

REGIONAL DISTRICT OF NANAIMO

**SPECIAL BOARD MEETING
TUESDAY, JUNE 25, 2002
(immediately following Committee of Whole meeting)**

(Nanaimo City Council Chambers)

A G E N D A

CALL TO ORDER

DELEGATIONS

UNFINISHED BUSINESS

From the Board meeting held June 11, 2002.

2-42

Area 'F' Zoning and Subdivision Bylaw. (All Directors except EA 'B' - One Vote)

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

ADJOURNMENT

IN CAMERA

ALTERNATIVES

1. To receive the Summary of the Minutes and Submissions of the Public Hearing on Bylaw No. 1285, 2002, and report of the Public Hearing and adopt "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" and associated administrative Bylaws.
2. To receive the Summary of the Minutes and Submissions of the Public Hearing on Bylaw No. 1285, 2002, and not adopt "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002".

PUBLIC CONSULTATION IMPLICATIONS

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

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

With respect to the implementation of the proposed zoning regulations for Electoral Area 'F', a series of administrative bylaws are required. With the adoption of these bylaws, an opportunity exists to consolidate regulations and streamline the development process throughout the Regional District. In order to facilitate this simplification, the Board has given two readings to Bylaw No. 500.276. Sections of Bylaw 500 addressed by these amendments will now be regulated under separate Regional District of Nanaimo Bylaws (*as outlined in Attachment No. 1*). The intent of these amendments is to ensure that land regulated by the Electoral Area 'F' Zoning and Subdivision Bylaw is recognized in the Region's Administrative, Fees, Board of Variance and Development Approval Information Bylaws and simplify the RDN zoning bylaw.

Pursuant to section 890.4 of the *Local Government Act*, the Board waived the requirements for a public hearing on Bylaw 500.276. Section 893 of the *Local Government Act* requires that where a public hearing has been waived, notice of the proposed bylaw amendment must be given. Notification has been undertaken and no public comments have yet been received.

GOVERNMENT AGENCY REFERRAL

Section 54(2) of the *Highway Act* requires that a zoning bylaw and bylaw amendments must be referred to the Ministry of Transportation for approval. Bylaw No. 1285 and Bylaw 500.276 were referred and subsequently approved by the Ministry of Transportation in Nanaimo (*see Attachment No. 3*). In accordance with the *Local Government Act*, the Board may now consider the adoption of Bylaw No. 1285.

VOTING

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

SUMMARY

Given the level of public consultation, recognition of existing uses on properties through site specific zoning and flexible approach to implementing "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285" staff are of the opinion that this Bylaw may now be considered for adoption. Having received approval from the Ministry of Transportation, Certified Minutes of the Public Hearing and the Area Director's Report of the Public Hearing, all legal requirements have been satisfied for adoption of the Bylaw.

RECOMMENDATIONS

1. That the motion at the Special Board Meeting on May 21, 2002 receiving the Summary of Minutes and Submissions of the Public Hearing for "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" be rescinded.
2. That the Summary of the Minutes and Submissions of the Public Hearing held Wednesday, April 24, 2002, on "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" certified by Director McLean on the 25th day of June, 2002 be received.
3. That the Report of the Public Hearing held Wednesday, April 24, 2002 at 7:00 pm, on "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" from Director McLean be received.
4. That "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" be adopted.
5. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.276, 2002" be given 3rd reading and adopted.
6. That "Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002" be adopted.
7. That "Regional District of Nanaimo Board of Variance Bylaw No. 1260, 2002" be adopted.
8. That "Regional District of Nanaimo Development Approval Procedures and Notification Bylaw No. 1261, 2002" be adopted.
9. That "Regional District of Nanaimo Impact Assessment Bylaw No. 1165.02, 2002" be adopted.

