

REGIONAL DISTRICT OF NANAIMO

**REGULAR BOARD MEETING
TUESDAY, FEBRUARY 13, 2001
(immediately following Hospital Board Meeting)**

(Nanaimo City Council Chambers)

A G E N D A

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2. **DELEGATIONS**
 - 10 **Len King**, re Accreted Lands.
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 - 13 **Russell Dyson, Lantzville Improvement District**, re water quality standards.
3. **BOARD MINUTES**
 - 14-21 Minutes of the regular Board meeting held on Tuesday, January 9, 2001.
4. **BUSINESS ARISING FROM THE MINUTES**
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 - 22 **Dan Whiting, School District No. 69**, re Appointment to District 69 Recreation Commission.
 - 23-24 **Shirley Hine, City of Parksville**, re Twinning Arena Facilities.
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7. **STANDING COMMITTEE, SELECT COMMITTEE AND COMMISSION MINUTES AND RECOMMENDATIONS**
 - 7.(I) **DEVELOPMENT SERVICES STANDING COMMITTEE**
 - 25-29 Minutes of the regular Development Services Committee meeting held January 16, 2001. (for information)

CORRESPONDENCE/COMMUNICATION

R.K. Phillips, re Nanaimo Area Land Trust Core Funding. (All Directors - One Vote)

That the correspondence received from R. Phillips with respect to support for the Nanaimo Area Land Trust Stewardship Centre's Core funding appeal, be received for information.

Alain Magnan, Fisheries and Oceans, re Horne Lake. (All Directors - One Vote)

That the correspondence received from Fisheries and Oceans with respect to the Horne Lake Zoning Amendment Application No. 9630, be received for information.

Neil Banera, Ministry of Environment and Lands, re Horne Lake. (All Directors - One Vote)

That the correspondence received from the Ministry of Environment and Lands with respect to the proposed zoning amendment application of part of District Lot 251 and Block 40, Alberni District, be received for information.

Glenn Gibson, Central Vancouver Island Health Region, re Horne Lake. (All Directors - One Vote)

That the correspondence received from the Central Vancouver Island Health Region with respect to Amendment Application No. 9630, be received for information.

Dorthe Jakobsen, Ministry of Energy and Mines, re Horne Lake. (All Directors - One Vote)

That the correspondence received from the Ministry of Energy and Mines with respect to the proposed zoning amendment application No. 9630, be received for information.

BUILDING INSPECTION

Section 700 Filings. (All Directors - One Vote)

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:

- (a) *Lot 1, District Lot 110, Plan 46589, Nanoose Land District, 1390 Dorcas Point Road, Electoral Area 'E', owned by B. and F. Horner.;*
- (b) *Lot A, Block 668, Plan VIS4814, Nanoose Land District, 2920 Matthew Road, Electoral Area 'E', owned by H. and B. Fredheim;*
- (c) *Lot 3, District Lot 102, Plan VIS3905, Nanoose Land District, 1900 Delanice Way, Electoral Area 'E', owned by T. Davidson.*

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. 9630 – Horne Lake License Holders Association on behalf of Texada Land Corporation – Area H. (All Directors except EA 'B' - One Vote)

That Amendment Application No. 9630 submitted by the Horne Lake Association on behalf of Texada Land Corporation be approved, subject to completion of the agreements and undertakings as outlined in the staff report in a form satisfactory to the Board at the time of 1st reading of the proposed amendment bylaw.

DEVELOPMENT PERMIT APPLICATIONS

Application No. 0022 – Lapi & Johnson/Fong – 3251 Island Highway – Area A. (All Directors except EA 'B' - One Vote)

That Development Permit 0022 to renovate an existing commercial use on the property legally described as Lot 1, District Lot 2, Bright District, Plan 7407 be approved as outlined in Schedule 1 and subject to the notification requirements of the Local Government Act.

DEVELOPMENT VARIANCE PERMIT

Application No. 0015 – School District 68/Vincent – 1644 MacMillan Road – Area A. (All Directors except EA 'B' - One Vote)

Delegations wishing to speak to Application No. 0015.

That Development Variance Permit Application No. 0015, submitted by David Vincent, Agent, on behalf of School District #68 to legalize the siting of an existing structure and vary the minimum setback requirement from 8.0 metres to 2.2 metres for the property legally described as Lot A, Section 16, Range 8 and Section 16, Range 1, Plan 46768, be approved subject to the notification procedures pursuant to the Local Government Act.

FRONTAGE RELAXATION

Ken Kyler on behalf of Wayne Duncan – 1095 Spider Lake Road – Area H. (All Directors except EA 'B' - One Vote)

- 1. That the request from Ken Kyler, BCLS, on behalf of Wayne Duncan, to amend Covenant Document No. EL061937, to substitute a reconfigured plan of subdivision as shown on the plan prepared by Ken Kyler, BCLS and dated December 5, 2000, be approved subject to all costs associated with the registration of the amended covenant to be paid by the applicant and to the satisfaction of the Regional District.*

2. *That the request from Ken Kyler, BCLS, on behalf of Wayne Duncan, to relax the minimum 10% frontage requirement for the proposed Lot A, shown on the plan of subdivision prepared by Ken Kyler and Dated December 5, 2000, be approved.*

OTHER

Nanaimo Area Land Trust Request for Annual Core Funding. (All Directors - One Vote)

That NALT apply for project funding through the Grants-in-Aid program that is available on an annual basis and that staff continue to work with NALT on contract related services as well as other committees and projects.

Home Based Business Review. (All Directors - One Vote)

1. *That the summaries of the Community Forums on the Home Based Business Draft Strategy and written submissions from the public, be received for information.*
2. *That the public consultation process as outlined in Schedule 1, be endorsed.*
3. *That the application to the provincial government for business licensing be formally rescinded.*

7.(II) ENVIRONMENTAL SERVICES STANDING COMMITTEE

30-33

Minutes of the regular Environmental Services Committee meeting held January 23, 2001. (for information)

COMMUNICATIONS/CORRESPONDENCE

Derek Thompson, Ministry of Environment, Lands & Parks, re Safe Drinking Water Plan – Information Sessions. (All Directors - One Vote)

That the correspondence received from the Ministry of Environment, Lands & Parks with respect to the Safe Drinking Water Plan information schedule, be received for information.

LIQUID WASTE/UTILITIES

Biosolids. (Nanaimo, Parksville, Qualicum Beach, EA 'A', 'D', 'E', 'F', 'G', 'H' - Weighted Vote)

1. *That the Regional District of Nanaimo dispose of biosolids in a landfill or composting facility; and*
2. *That this matter be reviewed in twenty-four months, during which time staff will continue investigation of all options.*

Applications for Infrastructure Planning Grants. (All Directors - One Vote)

That the Board of the Regional District of Nanaimo support the Nanoose Peninsula Infrastructure Planning Grant applications.

Bylaws No. 889.16 and 813.25 – Application for Inclusion in French Creek LSA – Johnstone Road – Area G. (All Directors - One Vote)

1. *That Lot 10, Plan 20609, DL 49, Nanoose Land District be included in the French Creek Sewer Local Service Area.*
2. *That “Northern Community Sewer Local Service Area Amendment Bylaw No. 889.16, 2001” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.*
3. *That “French Creek Sewer Local Service Area Bylaw No. 813.25, 2001” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.*

Inclusion of Properties into French Creek LSA – Bennett Road – Area G. (All Directors - One Vote)

That the original Board motions be amended and that as a condition of inclusion into the FCWLSA, the developers of the two lots along Bennett Road, specifically REM A, Plan 17074, DL 88, Nanoose Land District and North ½ REM A, DD67388W & 17074, DL 88, Nanoose Land District be required to supply and install a 200 mm dia. Water line from Miraloma Drive along Bennett Road to the north property line of North ½ REM A, DD67388W & 17074, DL 88, Nanoose Land District.

Rural On Site Sewage Disposal Area Rating System. (All Directors - One Vote)

That staff be directed to make application to the Ministry of Municipal Affairs for a planning grant of \$15,000.00 to determine the best options for addressing the on-site sewage disposal problems of Site #57 on Gabriola Island and that the feasibility fund be made available to pay for the \$5,000.00 Regional District portion of the study.

SOLID WASTE

Solid Waste Customer Surveys. (All Directors - One Vote)

That the staff report on the Solid Waste Customer Surveys and the two solid waste public opinion surveys, be received for information.

Non-Public Residential Water Works Systems Within the RDN. (All Directors - One Vote)

That the staff report on non-public residential water works systems within the Regional District of Nanaimo, be received for information.

That resolutions be forwarded to AVICC and UBCM requesting that the Province establish standards for the operation and maintenance of any public or non-public water utility in British Columbia and further that mandatory education requirements be established for operators of public and non-public water systems in BC.

7.(III) CORPORATE & COMMUNITY SERVICES STANDING COMMITTEE

34-37

Minutes of the regular Development Services Committee meeting held February 6, 2001. (for information)

COMMUNICATIONS/CORRESPONDENCE

Brenda Jager, re Resignation from Gabriola Island Parks and Recreation Commission. (All Directors - One Vote)

That the correspondence received from Brenda Jager with respect to her resignation from the Gabriola Island Parks and Recreation Commission, be received for information.

ADMINISTRATION

Agenda Distribution Policy.

(All Directors - One Vote)

1. *That amended Policy No. A1.2 be adopted.*

(All Directors - Weighted Vote)

2. *That "Regional District of Nanaimo Fees and Charges Amendment Bylaw No. 944.02, 2001" be introduced and read three times.*

(All Directors - 2/3)

3. *That "Regional District of Nanaimo Fees and Charges Amendment Bylaw No. 944.02, 2001" be adopted.*

Crime Prevention Function. (All Directors - One Vote)

1. *That the Board establish a regional community policing function to provide on going funding to community policing organizations in Electoral Areas A, B, C, D, E, F, G & H.*
2. *That "Regional District of Nanaimo Crime Prevention Establishment Bylaw No. 1233, 2001" be introduced and read three times, be forwarded to the Inspector of Municipalities for approval, and proceed to counter petition to obtain elector consent.*
3. *That an invitation be sent to the RCMP Parksville Qualicum Detachment to appear before the Board and advise the RDN on the advantages and disadvantages of their crime prevention program.*

Emergency Management Agreement. (All Directors - Weighted Vote)

That the Board of the Regional District of Nanaimo and the Councils of the City of Nanaimo, the City of Parksville and the Town of Qualicum Beach enter into the Emergency Management Agreement.

Gabriola Island Parks and Recreation Commission – Amendment Bylaw No. 1208.01.

(All Directors - One Vote)

1. *That the "Gabriola Island Parks and Recreation Commission Amendment Bylaw No. 1208.01, 2001" be introduced and given three readings.*

(All Directors - 2/3)

2. *That the "Gabriola Island Parks and Recreation Commission Amendment Bylaw No. 1208.01, 2001" having received three readings, be adopted.*

FINANCE

Year 2001 Parcel Tax Rolls.

(All Directors - One Vote)

1. *That "Regional District of Nanaimo Assessment Roll Preparation Bylaw No. 1232, 2001" be introduced for first three readings.*

(All Directors - 2/3)

2. *That "Regional District of Nanaimo Assessment Roll Preparation Bylaw No. 1232, 2001", having received three readings, be adopted and forwarded to the Surveyor of Taxes.*

RECREATION AND PARKS

Little Qualicum River Watershed Assessment. (All Directors - One Vote)

That the staff report on a watershed assessment for the Little Qualicum River be received for information.

TRANSIT

Transit Business Plan Update – Terms of Reference. (Nanaimo, Parksville, Qualicum Beach, EA 'A', 'D', 'E', 'G', 'H' - Weighted Vote)

That the Transit Business Plan Update for the Regional District of Nanaimo Terms of Reference be approved.

COMMISSION, ADVISORY & SELECT COMMITTEE

District 69 Recreation Commission. (All Directors - One Vote)

That the minutes of the District 69 Recreation Commission meeting held January 18, 2001, be received for information.

District 69 Recreation Commission. (All Directors - One Vote)

That the District 69 Recreation Commission's recommendation to the Board of the Regional District of Nanaimo that all recreation functions of the Regional District of Nanaimo that impinge on District 69 be included in the mandate of the District 69 Recreation Commission: Arena, Parks – Regional Parks in District 69 and Electoral Area Parks, Recreation and Greenspaces Advisory Committees, Pool, Recreation Programs and Trails in District 69, be received for information and that staff and the Board representative clarify these points with the Commission at their next meeting.

Gabriola Island Parks and Recreation Commission. (All Directors - One Vote)

That the minutes of the Gabriola Island Parks and Recreation Commission meeting held January 22, 2001 be received for information.

7.(IV) EXECUTIVE STANDING COMMITTEE

Board Remuneration Bylaw. (From the February 6, 2001 Executive Committee Meeting) (All Directors - One Vote)

1. *That "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078, 1997" be amended as follows:*

That the following definition for "Public Information Meeting" be added under Section 2:

***"Public Information Meeting"** means a meeting scheduled pursuant to the "Coordinated Public Consultation/Communication Framework 2000" Policy.*

That the words "or other levels of government" be added to Section 5(b)(vii).

That the word "attended" be replaced by the word "chaired" under Section 3 of Schedule 'A' next to the heading "Committee Vice Chairperson".

That the following headings be added to Section 3 of Schedule 'A':

"Public Information Meeting \$60 per meeting attended"

"Executive Committee Meeting \$60 per meeting attended"

That the words "The current rate for 1999 is \$0.38 per kilometer" be deleted from Section 2 of Schedule 'B'.

(All Directors - One Vote)

38-41

2. *That "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Amendment Bylaw No. 1078.03, 2001" be introduced and read three times.*

(All Directors - 2/3)

3. That "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Amendment Bylaw No. 1078.03, 2001" be adopted.

7.(V) COMMISSION

7.(VI) SCHEDULED STANDING, ADVISORY STANDING AND SELECT COMMITTEE

Performance Review Committee. (All Directors - One Vote)

- 42--43 Minutes of the Performance Review Committee meeting held January 24, 2001.
(for information)

Intergovernmental Advisory Committee. (All Directors - One Vote)

- 44-45 Minutes of the Intergovernmental Advisory Committee meeting held January 25,
2001. (for information)

8. ADMINISTRATOR'S REPORT

- 46-56 Englishman River OCP Text and Map Amendment Bylaw No. 814.06 - San
Pareil Coastal Properties Development Permit Area - Area G.

- 57-124 Land Use and Subdivision Amendment Bylaw No. 500.267 - Accreted Lands.

9. ADDENDUM

10. BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

11. NEW BUSINESS

12. BOARD INFORMATION (Separate enclosure on blue paper)

13. ADJOURNMENT

14. IN CAMERA

February 5, 2001

Request from Mr. Len King, 248-8265 to speak as a delegation at the February 13th Board Meeting.

Re San Paniel - Accretion

February 6, 2001

Regional District of Nanaimo
6300 Hammond Bay Road
Lantzville, B.C.

via fax #390-4163

Attention: Linda

Rc: RDN Board Meeting February 13, 2001

Ingrid Gantner wishes to be put on the agenda for the above noted meeting to speak to the board members with regards to the application for rezoning residential lands in Cedar.

I am sending this fax on her behalf.

Thanking you,

D. Burnett

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Burgoyne, Linda

From: Beetstra, Marion
Sent: Wednesday, February 07, 2001 8:21 AM
To: Burgoyne, Linda
Subject: FW: ncid rezoning

-----Original Message-----

From: Donna Wilson [mailto:dlwilso@home.com]
Sent: Tuesday, February 06, 2001 7:06 PM
To: planning@rdn.bc.ca
Subject: ncid rezoning

I Ruth Rathy would like to speak on feb 13 regarding the rezoning for a proposed firehall in Cedar? thank you

LANTZVILLE IMPROVEMENT DISTRICT

7192 LANTZVILLE ROAD
PO BOX 100, LANTZVILLE B.C. V0R 2H0
PHONE: 390-4006 FAX: 390-5188

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Maureen Pearse	Russell Dyson, Administrator
COMPANY:	DATE:
Regional District of Nanaimo	02/07/01
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
390-4163	1
RE:	
Regular Meeting of the Board of the Regional District of Nanaimo, February 13, 2001	

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

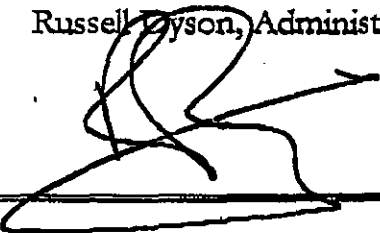
Please include my name on the list of presenters at the Regular Meeting of the Board of the Regional District of Nanaimo, February 13, 2001. I have been asked to make a presentation on behalf of the Board of Trustees of the Lantzville Improvement District regarding a recommendation of the Environmental Services Committee concerning water system standards.

The Lantzville Improvement District supports the recommendation for higher standards for water quality. The Board of Trustees requests that the Regional Board support an initiative for provincial / federal infrastructure grants to be available for all local governments to address water quality issues.

In my presentation I will outline this issue and the specific action the regional board may take to support improved water quality for rural water systems.

Thank you for your assistance

Russell Dyson, Administrator



"QUALITY SERVICES AT AN AFFORDABLE PRICE"

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REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE REGULAR MEETING OF THE BOARD
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, JANUARY 9, 2001, 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 T. Krall	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

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

DELEGATIONS

Scott Bigham, Capital City Kart Club, re Operating Permits for Mountaineer Kart Circuit.

Mr. Bigham requested Board members to consider allowing limited go kart events at the Spruston Road site.

John McFaul, re ALR 0006 Exclusion – 1712 Vowels Road – Area A.

Mr. McFaul reviewed comments received from agencies in support of the exclusion of the property from the ALR.

Dianne Burt, re ALR 0006 Exclusion – 1712 Vowels Road – Area A.

Ms. Burt provided a a history of the Judge property and urged Board members not to support the exclusion.

BOARD MINUTES

MOVED Director Stanhope, SECONDED Director Krall, that the minutes of the Inaugural Board meeting held on Tuesday, December 12, 2000, be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Shirley Hine, City of Parksville, re Arrowsmith Water Service Management Committee Appointment.

MOVED Director Macdonald, SECONDED Director Krall, that the correspondence from the City of Parksville with respect to the Arrowsmith Water Service Management Committee 2001 appointment, be received.

CARRIED

Shirley Hine, City of Parksville, re District 69 Recreation Commission Appointment.

MOVED Director Macdonald, SECONDED Director Krall, that the correspondence from the City of Parksville with respect to the District 69 Recreation Commission appointment, be received.

CARRIED

UNFINISHED BUSINESS

From the December 5, 2000 Corporate and Community Services Committee Meeting.

Growth Management Plan Review Terms of Reference.

MOVED Director Rispin, SECONDED Director Hamilton, that the Terms of Reference for the Growth Management Plan Review be approved.

CARRIED

MOVED Director Holdom, SECONDED Director Stanhope, that an application be submitted to the Ministry of Municipal Affairs for a planning grant in the amount of \$80,000 for the Growth Management Plan Review.

A recorded vote was requested.

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

CARRIED

From the December 12, 2000 Board Meeting.

Self Haul Tipping Fees – Bylaw No. 894.13.

MOVED Director Stanhope, SECONDED Director Krall, that the fee structure for self-haul loads be changed from a flat rate based on vehicle type to a flat rate based on weight.

A recorded vote was requested.

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

MOVED Director Stanhope, SECONDED Director Krall, that the fee structure for garbage be amended to charge \$4.00 for the first 100 kg and 9 cents per kg (\$90/tonne) for the remainder effective February 1, 2001.

A recorded vote was requested.

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

MOVED Director Stanhope, SECONDED Director Krall, that the fee structure for yard waste be amended to charge \$4.00 for the first 200 kg and 4.5 cents per kg (\$45/tonne) for the remainder effective February 1, 2001.

A recorded vote was requested.

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

MOVED Director Stanhope, SECONDED Director Krall, that the "Regional District of Nanaimo Solid Waste Management Regulation Amendment Bylaw No. 894.13, 2001" be introduced and read three times.

A recorded vote was requested.

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

MOVED Director Stanhope, SECONDED Director Macdonald, that the "Regional District of Nanaimo Solid Waste Management Regulation Amendment Bylaw No. 894.13, 2001" be adopted.

A recorded vote was requested.

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

Public Hearing.

Bylaw No. 500.268 – Amendments to Subdivision Regulations – Area 'E'.

MOVED Director Stanhope, SECONDED Director McNabb, that this item be held in abeyance for 90 days to allow more time to consider the amendments.

CARRIED

Bylaw No. 500.265 Application ZA 0007 – Burgess & Greaves – 1880 Claudet Road – Area 'E'.

MOVED Director McNabb, SECONDED Director Hamilton, that the Summary of Proceedings of the Public Hearing held December 14, 2000 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.265, 2000" be received.

CARRIED

MOVED Director Hamilton, SECONDED Director McNabb, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.265, 2000", be given 3rd reading.

CARRIED

For Adoption.

Bylaw No. 975.21.

MOVED Director Stanhope, SECONDED Director Rispin, that "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.21, 2000" be adopted.

