

REGIONAL DISTRICT OF NANAIMO
ELECTORAL AREA PLANNING COMMITTEE
TUESDAY, MARCH 8, 2011

A D D E N D U M

PAGES

DELEGATIONS (Requires Motion)

- 2 **David Campbell**, re Fairwinds Official Community Plan.
- 3 **Ron M. Davis, Schooner Cove Yacht Club**, re Proposed Schooner Cove Development Plan.
- 4 **Ross Griffiths, Fairwinds Golf Club Society (FGCS)**, re FGCS Member Support for the Fairwinds Lakes District and Schooner Cove Neighbourhood Plans.
- 5 **Don Lawseth**, re Deferral of the Fairwinds OCP Amendment Application.
- 6 **Ross Peterson**, re Request for Deferral of Fairwinds Neighbourhood Plans Review.
- 7 **Kevin Power**, re Fairwinds Development - A Homeowner's Perspective.
- 8 **James Sinclair**, re Fairwinds Resident's Position.
- 9-14 **Pam May-Straka**, re Schooner Cove and Lakes District Neighbourhood Plans.
- 15-17 Pam May-Straka for **William Hamilton**, re Schooner Cove and Lakes District Neighbourhood Plans.
- 18 **Paul Fenske, Ekistics Town Planning and Russell Tibbles, Fairwinds/Bentall**, re Schooner Cove and Lakes District Neighbourhood Plans.
- 19 **Christopher Stephens**, re Nanoose Lakes District – A Youth's Perspective on an Endangered Ecosystem.

COMMUNICATIONS/CORRESPONDENCE

- 20-23 **Paul Grinder, Arrowsmith Parks and Land-Use Council**, re Fairwinds Application to Amend the Nanoose Bay Official Community Plan.

Armstrong, Jane

From: David Campbell <davidanddawn@shaw.ca>
Sent: Thursday, March 03, 2011 5:19 PM
To: Armstrong, Jane

Jane...I would like to speak for 5 minutes (or less) at the RDM EAPG on March 8th. I will be speaking in favour of the motion to accept the Fairwinds plans as submitted.

Thank you...

David Campbell
3500 Collingwood Drive,
Nanoose Bay, BC
V9P 9G4
250 4689236

Armstrong, Jane

From: Ron Davis <rmDavis1@shaw.ca>
Sent: Friday, March 04, 2011 11:30 AM
To: Armstrong, Jane
Subject: Request to Appear as a Delegate-March 8 EAPC- Schooner Cove Development

Legislative Coordinator, Corporate Services
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC, V9T 6N2

Attn: Jane Armstrong

Re: Request to Appear as a Delegate at the March 8, 2011 Electoral Area Planning Committee Meeting

I request to be included on the meeting agenda Addendum for the EAPC meeting of March 8, 2011. I will be speaking on behalf of the Schooner Cove Yacht Club of which I am the current Commodore. I will be speaking in favour of the proposed Schooner Cove Development Plan. My main points will include the deterioration of existing facilities that will continue until a plan for revitalization is approved by RDN, the effect that the state of the current onshore facilities has on our membership, and our desire for an expeditious conclusion to the approval process.

My contact information is:

Ron M. Davis
3429 Redden Road
Nanose Bay, BC, V9P 9H4
rmDavis1@shaw.ca, 250.468.2398

Thank you
Ron Davis

From: Ross Griffiths <fgcs_pres@yahoo.com>
Sent: Friday, March 04, 2011 3:59 PM
To: Armstrong, Jane
Cc: fgcs_pres@yahoo.com
Subject: Request to Appear as Delegate at EAPC Meeting March 8, 2011
Attachments: FGCS Position Paper Survey Final.docx

Legislative Coordinator, Corporate Services,
Regional District of Nanaimo,
6300 Hammond Bay Road,
Nanaimo, BC

Dear Ms. Armstrong,

I am writing to you to appear as a delegate at the March 8, 2011 EAPC meeting. My contact particulars are as follows:

Name: Ross Griffiths
Address: 3501 Carmichael Road, Nanoose Bay, V9P 9G5
E-mail Address: fgcs_pres@yahoo.com
Telephone: 250-468-9820

I will be representing the Fairwinds Golf Club Society (FGCS) in my capacity as President.

