

**REGIONAL DISTRICT OF NANAIMO**  
**SPECIAL BOARD MEETING**  
**TUESDAY, JANUARY 11, 2011**  
**(immediately following the Committee of the Whole)**  
  
*(RDN Board Chambers)*

**A G E N D A**

**PAGES**

**CALL TO ORDER**

**ELECTION OF DEPUTY CHAIRPERSON**

**COMMUNICATIONS/CORRESPONDENCE**

- 4            **Lynn Kitchen, City of Parksville**, re Appointment to the District 69 Recreation Commission.
- 5            **Lynn Kitchen, City of Parksville**, re Appointment to the Arrowsmith Water Service Management Committee.
- 6            **Fred Manson, City of Parksville**, re 2011 Council Appointments.

**UNFINISHED BUSINESS**

**BYLAWS**

**Public Hearing & Third Reading.**

- 7 - 63            **Report of the Public Hearing held December 6, 2010 on Bylaws No. 500.359, 500.360, 500.361 and 500.362 - Electoral Area 'G' Official Community Plan Implementation.** (Electoral Area Directors except EA 'B' – One Vote)
1. *That the summary of the Open Houses held November 1, 2 and 3, 2010 be received.*
  2. *That the Report of the Public Hearing held December 6, 2010 on Bylaws No. 500.359, 500.360, 500.361 and 500.362 be received.*
  3. *That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.359, 2010" be read a third time, as amended, and forwarded to the Ministry of Transportation and Infrastructure for approval.*

4. *That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.360, 2010” be read a third time, as amended, and forwarded to the Ministry of Transportation and Infrastructure for approval.*
5. *That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.361, 2010” be read a third time and forwarded to the Ministry of Transportation and Infrastructure for approval.*
6. *That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.362, 2010” be read a third time, as amended, and forwarded to the Ministry of Transportation and Infrastructure for approval.*
7. *That staff be directed to work with the affected resort commercial property owners who came forward at the Public Hearing to address their concerns and introduce an amendment to Bylaw No. 500 to consider a new Resort Commercial zoning designation which is consistent with the Electoral Area ‘G’ Official Community Plan and supports a sustainable local tourism industry.*

These bylaws implement changes to the Electoral Area ‘G’ Official Community Plan.

64 - 70

**Report of the Public Hearing held January 6, 2011 on Bylaw No. 500.366 – BC Housing – 280 Lions Way – Area ‘H’.** (Electoral Area Directors except EA ‘B’ – One Vote)

1. *That the Report of the Public Hearing held January 6, 2011 on “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.366, 2010” be received.*
2. *That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.366, 2010” be read a third time.*

This bylaw rezones a portion of the Area ‘H’ subject property from Public 1 (PU 1) to Comprehensive Development (CD41) to permit the development of 10 additional housing units at the Qualicum Seniors’ Development.

**For Adoption.**

**Bylaw No. 1432.01 – Amends the Development Approval Procedures & Notification Bylaw.** (Electoral Area Directors except EA ‘B’ – One Vote)

*That “Regional District of Nanaimo Development Approval Procedures and Notification Amendment Bylaw No. 1432.01, 2010” be adopted.*

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

**Electoral Area ‘G’ Parks and Open Space Advisory Committee.** (All Directors – One Vote)

71 - 72 Minutes of the Electoral Area ‘G’ Parks and Open Space Advisory Committee meeting held November 15, 2010. (for information)

**Arrowsmith Water Service Management Committee.** (All Directors – One Vote)

73 - 74 Minutes of the Arrowsmith Water Service Management Committee meeting held December 9, 2010. (for information)

**Selection Committee.** (All Directors – One Vote)

Selection Committee Appointments (verbal).

**ADMINISTRATOR’S REPORTS**

75 - 77 Board Appointments to Standing, Select and Advisory Committees. (All Directors – One Vote)

**ADDENDUM**

**NEW BUSINESS**

**ADJOURNMENT**

**IN CAMERA**

*That pursuant to Section 90(1) (g) of the Community Charter the Board proceed to an In Camera Committee meeting to consider items related to legal issues.*





City of  
**Parksville**

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December 7, 2010

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

Dear Sir/Madam:

**2011 Council Appointments to the District #69 Recreation Commission  
File No: 0400-50**

At the regular meeting of Council held December 6, 2010, Councillor Teresa Patterson was appointed Council voting representative to the District #69 Receptions Commission for the year 2011.

**Councillor Teresa Patterson**  
290 Banks Avenue East  
Parksville, BC V9P 1K5

250 954-9488 (cell)  
E-mail: [tc.patterson@shaw.ca](mailto:tc.patterson@shaw.ca)

On behalf of Council and the City, we wish your Commission much success in 2011.

Sincerely,

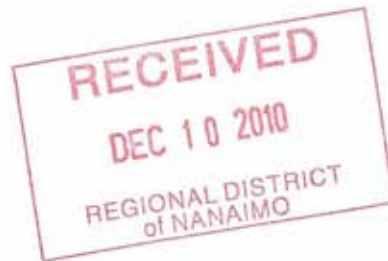
LYNN KITCHEN  
Deputy Corporate Administrator

cc: Councillor Patterson



City of  
**Parksville**

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December 7, 2010

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

Dear Sir/Madam:

**2011 Council Voting Representative  
Arrowsmith Water Service Management Committee  
File No: 0400-50**

At the regular meeting of Council held December 6, 2010, Councillor Marc Lefebvre was appointed Council voting representative to the Arrowsmith Water Service Management Committee for the year 2011.

**Councillor Marc Lefebvre**  
#11 - 450 Bay Avenue  
Parksville, BC V9P 2K2

250 248-2292 (home)  
E-mail: [janetmarc@shaw.ca](mailto:janetmarc@shaw.ca)

Sincerely,

LYNN KITCHEN  
Deputy Corporate Administrator

cc: Councillor Lefebvre  
Engineering & Operations



CAO'S OFFICE			
CAO	<input checked="" type="checkbox"/>	GMR&PS	
GMDS		GMT&SWS	
GMF&IS		GMR&CS	
JAN - 5 2011			
SMCA	<input checked="" type="checkbox"/>	BOARD	<input checked="" type="checkbox"/>
CHAIR		Comm.	

January 5, 2011

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

Attention: Linda Burgoyne

Dear Ms. Burgoyne:

**Subject: 2011 Council Appointments to Board of Directors**  
File No. 0400-50

Further to the City's correspondence of December 7, 2010, this is to advise that Ed Mayne tendered his resignation as Mayor effective January 4, 2011, therefore Mr. Mayne is no longer the City's voting representative to the Regional District of Nanaimo Board of Directors for the year 2011.

A special meeting of Council will be held on Monday, January 10, 2011 for Council to consider options available to them and the RDN will be kept apprised of the outcome. In the meantime, Councillor Chris Burger remains as Council's alternate representative to the RDN Board.

If you have any questions, please don't hesitate to contact the undersigned.

Yours truly,

Fred Manson  
Chief Administrative Officer



RDN REPORT	
CAO APPROVAL	
EAP	
COW	
DEC 22 2010	
RHD	
5 BOARD	✓ Jan 11/11

# MEMORANDUM

**TO:** Paul Thompson  
Manager of Long Range Planning

**DATE:** December 13, 2010

**FROM:** Greg Keller  
Senior Planner

**FILE:** 3360 30 1001

**SUBJECT:** Electoral Area 'G' Official Community Plan Implementation

## PURPOSE

To receive the report of the Public Hearing containing the summary of the minutes and submissions of the Public Hearing held December 6, 2010, on Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw Nos. 500, 359, 500.360, 500.361, and 500.362, and further, to consider these Bylaws for 3<sup>rd</sup> reading.

## BACKGROUND

The Electoral Area 'G' Official Community Plan (OCP) implementation project has been underway since September 2010. The purpose of the project is to consider implementing some of the policies and recommendations contained in the Electoral Area 'G' OCP.

The Board granted 1<sup>st</sup> and 2<sup>nd</sup> reading to Bylaw Nos. 500.359, 500.360, 500.361, and 500.362 at its September 21, 2010, meeting. At that meeting the Board also approved a public consultation strategy and delegated the Public Hearing to Director Stanhope or his alternate. Following the September 21, 2010, Board meeting, activities related to the proposed bylaws have included the following:

### 1. Referrals to Other Agencies

The proposed bylaws were referred to the Department of Fisheries and Oceans, City of Parksville, Town of Qualicum Beach, Vancouver Island Health Authority, Ministry of Environment, Ministry of Transportation and Infrastructure, Agricultural Land Commission, Integrated Land Management Bureau, School District 69, Qualicum First Nation, Nanoose First Nation, Comox First Nation, Ministry of Forests and Range, Ministry of Energy, Mines, and Petroleum Resources, Canadian Wildlife Service, Ministry of Agriculture, Little Qualicum Waterworks District, and EPCOR. A summary of the agency referral comments was available at the Public Hearing and is included in Attachment No. 1.

Comments were received from the Ministry of Agriculture, Ministry of Environment, and City of Parksville which are summarized below:

#### *Ministry of Agriculture:*

The Ministry of Agriculture indicated that they saw little impact to the Agricultural Land Reserve (ALR) from the proposed changes to minimum site area requirements. The Ministry noted that approval from the Agricultural Land Commission may be required for the construction of a second dwelling unit on lands within the ALR. The Ministry indicated its support for permitting a wide range of agricultural opportunities within the ALR provided that agriculture is the primary use of the parcel and complimentary uses are ancillary to a farm operation.



In response to the Ministry's comments, and to clarify the proposed definition of agriculture for Electoral Area 'G', it should be noted that all uses supported by the proposed definition must be accessory uses on lands classified as 'farm' under the *Assessment Act*.

*Ministry of Environment:*

The Ministry applauds the Regional District of Nanaimo (RDN) for taking a strong stand regarding building strata subdivisions. The Ministry has concerns with respect to proposed Bylaw No. 500.360's definition of agriculture. The Ministry is concerned with agricultural exemptions under the *Riparian Areas Regulations* (RAR) and how they may apply to the additional uses supported by the proposed definition of agriculture. The Ministry is concerned that an applicant proposing, for example, to breed dogs or cats may be interpreted by local government to be exempt from the RAR, which the Ministry indicates is inconsistent with its intention for agricultural exemptions. The Ministry indicated that they are seeking clarification on how agricultural use is defined to determine the types and extent of agricultural uses that are exempt from the RAR.

In response to the comments received by the Ministry of Agriculture and Ministry of Environment, staff would like to clarify that all accessory uses supported by the proposed definition of agriculture are considered permitted uses for land within the ALR in accordance with Section 3 of the *Agricultural Land Commission Act's Agricultural Land Reserve Use, Subdivision and Procedure Regulation 171/2002*.

*City of Parksville*

Staff were in contact with the City of Parksville to respond to questions regarding the proposed bylaws. Following the discussions, the City of Parksville indicated that it had no additional comments.

**2. Website and Electronic Notification**

A webpage and email alert system was set up for providing information on the project.

**3. Newsletter**

Approximately 6,400 newsletters were sent to properties in Electoral Area 'G'. The purpose of the newsletters was to provide information on the proposed bylaws and to advertise the Open Houses.

**4. Open Houses**

Three Open Houses were held on November 1, 2, and 3, 2010, to present the draft bylaws to the community and provide an opportunity for input. In addition to advertising in the newsletters, the Open Houses were advertised in the October 29, 2010, edition of the Parksville Qualicum Beach News. Unfortunately, the Open Houses were not well attended as there was a total participation of approximately 18 people during the three events. A summary of the comments provided at the Open Houses as well as the one questionnaire that was received is included in Attachment No. 2.

**5. Presentation to Oceanside Development and Construction Association**

Staff made a presentation to the Oceanside Development and Construction Association (ODCA) at its November 17, 2010, meeting. This provided an opportunity to inform ODCA of the proposed amendments and respond to questions and concerns.

**6. Letter Sent to Affected Property Owners**

Prior to notification, approximately 100 letters were sent to affected property owners to ensure that they were aware of the proposed changes and had an opportunity to provide input. A copy of the proposed bylaw(s) and newsletter were attached to the letter. The letter also invited them to meet with staff to discuss any concerns they had with respect to the proposed bylaws.

## 7. Notification

In addition to the letters sent to affected property owners, approximately 1,250 notices were mailed to affected property owners, occupants, and adjacent properties.

Although notice of the proposed bylaws was not required by the *Local Government Act* or "Regional District of Nanaimo Development Approval Procedures and Notification Bylaw No. 1432, 2005" (Bylaw No. 1432), notice was sent to ensure that the community was aware of the proposed amendments. Notices were mailed to property owners and occupants within a given radius of each subject property using the requirements set out in Bylaw No. 1432 as a guide as though notice was required.

As provided above, public consultation and notification on the proposed bylaw amendments far exceeds the requirements of both the *Local Government Act* and Bylaw No. 1432.

## 8. Public Hearing

A public hearing was held pursuant to the *Local Government Act* on December 6, 2010, with approximately 40 people in attendance (*see Attachment No. 3 for the Report of the Public Hearing and Attachment No. 4 for written submissions and correspondence received at and prior to the Public Hearing*).

The following provides a brief summary of the main concerns raised at the Public Hearing. Please refer to Attachment No. 3 for more information.

Comments received on proposed Bylaw No. 500.359

- An ODCA representative expressed concern over the effectiveness of the proposed bylaw given that few properties located outside of the Agricultural Land Reserve and Private Managed Forest Lands are subdividable and therefore affected.
- One community member suggested that the proposed bylaw does not go far enough to achieve the goals of the OCP.

Comments received on proposed Bylaw No. 500.360

- One community member expressed concern in regard to the proposed parcel area expression and the affect that it may have on existing properties.

Comments received on proposed Bylaw No. 500.361

- Two community members expressed opposition to the proposed bylaw primarily due to concerns relating to home based business being permitted by the proposed zone.

Comments received on proposed Bylaw No. 500.362

- Most of the concerns identified at the Public Hearing were in regard to proposed Bylaw No. 500.362. A common theme from those who made presentations was that there is a strong desire to recognize existing hotel units, maintain and improve existing uses, and provide opportunities to accommodate future resort commercial growth.

## DISCUSSION

In response to further staff review and comments received prior to and at the Public Hearing, staff are recommending some changes be considered to the proposed bylaws at 3rd reading. The following provides a description of the amendments recommended by staff and the justification for considering the recommended changes.

### 1. Proposed Amendments to Bylaw No. 500.359

Staff recommends that Bylaw No. 500.359 be amended by replacing the date which the proposed minimum site area requirements take effect from January 31, 2010, (which was included in the bylaw as a placeholder during deliberations and public consultation) to February 22, 2011. Should the Board grant 3<sup>rd</sup> reading to the proposed bylaw, the proposed amendment would provide an adequate timeframe for the Ministry of Transportation and Infrastructure (MOTI) to approve the bylaw and for the Board to consider its adoption at its January 25, 2011 or February 22, 2011 meeting.

### 2. Proposed amendments to Bylaw No. 500.360

With respect to the proposed parcel area expression, staff recommends that paragraph 3(ii)(b) of the bylaw be amended to read as follows:

*"For the purpose of this Bylaw in determining how parcel areas are expressed on plans registered after February 22, 2011, the size of a parcel shall be determined by reference to parcel size established by a B.C. Land Surveyor based on the following table:"*

Staff is recommending the proposed amendment to address concerns expressed at the Public Hearing over the need to clarify how the proposed standards would apply. The proposed amendment is intended to clarify that the standards for parcel area expression only apply to plans registered and/or received by the RDN after February 22, 2010. In addition, it should be noted that the proposed amendment is consistent with RDN Board Policy B1.15: *Expression of Parcel Areas in Regional District of Nanaimo Regulatory Bylaws*, which is currently in place and provides staff with direction, identical to that which is proposed by Bylaw No. 500.360, on determining how parcel areas are expressed. It should be noted that the regulations pertaining to expression of parcel area do not affect the minimum parcel sizes supported by "*Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987*" (Bylaw No. 500).

Introducing regulations in Bylaw No. 500 on how parcel areas are to be expressed is intended to maintain consistency and provide additional certainty. In addition, having the proposed regulations in the zoning bylaw provides an additional level of transparency by ensuring that the community has access to and understands the requirements for how parcel areas are to be expressed. Since Policy B1.15 also applies to Electoral Area 'F', staff recommends that this policy be maintained in its current form.

With respect to the proposed minimum setback requirements adjacent to the Vancouver Island Highway No. 19, upon further review it was determined that the Resource Management 1 (RM1) zone currently requires a 20.0 metre minimum setback from all lot lines. The intent of proposed Bylaw No. 500.360 is not to reduce the existing minimum setback requirements adjacent to the highway. Therefore, staff recommends that setbacks described by paragraph 4 of the bylaw be amended to read as follows:

*"For Electoral Area 'G' only, the minimum required setback for all buildings and structures adjacent to the Vancouver Island Highway No. 19 shall be the minimum setbacks prescribed in each zone or 15.0 metres, whichever is greater."*

### 3. Proposed Amendments to Bylaw No. 500.362

In response to concerns expressed by the owners of the existing resort commercial properties over the effect of the proposed bylaw on their existing operations, staff recommends that paragraph 9(c) and corresponding Schedule '8' be removed from the bylaw. Paragraph 9(c) proposes to rezone five properties currently being used for resort commercial uses from Commercial 5 (CM5) to Resort Commercial (RCM) as shown on Schedule '8' of the bylaw. The recommended changes would remove the affected resort commercial properties from the bylaw.

To address the concerns expressed from the resort commercial property owners at the Public Hearing and to help support tourism in Electoral Area 'G', staff recommends that the Board direct staff to work with the affected property owners to address their concerns and introduce an amendment to Bylaw No. 500 at a later date to consider a new Resort Commercial zoning which is consistent with the Electoral Area 'G' OCP and supports a sustainable local tourism industry.

#### PROCEDURAL NOTES

In accordance with Section 894(1)(b) of the *Local Government Act*, following a Public Hearing the Board, without further notice or hearing, may alter and then adopt a bylaw provided the alteration does not:

- i. alter the use;
- ii. increase the density; or,
- iii. without the owner's consent, decrease the density of any area from that originally specified in the bylaw.

