

REGIONAL DISTRICT OF NANAIMO

ELECTORAL AREA PLANNING COMMITTEE

TUESDAY, JULY 9, 2013

6:30 PM

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

- 2 **Dave Patterson, Fairwinds Community Association**, re Lakes District and Schooner Cove Zoning Amendment Application Updates.

MINUTES

- 3-4 Minutes of the regular Electoral Area Planning Committee meeting held Tuesday, June 11, 2013.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

UNFINISHED BUSINESS

DEVELOPMENT PERMIT APPLICATIONS

- 5-18 Development Permit Application No. PL2013-049 and Request for Frontage Relaxation and Acceptance of Cash-in-Lieu of Park Land Dedication – 0960404 BC Ltd. – 743 Drew Road, Electoral Area 'G'.

DEVELOPMENT PERMIT WITH VARIANCE APPLICATION

- 19-30 Development Permit with Variance Application No. PL2013-045 – Chevron Canada Ltd. – 1660 Island Highway East, Electoral Area 'E'.

OTHER

- 31-59 Lakes District and Schooner Cove Zoning Amendment Application Updates.

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

ADJOURNMENT

Hello Matt,

I am the vice president of the Fairwinds Community Association and I would like to make a short presentation to the RDN board at the Electoral Area Planning Committee meeting on July 9 at 6:30 regarding the Fairwinds Application for Zoning currently before the RDN. A petition was started at the Fairwinds Open House on June 26 regarding the timing of the Public Hearings and I would like to present the petition and speak to it for a few minutes. I spoke with you last week and you indicated that a status report on this application is being made at this meeting and I would like to speak following that presentation.

Thanks
Dave Patterson

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, JUNE 11, 2013 AT 6:30 PM IN THE
RDN BOARD CHAMBERS

In Attendance:

Director G. Holme	Chairperson
Director A. McPherson	Electoral Area A
Director M. Young	Electoral Area C
Director J. Fell	Electoral Area F
Director J. Stanhope	Electoral Area G
Director B. Veenhof	Electoral Area H

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
D. Trudeau	Gen. Mgr. Transportation & Solid Waste
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
T. Osborne	Gen. Mgr. Recreation & Parks
J. Holm	Mgr. Current Planning
M. O'Halloran	Legislative Coordinator
N. Tonn	Recording Secretary
C. Golding	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order.

LATE DELEGATIONS

MOVED Director Stanhope, SECONDED Director Young, that a late delegation be permitted to address the Committee.

CARRIED

Ian MacDonnell, re OCP Application No. 2011-060 – Baynes Sound Investments – Electoral Area 'H'.

Mr. MacDonnell provided a visual and verbal presentation regarding opposition to Official Community Plan Application No. 2011-060. Additional written information was provided.

ELECTORAL AREA PLANNING COMMITTEE MINUTES

MOVED Director Stanhope, SECONDED Director Young, that the minutes of the Electoral Area Planning Committee meeting held May 14, 2013 be adopted.

CARRIED

DEVELOPMENT PERMIT APPLICATIONS

Development Permit Application No. PL2013-046 – Field – Electoral Area ‘G’.

MOVED Director Stanhope, SECONDED Director Fell, that Development Permit Application No. PL2013-046 to permit the construction of a dwelling unit and garage be approved, subject to the conditions outlined in Attachments 2 - 4.

CARRIED

Development Permit Application No. PL2013-048 – Branch – 3885 & 3889 Bovanis Road, Electoral Area ‘H’.

MOVED Director Veenhof, SECONDED Director McPherson, that Development Permit Application No. PL2013-048 to permit the construction of a dwelling unit be approved, subject to the conditions outlined in Attachments 2 - 4.

CARRIED

Development Permit Application No. PL2013-055 – Holyk – 6615 Island Highway West, Electoral Area ‘H’.

MOVED Director Veenhof, SECONDED Director McPherson, that Development Permit Application No. PL2013-055 to permit the construction of an accessory building be approved subject to the conditions outlined in Attachments 2 through 4.

CARRIED

OTHER

Request to Relax the Minimum 10% Perimeter Frontage Requirement & Request for Acceptance of Park Land Dedication No. PL2013-018 – Fern Road Consulting Ltd., on behalf of 0928323 B.C. Ltd. & Pland Land Corp. – 691 Wembley Road, Electoral Area ‘G’.

MOVED Director Stanhope, SECONDED Director Young, that the request to relax the minimum 10% perimeter frontage requirement for proposed Lots 5, 6 and 8, be approved.

CARRIED

MOVED Director Stanhope, SECONDED Director Young, that the request to accept the dedication of park land, as outlined in Attachment 2, be accepted.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 6:46 PM

CHAIRPERSON

CORPORATE OFFICER



RDN REPORT	
CAO APPROVAL	
EAP	<input checked="" type="checkbox"/>
COW	<input type="checkbox"/>
JUN 28 2013	
RHD	<input type="checkbox"/>
BOARD	<input type="checkbox"/>

MEMORANDUM

TO: Jeremy Holm
Manager of Current Planning

DATE: June 27, 2013

FROM: Kristy Marks
Planner

FILE: PL2013-049/PL2013-043

SUBJECT: Development Permit Application No. PL2013-049 and Request for Frontage Relaxation and Acceptance of Cash-in-Lieu of Park Land Dedication – 0960404 BC Ltd.
Lot 2, District Lot 28, Nanoose District, Plan 39538 – 743 Drew Road
Electoral Area 'G'

PURPOSE

To consider an application for a Development Permit, 10% minimum frontage relaxation and cash-in-lieu of park land dedication in conjunction with a proposed eight lot subdivision.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of 0960404 BC Ltd. in conjunction with a proposed eight lot subdivision, Application No. PL2013-043. The subject property is 1.52 ha in area and is zoned Residential 1 (RS1) Subdivision District 'Q' (700 metre minimum parcel size with community water and sewer services) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The property is surrounded by developed residential parcels to the north, east and west, Drew Road to the north and French Creek to the south (see Attachment 1 for location of subject property).