Topic: FGCS Member support for the Fairwinds Lakes District and Schooner Cove Area proposed amendments to the OCP

The FGCS support is based on a March 1, 2011 email survey of our Members. As background, I attach the email and FGCS Position Paper on the Proposed Fairwinds Development, which I would request be circulated to the EAPC.

I will be preparing a one page Powerpoint chart of the survey results for my 5 minute presentation which I will forward to your attention on Monday.

I trust you have the information you require. Thank you.

Regards,

Ross Griffiths
President, FGCS

Armstrong, Jane

From: Don Lawseth <dlawseth@shaw.ca>
Sent: Friday, March 04, 2011 10:27 AM
To: Armstrong, Jane
Subject: Delegation to March 8, 2011 EAPC meeting

Please consider my request to speak at the March 8th EAPC meeting.

Title: Deferral of the Fairwinds OCP Amendment Application

Considering the scope and size of the proposed amendment, and with the mounting number of uncertainties associated with its implementation, I appeal to the Directors to defer the application until it can be considered in the context of a full OCP review.

Thank you,

Don Lawseth

1895 Sea Lion Crescent

Nanoose Bay, BC

V9P 9J3

dlawseth@shaw.ca

Ph 250-468-1420

Fx 250-468-9316

Armstrong, Jane

From: ross peterson <grpeteron1@shaw.ca>
Sent: Friday, March 04, 2011 11:25 AM
To: Armstrong, Jane
Subject: Delegate

I wish to appear as a delegate at the March 8 EAPC meeting.
The title of my submission is "Request for a deferral of RDN review of the Fairwinds neighbourhood plan".
Ross Peterson
1482 Madrona Drive
Nanoose Bay, B.C. V9P 9C9

grpeteron1@shaw.ca

Ph. 250 468 2730

Armstrong, Jane

From: Pat & Kevin Power <powershome@shaw.ca>
Sent: Thursday, March 03, 2011 1:08 PM
To: Armstrong, Jane
Cc: Popple, Bob
Subject: Presenting at the March 8th EAPG meeting

Ms. Armstrong,

Having just learned this morning of the opportunity to present at the EAPG March 8 planning meeting, I would like to request a 5 minute slot to present a 9 year Fairwinds homeowner's position regarding the proposed Fairwinds development.

It would be my intention support the development. If a title of my proposed remarks is required, something like: " Fairwinds Development .. A homeowner's perspective" would suffice.

I would be most grateful for your positive consideration.

Kevin Power
2655-7 Andover Road
Nanoose Bay, B.C.
V9P 9J5
(250) 468-1493

Armstrong, Jane

From: Jim & Gillian Sinclair <jim.gillian.sinclair@shaw.ca>
Sent: Friday, March 04, 2011 8:48 AM
To: Armstrong, Jane
Subject: March 8, 201 EAPG

Ms. Jane Armstrong
Legislative Coordinator, Corporate Services,
RDN

Hearing that there is an opportunity to present to the EAPG at the March 8, 2011 meeting, I would like to request a 4 - 5 minute slot to present a 10 year Fairwinds residents position.

It will be to my intention to support the development.
I would certainly appreciate your positive consideration.

James Sinclair,
3427 Simmons Place,
Nanoose Bay, BC
V9P 9J8
(250)- 468-9374

Burgoyne, Linda

From: Straka Energy Associates <strakaen@telus.net>
Sent: Tuesday, March 08, 2011 10:24 AM
To: Burgoyne, Linda
Subject: March 8th EAPC meeting - request to speak
Attachments: G_Holme_Ltr_March6_2011.pdf

Hello Linda

I am following up our phone conversation with a written request to speak at this evening's EAPC meeting. Attached please find a copy of the letter I emailed to George Holme yesterday (copy to Susan Cormie). Please distribute as required