The proposed amendments to Bylaw No. 500.359, 500.360, and 500.362 do not alter the use or affect density. Therefore, the Board may consider amending the bylaws at 3<sup>rd</sup> reading.

Should the Board grant 3<sup>rd</sup> reading to the proposed bylaws as amended, they will be referred to the MOTI for its approval in accordance with Section 52 of the *Transportation Act*. Once approved by MOTI, the Board may consider adoption of the proposed bylaws.

#### ALTERNATIVES

1. To adopt Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw Nos. 500.359, 2010, 500.360, 2010, 500.361, 2010, and 500.362, 2010.
2. To accept the proposed amendments and give 3<sup>rd</sup> reading to Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw Nos. 500.359, 2010, 500.360, 2010, 500.361, 2010, and 500.362, 2010.
3. To deny 3<sup>rd</sup> reading to Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw Nos. 500.359, 2010, 500.360, 2010, 500.361, 2010, and 500.362, 2010.

#### SUSTAINABILITY IMPLICATIONS

The proposed bylaws are consistent with the direction provided by the RDN Board Strategic Plan, the Regional Growth Strategy, and the Electoral Area 'G' OCP. In addition, the proposed zoning changes are consistent with the RDN's efforts to become a more sustainable region by protecting rural integrity and encouraging local food production and a diversified agricultural land base.

**SUMMARY**

The Board granted 1<sup>st</sup> and 2<sup>nd</sup> reading to Bylaw Nos. 500.359, 500.360, 500.361, and 500.362 at its September 21, 2010 meeting. Referrals were sent to various agencies requesting comments on the proposed bylaws. Three Open Houses were held on November 1, 2, and 3, 2010, to obtain community input prior to the Public Hearing.


In accordance with the *Local Government Act*, a Public Hearing was held on December 6, 2010, with approximately 40 residents in attendance. The Report of the Public Hearing and written submissions to this Public Hearing are attached for the Board's consideration.

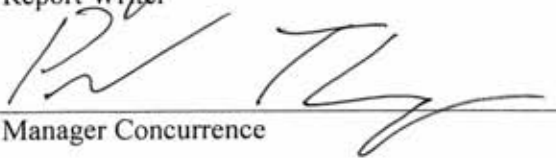
Staff are recommending changes to the proposed bylaws to address the community's concerns identified through the public consultation process. In addition, staff are proposing a separate process for working with affected property owners to introduce an amendment to Bylaw No. 500 at a later date to introduce a new Resort Commercial zone which is consistent with the Electoral Area 'G' OCP and supports a sustainable local tourism industry.

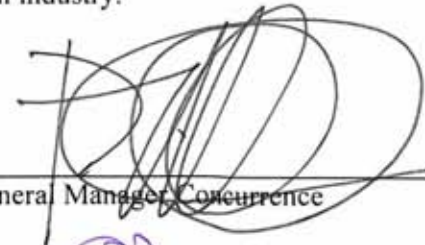
All requirements of the *Local Government Act* have been fulfilled and staff are recommending changes in response to the community input. Therefore, staff recommends that the Board grant 3<sup>rd</sup> reading to proposed Bylaw No. 500.361 and 3<sup>rd</sup> reading as amended to proposed Bylaw Nos. 500.359, 2010, 500.360, 2010, and 500.362, 2010.


**RECOMMENDATIONS**

1. That the summary of the Open Houses held November 1, 2, and 3, 2010, be received.
2. That the Report of the Public Hearing held December 6, 2010, on Bylaw Nos. 500.359, 500.360, 500.361 and 500.362 be received.
3. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.359" be read a third time as amended and forwarded to the Ministry of Transportation and Infrastructure for approval.
4. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.360" be read a third time as amended and forwarded to the Ministry of Transportation and Infrastructure for approval.
5. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.361" be read a third time and forwarded to the Ministry of Transportation and Infrastructure for approval.
6. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.362" be read a third time as amended and forwarded to the Ministry of Transportation and Infrastructure for approval.
7. That staff be directed to work with the affected resort commercial property owners who came forward at the Public Hearing to address their concerns and introduce an amendment to Bylaw No. 500 to consider a new Resort Commercial zoning designation which is consistent with the Electoral Area 'G' Official Community Plan and supports a sustainable local tourism industry.

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

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

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

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

## Attachment No. 1 Agency Referral Comments



November 10, 2010

File: 3360 30 1001

Greg Keller,  
Senior Planner  
Regional District of Nanaimo  
6300 Hammond Bay Rd.  
Nanaimo, BC V9T 6N2

Dear Mr. Keller:

**Re: Electoral Area G Official Community Plan Implementation Bylaws No. 500.359, 500.360, 500.361 and 500.362 Referral**

Thank you for your referral dated October 15, 2010. As I have not been involved in the Area G referral process previously I will apologize in advance if my comments may lack some history as to why the new bylaws are required and how they might relate to the agricultural considerations of the Electoral G Official Community Plan.

I see little impact to the Agricultural Land Reserve from changes to the minimum parcel size and the site area requirements per dwelling unit outside the urban containment boundary. I assume that these changes only apply to land outside the Agricultural Land Reserve. Any land within the Agricultural Land Reserve would still require approval from the Agricultural Land Commission for additional dwellings or subdivision despite these changes.

OCP section 8.1, Policy 2: Amend the definition of agriculture in support of a more diverse range of agricultural opportunities including but not limited to value added and eco-tourism. I support permitting a wide range of agricultural opportunities within the ALR however this is tempered with ensuring that agriculture is the primary use of the parcel and these complimentary-farming activities are ancillary to a farm operation. Within the Agricultural Land Reserve this would, for example, not allow an activity such as eco-tourism as an outright use unless it was associated with a farming activity. Any activity that was not part of a farm operation would require Agricultural Land Commission approval under non-farm use application. You also may want to refer to Part 2 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation for activities and permitted uses in the Agricultural Land Reserve. [http://www.alc.gov.bc.ca/legislation/Reg/ALR\\_Use-Subd-Proc\\_Reg.htm](http://www.alc.gov.bc.ca/legislation/Reg/ALR_Use-Subd-Proc_Reg.htm)

Thank you for the opportunity to comment on your Area G OCP amendments. If you have any questions regarding my comments please contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Hatfield".

Jill Hatfield, P.Ag.  
Regional Agrologist

Ministry of Agriculture

Sustainable Agriculture  
Management Branch

Mailing Address:  
2500 Cliffe Avenue  
Courtenay, BC V9N 5M6

Telephone: 250-897-7518  
Facsimile: 250-897-7507

Web Address: <http://www.al.gov.bc.ca>

**Keller, Greg**

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**From:** Henigman, Margaret ENV:EX <Margaret.Henigman@gov.bc.ca>  
**Sent:** Friday, October 29, 2010 10:16 AM  
**To:** Keller, Greg  
**Subject:** Area G OCP Implementation Bylaws

Hi Greg;

I had a quick look over the proposed 4 bylaws and I applaud the RDN for taking a strong stand regarding building strata subdivisions. I do have a concern however regarding bylaw 500.360 and the additions to the definition of agriculture. As you know agricultural uses are exempt from the Riparian Areas Regulation and although that zoning would not be directly relevant to the RAR there is a strong possibility of this being misinterpreted and a local government allowing land uses that are inconsistent with our intention for the exemption. In particular I am concerned about the definitions under part 2 c. and d. as I can see how someone who perhaps breeds cats or dogs would feel they are exempt from the RAR. I have posed the question of defining agricultural use for the purposes of the RAR to our Victoria staff but did want to express my concerns here.

Thanks,

Maggie Henigman, MA, CCEP  
Acting Sr Ecosystems Biologist  
Ministry of Environment  
(250) 751-3214  
Henigman, Margaret ENV:EX

**Keller, Greg**

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**From:** Blaine Russell <BRussell@parksville.ca>  
**Sent:** Friday, December 03, 2010 3:10 PM  
**To:** Keller, Greg  
**Cc:** Gayle Jackson  
**Subject:** RE: PROPOSED BYLAWS 500.359 TO 500.360

Dear Mr. Keller,

RE: PROPOSED BYLAWS 500.359 TO 500.360

Thank you for the clarification with respect to RDN Bylaws No. 500.359 and 500.360.

We have no additional comment.

Sincerely,

Blaine Russell,

Manager of Current Planning



P O Box 1390, 100 Jensen Avenue East,  
Parksville, BC V9P 2H3

Direct Line: 250-954-4673 | Fax: 250-954-4685  
[brussell@parksville.ca](mailto:brussell@parksville.ca) | [www.parksville.ca](http://www.parksville.ca)

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**From:** Keller, Greg [<mailto:GKeller@rdn.bc.ca>]  
**Sent:** December 1, 2010 3:51 PM  
**To:** Blaine Russell  
**Subject:** Proposed Bylaws 500.359 to 500.360

As per your request. Attached please find proposed bylaws 500.359 to 500.362.

**Greg Keller, MCIP**  
**Senior Planner**  
**Regional District of Nanaimo**

6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2  
Tel: (250) 390-6510



## **Attachment No. 2 Open House Summary and Questionnaire**

As part of the Board approved consultation plan for the Electoral Area 'G' Official Community Plan implementation project three open houses were held on November 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup>. The open houses were advertised by using the following methods:

- i. a newsletter sent to all property owners;
- ii. a notice in October 29<sup>th</sup> edition of the PQ News;
- iii. a notice was placed on the project website;
- iv. use of the RDN email alert system; and,
- v. email and correspondence with community groups including the French Creek Residents Association and the Oceanside Development and Construction Association.

The following provides a summary of the comments received at the open houses. All open houses were held from 4:00pm to 8:00pm with a presentation scheduled for 7:00pm. A questionnaire was also provided to obtain community feedback.

### **Open House No. 1: November 1<sup>st</sup>, Multi-purpose Room, Oceanside Place**

A total of 10 people were in attendance throughout the open house.

#### **Comments Included:**

- Opposition to increasing the minimum site area for a second dwelling unit.
- Support for the proposed increase to site area requirements applying to new lots only and that existing lots would be unaffected.
- Support for the proposed zoning amendments in French Creek.
- Disappointment that changes to the minimum parcel size have not been included in the proposed bylaws.
- Support for the minimum lot sizes in the Official Community Plan to be implemented.
- Concern that the proposed RS1.1 zone could be applied elsewhere.
- One questionnaire was completed and has been attached to this summary.

### **Open House No. 2: November 2<sup>nd</sup>, Beach Acres Resort**

A total of 4 people were in attendance throughout the open house. No comments were received in opposition to the proposed bylaws.

No questionnaires were completed.

### **Open House No. 3: November 3<sup>rd</sup>, Little Qualicum Hall**

A total of 4 people were in attendance throughout the open house. No comments were received in opposition to the proposed bylaws.

No questionnaires were completed.



Electoral Area 'G' Official Community Plan Implementation  
Proposed Bylaws 500.359, 500.360, 500.361, and 500.362  
Open House Feedback Form

What do you agree with and support in the proposed bylaws and why?

① GOOD THAT BROKEN  
UP INTO SEPARATE BYLAWS

What parts of the proposed bylaws do you disagree with and why?

① ABANDONING MIN. PARCEL  
SIZE UPGRADE IN RURAL

② CHANGING RSS → RS1.1  
— SHOULDN'T RECEIVE  
BENEFITS OF RS.1

③ SPOT ZONING IS NOT GOOD PLANNING

Please use this space to provide any other comments and suggestions you may have with respect to proposed bylaws 500.359, 500.360, 500.361, and 500.362.

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**Attachment No. 3**

**REPORT OF THE PUBLIC HEARING HELD MONDAY, DECEMBER 6, 2010  
AT 7:00 PM AT ST. COLUMBA PRESBYTERIAN CHURCH HALL,  
921 WEMBLEY ROAD, PARKSVILLE, BC  
TO CONSIDER REGIONAL DISTRICT OF NANAIMO LAND USE AND  
SUBDIVISION AMENDMENT BYLAW NO. 500.359 2010, 500.360, 2010, 500.361,  
2010, and 500.362, 2010**

*Note that the following is not a verbatim recording of the proceedings, but a summary of the comments received by those in attendance at the Public Hearing.*

**PRESENT:**

Joe Stanhope	Chairperson, Director, Electoral Area 'G'
Joe Burnett	Director, Electoral Area 'A'
Paul Thompson	Manager of Long Range Planning
Greg Keller	Senior Planner

There were approximately 40 people in attendance.

The Chairperson called the Hearing to order at 7:00 p.m., introduced those present representing the Regional District, and outlined the procedures to be followed during the Hearing. The Chairperson then opened the floor to comments on the proposed bylaws.

**Tom Thornton, 1580 Marine Circle** spoke to concerns regarding proposed Bylaw No. 500.361 and the introduction of a Residential 1.1 zone. Mr. Thornton asked about the difference between RS1 and RS1.1 and spoke of the constraints regarding parking, storage of Recreational Vehicles, home based businesses, etc. in areas with narrow streets. Mr. Thornton asked if covenants would be required to be registered on title so when lots are sold perspective buyers would be aware of permitted uses. Mr. Thornton indicated that he was concerned with home based businesses being permitted by the proposed zone as a result of serious issues with streets and access. Mr. Thornton suggested that the community is heading for serious problems with home based businesses on narrow streets.

**Helen Sims, 664 Johnstone Road** introduced herself as a representative of Oceanside Development and Construction Association (ODCA). She then summarized a letter prepared with respect to the proposed bylaws. Ms. Sims indicated that ODCA supports the RDN's decision to abandon Bylaw No. 500.346.

With regard to proposed Bylaw No. 500.359, Ms. Sims indicated that ODCA supports the notion of nodal development, but disagrees with rationale for the bylaw. Ms. Sims suggested that Electoral Area 'G' is an anomaly in the Region. She then indicated that there are only a few parcels suitable for subdivision and therefore, the proposed bylaw will have little effect. Ms. Sims suggested that the proposed bylaw is essentially downzoning and would force development inside the Urban Containment Boundary. She suggested that the intent of the bylaw is to eliminate building strata. Ms. Sims recommended that instead of the changes proposed by Bylaw No. 500.359, that the Regional District of Nanaimo support a 1.0 ha minimum parcel size to assist in the acquisition of park land, affordable housing, etc. She indicated that the proposed bylaw eliminates the possibility of park land dedication. Ms. Sims suggested that the Regional District of Nanaimo should not adopt Bylaw No. 500.359 in its present form.

With regard to proposed Bylaw No. 500.360, Ms. Sims indicated that ODCA supports the proposed definition of agriculture. Ms. Sims indicated that ODCA does not agree to the proposed change to how

parcel areas are expressed. She explained that the proposed amendment changes the definition of parcel in Bylaw No. 500 and would affect every parcel affected by Bylaw No. 500. She suggested that the proposed bylaw would have the same effect as Bylaw No. 500.346. Ms. Sims indicated the ODCA does not support Bylaw No. 500.360 in its present form. Ms. Sims indicated that ODCA supports the proposed increases to setbacks and landscaping regulations.

With regard to proposed Bylaw No. 500.361, Ms. Sims indicated that ODCA supports the proposed bylaw.

Ms. Sims explained that ODCA neither supports nor opposes proposed Bylaw No. 300.362.

**Heather Powell, 924 East Island Highway** spoke regarding proposed Bylaw No. 500.362. She indicated that she was representing a number of other resorts in Electoral Area 'G'. She indicated that they are committed to the vision of the Regional Growth Strategy (RGS) with respect to tourism. She indicated that they support RGS Goal 6C. Ms. Powell then spoke regarding destination resorts in the RGS and their concerns that the proposed bylaw is in conflict with RGS and Official Community Plan. She explained that the proposed bylaw fails to recognize existing uses and does not permit the primary use for each of the properties affected. Ms. Powell explained that hotel use is an existing primary use yet is not allowed in the proposed bylaw. She explained that the proposed bylaw puts business at risk of failure and disallows businesses to get funding for improvements and makes it difficult to renew mortgages. Ms. Powell explained that the bylaw fails to recognize the needs of the tourism industry and the need for sustainable growth. She explained that Resort Commercial requires a variety of uses to be financially sustainable. Ms. Powell indicated that the tourism industry accounts for a large proportion of employment within the area. She explained that owners need the ability to operate unencumbered and without threat resulting from becoming legal non-conforming. Ms. Powell requested that the Electoral Area Director remove the affected resort properties from the bylaw and redraft it to retain existing uses and operational needs to ensure a sustainable future.

**Michael Jessen, 1266 Jukes Place** spoke regarding proposed Bylaw No. 500.359. He explained that he supports the proposed bylaw but does not believe it goes far enough to achieve the goals of the Official Community Plan. Mr. Jessen then spoke in favour of proposed Bylaw No. 500.360. He then spoke regarding proposed Bylaw No. 500.361. He indicated that he does not recall any discussion or support from residents in Official Community Plan review process to change the zoning. Mr. Jessen suggested that the proposal is designed to correct planning department errors in 1990's. He suggested that the proposed bylaw is an example of spot zoning and is viewed as being an unacceptable planning practice. Mr. Jessen disagreed with allowing home based businesses on small narrow streets. Mr. Jessen then indicated that he supports proposed Bylaw No. 500.362 in principle.

**Colin Springford, 1958 Northwest Bay Road** indicated that he was speaking on behalf of the Coombs Farmers Institute. He indicated that they were concerned with proposed Bylaw No. 500.360. He suggested that the proposed definition of agriculture is not entirely in keeping with Agricultural Land Commission's regulations. He questioned that the breeding of household animals as a use permitted by the Agricultural Land Commission. Mr. Springford indicated that they would like to see the ability to have retail sales of goods wholly produced on the farm which are processed off site and returned to the farm for sale. He indicated that he has a retail store which sells products produced on the farm and some products produced off the farm. He indicated that the proposed bylaw may not allow sale of farm products that are processed off the farm. Mr. Springford was in support of agri-tourism as well as agricultural research and education. Mr. Springford indicated that they support the bylaw in general, but fine tuning might help.

