

REGIONAL DISTRICT OF NANAIMO

**INAUGURAL BOARD MEETING
TUESDAY, DECEMBER 10, 2002**

(Nanaimo City Council Chambers)

A G E N D A

PAGES

1. **CALL TO ORDER**

The Administrator will call the meeting to order.
 - 6-7 Notification from the City of Nanaimo, City of Parksville and the Town of Qualicum Beach advising of their Council appointments to the Board for the year 2003.
- INAUGURATION OF BOARD MEMBERS**
- ELECTION OF BOARD CHAIRPERSON**
- ELECTION OF DEPUTY CHAIRPERSON**
2. **DELEGATIONS**
 3. **BOARD MINUTES**

8-12 Minutes of the Special Board meeting held Tuesday, November 26, 2002.
 4. **BUSINESS ARISING FROM THE MINUTES**
 5. **COMMUNICATIONS/CORRESPONDENCE**
- 13 **John & Lenora Janes**, re DP Application No. 0255 – Mark – Higginson Road – Area E.
 - 14 **Klaus Schmidt**, re DP Application No. 0256 – Hutt/Sims – 956 Surfside Drive – Area G.
 - 15 **Elaine Rumohr**, re DP Application No. 0256 – Hutt/Sims – 956 Surfside Drive – Area G.
 - 16 **Anne & Bob Kershaw**, re DP Application No. 0256 – Hutt/Sims – 956 Surfside Drive – Area G.
 - 17 **Trevor Proverbs, Treaty Negotiations Office**, re Funding Assistance for Treaty Negotiations.

6. UNFINISHED BUSINESS

Third Reading.

- 18-21 **Bylaw No. 500.289** – Report of Public Hearing held November 7, 2002 and consider 3rd reading of Land Use and Subdivision Amendment Bylaw – Colclough – 7401 Aulds Road – Area D.

For Adoption.

Bylaw No. 889.22 – Northern Community Sewer LSA Amendment Bylaw – West - Northwest Bay Road – Area E. (All Directors - One Vote)

Bylaw No. 1021.03 – Pacific Shores Sewer LSA Amendment Bylaw – West - Northwest Bay Road – Area E. (All Directors - One Vote)

Bylaw No. 1323 – Nanoose Bay Bulk Water Supply LSA Capital Improvement Charge Bylaw. (All Directors - One Vote)

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

7.1 ELECTORAL AREA PLANNING COMMITTEE

- 22-24 Minutes from the Electoral Area Planning Committee meeting held Tuesday, November 26, 2002. (for information)

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 9802 – Beachcomber Marina/Laughland – 1600 Brynmarl Road – Area E. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit No. 9802, Phase 4 of Beachcomber Marina strata condominium development on the property legally described as Remainder Lot A, District Lot 38, Nanoose Land District, Plan VIP 52108 be approved subject to the conditions as outlined in Schedules No. 1, 2 and 3 of the staff report.

DP Application No. 0252 – Hubbard – 152 Burne Road – Area H. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 0252, submitted by Don and Lynne Hubbard, to:

- 1. vary the minimum setback requirement from 15 m horizontal distance from the natural boundary of a watercourse to a minimum of 5.9 m for a building envelope; and*
- 2. vary the minimum setback requirement from 15 m horizontal distance from the natural boundary of a watercourse to a minimum of 5.3 m for an existing boathouse*

within the Shaw Hill-Deep Bay Official Community Plan Natural Hazard and Environmentally Sensitive Areas Development Permit Areas for the property legally described as Lot 83, District Lot 1, Newcastle District, Plan 20442 be approved, subject to the requirements outlined in Schedules No. 1, 2 and 3 and notification requirements pursuant to the Local Government Act.

DP Application No. 0253 – Fletcher – 6615 Island Highway West – Area H. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 0253, submitted by Fern Road Consulting on behalf of William Fletcher and Joan Fletcher, for the property legally described as Lot A, District Lot 85, Newcastle District, Plan 19744 Except Part in Plan 22209, requesting a variance to the minimum setback for the western interior side lot line from 2.0 metres to 1.5 metres, and to the natural boundary setback from 15.0 metres to 8.7 metres to legalize the existing dwelling; a variance to the natural boundary setback from 15.0 metres to 0.0 metres to legalize the existing seawall be approved, subject to the notification requirements pursuant to the Local Government Act and subject to the conditions outlined in Schedule No. 1.

DP Application No. 0254 – Roy – Blueback Drive – Area E. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 0254, submitted by Fern Road Consulting, Agent, on behalf of Louise Roy, to facilitate the construction of a single dwelling unit within the Development Permit Area, and to vary the maximum permitted height of the dwelling unit within the Residential 1 (RS1) zone from 8.0 metres to 9.4 metres for the property legally described as Lot 28, District Lot 78, Nanoose District, Plan 15983, be approved, subject to conditions as outlined in Schedule No. 1 and subject to notification requirements pursuant to the Local Government Act.

DP Application No. 0255 – Mark – Higginson Road – Area E. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 0255 to permit the construction of a shoreline protection device and vary the minimum permitted setback from the natural boundary of the sea from 8.0 metres to 0.0 metres for the property legally described as Lot 13, District Lot 102, Nanoose District, Plan 21022, be approved, subject to the conditions outlined in Schedule No. 1 and subject to notification requirements pursuant to the Local Government Act.