Best regards

Pam

Pamela May-Straka
2064 Radford Place
Nanoose Bay, BC
V9P 9H4
250-468-1579
strakaen@telus.net

2064 Radford Place
Nanoose Bay, BC
V9P 9H4

March 6, 2011

Mr. George Holme
Director, Area "E"
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, B.C.
V9T 6N2

Dear Mr. Holme,

Re: Schooner Cove and Lakes District Neighbourhood Plan Amendments

As a resident of Fairwinds, I am concerned that the public information hearings relating to the Lakes District have been dominated by environmental issues. There are many elements of the Neighbourhood Plan (NHP) which will have a positive impact on the community of Fairwinds and the surrounding area. The purpose of this letter is to address some features of the plan that are vital to the successful growth and sustainability of this area.

Having participated in all of the workshops, open houses, and other meetings held by the developer, one recurring theme that I heard was strong support for increased options relating to housing. Fairwinds is mainly populated by people of retirement age, some in their fifties but generally older. The original residents have lived here for fifteen or more years and some are reaching the stage where they desire or require different options than the R-1 zoning, single family housing style that predominates. Having firmly established roots, there is a desire to remain among friends and continue to enjoy the improved quality of life that comes with a strong sense of community. The housing choices proposed in both the Lakes District and Schooner Cove neighbourhood plans will address this need and allow for some measure of ageing in place. All communities benefit from diversity and the new housing options will also enable younger people to move into the area.

The 1980's vintage plan for the Lakes District area (figure 1) shows the vast majority of land covered with single family dwellings. The NHP currently submitted is an incredible improvement over the existing plan and provides many exciting options. Instead of typical street development with houses on both sides (and asphalt in between), the developer is proposing "green streets" with clusters of homes and multi-family dwellings that will reduce the building footprint and provide more opportunities to create green space, dedicated parks and conservation areas. Housing styles that are designed with the terrain in mind is part of the vision for the new development. We have seen examples of architectural renderings and had the opportunity to provide input to the developer at the early workshops. Working with the land will enable larger tracts to be preserved as green space or dedicated parkland. The Redden Road "park" in my own residential area is a narrow strip of grassland adjacent to a steep embankment that is essentially unusable (figure 2 and 3). Certainly we can improve upon this current standard in terms of quality and quantity: while 5% dedication of land for parks is required under the existing development

scheme, the Lakes District NHP would see more than 40% of the acreage set aside in some form of park land.

The need for safe, accessible, and interconnected pathways and trails was raised by community members at workshops and open houses. There are a number of walking groups in Fairwinds, some of whom use the very narrow shoulder of Dolphin Drive as their route. The NHP features a system of multi-purpose pathways throughout the new development and these will be very well used if the current activity level is any indication. Taking demographics into account, there will also be a need for pathways that are accessible for scooters, wheelchairs, and motorized carts; this need has been accommodated in the plans.

The proposed Lakehouse Community Centre will provide a much-needed meeting and activity site within the new development. Creating and fostering the spirit of community is critical to making any collection of homes a desirable place in which to live. Fairwinds residents work hard to sustain the community spirit that we do have. Encouraging people to get together for recreation or other pursuits is part of what is needed to create the bond between residents and between people and place. The Lakehouse Community Centre will facilitate this. The proposed pub at the marina will provide a community gathering spot for marina users as well as area residents. This facility was mentioned by workshop participants as being an integral part of the Schooner Cove village concept.

Balancing growth and sustainability can be achieved by establishing some commercial development at Schooner Cove. Residents must currently drive to Red Gap, Parksville, or Nanaimo for any purchases. Fairwinds and Nanoose Peninsula residents would benefit from being able to buy items locally and rely less on our cars. We know that future growth is inevitable and we have the opportunity under the proposed development to make it an appropriate fit with the community.

The status quo is neither desirable nor sustainable. There are very limited options for housing and very little choice under the existing plan. Development methods and styles have changed significantly since Fairwinds was first constructed in the 1980's. We have an opportunity to vastly improve upon the 1983 master plan, to create a new community that is accessible to more people, one that is sustainable, and provides options for people as they move through different life stages. I am encouraged by what I have seen transpire in the developer's workshops and open houses, by comments from friends and acquaintances, and by the technical documents submitted as part of the neighbourhood plan. I urge the RDN to take into account the needs for different housing choices and the need to foster a strong and sustainable community and approve the Lakes District and Schooner Cove neighbourhood plans.

