lapham, Bob  
Sent: Thursday, March 28, 2002 10:42 AM  
To: 'mkuntz@shaw.ca'  
Subject: RE: Public Consultation Framework 2000

Dear Mr. Kuntz,

Thank you for following-up with your e-mail. I confirmed that this document was received and endorsed by the Board of the RDN as a policy guideline for RDN staff to follow when we are involved in public consultation and communicating initiatives. A copy is attached below.

You may also be aware that the community planning and development approvals process is also subject to specific public consultation requirements and process as set out in the Local Government Act. With respect to the Fairwinds proposal the Local Government Act requirements are directly applicable to the Growth Management Review, the possible amendment to the Nanosee Official Community Plan and rezoning.

The Growth Management Review component of this proposal has a consultation plan approved by the Board. With respect to the possible OCP amendment, Board policy is to proceed with a public information meeting prior to reporting to the Electoral Area Directors Committee of the Board to determine the possible public consultation implications and then approve a public consultation plan.

I hope this provides you with the information you were looking for.

Robert Lapham  
General Manager, Development Services  
Regional District of Nanaimo  
Phone (250)390-6610 or 1-877-607-4111  
Fax (250)390-7511  
e-mail: blapham@rdn.bc.ca

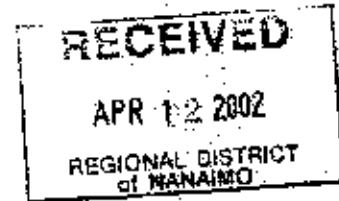
-----Original Message-----

From: Mel Kuntz/Betty Smith [mailto:mkuntz@shaw.ca]  
Sent: Tuesday, March 26, 2002 4:08 PM  
To: Beetstra, Marion  
Subject: Public Consultation Framework 2000

Dear Mr. Lapham:

I spoke with you at the NPORA meeting this past Sunday afternoon at which time you suggested you could e-mail me a copy of a document called:  
"Coordinated Public/Consultation/Communications Framework 2000". I look forward to receiving this documentation. Thank you.

Mel Kuntz, Nanosee Bay, B.C.



The Honorable Stan Hagen  
Minister of Sustainable Resource Management  
P.O. Box 9054  
Sta. Prov. Gov't  
Victoria, B.C. V8W 9E2  
April 6, 2002

Dear Mr. Hagen,

I am writing regarding the Crown Land Lots 10-16, District Lot 137, in Nanoose Bay. I strongly oppose the sale of this Crown Land to "Fairwinds" 3536696 Canada Inc.

Land is a very precious and finite commodity. What legacy are we going to leave our Grandchildren— a living forest with a beautiful Garry Oak meadow, to be enjoyed by everyone, or a golf course to be enjoyed by a privileged few?

If you are determined to sell this land, I suggest that it be sold to the Regional District of Nanaimo to benefit all.

I am also gravely concerned that talks have apparently been taking place between the Government (possibly yourself) and the representatives or owners of 3536696 Canada Inc. regarding the purchase of Crown Land District Lot 137— a so called "Memorandum of Understanding."

We already have a Community Approved Plan and an Urban Containment Boundary in place.

A Community Forum on the proposed Fairwinds Development Concept is to be held Monday, April 15, 2002. This is a major change effecting many people. Yet the deadline for comments on this proposal was April 12, 2002. This sends a strong message of unfairness about the whole process.

I would appreciate a reply as to your position on this matter.

Yours truly,

*Karen Zaborniak*

Karen Zaborniak  
2621 Northwest Bay Rd.  
Nanoose Bay, B.C. V9P 9E7  
kaza2@shaw.ca

cc Honourable Gordon Campbell  
cc Honourable Michael de Jong  
cc Honourable Joyce Murray  
cc Judith Reid  
cc George Holm  
cc Kelly Daniels  
~~cc Robert Saphary~~



From: Albert Kridley [akridley@nisa.net]  
Sent: Thursday, April 11, 2002 10:43 AM  
To: Beetstra, Marion  
Subject: Fairwinds Proposal

I understand that you are soliciting comments about this proposal prior to the Community forum on Monday.

I wish to state that as resident of this area I am in complete support of the Fairwinds proposal. I think that their proposal allows the RDN to control the two most unique and attractive areas i.e. Notch Hill and Enos Lake while providing the opportunity for development which is the long term interests of the people of Nanoose Bay, the RDN and the province. With so many aspects of our economy in trouble, it is important that we replace it with sustainable development that will have a minimal impact on the environment. To me that makes the tourism and real estate the sectors that are most promising. This development would fit into that.

As to some of the concerns expressed by others in the community there are ways to address some if not all of these. There are new voluntary standards developed for golf course development which require the developer to meet rigorous environmental criteria. The RDN could and should ensure that the new course meets these standards and that the current course be upgraded to those standards. The RDN should also ensure that the Enos Lake corridor that is provided is more than the width of a trail but is large enough to provide both a pleasant walk and minimal impact of the ecology of the lake. Similarly it could be a requirement that any large stands of Garry Oaks are protected. I would much rather see what Fairwinds has proposed than see Notch Hill and Enos Lake covered in homes. Many people in the area seem to think that by blocking this proposal that development will not occur on those areas. This does not seem a realistic expectation.

A E Kridley  
3318 Rockhampton Rd.  
Nanoose Bay

From: Mike Moore [mike-moore@shaw.ca]  
Sent: Thursday, April 11, 2002 7:48 PM  
To: Beetstra, Marion  
Subject: "Fairwinds" 3536696 Canada Inc. Proposal

To whom it may concern,  
Regarding the proposal submitted by "Fairwinds" 3536696 Canada Inc. to purchase Crown Land Lots 10-16, District Lot 137 to develop a golf course and housing in conjunction with a new neighbourhood master plan for Fairwinds.

We would like to indicate to the RDN Planning Board that we fully support the subject proposal.

As residents of Fairwinds and Nanoose Bay, we feel the proposal would be very beneficial to the area from an economic perspective while having little or no impact on the lands and wildlife. After attending a couple of public meetings on this subject, we feel that the NPORA opponents to this proposal are simply Anti Change whether it be for good or bad.

Robert M. Moore  
Donna L. Moore

From: Jim & Bev Watson [jimbev@shaw.ca]  
Sent: Thursday, April 11, 2002 11:10 PM  
To: Beetsra, Marion  
Subject: Fw: Nanoose Bay - GMP

The original of this message was sent to RDN... "Commsrv@rdn.bc.ca"

This is a repeat to ensure you receive it.

Thank You,

Jim Watson

— Original Message —

From: Jim & Bev Watson <jimbev@shaw.ca>  
To: <Commsrv@rdn.bc.ca>  
Sent: Thursday, April 11, 2002 1:01 PM  
Subject: Nanoose Bay - GMP

- > Attn: Mr. George Holme,
- > RDN Planning Board and
- > the RDN Planning Dept
- >
- > RE: Fairwinds Application for a Second Golf Course and Purchase of Federal
- > Land.
- >
- > Dear Sirs;
- >
- > I am a resident of Nanoose Bay (Fairwinds) and enjoy the outstanding
- > natural
- > environment here. I attended the Nanoose Place Meeting with the Planning
- > Board on Tues., April 2nd, 2002.
- >
- > There was an emotional outcry from many Nanoose residents concerning the
- > above application. Typically their emotion was built around the
- > following:
- > 1) issues of perceived environment degradation and
- > 2) desire for "no growth" at Nanoose.
- >
- > Item 1) above can be dealt with by proper planning, allocation of
- > responsibility to involved parties and, most importantly,
- > execution/fulfillment of all environmental guidelines. For example, it is
- > my belief that the owners of all the Fairwinds properties have been very
- > responsible in their past developments in Nanoose. Fairwinds is a living
- > example of a top-class development, second-to-none in Canada and difficult
- > to equal anywhere else in the world. It is in everyone's interest,
- > including Fairwinds owners, that any extension to the present developed
- > area
- > equal or improve that which already exists.
- >
- > Item 2) unfortunately is a recurring, typical call from the early
- > residents
- > of undeveloped land. Early residents came for good reasons such as
- > excellent location, pristine environment, great weather patterns, etc.
- > These are exactly the same reasons that there is greater pressure for
- > further development. Early residents do not have the right to keep
- > Nanoose
- > Bay to themselves and/or totally control the process or style of future

- > growth. Other interested parties also have valid input and fortunately
- > there is a system to accommodate this. The "Not-in-my-backyard" attitudes
- > displayed on April 2nd seemed to be totally self-serving.
- >
- > The future growth at Fairwinds is a given. The issue whether there is an
- > Executive-Style golf course on existing Fairwinds land or a PGA-Style
- > course
- > on a larger tract, in my view, is not a large change in the overall plan.
- > It happens to need a piece of new land which is the single linch-pin which
- > local residents are grasping to restrain that which is inevitable over
- > time.
- > Perhaps today's proposal could be much more desirable than some
- > stand-alone
- > proposal in the future.
- >
- > An Executive-Style course will meet the needs of some local residents.
- >
- > A PGA-Style course will become an attraction similar to the addition of
- > Crown Isle in Courtenay. It will attract more players, it could even
- > become
- > a destination for golf along with the other courses on Vancouver Island's
- > East Coast. Golf from Nanoose to Campbell River is one of Canada's
- > tourism
- > secrets. The courses are inexpensive (in relative terms) and are of
- > excellent quality. PEI has spent many, many millions of taxpayer dollars
- > to create that Island as a golf destination. This area can do the same at
- > no cost to the taxpayer. The economic benefits are huge to say nothing
- > about how "environmentally-clean" those tourist and retiree dollars are!
- >
- > It is extremely important to create a distinction in the minds of all
- > Nanoose residents that "no-growth" is impossible, but controlled growth is
- > possible. With the leadership of RDN and the money provided by pension
- > funds from across Canada, Nanoose Bay has the opportunity to move from
- > being
- > one of the best tiny communities to one of the finest, environmentally
- > exquisite, totally liveable, fully serviced towns on the face of the
- > earth.
- >
- > Please do not let this opportunity slip by.
- >
- > Yours very truly,
- >
- >
- > James G. Watson
- >
- > 2421 Andover Rd.,
- > Nanoose Bay, BC.
- >
- > 250-468-7888
- >

—Original Message—

From: Jim & Bev Watson [mailto:jimbevwatson@shaw.ca]  
Sent: Friday, April 12, 2002 9:08 AM  
To: McFarlane, Florence  
Subject: Fairwinds Proposal for Acquisition of Crown Lands

Dear Sirs and Madams:

My name is Beverly Watson and I reside at 2421 Andover Road, Nanoose Bay. I have lived in the area for a little over 2 years.

I attended the April 2nd meeting re: the Fairwinds proposal. Prior to the meeting, I had not made up my mind to either support or oppose this venture. I went to the meeting with an open mind, prepared to listen to both sides. What I heard, was a surprisingly one sided emotional outcry from Nanoose Bay residents against the sale/trade of land. The few speakers who supported the endeavour were less evident. After mulling over what I heard, it was clear that environmental and wild life issues are dear to people's hearts and little consideration has been given to the future economic and social growth of the area.

Future Fairwinds development is a foregone conclusion. The owned undeveloped land is slated for more homes and a golf course. The design, size and location of the second golf course is the contentious issue - not its future existence. It seems to me that Fairwinds proposal to purchase the crown land, give Notch Hill to the RDN, and ensure green space around Enos Lake, the new golf course and the proposed housing is a viable option.

Fairwinds, has already shown that it is an environmentally responsible entity. Wildlife abounds throughout the existing development. I live on the pond at the base of the current #2 hole on the existing golf course. During the past 2 years, I have seen beaver, otter, mink, muskrat and countless bird life on the pond. Last year at my request, the water was tested for chemical pollution and the results were negative. The water is of a quality that supports the wildlife that depends on it. I cannot see that any further golf course development would be less.

Change is the nature of life - and life in Nanoose Bay will inevitably change over the coming years. I support the notion of a planned thoughtful development, complete with green space and awareness of sensitive

environmental issues - as indicated by the expense, time and energy that Fairwinds put into constructing an alternative nesting place for a pair of eagles whose existing tree had to be taken down.

All the land in this area was once Crown Land. Over the years it has been sold to private individuals, corporations and small businesses. This practice will continue - it cannot and should not be stopped. The attitude that "I am here now, and you should not be" is destructive and self serving. Managed development is the way of the future. Status quo is the way of stagnation.

Granted, Fairwinds residents, both those present now and those in the future, are different in nature from many Nanoose Bay residents who reside outside the area. However, when one considers that many of these taxpayers come to this area with disposable income, no demands on the area to provide them with jobs, and in contrast, they supply work for others, I feel that the RDN should look favourably on the impact they have on the area. My husband and I share our personal resources with a part-time gardener, housekeeper, lawn service and window washing businesses, we use the services of a local accountant, lawyer, carpenter, dentist, doctor, chiropractor, massage therapist, and personal trainer. We shop in local stores, eat in local restaurants, buy gas, gardening supplies and other household items. We play golf, garden, boat, fish, hike and deeply appreciate the beauty and natural resources of the area. We would not deliberately destroy any of this. We are happy and contented with Fairwinds as it exists. Our life would not change with or without the proposed plan for further development. However, I feel strongly that the life of many Nanoose/RDN residents and service providers will change negatively without the positive economic impact of new arrivals. The contentious opposition thwarts future community growth.

I have considered this submission from a resident's perspective. I have not discussed here, the future benefits of continued tourism in this area but it goes without saying that it is vital to the growth and benefit of the area.

Please support the application for ammendment to the current urban containment plan.

Sincerely

Beverly H. Watson

**From:** Darte Edward [DarteEdward@JohnDeere.com]  
**Sent:** Friday, April 12, 2002 7:03 AM  
**To:** Beetsra, Marion  
**Subject:** Request for info re Fairwinds development

Dear Sir or Madam:

I have heard that there was a recent newspaper announcement regarding a development proposal related to the Fairwinds community near Nancoese. Apparently this email address was given as a source for more information on this project.

As I am interested in possibly purchasing a lot for a future home in this area I would be very interested in obtaining any available information.

Can you advise me what, if any, additional information is available?

Thanks in advance.

Regards,  
Ed Darte

PLANNING DEPT

~~04~~ 12 2002

RECEIVED

Regional District of Nanaimo,  
6300 Hammond Bay Road,  
Nanaimo, BC, V9T 6N2

Attention:

Mr Robert Lapham, General Manager,

I am writing regarding the crown land, lot 10-16, District Lot 137, Nanoose Bay BC. I am very much against the sale of this crown land to "Fairwinds" 3536696 Canada Inc.

The land in question is a beautiful living forest with a large Garry Oak meadow, many wild flowers, and close to the central part of Nanoose Bay. It has easy access for everyone in Nanoose Bay to enjoy.

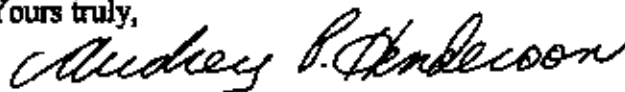
This is the fourth time Fairwinds has asked to change their "Urban Containment Boundary" to include District Lot 137. Once again I believe the answer should be NO. They still have two thirds of their land undeveloped inside this boundary.

Fairwinds word is questionable. They have advertised for years about having an eagle's nest, and then sold it as a waterfront residential lot, and the tree was then cut down by the buyer. This lot should never have been given residential zoning in the first place, as well, the Notch Hill parkland has not been dedicated as promised.

The Growth Management Plan and the Official Community Plan must be changed for them to acquire DL 137. This can only be done if there is a documented community need from the entire Nanoose community.

I would appreciate your support, as well as a reply, on this matter.

Yours truly,



Audrey Henderson  
2371 Higginson Road  
Nanoose Bay BC, V9P 9B3

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151

**From:** Judie Taylor [judietaylor@shaw.ca]  
**Sent:** Friday, April 12, 2002 10:56 AM  
**To:** Beetstra, Marion  
**Subject:** Proposed Fairwinds Development Plan

Dear Sir:

We wish to register some input relative to this plan. As residents of Fairwinds, we have invested substantially in this area, and we are fully supportive of continued positive development such as this plan proposes. Fairwinds residents and Nanoose Bay residents will both benefit from the services and quality of life that this proposal can bring.

Yours truly,

Judith Taylor  
Don Taylor  
3468 Redden Road  
Nanoose Bay, BC  
V9P 9H4

468-5671

**RDN Planning Department,**

**We support and agree to the disposition of the crown Land DL137 at Nanoose Place. Progress and changes are necessary for the betterment of any community. Thank you**

**Henry and Madeline Teo  
2895, Dolphin Drive,  
Nanoose Bay B.C  
V9P 9J4**

**Dated April 15<sup>th</sup>, 2002**



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From: Joy & Martin Henniger [delas\_hs@nanaimo.ark.com]  
Sent: Sunday, April 14, 2002 9:34 PM  
To: Beetstra, Marion  
Subject: crown land DL 137

WE ARE IN FAVOR OF SALE OF LAND DL 137 TO FAIRWINDS GOLF

MARTIN AND JOY HENNIGER  
E-MAIL delas\_hs@nanaimo.ark.com

From: JLeithNance@netscape.net  
Sent: Saturday, April 13, 2002 7:53 AM  
To: Beetstra, Marion  
Subject: proposed development of new golf course at Fairwinds

As a resident of the Regional District of Nanaimo I wish to go on record as approving of the proposal submitted by "Fairwinds" 3536696 Canada Inc. to purchase Crown Land Lots 10-16, District Lot 137 to develop a golf course and housing in conjunction with a new neighbourhood master plan for Fairwinds.

The development of the land will take many years and will provide many jobs over those years and some, albeit a smaller number, of jobs for many years to come. The subsequent spin-off for the economy is beyond my reckoning but I imagine that it will be good for the general mass of people. The impact on the environment will be much more positive than would be the mere construction of high density housing with it's concomitant support services.

Yours truly,  
Leith Nance

From: Don & Sandra Macdonald [don-sandra-mac@shaw.ca]  
Sent: Sunday, April 14, 2002 5:44 PM  
To: Beetsra, Marion  
Subject: Proposed Fairwinds Development

**Don Macdonald**

2555 Andover Road, #2

Nanoose Bay, B.C.

V8P 9J6

Telephone (200) 458-1432

April 14, 2002

RDN Planning Department

To Whom It May Concern:

Your notice in the April 9 edition of "The News", outlining the Proposed Fairwinds Development Concept and announcing a Community Forum on April 15 attracted my attention. Within the next day or so I received a message from the Nanoose Property Owners and Residents Association discussing, in what seemed to be fairly aggressive and critical terms, the same subject.

As a relatively new resident in the area (less than one year), I was not very aware of issues surrounding future development of the Fairwinds community, and began to ask some questions. I now understand that there is intense opposition to the proposed development from some sectors of the Nanoose population, and that NPORA is dominated by individuals who share that view. I also understand that those views may well not represent a majority opinion in Nanoose Bay, including Fairwinds.

Three years ago, after investigating other potential retirement locations, my wife and I visited Fairwinds (for the first time). We were so impressed with the area and community that we bought a lot here after a two day visit. Fairwinds was so superior to any other location we had considered, the decision was very easy.

With respect to the proposal at hand, I am not suggesting that "Fairwinds can do no wrong", or that any development proposed by Fairwinds should be automatically approved. However, I think most people would say that the Fairwinds community is an outstanding development to date, and that, assuming proper planning guidelines and adequate environmental safeguards are in place, the owners should be encouraged rather than discouraged in their attempts to further improve the community.

Yours truly,

Don Macdonald

4/15/2002

THE FAIRWINDS PROPOSAL --- Re: Crown Land D.L. 137

We will be unable to attend the 7:30 PM, April 15, 2002 meeting at Nanoose Place, in which a discussion regarding the disposition of Crown Land D.L. 137 will take place. Regardless, we would like our opinions and thoughts on its disposition to be considered.

We are residents of Nanoose Bay, (living in the Fairwinds development for eight years and having owned other property in the area for over a decade), and are concerned about the short and long-term development of the area. One of us has worked closely with the RDN as a member of the ad hoc Committee of the Fairwinds Community Association during the development and changes made to the OCP prior to its final acceptance.

We felt that the Nanoose Property Owners and Residents Association (NPORA) had up to that time presented a biased and one-sided view of the developmental desires of the residents of Nanoose Bay. While it is likely that NPORA fairly represented the view of those residents who were its members, it made no effort to represent the views of those other Nanoose Bay residents who were neither NPORA members nor were proponents of their views. In fact quite the reverse is true, campaigning strongly against anyone who did not agree with their views on the development of Nanoose Bay, particularly when it came to the Fairwind's development and/or properties owned and controlled by Fairwinds.

The simple act of subtracting the number of NPORA members who represent (for lack of a better phrase) 'the leave it alone view', from those Nanoose Bay residents who have yet to be heard from, leaves a very large number indeed. It is clear that the vocal minority, represented by NPORA, would like the RDN and/or any other governing body to believe that their views are the views of the majority of Nanoose Bay residents. Nothing could be further from the truth. We believe NPORA's view is knowingly biased and fallacious, because it is based upon the opinions of a few strong-minded individuals who wish to force them upon others.

No one who has lived in Nanoose Bay can deny the many and large changes that have taken place in the last two decades. Yet those changes did take place --- despite the concerns and biases of those earlier inhabitants who "were here first". It is obvious from the rather haphazard way in which many properties were developed in the past, that a more objective way of developing the area was needed; hence the development of the OCP, the sustainable potable water supply, and the sanitary sewerage extension plans, replacing the original lack of community planning, the depleting well water supply, and the collapsing sewerage fields. These were all needed, to ensure that the requirements of the large influx of new residents would be met in an orderly and sustainable way.

- 2 -

Despite the wishes of NPORA's vocal minority, more and more people from all across Canada find this area beautiful and a place where they would like to retire or have their families grow up. In other words, **CHANGE IS HERE**. To deny that change is here or to try "pull up the ladder", so to speak, and not allow other Canadians access to this area is both mean-spirited and short-sighted. No matter how much the vocal minority may not wish it, **CHANGE IS HERE, The people will come, so plan accordingly!**

As more and more people take up residence here, they will need, as stated in the OCP, access to: professional services, food and commercial retail outlets, recreation opportunities, schools and other educational facilities, to name a few of the requirements.

In order to provide such an array of goods and services, a sustainable source of money is required. That source can only come from the residents who live here. Developments like Fairwinds, in which the housing density is controlled, is a good example. Most of its residents are retired, they are reasonably wealthy, they spend a great deal of money in the area, and they do not make demands on the meager supply of jobs available in this area. In fact the reverse is true; their presence creates jobs. The development also includes a golf course that will preserve in perpetuity, a substantial 'green space', along with ponds, water courses and walking trails. Further, all the services: electricity, TV cable, telephones, storm sewers, sanitary sewers, etc. are underground, making the development clearly the most picturesque in Nanoose Bay. The RDN gets an increase in its residential tax base, the merchants and professional benefit financially, a variety of jobs are created, and the area is developed in a very responsible manner. It is this sort of development that the vocal minority of NPORA wishes to see stopped. Unbelievable!!

The influx of new families into the Nanoose Bay area will not stop, and they will have to live somewhere. Does the vocal minority of NPORA want housing tracts and sub-divisions pasted onto the landscape? Because that is what surely will happen when the population pressure reaches a point where all the currently available land is occupied.

The small wooded area known as Crown Land DL 137, would be ripe for the picking. Having been logged off on different occasions already (the property was small enough to be privately owned for many years before reverting back to the Crown), the trees are of limited commercial value. It would make a great deal of sense for the Crown to realize an excellent return by releasing it to a developer.

Whether this happens this year or in the years to come is essentially irrelevant. The influx of new families will make it happen -- if not now then certainly in the near future. The vocal minority of NPORA cannot stop them. The point is, that by rejecting the 'Fairwinds type' of development, the vocal minority of NPORA are exposing Crown Land DL 137 to the very real potential of becoming a high density housing tract and/or sub-division, or a commercial property, or a pig farm, etc., etc.

- 3 -

The development of Crown Land DL 137 will happen. Let's make certain it is a development that will provide the residents of Nanoose Bay with the optimum in, **JOBS and TAXATION REVENUE**, while providing the residents with a **SUSTAINABLE GREEN SPACE**, comparatively **LOW DENSITY HOUSING**, long-term **RECREATIONAL FACILITIES**, and at the same time providing a **CONSISTENT FUNDING SOURCE** for the commercial and professional ventures in this area.

Thank you for allowing us this opportunity to express our support of the Fairwinds proposal for Crown Land DL 137.

Robert B. and Barbara M. Wilberg,  
Fairwinds, Nanoose Bay.

*Barbara Wilberg*  
*R.B. Wilberg*

From  
The Undersigned,  
Residents of Nanoose Bay, B.C.  
13th April, 2002

The Honourable Gordon Campbell,  
Premier, Government of British Columbia,  
Parliament Buildings,  
Victoria, B.C.

Dear Premier,

### CONFLICT OF INTEREST

Are you aware of documents indicating that the Honourable Stan Hagen, Minister of Sustainable Resource Management, has personally endorsed a scheme, currently in progress, for your government to sell 70 hectares of Crown forest land in Nanoose Bay to a real estate developer, 3536696 Canada Inc, whose five directors include the CEO and two vice presidents of your government agency, BC Investment Management Corporation?

3536696 Canada Inc, apparently owned by BCIMC, is the owner by title of "Fairwinds", a nationally known urban development and resort property in the rural community of Nanoose Bay. A condition of the proposed sale is that the Regional District of Nanaimo will amend its land-use by-laws to allow the 70h to be rezoned from resource lands to urban residential. The corporation is offering the Regional District a consideration in exchange for a guarantee of rezoning.

The three parties (actually two, isn't it?) have avoided saying to the public that your government is acting as both seller and buyer of the land, as well as proffitor of the consideration for rezoning.

Representatives of your government and of the Regional District of Nanaimo are scheduled to address a widely-advertised public meeting at 7.30 pm., Nanoose Place, Nanoose Bay, on Monday April 15th, in an attempt to persuade residents to endorse the proposed sale of Crown land, acceptance of the consideration, and rezoning of the 70h for housing.

