

REGIONAL DISTRICT OF NANAIMO

**BOARD MEETING
TUESDAY, MAY 26, 2009**

A D D E N D U M

PAGES

COMMUNICATIONS/CORRESPONDENCE

- 2 **Lois Trudeau Pennell**, re Development Permit with Variance Application No. 60915 – Knappett – 5485 Deep Bay Drive – Area ‘H’.

UNFINISHED BUSINESS

BYLAWS

For Adoption.

Bylaw No. 787.09 – Building Inspection Service Bylaw Amendment. (All Directors – One Vote)

That “Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.09, 2009” be adopted.

This bylaw extends the boundary of the Building Inspection Service to include all RDN owned properties.

Bylaw No. 787.10 – Building Inspection Service Bylaw Amendment. (All Directors – One Vote)

That “Regional District of Nanaimo Building Inspection Service Bylaw Amendment Bylaw No. 787.10, 2009” be adopted.

This bylaw extends the boundary of the Building Inspection Service to include a parcel located in Area ‘H’.

ADMINISTRATOR’S REPORTS

- 3-5 **Request for Temporary Change to Liquor Licence – Cassidy Inn – Area ‘A’.** (All Directors – One Vote)

LOIS H. TRUDEAU PENNELL
11203 Chemainus Rd., Ladysmith, B.C. V9G 1V8
250-245-4621

May 21, 2009

TO: REGIONAL DISTRICT OF NANAIMO, Development Services

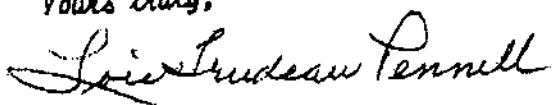
RE: NOTICE OF DEVELOPMENT PERMIT WITH VARIANCE APPLICATION NO. 60915
FOR 5485 DEEP BAY DRIVE, ELECTORAL AREA "H"

I am the Registered Owner of the property next door to the Applicant, my property being 5481 Deep Bay Drive. Due to previous commitments, I am unable to attend the meeting to be held on Tuesday, May 26, 2009 at 7:00 p.m. in the Board Chambers of the Regional District of Nanaimo for the property legally described as: LOT 38, DISTRICT LOT 1, NEWCASTLE DISTRICT PLAN 20442

I AM NOT IN FAVOUR OF THE APPEAL REQUESTING A VARIANCE IN THE ALLOWABLE HEIGHT OF THE PLANNED RESIDENCE. THIS VARIANCE CONTRAVENES THE HEIGHT ALLOWANCE BY 10%. THE REGIONAL DISTRICT OF NANAIMO LAND USE AND SUBDIVISION BYLA NO. 500, 1987 WAS PUT IN PLACE FOR GOOD REASON TO PROTECT THE VIEWS OF OTHER HOMEOWNERS IN THIS AREA. THIS SPECIFIC AREA OFFERS WONDERFUL SEA VIEWS IN MANY DIRECTIONS. MY OBJECTION IS FOR THE REASON THAT THE INCREASED HEIGHT IF ALLOWED FOR THIS RESIDENCE WILL IMPEDE THE VIEWS FROM MY RESIDENCE AND OF MY NEIGHBORS, AND WILL SET A NEGATIVE PRECEDENT FOR OUR LOCAL PROPERTY OWNERS.

YOUR ATTENTION SHOULD BE DRAWN TO "ATTACHMENT NO. 2" WHICH SHOWS THE LOCATION OF THE PROPOSED DWELLING UNIT ON THE PROPERTY. THE SIZE OF THE LAND AS SHOWN ON THIS DOCUMENT IS NOT AS IT STANDS TODAY FOR THE BOUNDARY OF THE LAND AREA SHOWN ON THE STRAIT OF GEORGIA. IT IS SHOWN TO BE PAST OUR SEAWALL ON LOT #37, WHEN IN FACT THE LAND HAS RECEDED TO A POINT FAR INSIDE THE OCEANFRONT BOUNDARY OF OUR SEAWALL. IT WOULD APPEAR THAT THE BUILDERS ARE PLANNING TO DO SOME "IN-FILL" TO INCREASE THE LAND SIZE AT THE OCEANFRONT, AND I SUGGEST THIS SHOULD BE INVESTIGATED.

