

**REGIONAL DISTRICT OF NANAIMO**

**BOARD MEETING  
TUESDAY, JULY 26, 2005  
7:00 PM**

*(RDN Board Chambers)*

**A G E N D A**

**PAGES**

- 1. CALL TO ORDER**
- 2. DELEGATIONS**
  - 10 **Maeve O’Byrne, Nanaimo & District Hospital Foundation**, re Update on the Activities of the Foundation.
  - 11 **Frank Garnish**, re Referendum for a Recreation Function in Electoral Area A.
- 3. BOARD MINUTES**
  - 12-26 Minutes of the regular Board meeting held on June 28, 2005.
- 4. BUSINESS ARISING FROM THE MINUTES**
- 5. COMMUNICATIONS/CORRESPONDENCE**
  - 27 **Margaret & Tony Giblett**, re Development Permit Application No. 60532 – Davis/Carniato – Andover Road – Area E.
- 6. UNFINISHED BUSINESS**
  - BYLAWS**
    - For Adoption.**
      - 28-30 **Bylaw No. 500.319** - Land Use and Subdivision Bylaw Amendment – Qualicum River Corridor – Area H. (Electoral Area Directors except EA ‘B’ – One Vote)
      - 31-32 **Bylaw No. 500.320** – Land Use and Subdivision Bylaw Amendment – Amendment Application ZA0511 – 946 Text Amendment. (Electoral Area Directors except EA ‘B’ – One Vote)
      - Bylaw No. 813.32** – French Creek Sewerage Facilities LSA Amendment Bylaw – 1355 Lundine Lane – Area G. (All Directors – One Vote)
      - Bylaw No. 889.31** - Northern Community Sewer Local Service Area – 1355 Lundine Lane – Area G. (All Directors – One Vote)
      - Bylaw No. 788.04** - Madrona Point Water Service Area Purpose Amendment Bylaw. (All Directors – One Vote)

**Bylaw No. 867.01** - Nanoose Bay Peninsula Water Services Amalgamation Bylaw. (All Directors – One Vote)

**Bylaw No. 929.04** - West Bay Estates Water Service Area Purpose Amendment Bylaw. (All Directors – One Vote)

**Bylaw No. 930.03** - Arbutus Park Estates Water Service Area Purpose Amendment Bylaw. (All Directors – One Vote)

**Bylaw No. 1255.02** - Driftwood Water Service Area Purpose Amendment Bylaw. (All Directors – One Vote)

**Bylaw No. 1288.01** - Fairwinds Water Service Area Purpose Amendment Bylaw. (All Directors – One Vote)

**Bylaw No. 1372.02** - Nanoose Bay Water Supply Service Area Purpose Amendment Bylaw. (All Directors – One Vote)

**Bylaw No. 1224.02** - Sewage Disposal Regulation Amendment – Pump and Haul. (Electoral Areas ‘B’, ‘D’, ‘E’, ‘F’, ‘H’ & City of Nanaimo – Weighted Vote)

33-38 **Bylaw No. 1285.06** - Zoning Amendment Application No. ZA0413 – Wendy Huntbatch – 2116 Alberni Highway – Area F. (Electoral Area Directors except EA ‘B’ – One Vote)

**Public Hearing & Third Reading.**

39-51 Report of the Public Hearing held June 30, 2005 with respect to Bylaw No. 500.308 – Land Use and Subdivision Bylaw Amendment – Wessex Enterprises Ltd./Addison – Midora and Extension Roads – Area C. (Electoral Area Directors except EA ‘B’ – One Vote)

52-93 Report of the Public Hearing held June 27, 2005 with respect to Bylaw No. 1400 - Nanoose Bay Official Community Plan Bylaw. (All Directors except EA ‘B’ – One Vote)

**Third Reading.**

94-99 **Bylaw No. 1442** – Northern Community Sewer Service Area Development Cost Charges Bylaw. (All Directors – One Vote)

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

**7.1 ELECTORAL AREA PLANNING STANDING COMMITTEE**

100-102 Minutes of the Electoral Area Planning Committee meeting held July 12, 2005. (for information)

## PLANNING

### DEVELOPMENT PERMIT APPLICATIONS

**Development Permit Application No. 60524 – Chiste & Larsen – Northwest Bay Road – Area E.** (Electoral Area Directors except EA 'B' – One Vote)

**Delegations wishing to speak to Development Permit Application No. 60524.**

*That Farm Land Protection Development Permit Application No. 60524 to facilitate remediation of the 15.0 metre buffer area through replanting and leveling of the site and to allow the installation of a septic system within the buffer area, be approved, according to the terms outlined in Schedule No. 1.*

**Development Permit Application No. 60525 – Purves – 629 Viking Way – Area G.** (Electoral Area Directors except EA 'B' – One Vote)

**Delegations wishing to speak to Development Permit Application No. 60525.**

*That Development Permit Application No. 60525 with a front yard setback variance from 8.0 metres to 5.1 metres to permit the construction of a dwelling unit at 629 Viking Way be approved according to the terms outlined in Schedule No. 1, and subject to the Board's consideration of comments received as a result of public notification.*

**Development Permit Application No. 60526 – Friede/Fern Road – 6060 Island Highway West – Area H.** (Electoral Area Directors except EA 'B' – One Vote)

**Delegations wishing to speak to Development Permit Application No. 60526.**

*That Development Permit Application No. 60526 with variance be approved according to the terms of Schedule No. 1, subject to consideration of comments received as a result of public notification and that the issuance of Development Permit No. 60526 be withheld until completion of the following:*

*The applicant shall, at the applicant's expense and to the satisfaction of the Regional District of Nanaimo, prepare and register a Section 219 covenant saving the Regional District of Nanaimo harmless of any damages and/or losses as a result of flooding and/or erosion.*

**Development Permit Application No. 60528 – Fern Road Consulting Ltd. on behalf of D & B Van Damme – 1921/1931 Northwest Bay Road – Area E.** (Electoral Area Directors except EA 'B' – One Vote)

**Delegations wishing to speak to Development Permit Application No. 60528.**

*That Development Permit No. 60528, submitted by Fern Road Consulting Ltd., on behalf of D and B Van Damme for the property legally described as Lot 3, District Lot 10, Nanoose District, Plan 28601, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.*

**Development Permit Application No. 60529 – Fern Road Consulting Ltd., on behalf of Forevergreen Properties Ltd. – Inland Island Highway/Butler Avenue – Area G.** (Electoral Area Directors except EA ‘B’ – One Vote)

**Delegations wishing to speak to Development Permit Application No. 60529.**

*That the request, submitted by Fern Road Consulting Ltd., on behalf of Forevergreen Properties Ltd., to allow the creation of a subdivision within the Inland Island Highway Development Permit Area as shown on the proposed plan of subdivision of Block 1438, Nanoose District, Except Parts in Plans 33564, VIP52788, VIP55714, 3501RW and VIP64704 and Proposed Closed Road, be approved subject to the conditions of Schedules No. 1 and 2.*

*That the Approving Officer be specifically advised to take all necessary steps for the protection of all water wells, and in particular, those wells within the City of Parksville.*

**Development Permit Application No. 60532 – Davis/Carniato – Andover Road – Area E.** (Electoral Area Directors except EA ‘B’ – One Vote)

**Delegations wishing to speak to Development Permit Application No. 60532.**

*That Development Permit Application No. 60532 with a variance to reduce the front lot line setback from 8.0 metres to 5.0 metres on Andover Road be approved according to the terms outlined in Schedule No. 1, subject to consideration of comments received as a result of public notification.*

**DEVELOPMENT VARIANCE PERMIT APPLICATIONS**

**Development Variance Permit Application No. 90515 – Schlegel – Blueback Drive – Area E.** (Electoral Area Directors except EA ‘B’ – One Vote)

**Delegations wishing to speak to Development Permit Application No. 90515.**

*That Development Variance Permit Application No. 90515, to vary Section 3.4.61 of “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” to relax the maximum permitted dwelling unit height from 8.0 metres to 9.1 metres according to the terms of Schedule ‘1’, be approved subject to consideration of the comments received as a result of notification pursuant to the Local Government Act.*

**OTHER**

**Building Strata Conversion Application – S & W Jessen – 3051 West Road – Area D.** (Electoral Area Directors except EA ‘B’ – One Vote)

*That the request from Steven and Wendy Jessen, for the building strata conversion as shown on the Proposed Strata Plan of Lot 2, Section 16, Range 3, Mountain District, Plan VIP72060, be approved subject to the conditions being met as set out in Schedules No. 1, 2 and 3 of the staff report.*

## 7.2 COMMITTEE OF THE WHOLE STANDING COMMITTEE

103-107 Minutes of the Committee of the Whole meeting held July 12, 2005. (for information)

### COMMUNICATION/CORRESPONDENCE

**Jac Kreut, Board Chair, Vancouver Island Health Authority, re Attendance at Joint Capital Planning Meetings.** (All Directors – One Vote)

*That the correspondence from the Vancouver Island Health Authority regarding attendance at Joint Capital Planning meetings be received.*

### COMMUNITY SERVICES

#### EMERGENCY PLANNING

**CVRD Pesticide Reduction Strategy.** (All Directors – One Vote)

*That the report on a pesticide reduction strategy be received for information and that staff be provided with direction for further action on this issue.*

#### RECREATION AND PARKS

**Boardwalk Construction at Cox Community Park – Area B.** (All Directors – Weighted Vote)

*That the revised Area B community parks budget and the construction of a boardwalk within Cox Community Park on Gabriola Island, be approved.*

#### REGIONAL GROWTH MANAGEMENT

**Green Buildings Project – Green Buildings Tour.** (All Directors – One Vote)

*That the report on the educational green building tour conducted as a part of the Green Buildings Project be received.*

#### CORPORATE AND COMMUNITY DEVELOPMENT

#### ADMINISTRATION

**Port Theatre Funding Request for Electoral Areas D and E.** (All Directors – One Vote)

1. *That the Regional District of Nanaimo proceed to referendum on November 19, 2005, to obtain the assent of electors in the remainder of Electoral Area D and Electoral Area E to establish individual Port Theatre Contribution Service Areas and that the referendum questions be as follows:*
  - i. *Are you in favour of the “Remainder of Electoral Area D Port Theatre Contribution Service Area Bylaw No. 1448” which, if enacted, would establish an annual contribution of \$3,575 to contribute towards the operation of the Port Theatre?*

- ii. *Are you in favour of the "Electoral Area E Port Theatre Contribution Service Area Bylaw No. 1449" which, if enacted, would establish an annual contribution of \$19,950 to contribute towards the operation of the Port Theatre?*
2. *That the "Remainder of Electoral Area D Port Theatre Contribution Service Area Bylaw No. 1448, 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.*
3. *That the "Electoral Area E Port Theatre Contribution Local Service Area Bylaw No. 1449, 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.*
4. *That the Port Theatre be required to report annually to a meeting of the Board.*

**Police Support Services Funding.** (Parksville, Qualicum Beach, EA's 'E', 'F', 'G' & 'H' – Weighted Vote)

*That assistance be provided to community based organizations providing police support services in the District 69 area through the 2005 general grants in aid function in the amount of \$3,064 for 2005 only.*

*That staff bring back the Police Support Services Establishing Bylaw No. 1421 report which considers establishing a new function to provide ongoing financial support to community based volunteer organizations delivering police support services to commence in 2006.*

**BUILDING INSPECTION**

**Section 57 of the Community Charter – Contravention of Bylaws.** (All Directors – One Vote)

**Property owners wishing to speak to their proposed filing.**

*That a notice be filed against the titles of the properties listed, pursuant to Section 57 of the Community Charter and that if the infractions are not rectified within ninety (90) days, legal action will be pursued.*

- (a) *Lot 14, Section 14, Range 2, Plan VIP67829, Cedar District, 1866 Kirkstone Way, Electoral Area 'A', owned by T. Ryan and K. Schroder;*
- (b) *Lot 1, Section 12, Range 2, Plan VIP76511, Cedar District, 2070 Grieve Road, Electoral Area 'A', owned by T. Davies and D. Bouchard;*
- (c) *Lot 2, Section 4, Gabriola Island, Plan 16716, Nanaimo District except that part in Plan VIP52510, 1780 Stalker Road, Electoral Area 'B', owned by T. Upton and B. Plummer;*
- (d) *Lot 2, District Lot 29, Plan VIP63647, Nanoose District and part of the Bed of the Strait of Georgia, 992 Lee Road, Electoral Area 'G', owned by A. Short.*

## **ELECTIONS**

### **Mail in Ballots. (All Directors – One Vote)**

*That the District continue to provide curb side voting at every voting place for electors with physical disabilities.*

## **ENVIRONMENTAL SERVICES**

### **LIQUID WASTE**

#### **Pump & Haul Local Service Area Amendment Bylaw No. 975.39 – Remora Place – Area E. (All Directors – One Vote)**

- 1. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include Lot 12, DL 8, Plan 20762, Nanoose Land District. (Remora Place in Electoral Area E.)*
- 2. That "Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.39, 2005" be read three times and forwarded to the Inspector of Municipalities for approval.*

## **UTILITIES**

#### **French Creek Sewer Local Service Area Bylaw No. 813.34 and Northern Community Sewer Local Service Area Bylaw No. 889.34 – 808 Wembley Road – Area G. (All Directors – One Vote)**

- 1. That "Regional District of Nanaimo French Creek Sewer Local Service Area Amendment Bylaw No. 813.34, 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.*
- 2. That "Northern Community Sewer Local Service Area Amendment Bylaw No. 889.34, 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.*

## **COMMISSION, ADVISORY & SELECT COMMITTEE**

### **District 69 Recreation Commission.**

(All Directors – One Vote)

*That the minutes of the District 69 Recreation Commission meeting held June 16, 2005 be received for information.*

(Parksville, Qualicum Beach, EA's 'E', 'F', 'G' & 'H' – Weighted Vote)

*That the recommendations in the 2005 Fees and Charges report be approved as follows:*

- 1. That the program, admission and rental fees for Oceanside Place in 2005/06 be approved as outlined in Appendix A.*

2. *That the program, admission and rental fees for Ravensong Aquatic Centre in 2006 be approved as outlined in Appendix B.*
3. *That Recreation Coordination program fees and recovery rates, administration fee and revenue-sharing percentage ratio for Term Instructor (Companies) agreements for 2006 be approved as outlined in Appendix C.*

**Regional Growth Monitoring Advisory Committee/State of Sustainability Project.** (All Directors – One Vote)

*That the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held June 15, 2005 be received for information.*

**Transit Business Plan Update Select Committee.** (All Directors – One Vote)

*That the minutes of the Transit Business Plan Update Select Committee meeting held June 30, 2005 be received for information.*

**7.3 EXECUTIVE STANDING COMMITTEE**

**7.4 COMMISSIONS**

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

**Electoral Area 'A' Recreation Services Study Project Advisory Committee.**

108-109 Minutes from the Electoral Area 'A' Recreation Services Study Project Advisory Committee meeting held July 14, 2005. (for information)

110-114 *That the Regional District proceed to Phase III of the Recreation Services Study to conduct a referendum in November 2005 for the creation of a local recreation service function in Electoral Area 'A'.*

**8. ADMINISTRATOR'S REPORTS**

115-116 2005 Emergency Planning Program Funding Application. (All Directors – One Vote)

117-121 Acceptance of 286 ha of Fee Simple Land for Community Park Use – Area B. (All Directors – One Vote)

**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**

*That pursuant to section 242.2(1)(h) of the Local Government Act the Board proceed to an In Camera meeting to consider legal matters.*



(Funding Healthcare Needs – Central Vancouver Island)

Linda Burgoyne,  
Regional District of Nanaimo,  
6300 Hammond Bay Road,  
Nanaimo, BC

July 8, 2005  
VIA FAX

Dear Ms. Burgoyne,

This letter confirms our conversation yesterday morning. Following a conversation with Mr. Sherry, I would respectfully fully request time on your July 26<sup>th</sup> agenda to update the Regional District on the activities of Nanaimo & District Hospital Foundation. I have a 3 minute CD-rom that I would like show which accompanies my presentation, do you have the equipment available?

Thank you so much for your assistance, I look forward to meeting you.

Sincerely,  
NANAIMO & DISTRICT HOSPITAL FOUNDATION

*Maeve O'Byrne*  
 Maeve O'Byrne  
 Chief Executive Officer

**Burgoyne, Linda**

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**From:** Frank Garnish [comets@shaw.ca]  
**Sent:** Monday, July 18, 2005 10:47 AM  
**To:** Burgoyne, Linda  
**Subject:** RDN Board Presentation

G' morning Linda,

Further to our phone conversation this morning, I would like to be added to the Board's July 26<sup>th</sup> agenda. I wish to make a presentation supporting a referendum for a recreation function in Area A. This presentation will challenge the staff recommendation not to proceed.

I intend to be focused and speak strongly on the issues in point form. My presentation will take less than five minutes. Thank you in advance for consideration of this request. Could you please confirm time and date by email?

Sincerely yours,

Frank Garnish

2512 Barnes Road, Nanaimo, B.C. V9X 1M7

(250) 722-2887

[comets@shaw.ca](mailto:comets@shaw.ca)

/18/2005

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE REGULAR MEETING OF THE BOARD  
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON  
TUESDAY, JUNE 28, 2005, AT 7:00 PM IN THE  
RDN BOARD CHAMBERS**

**Present:**

Director J. Stanhope	Chairperson
Director H. Kreiberg	Electoral Area A
Director G. Lund	Electoral Area B
Director E. Hamilton	Electoral Area C
Director D. Haime	Electoral Area D
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Alternate	
Director F. Demmon	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director D. Brennan	City of Nanaimo
Director G. Korpan	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director T. Krall	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director B. Holdom	City of Nanaimo

**Also in Attendance:**

K. Daniels	Chief Administrative Officer
B. Lapham	Deputy Administrator
N. Connelly	Gen. Mgr. of Community Services
M. Donnelly	Manager of Utilities
N. Avery	Manager of Financial Services
M. Pearse	Manager of Administrative Services

**DELEGATIONS**

MOVED Director Bartram, SECONDED Director Lund, that two late delegations be permitted to address the Board.

CARRIED

**Ken Zakreski, Gabriola Co-op Radio, re Funding.**

Mr. Zakreski advised the Board of the status of the petition in support of their proposal for funding.

**Jo-ann Chase, re Credit Card & Debit Card Abuses.**

Ms. Chase expressed her concerns with respect to identity theft and requested the Board write a letter to officials requesting an investigation into this problem.

**BOARD MINUTES**

MOVED Director Sherry, SECONDED Director McNabb, that the minutes of the regular Board meeting held May 24, 2005 and the Special Board meeting held June 14, 2005 be adopted.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

**Gordon Littlejohn, Timberwest Forest Company, re Review of Resource and Forestry Land Subdivision Regulation.**

MOVED Director Krall, SECONDED Director Bartram, that the correspondence from Timberwest Forest Company regarding review of the resource and forestry land subdivision regulation be received.

CARRIED

**Ian Savage, re Lantzville Official Community Plan.**

MOVED Director Krall, SECONDED Director Bartram, that the correspondence from Ian Savage regarding proposed changes to the Lantzville Official Community Plan be received.

CARRIED

**Ann Copas, re Development Permit Application No. 60517 – Robalta Holdings – Shoreline Drive – Area H.**

MOVED Director Krall, SECONDED Director Bartram, that the correspondence from Ann Copas regarding Development Permit Application No. 60517 be received.

CARRIED

**UNFINISHED BUSINESS**

**BYLAWS**

**For Adoption.**

**Bylaw No. 500.287 – Land Use and Subdivision Amendment Bylaw- Application ZA9626 – Rondalyn Resorts – 1350 Timberlands Road – Area C.**

MOVED Director Hamilton, SECONDED Director Kreiberg, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.287, 2002” be adopted.

CARRIED

**Bylaw No. 500.302 – Land Use and Subdivision Amendment Bylaw – Fern Road Consulting on behalf of West Coast Rangers – Spider Lake Road, Spider Lake Area – Area H.**

MOVED Director Bartram, SECONDED Director Holme, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.302, 2004” be adopted.

CARRIED

**Bylaw No. 500.312 – Land Use and Subdivision Amendment Bylaw – Fern Road Consulting on behalf of Brookwater Homes Inc. – MacPherson Road, Spider Lake Area – Area H.**

MOVED Director Bartram, SECONDED Director Holme, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.312, 2005” be adopted.

CARRIED

**Third Reading.**

**Bylaw No. 500.320 – Amendment to Minimum Parcel Size for Lots Created Pursuant to Section 946 of the *Local Government Act* – Electoral Areas ‘A’, ‘C’, ‘D’, ‘E’, ‘G’ & ‘H’.**

MOVED Director Hamilton, SECONDED Director Biggemann, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.320, 2005” be given 3<sup>rd</sup> reading.

CARRIED

MOVED Director Hamilton, SECONDED Director Kreiberg, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.320, 2005" be forwarded to the Ministry of Transportation for its approval.

CARRIED

**Public Hearings.**

**Report of the Public Hearing held June 13, 2005 with respect to Bylaw No. 500.309 – Land Use and Subdivision Amendment Bylaw – Williamson & Associates, BCLS, on behalf of Sanway Inc. – Claudet Road – Area E.**

MOVED Director Holme, SECONDED Director Kreiberg, that the report of the Public Hearing containing the summary of minutes and submissions of the Public Hearing held on June 13, 2005 as a result of public notification "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.309, 2005" be received.

CARRIED

MOVED Director Holme, SECONDED Director Kreiberg, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.309, 2005" be given 3<sup>rd</sup> reading.

CARRIED

MOVED Director Holme, SECONDED Director Kreiberg, that the conditions as outlined in Schedule No. 1 be secured and/or completed by the applicant to the satisfaction of the Regional District prior to consideration of adoption of Bylaw No. 500.309, 2005.

CARRIED

**Report of the Public Hearing held June 7, 2005 with respect to Bylaw No. 500.314 – Murray Hamilton on behalf of Owners of Strata Plan VIS5160 – Horne Lake Caves Road – Area H.**

MOVED Director Bartram, SECONDED Director D. Haime, that the report of the Public Hearing containing the summary of minutes and submissions of the Public Hearing held on June 7, 2005 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.314, 2005" be received.

CARRIED

MOVED Director Bartram, SECONDED Director D. Haime, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.314, 2005" be given 3<sup>rd</sup> reading.

CARRIED

MOVED Director Bartram, SECONDED Director D. Haime, that the conditions, as outlined in Schedule No. 1, be secured and/or completed by the applicant to the satisfaction of the Regional District of Nanaimo prior to consideration of adoption of Bylaw No. 500.314, 2005.

CARRIED

**Report of the Public Hearing held June 7, 2005 with respect to Bylaw No. 500.318 – RDN Recreation and Parks Department – Horne Lake Regional Park – Area H.**

MOVED Director Bartram, SECONDED Director Holme, that the report of the Public Hearing containing the summary of minutes and submissions of the Public Hearing held on June 7, 2005 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.318, 2005" be received.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.318, 2005" be given 3<sup>rd</sup> reading.

CARRIED

MOVED Director Bartram, SECONDED Director D. Haime, that the conditions, as outlined in Schedule No. 1, be secured and/or completed by the applicant to the satisfaction of the Regional District of Nanaimo prior to consideration of adoption of Bylaw No. 500.328, 2005.

CARRIED

**Report of the Public Hearing held June 7, 2005 with respect to Bylaw No. 500.319 – RDN Recreation and Parks Department – Qualicum River Corridor – Area H.**

MOVED Director Bartram, SECONDED Director Holme, that the report of the Public Hearing containing the summary of minutes and submissions of the Public Hearing held on June 7, 2005 as a result of public notification of “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.319, 2005” be received.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.319, 2005” be given 3<sup>rd</sup> reading and referred to the Ministry of Transportation for approval prior to consideration of adoption.

CARRIED

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

**ELECTORAL AREA PLANNING STANDING COMMITTEE**

MOVED Director Hamilton, SECONDED Director D. Haime, that the minutes of the Electoral Area Planning Committee meeting held June 14, 2005 be received for information.

CARRIED

**COMMUNICATION/CORRESPONDENCE**

**Angie Romanowski, re Nanoose Bay Official Community Plan.**

MOVED Director Holme, SECONDED Director Krall, that the correspondence from Angie Romanowski with respect to the Nanoose Bay Official Community Plan be received.

CARRIED

**Donna Golding & Don Heppner, re Nanoose Bay Official Community Plan.**

MOVED Director Holme, SECONDED Director Krall, that the correspondence from Donna Golding and Don Heppner with respect to the Nanoose Bay Official Community Plan be received.

CARRIED

**Peter & Ellen Leveille, re Nanoose Bay Official Community Plan.**

MOVED Director Holme, SECONDED Director Krall, that the correspondence from Peter and Ellen Leveille with respect to the Nanoose Bay Official Community Plan be received.

CARRIED

**Terence Bushell, re Nanoose Bay Official Community Plan.**

MOVED Director Holme, SECONDED Director Krall, that the correspondence from Terence Bushell with respect to the Nanoose Bay Official Community Plan be received.

CARRIED

**Mary & John Cowhig, re Nanoose Bay Official Community Plan.**

MOVED Director Holme, SECONDED Director Krall, that the correspondence from Mary and John Cowhig with respect to the Nanoose Bay Official Community Plan be received.

CARRIED

**Clarence Gustavson, re Nanoose Bay Official Community Plan.**

MOVED Director Holme, SECONDED Director Krall, that the correspondence from Clarence Gustavson with respect to the Nanoose Bay Official Community Plan be received.

CARRIED

**Rhys & Terry Harrison, re Nanoose Bay Official Community Plan.**

MOVED Director Holme, SECONDED Director Krall, that the correspondence from Rhys and Terry Harrison with respect to the Nanoose Bay Official Community Plan be received.

CARRIED

**Maurice Bergeron & Robin Fritz, re Nanoose Bay Official Community Plan.**

MOVED Director Holme, SECONDED Director Krall, that the correspondence from Maurice Bergeron and Robin Fritz with respect to the Nanoose Bay Official Community Plan be received.

CARRIED

**J. Maclachlan, re Nanoose Bay Official Community Plan.**

MOVED Director Holme, SECONDED Director Krall, that the correspondence from J. Maclachlan with respect to the Nanoose Bay Official Community Plan be received.

CARRIED

**Morris & Sandy Macklin, re Nanoose Bay Official Community Plan.**

MOVED Director Holme, SECONDED Director Krall, that the correspondence from Morris and Sandy Macklin with respect to the Nanoose Bay Official Community Plan be received.

CARRIED

**M. Laane, re Nanoose Bay Official Community Plan.**

MOVED Director Holme, SECONDED Director Krall, that the correspondence from M. Laane with respect to the Nanoose Bay Official Community Plan be received.

CARRIED

**K.B. Miller, Agricultural Land Commission, re Nanoose Bay Official Community Plan.**

MOVED Director Holme, SECONDED Director Krall, that the correspondence from the Agricultural Land Commission with respect to the Nanoose Bay Official Community Plan be received.

CARRIED

**Diane M. Pertson, re Nanoose Bay Official Community Plan.**

MOVED Director Holme, SECONDED Director Krall, that the correspondence from Diane M. Pertson with respect to the Nanoose Bay Official Community Plan be received.

CARRIED

**PLANNING**

**DEVELOPMENT PERMIT APPLICATIONS**

**Development Permit Application No. 60511 – Yochim – Marshall Road – Area H.**

MOVED Director Hamilton, SECONDED Director Bartram, that Environmentally Sensitive Features Development Permit Application No. 60511 with variances to legalize an existing dwelling unit, to allow the installation of a septic system and pedestrian footbridge and to permit re-vegetation of the riparian area, be approved according to the terms outlined in Schedule No. 1, subject to consideration of the comments received as a result of public notification.

