

REGIONAL DISTRICT OF NANAIMO
ELECTORAL AREA PLANNING COMMITTEE
TUESDAY, FEBRUARY 9, 2010
6:30 PM

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

MINUTES

- 3 - 6 Minutes of the regular Electoral Area Planning Committee meeting held January 12, 2010.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

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PLANNING

DEVELOPMENT PERMIT APPLICATIONS

- 7 - 11 Development Permit Application No. 2010-07 - Beaulac - 121 Kinkade Road - Area 'G'.
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34 - 39 Development Variance Permit Application No. 2009-853 - Macrae - 3466
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OTHER

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BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

ADJOURNMENT

IN CAMERA

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE
MEETING HELD ON TUESDAY, JANUARY 12, 2010, AT 6:30 PM
IN THE RDN BOARD CHAMBERS

Present:

Director D. Bartram	Chairperson
Director J. Burnett	Electoral Area A
Director M. Young	Electoral Area C
Alternate	
Director F. Van Eynde	Electoral Area E
Director L. Biggemann	Electoral Area F
Director J. Stanhope	Electoral Area G

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Senior Manager, Corporate Administration
P. Thorkelsson	General Manager, Development Services
D. Lindsay	Manager, Current Planning
T. Osborne	General Manager, Recreation Services
N. Tonn	Recording Secretary

CALL TO ORDER

The Chairperson welcomed Alternate Director Van Eynde to the meeting.

MINUTES

MOVED Director Van Eynde, SECONDED Director Stanhope, that the minutes of the Electoral Area Planning Committee meeting held November 10, 2009 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Mel & Carolynne Spotswood, re Development Variance Permit Application No. PL2009-850 – Structure Design & Management – Huntington Place – Area ‘E’.

MOVED Director Burnett, SECONDED Director Young, that the correspondence from Mel & Carolynne Spotswood regarding Development Variance Permit Application No. PL2009-850 be received.

CARRIED

PLANNING

AMENDMENT APPLICATIONS

Bylaw No. 500.354 for Zoning Amendment Application No. PL2009-493 – Pacific Coast Waste Management – 4299 Biggs Road – Area ‘C’.

MOVED Director Young, SECONDED Director Burnett, that the minutes of the Public Information Meeting held on December 7, 2009 be received.

CARRIED

MOVED Director Young, SECONDED Director Burnett, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.354, 2010” be given 1st and 2nd reading.
CARRIED

MOVED Director Young, SECONDED Director Burnett, that the Public Hearing on “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.354, 2010” be delegated to Director Young or her alternate.
CARRIED

Bylaws No. 1148.05 & 500.353 for OCP & Zoning Amendment Application No. PL2009-502 – Williamson & Associates – Virostko Road & Midora Road – Area ‘C’.

MOVED Director Young, SECONDED Director Burnett, that the minutes of the Public Information Meeting held on November 19, 2009 be received.
CARRIED

MOVED Director Young, SECONDED Director Burnett, that “Regional District of Nanaimo Arrowsmith Benson – Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.05, 2010” be given 1st and 2nd reading.
CARRIED

MOVED Director Young, SECONDED Director Burnett, that Application No. PL2009-502 to rezone the subject property from Rural 1 Subdivision ‘D’ (RU1D) to Residential 2 Subdivision District ‘M’ (RS2M) be approved subject to the conditions included in Schedule No. 1.
CARRIED

MOVED Director Young, SECONDED Director Burnett, that “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.353, 2010” be given 1st and 2nd reading.
CARRIED

MOVED Director Young, SECONDED Director Burnett, that the Public Hearing on “Regional District of Nanaimo Arrowsmith Benson – Cranberry Bright Official Community Plan Amendment Bylaw No. 1148.05, 2010” and “Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.353, 2010” be delegated to Director Young or her alternate.
CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. PL2009-012 – Thomas Hoyt, BCLS – 1949 Akenhead Road – Area ‘A’.

MOVED Director Burnett, SECONDED Director Young, that Development Permit Application No. PL2009-012, in conjunction with a section 946 subdivision application, be approved subject to the conditions outlined in Schedules No. 1 and 2.
CARRIED

MOVED Director Burnett, SECONDED Director Young, that staff be directed to review the section 946 provisions as per “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” and “Regional District of Nanaimo Zoning and Subdivision Bylaw No. 1285, 2002” and report back to the Electoral Area Planning Committee.
CARRIED

Development Permit Application No. PL2009-848 – Wessex Enterprises Ltd. – Extension Road – Area ‘C’.

MOVED Director Young, SECONDED Director Burnett, that Development Permit Application No. PL2009-848, in conjunction with a six lot subdivision application, be approved subject to the conditions outlined in Schedules No. 1 and 2.

CARRIED

Development Permit Application No. PL2009-852 – Peter Mason, BCLS – 1055 Spider Lake Road – Area ‘H’.

MOVED Director Stanhope, SECONDED Director Biggemann, that Development Permit Application No. PL2009-852, in conjunction with a two lot subdivision, be approved subject to the conditions outlined in Schedules No. 1 and 2.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

Development Variance Permit Application No. PL2009-805 – Fern Road Consulting Ltd. – 6360 Island Highway West – Area ‘H’.

MOVED Director Stanhope, SECONDED Director Van Eynde, that staff be directed to complete the required notification.

CARRIED

MOVED Director Stanhope, SECONDED Director Van Eynde, that Development Variance Permit Application No. PL2009-805 to legalize the location of two existing accessory buildings, be approved.

CARRIED

Development Variance Permit Application No. PL2009-807 – Fern Road Consulting Ltd. –1969 Seahaven Road – Electoral Area ‘E’.

MOVED Director Van Eynde, SECONDED Director Stanhope, that staff be directed to complete the required notification.

CARRIED

MOVED Director Van Eynde, SECONDED Director Stanhope, that Development Variance Permit Application No. PL2009-807 to permit the construction of a dwelling unit with height and setback variances be approved subject to the conditions outlined in Schedules No. 1 to 4.

CARRIED

Development Variance Permit Application No. PL2009-845 – Clark & Wick – 3415 Beldon Place – Area ‘E’.

MOVED Director Van Eynde, SECONDED Director Stanhope, that staff be directed to complete the required notification.

CARRIED

MOVED Director Van Eynde, SECONDED Director Stanhope, that Development Variance Permit Application No. PL2009-845 to vary the maximum height in order to permit the construction of a single dwelling unit be approved.

CARRIED

Development Variance Permit Application No. PL2009-850 – Structure Design & Management – Huntington Place – Area ‘E’.

MOVED Director Van Eynde, SECONDED Director Stanhope, that staff be directed to complete the required notification.

CARRIED

MOVED Director Van Eynde, SECONDED Director Stanhope, that Development Variance Permit Application No. PL2009-850 be approved subject to the conditions outlined in Schedules No. 1 to 3.

CARRIED

OTHER

Request for Frontage Relaxation on Subdivision Application No. PL2009-832 – Thomas Hoyt, BCLS for Hemer – 2570 Tiesu Road – Area ‘A’.

MOVED Director Burnett, SECONDED Director Young, that the request to relax the minimum 10% perimeter frontage requirement for proposed Lot 2 be approved.

CARRIED

Consideration of Park Land Dedication and/or Cash-in-Lieu of Park Land on Subdivision Application No. PL2009-793 – Fern Road Consulting Ltd. – 6360 Island Highway West – Area ‘H’.

MOVED Director Stanhope, SECONDED Director Biggemann, that cash-in-lieu (\$20,000 based on current assessment) of parkland and an additional \$5,000 community contribution toward park improvements be accepted.

CARRIED

ADJOURNMENT

MOVED Director Stanhope, SECONDED Director Van Eynde, that this meeting terminate.

CARRIED

TIME: 6:47 PM

CHAIRPERSON



RDN REPORT	
CAC APPROVAL <i>(initials)</i>	
EAP	✓ Feb 9 '10
COW	
FEB - 9 2010	
RHD	
BOARD	

MEMORANDUM

TO: Dale Lindsay
Manager of Current Planning

DATE: January 25, 2010

FROM: Angela Buick
Planning Technician

FILE: PL2010-07

SUBJECT: **Development Permit Application No. PL2010-07 – Beaulac
Lot A, District Lot 10, Newcastle District, Plan VIP85706 – 121 Kinkade Road
Electoral Area 'G'**

PURPOSE

To consider an application for Development Permit No. PL2010-07 to allow the construction of an accessory building on the subject property.

BACKGROUND

The Regional District of Nanaimo has received an application from Joe Beaulac on behalf of a Timothy Delesalle to permit the construction of an accessory building. The subject property, (*Attachment No. 1*) contains a dwelling unit and attached garage, approved under Development Permits 60913 and 60830. The site is bordered by the sea to the northeast, residential parcels to the southeast and Kinkade Road to the west.

The subject property is subject to the Hazard Lands Development Permit Area pursuant to "Electoral Area 'G' Official Community Plan Bylaw No. 1335, 2003"

The property is approximately 2600m² in size and is currently zoned Residential 2 (RS2) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The applicant is requesting approval to construct an approximately 44 m² accessory building. As the property is located adjacent to the sea and within the Little Qualicum River Floodplain a minimum floor elevation of 3.8 metres Geodetic Survey of Canada (GSC) is required. The proposed accessory building will meet the flood construction levels and the maximum height as outlined in Bylaw 500, 1987. No fill was required to meet flood construction levels in the proposed location.

ALTERNATIVES

1. To approve Development Permit application No. PL2010-07 subject to the conditions outlined in *Schedules No. 1 - 3*.
2. To deny the Development Permit No. PL2010-07 application as submitted and provide further direction to staff.

DEVELOPMENT IMPLICATIONS

The applicant is requesting approval to allow for the construction of an accessory building at 121 Kinkade Road. Building Elevations for the proposed development are included on *Schedule No. 3*.

In keeping with the Hazard Lands DPA the applicant has submitted a Geotechnical Hazards Assessment prepared by Ground Control Geotechnical Engineering Ltd. dated January 10, 2010, for the proposed accessory building. This report states that the site is considered safe and suitable for the intended use. The Geotechnical Evaluation has been included within the conditions of approval on *Schedule No. 1*.

Sustainability Implications


In keeping with Regional District of Nanaimo Board policy, the applicant has completed the "Sustainable Community Builder Checklist". No sustainability implications were identified as a result of the proposed accessory building.

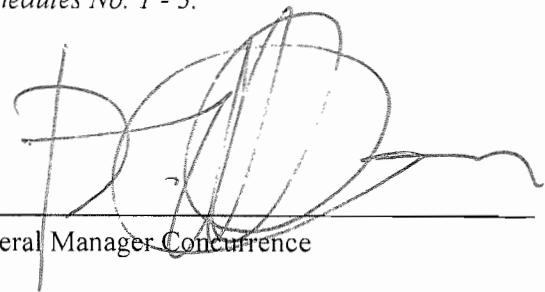
SUMMARY/CONCLUSIONS

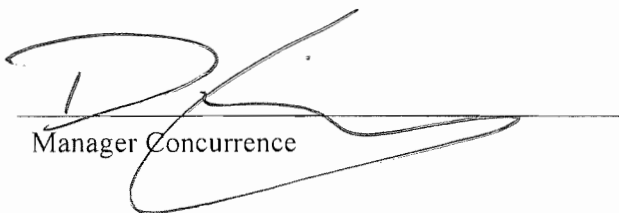
This is an application for a Development Permit to allow the construction of an accessory building on the subject property located within the Hazard Lands Development Permit Area. The applicant has submitted a Geotechnical Evaluation of the floodplain hazard consistent with the guidelines of the Hazard Lands DPA.

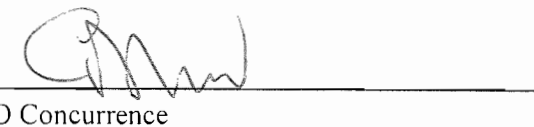
RECOMMENDATION

That Development Permit Application No. PL2010-07, to permit the construction of an accessory building, be approved subject to the conditions outlined in *Schedules No. 1 - 3*.


Report Writer


General Manager Concurrence


Manager Concurrence


CAO Concurrence

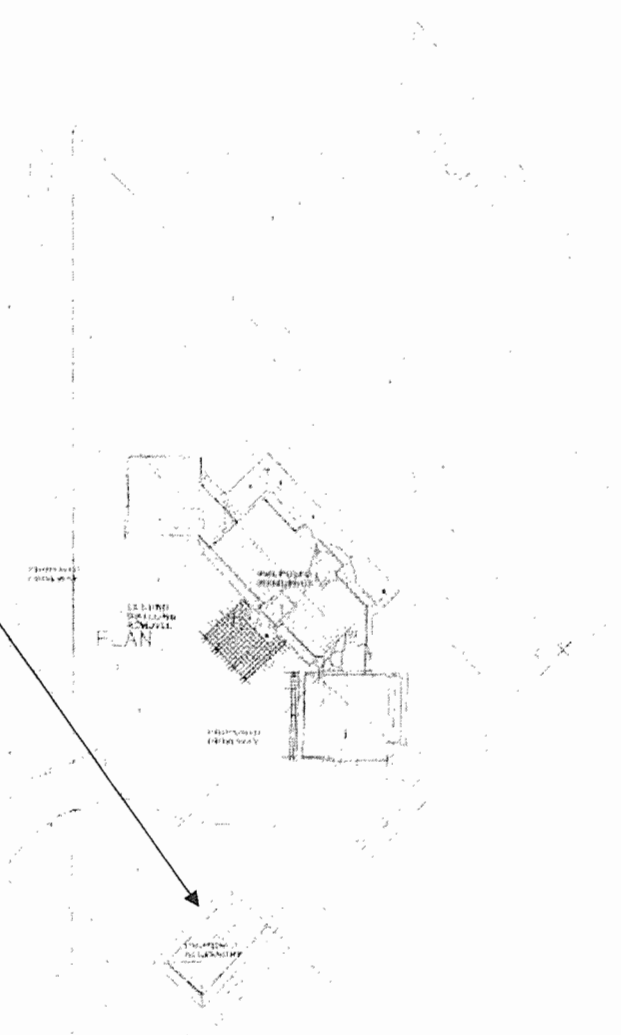
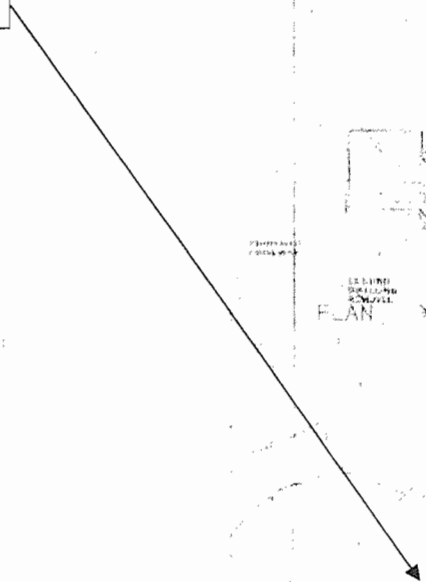
Schedule No. 1
Terms of Development Permit No. PL2010-07

Conditions of Approval

1. The accessory building shall be sited in accordance with the site plan prepared by Jorgensen Osmond Ltd. dated January 21, 2010, based on the survey prepared by Peter T. Mason BCLS attached as *Schedule No. 2*.
2. The accessory building shall be developed in accordance with the Building Elevations prepared by Jorgensen Osmond Ltd. attached as *Schedule No. 3*.
3. The accessory building shall be constructed in accordance with the Geotechnical Hazards Assessment prepared by Ground Control Geotechnical Engineering Ltd. dated January 8, 2010.