The proposed subdivision is subject to the following Development Permit Areas as per "Regional District of Nanaimo Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008":

- Hazard Lands;
- Fish Habitat Protection; and
- Environmentally Sensitive Features for Aquifer Protection.

Proposed Development and Cash-in-Lieu

The applicant is proposing an eight lot subdivision with both community water and sewer service connections. Each of the proposed parcels will meet the minimum permitted parcel size pursuant to Bylaw No. 500, 1987 (see Attachment 2 for proposed plan of subdivision). As the subdivision application involves the creation of more than three parcels, the provision of park land or cash-in-lieu is required as per the *Local Government Act*. The maximum amount of park land that the Regional District may require is 5% of the total site area, which for this application is 760 m². Alternatively, and as proposed, the RDN may require cash-in-lieu of park land to a maximum of 5% of the pre-development value of the land.

Minimum 10% Perimeter Frontage Requirement

Proposed lots 3, 4, 5, 6, and 7 as shown on the plan of subdivision (Attachment 2) do not meet the minimum 10% perimeter lot frontage requirement pursuant to Section 944 of the *Local Government Act*. The applicant has requested approval of the RDN Board to reduce the frontage requirement as follows:

<i>Proposed Lot No.</i>	<i>Required Frontage (m)</i>	<i>Proposed Frontage (m)</i>	<i>% Perimeter</i>
3	14.0	10.1	7
4	14.6	10.1	7
5	25.6	10.3	4
6	28.6	10.3	3
7	19.4	18.1	9

ALTERNATIVES

1. To approve Development Permit No. PL2013-049, subject to the conditions outlined in Attachment 3; and the request for relaxation of the minimum 10% perimeter frontage requirement for proposed lots 3, 4, 5, 6, and 7; and, the request to pay 5% cash-in-lieu of park land in conjunction with Subdivision Application No. PL2013-043.
2. To deny Development Permit No. PL2013-049 and the request for relaxation of the minimum 10% frontage requirement and not accept the offer of cash-in-lieu of park land and provide an alternative recommendation.

LAND USE IMPLICATIONS

Development Implications

In order to address the Hazard Lands Development Permit guidelines the applicant has submitted a Geotechnical Slope Assessment prepared by Ground Control Geotechnical Engineering Ltd. and dated April 30, 2013. The report concludes that the proposed subdivision of the property to create eight new residential lots and the construction of new houses is considered ‘safe’ provided the recommendations of the report are followed. The report further states that all new lots will have areas that will be suitable for use as building sites well removed from the slope. In addition, the proposed subdivision will not have a significant detrimental impact on adjoining properties from a geotechnical hazard point of view and that the proposed development is not expected to result in unusual damage to the environment. Minimum setback distances from the crest of the slope for all occupied or high-value buildings have been established and recommendations for vegetation retention and stormwater management have also been included. Staff recommends that the applicant be required to register a Section 219 covenant that registers the Ground Control Geotechnical Slope Assessment and amendments as required on the property title, and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages to life and property as a result of potential geotechnical and flood hazards.

The applicant has provided a Riparian Areas Assessment prepared by Seamount Consulting and dated April 30, 2013 consistent with the Fish Habitat Protection Development Permit Area guidelines. This report establishes a 30 metre Streamside Protection and Enhancement Area (SPEA) and includes recommendations for the

protection of the SPEA including the installation of fencing along the SPEA boundary. In addition, the Development Permit guidelines require at least one sign identifying the SPEA to be permanently secured to the fence on each proposed lot adjacent to the SPEA. The requirements for fencing and signage and development of the property in accordance with the recommendations contained in this report are included in the Conditions of Approval outlined in Attachment 3.

In keeping with the guidelines for the Aquifer Protection DPA, the applicant has provided a Preliminary Hydrogeological Review prepared by Waterline Resources Inc. dated May 1, 2013. The assessment considers the proposed eight lot subdivision to represent a low risk of adverse impacts to the adjacent properties and also to the shallow and deep aquifers in the area. The report further recommends a rainwater management plan to be prepared for the proposed subdivision in order to mitigate any potential adverse impacts to nearby surface water resources, including increased runoff to French Creek.

Development of the property in accordance with the recommendations contained in the above noted reports is included in the Conditions of Approval set out in Attachment 3.

Inter-governmental Implications

The Ministry of Transportation & Infrastructure has reviewed the proposal and advised that they have no concern with the proposed frontage relaxation provided enough frontage for a residential driveway with associated drainage culvert and utilities can be accommodated for each lot. The proposed parcels, despite their reduced frontages, are capable of supporting the intended residential uses as permitted in the zoning provisions.

Sustainability Implications

In keeping with Regional District of Nanaimo Board policy, staff reviewed the proposed development with respect to the "Regional District of Nanaimo Sustainable Development Checklist" and note that the proposed development will allow for infill development in accordance with the existing zoning on land that is serviced with community water and sewer and located within the French Creek Growth Containment Boundary.

PARK LAND & CASH-IN-LIEU IMPLICATIONS

Regional District of Nanaimo Parks staff have reviewed the proposed cash-in-lieu and note that Policy 6.4 (2)(h) of the OCP states that the area derived from 5% park land dedication is intended to be "usable land that would be suitable for a multitude of recreational uses". In this case, if the applicant was to offer park land dedication the maximum park land dedication would be 760 m² which is not considered to be an adequate land area for an additional community park in this area. In addition, the subject property is not located in an area that is in need of additional neighbourhood park land or additional public access to French Creek. A public access to French Creek within the subject property would also be undesirable due to the steep grade of the bank adjacent to French Creek and associated geotechnical and maintenance concerns.