Yours truly,

*[Handwritten signature]*  
250-468-5722

*[Handwritten signature]* (468-9576)

*[Handwritten signature]*  
Cory Quinn  
Ranocau  
*[Handwritten signature]*  
(250-468-7290)  
*[Handwritten signature]*  
Elizabeth Smith

*[Handwritten signature]*  
Diane Auman  
*[Handwritten signature]*  
Dana Prohidge  
*[Handwritten signature]*  
Dora Ruzgan  
*[Handwritten signature]*

**NANOOSE EDIBLES FARM**



Barbara & Lorne Ebell  
1969 A Stewart Road  
Nanoose Bay, B.C. V9P 9E7  
Ph: (250) 468 2313  
Fax: (250) 468 2324

April 12, 2002

Manager, Development Services  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, B.C. V9T 6N2

Fax: (250) 390-4163

Dear Sirs;

Rumors have suggested today is the last day written submissions will be accepted in regard to the Fairwinds expansion proposal. Pressure on my time limits me to re-use of my Letter to the Editor of The Link Community newspaper. It contained most elements of my families strong objection of the proposal.

We have to admire the tenacity and patience of Fairwinds in  
Waiting until ratepayers forget their previous commitment to the official community plan  
Or, until a change of government  
Or, until Fairwinds residents can outvote the rest of us.

We must not be oblivious to the fact that Regional districts are corporations too. In the business of development for purposes of sequestering tax revenues, with lesser regard to the environment and wishes of residents.

Since our farm has an eastern border with the Crown land shelterwood forest, this issue is of critical interest to us.

Comments on Mr Lampham's statement in the Link that golf courses are also green space follow:

- They are not equivalent green space
  - Golf courses provide only weak biodiversity
  - Golf courses are not useful and friendly walking space, unless you are a golfer, or willing to risk a golf ball in the back of the neck
  - Golf courses are serious users of fertilizers and pesticides which contaminate the soil, water and air
  - The proposal removes the possibility for additional future public parkland in the area for greatest value to the greatest diversity of residents. In contrast, golf facilities are the epitomy of selfish land use.
  - Working forestland can provide delightful walks because of their high biodiversity.
- We envisage a low impact forest park on Nanoose Peninsula where friends at Garry Oaks or Beachcomber can visit each other via unpaved trails, and we would hope to make Nanoose Edibles Farm a part of this trail system.

Bedroom communities such as Fairwinds put a high strain on greenhouse gas production due to the commingling between work, home and elsewhere. We need to provide for carbon sinks to counteract this higher strain. Golf courses provide only weak carbon sinks, contrasted to the high efficiency of a working forest. We must remember that we cannot depend on other to do this environmental balancing for us.

Nanoose Edibles Farm, being a registered organic farm, and contained within the original official community plan, has grave concerns of its own from air, groundwater and pesticide pollution created by normal horticultural activities of golf courses. The development would be uphill to the farm. Annual groundwater and soil samples are required to maintain our certification, and any change would be seriously detrimental to our organic status and to the viability of our business.

Yours truly,

Lorne F. Ebell

*Nanoose Bay Island produces for all seasons and all reasons*

From: Susanna [sscomadina@shaw.ca]  
Sent: Monday, April 15, 2002 11:28 AM  
To: Beetstra, Marion  
Subject: Crown Land DL137 at Nanooos Place

We are in favour of the sale of Crown Land DL 137 to Fairwinds and the purchase of Notch Hill in return. We presently enjoy our walks up the notch as if this land is already owned by the RDN. Should this sale not take place our access to the Notch could be greatly restricted due to possible housing development. The crown land in question is not developed in any way for our enjoyment.

Yours truly,

Susanna Comadina  
Steven Comadina  
2336 Avondale Place, Nanooos Bay

Shelly Skouffer  
1454 The Outrigger Rd, Nanooos Bay

---

From: Rhys Harrison [rhys.harrison@shaw.ca]  
Sent: Monday, April 15, 2002 4:40 PM  
To: Beetstra, Marion  
Cc: eric  
Subject: Proposed Fairwinds Development Concept

Sirs,

This is to inform you that my wife and I are very much opposed to the proposal by "Fairwinds" 3536896 Canada Inc. to purchase Crown Land Lots 10-16 District Lot 137.

The Proposal runs counter to the Nanooos Bay Official Community Plan which we see no purpose in amending so soon after it was written and approved. Similarly, we would not wish the RDN Growth Management Plan to be amended for this purpose.

We do not want more suburban style housing in Nanooos Bay.

We do not want or need yet another golf course in the area.

We do not want to see this specific piece of natural environment changed. In particular, the area close to Stewart Road contains one of the few remaining local stands of old growth forest and is prime habitat for some of the less common birds and other wildlife of this part of Vancouver Island. There are also Garry Oaks in the parcel and you are no doubt aware of the declining numbers of this species of tree. As an active member of the Nanaimo Field Naturalists, I will certainly be involving them and The Federation of BC Naturalists if this proposal goes any further.

I understand that George Holme is my elected representative on the RDN. Would you please pass along to him the information that in the next municipal elections, we will vote against anyone who supports this proposal.

Thank you for your consideration.

Rhys & Terry Harrison  
2222 The Jib  
Nanooos Bay, BC  
V8P 0B8

250-488-5466



From: Shirley Paterson [shirley@bcrockies.com]  
Sent: Tuesday, April 16, 2002 9:11 AM  
To: Beetsra, Marion  
Subject: PROPOSED FAIRWINDS DEVELOPMENT CONCEPT

Regional District:

We live in Kimberley BC but are property owners in Nanoose Bay where we plan to retire. We have recently been informed about the Proposed Fairwinds Development Concept and would like the Regional District to know we ARE IN FAVOUR of the proposal. Our property is at 2958 DOLPHIN DRIVE NANOOSE BAY, BC V9P 9J4

We would like to be kept informed about the Development and would especially like to have a vote if it ever comes down to that. We can be reached at:

Terry and Shirley Paterson  
812 Trail Street  
Kimberley, BC V1A 2M2  
Phone: W (250) 427-4936  
H (250) 427-4847  
Fac: (250) 427-3344  
Email: shirley@bcrockies.com

From: Sheila & Mike [madur@shaw.ca]  
Sent: Monday, April 15, 2002 5:32 PM  
To: Beetsra, Marion  
Subject: Re: Fairwinds proposal to purchase Crown Lots 10-16 District Lot 137 and Notch Hill swap

Dear Sir/Madam,

We are residents of Fairwinds and are providing comments on the proposal presented by Fairwinds to purchase and swap lands for future residential and golf course development.

We support the orderly development of land in Nanoose. All demographic studies indicate an increase in population in the area and the RDN has the responsibility to ensure that the development is managed properly with the input of residents.

This input from residents while important, must be considered along with all of the other planning, environmental, economic and technical requirements that are required by the RDN, the Province and no doubt Federal regulations.

The growth is inevitable. The Province, and most municipalities actively promote growth through economic development agencies.

As I witnessed at the public meeting held on April 2nd, the majority of the speakers want no development. This is obviously not an option. Therefore I support the development proposal and have every confidence in the approval process as administered by the RDN to ensure that it is carried out in accordance with good planning management practices.

The existing Fairwinds community is an excellent example of how a residential area can be developed with good planning and environmental management practices.

There is no reason to expect that further development cannot be managed equally well.

Yours truly,

Sheila and Mike Durcin

**From:** Henk Bakker [henk@sundquist.ca]  
**Sent:** Tuesday, April 16, 2002 11:40 AM  
**To:** Beetstra, Marion  
**Subject:** comments on Fairwinds proposal

Thank you for the opportunity to provide comments regarding the Fairwinds Development Concept. We attended the Community Forum at Nanoose Place on April 15, 2002. Our comments are as follows:

1) Impact on Nanoose Edibles organic farm:

We are very concerned about the environmental impact on Nanoose Edibles. This organic farm is an important part of our community and is an established employer. If this development jeopardizes the organic status of Nanoose Edibles then we cannot support the proposal in its current form.

2) We don't need another golf course:

Green spaces should serve the entire community, not just one type of user (golfers). Also, golf courses are notorious for over-use of pesticides and fertilizers which create environmental problems.

3) Rural nature of our community:

We moved to this community because it has a rural atmosphere. Although we respect the fact that many people enjoy the "upscale" amenities that the Fairwinds development provides, we prefer to see Nanoose community remain as rural as possible. Our OCP was developed with community values in mind and should not be amended unless the majority of the community agrees.

4) Bigger is not better:

Fairwinds already has a lot of land that they can use for residential building purposes. Why do they have to acquire more?

5) Short-term vs. long-term benefits:

Although a larger Fairwinds development would create economic benefits, we feel that these benefits are short-term compared with the long-term benefits of keeping our community as green and forested as possible. We don't want to live in a deforested community like Eagle Point in Nanaimo or West Vancouver that has lost all its forest lands.

6) Fairwinds receives as much as it gives:

The representative from Fairwinds made much of the economic benefits that Fairwinds brings to our community. We don't disagree with this, but we would like to point out that Fairwinds also RECEIVES many benefits from being located in our community. In particular, Fairwinds benefits from being located in our community's spectacular coastal, forest and farm setting. Also, Fairwinds benefits from using the access roads such as Dolphin Drive (that were here before Fairwinds was).

7) Was Notch Hill always supposed to be a park?

If memory serves us correctly, the original plan for Fairwinds promised that Notch Hill and the area around Enos Lake would be kept as community (Fairwinds) parkland. This was one of the big selling points that the original developers used to gain support and obtain financing from investors. So how great a deal is it to "swap" Crown Land for something that was already supposed to stay a park? And realistically, how likely is it that Fairwinds would ever develop Notch Hill? The environmental protection constraints, not to mention potential community outrage, would suggest that the Notch will remain a green space even if the "swap" did not occur.

**PAGE**  
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B) The process has been fair:

At the Community Forum it seemed that some speakers were suggesting that the consultation process has been flawed or even secretive. In our opinion, the process has been open, fair and democratic. It's unfortunate that some people don't understand the process and start to "shoot the messenger". We were impressed by how non-defensively the RDN representative (Mr. Lampman) handled these concerns.

In closing, we respect the fact that Fairwinds is an important part of our community but we cannot support the proposal as it stands. We look forward to continued consultation on finding a balance between Fairwinds objectives and the needs of the community. We would be interested in seeing a compromise proposal (scaled down version) that addresses the concerns outlined above.

Also, would it be possible to have information and updates included on the RDN web site so that community members can stay informed?

Thank you for your time and consideration,

Henk Bakker and Barbra Sundquist  
1585 Seacrest Road  
Nanoose Bay, BC V8P 9B5  
henk@sundquist.ca

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To: Lapham, Bob  
Subject: FW: Fairwinds Development Concept Meeting>

-----Original Message-----

From: John & Heather [mailto:thenicksons@shaw.ca]  
Sent: Tuesday, April 16, 2002 3:20 PM  
To: Beetsra, Marion  
Subject: Fairwinds Development Concept Meeting>

To the Head Table Guests:

I feel that having attended many government arranged meetings over the years, last evenings event at Nanoose Place was without a doubt the most poorly prepared presentation I have ever witnessed.

No wonder the result from the floor was one of indignation and offence, please try in future to think through the total package.

I will await further developments before stating my feelings publicly, although the expressed feelings seemed to sum the situation up quite clearly.

The prime stake holders really need to understand why the citizens of Nanoose feel the way they do on this issue.

Having been a member of the last OCP review, which lasted 26 months, the drafting committee of that document did all in it's power to protect the Nanoose Peninsula from this type of proposal, and it seems certain to have succeeded as was revealed last evening in comments from the floor.

I await further developments.

Sincerely  
John Nickson  
2389 Arbutus Crescent  
Nanoose Bay, BC  
V9P9G1

Mr. Georg Holme  
 chmn. Nanaimo Regional District  
 6300 Hammond Bay Road  
 Nanaimo V9T 6N2

April 7/2002

REGIONAL DISTRICT  
 OF NANAIMO

APR 10 2002

CHAIR	<input checked="" type="checkbox"/>	GMCrs	<input checked="" type="checkbox"/>
CAO	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
GMCrs	<input checked="" type="checkbox"/>	GMEs	<input checked="" type="checkbox"/>

Re. Fairwinds Development Concept

Dear Sir,

I want to commend you, your board and the Regional Planning Dept. for having the vision and stamina to engage in discussion, and negotiations with the Provincial Government, Fairwinds and the community in order to facilitate a second golf course in Nanosee..

As a property owner for over 20 years (lot on Nautilus Road) not in Fairwinds, but near Schepher Cove, I am well acquainted with the unique character of Nanosee and is interested in maintaining the beauty of this area. My wife and I moved here ca. 3 years ago, creating work for several trades people for approx. 1 year as we were building our present residence, all the while watching our dream and vision coming through.

Attending the Community Meeting April 2nd. at Nanosee Place was important. It was only at the following board forum on the Growth Management Plan that I realized there was an organized opposition to this proposal.

Negativity and anti development at any cost are still alive and seemingly still gathering converts in B.C. Speaker after speaker droning on about the dire consequences of having a second golf course. Not one speaker in favour of this project, after listening for over 2 hrs I was appalled and left the meeting.

We are facing tough times in B.C, worse than I have ever seen in over 50 years. The Province is trying to create a more friendly investment climate for job creation to counter the forest industry downturn. I thought this was common knowledge, instead we were treated to a spectacle of narrow-mindedness. Where we have wilderness it must be so forever, down with development, even the best laid out eco sensitive plans were not acceptable.

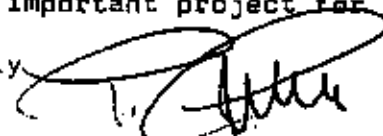
The new owners of Fairwinds have faith in this community, they are willing to put their money where their mouth is, witness the pouring in of millions of \$ for the new rec. centre. They know Nanosee is a special place and whether we like it or not they will continue to plan and work to make Fairwinds the premier retirement community not only in B.C., but for all of Canada. That is their vision. It is a pity that so many people think this is terrible.

Should Fairwinds concept be accepted and they decide to make it a competition golf course, the economic spin-off for the whole Regional District could be substantial, and it would certainly help putting Nanaimo on the map as a destination location

Whistler, and Expo 86, both economic engines for the whole Province would not have happened were it not for leaders that had a vision and were able to withstand a strong opposition. May the board stay the course and not be intimidated in this important project for our area.

P.A. Grus 3683 Nautilus Rd.

Yours truly



OVER PAGE  
 1144

From: mike yip (mikyip@hotmail.com)  
Sent: Saturday, April 20, 2002 8:33 PM  
To: Beetsra, Marion  
Subject: DL 137

Dear RDN:

As a resident of 1884 Stewart Road since 1976, I am totally in support of the proposal by Fairwinds to purchase the Crown Land in DL 137. A second golf course would be an excellent way to preserve green space as well as providing jobs and encouraging tourism. As a patron of the existing golf course, I see first hand the abundance of wildlife that lives in and around the fairways as well as many seasonal species that visit on their migration routes. I have seen many students (including my daughter) over the years, working at the restaurants or golf course to pay tuition for higher education. And, I know there are a lot of locals who have casual or full-time employment at Fairwinds. More tourism and jobs can't be a bad thing.

The current Fairwinds development is first class with many trees maintained and park areas available for all Nanoose residents to use. I believe Fairwinds has been a conscientious developer and expansion into the crown land will reflect the same sensitivity and care for the environment that is shown in its current development.

I see Fairwinds as an asset to our community and a strong supporter of community values. When you consider other possible developments for the crown land, a golf course has to stand out as one of the best alternatives and, ultimately, another asset for our community.

Respectfully submitted,

Mike Yip

ROGER & JO POUNTNEY  
1545 DORCAS PT RD  
NANOOSE BAY  
BC V9P 9B4  
PHONE /FAX 468 7523

2002 APRIL 22

Dear George Holms

We feel that the changes proposed by Fairwinds will be beneficial to the Nanoose area and will have no negative side effects.

Fairwinds is the pride of this area & perhaps both B.C. and Canada and should be encouraged.

We know that Fairwinds will develop the new area in a responsible manner which will add to the beauty and desirability of Nanoose

As a bonus the Notch will become an official park for all to enjoy. A win win situation.

Sincerely

Dandy

To Pountney

please forward a copy to BOB LAPHAM.

From: Burgoyne, Linda  
Sent: Monday, April 22, 2002 4:30 PM  
To: Beetsra, Marion; Lapham, Bob  
Subject: FW: Fairwinds proposal to purchase 174 acres of crown land

for your information

-----Original Message-----

From: Carol Matchelba [mailto:caroos@hotmail.com]  
Sent: Monday, April 22, 2002 1:01 PM  
To: Burgoyne, Linda  
Subject: Fairwinds proposal to purchase 174 acres of crown land

To whom it may concern,

I am in favour of the proposed purchase of the 174 acres of crown land by Fairwinds to build a golf course. I feel that it would be very beneficial to all of Nanooos in many ways. I am also in favour of the "Notch" and Enos Lake area becoming park/protected areas and being available to the public.

I have attended 2 of the meetings on this subject and have walked out of both in disgust. It appears that a large number of people in the area do not want change of any kind and are very vocal in that aspect, there are also many people that are in favour but are not vocal, I am one of them.

Yours truly

C.A. Matchelba

**From:** Marj. Wilkie [mwilkie@webtv.net]  
**Sent:** Tuesday, April 23, 2002 10:23 AM  
**To:** Beetstra, Marion  
**Subject:** Community Comments - Fairwinds Development Concept

**Provincial Issues:**

If Fairwinds doesn't get the Crown Land, will it be used to placate the Indians after this Treaty business is decided? I would object to that!

**RDN Issues:**

If Fairwinds doesn't get the Crown Land, will they have a free hand to develop the Notch and cover it with houses? THE NOTCH IS UNIQUE and MUST be kept natural. It is Nanoose! I've heard that the University of Victoria have field trips to it to study the rare lichen, etc., not to mention the views and wildflowers.

**Fairwinds Issues:**

It didn't seem that Fairwinds put any effort into persuading the public that their plan would be for the good of all Nanoose. They should have had, at the very least, a MODEL of their plan, like the one they had of the original course, roads and housing envisaged, showing the lakes, green belts, and the new road to augment Powder Point and Dolphin, thus reducing traffic on the existing main roads. Any plan they must have to protect "The Farm" could have been included in such a model. That is, if The Farm is "legal" in this residential area? A model of this nature takes time and Fairwinds should have taken the time to have one done before approaching an obviously negative public. After all, they must have known that this thing has already been defeated 3 or 4 times. If they were in too big of a rush for a model to be prepared, an artist's conception of the plan would have helped a little.

**Other:**

Would the second golf course precipitate the new road to ease traffic on Powder Point and Dolphin? If so, Fairwinds should have capitalised on this. Why are they antagonising the locals - no pub - no dinner club - and then acting surprised when their plan for expansion is not received with open arms?

I don't see how anyone can say that Fairwinds has not put Nanoose Bay on the map. It is a wonderful addition to the community and the trails they have made available to the public are just grand. How many people had ever had access to all that land before the golf course community was built, so it stands to reason that more forest will be available for trails if the second course is allowed.

If there is a woodland buffer beside both Dolphin and Powder Point, I don't see how the established residents would be affected by it, or even be aware of its existence.

Marj Wilkie

Mail to mwilkie@webtv.net  
www.bbcanada.com/490.html  
A stranger is a friend you've not yet met.

**From:** Carole Barker 1 [c.barker@shaw.ca]  
**Sent:** Tuesday, April 23, 2002 10:17 AM  
**To:** gholme@shaw.ca; Beetstra, Marion  
**Subject:** Fairwinds Development Concept

I would like to add my comments following the Community forum re. Fairwinds Development Concept.

**Provincial Issues.**

I object to the sale of Crown Land to a developer. Crown Land is owned by the people of BC and not the private property of the present government to sell without the peoples consent.

I feel the Stewart Road Property is ecologically more valuable than the "the Notch" property and worth saving.

**RDN**

The majority of Nanoose Residents do NOT want an expansion in urban growth. Many of us value local "Industries" such as Nanoose Edibles, safe food being an important issue.

A second golf course is value to just a few, jobs for just a few, but would enable Fairwinds to sell more houses. A few would benefit - the MAJORITY would lose by the loss of prime land which is of benefit to all residents.

A second golf course would be disastrous to Enos Lake. RDN should be ashamed that Fairwinds was ever allowed to buy the land round the lake and use it to water a golf course. Nanoose is not large enough to warrant 2 golf courses and most residents do not want this area to develop into a major tourist area - we have Parksville for that. We moved here for peace and tranquillity, not urban sprawl and chemicals.

**Fairwinds**

Fairwinds should use the land it has, not try to grab more.

**Other**

Re the Notch. I am not quite a senior. I have been up the Notch - once, and do not see it as a prime issue to obtain it for a Regional Park. As has been said, Nanoose is mainly a retirement community. It is too steep for many residents to climb.

Why does Provincial and local government not listen - NO means NO

Carole Barker  
1887 Rena Road, Nanoose Bay, BC V9P 9B1  
phone 468-5202



x9

Page 1

ALEX STIRLING

3020 ANCHOR WAY,

NANOOSE BAY, V9P 9G7

LANDING DEPT  
04-23-2002

RECEIVED

April 23, 2002

Presentation of Fairwinds Development Concept - April 15, 2002

Dear Sirs,

I support the acquisition of public land and construction of a golf course with the related housing around the golf course. However, it is critical that the RDN stick very close to all phases of this project to ensure all environmental issues are fully and properly dealt with, the semi-rural character of the area is preserved and the nature and needs of surrounding land is preserved.

I have serious concerns about the large area in the Fairwinds ~~Development~~ Development concept described as "Future Neighbourhood Centre". The proposed location with its size and content is inappropriate for the following reasons.

Buyers of homes in the Nanose Peninsula Peninsula do so with the fore knowledge that, although designated as an "Urban" area by the R&MP, RDN planning recognizes that overall, a semi-rural character is desired and, in fact, exists. Having made a choice to live in a semi-rural environment, most residents would not expect to have a grocery store, or medical centre or dental or legal centre etc. near door for easy access. Many, probably most, residents very comfortably use Nanaimo and Parksville for an array of shopping, medical/dental and other services. It is a small price to pay for a Nanose Peninsula to be preserved.

Page 2

with a semi-rural character. A large "Neighborhood Center" would destroy this.

Everyone uses the Red Gap shopping center to one degree or another. It is a valuable local service resource. The Quality Foods store at Red Gap is used by many for a small day to day needs with major grocery shopping being done at Nanaimo or Parksville. Simple observation indicates that this store is not an overwhelming economic success and the construction of a store in the proposed Neighborhood Center would, because of its relatively close proximity to Red Gap, draw substantial business away from the Red Gap. This would be devastating for the viability of the Quality Foods store which is a valuable local service resource. For this reason, the Neighborhood Center or the store services should be built further in the Nanore Peninsula and away from the Red Gap - possibilities might be the Schom's Cove area, the area near the existing golf club house or across the road from the new Fairwinds community centre.

The RDN planning department, when I phoned them, had no idea what was planned for the "Future Neighborhood Center" as identified in the Fairwinds proposal. In view of the size of the area allocated for this in Fairwinds planning map, I assume it includes the community plan use of 440 unit townhouse and apartments, senior citizens residence of 60 units plus retail, services and other commercial.

This concrete city would be a major blot on the semi-rural nature of this area. It would destroy the view for all existing homes located on Netch Hill above this

Page 3

proposed development and, because of the high level of this ground to be developed, it would probably cause severe run-off problems for sensitive areas at lower levels.

As an example of a more suitable area for this development, take the area across from the new community centre:

- this would be no destruction of view for existing homes.
- run-off would be less of an environmental problem.
- because of the steep hill, landscape on the peninsula, a senior's residence would be virtually a prison - no flat areas to walk. If it is built across from the community centre, the seniors could use the centre's facilities (e.g. swimming pool, gym etc) and have valuable social contact with other area residents.
- this location for a grocery store would compete less with Quality Foods at the Red Gap.

The concept of a senior's residence on the Nanos Peninsula should be rethought. Everyone would agree that it is a great idea to enable long term residents of the area to spend their final years among their friends. However, because of the peninsula's hilly topography, it would be very difficult for seniors to get around the area. The Home would become a prison. If such a residence must be built in the area, it would be better located on a golf course with its views and social activity, at Sehorn's Cove with views of the marina boats and people, or at the Fairwinds community centre which would provide facilities with immediate access and an opportunity to mingle with Nanos residents in a social environment. Preferably, in my own view, seniors would relocate to such as Nanaimo, Parksville or Qualicum Beach.

Page 4

where it is easier to find flat areas to walk and find established medical, retail and commercial services. That is what I plan to do in later years.

I would urge the RDN planning department to be pro-active in planning the location and content of a neighborhood center if one is essential. Without this, the developer, Fairwinds, will naturally "build out" its land in the manner which it sees as best serving its economic interests - as it should. This will leave an area for a neighborhood center which may be totally inappropriate or very undesirable.

Yours sincerely,

Ala Stirling

RECEIVED

APR 23 2002

REGIONAL DISTRICT  
of NANAIMO

RDN Nanaimo BC

April 23rd, 2002

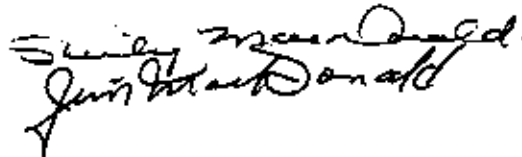
We note that you are accepting mail-in submissions re the proposed purchase of 174 acres of forested crown land by Fairwinds to construct a second golf course. We support this proposal and encourage Fairwinds in this expansion plan.

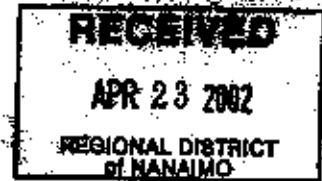
We attended the meeting at Nanoose Place last Monday night and listened to the various speakers register opposition to the proposal and perhaps some of the comments had some credibility but in most cases it came out loud and clear that that many of the speakers own property and are living in Nanoose and now they want to close out any further development. Quite a selfish attitude indeed. We believe that the current golf course in no way detracts from the natural surroundings of the community, rather it provides a blanket of green space which co-exists nicely with the forested areas. A retirement community has already been established in Nanoose and a second golf course course will provide an additional amenity for the community.

The press reported that the meeting strongly supported opposition to the expansion plan—this is not necessarily correct. It was obvious that some of those who oppose the expansion plan had rallied several of the speakers to speak against it. Many of us were there to gain a better understanding of the Fairwinds proposal.