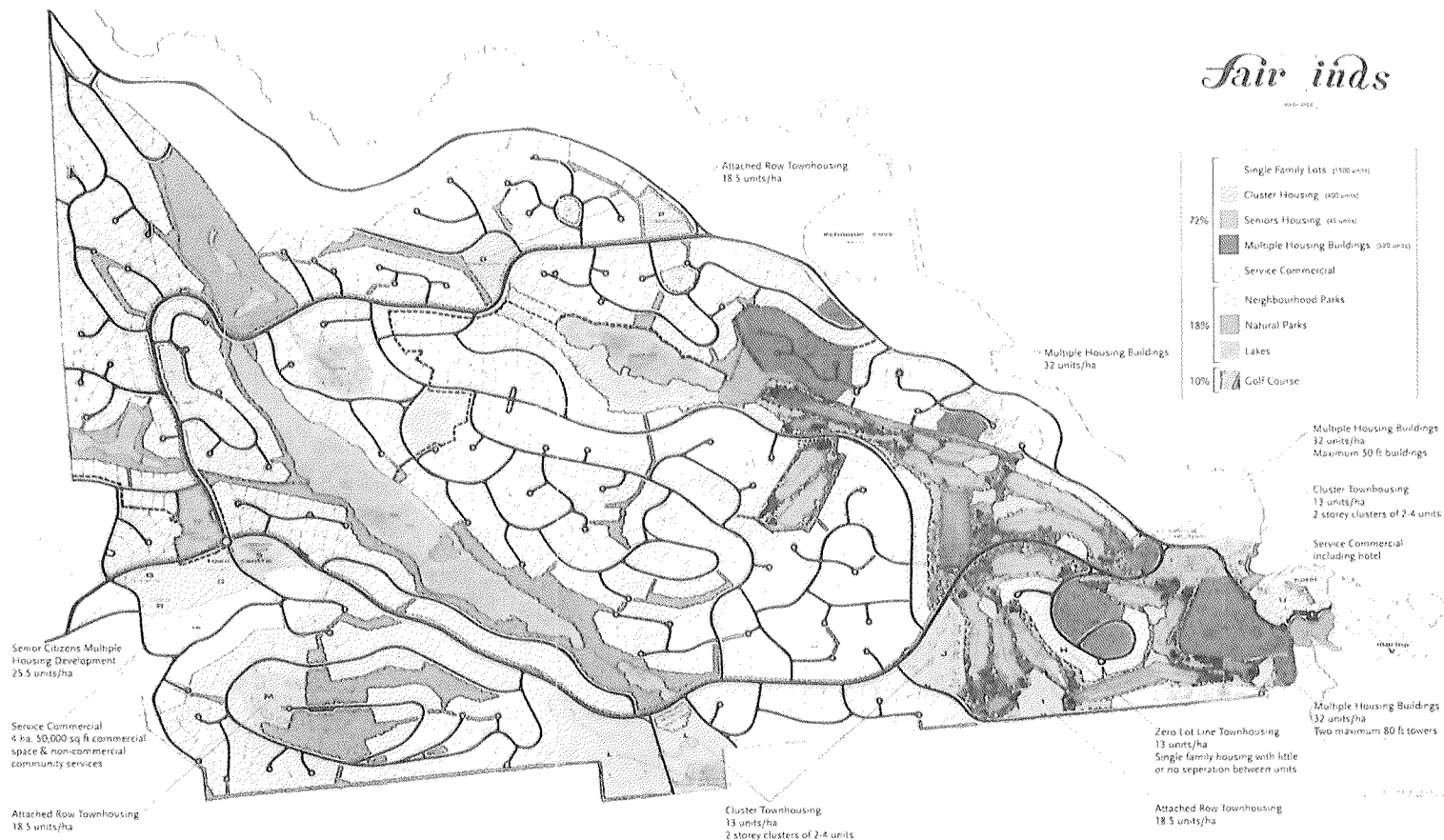
Yours truly,

Pamela May-Straka

Cc: Mr. J. Stanhope
Chairperson, RDN

Ms. Susan Cormie
Senior Planner, RDN

Figure 1 Fairwinds 1983 Master Plan - predominance of R1 homes, very little park land