DP Application No. 0256 – Hutt/Sims – 956 Surfside Drive – Area G. (Electoral Area Directors except EA 'B' – One Vote)

That Development Permit Application No. 0256, submitted by Hutt/Sims to:

- 1. vary the minimum setback requirement from the sea from 8.0 metres from the natural boundary*
 - a. to a minimum of 0.0 metres for a 2.4 metre high retaining wall*
 - b. to a minimum of 5.3 metres for a porch attached to a proposed dwelling unit, and*

2. vary the maximum building height for a proposed dwelling unit from 8.0 metres to 8.9 metres

to facilitate the construction of a dwelling unit and retaining wall on the property legally described as Lot 11, Block 2, District Lot 9, Newcastle District, Plan 15370 be approved subject to the requirements outlined in Schedules No. 1, 2, 3 and 4 and subject to notification requirements pursuant to the Local Government Act.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

DVP Application No. 0220 – Estate of Marion Monks – 7850 Shangri-La Road – Area D. (Electoral Area Directors except EA 'B' – One Vote)

Delegations wishing to speak to Application No. 0220.

That Development Variance Permit Application No. 0220 by the Estate of Marion Monks, to relax the minimum other lot line setback requirement from 5.0 metres to 2.46 metres for the property legally described as Lot 1, District Lot 53, Nanoose District, Plan 19195 to accommodate an addition to a dwelling unit, be approved subject to Schedules No. 1, 2 and 3 and the notification requirements pursuant to the Local Government Act.

OTHER

Request for Relaxation of the Minimum 10% Perimeter Requirement – Fern Road Consulting Ltd. On Behalf of Nora Kent, Roy Drew & Sandra Drew – 2763 & 2779 Parker Road – Area E. (Electoral Area Directors except EA 'B' – One Vote)

That the request, submitted by Fern Road Consulting Ltd., on behalf of Nora Kent, Roy Drew, and Sandra Drew, to relax the minimum 10% frontage requirement for proposed Lots A and B, as shown on the proposed plan of subdivision of Lot A, District Lot 78, Nanoose District, Plan 23622 be approved, subject to the applicants providing a solicitor's letter undertaking to register the required covenants as outlined in Schedule No. 1 of the staff report concurrently with the plan of subdivision prior to the subdivision review report being forwarded to the Provincial Regional Approving Authority.

7.2 **COMMITTEE OF THE WHOLE**

7.3 **EXECUTIVE STANDING COMMITTEE**

7.4 **COMMISSIONS**

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

Intergovernmental Advisory Committee. (All Directors – One Vote)

25-27

Minutes from the Intergovernmental Advisory Committee meeting held November 26, 2002. (for information)

8. **ADMINISTRATOR'S REPORT**

9. **ADDENDUM**

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

11. **NEW BUSINESS**

Errington School Purchase – Director Biggemann. (Verbal)

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

13. **ADJOURNMENT**

14. **IN CAMERA**

That pursuant to Section 242.2(f)(h) of the Local Government Act the Board proceed to an In Camera meeting to consider matters related to litigation.



City of PARKSVILLE

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

December 3, 2002

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

Attention: Mr. Kelly Daniels, Administrator

Dear Mr. Daniels:

Subject: 2003 Council Appointments to Board of Directors – Our file: 0480-30

At the Inaugural meeting of Council held December 2, 2002 Mayor Randy Longmuir was appointed as Council's voting representative to the Regional District of Nanaimo Board of Directors for the year 2003.

Councillor Fred G. Demmon was appointed as Council's alternate voting representative, and Councillor J. Barry Johnston was appointed second alternate voting representative for the year 2003.

Mayor Longmuir and Councillors Demmon and Johnston may be contacted at City Hall or as follows:

Mayor R.J. Longmuir
 629 W. Banks Avenue
 Parksville, BC V9P 1G2

248-8515 (h)
 954-4661 (wr)
[email:rlongmuir@city.parksville.bc.ca](mailto:rlongmuir@city.parksville.bc.ca)

Councillor Fred G. Demmon
 691 Woodburn Street
 Parksville, BC V9P 2M1

248-0589 (h)
[email:demmon@shaw.ca](mailto:demmon@shaw.ca)

Councillor J. Barry Johnston
 404 Allwood Streets
 Parksville, B.C. V9P 1C4

248-8666 (h)
 248-8666 (fax)
[email:canimp@nanaimo.ark.com](mailto:canimp@nanaimo.ark.com)

Yours very truly,

SHIRLEY E. HINE, CMC
 Director of Administrative Services

SH8*myg

cc Mayor R. Longmuir
 Councillor F. G. Demmon
 Councillor J. B. Johnston

PAGE

6



CITY OF NANAIMO

VANCOUVER ISLAND • BRITISH COLUMBIA

2002-DEC-04

File No.: 0470-30

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

Attention: Ms. C. Mason, Manager, Administrative Services

Dear Ms. Mason:

Re: Appointment to Regional District of Nanaimo Board

Please be advised that the following members of Council have been appointed to the Regional District of Nanaimo Board for the upcoming year.

	Alternate
Gary Korpan	Dawn Tyndall
Loyd Sherry	Dawn Tyndall
Larry McNabb	Jeet Manhas
Tom Krall	Jeet Manhas
Bill Holdom	Diane Brennan
Ron Cantelon	Diane Brennan

If I can be of any further assistance, please contact me directly.

Yours truly,

J. T. Bowden
CITY CLERK

cc: A. C. Kenning, General Manager, Corporate Services Department

JB:cjh
g:/correspondence/action/rdnapp12002.doc

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE SPECIAL MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, NOVEMBER 26, 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
Director T. Westbroek	Town of Qualicum Beach
Director D. Rispin	City of Nanaimo
Director G. Korpan	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director T. Krall	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

K. Daniels	Chief Administrative Officer
C. Mason	Gen. Mgr. of Corporate Services
J. Finnie	Gen. Mgr. of Environmental Services
B. Lapham	Gen. Mgr. of Development Services
N. Connelly	Gen. Mgr. of Community Services
N. Tonn	Recording Secretary

DELEGATIONS

Scott Tanner & Frank Van Eynde, re District 69 Recreation Community and Youth Grants-in-Aid Budget Reduction.