Submitted by

Shirley and Jim MacDonald  
3581 Outrigger Rd.  
Nanoose BC  
V9P 9H3





RDN PLANNING DEPARTMENT

We STRONGLY OPPOSE the Fairwinds Development Proposal for the following reasons -

IF Crown land MUST be sold, it should always be offered first to local communities with priority to environmental projects. The process should always be PUBLIC, OPEN & TRANSPARENT.

A GOLF COURSE IS NOT "GREEN SPACE": it is a major polluter in its use of chemicals and machines; it uses large amounts of invaluable water; it attracts large numbers of vehicles adding to pollution by exhaust, noise and space [i.e. road and parking] misuse.

The proposed "green spaces" are largely areas long ago promised by Fairwinds but never ceded. Fairwinds is therefore not to be trusted. Their statement that they intend to build no new housing is nonsense: they would not invest large capital sums for the purchase of ~~land~~ and then ~~build~~ only the number of houses already approved in the first phase.

The proposal of a shopping mall is insane. It would in and of itself destroy the character of the peninsula. It is totally unnecessary given the shopping available in the immediate area; e.g., Red Gap, Craig Heritage Centre, Lantzville, Parkeville, Woodgrove-Woodgrove, *Rutherford, Mutual Rd. etc.*

The <sup>areas</sup> proposed [i.e., around Notch Hill and Enos Lake] are grossly insufficient for the present, and even less for the future. The "economic benefits" stated are very much overestimated. A simple calculation will show that only a limited number of minimum wage jobs will be provided, and inevitably, the majority of the purchases made by the developer will be made out-of-area and largely off-Island.

Nanosee is one of the few areas of successful agriculture and of [semi-]rural living on the Island. It is therefore too precious to be frittered away for the private profit of private distant developers. We who live here do so precisely BECAUSE IT IS NOT just like Nanaimo or North Vancouver.

*No MEANS No*

*E. Cowan Well*

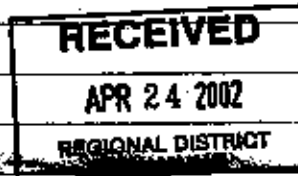
*Sandra E. Cowan Well*



1411 Dorcas Pt. Rd  
Nanook Bay, AL  
399 984

April 22, 2002

Mr. Bob Latham  
General Manager  
RDN Development Services



Dear Sir:

Re: Fairwinds Proposed  
Acquisition of Crown  
Land to put in a second  
golf course

This is to place on the record this  
person's (and his wife's) feelings  
on the current squabble out here  
in the back forty.

We both have walked through the  
Crown Land in question and, while  
we applaud the effort at selective  
logging, it is our considered  
opinion that the highest and best  
use of this property would be for  
a residential development of the  
same quality as the present Fairwinds  
one provided a minimum ten acres

of a park is reserved around the  
Garry Lake at the top of the rise

The economic benefits of such a  
development cannot help but far  
outweigh that obtained from a  
wood lot. We need the Lake  
base!

Neither of us are golfers and we  
know nobody involved in the  
ownership or management of the  
Fairwinds Corporation.

Some of our friends are particularly  
emotional on this issue.

Yours very truly

John Gray  
~~John Gray~~



**RECEIVED**  
APR 24 2002  
REGIONAL DISTRICT  
OF NANAIMO

Mr. George Holme  
Director of Nanosee  
Chairman of the Nanaimo Regional District  
6300 Hammond Bay Road  
Nanaimo B.C.  
V9T 6N2

Ken & Deb Collingwood  
2516 Richard Place  
Nanosee Bay, B.C.  
April 20, 2002

Proposed Fairwinds Development Concept.

Having attended the community update meetings on April 2 and on April 22 2002 concerning the above proposal we feel compelled to write to you and express our complete opposition to the concept and any consequential amendment to the existing Official Community Plan for this area.

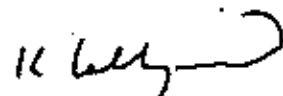
Frankly we are appalled that having just recently finished the community plan for the Nanosee area following an intensive public consultation process our elected board believes that it needs to go back with this new proposal. This is an affront to all of us that participated and put our personal time and energy into the creation of the existing plan.

As our representative on the Regional District we want to state in unequivocal terms that we expect you to turn this concept down and spare us the tax payers the burden of a renewed round of consultation to amend the existing plan.


Frankly George, I hope you were misquoted in the Nanaimo Daily News when you inferred you did not know how the majority of the 350 residents in attendance felt. I was there and there is no possible way one could not have known that the overwhelming majority of Nanosee property owners are in opposition to this proposal.

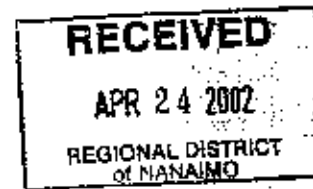
We will be watching with great interest how you vote when it comes up for a formal vote.

Sincerely

  
Ken A Collingwood  
RPF

  
Deborah J Collingwood

Cc:   
Eric Smith, President of the Nanosee Residents Association



April 22, 2002

Mr. Bob Lapham  
General Manager RDN Development Services  
Regional District of Nanaimo

Dear Mr Lapham

Re: FAIRWINDS APPLICATION TO OBTAIN CROWN LAND

As I was unable to attend the Public hearing held in Nanoose Place of April 15th I am sending this letter to you to express my support for the concept of a second golf course at Fairwinds.

I have owned property on Dolphin Drive since 1963 and currently live in the Garry Oaks area of Nanoose Bay.

Over the years I have watched the area develop and expand, and to me what has always been important has been the quality of the expansion. I am convinced that the Nanoose area's destiny lies in the development of recreation and residential facilities but at the same time ensuring that the ecologically sensitive areas are protected.

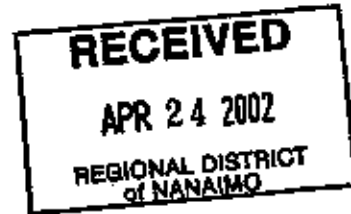
The arguments which I have heard opposing the project are often biased, narrow and in certain cases unproven ( Pesticide and insecticide contamination ).

It would appear that my opinions are those of a small minority but I wish to express them anyway.

Yours truly

A handwritten signature in cursive script that reads "Dr. Harry W. Webster".

Harry W. Webster



2367 Evanshire Crescent  
Nanoose Bay, B. C.  
V9P 9G7

April 23, 2002

Regional District of Nanaimo  
Planning Department  
6300 Hammond Bay Road  
Nanaimo, B. C.  
V9T 6N2

Dear Sirs:

Re: Proposed Fairwinds Development

We are residents of the Fairwinds Community and attended the meeting at Nanoose Place on Monday, April 15, 2002 regarding the subject development. Many of those in attendance at the meeting were negative toward it. We believe that they wish only to maintain the status quo at any cost. They tend to be very vocal.

We are in favour of this development, as we believe that it can only enhance this area of Vancouver Island and does not pose a threat to the existing way of life for Nanoose Bay residents.

We believe that 3536696 Canada Inc. (the "Developer"), the owner of the Fairwinds development lands, is a substantial company with sufficient assets and the necessary expertise to carry out the development of its remaining undeveloped lands in a responsible manner. This will be a benefit to all present and future residents of Nanoose Bay. One need only to look at the beautiful new recreation centre the Developer has built to appreciate the quality of its endeavours.

It is important to recognize that whether we like it or not, our economy is changing and will doubtless continue to change over the years. Traditional means of employment are disappearing and new ones must be found to replace the jobs lost to such change. Vancouver Island residents of working age need new means of employment. The demographics of an aging population indicate that many people will want to move to this area in the foreseeable future and they will want the recreational communities that the Developer is able to provide. This will translate into ongoing employment for many non-retired Nanoose Bay residents.

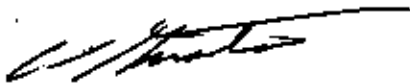
We have walked through portions of both the Crown lands, which the Developer wishes to purchase, and Notch Hill. We believe that Notch Hill is admirably suited to parkland and that the Province is fortunate to have the opportunity to purchase it. On the other

hand, the Crown land has little to distinguish it from countless other areas all over Vancouver Island and, indeed, the Province. We believe that there is no valid reason why it should not be sold to the Developer for inclusion in a future golf course. We do not believe that there will be any negative effect on Nanoose Bay residents, provided care is taken to ensure that runoff from the golf course does not contaminate the Nanoose Edibles land. Surely, with modern golf course management technology, the integrity of the farmland can be ensured.

A new golf course will not displace existing wildlife. We live on the first Fairwinds Golf Course and are surrounded and, at times, almost overwhelmed by a wide variety of wildlife.

We believe that the residents of Nanoose Bay are fortunate to have the opportunity to have such a beneficial enhancement to this area and that it should be permitted, and indeed, encouraged to proceed.

Yours truly,



Clarence S. Gustavson



Dauna F. Gustavson

PLANNING DEPT

-04- 24 2002

RECEIVED

1268 Seadog Road,  
Nanoose Bay, BC  
V9P 9C1  
April 22, 2002

Mr. Robert Lapham,  
Manager, Developmental Services,  
Regional District of Nanaimo,  
6300 Hammond Bay Road,  
Nanaimo, BC V9T 6N2

Dear Mr. Lapham,

---

I have attended the recent public meetings to learn more about the latest Fairwinds proposal to purchase the 174 ac Crown block for purposes of developing a second golf course and additional housing lots.

The natural beauty of Nanoose Bay's forested lands and spectacular coastline attracted our family to the area in 1958. One year later we built a cottage in Beachcomber and today we live nearby that same property some 44 years later.

Once again I have to make my voice heard in opposing this latest proposal. In my opinion, a golf course is no substitute to natural forested land that is the home to wildlife and is easily accessible to the public.

I have walked through the Crown Block many times over the years and know it very well. On two occasions I have helped draw up hiking maps to assist people in getting around the block. It possesses some unique and valuable ecological features that would simply not be the same if covered over by golf course fairways and private residences.

Instead of changing the GMP and UCB, I recommend that Fairwinds should be encouraged to develop the land they presently own. Crown land in Nanoose is a precious commodity that cannot be replaced. Let it stay that way.

---

Yours truly,



Sydney Lee

cc: Mr. George Holme, Area E Director

PAGE  
181

April 25, 2002

Planning Department RDN  
NANAIMO, B.C.

PLANNING DEPT

-04- 25 2002

VIA FAX (250) 390-7511 RECEIVED

Community Comments, Fairwinds Development Concept  
[Presented at Community Forum, April 15, 2002, Nanoose Place, Nanoose Bay]

First, we protest the fashion in which this concept was initially made public to the community, that is to say, a one-half hour presentation on April 2<sup>nd</sup>, 2002, scheduled only at the last minute and in response to a community demand - not as part of an appropriate public consultation procedure.

The RDN published erroneous and misleading information in its GMP review process of the same applicant's proposal to have the Urban Containment Boundary amended, an amendment considered for the sole purpose of facilitating the aforesaid Development Concept. That review process was flawed, in contravention of the *Local Government Act* and should be started again, as part of an appropriate public consultation process.

Now, the community is expected to respond and give comments within a deadline only 11 days after a properly convened community forum and less than four weeks following the date the proposal was first made public. The RDN negotiations with Fairwinds commenced well over one year ago. The expectation that "public consultation" conducted in a fraction of that time can be held to be valid is absurd.

In addition to the foregoing, our comments on the Fairwinds Development Concept include the following:

**Provincial Issues:**

- The Province is acting in conflict. The corporate entity acting as buyer has Directors who are also Directors of the seller.
- Not all Provincial Ministries approve of the concept; in fact the Ministry of Forests is opposed. At the April 15<sup>th</sup>, 2002 Forum and in previously published correspondence and documents, Mr. Hagen's Ministry and representative thereof lead the community to believe that the Provincial Government fully supported the Concept. This is a lie.

**RDN Issues:**

- Further to our opening remarks, the RDN must take responsibility for its flawed public consultation process. The RDN is not acting in the best interests of the community, but in the interests of gaining a larger tax base.
- The RDN has failed to use the parkland acquisition tools provided for in the Nanoose Bay Official Community Plan and the *Municipal Act*.
- The RDN is acting in direct contravention to its stated position vis a vis the "Crown Land" in its Parks Plan (published July, 1995).

**Fairwinds Issues:**

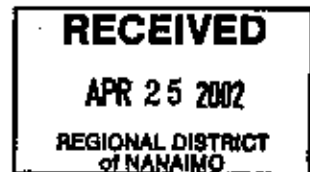
- The original development was approved by the community on the basis of a published and promised intent to set aside the ecologically sensitive portion of the Notch and areas surrounding Enos Lake and Enos Creek as park or undeveloped space.
- Fairwinds has and is using the Region's desire to acquire the Notch as a blackmail tool for the sole purpose of extending its holdings outside an established Urban Containment Boundary.

**Other:**

- We oppose the Development Concept and express our strongest censure of same.

ANTONY E.A. AUSSEM and DIANE AUSSEM  
3458 Blueback Drive, Nanoose Bay, B.C.

3370 Redden Road  
NanOOSE Bay, BC  
V9P 9H4  
22 April 2002



George Holme, Chairman  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC  
V9P 6N2

Dear Mr. Holme,

As a resident of the Nanoose Peninsula, in your electoral area, I wish to advise you of my personal views regarding the controversy surrounding the proposed development of DL 137.

While I am not opposed to development, per se, I have definite opinions about the way in which this matter was presented to the public, including myself. It would appear that meetings with Fairwinds, the Province of BC and the RDN were conducted behind closed doors last fall and that explicit encouragement was offered prior to any consultation with the residents of the peninsula. I find this particularly distasteful, especially since the residents had been encouraged to devote untold hours to an Official Community Plan over the past four or five years. It is, in essence, thumbing one's nose at all of those efforts. It demeans the process of community involvement and does nothing to develop the trust of the taxpayers.

At the RDN Board meeting, 2 April 2002, there were two or three landowners who made presentations asking for consideration of their plans for minor developments of their properties. It is highly unlikely that these individuals received anywhere near the encouragement or assistance that appears to have been lavished on the Fairwinds proposal. I understand that 'money talks'; however, I would like to believe that in a democracy such as ours, that there would be greater efforts in trying to address the expressed wishes of the citizens/taxpayers than simply catering to the visions of large taxpaying companies. In this day and age, most organizations are trying to adopt a more transparent approach to governance; it is a worthwhile goal for us all.

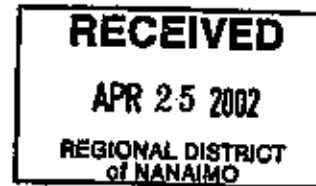
Yours truly,

*Original signed by,*

Gordon Buckingham

⇒ Cc: Robert Lapham, General Manager of Development Services

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April 21, 2002

1855 Stewart Road  
Nanaimo Bay, B.C.  
V9P 9E7

Attn: Mr. Bob Lapham  
General Manager  
RDN Development Services  
Nanaimo, B.C.

Dear Sirs

**Re: Proposed Fairwinds Development, Nanaimo Bay.**

We wish to urge your consideration of the above proposal of which we are fully supportive. Vancouver Island is increasingly dependant on tourism and we feel this proposal can only assist the economy and provide much-needed jobs.

We listen to the near sighted members of the property owners association and although we realise that they do not wish to disturb their retirement living, the future for other generations must be considered in the planning decisions being made in this regard. As residents of Stewart Road, we would ask where have all these association members been during the last five years when we have cleared garbage from the crown land that people are too lazy to take to the designated landfill site? A piece of private property currently abutting crown land is the current dumping ground and no one has been heard in this regard. However, as we never see any people taking leisurely strolls through the lands we suspect they are totally unaware of this.

Fairwinds are a good neighbour and it is a pleasure to see the care in which their property is maintained. We hear great accolades for the new community centre just built by them, presumably NPCA will not be using this facility.

Sincerely,

*J. Raines*

D. A. L. Raines



From: Evelyn & Douglas Macpherson [demacph@shaw.ca]  
Sent: Thursday, April 25, 2002 3:52 PM  
To: Beetstra, Marion  
Subject: Sale of D.L. 137

We attended the meeting at Nanoose Place last week and are strongly opposed to the sale of D.L. 137 to Fairwinds Development Corporation.

D.L. 137 should be purchased by the R.D.N. for a park. Notch Hill is a poor trade for this property. Notch Hill is used at the present time by hikers, but there are many elderly people who live in this district who are unable to use it. Fairwinds obviously thinks it's too difficult to develop and want to get rid of it.

Fairwinds has supposedly installed parks (with the exception of Brickyard Bay) most of it is land Fairwinds couldn't develop. We have walked along the 12th and 13th Fairways—one is just a road and the other is impossible to hike. Both are just a strip of land and really unusable as a park. There is also a 'park' on Carmichael Road – it is a strip about 15 ft. wide and then a straight drop of rubble rock to Fairwinds 16th Fairway—what on earth can that be used for? But it is designated 'park' and the area is included in 'paddock'.

We vote NO to the sale of D.L.137 and the purchase of Notch Hill.

Evelyn and Douglas Macpherson  
Fairwinds Residents

Evelyn & Doug Macpherson  
demacph@shaw.ca

From: Evelyn & Douglas Macpherson [demecph@shaw.ca]  
Sent: Friday, April 26, 2002 1:14 PM  
To: Beetsra, Marlon  
Subject: COMMUNITY COMMENTS - FAIRWINDS DEVELOPMENT CONCEPT.

### PROVINCIAL ISSUES

We are not in favor of the Fairwinds Development Concept and its application to purchase some 71 hectares of D.L. 137.

According to the O.C.P. Bylaw 1118 Map 4 it appears that some 50% to 60% is a forest ecosystem with a dominant age class in excess of 100 years, coniferous, with broadleaf component in excess of 15%. This old forest is a significant portion of the remaining land in Nanoose in this classification, and as such should be excluded from development and remain a protected area.

### RDN ISSUES

We are not in favor of the Fairwinds Development Concept.

We are very familiar with Fairwinds campaign in 1997-1998 to obtain land in D.L. 137 for a direct swap of the Notch Hill land. We receive that proposal as being an attempt, like this present one, of obtaining premium land for land they did not want. We also felt or suspected there was an atmosphere of secrecy and back-room deals and a hidden agenda. That entire campaign was conducted by the Fairwinds Ad Hoc Committee on a platform of misinformation, deceit and fear.

We are convinced, due to the subsequent purchase of the Fairwinds lands in early 1999 by Origin Adult Communities, that Origin Adult Communities were using the Scott consortium and the Ad Hoc Committee in an attempt to procure the D.L. 137 land prior to the completion of the sale.

So in our thoughts the present Fairwinds proposal is Origin's second attempt to obtain land they fervently desire for land they do not want.

If there is no way to stop the provincial government from selling the land to Fairwinds it is incumbent upon the RDN to flatly refuse to amend the O.C.P., rezoning, or approve any other necessary amendments to allow Fairwinds to develop the property --- unless they give the Notch Hill property to the Regional District. The citizens of the District should not be forced to pay for the purchase of the Notch Hill land.

For some reason the Fairwinds Development was approved without the very basic prerequisite of having a proven water supply. In the early summer of 1994 full crisis water management restrictions were put in force because the reservoir was closed to running dry --- and at that time there was probably on 150 dwellings developed. Disaster was averted by the District going off site and tapping into the well at the Fire Hall. Yet we are still talking about a development plan of 2500 single family residences, plus commercial centers, schools, churches and recreational facilities. It is absolutely mad to believe that, regardless of additional water from the Englishman's river system, there is sufficient water to supply a projected population of perhaps 7500 to 10,000 and that population concentrated on approximately 500 hectares.

Sewage Treatment: To our knowledge the question of a proper (more than primary) sewage treatment plant has not been addressed. Surely the Region cannot continue to allow, let alone support, a development of an urban area of 2500 residential units without a guarantee from the developer to build a sewage plant with at least secondary treatment technology.

Information Meetings: The present, or at least the last informational meeting, method of disseminating information is inadequate. There is no way the volume of information can be digested, and evaluated, when that information is confined to a slide show and barely understandable commentators using a poor P.R. system forcing people to take notes, watch the slide show and try to hear muffled explanations all at the same time.

All the charts, maps, printed information should be printed and distributed to those in attendance. Furthermore, speakers should read from written scripts and all those scripts be copied and distributed. There should be no information given that is not

supported by written, or rather printed, material distributed to the audience prior to the commencement of the meeting.

**Enos Lake:** Believe Fairwinds is using Enos Lake water to irrigate their golf course. Can Enos Lake provide sufficient water to irrigate two golf courses without imperiling the Lake by drastically lowering water levels? Who is responsible for the Lake water levels?

**Fairwinds Issues:**

- Fairwinds should not be allowed to use fire hoses connected to fire hydrants to wash down parking lots at their various locations e.g. the golf course clubhouse, hotel and now the community center
- they should demonstrate a concern for our local wildlife and not be engaged in such activities as trapping and killing the otter for spurious reasons. It appears they are also trapping other animals, probably raccoons, judging from a trap on the golf course baited with dog food. I cannot imagine why they would be engaged in trapping raccoons.

Evelyn and Douglas Macpherson  
Fairwinds Residents  
e-mail - demacph@shaw.ca

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Evelyn and Douglas Macpherson  
Fairwinds Residents  
e-mail - demacph@shaw.ca

16-02 FRI 02:33 PM

FAX NO. 250 248 8972

P. 02

FAIRWINDS DEVELOPMENT CONCEPT ~~75/0:~~

APR.

COMMUNITY INPUTPROVINCIAL ISSUES

As I write to voice my opposition to the "Fairwinds Development Concept," I remain confident that the provincial government will have quashed the proposal under conflict-of-interest guidelines. (letter sent to Premier, Apr. 13/2002, outlining directorship of 3536696 Canada Inc.) If this impropriety is not sufficient, then perhaps the following points need to be considered.

The new government of B.C. had a unique opportunity to end the cycles of scandal that have driven several successive administrations out of office. B.C. needs the healing that will come as public confidence in government is restored. Most citizens regard provincial custody of crown or public land as a sacred trust, which, if broken, will brand the govt. as simply a business conspiracy. Capitalism's need for unending expansion, if unchecked, will lead to total consumption of the planet. Fiscal responsibility in an administration is admirable, but not at the cost of unfettered expansionism, not at the cost of public confidence, and most certainly not at the cost of its sacred trust as custodian of public domain.

Do not plunge British Columbians into another era of ill will and betrayal.  
Do the right thing!

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RDN / FAIRWINDS

In addition to the following more locally specific issues, the following comments for the provincial level may well have application regionally as well.

Such a sweeping change to Area "E" OCP as proposed in the "Fairwinds Development Concept" should involve nothing less than a full blown referendum. This is especially true as we see the length of time our regional government has known of the proposal and the relatively short time allotted for community input.

As a resident of "the other Nanossee Bay," I sincerely hope that Fairwinds proceeds rapidly toward municipal status and disassociates itself governmentally from the predominantly rural regions of "old Nanossee." Largely in response to the urban values of Fairwinds, an ever increasing burden of bureaucracy is carried by those of us outside the "containment boundary," where our "rural integrity" is compromised by urban modelled bylaws and Fairwinds slanted zoning. As Fairwinds' current holdings are developed to full capacity, its proponents will be assured of demographic superiority in matters of political will. Heaven forbid that the characteristics of land tenure found in Fairwinds should be allowed to spread any further.

Fairwinds has already been given more than enough by the original community. "The Notch" and "Hones" have are landmark natural features which definitely should be protected from the threat of development. However, they should not be allowed to become pawns in a game of land swap chess where the only losers are the rank and file electorate of the "other Nanosee". Instead, these lands should be expropriated (for fair market value plus), and decided as community parks. As resident and landowner, I am more than willing to pay for this acquisition through taxation, whether by one-time levy or periodic parcel tax. Local government has only to look at the tremendous attendance at the community forum and the preponderance of opposition expressed, to know that this option is worth exploring.

#### OTHER

- Privatization of Crown Lands invites the abandonment of environmental guidelines. The long established practice of leasing and licensing is much more appropriate.
- The Nanosee peninsula has been adversely impacted by golf course related chemicals, watercourse disruption, and destruction of wildlife habitat already.

- The monoculture of a golf course is no substitute for the biodiversity of a rare type of natural woodland.
- Golf courses serve the concept of "greenspace" only in terms of colour.
- The community and its government(s) should resist any initiative which tends to increase socio-economic stratification.  
i.e. I can enjoy a walk through the subject property for free, but will only be able to do so if I can afford the "greens fee" after Fairwinds' expansion.

Thank-you for your consideration of our comments.

Don Hewitt

DON HEWITT

AND

KATHERINE ZIMMER

BOX 11, NANOOSE BAY.

**Regional District of Nanaimo Planning Department**  
**27/02**

**April**

**I live in Nanoose Bay in the Fairwinds Community. I attended the RDN information meeting at Nanoose Place on Monday April 15 and was greatly disturbed by the hysterics, bias and misinformation by several of the community speakers. The animals, birds, reptiles and insects, etc. mentioned are not unique to the acreage in question but can be found in and around wet areas and open land in many areas in Nanoose Bay, including the present Fairwinds development and golf course.**

**It appears to be the intent of the government to sell this parcel of Crown Land. Recently, I golfed at Cottonwood Golf Course, just south of the Cassidy airport. I saw copious wild flowers blooming along the fairways and stream and many species of birds seemed to enjoy this environment.**

**With a strict environmental code and a watchful eye to protect the Nanoose Edible property, a golf course seems a plausible use of this land. I have hiked in the logged areas between NW Bay Road and the main highway and it is not a pretty sight! Groomed hiking trails and a golf course would be a much more desirable option.**

**Submitted by Lois MacKenzie**



From: Dave & Sue Constable [seacrest@nanaimo.ark.com]  
Sent: Tuesday, April 23, 2002 6:31 PM  
To: Beetsra, Marion  
Subject: FAIRWINDS PROPOSAL

David J. Constable 1525 Dorcas Point Road Nanoose Bay BC V9P 9B4  
Tel: (250) 468-7336 Fax: (250) 468-7399 E-mail: seacrest@nanaimo.ark.com

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2002.04.22

Re: May 15<sup>th</sup> meeting at Nanoose Place regarding the Fairwinds Proposal

Dear RDN:

We, David and Susan Constable, of the above address, hereby notify the Board of our displeasure and disagreement with both the political process your members allowed and followed and the Fairwinds proposal itself, for the following reasons:

- a) the political process was found to be far too secretive – excluding members of the Public. If the system allows this secrecy then it needs changing. It is not sufficient to say that a system was followed if that system permits dismantling or surpassing the democratic process. The process must be transparent and seen to be transparent. We understand corporate secrecy in the beginning stages, such as land parcel assembly, but draw the line at secrecy being observed when the process reaches a public body.
- b) if Mr. Stan Hagen, as an MLA, feels so positive about this proposal, as was stated in his letter to George Holme, let him define what was so positive; or, was he merely commenting on all the work that had gone into the proposal itself?
- c) some of those involved in the process (pension monies and the governing board) apparently are in a conflict of interest situation, as was pointed out in the newspapers and by more than one speaker, especially Mr. Sawchuck, the first speaker. If there is no conflict of interest, you are beholden to your constituents to prove, beyond all doubt, that none exists. The Public has a right and need to know the identities of all the principals involved.
- d) some of the speakers, especially those from Fairwinds management, seemed to get their figures jumbled easily, especially when it came to large numbers of houses and millions of dollars (Mr. Alastair McLean mixed up 250 and 2500 houses, \$2.2 million and \$200 million, and huge payroll figures totally out of keeping with the size of the operation – we guess that throwing large numbers about helps to confuse the Public) while some of the government speakers were noticeable for their lack of public speaking skills (do these people not know that we, the Public, know how to read?). Do they know the difference between speaking and communicating? It is a difficult, but necessary skill to learn for people in their positions.