Given the limited size of required park dedication and steep topography of portions of the lot, the applicant is proposing to provide cash-in-lieu of park land. This offer was referred to the Electoral Area 'G' Parks and Open Space Advisory Committee (POSAC) on June 12, 2013 and was presented at a Public Information Meeting also held on June 12, 2013.

The subject property has an assessed value of \$596,000 according to the 2013 Assessment Roll. If the applicant is required to pay cash-in-lieu of park land dedication, the valuation of the property for 5% cash-in-lieu of park land would be based on a certified appraisal of the land at the time of preliminary subdivision approval (PLA). Therefore, if cash-in-lieu of park land dedication was required, and the appraised market value was similar to the assessed value, a contribution of approximately \$29,800 (based on a full 5%) to the Electoral Area 'G' Community Parks Fund would be anticipated.

In addition to the proposed cash-in-lieu of park land, the applicant also proposes to offer an additional cash donation in the amount of \$14,000 (\$2,000 for each new parcel being created). This voluntary cash donation is to be utilized towards the construction of Stanhope Trail and/or park related improvements to existing parks near the subject property and will be provided prior to confirmation of subdivision compliance.

Area 'G' Parks and Open Space Advisory Committee

In accordance with Board Policy C1-05, the proposal for cash-in-lieu of park land was referred to the Electoral Area 'G' Parks and Open Space Advisory Committee on June 12, 2013. The POSAC recommended that cash-in-lieu be provided in association with this subdivision (see Attachment 4 for excerpt of meeting minutes and comments).

PUBLIC CONSULTATION

A Public Information Meeting (PIM) was held on June 12, 2013 with respect to the proposed cash-in-lieu of park land (see Attachment No. 5 for Minutes of the Meeting).


SUMMARY/CONCLUSION

This is an application for a Development Permit, 10% minimum frontage relaxation and cash-in-lieu of park land dedication in conjunction with a proposed eight lot subdivision. The applicant has submitted a proposed plan of subdivision, Riparian Areas Assessment, Geotechnical Slope Assessment, and Preliminary Hydrogeological Review in support of the application. Despite the reduced frontages, the applicant has confirmed that proposed lots 3, 4, 5, 6, and 7 contain an adequate building site and will be able to accommodate the proposed residential use. Ministry of Transportation and Infrastructure staff has indicated that they have no objection to the request for relaxation of the frontages for these parcels.

Additionally, the applicant is required, pursuant to Section 941 of the *Local Government Act*, to provide park land dedication and/or cash-in-lieu of park land. The applicant's offer to provide cash-in-lieu of park land was referred to the Electoral Area 'G' Parks and Open Space Advisory Committee, which supported with the proposal, and a Public Information Meeting was held on June 12, 2013. Given that the subject property does not meet the preferred park land criteria set out in the OCP, there are a number of geotechnical and maintenance concerns related to acquisition of park in this location, and the area is not in need of additional neighbourhood park land or public access to French Creek, staff recommends cash-in-lieu of park land dedication for the Electoral Area 'G' Community Parks Acquisition Fund.

RECOMMENDATIONS

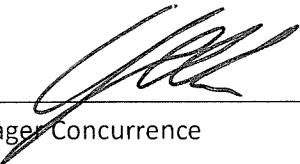
1. That Development Permit No. PL2013-049 in conjunction with a proposed eight lot subdivision be approved subject to the conditions outlined in Attachment 3, be approved.
2. That the request to relax the minimum 10% perimeter frontage requirement for proposed lots 3, 4, 5, 6 and 7 in conjunction with Subdivision Application No. PL2013-043, be approved.
3. That the request to pay 5% cash-in-lieu of park land in conjunction with Subdivision Application No. PL2013-043, be accepted.
4. That the Board accept the applicant's voluntary donation of \$14,000 towards the construction of Stanhope Trail and/or park related improvements to existing parks near the subject property.