CARRIED



**Development Permit Application No. 60517 – Robalta Holdings – Shoreline Drive – Area H.**

MOVED Director Hamilton, SECONDED Director Bartram, that Environmentally Sensitive Features (Coastal) Development Permit Application No. 60517 with variance to the minimum setback from the sea from 8.0 metres to 0.0 metres to allow a rip rap erosion protection device and the placement of fill on the Shoreline Drive property be approved, according to the terms outlined in Schedule No. 1, subject to consideration of comments received as a result of public notification.

CARRIED

**Development Permit Application No. 60518 – Keith Brown & Associates on behalf of 703262 BC Ltd. – 1922 Schoolhouse Road – Area A.**

MOVED Director Hamilton, SECONDED Director Kreiberg, that Development Permit No. 60518, with variances, for the property located at 1922 Schoolhouse Road to permit the construction of one freestanding sign be approved according to the terms outlined in Schedule No. 1, subject to consideration of comments received as a result of public notification.

CARRIED

**Development Permit Application No. 60519 – Lightfoot – 6208 Island Highway West – Area H.**

MOVED Director Hamilton, SECONDED Director Bartram, that Development Permit Application No. 60519 to allow for the construction of one single dwelling unit and one accessory building within the Watercourse Protection Development Permit Area be approved according to the terms outlined in Schedule No. 1, subject to consideration of comments received as a result of public notification.

CARRIED

**Development Permit Application No. 60520 – Kadyshevich/Carniato – 2281 Widgeon Road – Area H.**

MOVED Director Hamilton, SECONDED Director Bartram, that Development Permit Application No. 60520 for a parcel located at 2281 Widgeon Road, including variances to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, to legalize an existing non-conforming dwelling and gazebo, and to allow the construction of an addition, be approved according to the terms outlined in Schedule No. 1, subject to consideration of comments received as a result of public notification.

CARRIED

**Development Permit Application No. 60521 – Moeng and Tough – 3692 Horne Lake Caves Road – Area H.**

MOVED Director Hamilton, SECONDED Director Bartram, that Development Permit Application No. 60521 with variance to permit the construction of one accessory building and one wooden staircase be approved subject to the terms outlined in Schedule No. 1 and consideration of comments received as a result of public notification.

CARRIED

**Development Permit Application No. 60522 – Duval/Fern Road – 5487 Deep Bay Road – Area H.**

MOVED Director Hamilton, SECONDED Director Bartram, that Development Permit Application No. 60522 with variances be approved according to the terms outlined in Schedule No. 1, subject to consideration of comments received as a result of public notification.

CARRIED

**DEVELOPMENT VARIANCE PERMIT APPLICATIONS****Development Variance Permit Application No. 90514 – Request for Acceptance of Land for Park Land Purposes; and Request for Relaxation of the Minimum 10% Frontage Requirement – Michael Rosen on behalf of Island Creekside Properties LP – off Jingle Pot Road – Area D.**

MOVED Director Hamilton, SECONDED Director D. Haime, that Development Variance Permit Application No. 90514, submitted by Michael Rosen, on behalf of Island Creekside Properties LP, to relax the minimum parcel averaging provision for proposed Lot 46 from 80% to 20% of the required 2.0 parcel size; to relax the minimum 10% perimeter frontage requirement pursuant to section 944 of the Local Government Act for proposed Lots 2, 3, 14, 31, 63, 64, 65, 67 and 68; and to accept the offer to transfer to the Regional District, proposed Lots 45 and 59 for park land purposes, be approved subject to the conditions set out in Schedule No. 1 as amended to delete Lot 64 from Item No. 5, and Schedule No. 2, and to the notification requirements pursuant to the *Local Government Act*.

CARRIED

**OTHER****Review of Resource and Forest Land Subdivision Regulations.**

MOVED Director Hamilton, SECONDED Director Bartram, that staff be directed to prepare draft OCP and Zoning amendment bylaws that will amend the minimum parcel sizes as outlined in the staff report and that staff schedule a seminar with Electoral Area Directors prior to the next Board meeting.

CARRIED

**Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285 – Finetuning Project ALR Properties.**

MOVED Director Hamilton, SECONDED Director Biggemann, that the staff report recommending the introduction of “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw Amendment Bylaw No. 1285.05, 2005” be received.

CARRIED

MOVED Director Hamilton, SECONDED Director Biggemann, that “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw Amendment Bylaw No. 1285.05, 2005” be introduced and given 1<sup>st</sup> and 2<sup>nd</sup> reading and be referred to a Public Hearing.

CARRIED

MOVED Director Hamilton, SECONDED Director Biggemann, that the holding of the Public Hearing with respect to “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw Amendment Bylaw No. 1285.05, 2005” be delegated to Director Lou Biggemann or Director Joe Stanhope as his alternate.

CARRIED

**Electoral Area ‘F’ – Delegation of Authority for Non-Farm Uses.**

MOVED Director Hamilton, SECONDED Director Biggemann, that the staff report be received for information.

CARRIED

MOVED Director Hamilton, SECONDED Director Biggemann, that staff be directed to enter into discussion and negotiation with the Agricultural Land Commission with respect to drafting a Delegation Agreement for second dwellings as non-farm uses in the ALR in Electoral Area ‘F’.

CARRIED

MOVED Director Hamilton, SECONDED Director Biggemann, that staff commence the process for amending the A-1 land use zone of "Regional District of Nanaimo Zoning and Subdivision Bylaw No. 1285, 2002" and proceed to a Public Information Meeting to obtain comments and feedback from the community with respect to the proposed delegation of authority for second dwellings in the ALR in Electoral Area 'F'.

CARRIED

MOVED Director Hamilton, SECONDED Director Biggemann, that the Board receive the draft policy guidelines to assist in reviewing ALR applications received for second permanent dwellings in the ALR in Electoral Area 'F' as outlined in Schedule No. 1.

CARRIED

**Request for Acceptance of Cash in Lieu of Park Land Dedication – Leigh Millan, BCLS, on behalf of D and H Stimpson – Gould Road – Area A.**

MOVED Director Hamilton, SECONDED Director Kreiberg, hat the request, submitted by Leigh Millan, BCLS, on behalf of D & H Stimpson, for cash in-lieu-of park land dedication in conjunction with the subdivision of Lot 1, Section 11, Range 1, Cedar District, Plan 21265, Except Part in Plans 42157 & VIP60377, be accepted.

CARRIED

**Request for Acceptance of Dedication of Park Land – RG Fuller & Associates, on behalf of Land & Water BC – Alberni Highway – Area F.**

MOVED Director Hamilton, SECONDED Director Biggemann, that the request, submitted by RG Fuller & Associates, on behalf of Land & Water BC, for acceptance of an offer to dedicate 4.09 ha of park land and at the time of subdivision, dedicate a further 15.0 metre wide park land strip adjacent to the Alberni Highway in the location as shown on Schedule No. 1, be accepted.

CARRIED

**COMMITTEE OF THE WHOLE STANDING COMMITTEE**

MOVED Director Krall, SECONDED Director Sherry, that the minutes of the regular Committee of the Whole meeting held June 14, 2005 be received for information.

CARRIED

**UNFINISHED BUSINESS**

*From the Board Meeting held April 26, 2005.*

**UTILITIES**

**French Creek Sewer Local Service Area Bylaw No. 813.31 and Northern Community Sewer Local Service Area Bylaw No. 889.30 – H & F Ventures Ltd. – Lee Road – Area G.**

MOVED Director Sherry, SECONDED Director Holdom, that "French Creek Sewerage Facilities Local Service Area Amendment Bylaw No. 813.31, 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Sherry, SECONDED Director McNabb, that "Northern Community Sewer Local Service Area Amendment Bylaw No. 889.30, 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

**COMMUNITY SERVICES**

**REGIONAL GROWTH MANAGEMENT**

**Urban Containment and Fringe Area Management Implementation Agreement Review.**

MOVED Director Westbrook, SECONDED Director Holdom, that the Urban Containment Implementation Agreement be received.

CARRIED

MOVED Director Westbrook, SECONDED Director Holdom, that RDN staff be directed to consult with the public about the Urban Containment Implementation Agreement as recommended in the staff report.

CARRIED

MOVED Director Westbrook, SECONDED Director McNabb, that the Urban Containment Implementation Agreement be referred to the City of Nanaimo, the City of Parksville, the Town of Qualicum Beach and the District of Lantzville for information, at the commencement of the public consultation.

CARRIED

**CORPORATE AND COMMUNITY DEVELOPMENT**

**BUILDING INSPECTION**

**Section 57 of the Community Charter – Contravention of Bylaws.**

MOVED Director Holme, SECONDED Director Sherry, that a notice be filed against the title of the property listed, pursuant to Section 57 of the *Community Charter* and that staff be directed to proceed with legal action necessary to ensure the property listed is brought into compliance with Building Bylaw No. 1250:

Lot 15, Block 564, Plan VIP76465, Nanoose District, 1978 Kaye Road, Electoral Area 'G', owned by R. and T. Marston.

CARRIED

**FIRE DEPARTMENTS**

**Bylaws to Amend the Boundaries of the Extension Fire Protection Service and to Establish a New Fire Service in the Nanaimo River/South Forks Road Area.**

**Extension Fire Protection Service Conversion and Boundary Amendment Bylaw No. 1439.**

MOVED Director Hamilton, SECONDED Director Sherry, that "Extension Fire Protection Service Conversion and Boundary Amendment Bylaw No. 1439, 2005" be introduced for first three readings and be forwarded to the Ministry of Community, Aboriginal and Women's Services for approval.

CARRIED

**Nanaimo River Fire Protection Service Area Establishment Bylaw No. 1440.**

MOVED Director Hamilton, SECONDED Director McNabb, that "Nanaimo River Fire Protection Service Area Establishment Bylaw No. 1440, 2005" be introduced for first three readings and be forwarded to the Ministry of Community, Aboriginal and Women's Services for approval.

CARRIED

**Nanaimo River Fire Protection Service Area Loan Authorization Bylaw No. 1441.**

MOVED Director Hamilton, SECONDED Director Krall, that "Regional District of Nanaimo (Nanaimo River Fire Protection Service) Loan Authorization Bylaw No. 1441, 2005" be introduced for first three readings and be forwarded to the Ministry of Community, Aboriginal and Women's Services for approval.

CARRIED

**Extension Fire Protection Service Capital Charge Bylaw No. 1444.**

MOVED Director Hamilton, SECONDED Director Sherry, that "Extension Fire Protection Service Capital Charge Bylaw No. 1444, 2005" be introduced for first three readings.

CARRIED

**PLANNING**

**Riparian Areas Regulation.**

MOVED Director Westbroek, SECONDED Director Holdom,:

That the Board receive this report for information.

That that the Board request that the Minister of Water, Land and Air Protection provide a time period extension order delaying implementation of the RAR until December 31<sup>st</sup>.

CARRIED

MOVED Director Bartram, SECONDED Director Holme, that the Board direct staff to begin the process to amend the development permit areas as required to implement the Riparian Areas Regulation.

CARRIED

**ENVIRONMENTAL SERVICES**

**LIQUID WASTE**

**French Creek Pollution Control Centre Expansion and Upgrading Strategy.**

MOVED Director Westbroek, SECONDED Director Biggemann, that "Northern Community Sewer Service Area Development Cost Charges Bylaw No. 1442, 2005" be introduced for first and second readings and be forwarded for consultation as outlined in this report.

CARRIED

**Fairwinds Wastewater Treatment Development Cost Charge Bylaw No. 1443.**

MOVED Director Sherry, SECONDED Director McNabb, that "Fairwinds Wastewater Treatment Development Cost Charges Bylaw No. 1443, 2005" be introduced for first three readings and be forwarded to the Ministry of Community Services for approval.

CARRIED

**SOLID WASTE**

**Landfill Gas Utilization Development Agreement.**

MOVED Director Sherry, SECONDED Director McNabb, that the Board approve the Development Agreement with Suncurrent Industries Inc. to demonstrate the commercial viability of operating external combustion engines to generate electricity using landfill gas as an alternative fuel source.

CARRIED

**Residential Food Waste Collection Pilot Project.**

MOVED Director Sherry, SECONDED Director Kreiberg, that the Board approve a residential food waste diversion pilot project to be carried out in 2006.

CARRIED

**UTILITIES****Acquisition of the Breakwater Utility.**

MOVED Director Krall, SECONDED Director Sherry, that the Board support the expenditure of \$45,000 to assist in completing the transfer and operational agreements with EPCOR for ownership and operation of the Breakwater utility.

CARRIED

**French Creek Sewer Local Service Area Bylaw No. 813.33 and Northern Community Sewer Local Service Area Bylaw No. 889.33 – 889 Cavin Road – Area G.**

MOVED Director Sherry, SECONDED Director Holme, that “Regional District of Nanaimo French Creek Sewer Local Service Area Bylaw No. 813.33, 2005” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

MOVED Director Sherry, SECONDED Director Holme, that “Northern Community Sewer Local Service Area Bylaw No. 889.33, 2005” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

**Capital Asset Management Review – Infrastructure Planning (Study) Grant Applications.**

MOVED Director Sherry, SECONDED Director Brennan, that the Board support the applications to the Ministry of Community Services for planning grants to support the Capital Asset Management Reviews for Fairwinds Water, Nanoose Water, Arbutus Park Water, San Pareil Water and Fairwinds Sewer.

CARRIED

**Water System Audit – Infrastructure Planning (Study) Grant Applications.**

MOVED Director Sherry, SECONDED Director Holme, that the Board support the applications to the Ministry of Community Services for planning grants to support the Water System Audit for the Nanoose Peninsula Water Local Service Areas.

CARRIED

**Nanoose Bay Peninsula Water Services Amalgamation. (Bylaws No. 867.01, 929.04, 930.03, 788.04, 1255.02, 1288.01 and 1372.02)****Bylaw No. 867.01.**

MOVED Director Holme, SECONDED Director Sherry, that “Nanoose Bay Peninsula Water Services Amalgamation Bylaw No. 867.01, 2005” be introduced for first three readings and forwarded to the Ministry of Community Services for approval.

CARRIED

**Bylaw No. 929.04.**

MOVED Director Holme, SECONDED Director Krall, that “West Bay Estates Water Service Area Purpose Amendment Bylaw No. 929.04, 2005” be introduced for first three readings and forwarded to the Ministry of Community Services for approval.

CARRIED

**Bylaw No. 930.03.**

MOVED Director Holme, SECONDED Director Sherry, that “Arbutus Park Estates Water Service Area Purpose Amendment Bylaw No. 930.03, 2005” be introduced for first three readings and forwarded to the Ministry of Community Services for approval.

CARRIED

**Bylaw No. 788.04.**

MOVED Director Holme, SECONDED Director Sherry, that “Madrona Point Water Service Area Purpose Amendment Bylaw No. 788.04, 2005” be introduced for first three readings and forwarded to the Ministry of Community Services for approval.

CARRIED

**Bylaw No. 1255.02.**

MOVED Director Holme, SECONDED Director Biggemann, that “Driftwood Water Service Area Purpose Amendment Bylaw No. 1255.02, 2005” be introduced for first three readings and forwarded to the Ministry of Community Services for approval.

CARRIED

**Bylaw No. 1288.02.**

MOVED Director Holme, SECONDED Director Sherry, that “Fairwinds Water Service Area Purpose Amendment Bylaw No. 1288.01, 2005” be introduced for first three readings and forwarded to the Ministry of Community, Aboriginal and Women’s Services for approval.

CARRIED

**Bylaw No. 1372.02.**

MOVED Director Holme, SECONDED Director Krall, that “Nanoose Bay Water Supply Service Area Purpose Amendment Bylaw No. 1372.02, 2005” be introduced for first three readings and forwarded to the Ministry of Community Services for approval.

CARRIED

**COMMISSION, ADVISORY & SELECT COMMITTEE**

**Electoral Area ‘G’ Parks & Open Space Advisory Committee Appointment.**

MOVED Director Holme, SECONDED Director C. Haime, that Alan Birchard be appointed to the Electoral Area ‘G’ Parks & Open Space Advisory Committee for a term ending December 31, 2007.

CARRIED

**District 69 Recreation Commission.**

MOVED Director Bartram, SECONDED Director Holdom, that the minutes of the District 69 Recreation Commission meeting held May 19, 2005 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Biggemann, that the Board release the freeze placed on the District 69 Recreation Youth and Community Grant funds, that they continue their discussions with regard to the Community Policing Services and plan for Community Policing as a budget item in 2006 and that they approve the recommendations from the District 69 Recreation Commission Grants Committee for the following Recreation Youth and Community Grants:

***Youth Recreation Grants***

Ballenas Cheer Team	\$ 1,500
District 69 Family Resource Association – Youth Link	\$ 2,000
Kidfest	\$ 1,500
Kwalikum Senior Secondary School Prom and Dry Grad Committee	\$ 1,250
Oceanside Arts Council – summer youth theatre	\$ 725
Oceanside Minor Baseball – improve Springwood old Pee Wee field	\$ 2,500
Women and Girls in Sport – hockey clinics and equipment	\$ 1,350

**Community Recreation Grants**

Errington Therapeutic Riding Association – insurance and tack	\$ 1,300
Errington War Memorial Hall Association – chairs	\$ 2,250
Nanoose Place Landscaping Project	\$ 1,500
Nicholls Park Revitalization Project	\$ 1,000
Oceanside Lyric Ensemble	\$ 1,100
Parksville Seniors Athletic Group	\$ 230
Qualicum Beach Family Day	\$ 750
Village Voices of Qualicum Beach – choral risers	\$ 2,100

CARRIED

**Regional Growth Monitoring Advisory Committee/State of Sustainability Project.**

MOVED Director Holdom, SECONDED Director Bartram, that the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held May 18, 2005 be received for information.

CARRIED

**Regional Parks Plan Review Select Committee.**

MOVED Director Kreiberg, SECONDED Director McNabb, that the minutes of the Regional Parks Plan Review Select Committee meeting held May 10, 2005 be received for information.

CARRIED

MOVED Director Kreiberg, SECONDED Director Brennan, that the Terms of Reference for the establishment of the Regional Parks and Trails Advisory Committee be approved with the inclusion of the Board Chair as a voting member.

CARRIED

**Area ‘H’ Parks & Open Space Advisory Committee.**

MOVED Director Bartram, SECONDED Director Krall, that the minutes of the Electoral Area ‘H’ Parks & Open Space Advisory Committee meeting held March 16, 2005 be received for information.

CARRIED

**Nanoose Bay Parks and Open Space Advisory Committee.**

MOVED Director Holme, SECONDED Director Kreiberg, that the minutes of the Nanoose Bay Parks and Open Space Advisory Committee meeting held May 2, 2005, be received for information.

CARRIED

**NEW BUSINESS**

**Horne Lake Caves Road.**

MOVED Director Bartram, SECONDED Director Biggemann, that the RDN request the Ministry of Transportation to assign high priority to the upgrading of Horne Lake and Horne Lake Caves Roads because of the dangerous mix of high-volume industrial and recreational vehicle traffic now sharing the roads and the significant public safety concerns that have resulted.

CARRIED

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

**Nanoose Bay Parks & Open Space Advisory Committee Appointment.**

MOVED Director Holme, SECONDED Director Krall, that Stephen Watson be appointed to the Nanoose Bay Parks & Open Space Advisory Committee for a term ending December 31, 2006.

CARRIED



**ADMINISTRATOR'S REPORTS**

**Rezoning of Resource and Forest Land Subdivision Regulations – Bylaws No. 1240.02, 1148.03, 1055.02, 1115.03, 1007.04, 1335.01, 500.325 and 1285.06.**

MOVED Director Kreiberg, SECONDED Director Holme, that “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Amendment Bylaw No. 1240.02, 2005” be given 1<sup>st</sup> and 2<sup>nd</sup> reading.  
CARRIED

MOVED Director Hamilton, SECONDED Director Bartram, that “Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.03, 2005” be given 1<sup>st</sup> and 2<sup>nd</sup> reading.  
CARRIED

MOVED Director D. Haime, SECONDED Director Holme, that “Regional District of Nanaimo East Wellington – Pleasant Valley Official Community Plan Amendment Bylaw No. 1055.02, 2005” be given 1<sup>st</sup> and 2<sup>nd</sup> reading.  
CARRIED

MOVED Director Holme, SECONDED Director Kreiberg, that “Regional District of Nanaimo French Creek Official Community Plan Amendment Bylaw No. 1115.03, 2005” be given 1<sup>st</sup> and 2<sup>nd</sup> reading.  
CARRIED

MOVED Director Bartram, SECONDED Director Biggemann, that “Regional District of Nanaimo Shaw Hill – Deep Bay Official Community Plan Amendment Bylaw No. 1007.04, 2005” be given 1<sup>st</sup> and 2<sup>nd</sup> reading.  
CARRIED

MOVED Director Bartram, SECONDED Director Kreiberg, that “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Amendment Bylaw No. 1335.01, 2005” be given 1<sup>st</sup> and 2<sup>nd</sup> reading.  
CARRIED

MOVED Director Holme, SECONDED Director D. Haime, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.325, 2005” be given 1<sup>st</sup> and 2<sup>nd</sup> reading.  
CARRIED

MOVED Director Biggemann, SECONDED Director Kreiberg, that “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Amendment Bylaw No. 1285.06, 2005” be given 1<sup>st</sup> and 2<sup>nd</sup> reading.  
CARRIED

MOVED Director Holme, SECONDED Director Bartram, that Bylaw No. 1240.02, 2005, Bylaw No. 1148.03, 2005, Bylaw No. 1055.02, 2005, Bylaw No. 1115.03, 2005, Bylaw No. 1007.04, 2005, Bylaw No. 1335.01, 2005, Bylaw No. 500.325, 2005, and Bylaw No. 1285.06, 2005 be referred to a Public Hearing.  
CARRIED

MOVED Director Bartram, SECONDED Director Holme, that the public hearing on Bylaw No. 1240.02, 2005, Bylaw No. 1148.03, 2005, Bylaw No. 1055.02, 2005, Bylaw No. 1115.03, 2005, Bylaw No. 1007.04, 2005, Bylaw No. 1335.01, 2005, Bylaw No. 500.325, 2005, and Bylaw No. 1285.06, 2005 be delegated to Elaine Hamilton, Chair of the Electoral Area Planning Committee or her alternate.  
CARRIED

**BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS**

**Credit Card & Debit Card Abuses.**

MOVED Director Korpan, SECONDED Director Westbrook, that the Regional District of Nanaimo Board correspond to the federal and provincial governments, with copies to local MLA's and MP's, seeking early and effective privacy action regarding credit card and debit information.

CARRIED

**NEW BUSINESS**

**District 69 Community Policing Grants.**

The Chief Administrative Officer advised that a report would be presented to the next Committee meeting in regard to community policing grants.

**Green Building Tour.**

Director Holdom reported on the recent green buildings tour that a number of Board members attended.

**IN CAMERA**

MOVED Director Sherry, SECONDED Director McNabb, that pursuant to section 90(1)(h) of the *Community Charter* the Board proceed to an In Camera meeting to consider legal matters.

CARRIED

**ADJOURNMENT**

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

CARRIED

TIME: 7:50 PM

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CHAIRPERSON

---

DEPUTY ADMINISTRATOR

DP60532

REGIONAL DISTRICT of  
NANAIMO

MARGARET & TONY GIBLETT  
3807 Amberwood Lane,  
Nanoose Bay,  
Vancouver Island, BC V9P 9G8  
Tel: (250) 468-1791 Fax: (250) 468-1792

20 JULY 05

Sir,

LOT 19 DISTRICT LOT 78 NANAIMO DISTRICT

PHAN 47638

I oppose the variance on the above lot reducing the set back to 5.0 metres.

A variance was allowed on plot 14 reducing the set back, this resulted in both loss of view & the removal of waterside trees & shrubs. Maintaining a street water front line, except in very exceptional circumstances, is in the best interests of all home owners & preserves the water front appearance.

There are at present five empty lots circling this very small bay, in order not to set a precedent & a rush of variances resulting in a mish mash of water front building lines I strongly urge the Board to hold the line on Minimum Setback Requirements.

Yours faithfully



M.A. GIBLETT



REGIONAL DISTRICT OF NANAIMO			
CHAIR		GM Cms	
CAO		GM ES	
DA CCD		MoF	
JUL 19 2005			
<i>Red</i>			

**MEMORANDUM**

**TO:** Jason Llewellyn  
Manager, Community Services

**DATE:** July 19, 2005

**FROM:** Brigid Reynolds  
Senior Planner

**FILE:** 3360 30 0508

**SUBJECT:** Amendment Bylaw No. 500.319, 2005  
RDN Recreation and Parks Department  
Electoral Area 'H' – Qualicum River Corridor

**PURPOSE**

To consider Bylaw 500.319, 2005 for adoption.

**BACKGROUND**

This is a zoning amendment application to amend the zoning from Resource Management 1 'A' subdivision district (RMI/A) to Public Use 5 'Z' subdivision district (PU5/Z) for the federally owned lands adjacent to the Qualicum River.

Bylaw No. 500.319, 2005 was introduced and given 1<sup>st</sup> and 2<sup>nd</sup> reading on April 26, 2005. This was followed by a Public Hearing held on June 7, 2005. The Board then granted the Bylaw 3<sup>rd</sup> reading on June 28, 2005.

The subject properties, legally described as Those Parts of District Lot 254, Alberni District, Shown Outlined in Red on Plan 1735R; Block 39 Alberni District, Plan 691N; Lots 1 and 2, District Lot 254, Alberni District, Plan 35345; and That Part of Parcel A (DD33934I) of District Lot 251 E&N, Alberni District, Shown on Plan 1735R are located south of the Qualicum First Nation Reserve Lands and run to Horne Lake, and are Federal Crown Land.

This application is being initiated by the Regional District of Nanaimo (RDN) in order to recognize the existing uses and to make the zoning consistent with the Official Community Plan. The "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003" designates these properties as Park Lands (Unconfined Aquifer within Crown Lands), therefore the proposed zoning amendment is an implementation action from the OCP.

**ALTERNATIVES**

1. To adopt Bylaw No. 500.319.
2. To not adopt Bylaw No. 500.319.

**INTERGOVERNMENTAL IMPLICATIONS**

Referrals were sent to Public Works Canada, Qualicum First Nation, Federal Fisheries and Oceans, BC Parks, Ministry of Transportation, Vancouver Island Health Authority, and Terasen Gas. Ministry of Transportation staff has indicated that the Ministry does not have any objections to this application. This amendment bylaw received approval by the Ministry pursuant the *Transportation Act* on July 6, 2005.

Federal Fisheries and Oceans and Federal Public Works staff has indicated they do not have any objections to this application.

**VOTING**

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


**SUMMARY**

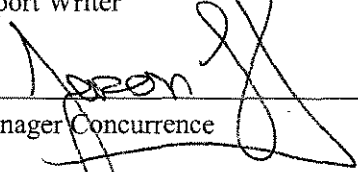
"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.319, 2005" was given 1<sup>st</sup> and 2<sup>nd</sup> reading on April 26, 2005. A Public Hearing was held on June 7, 2005 and the Bylaw was given 3<sup>rd</sup> reading on June 28, 2005. There were no Conditions of Approval as the zoning amendment is intended to recognize existing uses on the subject properties and to make the zoning consistent with the recently adopted "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003."


The following recommendation is provided for consideration by the Board.

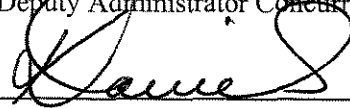
**RECOMMENDATION**

That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.319, 2005", be adopted.