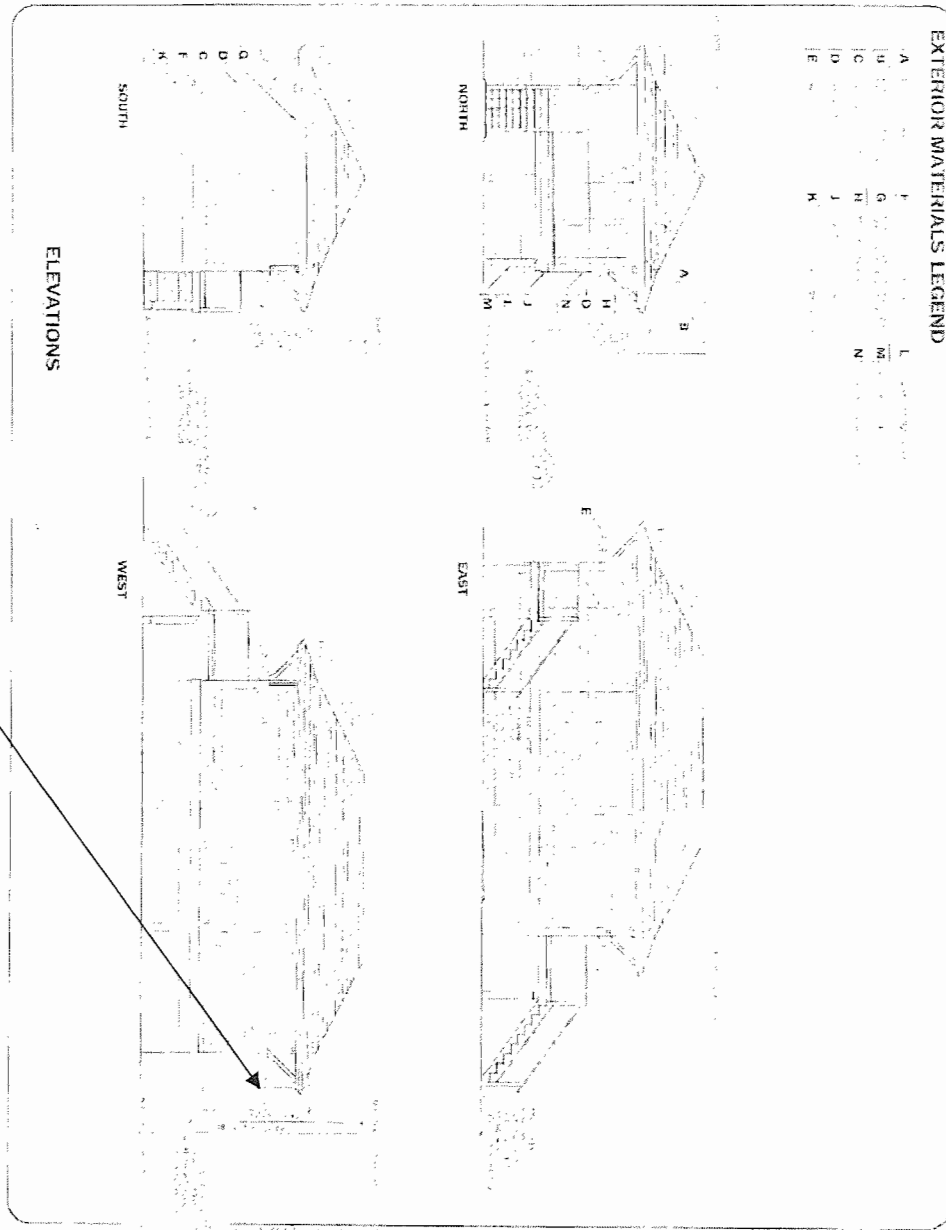
Schedule No. 2 Site Plan

Location of
proposed
accessory building



JORGENSEN
Design Management, Inc.

**Schedule No. 3
 Building Elevations**



Height of
 accessory building
 4.47 metres from
 u/s of main floor
 to ridge

Delesalle Accessory Building
 2009/07/24
 A2/3

**Delesalle
 Accessory Building**



CAD APPROVAL	
EAP	✓ Feb 9 '10
COW	
RMD	
BOARD	

MEMORANDUM

TO: Dale Lindsay
Manager, Current Planning

DATE: January 29, 2010

FROM: Susan Cormie
Senior Planner

FILE: PL2010-021

SUBJECT: Development Permit Application No. PL 2010-021 – Michael Procter
Strata Lot 2 District Lot 22 Newcastle District Strata Plan VIS6019 Together with an
Interest in the Common Property in Proportion to the Unit Entitlement of the Strata
Lot as Shown on Form V - 6435 Island Highway West
Electoral Area 'H'

PURPOSE

To consider an application for a Development Permit in order to allow the construction of an accessory building.

BACKGROUND

The Regional District has received a development permit application from Michael Procter to permit the construction of an accessory building on the subject property.

The subject property, which is 1690 m², is zoned Residential 2 (RS2) as per the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" (see Attachment No. 1 for location of subject property). Section 219 covenants registered on title include a geotechnical report which was a requirement at the time of subdivision and a document restricting the location of septic fields. An archaeology review was completed as part of the previous subdivision application.

The parent parcel currently supports one single dwelling unit and accessory buildings and is surrounded by residential zoned parcels to the north and south, the Strait of Georgia to the west, and the Island Highway to the east. The strata lot is split by an unconstructed road right-of-way.

The parent parcel is not within a RDN Building Services area.

As per "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003", the subject property is designated within the Hazard Lands Development Permit Area, in this case for the protection of development from flooding.

Proposed Development

The applicant is proposing to remove the three existing accessory buildings and replace them with an accessory garage building. The applicant has provided a geotechnical assessment as part of the application along with a site plan and a building profile.

ALTERNATIVES

1. To approve Permit Application No. PL 2010-021, as submitted, subject to the conditions outlined in Schedule No. 1.
2. To deny the Development Permit as submitted and provide staff with further direction.

DEVELOPMENT IMPLICATIONS

Hazard Lands Development Permit Area Implications

The submitted geotechnical evaluation concludes that the site is safe and suitable for the intended use. The geotechnical evaluation has been included within the Conditions of Approval (*see Schedule No. 1 – Conditions of Approval*).

SUSTAINABILITY IMPLICATIONS


In keeping with Regional District of Nanaimo Board policy, the applicant has completed the “Sustainable Community Builder Checklist”. No sustainability implications have been identified as a result of the construction of the proposed accessory building.

SUMMARY

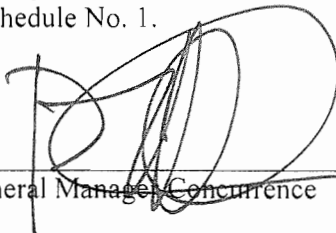
Prior to the construction of an accessory building on the subject property, a Development Permit is required. The subject property is within the Hazard Lands Development Permit Area pursuant to the Electoral Area ‘H’ OCP. The applicant has provided a geotechnical evaluation report which concludes that the construction of the accessory garage building will be geotechnically safe. As the application is consistent with the applicable development permit guidelines, staff recommends approval of the development permit.

RECOMMENDATION

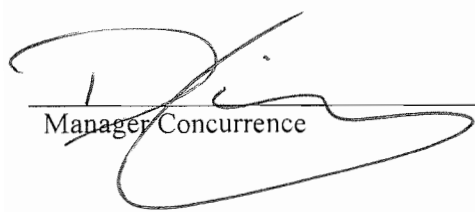
That Development Permit Application No. PL2010-021, to permit the construction of an accessory building, be approved subject to the conditions outlined in Schedule No. 1.



Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

Schedule No. 1
Development Permit Application No. PL 2010-021
Conditions of Approval

The following sets out the conditions of approval with respect to Development Permit No. PL2010-021:

1. Garage Building

- a) The location of the accessory garage building shall be in substantial compliance with Schedule No. 2 (to be attached to and forming part of this development permit).
- b) The building profile of the accessory garage building shall be in substantial compliance with Schedule No. 3 (to be attached to and forming part of this development permit). The building shall not exceed a maximum of 6.0 metres as measured from the natural grade.

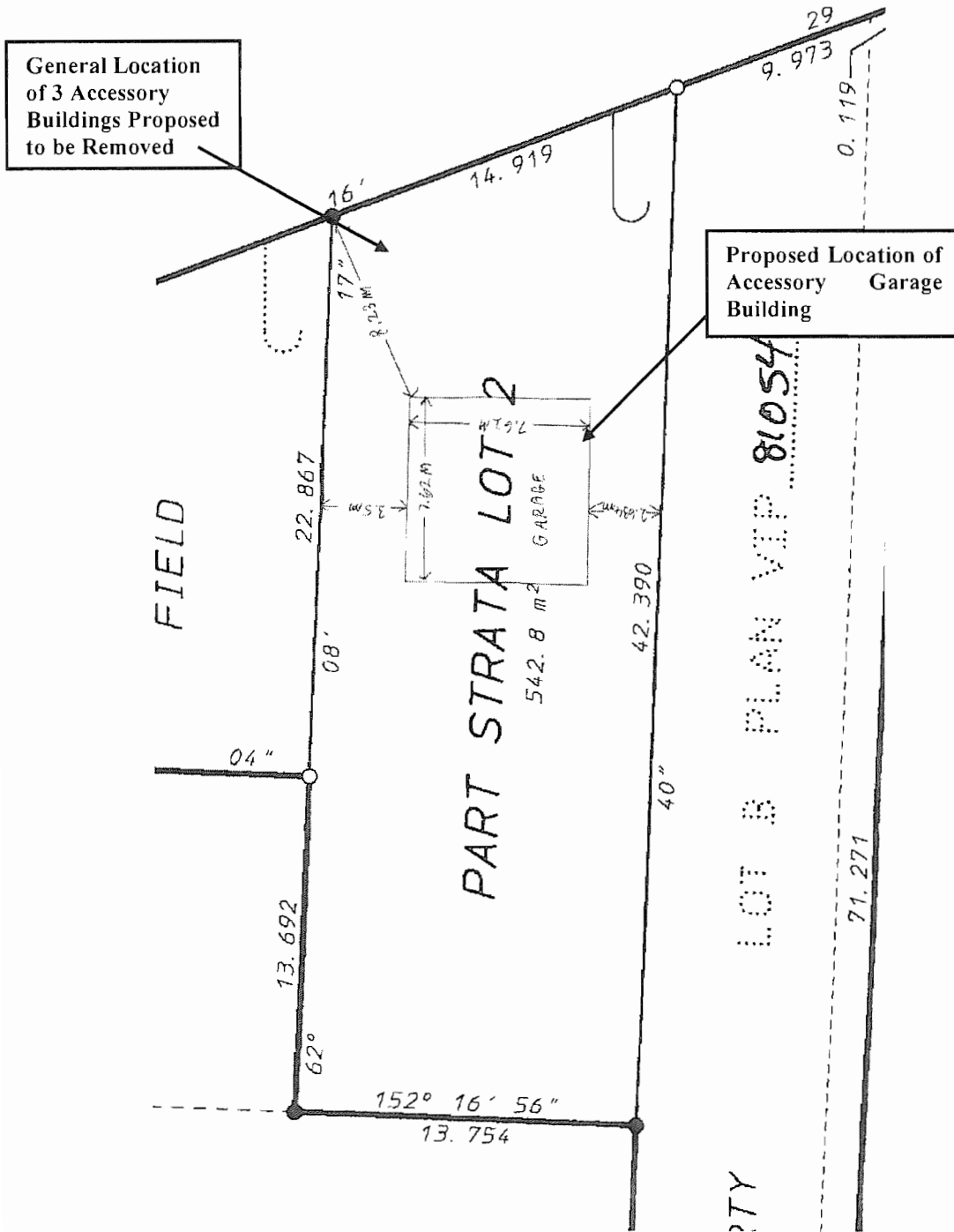
2. Removal of Accessory Buildings

The three accessory buildings located on the west portion of the subject property shall be removed.

3. Geotechnical Assessment

The recommendations set out in the report entitled Proposed Ancillary Building Strata Lot 2 District Lot 22, Newcastle District, Plan VIP81054 (6435 West Island Highway, Bowser, BC) Site Suitability for proposed Building prepared by Lewkowich Geotechnical Engineering Ltd. and dated July 9, 2008 (to be attached to and forming part of this development permit as Schedule No. 4) shall be followed.

Schedule No. 2
Development Permit No. PL 2010-021
Site Plan of Portion of Parcel Showing Proposed Location of Accessory Garage Building



**Schedule No. 3
Development Permit No. PL 2010-021
Building Profile of Accessory Garage Building**

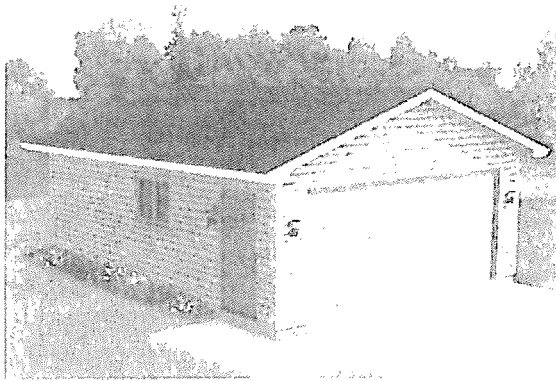
Home Hardware » Backyard Projects: Standard Garage 24 X 24

Page 1 of 1

Your Local Store is:



Backyard Projects

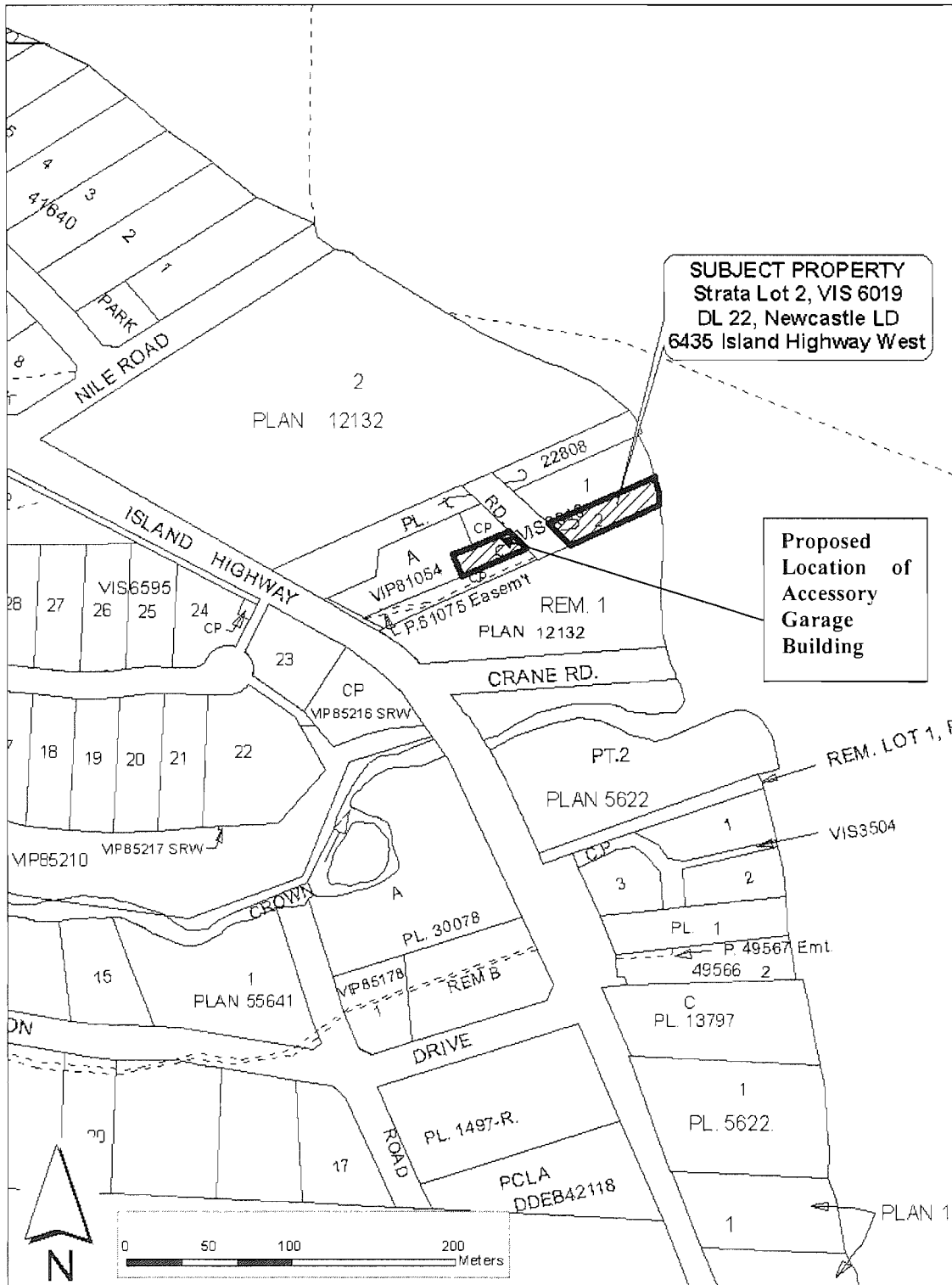


Standard Garage - 24 X 24

- 2850353 - SIDING, VNL OPT GAR D4 24X24
- 2851255 - GARAGE, BASIC STD 24X24
- 2850553 - SIDING, VNL OPT GAR D5 24X24
- 2849853 - INSULATION, OPT GAR 24X24
- 2849653 - DRYWALL, OPT GAR 24X24
- 2850155 - SOFFIT/FACIA, AL OPT GAR 24X24
- 2850027 - GUTTER, AL OPT GAR 24'
- 2850915 - GARAGE 24X24 STD CMPLTW/ALL EXT.OPTS