Report Writer

Manager Concurrence

General Manager Concurrence

CAO Concurrence

COMMENTS:

devs\reports\2002\3900 20 1285 jr sp brd EA F Adopt.doc

Attachment No. '1'
Summary of Administrative Bylaws

The following outlines amendments to existing Regional District of Nanaimo Administrative Bylaws as well as the establishment of new Bylaws, which are required to administer the Electoral Area 'F' Zoning Bylaw:

1. To adopt "Regional District of Nanaimo Planning Services Fees and Charges Bylaw No. 1259, 2002". (New Bylaw)
2. To adopt "Regional District of Nanaimo Board of Variance Bylaw No. 1260, 2002". (New Bylaw)
3. To adopt "Regional District of Nanaimo Development Approval Procedures and Notification Bylaw No. 1261, 2002". (New Bylaw)
4. To amend "Regional District of Nanaimo Impact Assessment Bylaw No. 1165, 1999" to establish applying the requirements of this bylaw to zoning amendment applications for Area 'F' ("Regional District of Nanaimo Impact Assessment Bylaw Amendment Bylaw No. 1165.02, 2002").
5. To repeal "Regional District of Nanaimo Subdivision Application Fee Bylaw No. 901, 1993"
6. To amend "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" by deleting references to fees and applications, Board of Variance, amendment procedures, and development permit and development variance permit procedures ("Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.276, 2002").

Attachment No. '2'

Summary of Minutes and Submissions to the Public Hearing

REGIONAL DISTRICT OF NANAIMO

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

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

Present:

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

There were approximately 115 people in attendance.

There are 20 written submissions attached to and forming part of the minutes of the Public Hearing.

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

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

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

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

Red Williams, 980 Pratt Road, stated that 65% of the people polled supported a smaller parcel size for the ALR lands. Mr. Williams commented that the Land Reserve Commission has jurisdiction in approving the final parcel size for subdivision and that elsewhere in the RDN smaller parcel sizes are allowed. Mr. Williams questioned the notification distance for rezoning applications in Area 'F' compared to the rest of the RDN and questioned why the distance requirements in Area 'F' are so much greater. Mr. Williams commented that legal non-conforming status on properties results in businesses not growing and financing property and insurance difficult. Mr. Williams commented that the Bylaw should recognize all existing uses and site-specific zoning is not the answer to this issue. Mr. Williams questioned Parksville's concerns for groundwater and indicated that other provincial Ministries are in place to protect the environment. Mr. Williams stated that the people in Area 'F' are not being consulted and the community is being destroyed as a result. Mr. Williams stated that the Bylaw was a work in progress and that it should not be adopted as is, and there should be a steering committee-led process to create a zoning bylaw.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Andy Brown, 1642 McKibben Road, spoke in favour of the Bylaw and indicated he is tired of living with the threat of an industrial business moving in and he feels that land uses need to be separated, and is

in favour of 10-acre minimum parcel size in order to protect the watershed. Mr. Brown indicated he has concerns about protecting the water supply and this cannot be done through small lots.

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

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

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

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

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

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

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

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

David Needen, 1030 Howard Road, indicated that the ALR lands are not farm land and that there was nothing in the Bylaw the agricultural community wanted. Mr. Needen indicated that he wants the regulations to be enforced by the Land Reserve Commission. He indicated that the setbacks for

agricultural buildings are excessive and that there is no protection for farmers in terms of buffering for farm uses and the ALR. Mr. Needen requested that the Bylaw go to referendum, as there were many flaws in it.

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

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

The Chair called for further submissions.

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

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

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

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

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

The Chair called for further submissions a first time.

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

The Chair called for further submissions a second time.

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

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

Certified fair and accurate this ____ day of _____, 2002

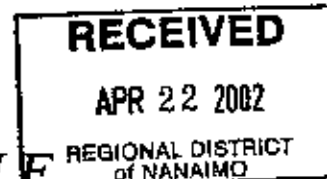
L. Chase
Recording Secretary

Director J. McLean
Electoral Area 'F'

Attachment No. '2' cont'd
Written Submissions to the Public Hearing



City of PARKSVILLE



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

April 17, 2002

VIA FAX: (250) 390-7511

PAGE 1 OF 1

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



ATTENTION: GEOFF GARBUTT, SENIOR PLANNER

Dear Sirs:

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

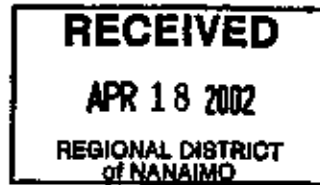
At the regular meeting of Council held Monday, April 15, 2002 the following resolution was adopted:

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

Yours truly,

GAYLE A. JACKSON
Director of Community Planning

GAJ/sh



File: 53170-53/CID

April 16, 2002

Nanaimo Regional District
6300 Hammond Bay Road
Nanaimo, B.C. V9T 4C8

Attention: Geoff Garbutt, Senior Planner

Dear Sir:

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

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

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

Yours truly,


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

RJH/tp

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



Oceanside Development & Construction Association
P.O. Box 618, Parksville, BC V9P 2G7
E-mail: odca@islandnet

April 24, 2002

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

VIA Fax: 390-7511

Attention: **Geoff Garbutt**
Senior Planner

Dear Sir,

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

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

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

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

DEFINITIONS

- **Bylaw 1285**

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

- **Bylaw 500**

Lot means the same as parcel.