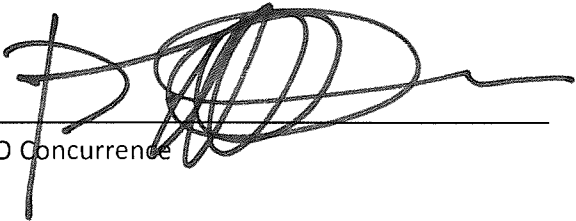
Report Writer



for General Manager Concurrence

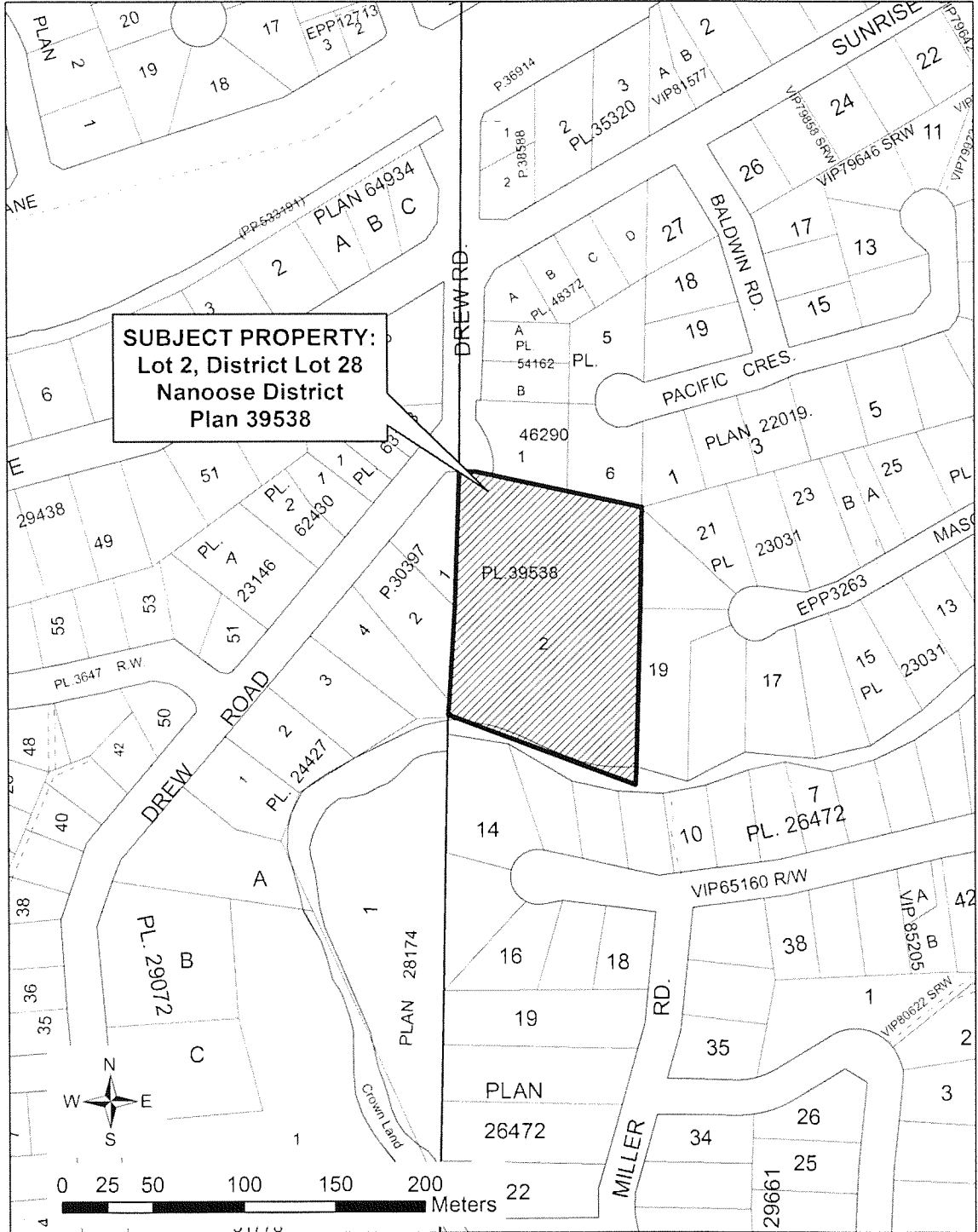


Manager Concurrence

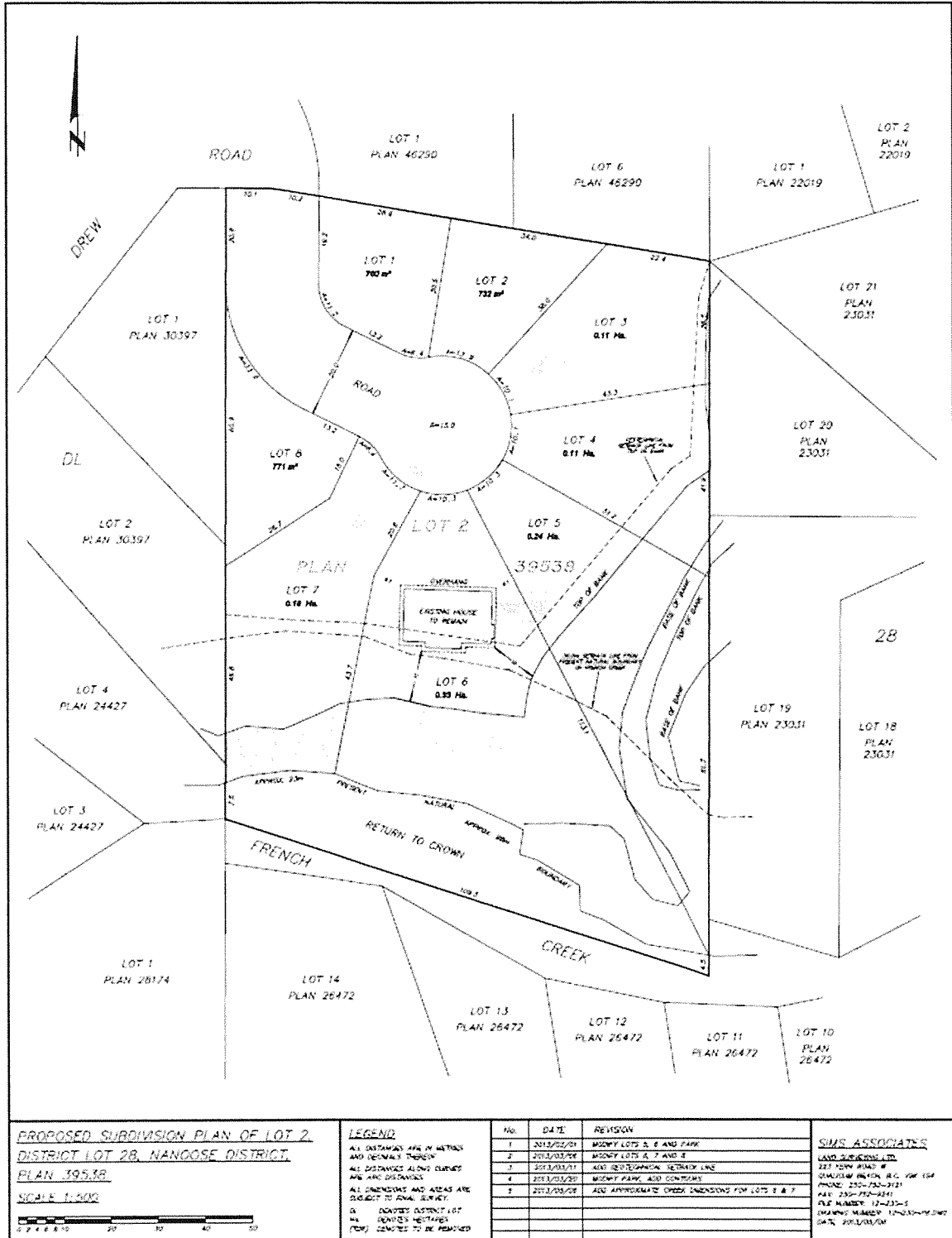


CAO Concurrence

Attachment 1
Subject Property Map



Attachment 2
 Proposed Plan of Subdivision



**Attachment 3
Terms and Conditions of Development Permit**

The following sets out the terms and conditions of Development Permit No. PL2013-049:

1. The subdivision shall be developed in general accordance with the eight lot subdivision plan prepared by Sims Associates dated May 8, 2013 attached as Attachment 2.
2. The Lands shall be developed in accordance with the recommendations of the Riparian Areas Assessment prepared by Seamount Consulting and dated April 30, 2013.
3. The applicant shall install a split-rail or similar fence along the SPEA boundary in accordance with the recommendations contained in the Riparian Areas Assessment and the Fish Habitat Protection Development Permit Guidelines. In addition, one sign identifying the SPEA as a protected area must be permanently secured to the fence on each proposed lot adjacent to the SPEA. The applicant shall request a site inspection to confirm the installation of the fencing and signage prior to RDN confirmation of subdivision compliance and to the satisfaction of the General Manager of Strategic and Community Development.
4. The Lands shall be developed in accordance with the Geotechnical Slope Assessment prepared by Ground Control Geotechnical Engineering Ltd. and dated April 30, 2013 and amendments as required.

The applicant shall be required, at the applicant's expense, to register a Section 219 covenant on the property titles containing the Geotechnical Slope Assessment prepared by Ground Control Geotechnical Engineering Ltd. and dated April 30, 2013 and amendments as required, concurrently with the plan of subdivision. This covenant shall include a save harmless clause that releases the Regional District of Nanaimo from all losses and damages to life and property as a result of potential geotechnical and flood hazards.

5. The Lands shall be developed in accordance with the Preliminary Hydrogeological Review prepared by Waterline Resources Inc. dated May 1, 2013 which includes the preparation of a rainwater management plan in support of the subdivision application and prior to RDN confirmation of subdivision compliance to the satisfaction of the General Manager of Strategic and Community Development. The plan is recommended to mitigate potential adverse impacts to surface water resources.

Attachment 4

**Correspondence from the Electoral Area 'G' Parks & Open Space
Advisory Committee (POSAC) Comments**

Excerpt from the June 12, 2013 minutes of the Electoral Area 'G' Parks & Open Space Advisory Committee.

Motion:

"That the Parks and Open Space Advisory Committee support the acceptance of 5% cash-in-lieu of parkland dedication as part of the proposed subdivision application for 743 Drew Rd in Electoral Area 'G'."

CARRIED

Attachment 5

**Summary of the Public Information Meeting
Held at Oceanside Place Arena, 830 West Island Highway
In Conjunction with Subdivision Application No. PL2013-043
On June 12, 2013 Commencing at 7:30 pm**

Note: This summary of the meeting is not verbatim recording of the proceedings, but is intended to summarize the comments of those in attendance at the Public Information Meeting.

Present for the Regional District:

Joe Stanhope, Director, Electoral Area 'G'
Kristy Marks, Planner
Elaine McCulloch, Parks Planner

Present for the Applicant:

Helen Sims, Agent
Randy Jenkins, Project Manager

There were 18 people in attendance.

The meeting was called to order at 7:30 pm.

Director Stanhope, Chair introduced the RDN staff present and provided an introduction and reviewed the meeting procedures.

Kristy Marks, provided a brief description of the application process and proposed park land.

Helen Sims, provided an overview of the proposed cash-in-lieu of park land and noted that they did look at opportunities to provide park land however given the small size of the potential park and the steep bank they felt that providing park land would not meet the OCP policies. She also noted that if the cash-in-lieu is accepted, the applicant would also offer a voluntary contribution of up to \$14,000 towards the construction of the Stanhope Trail.

Director Stanhope, Chair opened the meeting to questions and comments

Richard Holbech, 762 Drew Road noted that he is a longtime resident and asked if enough notice for the meeting had been given. He also asked about what will happen to the trees on the lot and what the primary vegetation is on the parcel.

Kristy Marks noted that nearby property owners were notified by mail, an ad was placed in the newspaper and signage was placed on the property in accordance with the policy. She explained that for a Public Information Meeting notice is typically given not less than 3 days and not more than 10 days before the meeting.

Elaine McCulloch confirmed that the primary vegetation on the property is 2nd growth Douglas Fir.

Helen Sims noted that many of the trees would be removed in order to allow for the development of the subdivision and new dwellings. She also commented that any new dwellings would have to be set back from the top of the bank in accordance with the Geotechnical Engineers recommendations.

Randy Jenkins, 1532 Sunrise Drive – applicant – noted that he has lived in the area for more than 50 years. He also explained that while many of the trees would have to be removed to accommodate the subdivision that there will be trees within the Riparian Area and the geotechnical setback must be retained and will likely be protected through a covenant.

Richard Holbech also asked for clarification of the return to crown and that no park land was being provided. In addition, he asked if any of the proposed parcels would be split by French Creek.

Helen Sims explained that no park land is proposed and that the return to crown is unrelated to park land requirements. She explained that through the subdivision process the applicants must return the bed of the river to the crown. She further explained that all of the proposed parcels would be contained on the north side of French Creek.

Chair Stanhope, noted that park land with access to French Creek would be too steep and would be a liability to taxpayers.

Mark Anderson, 751 Drew Road commented that he is affected by the subdivision and is concerned about the road/lane access. He asked if there would be a buffer between the road and the existing adjacent parcels and noted that there would be a significant increase in traffic in the area as a result of the eight new lots.

Helen Sims replied that detailed engineering design for the road has not been completed yet as they are not that far along in the process yet but that the Ministry of Transportation and Infrastructure (MOTI) will require detailed design drawings and that the increase in traffic volumes would be considered.

Mark Anderson asked for an explanation of the cash-in-lieu proposal and if the park would be about the size of one lot.