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[Wish List](#)

Attachment No. 1 Location of Subject Property



RDN RECORD	
CAO APPROVAL <i>CAW</i>	
EAP	✓ Feb 9 10
COW	
RHD	
BOARD	

MEMORANDUM

TO: Dale Lindsay
Manager of Current Planning

DATE: January 28, 2010

FROM: Kristy Marks
Planner

FILE: PL2010-008

SUBJECT: **Development Permit with Variances Application No. PL2010-008
Fern Road Consulting Ltd.
Lot A, District Lot 21, Newcastle District and Part of the Bed of
the Strait of Georgia, Nanaimo District Plan 40990
6225 Island Highway West - Electoral Area 'H'**

PURPOSE

To consider an application for a Development Permit with Variances to allow the construction of a dwelling unit and detached garage and to legalize the siting of an existing bridge within watercourse setbacks on the subject property.

BACKGROUND

The Regional District of Nanaimo has received an application from Fern Road Consulting Ltd. on behalf of Phillip Toews to permit the construction of a dwelling unit and detached garage and legalize the siting of an existing bridge. The subject property is approximately 2400 m² and is zoned Residential 2 (RS2) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The property is bound by residential parcels to the north and south, the Island Highway and a tributary of Nash Creek to the west and the Strait of Georgia to the east. The property currently contains a cabin and shed which are proposed to be demolished as part of this application.

The subject property is located within the following applicable Development Permit Areas pursuant to "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003":

- Environmentally Sensitive Features for Coastal and Watercourse Protection
- Fish Habitat Protection

The applicant is requesting approval to remove an existing cabin and shed and construct a dwelling unit and detached garage. In addition, they are requesting to legalize the siting of a bridge that was recently constructed in order to provide vehicle access to the property. The existing bridge has been previously approved by the Ministry of Environment.

Proposed Variance

The applicant is requesting variances to the watercourse setback from 9.0 metres to 5.8 metres for both the dwelling unit and the detached garage and from 9.0 metres to 0.0 metres for the existing bridge.

ALTERNATIVES

1. To approve the Development Permit with Variances No PL2010-008 subject to the conditions outlined in *Schedules No. 1 - 3*.
2. To deny the Development Permit with Variances No. PL2010-008.

DEVELOPMENT IMPLICATIONS

The applicant is proposing to construct a dwelling unit and detached garage and to legalize the siting of an existing bridge on the subject property. Variances to the watercourse setback are required for all proposed structures. The location of the proposed dwelling unit, detached garage and bridge abutments are shown on *Schedule No. 2*. Building elevations for the proposed dwelling unit and detached garage are shown on *Schedule No. 3*.

The applicant has provided a Riparian Areas Assessment prepared by Toth and Associates dated January 30, 2010. This report establishes an ideal Streamside Protection and Enhancement Area (SPEA) of 24 metres however as this would result in no building envelope the Qualified Environmental Professional has requested a relaxation of the SPEA and has received a letter of advice from the Department of Fisheries and Oceans (DFO). The letter of advice states that DFO will not object to the proposal if the RDN approves the requested variances. As shown on the attached site survey, the proposed dwelling unit, detached garage, and septic disposal areas are proposed to be located outside the proposed 5.8 metre SPEA and greater than 15 metres from the natural boundary of the sea.

The RAR report includes a number of recommendations in order to protect the SPEA including sediment and erosion control, vegetation preservation, environmental monitoring and replanting of the watercourse setback. In addition, the Ministry of Environment requires that a post development report be completed in order to ensure that the recommendations of the RAR have been met. These requirements are included in the Conditions of Approval set out in *Schedule No. 1*.

The property owner plans to maintain existing vegetation adjacent to the sea and is not proposing any alteration of the land within 15 metres of the natural boundary of the sea. The applicant has provided a list of native plant species that could be planted in this area if any vegetation is disturbed during construction. Completion of this work will be confirmed by the Qualified Environmental Professional as part of the post development report.

Although the subject property is not located within a Hazard Lands Development Permit Area the applicant has submitted a Geotechnical Hazards Assessment prepared by Ground Control Geotechnical Engineering Ltd. dated November 25, 2009. This assessment states that the property is considered safe for the intended use.

The applicant has provided the following justification for the requested setback variances:

- Given that the buildable site area of the subject property is located between a stream and the ocean it would not be possible to site a dwelling unit without a variance to the watercourse setback;
- The applicant is proposing to construct the dwelling unit closer to the stream in order to provide adequate space for a septic system that will meet the Vancouver Island Health Authority's (VIHA) minimum required setback from the sea of 15.0 metres;
- The proposed dwelling unit and detached garage are located further from the watercourse than the existing cabin and shed;

- There are no anticipated view or aesthetic impacts related to the requested variances as the proposed dwelling unit is in generally the same location as the existing dwelling;
- The existing bridge has received approval from MOE and given the width of the watercourse and required bridge span there is no way to locate the bridge on the property and outside the watercourse setback;
- The applicant has provided a Geotechnical Hazards Assessment stating that property is considered safe for the proposed use.

Sustainability Implications

In keeping with Regional District of Nanaimo Board policy, the applicant has completed the “Sustainable Community Builder Checklist”. This proposal represents the redevelopment of an existing residential parcel.

Public Consultation Process

As part of the required public notification process, pursuant to the Local Government Act, property owners and tenants located within a 50 metre radius, will receive a direct notice of the proposal, and will have an opportunity to comment on the proposed variance, prior to the Board’s consideration of the application.

SUMMARY/CONCLUSIONS

This is an application for a Development Permit with Variances to allow the construction of a dwelling unit and detached garage and to recognize the siting of an existing bridge with variances to the watercourse setback on the subject property.

The applicant has submitted a site plan, building elevations, Riparian Areas Assessment Report, and Geotechnical Hazards Assessment in support of the application. In staff’s assessment, this proposal is consistent with the guidelines of the “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2003” Environmentally Sensitive Features and Fish Habitat Protection Development Permit Areas.

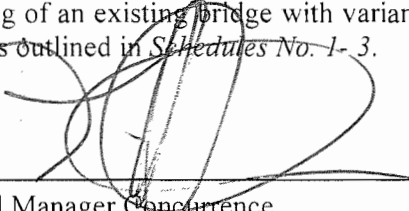
RECOMMENDATION

That:


1. Staff be directed to complete the required notification, and
2. The Development Permit with Variances application No. PL2010-008 to permit the construction of a dwelling unit and detached garage and to recognize the siting of an existing bridge with variances to the watercourse setback be approved subject to the conditions outlined in *Schedules No. 1-3*.




Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

Schedule No. 1
Terms of Development Variance Permit No. PL2010-008

Bylaw No. 500, 1987 – Variance

With respect to the lands, “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987,” is varied as follows:

1. **Section 3.3.8 Setbacks – Watercourse, excluding the Sea** is hereby varied by reducing the minimum setback from the top of the slope from 9.0 meters to 5.8 metres horizontal distance for a dwelling unit on as shown on *Schedule No 2*.
2. **Section 3.3.8 Setbacks – Watercourse, excluding the Sea** is hereby varied by reducing the minimum setback from the top of the slope from 9.0 meters to 5.8 metres horizontal distance for a detached garage as shown on *Schedule No 2*.
3. **Section 3.3.8 Setbacks – Watercourse, excluding the Sea** is hereby varied by reducing the minimum setback from the top of the slope from 9.0 meters to 0.0 metres horizontal distance for the bridge as shown on *Schedule No 2*.

Conditions of Approval:

1. The dwelling unit and detached garage shall be sited in accordance with the site plan prepared by Sims Associates dated January 30, 2010, attached as *Schedule No. 2*.
2. The bridge and abutments shall be sited in accordance with the site plan prepared by Sims Associates dated January 30, 2010, attached as *Schedule No. 2*.
3. The dwelling unit and detached garage shall be constructed in accordance with the elevation drawings prepared by Coastal Drafting dated August 6, 2009, attached as *Schedule No. 3*.
4. The subject property shall be developed in accordance with the recommendations established in the Riparian Areas Regulation Assessment Report prepared by Toth and Associates dated January 30, 2010.
5. Measures to Protect and Maintain the SPEA

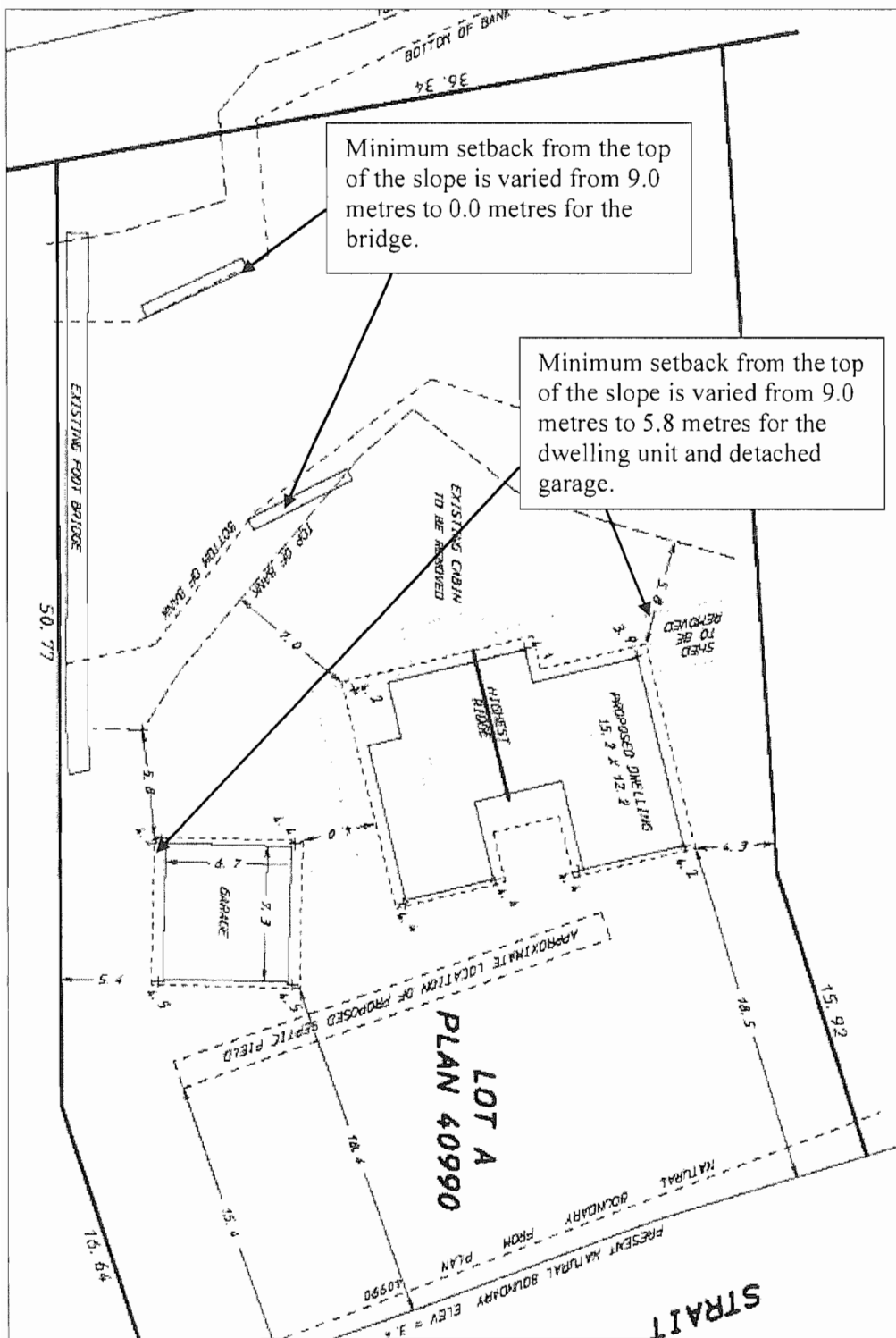
The applicant shall complete the recommendations set out in Section 4 – Measures to Protect and Maintain the SPEA of the Riparian Area Assessment prepared by Toth & Associates to the satisfaction of a Qualified Environmental Professional with written confirmation of completion of these works submitted to the Regional District of Nanaimo.

