

REGIONAL DISTRICT OF NANAIMO

BOARD MEETING TUESDAY, AUGUST 29, 2006

ADDENDUM

PAGES

DELEGATIONS

- 2 **Debbie Hawkins**, re Referral from the District of Lantzville Regarding the Zoning Amendment Application for the Foothills.
- James Klockars**, re Referral from the District of Lantzville Regarding the Zoning Amendment Application for the Foothills.
- 3 **Ken Krall**, re Referral from the District of Lantzville Regarding the Zoning Amendment Application for the Foothills.
- 4 **Ted Miller**, re Referral from the District of Lantzville Regarding the Zoning Amendment Application for the Foothills.
- 5-9 **Frank Garnish**, re Review of Park Land Dedication in Conjunction with the Subdivision Application Process – Policy No. C1.5.

ADMINISTRATOR'S REPORTS

- 10-13 Development Permit Application No. 60643 – Nanaimo Airport Commission – Area A – amended pages for report.

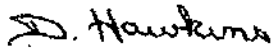
August 28th, 2006

Re: Regional District Meeting: Tuesday August 29th at 7pm

I would like to address the District in regards to the application from the District of Lantzville and the Foothills to use Vipond Road for the main access for the development and construction phase of the Foothills.

Debbie Hawkins
6962 Doumont Road
Nanaimo, B.C.
V9T 6G9
Phone: (250) 390-1385
Cell: (250) 618-2558

Thank You



Debbie Hawkins

Aug 28. 2000

Mr. Pearse.

I would like to speak
at the August 29th board meeting
concerning the foothills development

Ken Hall

6931 Doumont Rd.

Manowick B.C.

V9T 6G9

390-4787

Tks.

Burgoyne, Linda

From: ted miller [t_mili01@telus.net]
Sent: Monday, August 28, 2006 3:12 PM
To: Burgoyne, Linda
Subject: referral from Lantzville re zoning Foothills Development

Hi Linda

I would like to be included on the agenda of the rdn tomorrow Aug 29 regarding the application referral from Lantzville for the Foothills Development Plan.

Ted Miller at 6987 Eyelash Drive
Nanaimo
V9T 6H1

Phone 390-1398

I understand I will have up to 5 minutes for comments.

Please confirm receipt of request.

Thank you,
Ted Miller

8/28/2006

Burgoyne, Linda

From: Frank Garnish [comets@shaw.ca]
Sent: Monday, August 28, 2006 10:16 AM
To: Burgoyne, Linda; corpserv@rdn.bc.ca
Subject: August 29th POSAC delegation
Attachments: Parks N1B.doc; Parks N2B.doc

Good morning Linda,

The Electoral Area POSAC members respectfully request to have a delegation make a 5 minute presentation to the RDN Board on Tuesday, August 29th, 2006. The purpose of the presentation is to request that the RDN Board move "reconsideration" of the Parks Policy passed in July and refer it back to staff for revision in consultation with Electoral Area Directors and POSAC representatives.

Thank you for your attention to the above request. Attached please find copies of the presentation to be made. It is hoped that the Board may find the material useful in reaching a decision.

Sincerely,

Frank Garnish

8/28/2006

POSAC concerns regarding RDN Parks Policy revision:

Our “draft” comments and concerns are displayed in “Dom Casual” on these two pages. Copies are first being sent to Electoral Area Regional Directors. Secondly, copies will be sent to each of the other Directors on the Regional Board.

This new policy change reduces the function of POSACs to “puppet” committees. It is extremely discouraging for those members who have dedicated so much. We feel that our contributions in time and effort, and our community dedication are valuable assets to our Electoral Area Directors. We are convinced that the RDN Board and its Directors did not intend to reduce POSACs to “puppet” committees.

The Electoral Area POSACs respectfully request that the RDN Board move to reconsider this policy and refer it back to staff for revision with input from the Electoral Area Directors and POSAC representatives. **Frank Garnish, spokesperson**

REVISION DATE: July 25, 2006

PURPOSE

To provide a consistent approach and procedures for the review of park land dedication or cash in-lieu-of park land dedication or a combination of both as part of the subdivision review process where an Electoral Area Official Community Plan provides this option to the Regional Board.