CARRIED

Bylaw No. 1221.

MOVED Director Stanhope, SECONDED Director Westbroek, that "Regional District of Nanaimo (San Pareil Water) Security Issuing Bylaw No. 1221, 2000" be adopted.

CARRIED

Bylaw No. 1226.

MOVED Director Stanhope, SECONDED Director Westbroek, that "Regional District of Nanaimo (Nanoose Bay Bulk Water Supply) Security Issuing Bylaw No. 1226, 2000" be adopted.

CARRIED

Bylaw No. 1227.

MOVED Director Macdonald, SECONDED Director Stanhope, that "Regional District of Nanaimo (City of Parksville) Security Issuing Bylaw No. 1227, 2000" be adopted.

CARRIED

DEVELOPMENT SERVICES STANDING COMMITTEE

MOVED Director Hamilton, SECONDED Director McNabb, that the minutes of the regular Development Services Committee meeting held December 19, 2000, be received for information.

CARRIED

CORRESPONDENCE/COMMUNICATION

Brian Morgan, re Zoning Amendment Application – Yellowpoint and Cedar Roads – Area A.

MOVED Director Hamilton, SECONDED Director Elliott, that the correspondence received from Brian Morgan with respect to the re-zoning of property for the proposed North Cedar Fire Department, be received for information.

CARRIED

Daryl Britt, re ALR 006 Exclusion – 1712 Vowels Road – Area A.

MOVED Director Hamilton, SECONDED Director Krall, that the correspondence received from Daryl Britt with respect to the ALR exclusion application for a property at 1712 Vowels Road, be received for information.

CARRIED

BUILDING INSPECTION

Section 700 Filings.

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

MOVED Director Hamilton, SECONDED Director Elliott, 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:

- (a) Lot A, Section 16, Range 8, Plan VIP56538, Cranberry Land District, 1627 Cedar Road, Electoral Area 'A', owned by V. Johnson.;
- (b) Strata Lot 2, District Lot 78, Nanoose Land District, Strata Plan VIS4678 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1, 2421 Arbutus Crescent, Electoral Area 'E', owned by R. Chiste;
- (c) Lot 29, Block 668, Nanoose Land District, Plan 36481, 2601 Matthew Road, Electoral Area 'E', owned by P. and L. Nielsen.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. 0012 – North Cedar Improvement District – on behalf of Agnes Cochran and Laura Sweeney – Yellow Point Road – Area A.

MOVED Director Hamilton, SECONDED Director Elliott, that the staff report be received and that Amendment Application No. 0012 submitted by the North Cedar Improvement District to rezone a portion of the property legally described as Lot 1, Plan VIP533334, Section 12, Range 1, Cedar District, from Residential 2 (RS2) to Public 1 (PU1) be advanced to a public hearing subject to the conditions outlined in Schedule No. 1 of the November 21, 2000 staff report.

CARRIED

MOVED Director Hamilton, SECONDED Director Holdom, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.271, 2000" be given 1st and 2nd reading and proceed to Public Hearing.

CARRIED

MOVED Director Hamilton, SECONDED Director Elliott, that the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.271, 2000" be delegated to Director Elliott or his alternate and that the Public Hearing be postponed until the end of February or the beginning of March to allow for sufficient advertising.

CARRIED

DEVELOPMENT VARIANCE PERMIT

Application No. 0013 – Vinden – 2750 Boyd Drive – Area E.

MOVED Director Hamilton, SECONDED Director Stanhope, that Development Variance Permit Application No. 0013, submitted by Gordon Waters, Agent on behalf of Mark and Suzanne Vinden, to facilitate the development of a single dwelling unit and vary the maximum permitted dwelling unit height within the Residential 1 (RS1) zone from 8.0 metres to 8.9 metres (29.2 feet) for the property legally described as Lot 8, District Lot 37, Nanoose District, Plan 30072, be approved as submitted subject to the notification procedures pursuant to the Local Government Act.

CARRIED

OTHER

ALR 0006 Exclusion – Pauline Kaur Judge and Aismore Angy Judge – 1712 Vowels Road – Area A.

MOVED Director Hamilton, SECONDED Director Stanhope, that the Board of the Regional District of Nanaimo, in support of policies contained in the Regional Growth Management Plan, the Electoral Area 'A' Official Community Plan, Bylaw No. 1116, 1998, and regulations within Land Use and Subdivision Bylaw No. 500, 1987, recommend that the application for exclusion from the Agricultural Land Reserve for Lots 3 and 4, Plan 725, Section 1, Range 7, Cranberry District, Except Part in Plans VIP69195 and VIP69231, be refused.

A recorded vote was requested.

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

ADMINISTRATOR'S REPORT

Appointment of Bylaw Enforcement Officer.

MOVED Director Stanhope, SECONDED Director Hamilton, that Mr. Thomas W. Armet be appointed as a Bylaw Enforcement Officer for the purpose of enforcing Regional District of Nanaimo bylaws and regulations as set out pursuant to the provisions of "Bylaw Enforcement Officers Bylaw No. 857, 1992".

CARRIED

Planning Grant Payment Deadline Extension – Transportation Study.

MOVED Director Stanhope, SECONDED Director Macdonald, that the new schedule and deadline for the completion of the Transportation Study be approved for the purpose of extending the deadline for the payment of an approved planning grant.

CARRIED

Regional Services.

MOVED Director Stanhope, SECONDED Director Hamilton, that the "Southern Community Transit Service Area Conversion Bylaw No. 1230, 2001" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Stanhope, SECONDED Director Rispin, that the "Regional District of Nanaimo District 69 Conventional Transit Local Service Area Amendment Bylaw No. 897.03, 2001" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Stanhope, SECONDED Director Rispin, that the "Regional District of Nanaimo District 69 Custom Transit and Paratransit Local Service Area Amendment Bylaw No. 908.04, 2001" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Stanhope, SECONDED Director Rispin, that the "Southern Community Sewer Local Service Area Amendment Bylaw No. 888.02, 2001" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Stanhope, SECONDED Director McNabb, that the "Northern Community Sewer Local Service Area Amendment Bylaw No. 889.15, 2001" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

A recorded vote was requested.

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

MOVED Director Stanhope, SECONDED Director Macdonald, that the "Regional District of Nanaimo Trucked Liquid Waste Disposal Amendment Bylaw No. 988.03, 2001" be introduced and read three times.

CARRIED

MOVED Director Hamilton, SECONDED Director Stanhope, that the "Southern Community Recreation Local Service Area Amendment Bylaw No. 1059.01, 2001" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Stanhope, SECONDED Director Hamilton, that the "Joint Civic Properties and Recreation Commission Local Service Area Amendment Bylaw No. 861.01, 2001" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

A recorded vote was requested.

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

MOVED Director Stanhope, SECONDED Director Hamilton, that the "Regional District of Nanaimo Regional Parks and Trails Service Area Conversion Bylaw No. 1231, 2001" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

A recorded vote was requested.

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

ADDENDUM

ADMINISTRATION

Demolition Permit/OCP Bylaw Amendment Conflict – Walsh – 777 Mariner Way – Area G.

MOVED Director Stanhope, MOVED Director Krall, that staff be directed to approve the application for a demolition permit for the property located at 777 Mariner Way given there is no conflict between the application and the potential amendment to the Englishman River Official Community Plan.

CARRIED

BOARD INFORMATION

French Creek Estuary (page 15).

MOVED Director Stanhope, SECONDED Director Korpan, that the RDN request the Ministry of Environment, Lands & Parks (MELP) to address the concerns of the French Creek Residents Association and request MELP to prepare an evaluation of the flood risk for the French Creek estuary.

CARRIED

IN CAMERA

MOVED Director McNabb, SECONDED Director Korpan, that pursuant to Section 242.1(h) of the Local Government Act, the Board proceed to an In Camera meeting to consider a matter of litigation affecting the Regional District.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:45 PM.

CHAIRPERSON

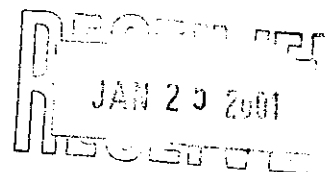
GENERAL MANAGER, CORPORATE SERVICES



SCHOOL DISTRICT No. 69 (QUALICUM)

Board of School Trustees

P.O. Box 430, Parksville, B.C. V9P 2G5 • Properties Department



Phone: (250) 248-2067
Fax: (250) 248-6822

January 22, 2001

District 69 Recreation Commission
PO Box 1119
Parksville, BC
V9P 2H2

Dear Chairperson:

The Board of School Trustees of School District No. 69 (Qualicum) approved the appointment of Trustee representatives to various committees and organizations for 2001 at the December 19th Regular School Board meeting.

I wish to advise you that Trustee Barbara Terry has been appointed to represent the Board of School Trustees on the District 69 Recreation Commission for 2001.

Yours truly,

Dan Whiting
Secretary Treasurer

c: Trustee Barbara Terry



City of PARKSVILLE

PO Box 1390, 194 Memorial Avenue, Parksville, BC, V9P 2H3.
Telephone: (250) 248-6144 Fax: (250) 248-6650

January 17, 2001

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

Attention: Mr. Kelly Daniels

Dear Mr. Daniels:

Subject: Twinning Arena Facilities
Our File: 0230-20

REGIONAL DISTRICT OF NANAIMO			
JAN 22 2001			
CHAIR	<i>[Signature]</i>	SMCRS	
CAO	<i>[Signature]</i>	BMDS	
CMC	<i>copy</i>	GMES	
<i>Bred Corrigan</i>			<input checked="" type="checkbox"/>

This is to advise that at the January 15, 2001 regular meeting of Council, the following resolution was passed:

RESOLUTION NO. 01-19:

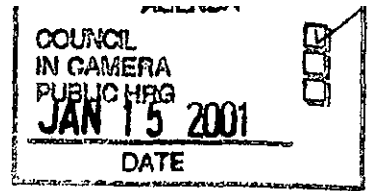
"That the report from Councillor J. R. Walters, dated January 11, 2001 entitled "Twinning Arena Facilities", be received;
And That support in principle be given for the lease of City-owned property in the Community Park for the expansion of the current arena subject to a reasonable and suitable proposal being submitted by the Regional District of Nanaimo and/or the District 69 Recreation Commission for the said expansion."

Enclosed please find a copy of Councillor Walter's report to Council.

Yours very truly,

SHIRLEY E. HINE, CMC
Director of Administrative Services

/lk
Enclosure



January 11, 2001

MEMO TO: HER WORSHIP THE MAYOR AND MEMBERS OF COUNCIL

FROM: COUNCILLOR J. W. WALTERS

SUBJECT: TWINNING ARENA FACILITIES

BACKGROUND

Council will know that a committee has been formed to examine the expansion of ice facilities in the District. To that end, it may be of assistance to that committee to know that Parksville City Council in general endorses the idea of leasing properties in the Community Park in order to facilitate the twinning of current ice facilities.

RECOMMENDATION

That Parksville City Council support in principle leasing properties owned by the City in the Community Park for the expansion of the current arena subject to a reasonable and suitable proposal being submitted by the Regional District of Nanaimo and/or the District 69 Recreation Commission for the said expansion.

"COUNCILLOR JON WALTERS"

reports/arena

PAGE

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REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE DEVELOPMENT SERVICES COMMITTEE
MEETING HELD ON TUESDAY, JANUARY 16, 2001, AT 7:30 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 B. Sperling	Electoral Area B
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
Director J. Macdonald	City of Parksville
Director T. Westbrook	Town of Qualicum Beach
Director L. Sherry	City of Nanaimo
Alternate	
Director T. Beech	City of Nanaimo
Director G. Korpan	City of Nanaimo
Director D. Rispin	City of Nanaimo
Alternate	
Director S. Lance	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

B. Lapham	General Manager, Development Services
S. Schopp	Manager, Inspection & Enforcement
P. Shaw	Manager, Community Planning
N. Tonn	Recording Secretary

ELECTION OF DEPUTY CHAIRPERSON

MOVED Director Westbrook, SECONDED Director Stanhope, that Director Holdom be elected Deputy Chairperson.

Director McLean put forward Director Haime's name for consideration.

Director Haime declined.

The question was called on the main motion.

The motion CARRIED.

DELEGATIONS

Mary Jane Puckrin, re Home Based Business.

Ms. Puckrin spoke in support of the Home Based Business Draft Review with the exception of the use of accessory buildings, allowable floor space usage, sales provisions, hours of operation and non-resident employee provisions.

Gail Adrienne, Nanaimo Area Land Trust, re Request for Annual Core Funding.

Ms. Adrienne and Gillian Butler distributed support letters to the Committee members and asked the Board's support for their request for annual Core funding.

LATE DELEGATIONS

MOVED Director Stanhope, SECONDED Director McLean, that the following late delegation be permitted to address the Committee.

CARRIED

Murray Hamilton, re Application No. 9630 – Horne Lake.

Mr. Hamilton, speaking on behalf of the Horne Lake License Holders Association, raised his concerns regarding public access to Mount Horne at the south boundary of the property via existing road and trail routes. A request was made to the Committee to exclude this item until after the sales agreement is completed, and until the Association members have had the opportunity for further discussion at their AGM.

MOVED Director Sherry, SECONDED Director Elliott, that the delegations be received.

CARRIED

MINUTES

MOVED Director Sherry, SECONDED Director Stanhope, that the minutes of the regular Development Services Committee meeting held on December 19, 2000, be adopted.

CARRIED

CORRESPONDENCE/COMMUNICATION

R.K. Phillips, re Nanaimo Area Land Trust Core Funding.

MOVED Director Korpan, SECONDED Director Sherry, that the correspondence received from R. Phillips with respect to support for the Nanaimo Area Land Trust Stewardship Centre's Core funding appeal, be received for information.

CARRIED

Alain Magnan, Fisheries and Oceans, re Horne Lake.

MOVED Director Korpan, SECONDED Director Sherry, that the correspondence received from Fisheries and Oceans with respect to the Horne Lake Zoning Amendment Application No. 9630, be received for information.

CARRIED

Neil Banera, Ministry of Environment and Lands, re Horne Lake.

MOVED Director Korpan, SECONDED Director Sherry, that the correspondence received from the Ministry of Environment and Lands with respect to the proposed zoning amendment application of part of District Lot 251 and Block 40, Alberni District, be received for information.

CARRIED

Glenn Gibson, Central Vancouver Island Health Region, re Horne Lake.

MOVED Director Korpan, SECONDED Director Sherry, that the correspondence received from the Central Vancouver Island Health Region with respect to Amendment Application No. 9630, be received for information.

CARRIED

Dorthe Jakobsen, Ministry of Energy and Mines, re Horne Lake.

MOVED Director Korpan, SECONDED Director Sherry, that the correspondence received from the Ministry of Energy and Mines with respect to the proposed zoning amendment application No. 9630, be received for information.

CARRIED

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 Holme, SECONDED Director Sherry, 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:

- (a) Lot 1, District Lot 110, Plan 46589, Nanoose Land District, 1390 Dorcas Point Road, Electoral Area 'E', owned by B. and F. Horner.;
- (b) Lot A, Block 668, Plan VIS4814, Nanoose Land District, 2920 Matthew Road, Electoral Area 'E', owned by H. and B. Fredheim;
- (c) Lot 3, District Lot 102, Plan VIS3905, Nanoose Land District, 1900 Delanice Way, Electoral Area 'E', owned by T. Davidson.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. 9630 – Horne Lake License Holders Association on behalf of Texada Land Corporation – Area H.

MOVED Director Quittenton, SECONDED Director Holme, that Amendment Application No. 9630 submitted by the Horne Lake Association on behalf of Texada Land Corporation be approved, subject to completion of the agreements and undertakings as outlined in the staff report with the exception of yet to be concluded provisions for public access to Mount Horne at the south boundary of the property via existing road and trail routes in a form satisfactory to the Board at the time of 1st reading of the proposed amendment bylaw.

MOVED Director Sherry, SECONDED Director Macdonald, that the motion be amended to remove the words "with the exception of yet to be concluded provisions for public access to Mount Horne at the south boundary of the property via existing road and trail routes".

CARRIED

The question was called on the main motion as amended.

The motion CARRIED.

DEVELOPMENT PERMIT APPLICATIONS

Application No. 0022 – Lapi & Johnson/Fong – 3251 Island Highway – Area A.

MOVED Director Elliott, SECONDED Director Sherry, that Development Permit 0022 to renovate an existing commercial use on the property legally described as Lot 1, District Lot 2, Bright District, Plan 7407 be approved as outlined in Schedule 1 and subject to the notification requirements of the Local Government Act.

CARRIED

DEVELOPMENT VARIANCE PERMIT

Application No. 0015 – School District 68/Vincent – 1644 MacMillan Road – Area A.

MOVED Director Elliott, SECONDED Director Holme, that Development Variance Permit Application No. 0015, submitted by David Vincent, Agent, on behalf of School District #68 to legalize the siting of an existing structure and vary the minimum setback requirement from 8.0 metres to 2.2 metres for the property legally described as Lot A, Section 16, Range 8 and Section 16, Range 1, Plan 46768, be approved subject to the notification procedures pursuant to the Local Government Act.

CARRIED

FRONTAGE RELAXATION

Ken Kyler on behalf of Wayne Duncan – 1095 Spider Lake Road – Area H.

MOVED Director Quittenton, SECONDED Director Stanhope,:

1. That the request from Ken Kyler, BCLS, on behalf of Wayne Duncan, to amend Covenant Document No. EL061937, to substitute a reconfigured plan of subdivision as shown on the plan prepared by Ken Kyler, BCLS and dated December 5, 2000, be approved subject to all costs associated with the registration of the amended covenant to be paid by the applicant and to the satisfaction of the Regional District.
2. That the request from Ken Kyler, BCLS, on behalf of Wayne Duncan, to relax the minimum 10% frontage requirement for the proposed Lot A, shown on the plan of subdivision prepared by Ken Kyler and Dated December 5, 2000, be approved.

CARRIED

OTHER

Nanaimo Area Land Trust Request for Annual Core Funding.

MOVED Director Korpan, SECONDED Director Sherry, that NALT apply for project funding through the Grants-in-Aid program that is available on an annual basis and that staff continue to work with NALT on contract related services as well as other committees and projects.

CARRIED

Home Based Business Review.

MOVED Director Haime, SECONDED Director Quittenton,:

1. That the summaries of the Community Forums on the Home Based Business Draft Strategy and written submissions from the public, be received for information.
2. That the public consultation process as outlined in Schedule 1, be endorsed.
3. That the application to the provincial government for business licensing be formally rescinded.

CARRIED

IN CAMERA

MOVED Director Holme, SECONDED Director Korpan, that pursuant to Section 242.2(1)(h) of the Local Government Act the Committee proceed to an In Camera Meeting to consider a matter of litigation or potential litigation affecting the Local Government.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:53 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD ON TUESDAY, JANUARY 23, 2001, AT 7:30 P.M. IN THE
COUNCIL CHAMBERS OF THE CITY OF NANAIMO
455 WALLACE STREET, NANAIMO, B.C.**

Present:

Director L. Sherry	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 G. Holme	Electoral Area E
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 G. Korpan	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director D. Rispin	City of Nanaimo
Director T. Krall	City of Nanaimo

Also in Attendance:

J. Finnie	General Manager of Environmental Services
D. Trudeau	Manager of Liquid Waste
N. Cielanga	Engineering Technologist
S. DePol	Special Projects Assistant
N. Tonn	Recording Secretary

ELECTION OF DEPUTY CHAIRPERSON

The Chairperson called for nominations for the position of Deputy Chairperson for the year 2001.

Director Haime nominated Director McLean.

Director Rispin nominated Director Stanhope.

There being no further nominations, a vote was conducted and the Chairperson declared Director Stanhope Deputy Chairperson of the Environmental Services Committee for 2001.

DELEGATIONS

Helen Sims, re Bennett Road Subdivision.

Ms. Sims presented a short overview of her clients' request to change the Board's previous conditions for inclusion of their property in the French Creek Water Local Service Area, and urged the Committee to approve alternative no. 3 in the staff report.

LATE DELEGATIONS

MOVED Director Holme, SECONDED Director Haime, that a late delegation be permitted to address the Committee.

CARRIED

Marilyn Hewer, re Bennett Road Subdivision.

Ms. Hewer reiterated the concerns raised by Ms. Sims and also provided a short history of the properties in the area.

MINUTES

MOVED Director Korpan, SECONDED Director Krall, that the minutes of the regular Environmental Services Committee meeting held on Tuesday, November 28, 2000, be adopted.

Director Quittenton raised his concerns with respect to the wording under Self Haul Tipping Fees, item no. 2 which do not reflect the charge for loads weighing exactly 100 kg.

MOVED Director Korpan, SECONDED Director Quittenton, that adoption of the November 28, 2000 ESC minutes be postponed until these concerns are addressed.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Derek Thompson, Ministry of Environment, Lands & Parks, re Safe Drinking Water Plan – Information Sessions.

MOVED Director Holme, SECONDED Director Krall, that the correspondence received from the Ministry of Environment, Lands & Parks with respect to the Safe Drinking Water Plan information schedule, be received for information.