Mr. Tanner expressed the positive impact the D69 recreation grants in aid programs has on the community and requested that the Board reconsider the \$40,000 reduction in the recreation budget and consider reinstating the recreation grants in aid program in whole or in part.

Sherry Leifer, re Roving Youth Leader Position.

Ms. Leifer commended the RDN on their recreation programs and noted the superb staff assistance she has been given by Pam Hadiken, Roving Youth Leader, when organizing a BMX group for area youth.

Russ Haycock, Federation of Canadian Municipalities, re FCM Partners for Climate Protection Program.

Mr. Haycock presented an overview of the Federation of Canadian Municipalities Partners for Climate Protection Program and urged the Regional District of Nanaimo to become an active member.

ADMINISTRATOR'S REPORT

FCM Partners for Climate Protection Program.

MOVED Director Holdom, SECONDED Director Westbrook, that the Board adopt the following Partners for Climate Protection resolution:

WHEREAS a global reduction in emissions of greenhouse gases (GHG) is necessary to protect against climate change and possible adverse effects on human health, the physical environment, economy and quality of life;

WHEREAS industrialized countries, gathered at the United Nations Conference on Environment and Development in 1992, ratified a Convention on Climate Change committing countries to stabilizing greenhouse gas emissions at 1990 levels by the year 2000;

WHEREAS industrialized countries, realizing initial commitments were inadequate to protect the Earth's climate system, agreed in December 1997 to the Kyoto Protocol which, if ratified, commits Canada to reducing its greenhouse gas emissions six per cent below 1990 levels between 2008 – 2012;

WHEREAS current forecasts predict that Canada's greenhouse gas emissions could be in the order of 13 per cent above 1990 levels by the year 2000 if no action is taken, thus falling short of its commitments;

WHEREAS Federation of Canadian Municipalities and the International Council for Local-Environmental Initiatives have established a Partners for Climate Protection to provide a forum for municipal governments to demonstrate their leadership on climate change issues and undertake to share their knowledge and experience with other municipal governments; and

WHEREAS Partners for Climate Protection members commit to working towards reducing greenhouse gas emissions in municipal operations by 20 per cent below 1990 levels, and at least six per cent reductions below 1990 levels throughout their municipal area within ten years of joining the program.

BE IT RESOLVED THAT the Regional District of Nanaimo communicate to FCM its support for the Partners for Climate Protection Program and its interest in participating in the PCP Program.

BE IT RESOLVED THAT the Regional District of Nanaimo appoints the Manager of Solid Waste to oversee implementation of PCP milestones;

BE IT RESOLVED THAT the Regional District of Nanaimo create a joint Board-staff committee to facilitate the implementation of PCP milestones and build commitment.

CARRIED

BOARD MINUTES

MOVED Director Sherry, SECONDED Director Krail, that the minutes of the special Board meeting held on November 5, 2002 be adopted.

CARRIED

COMMISSIONS

District 69 Recreation Commission.

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

CARRIED

MOVED Director Macdonald, SECONDED Director Stanhope, that the Memorandum of Understanding with the Parksville Curling Club Society be approved.

A recorded vote was requested.

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

MOVED Director Westbrook, SECONDED Director Macdonald, that the District 69 recreation community and youth grants-in-aid program budget be reinstated by \$20,000.

MOVED Director Westbrook, SECONDED Director Stanhope, that the District 69 Commission recommendation with respect to funding for the Recreation and Parks Grant Program be deferred to the new Board for consideration.

CARRIED

MOVED Director Westbrook, SECONDED Director Quittenton, that the District 69 Commission recommendation with respect to the temporary part time Recreation Program Assistant positions be deferred to the new Board for consideration.

CARRIED

SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE REPORTS

Electoral Area 'A' Parks, Recreation and Greenspaces Advisory Committee.

MOVED Director Quittenton, SECONDED Director Elliott, that the minutes of the Electoral Area 'A' Parks, Recreation and Greenspaces Advisory Committee meeting held October 17, 2002, be received for information.

CARRIED

MOVED Director Elliott, SECONDED Director Korpan, that the Electoral Area 'A' Community Trails Study be approved as presented for use as a guiding document for future trail initiatives.

CARRIED

ADMINISTRATOR'S REPORT

Revised Terms of Reference for Electoral Area 'A' Park Advisory Committee.

MOVED Director Elliott, SECONDED Director Krall, that the revised Terms of Reference for the Electoral Area 'A' Parks and Greenspace Advisory Committee be approved, and that the current Committee be dissolved and a call for members to the new Committee be made.

CARRIED

Gabriola Recreation Society Agreement Renewal.

MOVED Director Sperling, SECONDED Director Haime, that the agreement with the Gabriola Recreation Society be renewed for a one-year term from January 1, 2003 until December 31, 2003.

CARRIED

Future Use of the District 69 Arena.

MOVED Director Stanhope, SECONDED Director Macdonald, that the staff report on the letters from the Town of Qualicum Beach and the Parksville Curling Club on the issue of lease rates for the use of the District 69 Arena be received for information.

CARRIED

License Agreement with City of Nanaimo for a Portion of RDN Land at Greater Nanaimo Pollution Control Centre for Extension of Neck Point Park Trail Network.

MOVED Director Sherry, SECONDED Director McNabb, that the License Agreement that permits the City of Nanaimo to use the Regional District of Nanaimo lands at 3075 Shores Drive for extension of the Neck Point Park trail network be approved.

CARRIED

PAGE

10

Section 700 Filings.

