

REGIONAL DISTRICT OF NANAIMO
ELECTORAL AREA PLANNING COMMITTEE
TUESDAY, JANUARY 9, 2007
6:30 PM

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

MINUTES

- 3-5 Minutes from the regular meeting of the Electoral Area Planning Committee held November 14, 2006.

BUSINESS ARISING FROM THE MINUTES

PLANNING

AMENDMENT APPLICATIONS

- 6-13 Zoning Amendment No. ZA0606 – Point Ellice Properties Ltd. – Main Road – Area A.

DEVELOPMENT PERMIT APPLICATIONS

- 14-20 Development Permit Application No. 60657 – Allen/Kehoe Holdings – Andover Road – Area E.
- 21-26 Development Permit Application No. 60658 – Allen/Eilers – Carmichael Road – Area E.
- 27-38 Development Permit Application No. 60660 – Homes by Kimberly/Blanke – La Selva Place – Area E.
- 39-47 Development Permit Application No. 60661 – Ken Clarke & Keith Wick – Beldon Place – Area E.
- 48-55 Development Permit Application No. 60663 – Quest Homes Inc., on behalf of Green Thumb Nursery & Landscaping – Island Highway No. 19A & Coburn Road – Area II.

OTHER

- 56-64 Building Strata Conversion Application – JE Anderson & Associates on behalf of J. Glazier Developments Ltd. – 430 Evergreen Way – Area G.

- 65-69 Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement – WR Hutchinson on behalf of Boa Enterprises Ltd. – South Forks Road – Area C.
- 70-75 Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement WR Hutchinson on behalf of Kevin Ford 0758399 BC Ltd. – off Nanaimo River Road – Area C.
- 76-77 Riparian Areas Regulation Implementation OCP Amendment Bylaw Nos. 1240.03, 1152.03, 1148.04, 814.09, 1055.03, 1115.04, 1335.02, 1007.05, 1400.01.
- 78-86 Building Strata Conversion Application – Fern Road Consulting Ltd., on behalf of Janette Hooper – 440 Parker Road – Area G.
- 87-117 Electoral Area ‘G’ Official Community Plan Review Workshop Summaries and Update.

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

IN CAMERA

ADJOURNMENT

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, NOVEMBER 14, 2006, AT 6:30 PM
IN THE RDN BOARD CHAMBERS**

Present:

Director G. Holme	Chairperson
Director J. Burnett	Electoral Area A
Director M. Young	Electoral Area C
Director L. Biggemann	Electoral Area F
Director J. Stanhope	Electoral Area G
Alternate	
Director D. Heenan	Electoral Area H

Also in Attendance:

P. Thorkelsson	General Manager, Development Services
M. Pearse	Senior Manager, Corporate Administration
T. Osborne	General Manager, Recreation & Parks
P. Thompson	Manager, Long Range Planning
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Heenan to the meeting.

MINUTES

MOVED Director Stanhope, SECONDED Director Young, that the minutes of the Electoral Area Planning Committee meeting held October 10, 2006 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Ross Peterson, re Development on the Nanoose Estuary at 2991 Northwest Bay Road.

MOVED Director Stanhope, SECONDED Director Biggemann, that the correspondence received from Ross Peterson regarding the development of a bed and breakfast structure on the Nanoose Estuary at 2991 Northwest Bay Road be received for information.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Zoning Amendment Application No. AA0604 – Addison – Myles Lake Road – Area C.

MOVED Director Young, SECONDED Director Burnett, that Amendment Application No. AA0604 be held in abeyance pending the development of an amendment application review process establishing criteria for reviewing proposed OCP/Zoning amendment applications involving RGS 'fine tuning' amendments.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. 60647 – Mardaga and Giroux – 3790 Mallard Place – Area E.

MOVED Director Stanhope, SECONDED Director Biggemann, that Development Permit Application No. 60647 to facilitate construction of a dwelling unit and accessory building, for the parcel legally described as Lot 22, District Lot 78, Nanoose District, Plan 28595, be approved according to the conditions outlined in Schedules No. 1, 2 and 3.

CARRIED

Development Permit Application No. 60652 – Luksay – Viking Way – Area G.

MOVED Director Stanhope, SECONDED Director Young, that Development Permit Application No. 60652, to vary the minimum front lot line setback requirements of the Residential 5 (RS5) zone from 8.0 metres to 5.48 metres to permit the construction of a dwelling unit on Lot 23, District Lot 28, Nanoose District, Plan VIP76143 located on Viking Way, be approved subject to the terms outlined in Schedule No. 1 and to the notification procedure pursuant to the *Local Government Act*.

CARRIED

DEVELOPMENT VARIANCE PERMIT

Development Variance Permit Application No. 90622 – Peck – 2135 Sherritt Drive – Area E.

MOVED Director Stanhope, SECONDED Director Biggemann, that Development Variance Permit Application No. 90622, submitted to vary the minimum setback and maximum height requirements, as set out on Schedule No. 4, to allow the construction of an addition and modification to an existing single dwelling unit and accessory building on Lot A, District Lot 37, Nanoose District, Plan 46562, be approved subject to the conditions contained in Schedules No. 1, 2 and 3 and to the notification procedure pursuant to the *Local Government Act*.

CARRIED

Development Variance Permit Application No. 90624 – Dailly – 1315 Marina Way – Area E.

MOVED Director Stanhope, SECONDED Director Young, that Development Variance Permit Application No. 90624, to relax the minimum setback and maximum height requirements, as set out on Schedule No. 1, to accommodate the construction of an accessory building for the property legally described as Lot 32, Block A, District Lot 38, Nanoose District, Plan 10777, be approved subject to the conditions contained in Schedules No. 1, 2 and 3 and to the notification procedure pursuant to the *Local Government Act*.

CARRIED

Development Variance Permit Application No. 90625 – Malo – 2620 South Forks Road – Area C.

MOVED Director Young, SECONDED Director Burnett, that Development Variance Permit Application No. 90625 be approved according to the terms in Schedule No. 1 and subject to the notification procedure pursuant to the *Local Government Act*.

CARRIED

OTHER

Request for Acceptance of Parkland and Relaxation of the Minimum 10% Perimeter Frontage Requirement – JE Anderson & Associates, BCLS, on behalf of 504351 BC Ltd. (Camelot Homes) – Ballenas and Wall Beach Roads – Area E.

MOVED Director Burnett, SECONDED Director Young, that the request for relaxation of the minimum 10% perimeter frontage requirement, submitted by JE Anderson, BCLS, on behalf of 504351 BC Ltd. (Camelot Homes), in conjunction with the subdivision on the parcel legally described as Lot 1, District Lot 72, Nanoose District, Plan 4058 Except Those Parts in Plans 15430, 17630 and 17681 and located adjacent to Ballenas and Wall Beach Roads, be approved.

MOVED Director Burnett, SECONDED Director Young, that the applicant provide 5% cash in lieu of park land.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 6:40 PM

CHAIRPERSON



RDN	
CAO	GMF&IS
GMDS	GMR&PS
GMES	GMTS
JAN - 2 2007	
SMCA	
CHAIR	BOARD
EAP	

MEMORANDUM

TO: Susan Cormie
Acting Manager, Current Planning

DATE: December 20, 2006

FROM: Greg Keller
Planner

FILE: 3360 30 0606

SUBJECT: Zoning Amendment No. ZA0606
Regional District of Nanaimo, on behalf of Point Ellice Properties Ltd.
Electoral Area 'A' – Main Road

PURPOSE

To consider amending "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" for Lot 5, Block 7, Section 12, Range 7, Cranberry District, Plan 1643 and Lots 6 and 7, Block 7, Sections 12 and 13, Range 7, Cranberry District, Plan 1643 to amend the zoning from Industrial 5 Subdivision District 'J' (IN5J) to a light industrial zone suitable to the area and consistent with "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1240, 2001".

BACKGROUND

As directed by the Board, staff are proposing to rezone the subject properties to a comprehensive development zone that permits light industrial uses that are more compatible with the surrounding uses and do not negatively affect the natural environment and ground water resources.

The subject properties are located on Main Road in Electoral Area 'A' and are currently zoned Industrial 5 Subdivision District 'J' (IN5J) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". Selkirk Recovery Inc. doing business as Budget Steel (Budget Steel), is currently operating a metal collection, salvage, and recycling depot, on all three lots. The existing operation is permitted by the IN5 zone.

Budget Steel is in the process of submitting a Development Permit application to authorize the existing operation on the subject properties. Staff have conducted a review of the proposal and have requested additional information. Once the requested information is received, staff will proceed with preparing the report to be forwarded to the Electoral Area Planning Committee for its consideration under separate process.

In 1975, the subject properties were zoned Residential 1 (RS1) pursuant to "Regional District of Nanaimo Zoning Bylaw No. 178, 1975". When "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1984", was adopted, the subject properties were zoned Industrial 1 (IN1). On September 9, 1986, the Board approved amendment Bylaw No. 500.30, 1986, which rezoned the subject properties from IN1 to Industrial 5 (IN5) and amended the definition of 'Heavy Industry'. When "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" was adopted, the IN5 zoning was carried forward on the subject properties.

Adjacent land uses include Residential 2 zoned properties on the east side of Main Road and Industrial 1 zoned properties to the north, west, and south. The adjacent Residential 2 zoned properties were originally zoned Residential 1 (RS1) pursuant to "Regional District of Nanaimo Zoning Bylaw No. 178, 1975". When Bylaw No. 500, 1987 was adopted, the properties on the east side of Main Road were rezoned from

Residential 1 to Residential 2. As of the date of this report, the Residential 2 zoning is still in effect on the properties on the east side of Main Road.

As there is no community water or sewer service in the area, the subject properties and surrounding properties are serviced with private sewage and water systems.

The Regional District of Nanaimo (RDN) has received a number of concerns from the adjacent property owners on the east side of Main Road regarding the impacts of the current operation, which include the protection of their drinking water source, noise, heavy truck traffic on Main Road, environmental protection issues, and in general a negative impact on the use and enjoyment of the adjacent property owners' lands.

Several meetings have been held between Budget Steel, the Regional District of Nanaimo, and the adjacent property owners in an attempt to reduce the impact of the current operation on the adjacent properties. The operators of Budget Steel have cooperated and made adjustments to their operation. However, the negative impacts of the operation of the facility are continuing to be felt by the neighbourhood.

In response to the concerns identified by the community, the planning department has reviewed the current zoning and is of the opinion that it is not compatible with the surrounding uses and is not consistent with the intent of the South Wellington Industrial – Commercial policies, which support industrial and highway commercial uses that enhance the character of the area and do not have a negative impact on the natural environment and ground water resources.

Public Information Meeting

Staff are proposing to hold a public information meeting after the Board's consideration of the corresponding bylaw for 1st and 2nd reading to obtain input on the proposed bylaw amendment prior to proceeding to public hearing.

ALTERNATIVES

1. To approve the amendment for 1st and 2nd reading and proceed to hold a Public Information Meeting followed by a Public Hearing.
2. To not approve the amendment for 1st and 2nd reading and provide staff with further direction.

OFFICIAL COMMUNITY PLAN IMPLICATIONS

"Regional District of Nanaimo Electoral Area 'A' Official Community Plan No. 1240, 2001", policies support the rezoning of the subject parcel to a comprehensive development zone for a light industrial use in this location.

DEVELOPMENT IMPLICATIONS

Land Use Implications

As mentioned above, the existing metal collection, storage, and salvage operation is permitted by the Industrial 5 zone, which is the heaviest industrial zone permitted by Bylaw No. 500. The IN5 zone permits 'Heavy Industry', which is defined as follows:

'Heavy Industry' means the use of land, buildings or structures for the storage, collection, processing, repairing, salvage, or recycling of a product, article, substance, or compound and includes a vehicle wrecking yard and seafood processing, but specifically excludes a waste disposal site.'

Heavy Industrial Uses typically require relatively large parcels of land in areas that are easily accessible and reasonably separated from residential and other non-compatible uses in order to operate in a manner

that ensures compatibility between surrounding land uses and is environmentally responsible. The area of Lots 5, 6, and 7 are approximately 0.4 ha each for a total land area of approximately 1.2 hectares, which does not provide adequate site area; on an individual or a combined basis; to appropriately address the concerns related to access (both internal and external traffic flow), environmental protection (both ground water and surface water), drainage, landscaping, and screening. This has inevitably led to land use conflicts that are difficult to resolve. In order to address these issues, staff are proposing to establish a minimum parcel size of 1.0 hectare and provide minimum site area requirements for each use permitted by the proposed zone.

In order to provide adequate separation distance between future uses proposed on the subject properties and the surrounding properties, staff are proposing that minimum setback requirements be established as follows:

Lot Line	Minimum Setback Requirement (metres)
Front Lot Line	10.0
Rear and Side Lot Lines	5.0
Other Lot Lines	8.0

The existing use of the subject properties is less obtrusive than other Heavy Industrial uses permitted by the IN5 zone. Staff is concerned that the other uses permitted by IN5 zone have the potential for increased impacts on the community and the environment and are not appropriate for the site.

As the surrounding properties to the north, south, and west are zoned Industrial 1 and in consideration of the adjacent Residential 2 zoned properties, staff are proposing a comprehensive development zone that includes uses that are compatible with the surrounding uses and character of the area. Please refer to Schedule No. 1 for a draft comprehensive development zone. Please note that amendments may be required upon receiving the feedback from the public information meeting.

Landscaping and Screening

Currently "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" does not require landscaping adjacent to Main Road. Staff are concerned that without appropriate screening and buffering, light industrial uses may not be appropriate for the site due to the close proximity of the subject properties to Residential 2 zoned properties. Therefore, the proposed zone requires a landscaped buffer adjacent to Main Road, no less than 5.0 metres in width to be constructed in accordance with the landscaping standards contained in Bylaw No. 500.

In addition, in order to achieve an appropriate level of noise abatement, a combination of fencing and landscaping adjacent to Main Road is supported. The proposed zone permits fencing up to a maximum of 3.0 metres in height within the applicable minimum setback requirements.

Servicing Implications

Currently there is no community water or sewer service in the area, and it is not anticipated that these services will be available in the near future. Therefore the subject property and surrounding properties rely on private water wells and septic disposal systems. There have been concerns raised from nearby residents regarding the quantity and quality of their water sources and the potential for contamination due to industrial activity in the area. In response, staff is proposing to include uses in the proposed zone that typically have low water consumption and are not known to involve materials or activities that pose a risk of ground water contamination. In addition, the proposed zone requires that all storm water drainage be directed through an engineered oil water separator and maintained in accordance with the manufacture's specifications.

Access and Egress Implications

Currently the subject properties are accessible only off of Main Road. Concerns have been raised over the use of Main Road for heavy truck traffic as it is constructed with a relatively narrow road construction standard and is shared with residential traffic including cyclists and pedestrians. Although, the control of

access and public roadways is under the jurisdiction of the Ministry of Transportation, the Regional District of Nanaimo can affect the type and volume of traffic using Main Road by limiting the permitted uses in the proposed zone to those that typically do not require high traffic volumes and those that do not rely on heavy truck traffic on a regular and on-going basis.

Future Use Implications

Should the Board approve the proposed bylaw amendment, all lawful uses that existed prior to the adoption of the proposed bylaw amendment, would become legal non-conforming and would be afforded protection under Section 911 of the *Local Government Act*. Therefore, as provided in Section 911, those uses deemed legal non-conforming could continue to operate as a non-conforming use. If the non-conforming use is discontinued for a continuous period of 6 months, any subsequent use of the land, building or other structure is subject to Bylaw No. 500. In addition, a non-conforming use can not be continued on a scale or to an extent or degree greater than that at the time of the adoption of the corresponding bylaw. All uses proposed after the adoption of the corresponding bylaw amendment must conform with the current regulations.

Legal Implications

The Board has the legislative authority to rezone lands within its jurisdiction in a manner that is consistent with its Official Community Plans. In this case, the proposed zoning amendment is consistent with the Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1240, 2001."

ENVIRONMENTAL IMPLICATIONS

The subject properties contain an unnamed tributary of Thatcher Creek that flows above ground in an open ditch for approximately 20 metres before going underground through a culvert. This watercourse is not identified by Regional District of Nanaimo mapping. However, as part of Development Permit Application No. 60638 submitted by Budget Steel on behalf of the property owner, an assessment prepared by a Qualified Environmental Professional was conducted to satisfy the requirements of the *Riparian Areas Regulations*.

The report found there to be no fisheries values on site, however, the watercourse is a stream as defined in the *Riparian Areas Regulations* because it eventually flows into Thatcher Creek which contains important fish habitat and is known to support populations of coho, chum, steelhead, and both anadromous and resident cutthroat trout. The report recommends that the watercourse be contained in a culvert to reduce the potential for contamination.

The Electoral Area 'A' Official Community Plan states "*Groundwater protection and sustainability is especially important to the Area residents. The Plan Area is unique in that a number of aquifers are located here...Plan Area residents recognize the importance of these aquifers and their relationship to groundwater supplies*". In staff's opinion, the existing Industrial 5 zone permits uses that have the potential to negatively affect ground water resources. Therefore the proposed zone provides provisions for the protection of the aquifer both in terms of water quantity and water quality.

INTERGOVERNMENTAL IMPLICATIONS

As part of the amendment process, staff will refer this application to the Ministry of Transportation, Ministry of Environment, the Vancouver Island Health Authority, the Cranberry Fire Hall, and the City of Nanaimo. As the subject properties are located within 800 metres of a controlled access highway, Ministry of Transportation approval is required prior to 3rd reading.

VOTING

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

SUMMARY AND CONCLUSION

Based on a number of concerns raised by adjacent property owners, the Board directed staff to initiate the process to rezone the subject properties to a Light Industrial zone suitable for the area.

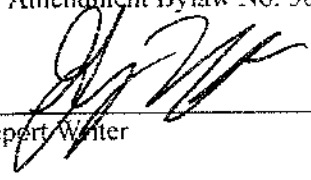
Staff have reviewed the existing Industrial 5 zoning and the surrounding uses and are of the opinion that IN5 zoning is not compatible with the surrounding uses. In addition, a number of concerns related to environmental protection, access, traffic along Main Road, landscaping and screening have been identified. Many of these concerns can be addressed by implementing the proposed zone.

The Electoral Area 'A' OCP designates the subject properties within the South Wellington Industrial – Commercial Area, which supports industrial and highway commercial uses that enhance the character of the area and do not have a negative impact on the natural environment and ground water resources. The proposed zone is consistent with the policy as the zone includes provisions for the protection of the natural environment and requirements to enhance character of the area by improving the aesthetic appeal of future development of the site through the use of landscaping and fencing.

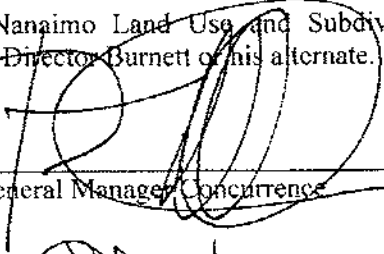
Although no immediate change in land use and aesthetic appeal would result if the Board approves the proposed bylaw amendment as the existing legal uses would be protected under Section 911 of the *Local Government Act*, should the property be redeveloped in the future, all uses would have to conform to the proposed zone. In the long term, if the Board approves the proposed bylaw amendment, all subsequent uses of the subject property would be more compatible with the adjacent uses. Therefore, staff recommends Alternative No. 1 to approve the amendment for 1st and 2nd reading and proceed to hold a Public Information Meeting followed by a Public Hearing.

RECOMMENDATIONS

1. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.338, 2006" to rezone the properties legally described as Lot 5, Block 7, Section 12, Range 7, Cranberry District, Plan 1643 and Lots 6 and 7, Block 7, Sections 12 and 13, Range 7, Cranberry District, Plan 1643 from Industrial 5 Subdivision District 'J' (IN5J) to Main Road Light Industrial Comprehensive Development 37 (CD37) be given 1st and 2nd reading.
2. That "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.338, 2006" be approved to proceed to Public Hearing.
3. That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.338, 2006," be delegated to Director Burnett or his alternate.

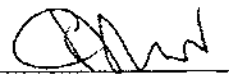


Report Writer



General Manager Concurrence

Manager Concurrence



CAO Concurrence

COMMENTS:

devsvs/reports/2006/za jan 3360 30 0606 Regional District of Nanaimo Pt. Ellice Properties Ltd. Report

Schedule No. 1 (page 1 of 3)
Proposed Comprehensive Development Zone
Zoning Amendment Application No. ZA0606
Lot 5, Block 7, Section 12, Range 7, Cranberry District, Plan 1643 and Lots 6 and 7, Block 7,
Sections 12 and 13, Range 7, Cranberry District, Plan 1643
Main Road

Section 3.4.137

MAIN ROAD LIGHT INDUSTRIAL
COMPREHENSIVE DEVELOPMENT ZONE

CD37

Section 3.4.137.1 Permitted Uses Minimum Site Area Requirements

a) Light Industry	8000 m ²
b) Residential Use	n/a
c) Mini Storage	8000 m ²
d) Contractors Business	8000 m ²
e) Home Based Business	n/a

3.4.137.2 Maximum Number and Size of Buildings and Structures

Dwelling units/parcel	1
Height of buildings	8.0 m
Parcel coverage	35%

3.4.137.3 Minimum Parcel Size: 1.0 Hectare with or without community water and community sewer services.

3.4.137.4 Minimum Setback Requirements

Front Lot Line	10.0 metres
Rear Lot Line and Interior Side Lot Line	5.0 metres
All other Lot Lines	8.0 metres

3.4.137.5 Other Regulations

- a) All uses must be fully contained within a building, with the exception of outdoor storage areas.
- b) All outdoor storage areas must be located to the rear of buildings, must not be located between any building and lot line adjacent to Main Road, and must be screened to a minimum height of 3.0 metres with a combination of fencing and landscaping on all sides, excluding entrance ways.
- c) No setback requirement shall be required from the front, rear, side, or other lot line for fences 3.0 metres or less in height.
- d) All off-street parking areas must be paved.
- e) All storm water runoff from buildings and other non-pervious surfaces must be directed through an engineered oil-water separator appropriately sized to accommodate anticipated flows and must be maintained in accordance with the manufacturer's recommendations.
- f) All storm water drainage must be retained on site, unless otherwise approved by the Ministry of Transportation

- g) With respect to Home Based Business uses – the regulations set out in Section 3.3.12 applicable to Residential 2 zone shall apply to this zone.
- h) Except where varied by this zone, off-street parking and loading spaces shall be provided in accordance with Schedule '3B' of this zone.

3.4.137.6 Definitions

For the purpose of this zone:

- a) *Light Industry* means the wholesale, warehousing, testing, service, or repair of non-hazardous articles, substances, materials, fabrics or compounds fully contained within a building and may include accessory sales of goods, wares, merchandise, or articles and an accessory office.
- b) *Contractors Business* means the use of a building or buildings for the storage of tools, equipment, and non-hazardous materials, the display of building supplies, landscaping supplies, and other building materials, and may include an accessory office, and retail sales accessory to the principle use.
- c) *Manufacturing Use* means the assembling and manufacturing of a product or products fully contained in a building and may include indoor accessory retail sales of the product(s) produced to a maximum of 10% of the floor area of the building and may include an accessory office use.
- d) *Mini Storage* means a building or buildings containing separate, individual self-storage units each with a separate entrance designed to be rented or leased to the general public for private storage of personal goods, materials, and equipment and does not include outside storage or the rental or lease of moving trucks or moving trailers.

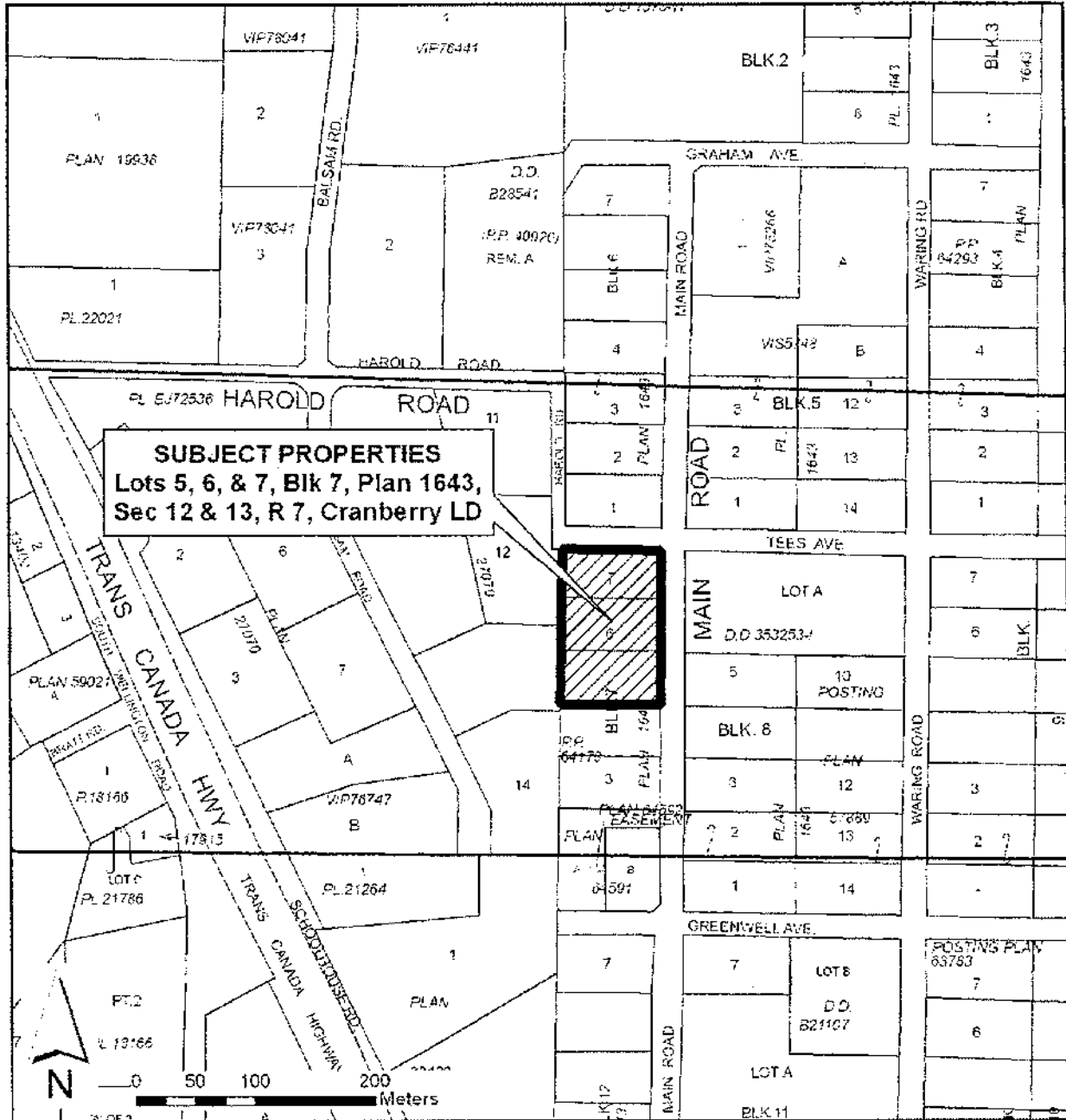
3.4.137.7 Landscaping

- a) Landscaping shall be provided to the satisfaction of the RDN adjacent to Main and Tees Roads excluding entrances to a minimum width of 5.0 m and shall include a minimum of 75% screening from grade level to a height of 3.0 m and at least 25 % screening from a height of 3.0 m to 5.0 m above grade.
- b) Landscaping shall, at a minimum, include planting one evergreen tree for every 3.0 m of parcel frontage.
- c) All landscaping abutting off-street parking or other areas on site that are accessible to vehicles shall be protected by a permanent curb of a minimum of 15 cm in height to protect landscaping from potential vehicular damage.
- d) Except where varied by this zone, landscaping shall be provided in accordance with Schedule '3F' – Landscaping Regulations and Standards.

3.4.137.8 Required Number of Off Street Parking Spaces

Use	Required Parking Spaces
Contractors Business	1 per 15.0 m ² of floor area used for sales plus;
	1 for each employee working on any given shift plus;
	1 per 175 m ² of floor area used for storage; plus,
	1 per 95 m ² of floor area used for display

Attachment No. 1
Subject Property Map
 (attached attached for convenience only)
 Lot 5, Block 7, Section 12, Range 7, Cranberry District, Plan 1643 and Lots 6 and 7, Block 7,
 Sections 12 and 13, Range 7, Cranberry District, Plan 1643
Main Road



BCGS Map Sheet No. 925 001.4.3



RDN	
CAO	GMF&IS
GMD	GMR&PS
GMS	GMTS
JAN - 2 2007	
SMCA	BOARD
CLERK	
EAP	

MEMORANDUM

TO: Susan Cormie
Acting Manager of Current Planning

DATE: December 19, 2006

FROM: Greg Keller
Planner

FILE: 3060 30 60657

SUBJECT: Development Permit Application No. 60657 Allen/Kehoe Holdings
Lot 5, District Lot 78, Nanoose District, Plan VIP68559
Andover Road - Electoral Area 'E' Fairwinds

PURPOSE

To consider a request for the issuance of a development permit to permit the construction of a single dwelling unit within the Sensitive Ecosystem Protection Development Permit Area pursuant to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005."

BACKGROUND

This application proposes to construct a single dwelling unit on the subject property legally described as Lot 5, District Lot 78, Nanoose District, Plan VIP68559. The subject property is 1134 m² in area and is located on Andover Road in the Fairwinds area of Electoral Area 'E' (see Attachment No. '1'). The subject parcel is zoned Residential 1 Subdivision District 'P' (RS1P) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987."

The subject property is located within the Sensitive Ecosystem Protection Development Permit Area pursuant to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005". Therefore a Development Permit is required in order to permit the construction of the proposed dwelling unit.

The majority of the subject property has previously been cleared. The back half of the subject property is steeply sloping towards Andover Road before leveling off near the building site adjacent to Andover Road.

ALTERNATIVES

1. To approve the request for Development Permit No. 60657 subject to the conditions outlined in Schedule No. '1'.
2. To not approve the request for a development permit.

DEVELOPMENT IMPLICATIONS

Zoning Implications:

The subject property is currently zoned Residential 1 (RS1) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987." The applicants are not requesting any setback or height relaxations to Bylaw No. 500, 1987. The permitted uses within the RS1 zone include Residential

Use and Home Based Business. The proposed dwelling unit is in compliance with the RS1 zoning requirements.

OCP and Environmental Implications:

According to the applicant, the subject property has previously been cleared prior to the adoption of "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005". In addition, the applicant indicates that the subject property was used for storing rock removed from other properties in the Fairwinds area for use in masonry works for projects undertaken elsewhere in the Fairwinds area.

Based on air photo interpretation, it appears that the subject property was cleared some time between 2002 and July 2005, prior to the adoption of "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005". The applicant also indicates the subject property was cleared prior to September of 2005. As there was no Development Permit designation prior to the adoption of the current Official Community Plan, a Development Permit was not required to permit the land clearing. The current Official Community Plan's Sensitive Ecosystem Protection Development Permit Area does not exempt the proposed development. Therefore, a Development Permit is required to construct the proposed dwelling unit on the subject property.

Any subsequent land clearing after the adoption of "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005" is subject to the current Sensitive Ecosystem Protection Development Permit Area. However; at this time, the applicant is not proposing any further land clearing.

The applicant is proposing to site the proposed single dwelling unit in the previously cleared portion of the property to minimize the impact of the proposed development. During staff's site visit it was noted that there is a mixed stand of mature Arbutus, Maple, and Douglas Fir trees along with sparse understorey including ferns and mosses.

As a result of the previous clearing and due to the small size of the lot and lack of remaining natural features, staff did not require the applicant to submit a report from a registered professional biologist.

The applicant is not proposing to remove any additional vegetation at this time. However, should the applicant wish to remove additional vegetation in the future, a further Development Permit would be required. In order to encourage the reintroduction of native plant species on the subject property staff are recommending that as a term of the Development Permit the applicant be strongly encouraged to reduce the area of land planted in non-native grass species and to plant native plant species that are suited to the local soil and water conditions.

It should be noted that it appears at least one Douglas Fir Tree and one Maple Tree located at the edge of the clearing and the toe of the slope may have been disturbed during clearing. Due to the small lot size, these trees may pose a risk to the proposed single dwelling unit and may need to be removed for safety reasons. Therefore, staff is recommending that the applicant be permitted to remove these trees if they are deemed hazardous by a certified arborist and pose a threat to the proposed dwelling unit.

As the property has previously been cleared, it is not anticipated that the proposed single dwelling unit will have a negative environmental impact. The proposed dwelling unit meets the intent of the Sensitive Ecosystem Protection Development Permit Area guidelines and staff recommends that this Development Permit be approved pursuant to "Regional District of Nanaimo Delegation of Authority Bylaw No. 1166, 1999".

VOTING

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


SUMMARY/CONCLUSIONS

This is an application to permit the construction of a single dwelling unit within the Sensitive Ecosystem Protection Development Permit Area pursuant to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005". No variances to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" are being requested as part of this application.

As the subject property has previously been cleared, there were no environmentally sensitive features identified, and the proposed development is not anticipated to have a negative impact on the environment. In staff's opinion, the proposed development (single dwelling unit) is consistent with the Sensitive Ecosystem Protection Development Permit Area guidelines and staff recommends that the board approve the request for a Development Permit as submitted by the applicant.

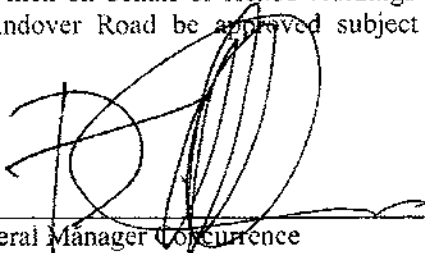
RECOMMENDATION

That Development Permit No. 60657 submitted by Walter Allen on behalf of Kehoe Holdings Ltd. to facilitate the construction of a single dwelling unit on Andover Road be approved subject to the conditions outlined in Schedule No. '1'.