6. Environmental Monitoring

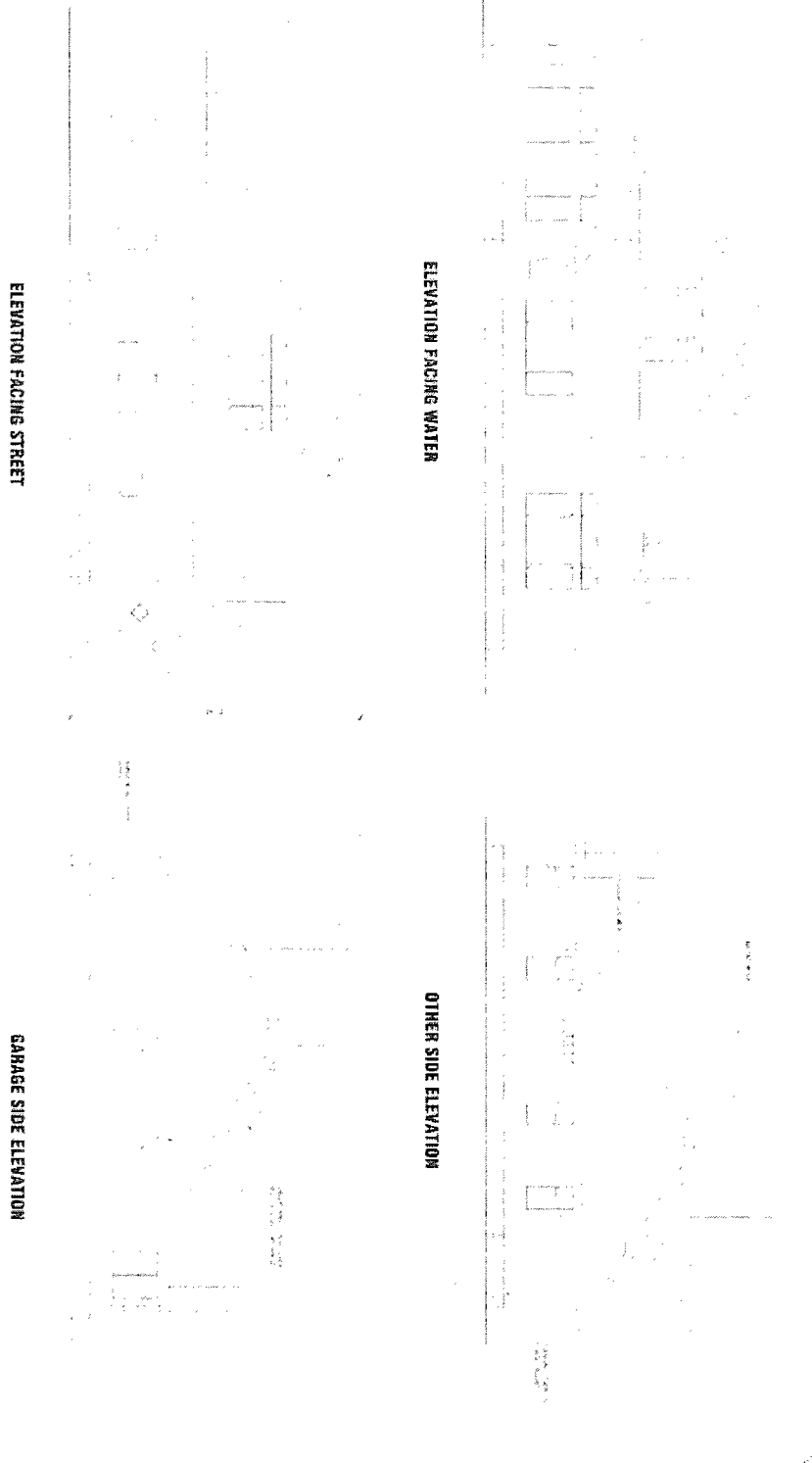
The applicant shall complete the recommendations concerning environmental monitoring with respect to post development reporting as set out in Section 5 – Environmental Monitoring of the Riparian Area Assessment prepared by Toth & Associates to the satisfaction of a Qualified Environmental Professional with written confirmation of completion submitted to the Regional District of Nanaimo.

7. The applicant shall provide confirmation of building height and setbacks by a British Columbia Land Surveyor at the framing stage of construction.

Schedule No. 2
Site Plan - Detail
(Page 2 of 2)

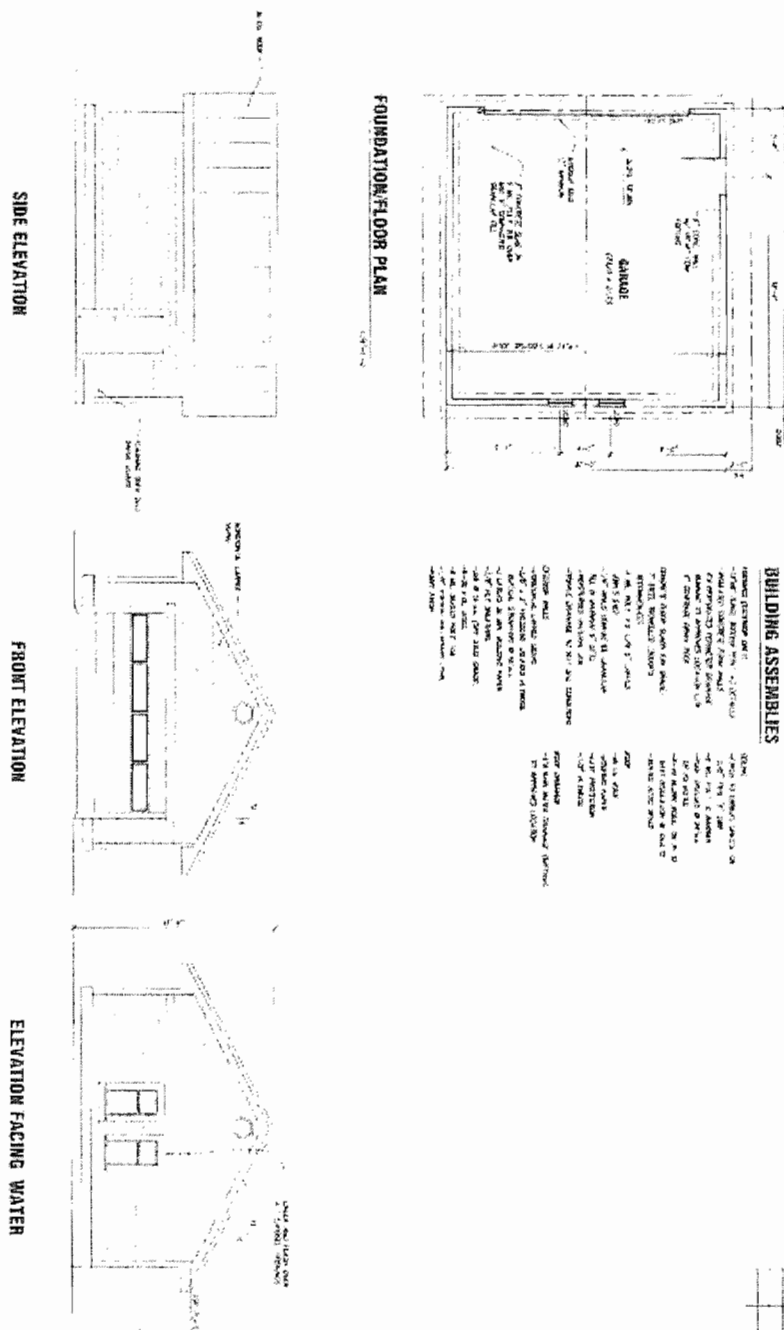


Schedule No. 3
Building Elevations – Dwelling Unit
 (Page 1 of 2)



	CONSULTING ENGINEER ROBERT J. BOWERS 1334	PROJECT NO. 101875 101875 RESIDENCE BOWEN, NC	AS NOTED CODE DATE 8/08 1334
	- ELEVATIONS -		

Schedule No. 3
 Building Elevations - Garage
 (Page 2 of 2)



BUILDING ASSEMBLIES

ROOFING: 1/2" OSB SHEATHING OVER 2" X 6" RAFTERS @ 16" O.C. WITH 1/2" GYP BOARD FINISH. 1/2" GYP BOARD FINISH OVER 1/2" OSB SHEATHING OVER 2" X 6" RAFTERS @ 16" O.C. WITH 1/2" GYP BOARD FINISH.

WALLS: 8" CMU BLOCK WITH 1/2" GYP BOARD FINISH. 8" CMU BLOCK WITH 1/2" GYP BOARD FINISH.

FLOORING: 1/2" GYP BOARD FINISH OVER 1/2" OSB SHEATHING OVER 2" X 6" RAFTERS @ 16" O.C. WITH 1/2" GYP BOARD FINISH.

CEILING: 1/2" GYP BOARD FINISH OVER 1/2" OSB SHEATHING OVER 2" X 6" RAFTERS @ 16" O.C. WITH 1/2" GYP BOARD FINISH.

DOORS: 1-1/2" GYP BOARD FINISH OVER 1/2" OSB SHEATHING OVER 2" X 6" RAFTERS @ 16" O.C. WITH 1/2" GYP BOARD FINISH.

WINDOWS: 1-1/2" GYP BOARD FINISH OVER 1/2" OSB SHEATHING OVER 2" X 6" RAFTERS @ 16" O.C. WITH 1/2" GYP BOARD FINISH.

PROJECT INFORMATION

GARAGE -
 PLAN & ELEVATIONS

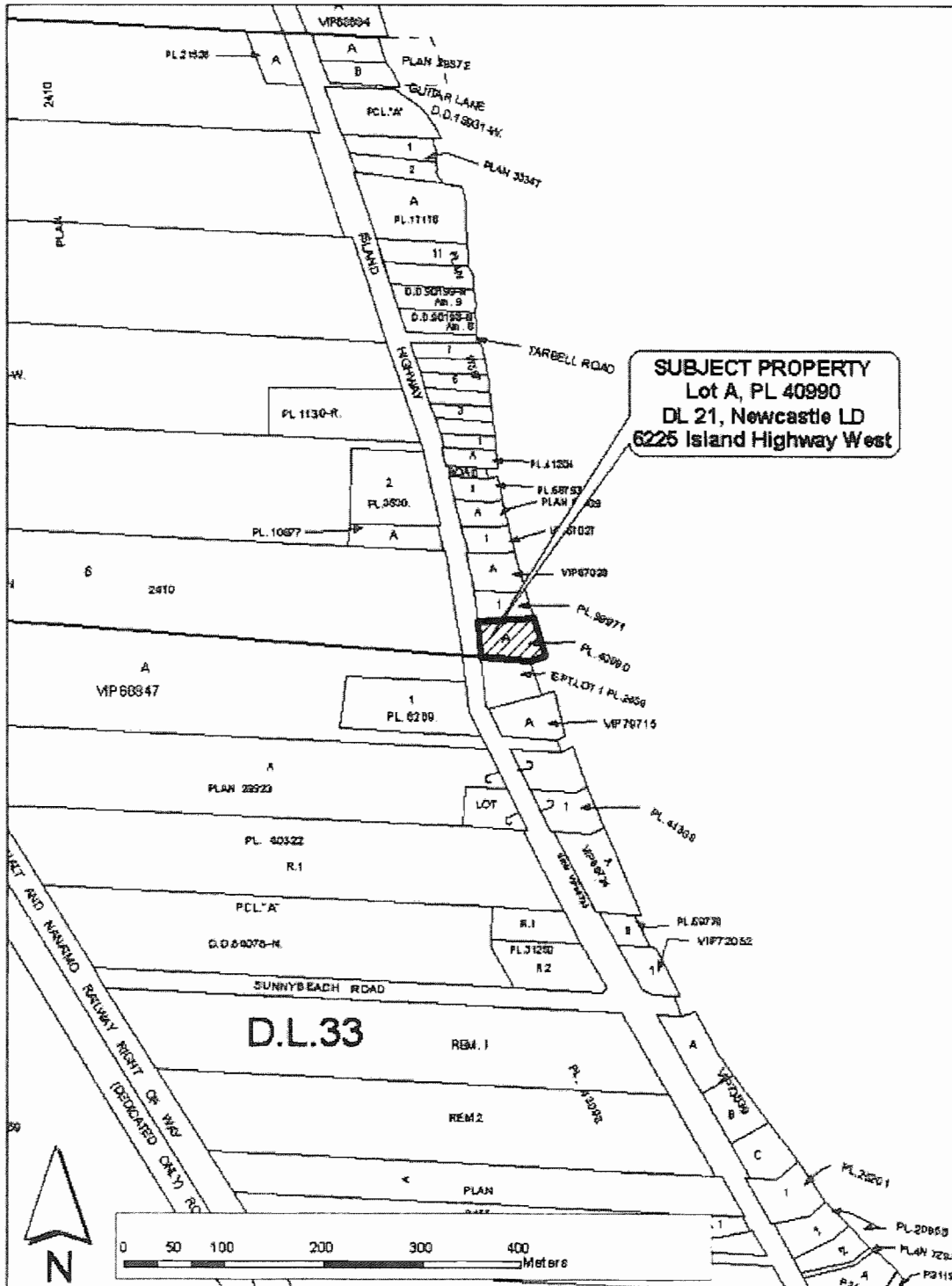
Client: TREVIS RESIDENCE
 Address: KOWERS, NC

Scale: 1/8" = 1'-0"

Date: OCT 24 '09

Sheet: 611

Attachment No. 1 Location of Subject Property





RDN REPORT	
CAO APPROVAL	✓
EAP	✓ Feb 9 '10
COW	
FEB - 3 2010	
RHD	
BOARD	

MEMORANDUM

TO: Dale Lindsay
Manager of Current Planning

DATE: January 28, 2010

FROM: Angela Buick
Planning Technician

FILE: PL2010-017

SUBJECT: Development Permit with Variances PL2010-017 – Fern Road Consulting Ltd. Lot 4 District Lot 28 Nanoose District Strata plan VIS4363 Together With an Interest in the Common Property in Proportion to the Unit Entitlement of The Strata Lot as Shown on Form 1 - 771 Miller Road Electoral Area ‘G’

PURPOSE

To consider an application for a Development Permit with Variances to allow the construction of a single dwelling unit, detached garage and shed on the subject property.

BACKGROUND

The Regional District of Nanaimo has received an application for a Development Permit with Variances from Fern Road Consulting Ltd. on behalf of a Teresa Allison to permit the construction of a single dwelling unit, detached garage and garden shed.

The subject property is approximately 2000 m² and is zoned Residential 1 (RS1) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The property is bound by residential parcels to the north and south, Miller Road to the east and Regional District of Nanaimo Park land boarding French Creek to the west.

The subject property is subject to the Hazard Lands Development Permit Area pursuant to "Electoral Area ‘G’ Official Community Plan Bylaw No. 1335, 2003". The applicant has provided a geotechnical report written by Lewkowich Engineering Associates Ltd. dated January 27, 2010. This report indicates that the parcel contains varying amount of fill (up to 3 meters in depth) material likely associated with the subdivision of the parent parcel. Due to the placement of fill material all buildings on the property will be over height.

Proposed Variances

The applicants are proposing to vary Section 3.4.61 of "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" by increasing the maximum height requirements as follows:

- dwelling unit from 8.0 metres to 9.8 meters
- detached garage from 6.0 metres to 7.8 meters
- shed from 6.0 metres to 7.1 meters

ALTERNATIVES

1. To approve Development Permit with Variances No. PL2010-017 subject to the conditions outlined in *Schedules No. 1 - 3*.
2. To deny Development Permit with Variances No. PL2010-017.

DEVELOPMENT IMPLICATIONS

The applicant is requesting approval to construct a single dwelling unit, detached garage, and shed on the subject property. The locations of the proposed buildings are outlined on *Schedule No. 2*. Building elevations are outlined on *Schedule No. 3*.

In keeping with the Hazard Lands DPA, the applicants have submitted a Geotechnical Report prepared by Lewkowich Engineering Associates Ltd. dated January 27th 2010 which addresses the proposed development. The report found the site to be safe and suitable for the intended use provided that the recommendations in the report are followed. No detrimental impacts on the environment or adjoining properties are anticipated.

As per Board policy, staff recommends that the applicant be required to register a Section 219 covenant that registers the Geotechnical Report prepared by Lewkowich Engineering Associates Ltd., and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of erosion and/or flood damage.

The applicant has provided the following justification for the requested setback variances:

- Due to up to 3 meters of fill material placed on the subject property as part of the original subdivision approximately 15 years ago, and that height is calculated from natural grade it was difficult to meet the maximum height requirements;
- The house and accessory buildings are single storey and are modest in size;
- The positioning on the lot and its finished floor elevation are in keeping with the structures on the adjacent lots;
- The structures meet all other Bylaw 500, 1987 requirements.

Staff does not anticipate that the requested variances will result in privacy impacts or view implications for adjacent properties as the subject property is low lying in comparison to parcels across Miller Road.

SUSTAINABILITY IMPLICATIONS

In keeping with Regional District of Nanaimo Board policy, the applicants have completed the "Sustainable Community Builder Checklist". No sustainability implications were identified as a result of this proposed development.

PUBLIC CONSULTATION IMPLICATIONS

As part of the required public notification process, pursuant to the *Local Government Act*, property owners located within a 50 metre radius, must receive notice of the proposal and will have an opportunity to comment on the proposed variances, prior to the Board's consideration of the permit.