The Chairperson noted that the following filings have been rectified:

Lot B, Plan VIP66503, Section 8, Range 3, Cedar Land District, 2419 Yellow Point Road, Electoral Area 'A', owned by J. Janecek and J. MacNutt;
Lot 24, Block 586, Plan 29314, Nanoose Land District, 2811 Sea Blush Drive, Electoral Area 'E', owned by R. Zivkovic.

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 Haime, SECONDED Director McNabb, that the following item be deferred for thirty (30) days:

Lot 31A, Nanoose District, except part in Plans 8514, 20737, 21281, 21788, 22619, 27139, 29437, 41797 and VIP62661, 7995 Superior Road, Electoral Area 'D', owned by L. and S. Doumont.

CARRIED

MOVED Director Hamilton, SECONDED Director Krall, that a notice be filed against the titles of the properties 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:

Lot 86, Section 132, Plan 23619, Gabriola Island, Nanaimo Land District, 1007 Harrison Way, Electoral Area 'B', owned by A. and S. Persin;
Lot 80, Section 18, Plan 21586, Nanaimo Land District, Gabriola Island, Nanaimo Land District, 670 Gallagher Way, Electoral Area 'B', owned by T. and M. Hedingham;
Lot 4, District Lot 67, Plan 29941, Nanoose Land District, 2720 Parker Road, Electoral Area 'E', owned by S. Gaucher.

CARRIED

Agricultural Land Reserve Exclusion and Inclusion Applications – All Electoral Areas.

MOVED Director Stanhope, SECONDED Director Hamilton, that the Law & Devereaux, Catrall and Matias exclusion and inclusion applications be forwarded to the ALC with no resolution of support or opposition.

CARRIED

MOVED Director Stanhope, SECONDED Director Westbroek, that the Board allocate all decision making regarding whether land should be in the Agriculture Land Reserve and Forest Land Reserve to the Agricultural Land Commission.

CARRIED

MOVED Director Stanhope, SECONDED Director Haime, that 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.

CARRIED

Sewage Disposal Regulation Amendment Bylaw No. 1224.01.

MOVED Director McNabb, SECONDED Director Sherry, that "Regional District of Nanaimo Sewage Disposal Regulation Amendment Bylaw No. 1224.01, 2002" be introduced and read three times.

CARRIED

PAGE

11

MOVED Director McNabb, SECONDED Director Sperling that "Regional District of Nanaimo Sewage Disposal Regulation Amendment Bylaw No. 1224.01, 2002", having received three readings, be forwarded to the Provincial Health Officer for approval.

CARRIED

Director Haime requested that staff consider including language in the bylaw that requires mandatory connection to sewer should the service become available.

Report of Election Results – 2002 Local Government Elections.

MOVED Director Quittenton, SECONDED Director Westbrook, that the 2002 official election results be received for information.

CARRIED

MOVED Director Elliott, SECONDED Director Hamilton, that "Electoral Area A Port Theatre Contribution Local Service Area Bylaw No. 1318, 2002" be adopted.

CARRIED

MOVED Director Sperling, SECONDED Director Hamilton, that "Electoral Area B Port Theatre Contribution Local Service Area Bylaw No. 1319, 2002" be adopted.

CARRIED

MOVED Director Hamilton, SECONDED Director Rispin, that "Electoral Area C Port Theatre Contribution Local Service Area Bylaw No. 1320, 2002 be adopted.

CARRIED

French Creek Water LSA – Canada-BC Infrastructure Program Grant Application.

MOVED Director McNabb, SECONDED Director Sherry, that the Board support an application under the Canada-BC Infrastructure Program for an infrastructure grant to facilitate the construction of a new storage reservoir and pump house facilities for the French Creek water local service area.

CARRIED

ADJOURNMENT

MOVED Director Stanhope, SECONDED Director McNabb, that this terminate.

CARRIED

TIME: 8:27 PM

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

PAGE

12

John + Laveria Lane
355 Stewart Ave
Manama
754-5941

Regional District Planning Dept

Re: Insurance of a development permit for Lot 12
District Lot 102 Manama District Plan 2102

Board

Due to the fact we are owners of adjacent
lot #12 District Lot 102 Manama District Plan 2102
we do have a concern.

This concern relates to the fact during the
preparation of site to install the seawall the
piles on the property line as shown on the
engineers sketch will have to be removed leaving
our seawall of piles vulnerable. Without this
support the seawall of lot 12 would be subject
to damage from the weather + weight of grove
behind the seawall. The fact that if the corner
support is taken out sufficient shoring also must
be in place to protect lot #12 from the elements
High tide, Winter Storms + High winds etc.

We would appreciate a direct response in
writing from staff involved.

RECEIVED

12-1-2002

PLANNING DEPT

John + Laveria Lane

PAGE

13

dizardA Division of Swimmers' World Limited,
#11 - 21 Dalles Road, VICTORIA, BC V8V 4Z9

FAX MEMO

Voice: 1-800-667-0677
Fax: 1-800-663-6338
E-Mail: dizard@dizard.com
www.dizard.com

DATE: December 2, 2002

ATTENTION: Regional District of Nanaimo
ATT. PLANNING DEPT.

Re: Notice of Variance No. 0256 - HUTT/SIMS

Dear Sirs:

My concern regarding this matter is the height of a 2.4 metre high retaining wall. 2.4 metres appears to be excessively high. Of course I do not know if this means 2.4 metres above the land elevation?

I own lot # 21 and my retaining wall is considerably lower than 2.4 metres.

Yours sincerely

From:

Klaus Schmidt

PAGE

14

DEC 2 1992

12-3 2002

RECEIVED

DECEMBER 2 / 02

973 SURFSIDE DR.
QUALICUM BEACH BC
V9K 2B6

REGIONAL DISTRICT OF NANAIMO PLANNING DEPT.
6300 HAMMOCK BAY RD.
NANAIMO BC V9T 6N7

DEAR SIR:

RE VARIANCE OF PERMIT APPLICATION # 0256.