**Keith Brown, a land use consultant speaking on behalf of Andrew Cho** of Riverside Resort expressed strong opposition to proposed Bylaw No. 500.362. He explained that the Official Community Plan recommends resort commercial outside the Urban Containment Boundary. Mr. Brown suggested that hotel is

a vital component of a resort commercial use. He spoke to his concern regarding existing hotel units becoming legal non-conforming. Mr. Brown explained that the proposed bylaw ignores the primary existing uses. He indicated that he believes that the RDN is putting too much attention to reduction of land use intensity. Mr. Brown indicates that he supports the Regional District of Nanaimo's long term direction with respect to tourism. Mr. Brown suggested that the existing resort commercial sites located outside the Urban Containment Boundary need special status.

**Cary Thompson, 360 Martindale Road** suggested that the proposed bylaws are more of a band-aid solution to the actual problem at Parry's park. He explained that the proposed bylaw is targeting one set of people while others in the floodplain are not affected. Mr. Thompson suggested that there is a need to consider the rest of Martindale Road residents. He explained that safety is a concern for everybody and there is a need to look at equity people have in their property. Mr. Thompson indicated that he wants to see a vision for other solutions.

**Ron Wong, 5368 Vincent Place** indicated that he represents the Cedar Grove RV Park. He spoke regarding proposed Bylaw No. 500.362 and agreed with the comments provided by Heather Powell and Keith Brown. He suggested the proposed bylaw was in contravention to RGS policy 6C. He explained that tourists come to the area to fish, hike, camp, and spend money in the region. Mr. Wong explained that private campgrounds are a dying breed yet by 2015 the number of RV units is expected to increase by 30%. He suggested that there is insufficient capacity of camping spaces on Vancouver Island during peak periods. Mr. Wong explained that there is a 10% decrease in overnight campsites available in British Columbia yet there is growth in RV sales. He suggested that the proposed bylaw may ban the existence of private campgrounds because there is no money in it. Mr. Wong suggested that rezoning may ruin our future development plans and will not allow them to expand to meet growing demands. Mr. Wong indicated that he was concerned with legal non-conforming status and the ability to acquire financing.

**Mike Wiwcharyk, 911 McFeely Drive** indicated that he represents Seaview Beach Resort. He explained that the area is one of the most unique areas around and that he receives comments from people that say they want to live here. Mr. Wiwcharyk suggested that the Regional District of Nanaimo should be promoting the area for growth. He indicated that he was concerned that the proposed bylaw may destroy the businesses affected. He indicated that he wants to ensure that business is continued in the area. Mr. Wiwcharyk explained that some of these businesses have been there for many years and he wants to preserve the local history.

**Bruce Quayle, 5693 Malibou Terrace** indicated that he represents Riverbend Resort. He spoke regarding proposed Bylaw No. 500.362 and indicated that we have gone through a proposal in detail and most of it has been mentioned tonight. He indicated that the bylaw is going to cause a financial risk to the existing businesses. Mr. Quayle questioned where are we trying to get to as a community. He explained that they want their resort to be a preeminent resort on Vancouver Island but they can only do that with assistance from the Regional District of Nanaimo.

**Tom Thornton, 1580 Marine Circle** spoke regarding Bylaw No. 500.362. He encouraged the Board to take the comments provided at the public hearing back to the Board and consider the comments and concerns heard at the Public Hearing.

The Chairperson called for further submissions for the first time.

The Chairperson called for further submissions for the second time.

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

There being no further submissions, the Chairperson adjourned the Hearing at 7:52 p.m.

Certified true and accurate this      day of December, 2010.

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Greg Keller,  
Recording Secretary

**Attachment No. 4**  
**Correspondence and Submissions**  
**Attached to and Forming Part of the Summary of Minutes and Submissions**  
**Amendment Bylaw Nos. 500.359, 2010, 500.360, 2010, 500.361, 2010, and 500.362**

CS TO RCM

RDN Meeting notes

Hello Heather and Andy,

Wow Heather you sure have a very detailed argument. If I missed it we still need to mention we were not given proper notice of the bylaw change proposal or the public hearings considering the letter we all received was dated Nov 10<sup>th</sup>.

- 1) Our businesses should be contained within the urban containment boundary given the surrounding business developments.
- 2) The proposed bylaw is a step backwards in allowing tourism development growth. It will restrict development by limiting available land.
- 3) If the bylaw proceeds, this will restrict the range of accommodation we can provide to tourists.
- 4) Most of our revenue comes from our cottage rentals, which is what makes the business viable year round.
- 5) Restricting use to campground exclusively will greatly restrict our income.
- 6) Legal non conforming status does not garner as much value as legal conforming. This will affect our ability to obtain financing and any future sale price.
- 7) Legal conforming status makes it much easier to obtain financing and selling for top dollar.

~~There was absolutely no consultation with us as directly affected businesses before drafting this bylaw.~~

~~Can we ask for an adjournment of the final reading as we were not given proper notice?~~

There was absolutely no consultation with us as directly affected businesses before drafting this bylaw.

"THE BYLAW" - 500.362

Regional Growth Strategy Policy 6 c

This proposed bylaw directly opposes the stated goals of the regional growth strategy policy 6 c which says destination resort developments maybe permitted where the development addresses the documented regional needs and compliment the environmental and social attributes of the area. For us activities are swimming, hiking, fishing, camping. If tourists stay in our cottages, they spend money in the region.

~~As you should be aware~~ of: private camp grounds are already a dying breed. Under RCM, I could virtually guarantee the end of the existence of private campgrounds. No investor would ever consider a developing raw land to become a campground under RCM simply because there would be no money in it. \$25-\$40 per night for a family of 4 for maybe 2 to 5 months of the spring and summer and under the new rules "zero" income for the remainder of the year. It's not a lot of money. That's why we need the hotel component to remain in order for the campground industry to survive. The end result of RCM may be the end of private campgrounds in central Vancouver Island-ours included.  
(RDN)

What's the purpose of allowing a gas bar? This would never be allowed given our proximity to the river. And how does allowing a gas bar fit with the proposed bylaw? It is in direct violation of regional growth strategy policy 6c. How is a gas station a destination resort or even a resort commercial? What activity component does it have?

Can we be included in the urban containment boundary? We are within easy walking distance of other resort developments. Can't the boundary be at the bridge? What would be the costs?

Rezoning will ruin our development plans. We purchased the property with the current zoning for a reason: to develop a portion of it. WE RECENTLY HAD A STUDY TO DETERMINE THE FEASIBILITY OF HOOKING UP TO CITY SEWER & WATER.

THIS MORNING NEGOTIATING AT THE PCN. WE WERE TOLD WE COULD ALWAYS ASK FOR REZONING THAT OFFERS ME IN COMPLIANCE WITH A GUARANTEE OF APPROVAL. IT WOULD BE HIGHLY UNLIKELY WE COULD BE GRANTED APPROVAL SINCE WE ARE OUTSIDE OF THE ~~VCB~~ VCB. BANKS ARE MORE INCLINED TO LEND MONEY TO A BUSINESS PROPERLY ZONED THAN ONE THAT HAS TO APPLY FOR ZONING. ANYONE CAN APPLY FOR REZONING, IT DOESN'T MEAN IT WILL BE GRANTED.

THE RCM WONT LET US EXPAND TO MEET THE GROWING DEMAND. WITH 60-70% OF OUR INCOMES DERIVED FROM COTTAGES, IF THEY ADVANCED, WE WOULD NOT BE ABLE TO REBUILD. THIS WOULD FORCE US OUT OF BUSINESS. NO ONE WOULD BUY THE LAND TO RE-DEVELOP IT AS A CAMPGROUND SIMPLY BECAUSE THERE WOULD BE NO REVENUE TO MAKE IT VIABLE.

WE WOULD WELCOME A CHANGE TO GIVE INPUT TO THE ZONING PROCESS.



**December 6<sup>th</sup>, 2010 – Electoral area G – Presentation to the Board**

To the Electoral Area G, RDN  
Mr Joe Stanhope, RDN Board Chairman and Director,

Subject: Public hearing to be read – Proposed Bylaw No. 500.362

From: Andrew Cho, Manger Owner representing Riverside Resort Motel and Campground, 3506 West Island Hwy, Qualicum Beach, BC.

I would like to express my strong opposition of Bylaw 500.362 for the following reasons:

1. The OCP recommends that all commercial uses located outside the UCB be limited to resort commercial uses. I strongly believe that hotel usages ARE an essential part of what defines a resort commerial use.
2. The proposed bylaw significantly puts at risks our ability to continue operations by having access to necessary financing: Non-conforming uses will not generate new capital from banks to upgrade, maintain, or continue operations.
3. The proposed Bylaw states that it intends to rezone certain properties outside the UCB, including us, while "recognizing EXISTING uses and permitting a range of commerical uses considered ACCEPTABLE for lands located outside the UCB". We believe that on the contrary, the proposed Bylaw COMPLETELY IGNORES the PRIMARY and most important existing use, and it is indirectly implying that the acceptable use of our lands is closing down our business.
4. I believe that the RDN is putting too much emphasis on trying to DECREASE the intensity and density usage of our properties, as the proposed bylaw suggests, while ignoring the significant negative impact that this will have not only in our property values, but also in our customers, local community, the economy, employment and tourism as well.



Andrew Cho owner/manager

3506 W Island Hwy Qualicum Beach

Riverside Resort

## December 6<sup>th</sup>, 2010 – Electoral area G – Presentation to the Board

To Electoral Area G Director,  
Joe Stanhope, Chair  
RDN Subject: Public hearing – Proposed Bylaw No. 500.362 (The Bylaw)

This presentation represents five unique businesses affected directly by The Bylaw:  
**Cedar Grove - Parry's RV Park - Riverbend Resort - Riverside Resort - Seaview Beach Resort**

We begin our presentation by stating that we are committed to, and support the vision stated in the Regional Growth Strategy document. Specifically: "A strong and sustainable economy based on our resource assets, our natural appeal to tourists, and the footloose industries and activities of the information age."

We also recognise Goal 6 as the region's priority: "Vibrant and Sustainable economy."

Policy 6C states:

"The RDN and member municipalities agree that tourism is an important part of the regional economy that should be enhanced by providing more tourism facilities to attract new tourists to the region and increase the length of stay of the tourists that already come to the region. Consequently, the RDN and member municipalities agree that destination resort developments may be permitted in the region where the development addresses documented regional needs and complements the environmental, economic and social attributes of the area. Destination resort developments must include an activity component (such as golfing, skiing, boating, fishing, wildlife viewing, nature appreciation, rock climbing, personal development), and may include temporary accommodation."

However, we have some serious concerns, in that The Bylaw appears in conflict with the vision statement of the Regional Growth Strategy, the RDN Economic Planning Study and the OCP.

- 1) The Bylaw fails to recognise the existing uses of the five properties/businesses mentioned above.

For example: Summary of Proposed Bylaw No. 500.362.

It clearly states that the goal/objective of the Bylaw is to "Rezone all commercial zoned lands located outside of the Urban Containment Boundary to a new Resort Commercial zone which recognizes existing uses and permits a range of commercial uses considered acceptable for lands located outside the Urban Containment Boundary."

The Bylaw neglects to identify and recognize the current primary business and existing use for each of the above-mentioned properties. The hotel component of these businesses is in fact a existing primary use, yet is not one of the categories listed in The Bylaw.

- 2) The Bylaw fails to recognise the true definition of Resort Commercial. There is no provision for resort type accommodation, or fixed roof accommodation. This puts these key businesses at severe risk of failure. **Banks provide little financial support for "Legally non-conforming" uses!**
  - It disallows these businesses to raise money for upgrading and improvements which would provide the community with quality tourism and sustainable growth.
  - It creates a risk that the businesses will no longer be in a position to renew their mortgages and therefor fail.

- 3) The Bylaw does not mirror or interface with the vision statement of the Regional Growth strategy, in that it fails to recognise and address current and future needs of the tourism industry. As stated both locally and regionally, tourism is recognised as the major growth industry for Vancouver Island. Sustained growth within this industry is paramount.
- 4) Recreation itself is not self sustaining. The Bylaw fails to support the fact that "Resort Commercial" requires many different facets of tourism, that only when combined, provide a business model that can create quality tourism and recreation for each individual entity.
- 5) The five businesses represented here are all riverside and waterfront recreational facilities and each one represents a specifically unique niche in the tourism market. Memories, are made and reunions are facilitated. We need overhead accommodation! It was incumbent upon the RDN to have recognised these properties as key businesses in our local tourism industry.

It should be noted that as community businesses, we support an industry which accounts for over 67% of overall employment in the local area. We also complement and match our neighbours who are in member municipalities.

We would like to quote from the RDN economic planning study:

**"It is becoming more and more obvious that the only real solution to sustainable economic growth and development in any community is to harness and foster the drive, imagination and skills of local residents. The fundamental structure of the RDN's economy is therefore a positive factor and should aid in future growth. Consistent application of principles and development direction (i.e., GMP goals) is essential to generating a climate that is positive to continuing economic growth."**

And further:

**"Build on established lines of communications with business: It is important that key business leaders and organisations be included in the process."**

In order for the owners to provide continued quality tourist venues, we need the ability to operate our businesses unencumbered by the threat of being unable to restore our facilities should a disaster like fire, or worse still, an earthquake wreak havoc.

We look to the Regional District Board as the custodians of our region, and further look to them to ensure its sustained growth. We feel that the RDN has neglected to address the needs of community tourism in The Bylaw and specifically the needs of these five key local tourist businesses. We ask the Electoral Area Director to remove these five businesses from The Bylaw and redraft it to ensure that it maintains existing uses, better reflects operational needs and ensures future sustainability.

It should be clear that we are all in favour of moving in the direction outlined in the vision statement. It should be equally clear that the proposed bylaw amendments are not acceptable and will cause unnecessary risk and possible failure of a very key sector of tourism in this region.

We thank you for this opportunity to present to you and look forward to working together with the RDN to better implement its goals and strategies.

Addendum:

Cedar Grove- 246 Riverbend Road Qualicum Beach V9K 2N2  
Contact: Ron or Heather Wong 250-756-7927

Parry's RV Park – 380 Martindale Rd. Parksville BC V9P 1R7  
Contact: Richard and Sara Bang 250-248-6242

Riverbend Resort- 924 East Island Hwy, Parksville. BC. V9P 1R6  
Contact: Heather Powell or Bruce Quayle 250-248-3134

Riverside Resort 3506 West Island Hwy, Qualicum Beach, BC. V9K 2H4  
Contact: Sharon or Andrew Cho 250-752-9544

Seaview Resort- 911 McFeely Rd. Qualicum Beach  
Contact: 250-752-6671

**December 6<sup>th</sup>, 2010 – Electoral area G – Presentation to the Board**

To the Electoral Area G, RDN  
Mr Joe Stanhope, RDN Board Chairman and Director,

Subject: Public hearing to be read – Proposed Bylaw No. 500.362

From: Andrew Cho, Manger Owner representing Riverside Resort Motel and Campground, 3506 West Island Hwy, Qualicum Beach, BC.

I would like to express my strong opposition of Bylaw 500.362 for the following reasons:

1. The OCP recommends that all commercial uses located outside the UCB be limited to resort commercial uses. I strongly believe that hotel usages ARE an essential part of what defines a resort commercial use.
2. The proposed bylaw significantly puts at risks our ability to continue operations by having access to necessary financing: Non-conforming uses will not generate new capital from banks to upgrade, maintain, or continue operations.
3. The proposed Bylaw states that it intends to rezone certain properties outside the UCB, including us, while "recognizing EXISTING uses and permitting a range of commercial uses considered ACCEPTABLE for lands located outside the UCB". We believe that on the contrary, the proposed Bylaw COMPLETELY IGNORES the PRIMARY and most important existing use, and it is indirectly implying that the acceptable use of our lands is closing down our business.
4. I believe that the RDN is putting too much emphasis on trying to DECREASE the intensity and density usage of our properties, as the proposed bylaw suggests, while ignoring the significant negative impact that this will have not only in our property values, but also in our customers, local community, the economy, employment and tourism as well.



Andrew Cho owner / manager  
3506 W Island Hwy Qualicum Beach  
Riverside Resort



Oceanside Development & Construction Association  
P.O. Box 616, Parksville, BC V9P 2G7

December 1, 2010

Chairman Joe Stanhope & Board of Directors  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2

Dear Joe Stanhope & Board of Directors,

**RE: Bylaws #'s 500.346, 500.359, 500.360, 500.361 & 500.362**

Thank you for referring the above Bylaws to us for our review. Our comments are as follows.

**BYLAW 500.346**

We support your decision to abandon this Bylaw. Adopting this Bylaw could have resulted in citizens losing all the equity in their home & land.

**BYLAW 500.359 (Minimum Site Area Requirements)**

We support the notion of nodal development & the preservation of rural areas. However, we disagree with the rationale for this Bylaw.

Area G is an anomaly within the rural context. The existing land use outside the Agricultural Land Reserve (ALR) is predominately single family sub-urban with very few remaining large parcels suitable for subdivision. RDN staff has informed us that there are only 13 parcels outside the ALR or Resource Lands that could be subdivided. As such, this proposed Bylaw will have little effect on the development of Electoral Area G as all land in the ALR must go through a very rigorous application process for subdivision or the construction of a second dwelling.

We note that RDN staff refers to "hidden density". Per RDN's *Regional Growth Strategy (RGS) Review Background Report: Land Inventory & Residential Analysis*, capacity has already been established using the existing zoning (see enclosures from above study). This, in turn, forms the basis of the RGS. Changing the number of dwelling units will result in a reduction of capacity, which is essentially downzoning. Downzoning in Electoral Area "G" will force additional density into municipal areas within the UCB.

"Hidden density" is a misnomer as both private property owners & RDN staff are aware of the development potential in this area. It would appear that the intent in this case is to eliminate building stratas. The argument is essentially tenure versus density. The appropriate course of action, in this case, is to legitimize the inherent development rights described as "hidden density" through a Bylaw text amendment. This would bring these developments under the scrutiny of RDN staff & process.