CARRIED

LIQUID WASTE/UTILITIES

Biosolids.

MOVED Director McLean, SECONDED Director Haime,:

1. That the Regional District of Nanaimo dispose of biosolids in a landfill or composting facility; and
2. That this matter be reviewed in twenty-four months, during which time staff will continue investigation of all options.

A recorded vote was requested.

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

Applications for Infrastructure Planning Grants.

MOVED Director McNabb, SECONDED Director Holme, that the Board of the Regional District of Nanaimo support the Nanoose Peninsula Infrastructure Planning Grant applications.

A recorded vote was requested.

The motion CARRIED UNANIMOUSLY.

Bylaws No. 889.16 and 813.25 – Application for Inclusion in French Creek LSA – Johnstone Road – Area G.

MOVED Director Stanhope, SECONDED Director Kruyt,:

1. That Lot 10, Plan 20609, DL 49, Nanoose Land District be included in the French Creek Sewer Local Service Area.
2. That “Northern Community Sewer Local Service Area Amendment Bylaw No. 889.16, 2001” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
3. That “French Creek Sewer Local Service Area Bylaw No. 813.25, 2001” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

Inclusion of Properties into French Creek LSA – Bennett Road – Area G.

MOVED Director Stanhope, SECONDED Director Hamilton, that the original Board motions be amended and that as a condition of inclusion into the FCWLSA, the developers of the two lots along Bennett Road, specifically REM A, Plan 17074, DL 88, Nanoose Land District and North ½ REM A, DD67388W & 17074, DL 88, Nanoose Land District be required to supply and install a 200 mm dia. Water line from Miraloma Drive along Bennett Road to the north property line of North ½ REM A, DD67388W & 17074, DL 88, Nanoose Land District.

CARRIED

Rural On Site Sewage Disposal Area Rating System.

MOVED Director Krall, SECONDED Director Quittenton, that staff be directed to make application to the Ministry of Municipal Affairs for a planning grant of \$15,000.00 to determine the best options for addressing the on-site sewage disposal problems of Site #57 on Gabriola Island and that the feasibility fund be made available to pay for the \$5,000.00 Regional District portion of the study.

CARRIED

SOLID WASTE

Solid Waste Customer Surveys.

MOVED Director McNabb, SECONDED Director Quittenton, that the staff report on the Solid Waste Customer Surveys and the two solid waste public opinion surveys, be received for information.

CARRIED

Non-Public Residential Water Works Systems Within the RDN.

MOVED Director Stanhope, SECONDED Director Macdonald, that the staff report on non-public residential water works systems within the Regional District of Nanaimo, be received for information.

CARRIED

MOVED Director Stanhope, SECONDED Director Holme, that resolutions be forwarded to AVICC and UBCM requesting that the Province establish standards for the operation and maintenance of any public or non-public water utility in British Columbia and further that mandatory education requirements be established for operators of public and non-public water systems in BC.

CARRIED

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ADJOURNMENT

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

CARRIED

TIME: 8:38 PM

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE CORPORATE & COMMUNITY SERVICES
COMMITTEE MEETING HELD ON TUESDAY, FEBRUARY 6, 2001,
AT 7:30 P.M., IN THE CITY OF NANAIMO COUNCIL CHAMBERS,
455 WALLACE STREET, NANAIMO, B.C.**

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 R. Jepson	Electoral Area D
Director G. Holme	Electoral Area E
Director J. McLean	Electoral Area F
Director R. Quittenton	Electoral Area H
Director J. Macdonald	City of Parksville
Director T. Westbrook	Town of Qualicum Beach
Alternate	
Director T. Beech	City of Nanaimo
Director D. Rispin	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

K. Daniels	Chief Administrative Officer
N. Connelly	General Manager, Community Services
C. Mason	General Manager, Corporate Services
N. Tonn	Recording Secretary

ELECTION OF DEPUTY CHAIRPERSON

The Chairperson called for nominations for the position of Deputy Chairperson for the year 2001.

Director Holme nominated Director Macdonald.

Director Elliott nominated Director McNabb.

Director McLean nominated Director Quittenton.

There being no further nominations, a vote was conducted and the Chairperson declared Director Macdonald Deputy Chairperson of the Corporate and Community Services Committee for 2001.

DELEGATIONS

Frank Collins, re Crime Prevention Function.

Mr. Collins presented an overview of the Arrowsmith Restorative Justice Society and requested the Board's moral and financial support.

MOVED Director McLean, SECONDED Director Westbrook, that the delegation be received.

CARRIED

MINUTES

MOVED Director McNabb, SECONDED Director Westbrook, that the minutes of the regular Corporate & Community Services Committee meeting held on Tuesday, December 5, 2000 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Brenda Jager, re Resignation from Gabriola Island Parks and Recreation Commission.

MOVED Director McNabb, SECONDED Director Sperling, that the correspondence received from Brenda Jager with respect to her resignation from the Gabriola Island Parks and Recreation Commission, be received for information.

CARRIED

ADMINISTRATION

Agenda Distribution Policy.

MOVED Director Holme, SECONDED Director Holdom,:

1. That amended Policy No. A1.2 be adopted.
2. That "Regional District of Nanaimo Fees and Charges Amendment Bylaw No. 944.02, 2001" be introduced and read three times.
3. That "Regional District of Nanaimo Fees and Charges Amendment Bylaw No. 944.02, 2001" be adopted.

CARRIED

Crime Prevention Function.

MOVED Director Westbrook, SECONDED Director Macdonald,:

1. That the Board establish a regional community policing function to provide on going funding to community policing organizations in Electoral Areas A, B, C, D, E, F, G & H.
2. That "Regional District of Nanaimo Crime Prevention Establishment Bylaw No. 1233, 2001" be introduced and read three times, be forwarded to the Inspector of Municipalities for approval, and proceed to counter petition to obtain elector consent.

CARRIED

MOVED Director McLean, SECONDED Director Jepson, that staff be directed to draft separate crime prevention establishment bylaws for each Electoral Area which would provide for approval by process of counter petition or referendum.

CARRIED

The Chairperson noted that the last motion was out of order as it conflicts with the previously adopted resolution.

MOVED Director McLean, SECONDED Director Hamilton, that the first motion be reconsidered.

DEFEATED

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MOVED Director Quittenton, SECONDED Director Westbroek, that an invitation be sent to the RCMP Parksville Qualicum Detachment to appear before the Board and advise the RDN on the advantages and disadvantages of their crime prevention program.

CARRIED

Emergency Management Agreement.

MOVED Director Macdonald, SECONDED Director McNabb, that the Board of the Regional District of Nanaimo and the Councils of the City of Nanaimo, the City of Parksville and the Town of Qualicum Beach enter into the Emergency Management Agreement.

CARRIED

Gabriola Island Parks and Recreation Commission – Amendment Bylaw No. 1208.01.

MOVED Director Sperling, SECONDED Director McNabb,:

1. That the “Gabriola Island Parks and Recreation Commission Amendment Bylaw No. 1208.01, 2001” be introduced and given three readings.
2. That the “Gabriola Island Parks and Recreation Commission Amendment Bylaw No. 1208.01, 2001” having received three readings, be adopted.

CARRIED

FINANCE

Year 2001 Parcel Tax Rolls.

MOVED Director McNabb, SECONDED Director Macdonald,:

1. That “Regional District of Nanaimo Assessment Roll Preparation Bylaw No. 1232, 2001” be introduced for first three readings.
2. That “Regional District of Nanaimo Assessment Roll Preparation Bylaw No. 1232, 2001”, having received three readings, be adopted and forwarded to the Surveyor of Taxes.

CARRIED

HOSPITAL

Request for Cost Sharing – NRGH – Ultrasound Equipment.

MOVED Director Holme, SECONDED Director Westbroek,:

1. That the CVIHR be advised that the Nanaimo Regional Hospital District is prepared to cost share in the purchase by using funds from the 2001 budget approval of \$1,380,000.
2. That correspondence be forwarded to the Minister of Health, the CVIHR and all other Regional Hospital Districts outlining our concerns that cost sharing formulas and cost sharing requirements have not been reconsidered in light of the reinstated health care funding the Province is receiving from the Federal government.

CARRIED

RECREATION AND PARKS

Little Qualicum River Watershed Assessment.

MOVED Director Holme, SECONDED Director Quittenton, that the staff report on a watershed assessment for the Little Qualicum River be received for information.

CARRIED

TRANSIT

Transit Business Plan Update – Terms of Reference.

MOVED Director Holdom, SECONDED Director McNabb, that the Transit Business Plan Update for the Regional District of Nanaimo Terms of Reference be approved.

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 January 18, 2001, be received for information.

CARRIED

Director Holme noted that the Commission may not understand that arenas, pools and recreation programs are already within their mandate and that regional parks and trails and community parks in electoral areas are funded by different participants than are currently sitting on the Recreation Commission. It would therefore be inappropriate to include all the functions listed within their mandate.

MOVED Director Holme, SECONDED Director McLean, that the District 69 Recreation Commission's recommendation to the Board of the Regional District of Nanaimo that all recreation functions of the Regional District of Nanaimo that impinge on District 69 be included in the mandate of the District 69 Recreation Commission: Arena, Parks – Regional Parks in District 69 and Electoral Area Parks, Recreation and Greenspaces Advisory Committees, Pool, Recreation Programs and Trails in District 69, be received for information and that staff and the Board representative clarify these points with the Commission at their next meeting.

CARRIED

Gabriola Island Parks and Recreation Commission.

MOVED Director Sperling, SECONDED Director McNabb, that the minutes of the Gabriola Island Parks and Recreation Commission meeting held January 22, 2001 be received for information.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 8:21 P. M.

CHAIRPERSON

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1078.03

**A BYLAW TO AMEND REMUNERATION RATES
FOR BOARD DIRECTORS**

WHEREAS the Board of the Regional District of Nanaimo by bylaw, cited as "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078, 1997", and subsequent amendments thereto, provided for the remuneration rates and reimbursement of expenses incurred by Directors and Alternate Directors;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to amend the remuneration schedule to recognize the Board Public Consultation Policy which requires Directors to attend an increasing number of Public Information meetings;

NOW THEREFORE the Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

1. Section 2 – Definitions is hereby amended as follows:

The addition of the following definition:

"Public Information Meeting" means a meeting scheduled pursuant to the "Coordinated Public Consultation/Communication Framework 2000" Policy.

2. Section 5(b)(vii) is repealed and is replaced by the following:

5(b) (vii) attendance at public meetings arranged by the AVIM, UBCM, MOA or other levels of Government.

3. Schedule 'A' attached to Bylaw 1078 is hereby repealed and replaced with Schedule A attached hereto.
4. Schedule 'B' attached to Bylaw 1078 is hereby repealed and replaced with Schedule B attached hereto.

5. This bylaw may be cited as "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Amendment Bylaw No. 1078.03, 2001".

Introduced and read three times this _____ day of _____, 2001.

Adopted this _____ day of _____, 2001.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

Chairperson

General Manager, Corporate Services

SCHEDULE 'A'

1. Remuneration rates effective commencing the pay period following the Inaugural Board Meeting in each year shall be as follows:

	<u>Dec. 1999</u>	<u>Dec. 2000</u>	<u>Dec. 2001</u>
All Directors	7,709	7,823	7,940
Chairperson - allowance	10,445	10,602	10,761
Regional allowance – Electoral Area Directors	1,697	1,894	2,090

2. The member elected as Chairperson shall receive no additional remuneration beyond the Chairperson's allowance.
3. In addition to the annual remuneration rates shown at (1) and (2) above, there shall be paid the following rates:

Vice Chairperson of the Board	\$150 per meeting when acting as Chairperson of the Board
Committee Chairperson	\$100 per meeting chaired
Committee Vice Chairperson	\$60 per meeting chaired
Alternate Directors	\$75 per meeting when attending in the regular Director's place
Select Committees	\$60 per meeting attended
Scheduled Standing Committees	\$60 per meeting attended
Advisory Standing Committees	\$60 per meeting attended
Public Hearings	\$60 per meeting attended
Public Information Meeting	\$60 per meeting attended
Other meetings	\$60 per meeting for Directors appointed by the Board to represent the Regional District at other business meetings

4. The rates above shall be reviewed by a Committee appointed by the Board in the year of Local Government elections and any changes shall be effective from the December inaugural Board meeting of that year.

Chairperson

Secretary

SCHEDULE 'B'

1. Meal Expenses

- a) Breakfast to a maximum of \$10.00 without a receipt
- b) Lunch to a maximum of \$15.00 without a receipt
- c) Dinner to a maximum of \$25.00 without a receipt
- d) If a receipt is submitted, the actual cost will be reimbursed provided that:
 - (i) the cost of the meal including taxes does not exceed the maximum cost under a), b) or c); and,
 - (ii) the gratuity if any, does not exceed 15% of the total meal cost including taxes.
- e) Where travel occurs outside of Canada the meal expense maximums shall be converted at prevailing exchange rates.
- f) There will be no reimbursement for alcoholic beverages.

2. Mileage

The mileage rate will be increased or decreased effective from September 1st each year to be consistent with the rate paid by the Province of British Columbia as at August 31st in each year.



**Minutes for the Meeting held:
Wednesday, January 24, 2001 @ 7:00 PM
Ramada Inn at Long Lake
Nanaimo, BC**

Present:

- Charles Gahr
- Suzanne Andre
- Brian Anderson
- Allan Armstrong
- George Legg
- Carmi Simpson
- Graham Shuttleworth
- Angus Weller
- Felicity Adams
- George Holme, Chair, Regional Board
- Christina Thomas, RDN

Regrets:

- Ruth Matson
- Robert Jepson
- Terrence Knight
- Jane Armstrong
- Dennis Gell
- Kathleen Lewis
- Neil Connelly, RDN
- Frank Van Eynde

1. Call to order

Director Holme called the meeting to order at 7 PM.

2. Minutes of the November 15, 2000 Meeting

The minutes were approved as presented.

3. Growth Management Plan Monitoring Project Update

C. Thomas provided a review of the Growth Management Plan Monitoring Project to date that covered the following topics:

- Workshop #1 (purpose, goals of the monitoring program, indicator selection criteria approved, set of indicators chosen for in-depth evaluation from the initial list of 48 potential indicators);
- Work conducted by the project consultant after Workshop #1;
- Workshop #2 (purpose, candidate indicators identified for inclusion in set of final indicators, candidate indicators identified as requiring further research, candidate indicators that would not be pursued further).

4. Next Steps

C. Thomas provided an overview of the next steps in the Growth Management Plan Monitoring Project and the development of the 2000 Annual Report on the Growth Management Plan. The overview included information about the purchase and collection of data for chosen indicators, further research where specified, the development of computerized database, and the timeline for the preparation of the 2000 Annual Report on the Growth Management Plan.

5. Questions/Comments

Questions and comments were made about the following matters:

- The possible role of the Regional District in influencing (specifically, reducing) energy consumption in the region through building code requirements and the fact that not all areas of the region have building inspection service;
- The impact of the budget provided for the Growth Management Plan Monitoring Project on decisions about indicators to be used to monitor plan progress and data to be purchased regarding the indicators. The budget may play a too dominant role in decisions about the indicators to be used and data to be purchased;
- Possible methods for the Committee to recommend that additional resources be allocated to the Growth Monitoring Project,
- How does the business community view the Growth Management Plan? Would the Chambers of Commerce in the region be interested in funding the program to monitor the Plan?
- Consideration should be given to developing a work plan for the Committee (to ensure the Committee is provided with all of the information it needs to do its job and do other activities relevant to the preparation and presentation of annual reports on the Growth Management Plan);
- Consideration should be given to developing an evaluation tool and a process for the Committee to evaluate its role and contributions to monitoring the Growth Management Plan;
- Differences of opinion regarding consensus decision-making and its impact on the project.

6. Adjournment

Director Holme adjourned the meeting at 8:30 PM.

Chairperson

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**Minutes for the Meeting held:
Thursday, January 25, 2001 @ 1:30 PM
Regional District of Nanaimo Administration Office (Conference Room)
6300 Hammond Bay Road, Nanaimo, BC**

Present: S. Fletcher, City of Nanaimo
G. Jackson, City of Parksville
T. Pollock, Ministry of Transportation and Highways
C. Hawksworth, Ministry of Municipal Affairs
N. Connelly, RDN
C. Thomas, RDN
R. Lapham, RDN

Regrets: B. Mehaffey, City of Nanaimo
S. Erickson, Ministry of Environment, Lands and Parks
B. Huot, Ministry of Municipal Affairs
M. Lambert, Ministry of Environment, Lands and Parks
R. Morris, Ministry of Forests
W. Haddow, Ministry of Agriculture
R. Cheetham, Agricultural Land Commission
D. Coombe, CVI Health Region
T. Hall, Ministry of Energy and Mines
P. Butler, Town of Qualicum Beach

Item

1. **Call to order.**

N. Connelly called the meeting to order at 1:30 PM and indicated that the Regional Board had approved Terms of Reference for the Growth Management Plan Review Project at their meeting in January 2001. It was noted that this was the first in a series of more informal monthly IAC meetings that would be conducted on the last Thursday of every month as a part of the Project. The purpose of the meetings is to keep IAC members up to date on the Project and to identify and resolve potential project issues at an early stage. Meeting reminders will be sent to IAC members prior to each meeting via e-mail. The reminder will indicate specific Project topics that updates will be provided about. Discussion regarding any Project issue will be welcome at the monthly meetings.

2. **Minutes from the Meeting of October 25, 2000.**

The minutes were approved as presented.

3. **Growth Management Plan Review 2001-2002 Terms of Reference**

C. Thomas presented an overview of the Terms of Reference. The overview provided information about the following aspects of the Project: purpose, the four phases of the Project and the specific topics to be studied and consultation activities to be undertaken during each phase, the purpose for examining each specific topic to be studied, and the first Project tasks that staff are undertaking.

Committee questions and comments included the following:

- The City of Nanaimo Industrial Study may be a source of useful information for the Project.
- The City of Parksville is interested in fringe area management as it relates to economic development and ground water protection.

- Other interests in fringe area management relate to greenbelt-type protection.
- The fact that Industrial zoned land is being used for offices in the City of Nanaimo.
- Whether the Project would include an examination of commercial land supply and demand.
- The need to coordinate the timing of official community plan reviews and the review of the Growth Management Plan. Moderate updates to the City of Parksville OCP are planned in 2001 and the schedule for the City of Nanaimo OCP review has not yet been decided.
- The impact of future development projections with the use of undeveloped land in the City of Nanaimo for single use commercial purposes rather than mixed uses.
- The importance of early municipal council involvement in discussions about changes to the Plan.

4. **Other Current Project Work**

C. Thomas provided an update regarding other ongoing regional planning projects, including the Growth Management Plan Monitoring Program, the 2000 Annual Report on the Growth Management Plan, the Transportation Study, an implementation agreement regarding the Agricultural Land Reserve, and the Aggregates Study.

5. **Next Meeting: February 22, 2001 @ 1:30 PM @ RDN**

6. **Adjournment.**

N. Connelly adjourned the meeting at 3:30 PM.

Chair, Neil Connelly



REGIONAL DISTRICT OF NANAIMO		
FEB - 6 2001		
CHAIR	CMCrs	
CAO	CMDS	
CMCms	CMES	
	<i>Bud</i>	<input checked="" type="checkbox"/>
DATE: February 5, 2001		

MEMORANDUM

TO: Pamela Shaw
Manager of Community Planning

FROM: Susan Cormie
Senior Planner

SUBJECT: Englishman River OCP Text and Map Amendment Bylaw No. 814.06, 2000
San Pareil Coastal Properties Development Permit Area
Electoral Area 'G'

PURPOSE

To receive the minutes of the public information meeting and further to consider Amendment Bylaw No. 814.06 for 2nd reading and advancement to Public Hearing.

BACKGROUND

The Regional Board of Directors, at its Inaugural Meeting held on December 12, 2000, gave Amendment Bylaw No. 814.06, 2000 1st reading and instructions to proceed to a public information meeting. The purpose of the bylaw is to consider designating the San Pareil coastal properties as a development permit area for the protection of environmentally sensitive areas and protection of development from hazardous conditions. In addition, the Board approved a Public Consultation Plan in conjunction with the amendment process.

The Regional Board of Directors also directed staff to bring any building permits forward to the Board to be considered for withholding, pending the consideration of this amendment bylaw.

Public Information Meeting

A public information meeting was held on January 25, 2001 at the Beach Acres Resort in Parksville. Notification of the meeting was advertised in the PQ News, along with a direct mail out to all property owners in the San Pareil neighbourhood. Approximately 85 people attended the information meeting and provided their comments with respect to the proposal. Issues raised at the meeting included, but were not limited to, the following:

- Concern expressed by property owners as to the level of impact the bylaw will have on private properties and the ability for owners to complete building additions or accommodate new construction;
- A recommendation that the RDN produce detailed drawings of the proposal for presentation in an Open House format;
- Concern that the development permit area will include lands that have already been altered and that the bylaw should have only applied to undisturbed or newly accreted lands;
- That the bylaw is not necessary as there is already sufficient bylaws and restrictions in place;
- That a 30-metre leave strip is too restrictive; however, acknowledging that there is some support for a reduced leave strip area such as 15 or 8 metres in width or to only apply to newly accreted lands;

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- That the bylaw is only affecting those properties with accreted lands and it is not necessary to apply it to all properties;
- Concern for properties that are eroding and the possible restriction on the construction of seawalls; and
- Need for clarification of all exemptions including new construction, gardening and landscaping, and replacement of malfunctioning sewage disposal systems.