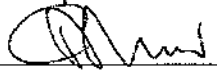


Report Writer

Manager Concurrence



General Manager Concurrence



CAO Concurrence

COMMENTS:

devsrs/reports/2006/dp jan 3060 30 60657 Kehoe Holdings Ltd Report.

Schedule No. '1'
Development Permit No. 60657
Conditions of Approval
Lot 5, District Lot 78, Nanoose District, Plan VIP68559
Andover Road

1. Siting

- a) The dwelling unit shall be generally sited as shown on Schedule No. '2'.

2. Maximum Height

- a) The dwelling unit shall not exceed 8.0 metres in height.

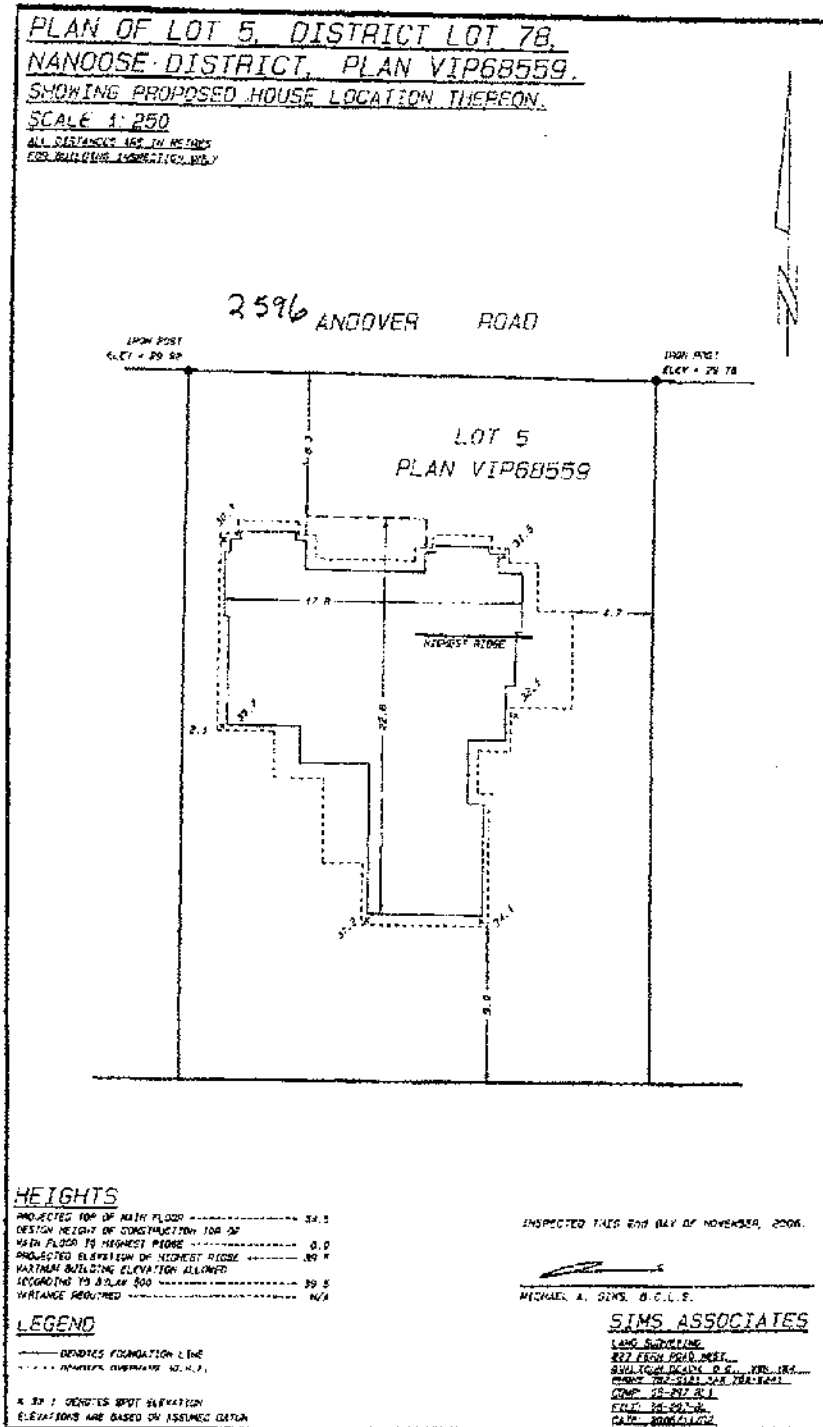
3. Environmental Protection

- a) No additional vegetation shall be removed other than what is necessary to allow for the construction of the dwelling unit.
- b) High visibility fencing shall be installed along the edge of the cleared land to ensure that no further encroachment in to the vegetated portion of the subject property occurs.
- c) The reintroduction of drought tolerant native plant species well suited to the local soil and water conditions present on the subject property is strongly supported.

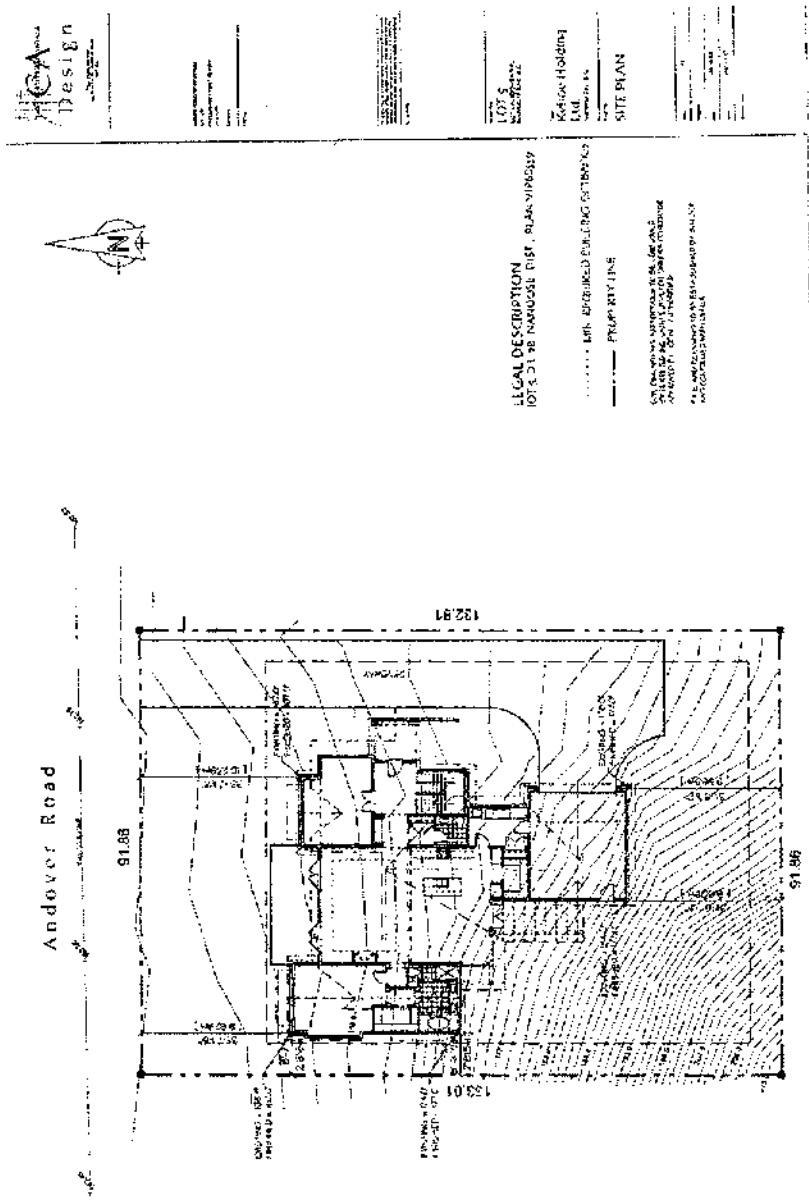
4. Hazard Tree Management

- a) Trees deemed hazardous by a certified arborist may be removed upon submission of an acceptable arborist's report to the Regional District of Nanaimo Planning Department provided that the tree(s) being removed are replaced with an equal amount of native vegetation well suited to the local soil and water conditions present on the subject property.

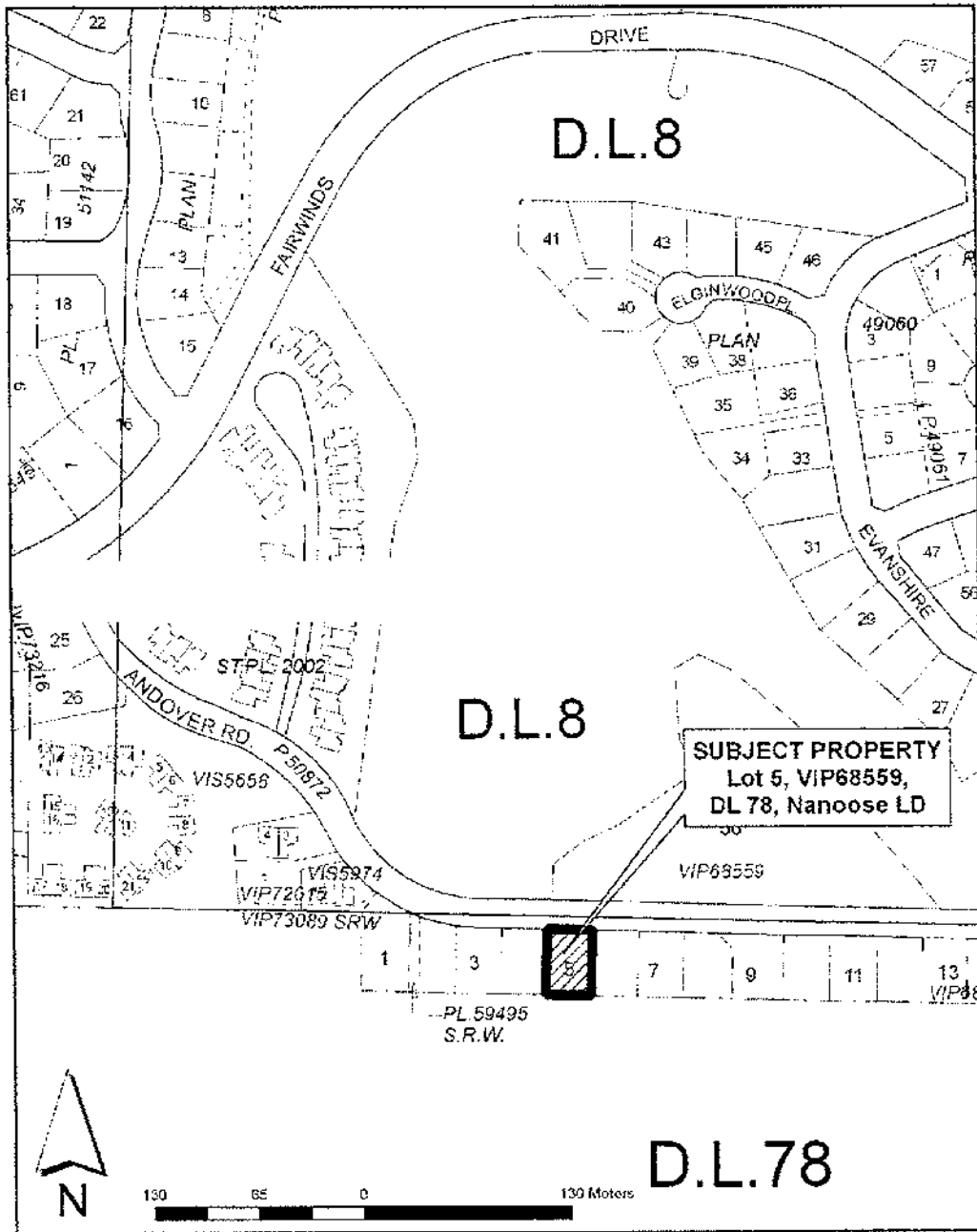
**Schedule No. '2' (page 1 of 2)
 Development Permit No. 60657
 Proposed Building Location
 (as submitted by applicant / reduced for convenience)
 Lot 5, District Lot 78, Nanoose District, Plan VIP68559
 Andover Road**



Schedule No. '2' (page 2 of 2)
Development Permit No. 60657
Proposed Site Plan
 (as submitted by applicant / reduced for convenience)
Lot 5, District Lot 78, Nanoose District, Plan VIP68559
Andover Road



Attachment No. '1'
Development Permit No. 60657
Location of Subject Property
(as submitted by applicant / reduced for convenience)
Lot 5, District Lot 78, Nanoose District, Plan VIP68559
Andover Road



Mapsheet 92F.330 3.4



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MEMORANDUM

TO: Susan Cormie
Acting Manager of Current Planning

DATE: December 19, 2006

FROM: Greg Keller
Planner

FILE: 3060 30 60658

SUBJECT: Development Permit Application No. 60658 –Allen/Eilers
Lot 5, District Lot 78, Nanoose District, Plan VIP78139
Carmichael Road - Electoral Area 'E' Fairwinds

PURPOSE

To consider a request for the issuance of a development permit to permit the construction of a single dwelling unit within the Sensitive Ecosystem Protection Development Permit Area pursuant to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005."

BACKGROUND

This application proposes to construct a single dwelling unit on the subject property legally described as Lot 5, District Lot 78, Nanoose District, Plan VIP78139. The subject property is 1308 m² in area and is located on Carmichael Road in the Fairwinds area of Electoral Area 'E' (see Attachment No. '1'). The subject parcel is zoned Residential 1 Subdivision District 'P' (RS1P) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987."

The subject property is located within the Sensitive Ecosystem Protection Development Permit Area pursuant to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005". Therefore a Development Permit is required in order to permit the construction of the proposed dwelling unit.

The majority of the subject property has previously been cleared and contains a rocky outcropping that the applicant is proposing to remove in order to construct the proposed single dwelling unit.

ALTERNATIVES

1. To approve the request for Development Permit No. 60658 subject to the conditions outlined in Schedule No. '1'.
2. To not approve the request for a development permit.

DEVELOPMENT IMPLICATIONS

Zoning Implications:

The subject property is currently zoned Residential 1 (RS1) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987." The applicants are not requesting any setback or height relaxations to Bylaw No. 500, 1987. The permitted uses within the RS1 zone include Residential Use and Home Based Business. The proposed dwelling unit is in compliance with the RS1 zoning requirements.

OCP and Environmental Implications:

According to the applicant, the subject property has previously been cleared prior to the adoption of "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005". Based on air photo interpretation, it appears that the subject property was cleared some time between 2002 and July 2005, prior to the adoption of "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005". When the clearing occurred, "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1118, 1998" was in effect and designated the subject property in the Sensitive Ecosystem Protection Development Permit Area. However, as no environmentally sensitive features were identified by the Environmentally Sensitive Features Atlas on the subject property, the previous land clearing was exempt from requiring a Development Permit. The current Official Community Plan's Sensitive Ecosystem Protection Development Permit Area does not exempt the proposed development. Therefore, a Development Permit is required to construct the proposed dwelling unit on the subject property.

Any subsequent land clearing after the adoption of "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005" is subject to the current Sensitive Ecosystem Protection Development Permit Area. At this time, the applicant is not proposing any further land clearing.

As a result of the previous clearing and due to the small size of the lot and lack of remaining natural features, staff did not require the applicant to submit a report from a registered professional biologist.

The applicant is proposing to site the proposed single dwelling unit in the previously cleared portion of the property to minimize the impact of the proposed development. During staff's site visit it was noted that there is a mixed stand of mature Arbutus, Garry Oak, and Douglas Fir trees along with sparse understorey including mosses and what appeared to be shallow soils along the exterior of the subject property.

The applicant is not proposing to remove any additional vegetation at this time, however should the applicant wish to remove additional vegetation in the future, a further Development Permit would be required. It should be noted that it appears that the root systems of at least one Douglas Fir Tree and one Garry Oak Tree located at the edge of the clearing and the top of the rocky outcropping may have been disturbed during clearing. These trees may need to be removed for safety reasons. Therefore, staff is recommending that the applicant be permitted to remove these trees if they are deemed hazardous by a certified arborist and pose a threat to the proposed dwelling unit.

As the property has previously been cleared, it is not anticipated that the proposed single dwelling unit will have a negative environmental impact. The proposed dwelling unit meets the intent of the Sensitive Ecosystem Protection Development Permit Area guidelines and staff recommends that the Board approve the request for a Development Permit as submitted by the applicant.

VOTING

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

SUMMARY/CONCLUSIONS

This is an application to permit the construction of a single dwelling unit within the Sensitive Ecosystem Protection Development Permit Area pursuant to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005". No variances to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" are being requested as part of this application.

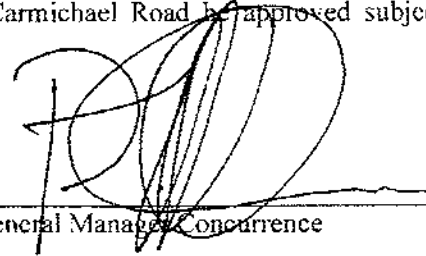
As the subject property has previously been cleared, there were no environmentally sensitive features identified, and therefore; the proposed development is not anticipated to have a negative impact on the environment. In staff's opinion, the proposed single dwelling unit is consistent with the Sensitive Ecosystem Protection Development Permit Area guidelines. Therefore, staff recommends that the board approve the request for a Development Permit as submitted by the applicant.

RECOMMENDATION

That Development Permit No. 60658 submitted by Walter Allen on behalf of Florian and Alice Eilers to facilitate the construction of a single dwelling unit on Carmichael Road be approved subject to the conditions outlined in Schedule No. '1'.




Report Writer



General Manager Concurrence

Manager Concurrence



CAO Concurrence

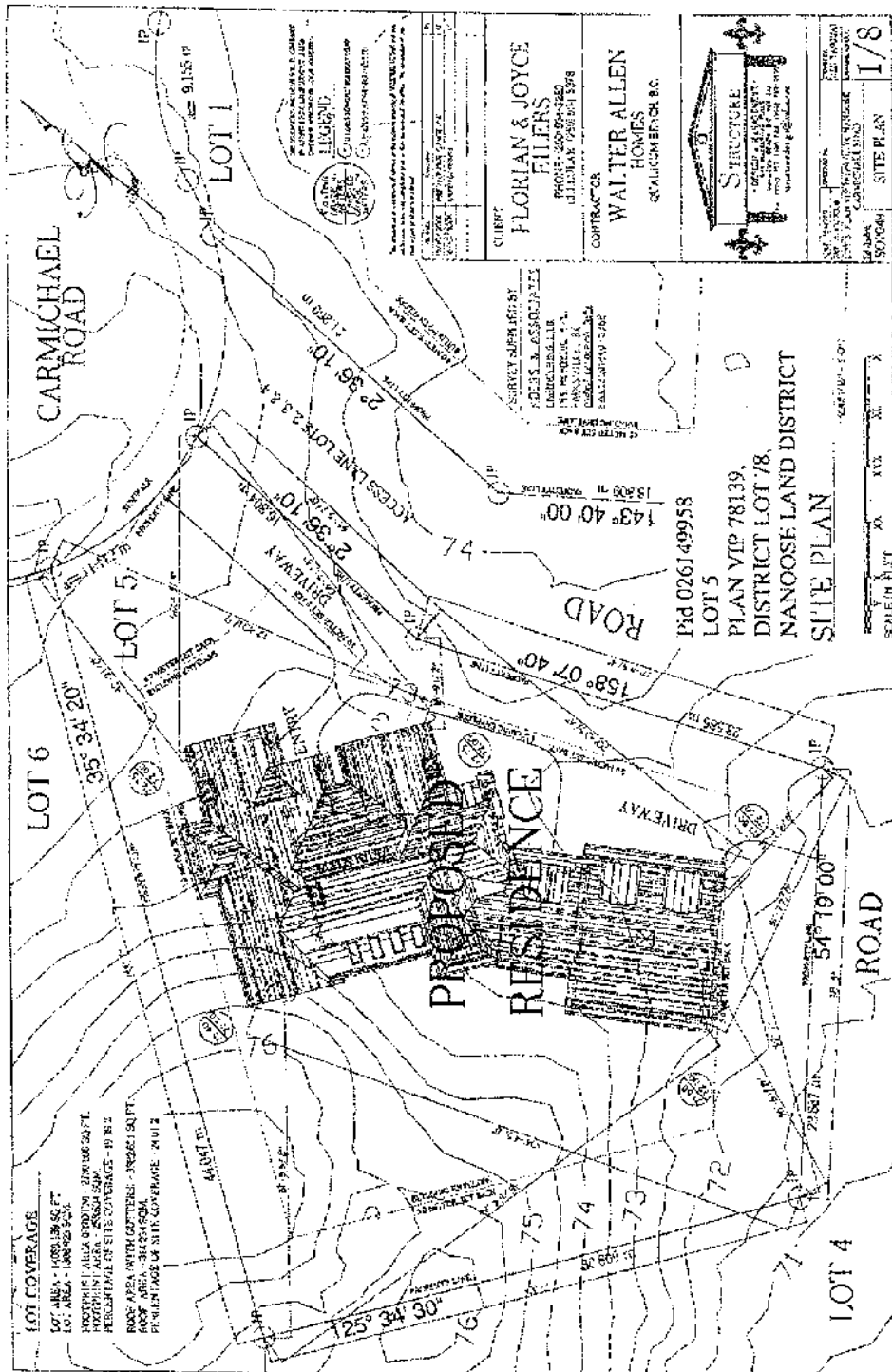
COMMENTS:

devsys/reports/2006/dp jan 3066 30 60658 Eilers / Walter Allen Report

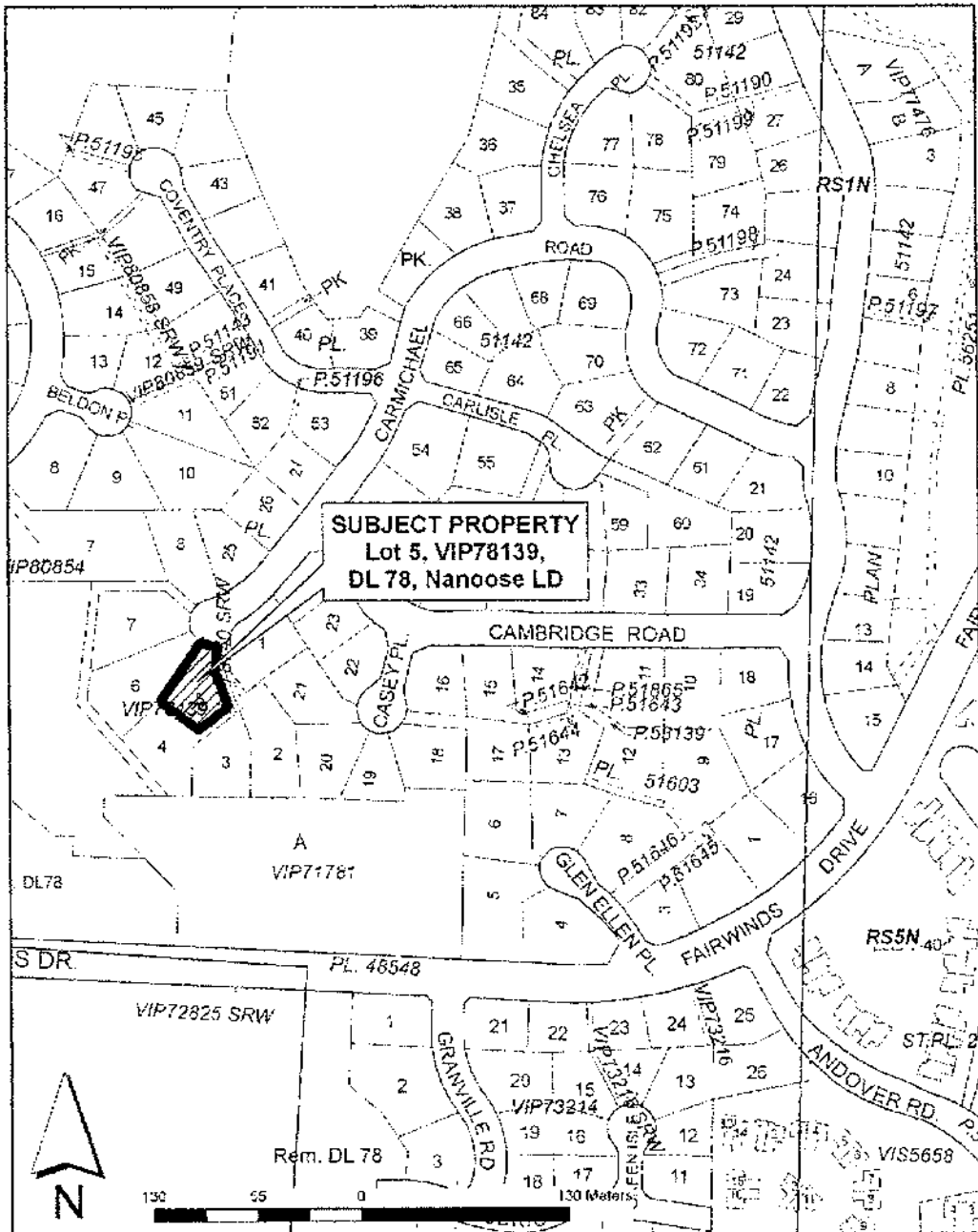
Schedule No. '1'
Development Permit No. 60658
Conditions of Approval
Lot 5, District Lot 78, Nanoose District, Plan VIP78139
Carmichael Road

1. **Siting**
 - a) The dwelling unit shall be generally sited as shown on Schedule No. '2'.
2. **Maximum Height**
 - a) The dwelling unit shall not exceed 8.0 metres in height.
3. **Environmental Protection**
 - a) No additional vegetation shall be removed other than what is necessary to allow for the construction of the dwelling unit.
 - b) High visibility fencing shall be installed along the edge of the cleared land to ensure that no further encroachment in to the vegetated portion of the subject property occurs.
 - c) The reintroduction of drought tolerant native plant species well suited to the local soil and water conditions present on the subject property is strongly supported.
4. **Hazard Tree Management**
 - a) Trees deemed hazardous by a certified arborist may be removed upon submission of an acceptable arborist's report to the Regional District of Nanaimo Planning Department provided that the tree(s) being removed are replaced with an equal amount of native vegetation well suited to the local soil and water conditions present on the subject property.

Schedule No. '2'
 Development Permit No. 60658
 Proposed Building Location
 (as submitted by applicant / reduced for convenience)
 Lot 5, District Lot 78, Nanoose District, Plan VIP78139
 Carmichael Road



Attachment No. '1'
Development Permit No. 60658
Location of Subject Property
(attached for convenience only)
Lot 5, District Lot 78, Nanoose District, Plan VIP78139
Carmichael Road





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MEMORANDUM

TO: Susan Cormie
Acting Manager of Current Planning

DATE: December 19, 2006

FROM: Greg Keller
Planner

FILE: 3060 30 60660

SUBJECT: Development Permit Application No. 60660 Homes by Kimberly/Blanke
Strata Lot 4, District Lot 52, Nanoose District, Strata Plan VIS5826 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V.
La Selva Place - Electoral Area 'E' Fairwinds

PURPOSE

To consider a request for the issuance of a development permit to permit the construction of a single dwelling unit within the Sensitive Ecosystem Protection Development Permit Area pursuant to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005."

BACKGROUND

This application proposes to construct a single dwelling unit on the subject property legally described as Strata Lot 4, District Lot 52, Nanoose District, Strata Plan VIS5826 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V. The subject property is 1.03 hectares in area and is located on La Selva Place in the Fairwinds area of Electoral Area 'E' (see Attachment No. 1). The subject parcel is zoned Rural 5 Subdivision District 'F' (RUSF) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987."

The subject property is located within the Sensitive Ecosystem Protection Development Permit Area pursuant to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005". In this case the purpose of the Development Permit Area designation is to protect a known eagle nesting tree and two eagle perch trees located on the subject property. As a portion of the proposed access driveway encroaches in to the Development Permit Area, defined as a 60.0 metre radius measured from the base of the tree, a Development Permit is required in order to permit the construction of the proposed dwelling unit.

The Board previously approved Development Permit 60358 on February 10, 2004 as part of the subdivision process. Appurtenant to this application Development Permit No. 60358 required the registration of a Section 219 for the protection of the eagle nesting tree and eagle perch trees.

The subject property is primarily treed with mature native vegetation and is moderately sloping towards La Selva Place.

In support of this Development Permit application, the applicant has submitted a biological assessment report dated October 21, 2006 prepared by Michael Shepard assessing the proposed Development in relation to the eagle nesting tree.

ALTERNATIVES

1. To approve the request for Development Permit No. 60660 subject to the conditions outlined in Schedule No. '1'.
2. To deny the requested development permit as submitted.

DEVELOPMENT IMPLICATIONS

Zoning Implications:

The subject property is currently zoned Rural 5 (RU5) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987." The applicants are not requesting any setback or height relaxations to Bylaw No. 500, 1987. The proposed dwelling unit is in compliance with the RU5 zoning requirements.

OCP and Environmental Implications:

The subject parcel is part of a six lot bare land strata subdivision located at the south east end of La Selva Place in the Fairwinds area of Electoral Area 'G'. At the time of subdivision, a Section 219 covenant registered as EM068460 was registered on title protecting an eagle nesting tree located on the subject property. The covenant was deposited in 1998. This covenant was amended in 1995 as a condition of Development Permit No. 60358 to include the protection of two existing Bald Eagle perch trees. The amended covenant is registered at the land titles office as document number EX090855 and is 0.120 hectares in area.

Based on the site plan submitted by the applicant the proposed single dwelling unit is located partially within the 60.0 metre radius measured from the base of the tree and the drive way is completely within the 60.0 metre radius measured from the base of the tree and therefore, a Development Permit is required.

The applicant's biological assessment report indicates that the nest was likely unoccupied in 2006. At the time of the biologist's site inspections on October 2 and 17, 2006, the biologist did not observe any eagles occupying the nest. Staff conducted a site visit on December 8, 2006 and observed one eagle occupying the nest. Staff discussed these findings with the applicant's biologist and the Ministry of Environment. Based on the response from the Ministry of Environment and the Applicant's biologist, it is not unusual for eagles to be in and around their nests this time of year, but it does not necessarily mean that the nest will be occupied in 2007.

The best management practices for conserving nesting Bald Eagles on Vancouver Island suggest a 60.0 metre buffer measured as a radius from the base of the tree. No buildings or other man made structures should be located within this buffer and all vegetation should be maintained. Further to the above, to reduce the risk of disturbance and nest abandonment, a no disturbance buffer of a 100.0 metre radius from the base of the tree should be provided during the breeding season (January 30 to June 30). It should be noted that Bald Eagle nests and nest trees are protected by Section 34 of the *British Columbia Wildlife Act*.

The biological assessment report indicates that the eagle nesting tree is of reasonable health and under current wildlife/danger tree assessment methods considered safe. The report indicates that there are five veteran old-growth Douglas Fir Trees on the subject property that have some lean and are in a state of decline and therefore, require removal and or modification. The report states that the removal or modification of these trees is not anticipated to negatively impact the use of the property by Bald Eagles in the future as there are many young health Douglas Fir trees growing near the nest tree that will likely provide good buffering and adequate recruitment of perch trees in the future.

The biological assessment report indicates that the construction of the proposed dwelling unit will have little if any effect on the occupation of the site by Bald Eagles, provided that the recommendations contained in the report followed. In summary, the applicant's biologist has provided the following recommendations:

1. The hazard trees be removed and or modified to ensure safety;
2. An existing arbutus (possibly maple) log adjacent to the house site be retained as wildlife habitat;
3. The northern part of the subject property is lined in yellow ribbon as shown on the site plan submitted by the applicant be surveyed and designated a covenant area to maintain the integrity of the eagle nest site;
4. Minimal rehabilitation and enhancement of the covenant area be required including the removal of thistles and other invasive species and the planting of sword fern and Douglas Fir in the disturbed portion of the covenant area; and
5. The site must be monitored by a professional biologist to assess eagle site occupancy if exterior construction is between January 31st and June 30th.

Staff recommends that the applicant, as a condition of the corresponding permit be required to follow all recommendations contained in the biologist's report dated October 21, 2006 prepared by Michael Shepard as attached in Schedule No. '3'.

In order to comply with the biologist's recommendations, the applicant has submitted a replanting plan, attached as Schedule No. '4' that proposes to reintroduce native vegetation within the disturbed areas of the covenant. The applicant has also submitted an itemized cost estimate and has requested that the landscaping security deposit be required to be submitted prior to occupancy of the proposed single dwelling unit.

Please note in order to permit the proposed hazard tree removal and modification an amendment/discharge to the existing Section 219 covenants (EM068460 and EX090855) is required. Both covenants are held by the Ministry of Environment. Staff recommends that the applicant be required to complete the following prior to the issuance of the corresponding Development Permit:

- a. should the applicant wish to proceed with removal and modification of the identified hazard trees, the applicant at the applicant's expense and to the satisfaction of the Ministry of Environment amend/discharge the existing Section 219 covenants to permit the proposed hazard tree removal and modification; and,
- b. at the applicants expense and to the satisfaction of the Regional District of Nanaimo survey the northern part of the subject property is lined in yellow ribbon as shown on the site plan submitted by the applicant and designate that area as a Section 219 covenant to maintain the integrity of the eagle nest site. The proposed covenant area would permit the proposed development and hazard tree management, but would prohibit further disturbance.

Based on the Biologists recommendations little if any impact is expected on the occupation of the site by Bald Eagles as a result of the proposed development. In staff's opinion, the proposed dwelling unit meets the Sensitive Ecosystem Protection Development Permit Area guidelines and staff recommends that the Board approve Development Permit No. 60660 as submitted by the applicant subject to the conditions outlined in Schedule No. '1'.