If people in these positions are confused about basic details of their own operations in their so-called fields of expertise, how can we place any stock in what these self-styled experts have to say? The only head-table speaker that made any sense and spoke, for the most part, in plain English, was the woman who had done the topographical survey of the Crown land's 170 acres. The man from the Water Department of the B.C. government left us in the dark and Bob Lapham needs to learn to convey his ideas in plain English instead of

4/29/2002

using such terms as "lot yield". The use of working vocabulary in a public venue only serves to exclude others.

Another weakness was the constant use of the passive voice, e.g. a committee was struck..., a process was initiated..., discussions were held..., evidence was found..., etc. The passive voice allows politicians and developers to avoid personal accountability. To be accountable one must use the active voice, e.g. we struck a committee..., I(we) started the process whereby..., we discussed..., our committee found that..., etc.

- e) we have met people who live in Fairwinds who are against the project (one spoke at the meeting) who have said that Fairwinds management can't be trusted to keep their word.
- f) Fairwinds management is generally uncommunicative and has made comments, especially regarding the construction of their new community centre, that tend to segregate the Nanoose Bay community,
- g) the annual fees for the new Centre are not only two-tiered with Fairwinds residents, who generally have above-average incomes, paying substantially less than non-Fairwinds residents who, I understand, must come up with a sizable lump-sum payment which many cannot afford (more segregation?),
- h) Fairwinds should not expand until they have nearly used up the land and lots they have – imagine if you had a half-empty store and you decided to expand – would that be a good decision?
- i) Fairwinds should not be allowed to use Crown land that is ecologically sensitive – if they should be allowed to use Crown land at all,
- j) promising a green belt or buffer zone around Enos Lake, we believe, should occur through the development process and not through negotiation or a land-swap. Doesn't every developer have to leave 5-10% of his land as public park space? Should not this lake receive proper environmental protection?
- k) the top of the Notch, as we understand it, is already a park or an ecologically "safe area" – why is it being swapped (see "j" above)?
- l) the problem seems to be one of greed, not of the public good. One Fairwinds resident lamented to us upon hearing of some logging occurring on one of the smaller islands, "When will all the cutting stop?" while at the same time being in favour of Fairwinds getting the Crown land – and cutting on it - we guess it's a matter of priorities, isn't it?
- m) part of the problem in communication may be that of wealth. People of different socio-economic levels probably can't easily imagine the lifestyle, wants, and needs of those in a different level, especially many levels removed. The aforementioned annual fee to the new community centre is greater than some people's monthly rent or food bill, while at the other end missing a golf game or social event is a major issue,
- n) this area has, already, enough golf courses, with their attendant tonnes of fertiliser,
- o) the "job-creation argument" is spurious. Very few full-time jobs will be created – just like the present, where most of the jobs are seasonal and part-time,
- p) it's a minor tragedy that local people in those jobs could not normally afford to play golf at Fairwinds – more segregation,
- q) no one has successfully explained why Fairwinds "needs" more land and another golf course. We keep asking, "Why? To what end?" Do they need the cash flow? Are they in a "deficit financing" mode? The pace of development, we've heard, is behind schedule.

4/29/2002

The only fair and just way to determine the Public's wishes is to have a referendum with a minimum 60% majority (or more, considering Crown land is involved) needed to win.

The RDN Board has had the Public's trust diminished by the perception of its actions and its seeming to side with the developer. If this deal goes through by any process other than the electoral process, then democracy has not been served and the privileged gain at the Public's expense.

Please do not misinterpret the Public's relative quietude as apathy (the short lead-time for the April 15<sup>th</sup> meeting caught many off-guard), for beneath this superficial politeness lies a quiet but firm resolve. You, as members of the Board, must exert maximum effort in all your endeavours to win back our trust and to show that you truly represent the citizenry and not just the large corporations. Only action on your part to remedy this situation and perception will allow Nanoose Bay to become the united neighbourhood it deserves to be -- not a conglomeration of socio-economic nodes.

Sincerely yours,

David and Susan Constable

1268 Seadog Road,  
Nanoose Bay, BC  
V9P 9C1  
April 22, 2002

Mr. George Holme  
Chairman and Area E Director,  
Regional District of Nanaimo,  
6300 Hammond Bay Road,  
Nanaimo, BC V9T 6N2

UP NANAIMO

APR 24 2001

CHAIR	<i>[Signature]</i>	GMI
CAO	<i>[Signature]</i>	GMI
GMCMS	<i>[Signature]</i>	GME

Dear George,

Once again I have been put on the defensive when it comes to the latest Fairwinds proposal.

I was a member of the NPORA Parks and Greenspace Committee almost ten years ago when I first encountered the "Swap" as it was called it then. The questionnaire that we placed in the mailbox of every residence indicated that approximately 75% were opposed to the Swap. This time it is an outright purchase of the Crown Block that is proposed but with the same end result; we would lose a valuable piece of forested land with its unique ecological features.

Crown land is a scarce commodity in the Nanoose Peninsula as it is elsewhere on the East Coast of Vancouver Island. We should take steps to ensure that the Crown block stays as a Shelterwood Forest that provides a refreshing greenspace and a home to wildlife. I remain strongly opposed to the sale of the Crown Land.

At the most recent public forum, allegations came forward concerning the way in which this proposal emerged. The RDN and yourself came under attack for having important in-camera meetings, the content of which came to the public's attention only days before critical decisions were to be made. You did not have the opportunity to address those criticisms.

I found this in-camera business hard to take, George. I have admired your way of doing business over the many years you have represented Area E and as Chair of the RDN. What puzzles me most that this Fairwinds proposal seems to have been accepted at the administration level without the residents of Nanoose Bay having any input until recently. Why was this allowed to happen?

At the April 15<sup>th</sup> Public Forum there were at least 350 concerned people in attendance. Here was an ideal opportunity to poll those present to find out how they felt about the proposal. Dianne Aussem attempted this. Why didn't Mr. Stanhope ask for an indication by hands right then and there? My concern is that not all the residents will have an

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opportunity for input. We have had referendums on the Ravensong Pool, the Arrowsmith Dam, etc. Surely this issue is worthy of such attention through a referendum.

Finally, there was mention of a conflict of interest concerning the possible sale of the Crown Block. This came to the front just a day or two before the Forum. Eric Smith briefly touched on this at the meeting. I would like clarification on this. Is it true or not? If it is, then that puts a completely different slant to the whole matter of the sale of the Crown Land.

Yours truly,



Sydney Lee

3427 Simmons Place,  
Nanoose Bay, B.C.  
V9P 9J8

April 22, 2002.

Mr. George Holme,  
Director, Elector Area "E" &  
Chair, Regional District of Nanaimo,  
6300 Hammond Bay Road,  
Nanaimo, B.C.  
V9T 6N2

Dear Mr. Holme:

The purpose of this letter is to clearly state that myself and a lot of my neighbours support the sale of the 70 hectares of Crown land to Fairwinds.

After working with the "Rainbows" organisation in Parksville, as part of a program to help children cope with the problems in their lives, it is abundantly clear that economic growth and development is essential in this area. Employment is an essential part of keeping families happy and together.

While the "side-show" created by a large number of the speakers at the April 15<sup>th</sup> meeting created the impression that everybody in the community hall was against the sale and the enlarged urban area, this is just not the case. The silent majority understands that a carefully planned urban area and another golf course will provide economic growth and a tax base to support the overall needs of the entire Regional District of Nanaimo.

The orchestrated speech by an eleven-year-old child may have a different impression if everybody asked where he would find work in this area in 10 to 15 years. You must also realise that NPORA does not represent everybody in the area, that is your responsibility.

However, at the same time or before the enlarged, envisioned development takes place:

- A better access road to the Fairwinds community should be built, by extending Schooner Cove Drive. This would take the traffic and related noise away from roads like Dolphin Drive, which were never designed for their current use.
- Designate the green spaces along Dolphin and Enos Lakes with proper trail access.
- Protect the upper, South-east side of Notch Hill

Thank you for taking my thoughts into consideration,  
Sincerely,



James Sinclair.

Cc. Judith Reid, MLA. 101-191 East Jensen, Parksville, B.C. V9P 2T9

APR 25 2002

CHAIR	<input checked="" type="checkbox"/>	GMCrs
CAO	<input checked="" type="checkbox"/>	GMDS
GMCm8	<input type="checkbox"/>	GMES

The Editor  
 The Link Community News  
 P.O. Box 159  
 Nanoose Bay, BC V9P 9J9

APR 25 2002      April 16, 2002

CHAIR	<input checked="" type="checkbox"/>	GMCrs	<input checked="" type="checkbox"/>
CAO	<input checked="" type="checkbox"/>	GMS	<input checked="" type="checkbox"/>
GMCms	<input type="checkbox"/>	GMES	<input type="checkbox"/>

Dear Editor:

I would like to provide some information related to the ongoing "Fairwinds Proposal" debate that will hopefully provide some context from a broad ecosystems perspective. I hope I can help ensure that the decisions made about this are done so with some understanding of the ecological issues. So far I have not really heard anyone discuss the values of the Crown forest patch from a wider regional perspective.

I'll start by briefly describing the ecological zone in which the Nanoose Bay area is located. Forest ecologists have classified the province into fourteen ecological zones. These zones are large geographic areas that share similar climates and vegetation. They are termed biogeoclimatic zones, which as the name implies, consider and classify the biology, geography and climate of an area. The Nanoose Bay area is within the Coastal Douglas-fir Biogeoclimatic Zone (CDF). This zone encompasses a narrow strip of land along the East Coast of Vancouver Island from Denman Island south to Victoria, including the Gulf Islands. The CDF is also found on the mainland along the Sunshine Coast in the Powell River and Halfmoon Bay areas and includes the Richmond to White Rock area. In its natural state, this zone is dominated by Douglas-fir forest. Sheltered by the rainshadow of the Vancouver Island and Olympic mountains it enjoys probably the finest climate in Canada. The long dry summers are a major factor in its ecology.

In the drier and rocky areas the CDF contains a unique and sensitive group of parkland/woodland ecosystems collectively called Saanich ecosystems. They are characterized by Garry oak and arbutus trees, found no where else in Canada. This area is the northern limit of these more southern tree species. The Garry oak parkland ecosystem is probably the most unique in the zone and contains a number of rare and endangered plant species. It also contains probably the most endangered plant community in the province.

The CDF is the most heavily developed biogeoclimatic zone in the province and thus it is also the most threatened. This is primarily due to suburbanization resulting from the fact that most of it is privately owned. Approximately 30% of the original forest land base has been converted to alternative non-forest uses (malls, parking lots, housing, farms, golf courses, etc.). Much of the remaining portion has been industrialized (short rotation management) and fragmented. Also because of private ownership, this zone is the least protected. At a time when approximately 13% of the province's landbase is in protected areas, only about 2% of the CDF is represented in our parks system. Fortunately this percentage has increased recently due to land purchases and park creation on Salt Spring and Saturna islands.

The CDF is also the most extensively logged zone – the history of the forest industry in BC started here. Very little unharvested old growth remains. That which remains is contained in a few remnant scattered patches; only about 0.1% (~1000 ha) remains and of that only about 150 ha is within designated parks. The original old growth Douglas-fir forests that were here were one of the most incredible forests in the world. It is unfortunate that our predecessors could not have had more foresight.

Many of these cut forests have grown back, however, and have reached a mature stage (approx. 9500 ha ~100 years old). Although not as biologically rich as old growth, they still provide vital habitat that is important to maintain. These forests are also scattered across the landscape in small patches that are on average only 7 ha in size. Only 15 of them are larger than 100 ha, most of which are in Victoria's watershed. Much of it occurs on private land and will continue to be lost to urban development and forest harvesting. ~~The patch of Crown forest in the Nanoose area, the Lot DL 137 area that is in question, is one of these older forest areas.~~ It is significant from a regional biodiversity perspective because it is a larger patch (~70 ha). The fact that it is still public land provides an opportunity to maintain a fairly large patch of forest land within our community. This area has also been identified as a sensitive ecosystem by the Ministry of Environment, Lands and Parks (now called the Ministry of Water, Land and Air Protection).

Although the focus of this letter has been on the Crown forest land, I'd be remiss if I did not acknowledge the values of the Notch Hill lands. This area contains some significant older forest and wonderful Garry oak meadows. It has also been identified as containing sensitive ecosystems. I am sure that most will agree that it contains values worthy of park status. Contrary to the message at the recent public meeting, many of the residents in the area are in fact still fit enough to hike to the top. It also attracts many visitors.

I conclude with a statement from a Ministry of Environment, Lands and Park's brochure: "If the remaining older forests disappear, we will have lost a critical part of the natural and cultural heritage of this region." A heritage that I am sure our descendants will be thankful that we had the foresight to maintain.

Sincerely,



Don Heppner, RPF  
3628 Dolphin Drive  
Nanoose Bay, BC  
V9P 9H2



pc George Holmes, Director, Electoral Area E, Regional District of Nanaimo

Mark Hallam, Regional Manager, Development and Marketing Div., Vancouver  
Island Region, Land and Water BC

David Bob, Chief, Nanoose First Nations

Allister McLean, Manager, "Fairwinds"

Douglas Pearce, Chairman, 3536696 Canada Inc.

Beverly Topping, President, Origin Adult Communities Inc.

Eric Smith, President, Nanoose Property Owners and Residents Association

Gail Adrienne, Executive Director, Nanaimo Area Land Trust

Jill Thompson, Vancouver Island Forest Coordinator, Sierra Club

Pierre d'Estrube, President, Garry Oak Meadows Preservation Society

APR 23 2002 5:21 PM FR WEST COAST ENVIRO LAW84 1312 TO 12503904163



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April 23, 2002

Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

\*\*\* BY FAX ONLY @ 250-390-4163 \*\*\*

Attn: Regional District Board

Dear Sirs/Mesdames:

Re: Regional Growth Management Plan Consultation

I have been asked by Diane Pertson, a member of an ad hoc committee concerned with the development of Crown land near Nanoose Bay, to comment on your recent consultation process around the Regional Growth Management Plan (the "Growth Management Plan") for the Regional District of Nanaimo (the "Regional District"). I have not been retained by Ms. Pertson or the ad hoc committee beyond writing this letter.

The following are the facts as I understand them:

1. The Regional District has been reviewing its Growth Management Plan, and has conducted a series of public reviews regarding it, over the past several months;
2. One proposed change in the Growth Management Plan would see some Crown Land in the Nanoose Bay area which currently falls within the Forest Land Reserve redesignated in a manner allowing for its eventual development (the "Nanoose Bay amendment"). It is only recently that the public learned that there are active discussions on privatising and developing the land in question, and that these proposed changes to the Growth Management Plan were apparently in response to that proposal;
3. The literature distributed in relation to, and the advertisements for, the Growth Management Plan gave no indication that changes in relation to the Nanoose Bay area were being considered and no notice of any opportunity for public comment changes to the Forest Land Reserve was provided;
4. By the time the proposed Nanoose Bay Amendment became publicly known, the opportunity for public consultation in regard to the Growth Management Plan was virtually over. However, due to a high level of concern when the Nanoose Bay Amendment became publicly known, the Regional District held a hastily called "community update" on the Amendment. This "update" had not been scheduled in the Consultation Plan;
5. Because of public concern surrounding the potential for development raised by the Nanoose Bay Amendment and the ongoing discussions on development in the Nanoose area, a public meeting was held on Monday, April 15, 2002, after the end of the consultation period; and
6. First and Second reading of the new Growth Management Plan are scheduled for May 14th.

If these facts are not correct, this could affect the comments made following.

First, it appears that the Nanoose Bay Amendment is in response to a specific development proposal not before the Regional District Board. A Regional Growth Strategy should map out the general trends and growth strategy measures, and not respond on a piece-meal basis to proposed developments. It would be more appropriate to deal with any such proposed development with necessary amendments or rezonings once a formal proposal has been made. To do otherwise makes it difficult for either the public or the Board to consider the matter appropriately.

Second, serious questions are raised by the failure of the Regional District to give public notice of the Nanoose Bay Amendments, particularly given the fact that development in the area is a controversial proposal. As you know, under s. 855 of the *Local Government Act*, the Board is required to provide opportunities for consultation with persons it believes will be affected by the Growth Management Plan and to develop a consultation plan which ensures broad consultation on the Plan. Public notice of the key features of the Growth Management Plan, and especially of areas likely to be affected, would appear to be essential to meaningful public consultation. While there was last minute notice given to residents of the Nanoose Bay area that the Nanoose Bay Amendment was included in the Growth Management Plan, this merely underscores the fact that public consultation on this point should have occurred earlier and throughout the consultation process.

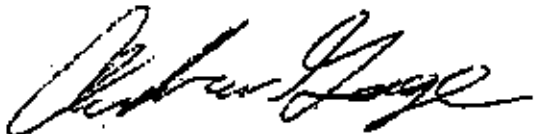
Third, I am advised that there is a report that Regional District staff kept the Nanoose Bay Amendment, and the possibility of development of that area, confidential at the request of the provincial government. I would appreciate confirmation of whether there were any requests for confidentiality made by any party. If there was a decision to keep portions of the Growth Management Plan silent or confidential, this decision would keep information from the public which was required to meaningfully comment on the Growth Management Plan and would be entirely contrary to the intention of section 855, notwithstanding any request from the provincial government.

I trust that the Regional District is seeking to give full opportunity for public involvement and to ensure that its Growth Management Plan accurately reflects the views of its citizens. To this end, I suggest that you consider revisiting the public consultation strategy used. Based on the above concerns, I suggest that it would be reasonable to reopen the public consultation process, at least in relation to the Nanoose Bay Amendment, to ensure that the views of the public have been fully canvassed.

In addition, I would encourage you to reflect on why the Nanoose Bay Amendment is being considered as part of a general review of the Growth Management Plan. It would appear to be more appropriate to consider this in the context of a specific proposal.

Sincerely,

WEST COAST ENVIRONMENTAL LAW



Andrew Gage,  
Staff Lawyer

cc. Diane Pertson

Attachment No. 3  
Comment Form and Summarized Input of Comments

**Community Comments**  
**Fairwinds Development Concept**

**Presented at the Community Forum, April 15, 2002, Nanoose Place- Nanoose Bay, BC**

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Following the presentation of information and public comments at the Community Forum, what issues need to be considered in the review of this proposal?

**Provincial Issues:**

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**RDN Issues:**

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**Fairwinds Issues:**

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**Other:**

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*(please use reverse for additional comments)*

**Optional Information:**

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Please drop off your 'Community Comments' sheet in the box provided, or mail, fax, email or hand deliver your comments by April 26, 2002 to:

Regional District of Nanaimo Planning Department 6300 Hammond Bay Road Nanaimo, BC V9T 6N2  
phone: 250-390-6510 fax: 250-390-7511 email: [planning@rdn.bc.ca](mailto:planning@rdn.bc.ca)



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### Provincial Issues

1. Does the project meet provincial standards, etc.?
2. What are the economic benefits/detractions?
3. Follow the guidelines for such prospects.

Positive actions for job creation. Very few people currently enjoy land proposed for second golf course. Local tax base will increase big time!

This Government will do anything to generate development.

Why is this 70 acres being taken out of the Forest Reserve?

Ensure that a fair price is paid for land. Encourage economic development in area, for benefit of local residents and surrounding area employment opportunities, and financial benefit to all the residents. Preservation of ecological areas.

Opposed. Keep Crown land as is.

This is a bad business deal for BC.

Keep the Crown Land as is. This is a very sensitive area.

Is someone in a conflict of interest here?

The forestland and agricultural land reserves should continue to be governed strictly.

In the words of Joni Mitchell's song, written in the sixties, "Pave Paradise and put up a parking lot, cut down all the trees and if you want to see 'em you have to go to a Tree Museum"! Trees give off oxygen.

The retention of Crown Land for public use and habitat protection is much more important than another golf course for a privileged few.

No exchange of Crown land for another golf course. Protection of green space and wildlife habitat.

We have only fragments of east coast forest in existence, in public ownership. The ecology is rare. This community **DISAPPROVES OF SELLING THIS FOREST**. Notch Hill is a separate issue. **DO NOT BE BLACKMAILED.**

Is it a fair deal? A useless tract traded for a most desirable plot of land? Not a good deal for the public.

Do not remove DL137 from the forestland reserve.

Proposal is a win-win situation for province Nanaimo District and Fairwinds and Nanoose Bay community.

Province should correct the "conflict of interest" that exists regarding private companies (origin) and Crown Corporation (Fairwinds) being on the same Boards. It is not right that a Crown Corporation (bcIMG) should be proposing to "Buy" Crown Land for a golf course against the majority of public desires.

The province must be aware that there is a conflict of interest and act accordingly. The province can also not overlook the fact that the majority would want to keep the Crown land, this has been proven over and over.

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Do not sell Crown land.

The provincial government should not be working with private companies to override community wishes. Do not sell DL137.

Do not sell Crown Land.

Conflict of interest. There appears to be more going on "behind closed doors" than the public is aware of. Disclose all.

There appears to be political interference from the highest levels of government, e.g. Minister of MSRM. The Ministry of Forest and Ministry of Water, Land and Air Protection do not support this proposal, yet Land and Water BC present this like there is consensus within government - there is not.

FLR land needs to be freed up - there are thousands of acres of land available for park on the south side of the Island Highway.

Taking land out of FLR in order to accommodate a land developer is NOT correct use of Crown Land. It should remain in Crown Lands until some issue that would benefit the whole community comes along.

Province and citizens of BC should get fair market value for their land should this trade proceed.

NAPORO only represents a loud minority against this proposal. As an elected government you must look at economic impact it will bring to this area for future generations. It is an excellent idea and should proceed as soon as possible.

Proceed to facilitate the sale of the Crown Land to Fairwinds, the area desperately needs the economic development.

I strongly desire that DL 137 be left as is - a natural green space and nature preserve.

The 70 hectares of Crown Land should be left alone. It is of far more value as it is to the community. Is there a conflict of interest between 3536696 Canada Inc. and the Provincial Government as asked?

There is a conflict of interest since the Crown Land is being purchased by a Crown Corporation in order to turn it into a housing development. The need for one side to get the highest price in the public interest and the other to get the lowest price in the interest of its performance as a government investor of trust funds, is an intra-government conflict.

It appears that the BC Government Corporation and the numbered company that is behind Fairwinds are in a conflict of interest. Also, it is deceitful of the Government to have closed door meetings with the people only who stand to benefit the most and to offer Crown Land for sale without consultation of all parties, ie, First Nations, etc. Why are you so blatantly opposed to any subdivision in Nanoose except Fairwinds? Nanoose needs affordable housing lots for young families to get a start. To be able to create your goals for a vibrant mix for the community, not just an area for the wealthy, be more "up front" with the rest of the community. Closed-door meetings do not inspire trust in big development! Besides, as I have stated before, use up what you have first before you ask for more easy access lands. Part of development sometimes requires extra expense to develop hard to access areas, but you asked for that originally property you have, so deal with that first.

Many residents of Nanoose believe there is a conflict of interest between the BC Government Corporation and the directors of the company that owns Fairwinds.

The retention of Crown land for public use and habitat protection is much more important than another golf course for a privileged few.

Parks need cleaning up. I offered my help. The answer I received, "Don't touch the park." The answer I got was, "We don't need your help, I like it the way it is." It is a firetrap.

No exchange of Crown Land for another golf course. Protection of green space and wildlife habitat.

There is hardly any Crown Land left on the east coast of Vancouver Island. Save it for future generations to enjoy.

Sale of Crown Land for yet another golf course and urban sprawl - not a good thing

Sale of limited forest lands for a development. What will be left for our future generations?

I am very concerned about government officials lining their pockets in this conflict of interest deal. To be giving away taxpayers' land to a company directed by government is criminal.

Maintain forested, ecologically sensitive areas.

-Protection of endangered species in Garry Oak woodlands on "the Notch" and in the Crown land, DL137.

-Protection of existing farmland from golf course chemical run-off, particularly the existing organic farm, "Nanose Edibles".

-Protection of natural environment - the green space provided by Douglas Fir Coastal ecosystem.

Protection of endangered species in the Garry Oak Woodland on the "Notch" and on the Crown land DL137. Protection of existing organic farmland from the golf course chemical runoff. Protection of natural environment.

Please be advised that the Nanoose Bay Parks and Open Space Advisory Committee passed the following resolution at its regular meeting held April 22, 2002 at the Nanoose Library Hall, Nanoose Road:

*That the Fairwinds proposal adversely impacts upon the parks and open spaces of Nanoose Bay and will result in the expansion of the Urban Containment Boundary and therefore the Committee is not in favour of it.*

The minutes of the meeting also show that Mr. G. Holme (Director EA 'F') removed himself at 7:32 pm from the discussion and the vote, and rejoined the meeting at 7:35 pm following the vote. The Committee would like this formal response to be included when you are considering the submission received as part of the Regional District's consultation process.