This approach would mimic what you have proposed with Viking Way (under proposed Bylaw 500.361) by simply creating a new zone that would recognize current development rights. This would invoke a standard

review process including the capture of Park dedication through a typical subdivision application. It would also assist in providing affordable or attainable housing. Proposed Bylaw 500.359 eliminates the possibility of achieving any Park dedication in the rural areas. We recommend this Bylaw not be adopted in its present form because it contradicts the land capacity & therefore, the RGS. It should be revised to recognize the existing capacity or density. The zoning should be changed to 1 ha with one dwelling unit per lot.

#### **BYLAW 500.360 (Housekeeping & Minor Amendments)**

##### **Agricultural Definitions**

We support the increase of activities allowed on agricultural lands.

##### **Significant Figures**

Although we do not object to introducing a standard for significant figures, this changes the definition of "Parcel" in Bylaw 500 retroactively. Parcel size & number of dwellings are based on the definition of "Parcel". Since this is a change for Bylaw 500, it will affect every parcel in RDN resulting in the same effect on parcel size & number of dwelling units as abandoned Bylaw 500.346 – second dwellings becoming non-conforming & loss of subdivision potential .

For this reason, we do not support this Bylaw in its present form.

We suggest that the Bylaw be revised by making the change in significant figures effective the date this Bylaw is adopted. All future plans ( & parcels) would comply but this change would not make existing buildings non-conforming or affect owner equity.

##### **Setback to Highway #19**

We support increasing the setback to 15.0 m

##### **Landscaping Regulations**

We support this change.

#### **BYLAW 500.361 (Zoning Amendments in French Creek)**

We support amending the zoning to recognize the existing use.

#### **BYLAW 500.362 (Other Zoning Amendments)**

These are rezonings on individual properties. We neither support nor oppose individual rezonings. Our only comment is to ask if all the property owners were given adequate notice of the change in zoning or if the change affects the equity in the owner's properties.

We trust our comments have been helpful. We applaud the Board for their open approach in advertising and referring these Bylaws for public consultation.

Sincerely,



Bruce Cownden,  
President



Denise Sakai ,  
Vice President



Helen Sims,  
RDN Committee

c.c. Via Email:

Electoral Area A, Joe Burnett  
Electoral Area C, Maureen Young  
Electoral Area E, George Holme  
Electoral Area F, Lou Biggeman  
Electoral Area G, Joe Stanhope  
Electoral Area H, David Bartram



## Executive Summary

The Regional District of Nanaimo is conducting a review of its Regional Growth Strategy (RGS), which was first adopted in 1997. The RGS was last updated and adopted in 2003 and began a review process in the fall of 2007.

This report provides an update of the land inventory and residential capacity analysis for the RGS study area<sup>1</sup>. This is the third update of the land inventory analysis and residential capacity analysis, with previous updates occurring in 1995 and 2001. The update provided in this report uses 2006 data from the BC Assessment Authority, the 2006 Census of Canada, and other data sources. It also presents the analysis using the current jurisdictional geographies, and includes the recently incorporated District of Lantzville and the modified boundary of Electoral Area C.

In addition, the residential capacity analysis takes into account constraints and a practical capacity to provide a more realistic estimate of capacity, which was not done in the earlier studies. Also, the residential capacity assessment is presented according to three different structural types of dwellings: single-detached units, other ground-oriented units, and apartments, which allow a more detailed comparison of supply with demand. This study was conducted under current Official Community Plan (OCP) land use designations, zoning and other land use-related bylaws for the member municipalities and electoral areas.

This report contains:

- A high-level land inventory analysis of all lands in the Regional Growth Strategy study area;
- A residential capacity analysis by structural type of dwelling; and,
- A comparison of housing demand with remaining capacity by structural type of dwelling.

Four levels of geography are used to present the results of the analysis:

- By municipality and regional district electoral area;
- Inside and outside the Urban Containment Boundary;
- By designated Town Centre (in municipalities); and,
- By designated Village Centre (in electoral areas).

The Regional Growth Strategy (RGS) is a land use planning initiative designed to effectively manage and direct growth to create compact and complete communities and achieve other regional objectives. It is a requirement of the *Local Government Act* to monitor the effectiveness of an RGS over time, exploring how the vision of the RGS compares to what is happening on the ground. This land inventory and residential capacity analysis provides some of that information and will create part of the background and foundation for the review process.

### Land Inventory Results

The total gross land area for the RGS study area is 200,787 ha. The total net land area for the RGS study area is 195,735 ha, net of existing roads and road right-of-ways. In terms of the net developable area, the results show that given constraints of steep slopes of 30% or greater,

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<sup>1</sup> The Regional Growth Strategy study area does not include the Indian Reserves within the Regional District or Electoral Area B (Gabriola, Mudge, and De Courcey Islands), which falls under the planning jurisdiction of the Islands Trust.

parks, and riparian setback areas, there are 92,393 ha of land that is developable in the RGS study area. Therefore, 47% of the RGS study area is potentially developable.

The total net land area of the Urban Containment Boundary is 9,535 ha. Within the Urban Containment Boundary there are 8,080 ha of land that are already developed or potentially developable. This represents 9% of the unconstrained land base in the RGS study area.

All of the lands that are designated as Urban Areas in the RGS are located within the Urban Containment Boundary. Approximately 48% of the lands designated as Industrial Areas in the RGS are located within the Urban Containment Boundary. Only 1% of the lands designated Resource Lands and Open Spaces, and 0.3% of the lands designated Rural Residential are located inside the Urban Containment Boundary.

The amount of actual, designated, or zoned parks in the RGS study area represents 1.9% of the land base. This amount of park protection is low compared to the provincial average of 12.5% in 2001. The lower proportion of the land base being in parks can partly be explained by the fact that much of the regional district is privately owned, compared to the Province which is 94% Crown land. However, a significantly higher share than currently exists would be required to fulfill the goal of Environmental Protection in the RGS.

The RGS uses four different generalized land use designations. Lands designated as Resource Lands and Open Spaces in the RGS comprise almost 90% of the RGS study area's land base. These lands are concentrated in Electoral Areas C, F, and H, which comprise over 94% of the region's resource lands. As part of the Resource Lands and Open Spaces, there are 16,793 ha of land in the Agricultural Land Reserve, representing 8.6% of the RGS study area's total land base.

The lands designated as Urban Areas in the RGS comprise 4.2% of the land base<sup>2</sup>. The amount of land area taken up by the nine designated Town Centres in the RGS study area is 0.3% of the land base. The amount of land that comprises the eleven designated Village Centres is 0.4% of the land base. The lands designated as Rural Residential areas in the RGS comprise 5.6% of the region's total land base.

There are approximately 1,069 ha of lands designated in the RGS as Industrial Areas and comprise 0.5% of the region's total land base. The City of Nanaimo contains approximately 58% of the region's total land area that is designated in the RGS as Industrial Areas.

#### **Residential Capacity Results**

In 2006, there were 59,283 dwelling units<sup>3</sup> in the RGS study area. This study found that there is capacity for 108,346 units<sup>4</sup> or a remaining capacity of approximately 49,063 units (as of 2006)

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<sup>2</sup> The Urban Areas land use designation in the RGS includes the designated Town Centres and the Village Centres.

<sup>3</sup> Based on the geocoded count of dwelling units by structural type conducted by the Regional District of Nanaimo and The Sheltair Group. According to the census, the official count of occupied private dwellings was 58,191 in 2006 in the RGS study area.

<sup>4</sup> Westland Resource Group in the 2001 Land Inventory Analysis identified a capacity of 126,500 dwelling units compared to 108,346 units as identified in this study. Therefore, this study estimates approximately 18,200 fewer dwellings at capacity. This is primarily a result of using the "practical" capacity approach (rather than theoretical capacities) and taking into account constraints. It is believed to be a more realistic estimate of capacity.

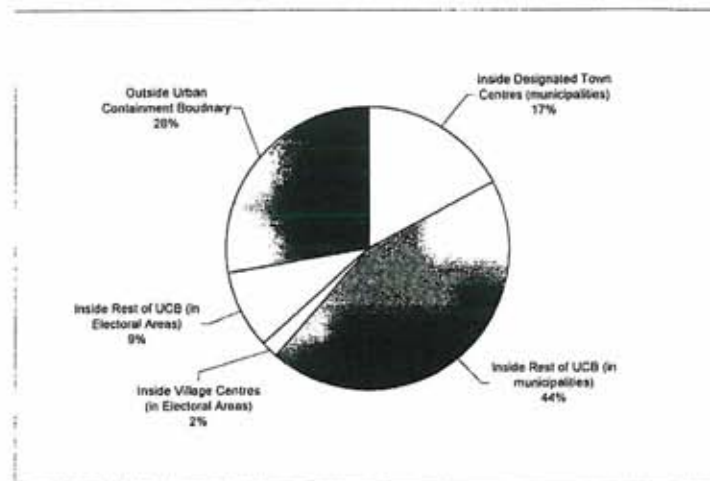
under current zoning and OCP land use designations. Therefore, the RGS study area can be considered to be over 55% "full" as of 2006 with respect to residential capacity.

There is capacity for 72,729 single-detached units, 16,115 other ground-oriented units, and 19,502 apartment units in the RGS study area. Based on assumptions of average household size by structural type at build-out, it is estimated that the population capacity for the RGS study area is 216,300 people<sup>5</sup>.

The Urban Containment Boundary contained 48,209 dwelling units in 2006, or approximately 81% of the region's dwelling units in 2006. This share is approximately equal to the 80% of the dwelling units that were located within the Urban Containment Boundary in 2001 based on the 2001 Land Inventory Analysis (Westland Resource Group, September 2001)<sup>6</sup>.

A fundamental objective of the RGS is to concentrate growth in the Urban Containment Boundary, and specifically the designated Town Centres and Village Centres. For the study area's remaining dwelling unit capacity, approximately 17% is located within the designated Town Centres, 2% within the designated Village Centres<sup>7</sup>, and 53% within the rest of the Urban Containment Boundary (see Fig. 1). Approximately 28% of the region's remaining capacity is located outside the Urban Containment Boundary.

Figure 1: Breakdown of the Location of Remaining Dwelling Unit Capacity by Summary Geography (as of 2006)



<sup>5</sup> Excludes the population in secondary suites.

<sup>6</sup> A direct comparison to the 2001 Land Inventory (Westland Resource Group) is not possible, as the Urban Containment Boundary has been expanded in the District of Lantzville as per their 2005 Official Community Plan.

<sup>7</sup> The capacities in the Village Centres are believed to be underestimated in this study. As these Village Centres become serviced, it is believed that the areas would be rezoned to allow higher densities and a wider mix of housing types than used to calculate the capacities in this study.

## 1.0 Introduction

The Regional District of Nanaimo is conducting a review of its Regional Growth Strategy (RGS), which was first adopted in 1997. The RGS was last updated and adopted in 2003 and will be undergoing a review process beginning in the fall of 2007. An important component of the RGS review is an update of several key studies: a population profile and projection, a housing demand projection, and a land inventory analysis and residential capacity analysis. The population profile and projection and the housing demand projection are documented in the report entitled *Population and Housing Change in the Nanaimo Region, 2006 to 2036 (Urban Futures, October 2007)*.

This report provides an update of the Land Inventory and Residential Capacity Analysis. This is the third update of the land inventory analysis and residential capacity assessment for the Regional District of Nanaimo. Westland Resource Group originally developed the inventory in 1995 and updated the inventory in 2001. The update provided in this report uses 2006 data from the BC Assessment Authority, the 2006 Census, and other data sources. It also presents the analysis using the current jurisdictional geographies, and includes the District of Lantzville (which was incorporated in 2004) and the modified boundary of Electoral Area C (formerly these were part of Electoral Area D, which no longer exists).

In addition, the residential capacity analysis takes into account constraints and a practical capacity to provide a more realistic estimate of capacity, which was not done in earlier studies. Also, the residential capacity assessment is presented according to three different structural types of dwellings: single-detached, other ground oriented<sup>9</sup>, and apartments<sup>10</sup>, which was not conducted in the earlier inventories. The Urban Futures study also uses these same structural types for the housing demand projection, allowing a comparison to be made between supply and demand for each of these structural types.

This report contains:

- A high-level land inventory analysis of all lands in the Regional Growth Strategy study area;
- A residential capacity analysis by structural type of dwelling; and,
- A comparison of housing demand with remaining capacity by structural type of dwelling.

Four levels of geography are used to present the results of the analysis:

- By municipality and regional district electoral area,
- Inside and outside the Urban Containment Boundary,
- By Designated Town Centre (in municipalities), and
- By Designated Village Centre (in Electoral Areas).

This inventory was conducted under current Official Community Plan (OCP) land use designations, zoning and other land use-related bylaws for the member municipalities and electoral areas.

The report builds upon two related studies recently completed for the City of Nanaimo. The Sheltair Group and Eric Vance & Associates conducted a Land Inventory and Residential Capacity Analysis for the City of Nanaimo (January 2007); and Urban Futures prepared a report for the

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<sup>9</sup> Other ground-oriented units include semi-detached units, duplexes, townhouses, and mobile homes.

<sup>10</sup> Apartments include low-rise and high-rise apartments.

## 2.0 Regional Growth Strategy and Levels of Geography

### 2.1 Background

The Regional District of Nanaimo's Regional Growth Strategy (RGS) is a land use planning initiative designed to effectively manage and direct growth to create compact and complete communities and achieve other regional objectives. Initiated under Part 25 of the *Local Government Act*, the Regional Growth Strategy is a long-term strategic planning tool that has a planning horizon of 20 years, and provides an overarching vision and framework that is integrated with other smaller scale and shorter term planning strategies. Led in partnership with the City of Nanaimo, City of Parksville and Town of Qualicum Beach<sup>11</sup>, the RGS was a response to growth pressures and a high population growth rate that occurred in the late 1980s and early 1990s. The Regional District of Nanaimo's RGS covers the geographic areas of the City of Nanaimo, the District of Lantzville, the City of Parksville, the Town of Qualicum Beach and electoral areas A, C, E, F, G, and H. The Regional Growth Strategy was first adopted in 1997, and underwent a review in 2002, and a revised version was adopted in 2003. It is currently undergoing another review and update process, which began in the Fall of 2007.

The goals of the Regional Growth Strategy are:

1. Strong Urban Containment
2. Nodal Structure
3. Rural Integrity
4. Environmental Protection
5. Improved Mobility
6. Vibrant and Sustainable Economy
7. Efficient Services, and
8. Cooperation Among Jurisdictions.

Once an RGS has been adopted and passed as a bylaw (as required by the *Local Government Act*), all community plans within that jurisdiction must be updated within two years to include a Regional Context Statement. A Regional Context Statement outlines the relationship between an Official Community Plan (OCP) and an RGS and how they will be made consistent over time. Each participating municipality has developed a regional context statement as an amendment to its OCP. Since the previous review of the RGS, the District of Lantzville has been incorporated and has developed an Official Community Plan. The District of Lantzville's OCP includes a Regional Context Statement outlining how development in Lantzville is integrated into the vision of the RGS.

It is a requirement of the *Local Government Act* to monitor the effectiveness of a RGS over time, exploring how the vision of the RGS compares to what is happening on the ground. This land inventory and residential capacity analysis provides some of that information and will create part of the context and background information with which to review the Regional Growth Strategy. The results of the analysis demonstrate where development is located in the RDN, how that has changed over time and the amount of land that is currently available based on current zoning and OCP land use designations.

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<sup>11</sup> The District of Lantzville was incorporated in 2004 and was not part of the initial Regional Growth Strategy process. The geographic area, however, was covered under the Regional Growth Strategy, through the Regional District.

### 3.3 Limitations

The following are the limitations of the study:

- For the constraint layer, a slope file with a 20 metre contour interval was used (TRIM data) for the Regional Growth Strategy study area (excluding City of Nanaimo where more detailed elevation contours and slope data were used), which is a coarse level of resolution. The slope file is therefore crude and is not to be used for a site-by-site analysis. However, for a region-wide analysis, it is believed to be sufficient.
- Actual development yields for residential development may be lower than estimated due to additional topographic and site constraints, land assembly issues, servicing, land costs, and public opposition to particular types of projects. A practical capacity approach was used to take these issues into consideration (see following sections of methodology).
- The results are based on existing zoning (other than some specific parcels which are based on OCP land use designations). A municipality may choose to rezone an area, which would result in a different capacity. This is highly probable in the long-term in certain areas as land availability decreases over time. However, it is impossible to know where these may occur and at what density. Therefore, the capacities may increase over time as lands are rezoned.
- The share of single-detached dwellings with secondary suites is difficult to estimate and forecast. An accurate inventory of secondary suites in the study area does not exist<sup>14</sup>.
- The estimation of the number of apartment units in non-stratified apartments is based on assumptions and is difficult to calculate. In addition, the City of Nanaimo did not have updated multi-family data for the number of dwelling units in 2006 for a unit count from the BC Assessment Authority data. Therefore, it is believed that there is a small shortfall of apartments and townhouses from the GIS point file compared to the 2006 census control total.
- For mixed residential/ commercial areas, it is extremely complex to separate out the residential portion of the area from the commercial portion at capacity. Therefore, the number of apartment units in these areas, particularly in the designated Town Centres or Village Centres, is a rough estimate only and has the potential for the widest margin of error of all the results.
- There is no way to break out second home ownership from dwellings with a usual residence. Therefore, comparisons of housing supply and demand (which do not consider non-permanent residents) have not taken this into consideration.
- The capacities in the designated Village Centres are believed to be underestimated. When these areas are fully serviced, it is believed that they would be rezoned to allow a higher density and wider mix of dwelling types than currently zoned.

Another limitation of this study is the comparability with the results of the land inventory conducted in 2001. There are differences in methodology that will result in differences in the results. In addition, the geographic areas differ in some cases. Due to the restructuring of Electoral Area D into the District of Lantzville and a restructured Electoral Area C, it is not possible to accurately compare the results for these areas with the previous land inventory conducted in 2001.

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<sup>14</sup> Data from the BC Assessment Authority and the census can be used as a proxy to estimate the number of existing secondary suites. However, it is believed that these data sources significantly underestimate the number of secondary suites.