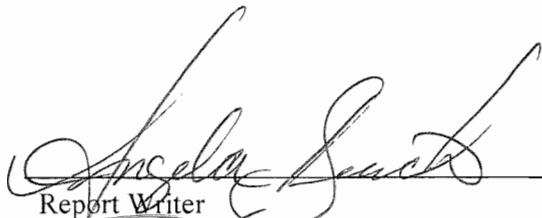
SUMMARY/CONCLUSIONS

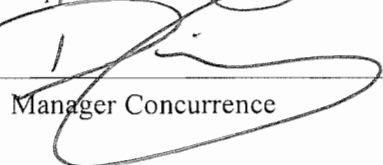
This is an application for a Development Permit to allow the construction of a single dwelling unit, detached garage and shed on the subject property located within Hazard Land Development Permit Area. The applicant has submitted a geotechnical evaluation of the natural hazard consistent with the guidelines of the Hazard Lands DPA. Due to the presence of fill on the site height variances have been requested in order to permit the construction of a dwelling unit and accessory buildings. Staff is of the opinion that the proposed variances will not negatively impact adjacent properties nor result in a development which is out of character with the surrounding homes.

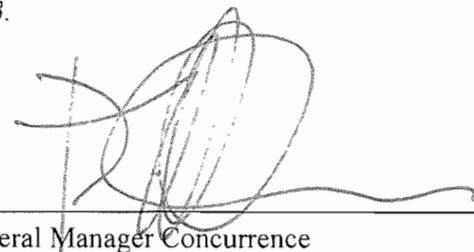
RECOMMENDATION

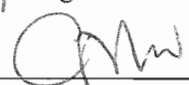
That:

1. Staff be directed to complete the required notification and;
2. The Development Permit with Variances No. PL2010-017 to permit the construction of single dwelling unit, detached garage and shed and vary the maximum building height, be approved subject to the conditions outlined in *Schedules No. 1 – 3*.


Report Writer


Manager Concurrence


General Manager Concurrence


CAO Concurrence

Schedule No. 1
Terms of Development Permit No. PL2010-017

The following sets out the terms and conditions of Development Permit No. PL2010-017.

Bylaw No. 500, 1987 – Proposed Variances

With respect to the lands, “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is requested to be varied as follows:

1. **Section 3.4.61 – Maximum Height** is hereby varied by increasing the maximum height requirement for a **dwelling unit**: from 8.0 metres to 9.8 meters as shown on *Schedule No. 2*.
2. **Section 3.4.61 – Maximum Height** is hereby varied by increasing the maximum height requirement for a **detached garage**: from 6.0 metres to 7.8 meters as shown on *Schedule No. 2*.
3. **Section 3.4.61 – Maximum Height** is hereby varied by increasing the maximum height requirement for a **shed**: from 6.0 metres to 7.1 meters as shown on *Schedule No. 2*.

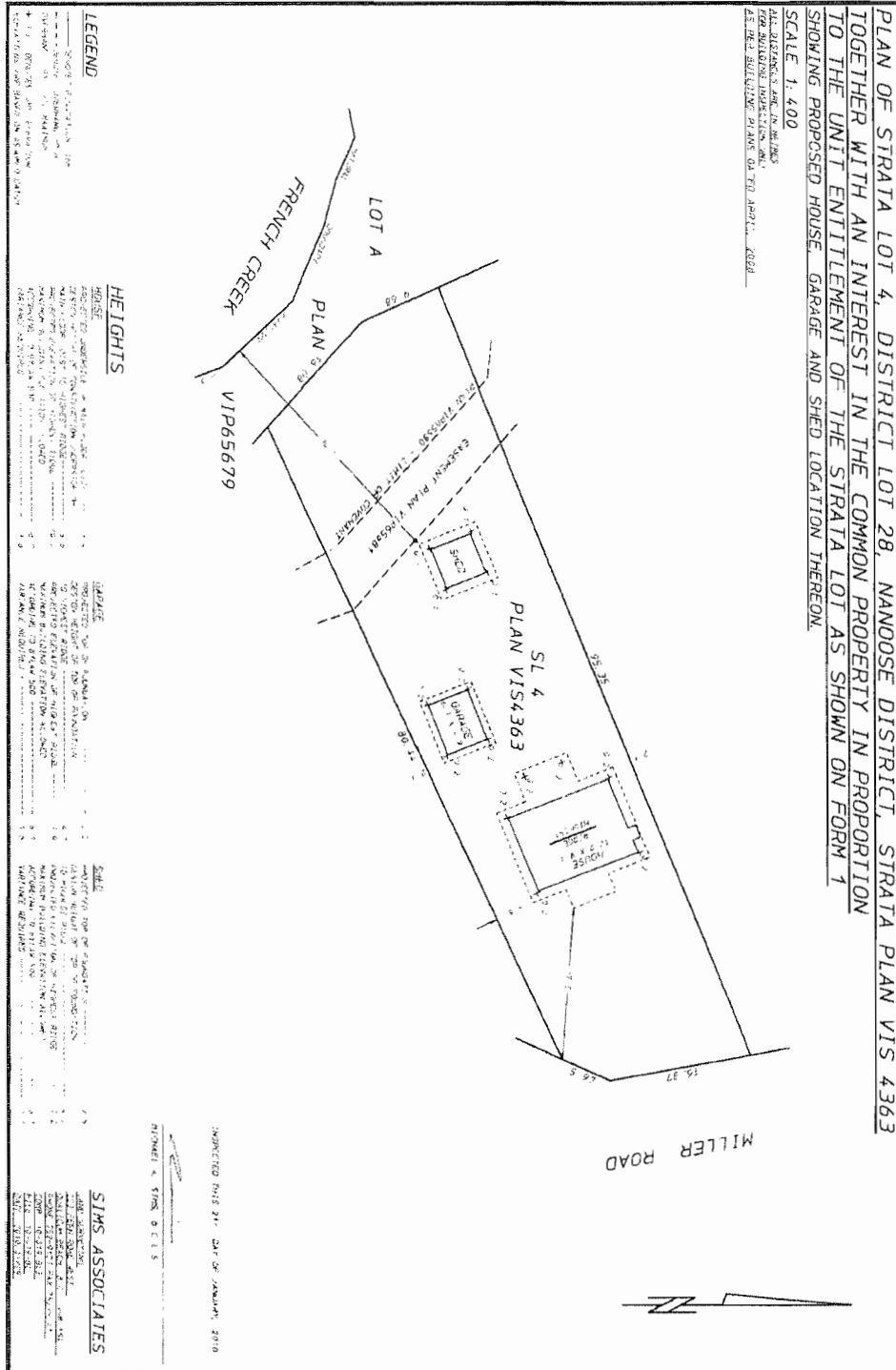
Site Development

- a. The an accessory building shall be sited in accordance with the site plan prepared by Sims Associates dated January 21, 2010, attached as *Schedule No. 2*.
- b. The an accessory building shall be developed in accordance with the building elevations prepared by Sea Isle Design dated April 2008 attached as *Schedule No. 3*.
- c. The an accessory building shall be constructed in accordance with the recommendations of the Geotechnical Report prepared by Lewkowich Geotechnical Engineering Ltd. dated January 27, 2010.

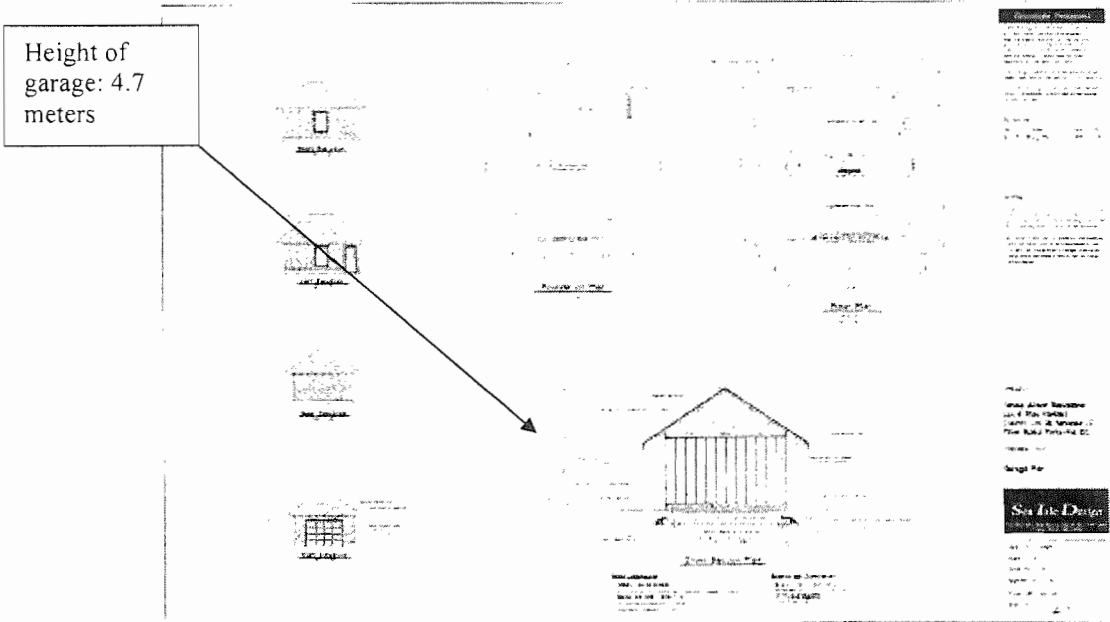
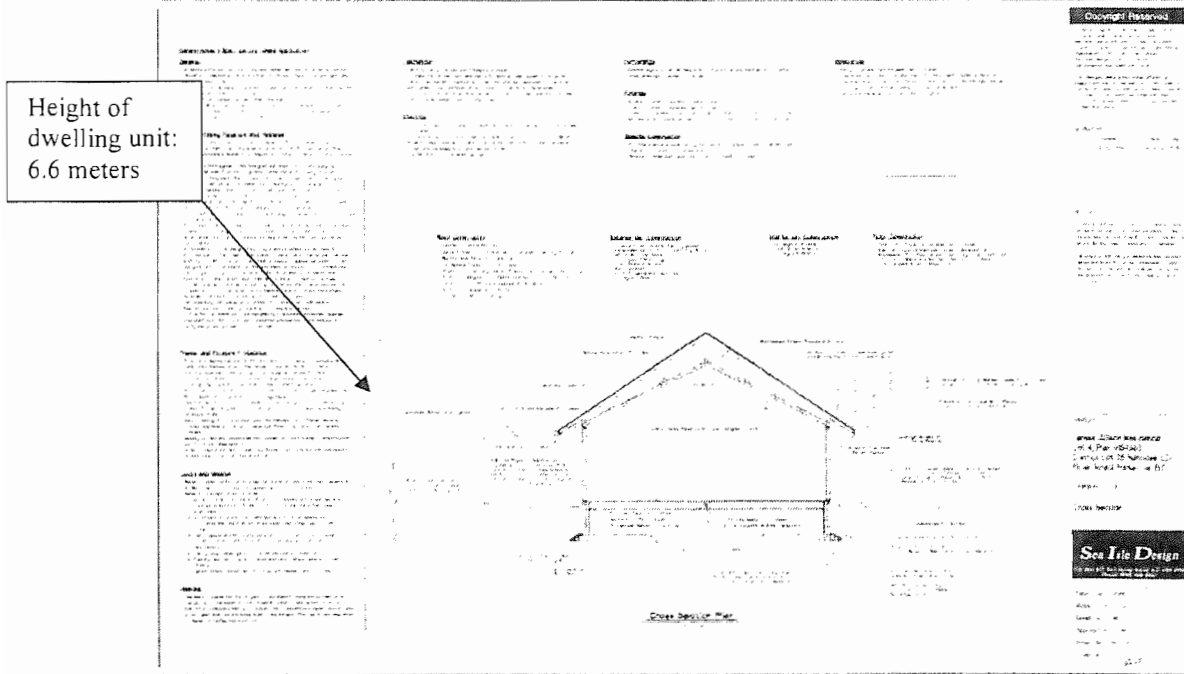
Restrictive Covenant

- a. Staff shall withhold the issuance of this permit until the applicant, at the applicant's expense, registers a section 219 covenant that registers the Geotechnical Report prepared by Lewkowich Geotechnical Engineering Ltd. dated January 27, 2010 and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages as a result of erosion, landslide and/or flood damage.

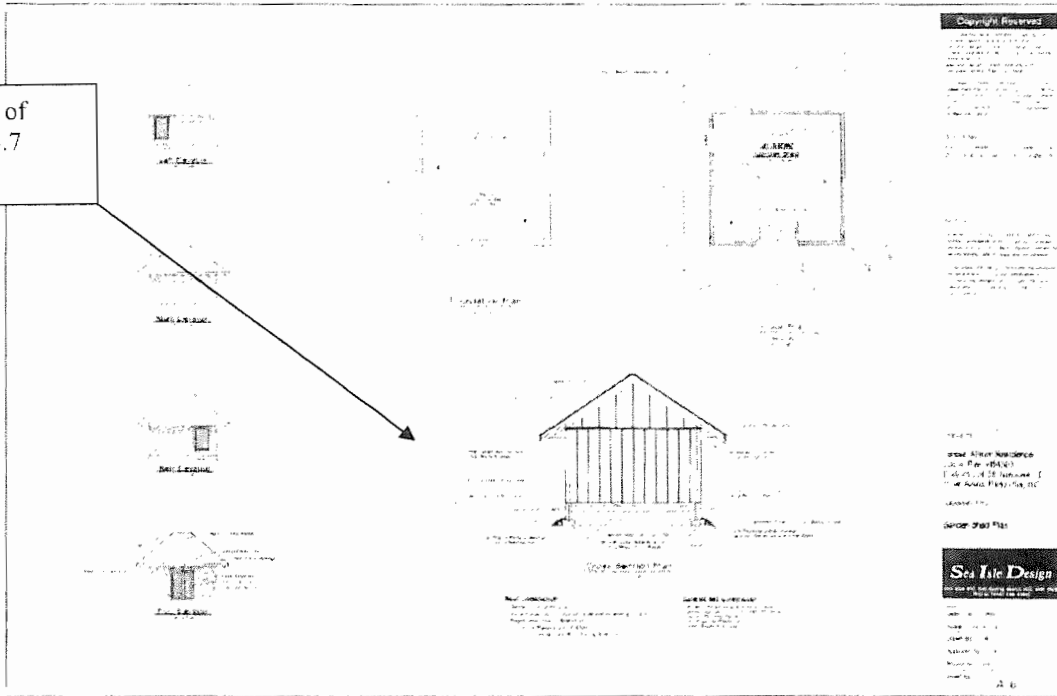
**Schedule No. 2
Site Plan**



Schedule No. 3 Building Elevations



Height of
shed: 4.7
meters





RDN REPORT	
CAO APPROVAL	
EAP	✓ Feb 9 10
COW	
FEB - 1 2010	
RHD	
BOARD	

MEMORANDUM

TO: Dale Lindsay
 Manager of Community Planning

DATE: January 28, 2010

FROM: Kristy Marks
 Planner

FILE: PL2009-853

SUBJECT: **Development Variance Permit Application No. PL2009-853 – Macrae Strata Lot 56, District Lot 78, Nanoose District, Strata Plan VIS3393 Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 – 3466 Simmons Place Electoral Area 'E'**

PURPOSE

To consider an application for a Development Variance Permit to vary the setback from the front lot line, other lot line, and interior side lot line in order to legalize the siting of an existing retaining wall on the subject property.

BACKGROUND

The Regional District of Nanaimo has received an application from Jim Macrae on behalf of a Edwin Guenther to legalize the siting of an existing retaining wall. The subject property is approximately 1600 m² and is zoned Residential 1 (RS1) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" (see *Attachment No. 1 for location of subject property*). The property is bordered by an internal access road to the northeast, a vacant residential parcel to the northwest, developed residential parcels to the southeast, and park land and Fairwinds Golf Course to the southwest.