Much of Nanoose identifies the Crown Land as "woodlot". Please let Ministry of Forests keep it as woodlot. Trees grow back once they're harvested - it's not a bad thing! Very concerned with water issues - as a wooded area the groundwater can be protected. Put it into woodlot before it can be claimed by First Nations. Logged and not re-planted, but not properly managed as forest resource.

We sweated blood to get a Growth Management Plan and OCP accepted. You have to respect our interests and help us retain the rural atmosphere. Why was so much of this kept behind closed door?

The majority of Nanoose residents value the Crown lands as FLR or forested lands, far more than having them developed in an urban fashion for economic gain.

-Strong opposition to extending the urban containment boundary. This will not maintain the rural ness of Nanoose. The leap from FLR to "urban residential" is too great a step! Residents feel strongly that forested land remain forested, not developed into another golf course/subdivision.

Ensure that Enos Lake and surrounding perimeters are protected environmentally.

Ensure that public consultations are made before rezoning and approval of any development of neighbourhood center.

Stand by their statement that any rezoning and approval of the planned ("huge") Neighbourhood Centre must pass public consultations before being approved. Make sure Fairwinds adheres to their commitment to be environmentally prudent and responsible.

The Province should review and abide by the conflict of interest guidelines to avoid any real or perceived conflict of interest in this development concept.

The RDN should adhere to the RDN Growth Management Plan – Urban Containment Boundary (UBC) guidelines and not consider this or any other application to expand the UBC. The RDN should also distance itself from this development concept to remove the perception of support.

Make clearer the policy for land use along the east coast of Vancouver Island and the commitment to preventing a sprawl of development to occur. The RGMP addresses this, it is true, but its worthless if every application to alter it is granted.

Over and above the process for the possible sale of the Notch to "the public", and sale by "the public" of DL137, spell now the time frame for putting in place the infrastructure for the whole project...(water, sewer, treatment plant, roads) for this pivotal development. The need for road access and exactly where it will be provided frightens residents just as much as the proposal.

Removal of the land from the forest lands is destroying the possibility of a diverse economy. Sensitive areas are not protected when they are turned into or are bordering on golf courses or housing sprawl.

This proposal is not in compliance with the Nanoose OCP and is ignoring the vision of the GMP to curb urban sprawl – before any land is moved inside of the UCB we should be shown that there is a need – 600 of 2500 over 15 years does not show a great need at present.

I am surprised that the RDN would even consider this proposal again. They know the people here do not want it. The province appears to be placing economic issues before environmental and social issues with respect to the disposal of Crown lands.

At this meeting the RDN did not appear to be objective regarding the Fairwinds proposal. The letter from Stan Hagen was particularly disconcerting.

The government in Victoria plans to play fast and loose selling off everything, particularly as they will need the money for health and balancing the budget. However, selling off Nanoose's Crown lands shouldn't be a priority for them.

I don't know why the RDN is even considering the Fairwinds' proposal. In my opinion George Holme is not representing the majority of the Nanoose residents. We were not informed of this Fairwinds Dev. Concept until the last moment.

I'm afraid the Senior Government will simply sell all available Crown Land to the highest bidder and they simply don't care about environment, wildlife, and the concerns of ordinary citizens about water supply, desecration of environment, wildlife, etc.

The RDN is going against all their principles in even considering the latest Fairwinds proposal! Check the Growth Management Plan Review, i.e. Goal 1 – Issue 1.1: Issue 1:4. The biggest item is water. This is a particularly dry



area in the summer. The aquifer might dry up. How can we sustain another golf course? Why destroy the natural habitat of such a lovely region which is really unique? Why do we have to justify our reasons again and again?

Nanoose residents are getting very unhappy at repeatedly having to fight the RDN. Mr. Holme is supposed to represent the residents and the RDN staff work for us. You have forgotten this.

Deal with the issue of Fairwinds previous commitment of giving control of Notch Hill to the RDN. Start listening to the residents of Nanoose.

Valuation of the Provincial land vs the Fairwinds Notch. Our land should not be sold to private enterprise for less than market value based upon the ultimate development on said land.

The Notch value to the community is limited to a narrow segment of the residents and visitors. The Provincial land is far more valuable to the bulk of the residents as a park than the Notch.

We are writing to respond to the recent proposal by the owners of Fairwinds regarding changes to the Official Community Plan for Nanoose Bay.

Just to be clear from the outset, we admit we do not have full information, so we would first like to outline our limited understanding of this issue.

We understand the proposal is that Fairwinds would sell to the public a portion of their present holdings, and the public would sell to Fairwinds a section of Crown land, with the expectation that a second golf course would be built as part of an amended development plan. Specifically, the lands known community as "Notch Hill" would be dedicated permanently as parkland, while the *status quo* is that this land would remain in public ownership and in its current use indefinitely. We also understand that this proposal is not particularly novel; it has been made at least three times before and the *status quo* was maintained each time the issue was decided.

We have thought a great deal about this matter, being newer to the community than many of our neighbours. However, it seemed evident very quickly that for many of us, the length of our residence was unimportant compared to the reasons why we all chose to live here. We have not conducted an official poll, but we can tell you our impression of the neighbourhood based on our brief experience.

People choose to live here because of the natural landscapes and wildlife, the fine weather, and the character of its development. The natural landscapes include beaver ponds, oak meadows, rocky bluffs, and berry thickets. The wildlife include otter, beaver, raccoon, rabbit, bear, deer, eagle, towhee, chickadee, frog, snake and bat. The weather marches by in four distinct seasons, but even with lots of snow on the ground, people get out to walk. Homes are built on larger lots, in part due to the steeper terrain, which allows retention of vegetation for both privacy and wildlife habitat. People enjoy the quiet of the neighbourhood compared to other more traditionally urban areas of their experience. Because there are no streetlamps, we all enjoy being able to see the Milky Way and the *Aurora Borealis*, especially on a moonless night. As residents of Nanoose Bay, we may not agree with the current Official Community Plan for our neighbourhood, but we support it nevertheless because it is all that we have to protect the values which we share. Where do the proponents of the current proposal live? My wife and I have not met any in our neighbourhood.

In the debate surrounding this proposal, proponents often suggest that there are many significant economic benefits from development generally, and from this concept for Nanoose Bay in particular. They mention a broader tax base, better utilization of services, short-term employment in construction and long-term employment in golf course operation and services. However, Nanoose Bay residents demand fewer services than other typically urban areas, so a "broader tax base" while beneficial, is not particularly necessary to offset growth in demand. As for "better utilization" of services, Nanoose residents along Dolphin Drive in particular enjoy and prefer their street without public transit service; our volunteer fire department does a marvelous job, and the relatively remote location of the residential zone in Nanoose Bay discourages property offences which would create demands for police services. Wherever houses are built, short-term construction jobs will result when they are built, but they will not be built until property owners feel confident enough in their economy to make such an investment. My wife and I do not understand enough about golf courses to judge whether employment creation claims of the proponents and their supporters have any merit. These benefits, if indeed real, will be manifest whether or not this proposal proceeds.

Are there other, less tangible benefits of this development which should be considered? For example, will the values of our neighbourhood be enhanced by this development in any way? My wife and I are not professional biologists (although I am an award-winning restoration ecologist), but it seems obvious that any kind of development will necessarily alienate natural landscapes from potential wildlife habitat. My wife and I are not urban planners (although I have studied the subject at university), but it seems based on the rest of the Fairwinds development, that probably two-thirds or more of the area will be converted to roads, sidewalks, driveways, patios, buildings and outbuildings, lawns, and gardens full of exotic plants (with extraordinary nutrition and water demands). It is doubtful that any development will increase wildlife values, so perhaps the habitat issue is merely a question of which alternative provides the best potential outcome.

There is one item in the current proposal which heavily tips the scale in favour of maintaining the *status quo*: another golf course. While as much as two-thirds of the land base will be permanently alienated from its natural state in residential development, development of a golf course alienates nearly 100 percent of the land. To those who would believe the claims of the proponents that as much as 20 percent of the land base would remain as public green space, we would suggest that the current Fairwinds Golf Course be viewed as a good example of how ridiculous and unfounded such a belief is in fact. Furthermore, management of turf grasses for golf requires regular applications of garden chemicals to fertilize the grass and kill weeds, as well as irrigation to maintain an arbitrary cultural aesthetic through the drier summer period. Not only would this development place greater strain on already limited water resources, it would potentially add harmful chemicals to surface runoff and the groundwater table, with untold consequences downstream for future generations to come. In short, one need only observe how Fairwinds has utterly failed to accommodate its natural and cultural environments to conclude that more of the same would likely result from this proposed development.

Where is the need for this proposed development? Vancouver Island already has a good number of interesting and challenging golf courses, many of which are much underutilized throughout the winter months. While golfing enthusiasts and the proposal proponents would suggest that winter weather is unsuitable for play, we would counter that if public land is to be permanently alienated for private and exclusive use, it will become permanently unsuitable for other more benign uses, such as hiking, wildlife viewing, and quiet contemplation at all times of the year. Rather than expand the choice of golf courses on Vancouver Island, the golfing community should be encouraged to make better use of the facilities already in place. For example, waiting lists for tee-off times in January would be evidence of fuller utilization, and the need for development of additional facilities. As non-golfing residents of Nanoose, we are not yet impressed with the urgency of the need for yet another golf course in our neighbourhood, or anywhere else for that matter. If there is any need for another golf course here, it resides merely in the perceptions of golfing enthusiasts and corporate investors, which are obviously biased and based entirely on pecuniary self-interest.

In a similar fashion, this development will not respond to any need for additional housing inventory. If anything, a greater supply of housing is needed at the lower end of the price range, and closer to the urban center of the region. Higher-priced housing is needed at the lower end of the price range, and closer to the urban center of the region. Higher-priced housing far from the center of town does not address this need at all. One need only walk around the current Fairwinds development to be struck with the obvious fact that much land, already accessible and serviced, remains undeveloped for housing. According to local real estate agents, lot prices within the current development have remained stable or declined in recent years. Should additional lots suddenly become available in this neighbourhood, there would be increasing downward pressure on existing lot prices, and current owners (investors and taxpayers) might be less likely to sell at such lower prices, and doubtless some of these lots would remain undeveloped. If there is any need for additional housing lots here, it resides merely in the perceptions of construction workers and corporate investors, which are obviously biased and based entirely on pecuniary self-interest.

As far as we are concerned, therefore, the proponents have failed to justify the needs for either a second golf course or additional housing lots in this neighbourhood. It is certain that most of the natural landscapes and features of the subject lands will be permanently altered or obliterated and that development activities and golf course operations will jeopardize valuable public resources (e.g. open space, water quality) for the indefinite future, with untold consequences to future generation of all species.

The current, publicly-approved, Official Community Plan already allows the proponent considerable latitude for development of its current holdings. Even with this plan in place, significant sensitive ecosystems will either be destroyed by development, or irreparably degraded by the combination of parkland designation and provision of public access for insensitive uses such as off road cycling, poaching and dumping. We find it tragically ironic that

the very qualities which attract new residents to this area will be lost as development process, and that elected officials and public servants are encouraging and facilitating this senseless destruction over vociferous and prolonged protests from the public.

Finally, we would like to add that while we are residents of Nanoose, we are not members of the Nanoose Property Owners and Residents Association because we do not feel that this organization accurately represents our concerns. In particular, we disagree with the objective of this group to secure public access to parkland. In every case where the public has been provided access to natural parklands, such access has been abused by adjacent property owners and other individuals for activities such as off-road cycling, camping and poaching. We cannot support any group or agency which conducts such activities or contributes to their potential. We feel that some parkland, dedicated to the public good, should remain inaccessible to preserve in perpetuity those qualities which render it worthy of protection in the first place. In particular, we are concerned about the continued viability of the beaver ponds, lakeshore bluff vegetations, and Garry oak meadows which remain unprotected areas within the current Fairwinds property. The remainder of undeveloped land in the Fairwinds community is zoned for residential development, yet today Fairwinds is intending to use these areas for commercial purposes by renting bicycles at their new recreation center for use on the woodland trails. Such activity not only degrades trail quality and jeopardizes the safety of other trail users, it violates the spirit of the zoning language, exposes sensitive natural areas to degradation, and further demonstrates Fairwinds contempt for all things natural. By publicly endorsing the principle of public access to parkland without qualification, NPORA contributes to the degradation and destruction of such protected areas, and makes its membership unwitting partners with Fairwinds in destroying the unique natural character of our community.

To summarize, the proponents of this proposal have failed to justify any need for another golf course or additional building lots. The current owners of Fairwinds have open and unrepentant contempt for the natural features and wildlife of the community, and have consistently failed to respond appropriately to expressed public concerns in this area. In the absence of any demonstrated need for this development to proceed, and in light of the past behaviour of the proponents and their allies toward the land and community residents, and in consideration of the fact that a publicly-approved development plan already exists, we must register our complete and unqualified rejection of the current proposal.

### RDN Issues

1. What are the benefits – do they outweigh the negatives in terms of the whole community?
2. Don't let a vocal group of nay Sayers hijack what could be a beneficial project.

Being able to promote "Notch Hill" Park will be very beneficial to island residents and tourists alike!  
It looks like you put your foot in it.

Why were we not informed of this process before now? It seems that this whole scheme has been done behind the backs of the Nanoose residents. Water quality – already poor and insufficient quantity – where are you going to get more? \*ROADS The road (Dolphin Drive) is already very dangerous and deteriorating. There are no shoulders or sidewalks for walking or cycling. The "loop" road through Fairwinds is a route of choice for cycling tours and walkathons as well as a large number of local residents. Already it is very risky – without extra large trucks and traffic.

Balance bias of organized opposition, with support of less vocal residents. Consider overall benefit.

Surface water management and control.

We do not want another golf course. Leave our last beautiful natural Crown land alone. We have paid taxes in this area for 21 years and previous years in Nanaimo area and are appalled at this proposal

The quality of water in Fairwinds, taste, and in particular, the strong smell and colour.

Keep the noted as parklands.

You should be fired – all of you – for a sleazy, backroom deal.

The neighbourhood plan of the 80's should be given consideration with regard to the "Notch Hill". Contain urban sprawl.

You haven't followed your own policies and procedures. You are not listening to the majority of Nanoose Bay residents.

The present plan to continue urban sprawl should remain at its present state.

The RDN should listen to the majority opinion of the Nanoose Bay residents and, to our personal knowledge, they are not noted for doing so. Perhaps this is a good time to prove otherwise.

The RDN should be more supportive for the wishes of the residents who have turned down this proposal before. The majority of residents do not want to trade Crown Land for a golf course.

Residents of Nanoose have rejected this proposal in the past, nothing has changed. No is no! Elected representatives take notice!

We want to keep the land wild. We have said NO to development several times. The Notch is a separate issue. We are angry that the people we elect to represent us do not understand how the community feels about this issue.

Is the RDN working in concert with the developer contrary to the wishes of the public? Seems so.

We do NOT need another golf course. There are six within 30 minutes drive.

Nanaimo is considered to be a "depressed" area. We need development to stimulate the economy and create jobs for young people in the RDN area.

RDN should "back-off" supporting this proposal and stop it now!! Also, RDN should put pressure on Fairwinds to create the Notch as a park (as originally promised) at no cost to taxpayers.

Would it not be good for the RDN to win back the trust of people or do they not care? We do not live in a dictatorship or are we going this way. Any why not remind Fairwinds that the Notch had been promised to be kept as a park?

This land should be turned into a wilderness park.

The RDN cannot change UCB because of pressure from big business and government. It is the RDN's job to serve its community. Also – you MUST hold Fairwinds to its promise to preserve the Notch. We owe Fairwinds nothing!!

This land should be turned into a wilderness park.

"Credibility". You have made it clear through the meeting that you support this golf course. Your process is sadly lacking. The OCP has already been signed, sealed and delivered. End of story.

You need to work on your credibility; it appears that honesty and full disclosure is lacking; it seems that there are plans/negotiations in the background that we have not been apprised of – the perception is not good. Previous plans and promises made by the RDN do not seem to hold. I dislike the process; the public meeting process is unsatisfactory; no feedback or discussion from the panel – the lack of response to various allegations leads one to believe they are all fact – there is no assurance that the public will, will be seriously considered – there does not appear to be an end to this process – no finality. The information provided by the panel at the public meeting was incomplete and contrived. It concerns me that the RDN directors and staff are facilitating changes to community plans simply because the local land baron wants to do some more developing. I would like to give the RDN the benefit of doubt, but the more I learn about this it seems purposeful.

We need a large park (the Notch) in this are.

Stop "Nodes & Nodules". I am tired of special interest groups such as "Nanoose Ratepayers Association" telling the rest of us how to live on our own property. Everyone in this group is from "someplace else" now they would prefer no one else to be here.

The RDN should NOT support removal of Crown Land (Dist Lot 137). The Fairwinds urban boundary should not be extended until there is absolute need such as great population increase in the area. Fairwinds dedication of parkland allocations, including part of Notch Hill, should be enforced.

If this trade proceeds, there should be a minimum of 200 feet for a buffer zone between current properties and any new Fairwinds developments. This includes lots or golf courses.

Proceed to put Schooner Cove Drive through before there is an accident on Dolphin Drive. This road was not designed for the traffic that is using it.

Make sure Schooner Cove Drive is extended back to Stewart Road. Acquire top 10-15 acres of Notch Hill for Regional Park.

Respectfully request the RDN to take a position against the proposed land swap for Notch Hill and DL137. Respect the wishes of the majority and do not proceed with this proposal. We do not need another golf course for the wealthy few.

The proposal entirely fails to meet the necessary criteria under the Urban Containment and Fringe Management Implementation Agreement, needed to permit relocation of the Urban Containment Boundary.

How can Director Holme say to the newspaper that he still wants to vote for the Fairwinds proposal after massive opposition to the land purchase and swap, saying he does not think that there is sufficient opposition. After receiving a petition with almost 600 people saying no, it is time to listen. NO means NO!

We are at a loss to understand why the RDN will not allow a handful of Nanoose residents to be included on the sewer plans, which would allow the creation of perhaps 20-25 extra lots in Nanoose? Because the OCP wants to preserve "green space"? Yet you support the removal of 170 acres of Crown Land to be developed. Why is there a different standard of fairness applied to different proposals? We receive a blanket NO while Fairwinds is given extra consideration behind closed doors.

The RDN should be more supportive for the wishes of the residents who have turned down this proposal before. The majority of residents do not want to trade Crown Land for a golf course.

Residents of Nanoose have rejected this proposal in the past. Nothing has changed. No is No! Elected representatives take note!!

The Nanoose Peninsula is crowded enough. With the addition of 1900 more Fairwinds homes, it will be overcrowded. We need as much wild parts as we can get.

The community has its "tree hugging" orientation and does not want another golf course.

What are the needs and wishes of the community? Are they being reflected in the decision making process.

I strongly object to RDN making a decision that is ignoring the wishes of the community, also for deciding that the petitioners - over 500 - don't know what they're talking about. This community says no loud and clear.

No changes to the current OCP.

-Containment of ugly urban sprawl, such as exists in North Nanaimo.

-Protection of ground water from golf course run-off.

-Preservation of the rural integrity of Nanoose Bay - the reason many of us choose to live in this spectacular area was the rural environment.

No more urban sprawl. Fairwinds plans to increase it. Protection of ground water from golf course run-off. We need good drinking water. Preservation of rural integrity – many of us came to live a rural environment.

Please be advised that the Nanoose Bay Parks and Open Space Advisory Committee passed the following resolution at its regular meeting held April 22, 2002 at the Nanoose Library Hall, Nanoose Road:

*That the Fairwinds proposal adversely impacts upon the parks and open spaces of Nanoose Bay and will result in the expansion of the Urban Containment*

*Boundary and therefore the Committee is not in favour of it.*

The minutes of the meeting also show that Mr. G. Holme (Director EA 'F') removed himself at 7:32 pm from the discussion and the vote, and rejoined the meeting at 7:35 pm following the vote.

The Committee would like this formal response to be included when you are considering the submission received as part of the Regional District's consultation process.

We sweated blood to get a Growth Management Plan and OCP accepted. You have to respect our interests and help us retain the rural atmosphere. Why was so much of this kept behind closed door?

-Strong opposition to extending the urban containment boundary. This will not maintain the rural ness of Nanoose. The leap from FLR to "urban residential" is too great a step! Residents feel strongly that forested land remain forested, not developed into another golf course/subdivision.

Ensure that public consultations are made before rezoning and approval of any development of neighbourhood center.

The RDN should adhere to the RDN Growth Management Plan – Urban Containment Boundary (UBC) guidelines and not consider this or any other application to expand the UBC. The RDN should also distance itself from this development concept to remove the perception of support.

Over and above the process for the possible sale of the Notch to "the public", and sale by "the public" of DL137, spell now the time frame for putting in place the infrastructure for the whole project... (water, sewer, treatment plant, roads) for this pivotal development. The need for road access and exactly where it will be provided frightens residents just as much as the proposal.

This proposal is not in compliance with the Nanoose OCP and is ignoring the vision of the GMP to curb urban sprawl – before any land is moved inside of the UCB we should be shown that there is a need – 600 of 2500 over 15 years does not show a great need at present.

I am surprised that the RDN would even consider this proposal again. They know the people here do not want it. At this meeting the RDN did not appear to be objective regarding the Fairwinds proposal. The letter from Stan Hagen was particularly disconcerting.

I don't know why the RDN is even considering the Fairwinds' proposal. In my opinion George Holme is not representing the majority of the Nanoose residents. We were not informed of this Fairwinds Dev. Concept until the last moment.

The RDN is going against all their principles in even considering the latest Fairwinds proposal! Check the Growth Management Plan Review, i.e. Goal 1 – Issue 1.1: Issue 1:4. The biggest item is water. This is a particularly dry area in the summer. The aquifer might dry up: How can we sustain another golf course? Why destroy the natural habitat of such a lovely region which is really unique? Why do we have to justify our reasons again and again?

Nanoose residents are getting very unhappy at repeatedly having to fight the RDN. Mr. Holme is supposed to represent the residents and the RDN staff work for us. You have forgotten this.

Deal with the issue of Fairwinds previous commitment of giving control of Notch Hill to the RDN. Start listening to the residents of Nanoose.

The Notch value to the community is limited to a narrow segment of the residents and visitors. The Provincial land is far more valuable to the bulk of the residents as a park than the Notch.

We are writing to respond to the recent proposal by the owners of Fairwinds regarding changes to the Official Community Plan for Nanoose Bay.

Just to be clear from the outset, we admit we do not have full information, so we would first like to outline our limited understanding of this issue.

We understand the proposal is that Fairwinds would sell to the public a portion of their present holdings, and the public would sell to Fairwinds a section of Crown land, with the expectation that a second golf course would be built as part of an amended development plan. Specifically, the lands known community as "Notch Hill" would be dedicated permanently as parkland, while the *status quo* is that this land would remain in public ownership and in its current use indefinitely. We also understand that this proposal is not particularly novel; it has been made at least three times before and the *status quo* was maintained each time the issue was decided.

We have thought a great deal about this matter, being newer to the community than many of our neighbours. However, it seemed evident very quickly that for many of us, the length of our residence was unimportant compared to the reasons why we all chose to live here. We have not conducted an official poll, but we can tell you our impression of the neighbourhood based on our brief experience.

People choose to live here because of the natural landscapes and wildlife, the fine weather, and the character of its development. The natural landscapes include beaver ponds, oak meadows, rocky bluffs, and berry thickets. The wildlife include otter, beaver, raccoon, rabbit, bear, deer, eagle, towhee, chickadee, frog, snake and bat. The weather marches by in four distinct seasons, but even with lots of snow on the ground, people get out to walk. Homes are built on larger lots, in part due to the steeper terrain, which allows retention of vegetation for both privacy and wildlife habitat. People enjoy the quiet of the neighbourhood compared to other more traditionally urban areas of their experience. Because there are no streetlamps, we all enjoy being able to see the Milky Way and the *Aurora Borealis*, especially on a moonless night. As residents of Nanoose Bay, we may not agree with the current Official Community Plan for our neighbourhood, but we support it nevertheless because it is all that we have to protect the values which we share. Where do the proponents of the current proposal live? My wife and I have not met any in our neighbourhood.

In the debate surrounding this proposal, proponents often suggest that there are many significant economic benefits from development generally, and from this concept for Nanoose Bay in particular. They mention a broader tax base, better utilization of services, short-term employment in construction and long-term employment in golf course operation and services. However, Nanoose Bay residents demand fewer services than other typically urban areas, so a "broader tax base" while beneficial, is not particularly necessary to offset growth in demand. As for "better utilization" of services, Nanoose residents along Dolphin Drive in particular enjoy and prefer their street without public transit service; our volunteer fire department does a marvelous job, and the relatively remote location of the residential zone in Nanoose Bay discourages property offences which would create demands for police services. Wherever houses are built, short-term construction jobs will result when they are built, but they will not be built until property owners feel confident enough in their economy to make such an investment. My wife and I do not understand enough about golf courses to judge whether employment creation claims of the proponents and their supporters have any merit. These benefits, if indeed real, will be manifest whether or not this proposal proceeds.

Are there other, less tangible benefits of this development which should be considered? For example, will the values of our neighbourhood be enhanced by this development in any way? My wife and I are not professional biologists (although I am an award-winning restoration ecologist), but it seems obvious that any kind of development will necessarily alienate natural landscapes from potential wildlife habitat. My wife and I are not urban planners (although I have studied the subject at university), but it seems based on the rest of the Fairwinds development, that probably two-thirds or more of the area will be converted to roads, sidewalks, driveways, patios, buildings and outbuildings, lawns, and gardens full of exotic plants (with extraordinary nutrition and water demands). It is doubtful that any development will increase wildlife values, so perhaps the habitat issue is merely a question of which alternative provides the best potential outcome.

There is one item in the current proposal which heavily tips the scale in favour of maintaining the *status quo*: another golf course. While as much as two-thirds of the land base will be permanently alienated from its natural state in residential development, development of a golf course alienates nearly 100 percent of the land. To those

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who would believe the claims of the proponents that as much as 20 percent of the land base would remain as public green space, we would suggest that the current Fairwinds Golf Course be viewed as a good example of how ridiculous and unfounded such a belief is in fact. Furthermore, management of turf grasses for golf requires regular applications of garden chemicals to fertilize the grass and kill weeds, as well as irrigation to maintain an arbitrary cultural aesthetic through the drier summer period. Not only would this development place greater strain on already limited water resources, it would potentially add harmful chemicals to surface runoff and the groundwater table, with untold consequences downstream for future generations to come. In short, one need only observe how Fairwinds has utterly failed to accommodate its natural and cultural environments to conclude that more of the same would likely result from this proposed development.