THIS AREA IS SINGLE FAMILY DWELLING AND THE APPLICATION APPEARS TO HAVE 2 GUEST SUITS WHICH ARE FULLY CONTAINED, AND WHICH COULD EASILY BE BED AND BREAKFAST UNITS.

WE DEFINATELY WOULD OBJECT TO ANY BUSINESS IN THE AREA. THE 2.4 M RETAINING WALL WOULD CHANGE THE OCEAN CURRENTS AND COULD POSSIBLY TAKE OUT OUR LOW SEAWALL.

WE HAD TO CONFORM TO A 35' FT. SET BACK FROM THE PROPERTY LINE. WHY WOULD YOU CONSIDER LESS THAN 5.3 METERS?

YOURS TRULY.

H. D. Rumohr H.D. RUMOHR.
Elaine Dr. Rumohr

E.M. Rumohr

PAGE

15

*Regional District of Nanaimo
Development Services*

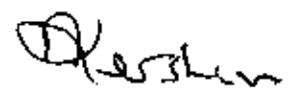
December 4th, 2002

*Re: Notice of Variance to Development Permit Application NO. 0256
Hutt/Sims*

We wish to advise the RDN Board Directors that we oppose the variance to the bylaw that would allow the height of the proposed dwelling to be increased to 8.9 metres from 8.0 metres.

While some relaxations to bylaws, in many applications, are warranted or have merit, we believe that waterfront structures located in front of or in the direction of a water view should strictly adhere to existing height limitations.

Sincerely,



*Anne Kershaw
Lot 10, 962 Surfside Dr*



Bob Kershaw

*Our mailing address is: 5407 Bayshore Dr. Nanaimo, V9V 1G8
758-5060*



REGIONAL DISTRICT OF NANAIMO	
DEC 3 2002	
CHAIR	GMCrs
CAG	GMDS
GMCms	GMES
<i>Red Comm</i> ✓	



60100-01/VISL1

December 3, 2002

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

Dear Mr. Daniels:

Please find enclosed a cheque in the amount of \$10,000.00 for the Regional District of Nanaimo from the Province of British Columbia.

This money is sent to you in order for the Regional District of Nanaimo to assist the British Columbia negotiating team at the Snuneymuxw treaty table by attending meetings and providing a conduit between local government and the provincial negotiating team.

I hope that this support will be useful to the Regional District of Nanaimo in their continued sharing of information with our treaty team.

If you have any questions about the use of these funds please contact Bill Seymour at (250) 356-6149.

Sincerely,

Trevor B. Proverbs
Chief Negotiator

BS:ch
o:\nanaimo\consultation\Regional District of Nanaimo Funding



REGIONAL DISTRICT OF NANAIMO			
DEC 5 2002			
CHAIR		GMCrS	
CAO		GMDS	
GMCmS		GMES	
		DATE:	

MEMORANDUM

TO: Pamela Shaw
 Manager of Community Planning

FROM: Deborah Jensen
 Planner

SUBJECT: Bylaw No. 500.289 - Colclough
 Electoral Area 'D' - 7401 Aulds Road

DATE: November 29, 2002

FILE: 3360 30 0205

PURPOSE

To receive the Report of the Public Hearing containing the Summary of the Minutes of the Public Hearing held Thursday, November 7, 2002 on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.289, 2002" and further, to consider 3rd reading of the Amendment Bylaw.

BACKGROUND

Bylaw No. 500.289 was considered by the Board and given 1st and 2nd reading on Tuesday, October 22, 2002.

Bylaw 500.289 is a result of an amendment application submitted by W.R. Colclough to rezone the subject property legally described as Lot 8, Block 471, Nanoose District, Plan 43434, from Residential 1 (RS1) to Residential 2 (RS2). The purpose of this amendment application is to facilitate the development of a second dwelling unit on the subject property.

The Public Hearing concerning the proposed amendment was held Thursday, November 7, 2002. A summary of the proceedings is attached for the Board's consideration (see Attachment No. 1).

ALTERNATIVES

1. To grant 3rd reading to Bylaw 500.289.
2. To deny Bylaw 500.289.

INTERGOVERNMENTAL IMPLICATIONS

As required by Section 54(2) of the *Highways Act*, the proposed rezoning must be forwarded to the Ministry of Transportation prior to the Bylaw being considered by the Board for adoption. This section of the Act states that a zoning bylaw under the *Local Government Act* does not apply to land or improvements within a radius of 800 m of the intersection of a controlled access highway with any other highway, unless it has been approved in writing by the minister before its adoption. Therefore, should

the Board grant the Bylaw 3rd reading, the Bylaw must be considered by the Ministry prior to consideration of 4th reading and adoption.

PUBLIC CONSULTATION IMPLICATIONS

No written submissions were received at the Public Hearing. No members of the public attended the public hearing; therefore, no comments were received on this application.

VOTING

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

SUMMARY/CONCLUSIONS


"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.289, 2002" was given 1st and 2nd reading on October 22, 2002. A Public Hearing with respect to this Bylaw was conducted on Thursday, November 7, 2002.

The following recommendations are provided for consideration by the Board.

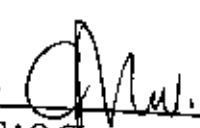
RECOMMENDATIONS

1. That the Minutes of the Public Hearing held Thursday, November 7, 2002 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw 500.289, 2002", be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.289, 2002", be given 3rd reading.
3. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.289, 2002" be forwarded to the Ministry of Transportation and Highways for consideration pursuant to Section 54(2) of the *Highways Act*.