VOTING

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


SUMMARY/CONCLUSIONS

This is an application to permit the construction of a single dwelling unit within the Sensitive Ecosystem Protection Development Permit Area pursuant to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005". No variances to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" are being requested as part of this application.

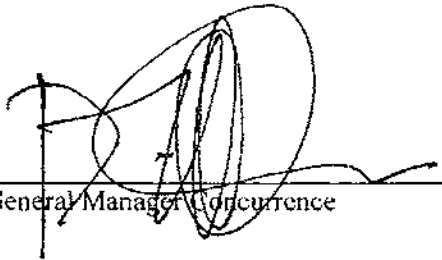
Little if any impact is anticipated on the use of the subject property by Bald Eagles provided the biologist's recommendations are followed. In staff's opinion, the proposed development (single dwelling unit) meets the Sensitive Ecosystem Protection Development Permit Area guidelines and staff recommends that the board approve the request for a Development Permit as submitted by the applicant.

RECOMMENDATION

That Development Permit No. 60660 submitted by Homes by Kimberly on behalf of Allen and Boone Blanke to facilitate the construction of a single dwelling unit on La Selva Place be approved according to the conditions outlined in Schedule No. '1'.



Report Writer



General Manager Concurrence

Manager Concurrence



CAO Concurrence

COMMENTS:

devsvs/reports/2006/dp jan 3060 30 60660 Blanke/Homes by Kimberly Report.

Schedule No. '1'(Page 1 of 2)

Conditions of Development Permit No. 60660

**Strata Lot 4, District Lot 52, Nanoose District, Strata Plan VIS5826 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V
La Selva Place**

1. Issuance of Permit

- a) Prior to the issuance of this permit the applicant must, at the applicant's expense and to the satisfaction of the Regional District of Nanaimo (RDN) complete the following the satisfaction of the RDN:
 - i. should the applicant wish to proceed with removal and modification of the identified hazard trees, the applicant at the applicant's expense and to the satisfaction of the Ministry of Environment amend/discharge the existing Section 219 covenants to permit the proposed hazard tree removal and modification; and,
 - ii. at the applicants expense and to the satisfaction of the RDN survey the northern part of the subject property as flagged in yellow as shown on the site plan submitted by the applicant and designate that area as a Section 219 covenant with a save harmless clause and priority agreement to maintain the integrity of the eagle nest site. The proposed covenant area would permit the proposed development and hazard tree management, but would prohibit further disturbance.

2. Siting

The dwelling unit shall be generally sited as shown on Schedule No. '2'.

3. Maximum Height

The dwelling unit shall not exceed 8.0 metres in height.

4. Environmental Protection

- a) The subject property shall only be developed in accordance with the biologists report dated October 21, 2006 and subsequent amendments prepared by Michael Shepard and attached as Schedule No. '3'.
- b) The site must be monitored by a professional biologist to assess eagle site occupancy if exterior construction or tree removal or modification is to occur between January 31 and June 30.
- c) If exterior construction or tree removal within a 60.0 metres of the radius measured from the base of the Bald Eagle nest tree is to occur between January 31 and June 30, the applicant must submit to the RDN a letter of undertaking from a professional biologist indicating that environmental monitoring will occur and that the proposed timing of development and construction methods will not negatively impact the use of the subject property by Bald Eagles.
- d) No additional vegetation shall be removed other than what is necessary to allow for the construction of the dwelling unit.
- e) High visibility fencing shall be installed along the edge of the proposed covenant area to ensure that no encroachment occurs.
- f) The reintroduction of drought tolerant native plant species well suited to the local soil and water conditions present on the subject property is strongly supported.
- g) All disturber areas within the covenant area must be replanted in accordance with the replanting plan attached as Schedule '4'.

Schedule No. '1'(Page 2 of 2)

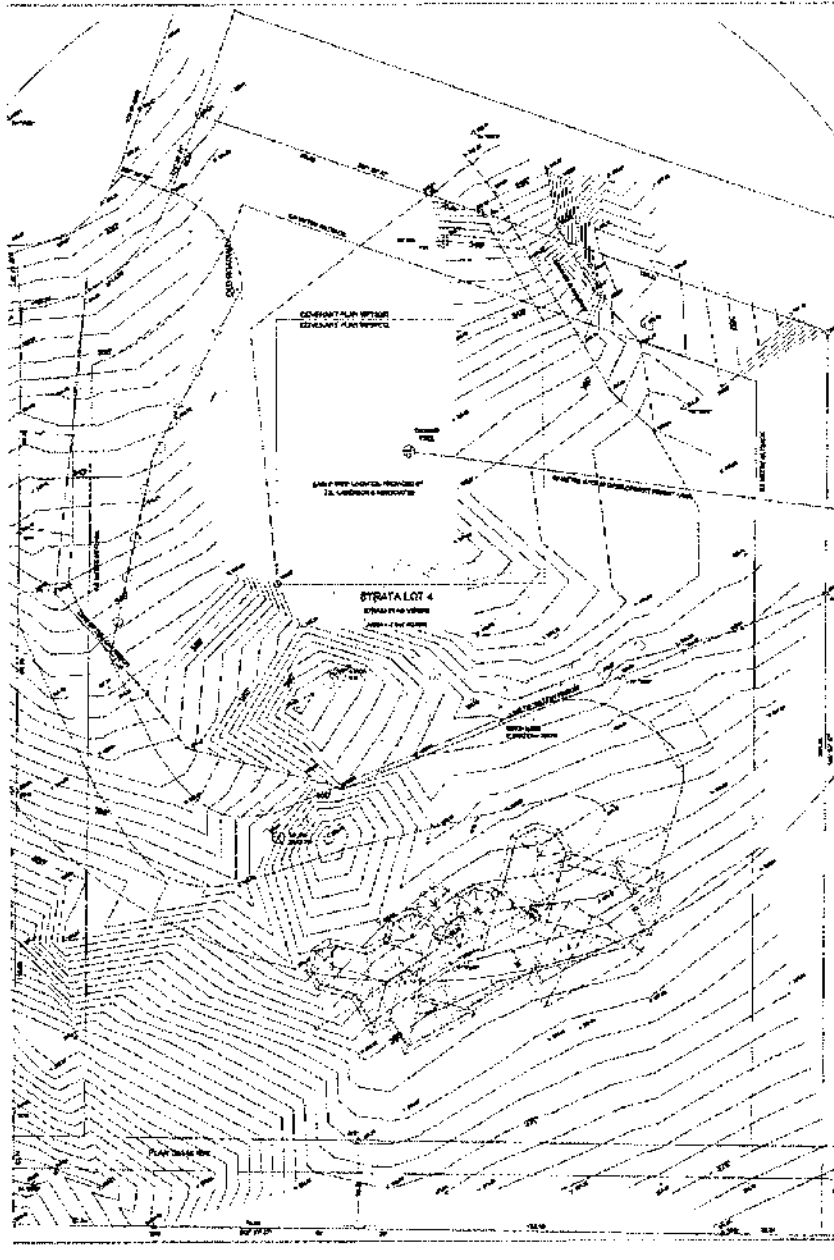
Conditions of Development Permit No. 60660

**Strata Lot 4, District Lot 52, Nanoose District, Strata Plan V1S5826 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V
La Selya Place**

5. Building Inspection Implications

- h) Prior to the issuance of an occupancy permit for the proposed single dwelling unit, the applicant shall submit a landscaping security deposit in the amount of \$2692.40 in the form of cash, cheque, or irrevocable letter of credit with an automatic extension clause.

Schedule No. '2'
Development Permit No. 60660
Proposed Building Location
(as submitted by applicant / reduced for convenience)
Strata Lot 4, District Lot 52, Nanoose District, Strata Plan VIS5826 together with an interest in the
common property in proportion to the unit entitlement of the strata lot as shown on form V
La Selva Place



**Schedule No. '3' (Page 1 of 3)
Development Permit No. 60660
Biological Assessment Report**

**Strata Lot 4, District Lot 52, Nanoose District, Strata Plan VIS5826 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V
La Selva Place**

Michael G. Shepard, RPBio #1480
Manning, Cooper and Associates Ltd.
533 Foul Bay Road, Victoria BC V8S 4G9
(250) 519-0530

Homes by Kimberly
3500 Bluebill Place
Nanoose BC
V9P 9H8

October 21, 2006

Re: Bald Eagle nest tree at La Selva Place, Nanoose BC

Attention: Laurel Lambert

On October 2 & 17, 2006, I visited Lot 4 of Strata Plan VIS5826, D.L. 52, Nanoose District.

The purpose of these visits was to assess potential disturbance to eagles possibly nesting in Lot 4 and as related to construction of a house on the lot. I used a binocular to survey individual tree canopies, and also investigated the bases of large trees within this area to check for prey remains or fecal droppings. My findings are presented below.

NEST OCCUPANCY

There was good lighting and visibility on the nest structure. I was unable to detect any evidence of nest occupancy this year. Supporting evidence for this included:

- Nest structure is slightly dilapidated with no sign of newly added material.
- No sign of prey remains.

My conclusion is that the nest was **LIKELY** unoccupied in 2006.

BEST MANAGEMENT PRACTICES FOR NESTING BALD EAGLES ON VANCOUVER ISLAND

Best management practices for conserving nesting Bald Eagles on Vancouver Island suggest a 60 m buffer measured as a radius from the base of the nest tree. Buildings or other man-made structures should not be located within the buffer and all vegetation should be retained. To reduce the risk of egg or nesting abandonment, an additional noise and no disturbance buffer of at least 100 metres in radius should be provided around the core 60 metre buffer during the breeding season (January 30 to June 30). When blasting between January 30 to June 30, it is recommended that buffers of 1,000 metres be maintained between active nest sites and blasting sites (BC Ministry of Environment, Lands and Parks 2001). Bald Eagle nests and nest trees are protected by Section 34 of the British Columbia Wildlife Act.



Schedule No. '3' (Page 2 of 3)**Development Permit No. 60660****Biological Assessment Report****Strata Lot 4, District Lot 52, Nanoose District, Strata Plan V1S5826 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V
La Selva Place**

It should be noted that nesting Bald Eagles have increased dramatically in the Georgia Basin in recent years with populations increasing at 6.02% annually since the 1960s (Canadian Wildlife Service 2006). This population is expanding in an area that is experiencing at the same time increasing human development. Population expansion in the Georgia Basin is likely related to several factors (Canadian Wildlife Service 2006) but is clearly related in part to increasing tolerance of Bald Eagle for human activities due to declining human persecution of eagles (see discussion on disturbance by Buehler 2000).

POTENTIAL DISTURBANCE ISSUES RELATED TO THE PROPOSED HOUSE LOCATION AND ASSOCIATED CONSTRUCTION ACTIVITIES

It is my professional opinion that locating a house in the proposed site will have little if any effect on the occupation of the site by Bald Eagles, provided that the recommendations made below are followed. It must be noted that each eagle behaves as an individual. Some eagles are susceptible to disturbance, while others can tolerate intensive human activity.

TREE HEALTH ISSUES

There are five veteran old-growth Douglas-fir trees in Lot 4. Most of them have some lean and are in a state of decline. The nest tree is reasonably healthy, and under current wildlife/danger tree assessment standards can be considered safe. The other trees do have some potentially dangerous defects (for example, one tree is dead with considerable lean). Development on Lot 4 will require some tree removal for worker safety and target hazard reasons. There are many young healthy Douglas-fir growing near the nest trees that will likely provide good buffering and adequate recruitment of perch trees in the future.

RECOMMENDATIONS

I recommend that construction of the house and associated services on lot 4 be permitted on the following conditions:

- The dead, leaning class 6 Douglas-fir tree be removed for safety reasons
- The live, heavily leaning Douglas-fir tree (flagged with yellow "Wildlife" ribbon) be removed or reduced in height for safety reasons. The combination of lean, presence of *Phellinus pini* fungal heartrot conks, and moderate resinosis (sap weeping) define this as a danger tree for construction activities under current standards. This tree is within the proposed covenant area, but needs to be modified. I suggest leaving it as an approximately 8m stub to provide woodpecker feeding habitat. If for safety reasons, the arborist cannot accomplish this, then the tree will need to be felled.
- The old arbutus (possibly maple) log adjacent to the house site should be retained as wildlife habitat.
- The northern part of Lot 4, as flagged in yellow, be surveyed and designated a covenant area to maintain the integrity of the eagle nest site. The covenant area should be left intact, without trails, or debris dumping. The flagged area excludes a small section in the northwest corner of the lot that will allow removal of a few

Schedule No. '3' (Page 3 of 3)
Development Permit No. 60660
Biological Assessment Report

**Strata Lot 4, District Lot 52, Nanoose District, Strata Plan VIS5826 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V
La Selva Place**

second-growth Douglas-fir and western redcedar if necessary for driveway construction.

- Rehabilitation and enhancement required in the covenant area will be minimal. The following is suggested.
 - Remove thistles adjacent to the house site.
 - Plant sword fern, and one Douglas-fir in disturbed area of covenant adjacent to house site.
 - Remove thistles and other large exotic plants along old cleared driveway within the covenanted area. Plant Douglas-fir at the rate of one tree per 5 metres along the old driveway.
 - Remove brush piles at edges of covenanted area.
- The site must be monitored by a professional biologist to assess eagle site occupancy if exterior house construction is to occur between January 31 and June 30.

REFERENCES

British Columbia Ministry of Environment, Lands and Parks. 2001. Environmental Objectives, Best management Practices and Requirements for Land Developments. Vancouver Island Region. Nanaimo, British Columbia.

Buehler, D.A. Bald Eagle. No. 506 in *The Birds of North America* (A. Poole and F. Gill, eds.). The Birds of North American, Inc. Philadelphia, PA. 40pp.

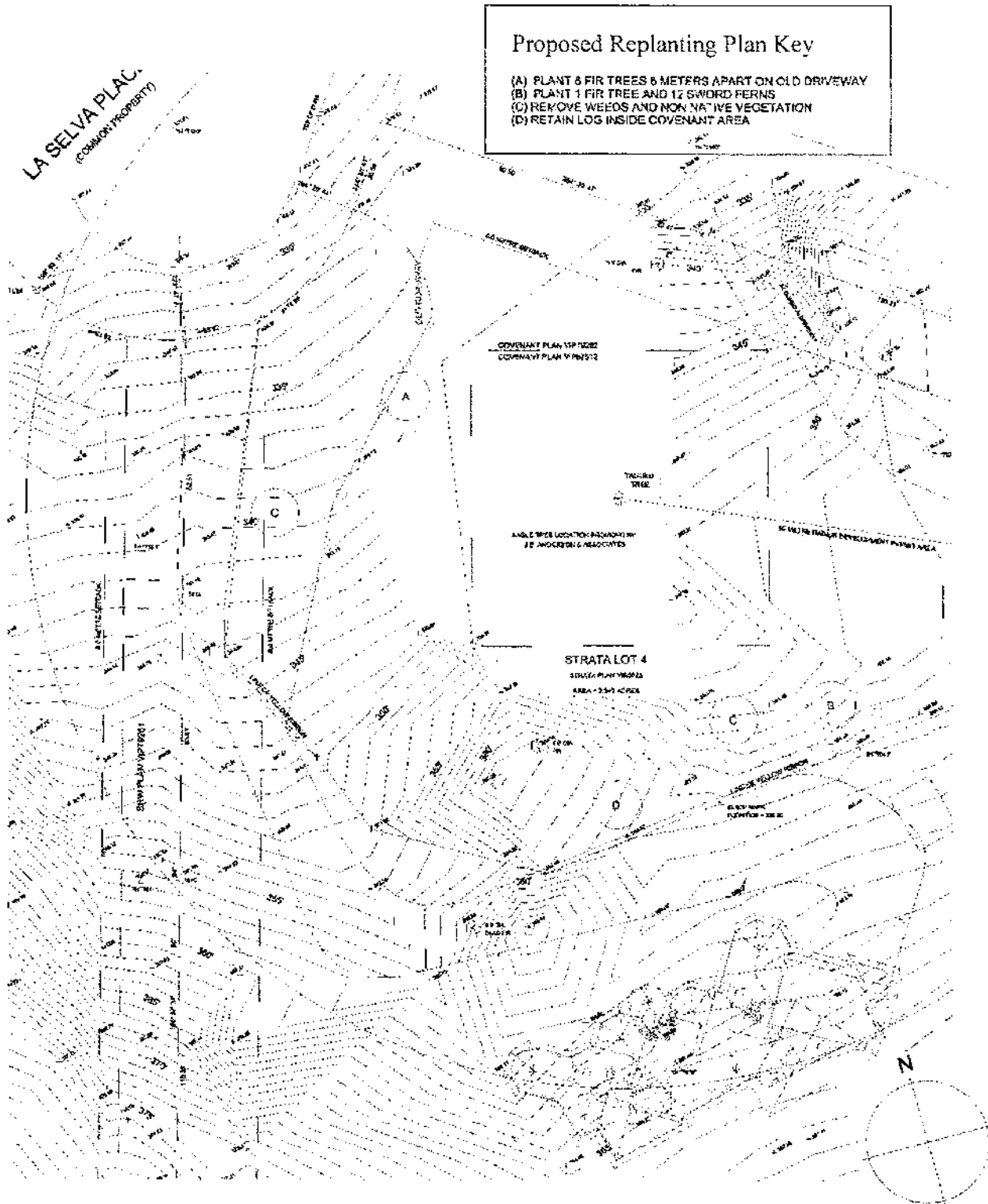
Canadian Wildlife Service. 2006. Bald Eagle. An indicator of wildlife sustainability in British Columbia. http://www.ecoinfo.ec.gc.ca/env_ind/region/baldeagle/eagle_e.cfm

Sincerely



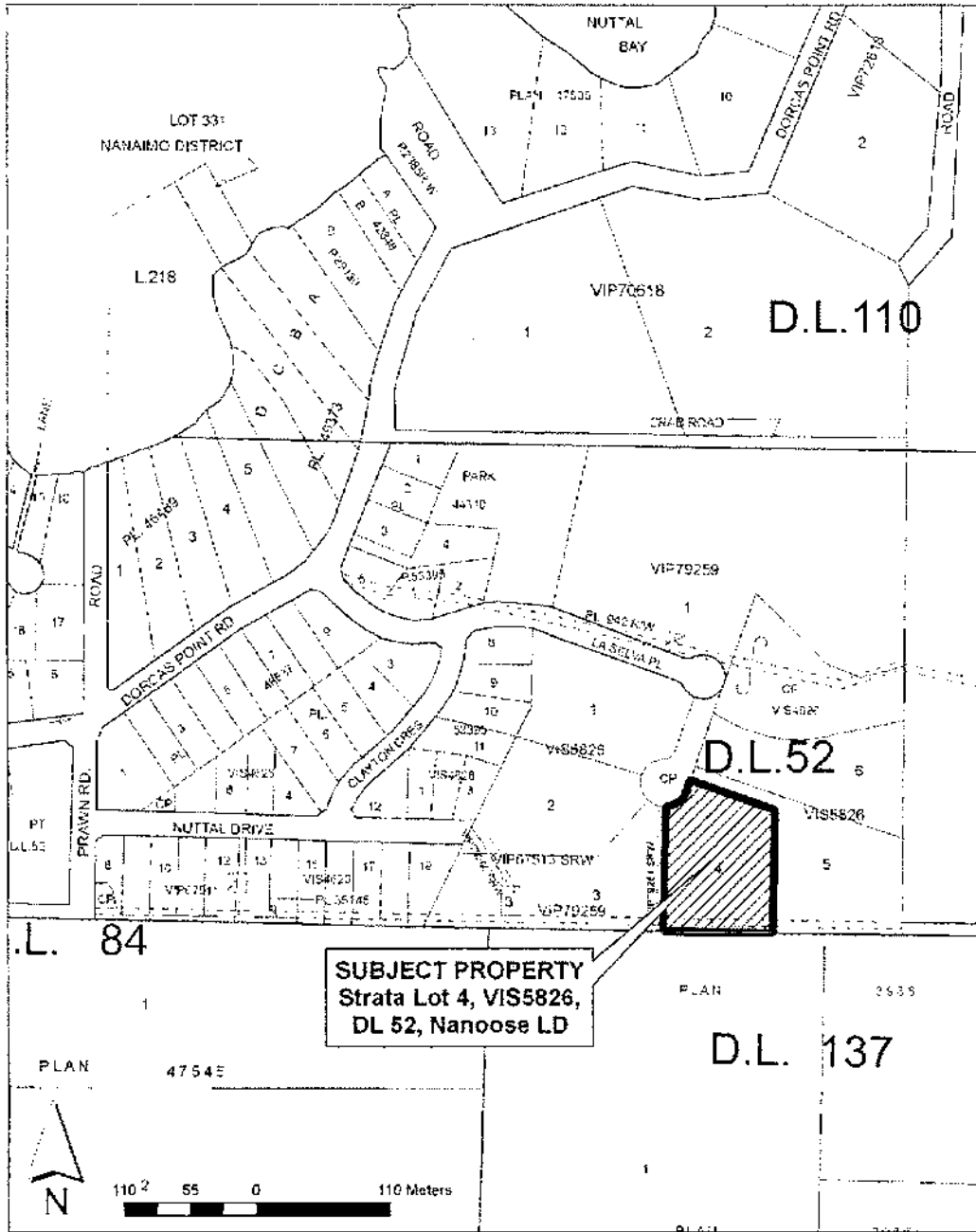
Michael G. Shepard. RPBio. #1480
Wildlife Biologist and Wildlife/Danger Tree Assessor
Manning, Cooper and Associates Ltd.

Schedule No. '4'
Development Permit No. 60660
Proposed Replanting Plan
(as submitted by the applicant / enlarged for convenience)
Strata Lot 4, District Lot 52, Nanoose District, Strata Plan VIS5826 together with an interest in the
common property in proportion to the unit entitlement of the strata lot as shown on form V
La Selva Place



Attachment No. '1'
Development Permit No. 60660
Subject Property

(attached for convenience only)
Strata Lot 4, District Lot 52, Nanoose District, Strata Plan VIS5826 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V
La Selva Place





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CHAIR	BOARD
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MEMORANDUM

TO: Susan Cormie
Acting Manager of Current Planning

DATE: December 19, 2006

FROM: Greg Keller
Planner

FILE: 3060 30 60661

SUBJECT: Development Permit Application No. 60661 Ken Clarke & Keith Wick
Lot 11, District Lot 78, Nanoose District, Plan VIP80854
Beldon Place - Electoral Area 'E' Fairwinds

PURPOSE

To consider a request for the issuance of a development permit with variance to permit the construction of a single dwelling unit within the Sensitive Ecosystem Protection Development Permit Area pursuant to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005."

BACKGROUND

This application proposes to construct a single dwelling unit on the subject property legally described as Lot 11, District Lot 78, Nanoose Land District, Plan VIP80854. The subject property is 0.2081 hectares in area and is located on Beldon Place in the Fairwinds area of Electoral Area 'E' (see Attachment No. 1). The subject parcel is zoned Residential 1 Subdivision District 'P' (RS1P) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987."

The subject property is located within the Sensitive Ecosystem Protection Development Permit Area pursuant to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005". The Board previously approved Development Permit No. 60619 on June 28, 2006 during Phase 9B in Fairwinds. Development Permit No. 60619 created building envelopes on proposed lots 27 to 33, while the remaining proposed lots (including the subject property) did not require the creation of building envelopes as there were no environmentally sensitive features identified that require protection by the applicant's biologist.

Development Permit No. 60619 previously satisfied the Sensitive Ecosystem Protection Development Permit Area Guidelines applicable to the subject property and this application is consistent with Development Permit No. 60619. However, the applicant is requesting a variance to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" to permit the construction of an over height single dwelling unit and Development Permit No. 60619 did not include any variances. Therefore, a Development Permit with variance is required to permit the proposed single dwelling unit.

The subject property has been primarily cleared and is steeply sloping away from Beldon Place. In order to prepare for construction, the subject property has been excavated and the building site is approximately two metres below Beldon Place. The applicants are proposing to construct a single dwelling unit with a main level entry and a walk out basement.

There is a sanitary sewer easement registered as document number FA048697 on the north west property line and east of the proposed single dwelling unit as shown on Schedule No. '2'.

The applicants indicate that the proposed variance is necessary due to the sloping topography of the subject property, in order to avoid blasting, due the location of an existing easement, and due to the high ground water level on the subject property.

Proposed Variance

As part of this Development Permit application, the applicant is proposing to vary Section 3.4.61 of "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" by increasing the maximum dwelling unit height from 8.0 metres to 9.2 metres to permit the construction of a dwelling unit in substantial compliance with that shown on Schedule Nos. '2' and '3'.

ALTERNATIVES

1. To approve the request for Development Permit No. 60661 subject to the conditions outlined in Schedule No. '1' and the Board's consideration of the comments received as a result of public notification.
2. To deny the requested approval for a development permit.

DEVELOPMENT IMPLICATIONS

Land Use and Development Implications

The subject property is steeply sloping to the east and has previously been cleared and excavated in preparation for construction. The adjacent properties to the east are separated from the subject property by a narrow band of mature vegetation and are developed with single dwelling units. The adjacent properties to the east are slightly lower in elevation than the subject property. There is a large rocky outcropping that begins on the southern boundary of the subject property and steeply slopes upwards on to Lot 10 to the south. Lot 12 to the north has previously been cleared, but is currently undeveloped. The properties to the west are also currently undeveloped.

Although more than 1000 metres from the ocean, staff note that there may be distant ocean views towards the north and north east which are obscured by existing native vegetation. However, based on the differences in elevation between the subject property and the adjacent properties and the existing vegetation which is currently restricting views, it is not anticipated that the proposed height variance will have a negative impact on the views from the adjacent properties.

The building envelope on the subject property is severely restricted due to the relatively narrow lot dimensions, the minimum setback requirements, the location of the utility services, and the easement which is located both on the northwest lot line and east of the proposed single dwelling unit as shown on Schedule No. '2'.

The applicant indicates that the right side of the proposed single dwelling unit is located on bedrock and due to the close proximity of the bedrock to the utility services and the easement, blasting is very difficult. Therefore, the applicant does not wish to excavate below the current grade of the building site.

While excavating the property, the applicant indicates that an underground stream has been opened up that produces approximately 3 gallons of water per minute running out of the bedrock on the front right side of the proposed garage and exiting through the centre of the proposed basement at the rear. The applicant has had a geotechnical engineer investigate the drainage on site. In order to alleviate the drainage issues, the applicant is proposing to raise the excavated subgrade by 1.2 metres with free draining gravel under the supervision of a Geotechnical Engineer. Staff have received a copy of the said Geotechnical Engineer's report stating the proposed development is safe from a geotechnical perspective. Please note, further Geotechnical Engineering may be required as part of the building permit process to ensure that the drainage issues are adequately addressed.

As noted above, the applicant is proposing to raise the proposed single dwelling unit by 1.2 metres above the existing excavated grade in order to address drainage issues. The raising of the proposed single dwelling unit triggers the requirement for a variance. If constructed on the present excavated grade, the proposed single dwelling unit would be under the maximum dwelling unit height requirement and therefore, would not require a Development Permit with variance.

The applicant has indicated that should the Board approve the requested variance, no retaining walls 1.0 or more in height or that retain more than 1.0 metre of earth would be required within the minimum setback requirements.

In staff's assessment of this application, the applicant has demonstrated that the proposed variance is justified and the proposed development is consistent with the Development Permit Area guidelines. In addition, the applicant has made efforts to reduce the height of the proposed single dwelling unit by reducing the roof pitch from a 7/12 to a 5/12.

OCP and Environmental Implications:

As Development Permit No. 60619 authorized the construction of a single dwelling unit on the subject property, the proposed single dwelling unit is in substantial compliance with the Development Permit No. 60619 and the Sensitive Ecosystem Protection Development Permit Area Guidelines.

Policy B 1.5

Board Policy B 1.5 was approved by the Board on February 8, 2006 to provide staff with guidelines for reviewing development applications that include a request for a variance(s). Due to the topographical and man made constraints located on the subject property, the applicant has demonstrated an acceptable land use justification for the variance being requested. In addition, the applicant has attempted to reduce the extent of the variance being requested by reducing the pitch of the roof from a 7/12 pitch down to a 5/12 pitch, which is a relatively shallow sloped roof for typical dwelling units in the Fairwinds area.

VOTING

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

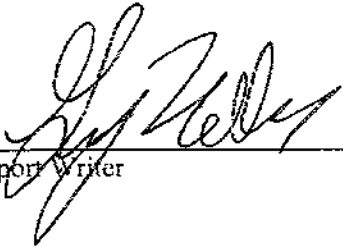
SUMMARY/CONCLUSIONS

This is an application to permit the construction of a single dwelling unit within the Sensitive Ecosystem Protection Development Permit Area pursuant to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005". As part of this application, the applicant is proposing to vary Section 3.4.61 of "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" by increasing the maximum dwelling unit height from 8.0 metres to 9.2 metres to permit the construction of a dwelling unit in substantial compliance with that shown on Schedule Nos. '2' and '3'. The proposed variance is not expected to have a negative impact on the views from adjacent properties and is supported from a land use perspective as there are topographical and man made constraints that hinder the development of the subject property.

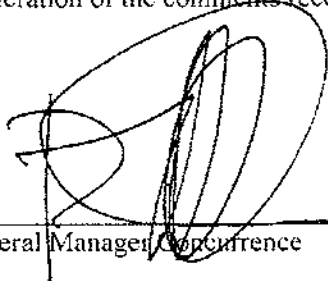
In addition the proposed development meets the Sensitive Ecosystem Protection Development Permit Area guidelines and staff recommends that the Board approve the request for a Development Permit with variance as submitted by the applicant.

RECOMMENDATION

That Development Permit No. 60661 with variance submitted by Ken Clarke and Keith Wick to facilitate the construction of a single dwelling unit on Beldon Place be approved according to the conditions outlined in Schedule No. '1' and subject to the Board's consideration of the comments received as a result of public notification.

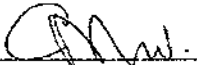


Report Writer



General Manager Concurrence

Manager Concurrence



CAO Concurrence

COMMENTS:

devs/reports/2006/dp jan 3060 30 60661 Clark Wick Report.

Schedule No. '1'
Development Permit No. 60661
Conditions of Approval
Lot 11, District Lot 78, Nanoose District, Plan VIP80854
Beldon Place

1. Variance

- a) Section 3.4.61 of "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" is proposed to be varied by increasing the maximum dwelling unit height from 8.0 metres to 9.2 metres to permit the construction of a dwelling unit in substantial compliance with that shown on Schedule Nos. '2' and '3'.

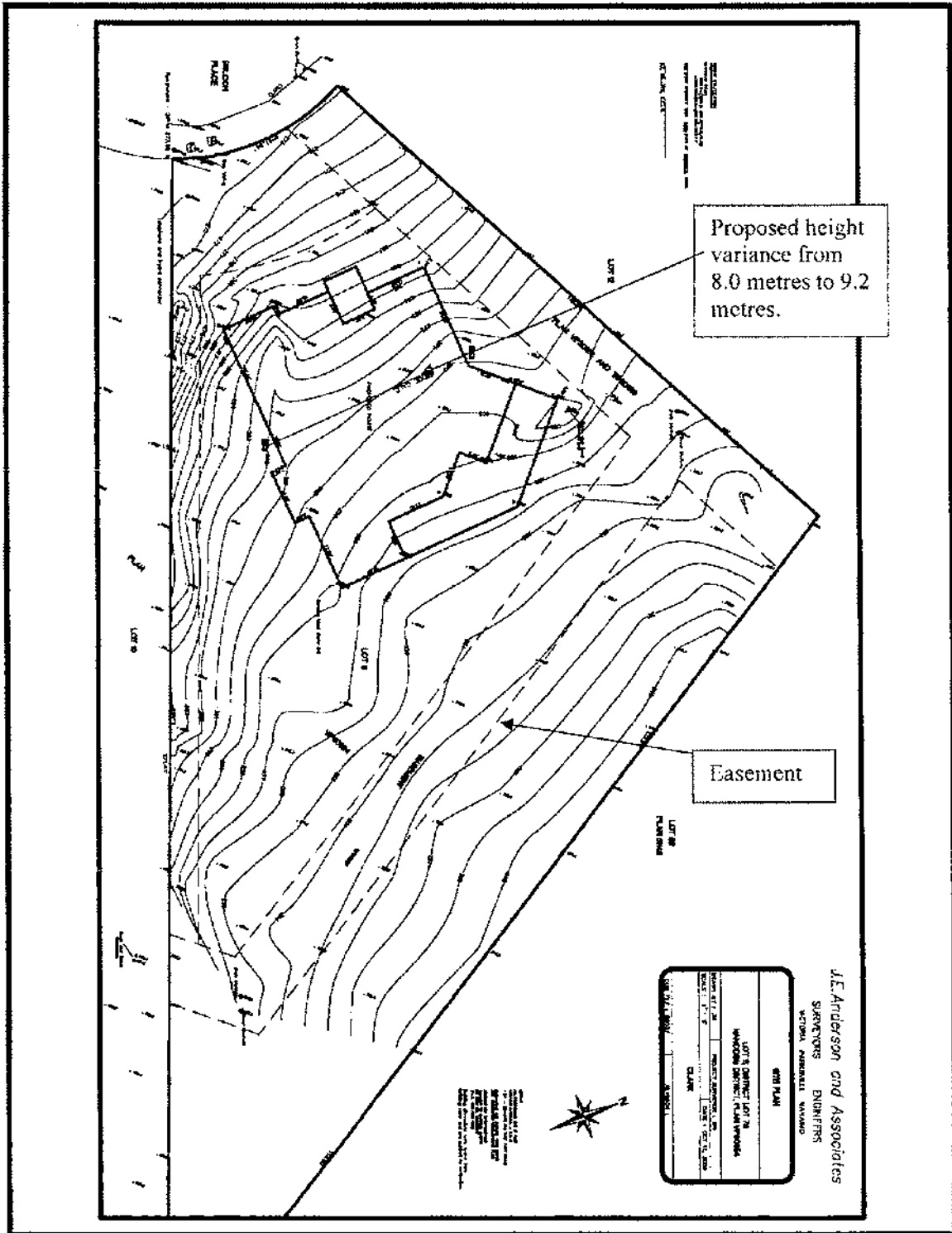
2. Development of Site

- a) The subject property shall be developed in accordance with "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" except where proposed to be varied.
- b) The proposed single dwelling unit shall be generally sited as shown on Schedule No. '2' and constructed in substantial compliance with Schedule No. '3'.