Helen Sims explained that the RDN does not seek to acquire park land in this case as the OCP lays out general location and criteria for park land and park at this location does not meet this policy.

Mark Anderson commented that there are not a lot of parks in the area but there are a lot of kids.

Elaine McCulloch replied that the area is currently serviced with three community parks within 500 metres of the subject property Boltby Park, Lee Road and Barkley Community Park and referenced the Community Parks and Trails Strategy which shows a radius of 1km around existing neighbourhood parks. She further noted that there are limited staff resources and money to maintain a number of small neighbourhood parks.

Mark Anderson asked if the cash-in-lieu could be used elsewhere, for example to provide sidewalks to increase safety.

Elaine McCulloch explained that the cash-in-lieu of approximately \$29,800 can only be used to acquire park land in Electoral Area 'G' and that the additional donation of \$14,000 could be used for the construction of the Stanhope Trail. She further explained that because the RDN has no road function as this falls under MOTI's jurisdiction and that the cash-in-lieu can't be used for other amenities.

Helen Sims noted that the developer is open to some of the cash donation being utilized for new park equipment in the area.

Mark Anderson mentioned that his kids use Boltby Park but it has older equipment and improvements in the area to an existing park would be nice.

Elaine McCulloch commented that the RDN Parks Department has identified a need for upgrades to Boltby Community Park and that this would include a public consultation process to determine what type of equipment the community would like.

Chair Stanhope also commented that half of the cash donation could be used for park related improvements.

Helen Sims confirmed that the applicants would be fine with splitting the cash donation i.e. \$7,000 to park improvements and \$7,000 to trail.

Lorraine Haslam, 742 Drew Road stated that this lot provides valuable habitat for wildlife and asked what if the community wants park dedication instead of cash-in-lieu.

Elaine McCulloch replied that the size of park that would be required if the applicants were to offer park land instead of cash-in-lieu that the park would only be approximately 700 m². This size is not large enough to provide valuable habitat and having a small group of trees would increase windthrow. She noted that the assessments have been completed by a Geotechnical Engineer and a Biologist and that the trees along the bank must be retained. She also mentioned that there are concerns related to the steep slope and liability similar to bank erosion concerns on Miller Road.

Lorraine Haslam asked how other properties will be affected and what will happen to the large trees on adjacent lots if all of the trees are removed.

Randy Jenkins noted that the RAR setback and geotechnical requirements require trees within these areas to be retained and that water must be directed away from the slope. He mentioned that one danger tree will likely have to be removed within this area. He added that he lives in the neighbourhood and is also concerned about traffic in the area.

Bruce Powell, 725 Drew Road stated that he has concerns with the trees being removed from lots 1, 2 and 3 as it could impact large old trees on the existing adjacent lot.

Randy Jenkins noted that there would be a buffer (setback) for these lots but that the trees would be removed to accommodate the subdivision.

Helen Sims clarified that setback apply only to buildings and structures.

Kristy Marks confirmed that there is typically no requirement for the retention of vegetated buffer between residential parcels but that the trees would have to be retained in the areas established by the riparian areas assessment and the geotechnical engineer.

Gayle Goodman, 726 Drew Road commented that she has concerns with the traffic and the entrance onto Drew Road and stated that it is dangerous to walk along Drew Road and that there is often screeching at the stop sign on Sunrise Drive. She also asked how wide the proposed road would be.

Chair Stanhope commented that he has previously identified the area as a traffic concern to the staff sergeant and that he would bring it to his attention again.

Helen Sims confirmed that the dedicated portion of the road would be 20 metres and that the constructed portion would be approximately 8 metres in width.

Sean Goodman, 753 Drew Road asked if the speed limit could be lowered on Drew Road.

Director Stanhope replied that the RDN does not have control over the speed limit.

Helen Sims indicated that although the detailed engineering for the road construction is not completed the MOTI would likely require a stop sign at Drew Road for the new subdivision.

Brian Coath, Area 'G' POSAC Member noted that the POSAC considered the provision of park land at this location but they identified access as a concern. He remarked potential options for park land would leave the proposed park 'locked' within the subdivision and that even though he typically prefers park over cash-in-lieu he felt that this was not a good location.

Mark Anderson asked if a fence would be required along the edge of new lots. He noted that his daughters room is very close to the proposed road and that if there is no barrier cars could crash into their house.

Richard Holbech agreed it would reasonable to construct the road as far away as possible from Mark's lot and closer to the new lots in the subdivision.

Helen Sims confirmed that while the dedicated portion of the road is 20 metres the road bed would actually be approximately 8.5 metre in width and would typically be centered within the road right of way. She further confirmed that the road would be public road and that the existing gate is on private property. She explained the subdivision application process and confirmed that RDN comments would be forwarded to MOTI and that a development permit for watercourse, fish habitat protection, aquifer protection, and hazards lands is also required.

Richard Holbech asked about a new well and if it is located on the property.

Helen Sims confirmed there is no well on the property but that there is a well on public property.

Richard Holbech commented that proposed location of the road should be shown on the plan and asked why the road would be shown as 20 m wide if it will actually only be 8 m wide. He also asked about who they should write to if they have concerns with the road.

Helen Sims explained that they are required to show the proposed legal lot boundaries on the plan including the full dedicated portion of the road. She noted that the road dedication to the parcel already exists although it is not currently constructed.

Comment regarding the next meeting for the application.

Chair Stanhope noted that there is only a Public Information Meeting for park land considerations and no Public Hearing and that there are no further meetings scheduled.