Report Writer


General Manager Concurrence


Manager Concurrence


CAO Concurrence

COMMENTS:

Attachment No. 1
Summary of the Minutes of the Public Hearing
Regional District of Nanaimo

REGIONAL DISTRICT OF NANAIMO

REPORT OF THE PUBLIC HEARING HELD
THURSDAY, NOVEMBER 7, 2002 AT 7:00 PM AT COSTIN HALL
7232 LANTZVILLE ROAD TO CONSIDER "REGIONAL DISTRICT OF NANAIMO
LAND USE AND SUBDIVISION BYLAW AMENDMENT BYLAW NO. 500.289, 2002"
SUMMARY OF THE MINUTES

Denise Haime	Director, Electoral Area 'D'
Deborah Jensen	Planner
W.R. Colclough	Applicant

There were no people in attendance.

The Director called the Hearing to order at 7:02 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. 500.289.

The Director called for further submissions.

The Director called for further submissions a second time.

The Director called for further submissions a third time.

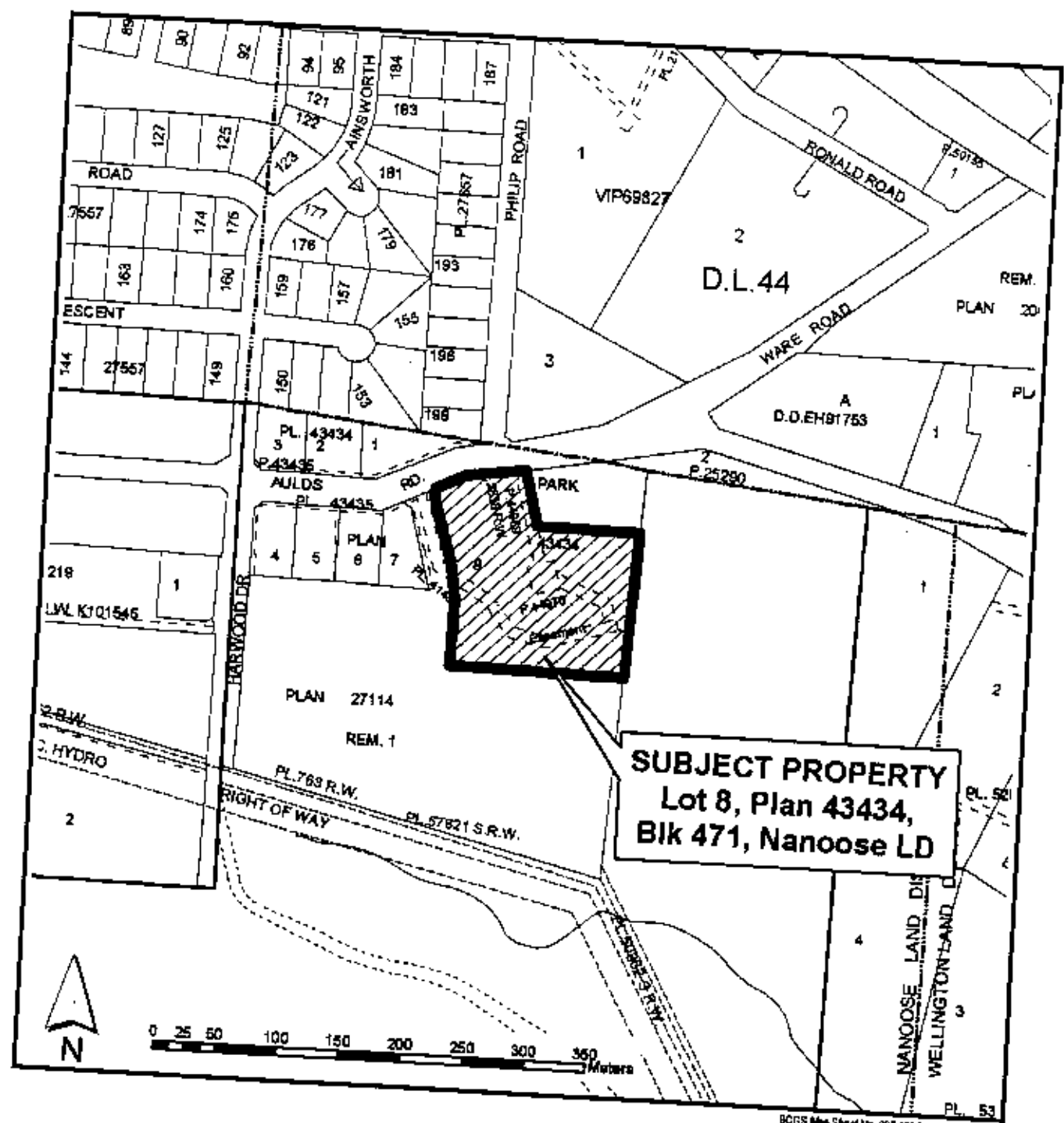
There being no further submissions, the Director adjourned the Hearing at 7:05 pm.

Certified true and correct this 7th day of November 2002.

Deborah Jensen
Recording Secretary

Director Denise Haime
Electoral Area 'D'

Attachment No. 2
Subject Property Map



BCGS Map Sheet No. BQF.0802.3

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, NOVEMBER 26, 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
Director D. Haime	Electoral Area D
Director G. Holme	Electoral Area E
Director J. McLean	Electoral Area F
Director J. Stanhope	Electoral Area G
Director R. Quittenton	Electoral Area H

Also in Attendance:

B. Lapham	General Manager, Development Services
P. Shaw	Manager of Community Planning
N. Tomm	Recording Secretary

MINUTES

MOVED Director Holme, SECONDED Director Quittenton, that the minutes of the Electoral Area Planning Committee meeting held Tuesday, October 22, 2002 be adopted.

CARRIED

PLANNING

DEVELOPMENT PERMIT APPLICATIONS

DP Application No. 9802 – Beachcomber Marina/Laughland – 1600 Brynmarl Road – Area E.