Dec. 2. 2010 4:17PM Riverside Resort

No. 4157 P. 2

December 2, 2010

Greg Keller MCIP

CC: Joe Stanhope, RDN Board Chairman and Electoral Area 'G' Director

Re: Proposed Bylaw No 500.362

From: LTD Stranaghan Enterprises (3506 Island HWY W Qualicum Beach BC)

I am one of the owners of the Riverside Resort LTD Stranaghan. This letter is in response to your proposed bylaw No. 500.362.

Please take time to read this letter explaining the effects of the proposal on our business and consider my proposal.

1. New proposed by law will create serious financial hardship as well as loss of jobs to the resort. We have invested millions of dollars to purchase the resort that is compliant to CMS zoning regulations. More than 70% of our revenue comes from motel room sales. However new RCM zoning will eventually lead us to become a RV park with fewer camp sites. Potential revenue that will be generated as Resort Vehicle park will not be sufficient to cover the cost of operating and maintaining the resort. In the end we will be force to bankrupt as the potential revenues that could be generated from a resort vehicle park won't be sufficient to justify the operation of our resort.
2. Moreover, we will not be able to renew or refinance the business through the bank as we will be operating under legal non-conforming zoning. It will force us to lay off employees that's been working here for many years. We hire up to 30 part time and full time employee seasonally as well as year around.
3. It is clear that the bylaw will be beneficial to some of our competitors at our cost. We are not opposing the change, we would like to be compensated for the financial losses that will follow with the new zoning.
4. We should be entitled to be protected under property owner's rights. First, it needs to be closely examined the financial consequences of the proposed bylaw change then property owners should be compensated accordingly. Second, we would like to proposed to sell the resort to the RDN at the current market value. RDN should recognize that the new

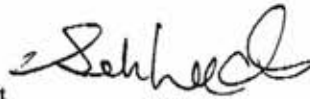
Dec. 2. 2010 4:17PM Riverside Resort

No. 4157 P. 3

bylaw will cause a great financial strain on our property and should try to protect the owner's from losing value in the investment.

5. Please reply back to us regarding the compensation for the change or to purchase our resort. Please call 250-752-7544 or e-mail to [Sharon.andrew@hotmail.com](mailto:Sharon.andrew@hotmail.com)

Sincerely  
Cho, Seh Hee  
Owner of the Riverside Resort





**Keller, Greg**

---

**From:** SHARON J <sharon.andrew@hotmail.com>  
**Sent:** Thursday, December 02, 2010 4:04 PM  
**To:** areagimplementation  
**Subject:** Re Proposed Bylaw No.500.362

December 2, 2010

Greg Keller MCIP

CC: Joe Stanhope, RDN Board Chairman and Electoral Area 'G' Director

Re: Proposed Bylaw No 500.362

From: LTD Stranaghan Enterprises (3506 Island HWY W Qualicum Beach BC)

I am one of the owners of the Riverside Resort LTD Stranaghan. This letter is in response to your proposed bylaw No. 500.362.

Please take time to read this letter explaining the effects of the proposal on our business and consider my proposal.

1. New proposed bylaw will create serious financial hardship as well as loss of jobs to the resort. We have invested millions of dollars to purchase the resort that is compliant to CM5 zoning regulations. More than 70% of our revenue comes from motel room sales. However new RCM zoning will eventually lead us to become a RV park with fewer camp sites. Potential revenue that will be generated as Resort Vehicle park will not be sufficient to cover the cost of operating and maintaining the resort. In the end we will be forced to close as the potential revenues that could be generated from a resort vehicle park only won't be sufficient to justify continued operations.
2. Moreover, we will not be able to renew or refinance the business through the bank as we will be operating under legal non-conforming zoning. It will force us to lay off employees that's been working here for many years. We hire up to 30 part time and full time employee seasonally as well as year around.
3. It is clear that the bylaw will be beneficial to some of our competitors at our cost. We are not opposing the change, we would like to be compensated for the financial losses that will follow with the new zoning.
4. We should be entitled to be protected under property owner's rights. First, the financial consequences of the proposed bylaw change on the property owner needs to be closely examined and compensation granted accordingly. Second, we would like to propose to sell the resort to the RDN at the current market value. RDN should recognize that the new bylaw will cause a great financial strain on our property and should try to protect the owner's from losing value in the investment.

5. Please reply back to us regarding the compensation for the change or to purchase our resort. Please call 250-752-7544 or e-mail to [Sharon.andrew@hotmail.com](mailto:Sharon.andrew@hotmail.com)

Sincerely  
Cho, Seh Hee  
Owner of the Riverside Resort

12/01/2010 15:34 FAX 2502484894

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**Ballenas Engineering Ltd.**  
1080 Industrial Way  
Parksville, B.C. V9P 2W8  
Phone (250) 248-2381 Fax (250) 248-4894  
[hancon@shawcable.com](mailto:hancon@shawcable.com)

1<sup>st</sup> December 2010

3 page(s)

**By Fax**  
Current Planning  
Development Services  
Regional District of Nanaimo  
Fax: 250 390 7511

Dear Sir/Madam:

**Re: Public Hearing - Bylaw No's. 500.362, 2010 and 2761 & 2771 Old Alberni Highway – Legal address: Lot 1, DL143 Nanoose District, Plan 33113, Except Part Plan VIP60252 PID 000 228 265 – Current Zoning A1.**

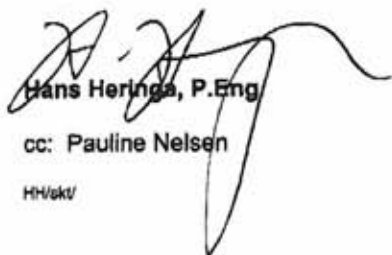
Further to our previous letter of 21<sup>st</sup> September 2010 (sent again on 10<sup>th</sup> November 2010).

Shouldn't Pauline Nelsen's property (in Errington) be included in a similar rezoning to Resort Commercial Zone (RCM), as is presently happening French Creek Area "G" as per Bylaw No. 500.362 for some other properties?

This property has 6 buildings (stores and houses), and 6 electrical (BC Hydro) meters, and Pauline Nelsen wishes to also operate it as an overflow RV Park.

Please review and advise further when you can.

Regards,

  
Hans Herings, P.Eng

cc: Pauline Nelsen

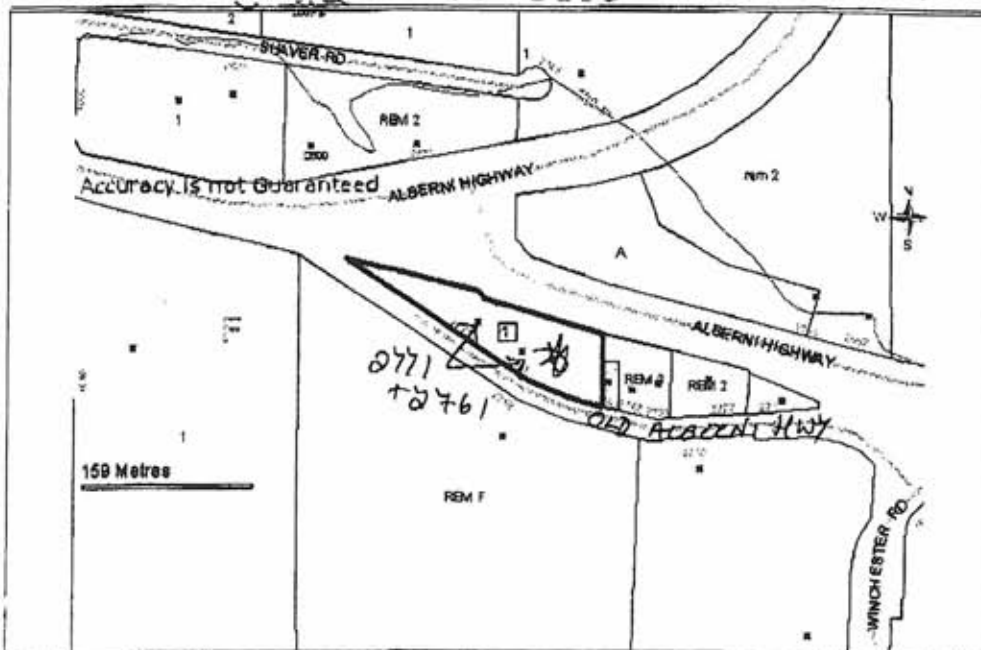
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 Print Preview

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 Page 1 of 2



<b>Parcels</b>	
PID	000228285
Folio Numb	769010403.050
BCGS Mapsheet	92F.038.2.1
Legal Description	LOT 1, DISTRICT LOT 143, NANOOSE DISTRICT, PLAN 33113, EXCEPT PART IN PLAN VIP60252
Plan No	VIP33113
Rdn Id	8926
Address	2771 OLD ALBERNI HWY
Address	2761 OLD ALBERNI HWY

**Restraints (Attribute: Value; Label)**

Rdn Id	8926
Archaeological	
Bulkwateruse	
Dpa	Fish Habitat
Fireprotection	COOMBS-HILLIERS FIRE PROTECTION (COOMBS-HILLIERS FIRE DEPT)
Floodplain	
Gmp Uob	
Gmplanduse	Resource Lands and Open Spaces
Ocplanduse	ELECTORAL AREA F OCP, Resource Lands within ALR
Sewerloc	
Sewerlatercomer	
Seweruse	
Streetlights	Hwy 4 Intersections Streetlighting L.S.A. (BL 1048)
Wateruse	
Zone	BL 1285, A-1,
Dimensions	Acres: 2.7

<https://rdnweb.com/OPGIS/Webpages/print/PrintPreviewPage.aspx>

10/14/2010

12/01/2010 15:34 FAX 2502484894

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## Notice of PUBLIC HEARING

### Bylaw No. 500.362, 2010

Pursuant to Sections 890, 891, and 892 of the **Local Government Act**, notice is hereby given that a Public Hearing will be held with regard to the following proposed Bylaw:

**"Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.362, 2010"**

The Public Hearing will be held at: **St. Columba Presbyterian Church Hall**  
**921 Wembley Road, Parksville, BC**  
on: **Monday, December 6, 2010**  
time: **7:00 pm**

#### Bylaw No. 500.362, 2010

The intent and purpose of "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.362, 2010" is to implement some of the policies contained in the Electoral Area 'G' Official Community Plan by amending "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" as follows:

1. By deleting 'Animal Care', 'Campground', and 'Waste Disposal Site' as permitted uses in the Rural 3 zone.
2. By rezoning two properties located on View Road from Rural 2 to Rural 1.
3. By rezoning all commercial zoned properties located on lands outside of the Urban Containment Boundary to a newly proposed Resort Commercial Zone which permits 'Tourist Store', 'Outdoor Recreation', 'Resort Vehicle Park', 'Recreational Facility', 'Gas Bar' and 'Gas Station' on select properties where they already exist, and one dwelling unit per parcel.
4. By rezoning a property located in the Englishman River floodplain off of Martindale Road from Commercial 5 to a newly proposed Commercial 8 zone which permits 'Seasonal Campground Use', 'Agriculture', and one dwelling unit per parcel to address ongoing flooding concerns.

Please refer to Attachment No. 1, which identifies the lands that are subject to proposed Bylaw No. 500.362, 2010. For more information on the proposed amendments, including text amendments which do not appear on Attachment No. 1, please refer to the proposed Bylaw. Copies of the proposed Bylaw can be obtained at the Regional District of Nanaimo Planning Department located at the address below and also on the Regional District of Nanaimo website at [www.rdn.bc.ca](http://www.rdn.bc.ca).

The Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Bylaw Amendment Bylaw No. 500.362, 2010" is to be held by Director J. Stanhope or his alternate as a delegate of the Board. A copy of the Board resolution making the delegation along with copies of the proposed Bylaw and other information relevant to the issues to be considered by the Board are available for public inspection at the offices of the Regional District of Nanaimo, located at 6300 Hammond Bay Road, Nanaimo, BC, on any regular business day until 4:30 pm **Monday, December 6, 2010**.

At the Public Hearing all persons who believe that their interest in property may be affected by the proposed Bylaw shall be afforded an opportunity to be heard in person, by their representative, or by written submission on all matters contained in the proposed Bylaw.

For more information or to submit written submissions prior to the Public Hearing, please contact the RDN Planning Department at:

- Phone (250) 390-6510 or (250) 954-3798 in District 69 or 1-877-607-4111 toll free in BC
- Fax: (250) 390-7511 ► email: [areagimplementation@rdn.bc.ca](mailto:areagimplementation@rdn.bc.ca) ► web: [www.rdn.bc.ca](http://www.rdn.bc.ca)
- Mailing Address: RDN Planning Department, 6300 Hammond Bay Road, Nanaimo, BC V9T 6N2

12/01/2010 18:02 FAX 2502484894

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001

Hans Heringa, P.Eng.  
1080 Industrial Way  
Parksville, B.C. V9P 2W8  
Phone (250) 248-2381 Fax (250) 248-4894  
[hancon@shawcable.com](mailto:hancon@shawcable.com)

1<sup>st</sup> December 2010  
\_\_ page(s)

By Fax  
Current Planning  
Development Services  
Regional District of Nanaimo  
Fax: 250 390 7511

Dear Sir/Madam:

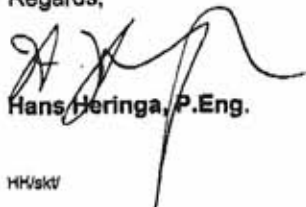
**Re: Public Hearing - Bylaw No's. 500.361 & 500.362, 2010**

We trust that all of the affected Property Owners are aware of the new Bylaws, and that they have all provided their consent, or that you have a majority of Owner's in consent, prior to the preparation of these Bylaws.

In addition, we trust that the Bylaws match the existing use of the subject properties, and that these properties only support one dwelling unit at the present time so that there are no legal non-conforming use issues being created, and that the Property Owner's are content with such a restriction.

Otherwise, it is an unfair down-zoning that just shouldn't proceed, as it penalizes Landowners financially, and Landowners that pay the Taxes based on the existing zoning, and have been for some time.

Regards,

  
Hans Heringa, P.Eng.

HH/skv

**Keller, Greg**

---

**From:** Rob Hill <rob@Kasba.com>  
**Sent:** Thursday, November 25, 2010 4:43 PM  
**To:** areagimplementation  
**Subject:** Comments for public hearing

I do not agree with amending the zoning of property to match the OCP when the rezoning is only used to reduce the capacity of the land. If the governing body decides to match the zoning with the OCP then all properties should be rezoned to match the OCP. Who selects the effected properties is subject to misuse when only certain properties are included. Unless the property owner agrees then there is the possibility of undue influence on the selection process by burecratcs, residence groups, or other bodies to select only certain properties for rezoning.

To be fair and open the rezoning process needs to apply to all properties in Area G and not just select ones.

Robert Hill  
828 San Malo Crescent  
Parksville, BC

December 2, 2010

Riverside Resort

3506 Island Hwy W Qualicum Beach BC

250-752-9544

Dear Greg Keller

Please accept this letter as my submission in response to the proposed Bylaw 500.362

I am one of the owners of the Riverside Resort and I would like to express my strong opposition to the implementation of this Bylaw changing the zoning of our property from CM5 to RCM. This change not only, from my understanding, ignores the current use of our property, but will result in significant short and long term financial losses for our property, while undermining the very existence of our resort in the future.

Our property consist of a Resort comprising of hotel units, campsites, and facilities to complement the guests that arrive here. From my understanding and upon consultation with previous owners, it has been in operation since the 1950's. Over time, changes had been made, recreational facilities added, buildings expanded and sewage systems upgraded. Today our property consists of: 35 hotel units, one manager's suite, 45 campsites (tenting, partial service, and full service sites), one outdoor pool, another shallow outdoor pool next to it which serves also as a landing for our giant waterslide, an 18 hole Minigolf course, a small playground area next to the Minigolf, a washroom building divided into four sections (two handicap, two regular) with a total of 10 toilets, 6 wash basins and six showers, our main building facing Island hwy where we have our tourist store building within which there's the front desk/reception, the store, a small laundromat on the back, our hotel/housekeeping laundry/work area, the manager suite, and 14 hotel units.

Our buildings were expanded, rebuilt, renovated throughout the years. Our former owner, who operated this business from the late 80's to 2005 performed construction and invested millions of dollars by:

- replacing the septic field sewage system by installing new sewage piping, and installing sewage piping down on Kinkaid road towards the community treatment plant, approx. 400 yards along the road. This was done at a cost of over \$120,000



- Completely renovating over half of our existing units (cabins) in the late 80's

- Demolishing and building our main building which comprises of the remaining 14 hotel units, including the described tourist store, laundromat, front desk area, manager suite, etc. These were built in the early 1990's at a considerable cost.

Since we purchased the business in 2005 we have further invested over \$100,000 in upgrading and renovating our units. We are fully approved by tourism BC (Government institution) and recognized by Canada Select (Canada's only national accommodations rating program) with a 3 and 1/2 rating for our hotel units. We have gained valuable new customers and our business has been growing, and approximately 50 % of our guests are repeat customers some dating back to more than one generation. Our facilities are well known in the area, and many local people visit and enjoy our recreational facilities.

Our operation needs the mutual integration of hotel, campsites, recreational facilities and other facilities to continue functioning as a viable business. Our recreational facilities are needed in order to attract the guests to stay in our hotel units and campsites and utilize our tourist store, and in turn the hotel units and campsites are necessary to justify the operation of the recreation facilities and tourist store that we have. Our business cannot function viably if any of the parts above are removed. In particular, the most integral and important part of our operation is the existence of our hotel units. Over 70% of our current revenues are generated from the existence of our hotel units. Without the hotel units, our business will operate at a loss and will no longer be operational. Specifically, if only campsites were allowed in our resort, the revenues generated will no longer be sufficient to cover the fixed expenses of continued operations. Thus, we would no longer be able to operate and have to close our resort.

The proposed Bylaw amendment 500.362 suggests changing our zoning from CM5 to RCM, which, from my understanding:

- o **Hotel uses are no longer permitted**
- o **Resort Condominium Units are no longer permitted**
- o Residential use is now permitted
- o **Restaurants are no longer permitted**

- **Public assembly uses are no longer permitted**
- There no longer "required site area" figures under the former three headings: "Community Water & Sewer System", "Community Water System", "No Community Services".