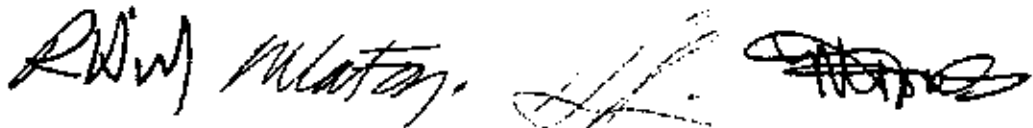
Parcel means the smallest area of land which is registered in the Land Title Office, except that a parcel divided pursuant to the Condominium Act and amendments thereto and not contained within a Bare Land Strata Plan shall not be considered subdivided for the purpose of this Bylaw.

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

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

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

Yours truly,



Rob Hill
President

Manley Lafoy
Vice President

Helen Sims
RDN Committee

Michelle Jones
Secretary/Treasurer

c.c.

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

April 24/02

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

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

DAVE MUNRO
COOMBS B.C.

PAGE
16

24.02 03:11p

Sims Assoc.

7529241



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

TO: Ross Harvey

COMPANY:

FAX: 248 8084

FROM: Helen Sims

DATE: 2002 04 24

No. of Pages 5 (including cover sheet)

File No:

COMMENTS:

Ross

Re: Forest Land Reserve

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

1. inclusions
2. exclusions
3. forest practice

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

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

Helen

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Helen Sims

From: "Bednard, Gordon LRC:EX" <Gordon.Bednard@gems2.gov.bc.ca>
To: <helen.sims@shaw.ca>
Sent: April 24, 2002 2:32 PM

Helen,

This confirms our conversation of this afternoon.

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

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

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

More information can be found on our website at: [http://www.gems2.gov.bc.ca](#) or on the provincial government site.

Cheers,

GB

PS - have a good time at the zoning meeting

24 02 03:12p

Sims Assoc.

7529241

p. 3

BILL 21 -- 2002: AGRICULTURAL LAND COMMISSION ACT

Page 28 of 32

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

Forest Land Reserve Act

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

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

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

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

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

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

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

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

65 Section 2.1 is repealed and the following substituted:

Object of the commission

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

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

(1) The Forest Land Reserve consists of

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

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

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

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

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

http://www.legis.gov.bc.ca/37th3rd/1st_read/gov21-1.htm

4/24/02

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BILL 21 ~ 2002: AGRICULTURAL LAND COMMISSION ACT

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

69 Sections 13 to 16 are repealed.

70 Section 18 is amended

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

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

(b) by adding the following subsections:

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

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

71 Section 19 is repealed and the following substituted:

Criteria for removal

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

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

72 Sections 20 to 24 are repealed.

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

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

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

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

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

78 Section 38 is repealed.

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

80 Section 40 is repealed.

Explanatory Note

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

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

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

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BILL 56

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

Permitted uses of forest reserve land

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

Specifically permitted uses of forest reserve land

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

BILL 56

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

Non-conforming uses of forest reserve land

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

BILL 56

Restriction on subdivision of forest reserve land

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

Restriction on local government authority regarding uses of forest land

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

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

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

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

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

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

Sharon Tomczyk.

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

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

Zone R 1.5

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

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

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

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

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

Re: Parks and Open Spaces Section 4.20

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

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

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

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

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

To: Geoff Garbutte

*Marv and Carol Wolver
April 23/02*

Re: Area F Plan

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

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

Yours sincerely,

Marv and Carol Wolver

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

250-951-2317 cwolver@yahoo.com

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

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

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

Best wishes

[Signature]

Rusty J. Joerin

April 23, 2002

To: The Board, Regional District
of Nanaimo.

From: Carol Joeen

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

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

Carol Joeen

1765 Errington Rd.

Box 286 Errington BC

VOR 1V0

250-248-4318

Re the question of adoption
It is my understanding that
the matter may be put to
refer back.