The meeting concluded with an offer from one of the accreted landowners that the property owners with accreted lands would work together to achieve the registration of a restrictive covenant on their land titles, which would restrict setbacks and the construction of seawalls. It was suggested that the Regional District act as co-signer to the covenant agreement. Other members of the public suggested all the coastal property owners should be involved in order to be aware of the process as it might affect their properties some day. Other comments made, with respect to the covenant, were focused on how the RDN would ensure that the covenant would be registered and that the affected owners might not proceed with the covenant offer if the new development permit area bylaw was abandoned. Minutes of the Public Information Meeting are attached (*see Attachment No. 1*).

VOTING

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

ALTERNATIVES

1. That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No.814.06, 2000" be given 2nd reading and proceed to public hearing.
2. That further consideration of Bylaw No.814.06 be deferred for 30 days pending a staff report on the efforts of some waterfront land owners coming forward with an offer to covenant a setback distance and restriction on seawalls at the new natural boundary of the accreted waterfront area.
3. To abandon Bylaw No. 814.06.

DEVELOPMENT IMPLICATIONS

Public Implications

While a few property owners within the proposed development permit area are in favour of creating a development permit area along the coastline, many other residents are opposed to this bylaw in its entirety or want to see a number of significant changes made to the bylaw. One recommendation received from the public is for the Regional District to hold an open house forum and provide detailed scaled plans of the coastal properties showing the location of all buildings, roads, property lines, and the proposed leave strip area in order to give the property owners the ability to fully consider the proposed bylaw and how it applies to their own situation. While this request has some merit, the staff time, resources, and costs associated with providing this level of detailed information is beyond the current planning program's financial provisions for 2001.

Other members of the public have suggested that the bylaw be amended to reduce the leave strip area from 30 metres to 15 or 8 metres while still others have suggested that only the accreted lands be within a development permit area. It was also suggested that the application of the bylaw to only the accreted lands would recognize the fact that the existing lots were already fully developed.

In addition, other suggested amendments to the bylaw included clarification of the exemptions, including septic field replacements within the leave strip area, and excluding references to landscaping provisions.

If considered appropriate, these suggestions all require the bylaw to be amended prior to further consideration.

An offer from one of the accreted landowners to prepare and register a 15-metre restrictive covenant on the accreted properties appeared to be generally acceptable to the residents at the public information meeting. It was noted by some residents however, that this is a piecemeal approach to the issue and will not address future situations caused by the changing conditions of the shoreline. Other residents expressed concern with the process if the RDN is no longer involved and that the covenant might be promised but never registered.

Agency and Other Jurisdictions Implications

In accordance with the Board's public consultation framework and the new provisions of the ***Local Government Act***, staff has contacted the following agencies and other jurisdictions to receive comments and recommendations. The following verbal comments have been received:

Surveyor-General's Office no comments.
Department of Federal Fisheries supports a zoning water use and the establishment of a development permit area with a 30-metre leave strip.
Ministry of Municipal Affairs interest unaffected subject to satisfactory resolution of concerns raised by other agencies.
City of Parksville in support of bylaw.
Town of Qualicum Beach no concerns with respect to bylaw.
School District 69 interests not adversely affected.
Regional Health Board support bylaw with recommendation for amendment to include within the exemptions section, the repair of malfunctioning on-site sewage disposal systems subject to Regional Health Board approval.
Nanoose First Nation comments not received to date.
Qualicum First Nation Council comments not received to date.
Ministry of Environment supports a zoning water use and the establishment of a development permit area with a 30-metre leave strip.

ENVIRONMENTAL IMPLICATIONS

The purpose of this amendment bylaw is to protect the environmentally sensitive nature of the San Pareil coastal area, which consists of a rare sand spit habitat that is considered to be a high energy system. While the offer from the accreted landowners to register a covenant on their individual properties restricting buildings and seawalls within a 15-metre setback provides some protection of the beach front, the proposed covenant is limited in its application to only 8 or 9 of the 38 properties involved in the development permit area. In addition, although staff have not been apprised of the details of the proposed covenant, it would appear that alteration of land would not be restricted in the covenant as it would be if designated in a development permit area. However, given that the majority of property owners at the public information meeting are opposed to the proposed development permit area as presented, the voluntary covenant on the accreted land properties would result in some level of protection for the beach.

BUILDING PERMIT IMPLICATIONS

The RDN solicitor has advised that if the bylaw is reintroduced with substantial amendments or is abandoned, the Board can no longer withhold building permits.

SUMMARY

As set out in the public consultation strategy for Amendment Bylaw No. 814.06, a public information meeting was held prior to the Board considering the bylaw for 2nd reading and proceeding to public hearing. Comments received from the public information meeting varied, but there was an underlying theme that the development permit area is either too restrictive in its application or not necessary at all. While the request for a RDN open house presentation with detailed drawings of the San Pareil area has some merit, it is an expectation that cannot be met at this time as it is outside the Planning Department's work program for 2001 in terms of staff time, resources, and allocated funds. It appeared that there was a consensus of the residents to explore the possibility of the landowners with accreted lands registering a restrictive covenant on their properties with the RDN acting as a co-signer. These landowners have offered to work towards having this covenant agreement completed within 30 days.

As there was little support for the designation of a development permit area as presented and the accreted landowners have offered to work toward registering a 15-metre restrictive covenant, staff recommends Alternative No. 3, to abandon Bylaw No. 814.06. Staff notes that there is no way to secure the covenant offer from the landowners, and that, if the Bylaw is abandoned the Board cannot consider withholding building permits. However, as outlined in the implications associated with the other alternatives, significant amendments to the proposed bylaw would also not allow the Board to withhold building permit applications that have currently been submitted.

RECOMMENDATIONS


1. That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.06, 2000" be abandoned.
2. That staff commence processing building permits that were subject to Board review as a result of the consideration of Bylaw No. 814.06, 2000.



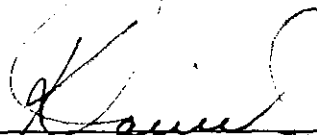
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

COMMENTS:

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Attachment No. 1

Minutes Of a Public Information Meeting
Held at the The Ellis Room, Beach Acres Resort
1015 East Island Highway, Parksville, BC
January 25, 2001 at 7:00 pm
on
Amendment Bylaw No. 814.06, 2000

Note: these minutes are not a verbatim recording of the proceedings, but are intended to summarize the comments of those in attendance at the Public Information Meeting.

There were approximately 85 persons in attendance.

Present:

Chairperson J. Stanhope, Director, Electoral Area 'G'
Jack McLean, Director, Electoral Area 'F'
Robert Lapham, General Manager of Development Services
Susan Cormie, Senior Planner

Director J. Stanhope opened the meeting at 7:01 pm and outlined the agenda for the evening's meeting and introduced the head table. The Chair stated the purpose of the public information meeting and requested the General Manager of Development Services to provide background information concerning the bylaw amendment.

The General Manager of Development Services outlined the provisions of the bylaw amendment, including the justification of establishing an environmentally sensitive area along the San Pareil coastline and an explanation of the proposed exemptions. He then explained how the request for the amendment bylaw was initiated and what issues had been raised to date. The General Manager of Development Services also stated that other options might be considered if the community is not satisfied with this bylaw and that the purpose of the Public Information Meeting was to determine what the issues or concerns are and if there is any support to proceed with some form of additional protection for the beach.

The Chair invited questions from the audience.

David Cardwell, 1033 Forgotten Drive, asked if the Board cannot refuse a development permit, then why have a development permit area in the first place?

The General Manager of Development Services explained that Board may refuse the issuance of a development permit if the applicant has not met the applicable requirements of the guidelines.

Mel Melnechenko, 926 Ballenas Road, felt that there is confusion with the proposed bylaw among the neighbourhood and that in order for the public to fully understand the implications of the development permit area, the RDN needs to produce a plan to scale showing all the details where the existing buildings are, the lot lines, the streets, and the proposed leave strip area. Mr.

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Melnechenko stated that he would be upset if he purchased an older home on the waterfront and could not rebuild because of this bylaw.

The General Manager of Development Services explained that a development permit designation would allow for the replacement of a dwelling unit within the same footprint or behind the waterfront building face without a development permit.

Charles Moore, 733 Marnier Way, stated that the proposed development permit area will take 75% of his lot and with the 8 metre setback from the road, he is left with about 3 metres to build, which makes his property worthless. Mr. Moore stated that the existing building and floodplain bylaws are more than enough to provide controls for the properties.

The General Manager of Development Services explained that the proposed exemptions to the leave strip area include the construction of building between the waterside face of existing houses and the required setback from the roadside property line and that there are exemptions provided to add on to existing dwellings.

Trish Widdershoven, no address given, stated that she was asked by the Real Estate Board to speak at this meeting. Ms. Widdershoven asked what is the cost difference between a development permit and a building permit? Ms. Widdershoven then stated that the property owners with property within the proposed development permit area are affected financially by this bylaw. Ms. Widdershoven commented that while property rights are not entrenched in the Canadian constitution, this is being worked on having this changed.

The General Manager of Development Services explained that the cost for a building permit for a dwelling unit is based upon the value of the building and that an average permit for the typical waterfront home would be approximately \$2,000.00. The General Manager of Development Services stated that an application for a development permit for environmentally sensitive area would be \$200.00

Alan Campbell, 765 Marnier Way, asked would the proposed development permit boundary include the accreted lands as well?

The General Manager of Development Services explained that the accreted lands are proposed to be included in the development permit area. He further explained that due to the issues raised about incorporating lands that have already been altered in the leave strip, an option might be to include only accreted lands within the development permit area, as measured from the historical subdivision waterfront boundary.

Ross Harvey, 865 Seashell Place, asked if the newly accreted lands are going to be included in the proposed bylaw and what happens to the boundary if someone accretes land after the bylaw is adopted. Mr. Harvey stated that he felt the bylaw was terribly flawed and believes that it is arbitrary and that this sets a very dangerous political process. Mr. Harvey stated that there are already enough bylaws in place and that is enough protection for the beach.

The General Manager of Development Services explained that yes, newly accreted lands would be included in the proposed bylaw.

Bruce Cownden, 801 Mariner Way, stated that not all the people in area received the notification of this meeting. Mr. Cownden asked how many people spoke to the bylaw at the Board. Mr. Cownden asked how much is the setback requirement for the French Creek Development Permit. Mr. Cownden then stated that the waterfront property owners own up to the high water mark and asked if that was explained. Mr. Cownden stated that the current bylaws work well and asked about non-conforming situations for existing houses. Mr. Cownden stated that his house is 255 feet from the water and if it burns down, he might want to build closer. Mr. Cownden stated that with this bylaw if he wanted to excavate the foundation for a house in a development permit area; he could not do this and asked if he could alter land.

The General Manager of Development Services explained that the waterfront property owners own up to the high water mark, but this ownership must be defended by title through the Surveyor-General's office and Land Title system. He also explained that alteration of land within a development permit area would require a development permit.

Glen Jamieson, 804 San Malo Crescent, stated that there is still some confusion as to what the bylaw means to the individual as the accretion vs. erosion issue is confusing to the residents. Mr. Jamieson stated that, speaking in the capacity of a biologist, the sand habitat in San Pareil is the rarest in BC and this habitat, which has been greatly eroded and encroached upon, is one of the few remaining pieces on the Strait of Georgia. Mr. Jamieson stated that this rare habitat is what gives quality to the San Pareil subdivision and he believes this is what adds value to the land, not diminishes the value. Mr. Jamieson stressed that the people who own some of this rare habitat must preserve it and that it is the intent of the RDN, through this bylaw to try to preserve the environment for the whole community. Mr. Jamieson stated that he felt the challenge is to develop a process to work with the property owners and that a detailed map showing the proposed development permit area would be helpful. Mr. Jamieson stated that the 30-metre leave strip is more appropriate for the Englishman River area than the French Creek leave strip area due to the remaining habitat at Englishman River. Mr. Jamieson stated that he gives his support for the intent of the bylaw and to conserve the biological function of the habitat.

The General Manager of Development Services explained that it is possible to amend the 30-metre boundary and if the community wanted, the development permit area could be the beach area only within the accreted lands.

Jeremy Green, 893 Shorewood Drive, asked that, if the 30 metre setback places 75% of my house in the development permit area, will he still be able to build without a development permit back towards the road, to the sides and up? Mr. Green asked if he could build towards the water? Mr. Green then commented if he had a neighbour that wanted to build on the accreted land, the development permit process would then take over from any dispute between neighbours. Mr. Green then stated that he felt that this bylaw amendment would protect his property's value, not diminish it.

The General Manager of Development Services concurred that subject to zoning setbacks and height requirements, a person with an existing dwelling in the development permit area could build towards the roads, the sides, and up without a development permit. If a property owner wished to build on the ocean side of the existing dwelling, a development permit would be required prior to a building permit being issued. The application for a development permit would be examined and if the guidelines could be met, a permit would be issued.

Mike Gray, 1375 Madrona Drive, Nanoose Bay, asked if this development permit area is different than the one in Madrona. Mr. Gray commented that one item not in this development permit area is the need for a covenant and asked if covenants would be applied to this development permit area. Mr. Gray asked if an existing deck was in the development permit area and it needed to be rebuilt, would a covenant be required to do this? Mr. Gray commented that what the RDN is saying tonight is totally different than what is going on with development permit area in Electoral Area 'E'. Mr. Gray noted that people are told to do things like put up snow fences to protect the sensitive area and that these requirements need to be spelled out clearly.

The General Manager of Development Services explained that covenants are not being required in this development permit area.

Mike Laudadio, 807 Marnier Way, stated that the environment has already been altered, so why have a development permit area on altered land and instead move the riparian area out to include the beach area only. Mr. Laudadio stated that 30 metres is intrusive and that 15 metres is more reasonable. Mr. Laudadio stated that the situation has a domino effect with one seawall leading to another and if we had maintained the 15-metre setback without seawalls, we would not be here today.

The General Manager of Development Services explained that an option to include only the unaffected beach areas of accreted lands could be considered for the development permit area.

Roseanne McQueen, 808 Marnier Way, asked for clarification from the previous speaker about where to have the development permit area.

Mr. Laudadio, 807 Marnier Way, stated that he felt that a development permit area does not make sense for the built up areas when it is the beach we are trying to protect.

Ms. McQueen suggested that only the accreted lands should be in the development permit area. Ms. McQueen asked if this was a viable option and suggested an open house forum to discuss this proposal. Ms. McQueen stated that she supports Glen Jamieson's comments and the protection of the beach. Ms. McQueen asked if the RDN can continue to withhold any building permits?

The General Manager of Development Services explained that the Regional Board of Directors can withhold building permits for a period of 90 days and this 90-day period cannot be indefinitely extended.

Pat Fraser, 875 Seashell Place, asked how is the RDN going to address eroding properties? Mr. Fraser stated that this bylaw will devalue the waterfront properties and if this goes through, the 38 owners should get together and apply to have assessments adjusted to reflect the reduced values. Mr. Fraser stated that the provincial government has just brought in new legislation to rivers and how is the proposed RDN boardwalk taking into account the sensitive ecosystem?

Eileen Scott, 849 Marnier Way, stated that she is opposed to this proposed development permit area, has started a petition, and to date 137 households have signed the petition stated they are opposed to the bylaw.

Rosemary Nash, 901 Shorewood Drive, asked for clarification on Exemption clause 1b if the footprint includes the foundation. Ms. Nash stated that the bylaw does not talk about new construction and this point needs to be clarified. Ms. Nash explained that her property is eroding and therefore, a seawall is needed and she sees a need for control over the type of seawalls being constructed.

The General Manager of Development Services agreed that new construction can be included in the bylaw exemptions. He commented that the type and appearance of seawalls cannot be addressed.

Don Cameron, 711 Marnier Way, asked why was his property included in the proposed development permit area as part of it is on the estuary.

The General Manager of Development Services explained that part of his property is adjacent to the ocean and this was the reason it was included in the development permit area.

Jim Johnson, no address given, on behalf of Tim Walsh, 777 Marnier Way, asked what happens to the four houses that already have accreted land and if they already have seawalls built, when they come to build where do the setbacks apply from?

The General Manager of Development Services explained that the 30-metre setback would apply for new construction if the development permit area is established.

Joe Dunn, 887 Shorewood Drive, stated that the coastline is a unique habitat and that if the beach habitat is allowed to continue to erode, that situation will affect property values much more. Mr. Dunn asked where he could build without a development permit. Mr. Dunn also stated that a clear plan and set of guidelines is essential and that the community needs time to discuss the issues. Mr. Dunn stated that he does not want to build a new house until he has assurance as to what will be allowed next door.

The General Manager of Development Services explained the exemptions proposed to be included in the proposed development permit area.

Reg Johanson, 1344 Madrona Drive, Nanoose Bay, outlined his experiences with the Regional District and having to obtain a development permit for an addition to his house in Electoral Area 'E'.

Steve Gunther, 843 Marnier Way, stated that his property has some accretion and his house is the small one located behind the houses on either side. Mr. Gaunter read his submission, which is attached to these minutes.

Neville Hunter, 817 Marnier Way, asked if the General Manager of Development Services would care to comment on the comments from the gentleman from Nanoose Bay?

The General Manager of Development Services noted that the comments were embellished.

Mike Gray, 1375 Madrona Drive, Nanoose Bay, commented on the environmental aspect of the beach.

Shirley Mallet de Carte, 944 Terrien Way, asked what will happen if the RDN does not go through with the bylaw amendment?

The General Manager of Development Services explained that it would be possible for someone to build on the accreted lands within 8 metres of the new natural boundary if a retaining wall was allowed to be built.

Bruce Cownden, 801 Mariner Way, stated that the seawall is not on the edge of the water – it is 113 feet from the water.

Lisa Gunther, 843 Marnier Way, stated that when you say a house can be built 100 feet forward, it is misleading because most of the properties are eroding.

Mel Melnechenko, 926 Ballenas Road, expressed the need for hard drawings in order for the property owners to be able to review the bylaw amendment thoroughly.

Glen Jamieson, 804 San Malo Crescent, stated that he felt it was unanimous that no one supports this bylaw amendment, but this does not mean the property owners do not want a development permit area. Mr. Jamieson stated that he felt there is opposition because the bylaw is proposing to lump developed areas with undeveloped areas. Mr. Jamieson suggested the proposal be modified with the ideas brought up tonight and the RDN come back quickly with a new version of bylaw complete with mapping. Mr. Jamieson stated that people tend to look at the environment as a staple, but this area can change quickly. Mr. Jamieson also stated that the intertidal area would probably disappear if everyone puts up seawalls. Mr. Jamieson asked everyone to contact the RDN to ask the Board to re-look at the bylaw.

Jim Scott, 849 Marnier Way, stated that while he agrees with Glen Jamieson's comments, he does not want to tell the people with accreted lands what they can do with them. Mr. Scott stated that the proposal should be dropped, as it is much too ambiguous.

Bruce Cownden, 801 Mariner Way, stated that this bylaw is only affecting a few properties and that these property owner will work with the RDN to achieve a covenant with a 15-metre setback and no seawalls and this way no one else has to be bothered.

Don Cameron, 771 Marnier Way, stated that 80% of the properties are eroding and he does not support the RDN's proposal.

Diane Spearing, 933 Shorewood Drive, thanked the RDN for getting involved and raising everyone's awareness and she applauded the accreted landowners for getting together.

David Cardwell, 1033 Forgotten Drive, stated that he agreed with the previous speakers for the idea of the landowners to get together. Dr. Cardwell stated that he took exception to the comment that others in the neighbourhood have nothing to do with this issue because it is everyone's beach, not just a few.

Steve Gaunter, 843 Marnier Way, asked how should we best approach this next?

Mike Laudadio, 807 Marnier Way, stated that what is at issue tonight is the wording of the bylaw and how it affects existing properties. Mr. Laudadio stated that no one wants to prevent people from using the beach.

Roseanne McQueen, 808 Marnier Way, asked how do we know that the people with the accreted lands will follow through with their covenants. Ms. McQueen stated that once it is out of the hands of the formal process, how can we be assured the process will continue?

Neville Hunter, 817 Marnier Way, stated that everybody is prepared to save the beach and he suggested the RDN back off and the people find consensus.

Glen Jamieson, 804 San Malo Crescent, stated that the other 30 landowners along the waterfront would have to buy into the covenant in case their lands accrete in the future.

Bruce Cownden, 801 Mariner Way, stated that the landowners with accretion want 30 days to work this out and are in agreement to have the RDN sign the covenant.

Ed Estlin, 833 Marnier Way, stated that he does not support a 30 metre leave strip, but will support a 15 or 8 metre leave strip and that some form of saving the beach, and stopping the removal of logs, sand and rocks is needed.