BACKGROUND

Pursuant to the Local Government Act, where Official Community Plan policies are in place with respect to the provision of park land, the Regional District will require an applicant as part of a subdivision application, to provide park land or cash in-lieu-of park land or a combination of both.

PROCEDURES

Where the applicable Electoral Area Official Community Plan (OCP) provides direction to the Regional Board in its consideration of park land dedication at the time of subdivision pursuant to section 941 of the Local Government Act, and the park land proposal is consistent with the applicable OCP policies, the park land dedication or cash in-lieu-of parkland or a combination of both, the process involving Parks and Open Space Advisory Committees (POSACs) will be as follows:

1. Planning staff will hold a preliminary meeting with designated Park staff on the subdivision application.
2. Planning staff will notify the applicable Electoral Area Director of the subdivision application. **(this should be #1)**
3. Planning staff will coordinate a preliminary meeting with the applicant which will include the applicable Electoral Area Director. This meeting may be conducted on the proposed park land site. The designated Park staff will be included in the portion of the meeting in which the dedication of park land is discussed. At the discretion of the Electoral Area Director, the Chair or one designated member of the Electoral Area Parks and Open Space Advisory Committee may also attend the preliminary meeting. **(A director’s discretion should not be limited.)**
4. Based on outcomes from the meeting (see Step No.3), the applicant will prepare the necessary park land dedication or cash in-lieu-of proposal information for review by staff, and the applicable Electoral Area POSAC. **(the Electoral Area Director should be included)**
5. Planning staff will compile referral information on the applicant’s parkland dedication or cash in-lieu-of proposal for review and comment by the applicable POSAC. The referral to the POSAC will include the relevant application information, applicable OCP policies, applicable Park Plan policies, and any other relevant information from RDN parks and trails planning documents or Provincial Ministries.
6. Park staff and Planning staff will coordinate a site meeting with the applicant and the applicable POSAC between the hours of 9:00 am and 4:00 pm, Monday through Friday excluding statutory holidays. The applicant will stake

and/or flag the area proposed for parkland. Meeting times should be flexible, not limited. The inflexible time frame proposed may be impossible for the applicant, the Area Director, and others.

“Draft” Comments in “Dom Casual”

Policy No. C 1.5

Revised July 25, 2006

7. Park staff will coordinate and compile comments provided by members of the POSAC in attendance at the site meeting on the sample comment form attached to the Policy. In addition, POSAC members may provide additional comments on the form via e-mail or fax to the designated Park staff for up to three business days following the site meeting. The POSAC, in its comments of the proposal, will take into account applicable park land policies, park land operational matters, and any other issues that the Committee may wish to have taken into consideration by the Regional Board in its assessment of the submitted request.

7a. A formal POSAC meeting is crucial at this point to digest information, brainstorm possibilities, and formulate direct comments and recommendations to the Electoral Area Planning Committee and the RDN Board.

8. The Planning Department, in consultation with the Electoral Area Director, will directly arrange for the holding of a Public Information Meeting (PIM) on the proposal if it provides for parkland dedication. If the proposal only provides for cash in-lieu-of park land and the applicable OCP supports this in the area of the proposed subdivision, proceed to Step 11. Cash or land – this option should be decided by the RDN Board after viewing input from staff, the Area Director, PIM, and POSAC. The RDN Board alone is responsible for the “greater good”.

9. Public notification for a Public Information Meeting will include newspaper advertisement not less than 3 days nor more than 10 days prior to the date of the meeting, notices of the meeting mailed to all property owners within 100 metres of the subject property, and notice of the meeting forwarded to the members of the applicable Parks and Open Space Advisory Committee. By making the cash-in-lieu decision at Step 8, the Public (constituents) are denied their chance for input at a PIM.

10. Upon the Public Information Meeting being conducted, and if required, Planning staff will coordinate subsequent meetings with the applicant and Park staff to review information received from the Public Information Meeting and comments from the applicable POSAC to revise or adjust the proposal if required.