The retaining wall was constructed in October 2009 in order to stabilize the bank adjacent to the internal access road that was excavated by the previous developer during the construction of the dwelling unit. A Stop Work Order for the retaining wall was issued on October 26, 2009 and the applicants have now applied for a building permit. As the retaining wall was constructed within the yard setbacks variances are required before a building permit can be issued.

Proposed Variances

The applicant is requesting setback variances from the front lot line from 8.0 metres to 1.8 metres, the other (exterior) lot line from 5.0 metres to 1.8 metres, and the interior side lot line from 2.0 metres to 0.0 metres in order to legalize the siting of the existing retaining wall.

ALTERNATIVES

1. To approve the Development Variance Permit No PL2009-853 subject to the conditions outlined in *Schedules No. 1 - 2*.
2. To deny the Development Variance Permit PL2009-853.

DEVELOPMENT IMPLICATIONS

The applicant is requesting setback variances from the front lot line, other lot line, and interior side lot line to legalize the siting of an existing retaining wall. The location of the retaining wall is shown on *Schedule No. 2*. The retaining wall increases in height toward the northern property line and is approximately 4.0 metres above the existing driveway at its highest point. Currently the retaining wall encroaches onto the adjacent vacant lot to the north and the applicant has agreed to remove the encroachment so the retaining wall is contained entirely within the subject property.

The applicant has provided a Geotechnical Site Report prepared by Lewkowich Engineering Associates Ltd. dated October 29, 2009. This report states that the retaining wall is sufficient to stabilize the road embankment fill that abuts the property east of the residence. Staff recommend that the report be registered on title as a condition of the Development Permit.

Given the topography of the subject property and that the retaining wall is below the adjacent roadway the requested variances will not result in privacy impacts or view implications for adjacent properties.

The applicant has provided the following justification for the requested setback variances:

- Given the location of the dwelling, excavation of the slope was required in order to provide vehicle access to the attached garage;
- The retaining wall is required in order to prevent collapse of the excavated slope adjacent to the internal access road;
- There are no anticipated view or aesthetic impacts related to the requested variances;
- A Geotechnical Site Report has been provided which confirms the stability of the retaining wall.

SUSTAINABILITY IMPLICATIONS

In keeping with Regional District of Nanaimo Board policy, the applicant has completed the "Sustainable Community Builder Checklist". No sustainability implications have been identified in association with the retaining wall.

PUBLIC CONSULTATION IMPLICATIONS

As part of the required public notification process, pursuant to the *Local Government Act*, property owners located within a 50 metre radius, must receive notice of the proposal and will have an opportunity to comment on the proposed variances, prior to the Board's consideration of the permit.

SUMMARY / CONCLUSIONS

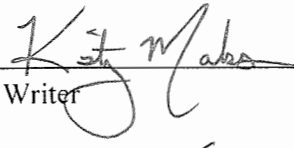
This is an application for a Development Variance Permit to reduce setbacks in order to legalize the siting of an existing retaining wall.

The applicant has submitted a site plan and Geotechnical Site Report in support of the application. There are no view impacts related to the requested variances.

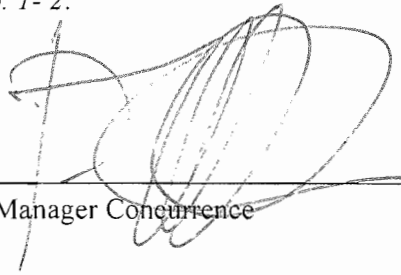
RECOMMENDATION

That:

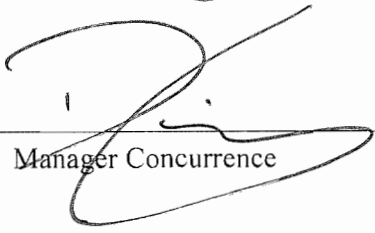
1. Staff be directed to complete the required notification, and
2. The Development Variance Permit application No. PL2009-853 to legalize the siting of an existing retaining wall with setback variances from the front lot line, exterior lot line and interior side lot line be approved subject to the conditions outlined in *Schedules No. 1- 2.*



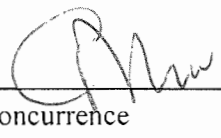
Report Writer



General Manager Concurrence



Manager Concurrence



CAO Concurrence

Schedule No. 1
Terms of Development Variance Permit No. PL2009-853

The following sets out the terms of Development Variance Permit No. PL2009-853:

Bylaw No. 500, 1987 – Variances

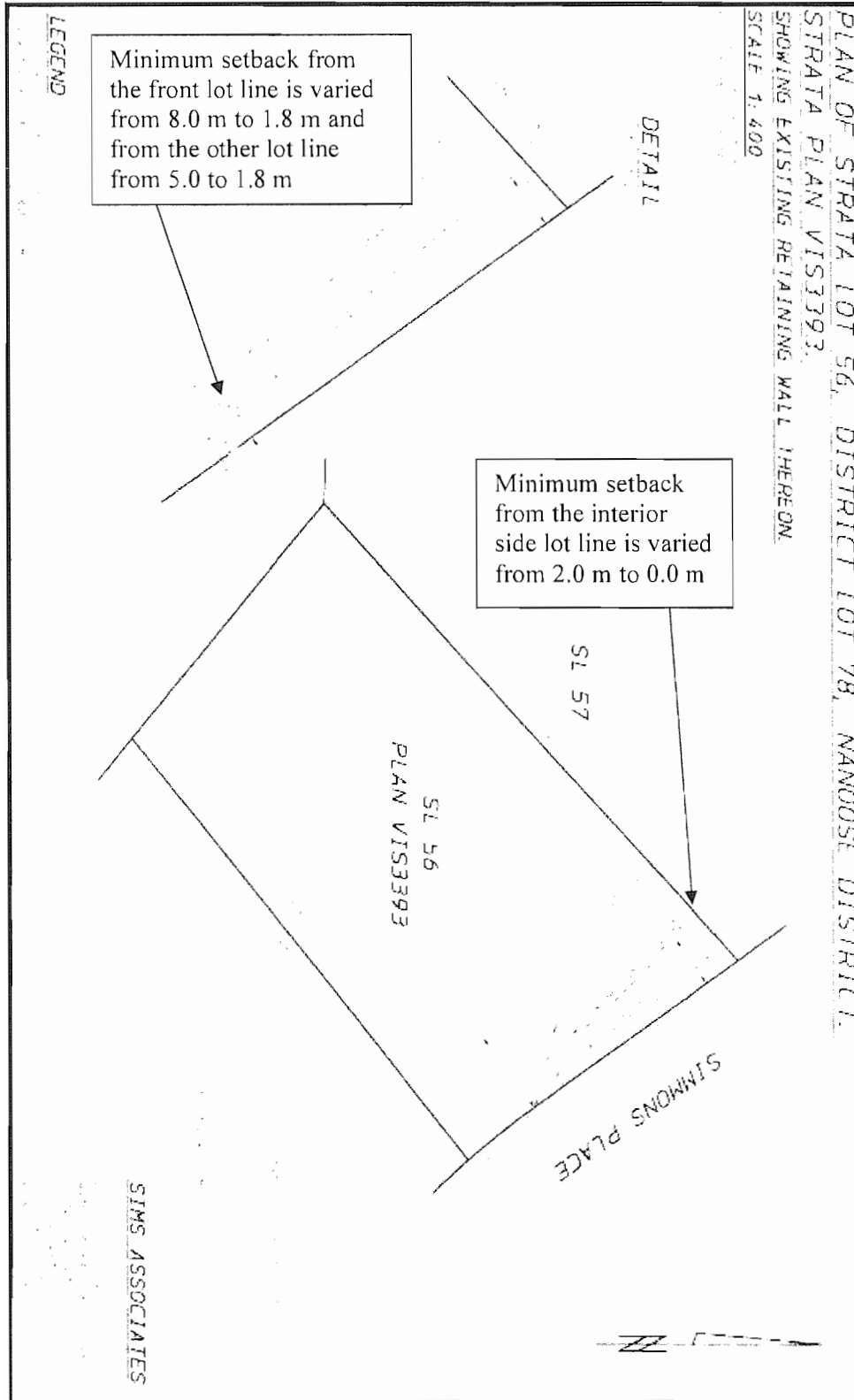
With respect to the lands, “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987,” is varied as follows:

1. **Section 3.4.61 Minimum Setback Requirements** is hereby varied by reducing the minimum setback from the front lot line from 8.0 metres to 1.8 metres as shown on *Schedule No. 2*.
2. **Section 3.4.61 Minimum Setback Requirements** is hereby varied by reducing the minimum setback from the other lot line from 5.0 metres to 1.8 metres as shown on *Schedule No. 2*.
3. **Section 3.4.61 Minimum Setback Requirements** is hereby varied by reducing the minimum setback from the interior side lot line from 2.0 metres to 0.0 metres as shown on *Schedule No. 2*.

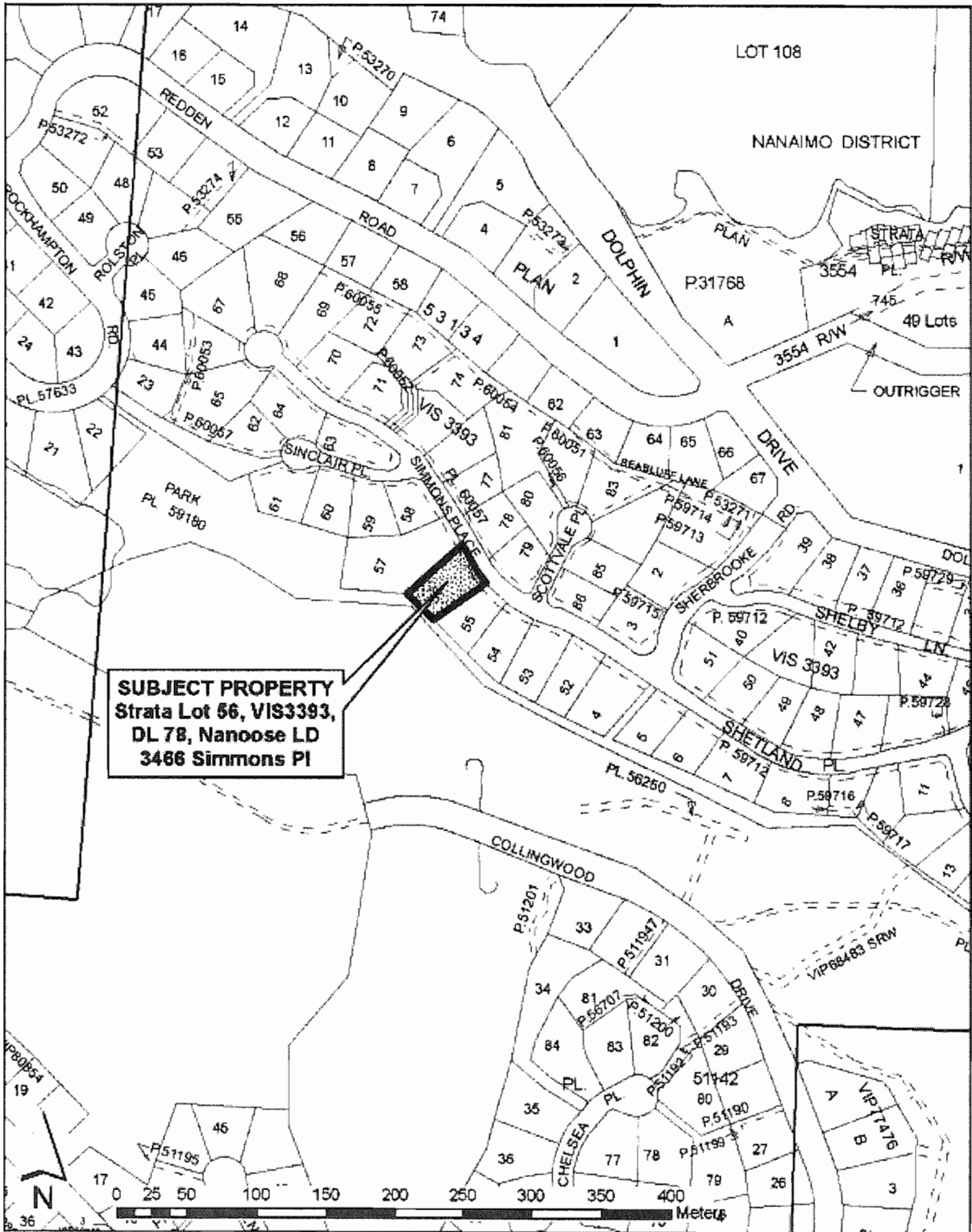
Conditions of Permit

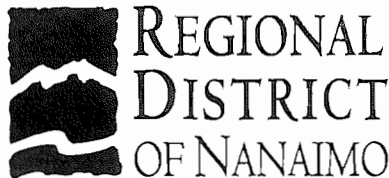
1. The existing retaining wall shall be sited in accordance with the survey prepared by Sims Associates dated December 21, 2009 attached as *Schedule No. 2*.
2. The portion of the existing retaining wall that encroaches onto the adjacent Lot 57 is to be removed so the retaining wall is contained entirely within the subject property.
3. The applicant is to obtain a building permit for the retaining wall.
4. The Geotechnical Report prepared by Lewkowich Engineering Associates Ltd. dated October 29, 2009, be registered on title.

Schedule No. 2
Survey Plan



Attachment No. 1
Location of Subject Property





RDN REPORT		
CAC APPROVAL <i>[Signature]</i>		
EAP	✓	
COW		9-Feb. 2010
JAN 21 2010		
RHD		
BOARD		

MEMORANDUM

TO: Paul Thompson
 Manager of Long Range Planning

DATE: January 21, 2010

FROM: Lisa Bhopalsingh
 Senior Planner

FILE: PL2010-002
 Area 'H' OCP

SUBJECT: Bylaw No. 1335.03 to Amend Electoral Area 'H' Draft Official Community Plan –
 Bylaw No. 1335, 2003 to Include Bowser Village Centre Plan

PURPOSE

To receive a summary of the issues and staff recommendations resulting from the public consultation process for the preparation of the draft Bowser Village Centre Plan (BVCP) and to introduce the Plan for formal consideration as amendment Bylaw No. 1335.03 to the "Regional District of Nanaimo Electoral Area 'H' Official Community Plan (OCP) - Bylaw No. 1335, 2003".

BACKGROUND

The Electoral Area 'H' Village Planning Project was initiated in early 2008 with the intent of creating one or more plans for village centres in Electoral Area 'H' by the fall of 2009. In March 2009, a decision was made by the Village Planning Advisory Group to focus remaining time and resources on developing a plan for Bowser Village Centre. It was anticipated that the lessons learned from planning Bowser Village Centre could then be applied when addressing other Village Areas in the future. The BVCP is the first Village Centre Plan that has been developed in the RDN.

As an implementation action item of the Electoral Area 'H' OCP, the Village Planning Project has involved an extensive public consultation process involving residents, landowners and business owners. Public consultation for this project was initiated by an Open House on June 9, 2008 followed by 23 further public events and community advisory group meetings. The process for engaging the community reflects the direction of the RDN Board and Area 'H' OCP and greatly augments the level of public consultation required by the *Local Government Act*.

The table on the following page outlines the planning process to date including opportunities for public participation:

Establishment of an Area 'H' Village Planning Community Advisory Group (VPAG)

The creation of a Village Planning Advisory Group with open membership (allowing anyone to join or attend at anytime) was instrumental to community participation in the planning process. The Advisory Group provided guidance and feedback through a series of 15 meetings between November 10, 2008 and October 21, 2009. Members of the Advisory Group were also closely involved in assisting with an additional nine public meetings/events associated with the project (see the table below for a summary of meetings).