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

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

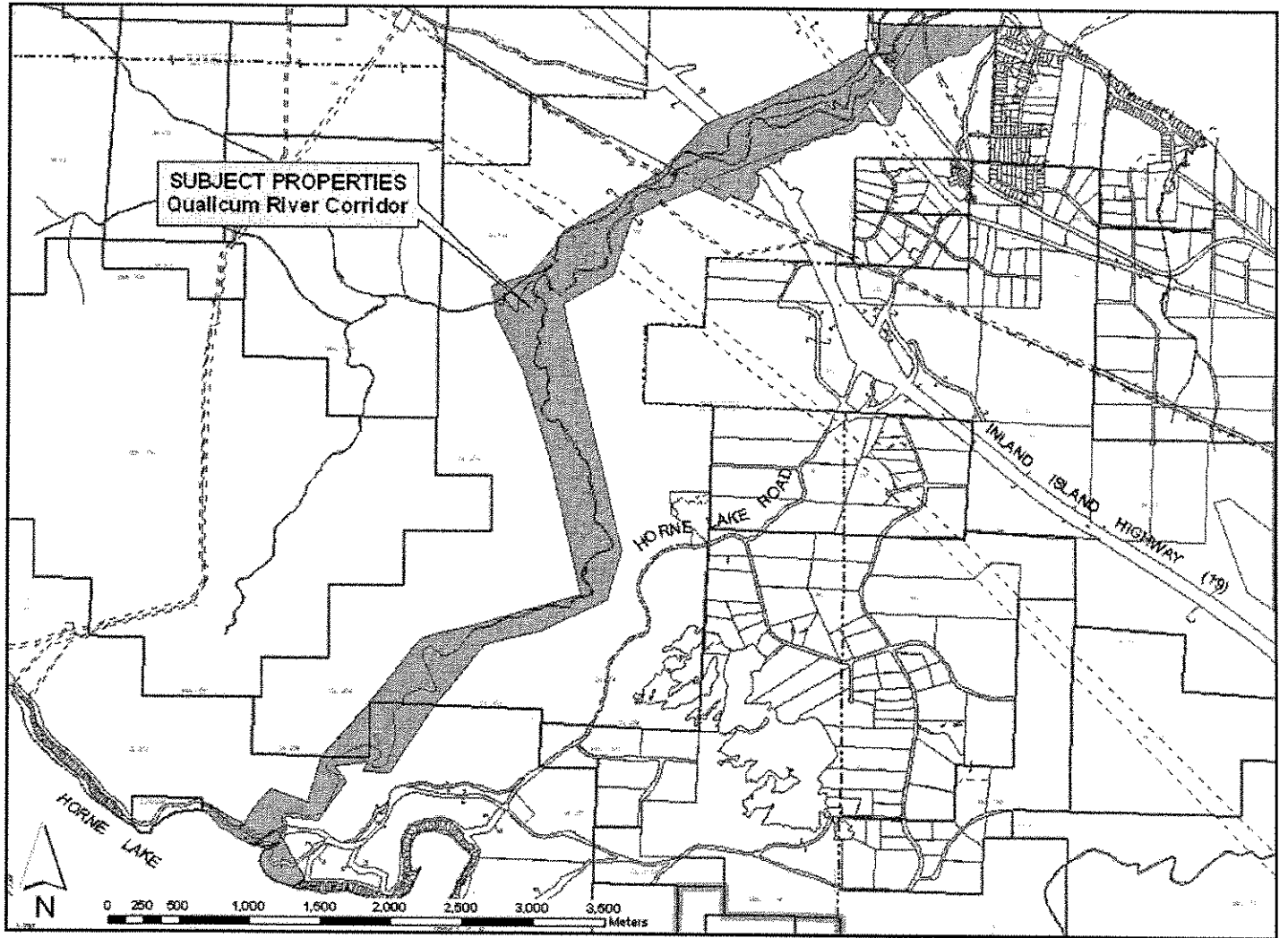
  
\_\_\_\_\_  
Deputy Administrator Concurrence

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

COMMENTS:  
*devsvs/reports/2005/ZA3360 30 0508 ju brd Qualicum River adopt*

**SCHEDULE NO. 1**

**Location of Subject Properties**





REGIONAL DISTRICT OF NANAIMO			
CHAIR		GM Cms	
CAO		GM ES	
DA CCD		MoF	
JUL 19 2005			
[Signature]			

**MEMORANDUM**

**TO:** Jason Llewellyn  
Manager, Community Planning

**DATE:** July 19, 2005

**FROM:** Keeva Kehler  
Planner

**FILE:** 3360 30 0511

**SUBJECT:** Amendment Application ZA0511 – 946 Text Amendment –Bylaw No. 500.320, 2005  
All Electoral Areas, Except ‘B’ and ‘F’

**PURPOSE**

To consider Bylaw 500.320, 2005 for adoption.

**BACKGROUND**

Bylaw No. 500.320, 2005 was introduced and given 1<sup>st</sup> and 2<sup>nd</sup> reading on May 24, 2005. The Board waived the Public Hearing requirement and placed a notice of intent to adopt in the June 22, 2005 and June 24, 2005 editions of the *Harbour City Star* and the *Oceanside Star* and granted 3<sup>rd</sup> reading for the Bylaw on June 28, 2005. The Ministry of Transportation approved the Amendment Bylaw on July 14, 2005.

The purpose of this amendment bylaw is to amend Part 4.4.3 of the Subdivision Regulations of “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” by increasing the minimum parcel size for subdivision pursuant to section 946 of the *Local Government Act* from 2500 m<sup>2</sup> to a minimum parcel size of 1.0 ha.

**ALTERNATIVES**

1. To adopt Bylaw No. 500.320.
2. To not adopt Bylaw No. 500.320.

**VOTING**

Electoral Area Directors - one vote except Electoral Area ‘B’.

**SUMMARY**

Bylaw No. 500.320, 2005 was introduced and given 1<sup>st</sup> and 2<sup>nd</sup> reading on May 24, 2005. The Board waived the Public Hearing requirement and placed a notice of intent to adopt in the June 22, 2005 and June 24, 2005 editions of the *Harbour City Star* and the *Oceanside Star* and granted 3<sup>rd</sup> reading for the Bylaw on June 28, 2005. The Ministry of Transportation approved the Amendment Bylaw on July 14, 2005.

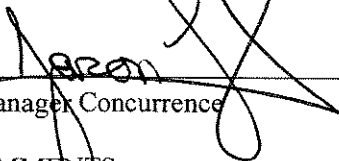
The following recommendation is provided for consideration by the Board.

**RECOMMENDATION**

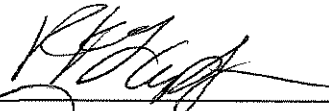
That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.320, 2005" be adopted.



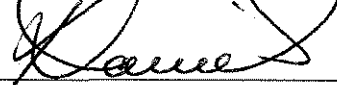
Report Writer



Manager Concurrence



Deputy Administrator Concurrence



CAO Concurrence

**COMMENTS:**

*devsvs/reports/2005/ZA3360 30 0511 July Board 946 adopt*





**VOTING**


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

**SUMMARY**

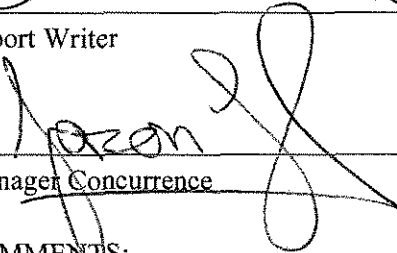
"Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw Amendment Bylaw No. 1285.06, 2004" received 1<sup>st</sup> and 2<sup>nd</sup> Reading at the October 26, 2004 Regular Board meeting. The Public Hearing for the Amendment Bylaw was held on November 16, 2004. The Amendment Bylaw received 3<sup>rd</sup> Reading on November 23, 2004. As the applicant has now met all of the required conditions of approval as outlined in Schedule No. 2, staff recommends that the Board consider adoption of Bylaw No. 1285.06, 2004.

**RECOMMENDATIONS**

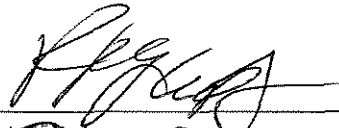
That "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw Amendment Bylaw No. 1285.06, 2004" be adopted.



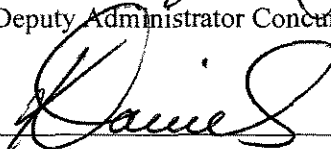
Report Writer



Manager Concurrence



Deputy Administrator Concurrence



CAO Concurrence

**COMMENTS:**

*devsvs/reports/2005/ZA3360 30 0413 ju Huntbatch adoption*

**SCHEDULE NO. 1  
Proposed Bylaw**

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 1285.06**

**A Bylaw to Amend Regional District of Nanaimo Electoral Area 'F'  
Zoning and Subdivision Bylaw No. 1285, 2002**

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

A. **Schedule 'A'** of "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002", is hereby amended as follows:

1. **SECTION 4 - Zones**, is hereby amended by adding the following zone and corresponding short title after Section 4.38 CD-15 2701 Alberni Highway:

Section 4.39 CD-16 2116 Alberni Highway

as shown on Schedule '1', which is attached to and forms part of this bylaw.

B. **Schedule 'B'** of Zoning and Subdivision Map is hereby amended from A-1 (Agricultural 1) to CD-16 2116 Alberni Highway the land legally described as:

Lot 12, Salvation Army Lots, Nanoose District, Plan 1115, Except Part in Plan 734 RW

as shown in heavy outline on Schedule '2', which is attached to and forms part of this bylaw.

C. This Bylaw may be cited as "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw Amendment Bylaw No. 1285.06, 2004."

Introduced and read two times this 26<sup>th</sup> day of October 2004.

Public Hearing held pursuant to Section 890 of the *Local Government Act* this 16<sup>th</sup> day of November 2004.

Read a third time this 23<sup>rd</sup> day of November 2004.

Adopted this \_\_\_\_ day of \_\_\_\_\_ 2005.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Deputy Administrator

**CD-16 2116 Alberni Highway****Section 4.39****4.39.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Farm Use
- c) Kennel, for the keeping of Exotic Birds only

**4.39.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Restaurant
- c) Accessory Retail Sales
- d) Farm Business
- e) Home Based Business

Notwithstanding the Permitted Principal Uses listed above, any use designated or permitted to be a 'farm use' by the Agricultural Land Commission or the Ministry of Agriculture, Food and Fisheries is permitted within this zone.

**4.39.3 Regulations Table**

<b>Category</b>	<b>Requirements</b>
a) Maximum Density	2 Dwelling Units per lot, provided that one Dwelling Unit is a Manufactured Home.
b) Minimum Lot Size	4 ha
c) Minimum Lot Frontage	100 metres
d) Maximum Lot Coverage	10%
e) Maximum Building & Structure Height	10 metres
f) Minimum Setback from	
i) Front and Exterior Side Lot Lines	4.5 metres
ii) All Other Lot Lines	4.5 metres
g) Minimum Setback of all buildings or structures housing livestock or manure from all lot lines and/ or watercourses	30 metres
h) Runoff Control Standards	As outlined in Section 2.5
i) General Regulations	Refer to Section 2 – General Regulations
j) Parking Regulations	1 space per 100m <sup>2</sup> of parrot refuge 1 space per 3 seats of concession
k) Other Parking Requirements	For stall dimensions and handicapped spaces, refer to Section 2.17.4

**4.39.4 Regulations**

- a) The maximum floor area permitted for the accessory restaurant and accessory retail sales shall not exceed a combined floor area of 50m<sup>2</sup>.
- b) The maximum number of seats in the accessory restaurant area shall be 20.

**SCHEDULE NO. 2**  
**Conditions of Approval for**  
**Zoning Amendment Application No. ZA0413**  
**Wendy Huntbatch**

*The following conditions must be met prior to the Board considering final adoption of the amendment Bylaw:*

1. Applicant to submit a copy of the approval to install sewage disposal works from the Vancouver Island Health Authority for the proposed parrot refuge, accessory retail store, accessory food concession and private residence.
2. Applicant to submit a storm water drainage management plan prepared by a professional engineer, including details on the size and location of proposed retention ponds and proposed outflow for drainage waters. The installation of the drainage works shall be supervised by the applicant's engineer and a report must be submitted by the engineer detailing the works upon completion.
3. Applicant shall provide written confirmation from the Agricultural Land Commission that the proposed uses are permitted. This approval may require an official non-farm use application pursuant to the *Agricultural Land Commission Act*.

**ATTACHMENT NO. 1**  
**Correspondence from ALC**

July 8, 2005

Reply to the attention of Ron Wallace

Wendy Huntbatch  
Box 645 -- 2116 Alberni Highway  
Coombs, BC -- V0R 1M0

Dear Madam:

**Re: Application # S-36004**  
**Lot 12, Salvation Army Lots, Nanoose District, Plan 1115, EXCEPT Part in Plan 734RW**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to locate approximately 50 square meters of accessory retail and concession space within the Parrot Refuge facility. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on May 26, 2005. The Commission found the meeting and site visit informative.

The Commission writes to advise that it approved your application subject to:

- the use being restricted to the approximately 50 square meters area proposed within the parrot refuge facility.
- compliance with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment. The Commission suggests you contact the Regional District of Nanaimo at your earliest convenience.

The decision noted above is recorded as Resolution **#337/2005**.

Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of Nanaimo – 6635-05-0510  
BC Assessment, Nanaimo

RW/lv  
36004d1



REGIONAL DISTRICT OF NANAIMO			
CHAIR		GM Cms	
CAO		GM ES	
DA CCD		MoF	
JUL 20 2005			
<i>Red.</i>			

**MEMORANDUM**

**TO:** Jason Llewellyn  
Manager of Community Planning

**DATE:** July 19, 2005

**FROM:** Blaine Russell  
Planner

**FILE:** 3360 30 0415

**SUBJECT:** Bylaw Amendment Bylaw Nos. Amendment Bylaw No. 500.308, 2005  
Wessex Enterprises Ltd. / Addison  
Electoral Area 'C' Midora and Extension Road

**PURPOSE**

To receive the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held on Thursday, June 30, 2005, and further, to consider Bylaw No. 500.308 for 3<sup>rd</sup> reading.

**BACKGROUND**

Bylaw No. 500.308 was introduced and given 1<sup>st</sup> and 2<sup>nd</sup> reading on Tuesday, April 26, 2005. This was followed by a Public Hearing held on Thursday, June 30, 2005. The summary of the minutes and submissions is attached for the Board's consideration (*see Attachments No. 2 and 3*).

The purpose of this amendment bylaw is to rezone the parcel legally described as Parcel Z (DD K83923), Section 13, Range 1 and Sections 12 and 13, Range 2, Cranberry District from Rural 6 subdivision district 'V' (RU6V) to Extension Rural Residential Comprehensive Development Zone 19 (CD19) pursuant to "RDN Land Use and Subdivision Bylaw .No. 500, 1987." The rezoning is to facilitate the subdivision of nine residential parcels for which the average overall parcel size derived from the parent parcel is 2.0 hectares (*see Attachment No. 1*), plus park land and road dedication. In addition, the applicants' stated intent is to remove the existing coal pile over a number of years. The property is located adjacent Midora Road and Extension Road in the Extension Area of Electoral Area 'C' (*see Attachment No. 1 for location of subject property*).

The applicants are in concurrence to meet a number of conditions of development, which are to be completed prior to consideration of adoption of the bylaw. These conditions are outlined in Schedule No. 1 of this report.

**ALTERNATIVES**

1. To receive the Report of the Public Hearing and give 3<sup>rd</sup> reading to "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.308, 2005."
2. To receive the Report of the Public Hearing and deny "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.308, 2005."

## **INTERGOVERNMENTAL IMPLICATIONS**

Referrals were sent to the Ministry of Environment and the City of Nanaimo. Comments received include:

### ***Ministry of Environment (formally Ministry of Water Land and Air Protection)***

An acknowledgement letter from the Ministry has been received indicating that a Contaminated Site Profile in accordance with Section 7(1) of the Contaminated Site Regulation. The Ministry indicated that a Site Investigation by an approved professional is required and that final approval by the Local Government must be suspended until the Ministry has given consent.

### ***City of Nanaimo***

Two existing waterlines and a proposed storm drainage right-of-way are required to be secured prior to final reading.

The City of Nanaimo has indicated that an application for an exemption to the truck route bylaw is required where vehicles with a gross vehicle weight in excess of 13,700 kg are on a signed route.

The City of Nanaimo Development Services Department has indicated that, in their opinion, the development is consistent with the Regional Growth Strategy.

### ***Ministry of Transportation (MOT)***

The MOT has forwarded the Permission to Construct, Use, and Maintain Access to a Provincial Highway for the haul route along the old railway grade. In addition, the applicant has applied to the Approving Authority for subdivision.

### ***Ministry of Health***

Ministry staff has indicated that, with community water service, there is no objection to the subdivision.

### ***South West Extension Waterworks District***

South West Extension Waterworks District has indicated that the property is within the South West Extension Waterworks District and, as such, water would be provided to these lots in accordance with the District's Bylaws.

## **PUBLIC CONSULTATION IMPLICATIONS**

There was a written submission received at the Public Hearing, which is outlined in the Summary of the Minutes and Submissions of the Public Hearing (*see Attachments No. 2 and 3*).

## **VOTING**

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

## **SUMMARY**

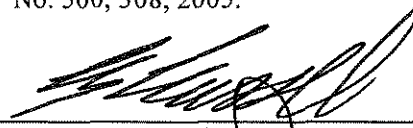
The purpose of Bylaw No. 500.308, 2005 is to rezone Parcel Z (DD K83923) Section 13, Range 1 and Sections 12 and 13, Range 2, Cranberry District and located adjacent to Midora Road and Extension Road in the Extension Area of Electoral Area 'C' to facilitate the subdivision of the parent parcel. The bylaw was introduced and given 1<sup>st</sup> and 2<sup>nd</sup> reading on Tuesday, April 26, 2005 and proceeded to Public Hearing



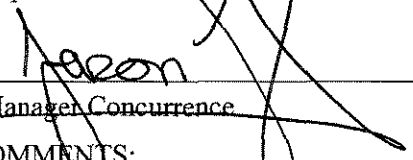
on Thursday, June 30, 2005. The requirements set out in the Conditions of Approval are to be completed by the applicants prior to the Board's consideration of the bylaw for adoption. Therefore, staff recommends that Bylaw No. 500.308, 2005 be considered for 3<sup>rd</sup> reading.

**RECOMMENDATIONS**

1. That the Report of Public Hearing containing the Summary of Minutes and Submissions of the Public Hearing held on June 30, 2005 as a result of public notification of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.308, 2005" be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.308, 2005" be given 3<sup>rd</sup> reading.
3. That the conditions as outlined in Schedule No. 1 be secured and/or completed by the applicants to the satisfaction of the Regional District of Nanaimo prior to consideration of adoption of Bylaw No. 500, 308, 2005.

  
\_\_\_\_\_


Report Writer

  
\_\_\_\_\_

Manager Concurrence

  
\_\_\_\_\_

Deputy Administrator Concurrence

  
\_\_\_\_\_

CAO Concurrence

COMMENTS:  
*devsvs/reports/2005/ZA3360 30 0415 ju brd Wessex Enterprises PH & 3rd*

**Schedule No. 1 (Page 1 of 2)**  
**Conditions for Approval for**  
**Zoning Amendment Application No. ZA0415**  
**Amendment Bylaw No. 500.308**  
**Parcel Z (DD K83923) Section 13, Range 1 and Sections 12 and 13, Range 2, Cranberry District**

The following conditions are to be completed prior to consideration of Amendment Bylaw No. 500.308 for 4<sup>th</sup> reading:

All covenants are to be prepared and registered by the applicants to the satisfaction of the Regional District of Nanaimo (RDN). Draft covenant documents are to be forwarded to the RDN for review prior to consideration of 4<sup>th</sup> reading.

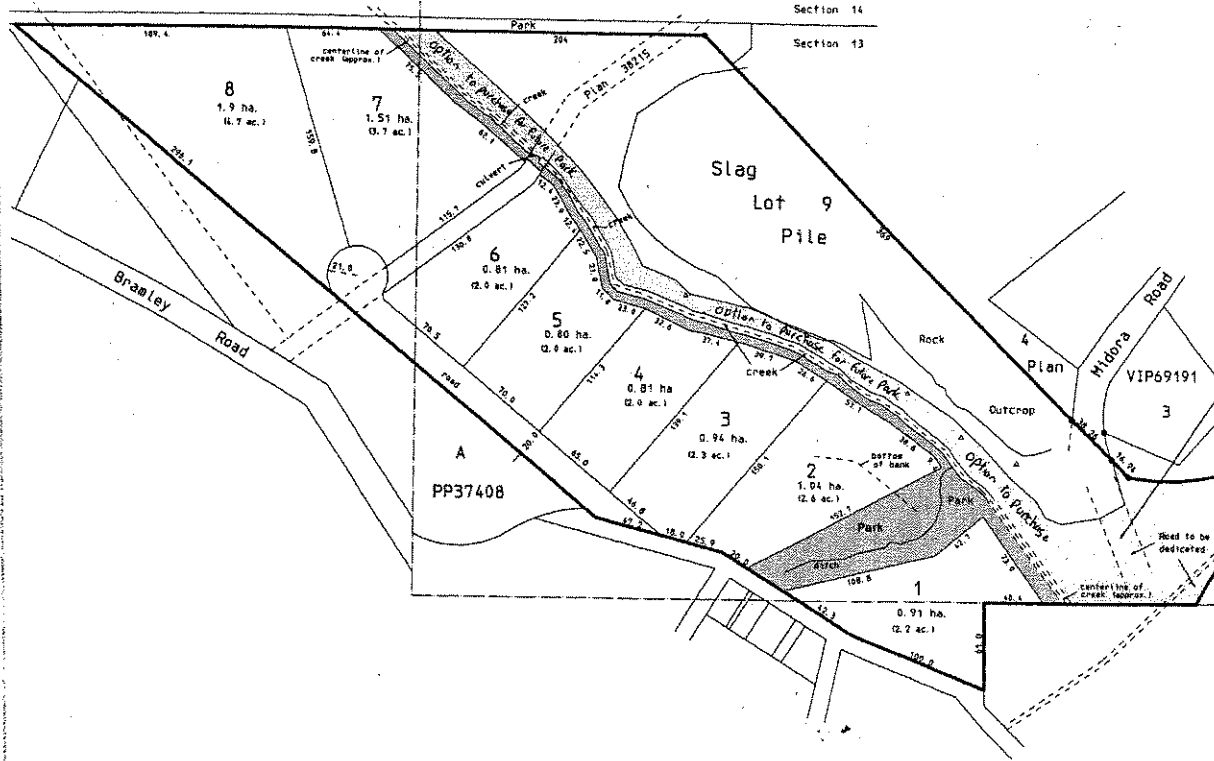
1. The registration of a section 219 covenant prepared and registered by the applicant to the satisfaction of the Regional District that secures the following:
  - a) That temporary access along the water main easement be secured for the Trans Canada Trail until the RDN takes possession of the option to purchase.
  - b) Geotechnical report as prepared by Robert Davies P.Eng. dated March 3, 2005 and any subsequent reports.
  - c) That the City of Nanaimo water mains located within Plan 38215 and Plan 2280 RW and a proposed drainage corridor be secured by easement or statutory right-of-way to the satisfaction of the City of Nanaimo.
  - d) Hours and days of operation, for the removal of soil (coal) shall be limited to 7:00am to 6:00pm with no operation to occur on weekends or statutory holidays.
  - e) Maximum extraction of soil (coal) shall not exceed 250 cubic metres per day with a maximum of 25 round trips per day from the property.
  - f) Trucks used for hauling to have a maximum capacity of no more than 40 metric tons and are to be covered by tarpaulin.
  - g) A specific hauling route as agreed between the RDN and applicants is to be used and that a maximum speed limit shall be prescribed to the satisfaction of the RDN.
  - h) Dust control and noise abatement methods shall be prescribed to the satisfaction of the RDN.
  - i) Wheel wash system is to be maintained on site for the duration of the coal or soil hauling activity.
  - j) Leave strip buffer of at least 15 metres from top of bank or, as amended by development permit, shall be flagged.
  - k) No processing of soil (coal) is to occur on the property.
  - l) Lockable gated to be used on proposed haul route as prescribed to the satisfaction of the RDN.
2. The applicant shall enter into an agreement with the RDN that \$15,000.00 may be held by the RDN as security for the proposed reclamation. That security must be provided in a form acceptable to the RDN. Alternatively, a section 219 covenant may be registered on title restricting the removal of coal or soil from the subject property until such an agreement and security in the amount of \$15,000.00 is provided.
3. The registration of a section 219 covenant restricting that the subject property will not be subdivided in any form including a subdivision pursuant to the *Strata Property Act* unless the transfer of land, in the amount and location as shown on Schedule No. 2 as option to purchase area (minus any road dedication) to the Regional District to be used as park land, is completed concurrently with the subdivision. The covenant is to be prepared and registered by the applicants to the satisfaction of the Regional District.

**Schedule No. 1 (Page 2 of 2)  
Conditions for Approval for  
Zoning Amendment Application No. ZA0415  
Amendment Bylaw No. 500.308  
Parcel Z (DD K83923) Section 13, Range 1 and Sections 12 and 13, Range 2, Cranberry District**

4. The applicants shall enter into an agreement with the RDN giving the Regional District of Nanaimo the right to purchase that portion of the subject property that was the old railway corridor and an area along Scannel Creek with a width approximately 15 metres for the sum of ten dollars Canadian (\$10.00) upon completion of the coal removal operation or within ten years of the date of agreement.
5. The property be included in the Building Inspection Services Area.
6. Confirmation from the City of Nanaimo that an exemption application for load restrictions on City roads has been approved or is not required.
7. Confirmation that the proposed location of the processing site conform to RDN bylaws.

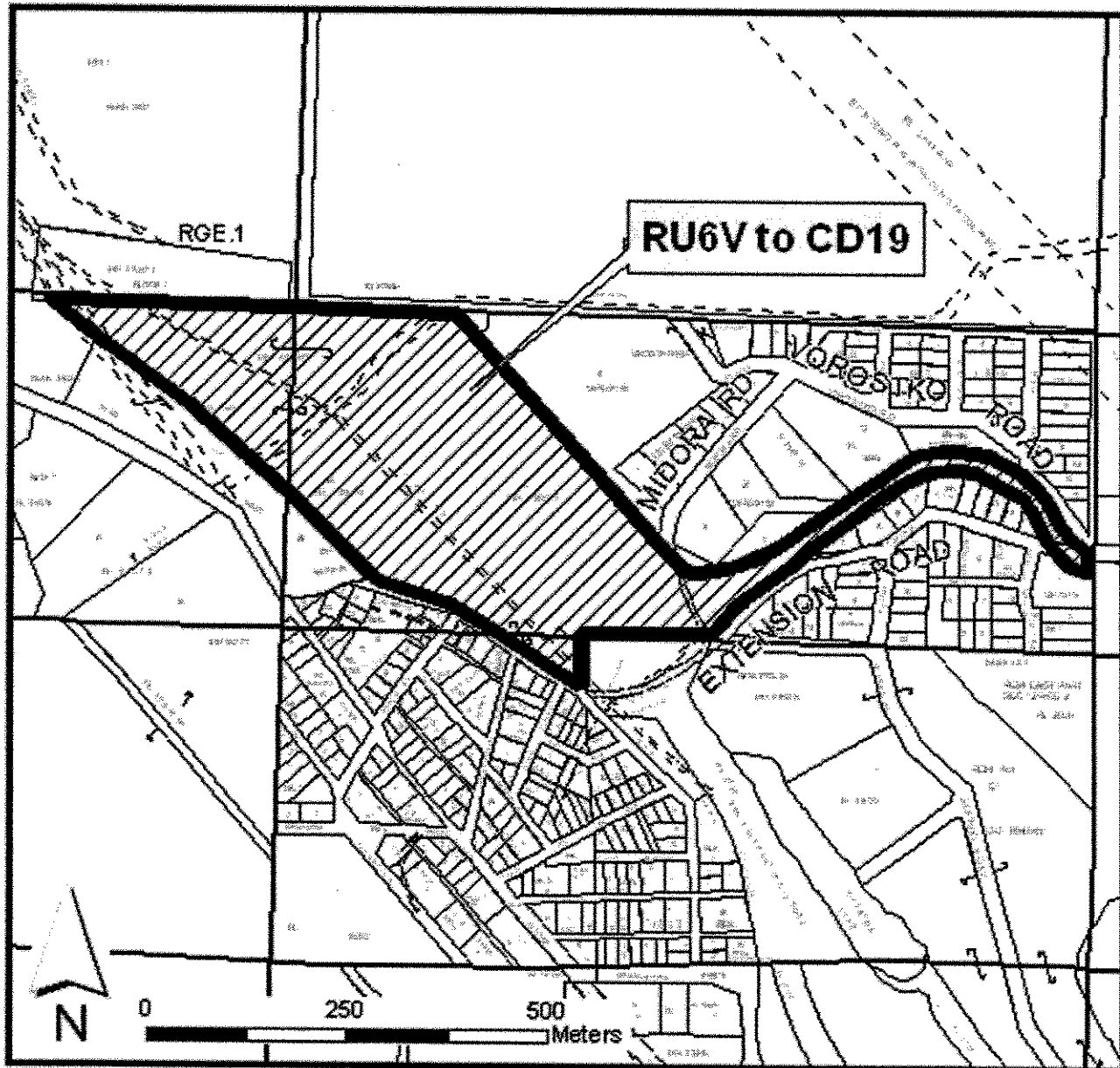
**Schedule No. 2 (Page 1 of 2)**  
**Proposed Plan of Development ZA0415**  
(as submitted by applicant /reduced for convenience)

**West Portion**





Attachment No. 1  
Location of Subject Property  
ZA0415



BCGS Map Sheet No. 92G.011.1.1

**Attachment No. 2 (Page 1 of 2)**

**REGIONAL DISTRICT OF NANAIMO**

**Report of the Public Hearing  
Held at Extension Community Hall  
2140 Ryder Street in the Extension Area of Electoral Area 'C'  
June 30, 2005 at 7:00 pm**

**To Consider Bylaw No. 500.308, 2005**

**Summary of Minutes and Submissions**

*Note: These minutes are not a verbatim recording of the proceeding but summarize the comments of those in attendance at the Public Hearing.*

**PRESENT:**

Elaine Hamilton, Chairperson, Director of Electoral Area 'C'  
Blaine Russell, Planner

There were 10 persons in attendance.