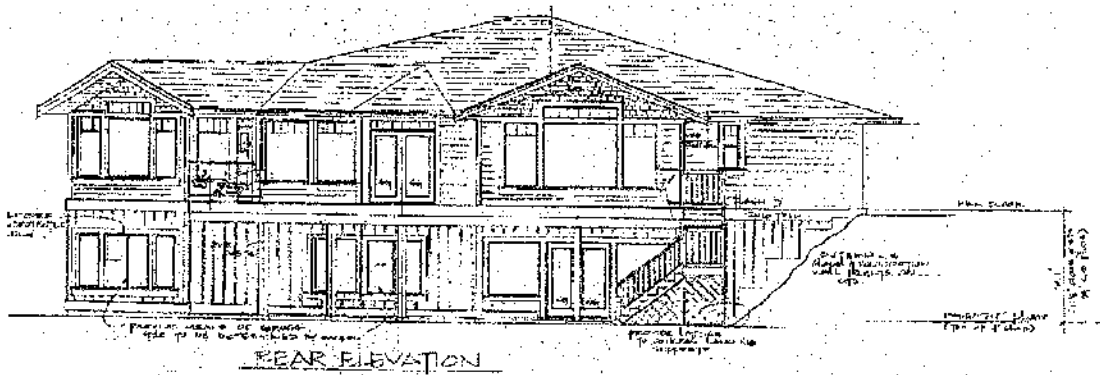
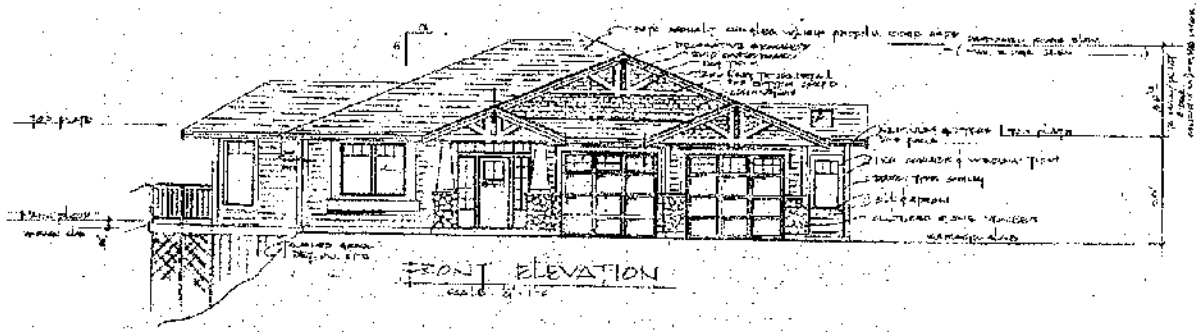
3. Maximum Height

- a) The dwelling unit shall not exceed 9.2 metres in height.

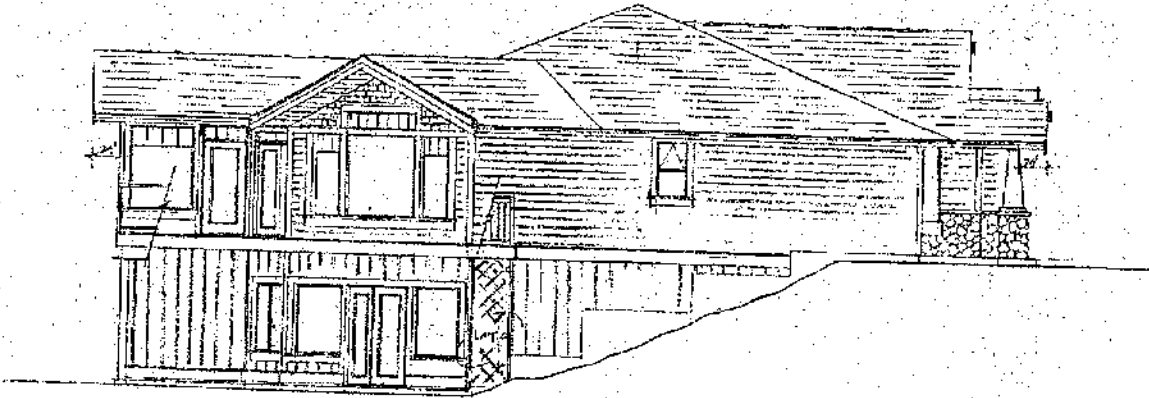
Schedule No. '2'
Development Permit No. 60661
Proposed Building Location
(as submitted by applicant / reduced for convenience)
Lot 11, District Lot 78, Nanoose District, Plan VIP80854
Beldon Place



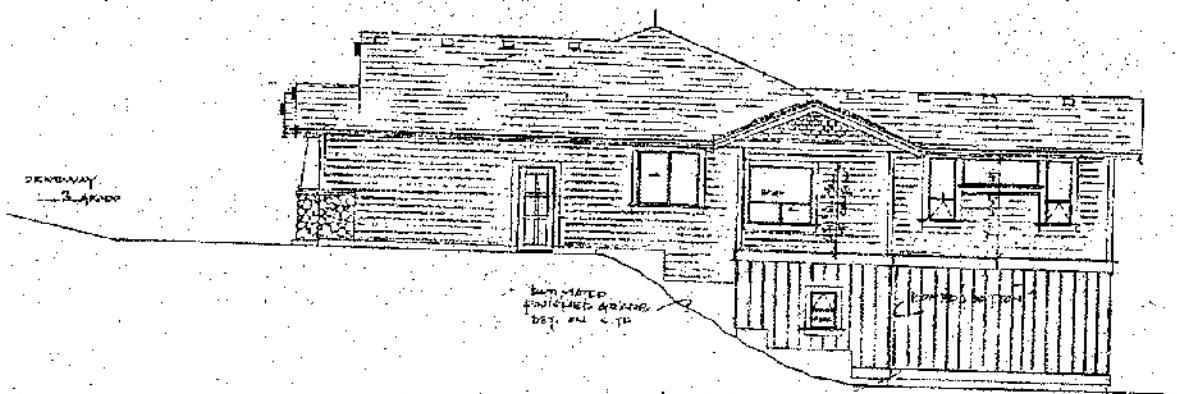
Schedule No. '3' (page 1 of 2)
Development Permit No. 60661
Proposed Building Elevations
(as submitted by applicant / reduced for convenience)
Lot 11, District Lot 78, Nanoose District, Plan VIP80854
Beldon Place



Schedule No. '3' (page 2 of 2)
Development Permit No. 60661
Proposed Building Elevations
(as submitted by applicant / reduced for convenience)
Lot 11, District Lot 78, Nanoose District, Plan VIP80854
Beldon Place

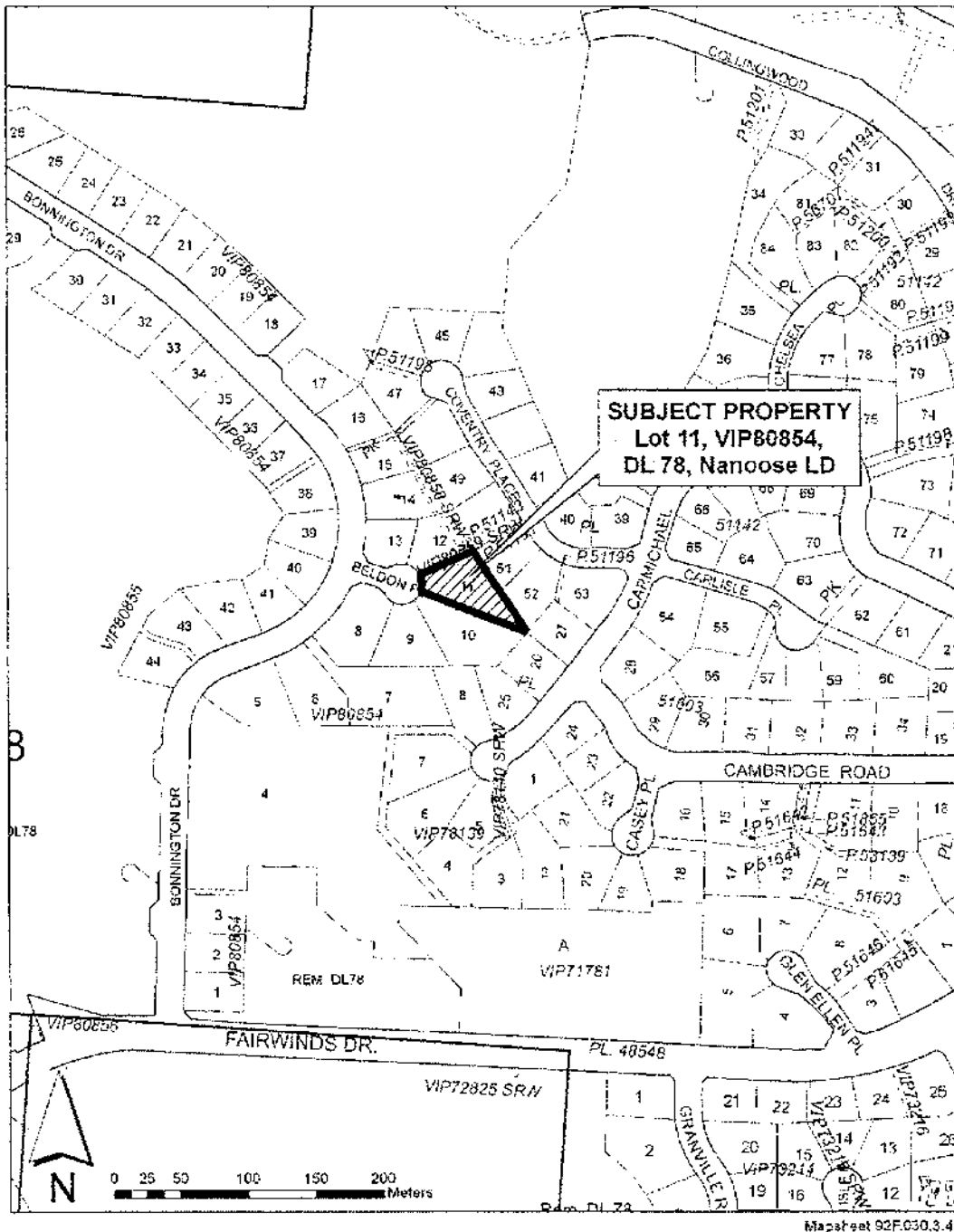


LEFT ELEVATION



RIGHT ELEVATION

Attachment No. '1'
Development Permit No. 60661
Location of Subject Property
(attached for convenience only)
Lot 11, District Lot 78, Nanoose District, Plan VIP80854
Beldon Place





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CHAIR		BOARD	
PAP			

MEMORANDUM

TO: Wayne Moorman
Manager, Engineering & Subdivisions

DATE: December 20, 2006

FROM: Susan Cormie
Senior Planner

FILE: 3060 30 60663
c/r 3320 20 27078

SUBJECT: Development Permit Application No. 60663
Quest Homes Inc., on behalf of Green Thumb Nursery & Landscaping
Electoral Area 'H' – Island Highway No. 19A & Coburn Road

PURPOSE

To consider an application for a development permit in conjunction with the creation of a 3-lot subdivision within the Environmentally Sensitive Features, Coastal, and Hazards Lands Development Permit Areas on property in Electoral Area 'H'.

BACKGROUND

The parent parcels, legally described as Lots 5 & Lot 6 Except That Part in Plan VIP53852, Both of District Lot 36, Newcastle District, Plan 2076, are located in the Bowser Village adjacent to Coburn Road and the Island Highway No. 19A in Electoral Area 'H' (see Attachment No. 1 on page 7 for location).

The parent parcels total approximately 5.45 ha in size and are currently vacant. Pursuant to the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987", the parcels are currently split zoned as follows:

- Lot 5 - Residential 2 (RS2) Subdivision District 'M' / Commercial 2 (CM2) Subdivision District 'M'; and
- Lot 6 - Residential 2 (RS2) Subdivision District 'M' / Commercial 2 (CM2) Subdivision District 'M'.

The parent parcels are split by the E&N Railway and Essay Road with the commercial zoned lands situated to the south of the railway and the residentially zoned lands to the north of Essay Road and bordering the Strait of Georgia. Coburn Road is located to the east of Lot 5 and provides public access to the waterfront. The site contains an unnamed watercourse, a heron colony, and steep slopes.

Surrounding uses include the Strait of Georgia to the north; Coburn Road and residentially zoned parcels to the east; Island Highway No. 19A and commercially zoned parcels to the south; and commercially zoned parcels to the west.

In addition, the parent parcel is designated within the following development permit areas pursuant to the Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003:

- the Environmentally Sensitive Features Development Permit Area for the protection of the aquifer and the protection of the coastal area;
- the Hazard Lands Development Permit Area for the protection of development from hazardous conditions, in this case, the steep slope above the coastal area; and
- the Village Centres Development Permit Area for form and character of development in the Bowser; Village Centre.

It is noted that as this application for subdivision will meet the exemption provisions for the Village Centres Development Permit Area; the Environmentally Sensitive Development Permit Area for the Coastal Protection portion; and for the Hazard Lands Development Permit Area.

Therefore, a development permit is only required for the Environmentally Sensitive Features Development Permit Area for the protection of the aquifer.

It is also noted that the heron colony and the unnamed watercourse crossing the residential portion of the subject properties are currently not designated within a development permit area.

Proposed Development

The applicants are proposing to split the commercial zoned lands from the residential zoned lands and consolidate the commercial portion into one parcel. The proposed new commercial lot will meet the minimum parcel size requirement pursuant to Bylaw No. 500, 1987. The parcels are proposed to be served with community water service connections from Bowser Waterworks District and individual septic disposal systems (*see Schedule No. 2 on page 6 for proposed layout*).

The parent parcels are situated within the Bowser Fire Protection Area and outside of an RIDN Building Inspection Area.

As part of this application, the applicants have submitted a Hydrogeological Assessment prepared by a professional engineer.

It is noted that the applicants have submitted subdivision and development permit applications for the development of the residentially zoned portions of the parent parcels and have submitted additional reports in support of these applications including information concerning the heron colony, the unnamed watercourse, and park land provisions. These applications will be forwarded to the future Electoral Area Planning Committee.

ALTERNATIVES

1. To approve Development Permit Application No. 60663, as submitted, subject to the conditions outlined in Schedules No. 1 and 2.
2. To deny the Development Permit as submitted and provide staff with further direction.

DEVELOPMENT IMPLICATIONS

Development Permit Implications

With respect to the development permit guidelines for protection of the aquifer, the applicant has submitted a Hydrogeological Assessment of the parent parcel prepared by a Professional Engineer. The report concludes that as the proposed subdivision will be served by community water service and Type 2 septic disposal systems, the development will represent a low risk to the underlying aquifer water quality. With respect to ensuring the on-going care of the future septic systems, staff recommends that the applicant prepare and register a section 219 covenant requiring the maintenance of septic systems every 3 years. The applicants are in concurrence to register this covenant.

While the report does not specifically recommend that no additional wells be dug or drilled and no underground fuel storage tanks be installed as further ways to protect the aquifer, the applicants are also in concurrence to register a section 219 covenant to provide this added protection to the aquifer.

Site Servicing Implications

The applicant has applied for an application for septic disposal approval to the Central Vancouver Island Health Authority.

The Ministry of Transportation is responsible for the storm drainage. As part of the subdivision review process, the Regional Approving Officer will examine the storm water management of the parent parcel and impose conditions of development as required.

With respect to access, the Ministry of Transportation staff has indicated the applicant will require a controlled highway access permit at time of future development for the commercial property. With respect to the residential properties, the applicant will be required to provide access to the Ministry's standard as the time of subdivision.

The applicant has indicated that community water service will be provided by Bowser Waterworks District.

With respect to fire protection, the applicant is responsible to ensure fire protection to the proposed parcels.

Environmentally Sensitive Areas Atlas

The Regional District of Nanaimo Environmentally Sensitive Areas Atlas indicates the presence of a fish Present Fish Habitat and the corresponding Fisheries Planning Boundary associated with coastal portion of the parent parcels. The presence of the Heron colony and the small watercourse crossing the site is not indicated on the Atlas. These environmentally sensitive features will be reviewed as part of the future residential subdivision and development applications.

VOTING

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

SUMMARY

This is a subdivision application that involves a development permit for the properties located adjacent to Coburn Road and the Island Highway No. 19A in the Bowser Village area Electoral Area 'H'. This subdivision application triggers the requirement for a development permit for the protection of the aquifer as set out in the Environmentally Sensitive Features Development Permit Area pursuant to the Electoral Area 'H' OCP. The development permit, which includes measures for protection of the aquifer at the time of construction and the registration of covenants restricting no wells, no underground fuel storage, and the maintenance of the septic disposal systems, is consistent with the applicable guidelines concerning protection of the aquifer outlined in the Environmentally Sensitive Features Development Permit Area. It is noted that the applicant has submitted subdivision and development permit applications for the development of the residentially zoned portions of the parent which will be forwarded to the future Electoral Area Planning Committee for its consideration.

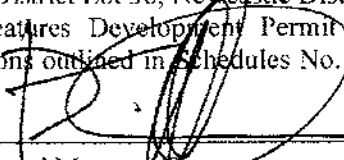
Therefore, given that the applicant is in concurrence to provide an additional covenant for the protection of the aquifer and as the applicable development permit guidelines will be able to be met, staff recommends Alternative No. 1 to approve the development permit subject to the conditions outlined in Schedules No. 1 and 2 of this staff report.

RECOMMENDATION

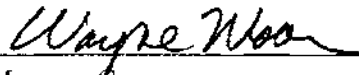
That Development Permit Application No. 60663 submitted by Quest Homes Inc., on behalf of Green Thumb Nursery & Landscaping, in conjunction with the subdivision on the parcels legally described as Lots 5 & Lot 6 Except That Part in Plan VIP53852, Both of District Lot 36, Newcastle District, Plan 2076 and designated within the Environmentally Sensitive Features Development Permit Area for the protection of the aquifer, be approved subject to the conditions outlined in Schedules No. 1 and 2 of the corresponding staff report.



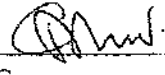
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

COMMENTS:

devs\reports\2007\dp ja 3060 30 60663 quest homes

Schedule No. '1' (page 1 of 2)
Development Permit Application No. 60663
Conditions of Approval

The following sets out the conditions of approval in conjunction with the 3-lot subdivision development of Lot 5 & Lot 6 Except That Part in Plan VIP53852, Both of District Lot 36, Newcastle District, Plan 2076 Except That Part in Plan VIP53582:

1. Subdivision

The subdivision of the lands shall be in substantial compliance with Schedule No. '2' to be attached to and forming part of this Permit.

2. Hydrological Report

- a. The construction of the subdivision shall be in accordance with the Hydrogeologic Assessment prepared by H₂O Environmental Ltd., dated August 15, 2006.
- b. Applicant to prepare and register, to the satisfaction of the RDN, the Hydrogeological Report as a section 219 covenant for the protection of aquifer and specifically restricting development according to the recommendations outlined in the report and including the following:
 - i. Construction of septic management systems shall be, at a minimum Type 2 pre-treatment of septic waste prior to pressurized disposal into mounded septic field beds in accordance with the 2005 BC Sewage System Regulation).
 - ii. Any heating oil storage tanks shall not be installed underground.
 - iii. No wells, for any purpose, shall be dug or drilled on any parcel.

Draft covenant document to be forwarded for review to RDN. Covenant to be registered concurrently with the plan of subdivision at Land Title Office, Victoria. Applicants' solicitor to provide legal letter of undertaking to register the covenant concurrently with the plan of subdivision.

3. Protection of Aquifer / Sediment and Erosion Control

During construction, the following applies:

- a. All machines on site must be in good working order and no fuels, lubricants or construction wastes are permitted to enter the environment.
- b. A spill kit shall be on-site to prevent the introduction of any fuels in the event of a spill. If a spill occurs, the Provincial Emergency Program must be contacted.
- c. As required, sediment and erosion control measures, must be utilized to control sediment during construction and to stabilize the site after construction is complete. These measures must include:
 - i. Tarps, sand bags, poly plastic sheeting and/or filter fabric are required to be onsite during works.
 - ii. Cover temporary fills or soil stock piles with polyethylene or tarps.
 - iii. Exposed soils must be seeded immediately after disturbance. Soil surfaces to be treated should be roughened in advance of seeding.

4. Future Development Permit

This development permit authorizes the subdivision as shown on Schedule No. '2' to be attached to and forms part of the development permit. Any additional proposed development shall require a further development permit.

5. Access

Applicant to meet Ministry of Transportation requirements with respect to access to the commercial zoned parcel.

Schedule No. '1' (page 2 of 2)
Development Permit Application No. 60663
Conditions of Approval

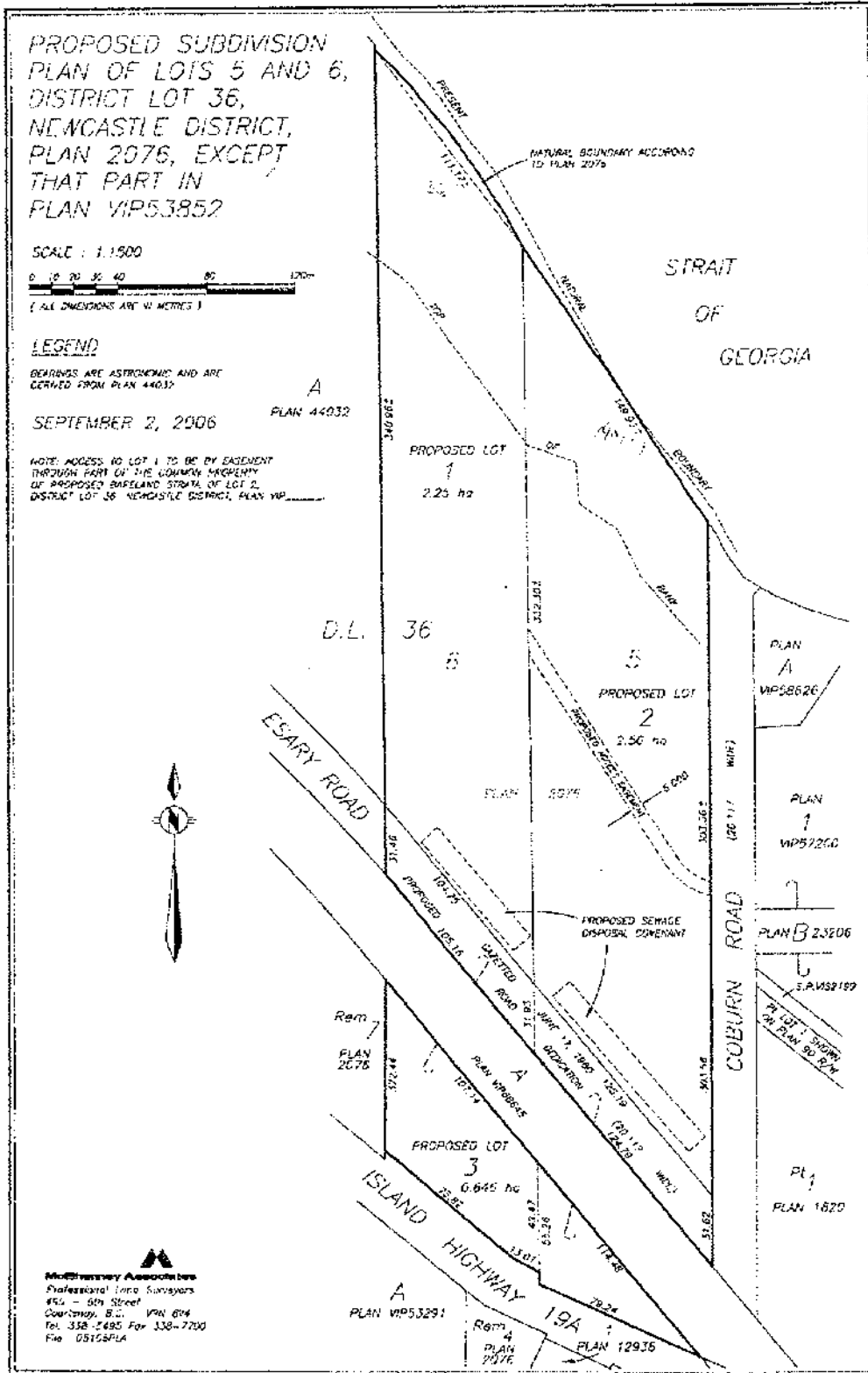
6. Septic System Covenant

The applicant shall prepare and register a section 219 covenant concurrently with the subdivision plan at Land Title Office, Victoria restricting the following:

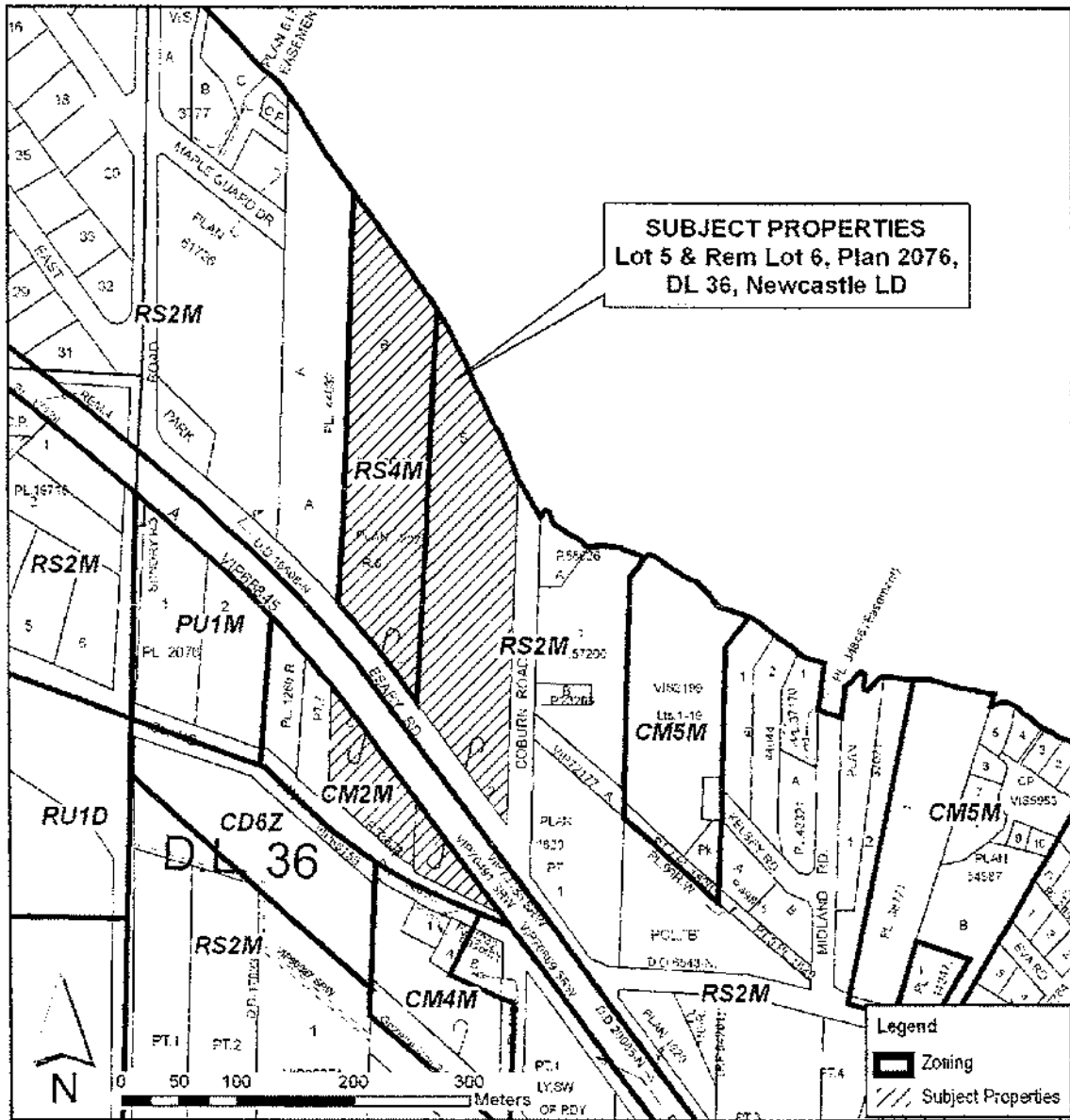
- i. No wells, for any purpose, shall be dug or drilled on any parcel.
- ii. The registered owner of the parcel provide evidence that their septic system has been pumped/inspected by a professional engineer or other qualified professional acceptable to the Health Authority, at least every 3 years, and must provide to the Regional District (when requested), certification by the professional engineer or other qualified professional that the septic system has been pumped/inspected and found to be functioning according to the specifications of the septic system design and that the treatment of domestic sewage effluent within that septic system effluent is in accordance with the standards for approving sewage disposal systems as published by the Central Vancouver Island Health Unit of the Vancouver Island Regional Health Authority, at his or her cost, and;
In the event that the registered owner fails to provide certification or otherwise fails to upgrade the septic disposal system such owner shall cause any domestic sewage effluent produced on that parcel to be pumped and hauled to an approved sewage disposal facility.

Applicant to submit draft covenant to Regional District for review prior to registration at Land Title Office. This covenant is to be reviewed and accepted by the Regional District prior to being registered on title concurrently with the plan of subdivision at Land Title Office. Applicant's solicitor to submit letter undertaking to register this covenant.

Schedule No. '2'
 Proposed 3-Lot Subdivision
 Development Permit Application No. 60663



Attachment No. 1
Location of Subject Property





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CHAIR	BOARD		
EAP			

MEMORANDUM

TO: Wayne Moorman, P. Eng.
 Manager, Engineering & Subdivisions

DATE: December 20, 2006

FROM: Susan Cormie
 Senior Planner

FILE: 3300 20 430 Evergreen Way

SUBJECT: Building Strata Conversion Application – JE Anderson & Associates, BCLS, on behalf of J Glazier Developments Ltd.
 Electoral Area 'G', 430 Evergreen Way

PURPOSE

To consider a request to approve a building strata conversion of a residential development pursuant to section 242 of the *Strata Property Act* that will result in the creation of 2 residential building strata lots.

BACKGROUND

The owner of the subject property, legally described as Lot 8, Block 419, Nanoose District, Plan 32536 and located at 430 Evergreen Way within Electoral Area 'G', is proposing to create 2 building strata lots over one existing single dwelling unit and one proposed dwelling unit (*see Schedule No. 2 on page 6 for proposed building strata subdivision*). The subject property, which is 2.02 ha in size, is currently zoned Rural 1 (RU1) and is within Subdivision District 'D' pursuant to the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" (*see Attachment No. 1 on page 9 for location of subject property*). Under the Rural 1 zone, 2 dwelling units are permitted provided the parcel is greater than 2.0 ha in size. In this case, the parcel can support 2 dwelling units.

The building strata conversion is proposed to be served by private potable water wells and private septic disposal. Surrounding parcels are zoned rural with Evergreen Way bordering the north lot line and Allsbrook Road bordering the south lot line. The parcels to the south of Allsbrook Road are situated within the Agricultural Land Reserve (ALR).

The subject property is located within an RDN Building Inspection Area.

Section 242 of the *Strata Property Act* provides for the conversion of previously occupied buildings into strata lots subject to the approval of the approving authority, in this case, the Regional Board. The Regional Board is to ensure that an adequate supply of rental units remains available and that units being converted meet the minimum standard of construction. The *Strata Property Act* specifies that the Regional Board must consider the following criteria in its decision:

1. The priority of rental accommodation over privately owned housing in the area;
2. Any proposals for the relocation of persons occupying a residential building;
3. The life expectancy of the building; and
4. Projected major increases in maintenance costs due to the conditions of the building.

The Board is also required to ensure that the buildings substantially comply with applicable bylaws and the National Building Code of Canada.

In addition to the above-required criteria, the Board may also consider “any other matters that, in its opinion, are relevant.” Consideration of these other matters enables the request to be refused at the Board’s discretion. In order to evaluate an application, the Board approved the Strata Conversion Policy and Guidelines Policy (No. B1.7), which establishes criteria to assist an applicant in the preparation of an application and to assist the Regional District in its review and evaluation of an application.

ALTERNATIVES

1. To approve the request for the building strata conversion as shown on the plan submitted by the applicant subject to conditions set out in Schedules No. 1, 2, and 3.
2. To not approve the request for a building strata conversion.
3. To hold the request in abeyance pending the completion of the Electoral Area ‘G’ official community plan review.

DEVELOPMENT IMPLICATIONS

Official Community Plan Implications

The subject parcel is designated within the Rural land use designation pursuant to the Englishman River Official Community Plan Bylaw No. 884, 1991 (OCP). Under this land use designation, there is no specific OCP policy providing direction on considering building strata conversion applications. This OCP is part of the Electoral Area ‘G’ Official Community Plan Review which currently under way. As part of this Review Process, through public consultation, staff is seeking the community’s preference for building strata development on rural properties. To date, staff has received comments from workshop attendees that building strata development in rural areas should not be supported in the new official community plan. However, this direction has not yet been endorsed by the community as a whole.

Strata Property Act

The request for approval of this proposed building strata conversion appears that it will generally meet the minimum criteria that the Board must consider in approving a building strata conversion. The applicant’s professional engineer has stated that the building, which was built during the time period from 1990 to 1992, is in substantial compliance with the requirements of the BC Building Code and the National Building Code of Canada.