RDN Project Office and Staff Availability

During the course of the project, the RDN provided a project office in Bowser with a staff member typically available on Fridays for discussion with community members. During some of these Fridays RDN staff took tours of the area and facilitated small group discussions on topics of interest to Advisory

Group Members. Throughout the process, meeting agendas, notes and other documents were made available online, via email, hard copies and as reference items at the Bowser Library.

Opportunities for Public Participation

	Date	Event
1	June 9th 2008	OPEN HOUSE
2	Sept. 15th 2008	OPEN HOUSE
3	Oct. 27th 2008	SUSTAINABILITY PRINCIPLES WORKSHOP
4	Nov. 10th 2008	Advisory Group Mtg. #1
5	Nov. 26th 2008	Advisory Group Mtg. #2
6	Jan. 7th 2009	Advisory Group Mtg. #3
7	Jan. 28th 2009	Advisory Group Mtg. #4
8	Feb.11th 2009	Advisory Group Mtg. #5
9	March 4th 2009	Advisory Group Mtg. #6
10	March 25th 2009	Advisory Group Mtg. #7
11	April 15th 2009	Advisory Group Mtg. #8
12	April 25th 2009	HARBOUR FESTIVAL INFORMATION BOOTH
13	April 29th 2009	INFORMATION EVENT
14	May 13th 2009	Advisory Group Mtg. #9
15	May 27th 2009	Advisory Group Mtg. #10
16	June 8-9th 2009	BOWSER VILLAGE CHARETTE
17	June 10th 2009	Advisory Group Mtg. #11
18	June 17th 2009	OPEN HOUSE
19	June 24th 2009	Advisory Group Mtg. #12
20	Sept. 5th 2009	FALL FAIR INFORMATION BOOTH
21	Sept. 16th 2009	Advisory Group Mtg. #13
22	Oct. 15th 2009	Advisory Group Mtg. #14
23	Oct. 21st 2009	Advisory Group Mtg. #15
24	Oct. 28th 2009	OPEN HOUSE

Initial Public Meetings

The purpose of the initial project **Open Houses** held on June 9 and September 15, 2008, was to introduce the Area 'H' Village Planning process to the community, encourage participation in the process and gather feedback. A draft project Terms of Reference was developed using the feedback from these two meetings.

Other Events

On October 27th 2008, a Sustainability Principles Workshop was conducted to engage the community on their ideas for a more sustainable community. The workshop results were used as a foundation to create a set of sustainability principles to guide the project.

Due to the need to efficiently provide the Village Planning Advisory Group with access to a wide variety of information, the RDN held an Information Event on April 29th 2009. This event provided members of the Advisory Group and the wider community with an opportunity to gather information and share perspectives on the following topics:

- Village Planning Project - Process, Sustainability Principles and Goals
- Potential Bowser Village Boundary Scenarios
- Land Use Patterns Under Existing Zoning
- Regional Growth Strategy Review
- Children's Ideas for Bowser Village
- Sensitive Ecosystems
- Green House Gas Reduction Strategies
- Recreation, Parks & Trails
- Transportation Networks & Mobility
- Crime and Safety Strategies for Rural Villages
- Meeting Housing Needs - Affordable & Adaptive
- Wastewater options for Rural Villages
- Solid Waste options for Rural Villages
- Water - Quality, Quantity & Aquifer Protection
- Rain & Storm Water Management
- Planning Strategies for Disaster Resilience
- Sustainable Rural Economic Development

The Information Event was also an important opportunity for the Advisory Group to receive feedback on their different concepts for an alternative boundary for Bowser Village Centre. Eleven different options for Bowser Village Centre were displayed including an option for keeping the existing Village Centre Boundary.

A key event in the Village Planning process was the active participation of members of the Advisory Group and Bowser residents in the **Bowser Village Charette** (June 8 & 9, 2009). Several designers, landscape architects and planners volunteered their time to help capture the community's vision of a sustainable Bowser Village Centre. Using the project's Sustainability Principles and Goals, the Charette participants produced a range of ideas of their vision for a sustainable Bowser Village Centre that was captured visually on maps and sketches. The results of the Charette strongly influenced the drafting of the BVCP.

Ideas from the Charette included:

- Options for traffic calming together with improved pedestrian safety and access.

- Creating attractive 'gateways' or entrances to Bowser.
- Arranging land uses for housing, recreation/public space, transportation, retail and service land uses to create a more 'complete community'.
- Working with natural systems to develop eco-friendly infrastructure with ideas for 'green streets', rain gardens/catchment areas for enhanced rainwater management and pollution control.
- Ideas for alternative waste treatment, water conservation, recycling and energy generation and conservation. This included exploring septic treatment options for multiple dwellings that produce water for irrigation, use of wood waste to generate energy, and positioning buildings and streets for solar gain.

Following the Charette, an Open House was held on June 17th to show the results of the Charette. The Open House presentation involved several members of the Advisory Group who explained the key concepts that resulted from the Charette to the wider community.

In addition to the meetings noted above, the RDN held information booths at key community events (April 25, 2009 Deep Bay Harbour Festival and September 5, 2009 Fall Fair in Qualicum Bay) to provide information on the process and promote participation in the project.

Public Meetings Presenting the First Draft and Second Draft

Staff produced the first draft of the BVCP for review by the Advisory Group on October 9, 2009. Following the input and feedback from the Advisory Group and RDN staff, staff amended the first draft of the Plan. The second draft of the BVC Plan was presented at an **Open House** on October 28, 2009.

Notices

Meetings and Open Houses were advertised in a combination of the Parksville Qualicum Beach News, the Beacon Magazine and on the Regional District of Nanaimo website. Meeting notices were regularly posted in key locations and given to members of the Advisory Group for further distribution. In addition, individual letters were mailed to home owners living within the plan area informing them of the status of the project and inviting them to participate in the June 8th and 9th Charette, the June 17th Open House and the October 28th Open House to review the draft plan.

It should also be noted that the RDN Area 'H' Director regularly published updates on the planning process in a monthly column for the Beacon Magazine and delivered meeting notices to local area businesses and community groups.

Other Meetings

In addition to holding Advisory Group meetings with community members, staff met with various individuals to discuss the planning process and the draft Bowser Village Plan. This included facilitating a meeting with business owners in Bowser Village Centre to discuss areas of common interest involving waste water treatment and highway access issues.

Preparation of the Third Draft

Following the October 28th Open House, staff amended the second draft of the BVCP. The third draft (final draft) of the BVCP is attached to this report for consideration.

DISCUSSION

The following is a general summary of key changes that the BVCP makes to the current direction provided in the Area 'H' OCP for Bowser Village Centre. Also included are specific issues/requests that were raised and how they have been addressed in the draft BVCP.

Plan Area

The Bowser Village Centre Plan Area boundary remains the same approximately 50.7 hectares (125.5 acres) of land in the original Bowser Village Centre boundary as identified during the Shaw Hill-Deep Bay OCP process in 1996 (and as currently reflected in the 2003 Area 'H' OCP and Regional Growth Strategy).

The plan also identifies approximately 41.8 hectares (103.5 acres) of land to the west along Crosley Road as an area for possible future expansion of the Village Centre to be considered once the land within the Bowser Village Centre Plan Area has been fully utilized.

The BVCP provides specific direction on where certain types of land uses will be supported within the Plan Area (e.g. Commercial Mixed-Use, Residential High Density, and Civic). The Plan provides a higher level of detail and guidance compared to the general direction of the Area 'H' OCP which designates all the land within the Plan Area as mixed use - intended to support commercial, residential, community and professional services.

The BVCP replaces references to the Bowser Village Centre in Section 5.5 Village Centres and Appendix A.2 Village Centres Development Permit Area of the 2003 Electoral Area 'H' OCP. Other Development Permit Area guidelines in the OCP still apply to the Bowser Village Centre in areas that the Plan does not specifically address (see below).

Development Permit Areas

The Development Permit Area (Section 5) of the BVCP replaces Appendix A.2 Village Centres Development Permit Area, of the Area 'H' OCP and is intended to be used in conjunction with the following Development Permit Areas in the Area 'H' OCP that also apply to lands in Village Centres including:

- A.4 Environmentally Sensitive Features Development Permit Area
- A.5 Hazard Land Development Permit Area
- A.7 Fish Habitat Protection Development Permit Area

Development Permit Area Exemptions

Current exemptions for development permits in the Area 'H' OCP include single dwelling and duplex dwelling units. The BVCP requires development permits for duplex units while still exempting single family dwelling units.

Drinking Water & Aquifer Protection

Throughout the planning process there were ongoing comments and concerns raised about the need to protect the quality and quantity of drinking water including aquifer protection. The plan addresses these concerns by providing clearer guidelines and stronger requirements for drinking water and aquifer protection as part of development permit applications within the Bowser Village Centre. These include:

- Encouraging rainwater harvesting and on-site rainwater management.
- Directing future growth inside Bowser Village Centre and away from rural areas which support aquifer recharge.
- Supporting compact, denser development within the Bowser Village Centre so that wastewater treatment facilities can be provided in a cost effective and environmentally sensitive manner.
- Continuing to require written confirmation from local water providers with regard to their ability to supply adequate water for drinking and fire protection for new developments.

Height

The issue of controlling building heights for view protection while still accommodating higher density development was important to many members of the Advisory Group and wider community. This was addressed by designating different areas within the Plan Area for up to a maximum of two storey or three storey buildings, including a category that allows a *'Maximum two storeys or three storeys where adjacent ocean views are not impacted'*.

Commercial Mixed-Use

During the last Advisory Group meeting (October 21, 2009) there was debate about the location of service commercial/light industrial type uses shown in the draft plan. The majority of the Advisory Group agreed to incorporate a range of service commercial/light industrial type uses within the Commercial Mixed-Use designation. This resulted in eliminating a separate land use designation for Commercial Service. This was an issue of considerable interest with business owners and residents debating different opinions about the demand and availability of land for different commercial and industrial uses.

Concern has been expressed by a few people about the potential for the Village Centre to become predominantly residential rather than commercial due to flexibility within the Commercial Mixed-Use designation. Meanwhile, others expressed their view that the amount of commercial that can be supported in Bowser is limited. It was noted that Bowser Village Center is not the only Village Centre in Area 'H' and lands within other Village Centres can accommodate a range of commercial uses including light industrial/service commercial.

Given the lack of detailed analysis and consensus about the viability and capacity of the area to support different amounts and types of commercial and industrial development, it is recommended that the RDN conduct a region-wide commercial and industrial land demand and capacity analysis. The results of such a study should then be used to revisit the allocation of residential versus commercial uses within the Commercial Mixed-Use designation as well as the inclusion of light industrial/service commercial uses into this land use category.

Designation of Land at Georgia Park Commercial Mixed-Use

The first draft of the Bowser Village Plan designated land at an area known locally as 'Georgia Park' as Commercial Tourist. A request from a Member of the Advisory Group and local business owner to designate the area as Commercial Mixed Use was supported by several members of the Advisory Group. Feedback from the October 28th Open House recorded five comments directly in favour of designating this area as Commercial Mixed-Use and three comments supporting a reduction within the Plan Area of land designated as Tourist Commercial citing opinions that tourism is not a major commercial focus for Bowser.

Based upon this feedback and the fact that the Commercial Mixed-Use designation would still allow the continuation of existing commercial uses as well as future tourism commercial activities, the Georgia Park Area is designated as Commercial Mixed-Use in the latest draft of the plan.

Heron and Eagle Nesting Sites

There has been concern expressed by two residents with designating sites with locally known Great Blue Heron and Bald Eagle nesting tree sites with higher density uses (Residential High Density and Commercial Tourist). Regardless of what land use designation is assigned to these sites, the Development Permit requirements of the Area 'H' OCP under A.4 Environmentally Sensitive Features DPA provide protection measures that are consistent with Provincial guidelines for these protected species and their habitat.

Under the OCP's DPA A.4 Environmentally Sensitive Features, the Development Permit Area for Eagle and Heron Nesting Trees are a radius of 60 and 100 metres respectively from the nesting tree.

Density Targets

Concern has been expressed by a few people about supporting higher densities within Bowser Village Centre. The desire to reduce the density targets and have 'no change' and 'no growth' has not been accommodated in the draft plan for the reasons outlined below.

The underpinning of sustainability for Electoral Area 'H' and the RDN as a whole has been to direct and concentrate growth in specially designated areas of urban or rural containment (Village Centres) in order to manage growth sustainably and protect the rural integrity of surrounding areas. The Area 'H' OCP and the Regional Growth Strategy both aim to meet the challenge of accommodating future growth by directing the majority of future population growth in Area 'H' to locate in higher density 'compact and complete' Village Centres as an alternative to the accommodation of growth in lower density settlement across rural lands.

The use of density targets in the BVCP is consistent with this approach. Meeting future demand for housing in Area 'H' with continued low density development puts greater stress on aquifer recharge areas, sensitive ecosystems and agricultural lands through increasing non-pervious surfaces, and use of septic systems. Furthermore, low density development is more expensive to service and does not support the reduction of private vehicle use and related GHG emissions.

The BVCP sets target population densities for Bowser Village Centre in order to respond to accommodating anticipated growth in Electoral Area 'H'. The target densities are set to encourage building a more complete and compact rural village, with affordable housing and transportation choices.

Height

One person has voiced concern over the possibility of a three storey building impeding views from their property. The BVCP recognizes that ocean views are important values in some parts of the plan area and designates an area (which includes the area of concern) where building height is a *'Maximum two storeys or three storeys where adjacent ocean views are not impacted'*.

Other Comments

Please see Attachment No. 1 for a detailed list of all the comments recorded at the October 28th Open House and a brief statement of how they were addressed in the final draft of the BVCP.

ALTERNATIVES

1. To receive the draft Bowser Village Centre Plan and recommend that "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Amendment Bylaw 1335.03" be given 1st and 2nd reading and proceed to Public Hearing.
2. To receive the draft Bowser Village Centre Plan and refer it back to staff with direction on amendments to the draft Plan prior to initiating "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Amendment Bylaw 1335.03".

GROWTH STRATEGY IMPLICATIONS

The Bowser Village Centre Plan is consistent with and supports the goals of the Regional Growth Strategy. The Bowser Village Centre Plan promotes making more efficient use of land within the Bowser

Village Centre prior to considering expansion of the Village Centre boundary. The Bowser Village Centre Plan does not require any changes to the existing growth containment boundary for Bowser Village Centre in the RGS.

PUBLIC CONSULTATION IMPLICATIONS

The RDN Board has an adopted policy and Public Consultation Framework, which outlines public consultation procedures for major RDN projects. In addition, the *Local Government Act* sets out public consultation provisions for the amendment of OCPs. The requirements of the RDN Board policy and the *Local Government Act* have been followed throughout the process.

Outstanding public consultation actions to be completed include: formal referrals to member municipalities, First Nations and agencies, notification of the public hearing, the public hearing, required referrals pursuant to the *Local Government Act*, and adoption of the Bowser Village Centre Plan as an OCP amendment by the RDN Board.

INTERGOVERNMENTAL IMPLICATIONS

The Plan directs and encourages the RDN to work with Provincial, Federal and First Nations Governments in areas where collaboration is necessary or beneficial to address social, environmental and economic sustainability issues.

FINANCIAL / LIQUID WASTE MANAGEMENT IMPLICATIONS

Pursuant to the *Local Government Act*, the draft Plan has been considered in relation to the Regional District's Financial Plan as well as its Liquid and Solid Waste Management Plans.

VOTING

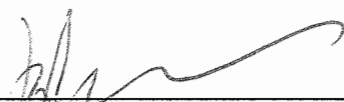
Electoral Area Directors – one vote, except Electoral Area 'B'.