The Chairperson called the Hearing to order at 7:00 p.m., introduced those present representing the Regional District, and outlined the procedures to be followed during the Hearing.

The Planner provided an outline of the Bylaw including a summary of the proposal and the submissions received.

**Jan H Visser van Ijzendoorn 2218 Arbutus Road Victoria BC**

- Hopes parcel 1 is included into park, as it would only take 1 lot out of the total development.
- Is concerned with tree removal on the property.
- Would like to keep "my" old garage.
- Desirable to maintain coal pile, trees are growing in it now.
- With all restriction, it's a noisy business. The coal is a low quality fuel that leads to pollution.
- Map hard to read, would ask for new public hearing as presentation not clear.
- Was not at January Meeting.
- Lots are not 2 hectares.

**Brenda Shaw 670 Muzwell Hill Road**

- Would like coal removal to be done in timely fashion.

**Tanya Balatti 2100 Bramley Road**

- Does not want development, wants to keep Extension rural.

**Sharon Bennett 2505 Godfrey Road**

- Would rather coal hill stay.
- If it [coal removal] is to be done, would rather it be done for more hours but over a shorter period of time.

**Attachment No. 2 (Page 2 of 2)**

**REGIONAL DISTRICT OF NANAIMO**

**Report of the Public Hearing  
Held at Extension Community Hall  
2140 Ryder Street in the Extension Area of Electoral Area 'C'  
June 30, 2005 at 7:00 pm**

**To Consider Bylaw No. 500.308, 2005**

**Summary of Minutes and Submissions (continued)**

**Cheryl Tellier 2092 Scannel Rd**

- Would rather removal of coal hill occur over a shorter period of time rather than longer.

**Brenda Shaw 670 Muzwell Road**

- Concerned with type of dwellings in the proposed development. Specifically opposed to mobile homes.

**Wayne Hamilton 2150 John Street**

- Plans to register a building scheme on title to restrict mobile homes.

**Arlene Boutin 6944 Knight Vancouver BC (2055 Midora Road property owner)**

- Would like to retire in the area and is concerned principally if hauling occurs longer than 5 years along route.
- Also concerned with loose materials from trucks and there potential for impacts.

**The submission received at the Public Hearing is included as *Attachment No. 3*.**

The Chairperson called for formal submissions with respect to Bylaw 500.308, 2005.

The Chairperson called for further submissions for the second time.

The Chairperson called for further submissions a third and final time.

There being no further submissions, the Chairperson adjourned the Hearing at 7:30 p.m.

Certified true and accurate this 30<sup>th</sup> day of June, 2005.

---

Blaine Russell  
Recording Secretary

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Director Elaine Hamilton  
Chairperson, Electoral Area 'C'



Attachment No. 3 (Page 1 of 3)  
Written Submissions

One written submission was received from Jan H Visser van Ijzendoorn 2218 Arbutus Road Victoria BC:

Jan H. Visser van IJzendoorn VIA FAX Victoria, June 27, 2005  
2218 Arbutus Road  
Victoria, B.C. V8N1V3  
(250) 721-1632

to: REGIONAL DISTRICT OF NANAIMO, attn: Blane Russell  
(250) 390-7511

re: Rezoning application on Midora and Extension Roads in Extension.  
Bylaw #500-308-2005. Hearing: June 30, 2005

My property at 2910 Extension Road and 321 John Street will be negatively affected by the proposed rezoning.

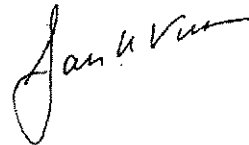
It had been my understanding that the southerly part of the subject parcel bought by Wessex Enterprises, the land North of my property, would all be dedicated to parkland and that there would be a rezoning to a maximum of 8 parcels of about 2.00 ha with one dwelling unit per parcel.

The draft I have received shows a dedicated parkland of only 1.00 ha and right in front of my house along Extension Road a parcel of 0.84 ha for one dwelling unit. The owner of that parcel could cut down all the trees along Extension Road and my house would be faced with a house in lieu of a forest. Wessex Enterprises has already inflicted great damage to this area by cutting down and selling many old growth Cedars and Firs, apparently with the District's approval.

My house on 2910 Extension Road (originally the General Store of the coalmining village) and the garage opposite the Store on the other side of the road were built around 1904. The use of that garage and the right to use and maintain that garage are appurtenant to the house. Who now or ever owned the underlying land is irrelevant to the right of the owner of the house to use and maintain that garage in perpetuity. I will only relinquish that right if I am compensated for the loss of that right.

In August 1997 I approached the District (Bob O'Brian, copy attached) with my concern that the public highway at the intersection of Extension Road and John Street is more and more encroaching upon my property. I proposed construction of a rounded curb on my property line 22' distant from the N.W. corner of my house. The highway is now only 10' distant from that corner waiting for an accident to happen. This situation must be resolved now that the rezoning application and the increase in traffic that would result from a rezoning, are on the table.

Sincerely,



Jul 27 2005 06:34PM P1

FAX NO.: 250 7211632

FROM: JAN H VISSER

Attachment No. 3 (Page 2 of 3)  
 Written Submissions

P. 1  
 FAX TO Bob O'Brian (250) 390-0296  
 From JAM.H. VISSER (250) 721-1832  
 RE: Corner of EXTENSION + JOHN streets  
 August 21, 1997. JAM

689 / 721832  
 269172

RYDER

157  
 Present Highway runs 12' from SW corner of House  
 60' from NW " " "  
 22' from NE " " "

I propose that a curb be constructed at a distance of 22' from the N side of the House and in a 1/4 circle 22' away from the NW corner of the House.

This could seem a reasonable compromise giving me a fair setback from the Road and providing a manageable intersection of EXTENSION and JOHN streets.

Sincerely,  
 Jan H. Visser  
 August 21, 1997

175'  
 Proposed New Curb.

175'  
 JOHN

150'

Present Situation

HOUSE

S  
 E W  
 N

34'  
 64'

22'

22'

EXTENSION

REGIONAL DISTRICT OF NANAIMO  
 BUILDING INSPECTION SERVICE  
 Application No. 21096  
 checked by

JAN H. VISSER

FAX NO.: 250 721832  
 Jun. 27 2005 06:35PM P2

Attachment No. 3 (Page 3 of 3)  
Written Submissions

*Jan H. Visser van IJzendoorn - VIA FAX - 70: Regional District of Nanaimo  
721-1632 attn. Blaine Russell. 390-7511*

*Dear Mr. Russell, Following my letter yesterday, I send you here an article  
I wrote in 1989 which may indicate my serious concern with the preservation  
of our natural heritage. Sincerely,*

A4 - Nov. 29 - Dec. 5, 1989 - Gordon Head/Saanich News

**Opinion**

*Jan H. Visser June 29, 2005*

**Your write**

**Saanich  
bulldozes  
our  
heritage**

Editor:  
Shame on Saanich.  
The bulldozer approach to municipal government has now been applied to the acquisition by Saanich of a nature park, north of Arbutus Cove (News,

"Saanich gets last slap over Link development," Nov. 22).  
Saanich hired the developer who is going to build 18 units on the western border of this park to do some cleaning up with a giant excavator.  
I invite all concerned citizens to come and look for themselves at this latest rape of nature.  
Entrance to the park is at 4235 Gordon Head Road.  
If government bulldozes people it is up to the people to stand up and fight or to buckle under. Apathy is a human right and, it seems, a Canadian virtue.

But the right to wantonly destroy natural vegetation must seriously be called into question.  
Our natural environment is our common heritage and it has been a grave misconception that the public or private owner of land has the right to exploit it at his pleasure.  
It is high time that the landowner be put in his proper place of "temporary caretaker" of the land entrusted to his personal use.  
As long as we don't have laws to protect our heritage vegetation it is our moral duty as

responsible citizens to respect and protect nature wherever we can.  
Our self-centred interests to make more money or to have a better view may never prevail over our duty to preserve a liveable environment for future generations.  
Saanich has seriously failed in its duty to govern wisely over the land entrusted to its care by allowing the unnecessary annihilation of heritage vegetation on the coast north of Arbutus Cove.  
Jan H. Visser-van-IJzendoorn

JUN 29 2005 01:33PM P1

FAX NO. : 250 7211632

FROM : JAN H. VISSER



REGIONAL DISTRICT OF NANAIMO			
CHAIR		GM Cms	
CAO		GM ES	
DA CCD		MoF	
JUL 18 2005			
<i>Brd.</i>			

MEMORANDUM

**TO:** Robert Lapham  
Deputy Administrator

**DATE:** July 15, 2005

**FROM:** Brigid Reynolds  
Senior Planner

**FILE:** 6480 00 EAE

**SUBJECT:** Nanoose Bay Official Community Plan - Bylaw No. 1400, 2005

PURPOSE

To receive the Report of the Public Hearing containing the Summary of the Minutes and Submissions of the Public Hearing held June 27, 2005 on "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005", and further, to consider Bylaw No. 1400 for 3<sup>rd</sup> reading.

BACKGROUND

The Nanoose Bay Official Community Plan (OCP) review process has been underway since January 2004. Recent actions on this planning project include the following:

- The Regional Board granted 1<sup>st</sup> and 2<sup>nd</sup> reading to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005" at a Special Board meeting on June 14, 2005.
- The Bylaw was referred to the Town of Qualicum Beach, City of Parksville, District of Lantzville, City of Nanaimo, Ministry of Community Services (previously Community, Aboriginal and Women's Services), Ministry of Transportation, Ministry of Environment (previously Water, Land and Air Protection), Ministry of Forests, Ministry of Agriculture, Food and Fisheries, Ministry of Sustainable Resource Management, Ministry of Energy and Mines, Land and Water BC, Agricultural Land Commission, School District #69, and Snaw-Naw-As First Nation (see Attachment No. 1 for referral comments received).
- A public hearing was held pursuant to the *Local Government Act* on June 27, 2005 with approximately 300 persons in attendance (see Attachment No. 1 for the Summary of the Minutes and Submissions of the Public Hearing and public comments received on the Bylaw).

ALTERNATIVES

1. To receive the Report of the Public Hearing, grant 3<sup>rd</sup> reading to Bylaw No. 1400, 2005 and to refer the Bylaw to the Ministry of Community Services for consideration of approval.
2. To receive the Report of the Public Hearing on Bylaw No. 1400, 2005 and to grant 3<sup>rd</sup> reading of Bylaw No. 1400, 2005 with amendments outlined in Schedule No. 1 and to refer the Bylaw to the Ministry of Community Services for consideration of approval.

## **PUBLIC CONSULTATION IMPLICATIONS**

The Nanoose Bay Official Community Plan Bylaw No. 1400, 2005 is the result of a year-long planning process involving public consultation with residents, property owners, stakeholders, municipal, provincial, and federal agencies. Throughout this process, community preferences and values were identified, clarified, and verified to ensure the Plan is not only reflective of community values; it also addresses the objectives and goals of the Regional Growth Strategy and the applicable government agencies.

A Report of the Public Hearing is included as *Attachment No. 1*. A summary of OCP related issues along with staff recommendations are included in *Schedule No. 1*. Suggested amendments to the OCP as a result of the public hearing and agency feedback are outlined in *Schedule No. 1*; these amendments are considered to be technical or minor in nature and are consistent with the overall mandate of the OCP.

## **INTERGOVERNMENTAL IMPLICATIONS**

Should the Regional Board grant 3<sup>rd</sup> reading to the "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005", the Bylaw will be referred to the Ministry of Community Services for approval. In consideration of its approval, the Ministry will take into account the comments of the agencies to which the Bylaw has been referred. Comments were received from the Agricultural Land Commission, District of Lantzville, Land and Water BC, Ministry of Forests, and the Vancouver Island Health Authority. Verbal comments were also received from Snaw-Naw-As First Nation, School District #69, and the Town of Qualicum Beach. These referral letters are attached to the Summary of the Minutes and Submissions of the Public Hearing as *Appendix 'A'*. Where changes have been suggested by the referral agencies, a summary of the agencies' comments is outlined in *Attachment No. 1* of this report.

Included in *Schedule No. 1* are staff recommendations and several amendments to the Bylaw in support of the agencies' suggestions for the Board to consider. The suggested amendments are minor in nature and are consistent with the intent of the Plan and the direction provided by the community.

If the Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005 is granted 3<sup>rd</sup> reading, the Bylaw will be referred to the Minister of Community Services for approval. Following the Minister's approval, the Board may consider the Bylaw for adoption.

## **FINANCIAL / LIQUID WASTE MANAGEMENT IMPLICATIONS**

Pursuant to the *Local Government Act*, the Official Community Plan has been considered with Regional District's capital expenditure program as well as its Liquid Waste Management Plan.

## **VOTING**

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

## **SUMMARY**

The Regional Board granted 1<sup>st</sup> and 2<sup>nd</sup> reading to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005" at a Special Board meeting held on June 14, 2005. Pursuant to

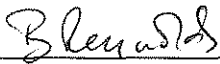
the **Local Government Act**, the Agricultural Land Commission has been provided a formal opportunity to consider the Bylaw prior to the Public Hearing. The Commission's response is contained in *Attachment No. 1* of this report. In addition, formal referrals were sent to applicable provincial and federal agencies with interests in the Plan Area. In response to comments received from the agency referrals, some minor changes (*outlined in Schedule No. 1*) to the Bylaw are recommended.

A Public Hearing was held on June 27, 2005 with approximately 300 residents in attendance. The Summary of Minutes and written submissions to this public hearing are attached for the Board's consideration.


"Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005" may now be considered for 3<sup>rd</sup> reading.

### RECOMMENDATIONS

1. That the Report of the Public Hearing containing the Summary of Minutes and Submissions of the Public Hearing held Monday, June 27, 2005, together with all written submissions to the Public Hearing on the "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005" be received.
2. That "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005" be granted 3<sup>rd</sup> reading with minor amendments as recommended in *Schedule No. 1* of the staff report.
3. That the "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005" be forwarded to the Ministry of Community Services for consideration of approval.



Report Writer



Deputy Administrator Concurrence



CAO Concurrence

### COMMENTS:

*devsvs/reports/2005/6480 00 EAE 3<sup>rd</sup> reading ju brd.doc*

**SCHEDULE NO. 1**

**Nanoose Bay Official Community Plan Bylaw No. 1400, 2005**

**Summary of Agency Comments for Consideration at Third Reading**

Agency	Agency Comments	Staff Recommendations
Land and Water British Columbia	Request land use designation change for four Crown land parcels adjacent to Nanoose Road from Park land use designation to Coast Residential land use designation and Red Gap Village Centre. Request expansion of the Tourist Commercial land use designation at Northwest Bay Road to include for one Crown land parcel. Request Rural land use designation remains unchanged for two Crown land parcels on Sea Blush Drive.	No changes recommended to OCP as the Plan states that managed forest and Crown lands are designated Resource lands.
Ministry of Water, Land and Air Protection	New heron colony identified on Lots 7 & 8, District Lot 22, Nanoose District, Plan 10012 (1520 & 1528 Terrien Rd) and request inclusion on Appendix Map No. 1 – Inventory of Natural Environment Features. Request reference that works shall not be inconsistent with senior legislation in DPA III and IV. Request greater clarity regarding ‘soil condition’ in DPA IV. Request inclusion of Older Forest (OF) in DPA IV.	Both properties are currently designated within DPA IV for other features, amending Appendix Map No. 1 is not a substantive amendment and provides greater detail on known environmental features. Including references to consistency with senior legislation is not a substantive amendment and provides more detail regarding other requirements. Including additional detail on ‘soil condition’ is not a substantive amendment and provides greater clarity of a guideline. Including Older forests (OF) in DPA IV is a substantive amendment.
Agricultural Land Commission	ALC supports 8 ha minimum parcel size for lands in the ALR as included in the OCP otherwise no comments regarding the OCP.	
District of Lantzville	No issues or concerns.	
Ministry of Forests	Stated concerns that the Sensitive Ecosystem designation and the Sensitive Ecosystem Development Permit Area should not impact forest harvesting activities regulated by the <i>Forest Act</i> .	The <i>Forest Act</i> and associated legislation does not permit local government bylaws to impede forest harvesting activities. Therefore, as this is senior legislation it is not necessary to reference this in the OCP.
Vancouver Island Health Authority	No issues or concerns	
School District #69	Verbal response of no issues or concerns.	
Snaw-Naw-As First Nation	Verbal response of no issues or concerns.	
Town of Qualicum Beach	Verbal response of no issues or concerns.	

**ATTACHMENT NO. 2**

**Summary of Minutes And Submissions to the Public Hearing  
REGIONAL DISTRICT OF NANAIMO**

**REPORT OF THE PUBLIC HEARING HELD MONDAY, JUNE 27, 2005 AT 7:00 PM AT  
NANOOSE PLACE, 2925 NORTHWEST BAY ROAD, NANOOSE BAY, BC  
TO CONSIDER REGIONAL DISTRICT OF NANAIMO NANOOSE BAY  
OFFICIAL COMMUNITY PLAN BYLAW NO. 1400, 2005**

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

**Present for the Regional District of Nanaimo:**

George Holme	Chair, Director, Electoral Area 'E'
Joe Stanhope	Director, Electoral Area 'G'
Elaine Hamilton	Director, Electoral Area 'C'
Lou Biggemann	Director, Electoral Area 'F'
Henrik Kreiberg	Director, Electoral Area 'A'
Robert Lapham	Deputy Administrator
Jason Llewellyn	Manager, Community Planning
Brigid Reynolds	Senior Planner
Keeva Kehler	Planner

There were approximately 200 people in attendance at the Public Hearing.

Written submissions from were received prior to and/or during the Public Hearing from:

Mick and Jan MacBurney  
Bonnie Moody, 2580 Mathew Road  
Len Hayley, Island Timberlands, 925 West Georgia Street  
C.S. Gustavson, 2367 Evanshire Crescent  
Dan Morrison, 2347 Summerset Road

**The Chair**, Director Holme opened the meeting at 7:00 pm, introduced those attending the meeting from the RDN.

**The Chair** stated the purpose of the Public Hearing and requested that staff explain the Official Community Plan Bylaw that was the subject of the Public Hearing.

**Brigid Reynolds, Senior Planner** provided a description of the Bylaw and two proposed minor amendments to the draft.

**The Chair** outlined the public hearing procedures invited submissions with respect to the proposed bylaw from the audience.

**Susan Chambers, 2353 Weeks Road**, stated that she is a CanCorp property owner and a long time resident. Ms. Chambers discussed the zoning amendment application for Canuck Properties. Ms. Chambers stated that there is support for the CanCorp commercial and retail development at the highway and this would improve highway safety. Ms. Chambers urged the RDN to delay adoption of the OCP until the CanCorp development has been decided.



**Gary Bushel, Nanoose Bay** stated that he is concerned about the highway development. Mr. Bushel is concerned about water availability and well draw down. Mr. Bushel is a member of the Bonnell Creek Stream Keepers and feels that the development will negatively impact the creek.

**Peter McLelland, Parker Way**, stated that he has been an oyster farmer in Nanoose for 31 years. The area at the mouth of Bonnell Creek is an active shellfish aquaculture area and Mr. McLelland does not think the industry will survive if the CanCorp development goes ahead. Mr. McLelland is opposed to the development.

**Arnold Olsen, 2251 Alcott Road**, stated that he has environmental concerns with respect to pollution of Bonnell Creek. Mr. Olsen said there was no mention of the road alignment at previous meetings and he thinks a big development will make the area too busy.

**Carol Short, 2262 Morello Road**, stated she is opposed to the highway development. Ms. Short values the rural setting and is concerned with environmental issues. She does not want a mall, parking lot or soccer field as a neighbour and objects to the way the questionnaire was done in the area.

**Peter Bibby, 2291 Florence Drive**, read his written submission.

**Diane Pertson, 2971 Dolphin Drive**, stated she is distressed that two items are still not addressed: the names of the 7 sensitive ecosystems are still worded incorrectly and the exclusion of Coastal Bluff and Older Forests as DPAs. She is also concerned that the water/sewer service boundaries have changed with each draft and there are five new areas in the Restricted Sewer Service Planning Area. She stated that the CanCorp development should have to apply separately for amendments to the zoning bylaw, OCP and RGS. She also expressed some concerns with the development proposal.

**Dan MacKenzie, 2412 Summerset Road**, expressed concerns about the CanCorp proposal including conflicts with gravel and logging trucks and impacts to the stream. He noted that there are undeveloped commercially zoned lands and CanCorp could buy this. He also noted there are other options for the soccer field. He stated this is a precedent setting issue and the integrity of the OCP should be maintained.

**Jeanette Thompson, 1891 Sea Lion Cres**, stated she was still concerned about the development permits and the sewer/water issues in the OCP. She also noted that she wants to see changes identified at the Working Groups to be included. She stated that commercial should be focused in Red Gap and the Neighbourhood Centres and expressed concerns about the CanCorp proposal.

**Norm Newall, 3811 Matter Place**, stated that Red Gap can't handle the growth and with increasing gas prices we need more services in Nanoose. As a result, we need to examine options for more services.

**Gary Shepp, 2825 Powder Point Road**, stated there has been dramatic growth over the last 20 years in Nanoose Bay. He noted there is inequity in the OCP regarding commercial uses as existing commercial businesses on the highway are not recognized. He notes that highway development is the best place for commercial development.

**Lorne Grace, 1956 Crows Nest Lane**, stated there is no room at the Red Gap and highway development is the answer.

**Carmen Monmart, 2536 Schirra Drive**, spoke in support of the CanCorp development as amenities are needed on both sides of the highway and the current highway route is unsafe. She also expressed some concerns with the Canuck Properties development.

**Ross Peterson, 1482 Madrona Drive**, read his written submission.

**Ken Johnson, 1935 Morello Road**, stated he supports the CanCorp development and that it should be included in the OCP. He noted there are traffic safety problems and this area is not suited for residential development. He also stated there is no room for expansion at Red Gap.

**Warren Stevenson, CanCorp Ventures**, acknowledged that the proposal is full of holes as it is very early in the process. Mr. Stevenson stated that the highway realignment won't happen during this OCP as there needs to be enough commercial space to cover the cost of the highway improvements. He noted that they have not addressed some issues at this stage and that including the proposal in the OCP would allow the proponents to proceed with further investigation of the issues and provide the community with the details.

**Karen Pelletier, 1667 Stroulger Road**, stated she has made an application to amend the zoning on a property at Powder Point and Northwest Bay Roads for commercial zoning. She stated the application is consistent with the OCP and will offer complimentary services to Red Gap. She also stated that amending the OCP to include CanCorp will negatively impact Red Gap.

**David Constable, 1525 Dorcas Point Road**, stated that we have to have faith in the RDN that development won't happen without public consultation and proper legal requirements. He also noted that with increased population growth in the area the present population should make decisions and not past plans. He noted some concerns with the process as issues discussed at the working group meetings have not been included in the plan.

**Bruce Robertson, 1433 Rockhampton**, said he is the manager of Quality Foods and that growth is inevitable and that it needs to be managed in a controlled fashion. He noted that Red Gap does have adequate area to accommodate growth. He also said that he supports the proposed OCP.

**Bernie Caspar, 2183 Morello Road**, stated he is concerned with safety on the highway and that if the CanCorp development can alleviate some of these safety issues, he supports it.

**Gabrielle Cartledge, 2443 Garry Oak Drive**, stated that the CanCorp development should follow due process. The OCP has to reflect the Regional Growth Strategy (RGS) and there is no Urban Containment Boundary on the highway. Ms. Cartledge noted that CanCorp Ventures should begin with making an application to amend the RGS. She also noted that she supports the Coastal DPA that was removed as the coast needs protection.

**Dave Jameson, 1641 Acacia Road**, read his written submission.

**Andrew McNeil, 1790 Morello Road**, stated that Nanoose Bay needs more services and the CanCorp development should be included in the OCP.

**Grant Krusik, 3007 Park Place**, stated that growth has increased and all proposals that promote development in other areas besides Red Gap should be considered. Mr. Krusik stated that pollution resulting from failed septic systems is really bad and these areas need to be included in sewer service areas to protect the environment.

**Jacqueline Fedro, 1601 Clayton Cres**, stated that assisted living housing should be located in Red Gap and the need to allow seniors to remain in Nanoose Bay should be considered. She noted that traffic safety on the highway is separate from the commercial development proposal. Ms. Fedro also stated that the proposed highway commercial development is not intended to serve Nanoose.

**Jeanette Thompson, 1891 Sea Lion Cres**, stated that the Urban Containment Boundary has been expanded to serve the communities needs. She also noted that Red Gap was given a lot of thought as being the central area for the community.

**Arnold Olsen, 2251 Alcott Road**, stated that growth has been increasing and putting greater demand on water. He said we need to consider what will serve Nanoose Bay best and that there needs to be something for residents on the south of the highway.

**Hans Zychlinski, 2175 Spurs Place**, stated that the CanCorp development is larger than Wembly Mall and this will increase traffic on the highway so safety will not be improved. He also noted that commercial space is identified in the OCP.

**Carmen Monmart, 2536 Schirra Road**, stated that MOT has said the highway realignment won't be addressed in the near future and a private partnership is necessary to fix the highway.

**Bill Evans, 2655 Andover Road**, stated that the OCP is pretty good and that there are a couple of controversies. He stated that the OCP calls for developing a Village Centre Plan for Red Gap and that we need this plan before we can make decisions before considering CanCorp, Red Gap expansion. He also stated that the OCP should be adopted as there is lots of community support for it.

**The Chair** asked if there were any other comments or submissions.

**The Chair** asked for a second time if there were any other comments or submissions.

**The Chair** asked for a third time if there were any other comments or submissions.

Hearing none, the Chair thanked those in attendance and announced that the Public Hearing was closed. The Chair indicated that the Board of the Regional District would consider Bylaw No. 1400, 2005 at their Regular Board meeting to be held Tuesday, July 26, 2005 in the Board Chambers located at 6300 Hammond Bay Road in Nanaimo.