With respect to the priority of rental accommodation over privately owned housing in the area; the neighbourhood where the subject property is located is characterized by owner-occupied single dwellings situated on residential and rural residential parcels. As a result, the priority of rental accommodation is not considered to be significant.

With respect to the life expectancy of the building, the applicant has submitted a professional engineer’s report certifying a minimum of ‘over 50 years’ life expectancy of the building.

With respect to the projected major increases in maintenance costs due to the condition of the building, the applicant’s engineer has certified that no major maintenance costs are expected for a number of years. To the best of planning staff’s knowledge, there appears to be no major increases in the cost for the maintenance of the building at this time. It is noted that the roof of the existing dwelling unit has recently been replaced.

Building Strata Conversion Policy Guidelines

The applicant has provided a report prepared by a wastewater practitioner supporting the on site septic system will meet all the criteria set out in the ***Sewerage System Regulation*** pursuant to the ***Health Act***. Staff recommends that confirmation of adequate septic disposal for each proposed strata unit be a condition of approval.

With respect to potable water, the applicant's well driller has provided information supporting the availability of potable water to the second dwelling unit. Therefore, based on this information, staff recommends that confirmation of potable water for both proposed strata units be a condition of approval.

Subject to the conditions being completed, the application, as submitted, will be able to meet the requirements of the RDN Building Strata Conversion Policy Guidelines.

Environmentally Sensitive Areas Atlas

The Environmentally Sensitive Areas Atlas indicates the subject property does not contain an environmentally sensitive feature.

Ministry of Transportation

Ministry of Transportation staff has reviewed the proposed strata plan and has no concerns with respect to access.

Proposed Building Unit Implications

The subject property currently supports one dwelling unit. The applicant does not wish to proceed with the construction of the second dwelling unless approval of this application has been granted. The applicant has submitted both a site plan (*see Schedule No. 2 on page 6*) showing the proposed siting of the second dwelling and plan profiles of the dwelling unit (*see Schedule No. 3 on pages 7 & 8*). It is recommended that if approval for the building strata is granted, such approval be subject to the submitted house plans being constructed in the location as shown on the site plan and certified that construction meets the current building code requirements pursuant to the ***Strata Property Act*** provisions.

VOTING

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

SUMMARY

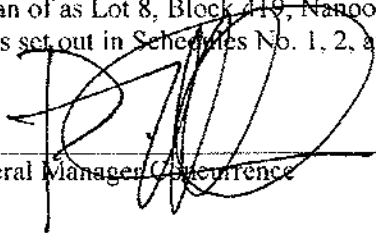
The applicant is requesting a building strata conversion of one existing single dwelling unit and one future dwelling unit. The application, as submitted, appears that it will meet the minimum requirements for the approval of a building strata conversion as set out in the ***Strata Property Act***. The applicant has submitted a report on the sewerage system which supports the availability of septic disposal for the second dwelling unit and a well driller's report stating that there is sufficient potable water available for residential use. Ministry of Transportation staff has indicated that they have no concerns with the proposal. The Electoral Area 'G' Official Community Plan is currently under review and as part of this review staff is seeking the community's position on strata conversion applications in rural areas. The public process to date has indicated that there may be support for a policy to not support building strata conversion applications in the rural areas; however, such a policy has not yet been endorsed by the whole community. Staff confirms that both the guidelines set out in the corresponding board policy and the technical provisions for stratification pursuant to the ***Strata Property Act*** will be able to be met subject to the conditions outlined in Schedule Nos. 1, 2, and 3 being completed. As a result, staff recommends Alternative No. 1 to approve the request for strata conversion.

RECOMMENDATION


That the request from JE Anderson & Associates, BCLS, on behalf of Glazier Developments Ltd., for the building strata conversion as shown on the Proposed Strata Plan of as Lot 8, Block 419, Nanoose District, Plan 32536, be approved subject to the conditions being met as set out in Schedules No. 1, 2, and 3 of the staff report.




Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

COMMENTS:

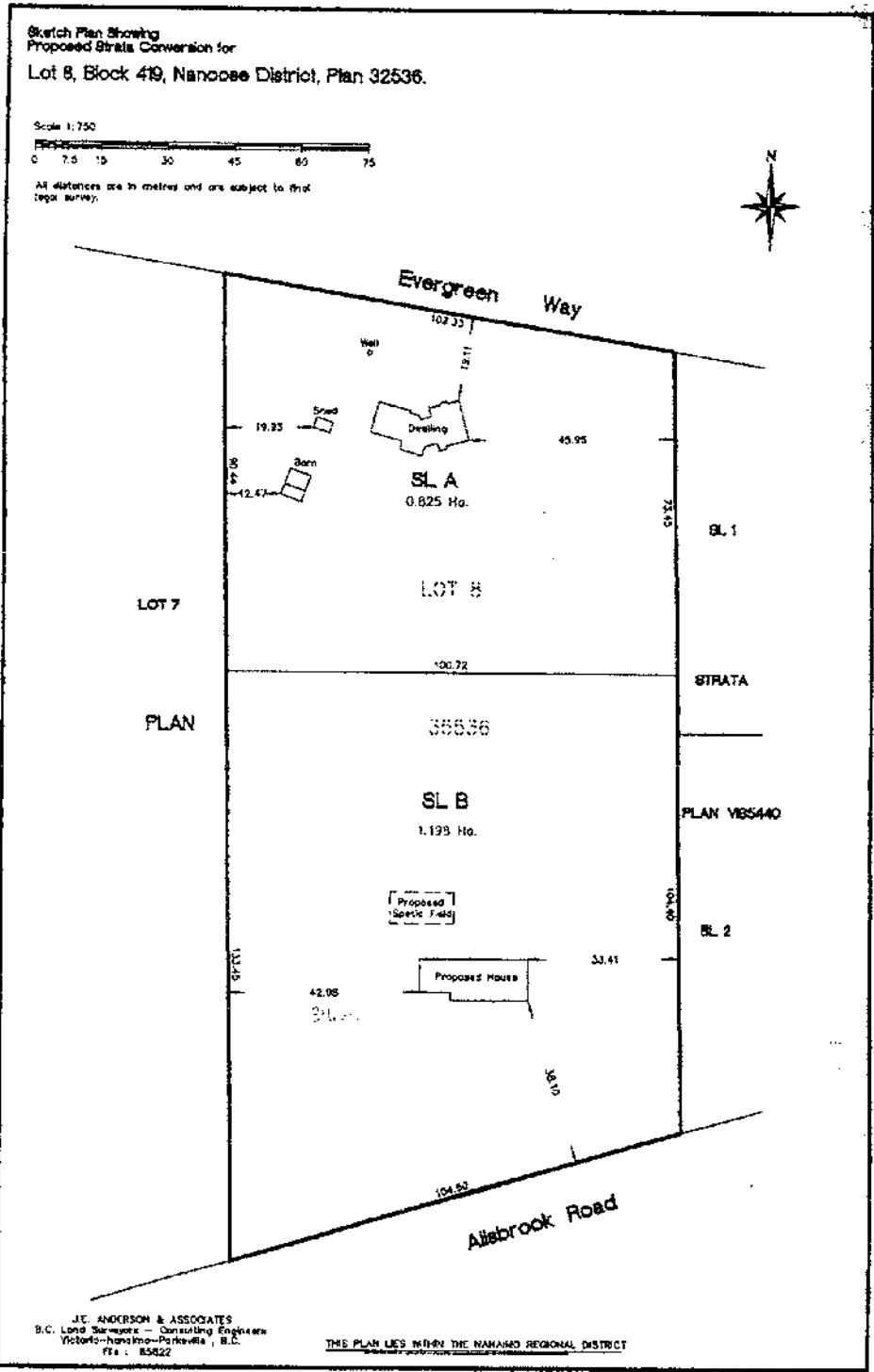
Devsvs/reports/strata 2007 ja 3300 20 430 Evergreen Way Fern Road Consulting Hooper.doc

Schedule No. 1
Conditions Attached to Proposed Building Strata Conversion
430 Evergreen Way / Lot 8, Block 419, Nanoose District, Plan 32536

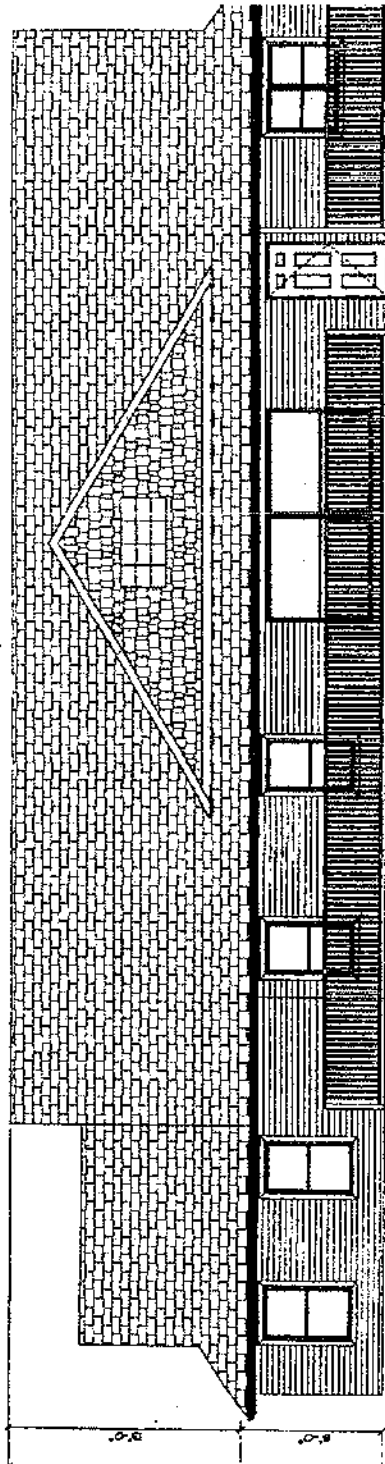
The following conditions are to be completed by the applicant to the satisfaction of the Regional District of Nanaimo:

1. Submission of a completion report prepared by a professional engineer with expertise in wastewater treatment certifying that the septic disposal systems for both proposed building strata lots have been constructed to and will meet the current provincial regulations. This report must be acceptable to the Regional District.
2. Submission of a completion report prepared by a professional engineer with expertise in hydrology certifying that for each proposed strata unit, a drilled water well is constructed each of which, at a minimum, has a year round potable water supply in the amount of 3.5 m³ per day and that the water supply meets the minimum Canadian Drinking Water standards. This report must be acceptable to the Regional District.
3. Submission of written confirmation that the Ministry of Transportation has issued access permits and accesses are completed to the Ministry's satisfaction.
4. The new single dwelling is to be situated as shown on the submitted site plan and built in accordance with the plans prepared by Glazier Developments Ltd., as shown on Schedule No. '3' and located in substantial compliance with the Proposed Strata Plan prepared by JE Anderson & Associates, BCLS, File No. 85822 as outlined in Schedule No. '2'.
5. Submission of a professional engineer's with expertise in building construction certifying that the new building strata has been built to the current code requirements pursuant to section 242 of the *Strata Property Act*.
6. BCLS confirmation that new dwelling unit meets all requirements pursuant to Bylaw No. 500, 1987.
7. Applicant to apply for all necessary building permits in conjunction with this strata conversion.

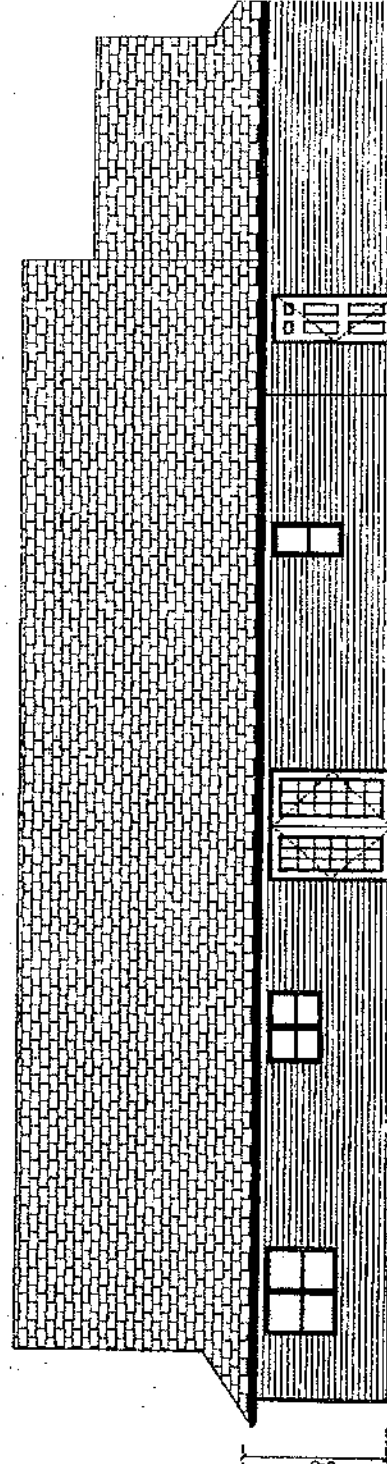
Schedule No. '2'
Proposed Plan of Building Strata Plan
430 Evergreen Way / Lot 8, Block 419, Nanoose District, Plan 32536
 (as submitted by the applicant / reduced for convenience)



Schedule No. '3' (page 1 of 2)
Plan Profile of Proposed Second Dwelling
in Conjunction with Building Strata Conversion Application
430 Evergreen Way / Lot 8, Block 419, Nanoose District, Plan 32536
(as submitted by the applicant / reduced for convenience)



Front View
Scale: 3/16" = 1'



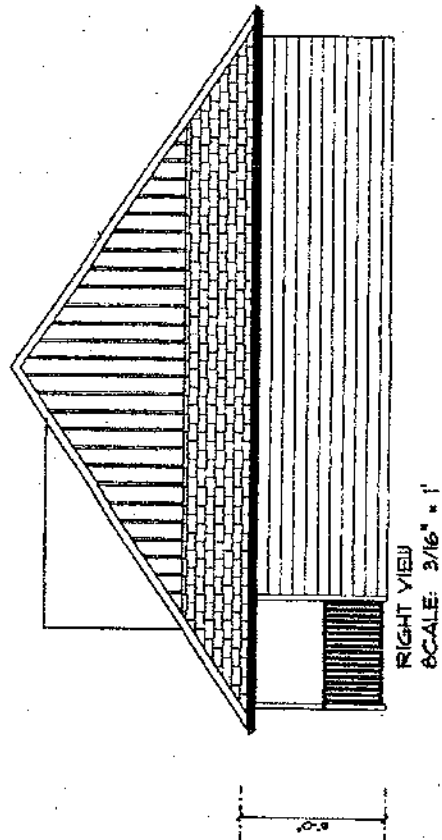
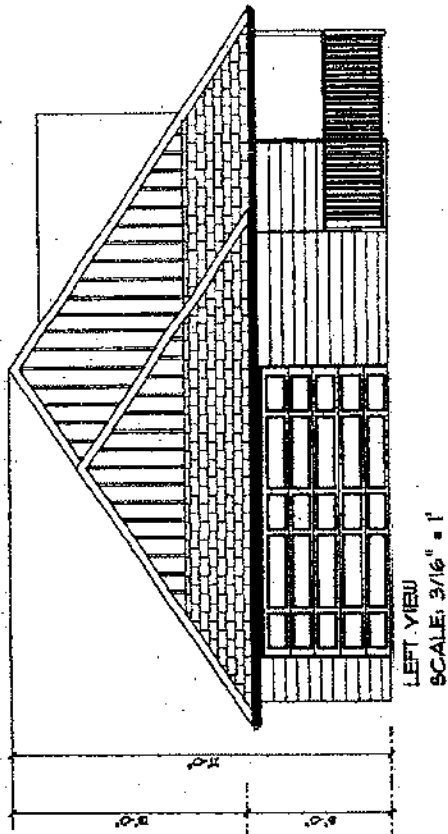
Rear View
Scale: 3/16" = 1'

REGIONAL DISTRICT OF NANOOSE

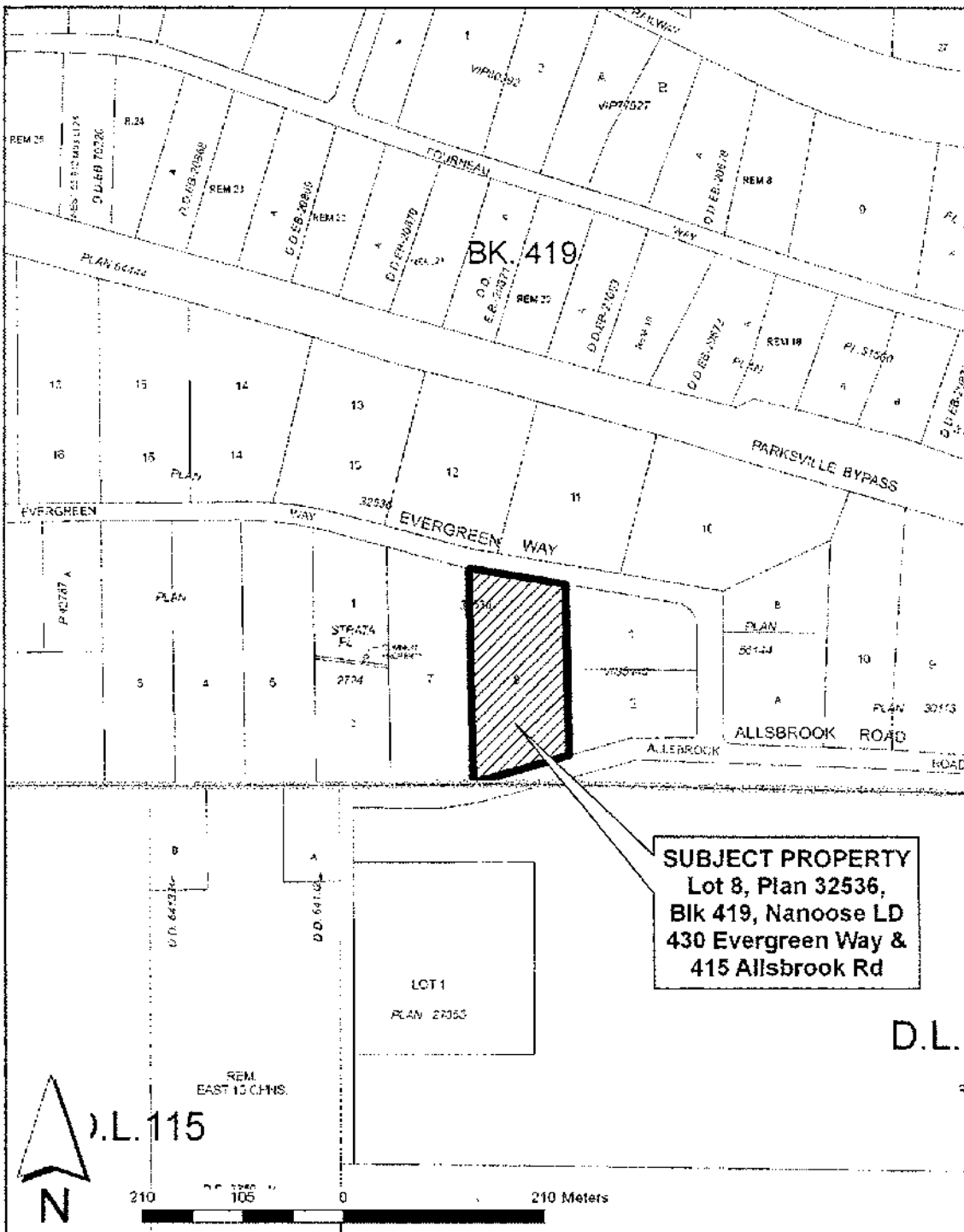
Schedule No. '3' (page 2 of 2)
Plan Profile of Proposed Second Dwelling
in Conjunction with Building Strata Conversion Application
430 Evergreen Way / Lot 8, Block 419, Nanoose District, Plan 32536
(as submitted by the applicant / reduced for convenience)

REGIONAL DISTRICT OF NANAIMO
BUILDING INSPECTOR SERVICE
S. N. 25577
Checked By: [Signature]

REGIONAL DISTRICT OF NANAIMO
BUILDING INSPECTOR SERVICE
S. N. 25577
[Signature]



Attachment No. 1
Location of Subject Property



Mapsheet 324.029 4.5



RDN	
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GMDS	GMR&PS
GMES	GMTS
JAN - 2 2007	
SMCA	
CHAIR	BOARD
EAP	

MEMORANDUM

TO: Wayne Moorman
Manager, Engineering & Subdivisions

DATE: December 20, 2006

FROM: Susan Cormie
Senior Planner

FILE: 3320 30 27170

SUBJECT: Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement
WR Hutchinson, BCLS, on behalf of Boa Enterprises Ltd.
Electoral Area 'C' – South Forks Road

PURPOSE

To consider a request to relax the minimum 10% perimeter frontage requirement for both proposed parcels in conjunction with the creation of 2-lot subdivision.

BACKGROUND

This is an application requesting the relaxation of the minimum 10% perimeter frontage requirement for both parcels as part of a 2-lot subdivision proposal for the property legally described as Lot A, District Lot 3, Douglas District, Plan VIP77998 and located adjacent to South Forks Road within Electoral Area 'C' (see Attachment No. 1 on page 5 for location of subject parcel).

The subject property, which is 7.136 ha in size, is currently zoned Rural 9 (RU9) and is within Subdivision District 'D' pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987. The applicants are proposing to subdivide the parcel into 2 lots. The Electoral Area Planning Committee may recall that this parcel was created as part of 21-parcel phased subdivision plan of District Lot 3. To date, 9 parcels plus the remainder have been created. These proposed new parcels will be greater than the 2.0 ha minimum parcel size, therefore meeting the minimum parcel size requirement (see Schedule No. 1 on page 4 for proposed subdivision).

The subject property is bordered by RDN park land and Rural 9 zoned parcels to the north; Rural 9 zoned parcels to the east; Rural 1 zoned parcels to the south; and South Forks Road and a Resources Management 8 zoned parcel to the west. The dedicated park land contains a watercourse.

As part of the original subdivision review, the Regional Board accepted the applicant's offer to dedicate 14.9% or 9.7 ha of the original total land area as park land. As the adjacent park land has been previously dedicated, there is no park land to be dedicated under this subdivision application. The balance will be dedicated at the time of the remaining phase, which has been forwarded to the Electoral Area Planning Committee under a separate application.

In addition, there is a section 219 covenant on title which restricts the maximum number of dwelling units to 1 per parcel. This covenant was placed to title to ensure that the provisions of the Rural 9 zone would be met.

The parcels are proposed to be accessed off South Forks Road via panhandles and served with individual private septic disposal systems and private water wells. The parent parcel is located outside of an RDN Building Inspection Area.

10% Minimum Perimeter Frontage Requirement

Proposed Lot 1 and the proposed Remainder of Lot A, as shown on the plan of subdivision submitted by the applicant, will not be able to meet the minimum 10% perimeter frontage requirement pursuant to section 944 of the *Local Government Act*. The requested frontages are as follows:

<i>Proposed Lot No.</i>	<i>Required Frontage</i>	<i>Proposed Frontage</i>	<i>% of Perimeter</i>
1	95.0	16.0 m	1.7 %
Rem. Lot A	157.6m	16.0 m	0.1 %

Therefore, as the proposed parcels will not be able to meet the minimum 10% parcel frontage requirement pursuant to section 944 of the *Local Government Act*, approval of the Regional Board of Directors is required.

ALTERNATIVES

1. To approve the request to relax the minimum 10% perimeter frontage requirement for proposed Lot 1 and the Remainder of Lot A.
2. To deny the request to relax the minimum 10% perimeter frontage requirement.

DEVELOPMENT IMPLICATIONS

The original proposal for this phase of the overall subdivision included 3 parcels to be served via a cul-de-sac road accessing onto South Forks Road. Due to sight distance implications, the applicant amended the original 3-lot subdivision proposal and created 1 parcel with a panhandle access. The Board approved the minimum 10% frontage requirement for this parcel in 2004.

Since that time, the applicant has been unsuccessful in obtaining Ministry approval for a cul-de-sac road to serve 3 proposed parcels. As a result, the applicant has now reconfigured the parcel to create a 2-lot subdivision with each parcel proposed to be accessed by way of panhandle. The panhandle portions of the proposed parcels will meet the minimum width requirement pursuant to Bylaw No. 500, 1987. While the Remainder of Lot A would meet parcel size requirements for further subdivision, the minimum panhandle width requirement as set out in Bylaw No. 500, 1987 would not be able to be met without a bylaw variance. To ensure that additional subdivision does not occur, the applicant is in concurrence to register a section 219 covenant on title restricting further subdivision of this proposed lot.

Ministry of Transportation staff has indicated that access to the proposed parcel will meet Ministry residential criteria standards and therefore, have no concerns at this time with this request for relaxation of the minimum 10% frontage.

Riparian Areas Regulation

While the subject property is not designated within a development permit area, there is a watercourse crossing the adjacent park land. As the Electoral Area Planning Committee is aware, the Official Community Plan is currently being considered for an amendment to bring the development permit area in compliance with the provisions of the provincial *Riparian Areas Regulation* which will create a 30-metre

riparian area. Despite the applicant not being required to submit a riparian area assessment, the applicant is in concurrence to register a section 219 covenant on title of the Remainder of Lot A to protect the watercourse as measured 30.0 metres as defined in the *Riparian Areas Regulation*.

VOTING


Electoral Area Directors – one vote, except Electoral Area ‘B’.

SUMMARY

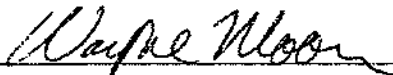
This is a request to relax the minimum 10% frontage requirement pursuant to Section 944 of the *Local Government Act* for both proposed parcels in conjunction with the creation of 2-lot subdivision proposal. The dedication of park land was approved previously by the Regional Board. The applicant is in concurrence to register covenants on title of the proposed Remainder of Lot A for protection of the riparian area of the nearby creek and restricting no further subdivision. Given that the Ministry of Transportation is satisfied that the proposed panhandle accesses will meet Ministry criteria and applicant is in concurrence to register the above-noted covenants on title of the proposed Remainder of Lot A, staff recommends Alternative No. 1, to approve the relaxation of the minimum 10% frontage for proposed Lot 1 and the Remainder of Lot A, as shown on Schedule No. 1 of the staff report.

RECOMMENDATION

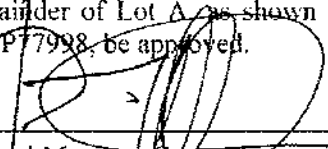
That the request from WR Hutchinson, BCLS, on behalf of Boa Enterprises Ltd., to relax the minimum 10% frontage requirement for proposed Lot 1 and the Remainder of Lot A, as shown on the Plan of Subdivision of Lot A, District Lot 3, Douglas District, Plan V1P77998, be approved.




Report Writer



Manager Concurrence



General Manager Concurrence

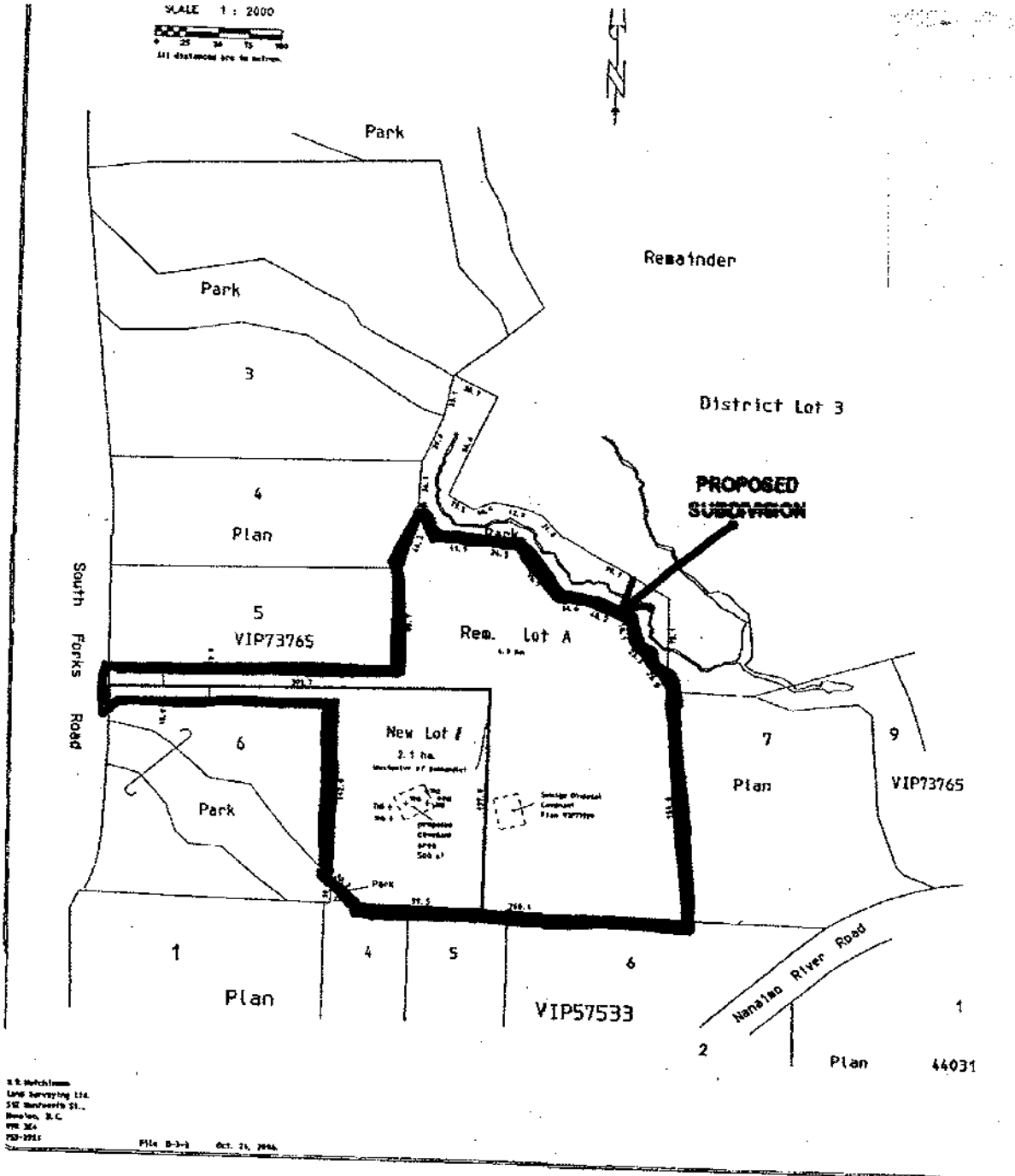


CAO Concurrence

COMMENTS:

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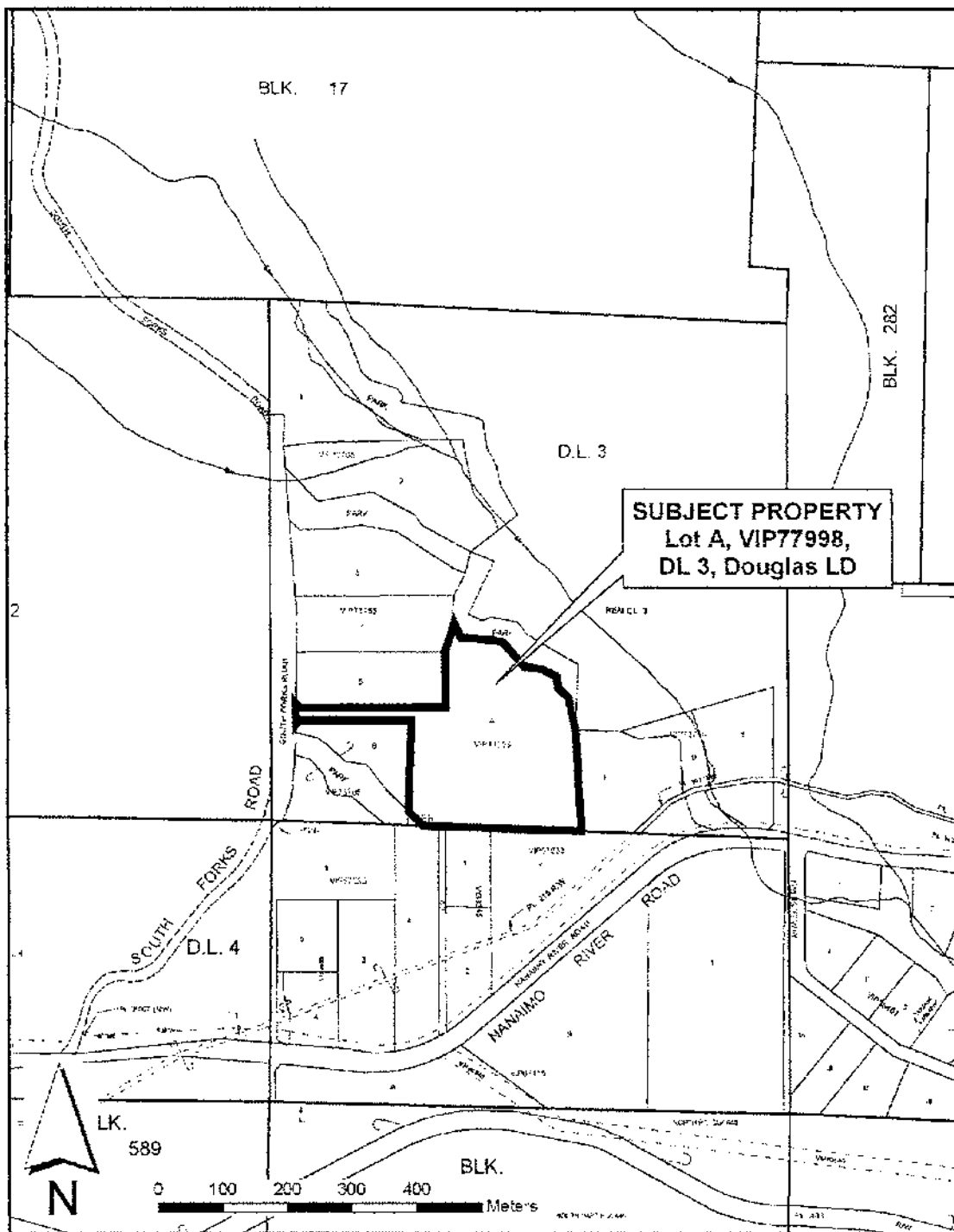
Schedule No. 1
 Proposed Plan of Subdivision
 (As Submitted by Applicant)



S. S. Hutchings
 Land Surveying Ltd.
 512 Matthews St.,
 New York, N.C.
 919 364
 737-9721

Plan B-3-1 Oct. 21, 2006

Attachment No. 1
Location of Subject Property



BOGS Mapsheet: 623 001 3 3



RDN			
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	GVR&PS		
GMES	GMTS		
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SMCA			
CHAIR	BOARD		
EAP			

MEMORANDUM

TO: Wayne Moorman
 Manager, Engineering & Subdivisions

DATE: December 20, 2006

FROM: Susan Cormie
 Senior Planner

FILE: 3320 30 27123

SUBJECT: Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement
 WR Hutchinson, BCLS, on behalf of Kevin Ford 0758399 BC Ltd.
 Electoral Area 'C' - off Nanaimo River Road

PURPOSE

To consider a request to relax the minimum 10% perimeter frontage requirement for one parcel in conjunction with the proposed development of a 12-lot subdivision in Electoral Area 'C'.