Jeremy Green, 893 Shorewood Drive, stated that other accretions may occur where properties are now eroding and without covenants in place it will be the same situation as now.

Glen Jamieson, 804 San Malo Crescent, suggested that other landowners could possibly be involved in the process to understand what is happening.


Reg Johanson, 1344 Madrona Drive, Nanoose Bay, stated that even after going through this horrible process with the RDN, it is not fair to expect staff to think of all consequences and that he does not blame staff for trying to implement what they think is right.

Joe Dunn, 887 Shorewood Drive, stated that what the ocean gives, it will take away, the shore will change, and we will be in the same situation at some time in the future.

The Chair asked if there were any other questions or comments.

Being none, the chair thanked those in attendance and announced that the public information meeting was closed.

The meeting concluded at approximately 9:14 pm.



Susan Cormie
Recording Secretary



REGIONAL DISTRICT OF NANAIMO		
FEB - 6 2001		
CHAIR	GMCrS	
CAO	GMDS	
GMCrS	GMES	
	<i>Brd.</i>	<i>✓</i>

MEMORANDUM

TO: Pamela Shaw
Manager of Community Planning

DATE: February 5, 2001

FROM: Susan Cormie
Senior Planner

FILE: 3360 30 0010

SUBJECT: Bylaw No. 500.267
Accreted Lands Within the Regional District of Nanaimo

PURPOSE

To report on issues surrounding accreted lands and on staff's meeting with representatives of the Parksville Development and Construction Association and Corporation of BC Land Surveyors; and further, to consider Bylaw No. 500.267, 2000 for 3rd reading.

BACKGROUND

The Regional Board of Directors, at its Inaugural Meeting held on December 12, 2000, considered the following resolutions with respect to Bylaw No. 500.267:

That the minutes of the public hearing held on Wednesday, November 22, 2000, as a result of the public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.267, 2000" be received.

CARRIED

That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.267, 2000" be referred back to staff for further investigation on the issues surrounding accreted lands.

CARRIED

That staff be directed to meet with the representatives of the Parksville Construction and Development Association and the representatives of the Corporation of BC Land Surveyors to work together to achieve the intent of the bylaw which is to establish a zone and subdivision district boundary that recognizes that future accreted land do not automatically obtain the same land use zoning as the upland property and do not result in additional land area being added to the upland property for the purpose of subdivision.

CARRIED

Bylaw No. 500.267, 2000 proceeded to a public information meeting and public hearing in November, 2000. Due to a number of concerns raised by members of the public during this process, the Regional Board instructed staff to meet with the representatives of the Parksville Development and Construction Association and the Corporation of BC Surveyors. As a result of this direction, staff met with representatives of these associations in January, 2001.

It should be noted that accretion does not apply to all waterfront properties, but rather only those properties that are generally located adjacent to spits, beaches, berms, and coastal marshes. In the application of this bylaw, the new zone would apply only to those properties, which, at the date of the bylaw, have not acquired accreted lands formally on title.

ALTERNATIVES

1. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.267, 2000" be given 3rd reading and forwarded to the Ministry of Transportation and Highways pursuant to Section 54(2) of the *Highways Act*.
2. That Bylaw No. 500.267, 2000 be abandoned.

VOTING

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

DEVELOPMENT IMPLICATIONS

Professional Associations Implications

At the meeting with the representatives from the Parksville Development and Construction Association and the Corporation of BC Land Surveyors, a number of issues were discussed. These issues included the inequality in the application of the bylaw to those owners who have not yet defended the accreted lands on title; the need for clarity on how setbacks requirements will be determined on split zoned properties; the concern with the accuracy of the zoning maps; and the concern with how the RDN will determine the zoning boundary on a property if a survey of coastal property involves accretion or is a correction of the original plan filed at Land Title Office.

At the conclusion of the meeting, both associations indicated that they did not support the establishment of a land use bylaw creating a Water 1 zone over the accreted lands. Instead, the associations' representatives suggested that where necessary, the establishment of development permit areas along the coastline would be more appropriate and offer more flexibility to deal with the unique circumstances associated with development on waterfront property.

The representatives indicated that they supported the use of development permit areas over a zoning amendment because this type of application would apply equally to adjacent property owners. In addition, the representatives also indicated that there would be greater opportunity to effectively protect the environmentally sensitive coastal areas through a development permit than by the establishment of a new zone. For example, the alteration of land, which may be addressed by way of development permit, cannot not be addressed under zoning provisions.

While the implementation of a development permit area would not be able to restrict the future subdivision of land for those properties with sufficient parcel sizes, the Associations' representatives indicated that the existing subdivision regulations provide for environmental protection measures through the subdivision process.

Public Implications

Development permit areas are currently designated along the coastal areas of the Regional District in parts of Electoral Areas 'G' and 'H', all of Electoral Area 'E', and parts of Lantzville (Electoral Area 'D'). The establishment of development permit areas throughout the balance of the Regional District coastal properties would be subject to a detailed public consultation process. It is noted that the February 2001 Board Agenda contains a staff report concerning the designation of a development permit area for the San Pareil neighbourhood.

Environmental Implications

The purpose of this amendment bylaw is to establish a zone over future accreted lands to restrict uses on these lands as well as to protect the sensitive nature of these lands. Both the Ministry of Environment and the Department of Federal Fisheries recommend protection of the foreshore areas through the use of local government planning tools, such as zoning bylaws and development permits. It is noted that the proposed zoning bylaw would be applicable only to those lands with future accretions; whereas a development permit designation could also apply to upland property.

Building Permit Implications

The RDN solicitor has advised that if Bylaw 500.267 is significantly amended or is abandoned, building permits may not be withheld by the Board.

Legal Implications

If the Board chooses to proceed to 3rd reading with this bylaw as outlined in Alternative No. 1 of this report, the RDN solicitor has advised that, to address the setback issues raised, it would be necessary to amend the bylaw. As a result, the solicitor has recommended that the bylaw, with amendments, would need to be reintroduced at 1st and 2nd reading and followed with a second public hearing.

SUMMARY

As directed, staff met with representatives of the Parksville Development and Construction Association and the Corporation of BC Land Surveyors to discuss ways to achieve the intent of Bylaw No. 500.267. The Associations' representatives advocated the abandonment of the bylaw for a number of reasons including the inequality of the application of the bylaw to waterfront properties and concerns with the administration of setbacks requirements and survey corrections.

The Associations' representatives, instead, suggested that where necessary the RDN consider the establishment of development permit for coastal parcels. The Associations' representatives indicated that the application of development permit areas would apply equally to all property owners. The representatives also indicated that the use of development permits would be more effective in achieving the overall objective of protecting the natural environment.

Therefore, due to the lack of industry support and upon further investigation concerning the legal implications, staff recommends Alternative No. 3, to abandon the zoning amendment bylaw. Staff notes that a report on the implementation of a development permit area for lands in the San Pareil neighbourhood is also on the February 2001 Board Agenda for the Board's consideration.

RECOMMENDATION

1. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.267, 2000" be abandoned.
2. That the Board reconsider its resolution directing staff to bring any building permit, which may be in conflict with the proposed bylaw, forward to the Board to potentially be withheld pending consideration of this amendment bylaw.
3. That staff be directed to process any building permits, which may have been in conflict with Amendment Bylaw No. 500.267, 2000.



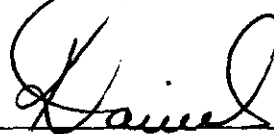
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

COMMENTS:

devsev/reports/2001/txt3360 30 0010 fe brd accreted lands.doc

RECEIVED

JAN 10 2001

REGIONAL DISTRICT
of NANAIMO



Mr. J. Stanhope

Director,
Regional District of Nanaimo
PO Box 40, Lantzville, BC
V0R 2H0

Ed & Peggy Estlin

833 Mariner Way

Parksville, BC V9P 1S3

Tel. 250 248-8330 Email: edest@nanaimo.ark.com

January 7, 2001

Dear Mr. Stanhope

After reviewing the proposed by-law adjustment to the Englishman River OCP, as it affects the San Pareil area, we wish to voice our objections to the wording and content of the Development Permit Area concept.

1. **The 30 meter "leave" strip improperly addresses the actual shoreline shape.** The lots from Rathrevor Park to Arlette Street have been undergoing erosion for the last ten years, which has resulted in owners having to suddenly have seawalls constructed to hold on to their properties. West of Arlette and particularly from the point out almost to the last beach access some enormous accretion has taken place. Two diametrically different conditions, being bandaged by one swift dressing. 30 meters answers only one petitioners complaint! Allowing developers to exploit accreted land threatens the fragile nature of the area! Any new construction in the former eroded area will have too many restrictions as opposed to the advantages gained in the latter accreted area.

2. **We support the existing code setback of 8 meters from the established historical seaside property line,** which places all homes and future construction on an even sight line. The provisions should be that any owner could apply and gain the accretion to his foreshore but be restricted in the type of construction. This would allow seawalls if necessary, fences and shrubs and limited height trees.

3. **We request the inclusion of a restrictive removal clause** to include the beach area from the high high water point up to the agreed property line. This to preserve the natural integrity of the beach and stop removal of logs, sand and rocks.

We request that if any further conditions are to be contemplated for the San Pareil foreshore, that RDN staff, who seem to draft these recommendations, at least walk the beach!

Yours truly

Mr. & Mrs. E.P. Estlin

cc Mr. Robert Lapham RDN

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Gloria & Hugh Sutcliffe
3671 W26th Avenue, Vancouver, B.C. V6S 1P2

Mr. Joe Stanhope
Director Area 'G'
Regional District of Nanaimo
6300 Hammond Bay Road
P.O. Box 40
Lantzville, B.C. V0R 2H0

Dear Mr. Stanhope:

This letter is in response to correspondence regarding a "Notice of a Public Information Meeting" and "Schedule No. '1' Development Permit Area No. (4) - San Pareil Coastal. We are unable to attend the public information meeting and have the following comments:

◆ **THERE IS NO JUSTIFICATION FOR ANY DEVELOPMENT PERMIT AREA.**

This issue has arisen from a dispute between two or three neighbours near the west end of Mariner Way, over the potential development of accreted land. The proposed development permit is clearly a misguided attempt to address this isolated issue under the veil of environmental protection. There is no demonstrated environmental issue and no material environmental benefit served by the regulation.

◆ **THE PROPOSED DEVELOPMENT PERMIT IS DISCRIMINATORY**

It does not apply to all waterfront properties in the Regional District. While the development permit would be detrimental to all waterfront property owners on our street, it would be particularly discriminatory to those who have not yet constructed seawalls and modernized their residences.

◆ **THE PROPOSED DEVELOPMENT WILL EXPROPRIATE MOST OF OUR PROPERTY VALUE AND USE.**

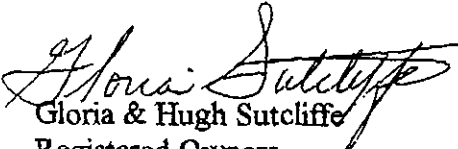
It will prevent the construction of a seawall, and the construction of our retirement residence which we intend to pass on to our children. It will even prohibit our ability to perform basic gardening and landscaping. If the Regional District proceeds we would expect full compensation for our loss.


◆ **THE PROPOSED DEVELOPMENT PERMIT IS NOT SUPPORTED BY WATERFRONT LAND OWNERS IN SAN PAREIL.**

The vast majority of directly affected waterfront residents attended a meeting in Parksville on January 6th, 2001. All of the 40 people present were against the introduction of any development permit area.

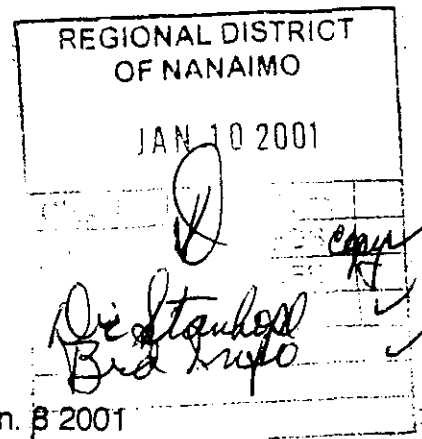
At the meeting you stated that the proposed development permit would not go ahead without the support of waterfront residents, and as such we trust that you will take to the Regional District Board our strong opposition to any Development Permit Area designation. We thank both yourself and Mr. Robert Lapham for attending the Saturday meeting.

Yours sincerely,


Gloria & Hugh Sutcliffe
Registered Owners
Lot 13, Plan 13008, District Lot 181, Nanoose Land District



cc Robert Lapham, General Manager, Development Services
The Chairman of the Nanaimo Regional District



Dear Members of the Board of Directors ,
Regional District of Nanaimo,

We, the owners of 819 Mariner Way Parksville B.C. wish to register our objection to the proposed designation of the foreshore of San Pareil as a development permit area.

In order to resolve the objections of a couple of neighbours to the placement of a few future homes on accreted land the proposed development permit requirement encroaches adversely on the much larger majority of properties. It is our opinion that this is not an appropriate solution to what is basically a situation that should be resolved by the existing building regulations.

The proposed development permit will not resolve the dispute between the neighbours affected, since the set back will not affect where they plan to place their homes.

A ban on the building of future sea walls on accreted land might be a better solution to the problem of the foreshore protection.

Yours sincerely,

Elaine Morrow
Barney Morrow
Barney and Elaine Morrow

CHARLES & JANET MOORE,
733 MARINER WAY,
PARKSVILLE, B.C. V9P1L1

JAN. 7/2001

MR. JOE STANHOPE,
C/O REGIONAL DISTRICT OF NANAIMO,
6300 HAMMOND BAY RD.,
P.O. BOX 40, LANZVILLE,
B.C. V0R 2H0.

REGIONAL DISTRICT OF NANAIMO	
JAN 10 2001	
CHAIR	CAOCS
CAO	COMDS
Dir Stanhope	

RE:- DEVELOPMENT PERMIT AREA No. (4) - SARI PAREIL COAST

DEAR SIR:-

THE ABOVE BYLAW IS A DISGRACE TO HUMAN INTELLIGENCE, COMMON SENSE AND FAIR PLAY, IT MUST BE ABANDONED AT ONCE. IT HAS NO JUSTIFICATION IN TRUTH AS IT COVERS MAINLY EXISTING HOMES AND YARDS AND NOT WILDERNESS. THEREFORE, AGAIN I SINCERELY ASK THAT YOU CANCEL THIS BYLAW AT ONCE.

THE SCARY FACT IS THAT ONE NASTY INDIVIDUAL, FOR VERY SELFISH REASONS AND WITH HELP FROM SOME ENVIRONMENTALISTS MOTIVATED THE REGIONAL DISTRICT TO REACH THIS POINT. IT WOULD SEEM THAT THE DEVIL DOES MAKE WORK FOR IDLE HANDS AND MAKES ONE THINK THAT THE REGIONAL DISTRICT HAS LOST ITS WAY AND RUN AMOK. TOO BIG A BUDGET, TOO MUCH STAFF, NOT ENOUGH TO DO AND NO COMMON DECENCY.


(over)

PAGE
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THE TREATMENT OF MR. & MRS. WALSH IS
A DISGRACE TO CANADIAN GOVERNANCE! IF
GOVT. CAN BE HIJACKED THIS EASILY, GOD HELP US ALL

AGAIN I REQUEST THAT YOU HAVE THIS
BYLAW CANCELLED IN ITS ENTIRETY AT ONCE
AND SAVE US ALL THE ANGUISH OF THIS MISCHIEF

SINCERELY,


Janet Moore.

January 11,2001

I am draughting this letter to achieve the following:

- a) to clarify the inconsistencies in the proposed RDN by-law
- b) to highlight some possible solutions.

As a result of the information meeting on January 6, 2001, I must conclude, that the RDN has no real knowledge of this area. The presentation made by the RDN at this meeting was at best contradictory, and underscored what seems to be an intrusive and illconsidered by-law:

- 1) the 30 metre leave strip would be measured back from the registered natural boundary.
- 2) within this leave strip , an existing dwelling ,provided its 'footprint' remains unchanged, is exempt.
- 3) expansion on either side (provided there is space) or towards the road is permitted.
- 4) any structure or unit within the leave strip that needs to be repaired etc ... requires an application (\$200.00 fee) for approval.
- 5) the 30 metre leave strip would change with a titled accretion.

These proposals, unilaterally expropriate no less than a third of our property. The original motivation for this by-law was to prevent incursion towards the water , but seeks to penalize existing properties. The RDN has arrived at the inglorious conclusion that the land between the road and the beach should be protected, with this leave-strip. Furthermore, the wording of the proposal and what was stated at the meeting are incongruous: the written by-law states ' last registered natural boundary', yet it was stated at the meeting that the natural boundary could be re-surveyed and updated. The best legal opinion is, that according to the wording of the proposed by-law, the original natural boundary (surveyed for our property in the 1960's) is an absolute.

I am categorically opposed to this proposal. The information from the RDN seems to be inconsttent, confusing and therefore mis-leading! In addition I find the concept of a fee to maintain existing titled property repugnant!

On the morning of January, 10 , the surveyor, Mr. Tim Walsh, Mr. Bruce Cownden and I had an informal discussion to arrive at a solution regarding the 8 properties where, at present , there is accretion . The first idea was to re-instate the principal of a covenant, that would address these issues, but after some debate, it became clear that a covenant would be hard to enforce and cumbersome to write in order to accommodate the extreme diversity of the neighbourhood.

The second idea was to have a hard ' no construction' zone of 15 metres back from the surveyed boundary, including accreted lands. This hard zone would

also mean no seawalls and therefore eliminate the need for any variances on the property.

We realize that the solution is not perfect, nor does it address the properties towards Rath Trevor Park or at the end of Mariner Way. But, I believe a solution is closer than it was 5 days ago and what ever we may achieve should be done by the residents, not the RDN!

Thank- you for your attention.

Sincerely, Michael&Gail Laudadio

REGIONAL DISTRICT OF NANAIMO			
JAN 16 2001			
CHAIR		GMCS	
CAD		GMCS	✓
GMCS		GMCS	
Dir. Stanhope			✓

867 Mariner Way,
Parksville, B.C. V9P 1S6
January 12, 2001

Mr. J. Stanhope,
Director,
Regional District of Nanaimo
PO Box 40, Lantzville, B.C.
V0R 2H0

Dear Mr. Stanhope;

We the undersigned, Judge Henry Estlin owner/resident, and Lynda Estlin Villeneuve owner, of a San Pareil waterfront property, have read and discussed the proposed by-law adjustment to the Englishman River OCP as it affects the San Pareil area. We are in **total accord** with the objections of Mr. & Mrs. E.P. Estlin to the wording and content of the Development Permit Area Concept. You will have received their letter of January 10, 2001 stating their reasonable comments. We feel that the by-law adjustment for the shoreline with so much unique variance is seriously unfair to each property owner.

We feel that if any further conditions are to be contemplated for the San Pareil foreshore, whomever drafts these recommendations should make a thorough visual inspection of the shoreline.

Thank you for your consideration.

Yours truly,

(Handwritten signature)
Lynda M. Villeneuve

Judge Henry P. Estlin
(Mrs.) Lynda M. Villeneuve

cc Mr. Robert Lapham RDN
Manager, Planning.

845 Mariner Way
Parksville, B.C.

January 11, 2001

Director J. Stanhope
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

REGIONAL DISTRICT OF NANAIMO	
JAN 18 2001	
CHAIR	✓
CAO	✓
CLERK	✓
MEMBERS	✓
Dir Stanhope	

Dear Mr. Stanhope,

RE: Regional District File No. 6480000013

We are concerned with the Regional District's proposal to designate the San Paniel waterfront as a development permit area. Further, we object to the method used up to this point in dealing with this matter.

It seems that a local dispute between several property owners has escalated. Under the pretext that this area needs additional protection, the Regional District has become involved and the issue now affects 39 property owners.

During a meeting held on January 6 at the Bayside Hotel, we asked the Regional District representative if he had personally inspected the area and were advised that he had not. How can the Regional District frame a Bylaw without a full understanding of the intricacies of this particular stretch of waterfront?

As proposed, the Bylaw specifies a 30 metre set-back from a poorly defined point – "the natural boundary." Of the 39 waterfront properties, 25 would appear to be in immediate contravention, 12 would comply, the remaining 2 are empty lots. Currently 14 of the properties have rip-rap or concrete seawalls. At approximately \$10,000 per property to install seawalls, nobody would go to this expense unless it was essential.

Our second concern is that the Regional District has framed this Bylaw with minimum communication with the concerned property owners.

We would like to bring to your attention that on **TWO** occasions during the January 6 meeting hand votes were taken asking if any property owners were in favor or the proposed Bylaw changes. Not one waterfront

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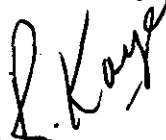
Mr. Stanhope
Page 2
January 11, 2001

property owner voted in favor of this proposed Bylaw. We have lived in our present home on the waterfront for 10 years and after scanning the group at this meeting, in our opinion, only two property owners were absent, Mrs. Mathews and Ms. List.