The consequences of this new Bylaw implementation therefore ignores our primary current uses and restrain further uses that are currently permitted under CM5. Furthermore, it ignores the considerable investments made on upgrading our sewage system, has no provisions to the possibility that community water may be provided in the future, and therefore states required site areas assuming that there are no and will not be community services on our property.

As a result, I am compelled to strongly oppose this Bylaw 500.362 in favour of maintaining our current zoning. The reasons are:

- Our hotels units will no longer be conforming under RCM
- If for any reasons our buildings are damaged beyond determined levels or operations discontinued for over six months, our hotels units cannot be rebuilt or continue to be utilized
- Our ability to continue operations as a result of loss of hotel units will be undermined, if not stopped
- Our ability to make use of the existing permitted uses under CM5 will be annulled (in particular, if we wanted to rebuild and include meeting facilities)
- Our ability to refinance, obtain new loans, or renew loans to finance the continued operation of our business will be jeopardized, if not annulled.
- Our ability to continue operating our current recreational facilities, tourist store will be undermined if any hotel units are lost as they are an integral part of our operations
- Our ability to continue providing employment (over 25 during the summer months, 4 full time in the off season) will be jeopardized
- Our ability to obtain proper insurance and proper claims will be negatively affected.
- Our ability to sell our business at a fair market value as it is currently under the current zoning will be considerably reduced:
- If our resort operates fully conforming to the proposed RCM zoning, it will be operating at a financial loss. Therefore, it will have no appraised value under the income approach
- If the business is sold with all the current hotel units but being legally non-conforming, the market value will have to be significantly reduced to count for the risks associated

- If the business is sold with fewer hotels units, the market value will be accordingly reduced
- Potential buyers will likely not be able to obtain financing to purchase the business, greatly reducing the saleability of our resort

Our hotel units and buildings are in good state of repair and with many usable life remaining. In my knowledge, all buildings and structures were built over time accordingly to the zoning bylaws established by the RDN. In particular, our newest main building was built in the 1990's will all permits granted by the RDN and conforming to our zoning and bylaws, and have many years of life remaining. Our resort was built around the very zoning bylaws and regulations that the RDN has established. We had purchased the business being valued based on conforming to those zoning bylaws. If the RDN wishes to implement the Bylaw 500.362 to the benefit of certain groups and populations in the community, I believe it is only reasonable that they should also be responsible and bear the costs and losses that we will incur due to those changes. These losses, based only on estimates of the loss of market value of our property if the bylaw is implemented, is in the millions.

We are not opposing the purposes and logic behind the RDN in proposing the Bylaw 500.362, we are opposing the Bylaw being passed and changes made to our zoning without any recognition of the losses that we will bear. Therefore, I am obliged to strongly oppose the Bylaw 500.362 in favour of NO CHANGES being made to our zoning bylaws UNLESS we are compensated fairly for the losses that it will create.

Sincerely, Andrew Cho

Owner/ Operating Manager

**Keller, Greg**

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**From:** andrew cho <andrewreit@yahoo.com>  
**Sent:** Thursday, November 25, 2010 2:21 PM  
**To:** areagimplementation  
**Subject:** Electoral Area G OCP Implementation Project

Hello

My name is Andrew Cho, General Manager for Stranaghan Enterprises Ltd (DBA Riverside Resort Motel and Campground) in Qualicum Beach.

I am writing this e-mail in response to a letter I received regarding the proposed Bylaw No. 500.362.

Our property is being proposed to change from CM5 to RCM. Our property is identified as Lot 1, District lot 9, Newcastle District, Plan 11274.

I am not familiar nor very understanding of this bylaw/zoning changes so I was hoping you could help me better understand how these changes will affect us.

We are a 7 acres resort, with approx. 37 hotel units (condominium hotels as well as cabins), and 45 campsites. We also have an 18 hole minigolf, two outdoor pools and a giant waterslide. Also there is a house by the river which was built a long time ago which is rented.

CM5, as established by Bylaw No. 500, 1987 stated that permitted uses are hotels, resort condominium units, recreational facility (4000 sq.m.), Resort Vehicle Park, Tourist Store (800 sq.m.), among other things.

The main differences that I could find with the proposed bylaw change was that under the Resort Commercial zoning;

- there is no mention of hotels, condominium units permitted
- There is an addition of permitted use under "Outdoor Recreation" (10,000 sq.m.)
- the required site for recreation facility changed to 8000 sq.m.
- the required site for tourist store change to 2000 sq.m.

How will this affect us? Will this affect the value of our property? Does this mean that the hotel structures we have will no longer be permitted?

Thanks for your time.

Sincerely, Andrew.

**Keller, Greg**

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**From:** info@parrysrvpark.com  
**Sent:** Sunday, December 05, 2010 11:15 AM  
**To:** areagimplementation  
**Subject:** Parrys RV Park - Electoral Area 'G' Official Community Plan Implementation Project – Proposed Bylaw No. 500.362

RE: Electoral Area 'G' Official Community Plan Implementation Project – Proposed Bylaw No. 500.362

Dear RDN (Regional District of Nanaimo)

We are writing this letter in behalf the possible zoning changes that may happen to our area (Parry's RV Park & Campground) on Martindale Road. On November 15, 2010 we have received the shocking news through a friend. We would like to argue the important decision which can alter our financial situation.

When we have first purchases the business (Parry's RV Park) we have obviously considered what zoning the business was in. From our past experiences in business the zoning was key selling point in a business. However the inconvenient change in zoning from CMS – CM8 limits the property to agriculture, residential, and campground. This change in zoning limits the business possibilities on the property, which of course decreases the price of the property and business.

After we had bought the property and business, we were fully aware of the flood damages around the park. As a result we spent hundreds and thousands of dollars trying to minimize the effects. Some improvements are: building a large barrier of dirt all around the park to guide the flood water, and placing concrete blocks to make sure the water does not enter the park. As a result of our efforts, we have managed to keep the flood water out of the park. In addition because of the RDN on 2008, we have even decided to close our business down for the winter months (November – March). This was not an easy decision because it would significantly influence our annual income. Not only it was a hard decision, it was a hard task because 30 of our sites were permanents, which some have been living onsite for over 30 years. Convincing these guests to leave was not an easy job. In order to clear the sites we had to even give out money to encourage the guests to leave. After this huge change in our business, we thought we would never again get any more conflicts from RDN, yet another problem occurs.

We do not consider the "60 day maximum stay" regulation necessary. Since our business is only open from April – October, flooding never occurs in these months. In addition, there are over 40 sites that annually come to our park and stay 2 – 6 months in our park. And because of this ridiculous rule, we would have to change traditions of annual guests. Furthermore, some of our guests have even reserved all the way to 2015, reorganizing the reservations could be lead to a large confusion to both our guests and us.

We would also like to add that we have gotten very late notice of these crucial changes, and we do not appreciate RDN going about this situation without giving us earlier notice. The letter had stated that there were already meetings about this matter before. I Believe this is an unfair way of going through the decision process, and that RDN should have made one hundred percent sure of if we were aware of these possible changes way before hand.

Please reconsider this profoundly important decision. We are looking forward to hear good news.

With anticipation,  
Richard & Sara Bang

**Keller, Greg**

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**From:** andrew cho <andrewreit@yahoo.com>  
**Sent:** Sunday, December 05, 2010 9:26 PM  
**To:** areagimplementation  
**Subject:** sharon.andrew@hotmail.com

Dear Mr Greg Keller

Please accept this letter to further compliment my last submission and in response to your last e-mail, attached below.

1. I think I understand that the number of units that we have may not be legally conforming to CM5 (however allowed due to a covenant), nevertheless the very existence of a number of hotel units is still a permitted use under the current CM5 zoning. Therefore, we would still be able to continue operations while having a certain number of hotel units and be conforming to the CM5, as long as they meet the minimum site area requirements. According to the proposed RCM zoning under bylaw 500.362, hotel units are no longer permitted.
2. The OCP recommends that all commercial uses located outside the UCB be limited to resort commercial uses. I strongly feel that a hotel usage IS an essential part of what defines a resort commercial use too. I further believe that as much as a hotel usage should be part of a resort commercial use, public assembly uses are a complimentary and important part of it too and should also be included.
3. Under the CM5, Recreation facilities are permitted with a minimum site area of 8,000 sq. meters. Under the proposed RCM, Recreation Facilities continue to be permitted with the same minimum site area, but also Outdoor Recreation uses are further added to the permitted uses, however with a greater minimum site area of 10,000 sq meters. If our pools and minigolf and other facilities are then reconsidered as outdoor recreation, we would then be losing 2,000 sq meters of area that would otherwise be permitted to allocate to other uses. This will result in the unfair loss of allowable units, including campsites. Thus we oppose the introduction of Outdoor Recreation under RCM unless the required site area is maintained or reduced from 8,000 sq meter.
3. The reply from that RDN that we will not be able to renew or refinance mortgages for our property if our zoning changes may or may not be true is not assuring. Our business, like most other businesses, require the ability to obtain proper financing to operate or sell. Unless we are given assurance by financial institutions that the zoning changes may not affect us, there's the risk that we may not qualify for further financing or obtain reasonable and competitive rates. Without bank financing, we will not be able to continue operations.
4. The RDN stated to us that we would not be entitled to compensation for losses as a result of a zoning change, quoting section 914(1) of the Local Government Act, and stating that zoning changes can be adopted when it is believed by the RDN Board that such changes are in the community's best interest. This is certainly unfair and wrongful. I would like to be presented with evidence that it IS in actuality in the community's best interest to change our zoning. I would like to be better explained by the RDN that such changes in zoning will bring better and positive changes to our community that outweigh the significant financial losses that we will incur. Furthermore, aren't we, local business owners, employers, taxpayers and residents of Qualicum Beach also members of the community? Aren't all the business owners that are being affected by the zoning changes and opposing, and the people that have chosen to reside in their resorts, part of the community?
5. The Proposed Bylaw No. 500.362 states that it intends to rezone certain property outside the UCB including

ours to a new RCM recognizing EXISTING uses and permitting a range of commercial uses considered acceptable for lands located outside the UCB". I strongly disagree that this is what is being done. The RCM is in fact COMPLETELY IGNORING the existing uses to our property. Furthermore, what is being considered a commercial use that is acceptable for our property, the RCM zoning, is not considering the fact that we cannot even exist as a business if we are to conform to the proposed RCM. As I stated before, we cannot continue operations if we were to conform to the RCM: it is not financially viable, and we'll have to close down. A RCM zoning that only allows primarily campsites and recreational facilities as a commercial use, is not financially viable due to our parcel size and location.

6. I believe that one of the reasons behind the proposed Bylaw is "to reduce transportation Needs and Greenhouse Gas Emissions" while supporting "a reduction of car dependency and energy use". I strongly think that rezoning our property will not have any effect towards those goals and therefore is not consistent with them:

a. According to the Area G, Map 03, Land Use, we are located less than 500 meters from the Urban Containment Boundary. Thus, does our location really lead to more greenhouse gas emissions? If our resort was moved 500 meters more so that we are within the UCB, would we be reducing greenhouse gas emissions? Does the evidence suggest that our property usage leads to more greenhouse gas emissions than if we were within the UCB?

c. Approximately 70% of our guests stay during the summer months. For them, whether we are located within the UCB or 500 meters away from it, does not lead in my opinion to any particular differences to their greenhouse emissions. Most of them drive from far away locations, including other countries. Most of them actually stay within our resort during their stay. If they travel outside our resort, many of the attractions they drive to are actually OUTSIDE the UCB. I do not think that if they stayed in the resorts located within the UCB their driving distances would be reduced.

d. Ultimately, don't the people who choose to stay in a particular resort take into consideration its location? Don't they choose a location with the aim of minimizing driving distances? If that is the case, wouldn't the people that choose to stay with us actually reduce emissions? They have chosen our very location because it is where their driving distances would be the least.

e. Our employees commute from many different locations: Parksville, Nanaimo, Bowser, Qualicum Beach, Deep Bay, etc. There's no evidence that if we were located 500 meters further within the UCB their travel distances and emissions would be reduced.

f. Within this context, there's no evidence to suggest that reducing the usage density of our property with the proposed RCM zoning will lead to less emissions either (i.e. by increasing the minimum site requirement for outdoor facilities, hereby reducing the allowable quantity of accommodation units). If our usage density is reduced, the guests that stay here, the employees that work here, will go somewhere else. However that somewhere else that they will go to, will it be within the UCB? Will it be a location that will REDUCE their travel distances and emissions? There's no evidence to support it, and I personally doubt that it will have any impact in emissions. Those guests and employees may choose to go to urban areas as much as they may choose to go further away into rural areas, or simply stop coming to our area.

7. In a much greater context, I do not think that RDN's rezoning is in harmony with its Growth Management Plan. RDN's Economic Planning Study posted in its website reports that the service sector (which include uses such as ours) remains the largest employer (over 67%), that the main driver of the RDN's economy are small businesses which are positively growing, and most importantly, has planned economic initiatives which geared towards further strengthening tourism while recognizing that "real competition for economic growth and prosperity" (coming from sectors such as tourism) is not with communities within the RDN but with communities outside (i.e., Abbotsford, Coquitlam, Burnaby, Washington State and Oregon State, etc.)"

Therefore, the rezoning of properties such as ours is contrary to those strategies, because:

- it actually diminishes growth of small business such as ours (in fact, destroys it)
- weakens tourism to our area by diminishing the presence of Resorts with facilities such as ours
- it benefits the economic growth of businesses WITHIN the RDN at the expense of businesses such as ours by transferring our potential customers to other resorts in the RDN
- it benefits the economic growth and prosperity of communities OUTSIDE the RDN at the expense of the RDN (by transferring our potential customers into other resorts outside the RDN).

In conclusion, I do not believe that RDN's motives behind changing the zoning of properties such as ours, will help achieve its goal of bringing economic growth, reducing greenhouse gas emissions, or bringing benefits to the community to an extent that outweighs the significant losses that we will incur. It further fails to recognize the current uses that are existing in our property, while reducing further our currently permitted density use of our property. Therefore, I would like to reinstate my strong opposition to ANY changes to our current zoning, UNLESS:

- amendments are made to recognize the current uses are hotel uses continue to be permitted under the same or a lesser required minimum site area
- No changes are made so that the required site area for any of our structures, buildings, campsites, recreation facilities, outdoor recreation facilities permitted under the current zoning are increased. In particular, if the Outdoor Recreation use is introduced, I would like to request that the required site area be kept at the 8000 sq meter figure or reduced
- We would like to request that we are continued permitted the usage of "Public Assembly Use"



**Keller, Greg**

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**From:** andrew cho <andrewreit@yahoo.com>  
**Sent:** Sunday, December 05, 2010 9:57 PM  
**To:** areagimplementation  
**Subject:** Attn Greg Keller from Riverside Resort Motel and Camground in Qualicum Beach

Dear Greg Keller

This is Andrew Cho.

Thank you for your prompt reply. As to avoid making repetitive submissions from my part, please find below the only two submissions that I would like to make on our behalf. The first one was my original submission I made to you before your last reply, and the last submission being below in reply to your last response. Thank you for your consideration.

Flag this messageDear Mr Greg Keller

Please accept this letter to further compliment my last submission and in response to your last e-mail, attached below.

1. I think I do understand that the number of units that we have may not be legally conforming to CM5 (however allowed due to a covenant), nevertheless the very existence of a number of hotel units is still a permitted use under the current CM5 zoning. Therefore, we would still be able to continue operations while having a certain number of hotel units and be conforming to the CM5, as long as they meet the minimum site area requirements. According to the proposed RCM zoning under bylaw 500.362, hotel units are no longer permitted.

2. The OCP recommends that all commercial uses located outside the UCB be limited to resort commercial uses. I strongly feel that a hotel usage IS an essential part of what defines a resort commercial use too. I further believe that as much as a hotel usage should be part of a resort commercial use, public assembly uses are a complimentary and important part of it too and should also be included.

3. Under the CM5, Recreation facilities are permitted with a minimum site area of 8,000 sq. meters. Under the proposed RCM, Recreation Facilities continue to be permitted with the same minimum site area, but also Outdoor Recreation uses are further added to the permitted uses, however with a greater minimum site area of 10,000 sq meters. If our pools and minigolf and other facilities are then reconsidered as outdoor recreation, we would then be losing 2,000 sq meters of area that would otherwise be permitted to allocate to other uses. This will result in the unfair loss of allowable units, including campsites. Thus we oppose the introduction of Outdoor Recreation under RCM unless the required site area is

maintained or reduced from 8,000 sq meter.

3. The reply from that RDN that we will not be able to renew or refinance mortgages for our property of our zoning changes may or may not be true is not assuring. Our business, like most other businesses, require the ability to obtain proper financing to operate or sell. Unless we are given assurance by financial institutions that the zoning changes may no affect us, the risk that we may not qualify for further financing or obtain reasonable and competitive rates remains. Without bank financing, we will not be able to continue operations.

4. The RDN stated to us that we would not be entitled to compensation for losses as a result of a zoning change, quoting section 914(1) of the Local Government Act, and stating that zoning changes can be adopted when it is believed by the RDN Board that such changes are in the community's best interest. This is certainly unfair and unjust. I would like to be presented with evidence that it IS in actuality in the community's best interest to change our zoning. I would like to be able to be better explained by the RDN that such changes in zoning will bring better and positive changes to our community that out weights the significant financial losses that we will incur. Futhermore, aren't we, local business owners, employers, taxpayers and residents of Qualicum Beach also members of the community? Aren't all the business owners that are being affected by the zoning changes and opposing it, and the people that have chosen to reside in our resorts, part of the community?

5. The Proposed Bylaw No. 500.362 states that it intends to rezone certain property outside the UCB including ours to a new RCM recognizing EXISTING uses and permitting a range of commercial uses considered acceptable for lands located outside the UCB". I strongly disagree that this is what is being done. The RCM is in fact COMPLETELY IGNORING the existing uses to our property. Furthermore, what is being considered a commercial use that is acceptable for our property, the RCM zoning, is not considering the fact that we cannot even exists as a business if we are to conform to the proposed RCM. As I stated before, we cannot continue operations if we were to conform to the RCM: it is not financially viable, and we'll have to close down. An RCM zoning that only allows primarily campsites and recreational facilities as a commercial use, is not financially viable due to our parcel size and location.