The meeting concluded at 8:22 pm

Recording Secretary



RUN REPORT	
CAO APPROVAL ###	
EAP	✓
COW	
JUL 03 2013	
RHD	
BOARD	

MEMORANDUM

TO: Jeremy Holm
Manager, Current Planning

DATE: June, 27, 2013

FROM: Tyler J. Brown
Planner

FILE: PL2013-045

SUBJECT: Development Permit with Variance Application No. PL2013-045 – Chevron Canada Ltd. Lot 1, Of Amended Lot 167 (DD 66169-N), Nanoose District, Plan 9428 Except Parcel A (DD 80609-N) Thereof; And Except Part in Plan 19267 - 1660 Island Highway East Electoral Area 'E'

PURPOSE

To consider an application for a Development Permit with Variance to permit the development of additional signs on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Chevron Canada Ltd. in order to permit additional signage on the subject parcel. The subject property is approximately 1.68 ha in area and is zoned Commercial 4 (CM4) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987".

The subject property is bound by rural parcels to the south, south east, south west and north; rural Agricultural Land Reserve (ALR) land to the west; and the Island Highway to the East (see Attachment 1). The property currently contains a Chevron Town Pantry with an adjoining Triple O's White Spot restaurant with drive thru. Prior to Chevron and Triple O's White Spot occupying the parcel, the site was occupied by an Esso Gas Station and an A&W restaurant with drive thru.

The proposed development is subject to the following development permit area as per the "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005":

- Highway Corridor Protection
- Form and Character

A total of five development permits and variance permits have previously been issued for the site. Development Permit No. 0018, Development Variance Permit No. 9806, Development Permit No. 60708 and Development Permit No. 0206. Development Permit No. 0018 was issued in 2000 to permit the increase of the allowable signs on the subject parcel from two to six. Specifically, three fascia signs on the canopy which covers the gas bar, two signs on the main building exterior and one freestanding sign adjacent to the highway were permitted. Additionally, the maximum height permitted for the free standing and canopy signs was increased from 4.0 metres to 6.0 metres and the total canopy and exterior building sign area was permitted to a maximum 7.0 m². Development Variance Permit No. 9806, issued in 1998, permitted the siting of a large gnome structure. Development Permit No. 0206, issued in 2002, varied the size of the drive thru sign and permitted the illumination of one fascia sign and two incandescent gooseneck lamps.

The current application proposal does not include any changes to parking, landscaping and general site layout as these elements will remain consistent with previous approvals. The minor exterior alterations to the commercial buildings on the subject parcel are part of a rebranding effort and are also consistent with previously approved development permits. As such, this Development Permit with Variance application addresses signage improvements and requested variances related to signage only.

Proposed Development and Variances

Attachment No. 3 provides an overview of the site plan, the location of existing signage and the location of proposed signage which require variances. The applicant is proposing the addition of four signs (numbers 2A, 7, 8, and 9 in the table below) and to increase the surface area of the existing free standing sign (number 1A below) on the subject property. The proposed additional signage is summarized in the table below for reference:

Sign Number as Referred on Attachment 3	Proposed Sign	Location	Type	Total Surface Area
1A	Proposed addition to free standing sign	Existing Highway sign pole	Double side, internally illuminated, fluorescent	8.1 m ² (each side) (16.2 m ² total)
2A	Proposed new sign	Fascia	Single sided, internally illuminated, neon	1.9 m ²
7	Proposed new sign	Fascia	Single sided, internally illuminated, neon	0.41 m ²
8	Proposed new sign	Building exterior	Single sided, neon exposed tube	0.39 m ²
9	Proposed new sign	Building exterior	Internally illuminated, fluorescent	1.91 m ²

The applicant proposes a variance to increase the number of permitted signs from two, as permitted in Bylaw No. 993, to ten (six currently permitted under Development Permit No. 0018) and to increase the sign area of the free standing sign from 11 m² to a proposed 35.2 m² (19 m² currently permitted under Development Permit No. 0018). The proposal represents an increase of 20.81 m² of sign surface area over the existing 25.9 m², for a total sign surface area of 46.7 m² on the subject parcel. The proposed variance is summarized in the table below:

Permitted by Sign Bylaw No. 993, 1995	Permitted Through Previous Development Permit	Proposed Additions
11 m ² maximum surface area for any one sign	19 m ² for existing free standing sign	16.2 m ² addition to the existing free standing sign (35.2 m ² total surface area)
Total number of signs per parcel: 2	Total number of signs: 6	Total number of signs: 10

ALTERNATIVES

1. To deny the Development Permit with Variance Application No. PL2013-045.
2. To approve the Development Permit with Variance Application No. PL2013-045 subject to the conditions outlined in Attachments 1 to 8.
3. Staff be directed to work with the applicant on revising the application to comply with the development permit guidelines and bring the revised application forward for the Board's consideration.

LAND USE IMPLICATIONS

Development Implications

The applicant has provided plans and detailed descriptions on all existing and proposed signs. With regards to development permit areas in respect to Form and Character and Highway Corridor Protection, the applicant proposes to maintain the site in accordance with previously issued development permits. The additional signs proposed are clustered with the existing signs on the subject parcel in accordance with the development permit guidelines. However, the addition of illuminated sign area is not consistent with the Highway Corridor Protection Development Permit Guidelines which encourage the use of a minimal amount of direct or indirect lighting to be effective. As per Board Policy B1.5 (Development Variance Permit, Development Permit with Variance & Floodplain Exemption Application Evaluation), the applicant has not taken measures to minimize the proposed variance with respect to reducing the number of proposed signs and the amount of illuminated sign surface area.

Sustainability Implications

There are no sustainability implications identified.

Inter-governmental Implications

Ministry of Transportation and Infrastructure has requested the free standing sign pole to be engineered to withstand potential negative impacts in the event of high winds. This recommendation will be addressed at the time of building permit application should the Board choose to issue the Development Permit with Variance.

Public Consultation Process

Pending the Committee's recommendation and pursuant to the *Local Government Act* and the "Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005", property owners and tenants of parcels located within a 50.0 metres of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variance prior to the Board's consideration of the application.

SUMMARY/CONCLUSIONS

This is an application for a Development Permit with Variance to permit the addition of four signs and to increase the surface area of the existing free standing sign on the subject property. The applicant has submitted a site plan indicating the location of each sign as well visual representations of each sign's dimensions, and composition (Attachments 4 to 8).