11. Planning staff will then prepare a report on the application on the parkland request for the consideration of the Electoral Area Planning Committee of the Regional Board on the evaluations of subdivision proposals that involve park land dedication or cash in-lieu-of park land dedication or a combination of both will include the following information, but not be limited to:

a) A summary of comments from the applicable POSAC; A summary of comments by staff is insufficient. Unedited comments and recommendations of POSAC meetings (minutes) are to be forwarded directly to the Electoral Area Planning Committee and the RDN Board.

b) The summary proceedings from the PIM;

c) A technical evaluation that includes applicable Official Community Plan objectives and policies and other matters, relative to the proposal; and,

d) A recommendation(s).

We are concerned about the new policy's reduction of accountability in decision-making through the creation of “puppet” POSACs, the lack of direct and timely involvement of our Regional Directors in the subdivision referral process, and the reduction of the RDN Board's consideration of the “greater good”.

The volunteer RDN Board appointees of each POSAC are well acquainted with their communities, have a special interest in POSAC issues, and provide creative thinking, accountability, and “free” local expertise that is invaluable to their Electoral Area Director.

While we agree that all POSAC recommendations made are “just recommendations”, the careful thought and grassroots input these recommendations represent is worthy of careful consideration. Eliminating direct community input and local expertise from folks with a vested interest in our communities and substituting only staff compilation and decision-making does great disservice to our communities.

The old policy may have indeed needed “tweaking”. The POSAC members and community leaders supporting this presentation are anxious to have representatives work together with the RDN Board, our Area Directors, and staff to bring forward a policy that solves problems, preserves meaningful input and accountability, and serves our communities well.



RDN			
CAO	GM	GMES	
GMCS		GMR&P	
GMDS		GMRT&F	
AUG 29 2006			
CHAIR		BOARD	
Board Addendum			

MEMORANDUM

TO: Jason Llewellyn
Manager of Community Planning

DATE: August 28, 2006

FROM: Greg Keller
Planner

FILE: 3060 30 60643

SUBJECT: Amendment to Development Permit Application No. 60643
Nanaimo Airport Commission - Electoral Area 'A'

To amend the Development Permit Report with respect to DP Application No. 60643 - Nanaimo Airport Commission, with the following changes:


Remove pages 9, 10 and 12 pertaining to Schedule No. 2 of Development Permit No. 60643 and replace with the attached pages.

Summary of amendments made:

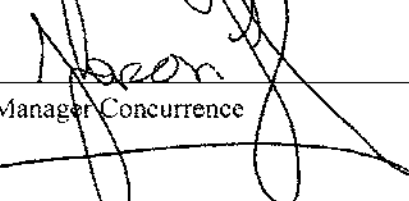
- Page 9 -- Changes to Treatment Area 'B' -- remove the ability to fall trees within this treatment area.
- Page 10 -- Treatment Area 'T' -- add phrase "Reforestation requires landowner consent"
- Page 12 -- Inserts the requirement to replant at a 3:1 ratio and to have an environmental monitor on-site during operations.

The purpose of these changes is based on the recommendation of the Department of Fisheries and Oceans.

Staff recommendation remains unchanged.




Report Writer



Manager Concurrence

General Manager Concurrence



CAO Concurrence

COMMENTS:
Memorandum for DP 60643 amendments to report.doc

Schedule No. 2 (Page 1 of 6)
 Vegetation Management Plan Summary
 Development Permit No. 60643

Nanaimo Airport Flightpath Vegetation Management, Work Plan Summary August 21, 2006

Prepared for the Nanaimo Airport, by R. Bartram MBA, RFT, Ryka Industries Ltd.

Areas are identified on Figure 5, Treatment Areas, from the Environmental Assessment - Riparian Areas Adjacent to Haslam Creek and Tributaries, by Madrone Environmental Services Ltd. July 24th, 2006