The meeting concluded at 9:30 pm.

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Keeva Kehler  
Recording Secretary

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Director George Holme  
Electoral Area 'E'

**APPENDIX 'A'**  
**Agency Referral and Written Submission Comments**

**W.R. Colclough & Associates Ltd.**

Land, Community and Economic Development

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May 30, 2005

File: LWBC/Nanoose OCP

Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC

Att: Brigid Reynolds, Senior Planner

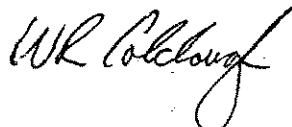
Re: Draft Nanoose Bay Official Community Plan

I am authorized agent of Land and Water BC Inc. with respect to the above noted properties. On behalf of LWBC I hereby formally request that, in the new Official Community Plan (OCP):

1. The land use designation for Parcel 1 be changed from "Rural Residential" to "Coast Residential", and then "Red Gap Village Center" subject to a Regional Growth Strategy amendment, and proposed for rezoning to RS11, as per all other lots on Nanoose Road.
2. Parcel 2 be designated "Tourist Commercial" and proposed for rezoning to Industrial (INTD), as is the current designation and zoning of the parcel immediately to the south, and
3. Parcel 3 remain designated "Rural Lands" as per the majority of the adjacent parcels, and not be down graded to "Resource Lands", nor down zoned to subdivision district "V" (minimum 50ha parcel size).

I am available to discuss the above requests at your convenience.

Yours truly,  
W.R. COLCLOUGH & ASSOCIATES LTD.



Per: Bob Colclough, ASCT

CC Mark Hallam, LWBC Inc. (Victoria)  
Duncan Williams, LWBC Inc. (Nanaimo)

**From:** Henigman, Margaret WLAP:EX [Margaret.Henigman@gov.bc.ca]  
**Sent:** Monday, June 27, 2005 11:37 AM  
**To:** Reynolds, Brigid  
**Subject:** Nanoose OCP comments

Hi Brigid. This is going to be brief as I've double booked myself today. Sorry!

Coastal Zone: Note that the OCP may also affect the National Wildlife Reserve in Nanoose Bay

Objective #3 should also not conflict with W/L use (esp migrating shorebirds) in the Bay

Policy #4 "properly constructed" could be better defined

DPA III P.9 G/L for W/C DPA - #5 we do have more up to date documents that could be referenced, although these are still draft FTP files

Exemptions #3 might want to include Japanese Knotweed and Giant Hogweed as these are becoming a huge problem esp in riparian zones.

P.10 #7 b) re: clearing of obstructions, consistent with Section 9 - only in emergencies

#8 Note topping creates an even bigger hazard in conifers and should be discouraged; may also be Fisheries and W/L Act conflicts

#10 again potential for DFO and WL

Act conflicts

P10.

#11 h) couldn't find 12 a) and b)

DPA IV P. 11 Area - what about Older Forest: I'm wondering how we can effectively manage for ecosystem integrity when we've split Woodlands from Older forests (although I realize this is consistent with the direction of the SEI). Especially in this setting where it's the overall BEC variant that's most at risk. By including older forests within older areas of the Moist Maritime Coastal Douglas Fir (CDFmm) we would, by default, pick up the woodlands as well as the OF areas that include veteran fir remnants (ie nest tree recruitment see: justification).

DPA IV Justification - The special and mixed ecosystems present on the Nanoose Peninsula demonstrate how the whole CDFmm variant is at risk, not just the Woodland SEI definition. I suggest the scope of this DPA be broadened to include older examples of CDFmm (see above) (age class 6+, i.e. over 100yrs) Holt and Mackinnon described Old Growth on the Southeast portion of Vancouver Island in their Old Growth Strategy for Southeast Vancouver Island (2001). Their study area includes "many unique ecosystems and contains some of the most endangered rare plant species in BC and at least half of the identified plant communities...are considered provincially rare or endangered (red-listed), most of the remainder are considered vulnerable (blue-listed)" (Ward et al., 1998).

Old Growth attribute definitions include: large old trees, a multilayered canopy, numerous large snags and logs, diverse tree community, old age of some trees, canopy gaps, hummocky micro-topography, complex structure, wider tree spacing and increased understory production (Franklin and Spies 1991; Holt and Steeger, 1998 in Holt and Mackinnon, 2001) (i.e. what we see in many cases in Nanoose) Its important to remember that younger age classes alone should not exclude an old growth definition if attributes and ecosystem composition support its definition as Old Growth. Incorporating these areas into the DPA would not only take in the Woodland as well as provide protection for old individual stems of Douglas fir but would also provide important recruitment nest trees for BaEa and other large raptors or

Great Blue heron.

DPA IV P.12 Guidelines #2 d) ADD "moisture, nutrient and permeability"  
to more clearly define soil condition

e) (Does this include nesting  
for birds other than BAEA and GBH??

#5 ADD ...encouraged to consult and  
adopt the recommendations presented in the....

P.13 Exemptions #3 Re: invasive see point under W/C DPA #3  
also: ADD ...the area is  
replanted with native species

#5 I wonder about adding something  
to ensure an access/vandalism issue is not created, as we've seen at  
Englishman River Estates.

#6 b) Emergency procedures: Note  
that all emergency instream works must be compliant with the general  
standards listed in Section 7 of the Standards and Practices for Instream  
Works (p110) document found under Provincial Guidelines and BMPs at:  
<http://wlapwww.gov.bc.ca/wld/BMP/bmpintro.html>  
<<http://wlapwww.gov.bc.ca/wld/BMP/bmpintro.html>>

C) removal of hazard trees:  
may be conflicts with the Fisheries or W/L Acts

#9 ADD ...with normal farm  
practices and consistent with the Federal Fisheries Act.

Well that's all I've got for you. Its really coming along and the Nanoose  
committee are to be congratulated on a job well done!!!

See ya soon!  
Maggie Henigman, MA, CCEP  
Ecosystems Biologist  
Water Land and Air Protection  
(250) 751-3214  
margaret.henigman@gov.bc.ca

"For every complex problem  
there is a solution that is simple,  
neat and wrong".

H.L. Mencken

JUN-24-2005 12:06

COMMUNITY PLANNING

250 755 4479 P.01/01



2005-Jun-24

Via Fax: 390-4163

Brigid Reynolds  
Senior Planner  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

File: 0470-30-R01-02

Dear Ms. Reynolds:

**Re: Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005**

Thank you for providing the City of Nanaimo with the opportunity to review and comment on the Nanoose Bay Official Community Plan. Having read the document it has been decided that the City will not be making any comment on the draft plan at this time.

Yours truly,



Andrew Tucker, Manager  
Community Planning

g:\commplan\mg\rdn\reynolds\_nanoseocp

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455 Wallace Street, Nanaimo, B.C. V9R 5J6 • Vancouver Island, British Columbia, Canada

Telephone (250) 754 4761 • Fax (250) 755 4420 • Internet <http://www.nanaimo.ca>

TOTAL P.01

# District of Lantzville

Incorporated June 2008

P.O. Box 100  
7192 Lantzville Road  
Lantzville, B.C.  
V0R 2H0

Phone: (250) 390-4006  
Fax: (250) 390-5188  
Email: [district@lantzville.ca](mailto:district@lantzville.ca)  
Website: [www.lantzville.ca](http://www.lantzville.ca)

May 24, 2005

RECEIVED

RECEIVED

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

Attention: Brigid Reynolds, Senior Planner

RE: Nanoose Bay DRAFT Official Community Plan

Dear Ms. Reynolds

Thank you for providing the District of Lantzville the opportunity to review the Nanoose Bay Draft Official Community Plan.

To the extent of any impacts on the District of Lantzville, we have no concerns.

Sincerely



Ian Howat  
Chief Administrative Officer  
District of Lantzville





File: 10550-20/RDN

May 26, 2005

Brigid Reynolds, Senior Planner  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, British Columbia  
V9T 6N2

Dear Brigid Reynolds:

A copy of the Nanoose Official Community Plan (OCP) has been forwarded to this office for review. This letter provides comments on the OCP based upon our interests in the crown provincial forestlands located in the area of the plan.

**Section 3.4 – Resource Lands:** Objective #15 states that sensitive ecosystems will be protected. This is somewhat problematic given some areas of older forest and second growth forest are within the provincial forest – if these are not to be considered as sensitive, this should be clarified. In order to support and maintain the option of small-scale forestry some of these areas will be harvested, specifically this could be an issue in DL 137, DL 117, DL 33 and DL 68; most of which are currently within or proposed as woodlot licences.



**Section VIII – Sensitive Ecosystem Protection:** The wording in the document should clarify that development permits are not required for forest harvesting activities regulated by the Ministry of Forests through the *Forest Act* and other associated legislation.

**Other:** The OCP may wish to make reference to the Wildlife Habitat Areas that have been established by the Ministry of Water, Land and Air Protection on DL 137 to protect a small Garry Oak ecosystem and on a portion of DL 117 for Marbled Murrelets, a small seabird.



Please call me at (250) 731-3022 or [Emma.Neill@gems4.gov.bc.ca](mailto:Emma.Neill@gems4.gov.bc.ca) if you require clarification.

Yours Truly,

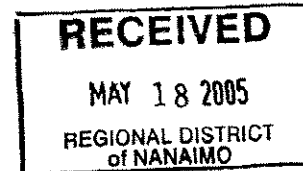
Emma Neill  
Woodlot Forester  
South Island Forest District

Ministry of  
Forests

South Island Forest District

Location:  
4885 Cherry Creek Road  
Port Alberni, B.C. V0Y 8E9

Mailing Address:  
4885 Cherry Creek Road  
Port Alberni, B.C. V0Y 8E9  
Tel: (250) 731-3000



May 11, 2005

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

Dear Sir/Madam:

**Re: Nanoose Official Community Plan (DRAFT)**

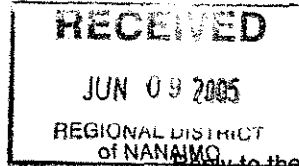
Thank you for the opportunity to review your above mentioned draft.

I do not have any comments or objections on this document.

A handwritten signature in cursive script that reads "Terry Preston".

Terry Preston, CPHI(C)

TP/mw



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604-660-7000  
Fax: 604-660-7033  
www.alc.gov.bc.ca

June 2, 2005

Reply to the attention of Roger Cheetham

Brigid Reynolds, Senior Planner  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

Dear Madam:

**Re: Nanoose Bay Draft Official Community Plan**

**Our Ref: S – 35300**

Your referral dated 5<sup>th</sup> May 2005 and your discussions with Roger Cheetham of this office on 1<sup>st</sup> and 2<sup>nd</sup> June 2005 have reference. We note that the designation of the small ALR block marked as DL 30-A to the south of Red Gap is intended to be Resource Lands within the ALR and that the Tourist Commercial designation of the land within the ALR at the junction of North West Bay Road and the Island Highway is consistent with previous Commission approvals.

In the light of this information there do not appear to be any issues that require our specific comment and we wish to compliment the Board on the plan's supportive provisions relating to agriculture.

Accordingly we suggest that the Stream one process as laid out in our ALR and Community Planning Guidelines be followed. This requires that you provide a letter with the official referral of the plan after first reading that certifies that the plan complies with the guidelines. The plan would then be filed in our office and would be subject to an audit process designed to monitor plans filed under this process to ensure compliance.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:   
K. B. Miller, Chief Executive Officer

Cc: Wayne Haddow, Regional Agrologist, Duncan

RC/eg  
I/35300m2

**From:** Henigman, Margaret WLAP:EX [Margaret.Henigman@gov.bc.ca]  
**Sent:** Thursday, June 23, 2005 8:44 AM  
**To:** Reynolds, Brigid  
**Subject:** FW: Craig Creek Herons

f.y.i. new heron nests in Craig Bay off Terrien Rd

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

**From:** Clermont, Tim WLAP:EX  
**Sent:** June 22, 2005 10:46 PM  
**To:** Henigman, Margaret WLAP:EX  
**Subject:** RE: Craig Creek Herons

These are new locations their map shows Lots 1&2 and now we also have nests on Lots 7 & 8.

Cheers, Tim

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

**From:** Henigman, Margaret WLAP:EX  
**Sent:** Wed 6/22/2005 3:40 PM  
**To:** Clermont, Tim WLAP:EX; Chatwin, Trudy WLAP:EX  
**Cc:**  
**Subject:** RE: Craig Creek Herons

I'm pretty sure the RDN already have this colony included in the Nanoose DPs

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

**From:** Clermont, Tim WLAP:EX  
**Sent:** June 22, 2005 1:34 PM  
**To:** Chatwin, Trudy WLAP:EX  
**Cc:** Henigman, Margaret WLAP:EX  
**Subject:** Craig Creek Herons

hello Trudy, how did the heron nest GPS session go last Friday? The Nanoose OCP will stop collecting new information next Monday. Can you provide us with your results so we can forward to the RDN to include?

Cheers, Tim

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

From: Edgar, David D TRAN:EX [mailto:David.Edgar@gov.bc.ca]  
Sent: Tuesday, June 28, 2005 10:34 AM  
To: Lapham, Bob  
Subject: Nanoose OCP

Bob,

Brigid Reynolds of you office faxed me asking for Nanoose OCP comments. Our two concerns are unchanged.

1. We note Transtide was removed from the network plan. We thought we had agreed in early May that it should stay in.
2. With respect to the future highway interchange we suggest some wording to go with the inset that although preferred option, this could change. I had provided suggested wording some time ago.

My apologies for the delay in responding.

Dave

Dave

<<Transtide Drive final.rtf>>

Dave Edgar  
Transportation Planning Engineer  
Ministry of Transportation  
3rd Floor - 2100 Labieux Road  
Nanaimo, B.C. V9T 6E9  
\*: (250) 751-3276  
Fax (250) 751-3288  
Cell (250) 741-6337  
\*: David.Edgar@gov.bc.ca

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**From:** Edgar, David D TRAN:EX  
**Sent:** Thursday, May 05, 2005 10:50 AM  
**To:** Bob Lapham (blapham@rdn.bc.ca)  
**Cc:** OBrien, Debbie TRAN:EX  
**Subject:** Transtide Drive

Bob Lapham  
Regional District of Nanaimo

May 5, 2005

Re: Transtide Drive

Bob,

Thank you for meeting with us on April 15th and for subsequently sending us the various written submissions, including the petition, from concerned citizens. We have reviewed the road network plan for Nanoose and offer the following comments.

Road network plans are developed to ensure that a strong road network will be in place to accommodate the expected land use of the community. Having a good network minimizes travel distances, keeps traffic off local roads, and provides for the best possible access for emergency responders.

Community plans, including land use and road network plans, provide a degree of stability and security for people making decisions. For this reason the OCP's are generally only reviewed every 5 years and any amendments are a result of extensive public consultation.

Our records show the current road network plans have been in place since at least 1981, if not before. Past reviews of the community plan, by Nanoose residents, have not resulted in changes to the road network. About a decade ago, Ministry staff suggested a possible change to the alignment of this network connection to shift it further north. Local residents did not support this change and the Ministry did not explore it further.

The existing major roads are Powder Point Road and Dolphin Drive. Dolphin Drive have very poor road geometry, is very circuitous compared to travel desire lines, and has of course has a heavy driveway density. Power Point is better but far from perfect. Given the expected buildout of Fairwinds, it is prudent to provide another access to the area.

The construction of network roads is almost always done through subdivision. As subdivisions occur, developers are required to dedicate the land needed for the road and construct it to Ministry standards. In some instances, the alignment is shifted to match with the opportunities that subdivision provides. If a property owner is not interested in subdividing that either the road never gets constructed or on occasion gets constructed in a different location. For these reasons, network roads may take many decades to be fully connected and the final alignment somewhat different than originally conceived.

After review, the Ministry recommends that the Transtide network road remain in the Road Network Plan.

Dave

**Dave Edgar**  
Transportation Planning Engineer  
Ministry of Transportation

COMMENTS ON THE Nanoose Bay OCP  
27<sup>th</sup> June 2005

First of all I want to say that I think the current plan has much more right than any previous plans.

I think the process has been good for most of the time and I wish to commend the staff involved; in particular Pam Shaw and Keeva Kieler

I regret that the board had backed down from enforcing the Coastal Development Zone Permit Area; but hope that the proposed planning set back and the proposed study of ways to protect the coastline will catch the same Fox.

I also regret that there is nothing in the plan saying that when there is money we would have a bus service around Powderpoint Road and Dolphin Drive

And now we seem to have one major issue left. Do we want the proposed development at Petrocan?

Unlike all the people who have generated the energy on this matter I do not have any financial interest in the issue. I do however have an interest in the type of Nanoose Bay that I am to die in. I want a Nanoose Bay to develop much as it is developing; and this is the whole basis on which this OCP has been designed.

First of all a question. Are you as Board Members going to be favourable to a change in the Regional Growth Strategy to accommodate this development.

So the Key question is whether we want Nanoose Bay to be centred on an enhanced Red Gap, or on the biggest strip mall on the Highway between Port Hardy and Mill Bay.

I do not believe that Nanoose Bay can support the Petrocan development AND the Red Gap expanded Urban containment area. In my view if you give the go-ahead to Petrocan, you can say good bye to Red Gap; to the opportunity to make Red Gap into a true community hub with the Municipal offices of the inevitable municipality of Nanoose Bay. Inevitable that is unless we kill the OCP. If we go for the Petrocan development we are likely to become indistinguishable from Parksville; and sooner rather than later will become the final extension south of that Borough,

The Petrocan Plan has more holes than Swiss cheese. It says nothing about whence water comes and nothing about where the sewage will go. Presumably lines will be joined to Red Gap. It says nothing about who pays for this. The developers have not responded to my request about possible tenants, so I have to conclude that this is a well researched speculative proposal.

community Plan. Have you noticed that the Morello road traffic will go between the development and the Soccer field.

So in summary:- If you support the Petrocan development you will be throwing away the region-wide Regional Growth Strategy; throwing away the plan's proposal for Red Gap to become the centre of Nanoose Bay; throwing away the plan's limitation on piped water and sewage pipe; and throwing away the proposed re-alignment of the island Highway. You in effect will be destroying the community plan. We will then have to stick with the current one until you can find another working group to start again. Who would want to take part in this if thoughtful consideration over months can be so subverted by the energy and skill of people with a large financial vested interest?

Please do not do this

Last June my cousin who is a professor of Local Government Planning in England was visiting and was so impressed by the way we had done things in Nanoose Bay that he said he would create a seminar about this form of consultative planning. When we saw him in May this year and told him what had happened he said "ah this can go into my seminar I about how pressure groups can be effective in subverting the consultative process". If you agree to the Petrocan development you will be adding to this seminar!!!

Peter C Bibby  
2291 Florence Drive  
Nanoose Bay  
468 2387



## **NANOOSE BAY OFFICIAL COMMUNITY PLAN**

### **PUBLIC HEARING, JUNE 27, 2005**

#### **COMMENTS BY ROSS PETERSON, 1482 MADRONA DRIVE.**

My name is Ross Peterson. I am a waterfront property owner at 1482 Madrona Drive.

I wish to address the issue of coastal environmental protection.

I have a Master of Science degree in zoology, and have nearly 30 years experience in the field of aquatic ecology, including habitat protection and environmental impact assessment; working for government and the private sector.

The long controversy over the former DPA IV has resulted in its deletion from this draft, along with the striking of other mentions of coastal environmental protection. The latest draft OCP document offers virtually no environmental protection of this important feature of our community.

This is wrong, and does not reflect the views of the OCP Working Group who had from the beginning of the review process, included the coastal zone as needing protection.

Let's put the record straight on what the coastal zone is. There has been some confusion over terms used, including importance, uniqueness and sensitivity. There have been inferences that because the coastal zone in Nanoose Bay is not particularly unique (indeed, BC has lots of rocky coastline), it is therefore not important, and is not sensitive to mans' activities.

This is simply not true. The coastal zone is important, and is sensitive to our activities.

To explain this, we need to put the coastal zone into perspective.

### **Georgia Basin Perspective.**

Regardless of how our waterfront properties have been marketed as private real estate parcels, they and our coastal zone in general are part of the Georgia Basin, which is regarded as one of the few inland seas in the world that is still reasonably productive and healthy. Jacques Cousteau 30 some years ago was extremely impressed with the Georgia Basin and begged us to take measures to protect it.

More recently, the federal government National Park Service stated that the Georgia Basin is "*One of the world's most spectacularly beautiful and ecologically rich areas*"; but also stated that "*The Strait of Georgia is the most at risk natural environment in Canada*".

Most of BC's population lives beside the Georgia Basin, and this proportion is growing. How is this affecting the Basin?

Some, perhaps most of the ecological threats to the Basin's ecosystem come not from large industry, but from the cumulative effects of the actions of individuals, including private waterfront property owners, and the cumulative effects of small local decisions made regarding developments affecting shoreline vegetation, bank stability, and other disturbances.

In this Georgia Basin perspective, we must acknowledge that our coastal zone, or shoreline, is a contiguous part of the Basin, and what we do on, or adjacent to the coastal zone affects the Basin as a whole.

We are all therefore responsible for the health and productivity of the Georgia Basin, and those of us who are fortunate enough to live on the water have a special obligation for this protection, because of the more direct effects our activities can have on this environment.

What kind of land based activities can be detrimental to the coastal environment, and the Georgia Basin in general?

Included are: Large-scale vegetation removal  
Alteration to natural runoff patterns  
Introduction of harmful chemicals  
Behavioral disturbances to wildlife  
Erosion and sedimentation

The coastal environment needs to be protected from these detrimental activities, and the responsibility for this protection should be shared among waterfront property owners, developers, and the Regional District.

Importantly, this responsibility should be a part of the OCP document. To leave this to the next generation, or even to the next OCP review, as has been suggested, is an appalling thought, and would be an abrogation of our collective responsibilities to protect this important ecosystem.

### **Personal Property Perspective.**

A second, and equally important perspective is a parochial one. We need to protect ourselves and our cherished values from one another's activities.

Most of us have chosen Nanoose Bay because of its "natural setting" (these were popular opinions expressed in setting the vision for the OCP). This gives us a second reason to want to protect the coastal zone; that is the natural ecosystem that we said we moved here to enjoy.

This more personal type of protection demand has resulted in strict enforceable regulations in many other BC municipalities; perhaps best demonstrated by the tree cutting bylaws that have been established in many communities. In these communities, trees, even on private property, are regarded as "community assets", or part of the community character, and are therefore protected from cutting except by permit. Significant financial penalties help to ensure compliance.

So, there is nothing new in having local regulations to protect community character.

### **Stewardship and Regulation.**

Statements have been made that a good public education program would be effective in ensuring environmental protection of the coastline. I agree that this would help enormously, but education programs on their own have not shown to be effective enough to ensure protection, and there is still a need for regulation. I wish it were the case, as a softer, non-regulatory approach

should always be a first choice, but we need something that actually works to protect the environment.

Remember, we're talking about environmental protection, where even one mistake, deliberate or otherwise, could result in long-lasting, even permanent damage. This is not like defaulting on a strata regulation about paint colour on your house, where simply repainting can correct the problem. Environmental damage is not so easily corrected, and the smart move is to prevent it in the first place.

Such a prevention-based protection strategy will require regulation as well as education; but what kind of regulation, and who should administer it?

We have heard arguments that environmental protection of the Coastal Zone is already provided by provincial and federal legislation. Although there are laws that prohibit, for example, the introduction of deleterious substances into waters containing fish, and making it unlawful to disturb wildlife; these are inadequate to protect the coastal zone from the types of impacts that emanate from property developments, or even from some of our private property maintenance activities. This is mainly because the existing provincial and federal regulations are reactionary to the harmful events; that is, they are enforced after the fact, and therefore only serve to punish those who disobey. Such regulations are therefore largely ineffective in preventing damage in the first place (which is what environmental protection is supposed to do), unless these regulations are rigorously enforced with heavy penalties to deter future violations.

Alas, we do not see this level of enforcement from provincial or federal authorities; and with the current downsizing of field staff, there is no likelihood of rigorous enforcement in the future.

Again, to be effective, environmental protection regulation must be proactive in preventing damage in the first place. Punishment after the fact does not replace damaged habitat, and it works as a deterrent only when it is severe, and is well publicized. Penalties cannot be viewed as a mere cost of doing business.

Who is best placed to establish and enforce effective protection programs? In my view, local government is. Provincial and federal agencies are showing no signs of doing much more than assisting local government in

such programs. The Canada Oceans Act provides for programs for establishing Integrated Coastal Zone Management, and the National Program of Action for the Protection of the Marine Environment from Land-Based Activities. These programs have the potential to offer pro-active prevention; however, I see no signs that these will be applied to Nanoose Bay in the foreseeable future.

**Here's what I think we need to do.**

Again, we need prevention of harmful activities; not just punishment and correction.

To do this, we need a combination of (1) education and stewardship to promote personal responsibility for protection, and (2) regulation, involving an assessment and approval process to ensure compliance.

Of course, the more effective the education program, the less we need regulation; but history shows that education alone is not enough.

Education/Stewardship

There are a number of programs and products available for a public education program, including "On the Living Edge" and several homeowner guides for coastal protection. Let's have these publications given by realtors to all new waterfront property owners in Nanoose.

I applaud the RDN announcement that it will consider a program to promote the reduction of the use of cosmetic pesticides throughout the region. This initiative could be an important part of a more general coastal protection program

The RDN could easily host neighborhood workshops on coastal protection, inviting the authors of On the Living Edge to lead the discussions.

Since everyone has said that they want some form of environmental protection, there should be a 100% participation rate for such workshops.

Regulation.

Let's go back to the work we were doing in modifying the DPA provisions for coastal protection. Certainly not the original DPA IV, but instead a version that has reasonable exemptions and grandfathering, and one that would require approval before undertaking potentially damaging property development activities. I think we were close to an acceptable version before the deletion of the provision from the OCP.

Let's also add a section of guidelines for the responsible maintenance of waterfront properties; that are consistent with what is being promoted by the education program.

Let's also ensure the protection provisions are understood not only by waterfront property owners, but also by land developers, engineering and surveying companies, tree removal companies, contractors and realtors. Let's have workshops with all these interests to make this happen. Let's not hear "I didn't know" as a reason for endangering our coastal treasure in the future.

Ross Peterson.

Date: June 27, 2005

To: Board of Directors of the RDN  
Attention: Mr. Joe Stanhope, Chairman

From: Dave Jamieson  
1641 Acacia Road  
Nanoose Bay, B.C.

Re: DPA IV – Coastal Residential Lands

As a long time waterfront owner near Wall Beach, I fully support the removal of the coastal waterfront residential properties from the development plan area designation. My reasons for taking this position include:

- the logic for the original inclusion was to 'preserve the natural environment' which is a term never defined, with unidentified attributes. It likely does not describe the current state of most residential waterfront properties in this area
- the whole coastal zone was identified as being environmentally sensitive which is not based on fact and clearly inaccurate
- there are adequate provincial and federal regulations in place to protect significant environmental values
- the excessive regulation was a serious limitation of the rights of the owners of private property to use and enjoy their land
- there is no significant history of land abuse by residential waterfront property owners to justify draconian regulation
- through the concept of grandfathering the existing status of properties, only some property owners would bear the brunt of the impact of the regulations, which is patently unfair

As a suggestion, I believe an RDN funded study of scarce attributes deemed to be of environmental significance be conducted on all the waterfront properties, located by GPS technology, and stored in the RDN GIS system. At the time of major works on a property, the RDN could play a consultancy role in advising the property owner how to mitigate the impacts of development on the scarce attributes, and possibly, through a relaxed level of taxation, provide a financial incentive.

With apologies to any real ecologists present, I have prepared the following parody on the ecological status of the Madrona - Wall Beach area which demonstrates my first point.