BACKGROUND

This is an application requesting the relaxation of the minimum 10% perimeter frontage requirement for one parcel as part of a subdivision proposal for the property legally described as District Lot 3, Douglas District, Except Part Shown Coloured Red on Plan 163 RW and Except Part in Plans VIP73765 & VIP77998 and located adjacent to Nanaimo River Road within Electoral Area 'C' (see Attachment No.1 on page 6 for location of subject parcel).

The subject property, which is approximately 32.0 ha in size, is currently zoned Rural 9 (RU9) and is within Subdivision District 'D' (2.0 ha minimum parcel size with or without community services) pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987. The applicants are proposing to subdivide the parent parcel into 12 lots. The Electoral Area Planning Committee may recall that this parent parcel is the remainder of a 21-parcel phased subdivision plan of District Lot 3. To date, 9 parcels have been created. The proposed new parcels will be greater than the 2.0 ha minimum parcel size, therefore meeting the minimum parcel size requirement (see Schedule No. 2 on page 5 for proposed subdivision).

The parent parcel is bordered by a Resource Management 4 zoned parcel to the north; Rural 9 zoned parcels to the east and west; and Rural 1 zoned parcels and Nanaimo River Road to the south. In addition, there is dedicated park land, which contains a watercourse, adjacent to a portion of the west boundary.

As part of the original subdivision review, the Regional Board accepted the applicant's offer to dedicate 14.9% or 9.7 ha of the original total land area as park land. Portions of the park land have been dedicated concurrently with each phase of subdivision. This phase of subdivision will see the balance of the park land dedication for the overall subdivision of DL 3.

A portion of the subject property is also designated within the Watercourse Protection Development Permit Area pursuant to the Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw No. 1148, 1999.

In addition, there is a section 219 covenant on title which restricts the maximum number of dwelling units to 1 per parcel. This covenant was placed on title to ensure that the provisions of the Rural 9 zone would be met.

The parcels are proposed to be accessed by a new road off Nanaimo River Road and served with individual private septic disposal systems and private water wells. The parent parcel is located outside of an RDN Building Inspection Area.

Minimum 10% Perimeter Frontage Requirement

Proposed Lot 6, as shown on the plan of subdivision submitted by the applicant, will not be able to meet the minimum 10% perimeter frontage requirement pursuant to section 944 of the *Local Government Act*. The requested frontage is as follows:

<i>Proposed Lot No.</i>	<i>Required Frontage</i>	<i>Proposed Frontage</i>	<i>% of Perimeter</i>
6	106.7 m	15.0 m	1.4 %

Therefore, as the proposed parcel will not meet the minimum 10% parcel frontage requirement pursuant to section 944 of the *Local Government Act*, approval of the Regional Board of Directors is required.

ALTERNATIVES

1. To approve the request to relax the minimum 10% perimeter frontage requirement for the proposed Lot 6.
2. To deny the request to relax the minimum 10% perimeter frontage requirement.

DEVELOPMENT IMPLICATIONS

Site Constraints

Due to the site constraints of the property in terms of the location of the watercourse and park land crossing the property in a northwest to southeast direction combined with the location of the new road, meeting the minimum frontage requirement for proposed Lot 6 is not possible. It is noted that there is no ability for further subdivision of Proposed Lot 6 and as the parcel is restricted to 1 dwelling unit only, a building strata development is not possible.

The width of the proposed panhandle to Lot 6 will meet the minimum panhandle width provisions as set out in Bylaw No. 500, 1987.

Ministry of Transportation staff has indicated that access to the proposed parcel will meet Ministry standards and therefore, have no concerns at this time with this request for relaxation of the minimum 10% frontage.

Park Land Requirements

As outlined above, the applicant, as part of this application will be required to dedicate park land as previously approved by the Regional District. In addition, the applicant is to provide a pedestrian access to the park land from the proposed new road. The location of this access will be finalized through the subdivision process (*see Schedule No. 1 on page 4*). The applicant's agent has indicated that the applicant is in concurrence with providing this pedestrian access.

Riparian Areas Regulation

As the watercourse is currently within park land or will be protected through the dedication of park land (as measured 15.0 metres from the natural boundary or from the top of the bank), whichever is greater, the applicable exemption guidelines of the current Watercourse Protection Development Permit Area will be able to be met and as a result, the applicant is exempt from requiring a development permit.

Despite this, the applicant is in concurrence to register a section 219 covenant for the protection of the watercourse and its riparian area to 30.0 metres as measured from the natural boundary or top of bank, whichever is greater (*see Schedule No. 1 on page 4 for Conditions of Approval*). This proposed covenant will coincide with the **Riparian Areas Regulation** and will ensure consistency with the proposed riparian area amendments to the OCP currently under consideration. It is noted that at this time, if a development permit is not required, the applicant is not required to submit a riparian area assessment pursuant to the **Riparian Areas Regulation**.

VOTING

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

SUMMARY

This is a request to relax the minimum 10% perimeter frontage requirement pursuant to Section 944 of the **Local Government Act** for 1 lot in conjunction with the creation of 12 parcels as part of a phased subdivision proposal. The overall subdivision includes the dedication of the balance of park land which the Regional Board previously approved. The applicant is in concurrence to register a protective covenant on title for the area of those proposed properties within 30.0 metres of the creek which coincides with the **Riparian Areas Regulation** and the amended development permit guidelines currently under consideration. Given that the Ministry of Transportation is satisfied that the proposed panhandle access to Lot 6 is achievable and that the applicant is in concurrence to register a protective covenant for the riparian area next to the watercourse, staff recommends Alternative No. 1, to approve the relaxation of the minimum 10% perimeter frontage requirement for proposed Lot 6 subject to the conditions outlined in Schedule No. 1 of the staff report.

RECOMMENDATION

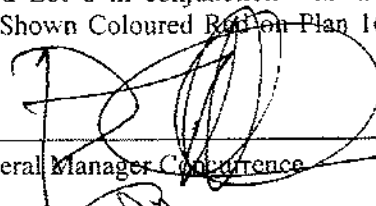
That the request from WR Hutchinson, BCLS, on behalf of Kevin Ford 0758399 BC Ltd., to relax the minimum 10% perimeter frontage requirement for proposed Lot 6 in conjunction with the proposed subdivision of District Lot 3, Douglas District, Except Part Shown Coloured Region Plan 163 RW and Except Part in Plans VIP73765 & VIP77998, be approved.




Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

COMMENTS:

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**Schedule No. 1
Conditions of Approval**

**In conjunction with the subdivision application for the property legally described as
District Lot 3, Douglas District, Except Part Shown Coloured Red on Plan 163 RW and Except Part
in Plans VIP73765 & VIP77998**

The following sets out the conditions of approval:

1. Subdivision

The subdivision shall be in substantial compliance with Schedule No. 2 of the corresponding staff report.

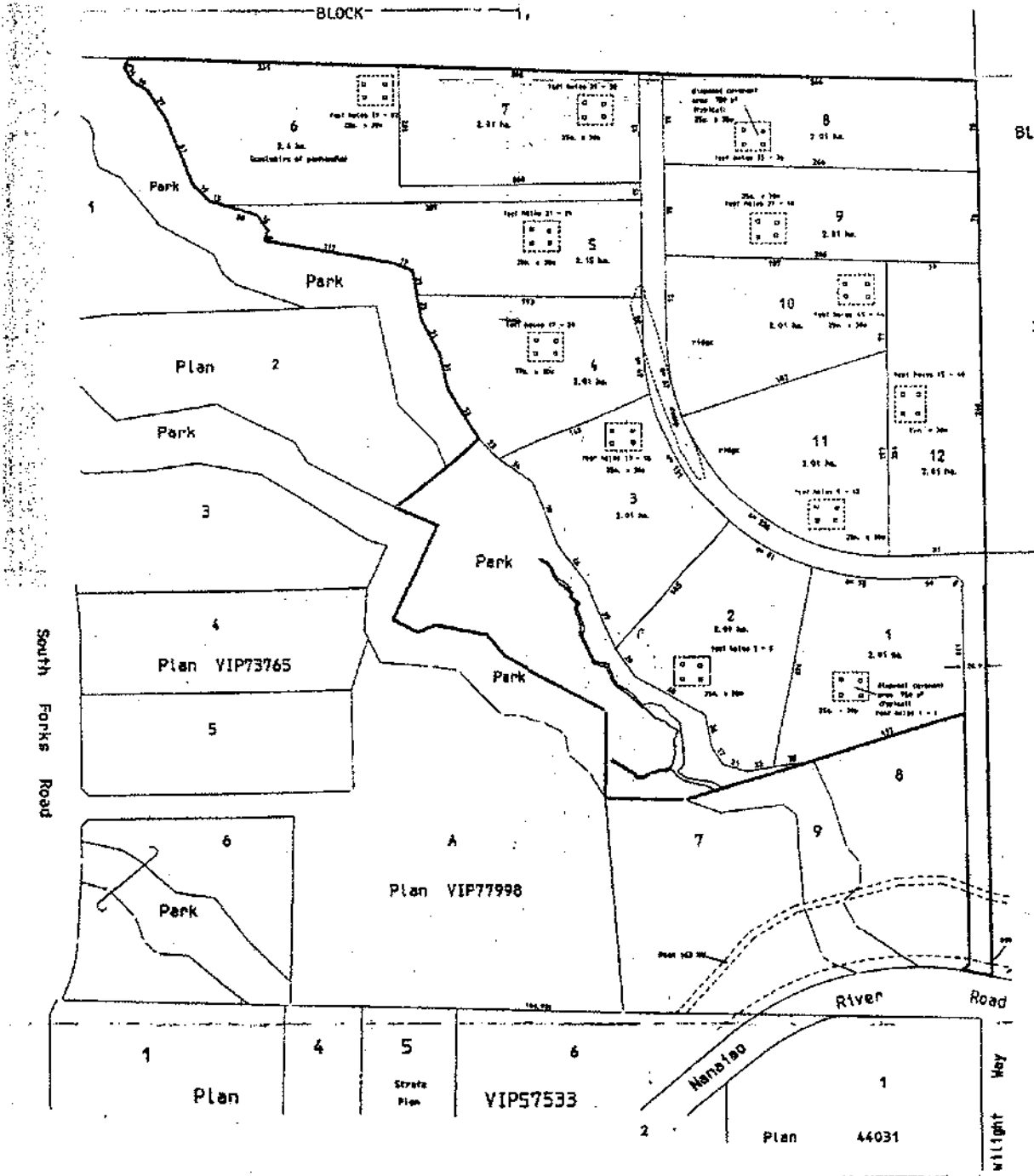
2. Section 219 Covenant (for the protection of the adjacent watercourse and its riparian area)

- a. Applicant to prepare and register a section 219 covenant, to the satisfaction of the RDN, for the protection of the portion of the watercourse and its riparian area which crosses the parent parcel for a 30.0 metre strip as measured from the present natural boundary of the creek or, where there is a bank, 30.0 metres from the top of the bank (as determined by BCLS in 2007) restricting the placement of buildings or structures, decks, patios, driveways, wells, septic disposal system, storage of materials, goods, or soil, alteration of soils by the hand of man or removal of vegetation other than noxious weeds within the covenant area.
- b. Draft covenant document to be forwarded for review to RDN.
- c. Applicant's solicitor to provide legal letter of undertaking to register the covenant concurrently with the plan of subdivision.
- d. Applicant to indicate the covenant area (demarcation) on the ground by way of permanent fencing or other suitable means.

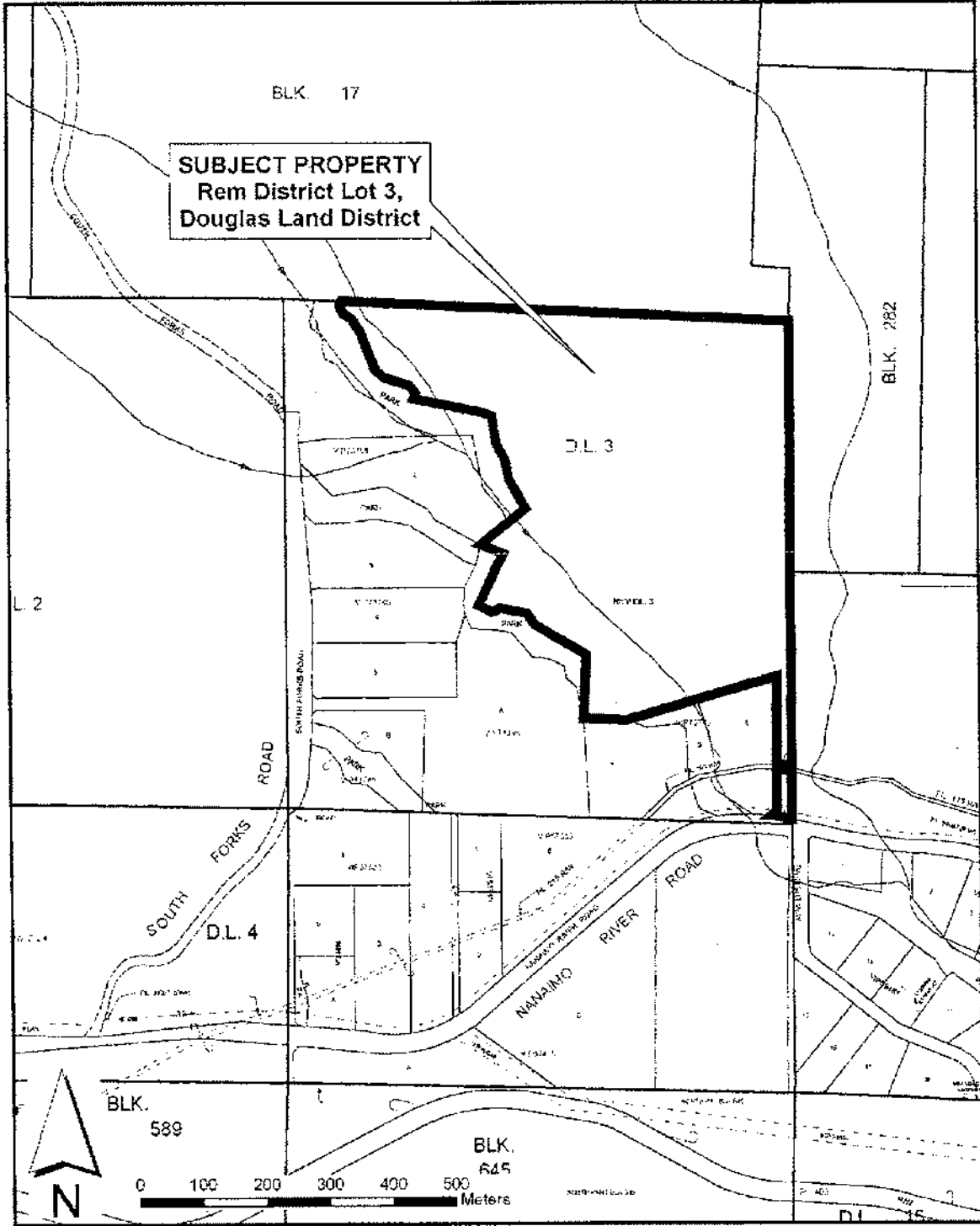
3. Pedestrian Access

Applicant to prepare and register a statutory right-of-way or dedicate park land for the pedestrian access from the new curving road to the park land a minimum of 4.0 metre in width and in a location central to proposed parcel on the east side of the new curving road and to the satisfaction of Regional District.

Schedule No. 2
 Proposed Plan of Subdivision
 (As Submitted by Applicant / Reduced for Convenience)



Attachment No. 1
Location of Subject Property





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SMCA	
CHAIR	BOARD
[Signature]	

MEMORANDUM

TO: Susan Cormie
Acting Manager of Current Planning

DATE: December 20, 2006

FROM: Greg Keller
Planner

FILE: 6480 30 RAR

SUBJECT: Riparian Areas Regulation Implementation OCP Amendment Bylaw Nos. 1240.03, 2006; 1152.03, 2006; 1148.04, 2006; 814.09, 2006; 1055.03, 2006; 1115.04, 2006; 1335.02, 2006; 1007.05, 2006 and 1400.01, 2006

PURPOSE

To consider OCP Amendment Bylaws No 1240.03, 2006; 1152.03, 2006; 1148.04, 2006; 814.09, 2006; 1055.03, 2006; 1115.04, 2006; 1335.02, 2006; 1007.05, 2006 and 1400.01, 2006 for adoption.

BACKGROUND

The above noted bylaws were introduced and given 1st and 2nd reading on July 25, 2006. This was followed by a Public Hearing held on September 13, 2006. The Board granted 3rd reading for the bylaw on September 26, 2006.

The purpose of these proposed OCP amendment bylaws is to ensure that all Official Community Plan (OCP) are consistent with the provincial directive as outlined in the *Riparian Areas Regulation* by including a new or amended development permit area in each OCP. Minor housekeeping amendments were also made to ensure consistency throughout each OCP.

ALTERNATIVES

1. To adopt Regional District of Nanaimo Riparian Areas Regulation Implementation OCP Amendment Bylaw Nos. 1240.03, 2006; 1152.03, 2006; 1148.04, 2006; 814.09, 2006; 1055.03, 2006; 1115.04, 2006; 1335.02, 2006; 1007.05, 2006 and 1400.01, 2006.
2. To not adopt Riparian Areas Regulation Implementation OCP Amendment Bylaw Nos. 1240.03, 2006; 1152.03, 2006; 1148.04, 2006; 814.09, 2006; 1055.03, 2006; 1115.04, 2006; 1335.02, 2006; 1007.05, 2006 and 1400.01, 2006.

VOTING

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

MINISTRY REFERRAL

As part of the bylaw amendment process, pursuant to Section 882 of the *Local Government Act*, the amendment bylaws were forwarded to the Minister of Community Services for approval. This approval was granted on December 7, 2006.

SUMMARY


Regional District of Nanaimo Official Community Plan Amendment Bylaw Nos. 1240.03, 2006; 1152.03, 2006; 1148.04, 2006; 814.09, 2006; 1055.03, 2006; 1115.04, 2006; 1335.02, 2006; 1007.05, 2006 and 1400.01, 2006 were considered by the Board and given 1st and 2nd reading on July 25, 2006. A Public Hearing was held on September 13, 2006, and the Board granted 3rd reading on September 26, 2006. The bylaws were then forwarded to the Minister of Community Services for its approval, which was received on December 7, 2006.

As the Ministry of Community Services has approved these Bylaws, they may now be considered for adoption.


The following recommendations are provided for the Board's consideration.

RECOMMENDATIONS


1. That "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw Amendment Bylaw No. 1240.03, 2006" be adopted.
2. That Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw Amendment Bylaw No. 1148.04, 2006" be adopted.
3. That "Regional District of Nanaimo East Wellington - Pleasant Valley Official Community Plan Bylaw Amendment Bylaw No. 1055.03, 2006" be adopted.
4. That "Regional District of Nanaimo French Creek Official Community Plan Bylaw Amendment Bylaw No. 1115.04, 2006," be adopted.
5. That "Regional District of Nanaimo Shaw Hill-Deep Bay Official Community Plan Bylaw Amendment Bylaw No. 1007.05, 2006" be adopted.
6. That "Regional District of Nanaimo Englishman River Official Community Plan Bylaw Amendment Bylaw No. 814.09, 2006" be adopted.
7. That "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw Amendment Bylaw No. 1335.02, 2006" be adopted.
8. That "Regional District of Nanaimo Electoral Area 'F' Official Community Plan Bylaw Amendment Bylaw No. 1152.03, 2006" be adopted.
9. That "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw Amendment Bylaw No. 1400.01, 2006" be adopted.




Report Writer



General Manager Concurrence

Acting 

Manager Concurrence



CAO Concurrence

COMMENTS:
devsvs/reports/2006/6480 30 RAR 4th Adoption Report



RDN	
CAO (RM)	GMF&IS
GMDS	GMR&PS
GMES	GMTS
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SMCA	
CHAIR	BOARD
EHP	

MEMORANDUM

TO: Wayne Moorman, P. Eng.
 Manager, Engineering & Subdivisions

DATE: December 20, 2006

FROM: Susan Cormie
 Senior Planner

FILE: 3300 20 440 Parker Road

SUBJECT: Building Strata Conversion Application – Fern Road Consulting Ltd., on behalf of
 Janette Hooper
 Electoral Area 'G', 440 Parker Road

PURPOSE

To consider a request to approve a building strata conversion of a residential development pursuant to section 242 of the *Strata Property Act* that will result in the creation of 2 residential building strata lots.

BACKGROUND

The owner of the subject property, legally described as Lot 3, District Lots 65 and 66, Newcastle District, Plan 1803 and located at 440 Parker Road within Electoral Area 'G', is proposing to create 2 building strata lots over one existing single dwelling unit and one proposed dwelling unit (*see Schedule No. 2 on page 6 for proposed building strata subdivision*). The property, which is 2.01 ha in size, is currently zoned Rural 1 (RU1) and is within Subdivision District 'D' pursuant to the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" (*see Attachment No. 1 on page 9 for location of subject property*). Under the Rural 1 zone, 2 dwelling units are permitted if the parcel is greater than 2.0 ha in size. In this case, the parent parcel can support 2 dwelling units.

The strata conversion is proposed to be served by private potable water wells and private septic disposal. Surrounding parcels are zoned rural with Parker Road to the north. The subject property borders Agricultural Land Reserve (ALR) to the east and south while a portion of the parcel to the north (across Parker Road) is situated within the ALR.

The subject property is located within an RDN Building Inspection Area. The proposed building strata conversion is proposed to be served with private potable well water and a common property septic disposal field.

Section 242 of the *Strata Property Act* provides for the conversion of previously occupied buildings into strata lots subject to the approval of the approving authority, in this case, the Regional Board. The Regional Board is to ensure that an adequate supply of rental units remains available and that units being converted meet the minimum standard of construction. The *Strata Property Act* specifies that the Regional Board must consider the following criteria in its decision:

1. The priority of rental accommodation over privately owned housing in the area;
2. Any proposals for the relocation of persons occupying a residential building;
3. The life expectancy of the building; and
4. Projected major increases in maintenance costs due to the conditions of the building.

The Board is also required to ensure that the buildings substantially comply with applicable bylaws and the National Building Code of Canada.

In addition to the above-required criteria, the Board may also consider “any other matters that, in its opinion, are relevant.” Consideration of these other matters enables the request to be refused at the Board’s discretion. In order to evaluate an application, the Board approved the Strata Conversion Policy and Guidelines Policy (No. B1.7), which establishes criteria to assist an applicant in the preparation of an application and to assist the Regional District in its review and evaluation of an application.

ALTERNATIVES

1. To approve the request for the strata conversion as shown on the plan submitted by the applicant subject to conditions set out in Schedules No. 1, 2 and 3.
2. To not approve the request for a building strata conversion.
3. To hold the request in abeyance pending the completion of the Electoral Area ‘G’ Official Community Plan review.

DEVELOPMENT IMPLICATIONS

Official Community Plan Implications

The subject parcel is designated within the Rural land use designation pursuant to the Shaw Hill – Deep Bay Official Community Plan Bylaw No. 1007, 1996. This OCP is part of the Electoral Area ‘G’ Official Community Plan Review which currently under way. As part of this Review Process, through public consultation, staff is seeking the community’s preference for building strata development on rural properties. To date, staff has received comments from workshop attendees that building strata development in rural areas should not be supported in the new official community plan. However, this direction has not yet been endorsed by the community as a whole.

There is an existing shed and barn on site which do not meet the minimum setback requirements pursuant to Bylaw No. 500, 1987. The applicant’s agent has indicated that these buildings will be removed. Therefore, staff recommends that if this request proceeds, the applicant be required to remove these buildings (*see Schedule No. 1 on page 5 for Conditions of Approval*). In addition to these buildings, there is also a structure labeled as a Well Shed within the subject property, which does not meet the minimum setback requirement. Confirmation is required as to whether this structure will meet the definition of building and if it is considered a building, the building will require a variance for setbacks or will need to be modified and moved. This is included in the Conditions of Approval.

Strata Property Act

The request for approval of this proposed building strata conversion appears that it will generally meet the minimum criteria that the Board must consider in approving a building strata conversion. The applicant’s professional engineer has stated that the building, which was built during the time period from 1990 to 1992, is in substantial compliance with the requirements of the BC Building Code and the National Building Code of Canada.

With respect to the priority of rental accommodation over privately owned housing in the area; the neighbourhood where the subject property is located is characterized by owner-occupied single dwellings situated on rural and rural residential parcels. As a result, the priority of rental accommodation is not considered to be significant.

With respect to the life expectancy of the building, the applicant has submitted a professional engineer's report certifying a minimum of a 50-year life expectancy of the building.

With respect to the projected major increases in maintenance costs due to the condition of the building, the applicant's engineer has certified that no major maintenance costs are expected for a number of years. To the best of planning staff's knowledge, there appears to be no major increases in the cost for the maintenance of the building at this time.

Building Strata Conversion Policy Guidelines

The applicant has provided a filing on the sewerage system for the subject property concluding that a common septic disposal system can be designed that will meet the new Sewerage Regulation. Staff recommends that confirmation of adequate septic disposal for each proposed strata unit be a condition of approval.

With respect to potable water, the applicant's well driller has provided information supporting the availability of potable water to the second dwelling unit. Therefore, based on this preliminary information, staff recommends that confirmation of potable water for both proposed strata units be a condition of approval.

Subject to the conditions being completed, the application, as submitted, will be able to meet the requirements of the RDN Building Strata Conversion Policy Guidelines.

Environmentally Sensitive Areas Atlas

The Environmentally Sensitive Areas Atlas indicates the subject property does not contain an environmentally sensitive feature.

Ministry of Transportation

Ministry of Transportation staff has reviewed the proposed strata plan and has no concerns with respect to access.

Proposed Building Unit Implications

The subject property currently supports one dwelling unit. The applicant does not wish to proceed with the construction of the second dwelling unless approval of this application has been granted. The applicant has submitted both a site plan (*see Schedule No. 2 on page 6*) showing the proposed siting of the second dwelling and house construction plans (*see Schedule No. 3 on pages 7 & 8*). It is recommended that if approval for the building strata is granted, such approval be subject to the submitted house plans being constructed in the location as shown on the site plan and certified that construction meets the current building code requirements pursuant to the *Strata Property Act* provisions.

VOTING

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


SUMMARY

The applicant is requesting a building strata conversion of one existing single dwelling unit and one future dwelling unit. The application, as submitted, appears that it will meet the minimum requirements for the approval of a building strata conversion as set out in the *Strata Property Act*. The applicant has submitted a filing on the sewerage system which supports the availability of septic disposal for the second dwelling unit and a preliminary well driller's report stating that there is sufficient potable water available for residential use. Ministry of Transportation staff has indicated that they have no concerns with the proposal. The Electoral Area 'G' Official Community Plan is currently under review and as part of this review staff is seeking the community's position on strata conversion applications in rural areas. The

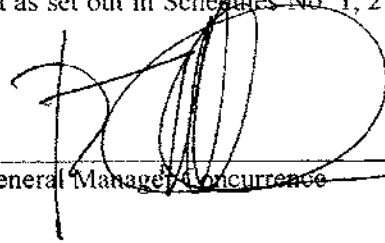
public process to date has indicated that there may be support for a policy to not support building strata conversion applications in the rural areas; however, such a policy has not yet been endorsed by the whole community. Staff confirms that both the guidelines set out in the corresponding board policy and the technical provisions for stratification pursuant to the *Strata Property Act* will be able to be met subject to the conditions outlined in Schedule Nos. 1, 2 and 3 being completed. As a result, staff recommends Alternative No. 1 to approve the request for strata conversion.

RECOMMENDATION

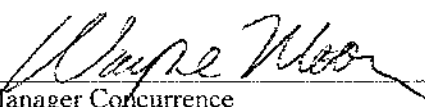
That the request from Fern Road Consulting Ltd., on behalf of Janette Hooper, for the building strata conversion as shown on the Proposed Strata Plan of as Lot 3, District Lots 65 and 66, Newcastle District, Plan 1803, be approved subject to the conditions being met as set out in Schedules No. 1, 2 and 3 of the staff report.



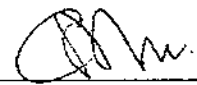
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

COMMENTS:

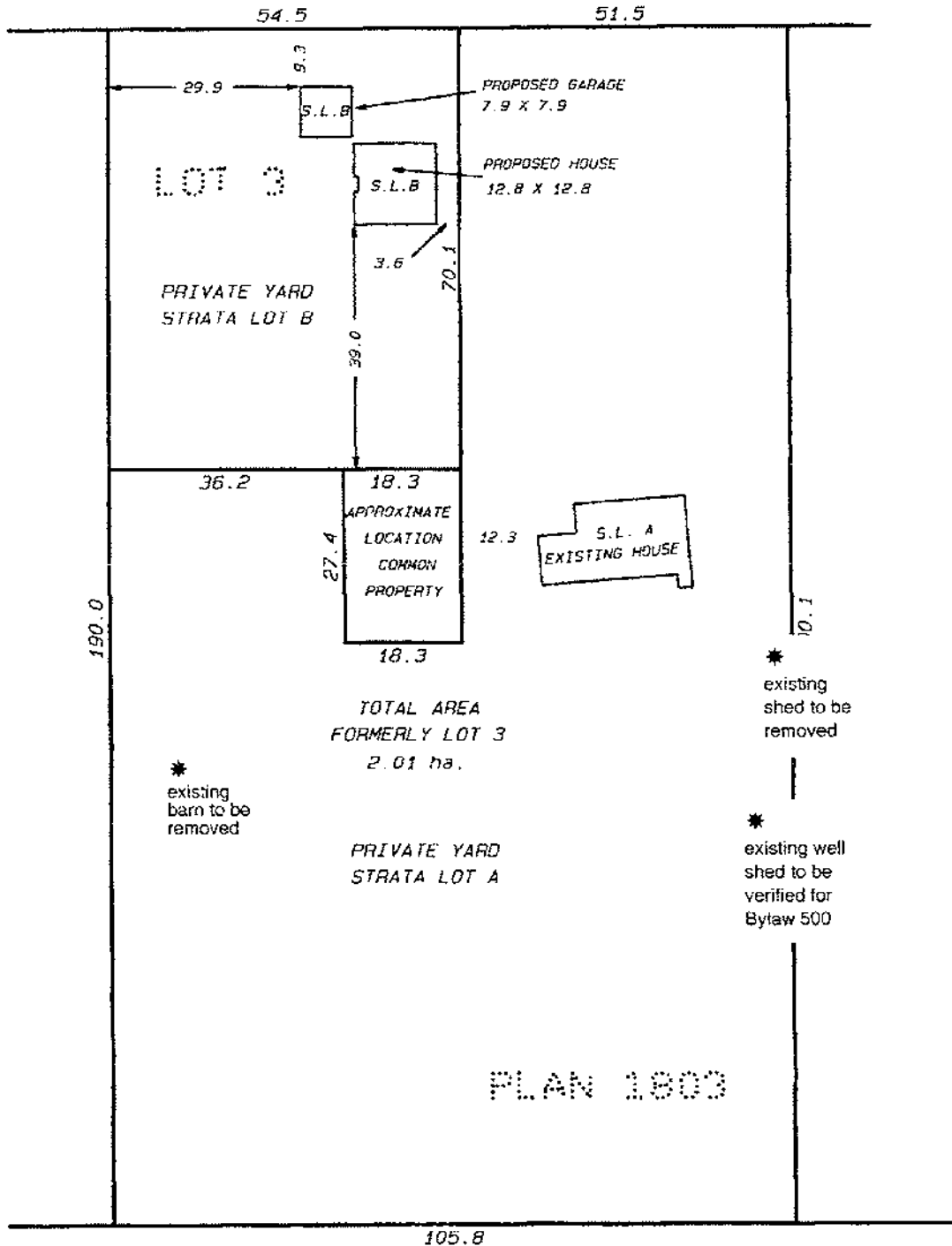
Devs\reports\strata 2007 ja 3300 20 440 Parker Road Fern Road Consulting Hooper.doc

Schedule No. 1
Conditions Attached to Proposed Building Strata Conversion
440 Parker Road / Lot 3, District Lots 65 and 66, Newcastle District, Plan 1803

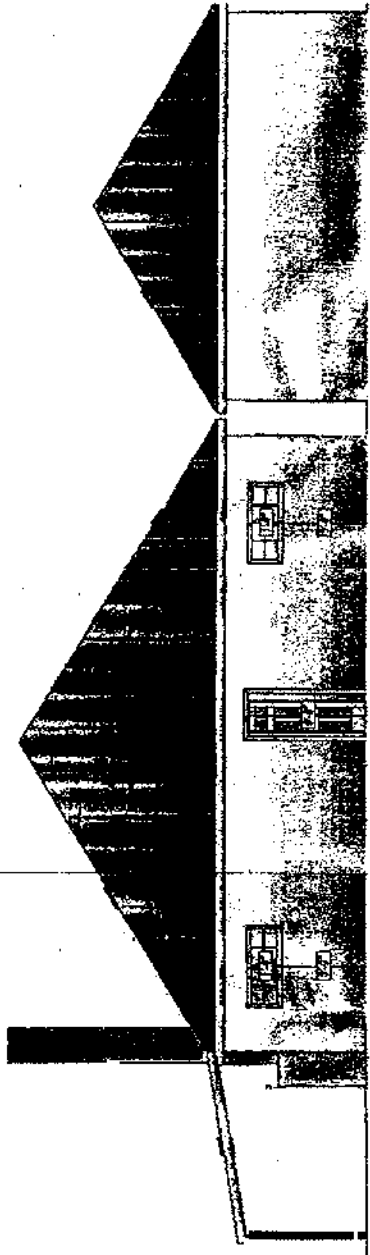
The following conditions are to be completed by the applicant to the satisfaction of the Regional District of Nanaimo:

1. Professional engineer's report certifying that the septic disposal systems for both proposed building strata lots have been constructed to and will meet the current provincial regulations. This report must be acceptable to the Regional District.
2. Professional engineer's report certifying that for each proposed strata unit, a drilled water well is constructed each of which, at a minimum, has a year round potable water supply in the amount of 3.5 m³ per day and that the water supply meets the minimum Canadian Drinking Water standards. This report must be acceptable to the Regional District.
3. Written confirmation that the Ministry of Transportation has issued access permits and are completed to the Ministry's satisfaction.
4. New single dwelling to be situated as shown on the submitted site plan and built in accordance with the plans prepared by Trevor Hooper as shown on Schedule No. '3' and located in substantial compliance with the Proposed Strata Plan prepared by Sims Associates, BCLS, dated 2006 06 20 as outlined in Schedule No. '2'.
5. Professional engineer's report certifying that the new building strata has been built to the current code requirements (2006) pursuant to section 242 of the *Strata Property Act*.
6. BCLS confirmation that new dwelling unit meets all requirements pursuant to Bylaw No. 500, 1987.
7. Applicant to remove existing shed and barn buildings.
8. Applicant's BCLS to provide certification whether the well shed is considered a building or structure pursuant to Bylaw No. 500, 1987. If it is considered a building or structure, the building will have to be modified or moved or the applicant will be required to obtain a variance from the Regional District of Nanaimo.
9. Applicant to apply for all necessary building permits in conjunction with this strata conversion.