Riparian Treatment Units	Recommendation	NAC work to be done & impact on vegetation (max. height is 2 m below transitional surface)
A	topping only, consider planting to widen riparian strip to 15m	Scattered very tall trees may require light topping. Max height at #9 is 51 m, tree is only 50m tall. Most of treatment unit is outside flightpath management area
B	topping only with 20m of HWM, beyond 20m fall or top intrusion trees	<p>Topping only within treatment area.</p> <p>Lot 5, Section 3: Scattered very tall trees may require light topping. Max height at #10 is 46m, tree is 52m tall.</p> <p>Section 4, Range 8: East of Unit C: Scattered very tall trees may require topping. Max height at #11 is 45m, tree is 51m tall.</p> <p>Lot 1, Plan 10508: No work required, outside of flightpath management area.</p> <p>Lot 1 Section 5/Section 4, Range 8 adjacent to Unit E. All trees require heavy topping. Maximum tree height of 9m at flight line center at Haslam Creek, increasing to 16m at south edge of Section 4</p> <p>Lot 1 Section 5, South of Haslam Creek. All trees require heavy topping. Max height at #36 is 8m, tree is currently 33m tall</p>
C	topping only with 20m of HWM, keep tops out of wetted channel	<p>Topping only within treatment area</p> <p>Many trees will require topping. Maintain tree heights at approximately 19m at the west end of the treatment unit increasing to approximately 46m at the east.</p>

Schedule No. 2 (Page 2 of 6)
 Vegetation Management Plan Summary
 Development Permit No. 60643

Riparian Treatment Units	Recommendation	NAC work to be done & impact on vegetation (max. height is 2m below transitional surface)
D	topping only, consider clearing patches of shrub layer and planting trees. Opportunities for in-stream habitat enhancement.	Topping only within treatment area Scattered trees to top. Maintain tree heights at approximately 17m.
E	topping only within 18m SPEA, beyond 18m top or fall	Topping only within treatment area. Many trees will require topping. Maintain tree heights at approximately 9m at the west end of the treatment unit, increasing to approximately 17m at the east.
F	topping only within 10m of HWM, beyond 10m top or fall	Topping within 10m of HWM, fall intruding trees away where they will not impact Haslam Creek. (diked section) Many trees will require topping. Maintain tree heights at approximately 23m at the west end of the treatment unit, decreasing to approximately 9m at the east. Max height at #35 is 23m, tree is 43m tall.
G	light topping only within 20m of HWM. Top to maximum height and prune every 1 or 2 years, between 20 and 30m of HWM fall no more than half of intruding trees	Topping only within treatment area. A few dozen trees will require topping. Maintain tree heights at approximately 34m. Max height at #45 is 34m, tree is 42m tall
H	light topping only within 20m of HWM. Top to maximum height and prune every 1 or 2 years. Between 10 and 20m of HWM conventional topping. Madrone suggests deactivating T-Bridge road & replanting. Potential for in-stream habitat improvement with rootwads and LWD.	Topping only within treatment area All trees require topping. Maximum tree height of 24m at T-bridge road decreasing to 8m at the east end of the unit in the center of the flightpath. Max height at #44 is 24m, tree is 34m tall. Max height at tree # 17 is 8m, tree is 32m tall.
I	No vegetation present. Possible to reforest stream-sides	No current action required. Reforestation requires landowner consent
J	Topping only within riparian area	Topping only within treatment area Scattered trees to top. Maintain tree heights at approximately 15m

Schedule No. 2 (Page 4 of 6)
 Vegetation Management Plan Summary
 Development Permit No. 60643

Riparian Treatment Units	Recommendation	NAC work to be done & impact on vegetation (max. height is 2 m below transitional surface)
All	<p>Replant at 3:1 ratio for all trees topped or felled within TU's</p> <p>Environmental Monitor onsite during operations.</p>	<p>Keep track of all trees topped or felled. Replant with seedling stock suited to competing with riparian shrub plants. Choose stock from the following species: Western Red Cedar, bigleaf maple, bitter cherry (<i>Prunus emarginata</i>), Pacific crab apple (<i>Malus fusca</i>), black hawthorne (<i>Crataegus douglasii</i>), cascara (<i>Rhamnus purshiana</i>), Scouler's willow (<i>Salix scouleriana</i>), Pacific willow (<i>S. lucida</i> ssp. <i>lasianдра</i>), Douglas maple (<i>Acer glabrum</i>), shore pine (<i>Pinus contorta</i> var. <i>contorta</i>) and yew (<i>Taxus brevifolia</i>). Plant in the spring of 2007 for any tree work done in the fall of 2006.</p> <p>Utilize environmental monitor to ensure streams are protected. Frequency and duration of onsite monitoring to be based on the ability of the tree works to impact streams. Good records of activities, including photos are required.</p>
All		