## MADRONA COASTAL ECOSYSTEM AND VARIANTS

### General

The Madrona Coastal Ecosystem has the following characteristics:

- located on the East Coast of Vancouver Island between Craig Bay on the Northwest and Northwest Bay on the Southeast
- the history of the ecosystem is one of a hundred years of manmade influence, including: clearcut logging of the old growth Douglas Fir in the early part of the 20<sup>th</sup> century which involved logging road, log dump, and log storage facility construction; natural regeneration of some of the logged areas by Douglas Fir, Lodgepole Pine, and Arbutus after the logging; residential road building; subdivision into small units for residential purposes during the last 60 years; and construction of a structure and infrastructure on almost all the units up to the present date
- characterized by a climate influenced by the rainshadow effect of the Beaufort Range with low rainfall, minimal winter snow and a mild temperate climate
- soils are comprised of a minimal organic layer on a shallow glacial till substrate overlaying a granite or sandstone bedrock
- the vegetation found within the Ecosystem may include scattered Douglas Fir old growth remnants, second growth Douglas Fir, Arbutus, Lodgepole Pine, various native and non-native brush and shrub species, exotic annual and perennial flowering plants, and grasses or lawns of various species
- wildlife species commonly seen, but varying in abundance, include: coastal blacktail deer, raccoons, river otters, bald eagles, kingfishers, quail, crows, woodpeckers, Canada geese, various species of ducks, and assorted other creatures. Non-native starlings and rabbits are abundant.
- domestic species of animals, in particular dogs and cats, are abundant (some would say in excess) and some interact unfavourably with native fauna
- human occupation of each unit varies but ranges from 1 – 5 persons
- the Ecosystem is typically found in small units of .3 – 1 acre, with occasional units of 1 – 5 acres
- the typical unit is bounded by an ocean waterfront on one side and a tertiary paved or unpaved road on the other
- almost all units have manmade structures and infrastructure, occupying 70-100 percent of the unit area, including: a dwelling of one or two stories with a surface imprint of 1500 – 2500 sq. ft. or larger, an attached or separate garage of 600 – 900 sq. ft., occasional greenhouses and outbuildings of various sizes, a large grass covered septic field area of 600 – 900 sq. ft. (some apparently functioning), sidewalks and driveways of various sizes and shapes, beds of various non-native flowering shrubs and plants, occasional rock or concrete walls or breakwater structures, concrete or gravel paths through the coastal setback area to the beach area. Many of the manmade structures or infrastructures are not in compliance with



current bylaws, specifically with respect to the 8 metre stability setback and the 15 metre foreshore setback regulations.

- The units may not have continuity of characteristics with adjacent units, which is called fragmentation. For ecologists, fragmentation is usually considered not good

There are specific variants of the Madrona Coastal Ecosystem that more accurately describe the specific nature of each unit. The following describes the variants with sample pictures as well:

#### Variant 1 - Maximus

This variant is characterized by a unit whose land area is 90-100% modified by manmade structures or infrastructure, it has few or no native trees standing, infrastructure of lawn, rockeries, and beds extend to the foreshore where there is often a protective retaining wall. The street side portion of the unit not occupied by the dwelling, other buildings, driveways, sidewalks and the septic field is completely occupied by lawn and artificial beds of flowers and shrubs

#### Variant 2 – Comminus

This is the most common variant and is characterized by a unit whose land area is 80-90% modified by manmade structures or infrastructure, it has two or three obligatory trees on the shore side of the property to frame the view from the extensive picture windows, and a scattered tree or two (often Arbutus) on the remainder of the unit. Otherwise this variant is similar to Maximus

#### Variant 3 – Minimus

This variant is also common and is characterized by a unit whose land area is 70-80% modified by manmade structures and infrastructure, it has 3-6 native trees between the structure and the foreshore and often several to many trees (usually Douglas Fir) on the remainder of the unit, particularly on the larger units. There is often native brush species growing in the immediate foreshore area

#### Variant 4 – Preservus

This variant is rare and is characterized by a unit whose land area is only 0-25% modified by manmade infrastructure with the remainder having a cover of native trees (mainly second growth Douglas Fir), shrubs, and brush. These rare units include the public access units, the small number of undeveloped units, and the small number of units in the 1-5 acres size category

So this is the Ecosystem that describes the “natural environment” of the coastal residential properties within the NNRA, which more appropriately should be described as the “existing environment”. The dispute over the DPA IV application to these properties

centres around the motherhood, but totally inaccurate concept, that these properties, in general, exhibit attributes of some undisturbed natural state and require legislation to protect such attributes. We are 100 years too late for that notion to be accurate.

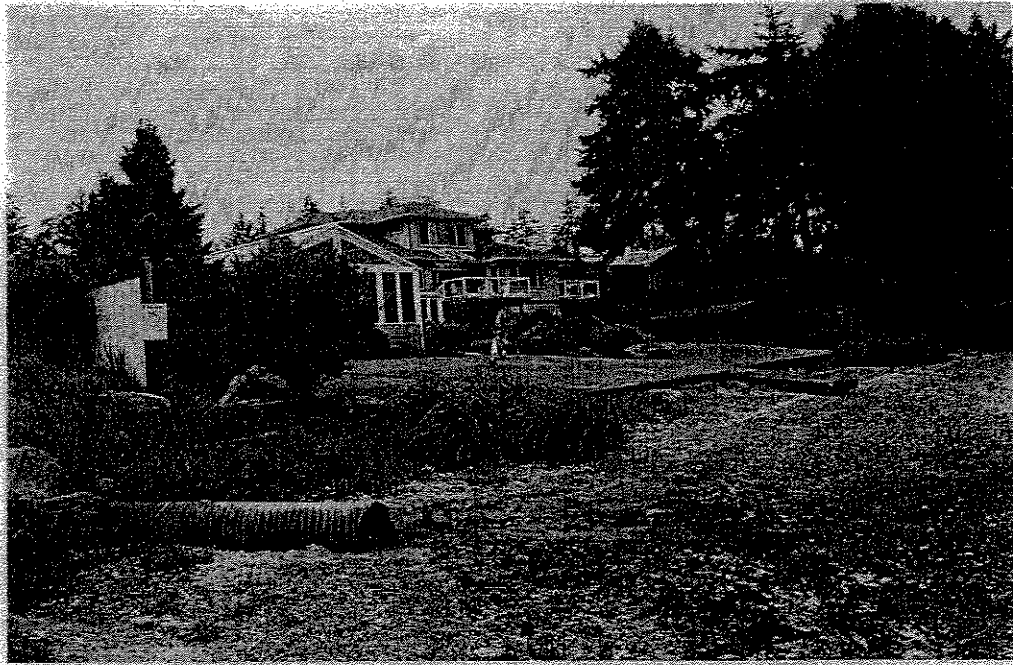
The other element of concern is related to the fact that grandfathering effectively prevents Minimus and Preservus property owners from modifying their property attributes to match those of Maximus or Comminus, whose owners are apparently quite satisfied with the environmental quality of their property or they would not have acquired them. There is an element of hypocrisy and unfairness in this scenario, which ultimately has pitted waterfront property owners against each other in a counterproductive war of semantics.



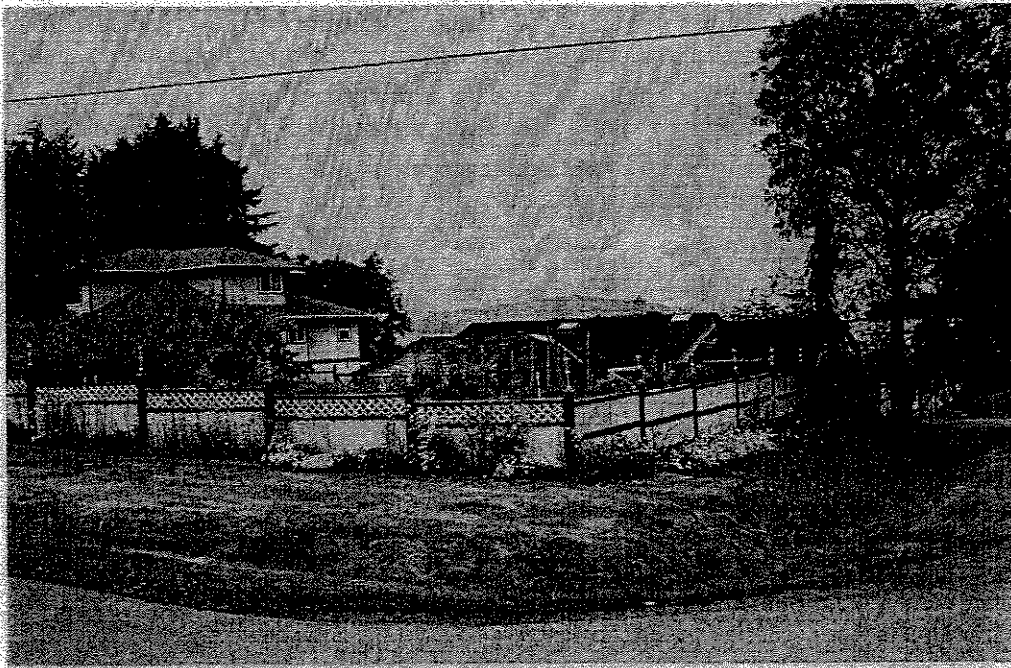
Variant 1 – Maximus(100%) – Foreshore



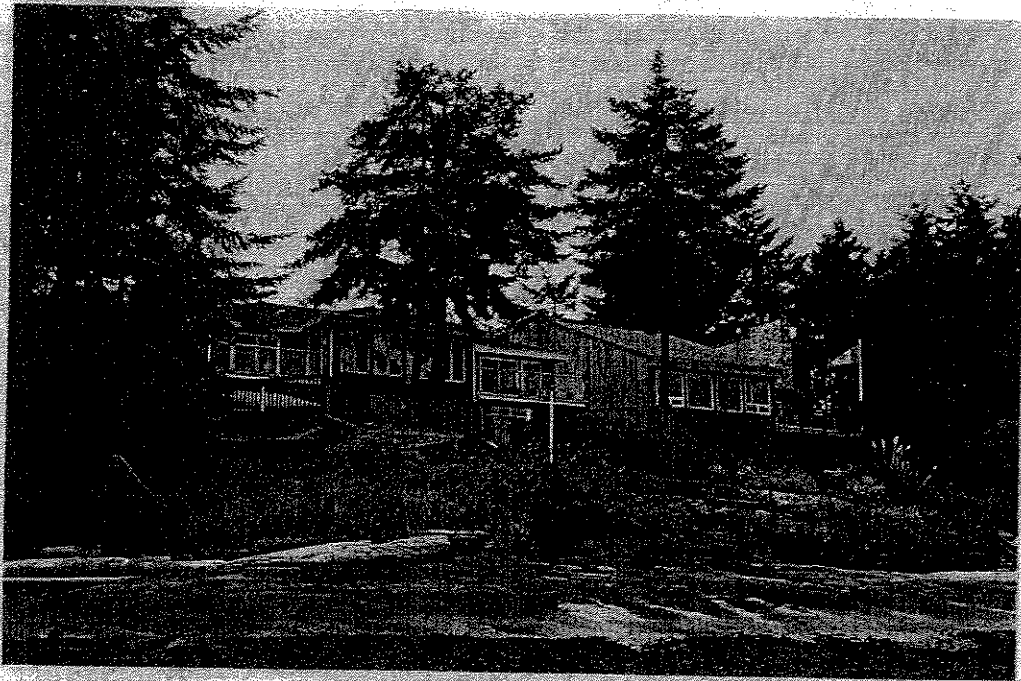
Variant 3 – Minimus(80%) – Foreshore



Variant 1 – Maximus(100%) – Foreshore



Variant 1 – Maximus(100%) – Street Side



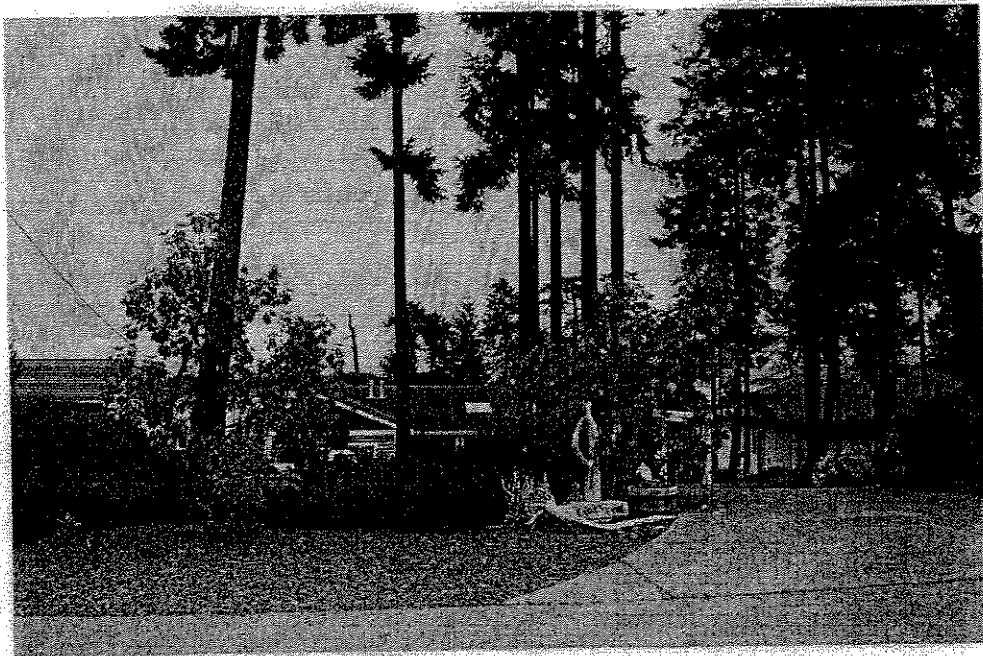
Variant 2 – Comminus(90%) – Foreshore



Variant 2 – Comminus(80%) – Street Side

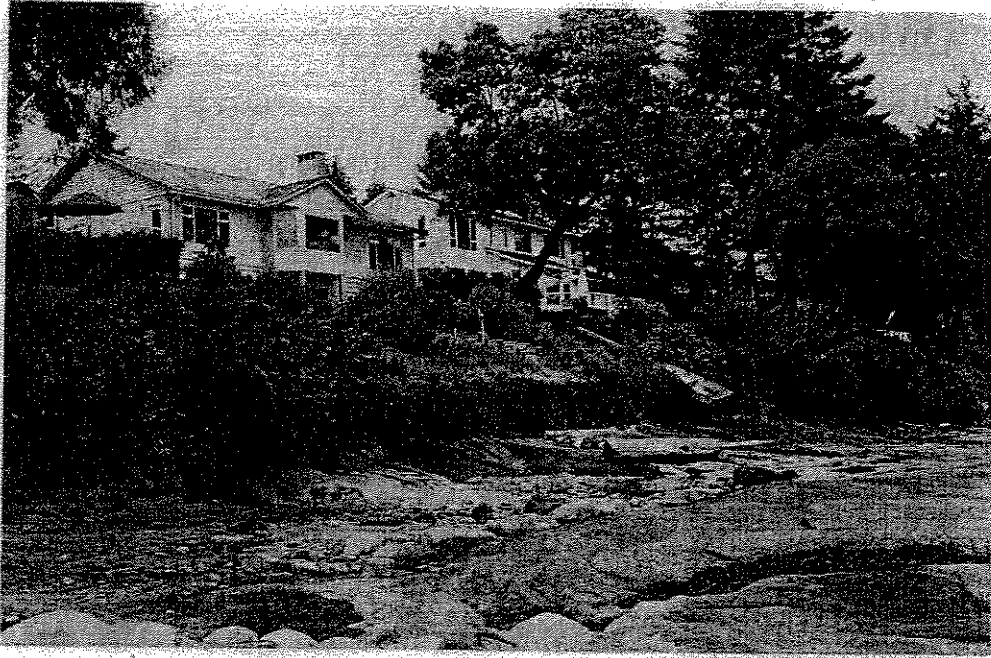


Variant 3 – Minimus(80%) – Foreshore

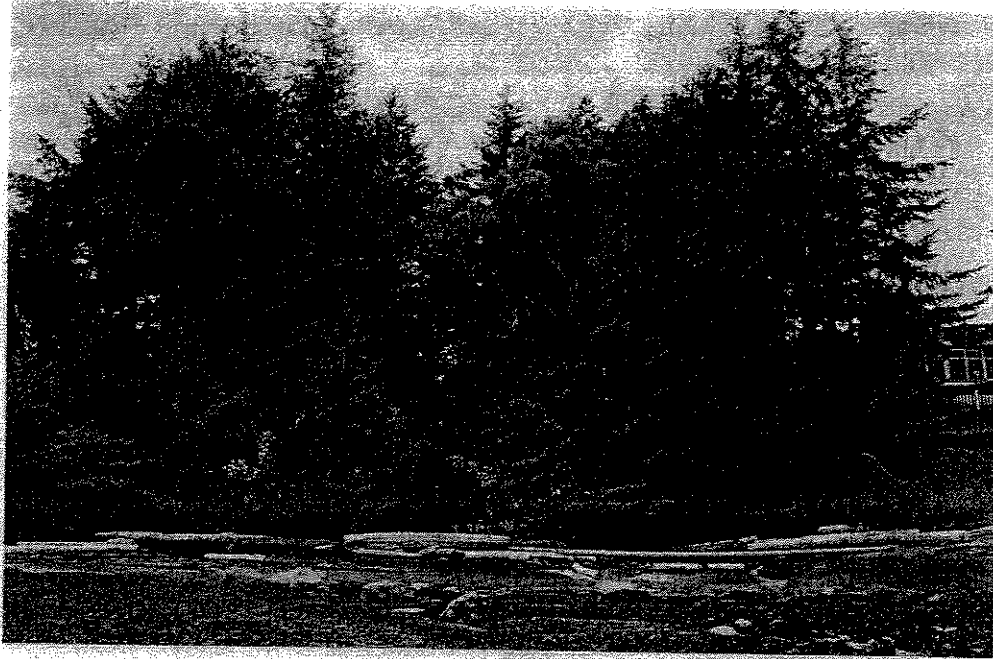


Variant 3 – Minimus(80%) – Street Side





Variant 1 – Maximus(95%) – Foreshore



Variant 4 – Preservus(15%) – Foreshore

**From:** Bonnie Moody [mailto:binigin@shaw.ca]  
**Sent:** June 23, 2005 6:31 PM  
**To:** ghome@shaw.ca  
**Cc:** nanoose@cancorp.com; McFarlane, Florence  
**Subject:** OCP for Nanoose Bay

Dear Mr. Holme,

I would like to go on record that I am in favor of the Can-Corp Ventures Inc. project at the bottom of Morello Road area. I am disappointed that the RDN is not going to consider this venture, after receiving a petition of 571 signatures. Extra soccer fields for our children would be a benefit to our community and my family, and also, should any increased business area also be incorporated into the project, it would benefit my family and the community. With 571 signatures shown to you, it would seem to me that you should ask for input from the entire community and consider our wishes.

Thank-you for taking our concerns into account, when you make the decision on this issue.

Sincerely,

Mrs. Bonnie Moody  
2580 Mathew Road  
Nanoose Bay, B.C.  
V9P 9B2

**From:** Jan MacBurney [mailto:mickandjanmacburney@shaw.ca]  
**Sent:** June 27, 2005 11:22 AM  
**To:** McFarlane, Florence  
**Cc:** gholme@shaw.ca  
**Subject:** Nanoose Bay Revisions

Hi

I would like to say that I am opposed to the plan to put a "lifestyle mall" on the Island Hwy at Norwest Bay Road. I believe that the site is not a good location for such a proposal. It goes against the Dept of Highways future planning and that other developments have been turned down based on those plans. If those proposals were turned down based on that plan why should this one be exempt? It goes against the vision that was developed by the community for the future plan for the Island and the highway corridor. We already have commercial sites which fall within community direction and this proposal would be a detriment to current investors. While we all know that the OCP is not written in stone previous investors have made substantial financial commitments based on that plan.

I am also concerned about the supply of water to that site. The service station at that location already experiences problems with water and sewage.

I do not believe that this mall would be an asset to the community and would be a detriment to the Red Gap Centre and the business owners that have already invested their dollars and lifestyle into the community. Tourism is a large percentage of the income for the Island. Visitors look for "unique" places to visit, not hop from mall to mall along the highway.

Mick & Jan MacBurney  
(250) 756-1962



**From:** Hayley, Len [L.Hayley@islandtimberlands.com]  
**Sent:** June 14, 2005 6:41 PM  
**To:** McFarlane, Florence  
**Subject:** Nanoose OCP and Zoning of Resource lands

Sorry we are unable to attend tonight's meeting to discuss the issues of the OCP and Zoning Bylaw amendments as it affect our private lands in the area.

We are prepared to work with the RDN and its planning staff and related committees to ensure that the right planning decisions are made. We are also hopeful that the process of working with you relative to both the short and long term land use needs of the communities will serve as a win win for both the RDN and our Company.

We are excited about our new Company and the opportunities on working with the RDN on managing its growth challenges through proper management of our urban/suburban interface lands that will, if not already, have a higher and better use than commercial forestry.

In the near future, the President of our Company would like to have an informal chat with the RDN planning staff and others within the RDN whom you think might wish to learn about our Company's vision.

Could you please forward this email to Rob (as I do not have Rob's email address) and if possible give me some dates that might work for you.

Thanks

**Len Hayley**  
**Director**  
**Timberlands and Properties Division**  
Island Timberlands Limited Partnership  
4th Floor - 925 West Georgia Street  
Vancouver, B.C.  
V6C 3L2

tel: 1-604-648-4604  
fax: 1-604-681-9674  
cell: 1-604-220-6786



2367 Evanshuro Crescent  
Nanoose Bay, B.C.  
V9P 9G7

June 23, 2005

Mr. George Holme, Regional Director  
Regional District of Nanaimo

Dear Mr. Holme,

On June 10, 2005, I wrote to you expressing my concern regarding the Can-Corp Ventures Inc. ("Can-Corp") proposal for development of property abutting the Island Highway at Northwest Bay Road. Today I received a bulk mailing from Can-Corp in which it purports to have received 571 petition signatures in favour of the said development. My home was included in Can-Corp's quest for signatures on its petition. Neither my wife nor I signed the petition. I find it significant that the canvasser who came to our home advised that the signatures were only being collected in an effort to have the proposal considered by the Regional District and that by signing the petition we would not be indicating that we approved of the plan but that we would be indicating we thought the proposal could be investigated. This makes me wonder how many of the 571 signatures that Mr. Warren Stevenson of Can-Corp speaks of in his bulk mailing were "in support of the proposed development" as he claims or were simply agreeing to have the Regional District investigate the matter.

I stand by my previous letter to you on this matter in stating that there is no need for another shopping centre on the Island Highway. I reiterate that we must not make the same mistakes that Nanaimo and Duncan did by building up along the old Island Highway. The existing Red Gap Centre together with the proposed development by Canuck Properties will provide adequate retail space in a community setting for Nanoose Bay residents and will not impact traffic patterns or add to the congestion at Northwest Bay Road and the Island Highway. I believe that Nanoose Bay residents value our Red Gap Centre in our own community. Unfortunately, another development close by would likely make the existing Red Gap businesses less viable. Such a result would not serve our community well.


It is obvious that of the 700 families in the Oceanside Soccer Association, the vast majority of those families are not residents of Nanoose Bay. Mr. Stevenson appears again to be tweaking his figures to support his position. Children are presently playing soccer on the field below Nanoose Place and that field appears to be adequate for the purpose.

I do not regard the realignment of the Island Highway as an adequate reason to promote the Can-Corp development. Nor do I feel that the Regional District of Nanaimo should base its approval or disapproval of future development on the basis of vague, purported,

assertions by the Ministry of Transportation and Highways to Can-Corp that they "may be able to work together to improve the Highway...".

I do not believe, as Mr. Stevenson suggests, that opponents of the Can-Corp proposal represent the "vocal minority" in Nanoose Bay. I hope that you will agree with me and that you will stand up for what I believe is the majority of people in Nanoose Bay, silent or vocal, who do not want or need this proposed development.

Yours very truly,



C.S. Gustavson  
cc: Can-Corp Ventures Inc.

DRAFT OCP – Nanoose Bay

27 June 2005

Particularly concerning the proposed Lifestyle Centre

I, for one, do not want Nanoose Bay to become like Nanaimo or Parksville with a series of strip malls lining the highway. But irrespective of my feelings, I have the following concerns over what negative changes in the community the proposed mall might initiate:

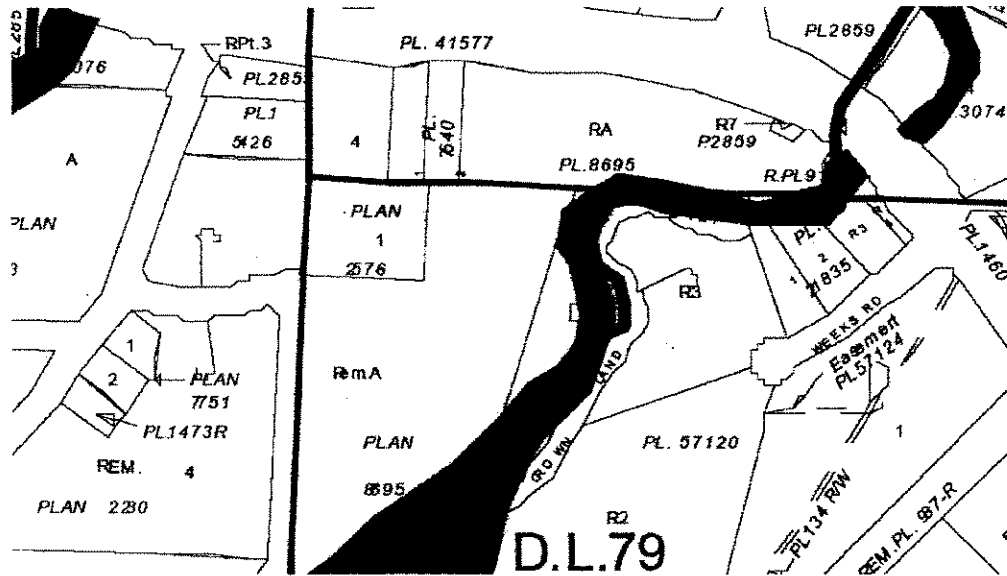
1. Over the late winter and spring of 2005 various open forum meetings discussed, among other things, where commercial activities should be held in Nanoose and at those meetings it appeared to be unanimous that Red Gap was to continue as the main sales centre. Discussion concerning the Petrocan gas station area, at least to me, indicated that because of the traffic congestion, this was a bad area and should not be considered for any expansion of sales activity.
2. Cancorp proposes to pay for partial re-alignment of Highway 19 between Northwest Bay and Morello roads. I have been told previously by the Highway's engineers that they want to raise the speed limit through town and place median barriers in front of Summerset and Weeks roads. They will do this if the highway is realigned as proposed.
3. Has anyone considered the water supply? The Cancorp development will not be part of the NRD water system and likely will tap Bonell Creek or use ground water from wells. Bonell runs dry during the summer and the surrounding aquifer is likely to run even lower with commercial usage, if they obtain a water license. On the otherhand if they drill a well this will help to lower even further the already decreasing water table. East Vancouver Island test well logs have shown a steady decrease for at least the last twenty years.
4. Finally it appears that at least some of the proposed development will lie in an officially mapped "flood plain". See the attached map section extracted from the Draft Nanoose Bay OCP, Appendix 1, Natural Features where the green stripe following Bonell Creek is designated "Riparian, Flood Plain vegetation" and compare this map to the Cancorp Nanoose Bay Lifestyle Centre plot plan and it appears that one of the proposed buildings and the soccer field would be overlapping a flood area. I would not want to be their insurance agent. And if the construction were permitted and flooding followed would the developer or property owners sue the approving agency such as is happening in the District of North Vancouver?