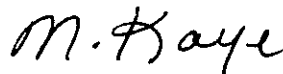
We will be unable to attend the January 25 meeting if it is called. Mr. Steve Gunther, owner of 843 Mariner Way, has full authority to act as our proxy.

We recommend that no further action be taken with respect to changes of Bylaw 814, and that the Regional District attempt to secure restrictive covenants from the property owners who have applied for accretion.

Yours truly,



R. Kaye



N. Kaye

REGIONAL DISTRICT OF NANAIMO			
JAN 18 2001			
CHAIR	<i>[initials]</i>	GMOFS	
CEO	<i>[initials]</i>	GMDS	<i>[initials]</i>
CLERK		GMES	

Brian & Della Merrick
 941 Shorewood Drive
 PARKSVILLE, B.C.
 V9P 1R9
 Tel: (250)248-5255

January 16, 2001

REGIONAL DISTRICT of NANAIMO
 6300 Hammond Bay Road
 NANAIMO, B.C.
 V9T 6N2

Attention: Mr. George Holme

RE: DEVELOPMENT PERMIT AREA NO. (4) - SAN PAREIL-COASTAL

Dear Sir:

We are not in favour of this 30 metre set back proposal. We want it to be left the way it is, as our end on SHOREWOOD DRIVE, has nothing to do with accreted land, as it has on Mariner Way. We close as saying, we DO NOT want this development permit area to go ahead.

Thank you,
 Sincerely,

Brian Merrick

BRIAN MERRICK

Della Merrick

DELLA MERRICK

January 14, 2001

Director Joe Stanhope
Regional District of Nanaimo
6300 Hammond Bay Road
P. O. Box 40
Lantzville, B.C.
V0R 2H0

REGIONAL DISTRICT OF NANAIMO		
JAN 18 2001		
CHAIR	GMOPS	
CAO	GMDS	Copy
GMOPS	GMES	
Joe Stanhope		

2915 West 21st Ave.
Vancouver BC
V6L 1K7

Dear Mr. Stanhope:

Re: Proposed Development Permit Area
San Pareil Waterfront

Thank you for attending the meeting held on Saturday, January 6 at the Bayside Inn to discuss the proposed development permit area designation for the waterfront properties along Mariner Way and Shorewood Drive. I am the owner of Lot 12, Mariner Way. I hope to build my retirement home there.

As was apparent at the meeting, the owners of virtually every property that would be affected by the designation are opposed to this proposal. It does not make sense to establish a 100 foot setback along the entire shoreline to deal with an issue raised by two or three owners who are concerned with having their views affected by construction on the adjoining lots.

The "justification" for the proposed regulations (protection of the natural environment and protection of development from hazardous conditions) is simply not applicable to most of the waterfront properties. There is already a zoning setback that preserves the limited natural areas adjacent to the high water mark. There is already a bylaw that requires setbacks and minimum elevations for floodproofing purposes. A development permit requirement is overkill in this situation.

I am sure that the concerns of the few owners who live in the area that is subject to accretion could be addressed by voluntary measures such as covenants or by much more narrow regulations that would apply only to the six or seven lots where accretion is a factor. However, based on what we heard at the meeting, there is no real need for any more regulations.

I may not be able to attend the public information meeting that is supposed to be coming up but I wanted you to know of my very strong opposition to this harsh and unfair proposal. Please scrap it!

Yours truly,

K. Anderson
Kathryn Anderson

PAGE
03

REGIONAL DISTRICT OF NANAIMO		
JAN 18 2001		
CHAIR	D. SMORS	
CAO	D. SMORS	
G. STANHOPE	SMES	
<i>Der Stanhope</i>		
		775 MARINER WAY, PARKSVILLE, B.C. V9P 1S4 248-8734

REGIONAL DISTRICT,
NANAIMO, B.C.

ATTENTION MR. STANHOPE:

Dear Sirs,

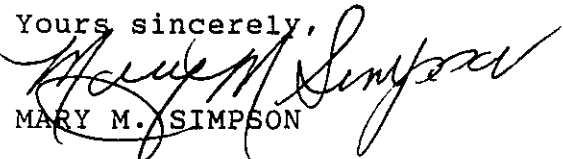
As a waterfront property owner since 1974 at the above address, I am strongly opposed to the development permit outlined at the meeting last Saturday, January 6/2001 for SAN PAREIL.

MY OBJECTIONS ARE AS FOLLOWS:-

1. A recommendation passed by R.D.N. NOVEMBER 21.2000 without knowledge of dwelling or site plan proposed at 777 Mariner Way. Why there was no notification to the majority of property owners that this recommendation was being tabled.
2. Only FOUR PROPERTIES of FORTY THREE have accreted land.
3. INFRINGEMENT OF MY PROPERTY RIGHTS:
4. IT WILL HAVE AN ADVERSE EFFECT ON WATERFRONT PROPERTY VALUES:

This proposed development permit does not serve the majority of waterfront homeowners and is an overkill to as GROSSLY EXAGGERATED PROBLEM.

THIS BYLAW MUST NOT BE APPROVED:

Yours sincerely,

 MARY M. SIMPSON

JANUARY 13th 2001.

PLANNING DEPT
-01- 19 2001
RECEIVED

Jim Scott
849 Mariner Way
Parksville, B.C. V9P 1S3
January 19, 2001
(250) 248-3142 Work
(250) 248-7399 Home

Regional District of Nanaimo
Fax: (250) 390-7511

Re: Development Permit Area No. (4)
San Pareil Coastal

This letter is written to voice my displeasure with the proposed Development Permit Area No. 4 for the San Pareil coast line.

The 30 metre leave strip as stated in the proposed bylaw is double that of the Health Department and RDN requirements. This proposed leave strip would be almost entirely inside the present property line of all waterfront homes other than those with accreted lands.

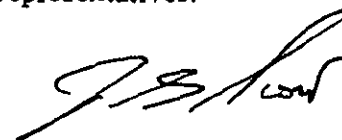
Numerous houses are well within the 30 metre zone and not one home (other than the 8 with potential accreted lands) would have any meaningful degree of water side yard outside of the permit area.

How many private home owners are subject to such onerous restrictions on the featured side of their yards?

Many of the older homes that have not taken the same advantage of water views as the newer ones, will be restricted to improvements away from the waterside even though there are no health risks or potential damage to native vegetation (these homes have lawns, fences and other normal yard alterations similar to other homes in our community.) Additionally, our yards are no more corridors for wildlife than the numerous yards away from the water.

For those who believe a 30 metre leave strip would allow the land and vegetation adjacent to the coastline "to remain in a largely undisturbed state," have not viewed the area in question. The land and vegetation is in a developed state - there are lawns, shrubs, gardens, etc. Perhaps they mean the accreted land nearby but surely not my yard with its dogs, cats, kids, and adults. The waterfront property owners appreciate the beauty of this area at least as much as any other group. The water habitat and tidal zones are a constantly changing and fascinating area to see.

Living with this awe inspiring nature everyday only reinforces our desire to live in harmony with it. What we do have trouble living with is the infringement of our property rights by others who may be championing their own cause. We only wish for our rights as property owners to be respectfully championed by our elected representatives.


PAGE 1

Cc: George Holme
cc: Jack McLcan
cc: Joe Stanhope
cc: Richard Quittenton
cc: Julia Macdonald

PAGE

853 Mariner
Parksville, B.C.
V9P 1S3

Regional District of Nanaimo Planning Department
Fax: (250) 390-7511

Attention: Joe Stanhope

Please accept this letter as my written opposition to the proposed development permit guidelines for the San Paniel Coastal Area.

Changing the setback from the present 15 meters to 30 meters is not appropriate. This negatively impacts all property owners. Having retired here in the 1970's to enjoy the beauty of the area and my yard, I am against a 30 meter leave strip. Protecting native vegetation is in theory an admirable idea but most properties in the area are already developed and are landscaped/ planted in lawn. There is Rath Trevor Park to one side and the Parksville Beach to the other which provide habitat and corridors for fish, birds, and other wildlife.

Introducing this bylaw is akin to expropriation without compensation. I would suggest that if you took a vote of all property owners along the waterfront you would find only a handful of people in favour of this bylaw.

Please recommend that this proposed bylaw be dropped.

Thank you.

Yours sincerely,



Elizabeth Hale

PLANNING DEPT

-01- 19 2001

RECEIVED

by fax

PAGE
11

PLANNING DEPT
-01- 19 2001
RECEIVED

Eileen E. M. Scott
849 Mariner Way
Parksville, B.C. V9P 1S3
January 19, 2001
(250) 248-3142 Work
(250)248-7399 Home

Regional District of Nanaimo
Fax: (250) 390-7511

Re: Development Permit Area No. (4)
San Parcil Coastal

This letter is written to express my concern and opposition to the proposed Development Permit Area No. 4 for the San Pareil coast line.

The 30 metre leave strip mentioned in Schedule No. 1 is an abominable idea. This amounts to confiscation without compensation. It does not protect the natural environment, its ecosystems, and biological diversity. What it does to is infringe on the rights of private property owners. This area is built up and developed and the yards within the proposed leave strip zone are planted with lawns, shrubs, vegetable gardens, fruit trees, etc. etc. Our yards may at times be corridors for fish, birds, and other wildlife - but primarily they are just that, our yards, the yards of the people who own and pay taxes on their private properties. These are yards to be played in, walked on, gardened in, sat on, and enjoyed. These are yards from where we can watch the magnificent ocean, and the sea gulls, and sea lions, and geese and other wildlife.

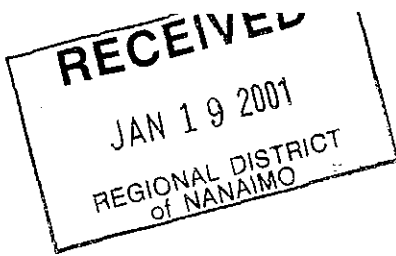
For an individual property owner to have to pay \$200.00 and apply for a permit to dig a weed or plant a garden or put up a fence, in their own yard is ludicrous. I do not think that the waterfront property owners in San Paniel or any other area of San Paniel would be in favour of these onerous restrictions. Not many people would want to in effect give up 100 feet of their property.

Please re consider this issue. Perhaps our elected representatives will realize that these proposed development permit guidelines, though perhaps well intentioned, have not been clearly thought out and need to be abandoned.

Eileen E. M. Scott

Cc: George Holme
cc: Jack McLean
cc: Joe Stanhope
cc: Richard Quittenton
cc: Julia Macdonald

PAGE
2B



711 Mariner Way
Parksville
B.C.
V9P 1S4

January 10, 2001

Dear Ms Cormie

We are strongly opposed to the Regional District of Nanaimo, designating the waterfront properties of San Pareil, as a "Development Permit Area".

Close to 90% of the San Pareil waterfront is subject to erosion, rather than accretion. To place restrictions on the majority, because of a problem resulting from accretion is unjustifiable.

Development permits are a hardship, not needed. The hardships, I refer to are, inconvenience, expense, and uncertainty, because of the lack of regulations, concerning development permits.

Our property is vastly different than all other lots on the waterfront. The depth of the other lots varies between 30 and 50 metres, with some being as close to the shoreline as 10 metres. On our property 30 metres from the shoreline would be 2 acres of "riparian leave strip", which would approach 50% of all "riparian land". This we feel is an injustice. We have not altered the waterfront in anyway in the last 10 years. The shoreline is stable and continues to support birds by the thousands, fish and other wildlife.

We have a unique property, the only one with the potential for sub-division and we will be seeking legal advice, because this amendment has the potential to devalue.

San Pareil is one of the best places in the world to live. This amendment will do nothing to improve relationships. Splitting the area into waterfront and others solves nothing and will create distension.

Making the waterfront properties a "Development Permit Area" is not necessary. The penalty imposed on undeveloped properties is extreme. Please defeat this amendment.

Sincerely

Donald K Cameron

Anne L. Cameron

PAGE
29

STRAII

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AREA OF
COLUMNS
4

PLA

MPSSY

20 m. ^{Peak} ROAD
500 feet

315 feet

PLAN A

17062

ENGLISHMAN RIVER

Minimum

Approx AREA
 To BECOME
 STRAIIAN LEAVE
 STRAII
 = 8750 sq feet
 = 8000 sq feet
 = 1.9768
 Acres

PAGE

10

Reduced

789 Mariner Way,
Parksville, B. C.
V9P 1S4.
Fax: 1-250-954-1857 - Lorraine Davis

Attention: Joe Stanhope

Regional District of Nanaimo Planning Department
Fax: 1-250-390-7511

Dear Sirs:

Re. Development Permit Area No. (4) - San Rafael Coastal

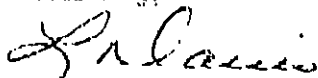
As a resident of the above address, I would like to express my opposition to the proposed development permit guidelines. Having the present setback of 15 meters changed to 30 meters is only a means for the Regional District to collect more money from the residents. It upsets me to think that everytime I wanted to add a new flower bed, etc. to my front yard, I would have to get a permit costing \$200.00 each time, and I sure my neighbours feel the same way from the results of the last meeting at the Bayside.

This is a beautiful area and a lot of people have retired here and lived here for a long time, then suddenly, we get a few new people buying here and upsetting the whole area. I think we should leave well enough alone. I'm surprised that we haven't had some heart attacks with some of the older folk regarding the uproar. It is a real shame that a few people can cause such stress on so many others.

I believe if you were to go door to door on the waterfront, you would find that I speak for a good lot of my neighbours, therefore, I recommend that this proposal be dropped and let people go on with their lives.

Thank you.

Yours truly,



Lorraine Davis.

cc: L. Elliott
K. Sperling
E. Hamilton
D. Haime
G. Holme
J. McLean
R. Quittenston
J. Macdonald

January 23, 2001

Director J. Stanhope
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Mr. Stanhope,

RE: Regional District File No. 6480000013

I am writing this letter to protest the Regional District of Nanaimo's proposal to designate the San Pareil waterfront a development permit area, and further implementing a 30 metre leave strip on waterfront properties. I am the property owner of 843 Mariner Way. I believe this proposal is unacceptable and unjust as it is detrimental to all waterfront property owners and extinguishes previously existing property owners rights to their private property. Furthermore, passage of such a bylaw would create an immediate loss of property values for all owners on the waterfront. This is completely arbitrary and unnecessary. It is my opinion that this bylaw would likely be unenforceable, as it is not consistent with regulations for all waterfront properties, and is retroactive. (This bylaw was not implemented prior to the development of San Pareil subdivision.)

The stated intent of the bylaw is to protect the beach. You may have inadvertently created a situation where those remaining landowners fortunate enough to have accretion rights may have to prematurely act upon their rights. This would be necessary to extend their properties further towards the beach in order to comply with the new regulations, so as to enjoy their previously unfettered use of some portion of their existing property taken away under the bylaw. Surely this is not the outcome you desire with your stated intention of "protecting the beach."

What started out as a dispute between a property owner and his two neighbours, has escalated to an issue where the Regional Board is negatively impacting at least 39 property owners on the San Pareil waterfront. I implore you to reconsider this overreaction

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before the motion is set into place where affected property owners may be required to seek redress.

The vast majority of waterfront owners have been here for 10-40 years. A simple visit to the area by Board members will indicate to you that the waterfront owners have an affinity to the natural beach, and are responsible caretakers leaving the beach in a natural state.

To be told one has to pay a \$200 non-refundable fee, and seek permission to install a 3 ½ foot high chain link fence across an existing property line is totally unacceptable. For the majority of properties, should the existing structure be lost for any reason, the house could not be rebuilt in its existing location. My current house is set back further than either of my neighbours. A 10 foot simple extension of my house towards the water is not possible under your proposal. My house would still remain set back further than either of my neighbours. Many of my fellow affected property owners are experiencing erosion of their land, and would not be able to build at all based on the required legal set back from the street behind them.

Please reconsider this flawed motion. It appears rushed and has not been well thought out. There are current restrictions in place for set backs, and regulations in place for septic field locations etc. to protect the beach. 37 of the 39 affected homeowners attended a community hall meeting with Regional District representation present, and not a single person supported the proposed bylaw.

I strongly urge you to reconsider this motion.

Yours truly,

A handwritten signature in black ink, appearing to read 'Steven M. Gunther', written in a cursive style.

Steven M. Gunther

cc Regional District of Nanaimo Directors

PAG

January 23, 2001

Director J. Stanhope
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Mr. Stanhope,

RE: Regional District File No. 6480000013

I am expressing my concern with the Regional District's proposal to designate the San Pareil waterfront as a development area. I attended the information meeting on January 6, 2001, have spoken with many property owners and reviewed the proposed Bylaw. I believe that the Bylaw is inequitable and flawed.

The Bylaw is inequitable because it does not apply to all waterfront properties in San Pareil, and assumes that all properties have similar qualities. There are three waterfront properties in an environmentally sensitive area that have not been included in this Bylaw. These properties do not have a 30 m leave strip area. I question the validity of a Bylaw that can ignore this environment, while creating rules and regulations less than a block away.

The waterfront properties are all unique. Some have accreted land, many are experiencing erosion, while others remain relatively stable. A 30 m leave strip on properties battling erosion greatly affects owners rights. It is ridiculous to even consider that I may have to pay \$200 for a permit to construct a fence, or that I cannot extend my house forward such that it is an equal distance from the water as my neighbours.

The Bylaw is flawed in part because the Regional District did not adequately research the area. The Bylaw recognizes "that the waterfront may be subject to accretion." However, it does not recognize that the waterfront is also subject to erosion. The justification for the Bylaw is to leave an "an area of land and vegetation adjacent to coastline that is desirable to remain in a largely undisturbed state." However, the 30 m leave strip infringes across

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Mr. Stanhope
Page 2
January 23, 2001

homes, landscaped backyards, cement structures, etc. I question the environmental sensitivity of a property owner's living room, or my cement porch. The 30 m leave strip is arbitrary and has not been justified.

Any Bylaw that removes the rights of a property owner and devalues private property is unacceptable. This Bylaw appears to be merely a response to a dispute between three neighbours. This Bylaw does not solve their problem and adversely impacts on 36 innocent property owners.

I strongly recommend that you withdraw this motion.

Yours truly



Lisa Gunther

cc Regional District of Nanaimo Directors

849 Mariner Way
Parksville, B.C.
V9P 1S3
248-3142 (Work)
248-7399 (Home)


To: Board of Directors
Regional District of Nanaimo

Thursday, January 25, 2001 at 7:00p.m. The Ellis Room, Beach Acres Resort is a date and place you won't want to miss. That is when the Public Information Meeting in regards to the Development Permit Area No. (4) San Pareil Coastal will be held. Please come to this meeting - it is bound to be interesting, informative, and perhaps controversial. There will likely be some lively interchanges. Who would want to miss such an exciting night out on the town?

This proposed development permit area has far reaching effects for the people affected by it. Imagine you have lived on the waterfront for 20 years and really enjoy it. You like to garden and look at all the wildlife. Along comes this proposal and all of a sudden you are in effect kissing 100 feet of your yard good bye. It is no longer your own to do with as you wish. Even though you've paid taxes and lived there for years, if this development permit area goes through, and you want to put in a vegetable garden, pull out a weed, or put up a fence, or alter your yard in any way, you have to pay a \$200.00 permit application fee and apply to the R.D.N. You may or may not be granted permission, and if you do "Plantings shall generally be native in type and all works associated within the proposed revegetation shall be to British Columbia Landscape and Nursery Association Landscape Standards." San Pareil is not a new development area, it is an older established neighbourhood with fences, and lawns, and vegetable gardens, and trees, sheds, greenhouses, and homes, already well established in the 30 metre (leave strip.). These are very onerous restrictions to put on private property. This "leave strip" does not solve the original problem in the San Pareil Neighbourhood, which dealt with accreted lots and loss of view from new houses built on accreted lots. The clear majority of San Pareil Waterfront Owners do not want this Development Permit Area established. Please recommend that this proposal be shelved.

Please be sure to come to the Public Information Meeting.

Feel free to call me at work or at home to discuss this. Thank you.


Eileen E. M. Scott

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8A

Waterfront

Rec'd Jan 25/01

PETITION

We, the waterfront property owners of San Pareil, are opposed to " the establishment of a development permit area for the coastal San Pareil Neighbourhood of Electoral Area "G", referred to in the RDN mailout as "Schedule No. '1' Development Permit Area No. (4) - San Pareil Coastal".

We do not want a 30m (100 foot) leave strip on the ocean side of our properties.

Signature Printed Name Address Phone

<i>E. D. Hale</i>	E. D. HALE	853 MARINER	248-5026
<i>Eileen & M Scott</i>	EILEEN & M SCOTT	849 MARINER	248-7399
<i>Jim Scott</i>	JIM SCOTT	849 MARINER	248-7399
<i>L. Davis</i>	L. DAVIS	789 MARINER	954-1857
<i>Eve Wilks</i>	EVE WILKS	945 Shorewood	248-6598 945

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SIGN
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PETITION
PLEASE

PETITION

We, the waterfront property owners of San Pareil, are opposed to " the establishment of a development permit area for the coastal San Pareil Neighbourhood of Electoral Area "G", referred to in the RDN mailout as "Schedule No. '1' Development Permit Area No. (4) - San Pareil Coastal".