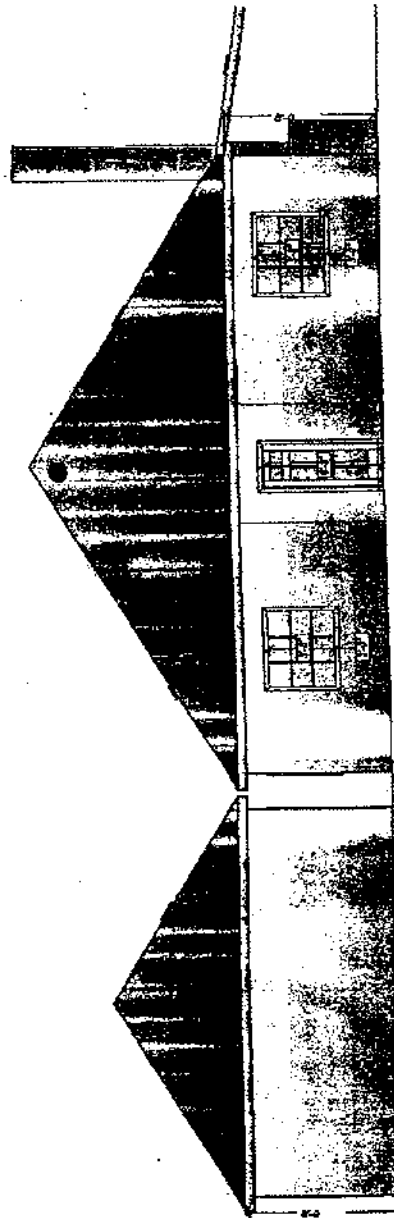
Schedule No. '2'
 Proposed Plan of Building Strata Plan



Schedule No. '3' (page 1 of 2)
Plan of Proposed Second Dwelling/Detached Garage
440 Parker Road / Lot 3, District Lots 65 and 66, Newcastle District, Plan 1803
(as submitted by applicant/reduced for convenience)

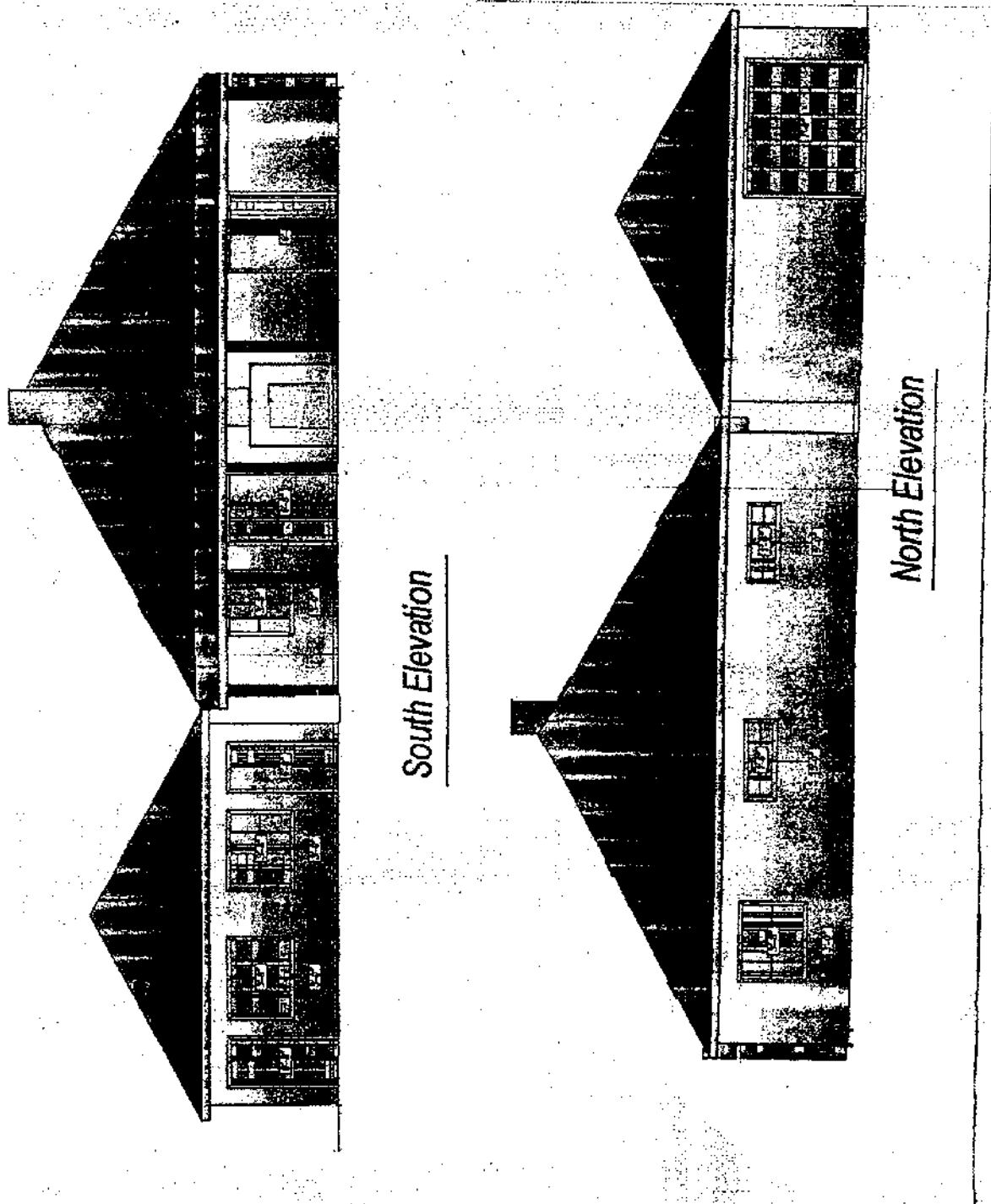


East Elevation

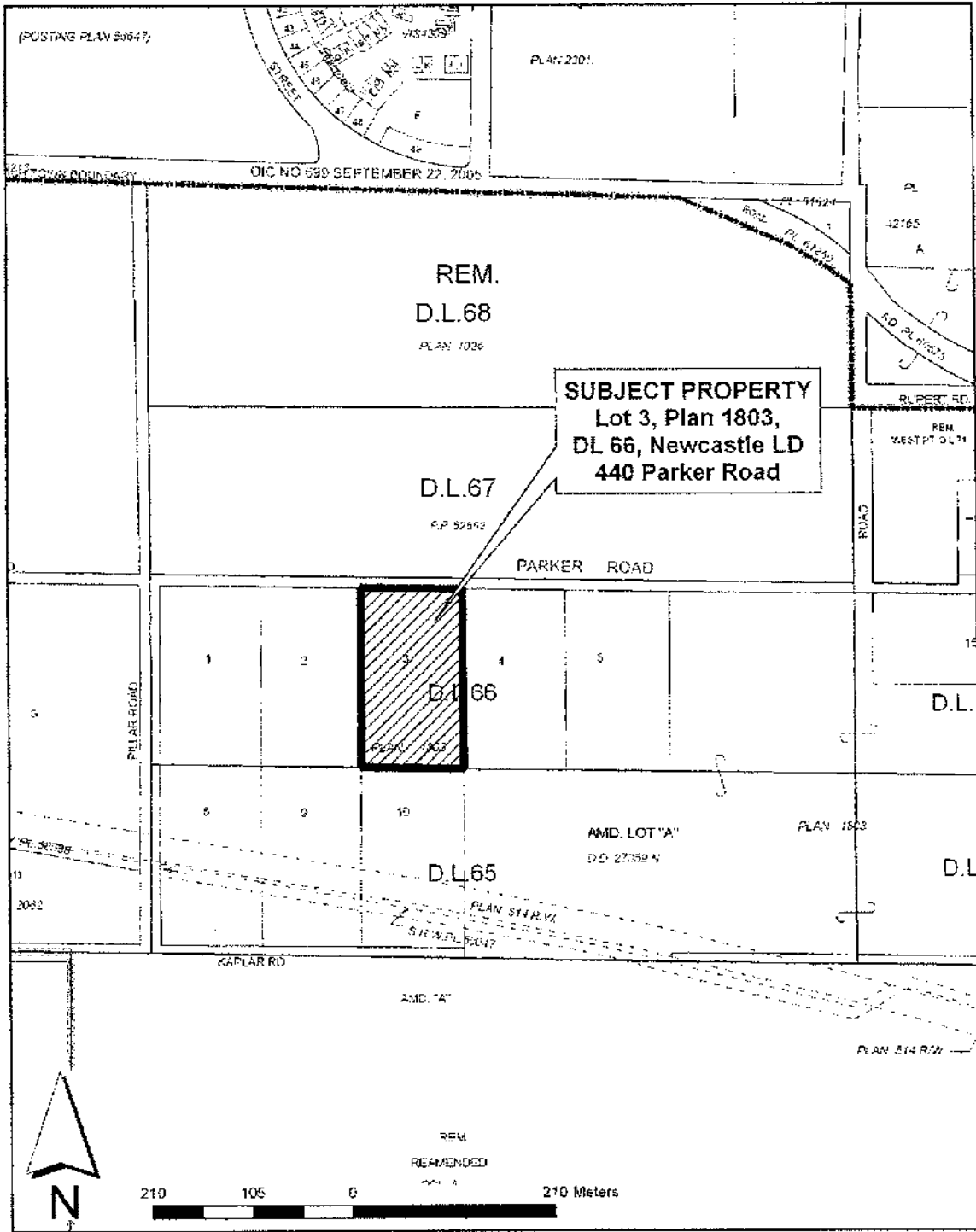


West Elevation

Schedule No. '3' (page 2 of 2)
Plan of Proposed Second Dwelling/Detached Garage
440 Parker Road / Lot 3, District Lots 65 and 66, Newcastle District, Plan 1803
(as submitted by applicant/reduced for convenience)



Attachment No. 1
 Location of Subject Property





RDN	
CAO	GMF&IS
GMDS	GMR&PS
GMES	GMTS
JAN - 3 2007	
SMCA	
CHAIR	BOARD
EAG	

MEMORANDUM

TO: Paul Thompson
Manager of Long Range Planning

DATE: January 2, 2007

FROM: Greg Keller
Senior Planner

FILE: 6480-01 EAGR

SUBJECT: Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update

PURPOSE

To provide the Board with an update on the Electoral Area 'G' Official Community Plan review process and present the results of the public workshops.

BACKGROUND

The Board endorsed the Electoral Area 'G' Official Community Plan Review Terms of Reference on April 25, 2006. Staff have initiated the Official Community Plan review process according to the terms of reference approved by the Board. Six public workshops have been held at the multi-purpose room at Oceanside Place. The purpose of this report is to present the results of the public workshops.

The first two public workshops were held on Saturday, September 30, 2006 where the topic for the morning session was Parks, Recreation and Community Amenities and the topic for the afternoon session was Environmental Protection. The third and fourth public workshops were held on Saturday, October 14, 2006 where the topic for the morning session was Land Use in Urban Areas and the topic for the afternoon session was Water and Sewer Servicing. The fifth and sixth sessions were held on Saturday, November 4, 2006 and the topic for the morning session was Land Use in Rural Areas and the topic for the afternoon session was Transportation and Mobility.

During each workshop staff made a brief presentation to the workshop participants summarizing the purpose of an Official Community Plan (OCP) and Regional Growth Strategy (RGS) before providing a brief summary and background of the topic being discussed as it relates to Electoral Area 'G'. The workshop participants were then split in to small work groups and were presented with a range of discussion questions along with supporting background information and accompanying maps. Each workgroup assigned a note taker from within the group to record the discussion related to each question. Each work group also assigned a group leader from within the group to help keep the discussions on topic and on schedule. Staff assisted the work groups primarily by acting as a resource to answer questions and explain planning processes.

ALTERNATIVES

1. To receive this report as information.
2. To receive this report as information and provide staff with further direction.

Summary of the Workshops

The following summarizes the key issues raised at each of the workshops. Please refer to Schedule No. '1' for a complete summary of each workshop. Please note that the workshop maps are available for review upon request and will be available during the Electoral Area Planning Committee meeting and Board meeting.

Workshop No. 1 - Parks, Recreation and Community Amenities

The workshop participants currently enjoy approximately 20% green space in Electoral Area 'G' and support the retention of existing and acquisition of new green space. In particular retaining and acquiring additional parkland for trails to provide safe public accesses to the water and a network of linked pathways through the area was strongly supported.

A number of ways to acquire new park land and trails were discussed including public-private partnerships, encourage partnerships with the private sector and non-governmental agencies, as a condition of development approval, support the retention of Crown lands and lands within the Agricultural Land Reserve, density bonusing, and density transfer.

Workshop No. 2 - Environmental Protection

The workshop participants identified a number of environmentally sensitive features to identify and protect in the new Electoral Area 'G' Official Community Plan including fish bearing streams and all sources of water, old growth forest, eagle nesting trees and wildlife trees, ground water resources, floodplains, and wildlife corridors.

A number of options for protecting the environmentally sensitive features were discussed including Development Permit Areas, park land acquisition at the time of rezoning, through community education and stewardship, through environmental protection policy to be implemented through a Development Variance Permit, green initiatives, tax incentives, and guidelines for the application of fertilizers, chemicals, and pesticides.

The workshop participants support the involvement of a wide range of organizations in environmental protection including the Regional District of Nanaimo, the Provincial Government, the Federal Government, the Private Sector, Non-governmental Agencies, and community groups.

Workshop No. 3 - Land Use in Urban Areas

The workshop participants expressed the view that the French Creek Neighbourhood Centre is not located in an appropriate location because it is not centralized, has issues related to access, floodplain, and contains environmentally sensitive features. The workshop participants felt that the Wembley Mall Neighbourhood Centre would be a more appropriate location due to the close proximity to existing commercial development in the City of Parksville and the fact that this location offers easier access and is more central for the residents of French Creek.

Some participants suggested that the Wembley Mall Neighbourhood Centre should support higher density residential development but should not permit additional commercial uses other than home based business and neighbourhood commercial such as convenience store, and professional services that are compatible with the surrounding uses.

With respect to the density of residential development currently supported in the Official Community Plans, it was felt that the 988 units currently supported in the French Creek Harbour Centre is too high for French Creek and the supported density is too high given the current traffic flow issues. A reduction in density by up to as much as 50% was supported.

Affordable housing options were discussed and the general consensus was that secondary suites, in-law suites, and auxiliary dwellings were supported in all residential areas as long as sufficient on-site parking is provided.

Workshop No. 4 - Water and Sewer Servicing

The workshop participants wish to ensure that adequate water is available for existing residents taking in to consideration current trends in climate change. Water conservation and the protection of ground water were strongly supported and a number of options to promote and encourage water conservation were discussed. It was felt that there was a lack of information on the ground water resources in Electoral Area 'G' and that an aquifer assessment should be conducted in order to plan for development based on the availability of potable water.

In areas that are not serviced by a community sewer system, the workshop participants desired to regulate the density of development based on the suitability of the local soils to accommodate septic effluent while taking in to account the potential affects on ground water.

The workshop participants supported innovative solutions such as the recycling of gray water and the metering of septic outflow as another means of reducing water consumption.

With respect to storm water drainage, the workshop participants supported the retention of storm water on site and the protection of watercourses, and ground water.

Workshop No. 5 - Land Use in Rural Areas

In general the workshop participants felt that rural character varies depending on the location, and in general, includes large open spaces, large minimum parcel sizes, low density development, and includes uses such as agriculture and forestry and other resource activities. In general, the workshop participants did not support rezoning of lands to permit smaller parcel sizes than what is currently allowed under existing zoning.

A number of ways to maintain rural character were identified including the protection and diversification of agricultural uses, not supporting the creation of parcels smaller than the minimum parcel size outlined by the zoning bylaw by means of subdivision in accordance with the *Strata Property Act*, water conservation, and protection of ground water sources.

The workshop participants supported the preservation of rural character and uses that are compatible with preserving rural character through a number of options including supporting the maintenance of lands within the Agricultural Land Reserve, supporting low density residential, supporting forestry and resource uses, and retaining as much green space as possible.

It was determined that all of Electoral Area 'G' is not the same due to geographic differences, proximity to watercourses, community values, and availability of undeveloped land and hence the Official Community Plan should recognize these differences where possible. It was also suggested that the existing Official Community Plans land use designations be combined or merged for clarity where possible.

Workshop No. 6 - Transportation and Mobility

Workshop participants identified a number of barriers to diversifying mobility in Electoral Area 'G' including geography such as rivers and the ocean, the Highways (19 and 19A), low density development that does not support public transit, lack of sidewalks and paved shoulders, the aging population, and narrow roadways.

A number of options for improving mobility were identified by the workshop participants including the installation of additional crosswalks and street lights, public transit options tailored to the needs of Electoral Area 'G', and the installation of safe pedestrian and cyclist pathways to encourage non-automobile forms of transportation.

The workshop participants identified a number of ways to reduce the impact of automobile use within Electoral Area 'G' including designating car pool/ride share areas, encouraging car pooling, encouraging funding of alternative forms of transportation, and developing pedestrian and cyclist pathways.

With respect to the road networks in Electoral Area 'G', a number of problem areas were identified including the entrance to San Paniel, the intersection at Church Road and the Alberni Highway, Wembley Road, Lee Road, Johnstone Road, and the Little Qualicum River Bridge. The workshop participants supported a number of road network improvements including the installation of traffic lights in problem areas and the realignment of Church Road to Stanhope Road for use as a truck route.

The workshop participants also supported the creation of a number of new routes and redesignation of some existing routes to alleviate the use of residential streets by heavy truck traffic. The creation of trails was also supported as a means to improve mobility options within Electoral Area 'G'.

Official Community Plan Review Process

The Regional District of Nanaimo has received other input that staff will review prior to drafting the Official Community Plan.

In accordance with the Board approved Terms of Reference, staff will proceed with preparing a third newsletter to provide a summary of the workshops to the workshop participants and the general community. In addition, staff will also proceed with the preparation of the draft Official Community Plan taking into consideration all of the comments received during the public workshops, the written submissions, and survey.

SUMMARY AND CONCLUSION

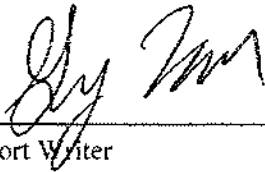
Staff have initiated the Electoral Area 'G' Official Community Plan review process and have held a series of six public workshops to discuss a number of topics including Parks, Recreation and Community Amenities, Environmental Protection, Land Use in Urban Areas, Water and Sewer Servicing, Land Use in Rural Areas, and Transportation and Mobility.

A number of key issues were raised by the workshop participants that staff will consider when drafting the new Official Community Plan. Based on the response from the workshop participants, the most significant issues appeared to be controlling land use in rural areas, the retention and acquisition of parks and green space, environmental protection, the protection of groundwater, improving transportation and mobility, and controlling the density of development and location of the Neighbourhood Centres in French Creek.

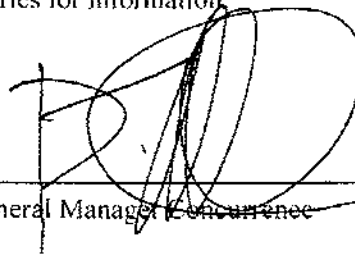
Overall, the input and discussions during the workshops provided valuable input in to the Official Community Plan review process. Staff will now proceed with analyzing all of the input received to date prior to drafting the new Official Community Plan for Electoral Area 'G'.

RECOMMENDATIONS

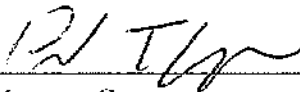
That Board receive this report and attached workshop summaries for information.



Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

COMMENTS

devsus/reports/2007/ja 6480-01 eagr

Schedule No. '1' (page 1 of 26)
Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update
Community Workshop No. 1 – Parks, Recreation & Community Amenities
Workshop Summary
September 30, 2006, 9:00am – 12:00pm

There were approximately 6 community members in attendance.

Representing the Regional District of Nanaimo (RDN):

Joe Stanhope, Director for Electoral Area 'G'
Joanne Chase, Alternate Director for Electoral Area 'G'
Paul Thompson, Manager, Long Range Planning
Greg Keller, Planner

The comments and suggestions received during the workshop have been compiled and are summarized below and shown on the attached map. There were four questions asked during the workshop. The comments and discussions as a result of each question are summarized below.

Question No. 1:

Where are the priority sites for park acquisition located and what types of park and other public lands are desired by the community?

Please review the map showing existing parks, trails, public lands and other community facilities and indicate on the map if the group agrees with the parks and amenities that have already been identified. Also please identify other areas and types of parks that should be identified for future acquisition. Please consider the following types of public amenities:

- *Parks*
- *Trails*
- *Greenways*
- *Access to water, both river and ocean*
- *Playing fields and other recreation facilities*

The following summarizes the comments made with respect to Question No. 1:

- Support the protection of Hamilton and Dudley Marshes in Electoral Area 'F' as these areas are key water recharge areas for Electoral Area 'G';
- Retain the existing 20% park/green space currently enjoyed in Electoral Area 'G';
- Access to water (ocean, rivers, etc.) and access to trails in the woods are of key importance;
- Creeks, rivers, and estuaries are the defining features of Electoral Area 'G';
- Provide linkages between beach accesses and other parks and inland trails;
- Overcome the two access obstacles in French Creek: the creek itself and the highway;
- Support a footbridge on the ocean side of the highway crossing French Creek;
- Safe pedestrian access from Qualicum Beach in to French Creek is desirable;

Schedule No. '1' (page 2 of 26)
Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update
Community Workshop No. 1 – Parks, Recreation & Community Amenities
Workshop Summary
September 30, 2006, 9:00am – 12:00pm

- French Creek corridor is important to protect, but may be better suited for non-continuous parks due to the topography of the area;
- The existing and proposed trails should be shown in the new Official Community Plan;
- Support existing and proposed trails currently shown in the French Creek Official Community Plan;
- The development of trail linkages is supported;
- Include the parks in the old Shaw Hill/Deep Bay Official Community Plan as shown on the Regional Trail System Map dated October 19, 2005;
- Acquire public beach access near Centre Road Community Park through park acquisition requests;
- Designate lot 7, 8, and 10 (the riparian area adjacent to the Little Qualicum River) as identified on the map as a park;
- Provide access and a trail system linking upland areas to the beach adjacent to the Little Qualicum River Estuary;
- Larger parcels of land are needed for parks, for halls, baseball diamonds, and other land intensive uses;
- Support the creation of trails in Top Bridge Community Park;
- Support the creation of a trail from French Creek to Top Bridge Park to Rath Trevor Provincial Park; and,
- Support the use of the E & N railway right-of-way to allow for the creation of a trail.

General Outcomes:

Based on the comments and discussions summarized above, it appears that the Riparian Areas (Rivers, Lakes, Ponds, Wetlands, Estuaries, and Ocean) are of key importance and should be considered for protection possibly through the acquisition of park land.

The residents of Electoral Area 'G' enjoy the amount of green space currently available and indicate the desire to maintain and increase the amount of green space in Electoral Area 'G'.

Pedestrian access and safety appeared to be of key concern. Providing access trails and developing an interconnected trail network throughout Electoral Area 'G' appeared to be a common theme.

There was interest in improving and maintaining public beach access and trail linkages throughout Electoral Area 'G'. Special emphasis was placed on providing an alternative stream crossing on French Creek on the ocean side of the highway and a safe pedestrian route crossing the highway. The use of the railway right-of-way was mentioned as a potential linear corridor.

In general, the group identified trails, Riparian Areas (natural areas or greenways), large community parks for land intensive recreational uses, and beach and riparian accesses as the most desirable types of parks.

Schedule No. '1' (page 3 of 26)
Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update
Community Workshop No. 1 – Parks, Recreation & Community Amenities
Workshop Summary
September 30, 2006, 9:00am – 12:00pm

Question No. 2:

How should new park land and trails be acquired?

- *Maintained as public land (eg. Crown land)*
- *Purchase*
- *Agreement with other agency (eg. trail on highway right-of-way)*
- *Subdivision – criteria for accepting park through dedication*
- *As a community amenity through a density bonus*
- *As a requirement of rezoning*
- *Development Cost Charge for park*

The following summarizes the comments made with respect to Question No. 2:

- Support private citizens that are attempting to acquire park land.
- Encourage partnerships with other agencies such as nature conservancies.
- Support and promote partnerships in the Official Community Plan.
- Acquire park land through subdivision – park land dedication (5% must be useful land, support 5% over and above any sensitive area)
- Support density bonusing.
- Support development cost charges for park (for community and regional park?)
- Support the acquisition of park land through rezoning (general policy for all rezoning applications that support the Regional District of Nanaimo having 1st choice in what land to accept as park)
- Support the retention of agricultural and forest lands.
- Include a policy that applies to rezoning applications involving large land holdings that provides direction for park land dedication and parameters for land exchange
- Support a referral process to the Parks and Open Spaces Advisory Committee (POSAC) for all park land dedications.

General Outcomes:

A number of options for the acquisition of park land were discussed. It appears that there is a desire to support a multi-faceted approach to acquiring park land. This corresponds to the desire to retain and increase the amount of green space in Electoral Area 'G'.

Schedule No. '1' (page 4 of 26)
Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update
Community Workshop No. 1 – Parks, Recreation & Community Amenities
Workshop Summary
September 30, 2006, 9:00am – 12:00pm

Question No. 3:

Who should be responsible for acquiring parks and other public amenities and who should be providing these lands? What is the role of each?

- *Municipalities*
- *RDN*
- *Provincial Government*
- *Federal Government*
- *Private sector (eg. forest companies)*
- *Non-government organizations (eg The Nature Trust)*
- *Community groups/associations*
- *Others*

The following summarizes the comments made with respect to Question No. 3:

- The Regional District of Nanaimo should play an active role in park land acquisition through the options identified in question number 2 above.
- The Provincial and Federal Government are encouraged to consult with the Regional District of Nanaimo prior to disposing of crown lands.
- Non-government organization are a big factor in acquiring park land.
- Dedication of land from private owners through a land conservancy group.

General Outcomes:

The acquisition of parkland should involve many different agencies including the Regional District of Nanaimo. The private sector, non-governmental organizations, and community groups should play an important role in the acquisition of park lands.

Question No. 4:

When should the acquisition of parks and other public amenities occur?

- *Subdivision*
- *Rezoning*
- *Purchase*
- *Other*

The following summarizes the comments made with respect to Question No. 4:

- Park land should be acquired as soon as possible and at the lowest price
- Park land and other amenities should be acquired through subdivision, purchase, and rezoning.

Schedule No. '1' (page 5 of 26)
Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update
Community Workshop No. 1 – Parks, Recreation & Community Amenities
Workshop Summary
September 30, 2006, 9:00am – 12:00pm

General Outcomes:

The group appeared in favour of using any and all means necessary as appropriate to obtain parkland.

Schedule No. '1' (page 6 of 26)
Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update
Community Workshop No. 2 – Environmental Protection
Workshop Summary
September 30, 2006, 1:00pm – 4:00pm

There were approximately 12 community members in attendance. There were two workgroups set up each consisting of approximately 6 people.

Representing the Regional District of Nanaimo (RDN):

Joe Stanhope, Director for Electoral Area 'G'
Joanne Chase, Alternate Director for Electoral Area 'G'
Paul Thompson, Manager, Long Range Planning
Greg Keller, Planner

The comments and suggestions received during the workshop have been compiled and summarized below and are shown on the attached map. There were three questions asked during the workshop. The comments and discussions as a result of each question are summarized below.

Question No. 1:

Where are the important environmental features located and what types of environmentally sensitive areas should be recognized in the OCP as deserving protection?

Please review the map showing known environmentally sensitive areas and indicate on the map if there are others that should be considered for some form of protection. Also please identify the types of features that should be protected. Please consider the following types of features:

- *Creeks and other watercourses*
- *Marshes, wetlands, estuaries*
- *Eagle nests and heron rookeries*
- *Sensitive terrestrial ecosystems (i.e. Garry Oak, old growth)*
- *Others?*

The following summarizes the comments made with respect to question 1:

- Fish bearing streams and all sources of water (riparian areas) should be recognized in the Official Community Plan as deserving protection.
- Support restoration of buried and destroyed fish bearing streams.
- Support protection of the ocean front (i.e. green shores).
- Protect old growth and second growth forest.
- Protect eagle nesting trees and wildlife trees (perch trees, roosting trees).
- Provide protection to alternate nesting trees.
- Protect ground water resources.
- Control impervious surfaces by supporting the retention of storm water on site.
- Protect osprey nests, heron nests and potential habitat at Craig Creek.
- Identify Morningstar Ponds as environmentally sensitive.
- Identify Pebble Beach Pond as environmentally sensitive.
- Identify Alexander Brook (near Eagle crest Golf Course) as environmentally sensitive.

Schedule No. '1' (page 7 of 26)
Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update
Community Workshop No. 2 – Environmental Protection
Workshop Summary
September 30, 2006, 1:00pm – 4:00pm

- Identify Englishman River, French Creek, and Little Qualicum River Estuaries as environmentally sensitive.
- Identify potential habitat as well as known habitat.
- Identify wildlife corridors.
- Drinking water and watershed protection should be included in the Official Community Plan.
- The end of Admiral Tryon contains estuary lands, fish habitat, floodplain, and mature trees that should be identified as environmentally sensitive.
- French Creek watershed should be protected and could include provisions for storm water management.
- The quantity of water withdrawn from the French Creek aquifer was raised as a concern and should be addressed in the Official Community Plan.
- Work with the Ministry of Environment (MOE) to support restricting the quantity of water withdrawn from French Creek.
- Mature forests and steep banks should be identified as environmentally sensitive.
- All identifiable wetlands should be protected.
- Support the removal of noxious weeds (Hogweed, Himalayan Blackberry, etc.) without creating water problems.
- All floodplains should be identified.

General Outcomes:

The comments and discussions indicated a strong support for protecting the natural environment and identifying and protecting all known water features (riparian areas) within Electoral Area 'G'. In addition, groundwater resources, both quantity and quality appeared to be of key importance and should be protected.

Question No. 2

How and when should the areas/features identified in Question No. 1 be protected?

- *Land acquisition*
- *Restrictive covenants at time of subdivision or rezoning*
- *As a community amenity through a density bonus*
- *As a requirement of rezoning*
- *Development permit areas*
- *Zoning*
- *Other*

The following summarizes the comments made with respect to Question No. 2:

- Through Development Permit Areas for the protection of environmentally sensitive features (watercourses, eagle trees, wild life trees, potential habitat, old growth trees, wildlife corridors, drinking water and aquifer protection.
- A 30 metre Development Permit Area along entire marine interface.