Yours truly,



Lois H. Trudeau Pennell
Registered Owner, Lot #37, 5481 Deep Bay Drive, Bowser



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| BOARD | ✓ | May 26 '09 |

MEMORANDUM

TO: Paul Thorkelsson
General Manager of Development Services

DATE: May 27, 2009

FROM: Geoff Garbutt
Manager of Current Planning

FILE: 4320-50

SUBJECT: Request for a Temporary Change to a Liquor Licence
Cassidy Inn – 2954 Trans Canada Highway (Canyon Road)
Lot 1, Section 3, Range 8, Cranberry District, Plan 15453
Folio No. 768004469.000 – 92G.001.4.1 – Electoral Area A

PURPOSE

To consider a temporary change to the Liquor Licence for the Cassidy Inn to permit two, one day events with an extended patio area.

BACKGROUND

The Cassidy Inn has applied to the Provincial Liquor Control and Licencing Branch for a temporary change to their liquor licence. Temporary changes are only issued to applicants if they have received the approval of the Regional District.

The Cassidy Inn, located at 2954 Trans Canada Highway (Canyon Road) in Electoral Area 'A', currently has a Liquor-Primary Licence which authorizes the facility to house 194 patrons in three designated areas. Currently, 43 persons are permitted on two outside decks and 151 persons are permitted within the building area. (See Attachment No. 1 for location of the Subject Property) The Cassidy Inn is requesting a temporary change to their Liquor Licence to provide for an extension of their licenced area beyond the existing patio areas. This extension is requested for two, one day 'Show 'n Shine' events scheduled for Sunday, June 21 and Sunday September 13, 2009. This event will start at 11:00 am with contests being held for old cars, trucks and bikes.

DISCUSSION

The Cassidy Inn has held similar events in the past and no concerns have been raised. Considering that the temporary change will not increase the Inn's occupant load, staff believe that the proposal will not have any additional impact on the community or nearby residents. Staff are recommending support of the issuance of a 'Letter of No Objection' for this application. The Area Director has no concern with this application.

ALTERNATIVES

1. That the RDN has no objection to the Cassidy Inn's request for a temporary change to their Liquor Licence to provide for an extended patio area for two, one day 'Show 'n Shine' events scheduled for Sunday, June 21 and Sunday September 13, 2009.
2. That the RDN not support the Cassidy Inn's request for a temporary change to their Liquor Licence.

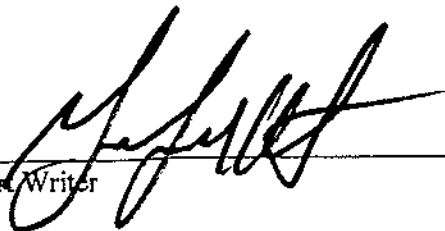
SUMMARY/CONCLUSION

The Regional District has received a request from the Cassidy Inn for a temporary change to their liquor licence to allow for two, one day 'Show 'n Shine' events scheduled for Sunday, June 21 and Sunday September 13, 2009. Temporary changes to liquor licenses are only approved by the Provincial Liquor Control and Licensing Branch if they receive local government approval. If the RDN does not approve the licence change the sale of liquor will be restricted to existing licenced areas. After reviewing the proposal it appears that there will be no additional impact on nearby residents, therefore staff recommend that a 'Letter of No Objection' be issued as outlined in Alternative No. 1.

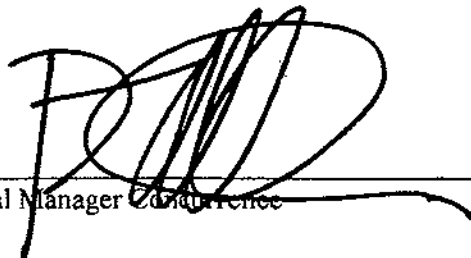
RECOMMENDATION

That the RDN has no objection to the Cassidy Inn's request for a temporary change to their Liquor Licence to provide for an extended patio area for two, one day 'Show 'n Shine' events scheduled for Sunday, June 21 and Sunday September 13, 2009.