We do not want a 30m (100 foot) leave strip on the ocean side of our properties.

Signature Printed Name Address Phone

Signature	Printed Name	Address	Phone
	Steve Gunther	843 Mariner Way, Parksville	724-3613
Nancy Kaye per Lisa Gunther	Nancy Kaye	845 Mariner Way, Parksville	248-2934
Ralph Kaye per Lisa Gunther	Ralph Kaye	845 Mariner Way, Parksville	248-2934

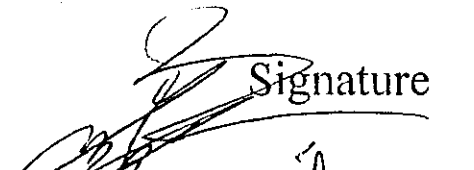

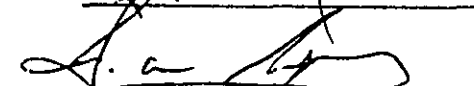

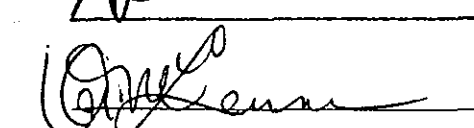
PAGE
89

Open Petition Coastal Epa
137 signatures

PETITION

We are opposed to "the establishment of a development permit area for the coastal San Parel Neighbourhood of Electoral Area "G", referred to in the RDN mailout as "Schedule No. '1' Development Permit Area No. (4) - San Parel Coastal".

We do not feel that imposing a 30m (100 foot) leave strip on private property is fair or reasonable.

Signature	Printed Name	Address	Phone
	LYLE WILLIAMS	278 CEDAR ST.	954-2275
	K.A. McLENNAN	856 BALLENAS	248-6380
	FRED VAN INGEN	3438 BLUEBACIK NANOSG	468-1661
	ROGER BACON	678 MEMORIAL MUNICIPAL	752-7435
	Vi McLennan	856 Ballenas Rd.	248-6380

PETITION

We are opposed to “ the establishment of a development permit area for the coastal San Paniel Neighbourhood of Electoral Area “G”, referred to in the RDN mailout as “Schedule No. ‘1’ Development Permit Area No. (4) - San Pareil Coastal”.

We do not feel that imposing a 30m (100 foot) leave strip on private property is fair or reasonable.

Signature	Printed Name	Address	Phone
<i>Judy L. Howes</i>	JUDY L. HOWES	967 Arlette Pt.	248-2138
<i>Chitra Cripps</i>	CHITRA CRIPPS	1017 SABIWENO	248-5878
<i>W Lowry</i>	W LOWRY	988 Maple Lane	248 214
<i>L B Lowry</i>	L. B. LOWRY	988 Maple Lane	248-2140

PETITION

We are opposed to “ the establishment of a development permit area for the coastal San Paniel Neighbourhood of Electoral Area “G”, referred to in the RDN mailout as “Schedule No. ‘1’ Development Permit Area No. (4) - San Pareil Coastal”.


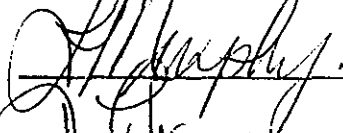
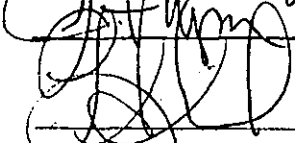

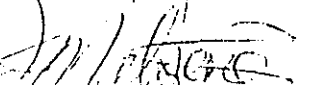
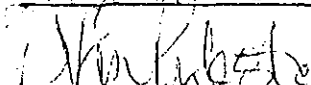
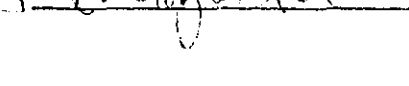
We do not feel that imposing a 30m (100 foot) leave strip on private property is fair or reasonable.

Signature	Printed Name	Address	Phone
<i>G. Gonsca</i>	<i>Guilla Gonsca</i>	<i>850 Mariner Way</i>	<i>248/6076</i>
<i>B. Mc Lane</i>	<i>BARBARA McLANE</i>	<i>440 Parker Rd, QNS</i>	<i>752-6596</i>

PETITION

We are opposed to “ the establishment of a development permit area for the coastal San Pareil Neighbourhood of Electoral Area “G”, referred to in the RDN mailout as “Schedule No. ‘1’ Development Permit Area No. (4) - San Pareil Coastal”.



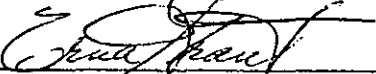

We do not feel that imposing a 30m (100 foot) leave strip on private property is fair or reasonable.

Signature	Printed Name	Address	Phone
	R. Martens	2001 Grafton	248-9369
	L. Murphy	1590 Matterson Rd	248-5783
	J. Flynn	Box 246 Coombs	248-2638
	L. SCHICK	911 Shawn Rd. P.	248-2152
	L. Nielsen	1470 ...	954-0001
	J. MATSON	1017 ...	248 9864
	D. VanBekstra	1052 ...	954-1503

PETITION

We are opposed to “ the establishment of a development permit area for the coastal San Parel Neighbourhood of Electoral Area “G”, referred to in the RDN mailout as “Schedule No. ‘1’ Development Permit Area No. (4) - San Parel Coastal”.

We do not feel that imposing a 30m (100 foot) leave strip on private property is fair or reasonable.

Signature	Printed Name	Address	Phone
	KIM TURNER	Box 1749, PARKSVILLE	248-0496
	KEN GRANT	Box 864, PARKSVILLE	248-2412
	ERNA GRANT	Box 864 PARKSVILLE	248-2412
	GLENN MARTENS	5959 Newport Dr Nanon	751-0430

RDN Planning Department
Regional District of Nanaimo
6300 Hammond Bay Road
PO Box 40
Lantzville, BC, VOR 2H0

Received
JAN 25, 2001

January 18, 2001

RE: DEVELOPMENT PERMIT AREA NO. 4 - SANPAREIL COASTAL

We appreciate the effort and good intentions that have gone into this document. It seems, however, to be sidetracked encouraging far too much control over far too wide an area, with no purpose.

The **initial area** which sparked a lobby of environmental concern is the area where substantial accretion has occurred. This area involves perhaps 10 to 12 properties from approximately the most westerly beach access to the access approximately opposite Arlette Road. From the beach access around Arlett Road east to Rathtrever Provincial Park the shore condition presents an entirely different problem; as do those properties located further west of the most westerly beach access, including the point. These properties are mostly subject to erosion and the reasoning justifying the inclusion of all San Pareil coastal properties within a Development permit area proposal does not apply.

The natural environment that requires protection is that of ACCRETED LAND. It needs protection by controlling development and fortification. Otherwise, the mud, silt, sand, loose gravel that harbours natural habitat for unique ecosystems will be interfered with extensively. Why extensively? Because once a few properties interfere with the lateral drift or fluid movement of natural beach with fortifications, other neighbouring properties will be forced to do likewise in order to protect boundaries and perhaps in some cases, dwellings. Those properties closer to Rathtrever will very likely be subject to even greater erosion than at present because of the well established back- eddy principal.

Where properties are **NOT ACCRETING** in the San Pareil area, they are subject to erosion. Where properties are subject to erosion, it is **unnecessarily onerous and punitive to be lumped with the properties that have substantial accretion.**

Some reasons are as follows:

- 1) For the most part, properties that are subject to erosion, have only approximately 15 to 20 meters in depth of property more than a 30 meter leave strip area that the proposal suggests should "remain in a largely undisturbed state". Many of these properties do have seawalls, have virtually no natural vegetation other than a few selected trees. For the most part, they are already fully landscaped, and therefore have **no natural environment** to protect.

(Should these properties begin to accrete sufficiently to allow a 30 meter leave strip area, only then could this proposal be justified. This is highly improbable, however, because of the historical pattern of accretion on promontories and erosion in bays or in the lee of promontories).

2) Although you list several development activities which are exempt from requiring a development permit, namely future development outside the 30 meter strip, properties in this area which are subject to erosion have no room within which to build outside a leave strip of 30 meters because of the required set-back from the street. As well, we are all on septic and many are on wells all of which are subject to strict set-backs and regulations.

3) Although renovation is allowed within the 30 meter leave strip it can only be allowed if the footprint of the building is not expanded. Thus, planners can **prevent these properties from any additions and or replacement of the present dwelling/s except in the exact configuration and siting as exists at present.** They are, in effect, severely diminishing resale value and the owner's ability to use the property.

4) Under guidelines to be evaluated as part of a Development Permit application, should #2 and/or # 3 above be challenged, **any change on the property or future development will now be left to the discretion of a planning employee or perhaps the political authorities of the day.** This is an unacceptable imposition and **allows for misapplication of the intent of this proposal.** By virtue of this proposed document, there is a **bias to mandate creation of a vacant 30 meter leave strip at the expense of the property owners.**

5) Should our garden be relocated, under this proposal, we would have to pay for a landscape architect to landscape within the leave strip area. (However, **a vegetable garden would not be considered as "plantings shall generally be native in type"**). A site plan would have to be submitted along with payment; then time would be lost awaiting the outcome of the application. All this fuss would protect nothing.

6) Should an **addition be necessary outside the footprint,** we would have to "demonstrate that encroaching into the leave strip area is necessary and "provide written rational" (all this requiring another **study by an expert and additional cost and time**). Homes and private property in this area have been occupied as private property for at least 60 years. It is unfair and **inappropriate to encumber them with Development Permit requirements that serve no purpose.**

7) Regarding the procedure in emergency as outlined under Exemptions e; The idea of having to report any action to the RDN and Provincial Ministry immediately to secure exemptions is ludicrous. **Between storms and high tides, for example, much property could be lost, including dwellings if emergency repair or replacement of a sea wall is not carried out immediately.** This leaves no time for notification.

8) Finally, should a Development Permit be issued, who will supervise , inspect and judge our property to "ensure that the area of encroachment and impact on the

leave strip area is minimal? (As stated before, there is no room outside a 30 meter leave strip to develop).

SUMMARY

The San Pareil coastal area has a small pocket within the area where property is accreting. Environmental benefit would be gained by protection of its eco-systems. It is the view of this property owner that this proposal, as it is now, removes basic property rights of many of us within this coastal area outside the pocket of accreting beach.

Should, and only if, accreted beach is brought into the property boundaries of the upland owner, then the requirement of a Development Permit would have purpose. With these accreted land, beach properties it would not be onerous to require a leave strip as there would be sufficient depth of property to develop outside the leave strip. This would be respective of adjacent properties and would serve to protect the accumulating natural environment.

In closing, it is not necessary to use this huge sledge hammer approach when a gavel would suffice. By applying **direction and focus at this stage to accreted beach frontage** which has been brought into the boundary of the upland owner, objectives of a Development Permit area could be met without being unnecessarily punitive and severely restrictive to those properties which do not have accreted beach frontage.

SUGGESTION

While it is a riparian right of an upland property owner to acquire accreted land, it is also the right of the RDN to place restrictions on the granting of building permits. It already does this through the application of zoning by-laws, set backs, etc. **The nature of this gift of land from the ocean is significant and surely merits different consideration. Could not building permit set-backs on properties that have increased substantially in size by virtue of acquiring accreted beach be different from setbacks for building permits on non-accreted lands?**

Respectfully submitted,



Dianne Spearing

933 Shorewood Drive

Parksville, BC, V9P 1R9

Ph/Fax (250) 248-6686

REGIONAL DISTRICT OF NANAIMO

JANUARY 25 2001

SUBJECT:

ENGLISHMAN RIVER O.C.P. TEXT AND MAP AMENDMENT;
DEVELOPMENT PERMIT AREA FOR SAN PABLO COASTAL
PROPERTIES ELECTORAL AREA "G"

THE UNDESIGNED ARE RESIDENTS OF SAN PABLO AND AGREE
WITH THE 30 METRE SET BACK ANLINE AS SUGGESTED BY STAFF
AND AS INCLUDED IN SUSAN COOMIE'S (SENIOR PLANNER)
MEMORANDUM TO PAMELA SHAW (MANAGER OF COMMUNITY PLANNING)
DATED DEC 4 2000.

WE HAVE HEARD THAT SOME RESIDENTS ARE REQUESTING A 15 METRE
SETBACK RATHER THAN YOUR SUGGESTED 30 METRES. THIS WOULD THEN
PLACE THE PROPOSED NEW RESIDENCE (AT 777 MARINER WAY) IN THE SAME
POSITION ON THIS LOT, AS SHOWN ON THE ORIGINAL PLAN IN 1998.
IF YOU DECIDE TO CONSIDER SUCH A REQUEST, WE WOULD ASK
THAT YOU CONSIDER A FURTHER SET BACK COMPROMISE OF BETWEEN
25 METRES TO 22.5 METRES TO BRING THE NEW RESIDENCE
MORE IN LINE WITH EXISTING NEARBY RESIDENCES.

NAME (PRINTED)	ADDRESS	SIGNATURE
LEONARD C KING	771 MARINER WAY	<i>L C King</i>
SHIRLEY KING	" "	<i>S King</i>
Rose Anne M'Queen	808 Mariner Way	<i>RAM'Queen</i>
M. MATTHEWS	783 MARINER WAY	<i>M. Matthews</i>
J Green	893 SHOREWOOD DR	<i>J Green</i>

PAGE 02

DEPT

-01- 3 1 2001

RECEIVED

DATE: January 30, 2001

TO: Bob Lapham, RDN

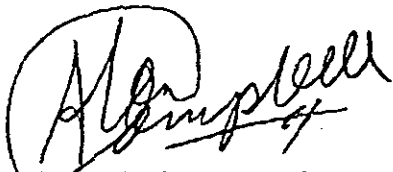
FROM: Alan and Elizabeth Campbell, 765 Mariner Way, Parksville, BC V9P 1S4

RE: Saving the beach in San Paniel

Following our attendance at the meeting at Beach Acres last week regarding the Development Proposal, we hereby add our voices to those who wish to preserve the beach at San Paniel.

Clearly the proposed 30-meter setback is not a favourable option. However, we heartily believe in and endorse further endeavours to find a solution that will protect this delicate and rare habitat.

Yours truly,



Alan and Elizabeth Campbell



REGIONAL DISTRICT OF NANAIMO

ATTN: MR. BOB LAPHAM

PLANNING DEPT JAN-31-2001

-02- - 1 2001

RECEIVED

AS RESIDENTS OF SAN PARRISH IN AREA C OF THE R.D.N MY WIFE SHIRLEY AND I RESPECT THE INTENTIONS OF THE R.D.N TO PROTECT THE RESIDENTS AND THE ENVIRONMENT ALONG THE COASTLINE OF SAN PARRISH. WE REGRET, THAT AN APPAREN MAJORITY OF SUCH RESIDENTS WERE UNWILLING TO ACCEPT THE (DEVELOPMENT PERMIT AREA PLAN) RECENTLY PROPOSED.

DESPITE THEIR REJECTION OF THE D.P.A, IT IS OUR BELIEF THAT MOST RESIDENTS WANT TO PROTECT THE ENVIRONMENT OF THE BEACH. THIS FEELING WAS A ^{DEFINITE} "BY PRODUCT" OF THE JAN. 25/01 INFORMATION MEETING. IN MOST OF OUR CONTACTS, (PREVIOUSLY WITH RESIDENTS THROUGHOUT SAN PARRISH, "SAVE THE BEACH" WAS FORTH MOST IN THEIR MINDS.

WHILE MR COWDEN'S OFFER, (JAN 25/01 MEETING) TO WORK OUT A COMPROMISE WITH THE OWNERS OF THE EIGHT LOTS WITH ACCRETION, (ON MAJINEA WAY), IS APPRECIATED. WE HAVE THE UNWEASY FEELING THAT THIS MAY NOT COME ABOUT. WITH THIS IN MIND WE BELIEVE THE EXPERTISE OF YOUR STAFF IS NEEDED TO SOLVE THE DIFFICULTY. SO PLEASE DO NOT LEAVE US.

IN ATTEMPTING TO SOLVE THE OVERALL PROBLEM, MAY WE SUGGEST THAT YOU BEGIN BY FOCUSING YOUR ATTENTION ON THE EIGHT (MAJINEA WAY) LOTS WITH ACCRETION, AND BRING IN PLACE A 20 METRE SET BACK AHEAD OF THEM. THIS WOULD PLACE ANY NEW DWELLING ON 277 MAJINEA WAY ROUGHLY 4 METERS AHEAD OF OUR HOME AT 27 MAJINEA WAY, AND MRS MATTHEWS HOME AT 283 MAJINEA WAY. AT THIS POINT, VIEW OBSTRUCTION IS ~~REMOVED~~ REDUCED FROM ROUGHLY 2300 TO APPROXIMATELY A 100 LOSS, WHICH IS INDEED MORE ACCEPTABLE.

SEE Δ PAGE

SHOULD YOU SOLVE THIS PART OF THE PROBLEM, THEN YOU COULD CONSIDER THE REMAINDER OF THE COASTLINE AND POSSIBLY BRING IN THE SUGGESTED SAN PARRISH ASSOCIATION TO HELP PROMOTE YOUR PLANS TO THE RESIDENTS ON THE WHOLEFRONT, AND THOSE LIVING WITHIN THE REMAINDER OF SAN PARRISH

PAGE 1 of 2

WHILE WE FEEL OUR ASSOCIATION SHOULD HAVE BEEN INVOLVED FROM THE BEGINNING, APPARENTLY THEY FEEL A CONTRACT OR INDEASMENT BECAUSE OF MR COURTNEY'S POSITION, PREVENTED THIS.

WITH SENSIBLE AND ACCEPTABLE RULES EVERYONE COULD BE A WINNER. THE PUBLIC WOULD PROTECT THE ENVIRONMENT AND THE ENVIRONMENT WOULD PROTECT THE PUBLIC.

WE DO NOT NEED HOUSES, FENCES, WALLS AND FORTIFICATION WALLS OUT TOWARDS THE WATER. IF THEY ARE CONSTRUCTED THE PROBABILITIES OF ENVIRONMENTAL DAMAGE AND FUTURE PROPERTY DAMAGE IS MIND Boggling.

ANOTHER STRONG POINT TO CONSIDER IS ECONOMIC IMP. WE FEEL OUR "BEACH" DOES ITS PART IN THE TOURIST INDUSTRY IN THE PARKSVILLE AREA. DURING OUR 16 YEARS HERE WE HAVE MET PEOPLE FROM A GOOD NUMBER OF OTHER GEOGRAPHICAL LOCATIONS OUR "BEACH" WITH ITS NATURAL UNCONSTRICTED VIEWS IMPRESSES THEM. THE NUMBERS AREN'T HUGE, BUT THE YEARLY TOTAL IS PROB SIGNIFICANT.

THANK YOU FOR YOUR CONSIDERATION. IT IS MUCH APPRECIATED:

LEONARD C KING 771 MARINE WAY
SHARON J KING

FROM PAGE 1 Δ THIS WOULD ALSO MITIGATE BEACH ENVIRONMENTAL DAMAGE AS COME TO SAY A IF WE TAE SET BACK

PAGE 102

January 31, 2001

Reg. Dist of Man.

LABOR DEPT

Attn: Mr. Bob Lapierre

-02- - 1 2001

RECEIVED

I live at 1025 Forgotten Me, while my house is not on the San Paeil waterfront I am concerned about recent development on accreted properties that parallel a portion of Mariner way from # 765 to # 817.

My concern is about the environmental impact on the ecosystem.

What impact will retaining walls have on the water front?

Will we still have access to the beach front?

Laurence H Grant

Cynthia Gansen
850 Mariner Way
Parksville BC
V9P 1S3

January 30, 2001

REPT

-02- - 1 2001

RECEIVED

Dear Ms. Lapham,

I am writing in regard to the proposed Development Permit Area (DPA) bylaw in San Paeel. Although I do not support a D.P.A. for this area I feel strongly that the Regional District must put in place some type of measure that will ensure that the beach habitat is protected from both present and future development.

Yours sincerely,
C Gansen

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10

Jan 30, 2001
1042 Maple Lane Dr.
Parksville BC V9A1J1

Regional District of Nanaimo
Planning Department

PLANNING DEPT

-02- - 1 2001

RECEIVED

Dear Sirs,

I am very concerned about the lack of control in this area, especially the shoreline. Please protect the environment in this area.

In the past eleven years I have seen great changes in the shoreline, and I am sure one day there will be a huge storm and some property will be lost. If this department allows home to be built on accreted land and an act of nature takes it away, could the District be sued?

Look at what has happened in Europe due to lack of planning

Please protect this small area.

Sincerely
Jayce Weeks

PLANNING DEPT

-02- - 1 2001

RECEIVED
Ken + Carolyn Moore
885 Juniper Rd.
Parksville B.C.
V9P 1S7

Dear Mr. Lapham:

The San Paul neighborhood is in a controversy over new buildings on waterfront lots. We are writing to say that we are in agreement with the property owners that want to protect the beach in its natural state and keep it available to the public. We live on a flood plain and the erosion and movement of the shore is to be expected because of the river materials.