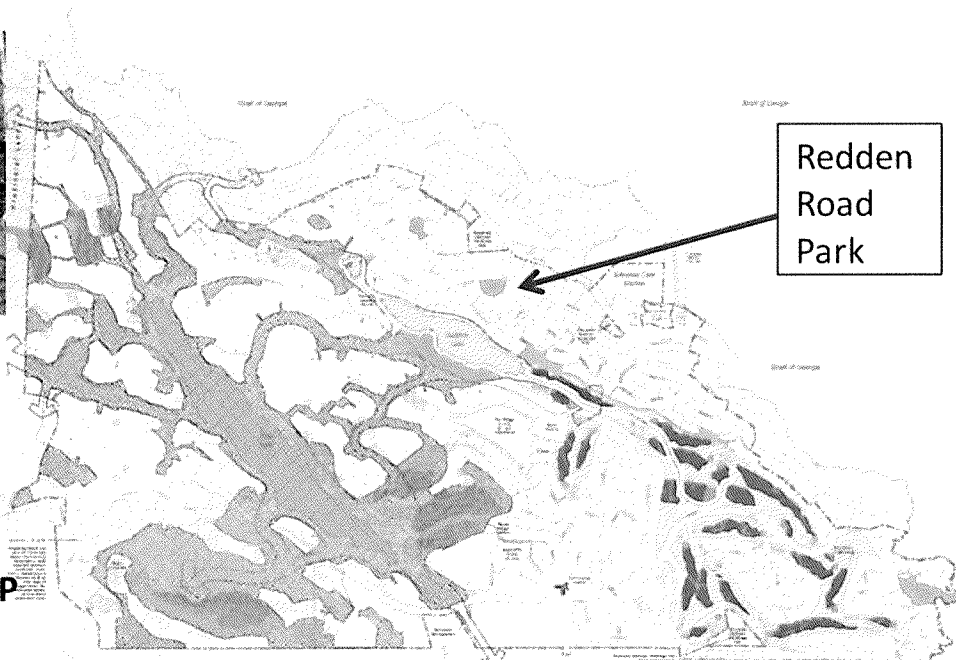
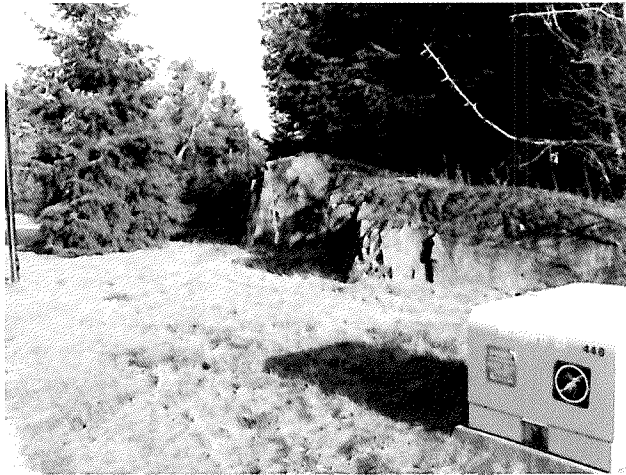


Fairwinds Master Plan circa 1983

Figure 2 Proposed conservation plan, contrast of existing and proposed development styles



Figure 2 Redden Road park detail



One of the few parks in the existing development. The Lakes District NHP proposes more than 40% land to be designated for parks or conservation



Steep drop off into a ravine



Burgoyne, Linda

From: Straka Energy Associates <strakaen@telus.net>
Sent: Tuesday, March 08, 2011 11:20 AM
To: Burgoyne, Linda
Subject: Re: March 8th EAPC meeting - request to speak
Attachments: Hamilton RDN Letter Mar.11.pdf

Linda

I received an email request from William Hamilton to read a letter on his behalf at the EAPC meeting tonight. He is a Fairwinds resident but is away on vacation. Can you please add him to the Addendum. I have attached his letter to this email and his contact information is shown below.