Andrew A. K. non
1216 St. Rd.
Coquitlam

Eileen & Trevor Wicks
P O Box 196 Errington B C
V0R 1V0
250 248 9824
tewicks@island.net

Board of the
Regional District of Nanaimo

April 24th 2002

Re: Area 'F' Zoning Bylaw

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

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

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

Sincerely, Eileen and Trevor Wicks.

PAGE
29

5110

Box 4, FERRINGTON
B.E. VORIVO

24 April, 02

New Jack,

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

We don't want by-law 1285
foisted upon us. Besides, most
of the land in area "F" is in the
Agricultural Land Reserve
(ALR) & does not come under
the jurisdiction of the R.D.N.

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

Thanking you.

Yours sincerely,
Ellen Pullen,

TIGER LILY PARK
RD 2022 202
ERRINGTON B.C.
V0R 1V0

April 24, 2002.

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

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

Sincerely,

Cecil R. Mercer

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

TIGER LILY FARM
PO BOX 202
ERRINGTON B.C.
V0R 1V0

April 24, 2002

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

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

Sincerely,

Joan K Mercer
1692 Errington Rd.
Errington BC.

MAY 24, 2002
RE PROPOSED BYLAW 1285

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

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

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

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

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

ONE GOOD REASON FOR OPPOSING THIS AND OTHER R.D.N. BYLAWS IS THE FACT THAT DIRECTORS FROM THE THREE MUNICIPALITIES PUT A CHILDRENS GO-CURT OPERATION OUT OF BUSINESS WHICH WAS DEVELOPED QUITE LEGALLY AND PAID FOR BY PARENTS AND FRIENDS.

WESTBROEK AND MACDONALD WERE INVOLVED. WHO CAN TRUST THESE KIND OF PEOPLE?

LETS HAVE A REFERENDUM
JOE PULLEN, SENIOR

2(14)1)
FRANK BURGER
930 PRATT ROAD
QUALICUM BEACH BC
V9K 1X2 250-752-0079

①

My name is Frank Burger

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

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

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

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

2(14-2)

(2)

near the houses.

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

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

This land is not suitable for agriculture.

Subdividing the property into 2 hectare lots would make it

2(14-3)

③

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

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

I thank you for
allowing me to make
this presentation.

J. Fryer

Public Hearing April 24 2002 RDN Bylaw1285/ 2002

My Name Is Evelyn McLean and I reside at 1115 McLean Rd Coombs
I am NOT in support of Bylaw 1285/2002.
I DO SUPPOIRT the 2ha. Lot size in the ALR

*Evelyn
Evelyn McLean*

Evelyn McLean

April 24 2002

Wednesday April 24th 2002

To whom it may concern: -

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

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

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

Rural is a lifestyle.

Agriculture is a life support.

I think we should all remember this.

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

Submitted by:

Shirley Emmens (EMMENS)
1333 Dobson Road

Regional District of Transcona
Attn Mr. Geoff Yarbitt


RECEIVED
-04-24-2002
PLANNING DEPT

Dear sir,

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

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

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

Yours Truly


Much has been made of the fact that there are more than 720 ALR parcels in the area, but look at the median size, what they are currently being used for, etc. Many do not in fact contribute to "rural lifestyle" in a meaningful way. I am not in favour of allowing agricultural land to be divided into 2 HA. parcels.

Attachment No. '3'
Ministry of Transportation Approvals



File: 06 002 20991

May 24, 2002

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

Attention: Robert Lapham, General Manager
Development Services

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

The Ministry of Transportation hereby grants approval of Zoning and Subdivision Bylaw No. 1285, 2002.

If you have any questions, please do not hesitate to contact me at (250) 390-8274.

Yours truly,

Handwritten signature of Debbie O'Brien in cursive.

Debbie O'Brien
District Development Technician

NV4/2002



File: 06-002-24459

May 31, 2002

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

Attention: Geoff Garbutt
Senior Planner

Re: Text Amendment – Regional District of Nanaimo Land Use and Subdivision Bylaw
Amendment Bylaw No. 500.276

This letter is to advise that the Ministry of Transportation has no objection to the above noted text amendment.

If you have any questions, please do not hesitate to contact me at (250) 390-6274.

Yours truly,

D. O'Brien

Debbie O'Brien
District Development Technician

DL/Drs

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