Where is the need for this proposed development? Vancouver Island already has a good number of interesting and challenging golf courses, many of which are much underutilized throughout the winter months. While golfing enthusiasts and the proposal proponents would suggest that winter weather is unsuitable for play, we would counter that if public land is to be permanently alienated for private and exclusive use, it will become permanently unsuitable for other more benign uses, such as hiking, wildlife viewing, and quiet contemplation at all times of the year. Rather than expand the choice of golf courses on Vancouver Island, the golfing community should be encouraged to make better use of the facilities already in place. For example, waiting lists for tee-off times in January would be evidence of fuller utilization, and the need for development of additional facilities. As non-golfing residents of Nanoose, we are not yet impressed with the urgency of the need for yet another golf course in our neighbourhood, or anywhere else for that matter. If there is any need for another golf course here, it resides merely in the perceptions of golfing enthusiasts and corporate investors, which are obviously biased and based entirely on pecuniary self-interest.

In a similar fashion, this development will not respond to any need for additional housing inventory. If anything, a greater supply of housing is needed at the lower end of the price range, and closer to the urban center of the region. Higher-priced housing is needed at the lower end of the price range, and closer to the urban center of the region. Higher-priced housing far from the center of town does not address this need at all. One need only walk around the current Fairwinds development to be struck with the obvious fact that much land, already accessible and serviced, remains undeveloped for housing. According to local real estate agents, lot prices within the current development have remained stable or declined in recent years. Should additional lots suddenly become available in this neighbourhood, there would be increasing downward pressure on existing lot prices, and current owners (investors and taxpayers) might be less likely to sell at such lower prices, and doubtless some of these lots would remain undeveloped. If there is any need for additional housing lots here, it resides merely in the perceptions of construction workers and corporate investors, which are obviously biased and based entirely on pecuniary self-interest.

As far as we are concerned, therefore, the proponents have failed to justify the needs for either a second golf course or additional housing lots in this neighbourhood. It is certain that most of the natural landscapes and features of the subject lands will be permanently altered or obliterated and that development activities and golf course operations will jeopardize valuable public resources (e.g. open space, water quality) for the indefinite future, with untold consequences to future generation of all species.

The current, publicly-approved, Official Community Plan already allows the proponent considerable latitude for development of its current holdings. Even with this plan in place, significant sensitive ecosystems will either be destroyed by development, or irreparably degraded by the combination of parkland designation and provision of public access for insensitive uses such as off road cycling, poaching and dumping. We find it tragically ironic that the very qualities which attract new residents to this area will be lost as development process, and that elected officials and public servants are encouraging and facilitating this senseless destruction over vociferous and prolonged protests from the public.

Finally, we would like to add that while we are residents of Nanoose, we are not members of the Nanoose Property Owners and Residents Association because we do not feel that this organization accurately represents our concerns. In particular, we disagree with the objective of this group to secure public access to parkland. In every case where the public has been provided access to natural parklands, such access has been abused by adjacent property owners and other individuals for activities such as off-road cycling, camping and poaching. We cannot support any group or agency which conducts such activities or contributes to their potential. We feel that some parkland, dedicated to the public good, should remain inaccessible to preserve in perpetuity those qualities which render it worthy of protection in the first place. In particular, we are concerned about the continued viability of the beaver ponds, lakeshore bluff vegetations, and Garry oak meadows which remain unprotected areas within the current Fairwinds



property. The remainder of undeveloped land in the Fairwinds community is zoned for residential development, yet today Fairwinds is intending to use these areas for commercial purposes by renting bicycles at their new recreation center for use on the woodland trails. Such activity not only degrades trail quality and jeopardizes the safety of other trail users, it violates the spirit of the zoning language, exposes sensitive natural areas to degradation, and further demonstrates Fairwinds contempt for all things natural. By publicly endorsing the principle of public access to parkland without qualification, NPORA contributes to the degradation and destruction of such protected areas, and makes its membership unwitting partners with Fairwinds in destroying the unique natural character of our community.

To summarize, the proponents of this proposal have failed to justify any need for another golf course or additional building lots. The current owners of Fairwinds have open and unrepentant contempt for the natural features and wildlife of the community, and have consistently failed to respond appropriately to expressed public concerns in this area. In the absence of any demonstrated need for this development to proceed, and in light of the past behaviour of the proponents and their allies toward the land and community residents, and in consideration of the fact that a publicly-approved development plan already exists, we must register our complete and unqualified rejection of the current proposal.

### Fairwinds Issues

1. Address environmental concerns in reasonable way.
2. Ensure clear information is available as needed.
3. Clearly outline economic benefits (good start to date).

Second golf course will enable them to sell more units quicker and therefore bringing to the area many more people to support local businesses.

I like your development but maybe you should develop the land you have first.

Finish Schooner Cove Drive – absolutely necessary. The present road is already overloaded and dangerous. Concerns re: water supply – Present water supply and pressure and quality of water is already poor. What is going to be done about these two issues?

No way should Fairwinds get its claws on our crown lands. For the final time, NO! Clear enough?

Balancing sound planning in accordance with RDN objectives, under no growth, no change, “nimby” attitude of local residents.

Surface water management and control.

We strongly suggest, before any more development, that the road promised be built beyond the end of Schooner Cove Drive.

Use present property before asking for more.

You are trying to trade a rock of no developmental value for Crown Land. Nice deal. I'm sure your investors are pleased.

The containment boundary should not be enlarged.

Fairwinds has not lived up to commitments it made in the past with respect to parks. I was at those public hearings in the 1980s.

No need to destroy forest to develop another golf course at the taxpayers' expense.

It is my understanding that Fairwinds has enough undeveloped land to build another golf course without purchasing the Crown land. We live in Fairwinds, but are against the proposal.

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Fairwinds has a large area of undeveloped land which should be developed before they are allowed to expand. They have also shown disrespect for habitat and wildlife in the area such as eagles, otters, beaver and geese.

A golf course is not green space. Fairwinds has demonstrated its lack of respect for wildlife, i.e. otter killing, geese killing, beaver killing! They cannot be trusted.

Plenty of land still in the urban boundary. Develop that – not OUR FOREST. Housing is not selling in the current development. The use of the lake to water the golf course is outrageous.

I'm not against developments, this or most others, but why should public land be put to this developer's use when so much of the present development still waits development.

Money = develop what you already own before you ask for more land.

Back off this proposal for good!! The majority of the public in Nanoose do not want it, as indicated on April 15<sup>th</sup> at public meeting.

Are you not aware that people will be just as tenacious and fight you for the Crown Land again and again, so give up.

This area is becoming overcrowded.

We like you as you are. Fairwinds is a beautiful development but is plenty big enough now for such a small peninsula. Stop using the Notch as a blackmailing tool.

This area is becoming overcrowded.

Disclosure has broken promises in the past. The notch should not be held ransom. No credibility. Nothing in it for the locals. Large corporation vs. the owners. Very sad that you have caused such discontent among homeowners – what other property do you own?

Again, there is planning and negotiation in the background that the public is not being told about. Make good on old promises- even if ownership has changed. The environmental concessions around Enos Lake, etc. are too stingy.

Fairwinds develops property in a responsible way – I trust them to develop a 2<sup>nd</sup> golf course and to be sensitive to environmental issues.

We encourage and welcome the 2<sup>nd</sup> golf course. We encourage and welcome good development. We already have more than enough green space and parks.

Fairwinds should try to be a better corporate citizen. There is a distinct impression that non-Fairwinds residents are second class citizens in the minds of their corporate directors.

Make sure there are areas left on the Crown Land for trails and access to streams and lakes. Continue cleaning up as has been done in the last few weeks (still a ways to go). A few park benches would be nice in selected areas. One on Andover to watch the swans would be nice.

Make sure Fairwinds provides extended trail system around golf courses and waterways and lakes.

Let Fairwinds develop the Notch if they need more lots.

Development your existing land before you go after the people of BC. I want the Crown Land left as it is.

The role of the RDN and BCIMC in presenting employees of Origin Adult Community Inc. as if they were actual parties to the proposed agreement, when clearly they are not, call into question how there can be such a thing as a "Fairwinds Issue"!

Fairwinds has a large area of undeveloped land which should be developed before they are allowed to expand. They have also shown a disrespect for habitat and wildlife in the area, such as eagles, otters, beaver and geese.

A golf course is not green space. Fairwinds has demonstrated its lack of respect for wildlife, i.e. otter killing, geese killing, beaver killing? They cannot be trusted.

One golf course is enough. 1300 acres is enough. 2500 homes is enough. Leave the green places alone. Fairwinds residents feel their property values will rise. I disagree -- 70% of present owning is undeveloped -- how will more available lots lead to increase in value.

Are profits more important than the best interests of the community?

Fairwinds has proved to be manipulative and dishonest, renegeing on prior agreements. This presentation was distorted. They continually act in their own interest in this as other incidents that prove a wanton disregard for the communities' interests. They create a divided community, neighbour against neighbour. We all donate to charity that's no excuse. This proposal is of very little benefit to us and huge economical benefit to Fairwinds and government officials personally who are directors of the company.

Another golf course not needed. Focus should be on current property holdings. No development on the Notch.

-Concentrate on developing area they have accumulated already, but recognizing the importance of maintaining a greenway corridor from Notch Hill to the Crown Land for benefit of their residents and others.

-Negotiate with RDN for Notch Hill to become a park, and this could be considered as their allotment of school and parks land.

Needs to concentrate on developing their own areas, leaving a greenway corridor from Notch Hill to the Crown land DL 137 for their residents and others. Fairwinds should give Notch Hill to the RDN for their allotment of park and school land.

Please be advised that the Nanoose Bay Parks and Open Space Advisory Committee passed the following resolution at its regular meeting held April 22, 2002 at the Nanoose Library Hall, Nanoose Road:

*That the Fairwinds proposal adversely impacts upon the parks and open spaces of Nanoose Bay and will result in the expansion of the Urban Containment Boundary and therefore the Committee is not in favour of it.*

The minutes of the meeting also show that Mr. G. Holme (Director EA 'F') removed himself at 7:32 pm from the discussion and the vote, and rejoined the meeting at 7:35 pm following the vote.

The Committee would like this formal response to be included when you are considering the submission received as part of the Regional District's consultation process.

Don't be greedy -- Nanoose more than just the peninsula. How will a second golf course offset those of us on wells? Mr. McLean -- what makes you think a forest, well managed with sustainable harvesting will not be attractive. I refer to your comments in the local paper. Do you need some sanitized portal to Fairwinds?

-Contamination of groundwater sources. A second golf course with residential houses on the Crown land parcel would threaten local wells.

Fairwinds should develop the property they currently own, before considering additional property that would be less expensive to develop and generate a higher sales value for lots surrounding a second golf course. It is my understanding that a second golf course was included in the original (1980s) proposal and I believe that they should make good on the promise made in that original development concept. What happened to this second golf course? The developers have in the past also indicated that they are not generating sufficient revenue from the existing golf course. Do it make any business sense to justify developing a second golf course to lose more money? The hidden agenda appears to be a scheme to develop and sell higher priced lots, around a yet to be built golf course, on land that is less expensive to develop. This or similar development concepts have been, on at least three previous occasions, presented to the community and on all occasions the community has expressed their clear objection to this kind of development concept. As the first speaker indicated what part of NO don't they understand.

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If there is really no other option, or alternative, for their future build out, Fairwinds should maybe woo! (win over) Nanoose Community to see this, and try to counter the perception of coercion on us to accept their proposal. What concessions, if any, can Fairwinds make to marry their second golf course with Nanoose Parks and Open Spaces plan for parks and trails?

With the development of the Fairwinds to date, what percentage of land has been turned into parks (RDN or provincial) as all other subdivisions have to do – golf courses are not parks or public land.

Fairwinds has only developed 1/3 of the land they have now – they do not need anymore.

Fairwinds just doesn't give up. They also didn't make a great case regarding benefits to the community.

The lands in question should be left in their pristine condition for future generations to enjoy.

No – to the purchase of Crown Land by Fairwinds. No further expansion.

Fairwinds existing boundaries and plan is large enough – stop the additional “land grab”.

The Notch area is a difficult and costly housing development area. Fairwinds' real interest in obtaining the Provincial land is strongly profit oriented.

We are writing to respond to the recent proposal by the owners of Fairwinds regarding changes to the Official Community Plan for Nanoose Bay.

Just to be clear from the outset, we admit we do not have full information, so we would first like to outline our limited understanding of this issue.

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Where is the need for this proposed development? Vancouver Island already has a good number of interesting and challenging golf courses, many of which are much underutilized throughout the winter months. While golfing enthusiasts and the proposal proponents would suggest that winter weather is unsuitable for play, we would counter that if public land is to be permanently alienated for private and exclusive use, it will become permanently unsuitable for other more benign uses, such as hiking, wildlife viewing, and quiet contemplation at all times of the year. Rather than expand the choice of golf courses on Vancouver Island, the golfing community should be encouraged to make better use of the facilities already in place. For example, waiting lists for tee-off times in January would be evidence of fuller utilization, and the need for development of additional facilities. As non-golfing residents of Nanoose, we are not yet impressed with the urgency of the need for yet another golf course in our neighbourhood, or anywhere else for that matter. If there is any need for another golf course here, it resides merely in the perceptions of golfing enthusiasts and corporate investors, which are obviously biased and based entirely on pecuniary self-interest.

In a similar fashion, this development will not respond to any need for additional housing inventory. If anything, a greater supply of housing is needed at the lower end of the price range, and closer to the urban center of the region. Higher-priced housing is needed at the lower end of the price range, and closer to the urban center of the region. Higher-priced housing far from the center of town does not address this need at all. One need only walk around the current Fairwinds development to be struck with the obvious fact that much land, already accessible and serviced, remains undeveloped for housing. According to local real estate agents, lot prices within the current development have remained stable or declined in recent years. Should additional lots suddenly become available in this neighbourhood, there would be increasing downward pressure on existing lot prices, and current owners (investors and taxpayers) might be less likely to sell at such lower prices, and doubtless some of these lots would remain undeveloped. If there is any need for additional housing lots here, it resides merely in the perceptions of construction workers and corporate investors, which are obviously biased and based entirely on pecuniary self-interest.

As far as we are concerned, therefore, the proponents have failed to justify the needs for either a second golf course or additional housing lots in this neighbourhood. It is certain that most of the natural landscapes and features of the subject lands will be permanently altered or obliterated and that development activities and golf course operations

will jeopardize valuable public resources (e.g. open space, water quality) for the indefinite future, with untold consequences to future generation of all species.

The current, publicly-approved, Official Community Plan already allows the proponent considerable latitude for development of its current holdings. Even with this plan in place, significant sensitive ecosystems will either be destroyed by development, or irreparably degraded by the combination of parkland designation and provision of public access for insensitive uses such as off road cycling, poaching and dumping. We find it tragically ironic that the very qualities which attract new residents to this area will be lost as development process, and that elected officials and public servants are encouraging and facilitating this senseless destruction over vociferous and prolonged protests from the public.

Finally, we would like to add that while we are residents of Nanoose, we are not members of the Nanoose Property Owners and Residents Association because we do not feel that this organization accurately represents our concerns. In particular, we disagree with the objective of this group to secure public access to parkland. In every case where the public has been provided access to natural parklands, such access has been abused by adjacent property owners and other individuals for activities such as off-road cycling, camping and poaching. We cannot support any group or agency which conducts such activities or contributes to their potential. We feel that some parkland, dedicated to the public good, should remain inaccessible to preserve in perpetuity those qualities which render it worthy of protection in the first place. In particular, we are concerned about the continued viability of the beaver ponds, lakeshore bluff vegetations, and Garry oak meadows which remain unprotected areas within the current Fairwinds property. The remainder of undeveloped land in the Fairwinds community is zoned for residential development, yet today Fairwinds is intending to use these areas for commercial purposes by renting bicycles at their new recreation center for use on the woodland trails. Such activity not only degrades trail quality and jeopardizes the safety of other trail users, it violates the spirit of the zoning language, exposes sensitive natural areas to degradation, and further demonstrates Fairwinds contempt for all things natural. By publicly endorsing the principle of public access to parkland without qualification, NPORA contributes to the degradation and destruction of such protected areas, and makes its membership unwitting partners with Fairwinds in destroying the unique natural character of our community.

To summarize, the proponents of this proposal have failed to justify any need for another golf course or additional building lots. The current owners of Fairwinds have open and unrepentant contempt for the natural features and wildlife of the community, and have consistently failed to respond appropriately to expressed public concerns in this area. In the absence of any demonstrated need for this development to proceed, and in light of the past behaviour of the proponents and their allies toward the land and community residents, and in consideration of the fact that a publicly-approved development plan already exists, we must register our complete and unqualified rejection of the current proposal.

### Other Issues

This proposal has benefit for the whole RDN not just Nanoose. Perhaps opening meetings in Parksville and Qualicum, etc. would be more fair. This is a "hot issue" in this community and has been for 10 years. I really doubt many people can be objective – witness the tone of some presentations last night. Yet, the proposal has merit as do some of the environmental concerns. A balance is needed which I think Fairwinds has tried to address. If other valid concerns are identified, I would be interested in Fairwinds response. Overall, I am supportive of the proposal.

Positive project all round – a wealth generator for all parties involved – let's get on with the approval process.

Our water supply on Beachcomber has been getting worse year by year. How would constantly watering an even larger golf course affect it? Is Enos Lake enough?

Developers will always push for more – short on vision, long on profit margins. Protected areas fragmented. One golf course is enough for one community. New development will not preserve the rural uniqueness of Nanoose Bay area. Forested areas disappearing at an alarming rate. Golf course only provides usage for small percentage of population. Protection of Notch Hill should not hinge on approval of this new development. It is being held ransom until we comply with all the developers' demands. Suggested (proposed) protected areas comprise 8.2 hectares – a paltry amount and ineffective to protect sensitive areas and wildlife. Tourism is more attracted to wilderness areas than to golf courses and urban sprawl.

I'm 14 and I want to keep the beautiful forest and wildlife instead of a mall and golf course.

Not stated at meeting but Fairwinds needs issue resolved at early stage to permit development of a new, rational and practical plan for the future of "their" lands.

Save some wildlife on Notch Hill and destroy most natural wildlife on forestry land for new golf course.

I totally oppose this proposition and will attend every meeting/rally, etc. until this proposition has been laid to rest. Thank you.

These are important questions that need attention immediately.

No more golf courses – Keep our Crown lands.

No to Fairwinds Development.

Opposed to all proposals presented.

We do not need another golf course in Nanoose. We do need to preserve the forestland that we have so little of.

There is no mention of anything for the children of this area. I am tired of catering to the retired population who continue to drain our resources and live off the fat of the land.

I am opposed to changes in our Community Plan.

Forested land is not "empty" land just waiting to be developed! The forest is an integral part of the ecology here. We need to save the Crown Land and leave it as is!

I am opposed to changing the urban containment boundary. I am appalled at the RDNs pro-active approach to this issue. We need the Crown Land to remain a forest – nothing is more beneficial to the residents of Nanoose Bay than preserving this valuable resource/ecosystem/wildlife habitat.

I have lived here for 38 years. I have seen a lot of development here. The larger part of the peninsula was forested – now we're trying desperately to preserve a portion of the small chunk left! Please maintain the rural integrity of the Nanoose peninsula.

I am very much opposed to any Boundary changes and to the give away of our Crown Land, the last parkland in our community.

This forest is priceless.

Trees absorb carbon dioxide and give out oxygen and we cannot afford to lose any more trees.

Fairwinds – keep the Notch – keep the Crown lands for all the residents of Nanoose Bay.

How many of these forms may I fill out? How do you think this type of response is of any value when it is SO OPEN TO ABUSE? This blatant disregard for our OCP makes me cynical.

The process is flawed. NRD and the Developer together presenting to the Minister gives the appearance of a "done deal". Is it?

Financially, Nanoose Bay would benefit from an expanded Fairwinds, but is it necessary so soon? As residents since the mid-seventies, we thought and hoped that land boundaries had been settled, for a while at least. Listening to comments presented on the 15<sup>th</sup>, Edible Farms had the most practical concern. Otherwise, it seemed that one of the chief complaints was the fact that a lot of negotiating had taken place without the knowledge or consent of residents. If attracting tourists is desired, how about a better hotel?

We support Fairwinds application to buy the Crown Land.

At future meetings you need a strong chairperson who will restrict each speaker to the allotted time limit of 5 minutes. The April 15<sup>th</sup> meeting was sidelined by individuals speaking for 10 plus minutes. What they had to say could have been done in 5 minutes or less as they repeated themselves time and time again.

The Province/RDN should dedicate the Crown Land (DL137) as green space forever. Not to be logged or developed in any way!

Would it not be a chance to hand onto a piece of land (Crown land DL137) while there is a chance, instead of planning for wall-to-wall houses? We had some unspoiled green space, we are not a city and even they have their big parks.

I am opposed to this plan.

I am opposed to this plan.

I strongly oppose this development. We already have one golf course. Why not preserve both the D.L. and the Notch and keep Nanoose Bay/Fairwinds as is, as the people expect it to be.

This is a classic case of a big developer and big government vs. the people.

We need the economic benefit of a 2<sup>nd</sup> golf course. Not everyone in Nanoose is retired. Our kids need jobs to get through college. The FLR land is not particularly unique, Notch Hill would make a much better park site. Thank you.

April 15<sup>th</sup> was an excellent opportunity to hear the community's opinions. Please add mine to votes against extending Fairwinds Urban Boundary to include Lot 137 Crown Land.

I would prefer that the district lot be placed into a park to aid in preservation of the Gary Oak ecosystem. It is a reasonably large block that is basically undisturbed, with no roads intruding. A housing and golf course development here will forever change the character of the Nanoose peninsula.

In the Nanoose area there are many beach access areas that are totally overgrown with brambles and not clearly marked as public areas. It would be nice to see this addressed as these areas were designed for public use.

We do not need another golf course in our region. DL137 as a nature preserve is far more important.

As others have said, what part of NO do you not understand?

I would like to see Lot 137 kept as Crown Land as a natural forest. It would be a terrible shame to lose this treasure.

This entire proposal is a scandal from top to bottom, and has been scandalously conducted throughout the months preceding April 15<sup>th</sup>, 2002!

Listen to the concerns of others such as Nanoose Edibles Organic Farms. Another golf course in that area will leach chemicals into their property. Now is it the RDN's intention to ruin other businesses to satisfy "big money" again!

Is it the RDN's intention to create a community for the wealth only? We need some affordable lots in Nanoose.

I would like to see the roads safe to walk on. I had five rides (word illegible) on turn. The drains are running down to the ocean and there is fungus in places that have it.

Fairwinds - keep the Notch - keep the Crown lands for all the residents of Nanoose Bay.

There is no need for another golf course. There is a need to preserve green space in perpetuity for ALL the residents of Nanoose.

Being faced with a virtual "fait accompli" does not help in relations with government officials. The needs of the community should be considered.



More disclosure of information would have made this whole issue more acceptable to the residents. Major decisions were made that will impact our lives and we were not aware of this happening.

The main reason for my concern is the destruction of one of the last bits of public forest in the area. We moved here because of the natural beauty in this area. A golf course is not natural, and it is not public green space. The Notch can be protected in other ways.

Fairwinds seems to be less interested in the natural world than the rest of us. They were very quick to kill off the rare and unique river otters saying they had permission and had to 'protect' their patrons and employees. But I suspect that many of the residents who live close to the shoreline were as shocked and disappointed as we were. Those beautiful creatures have inhabited this area since any of us and have yet to harm anyone.

Getting permission does not make it okay – this disregard for the natural world.

-Say "NO" to any swap of Crown Land for the "Notch".

-Buy the "Notch" if cannot be acquired through DCC.

Say a permanent "NO" to any swap of the Crown land DL137 for the Notch. Buy the Notch if it cannot be acquired through DCCs.

Please be advised that the Nanoose Bay Parks and Open Space Advisory Committee passed the following resolution at its regular meeting held April 22, 2002 at the Nanoose Library Hall, Nanoose Road:

*That the Fairwinds proposal adversely impacts upon the parks and open spaces of Nanoose Bay and will result in the expansion of the Urban Containment Boundary and therefore the Committee is not in favour of it.*

The minutes of the meeting also show that Mr. G. Holme (Director EA 'F') removed himself at 7:32 pm from the discussion and the vote, and rejoined the meeting at 7:35 pm following the vote.

The Committee would like this formal response to be included when you are considering the submission received as part of the Regional District's consultation process.

I fear that another golf course subdivision discourages younger families and working families moving to Nanoose, skewing the demographics. We need a community from young to old of all income brackets. I also do not believe that the remaining Crown land lots to the north of Stewart Road are best managed by RDN/First Nations for community forest. What does the RDN know about forestry? It would be a nice park though. As for the Notch, Enos Lake, etc. = its private land so obviously the owners can dictate what occurs there. But Crown Land is Public. Keep it that way.

This community cannot deny every proposal brought before it, or Fairwinds will rightfully just go ahead at some point to maximize its investment. I support the proposal as the best for all.

At last, after three rejections by the Nanoose public, it appears that all the elements are right for the go ahead to declare the Notch a Park area. I wholeheartedly support the proposal. It makes economical sense for this area.

1. The desirability of encouraging "adult-orientated" communities, which are not seen by myself and others as the best, or as our preferred, type of community should Fairwinds become adult orientated. This would greatly influence my opinion of them. I would rather see Nanoose develop its tourist potential for economic growth before it ties its growth to well off, privileged, minorities. Historically those type of communities place a heavy burden on government services such as health care, transport needs, policing; they use more of the available services than is returned by them to the local economy in the form of jobs, income disposal in stores, leisure opportunities.
2. The real "greenness" of Fairwinds. I am not persuaded of this. The workshop on greenways concept underlined that wide roads were unnecessary in a mainly residential area.
3. Fairwinds has already purchased land adjacent to the forest lands and is negotiating on another large piece to the waterfront - urban sprawl at its finest. Ask the people of Nanoose what they want.