Dan Morrison  
2347 Summerset Road  
468-1409

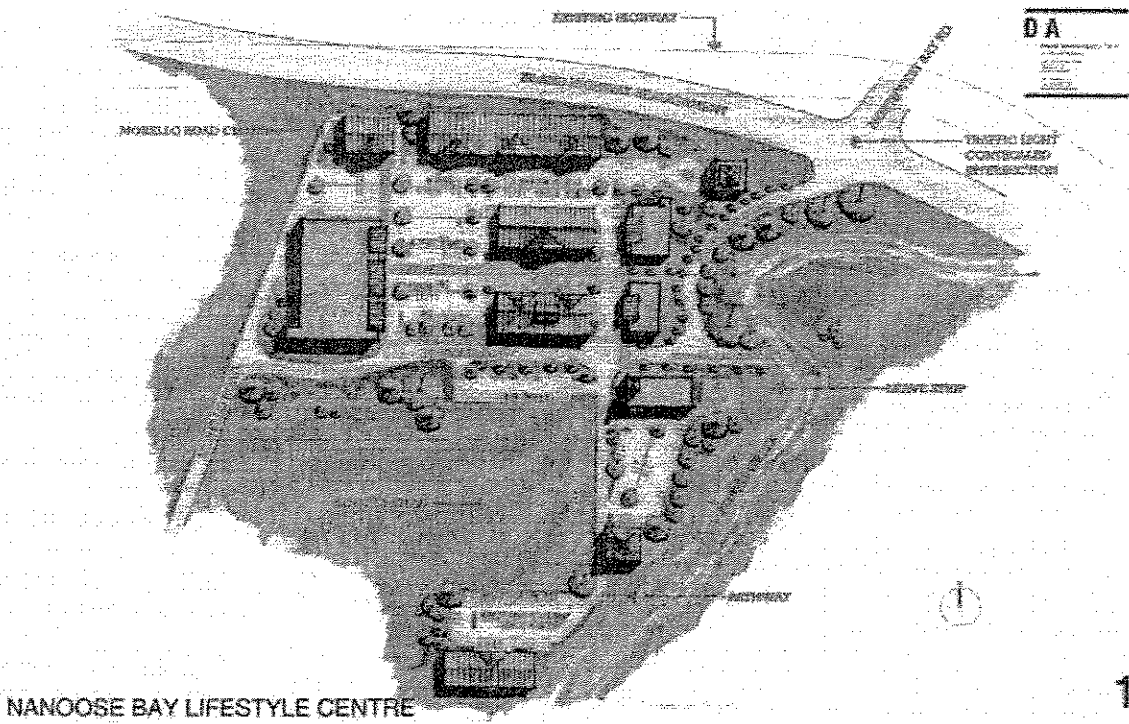
From DRAFT OCP, Nanoose Bay

**Appendix Map No.1 Inventory of Natural Environment Features**

(sector)



From [www.cancorp.com/nanoose](http://www.cancorp.com/nanoose)





REGIONAL DISTRICT OF NANAIMO			
CHAIR		GM Cms	
CAO		GM ES	
DA CCD		MoF	
JUL 15 2005			
<i>Dr. d.</i>			

## MEMORANDUM

**TO:** Kelly Daniels  
Chief Administration Officer

**DATE:** July 15, 2005

**FROM:** Wayne Thexton  
Acting Manager, Financial Services

**FILE:**

**SUBJECT:** Northern Community Service Area Development Cost Charges Bylaw No. 1442, 2005

### PURPOSE

To consider "Northern Community Sewer Service Area Development Cost Charges Bylaw No. 1442, 2005" for third reading.

### BACKGROUND

The Board received Bylaw No. 1442, 2005 for the first and second reading on June 28, 2005 with instructions to staff to report on the public consultation process prior to third reading.

A public meeting was held Thursday, June 23, 2005 from 2:00 pm to 3:00 pm at the City of Parksville Council Chambers. The notice of the meeting was sent to the Parksville and Qualicum Beach Chambers of Commerce, the Oceanside Development and Construction Association and a number of the developers in the area. No comments were received during the public meeting that would indicate a change was required in the bylaw.

A minor housekeeping amendment has been made to the original bylaw. The "Tourist/Resort Accommodation" definition has been removed from section 1.

Based on the feedback from the consultation process, amended Bylaw No. 1442, 2005 is ready to be given third reading and forwarded to the Inspector of Municipalities for approval.

### ALTERNATIVES

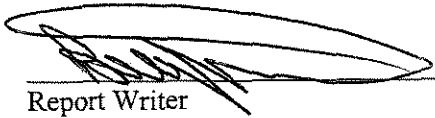
1. To receive amended Bylaw No. 1442 for third reading and forward it to the Inspector of Municipalities for approval.
2. To not receive amended Bylaw No. 1442 for third reading.

### FINANCIAL IMPLICATIONS

The financial implications are as outlined in the initial report dated June 7, 2005. The proposed Development Cost Charge rates are contained in Schedule 'A' to the bylaw.

**RECOMMENDATION**

That amended "Northern Community Sewer Service Area Development Cost Charges Bylaw No. 1442, 2005" receive third reading and be forwarded to the Inspector of Municipalities for approval.



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Report Writer



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C.A.O. Concurrence

COMMENTS:

## REGIONAL DISTRICT OF NANAIMO

### BYLAW NO. 1442

#### A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES WITHIN THE NORTHERN COMMUNITY SEWER SERVICE AREA

WHEREAS the Board may, pursuant to Section 933 of the *Local Government Act*, impose development cost charges under the terms and conditions of that section;

AND WHEREAS development cost charges may be imposed for the sole purpose of providing funds to assist the Regional District to pay the capital cost of providing, constructing, altering or expanding wastewater treatment facilities, including treatment plants, trunk lines, pump stations and other associated works in order to serve, directly or indirectly, the development for which the charges are imposed;

AND WHEREAS in establishing the development cost charges under this bylaw, the Board has considered the future land use patterns and development, and the phasing of works and services within the boundaries of the Northern Community Sewer Service area;

AND WHEREAS the Board is of the opinion that the development cost charges imposed under this bylaw:

- (a) are not excessive in relation to the capital costs of prevailing standards of service,
- (b) will not deter development, and
- (c) will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land,

within the Regional District of Nanaimo.

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

#### 1. INTERPRETATION

In this bylaw:

**"Airport Industrial Use"** means any building constructed on airport lands for airport purposes.

**"Assisted living"** means a building or buildings used for multiple family residential use, where there may be common facilities and a cafeteria or eating area, but where residents are ambulatory and live in private rooms or units which can be locked and which are not automatically accessible to care staff.

**"Building"** means any structure and portion thereof, including mechanical rooms, that is used or intended to be used for the purpose of supporting or sheltering any use or occupancy.

**"Commercial Use"** means the use of land or buildings for any retail, tourist accommodation, restaurant, personal or professional services, commercial entertainment or commercial recreational use, and any other business use which is not an industrial or institutional use.

**"DCC"** means a development cost charge.



**"Dwelling Unit"** means one self-contained unit with a separate entrance intended for year-round occupancy, and the principal use of such dwelling unit is residential, with complete living facilities for one or more persons, including permanent provisions for living, sleeping, cooking and sanitation.

**"Gross Floor Area"** means the total of the horizontal areas of all floors in a building, including the basement, measured to the outside of the exterior walls of the building.

**"Industrial Use"** means the use of land or buildings for any manufacturing, processing, repair, storage, wholesaling or distribution of goods.

**"Institutional Use"** means the use of land or buildings for any school, hospital, correctional facility, care facility, or for the purposes of a public body or publicly regulated utility, but does not include "assisted living" uses.

**"Lot"** means a parcel created by registration of subdivision under the *Land Title Act* (British Columbia) or the Bare Land Strata regulation under the *Strata Property Act* (British Columbia)

**"Mobile Home Park"** means an unsubdivided parcel of land, not subdivided pursuant to the *Strata Property Act* and amendments thereto, on which are situated three or more mobile homes for the purposes of providing residential accommodation, but specifically excludes a hotel;

**"Multiple Family Residential"** means a building or buildings containing two or more dwelling units on a parcel and includes row housing, cluster housing, townhouses, apartment and "assisted living" uses.

## 2. CHARGES

Every person who obtains:

- a) approval of the subdivision for any purpose of a parcel of land under the *Land Title Act* or the *Strata Property Act* which creates fee simple or bare land strata lots which are zoned to permit no more than two dwelling units, or
- b) a building permit authorizing the construction, alteration or extension of a building, including a building containing less than four self-contained dwelling units and that will, after the construction, alteration or extension, be put to no other use other than the residential use in those dwelling units, or
- c) a building permit for any new floor area which has a construction value in excess of \$50,000.00 or where the total of the building permits issued for the same parcel of land within the preceding 2 years exceeds \$50,000.;

shall pay, at the time of the approval of the subdivision or the issuance of the building permit, the applicable development cost charges as set out in Schedule 'A' attached to and forming part of this bylaw.

3. The charges outlined on Schedule 'A' will apply to properties outlined on Schedule 'B', attached to and forming a part of this bylaw.

4. The charges outlined on Schedule 'A' will be based on the actual use of the building not the zoning category of the property; and,
- a) where there is more than one use, each use is subject to the charge based on the actual use and there may be more than one category applied per building.
  - b) mezzanines, storage or similar areas within a building are subject to development cost charges based on the same use that the majority area of the building contains.
  - c) where a building is vacant and its future use cannot be determined, development cost charges are payable in accordance with the zoning category for the land upon which the building is situated.

5. **EXCEPTIONS**

- a) Section 2 does not apply to a subdivision or building in respect of which the imposition of a development cost charge is prohibited by statute.
- b) If by statute or by operation of law, this Bylaw does not apply to an application to subdivide or an application for a building permit made prior to the adoption of this bylaw, any bylaw repealed by this bylaw shall remain unrepealed and in force and effect in relation to such applications, so far as is necessary to impose development cost charges under that bylaw at the time of subdivision approval or issuance of the building permit.

6. **GRACE PERIOD**

The effective date of the rates contained within this bylaw will be 60 calendar days after the date of adoption.

7. **REMAINDER OF BYLAW TO BE MAINTAINED INTACT**

In the event that any portion of this bylaw is declared ultra vires, such portion shall be severed from this bylaw with the intent that the remainder of this bylaw shall continue in full force and effect.

8. **TITLE**

This bylaw may be cited for all purposes as "Northern Community Sewer Service Area Development Cost Charges Bylaw No. 1442, 2005".

Introduced for first and second readings this 28th day of June, 2005.

Read a third time this 26th day of July, 2005.

Approved by the Inspector of Municipalities this \_\_\_\_\_ day of \_\_\_\_\_ 2005.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

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CHAIRPERSON

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DEPUTY ADMINISTRATOR

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Deputy Administrator

**SCHEDULE 'A'**

**Development Cost Charges for Wastewater Treatment/Sanitary Sewer Works and Services**

1. Pursuant to Section 2 of this bylaw, development cost charges shall be levied in those areas that will be serviced by wastewater treatment/sanitary sewerage works and services as outlined on the map attached hereto as Schedule 'B'.
2. The assist factor for wastewater treatment/sanitary sewerage works and services shall be 1%.
3. All charges shall be paid in full prior to the approval of a subdivision or building permit unless paid by way of installments in accordance with BC Reg 166/84.
4. The Development Cost Charge Schedule is as follows:

<b>Category</b>	<b>Subdivision</b>	<b>Building Permit</b>
Single Family	\$4,744.54 per lot being created	\$4,744.54 per residential unit constructed
Multi-Family		\$3,163.02 per residential unit constructed
Commercial		\$17.79 per square meter of building gross floor area
Industrial (all uses except Airport)		\$10.68 per square meter of building gross floor area
Airport Industrial		\$1.98 per square meter of building gross floor area
Institutional		\$21.75 per square meter of building gross floor area

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE  
MEETING HELD ON TUESDAY, JULY 12, 2005, AT 6:30 PM  
IN THE RDN BOARD CHAMBERS**

**Present:**

Director E. Hamilton	Chairperson
Director H. Kreiberg	Electoral Area A
Alternate	
Director B. Jepson	Electoral Area D
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director J. Stanhope	Electoral Area G
Director D. Bartram	Electoral Area H

**Also in Attendance:**

B. Lapham	Deputy Administrator
J. Llewellyn	Manager of Community Planning
N. Tonn	Recording Secretary

**CALL TO ORDER**

The Chairperson welcomed Alternate Director Jepson to the meeting.

**MINUTES**

MOVED Director Kreiberg, SECONDED Director Bartram, that the minutes of the Electoral Area Planning Committee meeting held June 14, 2005 be adopted.

CARRIED

**PLANNING**

**DEVELOPMENT PERMIT APPLICATIONS**

**Development Permit Application No. 60524 – Chiste & Larsen – Northwest Bay Road – Area E.**

MOVED Director Holme, SECONDED Director Stanhope, that Farm Land Protection Development Permit Application No. 60524 to facilitate remediation of the 15.0 metre buffer area through replanting and leveling of the site and to allow the installation of a septic system within the buffer area, be approved, according to the terms outlined in Schedule No. 1.

CARRIED

**Development Permit Application No. 60525 – Purves – 629 Viking Way – Area G.**

MOVED Director Stanhope, SECONDED Director Kreiberg, that Development Permit Application No. 60525 with a front yard setback variance from 8.0 metres to 5.1 metres to permit the construction of a dwelling unit at 629 Viking Way be approved according to the terms outlined in Schedule No. 1, and subject to the Board's consideration of comments received as a result of public notification.

CARRIED

**Development Permit Application No. 60526 – Friede/Fern Road – 6060 Island Highway West – Area H.**

MOVED Director Bartram, SECONDED Director Holme, that Development Permit Application No. 60526 with variance be approved according to the terms of Schedule No. 1, subject to consideration of comments received as a result of public notification and that the issuance of Development Permit No. 60526 be withheld until completion of the following:

1. The applicant shall, at the applicant's expense and to the satisfaction of the Regional District of Nanaimo, prepare and register a Section 219 covenant saving the Regional District of Nanaimo harmless of any damages and/or losses as a result of flooding and/or erosion.

CARRIED

**Development Permit Application No. 60528 – Fern Road Consulting Ltd. on behalf of D & B Van Damme – 1921/1931 Northwest Bay Road – Area E.**

MOVED Director Holme, SECONDED Director Bartram, that Development Permit No. 60528, submitted by Fern Road Consulting Ltd., on behalf of D and B Van Damme for the property legally described as Lot 3, District Lot 10, Nanoose District, Plan 28601, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.

CARRIED

**Development Permit Application No. 60529 – Fern Road Consulting Ltd., on behalf of Forevergreen Properties Ltd. – Inland Island Highway/Butler Avenue – Area G.**

MOVED Director Stanhope, SECONDED Director Biggemann,:

1. That the request, submitted by Fern Road Consulting Ltd., on behalf of Forevergreen Properties Ltd., to allow the creation of a subdivision within the Inland Island Highway Development Permit Area as shown on the proposed plan of subdivision of Block 1438, Nanoose District, Except Parts in Plans 33564, VIP52788, VIP55714, 3501RW and VIP64704 and Proposed Closed Road, be approved subject to the conditions of Schedules No. 1 and 2.
2. That the Approving Officer be specifically advised to take all necessary steps for the protection of all water wells, and in particular, those wells within the City of Parksville.

CARRIED

**Development Permit Application No. 60532 – Davis/Carniato – Andover Road – Area E.**

MOVED Director Holme, SECONDED Director Kreiberg, that Development Permit Application No. 60532 with a variance to reduce the front lot line setback from 8.0 metres to 5.0 metres on Andover Road be approved according to the terms outlined in Schedule No. 1, subject to consideration of comments received as a result of public notification.

CARRIED

**DEVELOPMENT VARIANCE PERMIT APPLICATIONS**

**Development Variance Permit Application No. 90515 – Schlegel – Blueback Drive – Area E.**

MOVED Director Holme, SECONDED Director Kreiberg, that Development Variance Permit Application No. 90515, to vary Section 3.4.61 of "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" to relax the maximum permitted dwelling unit height from 8.0 metres to 9.1 metres according to the terms of Schedule '1', be approved subject to consideration of the comments received as a result of notification pursuant to the *Local Government Act*.

CARRIED

**OTHER**

**Building Strata Conversion Application – S & W Jessen – 3051 West Road – Area D.**

MOVED Director Jepson, SECONDED Director Stanhope, that the request from Steven and Wendy Jessen, for the building strata conversion as shown on the Proposed Strata Plan of Lot 2, Section 16, Range 3, Mountain District, Plan VIP72060, be approved subject to the conditions being met as set out in Schedules No. 1, 2 and 3 of the staff report.

CARRIED

**ADJOURNMENT**

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

CARRIED

**TIME: 6:44 PM**

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CHAIRPERSON

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE COMMITTEE OF THE WHOLE  
MEETING HELD ON TUESDAY, JULY 12, 2005, AT 7:00 PM  
IN THE RDN BOARD CHAMBERS**

**Present:**

Director J. Stanhope	Chairperson
Director H. Kreiberg	Electoral Area A
Director G. Lund	Electoral Area B
Director E. Hamilton	Electoral Area C
Alternate	
Director B. Jepson	Electoral Area D
Director G. Holme	Electoral Area E
Director L. Biggemann	Electoral Area F
Director D. Bartram	Electoral Area H
Director R. Longmuir	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Alternate	
Director B. Dempsey	District of Lantzville
Director L. Sherry	City of Nanaimo
Director D. Brennan	City of Nanaimo
Director T. Krall	City of Nanaimo
Director B. Holdom	City of Nanaimo
Director L. McNabb	City of Nanaimo

**Also in Attendance:**

K. Daniels	Chief Administrative Officer
B. Lapham	Deputy Administrator
N. Connelly	General Manager of Community Services
J. Finnie	General Manager of Environmental Services
D. Trudeau	A/Manager of Transportation Services
W. Thexton	Senior Accountant
N. Tonn	Recording Secretary

**CALL TO ORDER**

The Chairperson welcomed Alternate Directors Jepson and Dempsey to the meeting.

**DELEGATIONS**

**Denise Monjo, re Transit Exchange – Prideaux Street.**

Ms. Monjo raised her concerns with respect to the present location of the downtown Transit exchange on Prideaux Street.

**MINUTES**

MOVED Director Sherry, SECONDED Director Bartram, that the minutes of the Committee of the Whole meeting held June 14, 2005 be adopted.

CARRIED

## COMMUNICATION/CORRESPONDENCE

**Jac Kreut, Board Chair, Vancouver Island Health Authority, re Attendance at Joint Capital Planning Meetings.**

MOVED Director Sherry, SECONDED Director Holme, that the correspondence from the Vancouver Island Health Authority regarding attendance at Joint Capital Planning meetings be received.

CARRIED

## COMMUNITY SERVICES

### EMERGENCY PLANNING

**CVRD Pesticide Reduction Strategy.**

MOVED Director Kreiberg, SECONDED Director Westbroek, that the report on a pesticide reduction strategy be received for information and that staff be provided with direction for further action on this issue.

CARRIED

Staff were directed to report back with recommendations for possible further actions on this issue.

Directors Krall, Brennan and Holdom joined the meeting.

### RECREATION AND PARKS

**Boardwalk Construction at Cox Community Park – Area B.**

MOVED Director Lund, SECONDED Director Hamilton, that the revised Area B community parks budget and the construction of a boardwalk within Cox Community Park on Gabriola Island, be approved.

CARRIED

### REGIONAL GROWTH MANAGEMENT

**Green Buildings Project – Green Buildings Tour.**

MOVED Director Krall, SECONDED Director Holme, that the report on the educational green building tour conducted as a part of the Green Buildings Project be received.

CARRIED

### CORPORATE AND COMMUNITY DEVELOPMENT

### ADMINISTRATION

**Port Theatre Funding Request for Electoral Areas D and E.**

MOVED Director Holme, SECONDED Director Jepson,:

1. That the Regional District of Nanaimo proceed to referendum on November 19, 2005, to obtain the assent of electors in the remainder of Electoral Area D and Electoral Area E to establish individual Port Theatre Contribution Service Areas and that the referendum questions be as follows:
  - i. Are you in favour of the “Remainder of Electoral Area D Port Theatre Contribution Service Area Bylaw No. 1448” which, if enacted, would establish an annual contribution of \$3,575 to contribute towards the operation of the Port Theatre?



- ii. Are you in favour of the "Electoral Area E Port Theatre Contribution Service Area Bylaw No. 1449" which, if enacted, would establish an annual contribution of \$19,950 to contribute towards the operation of the Port Theatre?
2. That the "Remainder of Electoral Area D Port Theatre Contribution Service Area Bylaw No. 1448, 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
3. That the "Electoral Area E Port Theatre Contribution Local Service Area Bylaw No. 1449, 2005" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
4. That the Port Theatre be required to report annually to a meeting of the Board.

CARRIED

Staff were asked to bring forward alternative wording that would clarify the referendum questions.

#### **Police Support Services Funding.**

Director Bartram requested that the following recommendations be addressed in seriatim.

MOVED Director Holme, SECONDED Director Bartram, that assistance be provided to community based organizations providing police support services in the District 69 area through the 2005 general grants in aid function in the amount of \$3,064 for 2005 only.

CARRIED

MOVED Director Holme, SECONDED Director Longmuir, that staff bring back the Police Support Services Establishing Bylaw No. 1421 report which considers establishing a new function to provide ongoing financial support to community based volunteer organizations delivering police support services to commence in 2006.

CARRIED

#### **BUILDING INSPECTION**

##### **Section 57 of the Community Charter – Contravention of Bylaws.**

MOVED Director Holme, SECONDED Director Brennan, that a notice be filed against the titles of the properties listed, pursuant to Section 57 of the *Community Charter* and that if the infractions are not rectified within ninety (90) days, legal action will be pursued.

- (a) Lot 14, Section 14, Range 2, Plan VIP67829, Cedar District, 1866 Kirkstone Way, Electoral Area 'A', owned by T. Ryan and K. Schroder;
- (b) Lot 1, Section 12, Range 2, Plan VIP76511, Cedar District, 2070 Grieve Road, Electoral Area 'A', owned by T. Davies and D. Bouchard;
- (c) Lot 2, Section 4, Gabriola Island, Plan 16716, Nanaimo District except that part in Plan VIP52510, 1780 Stalker Road, Electoral Area 'B', owned by T. Upton and B. Plummer;
- (d) Lot 2, District Lot 29, Plan VIP63647, Nanoose District and part of the Bed of the Strait of Georgia, 992 Lee Road, Electoral Area 'G', owned by A. Short.

CARRIED

## **ELECTIONS**

### **Mail in Ballots.**

MOVED Director Bartram, SECONDED Director McNabb, that the District continue to provide curb side voting at every voting place for electors with physical disabilities.

CARRIED

## **ENVIRONMENTAL SERVICES**

### **LIQUID WASTE**

#### **Pump & Haul Local Service Area Amendment Bylaw No. 975.39 – Remora Place – Area E.**

MOVED Director Holme, SECONDED Director Sherry,:

1. That the boundaries of the RDN Pump and Haul Local Service Area Bylaw 975 be amended to include Lot 12, DL 8, Plan 20762, Nanoose Land District. (Remora Place in Electoral Area E.)
2. That “Regional District of Nanaimo Pump and Haul Local Service Area Amendment Bylaw No. 975.39, 2005” be read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

### **UTILITIES**

#### **French Creek Sewer Local Service Area Bylaw No. 813.34 and Northern Community Sewer Local Service Area Bylaw No. 889.34 – 808 Wembley Road – Area G.**

MOVED Director Sherry, SECONDED Director McNabb,:

1. That “Regional District of Nanaimo French Creek Sewer Local Service Area Amendment Bylaw No. 813.34, 2005” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
2. That “Northern Community Sewer Local Service Area Amendment Bylaw No. 889.34, 2005” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

## **COMMISSION, ADVISORY & SELECT COMMITTEE**

### **District 69 Recreation Commission.**

MOVED Director Bartram, SECONDED Director Biggemann, that the minutes of the District 69 Recreation Commission meeting held June 16, 2005 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Brennan, that the recommendations in the 2005 Fees and Charges report be approved as follows:

1. That the program, admission and rental fees for Oceanside Place in 2005/06 be approved as outlined in Appendix A.
2. That the program, admission and rental fees for Ravensong Aquatic Centre in 2006 be approved as outlined in Appendix B.

3. That Recreation Coordination program fees and recovery rates, administration fee and revenue-sharing percentage ratio for Term Instructor (Companies) agreements for 2006 be approved as outlined in Appendix C.

CARRIED

**Regional Growth Monitoring Advisory Committee/State of Sustainability Project.**

MOVED Director Holdom, SECONDED Director Bartram, that the minutes of the Regional Growth Monitoring Advisory Committee/State of Sustainability Project meeting held June 15, 2005 be received for information.

CARRIED

**Transit Business Plan Update Select Committee.**

MOVED Director Krall, SECONDED Director Kreiberg, that the minutes of the Transit Business Plan Update Select Committee meeting held June 30, 2005 be received for information.

CARRIED

**IN CAMERA**

MOVED Director Sherry, SECONDED Director Brennan, that pursuant to Section 90(1)(g) of the *Community Charter* the Board proceed to an In Camera meeting to consider items relating to legal matters.

CARRIED

**ADJOURNMENT**

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

CARRIED

TIME: 7:53 PM

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CHAIRPERSON

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE ELECTORAL AREA 'A' RECREATION SERVICES STUDY  
PROJECT ADVISORY COMMITTEE MEETING  
HELD ON THURSDAY, JULY 14, 2005, AT 7:00 PM  
AT THE CEDAR HERITAGE CENTRE**

**Attendance:** H. Kreiberg S. Freisen-Ellis G. Baltzer M. Johnson

**Staff:** N. Connelly D. Porteous

**Consultant:** B. Yates (Yates, Thorn and Associates)

**Regrets:** S. Gourlay

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**CALL TO ORDER**

Director Kreiberg called the meeting to order at 7:05 pm.

**MINUTES**

MOVED, Mr. Baltzer, SECONDED, Ms. Gordon, that the minutes of the Electoral Area 'A' Recreation Services Study Project, held on April, 21, 2005 be adopted.

CARRIED

Mr. Yates presented an overview of the survey including methodology, validity and the results. Based on the results the consultant reiterated that for the most part, respondents are satisfied with existing services, especially with the access agreement for facilities in the City of Nanaimo, and that locally, people are generally happy with the status quo. The consultant concluded that the results of the survey indicate that a referendum for a different system would not be successful.

After the presentation, Committee members shared their views. Concerns were addressed regarding the validity of the survey due to the low number of respondents and some of the skewed results, for example, the large percentage of respondents that were between the ages of 45 and 64 years of age. Some Committee members expressed concern that the survey was not representative of the community. Others believed the results could be seen in a more positive light than expressed by the consultant and RDN staff with respect to support for a local recreation service function. The Committee agreed, contrary to the consultant's and the RDN staff's perspective, that a referendum could pass and should be held during the local government elections.

There were some questions with respect to the operation and funding of a local recreation service function. Staff explained that, similar to Gabriola Island, an agreement would need to be established and that the accountability of funding would be monitored through the RDN. These issues would be addressed once the Board has provided future direction.

The Committee also expressed that the agreement with the City of Nanaimo needs to be maintained and that a local service function would be established to coexist with the City of Nanaimo agreement.

Committee members agreed that the development of the referendum question and the tax requisition amount will need to be clearly established so that the electorate understands what they are voting for. Director Kreiberg indicated that RDN staff would be involved to ensure that the question is legally and clearly defined and that other pertinent information is presented.

Director Kreiberg summed up the discussion expressing that support for or against a local recreation service function was evenly split and that the findings did not favor one side over the other. Director Kreiberg explained that he had hoped for a more definitive result; therefore, based on these results being unclear as to an outcome, he would support moving to Phase III of the study. Director Kreiberg thanked Mr. Yates for the work done on the survey, which was much appreciated.

Director Kreiberg asked for a motion from the Committee members for the Regional Board's consideration.