Thanks
Pam

William Hamilton
2430 Andover Road
Nanoose Bay BC
V9P 9G9
whamilton@whal.ca

Pamela May-Straka
2064 Radford Place
Nanoose Bay, BC
V9P 9H4
250-468-1579
strakaen@telus.net

From
William G. Hamilton, Resident and Owner
2430 Andover Rd.
Nanoose Bay BC
V9p 9G9

Dear Sirs

I am writing to confirm my unconditional and enthusiastic support for the current development proposals submitted by the proponent for both the Schooner Cove project and the Lakes District project.

Clearly, this is an unparalleled opportunity; the proponent has submitted conceptual designs which meet, in fact far exceed, the requirements of the RDN and attendant regulatory authorities, and has made every effort to accommodate the expressed wishes of the community. As we have heard over the past couple of years during public information and planning sessions, this has not been an easy task....the filtering of unrealistic wants and the careful balancing of achievable, viable requirements has been, to say the least, a significant challenge. This challenge, however, has been addressed with hugely creative results .

During my almost-forty years career as the principal of a consulting architectural firm engaged in innovative, high-tech facilities, never did I experience the unfailing commitment of an owner/developer to engage the most respected , experienced and credible team of specialist consultants to any project such as have been brought to the table for the Schooner Cove and Lakes District project.

BentallKennedy has most certainly exceeded every expectation in this regard, with well sourced, integrated and thoughtful solutions, based on, in most cases, a “best solution” scenario....not on a “most-cost-effective” rationale. The latter approach (in most cases) is the most financially rewarding resolution.

Any concerted effort to meld the divergent issues of environmental stewardship, the physical realities of “givens” such as topography, climate (both micro and macro), adjacent developments, legislated restrictions and requirements, etc, can NEVER achieve 100% success....that in itself is a given. I submit that this proposal approaches a finely-tuned balance between these competing issues.

I commend the environmental organizations for their well-organized, emotional critique of the proposals. They have seized on the age-old fact that a loud, repeated message will be heard. In order to reinforce their position, they have invited various experts to identify anomalies in the scientific data presented. Of course, this approach is a no-brainer....there is an “expert” available who will refute virtually any and every biological “fact” and will identify the one or two species missing from the assessment inventory. This does NOT refute the overall findings of the data collection and assessment team. That the consultant team did not find the needle in the haystack cannot invalidate the recommendations, made in full compliance with established , universally accepted and legislated assessment criteria. We must focus on the larger picture and thereby accept the recommendations as presented.

This proposal is a fantastic opportunity to initiate an holistic development of the Fairwinds community with the creative integration of virtually every design criteria presented...from those initiated by the design team, to those required/desired by the RDN, and by those requested by community residents. We must not squander this opportunity.

Personally, I am very excited that many of the existing deficiencies within the Fairwinds community will be addressed with the development...aging in place, alternative housing types, a extensive parks and trails system, respect for the flora and fauna, community-oriented amenities such as the village centre and on and on. No piece-meal development can approach the integrated, innovative development afforded to us by BentallKennedy on behalf of the property Owner.

The Schooner Cove development and the Lakes District development must NOT be derailed by the lobbying of a small but vocal vested-interest group. Their requests have been heard and have been carefully addressed.

I know that my sentiments are shared by the (unfortunately) SILENT MAJORITY of Fairwinds and Electroral District E residents who enthusiastically, do endorse the proposal.

As stated in my previous submission, please, lets get on with the process.

I respectfully request that the project be moved forward to the next stage of development. It is the elected officials' responsibility to advocate and support the best interests of the community.

I look forward to involvement in future stages and refinement of the design.

This development submission represents a very, very appropriate starting point from which to launch into the next stage.