6. I believe that one of the reasons behind the proposed Bylaw is "to reduce transportation Needs and Greenhouse Gas Emissions" while supporting "a reduction of car dependency and energy use". I strongly think that rezoning our property will not have any effect towards those goals and therefore is not consistent with them:

a. According to the Area G, Map 03, Land Use, we are located less than 500 meters from the Urban Containment Boundary. Thus, does our location really lead to more greenhouse gas emissions? If our resort was moved 500 meters more so that we would be within the UCB, would we be reducing greenhouse gas emissions? Is there evidence suggests that our property usage leads to more greenhouse gas emissions than if we were within the UCB?

c. Approximately 70% of our guests stay during the summer months. For them, whether we are located within the

UCB or 500 meters away from it, does not lead in my opinion to any particular differences to their greenhouse emissions. Most of them drive from far away locations, including other countries. Most of them actually stay within our resort during their stay. If they travel outside our resort, many of the attractions they drive to are actually OUTSIDE the UCB. I do not think that if they stayed in the resorts located within the UCB their driving distances would be reduced.

d. Ultimately, don't the people who choose to stay in a particular resort take into consideration its location? Don't they choose a location with the aim of minimizing driving distances? If that is the case, wouldn't the people that choose to stay with us actually reduce emissions? They have chosen our very location because it is where their driving distances would be the least.

e. Our employees commute from many different locations: Parksville, Nanaimo, Bowser, Qualicum Beach, Deep Bay, etc. There's no evidence that if we were located 500 meters further within the UCB their travel distances and emissions from them would be reduced.

f. Within this context, there's no evidence to suggest that reducing the usage density of our property with the proposed RCM zoning will lead to less emissions either (i.e. by increasing the minimum site requirement for outdoor facilities, hereby reducing the allowable quantity of accommodation units). If our usage density is reduced, the guests that stay here, will go somewhere else. However, that somewhere else that they will go to, will it be within the UCB? Will it be a location that will REDUCE their travel distances and emissions? There's no evidence to support it, and I personally doubt that it will have any impact on emissions. Those guests may choose to go to urban areas as much as they may choose to go further away into rural areas, or simply stop coming to our area.

7. In a much greater context, I do not think that RDN's rezoning is in harmony with its Growth Management Plan. RDN's Economic Planning Study posted in its website reports that the service sector (which include uses such as ours) remains the largest employer (over 67%), that the main driver of the RDN's economy are small businesses which are positively growing, and most importantly, has planned economic initiatives geared towards further strengthening tourism while recognizing that "...real competition for economic growth and prosperity..." (coming from sectors such as tourism) "...is not with communities within the RDN but with communities outside (i.e., Abbotsford, Coquitlam, Burnaby, Washington State and Oregon State, etc." Therefore, the rezoning of properties such as ours is contrary to those strategies, because:

- it actually diminishes growth of small business such as ours
- weakens tourism to our area by diminishing the presence of Resorts with facilities such as ours
- it benefits the economic growth of businesses WITHIN the RDN at the expense of businesses such as ours by transferring our potential customers to other resorts in the RDN
- it benefits the economic growth and prosperity of communities OUTSIDE the RDN at the expense of the RDN (by

transferring our potential customers into other resorts outside the RDN).

In conclusion, I do not believe that RDN's motives behind changing the zoning of properties such as ours, will help achieve its goal of bringing economic growth, reducing greenhouse gas emissions, or bringing benefits to the community to an extent that outweighs the significant losses that we will incur. It further fails to recognize the current uses that are existing in our property, while reducing further our currently permitted density use of our property. Therefore, I would like to reinstate my strong opposition to ANY changes to our current zoning, UNLESS:

- Amendments are made to recognize the current permitted use of hotel continue under the same or a lesser required minimum site area

- No changes are made so that the required site area for any of our structures, buildings, campsites, recreation facilities, outdoor recreation facilities permitted under the current zoning are increased. In particular, if the Outdoor Recreation use is introduced, I would like to request that the required site area be kept at the 8000 sq meter figure or reduced

- We would like to request that we are continued permitted the usage of "Public Assembly Use"

Respectfully, Andrew Cho

Owner Manager, for Riverside Resort Motel and Campground

Senior Planner  
Regional District of Nanaimo

December 2, 2010

Riverside Resort  
3506 Island Hwy W Qualicum Beach BC  
250-752-9544

Dear Greg Keller

Please accept this letter as my submission in response to the proposed Bylaw 500.362

I am one of the owners of the Riverside Resort and I would like to express my strong opposition to the implementation of this Bylaw changing the zoning of our property from CM5 to RCM. This change not only, from my understanding, ignores the current use of our property, but will result in significant short and long term financial losses for our property, while undermining the very existence of our resort in the future.

Our property consist of a Resort comprising of hotel units, campsites, and facilities to complement the guests that arrive here. From my understanding and upon consultation with previous owners, it has been in operation since the 1950's. Over time, changes had been made, recreational facilities added, buildings expanded and sewage systems upgraded. Today our property consists of: 35 hotel units, one manager's suite, 45 campsites (tenting, partial service, and full service sites), one outdoor pool, another shallow outdoor pool next to it which serves also as a landing for our giant waterslide, an 18 hole Minigolf course, a small playground area next to the Minigolf, a washroom building divided into four sections (two handicap, two regular) with a total of 10 toilets, 6 wash basins and six showers, our main building facing Island hwy where we have our tourist store building within which there's the front desk/reception, the store, a small laundromat on the back, our hotel/housekeeping laundry/work area, the manager suite, and 14 hotel units.

Our buildings were expanded, rebuilt, renovated throughout the years. Our former owner, who operated this business from the late 80's to 2005 performed construction and invested millions of dollars by:

- replacing the septic field sewage system by installing new sewage piping, and installing sewage piping down on Kinkaid road towards the community treatment plant, approx. 400 yards along the road. This was done at a cost of over \$120,000
- Completely renovating over half of our existing units (cabins) in the late 80's
- Demolishing and building our main building which comprises of the remaining 14 hotel units, including the described tourist store, laundromat, front desk area, manager suite, etc. These were built in the early 1990's at a considerable cost.

Since we purchased the business in 2005 we have further invested over \$100,000 in upgrading and renovating our units. We are fully approved by tourism BC (Government institution) and recognized by Canada Select

(Canada's only national accommodations rating program) with a 3 and 1/2 rating for our hotel units. We have gained valuable new customers and our business has been growing, and approximately 50 % of our guests are repeat customers some dating back to more than one generation. Our facilities are well known in the area, and many local people visit and enjoy our recreational facilities.

Our operation needs the mutual integration of hotel, campsites, recreational facilities and other facilities to continue functioning as a viable business. Our recreational facilities are needed in order to attract the guests to stay in our hotel units and campsites and utilize our tourist store, and in turn the hotel units and campsites are necessary to justify the operation of the recreation facilities and tourist store that we have. Our business cannot function viably if any of the parts above are removed. In particular, the most integral and important part of our operation is the existence of our hotel units. Over 70% of our current revenues are generated from the existence of our hotel units. Without the hotel units, our business will operate at a loss and will no longer be operational. Specifically, if only campsites were allowed in our resort, the revenues generated will no longer be sufficient to cover the fixed expenses of continued operations. Thus, we would no longer be able to operate and have to close our resort.

The proposed Bylaw amendment 500.362 suggests changing our zoning from CM5 to RCM, which, from my understanding:

- o **Hotel uses are no longer permitted**
- o **Resort Condominium Units are no longer permitted**
- o Residential use is now permitted
- o **Restaurants are no longer permitted**
- o **Public assembly uses are no longer permitted**
- o There no longer "required site area" figures under the former three headings: "Community Water & Sewer System", "Community Water System", "No Community Services".

The consequences of this new Bylaw implementation therefore ignores our primary current uses and restrain further uses that are currently permitted under CM5. Furthermore, it ignores the considerable investments made on upgrading our sewage system, has no provisions to the possibility that community water may be provided in the future, and therefore states required site areas assuming that there are no and will not be community services on our property.

As a result, I am compelled to strongly oppose this Bylaw 500.362 in favour of maintaining our current zoning. The reasons are:

- o Our hotels units will no longer be conforming under RCM
- o If for any reasons our buildings are damaged beyond determined levels or operations discontinued for over six months, our hotels units cannot be rebuilt or continue to be utilized
- o Our ability to continue operations as a result of loss of hotel units will be undermined, if not stopped

- Our ability to make use of the existing permitted uses under CM5 will be annulled (in particular, if we wanted to rebuild and include meeting facilities)
- Our ability to refinance, obtain new loans, or renew loans to finance the continued operation of our business will be jeopardized, if not annulled.
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- Our ability to obtain proper insurance and proper claims will be negatively affected.
- Our ability to sell our business at a fair market value as it is currently under the current zoning will be considerably reduced:
  - If our resort operates fully conforming to the proposed RCM zoning, it will be operating at a financial loss. Therefore, it will have no appraised value under the income approach
  - If the business is sold with all the current hotel units but being legally non-conforming, the market value will have to be significantly reduced to count for the risks associated
  - If the business is sold with fewer hotels units, the market value will be accordingly reduced
  - Potential buyers will likely not be able to obtain financing to purchase the business, greatly reducing the saleability of our resort

Our hotel units and buildings are in good state of repair and with many usable life remaining. In my knowledge, all buildings and structures were built over time accordingly to the zoning bylaws established by the RDN. In particular, our newest main building was built in the 1990's with all permits granted by the RDN and conforming to our zoning and bylaws, and have many years of life remaining. Our resort was built around the very zoning bylaws and regulations that the RDN has established. We had purchased the business being valued based on conforming to those zoning bylaws. If the RDN wishes to implement the Bylaw 500.362 to the benefit of certain groups and populations in the community, I believe it is only reasonable that they should also be responsible and bear the costs and losses that we will incur due to those changes. These losses, based only on estimates of the loss of market value of our property if the bylaw is implemented, is in the millions. We are not opposing the purposes and logic behind the RDN in proposing the Bylaw 500.362, we are opposing the Bylaw being passed and changes made to our zoning without any recognition of the losses that we will bear. Therefore, I am obliged to strongly oppose the Bylaw 500.362 in favour of NO CHANGES being made to our zoning bylaws UNLESS we are compensated fairly for the losses that it will create.

Sincerely, Andrew Cho  
Owner/ Operating Manager

**Keller, Greg**

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**From:** P S BABIAK <PSBABIAK@SHAW.CA>  
**Sent:** Monday, December 06, 2010 11:38 AM  
**To:** areagimplementation  
**Subject:** Riverside Resort CMS to RCM

Please note that we have reservations with respect to the change in land use to Riverside Resort Land assembly. The owners of the land with the previously approved Variance in Jan 2003 allowed the fenced property lines adjacent to Kinkaid and Waters Roads to fall into disrepair and with no formal maintenance of the growth adjacent to these roads. Waters Rd. and Kinkaid Rd. were treated like alleys or lanes. There are 8 residences along these streets. We would be more apt to support this change in Land use if there were some formal landscaping and Visual/Noise barrier installed instead of the existing seredipedous (funky) fencing. We have agreement in this neighborhood on these issues.

303 Waters Road  
D. A. Daly  
P. S. Babiak

286 Waters Road  
R. L. Gallop  
S. A. Gallop





RDN REPORT	
CAO APPROVAL <i>(Signature)</i>	
EAP	
COW	
RHD	
S. BOARD	<i>Jan 11, 2011</i>

## MEMORANDUM

**TO:** Dale Lindsay  
Manager, Current Planning

**DATE:** January 7, 2011

**FROM:** Lainya Rowett  
Planner

**FILE:** PL2010-084

**SUBJECT:** Amendment Bylaw 500.366, 2010 - BC Housing  
Lot 1, District Lot 32, Newcastle District, Plan 47847 – 280 Lions Way  
Electoral Area 'H'

### PURPOSE

To receive the report of the public hearing containing the summary of the minutes and submissions of the public hearing held on January 6, 2011, and to consider Bylaw No. 500.366, 2010, for third reading.

### BACKGROUND

Bylaw No. 500.366 was introduced and given first and second reading on November 23, 2010. This was followed by a public hearing held on January 6, 2011. The summary of the minutes and submissions is attached for the Board's consideration (*see Attachment No. 3*).

The purpose of this zoning amendment bylaw is to rezone a portion of the subject property from Public 1 Zone (PU1), Subdivision District 'M' (2,000 m<sup>2</sup> minimum parcel size with community water) to Comprehensive Development Zone (CD41), Subdivision District 'F' (1.0 ha minimum parcel size) to facilitate the development of ten additional seniors housing units within the existing Qualicum Bay seniors development (*see Attachment No. 1 for Location of Subject Property map and Attachment No. 2 for Existing and Proposed Site Plan*).

### ALTERNATIVES

1. To receive the report of the public hearing and give third reading to "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.366, 2010."
2. To receive the report of the public hearing and deny "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.366, 2010."

### SUMMARY

The purpose of Bylaw No. 500.366, 2010 is to rezone a portion of the subject property from Public 1 Zone (PU1), Subdivision District 'M,' to Comprehensive Development Zone (CD41), Subdivision District 'F,' to facilitate the development of ten additional seniors housing units within the existing Qualicum Bay seniors development. The amendment bylaw was introduced and given first and second reading on November 23, 2010 and it proceeded to public hearing on January 6, 2010. The requirements set out in the Conditions of Approval (*see Schedule No. 1*) are to be completed by the applicant prior to

the Board's consideration of the bylaw for adoption. Therefore, staff recommends that Bylaw No. 500.366, 2010, be considered for third reading.

**RECOMMENDATIONS**

1. That the report of the public hearing held January 6, 2011 on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.366, 2010" be received.
2. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.366, 2010" be read a third time.

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

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

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

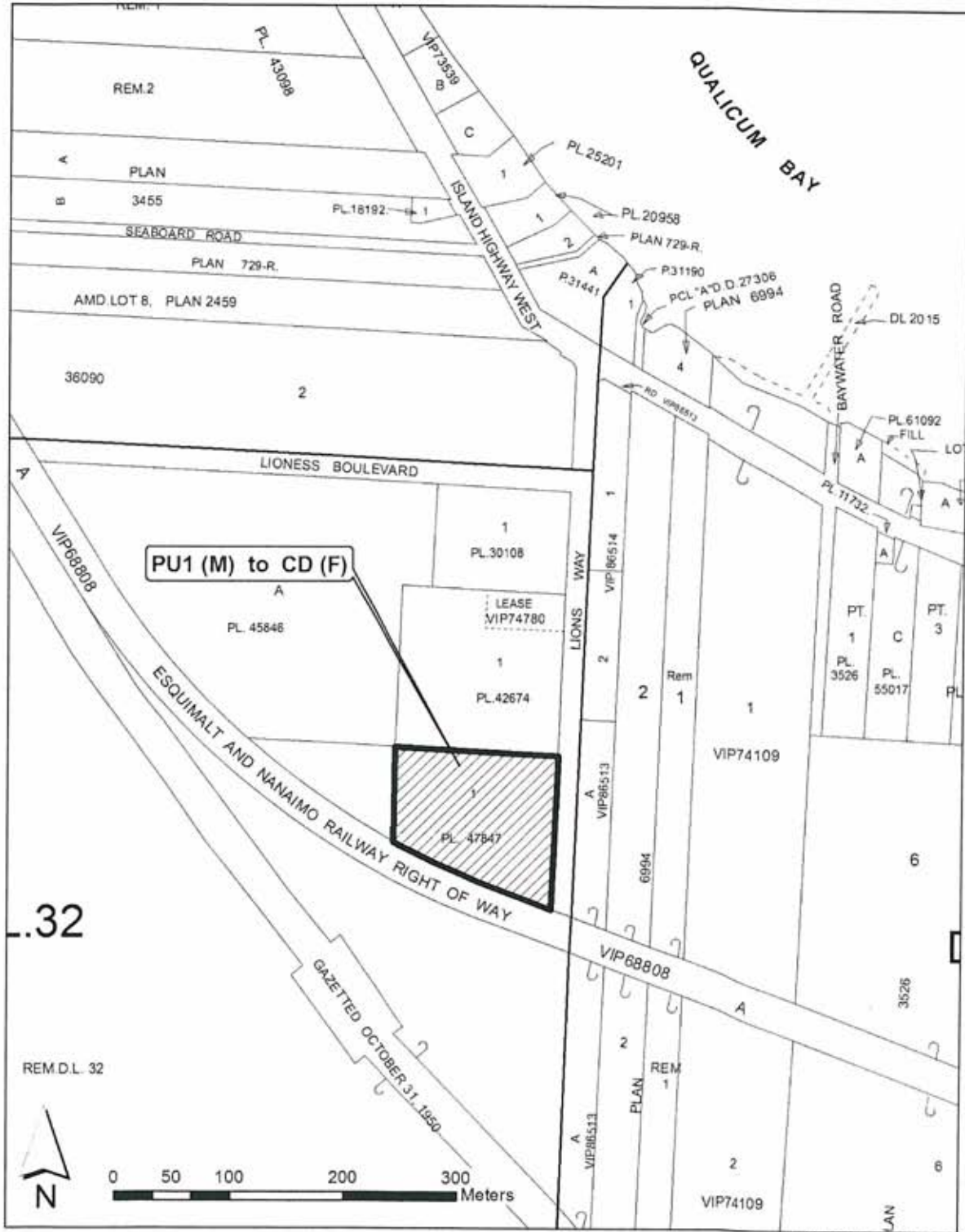
  
\_\_\_\_\_  
CAO Concurrence

**Schedule No. 1**  
**Conditions of Approval**  
**Zoning Amendment Application No. PL2010-084**

The following documentation is required prior to the amendment application being considered for fourth reading:

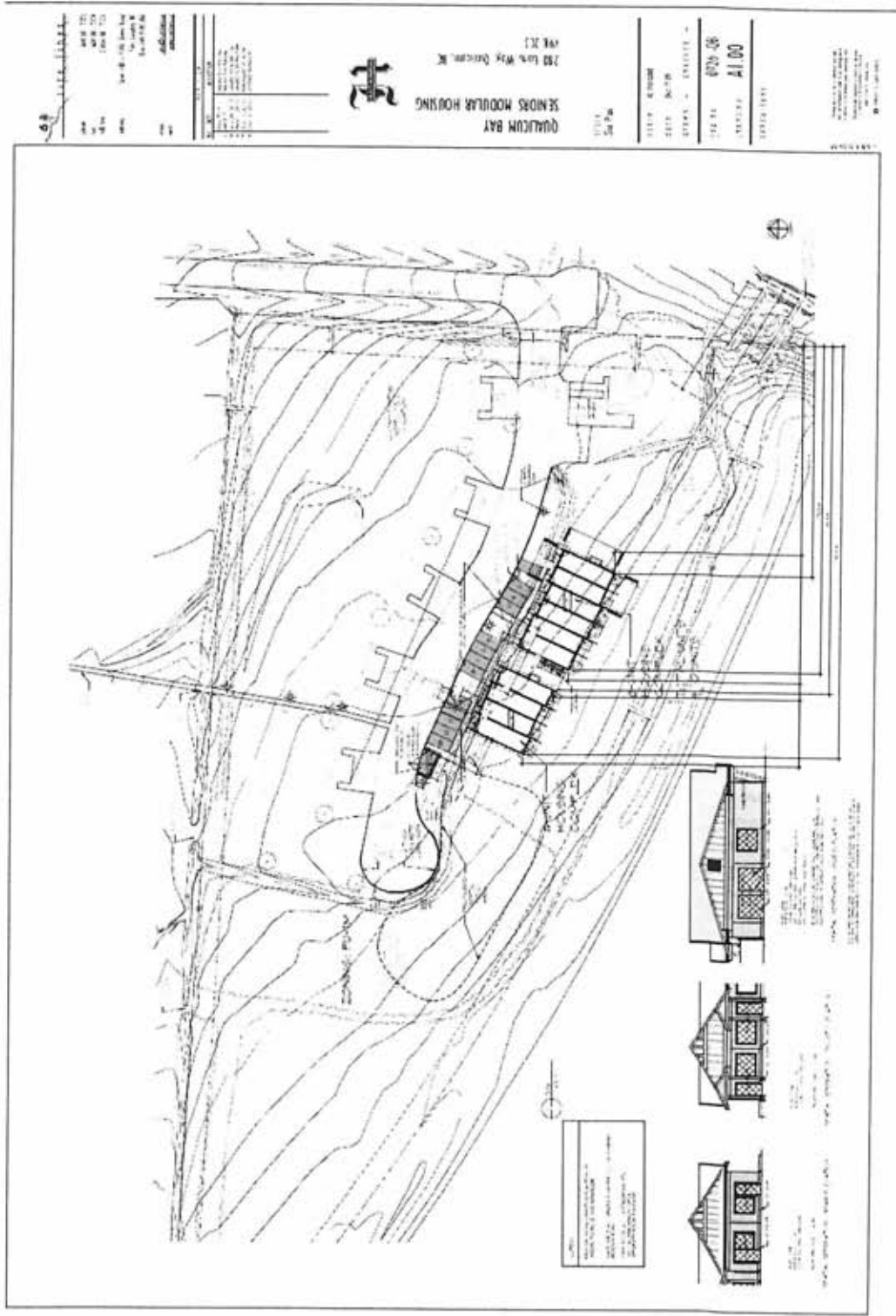
1. Written confirmation from the area water utility is to be provided to the Regional District of Nanaimo verifying that there is sustainable quantity and quality of water supply available for the proposed development.

**Attachment No. 1**  
**Location of Subject Property**



BCGS MAPSHEET: 92F.047.2.2

**Attachment No. 2**  
**Existing and Proposed Development**



**Attachment No. 3**  
**Summary of the Public Hearing**  
**Held at the Lighthouse Community Centre, 240 Lions Way**  
**January 6, 2011 at 6:30 pm**  
**To Consider Regional District of Nanaimo Land Use and Subdivision**  
**Amendment Bylaw No. 500.366 2010**

**Summary of Minutes and Submissions**

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

**PRESENT:**

Dave Bartram  
Lainya Rowett

Chairperson, Director, Electoral Area 'H'  
Planner

There were seven persons in attendance, including the applicant and Regional District representatives.

The Chairperson called the Hearing to order at 6:30 p.m., introduced those present representing the Regional District, and outlined the procedures to be followed during the Hearing.

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

The Chairperson called for formal submissions with respect to Bylaw 500.366, 2010.

George Desault, 5327 Gainsberg, asked for clarification of the proposed zoning amendment boundary and if it would include the entire subject property and existing buildings.

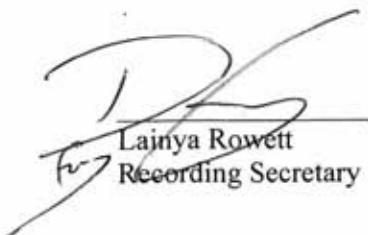
The Planner responded by clarifying the extent of the property that would be rezoned, and confirmed this boundary aligns with the area of land excluded from the Agricultural Land Reserve for the proposed development. The Planner further explained that the rezoned portion of the property would include the existing and proposed units, and that no new development is proposed for the westerly portion of the property, which would retain the existing zoning.

The Chairperson called for further submissions for the second time.

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

There being no further submissions, the Chairperson adjourned the Hearing at 6:36 p.m.

Certified true and accurate this 6th day of January, 2011.

  
Lainya Rowett  
Recording Secretary

Recording Secretary

**REGIONAL DISTRICT OF NANAIMO**

**MINUTES OF THE ELECTORAL AREA 'G' PARKS AND OPEN SPACE ADVISORY  
REGULAR COMMITTEE MEETING  
MONDAY, NOVEMBER 15, 2010, 7:00PM  
AT OCEANSIDE PLACE**

**Attendance:** Brian Coath, Chair  
Joe Stanhope, Director, RDN Board  
Jacqueline Thomson  
Minnie Corbett

**Staff:** Elaine McCulloch, Parks Planner

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**CALL TO ORDER**

Chair Coath called the meeting to order at 7:05pm.

**MINUTES**

MOVED J. Stanhope, SECONDED J. Thomson, that the Minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held April 12, 2010, be approved.

CARRIED

MOVED J. Stanhope, SECONDED J. Thomson, that the Minutes of the Electoral Area 'G' Parks and Open Space Advisory Committee meeting held October 4, 2010, be approved.

CARRIED

**COMMUNICATIONS/CORRESPONDENCE**

MOVED J. Stanhope, SECONDED J. Thomson, that the Correspondence T. Osborne, RDN, to M. Jessen, French Creek Residents' Association, re: Erosion French Creek Bank in Miller Road Park, be received.

CARRIED

**REPORTS**

**Monthly Update of Community Parks and Regional Parks and Trails Projects March through to August 2010.**

Ms. McCulloch presented a brief summary of the Community Parks and Regional Parks and Trails Projects report for March through to August.

**Subdivision With Consideration of Parkland Update – Shaver Subdivision – 1031 Lowry's Road**

Ms. McCulloch reviewed the proposed cash-in-lieu-of park land proposal for 1031 Lowry's Road with the Committee. The majority of public opinion received at the October 27, 2010, public meeting, supported a cash-in-lieu of park land proposal. The developer has proposed a total of the 5% property value (\$10,900) along with an additional \$8,000, for a total of \$18,900.



MOVED J. Stanhope, SECONDED J. Thomson, that the Reports be received.

CARRIED

**Development Schedule Update**

MOVED J. Stanhope, SECONDED M. Corbett, that the Development Schedule Update, be deferred to the next meeting for discussion.

CARRIED

**COMMITTEE ROUND TABLE**

Mr. Coath stated his concern with respect to children by-passing the road divider placed on Columbia Drive at the bike park. Ms. McCulloch will forward Mr. Coath's concern and the Committee's suggestion of installing a few more road dividers to Operations Staff for follow-up

**ADJOURNMENT**

MOVED J. Stanhope, SECONDED J. Thomson, that the meeting be adjourned at 8:20pm.

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Chair



Town of Qualicum Beach

MINUTES OF THE MEETING OF THE
ARROWSMITH WATER SERVICE (AWS) MANAGEMENT COMMITTEE
HELD ON THURSDAY, DECEMBER 9, 2010 9:30 AM
AT THE RDN COMMITTEE ROOM

Present:

- Director Joe Stanhope, Chair
Director George Holme
Carol Mason
John Finnie
Wayne Moorman
Councillor Marc Lefebvre
Fred Manson
Mike Squire
Councillor Barry Avis
Mayor Teunis Westbroek
Mark Brown
Bob Weir
Regional District of Nanaimo
Regional District of Nanaimo
Regional District of Nanaimo
Regional District of Nanaimo
Regional District of Nanaimo
City of Parksville
City of Parksville
City of Parksville
Town of Qualicum Beach
Town of Qualicum Beach
Town of Qualicum Beach
Town of Qualicum Beach

Also in Attendance:

- Matt O'Halloran
Nancy Avery
Bev Farkas
Tony Koers
Rick Corbett
Craig Wightman
James Craig
Michelle Kehler
Regional District of Nanaimo
Regional District of Nanaimo
Recording Secretary
Koers & Associates Ltd.
Associated Engineering (BC) Ltd.
BC Conservation Foundation
BC Conservation Foundation
BC Conservation Foundation

CALL TO ORDER

J. Stanhope called the meeting to order at 9:30 am and introductions were made.

DELEGATIONS

James Craig and Craig Wightman, BC Conservation Foundation, re Englishman River Flow, Fish Habitat and Water Storage

A presentation was given to the Committee (attached to minutes); the foundation is looking for a closer relationship with the AWS Committee, particularly with respect to developing and maintaining low level storage in the Englishman River Watershed. Shelton Lake has been identified

as a suitable location. Should AWS decide to consider a cooperative initiative with BCCF, staff can have a report prepared outlining the costs and responsibilities associated with operating and maintaining a dam at Shelton Lake.

Mr. Craig and Mr. Wightman will be invited to return to the next Committee meeting to continue the discussion in more detail.

## **MINUTES**

MOVED M. Lefebvre, SECONDED B. Avis, that the minutes from the meeting of the Arrowsmith Water Services Management Committee held March 22, 2010, be adopted.

CARRIED

## **BUSINESS ARISING FROM THE MINUTES**

It was confirmed that a letter had been sent to the Ministry, AVICC and UBCM requesting more time for providing input to the review of the BC Water Act. J. Finnie added that ministry staff recently advised that the review is still moving forward.

## **REPORTS**

M. Lefebvre suggested that an Emergency Preparedness Plan be undertaken in anticipation of potential future drought situations. J. Finnie indicated that this would fall to individual purveyors to prepare their own plans. The RDN has the ability to shut down outdoor watering in RDN water service areas but has no jurisdiction over private systems.

## **NEW BUSINESS**

A recent Vancouver Sun article authored by the Auditor General (attached to minutes) was discussed regarding quality and quantity issues for BC water. J. Stanhope reiterated the importance of the Drinking Water Watershed Protection Committee for the participating municipalities and electoral areas. C.Mason advised the Committee that the RDN and member municipalities will be initiating a regional service review which will include the Drinking Water Watershed Protection function.

## **ADJOURNMENT**

MOVED J.Stanhope, SECONDED B.Avis, that pursuant to Section 90(1) (g) of the Community Charter the Board proceed to an In Camera Committee meeting to consider items related to land issues.

CARRIED

TIME 10:55 AM

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J. Stanhope, Chairperson



RDN REPORT	
CAO APPROVAL	<input checked="" type="checkbox"/>
EAP	
COW	
JAN - 5 - 2011	
RHD	
BOARD	<i>Jan 11 '11</i>

**MEMORANDUM**

**TO:** Board of Directors

**DATE:** January 5, 2011

**FROM:** Joe Stanhope  
Chairperson

**SUBJECT:** Board Appointments to Standing, Select and Advisory Committees

**PURPOSE**

To confirm the Board Appointments to the Regional District of Nanaimo Standing, Select, Advisory and Scheduled Standing Committees for 2011 in accordance with "Board Procedure Bylaw No. 1512".

**BACKGROUND**

Pursuant to Sections 30 (4) and (5) of "Board Procedure Bylaw No. 1512", the Chairperson is delegated the power to appoint Board members to RDN Select Committees, and to review and update annually both the Chairpersons and membership of the RDN Standing Committees. The Board also confirms appointments annually for the Advisory Committees and Commissions.

Chair Stanhope and Alternate Deputy Chair Holdom recently met to review and make recommendations for the above noted Committees and Commissions. The Board appointments are attached for consideration.

**RECOMMENDATION**

1. That the appointments to the 2011 Regional District of Nanaimo Select Committees be received for information.
2. That the recommendations for appointments to the 2011 Regional District of Nanaimo Standing Committees be endorsed.
3. That the recommendations for appointments to the 2011 Regional District of Nanaimo Scheduled Standing Committees, Advisory Committees and Commissions be endorsed.

J. Stanhope, Chairperson

### BOARD and COMMITTEE OF THE WHOLE

J. Stanhope (Chair)	<i>Vacant (Deputy)</i>	B. Holdom (Alt. Deputy Chair)	J. Burnett
G. Rudischer	M. Young	G. Holme	L. Biggemann
D. Bartram	J. Ruttan	B. Bestwick	J. Kipp
D. Johnstone	L. Sherry	C. Haime	<i>C. Burger *</i>
T. Westbroek			

### STANDING COMMITTEES

#### ELECTORAL AREA PLANNING COMMITTEE:

D. Bartram (Chair), G. Holme (Deputy), J. Burnett, M. Young, L. Biggemann, J. Stanhope

#### EXECUTIVE COMMITTEE:

J. Stanhope (Chair), M. Young, G. Holme, D. Bartram, B. Holdom, B. Bestwick, L. Sherry, T. Westbroek

### SELECT COMMITTEES

#### D69 COMMUNITY JUSTICE SELECT COMMITTEE:

L. Biggemann (Chair), G. Holme, J. Stanhope, D. Bartram, *C. Burger \**, T. Westbroek

#### EMERGENCY MANAGEMENT SELECT COMMITTEE:

D. Bartram (Chair), J. Burnett, G. Rudischer, M. Young, G. Holme, L. Biggemann, J. Stanhope, C. Haime

#### REGIONAL HOSPITAL DISTRICT SELECT COMMITTEE:

T. Westbroek (Chair), J. Burnett, J. Stanhope, D. Johnstone, J. Kipp, C. Haime, *C. Burger \**

#### SUSTAINABILITY SELECT COMMITTEE:

J. Stanhope (Chair), J. Burnett, M. Young, D. Bartram, B. Holdom, J. Kipp, C. Haime, *C. Burger \**, T. Westbroek

#### TRANSIT SELECT COMMITTEE:

B. Holdom (Chair), J. Burnett, M. Young, G. Holme, J. Stanhope, B. Bestwick, D. Johnstone, C. Haime, *C. Burger \**, T. Westbroek, *(vacant)*

*\* pending confirmation from the City of Parksville*

## ADVISORY COMMITTEES

<b>AGRICULTURAL ADVISORY COMMITTEE:</b> J. Burnett (Chair), L. Biggemann, D. Johnstone
<b>DRINKING WATER WATERSHED PROTECTION ADVISORY COMMITTEE:</b> J. Stanhope (Chair), J. Burnett, G. Rudischer, D. Bartram
<b>FIRE SERVICES ADVISORY COMMITTEE:</b> G. Holme, (Chair), J. Burnett, G. Rudischer, M. Young, L. Biggemann, J. Stanhope, D. Bartram
<b>GRANTS-IN-AID ADVISORY COMMITTEE:</b> M. Young (Chair), T. Westbroek
<b>REGIONAL LIQUID WASTE ADVISORY COMMITTEE:</b> G. Holme (Chair), J. Burnett, T. Westbroek, <i>(Vacant)</i>
<b>REGIONAL PARKS &amp; TRAILS ADVISORY COMMITTEE:</b> B. Holdom (Chair), M. Young, J. Stanhope, D. Bartram, T. Westbroek
<b>REGIONAL SOLID WASTE ADVISORY COMMITTEE:</b> G. Holme (Chair), L. Biggemann, C. Haime, L. Sherry
<b>SFN/RDN PROTOCOL AGREEMENT WORKING GROUP:</b> J. Burnett, J. Stanhope, B. Holdom

## PARKS AND OPEN SPACE ADVISORY COMMITTEES

<b>ELECTORAL AREA 'B' - G. Rudischer</b>	<b>EAST WELLINGTON/PLEASANT VALLEY - M. Young</b>
<b>NANOOSE BAY - G. Holme</b>	<b>ELECTORAL AREA 'F' - L. Biggemann</b>
<b>ELECTORAL AREA 'G' - J. Stanhope</b>	<b>ELECTORAL AREA 'H' - D. Bartram</b>

## COMMISSIONS

<b>DISTRICT 69 RECREATION COMMISSION:</b> D. Bartram <i>(Alternate: L. Biggemann)</i>
<b>ELECTORAL AREA 'A' PARKS, RECREATION &amp; CULTURE COMMISSION:</b> J. Burnett

## SCHEDULED STANDING COMMITTEES

	<b>Appointment</b>	<b>Alternate</b>
Arrowsmith Water Service Management Committee	J. Stanhope	G. Holme
Central South RAC for Island Coastal Economic Trust	J. Stanhope, G. Holme	
Deep Bay Harbour Authority	D. Bartram	
Island Corridor Foundation	B. Holdom	J. Stanhope
Mount Arrowsmith Biosphere Foundation	L. Biggemann	
Municipal Finance Authority	J. Stanhope	G. Holme
Municipal Insurance Association (MIA)	D. Johnstone	
North Island 911 Corporation	J. Stanhope	<i>C. Burger *</i>
Oceanside Tourism Association	G. Holme	J. Stanhope
Te'Mexw Treaty Negotiations Committee	C. Haime	G. Holme
Vancouver Island Regional Library Board	G. Holme	G. Rudischer