MOVED Ms. Friesen-Ellis, SECONDED Ms. Johnson, that the Regional District proceed to Phase III of the Recreation Services Study to conduct a referendum in November 2005 for the creation of a local recreation service function in Electoral Area 'A'.

CARRIED

**ADJOURNMENT:**

The meeting was adjourned at 8:25 pm.

**NEXT MEETING:**

TBA – Committee members will be contacted regarding the next meeting date, which will likely take place near the end of August or beginning of September, after the Board meets on July 26 and makes a decision regarding Phase III of the Recreation Services Study.

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Chair



**REGIONAL  
DISTRICT  
OF NANAIMO**

REGIONAL DISTRICT OF NANAIMO			
CHAIR		GM Cms	
CAO		GM ES	
DA CCD		MoF	
JUL - 5 2005			
<i>Bee Comm.</i>			
<b>DATE:</b>			

**MEMORANDUM**

**TO:** Tom Osborne  
Manager of Recreation and Parks

**DATE:** June 30, 2005

**FROM:** Dan Porteous  
Recreation Program Supervisor

**FILE:**

**SUBJECT:** Electoral Area 'A' Recreation Services Study

**PURPOSE**

To provide information and recommendation pertaining to the results of the Electoral Area 'A' Recreation Services Study.

**BACKGROUND**

At the November 23, 2004 Regional Board meeting the following resolution was approved:  
*.....that the Terms of Reference for a project proposal to undertake a Recreation Services Study for Electoral Area 'A' be approved, and that \$20,000 be raised from Electoral Area 'A' in 2005 to conduct the survey, prepare a report and if necessary, provide for a referendum question in conjunction with the 2005 local government elections.*

The Terms of Reference included a three phase approach to the Recreation Services Study. In Phase I the Regional District retained the services of Yates, Thorn and Associates to develop and implement a survey to determine the level of satisfaction with the current recreation services provided for Area 'A' residents and gauge support for the creation of a local recreation service function. The Project Advisory Committee and Regional District staff met with the consultant during the design phase to provide direction, feedback and final approval of the survey. The survey was mailed out in early May and returned by the end of May. Results were then tabulated, compiled in a document prepared by the consultant and are now being presented to the Regional District for review.

Phase II includes this report, which outlines the findings of the survey and provides a recommendation regarding whether or not to proceed to Phase III. If it was determined through the study that there is sufficient public support for a local recreation service function, and upon Board approval to move forward, the Regional District would be required to obtain electoral consent to create a new recreation service function in Area 'A'. Phase III would then be implemented to develop service delivery options, a referendum question regarding the creation of the function and the planning of a referendum process to take place during the local government elections in November of 2005.

***Survey Summary***

The survey was mailed in May to 2,250 addresses in Electoral Area 'A'. The addresses were compiled from the BC Assessment database. Of those mailed, 50 were returned to sender. A total of 340 surveys

(15% or 3 out of 20) were completed and returned for tabulation, including 150 written comments sheets. Although the survey process included self addressed return envelopes, the response rate was much lower than expected, but the survey is still statistically valid at the +/- 6% level, 19 times out of 20.

Based on the Terms of Reference for the Electoral Area 'A' Study the survey would determine:

- what recreation services are currently being used the residents
- the community needs, interests, and priorities for recreation services for children, youth and adults
- parks and recreation facility needs in the community for children, youth and adults
- support for alternative recreation service delivery systems
- level of support for funding local recreation through taxation
- support for the existing agreement with the City of Nanaimo to access recreation and parks services

The following are some of the key results from the survey that pertain to the points indicated above. Percentages and figures represented in this summary are approximate. For further details the complete document has been attached as Appendix I.

There were close to 75% of respondents who considered recreation important or very important in their lives. Approximately 60% of respondents were satisfied with local recreation services compared to 30% who were not satisfied. With respect to the City of Nanaimo based recreation services, the number of satisfied respondents was higher at 85% with 18% suggesting the service was excellent and 24% suggesting it was okay, while only 5% expressed poor or very poor satisfaction. Close to 70% of respondents (2 out of 3) believe they are getting good value for their recreation tax dollars with the understanding that it is being used to provide access to the City of Nanaimo services. Approximately 25% of the respondents considered the value of their recreation tax dollars to be poor or very poor.

The results for alternative approaches to recreation service delivery in Electoral Area 'A' indicated that support for a local recreation service function was split between those supporting at approximately 46% and those not supporting at approximately 49%. As well, close to 45% of respondents indicated that they were not prepared to pay any more taxes for recreation services. Of the 50% that indicated they were prepared to pay more taxes, half were only prepared to pay up to \$7 per year more (10%) while the other half were prepared to pay more.

In terms of current usage of existing services, nature trails were the most significant form of recreation noted along with paved trails. Pools were also used by a significant portion of respondents with the majority utilizing pools in the City of Nanaimo and a fewer number using the pool in Ladysmith. Arenas were also used, but not as much as the pools. It was noted that formalized recreation programs were not used at all by 6 out of 10 respondents and that only 1 out of 10 families utilized recreation programs on a frequent basis. Other local forms of recreation usage were similarly recorded as relatively low in numbers.

The need for additional services/activities was also relatively low across the categories. Only 15% of respondents indicated that preschool programs were needed. Other categories of need included children's, youth, adults' and seniors' recreational programming with youth programming most frequently noted at 32%. Just over 25% of respondents indicated that no additional services are needed.

With respect to additional recreation and park facilities needed in the area, the priority for respondents was definitely weighted towards parks including nature trails and parks, which included paved trails. It was noted that the skateboard park and the children's playground and water park received a good level of support for facilities that only serve a small percentage of the population. The Skateboard Park had the

highest percentage of respondents (23.5%) behind parks and trails, closely followed by children's water park and playgrounds at approximately 20% each. Approximately 18% of respondents indicated that no additional facilities were needed.

In terms of barriers to recreation participation approximately one third of respondents indicated that no barriers exist. However, for respondents who indicated that barriers did exist, travel issues were identified the most including travel time, travel costs, and availability of bus service. Affordability of programs was also noted as a barrier, but to a lesser degree, and very few (1 in 7) noted a lack of programs as a barrier to greater participation.

### *Survey Analysis*

The key purpose of the study was to ascertain whether or not there is sufficient support to consider a referendum to establish a local recreation service function in Electoral Area 'A'. The results tend to indicate that the residents of Area 'A' are primarily satisfied with the current services provided not only within their area but also with the access provision in the agreement with the City of Nanaimo. Although travel issues were deemed barriers for some people, the satisfaction levels and responses to 'value for money' and 'alternative services' suggest that people are still prepared to travel or to use local outdoor recreation amenities such as parks and trails rather than pay more for additional local recreation services. The results also indicate that there is insufficient support to establish a local recreation service function through additional taxation. Although the results were close with respect to those who support versus those who do not support the establishment of such a function, it would be unlikely that a referendum would pass.

### **ALTERNATIVES**

1. Proceed to Phase III of the Electoral Area 'A' Recreation Services Study and develop service delivery options and a referendum question in preparation for a referendum in November 2005.
2. Not proceed to Phase III of the Electoral Area 'A' Recreation Services Study due to insufficient support for the creation of a local recreation service function.

### **FINANCIAL IMPLICATIONS:**

A total of \$20,000 was approved for the project in the 2005 budget. The amount of \$15,000 was allocated to Phase I of the project for retaining a consultant. The remaining \$5,000 was allocated for the implementation of the referendum process in Phase III.

Should a referendum not be held then the cost of the overall project will be just under \$15,000. With a referendum the total cost of the project would be approximately \$20,000 as approved.

If the referendum were to prove successful a tax requisition commitment for Electoral Area 'A' would need to be determined for the 2006 Annual Budget. As indicated in the survey, of the 50% who support the creation of a local recreation service function, the majority of them would be prepared to pay an increase of up to \$7.00 per year on their taxes per household based on the average value of residential property (187,900). This amount would generate only approximately \$24,000 in tax levy for a local recreation service function which limits service delivery options. By comparison, Gabriola Island residents pay approximately \$24.00 per year per household based on the average value of residential



property (\$232,240), which provides a levy of approximately \$70,000 for their local recreation service function.

### **COMMUNITY IMPLICATIONS**

There will likely be a number of local residents disappointed in the results of the study who are seeking changes to enhance the local recreation services; however, based on the survey results it would appear that the majority of residents are satisfied to maintain their rural lifestyle without considerable changes to services and additional costs to what already exists. Residents will continue to make choices as to whether or not to travel for significant outlets of recreation pursuits in places like Nanaimo and Ladysmith or continue to utilize whatever forms of recreation are currently available to them within their own communities. Such forms of recreation will likely cost little and are either done on an individual or family basis, and either through informal modes of delivery or possibly through organized volunteer services.

With respect to the overwhelming support for usage of and need for more parks and trails, residents already have an established Parks and Green Space Advisory Committee working on their behalf with staff of the Regional District to develop, maintain and enhance the parks and trails of Electoral Area 'A' under a community parks function.

### **SUMMARY**

Phase I of the Electoral Area 'A' Recreation Services Study has been completed. This phase included the development of a survey to determine current recreation usage of and future recreation needs for residents; level of satisfaction with local and Nanaimo based recreation services provided; and to gauge the level of support to establish a local recreation service function in Electoral Area 'A'.

As part of Phase II of the project, Regional District staff have compiled this report for consideration by the Board. If it was determined that there was sufficient public support for the creation of a local recreation service function then the Board would direct staff to proceed to Phase III of the project to include the development of service delivery options, the development of a referendum question and planning for a referendum in November of 2005 during the local government elections.

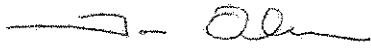
Results from the survey indicate that although residents of Area 'A' believe recreation is important in their lives, they are, for the most part, satisfied with the current provision of local recreation services and with the City of Nanaimo agreement regarding access to municipal recreation services. Most respondents believe they are getting good value for their taxes used for the agreement with the City. However, Area 'A' is split with respect to support for a local recreation service function with the percentage of respondents favoring the non-supportive group by a slight margin. As well, a significant number of residents have indicated that they are not prepared to pay any amount for additional taxes to support a local recreation service function. The majority of those who are supportive and prepared to pay are only willing to pay no more than \$7 per year additional taxes. This would amount to approximately \$24,000.

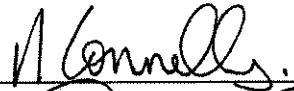
Based on the consultants report, Regional District staff have determined that there is insufficient support to proceed to Phase III of the project and that a referendum regarding the creation of a local recreation service function not be held.


**RECOMMENDATION**

That the Regional District not proceed to Phase III of the Recreation Services Study to conduct a referendum in November 2005 for the creation of a local recreation service function in Electoral Area 'A'.

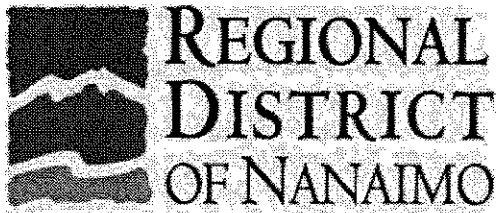
  
\_\_\_\_\_  
Report Writer

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

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

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

COMMENTS:



REGIONAL DISTRICT OF NANAIMO	
CHAIR	GM Cms
CAO	GM ES
DA CCD	MoF
JUL 15 2005	
MEMORANDUM <i>Bed</i>	

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**TO:** Neil Connelly  
General Manager Community Services

**DATE:** July 15, 2005

**FROM:** Jani M. Thomas  
Protective Services Coordinator

**FILE:** 1855-03

**SUBJECT:** 2005 Emergency Planning Program funding application

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**PURPOSE**

To consider approving an application to undertake the 2005 provincial Emergency Planning Program funding initiative for local governments.

**BACKGROUND**

The funds available from the Provincial Emergency Program, are used to enhance emergency programs by providing the opportunity to create an emergency plan, conduct a plan review or updating, plan exercising, training or a Hazard Vulnerability and Risk and Analysis (HVRA). An HVRA examines and identifies hazards, considers associated details, consequences, and would assess probabilities, frequencies, and create risk indices in accompaniment with recovery plans for identified threats and vulnerabilities.

In a previous grant intake in 2004, the RDN utilized the allotted \$25,000.00, on a 75:25 cost sharing basis. This same cost sharing arrangement is in place for the 2005 program. Last year's budget included the 25% share (\$6,250.00). The funds were used for emergency management training for all Emergency Coordination Center responders and associated stakeholder members.

Five Thousand (\$5,000.00) funding is available for 2005, with the provincial objective of improvement of emergency preparedness. A local government with a population base of fewer than 70,000 qualifies for this amount. The purpose is to continue to provide access to funding assistance for local governments wishing to enhance or initiate all hazards emergency preparedness activities as mandated in the *Emergency Program Act*.

Should the Board approve the application (submittal deadline August 1, 2005) an HVRA would be contracted for the Electoral Areas, and would greatly enhance the Emergency Program. The HVRA process would provide the opportunity for more extensive examination of various identified hazards within the existing Emergency Plan, and allow for the refinement and expansion of specific mitigation and recovery plans.

**ALTERNATIVES**

1. To approve submittal of the UBCM funding initiative for Emergency Planning application.
2. To not approve submittal of the UBCM funding initiative for Emergency Planning application.

**FINANCIAL IMPLICATIONS**

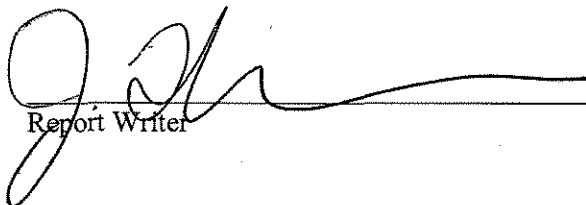
The 2005 funding program is administered by the UBCM, with the RDN 25% portion being \$1,250.00. Since this funding program was recently announced, the current budget does not have funds specifically designated. However, the RDN share of the funds can be covered partially by 'in kind' costs and available funds from contract services.

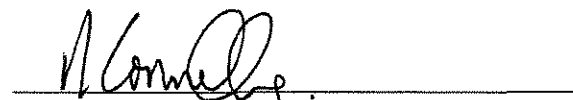
**SUMMARY/CONCLUSIONS**

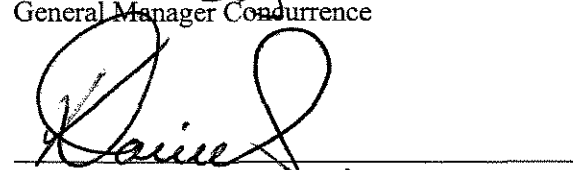
Accessing these funds will facilitate moving the Emergency Program further towards the goal of becoming more comprehensive and increasing operational and response capability. Should the Board approve the application, a Hazard Vulnerability Risk Analysis (HVRA) would be prepared via consultant in 2005, with a reporting period of 31 January 2006. An HVRA would greatly enhance the Emergency Program and facilitate the creation of more detailed response plans.

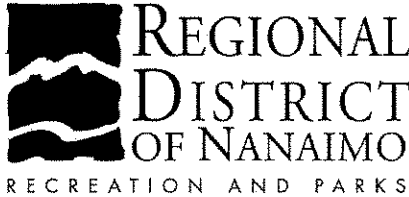
**RECOMMENDATION**

That the application for the 2005 provincial Emergency Planning Program funding be approved.

  
Report Writer

  
General Manager Concurrence

  
CAO Concurrence



REGIONAL DISTRICT OF NANAIMO			
CHAIR		GM Cms	
CAO		GM ES	
DA CCD		MoF	
JUL 18 2005			
Brd			

**MEMORANDUM**

**TO:** Neil Connelly  
General Manager Community Services

**DATE:** July 18, 2005

**FROM:** Joan Michel  
Parks and Trails Coordinator

**FILE:** 6240-20 B26

**SUBJECT:** Acceptance of 286 ha of Fee Simple Land for Community Park Use  
Electoral Area 'B' (Gabriola Island)

**PURPOSE**

To seek the Board's approval to accept the Gabriola Island Local Trust Committee's request that the RDN receive 286 freehold hectares (707 acres) of undeveloped Gabriola Island forest land and manage it as Electoral Area 'B' community park.

**BACKGROUND**

On June 27, 2005 and following a year of negotiations and public debate, the Gabriola Island Local Trust Committee (LTC) gave third reading to a bylaw that permits the transfer of 35 residential densities from 286 hectares of forest-zoned lands in central Gabriola Island and the subsequent rezoning of the 286 hectares to Forestry-Wilderness Recreation. Map 1 (*see Attachment No. 1*) shows the lands in question. The LTC has asked the Regional District of Nanaimo to receive the 286 hectares (currently in six parcels) on a freehold basis and to manage the land as Community Park on behalf of the residents of Electoral Area 'B' (*see Attachment No. 2*). There is no RDN involvement in the development lands that will receive the densities stripped from the 286 hectares. The LTC requires that the RDN hold title to the 286 hectares before the LTC will give final approval to the transfer of densities from the 286 hectares to the developer's holdings.

Initially, it was proposed that the 286 hectares would be held by the Island Trust Fund and managed by the RDN; however, the Trust Fund was not able to justify owning lands, particularly such a large holding, for other than conservation purposes. The six properties making up the 286 hectares represent undeveloped second-growth forest land that was largely clear-cut within the last 10 to 15 years. The lands are unremarkable in strict environmental terms; there is one small wetland in the southwest corner. The lands do offer excellent value for passive outdoor recreation and have been used for some time by Island hikers, cyclists and equestrians. Given time, the tree cover will return to the lands and Gabriolans will enjoy a large forested block in the centre of their Island that is protected from further development.

This land deal represents the first use of Gabriola's Official Community Plan provision supporting the creation of parkland and the protection of large blocks of forest through the transfer of residential densities. In contrast to many other Gulf islands, Gabriola has a relatively small amount of land in park or under some form of environmental protection. Acquisition of the 286 hectares also represents a major step forward in the creation of an end-to-end recreational trail corridor on Gabriola Island.

Permitted uses for the 286 hectares of Forestry-Wilderness Recreation lands include: (a) forestry, (b) forest wilderness oriented recreation, (c) ecological reserves, and (d) environmental protection. Permitted structures include portable sawmills and structures to accommodate passive outdoor recreational activities, environmental protection projects, forestry and forestry research and education. The minimum average lot area and minimum lot area are 286 hectares.

In respect of managing the 286 hectares, the Local Trust Committee has made the following motion:

*That the Regional District of Nanaimo undertake a process in conjunction with the Trust Fund Board and the public to create: a management plan for the donor lands, covenants restricting sale or subdivision, except as necessary to consolidate the titles and covenants necessary for conservation and preservation of environmental values.*

The Local Trust Committee and Trust Fund staff understands that a formal management plan with public consultation will not be initiated until 2006 or 2007. In the meantime, the RDN will manage the park with a focus on clarifying access points, posting signage, eliminating any hazards (none are known to exist at this time), and working with the local Fire Chief on developing a fire fighting plan for the large property. The establishment of covenants restricting sale or subdivision and supporting conservation, along with consideration of title consolidation, can be undertaken in 2006.

Two of the six parcels comprising the 286 hectares are currently encumbered by the easement rights of an adjacent 8.09 hectare parcel; all parcels have notations on title in regard to the Forest Land Reserve and some have notation regarding Crown Grant of Timber. In communication with the proponent of the density transfer and the Islands Trust, the RDN's legal advisors have stipulated that all titles must be cleared before the RDN can accept the 286 hectares.

The 286 hectares have had no other known use than forestry and passive outdoor recreation. The RDN has however no formal warrant that might save the Region harmless from any environmental contamination found on the property. Given the nature of development on Gabriola, the location of the 286 hectares and the known history of the properties, the risk of the RDN encountering a significant instance of contamination is considered very slight. Such risk is reduced even further if, as is the case, no building development is considered likely on the property.

## ALTERNATIVES

1. To accept the Local Trust Committee's offer of 286 hectares of freehold lands to be owned and managed by the Region as community park on behalf of the residents of Electoral Area 'B' and the Committee's request that the RDN work with the public and the Trust Fund on a management plan and conservation covenants for the 286 hectares. An RDN condition of receipt is that the six parcels making up the 286 hectares come to the Region with clear titles.
2. To decline the offer and to provide alternative direction.

## FINANCIAL IMPLICATIONS

Aside from the cost of legal review, which can be supported by the 2005 Electoral Area 'B' community park budget, the RDN faces no acquisition costs for the 286 hectares of community parkland. Initial operating costs will consist primarily of trailhead signage. The property is accessible from several points, one being an existing community park that offers parking space. Staff will also liaise with the Gabriola Fire Chief in regard to the development of a fire management plan. It is likely that a small reservoir will be proposed for the property in order to assist in fire fighting. To conclude a management plan for the new park and establish conservation covenants, Electoral Area 'B' community park budget funds will need to be set aside for the 2006 or 2007 year. Assistance with the financing of the plan will be sought from the Trust Fund Board.

## INTERGOVERNMENTAL IMPLICATIONS


The project offers the RDN and the Islands Trust (both Local Committee and Trust Fund) an opportunity to develop their working relationship for the benefit of all Islanders.

## SUMMARY

The Local Trust Committee for Gabriola Island has asked the RDN to receive 286 hectares of fee simple land in the centre of the Island and to manage those lands as Community Park. The land is to be zoned forestry/wilderness recreation. Further, the Committee seeks RDN commitment to work with the public and the Trust Fund Board on the development of a management plan for the lands, and to put in place covenants restricting sale and subdivision of the lands as well as protecting conservation values. RDN acceptance of the Committee's request is required before the Islands Trust will give final approval of the density transfer bylaw generating the 286 hectare community park. Initial management requirements for the park are limited; a management plan and covenants will be addressed in 2006 or 2007.

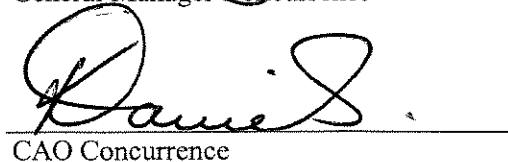
## RECOMMENDATION

That the Gabriola Islands Local Trust Committee's request that the Regional District receive 286 hectares of land as Community Park be accepted, subject to the terms and conditions outlined in the report.

  
Report Writer

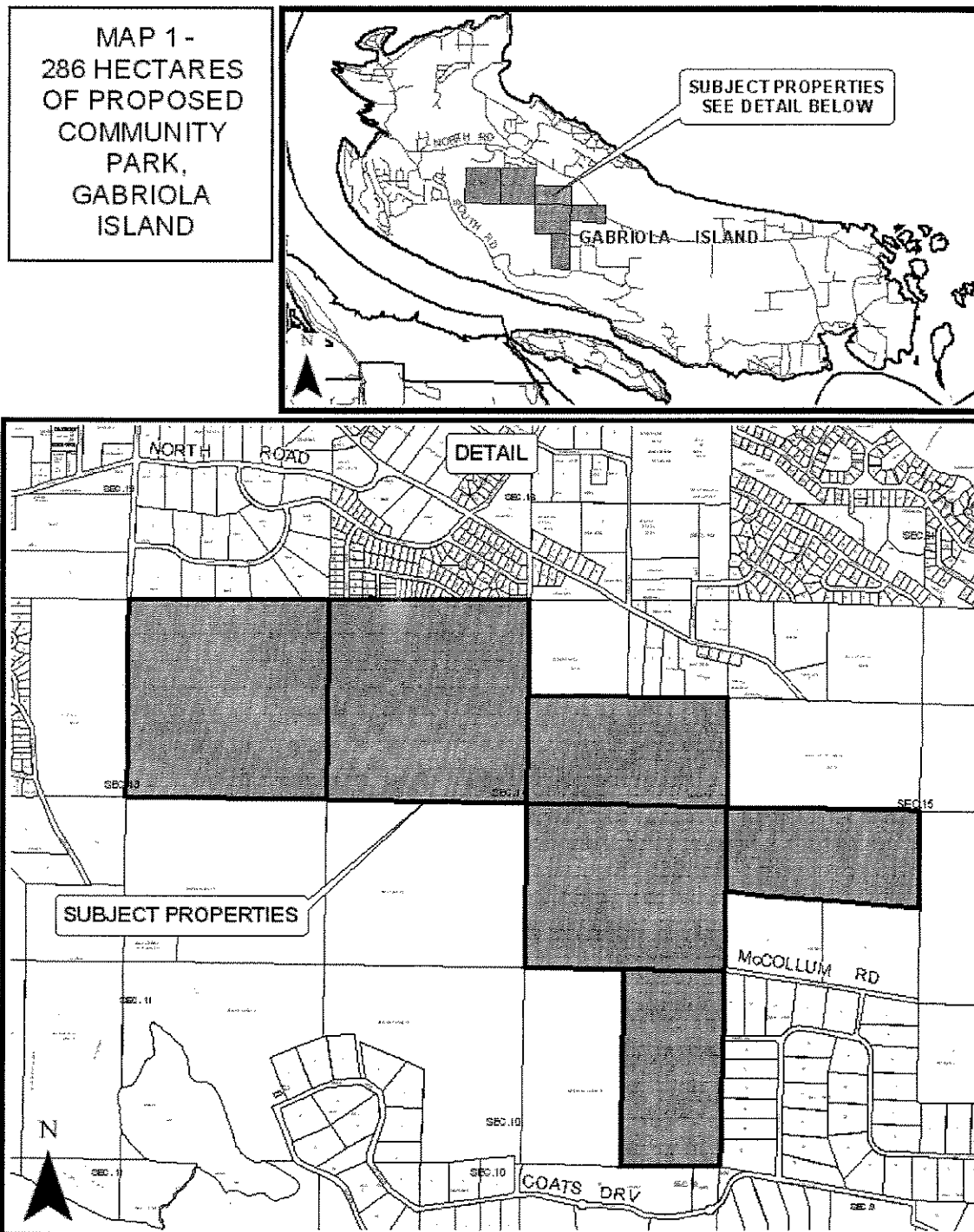
  
Manager Concurrence

  
General Manager Concurrence

  
CAO Concurrence

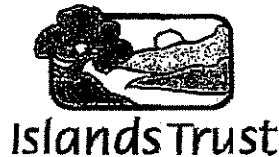
Attachment No. 1

Map No. 1: 286 Hectares of Proposed Community Park in Central Gabriola Island





Attachment No. 2



700 North Road, Gabriola Island, BC V0R 1X3  
Telephone (250) 247-2063 Fax (250) 247-7514  
Toll Free via Enquiry BC in Vancouver 860-2421. Elsewhere in BC 1.800.563.7867  
Email northinfo@islandstrust.bc.ca  
Web www.islandstrust.bc.ca

May 27, 2005

File Number: GB-RZ-2004.4

Tom Osborne  
Manager, Recreation and Parks  
Regional District of Nanaimo, Recreation and Parks Department  
Oceanside Place  
830 West Island Highway  
Parksville, BC V9P 2X4

Dear Mr. Osborne:

**Re: Gabriola Island - Acquisition of 286 hectares**

Further to your letter of support dated May 19, 2005 regarding Proposed Bylaws 235 and 236 for density transfer, this letter is a request that the Regional District of Nanaimo Board of Directors consider receiving the 286 hectare donor lands on behalf of the community of Gabriola Island.

The Gabriola Island Local Trust Committee has held a public hearing for the Proposed Bylaws and considered further readings. Prior to final consideration of the bylaws, the Trust Committee has instructed staff to request that the owner work with the Regional District of Nanaimo to coordinate the transfer of the six titles, attached.

In addition the Trust Committee made the following motion:  
*That the Regional District of Nanaimo undertake a process in conjunction with the Trust Fund Board and the public to create a management plan for the donor lands, covenants restricting sale or subdivision, except as necessary to consolidate the titles and covenants necessary for conservation and preservation of environmental values.*

Please consider this letter as a formal request that the Regional District of Nanaimo consider acquiring donor lands associated with the density transfer application. If you wish to discuss this matter further, please feel free to contact me at 247-2207.

Yours truly,



Chris Jackson, Planner