Respectfully submitted

William G Hamilton BArch, MRAIC (RM) AAA (RM)

Burgoyne, Linda

From: Rebekah Sax <rsax@fairwinds.ca>
Sent: Tuesday, March 08, 2011 10:39 AM
To: Burgoyne, Linda
Cc: RTibbles@Bentallkennedy.com; fenske@ekistics.ca
Subject: EAPC Delegation Request

Hello Linda,

Thank you for helping me with the delegation request, since Jane Armstrong is away today. As I mentioned on the phone, the delegation information is as follows:

Name: Paul Fenske (of Ekistics Town Planning)

Address: 1925 Main St, Vancouver, BC V5T 3C1

Phone Number: (604) 739-7526

Summary: Thank you to the EAPC for considering the application, and myself and Russell Tibbles from Fairwinds/Bentall are here to answer any questions.

If you need anything else from us to confirm the delegation, just let me know.

Regards,

Rebekah Sax

Communications Coordinator

Fairwinds Community & Resort

3544 Fairwinds Drive, Nanoose Bay, BC V9P 9K6

Tel: 250.468.7054 ext 222 | Email: rsax@fairwinds.ca | Website: www.fairwinds.ca



Burgoyne, Linda

From: Stephens <mnc.stephens@shaw.ca>
Sent: Tuesday, March 08, 2011 1:22 PM
To: Burgoyne, Linda
Subject: FW: Delegation Request for EAPC Meeting on March 8, 2011

Dear Ms. Burgoyne:

Further to our telephone call, here is my forwarded delegation request.

Regards,

Christopher Stephens

From: Stephens [mailto:mnc.stephens@shaw.ca]
Sent: March 8, 2011 12:59 PM
To: 'jarmstrong@rdn.bc.ca'
Subject: Delegation Request for EAPC Meeting on March 8, 2011

DELEGATION REQUEST

Attention: **Ms. Jane Armstrong, Legislative Coordinator**

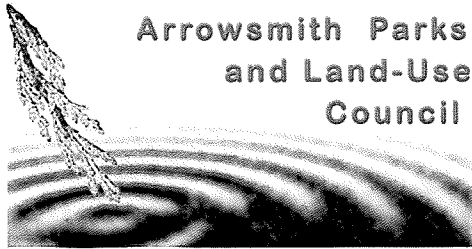
Please accept this email as my request to appear as a delegate at the Electoral Area Planning Committee (EAPC) meeting to be held today, March 8, 2011.

Requested by: **Christopher Stephens**
Mailing address: 714 Ermineskin Ave, Parksville, BC V9P 2L4
E-mail: mnc.stephens@shaw.ca
Phone: (250) 954-3724

Title of the presentation: **The Nanoose Lakes District: A Youth Perspective on an Endangered Ecosystem**

Topic outline:

- My personal connection to the Lakes District lands
- Forest birds of the Nanoose Lakes District-lowland habitat ecology
- The Lakes District Coastal Douglas-fir ecosystem facts
- The importance of a sound assessment process for land use decisions and problems with the current proposal.
- The RDN's conservation goals relating to this ecosystem
- Where to go from here: The RDN's options for meeting its conservation objectives



**Arrowsmith Parks
and Land-Use
Council**

An association of individuals and groups committed to engaging with community, government, and industry to advocate for the conservation and expansion of parks and protected areas within the Mount Arrowsmith watersheds.

3349 Blueback Drive
Nanoose Bay, BC V9P 9H9
250 468 1714
pgrinder@gmail.com

March 3, 2011

To Regional District of Nanaimo Electoral Area Planning Committee

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

Attention: Electoral Area Planning Committee Members

Re: Fairwinds Application for Amendment to the Nanoose Bay Official Community Plan

Dear Directors:

To our knowledge, Fisheries and Oceans Canada (DFO) has not yet responded to the referral sent to them on the proposed Fairwinds OCP amendment. We therefore have attached for your information a letter from the Minister of Fisheries and Oceans Canada that responds to our concerns for the Enos Lake stickleback populations. As you may know, Enos Lake stickleback populations are legally-listed as endangered under the *Species at Risk Act* (SARA), and protected under the federal *Fisheries Act*.