MOVED Director Holme, SECONDED Director Stanhope, that Development Permit No. 9802, Phase 4 of Beachcomber Marina strata condominium development on the property legally described as Remainder Lot A, District Lot 38, Nanoose Land District, Plan VIP 52108 be approved subject to the conditions as outlined in Schedules No. 1, 2 and 3 of the staff report.

CARRIED

DP Application No. 0252 – Hubbard – 152 Burne Road – Area H.

MOVED Director Quittenton, SECONDED Director Stanhope, that Development Permit Application No. 0252, submitted by Don and Lynne Hubbard, to:

1. vary the minimum setback requirement from 15 m horizontal distance from the natural boundary of a watercourse to a minimum of 5.9 m for a building envelope; and
2. vary the minimum setback requirement from 15 m horizontal distance from the natural boundary of a watercourse to a minimum of 5.3 m for an existing boathouse

within the Shaw Hill-Deep Bay Official Community Plan Natural Hazard and Environmentally Sensitive Areas Development Permit Areas for the property legally described as Lot 83, District Lot 1, Newcastle District, Plan 20442 be approved, subject to the requirements outlined in Schedules No. 1, 2 and 3 and notification requirements pursuant to the *Local Government Act*.

CARRIED

PAGE

DP Application No. 0253 – Fletcher – 6615 Island Highway West – Area H.

MOVED Director Quittenton, SECONDED Director Stanhope, that Development Permit Application No. 0253, submitted by Fern Road Consulting on behalf of William Fletcher and Joan Fletcher, for the property legally described as Lot A, District Lot 85, Newcastle District, Plan 19744 Except Part in Plan 22209, requesting a variance to the minimum setback for the western interior side lot line from 2.0 metres to 1.5 metres, and to the natural boundary setback from 15.0 metres to 8.7 metres to legalize the existing dwelling; a variance to the natural boundary setback from 15.0 metres to 0.0 metres to legalize the existing seawall be approved, subject to the notification requirements pursuant to the *Local Government Act* and subject to the conditions outlined in Schedule No. 1.

DP Application No. 0254 – Roy – Blueback Drive – Area E.

CARRIED

MOVED Director Holme, SECONDED Director Stanhope, that Development Permit Application No. 0254, submitted by Fern Road Consulting, Agent, on behalf of Louise Roy, to facilitate the construction of a single dwelling unit within the Development Permit Area, and to vary the maximum permitted height of the dwelling unit within the Residential 1 (RS1) zone from 8.0 metres to 9.4 metres for the property legally described as Lot 28, District Lot 78, Nanoose District, Plan 15983, be approved, subject to conditions as outlined in Schedule No. 1 and subject to notification requirements pursuant to the *Local Government Act*.

DP Application No. 0255 – Mark – Higginson Road – Area E.

CARRIED

MOVED Director Holme, SECONDED Director Stanhope, that Development Permit Application No. 0255 to permit the construction of a shoreline protection device and vary the minimum permitted setback from the natural boundary of the sea from 8.0 metres to 0.0 metres for the property legally described as Lot 13, District Lot 102, Nanoose District, Plan 21022, be approved, subject to the conditions outlined in Schedule No. 1 and subject to notification requirements pursuant to the *Local Government Act*.

DP Application No. 0256 – Hutt/Sims – 956 Surfside Drive – Area G.

CARRIED

MOVED Director Stanhope, SECONDED Director Elliott, that Development Permit Application No. 0256, submitted by Hutt/Sims to:

1. vary the minimum setback requirement from the sea from 8.0 metres from the natural boundary
 - a. to a minimum of 0.0 metres for a 2.4 metre high retaining wall
 - b. to a minimum of 5.3 metres for a porch attached to a proposed dwelling unit, and
2. vary the maximum building height for a proposed dwelling unit from 8.0 metres to 8.9 metres

to facilitate the construction of a dwelling unit and retaining wall on the property legally described as Lot 11, Block 2, District Lot 9, Newcastle District, Plan 15370 be approved subject to the requirements outlined in Schedules No. 1, 2, 3 and 4 and subject to notification requirements pursuant to the *Local Government Act*.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

CARRIED

DVP Application No. 0220 – Estate of Marion Monks – 7850 Shangri-La Road – Area D.

MOVED Director Haime, SECONDED Director Stanhope, that Development Variance Permit Application No. 0220 by the Estate of Marion Monks, to relax the minimum other lot line setback requirement from 5.0 metres to 2.46 metres for the property legally described as Lot 1, District Lot 53, Nanoose District, Plan 19195 to accommodate an addition to a dwelling unit, be approved subject to Schedules No. 1, 2 and 3 and the notification requirements pursuant to the *Local Government Act*.

CARRIED

OTHER

**Request for Relaxation of the Minimum 10% Perimeter Requirement – Fern Road Consulting Ltd.
On Behalf of Nora Kent, Roy Drew & Sandra Drew – 2763 & 2779 Parker Road – Area E.**

MOVED Director Holme, SECONDED Director Quittenton, that the request, submitted by Fern Road Consulting Ltd., on behalf of Nora Kent, Roy Drew, and Sandra Drew, to relax the minimum 10% frontage requirement for proposed Lots A and B, as shown on the proposed plan of subdivision of Lot A, District Lot 78, Nanoose District, Plan 23622 be approved, subject to the applicants providing a solicitor's letter undertaking to register the required covenants as outlined in Schedule No. 1 of the staff report concurrently with the plan of subdivision prior to the subdivision review report being forwarded to the Provincial Regional Approving Authority.