Schedule No. '1' (page 8 of 26)
Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update
Community Workshop No. 2 – Environmental Protection
Workshop Summary
September 30, 2006, 1:00pm – 4:00pm

- Through the registration of covenants held by the RDN, MOE, and third party involvement.
- Through park land acquisition at the time of rezoning, subdivision, and Development Variance Permit application.
- Through community education including real estate agents, developers, etc.
- Through density bonusing.
- By developing a policy for the consideration of variances that supports the protection of the environment.
- Through policy for zoning amendments geared towards the requirement to protect the environment on sensitive lands.
- Support partnerships with MOE to eliminate unused water licenses and to monitor the volume of water being extracted for all watersheds within Electoral Area 'G'.
- Support green initiatives to manage storm water (i.e. use natural drainage systems where possible while still protecting the environment).
- Through tax incentives and/or agreements to protect sensitive features.
- Through acquisition of land by a land conservancy.
- By keeping lot lines out of the riparian areas.
- Support water conservation (xeriscaping, low flow toilets, micro-irrigation, etc.).
- Support environmental stewardship at all levels.
- Provide guidelines for the application of fertilizers, pesticides, and chemicals.

General Outcomes:

A number of methods for protecting environmentally sensitive features were identified including covenants, Development Permit Areas, environmental protection policies, land acquisition, education, density bonuses, etc. The workshop participants wished to include various options for the environmental protection in the Official Community Plan.

Question No. 3

Who else should be responsible for protecting environmentally sensitive features? What is the role of each?

- *RDN*
- *Provincial Government*
- *Federal Government*
- *Private sector*
- *Non-government organizations (e.g. The Nature Trust)*
- *Community groups/associations*
- *Others*

Schedule No. '1' (page 9 of 26)
Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update
Community Workshop No. 2 – Environmental Protection
Workshop Summary
September 30, 2006, 1:00pm – 4:00pm

The following summarizes the comments made with respect to Question No. 3:

Agency	Roles and Responsibility
Regional District of Nanaimo	<ul style="list-style-type: none"> • Provide notice to property owners of all environmental features on their property. • Encourage "Smart Growth" developments to include innovative conservation features. • Support and encourage communication and education on environmentally sensitive features. • Develop a "Green" approval stamp or seal. • Provide tax incentives for property owners.
Provincial Government	<ul style="list-style-type: none"> • Monitor endangered species. • Identify wildlife corridors • Set an example on highways and roads. • Improve storm water retention.
Federal Government	<ul style="list-style-type: none"> • Enforce fisheries regulations. • Support migratory bird regulations.
Private Sector	<ul style="list-style-type: none"> • Provide proactive education for real estate agents, developers, and builders. • Encourage environmental stewardship and education.
Non-governmental organizations	<ul style="list-style-type: none"> • Participate in the registration and holding of covenants. • Assist with funding for environmental conservation. • Organize and hold educational events.
Community Groups	<ul style="list-style-type: none"> • Set up standards for certification and awards. • Assist with compliance through community policing. • Organize and hold special events.

General Outcomes:

There are many agencies involved in protecting the natural environment. The workshop participants would like the Official Community Plan to recognize and support the involvement of all levels of government, the private sector, community groups, and non-governmental organizations in the Official Community Plan.

Schedule No. '1' (page 10 of 26)
Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update
Community Workshop No. 3 – Land Use in Urban Areas
Workshop Summary
October 14, 2006, 9:00am – 12:00pm

There were approximately 12 community members in attendance.

Representing the Regional District of Nanaimo (RDN):

Joe Stanhope, Director for Electoral Area 'G'
Joanne Chase, Alternate Director for Electoral Area 'G'
Paul Thompson, Manager of Long Range Planning
Greg Keller, Planner

The comments and suggestions received during the workshop have been compiled and are shown on the attached map. The workshop was divided into three parts and participants were asked to consider four questions. The first part focused on Neighbourhood Centres. In particular where the community would like to locate the Neighbourhood Centres and what uses should occur in them. Part two dealt with the urban areas outside of the Neighbourhood Centres and the types of uses and densities that should be supported. Part three focused on strategies for making the desired changes with respect to Neighbourhood Centres and urban areas outside of Neighbourhood Centres.

After a brief presentation, the workshop participants broke in to two groups, each discussing the workshop topic. Each group selected a recording secretary and designated a group leader to facilitate the discussions. At the end of each workshop, each table presented their findings for general group discussion.

The comments and discussions on the workshop questions are summarized below.

Part 1 - Question No. 1:

Location of the Neighbourhood Centres

The French Creek Official Community Plan (OCP) has identified two neighbourhood centres. One is adjacent to Wembley Mall in Parksville and the other is focussed on lands adjacent to the lower reaches and mouth of French Creek. Please look at the map to see the location of the existing neighbourhood centres. Are these the best places to develop neighbourhood centres? When answering this question please consider the following:

- *A neighbourhood centre should provide for a mix of uses, is close to where people live and is easily accessible by foot, bicycle and public transit*
- *The mix of uses should occur within the same development*
- *Is there available land or an opportunity to redevelop?*
- *Can an existing single use site be converted to mixed use?*
- *Is there an existing hub that is already recognized as a neighbourhood centre?*
- *Are there barriers (such as a busy highway) that would discourage access by foot or bicycle?*
- *Does it consist entirely of an environmentally sensitive area?*
- *Is this an area that you see as a focus for development and able to provide a broader range of services and housing options over time?*

Schedule No. '1' (page 11 of 26)
Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update
Community Workshop No. 3 – Land Use in Urban Areas
Workshop Summary
October 14, 2006, 9:00am – 12:00pm

- *Can links to other parts of the community be easily provided?*
- *Are there opportunities for onsite drainage and storm water management?*
- *If the neighbourhood centre was a main street where would it be?*

If your group believes there is a better location for the neighbourhood centres please draw the boundaries on the map.

The following summarizes the comments made with respect to Part I - Question No. 1:

- Support the existing Wembley Mall Neighbourhood Centre that is currently within the Urban Containment Boundary with the possibility to include higher density residential development and the possibility to expand this designation to the east as shown on the attached map
- The French Creek Harbour Neighbourhood Centre is not located in an appropriate location because it is not centralized, has issues related to access, floodplain, and environmental sensitivity.
- Do not support the development of District Lot 28 to the current densities and uses supported by the existing French Creek Official Community Plan because of issues related to access, floodplain, and environmental sensitivity (estuary).
- Why has Parksville not encouraged high density development in the Wembley Mall Area?
- Expand the commercial area in Wembley Mall Area.
- There may be an opportunity to expand commercial uses next to Home Building Centre.
- Reduce the commercial area adjoining the pub/store in French Creek.
- Multi-family residential development is not suitable adjacent to the French Creek Pollution Control Centre.
- The terrain in the French Creek Neighbourhood Centre is not suitable for development.
- There are no traffic lights adjacent to the highway and the French Creek Neighbourhood Centre, which makes it very difficult to provide safe access.

General Outcomes:

In general, workshop participants agreed that the existing French Creek Harbour Neighbourhood Centre should be relocated. However, one group wanted to eliminate the existing French Creek Harbour Neighbourhood Centre and have a new one Neighbourhood Centre focused on Wembley Mall due to issues related to access, traffic, floodplain, geotechnical concerns, and environmental considerations. The other group wanted to see it moved north of the highway.

With respect to relocating the Neighbourhood Centre to the Wembley Mall area, the workshop participants felt that the Wembley Mall area would be a more appropriate location for a Neighbourhood Centre due to the close proximity to existing commercial development in the City of Parksville and the fact that this location offers easier access and is more central for the residents of French Creek.

Schedule No. '1' (page 12 of 26)
Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update
Community Workshop No. 3 – Land Use in Urban Areas
Workshop Summary
October 14, 2006, 9:00am – 12:00pm

Part 1 - Questions No. 2:

Uses in the Neighbourhood Centres

For the neighbourhood centre(s) that your group has identified, which types of uses should be supported? When answering the question please consider the following:

- *The ideal is to create a complete community where people can live, play, work, learn, shop and access services.*
- *One objective is to locate frequently used services and amenities close to where people live thereby reducing the number of trips by automobile; for example small retail shops, professional offices and personal services.*
- *Business or use should be feasible in a small space (e.g. no big box stores).*
- *Successful nodes include a range of housing types to accommodate a variety of needs and incomes.*
- *The mix of uses can be within the same development (e.g. retail on first floor with residential above) or located adjacent to each other.*
- *Think about the kinds of services and amenities that would provide the most benefit for nearby residents?*
- *Consider how greenways and public spaces can be incorporated into the neighbourhood centre.*

The following summarizes the comments made with respect to Question No. 2:

- Support higher density residential development adjacent to Wembley Mall to take advantage of the commercial services located in Wembley Mall.
- No addition commercial uses should occur in the Wembley Mall Neighbourhood Centre.
- More green space should be provided in the neighbourhood centres.
- Support home based business and possibly local service commercial (i.e. small convenience store, doctor's office, not clinic) in the Neighbourhood Centres.
- High density residential development is not suitable for French Creek.
- 988 units as currently supported in the French Creek Harbour Centre is extremely high density for French Creek.
- There is too much density supported given the current traffic flow issues.
- Recommend reducing the density by up to as much as 50%.

General Outcomes:

The general desire of the workshop participants was to reduce the density of residential development currently supported by the French Creek OCP and shift the location of higher density residential development from the French Creek Harbour Centre to the Wembley Mall Area. As well, either eliminate the French Creek Harbour Neighbourhood Centre or move it north of the Highway.

Of concern was access, environment, and the retention and acquisition of green space.

Schedule No. '1' (page 13 of 26)
Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update
Community Workshop No. 3 – Land Use in Urban Areas
Workshop Summary
October 14, 2006, 9:00am – 12:00pm

Part 2 - Questions No. 3:

Please look at the map to see where different types of uses and densities are supported in the Existing OCP. In your group please discuss the following questions:

- *Should all commercial, office or personal service uses be limited to the neighbourhood centres or commercial designations?*
- *If not then which of these uses should be considered in residential neighbourhoods?*
- *How could non-residential uses be regulated in a residential neighbourhood?*
- *Consider ways other than subdivision to create more dwelling units (e.g. suites in the main dwelling, auxiliary dwelling units, creatively designed multi-family buildings).*
- *Consider how to achieve other goals such as affordable housing, accommodating an aging population (many of whom would like to stay in the community but want a smaller home/yard), accommodating a variety of incomes, accommodating a variety of family types, setting limits based on access and services, protecting environmentally sensitive areas, and providing parks, trails and greenways.*

Please identify on the map where certain types of uses could be supported

The following summarizes the comments made with respect to Question No. 3:

- Support home based business as long as they do not negatively impact the neighbourhood.
- Support neighbourhood commercial (small in size) to serve the community only where the use is acceptable by the neighbourhood it serves. For example Temple Store.
- Support secondary suites and auxiliary dwelling units to a maximum floor area of 600 square feet and provided the parcel coverage does not exceed 35%.
- Support the retention of Morning Star Golf Course lands as recreational land.
- Support extended home based business through a rezoning to allow personal and professional services (doctor, dentist, chiropractor, etc.).
- Support affordable housing by permitting in-law suites in all residential areas as long as sufficient on-site parking is provided.
- Support senior's housing and care in the Wembley Neighbourhood Centre Area.

General Outcomes:

The workshop participants supported a limited amount of commercial activity outside of the Neighbourhood Centres as long as the development strictly serves the community in which it is located and does not have a negative impact on the neighbourhood. In general it was felt that the forms of commercial development that may be appropriate are home based businesses as currently authorized by the current zoning bylaw and potential expansions to the uses currently permitted through a rezoning process. In addition there was some support in some circumstances for small neighbourhood convenience stores where the proposed use would not negatively impact on the surrounding neighbourhood.

Schedule No. '1' (page 14 of 26)
Electoral Area 'G' Official Community Plan Review Workshop Summaries and Update
Community Workshop No. 3 – Land Use in Urban Areas
Workshop Summary
October 14, 2006, 9:00am – 12:00pm

With respect to affordable housing, the workshop participants supported the use of secondary suites and auxiliary dwelling units in all residential zones provided there was a limit on the floor area and there was adequate on-site parking. In addition, senior's housing/care was supported in the Neighbourhood Centres.

Part 3 - Question No. 4:

With respect to land use and development in the Urban Area you have identified the where and the what. Now it is time to consider how to achieve the desired land uses and densities. In your group please discuss the following questions:

- a. How do we get developments with good design?*
- b. How do we get the amenities identified by the community? (e.g. parks and trails)*
- c. What else is required to make it work? (e.g. traffic lights, water & sewer servicing, separated cycling/walking paths)*

The following is a list of some of the tools that can be used to achieve desired land uses and densities and to regulate the form and character of development:

- o Public amenities as a requirement of rezoning*
- o Density Bonus*
- o Comprehensive Development Zones*
- o Development Permit Area for Form and Character*

Please see the Fact Sheet for more information on tools.

The following summarizes the comments made with respect to Question No. 4:

- Trails and bikeways need to be considered for every rezoning application.
- Traffic lights are needed at Lee Road, Columbia Drive, and Drew/Johnston Road. Do not support further development in these areas until traffic lights are installed.
- Emphasize and reinforce policies that encourage cooperation between municipalities on development proposals adjacent to common boundaries.

Schedule No. '1' (page 15 of 26)
Electoral Area 'G' Official Community Plan Review
Community Workshop No. 4 – Community Water, Sewer and Storm Drainage Services
Workshop Summary
October 14, 2006, 1:00pm – 4:00pm

In addition to staff, there were approximately 12 community members in attendance.

Representing the Regional District of Nanaimo (RDN):

Joe Stanhope, Director for Electoral Area 'G'
Joanne Chase, Alternate Director for Electoral Area 'G'
Paul Thompson, Manager of Long Range Planning
Wayne Moorman, Manager of Engineering Standards and Subdivision
Mike Donnelly, Manager of Utilities
John Finnie, General Manager of Environmental Services
Greg Keller, Planner

The comments and suggestions received during the workshop have been compiled and are summarized below.

After a brief presentation, the workshop participants broke in to two groups each discussing the workshop topic. Each group selected a recording secretary and designated a group leader to facilitate the discussions. At the end of each workshop, each table presented their findings for general group discussion.

The comments and discussions received from each group with respect to the workshop questions are summarized below.

Question No. 1:

Please review the existing policies and objectives related to community water services and then as a group discuss which should be maintained, changed or deleted. What new policies are needed?

The following summarizes the comments made with respect to Question No. 1:

- Ensure adequate water is available for existing residents, taking into consideration climate changes.
- The expectation is that summers will become longer and drier. Therefore, we need to consider water collection.
- Strongly consider and educate residents on aquifer protection and water conservation.
- Have an internet site and library open to the public with information on aquifer protection and water conservation.
- Support the use of low flow and composting toilets and support an amendment to the building bylaw to accommodate this.
- A groundwater and watershed (aquifer) resources assessment study is supported.
- Water conservation is very important and should be promoted through various means such as micro irrigation, metered water usage, conservation based water pricing, low-flow toilets, washing machines, etc.
- Only support development based on the availability of quality water.
- Encourage the retention, storage, and recycling of water on site.

Schedule No. '1' (page 16 of 26)
Electoral Area 'G' Official Community Plan Review
Community Workshop No. 4 – Community Water, Sewer and Storm Drainage Services
Workshop Summary
October 14, 2006, 1:00pm – 4:00pm

- Have a base rate water pricing conducive to water conservation.
- Water consumption should be charged based on the volume of sewer output (i.e. meter incoming and outgoing flows).
- The suitability of Regional District of Nanaimo acquisition of any private community water system shall be considered.
- Monitor water licence volumes from Hamilton Marsh.
- Water quality concerns in some areas relate to the potential for salt water intrusion near the ocean.
- Support the cancellation of unused water licenses.
- Support the protection of all drinking water sources.
- The concept of the development of a Regional Bulk Water System to complement existing groundwater sources for domestic use in French Creek is supported.
- Support the retention of trees and other native vegetation as a means of groundwater retention.

General Outcomes:

The workshop participants strongly supported policies for the protection of groundwater including both quality and quantity. Water conservation through various means such as low flush toilets, conservation based water pricing, micro-irrigation, and education was strongly supported as a way to reduce the volume of ground water consumed. There was also a strong desire to ensure that there is an adequate reliable long-term supply of potable drinking water to service existing residents, taking into consideration current trends in climate change, while ensuring that proposed developments do not compromise existing supplies.

Questions No. 2:

Please review the existing policies and objectives related to community sewer services and then as a group discuss which should be maintained, changed or deleted. What new policies are needed?

The following summarizes the comments made with respect to Question No. 2:

- Investigate the extended use of effluent
- Allow and encourage alternative sewage treatment plants and techniques that are technically satisfactory.
- Consider the option of having an effective localized treatment plant rather than individual septic fields provided there is an ongoing, adequate ownership, monitoring, and control.
- Meter outgoing sewage volumes.
- Recycle and reuse sewage treatment plant by-products.
- Work with the Vancouver Island Health Authority to develop strategies for gray water recycling.
- With respect to areas that are serviced with private septic systems, support densities based on the suitability of the local soils for septic disposal taking in to account the effect on the aquifers.

Schedule No. '1' (page 17 of 26)
Electoral Area 'G' Official Community Plan Review
Community Workshop No. 4 – Community Water, Sewer and Storm Drainage Services
Workshop Summary
October 14, 2006, 1:00pm – 4:00pm

General Outcomes:

The workshop participants support policy that specifies densities based on the suitability of the local soils for septic disposal. Innovative technologies that increase the quality of effluent and permit the recycling or reuse of waste water is supported as a way of reducing water consumption and reducing the volume of effluent released in to the environment.

Question No. 3:

Please review the existing policies and objectives related to stormwater management and then as a group discuss which should be maintained, changed or deleted. What new policies are needed?

The following summarizes the comments made with respect to question 3:

- Consider drainage being a Regional District of Nanaimo function.
- Support the retention of storm water on site and ensure that it does not go directly into a watercourse.
- Support the policy 2.1.2(1) in the Shaw Hill-Deep Bay Official Community Plan, which requests that the Approving Officer require subdivisions to be designed in a manner which does not interfere with ground water recharge and prevents sediments from entering natural watercourses, lakes, and wetlands.
- Support permeable paving.

General Outcomes:

Storm water drainage and how it affects both ground water and surface water was of primary concern. The workshop participants support the retention of storm water flows on site as well as ensuring that post development flows are equal to or less than pre development flows. It was discussed that this may be achieved in a number of ways such as the use of permeable paving, storm water retention, etc.

Schedule No. '1' (page 18 of 26)
Electoral Area 'G' Official Community Plan Review
Community Workshop No. 5 – Land Use in Rural Areas
Workshop Summary
November 4, 2006, 9:00am – 12:00pm

Approximately 30 community members were in attendance. Three workgroups were set up.

Representing the Regional District of Nanaimo (RDN):

Joe Stanhope, Director for Electoral Area 'G'
Joanne Chase, Alternate Director for Electoral Area 'G'
Paul Thompson, Manager Long Range Planning
Greg Keller, Senior Planner Long Range

The comments and suggestions received during the workshop have been compiled and are summarized below and are shown on the attached map. Four questions were asked during the workshop. The comments and discussions as a result of each question are summarized below.

Question No. 1

What is Rural Character? How is Rural Character defined in Electoral Area 'G'? Is there a need for more than one definition?

The following summarizes the comments made with respect to Question No. 1:

- Rural character means trees, grass, domestic animals, barb wire fence, accessible open streams, undeveloped, productive agriculture, minimum noise and light, open farm land and lots of forest, few roads, minimum amount of housing, protected forests, parks and land trust areas, and maintain Crown lands.
- It is suggested that rural character be defined in San Pareil as rural residential, in French Creek as rural and rural residential, and in Shaw Hill rural residential and rural.
- Rural means a low or lower housing density than what currently exists.
- Rural is a perpetuation of a style and quality of life for local residents on lands originally established by pioneers for homesteading and agriculture, with a mixture of protected forests and a forest interface that allows for a continuum of wildlife habitat and access to environmentally sensitive trail systems.
- Rural Character is larger parcel sizes.
- Rural residential varies depending on the region of Electoral Area 'G'.
- There are some areas of Electoral Area 'G' that have existing small lots that should be recognized.
- The rezoning of lands to permit small parcels sizes should be discouraged.
- Retain the character of Electoral Area 'G'.
- There are water system concerns in some areas (and septic tanks and wells close together).
- Keep the minimum parcel sizes as they are.
- Need more than one definition for rural character – rural residential, farms, industrial (i.e. Earthbank).
- Rural is clean air.
- Rural includes industrial uses with limits on noise, traffic, and odour, and includes different types of development including residential, agricultural, and industrial.

Schedule No. '1' (page 19 of 26)
Electoral Area 'G' Official Community Plan Review
Community Workshop No. 5 – Land Use in Rural Areas
Workshop Summary
November 4, 2006, 9:00am – 12:00pm

- Rural character is low population density, large minimum lot sizes, farm land and land in the ALR, park and recreation, resource land (Forest, Gravel, Mining, etc.)

General Outcomes:

Although it was felt that rural character varies depending on location, the workshop participants generally consider rural character to be large open spaces, with uses that are typically found in rural areas such as agriculture, forest and resource activities, recreation, and low density residential.

Question No. 2

What are possible ways of maintaining the Electoral Area's rural character?

The following summarizes the comments made with respect to Question No. 2:

- Provide buffers between lands in the agricultural land reserve and residential uses.
- The Agricultural Land Commissions rules are very limiting in what can be done on lands within the agricultural land reserve so the Official Community Plan should allow those uses to the maximum extent possible.
- Do not allow strata mechanisms (mainly building strata and building strata conversions) to bypass zoning regulations.
- Limit noise and light.
- Provide no or minimal community water and sewer services.
- Enforce all current regulations.
- Support and encourage the Vancouver Island Health Authority to implement and enforce existing health and safety regulations.
- Maintain a consistent lot size.
- The infrastructure must support the existing community. (Do not overload the existing road network with traffic generated by new development.)
- Retain large lot size.
- Control development based on the availability of water.
- Require an aquifer assessment before development, while recognizing that farming requires large quantities of water. (Some concern was expressed over this suggestion because aquifer mapping needs to be done.)
- Support the concept of aquifer mapping, monitoring, and protection so that Development Permit Areas can be established.
- Do not support any new multi-family development outside of the urban containment boundary.
- We need to make efforts to retain our water and recognize the danger of global warming.
- Vigorously support farming and diversification of farming.
- Support the on-site processing of farm products.
- Support sustainable on-site septic and water.

Schedule No. '1' (page 20 of 26)
Electoral Area 'G' Official Community Plan Review
Community Workshop No. 5 – Land Use in Rural Areas
Workshop Summary
November 4, 2006, 9:00am – 12:00pm

General Outcomes:

The workshop participants identified a wide array of options for maintaining the rural character of Electoral Area 'G'. Common themes included supporting agriculture and large parcel sizes as well as controlling density and limiting development based on the availability of water.

Question No. 3

What uses and densities are compatible with preserving rural character?

The following summarizes the comments made with respect to Question No. 3:

- Support the retention of lands within the Agricultural Land Reserve.
- Low density residential is compatible with rural uses.
- Ensure that the residents of Electoral Area 'G' have self-sustaining water and sewer.
- Support the retention of golf courses as park or recreational uses in the Official Community Plan.
- Land Use should be treated the same in the whole of Electoral Area 'G'.
- Support and encourage strict enforcement of forest management regulations and provincial responsibilities such as best management practices.
- Combine or merge Official Community Plan land use designations for clarity where possible.
- In Rural Residential lands require proof of on-site water and septic prior to development.
- For agricultural lands support a minimum parcel size of 8.0 hectares.
- Support forestry and resource uses.
- Maintain farms in Electoral Area 'G'.
- Support the retention of lands within the Agricultural Land Reserve.
- Farm land should not be considered green space or open space. It should be called working land.
- Support forestry uses.
- Some concern over compost and factory farms due to odour.

- Concern about golf courses becoming new housing (retain golf courses in the Agricultural Land Reserve).
- Retain as much green space as possible.
- Maintain status-quo regarding density.
- Support higher density development in the Wembley Road area including affordable housing.
- Encourage the Subdivision Approving Officer to deny applications for subdivision if the impacts on the aquifer are deemed unacceptable.
- Rural residential density varies depending on the location.
- Encourage larger parcel size by discouraging subdivision.
- Existing farmers would like to acquire more 'reasonably priced' land.
- Introduce retroactive property taxes (for example 5 years) that applies to lands removed from the Agricultural Land Reserve.
- Support the Resource Management, Rural, Rural Residential, minimum parcel size policies from the Shaw Hill – Deep Bay Official Community Plan.
- Do not allow strata to circumvent zoning rules in any manner.

Schedule No. '1' (page 21 of 26)
Electoral Area 'G' Official Community Plan Review
Community Workshop No. 5 – Land Use in Rural Areas
Workshop Summary
November 4, 2006, 9:00am – 12:00pm

- Support Bed and Breakfast.
- Support farm sales of the products produced on the farm.
- Do not support more than two dwelling units per parcel.
- Enforce the rules with respect to replanting or regenerating logged areas.

General Outcomes:

In general, the workshop participants desire to protect the ground water resources and maintain and support agricultural and forestry operations in Electoral Area 'G'.

Question No. 4

Should all of the Rural Area be treated the same in terms of land use or is there a need to support different uses and densities in different parts of the Plan area? Please consider the following when answering this question:

- *current land uses*
- *uses and densities that are currently supported in the three existing OCPs*
- *The 8 goals of the Regional Growth Strategy*
- *Requirements of an official community plan*

The following summarizes the comments made with respect to Question No. 4:

- All of the rural areas in Electoral Area 'G' should not be treated the same because of geographical differences, proximity to watercourses, and availability of unused land.
- Support the retention of all lands within the Agricultural Land Reserve.
- Support no net loss of lands within the Agricultural Land Reserve.
- Support agri-tourism, agricultural museums, and festivals.
- The current regulations need to control light pollution from green houses.
- Encourage mixed farming on Agricultural Land Reserve lands and discourage monoculture farming.

With respect to the goals of the Regional Growth Strategy the following comments were received:

- **Goal 1: Strong Urban Containment**, maintain the urban containment boundary on the basis that we want strong support for leaving the existing urban containment boundary.
- **Goal 2: Nodal Structure**, there is some question about supporting nodal developments in Electoral Area 'G' as Parksville and Qualicum Beach are effectively Area 'G's nodal services. No support for French Creek Harbour node. Support the Wembley Mall node. Future developments must provide nodal service in particular Englishman River Estates residents.
- **Goal 3: Rural Integrity**, support land and sea based tourism and rural entertainment such as corn mazes.

Schedule No. '1' (page 22 of 26)
Electoral Area 'G' Official Community Plan Review
Community Workshop No. 5 – Land Use in Rural Areas
Workshop Summary
November 4, 2006, 9:00am – 12:00pm

- **Goal 4: Environmental Protection**, work with senior governments to influence and enforce regulations on environmental issues and on farm land.
- **Goal 5: Improved Mobility**, no comments received (see Workshop No. 6).
- **Goal 6: Vibrant and Sustainable Economy**, concentrate on sustainability.
- **Goal 7: Efficient Services**, no comments received
- **Goal 8: Cooperation Among Jurisdictions**, encourage strong collaboration between Qualicum Beach and Parksville. Discourage annexation. Encourage the development of a health centre.
- We support different uses and densities in the various areas. This does not mean supporting the subdivision of farmlands into smaller parcels.
- We are in favour of the eight goals of the Regional Growth Strategy but we must adhere to them.
- Some support for subdivision of farm lands subject to provincial regulations and restrictions

General Outcomes:

The workshop participants recognized both a need to standardize rural uses, parcel sizes, and densities where appropriate. However there was a desire to recognize that there are existing situations where there are existing small parcels and where higher densities are appropriate including differences in community standards and geography that warrant different rural standards and densities for different areas within Electoral Area 'G'.

There was strong support for the retention of lands within the Agricultural Land Reserve and maintaining a larger minimum parcel size and diversification of agriculture.

Schedule No. '1' (page 23 of 26)
Electoral Area 'G' Official Community Plan Review
Community Workshop No. 6 – Transportation and Mobility
Workshop Summary
November 4, 2006, 12:00pm – 4:00pm

Approximately 15 community members were in attendance. Two workgroups were set up.

Representing the Regional District of Nanaimo (RDN):

Joe Stanhope, Director for Electoral Area 'G'
Joanne Chase, Alternate Director for Electoral Area 'G'
Paul Thompson, Manager Long Range Planning
Greg Keller, Senior Planner Long Range

The comments and suggestions received during the workshop have been compiled and are shown on the attached map. Four questions were asked during the workshop. The comments and discussions as a result of each question are summarized below.

Question No. 1

What are the barriers to diversifying mobility options within the Plan area? (e.g. land use patterns, density, natural barriers)?

The following summarizes the comments made with respect to Question No. 1:

- The barriers in Electoral Area 'G' include geography such as rivers, inland highway, bridges, ocean, Rath Trevor Park, etc.
- Electoral Area 'G' is spread out.
- The risk of earthquakes interrupting traffic flow.
- Low density development does not support public transit.
- Lack of sidewalks, wide paved shoulders, and bicycle paths are also barriers to mobility in Electoral Area 'G'.
- The aging population and the associated mobility and access issues are of concern.
- Narrow roadways restrict access.

General Outcomes:

The workshop participants were of the opinion that the topography of Electoral Area 'G' was a major constraint. The four main water features (The Ocean, French Creek, Englishman River, and Little Qualicum River), the Inland Island Highway, and Highway 19A impact transportation and mobility options both within Electoral Area 'G' and within adjoining municipalities.

Schedule No. '1' (page 24 of 26)
Electoral Area 'G' Official Community Plan Review
Community Workshop No. 6 – Transportation and Mobility
Workshop Summary
November 4, 2006, 12:00pm – 4:00pm

Question No. 2

What can be done to increase the options for mobility within the Plan area? (nodal development, remove barriers, education)?

The following summarizes the comments made with respect to Question No. 2:

- Provide crosswalks at major intersections.
- Improve bridges for both vehicular and pedestrian access.
- Provide a commuter shuttle bus to Wembley Mall that serves the village centre.
- Install flashing amber lights.
- Provide for an off-street multi-use trail separated from the road by a green buffer.
- Encourage cooperation between the Town of Qualicum Beach, Parksville, and the Regional District of Nanaimo.
- Support public education regarding health and fuel conservation.
- Install turning lanes.
- Provide a trail along the railway right of way.
- Create a connecting pathway between the western side of Qualicum Beach and the Alberni Highway.
- Install signage wherever footpaths or bicycle paths cross roads.
- Encourage nodal development around Wembley Mall.
- Encourage non-automotive forms of transportation.
- Support a connection from Qualicum Beach Ring Road to Church Road or alternate Qualicum Beach to Parksville route.
- Plan for senior's mobility (accessible pathways).

General Outcomes:

The workshop participants identified a number of options for increasing mobility options within Electoral Area 'G'. The general discussion was focused around the development of various types of trails to encourage non-automotive forms of transportation. In addition, road improvements such as the installation of traffic lights at key locations of Electoral Area 'G' were important to the workshop participants.

Question No. 3

What can be done to reduce the impacts of automobile use within the Plan area? (e.g. road and parking standards)?

The following summarizes the comments made with respect to Question No. 3:

- Designate car pool/ride share parking areas.
- Provide education for carpooling.

Schedule No. '1' (page 25 of 26)
Electoral Area 'G' Official Community Plan Review
Community Workshop No. 6 – Transportation and Mobility
Workshop Summary
November 4, 2006, 12:00pm – 4:00pm

- Encourage the funding of alternative transportation systems such as pathways and bicycle paths, not more roads.
- Provide more facilities at parks and beach accesses such as benches, picnic tables, doggie bags, and garbage cans.
- Develop comprehensive maps showing the location of trails, parks, and beach accesses.
- Improve transit service.
- Encourage walking and cycling by developing more attractive trails with trees and shrubs.
- Develop a multi-use trail with connections to parks.

General Outcomes:

The workshop participants identified a number of ideas on how to reduce the impacts of automobiles in Electoral Area 'G'. In general, it was felt that the Regional District of Nanaimo should support the development of a more comprehensive and interconnected trail network that is safe, user friendly, and meets the needs of both the current population and the needs of the aging population. The idea of supporting and encouraging car sharing/car pooling and using public education to reduce automobile use was discussed.

Question No. 4

Do the road network plans in the existing OCPs need updating? Please identify on the map titled Transportation and Mobility Electoral Area 'G' site specific areas of concern. Are there road network related issues that should be recognized in the OCP that will require coordination with the Ministry of Transportation and the adjacent municipalities?

The following summarizes the comments made with respect to Question No. 4:

- The following areas are problematic: entrance to San Paniel, intersection at Church Road and the Alberni Highway, Lee Road, Columbia Beach, Johnstone Road, and Little Qualicum River Bridge.
- If the bridge crossing the Little Qualicum River is out, it isolates the citizens up island.
- The intersection of Johnstone and Drew Roads needs realignment and a traffic light.
- A route to connect with the Qualicum Beach Ring Road and Parksville.
- Need a traffic light and road improvements at Columbia Beach.
- Install a traffic light at Lee Road.
- Install a traffic light at the intersection of Wembley and Highway 19A with a no left turn from Wembley Road.
- Discontinue Lee Road and Robertson Boulevard as a major connector.
- Straighten Church Road to Stanhope Road and designate as a truck route.
- Install a traffic light at the intersection of Church Road and the Alberni Highway.
- Construct a new road connection from Plummer Road to Resort Way in Parksville.
- Provide bridal trails in the Dashwood area.
- Provide more walking trails to existing and proposed commercial areas.

Schedule No. '1' (page 26 of 26)
Electoral Area 'G' Official Community Plan Review
Community Workshop No. 6 – Transportation and Mobility
Workshop Summary
November 4, 2006, 12:00pm – 4:00pm

General Outcomes:

The general consensus of the workshop participants is that the road networks in Electoral Area 'G' and within adjoining areas providing access to Electoral Area 'G' need upgrades including the installation of traffic signals and turning lanes. A number of key locations that require upgrading were identified as well as the locations for proposed road linkages improving access in and out of certain areas of Electoral Area 'G'.