The 170 acres of provincial land would make a much better park than Notch Hill. My wife and I may never get up Notch Hill again - too steep.

I do not support the land swap. The Notch and this Crown land should be protected. The RDN should have been giving the community their options for achieving these goals.

There is no transit here which I think should have at least one trip out and back for our senior citizens who do not wish to drive anymore.

I think Fairwinds shouldn't monopolize the whole of Nanoose for their own so-called "needs". They should develop what they have and forget the golf course. There isn't enough water. Are they going to drain Lake Enos?

Our household opposes expansion of existing Fairwind boundaries.

It is hard to believe that an additional golf course is in the public interest to the residents of the Nanoose area.

We are totally opposed to any amendment in the OCP relating to a second golf course at Fairwinds!!

We are writing to respond to the recent proposal by the owners of Fairwinds regarding changes to the Official Community Plan for Nanoose Bay.

Just to be clear from the outset, we admit we do not have full information, so we would first like to outline our limited understanding of this issue.

We understand the proposal is that Fairwinds would sell to the public a portion of their present holdings, and the public would sell to Fairwinds a section of Crown land, with the expectation that a second golf course would be built as part of an amended development plan. Specifically, the lands known community as "Notch Hill" would be dedicated permanently as parkland, while the *status quo* is that this land would remain in public ownership and in its current use indefinitely. We also understand that this proposal is not particularly novel; it has been made at least three times before and the *status quo* was maintained each time the issue was decided.

We have thought a great deal about this matter, being newer to the community than many of our neighbours. However, it seemed evident very quickly that for many of us, the length of our residence was unimportant compared to the reasons why we all chose to live here. We have not conducted an official poll, but we can tell you our impression of the neighbourhood based on our brief experience.

People choose to live here because of the natural landscapes and wildlife, the fine weather, and the character of its development. The natural landscapes include beaver ponds, oak meadows, rocky bluffs, and berry thickets. The wildlife include otter, beaver, raccoon, rabbit, bear, deer, eagle, towhee, chickadee, frog, snake and bat. The weather marches by in four distinct seasons, but even with lots of snow on the ground, people get out to walk. Homes are built on larger lots, in part due to the steeper terrain, which allows retention of vegetation for both privacy and wildlife habitat. People enjoy the quiet of the neighbourhood compared to other more traditionally urban areas of their experience. Because there are no streetlamps, we all enjoy being able to see the Milky Way and the *Aurora Borealis*, especially on a moonless night. As residents of Nanoose Bay, we may not agree with the current Official Community Plan for our neighbourhood, but we support it nevertheless because it is all that we have to protect the values which we share. Where do the proponents of the current proposal live? My wife and I have not met any in our neighbourhood.

In the debate surrounding this proposal, proponents often suggest that there are many significant economic benefits from development generally, and from this concept for Nanoose Bay in particular. They mention a broader tax base, better utilization of services, short-term employment in construction and long-term employment in golf course operation and services. However, Nanoose Bay residents demand fewer services than other typically urban areas, so a "broader tax base" while beneficial, is not particularly necessary to offset growth in demand. As for "better utilization" of services, Nanoose residents along Dolphin Drive in particular enjoy and prefer their street without public transit service; our volunteer fire department does a marvelous job, and the relatively remote location of the residential zone in Nanoose Bay discourages property offences which would create demands for police services. Wherever houses are built, short-term construction jobs will result when they are built, but they will not be built until property owners feel confident enough in their economy to make such an investment. My wife and I do not

understand enough about golf courses to judge whether employment creation claims of the proponents and their supporters have any merit. These benefits, if indeed real, will be manifest whether or not this proposal proceeds.

Are there other, less tangible benefits of this development which should be considered? For example, will the values of our neighbourhood be enhanced by this development in any way? My wife and I are not professional biologists (although I am an award-winning restoration ecologist), but it seems obvious that any kind of development will necessarily alienate natural landscapes from potential wildlife habitat. My wife and I are not urban planners (although I have studied the subject at university), but it seems based on the rest of the Fairwinds development, that probably two-thirds or more of the area will be converted to roads, sidewalks, driveways, patios, buildings and outbuildings, lawns, and gardens full of exotic plants (with extraordinary nutrition and water demands). It is doubtful that any development will increase wildlife values, so perhaps the habitat issue is merely a question of which alternative provides the best potential outcome.

There is one item in the current proposal which heavily tips the scale in favour of maintaining the *status quo*: another golf course. While as much as two-thirds of the land base will be permanently alienated from its natural state in residential development, development of a golf course alienates nearly 100 percent of the land. To those who would believe the claims of the proponents that as much as 20 percent of the land base would remain as public green space, we would suggest that the current Fairwinds Golf Course be viewed as a good example of how ridiculous and unfounded such a belief is in fact. Furthermore, management of turf grasses for golf requires regular applications of garden chemicals to fertilize the grass and kill weeds, as well as irrigation to maintain an arbitrary cultural aesthetic through the drier summer period. Not only would this development place greater strain on already limited water resources, it would potentially add harmful chemicals to surface runoff and the groundwater table, with untold consequences downstream for future generations to come. In short, one need only observe how Fairwinds has utterly failed to accommodate its natural and cultural environments to conclude that more of the same would likely result from this proposed development.

Where is the need for this proposed development? Vancouver Island already has a good number of interesting and challenging golf courses, many of which are much underutilized throughout the winter months. While golfing enthusiasts and the proposal proponents would suggest that winter weather is unsuitable for play, we would counter that if public land is to be permanently alienated for private and exclusive use, it will become permanently unsuitable for other more benign uses, such as hiking, wildlife viewing, and quiet contemplation at all times of the year. Rather than expand the choice of golf courses on Vancouver Island, the golfing community should be encouraged to make better use of the facilities already in place. For example, waiting lists for tee-off times in January would be evidence of fuller utilization, and the need for development of additional facilities. As non-golfing residents of Nanoose, we are not yet impressed with the urgency of the need for yet another golf course in our neighbourhood, or anywhere else for that matter. If there is any need for another golf course here, it resides merely in the perceptions of golfing enthusiasts and corporate investors, which are obviously biased and based entirely on pecuniary self-interest.

In a similar fashion, this development will not respond to any need for additional housing inventory. If anything, a greater supply of housing is needed at the lower end of the price range, and closer to the urban center of the region. Higher-priced housing is needed at the lower end of the price range, and closer to the urban center of the region. Higher-priced housing far from the center of town does not address this need at all. One need only walk around the current Fairwinds development to be struck with the obvious fact that much land, already accessible and serviced, remains undeveloped for housing. According to local real estate agents, lot prices within the current development have remained stable or declined in recent years. Should additional lots suddenly become available in this neighbourhood, there would be increasing downward pressure on existing lot prices, and current owners (investors and taxpayers) might be less likely to sell at such lower prices, and doubtless some of these lots would remain undeveloped. If there is any need for additional housing lots here, it resides merely in the perceptions of construction workers and corporate investors, which are obviously biased and based entirely on pecuniary self-interest.

As far as we are concerned, therefore, the proponents have failed to justify the needs for either a second golf course or additional housing lots in this neighbourhood. It is certain that most of the natural landscapes and features of the subject lands will be permanently altered or obliterated and that development activities and golf course operations will jeopardize valuable public resources (e.g. open space, water quality) for the indefinite future, with untold consequences to future generation of all species.

The current, publicly-approved, Official Community Plan already allows the proponent considerable latitude for development of its current holdings. Even with this plan in place, significant sensitive ecosystems will either be destroyed by development, or irreparably degraded by the combination of parkland designation and provision of public access for insensitive uses such as off road cycling, poaching and dumping. We find it tragically ironic that the very qualities which attract new residents to this area will be lost as development process, and that elected officials and public servants are encouraging and facilitating this senseless destruction over vociferous and prolonged protests from the public.

Finally, we would like to add that while we are residents of Nanoose, we are not members of the Nanoose Property Owners and Residents Association because we do not feel that this organization accurately represents our concerns. In particular, we disagree with the objective of this group to secure public access to parkland. In every case where the public has been provided access to natural parklands, such access has been abused by adjacent property owners and other individuals for activities such as off-road cycling, camping and poaching. We cannot support any group or agency which conducts such activities or contributes to their potential. We feel that some parkland, dedicated to the public good, should remain inaccessible to preserve in perpetuity those qualities which render it worthy of protection in the first place. In particular, we are concerned about the continued viability of the beaver ponds, lakeshore bluff vegetations, and Garry oak meadows which remain unprotected areas within the current Fairwinds property. The remainder of undeveloped land in the Fairwinds community is zoned for residential development, yet today Fairwinds is intending to use these areas for commercial purposes by renting bicycles at their new recreation center for use on the woodland trails. Such activity not only degrades trail quality and jeopardizes the safety of other trail users, it violates the spirit of the zoning language, exposes sensitive natural areas to degradation, and further demonstrates Fairwinds contempt for all things natural. By publicly endorsing the principle of public access to parkland without qualification, NPORA contributes to the degradation and destruction of such protected areas, and makes its membership unwitting partners with Fairwinds in destroying the unique natural character of our community.

To summarize, the proponents of this proposal have failed to justify any need for another golf course or additional building lots. The current owners of Fairwinds have open and unrepentant contempt for the natural features and wildlife of the community, and have consistently failed to respond appropriately to expressed public concerns in this area. In the absence of any demonstrated need for this development to proceed, and in light of the past behaviour of the proponents and their allies toward the land and community residents, and in consideration of the fact that a publicly-approved development plan already exists, we must register our complete and unqualified rejection of the current proposal.

Attachment No. 4



PLANNING DEPT  
-05- 0 6 2002  
RECEIVED

May 3, 2002

Mr. Bob Lapham  
General Manager, Development Services  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC  
V9T 6N2

Dear Bob,

Re: Growth Management Plan Review Application - Lots 10-16, DL137, Plan 3986

Further to our application in the Regional Growth Management Plan Review process, to have the above lands included into the current Fairwinds Urban Containment, I would like to advise you that we are withdrawing this application at this time.

I would like to thank you and your employees for their professional assistance through this process and look forward to working with your office in the future.

Yours truly,

Allstair McLean  
General Manager

AM/am

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**TO:** Neil Connelly  
General Manager, Community Services

**DATE:** May 8, 2002

**FROM:** Christina Thomas  
Senior Planner, Community Services

**FILE:** 6780 30

**SUBJECT: GROWTH MANAGEMENT PLAN REVIEW  
UPDATED REGIONAL GROWTH STRATEGY - BYLAW 1309**

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#### PURPOSE

The purpose of this report is to consider a revised, updated, regional growth strategy bylaw for 1<sup>st</sup> and 2<sup>nd</sup> reading and advancement to public hearing.

#### BACKGROUND

The Regional Board initiated the Growth Management Plan Review in January of 2001 with the approval of Terms of Reference for the project. Since that time the first three phases of the four-phase project have been completed. Most recently, the third phase of the project was completed with the submission of the report<sup>1</sup> to the Board on April 30, 2002 that documents public feedback about possible changes to the Growth Management Plan prepared by the RETHINK GROUP. The focus of the fourth phase of the project is the development and official consideration of an updated regional growth strategy bylaw.

A revised, updated regional growth strategy bylaw is provided for the Board's consideration (**separate enclosure**). The following sections provide a summary of the revised regional growth strategy:

#### *Goal 1: Urban Containment*

- It re-affirms the existing overall land use strategy to contain and concentrate new development into Urban Areas inside Urban Containment Boundaries (UCBs) and to limit development outside the UCB. Specifically, the strategy retains its proactive endorsement of servicing land presently designated as Urban Areas and Present Status Lands for the purpose of enabling new development. It restricts the provision of services to land designated as Resource Lands and Open Space or Rural Residential by only permitting the provision of services to these areas where there is an environmental or public health threat and the provision of the service will not enable new development that would otherwise not be permitted.
- It re-affirms the location of the current UCB, with only three relatively minor adjustments. The adjustments include a change to the UCB adjacent to the Town of Qualicum Beach to include a property isolated by the Laburnum Road alignment decision, a change to include three parcels of land inside the Dunsmuir Village UCB to respond to a mapping error, and a change to exclude land that is in the Forest Land Reserve and not committed to village uses outside the UCB for the Qualicum Bay

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<sup>1</sup> The report, titled Growth Management Plan Review: Phase III Public Feedback (April 2002), is available for public review on the RDN web site and at the RDN Administration Building.

Village Centre. With regard to the changes to the UCB around the Qualicum Bay Village it should be noted that some land in the FLR and ALR will remain inside the UCB, given that the provincial government has granted its approval of non-forestry and non-agricultural uses on these lands and the buildings and structures on the properties confirm that commitment for the long term (i.e. seniors housing complex, Lighthouse Community Centre, improvement district building).

- No changes to the UCB are being proposed in the Deep Bay or Fairwinds areas. As the Board is aware, there was substantial public opposition to UCB changes in both of these areas in Phase III of the project.
- The revised regional growth strategy does not propose to include District Lots 12 and 42 and Block 607 inside the UCB as requested by the City of Parksville. It should be noted that most of these lands are in the ALR (approximately 100 out of 125 hectares), and that approximately half the land is in Electoral Area G with the other half in the City of Parksville. It is suggested that the decision regarding which, if any, of the lands should be included inside the UCB be determined according to the process and criteria of the Urban Containment and Fringe Area Management Implementation Agreement. This Agreement, between the RDN, the City of Nanaimo, the City of Parksville and the Town of Qualicum Beach, allows the Regional Board to make amendments to the UCB at variance to the regional growth strategy, in between reviews of the regional growth strategy. Pursuant to this Agreement, two of the parcel areas that the City would like inside the UCB (DL 12 and DL 42) would need to be excluded from the ALR prior to a UCB adjustment to include the parcels inside the UCB. The Intergovernmental Advisory Committee and the Land Reserve Commission concur with this approach to the City of Parksville UCB change request.

#### ***Goal 2: Nodal Structure***

- The nodal development concept is re-affirmed, with only minor amendments to the key policy regarding nodal development, to provide clearer direction regarding the elements of a node.
- Policies that direct the study of new town development and provide for the consideration of a destination alpine resort linked to Mount Arrowsmith have been deemed to be premature and have consequently been eliminated. It should be noted, however, that the regional growth strategy includes a new provision to support the consideration of destination resorts in the region if such a development is deemed appropriate by a community through an official community plan amendment.

#### ***Goal 3: Rural Integrity***

- It fully allocates decision making regarding whether land should be in the Agriculture Land Reserve and the Forest Land Reserve to the Province. Should the Province exclude land from the ALR or FLR, the RDN would determine the appropriate use of the land through its official community plan and zoning processes.
- It reaffirms the planning direction for the lands designated as Present Status Lands in Lantzville. The maximum level of development advocated for these lands shall continue to be the maximum as stated in the current OCP (i.e. 7.5 units per hectare). The name of the land use designation, however, has been changed from Present Status Lands to Sub-Urban Lands to better reflect the planned future of these lands. As the Board is aware, the feedback received in Phase III indicates there is no clear direction to provide for increased (i.e. Urban Area inside a UCB) or decreased (i.e. Rural Residential) development on these lands. Furthermore, a land use designation change from Present Status Lands to an Urban Area inside a UCB would allow the OCP to be amended to increase the level of development supported on these lands to a level greater than 7.5 units per hectare, consequently resulting in a level of development on these lands that is inconsistent with the capital plans for servicing and that the wastewater management facilities are not intended to handle.
- It establishes a more specific strategy to promote and encourage the retention of large rural holdings on land designated as Resource Lands, in response to Intergovernmental Advisory Committee

concern about the absence of specific direction on this matter. Specifically, the regional growth strategy proposes that the RDN and member municipalities investigate the ideal and practical minimum parcel sizes for land in this designation. In the interim, the regional growth strategy proposes that the minimum parcel sizes of land in this designation not be reduced below the minimum parcel size established by the OCPs in place at the date of adoption of the strategy.

***Goal 4: Environmental Protection***

- It provides clearer direction regarding what the RDN will do in regards to environmental protection relative to the roles and responsibilities of the federal and provincial government and non-governmental organizations.

***Goal 5: Improved Mobility***

- It recognizes the automobile as the primary form of transportation in the region, and provides for a limited, but slightly more proactive role for the RDN in improving regional mobility. Specifically, it provides support for the RDN to take an advocacy role to help improve mobility within the region and between the region and other regions. It also provides for the RDN to take on a public education role to inform the public of the potential impacts of various forms of transportation.

***Goal 6: Vibrant and Sustainable Economy***

- It re-affirms the RDN's role in economic development as one that focuses on the provision of information about economic development opportunities in the region, in partnership with the member municipalities and economic development authorities.
- It provides new opportunities for the consideration of destination resort nodes in the region.
- It increases the amount of land available for industrial uses by designating as Industrial Areas approximately a dozen parcels (approximately 24 hectares) that are already in the established industrial areas of Cassidy and South Wellington and are recognized by the Electoral Area A OCP as being lands suitable for industrial use but not presently designated Industrial by the regional growth strategy.
- It provides increased certainty for residents and operators regarding the desired location of aggregate resource development sites by stating that the appropriate location for large-scale aggregate resource development is on land designated as Resource Lands.

***Goal 7: Efficient Servicing***

- It establishes greater flexibility for the RDN to determine which lands designated by the strategy as Rural Residential or Resource Lands and Open Space should be serviced to address environmental or public health threats, rather than relying upon the Ministry of Health to define such areas using their limited data.
- It provides support for the provision of services to land designated as Industrial Areas, at the landowner's cost, for the purpose of reducing the environmental and public health risks associated with industrial uses, so long as the industrial use is consistent with the applicable official community plan.
- It mandates the development and update of capital plans to meet the servicing needs of the projected population for services that are delivered regionally.

***Goal 8: Cooperation Among Jurisdictions***

- It provides clarity and reaffirms the role of the Intergovernmental Advisory Committee in the development and implementation of the regional growth strategy, consistent with the Local Government Act.
- It establishes consistent requirements for regional context statements in OCPs for municipal and



- electoral areas.
- It establishes support for working with the private sector and non-profit groups to implement the strategy.
- It establishes a method of coordinating RDN and First Nations planning.

#### **General**

- It has been substantially shortened to only include the most pertinent material, focusing on the policies and land use designation maps and not the guidelines.
- It is staff's intention to have the content of the regional growth strategy presented in a more visually appealing way when it is brought forward to the Regional Board for consideration of 3<sup>rd</sup> reading and adoption (i.e. design, layout, graphics, pictures, etc.).

The revised regional growth strategy includes relatively few changes to the "Map of Land Use Designations" and the "Urban Containment Boundary Maps" contained in the strategy. **Attachment 1** provides information about specific changes to the Maps. These changes reflect the policy changes described above.

The Regional Board deferred several applications regarding the exclusion of land from the Agriculture Land Reserve or the Forest Land Reserve to the Growth Management Plan Review. **Attachment 2** provides information regarding the relationship between the revised regional growth strategy bylaw and these applications. The response to each referral is reflected in the policy changes described above.

As a part of the Growth Management Plan Review individuals were invited to submit specific suggested changes to the Plan. The Regional District received 28 property specific suggested changes by the deadline of November 5, 2001. **Attachment 3** provides information about these suggestions and how the revised regional growth strategy has been adjusted (or not) to respond to them.

#### **ALTERNATIVES**

1. To grant the revised regional growth strategy bylaw 1<sup>st</sup> and 2<sup>nd</sup> reading and advance it to public hearing.
2. To direct staff to make amendments to the bylaw for the Board's consideration, prior to granting 1<sup>st</sup> and 2<sup>nd</sup> reading.

#### **FINANCIAL IMPLICATIONS**

The Community Services 2002 Budget provides the budgetary requirements to complete the project as defined by the Terms of Reference for the project. Any additional study or public consultation not included in the Terms of Reference would require the allocation of additional resources.

#### **PUBLIC CONSULTATION IMPLICATIONS**

##### ***Phases I, II and III***

Public consultation has been an integral part of the Growth Management Plan Review.

Every household in the region was sent three Regional Perspectives newsletters over the course of the project to provide information about the project, changes under consideration, public events, and the range of opportunities available to provide feedback about the project and possible changes to the Plan.

The RDN has maintained a special web site for the project. It includes complete copies of all the technical

reports completed, information about public events, Regional Perspectives newsletters about the project, detailed information about policy changes under consideration, and the results of public feedback.

The RDN established and maintained a project mailing list of individuals wishing to be updated about the project via direct mail. Members of the mailing list were sent approximately 6 updates regarding the project, as new information became available.

The RDN conducted public events as a part of each phase of the project. Three specialized workshops were conducted in the first phase, four workshops were conducted in the second phase, and four workshops and a Board Forum were conducted in the third phase.

The majority of the public that participated in the project fall into two categories: individuals that want specific changes to the strategy to enable a greater level of development of their land, and individuals that were concerned about a development proposal for their area (specifically, the Fairwinds and Deep Bay proposals).

The revised regional growth strategy bylaw provides a balanced response to public feedback received through the project, Board direction received to date, and technical information obtained in the project.

#### ***Phase IV***

Public consultation remains an integral part of the project in the fourth phase. Should the Board grant the revised regional growth strategy bylaw 1<sup>st</sup> and 2<sup>nd</sup> reading:

- the Board's consideration of the bylaw will be widely advertised;
- the bylaw will be made available to the public at the RDN offices and through the RDN web site;
- two information sessions will be conducted to present the bylaw to the public and to answer questions the public may have about the bylaw (June 12<sup>th</sup> and 13<sup>th</sup>);
- a public hearing will be conducted to provide the 'official' opportunity for the public to register its perspectives regarding the bylaw (June 19<sup>th</sup> and 20<sup>th</sup>).

The Board is able to make changes to the revised regional growth strategy bylaw at third reading, as it deems appropriate, based on input received through the public hearing process.

#### **INTERGOVERNMENTAL IMPLICATIONS**

The revised regional growth strategy bylaw has been prepared in consultation with the Intergovernmental Advisory Committee (IAC). The IAC met 10 times since the project was initiated in January of 2001, to review, discuss and provide guidance regarding the preparation of technical reports, to review public feedback, and to review and discuss specific changes to the regional growth strategy. The Board has received minutes for all of these meetings as a part of the Regular Board Agendas in 2001 and 2002.

The IAC meetings of February 6<sup>th</sup> and May 1<sup>st</sup> indicate that the IAC has some concerns regarding some of the potential revisions to the regional growth strategy. Specifically, the IAC is concerned about the direction the strategy provides regarding the maximum density of development supported on lands designated as Resource Lands, citing that smaller parcel sizes of land with this designation will reduce the resource use viability of the lands and introduce conflicting residential lands uses into the area. The revised regional growth strategy bylaw provided for the Board's consideration responds to the concern regarding development potential of Resource Lands by supporting a study of ideal and practical minimum parcel sizes for land with this designation and, in the interim, restricting the minimum permitted parcel size of these lands to that supported by official community plans. It is staff's assessment that the revised regional growth strategy bylaw provided for the Board's consideration balances the IAC's concerns with public feedback and Board direction received to date. The IAC is scheduled to review the revised regional growth strategy bylaw that the Board has granted 1<sup>st</sup> and 2<sup>nd</sup> reading at its meeting in June. The Board

could make further adjustments to the regional growth strategy at 3<sup>rd</sup> reading to respond to IAC comments if it deems appropriate.

After a revised regional growth strategy bylaw is granted 1<sup>st</sup> and 2<sup>nd</sup> reading and the public hearing has been conducted for the bylaw, the bylaw must be referred to the three adjacent regional districts and the 3 member municipalities for consideration of acceptance. The jurisdictions must be provided a maximum of 120 days to respond to the referral. The Regional Board may not consider adoption of the bylaw until all of the jurisdictions have accepted the bylaw by resolution, or the 120-day referral period passes and no response is received from jurisdictions.

#### SUMMARY

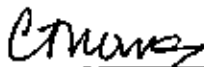
A revised, updated regional growth strategy bylaw (Bylaw 1309) is provided for the Board's consideration of 1<sup>st</sup> and 2<sup>nd</sup> reading and advancement to public hearing, as a part of the fourth and final phase of the Growth Management Plan Review Project. The bylaw was prepared as a result of the first three phases of the Project.

The project was undertaken in response to a Local Government Act requirement for Regional Districts with a regional growth strategy to consider whether amendments need to be made to the strategy once every five years. The revised bylaw provided for the Board's consideration for the most part re-affirms the current strategy, with some key refinements, as described above.

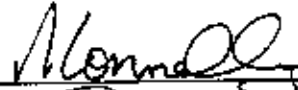
It is recommended that the Regional Board grant the revised regional growth strategy bylaw (Bylaw 1309) 1<sup>st</sup> and 2<sup>nd</sup> reading and advance the Bylaw to public hearing. After the public hearing the bylaw will be referred to the member municipalities and adjacent regional districts for acceptance. Once these parties accept the bylaw the Regional Board can consider the bylaw for 3<sup>rd</sup> reading and adoption.

#### RECOMMENDATION

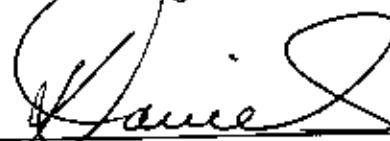
1. That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be granted 1<sup>st</sup> and 2<sup>nd</sup> reading.
2. That "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" proceed to public hearing.
3. That the holding of the public hearing with respect to "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1309, 2002" be delegated to the Board Chair Director George Holme and the Board Deputy Chair Director Larry McNabb, or their alternates.