ADJOURNMENT

CARRIED

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

TIME: 7:12 PM

CARRIED

CHAIRPERSON

Minutes for the Meeting held:
Tuesday, November 26, 2002 @ 1:30 PM
City of Nanaimo, Board Room (on second floor adjacent to Council Chambers)
455 Wallace Street, Nanaimo, BC

Present:

Bob Lapham, RDN
Neil Connelly, RDN
Christina Thomas, RDN
John Finnie, RDN
Gayle Jackson, Parksville

Sharon Fletcher, Nanaimo
Paul Butler, Qualicum Beach
Roger Chestham, LRC
Sharon Erickson, MWLAP
Cynthia Hawksworth, MCWAS

Absent:

Ted Hall, MEM
David Coombe, VIHA
Wayne Haddow, MA
Dave Edgar, MT
Dan Biggs, MF

- # **Item**
1. **Call to order.**
N. Connelly called the meeting to order at 1:45 PM.
 2. **Minutes from the Last Meeting (Sept. 5, 2002).**
N. Connelly noted that the minutes had been amended to reflect that Mark Brown was in attendance in lieu of Paul Butler, and that John Finnie was in attendance. The minutes were approved as amended.
 3. **Growth Management Plan Review 2001-2002**
C. Thomas updated the Committee about the status of the Growth Management Plan Review Project. It was noted that since the Committee last met:
 - a public hearing was conducted about a revised regional growth strategy bylaw (Bylaw No. 1309) on September 11th and 12th (*copies of the RDN staff report and summary of proceedings for the public hearing were distributed*);
 - the Bylaw was referred to the three adjacent regional districts and three member municipalities for consideration of acceptance on September 13th (*copies of the staff reports prepared by the municipalities about the Bylaw were distributed*);
 - the RDN Board repealed the 1st and 2nd reading it had granted the Bylaw in August of 2002 and referred the Bylaw back to staff for additional consultation on October 8th 2002;
 - the RDN Board received the results of the referral of the Bylaw on October 28th. All three adjacent regional districts and the City of Nanaimo accepted the Bylaw. The City of Parksville refused to accept the Bylaw because of three specific issues. The Town of Qualicum Beach did not consider acceptance of the Bylaw. (*Copies of the RDN staff report about the referral were distributed*);
 - given the RDN Board's October 8th direction, RDN staff is in the process of developing Terms of Reference and a Consultation Plan to complete the Growth Management Plan Review, for the Board's consideration and direction in the New Year.

The Committee discussed the recent vote to incorporate the Lantzville area as a municipality and its potential impact on the process to complete the Growth Management Plan Review. It was noted that any amendments to the existing regional growth strategy would need to be accepted by the new municipality prior to the RDN adopting a new regional growth strategy bylaw for the region.

The Committee discussed the relationship between the Block 564 development proposal and rezoning application to the existing regional growth strategy (Bylaw 985.01) and the revised regional growth strategy that had been under consideration last fall (Bylaw 1309).

N. Connelly invited Committee members to provide feedback about the Growth Management Plan Review Project thus far, particularly in terms of what has worked and how the process could be improved. It was noted that the RDN was aware of member municipality staff concerns about aspects of the process as described in staff reports to their councils (*distributed to IAC members for information*). Member municipality representatives on the IAC indicated that there were concerns regarding the process to obtain municipality feedback and perspectives about the regional growth strategy versus the feedback and perspectives of the IAC generally, citing that member municipalities may have different perspectives than the IAC about aspects of the regional growth strategy. Member municipality representatives on the IAC also indicated that the process to develop a revised regional growth strategy must provide sufficient time to discuss issues in depth, if necessary. Member municipality representatives on the IAC also indicated that the regional growth strategy should not be forwarded to the RDN Board prior to the IAC having had sufficient opportunity to review it.

C. Thomas distributed a copy of the draft Terms of Reference and Consultation Plan for the Completion Phase of the Growth Management Plan Review, and provided a brief overview of the proposed process. It was noted that an opportunity would be provided at the next IAC meeting to discuss IAC comments about it, and that the document could be amended prior to forwarding it to the RDN Board for consideration of approval. Individual members of the IAC provided the following preliminary comments and suggestions about the process:

- that an additional step could be added between Step #5 and Step #6 in which each of the member municipality councils and the electoral area directors committee would decide in their respective councils or committee whether they would recommend that the revised regional growth strategy bylaw be forwarded to the RDN Board for consideration of 1st and 2nd reading;
- that Step #6 could be broken into two steps, so that the RDN Board would consider granting the revised regional growth strategy bylaw 1st reading at one meeting and then consider granting the bylaw 2nd reading at a subsequent meeting.

4. Outstanding Business

N. Connelly requested Committee input regarding how outstanding IAC business should be addressed. It was suggested that:


- the Vancouver Island Highway Implementation Agreement matters that were previously discussed by a sub-committee of the IAC be addressed as a part of a regular IAC meeting;
- the terms of reference for the IAC be discussed at the next IAC meeting;
- that RDN staff e-mail and or meet with member municipality staff to discuss member municipality achievements and challenges in regional growth strategy implementation in 2001 and 2002 with the view to completing a report that summarizes region wide challenges and achievements in regional growth strategy implementation for consideration by the RDN Board by the Spring of 2003;
- the draft State of Sustainability Program Proposal, which provides a renewed approach to monitoring the attainment of regional growth strategy objectives and sustainability in general, be re-circulated to the IAC with a request to obtain comments.

5. **Next Meeting.**

The next IAC meeting was set for **Thursday, January 9, 2003**, at the City of Nanaimo administration offices. The main topic of discussion will be the Committee's comments about the draft **Terms of Reference and Consultation Plan** for the **Completion Phase** of the **Growth Management Plan Review**.

6. **Adjournment.**

N. Connelly adjourned the meeting at 4:30 PM.



Neil Connelly, Chair