Hopefully regulations can be drawn up to keep property owners satisfied as well as preserving the shore for all of us.

Thank you,
Ken + Carolyn Moore

PAGE
104

1033 Forgotten Drive
Parksville B.C.
V9P 1T3

Planning Department
Attention: Bob Latimer
RDN
6300 Hammond Road
P.O.Box 40
Nanaimo B.C.
V0R 2H0

PLANNING DEPT

-02- - 1 2001

RECEIVED

January 30th. 2001

Dear Sir

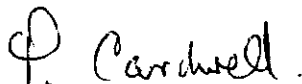
My wife and I are residents of San Pareil. We are very concerned about possible destruction of the beach habitat and ecosystem by future building on the accreted lands.

We feel that the existing beach and the accreted land should be protected from any development. Existing properties should be grand-fathered so that such homes can be repaired or modernised, and even extended if necessary. New homes should not be allowed beyond the existing property lines for the area as a whole.

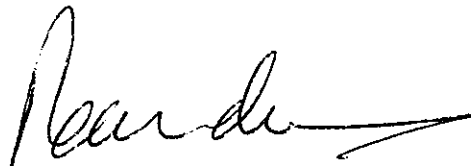
We urge the Regional District of Nanaimo to address this issue and lay down regulations to prevent any disturbance of this unique habitat. The accreted land is part of this dynamic environment and should be preserved, along with the existing beach area, for the enjoyment of present and future generations.

Protection of the beach habitat is not just a concern of the waterfront property owners. It is a concern of all British Columbians.

Yours truly



Patricia Cardwell B.Sc



Dr. David Cardwell LRCP MRCS

PAGE
103

963 Shorewood Drive
Parksville V9A1R9
248-8423
Jan. 2001.

LANDING DEPT

-02- - 1 2001

RECEIVED

Re. Development
San Pareil Foreshore Properties

First, thank you for your professional and courteous handling of submissions & discussions in effort to reach solution to our neighbourhood problem.

a) View Obstruction - I believe this all started when it came to our attention that construction was expected which would put out to such an extreme distance that outlook from home on either side would be very much restricted. There was no neighbourly consideration given. (I'd also be very upset if such construction were planned in the property adjoining me, and this might happen as things stand.)

* It would certainly be wonderful if the proposed home could be built on the site of present house with as little disruption to the present alignment of houses as possible.

b) Environmental Impact

More sea-walls seem to mean more erosion for those along the shore with no seawalls. Maybe we should anchor all the logs to protect what's left!

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108

b) Environmental Impact. (cont.)

I prefer to keep my beach front natural with its mix of sea-grass, gullweed & netch but the time may come when I have to erect a wall to keep the ocean from my home.

Many have advised I do as now! Rather costly, even if authorities approved such a plan.

I'd like to see this entire beach area remain as "natural" as possible.

It's a different problem indeed.

Sincerely,

Maryouel Greene

Greene

Gumilla Gansen
850 Mariner Way
Parksville BC.
V9P 1S3

January 30, 2001

PLANNING DEPT

-02- - 1 2001

RECEIVED

Dear Ms. Lapham,

I am writing in regard to the proposed Development Permit Area (DPA) bylaw in San Paeel. Although I do not support a D.P.A. for this area I feel strongly that the Regional District must put in place some type of measure that will ensure that the beach habitat is protected from both present and future development.

Yours sincerely,
G Gansen

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100

PLANNING DEPT

January 28, 2001

-02- - 1 2001

RECEIVED

Mr. Bob Lapham
Regional District of Nanaimo

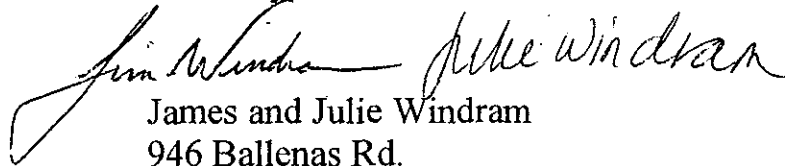
Dear Sir:

This letter is to show our support for the establishment of a development permit for the San Paniel beachfront area. We feel that sea walls into the accreted areas along the beachfront will have negative effects in the future. They will change the dynamics of the sensitive ecosystem along the oceanfront, by changing the coastlines natural formation. Rare areas of vegetation will be affected. Biologists seem to see the sense in protecting this area for the future. We hope you too, will see the sense of making changes to the bylaws now!

We have been residents of the San Paniel neighborhood for the past four years. Part of what has drawn us to the area is the natural surroundings.

This area along the waterfront between Rath Trevor Park and the Englishman River estuary requires protection from future development. You hold the key to our futures. Please handle with care.

Sincerely,



James and Julie Windram
946 Ballenas Rd.
Parksville, B.C.

PAGE
101

951 Terrien Way,
Parksville, B.C.
V9P 1T2

January 31st 2001,

Mr Bob Lapham,
Regional District of Nanaimo,
6300, Hammond Bay,
Nanaimo.

PLANNING DEPT

-02- - 1 2001

RECEIVED

Dear Sir,

As a resident of San Pariell I would like to express my support for your efforts to protect the beach area from overdevelopment.

Having attended the last meeting at Beach Acres, I realise there is strong opposition to the proposed development permit plan as it stands.

However I believe it is essential that this area is protected, and not allowed to be spoiled by a selfish few.

Having said that the rights of those home owners who do not have accreted land but are directly affected none the less must be taken care of.

It seems the wisdom of Solomon is called for, Good Luck.

Sincerely,

Stephen The Gunn

PAGE
1/2

Tuesday, January 30, 2001

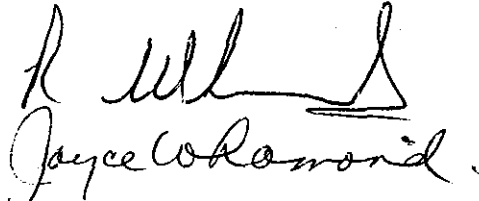
PLANNING DEPT
-02- - 1 2001
RECEIVED

Planning Board
Regional District of Nanaimo
6300 Hammond Bay Rd.
Nanaimo, BC

Dear Sir:

We have been residents of San Pareil for the past fifteen years. The reason we chose this area was because of the natural state of the environment. It is important to us that future development does not destroy this precious commodity.

We appreciate the R.D.N.'s efforts to protect our area, particularly along the waterfront and would support and encourage you to focus on saving this beautiful, pristine and unique area for us and our children.



Roy and Joyce Whamond
1034 Maple Lane (San Pareil)
Parksville, BC
V9P 1T3

January 29, 2001
945 Terrien Way
Parksville, B.C. V9P 1T2

PLANNING DEPT

RDN Planning Department
6300 Hammond Bay Road
P.O. Box 40
Lantzville, B.C. VOR 2H0

-02- - 1 2001

RECEIVED

Dear Sir:

We wish to protest development on any accreted lands in the San Paniel coastal area. This land is very environmentally sensitive and requires public protection.

Having lived in San Paniel for the past fifteen years, the accretion in question, has largely occurred in this period of time. It may well be, that in the next fifteen years, it could again disappear.

In conclusion, we feel that it is totally immoral for outsiders, to disrupt this community and its lifestyle, solely in the name of profit.

Your truly,

Bob Catcher
Defendant

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783 Mariner Way
Parksville, B.C.

Jan 31st 2001

Regional Dist. of Nanaimo,
Attn. Mr Bob Lapham

PLANNING DEPT

-02- - 1 2001

RECEIVED

Dear Sir,

I am a widow, who with my late husband Ted, purchased our property in 1969 and built our home at 783 Mariner Way. I have seen many changes since, both natural and man made.

From what I can understand of the new home planned for 777 Mariner Way, a good part of it would be in the area where the ocean came to in the early 1970's. Yes sand and logs have added to the lots. But I do not think it is safe to build on it.

It is too bad that a number of waterfront owners in San Pareil did not like your development permit area plan, although I think most want some protection for the beach.

Please do something to help us save our beach and protect owners ocean views, if only we were able to follow Mr Terrens system we

PAGE
1/1

would be protecting the beach
and everyone would be happy.

Maybe you should start with
just the lots where the sand
has built up. Then later think
of having a protection plan for
the rest of the San Paril
waterfront.

Thank you for trying to help us.

M. MATTHEWS

783 MARINER WAY

M. Matthews

Rose Anne McQueen
808 Mariner Way
Parksville, B.C.
V9P 1S3
Phone 951-0680

PLANNING DEPT

-02- - 1 2001

RECEIVED

January 31, 2001

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, B.C.

Attention: Mr. Bob Lapham

Dear Sir:

RE: San Pareil Development Permit Area (DPA)

I am writing this letter in response to the January 25, 2001 Information Meeting regarding the Development Permit Area (DPA) in San Pareil. I would like to go on record as supporting the intent of this proposed bylaw.

I appreciate that at last Thursday's meeting there were many strong opinions expressed both for and against the bylaw and that those opposed see it as an unwarranted invasion of government rules and regulations on their private property. However, I also know from the shift of tone in the latter half of the meeting that a large percentage of those people (even ones opposed to the DPA) strongly support protecting the beach and would be open to other solutions that do not impose such restrictive measures on their property.

With such compromise in mind, perhaps I could put forth the idea of having the DPA apply only to accreted land. In my mind, this would be a win-win solution. Waterfront owner's could still own accreted property but could not develop it unless they met strict regulations. Upland owners without accretions would not be subject in anyway to the ramifications of the DPA. And, best of all, our beach an irreplaceable resource, would be protected from both present and future destruction and would be available for all to enjoy for years to come.

I realize I know very little about planning and bylaws and that the above suggestion may not be "doable". But, I also know that without strong and continuing leadership from the Regional District that a most precious resource, namely our beach, will be irreparably lost

**PAGE
1/1**

and that in a few short years the destruction that has recently occurred at 777 Mariner Way will be common place all along the San Pareil waterfront.

In summary, I am very concerned about the current destruction of our beach at 777 Mariner Way and the potential for further destruction on the beach if a DPA is not introduced over at least the accreted lands along Mariner Way and Shorewood Drive in San Pareil. I trust that the RDN will act responsibly and introduce protection to the beach area.

Respectfully yours,



Rose Anne McQueen

c.c. Kelly Daniels
Joe Stanhope
George Holme



Accreted Beach @ 777 Mariner Way
Prior to Recent Landscaping/Seawall Construction

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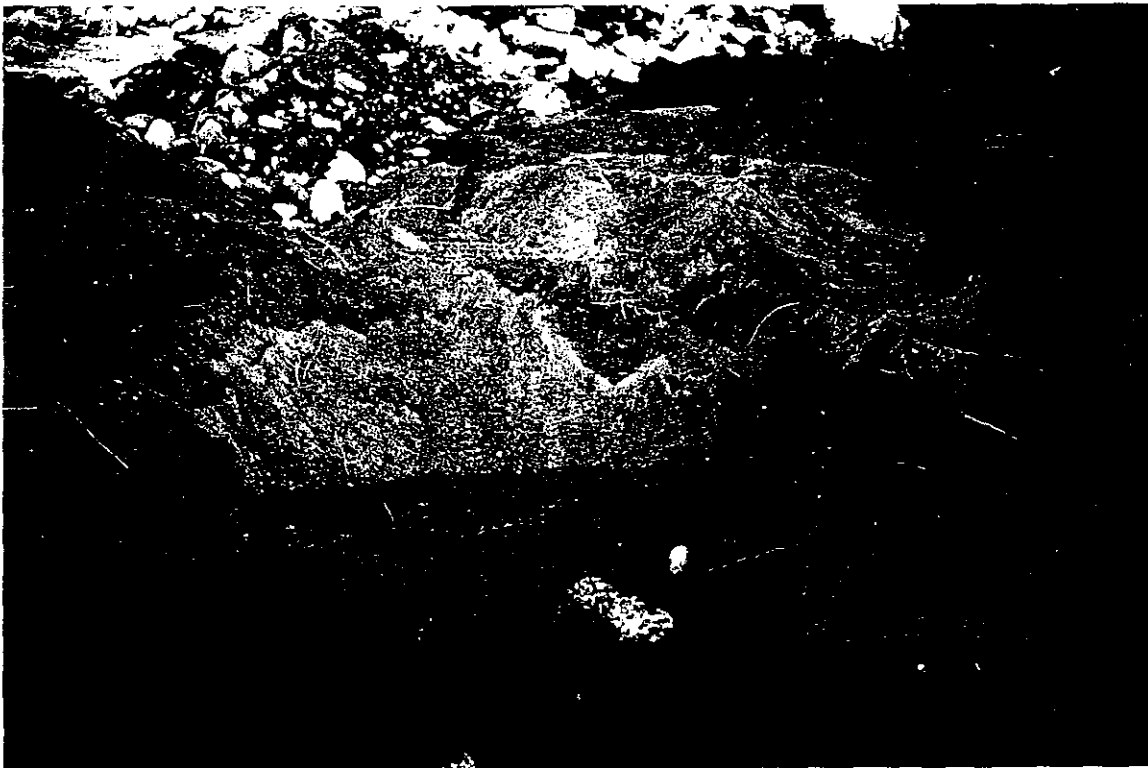
Accreted Beach at 777 Mariner Way
Starting to Landscape,
Existing, natural vegetation being removed



Further Excavation of Accreted Property
Natural Vegetation has been removed/destroyed



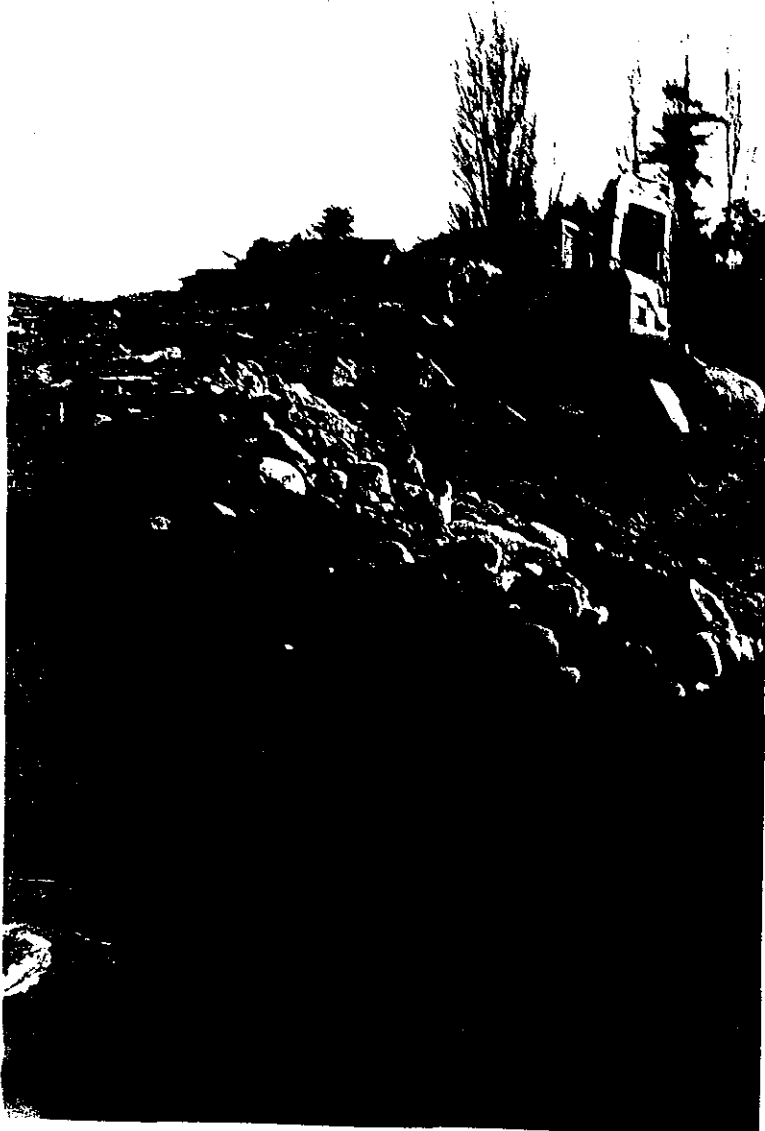
Excavation on Accreted Property
for New Seawall Construction,
Existing Natural Vegetation Totally Removed



Preparing Base for Seawall



Starting Seawall Construction
at Front of Accreted Property



Finishing Seawall,
Fill to be placed behind rocks to
complete landscaping,
Natural Vegetation on Accreted
Beach is Totally Destroyed

January 30, 2001

PLANNING DEPT

-02- - 2 2001

RECEIVED

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC

To Whom It May Concern:

Re: Development Permit Application for San Paniel Waterfront

I am taking this opportunity to put my comments on paper and send to you, as I feel very strongly there needs to be some rules established regarding waterfront development in our area. At the meetings held so far, I have felt intimidated by a few of the residents who seem unwilling to listen to other's opinions. A few of my concerns are:

1. Under the current rules, I understand that waterfront property owners who have accreted land may be permitted (if they have a seawall) to build 8 metres from the natural boundary. Although this may seem acceptable as far as preserving the beach, it does not seem acceptable that their dwelling could be as much as 30 metres in front of their neighbour's dwelling. This causes great concern that as the years go by, residents can continually "leapfrog" over each other out onto the beach with no concern for the integrity of the rows of homes.

To say that a development permit would unfairly decrease the value of the properties with accreted land is not true. The value of, for example, 777 Mariner Way today would be the same as the value of it tomorrow if the development permit was approved. The only loss of value if the development permit were approved would be the loss of a POTENTIAL GAIN IN VALUE because the owners would not be permitted to build 8 metres from the boundary or subdivide. The real loss in value for any landowner in San Paniel would be if the development permit was abandoned and residents started building their homes out in front of their neighbours. The owners of the homes set back further would experience the loss in value. Why should these neighbours be forced into such a position just so that others can profit?

2. It was suggested that a few of the property owners on Mariner Way get together and come up with a compromise. Personally, I would certainly NOT look forward to sitting down with Bruce Cownden and Tim Walsh and having a discussion on this, let alone if I were in my 70's or 80's. Mr. Cownden stated at the information meeting that there are "only one or two people" in favour of the permit, these being Mr. and Mrs. King and Mrs. Matthews, which proves they have not been listening. They are mistaken. I feel all waterfront property owners should have a say in any decision, not just the few living near the currently affected area on Mariner Way, as the decision sets a precedent for the future and all residents will be affected. Any meetings should involve all waterfront property owners, and should be held with a mediator present to ensure the proper respect is shown for differing opinions and no intimidation is allowed to occur.
3. We need a visual interpretation of what a 30 metre setback would look like. I'm sure many residents would be quite surprised at what the subdivision could look like if the development permit is not approved and property owners are allowed to build out in accordance with the current rules. A diagram of the new setback could ease the minds of those who may be concerned that they won't be able to build a reasonable home on their lot.

.../2

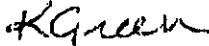
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4. Many of the people at the information meeting were concerned about not being able to cut down blackberry bushes, construct a fence, or mend a deck. It seems they do not understand the development permit issue and have stated they are opposed to the permit for these such reasons. I hope you can take the time to review their concerns, and if their reasons are unfounded that you will disregard their opposition. Again, it seems some people have not been listening, or choose to believe the RDN will change their minds when it comes time for them to require a permit.

5. There are a few people who have circulated misleading information through the neighbourhood. As you are aware, Mr. Walsh circulated a drawing of his proposed new dwelling which did not include any reference to property lines or existing neighbour's dwellings. This has given the impression that he is well back from the water and therefore no one should have a concern. In fact, if the permit is not approved, Mr. Walsh could submit a totally different proposal to the RDN for approval. It appears that Mr. Walsh is willing to act in a way that will harm other residents of the waterfront and in ways that are detrimental to the community as a whole. It also appears that he is willing to distribute information that is incomplete and therefore misleading.

In summary, I urge you to continue going forward with the development permit application. Everyone in San Paniel will be treated equally and fairly, the beaches will be protected, the integrity of the subdivision will be maintained, and property values will remain comparable down the beach.

Sincerely,



Kathleen Green
893 Shorewood Drive
Parksville, BC V9S 1S6
(250) 246-0087

-02- - 2 2001

RECEIVED

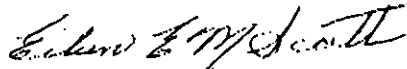
Eileen E. M. Scott
849 Mariner Way
Parksville, B.C.
V9P 1S3
January 31, 2001
(250) 248-3142 Work
(250) 248-7399 Home
(250) 248-3132 Fax
February 2, 2001

RDN Planning Department
Fax (250) 390-7511
Attention: Susan Cormie

Re: Petition Opposing
Development Permit Area No. 4
San Pareil Coastal

In regards to the petition we have discussed opposing the establishment of a development permit area for the coastal San Pareil Neighbourhood of Electoral Area "G", Mr. Cownden has informed me that he has talked with Mr. Joe Stanhope and will personally deliver the petition to him, since he is the area's representative. At last count there were over 150 signatures on this petition. Please take this into account when you are doing your planning.

Thank you.



Eileen E. M. Scott

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