Report Writer



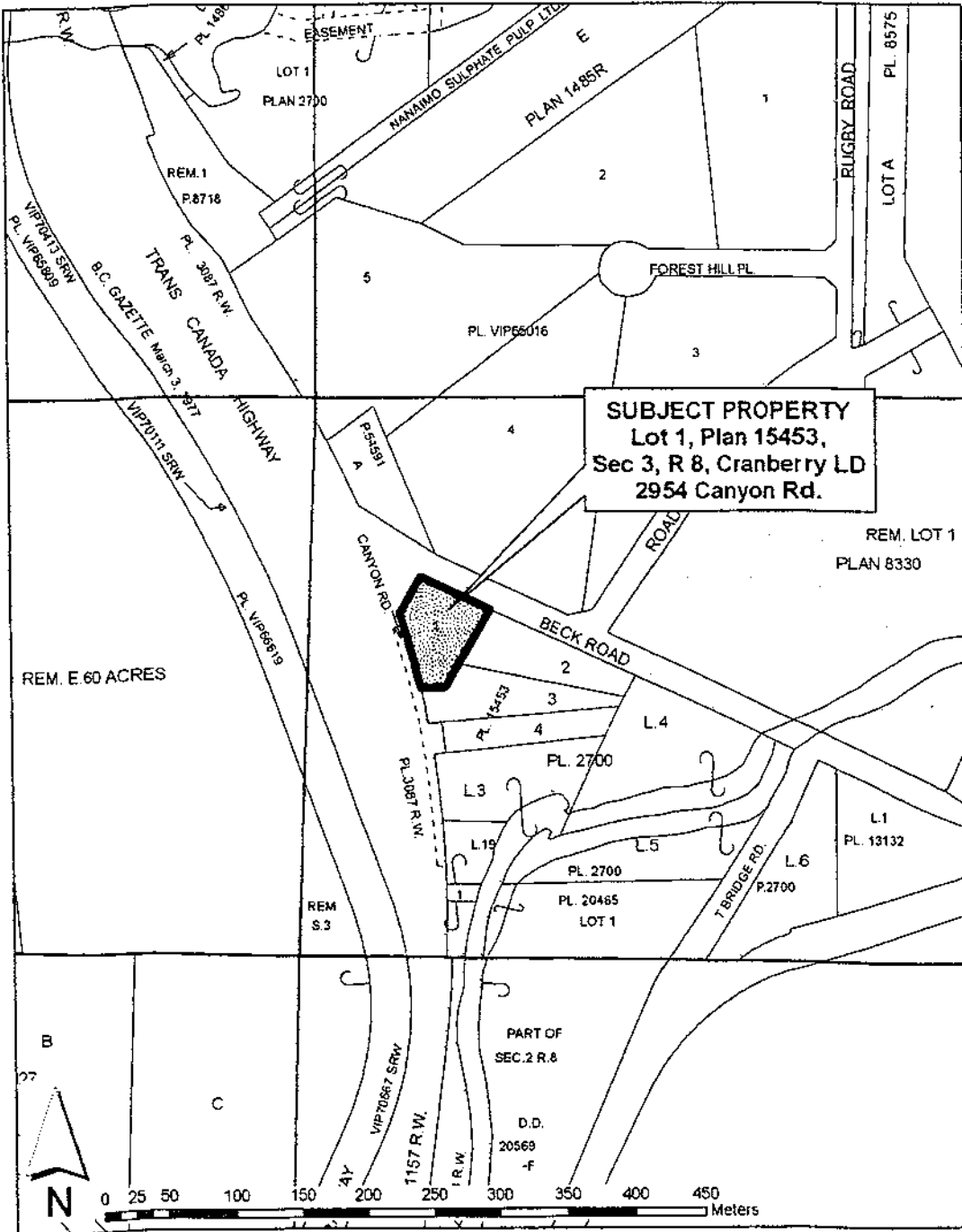
General Manager Concurrence



CAO Concurrence



Attachment No. 1
Subject Property



BCGS MAPSHEET: 92G.001.4.1