We would only add to the Minister's letter a couple of clarifying comments. First, though Riparian Area Regulations (RAR) are in place to protect aquatic species from damage to their riparian habitat, they are not designed to protect other amphibian, reptile or mammal species that depend on water bodies or streams. Further, the minister omits that section 35 of the *Fisheries Act* states:

"No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat."

This protection extends beyond protections provided by the RAR to include effects of water quality changes such as siltation, which is identified in the species' recovery strategy as one of the most significant threats to recovery and survival of the Enos Lake stickleback populations.

Secondly, though the Minister confirms SARA protection of the Enos Lake stickleback critical habitat, she neglected to refer to sections 32 and 33 of SARA which states, respectively:

"No person shall kill, harm, harass, capture or take an individual of a wildlife species that is listed as an extirpated species, an endangered species or a threatened species."

"No person shall damage or destroy the residence of one or more individuals of a wildlife species that is listed as an endangered species or a threatened species, or that is listed as an extirpated species if a recovery strategy has recommended the reintroduction of the species into the wild in Canada."

We contend that water quality changes produced by development in the Enos Lake watershed have the potential to create offences under either or both these federal statutes, and until DFO responds to the said referral and these issues are resolved the Fairwinds OCP amendment be deferred.

Sincerely,

On behalf of the Arrowsmith Parks and Land-Use Council,

Paul Grinder
3349 Blueback Drive, Nanoose Bay, B.C. V9P 9H9
Phone: 250 468 1714
Email: pgrinder@gmail.com

cc: Susan Cormie
Dale Lindsay

Minister of
Fisheries and Oceans



Ministre des
Pêches et des Océans

Ottawa, Canada K1A 0E6

OCT 27 2010

Mr. Paul Grinder
3349 Blueback Drive
Nanose Bay, British Columbia
V9P 9H9

Dear Mr. Grinder:

Thank you for your correspondence of September 15, 2010, in which you provide the Arrowsmith Parks and Land-Use Council's response to the Proposed Fairwinds Lakes District Development Review.

I appreciate learning the Council's views on this matter and welcome the opportunity to respond to those sections of your letter that relate to Fisheries and Oceans Canada (DFO). Typically, local governments have jurisdiction over their municipal zoning and development permit processes and are responsible for ensuring that developers meet broader provincial and federal regulatory requirements.

The British Columbia Riparian Areas Regulation (RAR) enables local governments to allow development within 30 metres of the high-water mark of a stream, provided that prescribed riparian assessment methods have been followed. The assessment methods require that a qualified environmental professional (QEP) determine a development setback from the stream, define measures to protect the riparian area and provide an opinion on whether or not the proposed development will result in the harmful alteration, disruption or destruction (HADD) of riparian fish habitat.

In cases where the QEP determines that the development, according to RAR, will not result in a HADD of riparian fish habitat, the local government can allow the development to proceed without review by DFO. The majority of RAR submissions fall within this category.

.../2

Canada

However, when the QEP determines that the development is likely to result in a HADD of riparian fish habitat, the RAR requires the QEP to include approval from the Department with the assessment. This triggers a review under the *Fisheries Act* by DFO's Habitat Management Program in accordance with DFO's *Policy for the Management of Fish Habitat*, which can be found at < www.dfo-mpo.gc.ca/oceans-habitat/habitat/policies-politique/operating-operation/index_e.asp >, as well as the *Canadian Environmental Assessment Act* and *Species at Risk Act*.

You are concerned that the proposed Fairwinds Lakes District development could affect Enos Lake benthic and limnetic stickleback. You are correct in stating that the species of Enos Lake stickleback are currently listed as Endangered on Schedule 1 of the *Species at Risk Act* and are, therefore, protected under that legislation. This makes it unlawful to harm Enos lake stickleback or to destroy their critical habitat without a permit.

Thank you for taking the time to share your concerns.

Sincerely,

A handwritten signature in cursive script that reads "Gail Shea".

Gail Shea, P.C., M.P.