SUMMARY/CONCLUSION

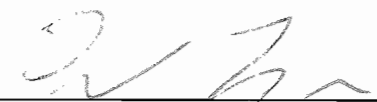
Following an extensive public consultation process, a draft Bowser Village Centre Plan has been prepared for the Electoral Area Planning Committee's consideration. The next step in the process is to initiate the process to amend the Electoral Area 'H' Official Community Plan to include the Bowser Village Centre Plan. Staff recommends that Amendment Bylaw 1335.03, 2010 be given 1st and 2nd reading and proceed to formal referrals and a Public Hearing.

RECOMMENDATIONS

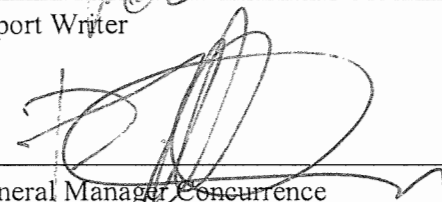
1. That the draft Bowser Village Centre Plan be received.
2. That Bylaw No. 1335.03, 2010 amending "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003" be given 1st and 2nd reading.
3. That Bylaw No. 1335.03, 2010 has been considered in conjunction with the Regional District of Nanaimo's Financial Plan and Waste Management Plans and Regional Growth Strategy to ensure consistency between them.
4. That Bylaw No. 1335.03, 2010 proceed to Public Hearing.
5. That the Public Hearing on Bylaw No. 1335.03, 2010 be delegated to Director Bartram or his alternate.



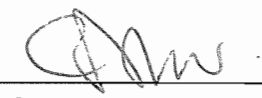
Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

**Attachment No. 1
 Comments From October 28th 2009 Open House**

**Actual Comments/Feedback from Oct
 28th Open House**

How comments are addressed in the Draft Plan

Roads

Road easement on medium density triangle (bottom right) should become access road – land owner in triangle.

Refers to an old easement that no longer exists and is now a legal lot with a home on it.

Water

Do we know what we have for water?

Water providers have indicated during the planning process that they have sufficient water to accommodate future growth.

The plan requires referral to the water providers to give written confirmation that they have adequate water for drinking and fire protection. This is also a requirement in the Area 'H' OCP.

Wastewater Treatment

A Village Core needs a community sewage treatment facility.

The plan supports a community wastewater treatment facility.

Ocean/Beach Access

Include land designated for commercial tourist to provide access to the ocean shoreline.

There are policies in the draft Plan that support the provision of public access to the ocean.

Crown Land

Crown lot lines not correct.

RDN receives all Crown land mapping data from the Province. The BVCP mapping reflects data provided by the Province.

Historical map that notes vegetation "vegetation map #092F047 May 28/2004 [does not show the Crown lands as subdivided].

See response above.

Do not include Crown lands in the village boundary.

Two parcels of Crown land have been within the existing Bowser Village Centre Boundary since it was drawn in 1996. The Crown lands included in the 'Future Use' Area have yet to be designated with a specific use. The Village Planning Advisory Group was strongly in favour of including some Crown lands within the Bowser Village Centre Boundary.

Actual Comments/Feedback from Oct 28th Open House

How comments are addressed in the Draft Plan

Development near Coast

Do not build close to the bluffs. Do not increase density along the waterfront – the area is very ecologically sensitive.

The Area 'H' OCP has a Hazard Lands Development Permit Area (A5) that addresses the issue of safety and environmental concern along the waterfront including cliffs and bluffs.

Discussion on Affordable Housing and Aesthetics

Do not want to see 'trailer park' type development.

The plan supports a range of affordable housing types in the Village Centre that could include this form of development. Intensive Residential such as a manufactured home park is subject to the form and character guidelines in the Bowser Village Centre DPA.

Need to have viable affordable housing and trailer parks may be the only way to do it in Bowser.

See above

Watercourse – re-alignment

The stream exiting north under 19A at Midland Road should be directed to run straight down Midland Road and discharge into ocean.

This is a Ministry of Transportation and Island Corridor Foundation railways issue with regard to the location of culverts and the impacts of historical road and rail engineering. The plan does not provide this level of detail.

Commercial Mixed Use – Ratio of Commercial to Residential

Reconsider the ratio of commercial/residential designation in the commercial mixed-use area.

For a few people there is concern about residential uses dominating over commercial uses. Without any concrete analysis there is much debate about the amount of commercial that can be supported in Bowser with some business owners saying that existing space is underutilized and other people saying more land for commercial is needed.

It is recommended that the RDN conduct a region-wide commercial and industrial land demand and capacity analysis and then revisit the allocation of commercial and industrial lands in rural village centres like Bowser.

Comments in Support of Designating Georgia Park being designated Commercial Mixed Use

Support for Commercial Mixed Use to accommodate local area businesses in need of expansion down Bowser Road.

Draft plan mapping amended to show Georgia Park Area designated as Commercial Mixed Use instead of Tourist Commercial.

Actual Comments/Feedback from Oct 28th Open House

The immediate local area businesses must be provided/accommodated in the local area plan as per alternative designation.

Post office & Liquor store could move to Magnolia Court.

Land from Bowser Builders to Georgia Park could be utilized for cottage industries and view properties.

I think there is too much Commercial Tourism – it should just be commercial which then allow for both options. I don't think land use designation should be changed where viable businesses are now operating.

Commercial mixed use should be also located where existing bus. [businesses] are operating. e.g. Bowser Builders, Georgia Park etc. They are supporting the area now. Tourist Commercial is slow growth!

Comments in support of Reducing Tourist Commercial

6.71 acre Tourist Commercial Lot on Coburn Road should be put in the Residential Medium Zone.

Bowser Builders, Georgia Park and lots in front should be designated Residential Medium Density.

There is too much Tourist Commercial.

Tourism will not develop in Bowser – the foreshore is dominated by aqua culture farms. High embankment areas and lack of access.

Tourism is a no go in Bowser – no beaches with sand nor parkland at shoreline. Remember low cost housing

How comments are addressed in the Draft Plan

See above

The draft Plan would support this if it was the desire of the business/property owners to relocate.

The draft Plan currently supports this by designating Georgia Park as Commercial Mixed Use.

Draft plan mapping amended to show Georgia Park Area designated as Commercial Mixed Use instead of Tourist Commercial.

Draft plan mapping amended to show Georgia Park Area designated as Commercial Mixed Use instead of Tourist Commercial.

No change made as support during Charette and subsequent meetings to keep tourist commercial connection to coast with existing Magnolia Court commercial area.

More support shown for designating Bowser Builders and Georgia Park as Commercial – Mixed Use not Residential Medium Density.

Draft plan mapping amended to show Georgia Park Area designated as Commercial Mixed Use instead of Tourist Commercial.

Draft plan mapping amended to show Georgia Park Area designated as Commercial Mixed Use instead of Tourist Commercial.

Draft plan mapping amended to show Georgia Park Area designated as Commercial Mixed Use instead of Tourist Commercial.

Draft plan mapping amended to show Georgia Park Area designated as Commercial Mixed Use instead of Tourist Commercial.

Actual Comments/Feedback from Oct 28th Open House

and young people to work aqua culture and work in service sector and seniors who want to stay in community. Good work.

Increase High Density Housing

The area behind Tomm's & Magnolia Court should be for high density housing to increase a core (town).

Light Industrial Zone

There should be a light industrial zone separate from mixed use commercial. This light industrial zone should go in the future use area behind Magnolia Court.

There is not enough area for Commercial Service.

Traffic & Loading

High consideration should be given to traffic & people using the roads – impact of large trucks and loading-unloading need to be taken.

Other Comments

Our bylaws are fine. NO FAST TRACKING! LEAVE US ALONE!

How comments are addressed in the Draft Plan

Commercial Mixed-Use Designation in this area allows for high density housing.

The majority of the Advisory Group voted in favour of including light industrial/service commercial uses within the Commercial Mixed Use designation.

The plan allows for consideration of the Future Use Area for a variety of uses that could include light industrial/service commercial uses. However, use of the Future Use Area is dependent upon certain criteria being met.

The majority of the Advisory Group voted in favour of including light industrial/service commercial uses within the Commercial Mixed Use designation. This resulted in eliminating a separate Commercial Service designation.

The Plan has policies and guidelines in the Development Permit Area that address building design, landscaping, the location of loading areas for commercial uses, traffic calming, and improving pedestrian safety.

The Plan reflects the desires of the majority of the Advisory Group to manage growth in a sustainable manner.

Attachment No. 2

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1335.03

**A BYLAW TO AMEND “REGIONAL DISTRICT OF NANAIMO
ELECTORAL AREA 'H' OFFICIAL COMMUNITY PLAN BYLAW NO. 1335, 2003”**

WHEREAS the Board of the Regional District of Nanaimo wishes to amend “Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003”:

THEREFORE IT BE RESOLVED that the Board of the Regional District of Nanaimo, in open meeting assembled ENACTS AS FOLLOWS:

1. This Bylaw may be cited as "Regional District of Nanaimo ELECTORAL AREA 'H' OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 1335.03, 2010”.
2. The "Regional District of Nanaimo ELECTORAL AREA 'H' OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 1335.03, 2010” is hereby amended as set out in Schedules ‘A’, ‘B’ and ‘C’ to this Bylaw.

Introduced and read two times this XX day of XXXX, 2010.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable waste management plans this XX day of XXXX, 2010.

Public Hearing held pursuant to Section 890 of the *Local Government Act* this XXth day of XXXX, 2010.

Read a third time this XX day of XXXX, 2010.

Received approval pursuant to Section 882 of the *Local Government Act* this XX day of XXXX, 2010.

Adopted this XX day of XXXX, 2010.

Chairperson

Sr. Mgr., Corporate Administration

Schedule 'A' to accompany "Regional District of Nanaimo
Electoral Area 'H' Official Community Plan Amendment
Bylaw No. 1335.03, 2010"

Chairperson

Sr. Mgr., Corporate Administration

BYLAW NO. 1335.03

Schedule 'A'

1. "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003," is hereby amended as follows:

- a) **SECTION 1 – INTRODUCTION**

- 1.4 LEGISLATIVE FRAMEWORK**

The following paragraph is hereby deleted:

*"In addition, it is noted that the Development Permit Areas attached to and forming part of this OCP (Appendix A) are considered 'regulatory' bylaws pursuant to the **Local Government Act.**"*

and replaced with the following:

*"It is noted that the Development Permit Areas attached to and forming part of this OCP (Appendix A) are considered 'regulatory' bylaws pursuant to the **Local Government Act.** In addition, the Bowser Village Centre Plan forms a part of this OCP. The Bowser Village Centre Plan applies to all land use decisions within the Bowser Village Centre Plan Area as shown on Map No. 5."*

- 1.5 ORGANIZATION OF THE PLAN**

Insert at the end of paragraph 1 in Section 1.5:

*"The Electoral Area 'H' Official Community Plan contains **Appendix A-Development Permit Areas.** In addition, **Appendix A** titled Development Permit Areas is considered part of the Electoral Area 'H' OCP and contains regulatory bylaws pursuant to the **Local Government Act.**"*

Add after:

"The Bowser Village Centre Plan forms a part of this OCP. The location and boundary of the Bowser Village Centre Plan is shown on Map No 5 Land Use Designations."

b) SECTION 5 – DEVELOPMENT STRATEGY

SUBSECTION 5.5 VILLAGE CENTRES

The following is added after the first paragraph:

“The Bowser Village Centre Plan is the principal guiding document for all land use decisions within the Bowser Village Centre boundary. The Bowser Village Centre Plan forms a part of this OCP and has been adopted as an amendment to the Electoral Area ‘H’ OCP.

Where a particular issue is not covered by the Bowser Village Centre Plan, the Area ‘H’ OCP will be consulted for direction. Where a conflict exists between the OCP and the Bowser Village Centre Plan, the designations and/or policies of the Bowser Village Centre Plan will take precedence within the designated Bowser Village Centre Plan Area.”

The following paragraph is hereby deleted:

“The Village Centre land use designation encourages further commercial zoning of land as part of comprehensive development of the centres.”

and replaced with the following:

“For Qualicum and Dunsmuir Village Centres, the Village Centre land use designation encourages further commercial zoning of land as part of comprehensive development of the centres.”

5.5 POLICIES

The following Policy No. 6 is added after Policy No. 5:

1. *“6. All land use decisions within the Bowser Village Centre boundary must refer to the Bowser Village Centre Plan.”*

c) APPENDIX A – DEVELOPMENT PERMIT AREAS

The following paragraph is hereby deleted:

“The Development Permit Areas, designated on Map No. 6, 7 and 8, are the:

- *Village Centres Development Permit Area;*
- *Highway Corridors Development Permit Area;*
- *Environmentally Sensitive Areas Development Permit Area;*
- *Hazard Lands Development Permit Area;*
- *Resort Commercial Development Permit Area;*
- *Recreational Lands Development Permit Area; and,*
- *Fish Habitat Protection.”*

and replaced with the following:

“The Development Permit Areas, designated on Map No. 6, 7, and 8, are the:

- *Village Centres Development Permit Area;*
- *Highway Corridors Development Permit Area;*
- *Environmentally Sensitive Areas Development Permit Area;*
- *Hazard Lands Development Permit Area;*
- *Resort Commercial Development Permit Area;*
- *Recreational Lands Development Permit Area;*
- *Fish Habitat Protection; and,*
- *Bowser Village Centre Development Permit Area."*

d) **APPENDIX A.2 VILLAGE CENTRES DEVELOPMENT PERMIT AREA**

The following paragraphs are hereby deleted:

JUSTIFICATION

"The Bowser Village Centre with its established commercial area serves the Bowser area. The focus for this village is on residential, institutional, resort, tourist and commercial services".

GUIDELINES

- "1. For Bowser Village Centre, development will include commercial and residential uses and shall foster the revitalization and linkage of "main street" commercial uses along the Island Highway No. 19A."*

- d) The following section is hereby added after Appendix A. 7 Fish Habitat Protection:

"APPENDIX A. 8 BOWSER VILLAGE CENTRE DEVELOPMENT PERMIT AREA"

DESIGNATION:

That part of Electoral Area 'H' shown as Bowser Village Centre Development Permit Area on Map No. 6 is designated as a Development Permit Area. Please refer to the Bowser Village Centre Development Permit Area guidelines contained in Section 5 of the Bowser Village Centre Plan."

e) **MAPS**

Map No. 5 Land Use Designations is amended as shown in Schedule 'C' by:

- Inserting the text *"Bowser Village Centre Plan Area"* into the legend.
- Outlining the Bowser Village Centre Plan Area on the map.
- Inserting an arrow pointing to the Bowser Village Centre with text as follows on the map;

"See the Bowser Village Centre Plan for land use designations within this plan area."

Map No. 6 Form and Character Development Permit Areas is amended as shown in Schedule 'C' by:

- Inserting the text *"Bowser Village Centre Development Permit Area"* into the legend.

- Outlining the Bowser Village Centre Development Permit Area on the map.
- Inserting an arrow pointing to the Bowser Village Centre with text as follows on the map;

“See Bowser Village Centre Plan Section 5 for details on the Bowser Village Centre Development Permit Area.”

Schedule 'B' to accompany "Regional District of Nanaimo
Electoral Area 'H' Official Community Plan Amendment
Bylaw No. 1335.03, 2010"

Chairperson

Sr. Mgr., Corporate Administration

BYLAW NO. 1335.03

Schedule 'B'

Bowser Village Centre Plan

Schedule 'C' to accompany "Regional District of Nanaimo
Electoral Area 'H' Official Community Plan Amendment
Bylaw No. 1335.03, 2010"

Chairperson

Sr. Mgr., Corporate Administration

BYLAW NO. 1335.03

Schedule 'C'
Page 1 of 2

Map No. 5 Land Use Designations

Schedule 'C'
Page 2 of 2

Map No. 6 Form and Character Development Permit Areas