Report Writer



General Manager Concurrence



CAO Concurrence

ATTACHMENT 1  
 MAP CHANGES

Property	Area/Jurisdiction	Current Regional Growth Strategy Designation	Proposed Regional Growth Strategy Designation
Parcel Z (DDK83923), Section 13, Range 1 & Section 12/13, Range 2	Extension Village area of Electoral Area C	Resource Lands and Open Space	Rural Residential
Lot A, Plan 8196, Except Plan VIP65473, DL 19, Newcastle LD	Dunsmuir Village area of Electoral Area H (mapping error)	Rural Residential	Urban Area inside UCB
Lot 1, VIP65473, DL 19, Newcastle LD	Dunsmuir Village area of Electoral Area H (mapping error)	Rural Residential	Urban Area inside UCB
Lot 2, VIP65473, DL 19, Newcastle LD	Dunsmuir Village area of Electoral Area H (mapping error)	Rural Residential	Urban Area inside UCB
Lot A, VIP 71752, DL 10, Newcastle LD	Town of Qualicum Beach (Laburnum Road alignment)	Rural Residential	Urban Area inside UCB
That part of Remainder Lot DL 32 west of the railway (VIP68808), Newcastle LD	Qualicum Bay Village in Electoral Area H (mapping error, land in FLR)	Resource Lands inside UCB	Resource Lands outside UCB
Lot 1, Plan 47847, DL 32, Newcastle LD	Qualicum Bay Village in Electoral Area H (mapping error, land in FLR & ALR but long term commitments have been made to the properties with provincial government approval)	Resource Lands inside UCB	Urban Area inside UCB
Lot 1, Plan 42674, DL 32, Newcastle LD	Qualicum Bay Village in Electoral Area H (mapping error, land in FLR but long term commitments have been made to the properties with provincial government approval)	Resource Lands inside UCB	Urban Area inside UCB
Lot A, Plan 45846, DL 32, Newcastle LD	Qualicum Bay Village in Electoral Area H (mapping error, land in FLR & ALR but long term commitments have been made to the properties with provincial government approval)	Resource Lands inside UCB	Urban Area inside UCB
Lot A, VIP6888 (Railway portion within UCB)	Qualicum Bay Village in Electoral Area H (mapping error)	Resource Lands inside UCB	Urban Area inside UCB
Lot G, Plan 30913, DL 12, Nanoose LD	Electoral Area G adjacent to the City of Parksville (mapping correction)	Rural Residential	Resource Lands

**ATTACHMENT 1  
 MAP CHANGES (cont.)**

<b>Property</b>	<b>Area/Jurisdiction</b>	<b>Current Regional Growth Strategy Designation</b>	<b>Proposed Regional Growth Strategy Designation</b>
Lot D, Plan 30913, DL 12, Nanoose LD	Electoral Area G adjacent to the City of Parksville (mapping correction)	Rural Residential	Resource Lands
Lot E, Plan 30913, DL 12, Nanoose LD	Electoral Area G adjacent to the City of Parksville (mapping correction)	Rural Residential	Resource Lands
Lot F, Plan 30913, DL 12, Plan 30913	Electoral Area G adjacent to the City of Parksville (mapping correction)	Rural Residential	Resource Lands
Lot 2, Plan 1895, DL 12, Nanoose LD	Electoral Area G adjacent to the City of Parksville (mapping correction)	Rural Residential	Resource Lands
Lot 3, Plan 1895, DL 12, Nanoose LD	Electoral Area G adjacent to the City of Parksville (mapping correction)	Rural Residential	Resource Lands
Lot 4, Plan 1895, DL 12, Nanoose LD	Electoral Area G adjacent to the City of Parksville (mapping correction)	Rural Residential	Resource Lands
Lot 5, Plan 1985, DL 12, Nanoose LD	Electoral Area G adjacent to the City of Parksville (mapping correction)	Rural Residential	Resource Lands
Lot 6, Plan 1985, DL 12, Nanoose LD	Electoral Area G adjacent to the City of Parksville (mapping correction)	Rural Residential	Resource Lands
Lot 1, Plan 7407, DL 2, Bright LD	Cassidy industrial area of Electoral Area A	Rural Residential	Industrial Area
Lot 2, Plan 7407, DL 2, Bright LD	Cassidy industrial area of Electoral Area A	Rural Residential	Industrial Area
Lot 3, Plan 7407, DL 2, Bright LD	Cassidy industrial area of Electoral Area A	Rural Residential	Industrial Area
Lot 4, Plan 7407, DL 2, Bright LD	Cassidy industrial area of Electoral Area A	Rural Residential	Industrial Area
Lot 5, Plan 7407, DL 2, Bright LD	Cassidy industrial area of Electoral Area A	Rural Residential	Industrial Area
Lot 20, Plan 9244, Section 15, Range 6, Cranberry District	South Wellington industrial area of Electoral Area A	Rural Residential	Industrial Area
Lot 19, Plan 9244, Section 15, Range 6, Cranberry District	South Wellington industrial area of Electoral Area A	Rural Residential	Industrial Area
Lot 18, Plan 9244, Section 14, Range 6, Cranberry District	South Wellington industrial area of Electoral Area A	Rural Residential	Industrial Area

**ATTACHMENT 1  
 MAP CHANGES (cont.)**

<b>Property</b>	<b>Area/Jurisdiction</b>	<b>Current Regional Growth Strategy Designation</b>	<b>Proposed Regional Growth Strategy Designation</b>
Lot 17, Plan 9244, Section 14, Range 6, Cranberry District	South Wellington industrial area of Electoral Area A	Rural Residential	Industrial Area
Lot 16, Plan 9244, Section 14, Range 6, Cranberry District	South Wellington industrial area of Electoral Area A	Rural Residential	Industrial Area
Parts of Section 14 & 15, Range 6 East of Nanaimo – Ladysmith Road on Plan DD12921N Except Plan 7057 & 7832	South Wellington industrial area of Electoral Area A	Rural Residential	Industrial Area
Parcel A (DD3996891) Lot 1, Plan 7832, Section 14, Range 6, Cranberry District	South Wellington industrial area of Electoral Area A	Rural Residential	Industrial Area
Lot A, Plan 7057, Section 14, Range 6, Cranberry District	South Wellington industrial area of Electoral Area A	Rural Residential	Industrial Area
Remainder Lot 1, Plan 12009, Section 13, Range 6, Cranberry District	South Wellington industrial area of Electoral Area A	Rural Residential	Industrial Area
Lot 1, Plan 17274, Section 13, Range 6, Cranberry District	South Wellington industrial area of Electoral Area A	Rural Residential	Industrial Area
Lot 1, Plan 19938, Section 13, Range 6, Cranberry District	South Wellington industrial area of Electoral Area A	Rural Residential	Industrial Area
Lot 1, Plan 22021, Section 13, Range 6, Cranberry District	South Wellington industrial area of Electoral Area A	Rural Residential	Industrial Area
Lot 3, Plan 3153, Lying within Section 11, Except parcel 11018	South Wellington industrial area of Electoral Area A	Rural Residential	Industrial Area
Parcel D (DD8429N), Section 11, Range 7, Except Plan 3372 RW	South Wellington industrial area of Electoral Area A	Rural Residential	Industrial Area
Part of Lot 5 that is not in the ALR, Plan 2047, DL 78, Newcastle LD	Inside UCB around Town of Qualicum Beach, northwest side.	Rural Residential	Urban Area
Part of Lot 13 that is not in the ALR, Plan 2047, DL 78, Newcastle LD	Inside UCB around Town of Qualicum Beach, northwest side.	Resource Lands and Open Space	Urban Area
Lot 1, Plan 22297, DL 78, Newcastle LD	Inside UCB around Town of Qualicum Beach, northwest side.	Rural Residential	Urban Area

**ATTACHMENT 1  
 MAP CHANGES (cont.)**

Property	Area/Jurisdiction	Current Regional Growth Strategy Designation	Proposed Regional Growth Strategy Designation
Lot 1, Plan 23219, DL 78, Newcastle LD	Inside UCB around Town of Qualicum Beach, northwest side.	Rural Residential	Urban Area
Lot 2, Plan 23219, DL 78, Newcastle LD	Inside UCB around Town of Qualicum Beach, northwest side.	Rural Residential	Urban Area
Lot 3, Plan 2047, DL 78, Newcastle LD	Inside UCB around Town of Qualicum Beach, northwest side.	Resource Lands and Open Space	Urban Area
Lot 12, Plan 2047, DL 78, Newcastle LD	Inside UCB around Town of Qualicum Beach, northwest side.	Resource Lands and Open Space	Urban Area
West ½ of Lot 4, Plan 2047, DL 78, Newcastle LD	Inside UCB around Town of Qualicum Beach, northwest side.	Resource Lands and Open Space	Urban Area
Lot 9, Plan 2047, DL 78, Newcastle LD	Inside UCB around Town of Qualicum Beach, north west side	Rural Residential	Urban Area
Lot 1, Plan 39063, DL 78, Newcastle LD	Inside UCB around Town of Qualicum Beach, north west side	Rural Residential	Urban Area
Lot 2, Plan 39063, DL 78, Newcastle LD	Inside UCB around Town of Qualicum Beach, north west side	Rural Residential	Urban Area
Lot 7, Plan 2212, DL 78, Newcastle LD	Inside UCB around Town of Qualicum Beach, north west side	Rural Residential	Urban Area

**ATTACHMENT 2:  
 APPLICATIONS REFERRED TO GROWTH MANAGEMENT PLAN REVIEW**

The Board referred several applications received by the Development Services Department to the Growth Management Plan Review. These applications include applications to exclude land from the Agriculture Land Reserve and to exclude land from the Forest Land Reserve. The applications were referred to the Growth Management Plan Review either because the application is inconsistent with the current Growth Management Plan policy, or because it was thought that the Growth Management Plan Review would provide a broader perspective as it relates to the application. The following table provides information about the applications referred to the Growth Management Plan Review and how the revised regional growth strategy bylaw provided for the Board's consideration addresses the referred applications:

Name of Applicant /Agent	Land Subject to Application	Type of Application	How Revised Regional Growth Strategy Bylaw Addresses the Application
Wosk/Cowie	Lot G, District Lot 12, Nanoose Land District, Plan 30913 (365 Meadow View Place, Electoral Area G)	Application to Land Reserve Commission to exclude land from the Agriculture Land Reserve. The application requires a Board resolution of support for the proposed exclusion.	Revised RGS establishes a new method for RDN involvement in decision making about applications to exclude land from the Agriculture Land Reserve. Applications to remove land from the ALR will be referred directly to the Land Reserve Commission for their decision on the matter. The RDN will decide the appropriate use of the land once the land is removed from the ALR through its OCP and rezoning processes.
Law/Devereaux	Lot 1, Section 10, Range 3 and of Section 11, Ranges 2 and 3, Cranberry District, VIP60641 (Godfrey Road, Electoral Area C)	Application to Land Reserve Commission to exclude land from the Agriculture Land Reserve. The application requires a Board resolution of support for the proposed exclusion.	As above.
Fowler	That part of Lot 1, District Lot 141, Nanoose and Newcastle Districts, Plan 2273, Lying to the North of a Boundary Parallel to and Perpendicularly Distant 977 Feet from the Northerly Boundary of Said Lot 1. (Near Virginia Road, Coombs, BC, Electoral Area F)	Application to Land Reserve Commission to exclude land from the Agriculture Land Reserve. The application requires a Board resolution of support for the proposed exclusion.	As above.



**ATTACHMENT 2:  
 APPLICATIONS REFERRED TO GROWTH MANAGEMENT PLAN REVIEW (cont)**

Name of Applicant /Agent	Land Subject to Application	Type of Application	How Revised Regional Growth Strategy Bylaw Addresses the Application
Hamilton (Wessex Enterprises)	Lot Z, Section 13, Range 1, Cranberry Land District, Portion Sections 12 & 13, Range 2, (DDK83923) (in the Extension area of Electoral Area C)	Application to Land Reserve Commission to exclude land from the Forest Land Reserve.	RGS land use designation changed from Resource Lands and Open Space to Rural Residential, consistent with OCP provisions. Revised RGS establishes a new method for RDN involvement in decision making about applications to exclude land from the Forest Land Reserve. Applications to remove land from the FLR will be referred directly to the Land Reserve Commission for their decision on the matter. The RDN will decide the appropriate use of the land once the land is removed from the FLR through its OCP and rezoning processes.

**ATTACHMENT 3**  
**SUGGESTED CHANGES TO THE GROWTH MANAGEMENT PLAN SUBMITTED BY**  
**INDIVIDUAL PROPERTY OWNERS AND RESIDENTS AS A PART OF THE GROWTH**  
**MANAGEMENT PLAN REVIEW**

No.	Property	Suggested Change	Relationship Between Suggested Change and Revised Regional Growth Strategy (RGS) Bylaw
1	Legal: Lot 2, Plan 7832, Section 14, Range 6 Street address: Fielding Road Electoral Area: A	<ul style="list-style-type: none"> <li>Change land use designation from Rural Residential to Industrial</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS designates subject property as Industrial Area.</li> </ul>
2	Legal: Lot B, Plan 34675, DL 78, Nanoose District Street address: Powder Point Road and Anchor Way Electoral Area: E	<ul style="list-style-type: none"> <li>Change land use designation from Rural Residential to Urban Area and put land inside Urban Containment Boundary.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Rural Residential designation.</li> </ul>
3	Legal: Lots 1-15 Street Address: Flamingo Drive Electoral Area: G	<ul style="list-style-type: none"> <li>Change land use designation from Rural Residential to Urban Area.</li> <li>Support the provision of community sewer service to the land.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Rural Residential land use designation, but supports the provision of services to these lands to address environmental or public health threats as defined by the RDN, instead of relying upon the Ministry of Health to identify situation that meet their definition of "public health hazard". Services will not be provided to enable the development of new parcels less than 1 ha.</li> </ul>
4	Legal: not provided Street Address: Flamingo Drive to Surfside Road area Electoral Area: G	<ul style="list-style-type: none"> <li>Support the provision of community sewer service to the land.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS supports the provision of services to these lands to address environmental or public health threats as defined by the RDN, instead of relying upon the Ministry of Health to identify situation that meet their definition of "public health hazard". Services will not be provided to enable the development of new parcels less than 1 ha.</li> </ul>

**ATTACHMENT 3**  
**SUGGESTED CHANGES TO THE GROWTH MANAGEMENT PLAN SUBMITTED BY**  
**INDIVIDUAL PROPERTY OWNERS AND RESIDENTS AS A PART OF THE GROWTH**  
**MANAGEMENT PLAN REVIEW (cont.)**

No.	Property	Suggested Change	Relationship Between Suggested Change and Revised Regional Growth Strategy (RGS) Bylaw
5	Legal: Parcel Z (DDK83923), Section 13, Range 1 and Section 12/13, Range 2 Street Address: not provided Electoral Area: C	<ul style="list-style-type: none"> <li>Change land use designation from Village Centre and Resource Lands and Open Space to Village Centre.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS designates land as Rural Residential. This designation is consistent with the Area C OCP, whereas a Village Centre designation would be inconsistent with the OCP.</li> </ul>
6.	Legal: Plan 445R, DL 22, Nanoose Land District, that part outlined in red Street address: 1610 Northwest Bay Road Electoral Area: E	<ul style="list-style-type: none"> <li>Change land use designation from Rural Residential to an Urban Area within an Urban Containment Boundary, or support the provision of services to enable development to the full extent of current zoning.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Rural Residential designation. Revised RGS supports the provision of services to these lands to address environmental or public health threats as defined by the RDN, instead of relying upon the Ministry of Health to identify situation that meet their definition of "public health hazard". Services will not be provided to enable the development of new parcels less than 1 ha.</li> </ul>
7	Legal: District Lot 68, Nanoose District, Except amended Parcel A thereof and except those parts in Plan 3940, 26680, 27026, 27376 and 30341 Street address: 1800 Northwest Bay Road Electoral area: E	<ul style="list-style-type: none"> <li>To change the land use designation from Rural Residential to Urban Area within the Urban Containment Boundary, or support the provision of services to enable development to the full extent of current zoning.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Rural Residential designation. Revised RGS supports the provision of services to these lands to address environmental or public health threats as defined by the RDN, instead of relying upon the Ministry of Health to identify situation that meet their definition of "public health hazard". Services will not be provided to enable the development of new parcels less than 1 ha.</li> </ul>

**ATTACHMENT 3**  
**SUGGESTED CHANGES TO THE GROWTH MANAGEMENT PLAN SUBMITTED BY**  
**INDIVIDUAL PROPERTY OWNERS AND RESIDENTS AS A PART OF THE GROWTH**  
**MANAGEMENT PLAN REVIEW (cont.)**

No.	Property	Suggested Change	Relationship Between Suggested Change and Revised Regional Growth Strategy (RGS) Bylaw
8	Legal: District Lot 42, Roll No. 332800, Land Title No. EG149085 Street Address: 270A Shelly Road Municipality: City of Parksville	<ul style="list-style-type: none"> <li>To change the land use designation of the property from Resource Lands and Open Space/Rural Residential to an Urban Area, and to put the land inside the Urban Containment Boundary.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Resource Lands designation, as the land is in the A.L.R..</li> </ul>
9	Legal: Lot A, District Lot 12, Plan 50452 Street Address: 410 Blower Municipality: City of Parksville	<ul style="list-style-type: none"> <li>To change the land use designation of the property from Resource Lands and Open Space/Rural Residential to an Urban Area, and to put the land inside the Urban Containment Boundary.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Resource Lands designation, as the land is in the A.L.R.</li> </ul>
10	Legal: DL 22 (the long narrow lots) and DL68 Street Address: Northwest Bay, Terrien Roads, Bay Drive, Gracyn Drive Electoral Area: E	<ul style="list-style-type: none"> <li>To change the GMP land use designation from Rural Residential to an Urban Area within the Urban Containment Boundary, or support the provision of services to enable development to the full extent of current zoning.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Rural Residential designation. Revised RGS supports the provision of services to these lands to address environmental or public health threats as defined by the RDN, instead of relying upon the Ministry of Health to identify situation that meet their definition of "public health hazard". Services will not be provided to enable the development of new parcels less than 1 ha.</li> </ul>
11	Legal: Lot 2, Plan VIP69734, District Lot 131, Nanoose District Street address: Dolphin Drive Electoral Area: E	<ul style="list-style-type: none"> <li>To change the land use designation from Rural Residential to an Urban Area within the Urban Containment Boundary.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Rural Residential designation.</li> </ul>
12.	Legal: Lot 3, Plan VIP69734, District Lot 131, Nanoose District Street address: Dolphin Drive Electoral Area: E	<ul style="list-style-type: none"> <li>To change the land use designation from Rural Residential to an Urban Area within the Urban Containment Boundary.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Rural Residential designation.</li> </ul>

**ATTACHMENT 3**  
**SUGGESTED CHANGES TO THE GROWTH MANAGEMENT PLAN SUBMITTED BY**  
**INDIVIDUAL PROPERTY OWNERS AND RESIDENTS AS A PART OF THE GROWTH**  
**MANAGEMENT PLAN REVIEW (cont.)**

No.	Property	Suggested Change	Relationship Between Suggested Change and Revised Regional Growth Strategy (RGS) Bylaw
13	Legal: Lot 4, Plan VIP69734, District Lot 131, Nanoose District Street address: Dolphin Drive Electoral Area: E	<ul style="list-style-type: none"> <li>To change the land use designation from Rural Residential to an Urban Area within the Urban Containment Boundary.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Rural Residential designation</li> </ul>
14	Legal: Lot 5, Plan VIP69734, District Lot 131, Nanoose District Street address: Dolphin Drive Electoral Area: E	<ul style="list-style-type: none"> <li>To change the land use designation from Rural Residential to an Urban Area within the Urban Containment Boundary.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Rural Residential designation</li> </ul>
15	Legal: Lot 1, Plan 14212, District Lot 78, Nanoose District, except Plan 28203 Street address: Oakleaf Drive Electoral Area: E	<ul style="list-style-type: none"> <li>To change the land use designation from Rural Residential to an Urban Area within the Urban Containment Boundary.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Rural Residential designation</li> </ul>
16	Lot 1, Plan VIP68734, District Lot 131, Nanoose District Street Address: Stewart and Davenham Roads Electoral area: E	<ul style="list-style-type: none"> <li>To change the land use designation from Rural Residential to an Urban Area within the Urban Containment Boundary.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Rural Residential designation</li> </ul>
17	Lot 4, Plan 11319, District Lot 22, Nanoose Land District Street address: Electoral Area: E	<ul style="list-style-type: none"> <li>Change land use designation from Rural Residential to an Urban Area within an Urban Containment Boundary, or support the provision of services to enable development to the full extent of current zoning</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Rural Residential designation.</li> </ul>

**ATTACHMENT 3  
 SUGGESTED CHANGES TO THE GROWTH MANAGEMENT PLAN SUBMITTED BY  
 INDIVIDUAL PROPERTY OWNERS AND RESIDENTS AS A PART OF THE GROWTH  
 MANAGEMENT PLAN REVIEW (cont.)**

No.	Property	Suggested Change	Relationship Between Suggested Change and Revised Regional Growth Strategy (RGS) Bylaw
18	All land outside the Urban Containment Boundary	<ul style="list-style-type: none"> <li>Change RGS to enable all properties that are provided services outside the UCB or Present Status Lands designation to be able to developed to full extent of their current zoning. Services are required to develop to the full extent of the current zoning.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS continues to restrict new development on lands outside the UCB or not designated Sub-Urban Area so that no new development of parcels less than 1 ha results where services are provided to land outside the UCB or land not designated as Sub-Urban Area. If services were provided to all lands designated Rural Residential by the GMP to enable the additional development permitted by the zoning of these lands the development potential of these lands would potentially increase from 2265 possible new units to 4653 possible new units. There are currently 6327 units in this area.</li> </ul>
19	Legal description: 117 hectare development site comprising several parcels located at Boat Harbour, Cedar, BC Electoral Area: A	<ul style="list-style-type: none"> <li>Change land use designation from Resource Lands and Open Space and Rural Residential to a land use designation that allows for the development of a residential golf course community, or allow this sort of development on the existing land use designations.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Resource Lands and Open Space and Rural Residential land use designations, but provides policy that supports the consideration of destination resort nodes at the community plan level.</li> </ul>
20	Legal description: Lot 3, District Lot 42, Nanoose District Street address: 359 Martindale Road Municipality: Parksville	<ul style="list-style-type: none"> <li>Change the GMP land use designation from Resource Lands and Open Space to an Urban Area within the Urban Containment Boundary.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains existing Resource Lands and Open Space land use designation.</li> </ul>

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**MANAGEMENT PLAN REVIEW (cont.)**

No.	Property	Suggested Change	Relationship Between Suggested Change and Revised Regional Growth Strategy (RGS) Bylaw
21	Legal description: Block B of Lot 67, Nanoose District, Plan 1347 Street address: 2488 Roland Road Electoral Area: E	<ul style="list-style-type: none"> <li>Change land use designation from Rural Residential to an Urban Area within an Urban Containment Boundary, or support the provision of services to enable development to the full extent of current zoning</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Rural Residential designation. Revised RGS supports the provision of services to these lands to address environmental or public health threats as defined by the RDN, instead of relying upon the Ministry of Health to identify situation that meet their definition of "public health hazard". Services will not be provided to enable the development of new parcels less than 1 ha</li> </ul>
22	Legal description: Lot I of Sections 4,5,6 and 7, Cranberry District, Plan 10168, Except Parcel A (DD 81346-N) and Except Plan 50645 Street address: Nanaimo River Road Electoral Area: A & C	<ul style="list-style-type: none"> <li>To change the GMP land use designation for the portion of the property used by the South Pit from Resource Lands and Open Spaces to Industrial; or to change the general description of the GMP land use designation Resource Lands and Open Spaces by broadening it to permit other commercial/industrial uses when an aggregate operation is concluded</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Resource Lands and Open Spaces land use designation. Industrial development remains a type of development not permitted on land with this designation. Industrial development continues to be supported only on those lands designated Industrial Area.</li> </ul>
23	Legal description: District Lot 78, 813-R, Plan 42927 Street address: 2780 Powder Point Road Electoral Area: E	<ul style="list-style-type: none"> <li>To change the land use designation from Rural Residential to Urban Area within the Urban Containment Boundary, or support the provision of services to enable development to the full extent of current zoning.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Rural Residential designation. Revised RGS supports the provision of services to these lands to address environmental or public health threats as defined by the RDN, instead of relying upon the Ministry of Health to identify situation that meet their definition of "public health hazard". Services will not be provided to enable the development of new parcels less than 1 ha</li> </ul>

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**MANAGEMENT PLAN REVIEW (cont.)**

No.	Property	Suggested Change	Relationship Between Suggested Change and Revised Regional Growth Strategy (RGS) Bylaw
24	Legal description: Lot 2, Plan 37425, District Lot 26, Wellington Land District Street address: Mary Ellen Drive Electoral Area: D	<ul style="list-style-type: none"> <li>To change the land use designation from Resource Lands and Open Space to a land use designation that permits a regional shopping centre (i.e. an Urban Area within the Urban Containment Boundary).</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Resource Lands and Open Spaces designation.</li> </ul>
25	Legal description: Lots 10-16, District Lot 137, Plan 3986 Street address: Electoral Area: E	<ul style="list-style-type: none"> <li>To change the land use designation from Resource Lands and Open Space to an Urban Area within the Urban Containment Boundary.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Resource Lands and Open Spaces land use designation. The land remains outside the Urban Containment Boundary.</li> </ul>
26	Legal description: Lot A, District Lot 990, Newcastle District, Plan VIP70909 Street address: Thorpe Road and Horne Lake Road Electoral area: H	<ul style="list-style-type: none"> <li>To change the GMP land use designation from Resource Lands and Open Space to a land use designation where commercial use is supported (i.e. Urban Area inside Urban Containment Boundary), or support commercial uses on land designated as Resource Lands and Open Space.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Resource Lands and Open Space designation.</li> </ul>
27	Legal description: Lot B, District Lot 90, Newcastle District, Plan VIP70909 Street address: Thorpe Road and Horne Lake Road Electoral area: H	<ul style="list-style-type: none"> <li>To change the GMP land use designation from Resource Lands and Open Space to a land use designation where commercial use is supported (i.e. Urban Area inside Urban Containment Boundary) or support commercial uses on land designated as Resource Lands and Open Space..</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Resource Lands and Open Space designation.</li> </ul>
28	Legal: Lot A, Plan 48840, DL 1 and 86, Newcastle District and Lot B, Plan 38643, DL 86, Newcastle District Street address: Gainsberg Road, Chrome Point Road, and Island Highway Electoral Area: H	<ul style="list-style-type: none"> <li>To change the land use designation from Resource Lands and Open Space and Rural Residential to a Village Centre within an Urban Area within an Urban Containment Boundary.</li> </ul>	<ul style="list-style-type: none"> <li>Revised RGS retains Resource Lands and Open Spaces and Rural Residential land use designations. The landowner could apply to amend the OCP for the purpose of enabling the development of a destination resort node, if it wishes to propose this sort of development on the land.</li> </ul>