In staff's assessment, this proposal generally is consistent with the guidelines of the "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005" Form and Character Development Permit Area in that the signage is clustered in relation to uses on the site. However, in staff's assessment this proposal is not consistent with the guidelines of the Highway Corridor Protection Development Permit Area in that the additional sign area is illuminated while the Development Permit guidelines encourage the use of a minimal amount of direct or indirect lighting to be effective.

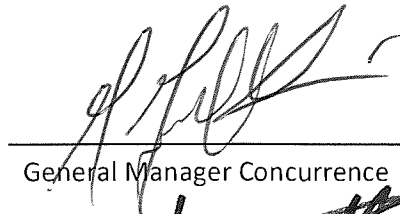
As outlined in this report, the current site signage is in excess of that permitted by RDN Sign Bylaw No. 993, 1995 as approved through previous variance applications. Development Permit with Variance application PL2013-45 proposes additional variances to both the number of signs permitted on the parcel and to the allowable surface area of the existing free standing sign. Given the extent of variances previously granted and with respect to the development permit guidelines, in staff's assessment the applicant has not taken substantial measures to minimize the proposed variances to reduce the number of proposed signs and the amount of illuminated sign surface area.

RECOMMENDATIONS

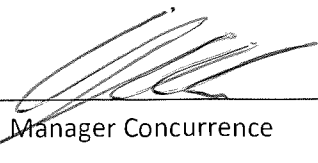
1. That staff be directed to complete the required notification; and
2. That Development Permit with Variance Application No. PL2013-045 to permit additional signage on the subject property be denied with recommendation that the applicant submit a revised application that complies with the development permit guidelines.



Report Writer



General Manager Concurrence

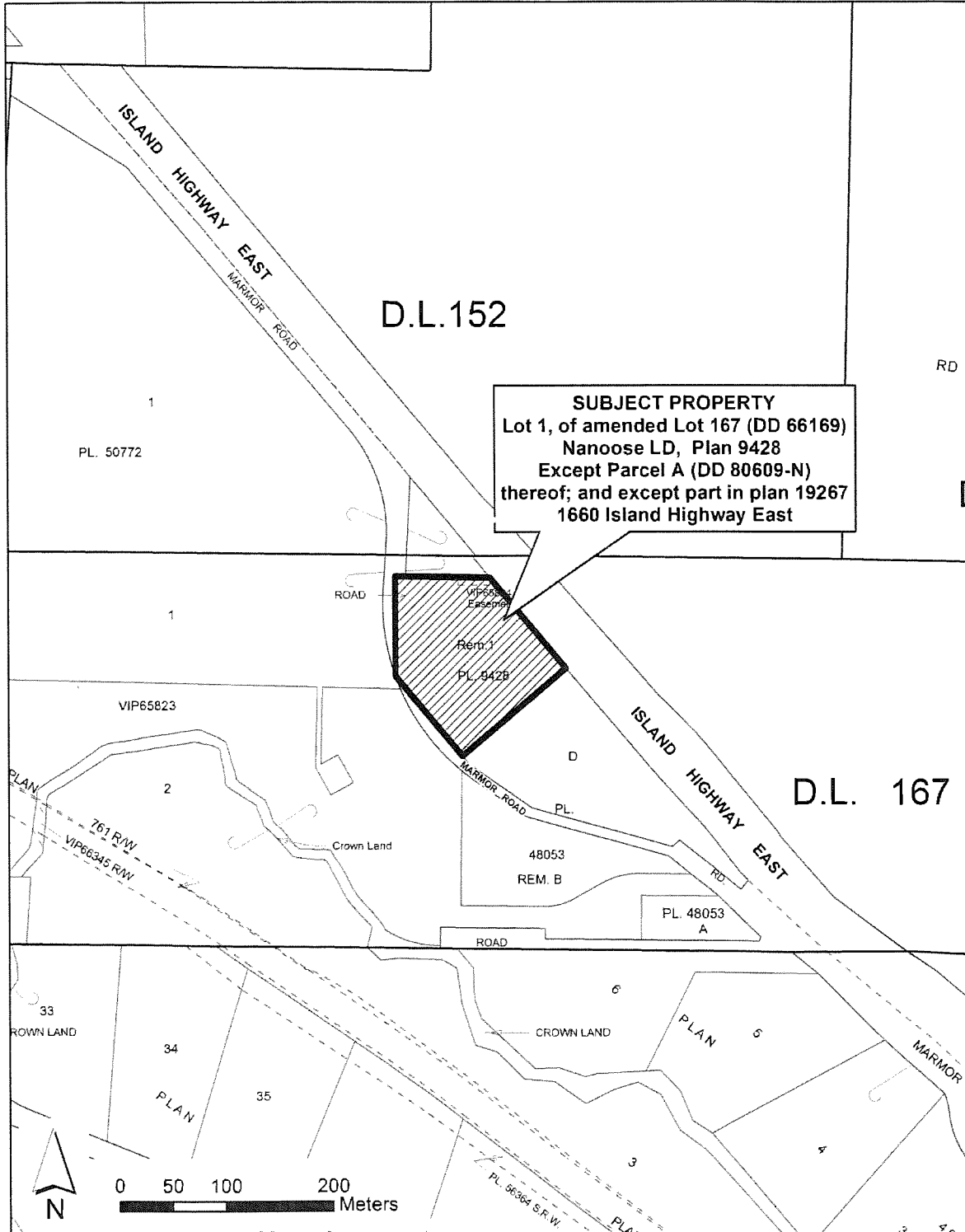


Manager Concurrence



CAO Concurrence

Attachment 1
Location of Subject Property



Attachment 2
Terms and Conditions of Permit

The following sets out the terms and conditions of Development Permit with Variance No. PL2013-045:

Bylaw No. 993, 1995 Variances:

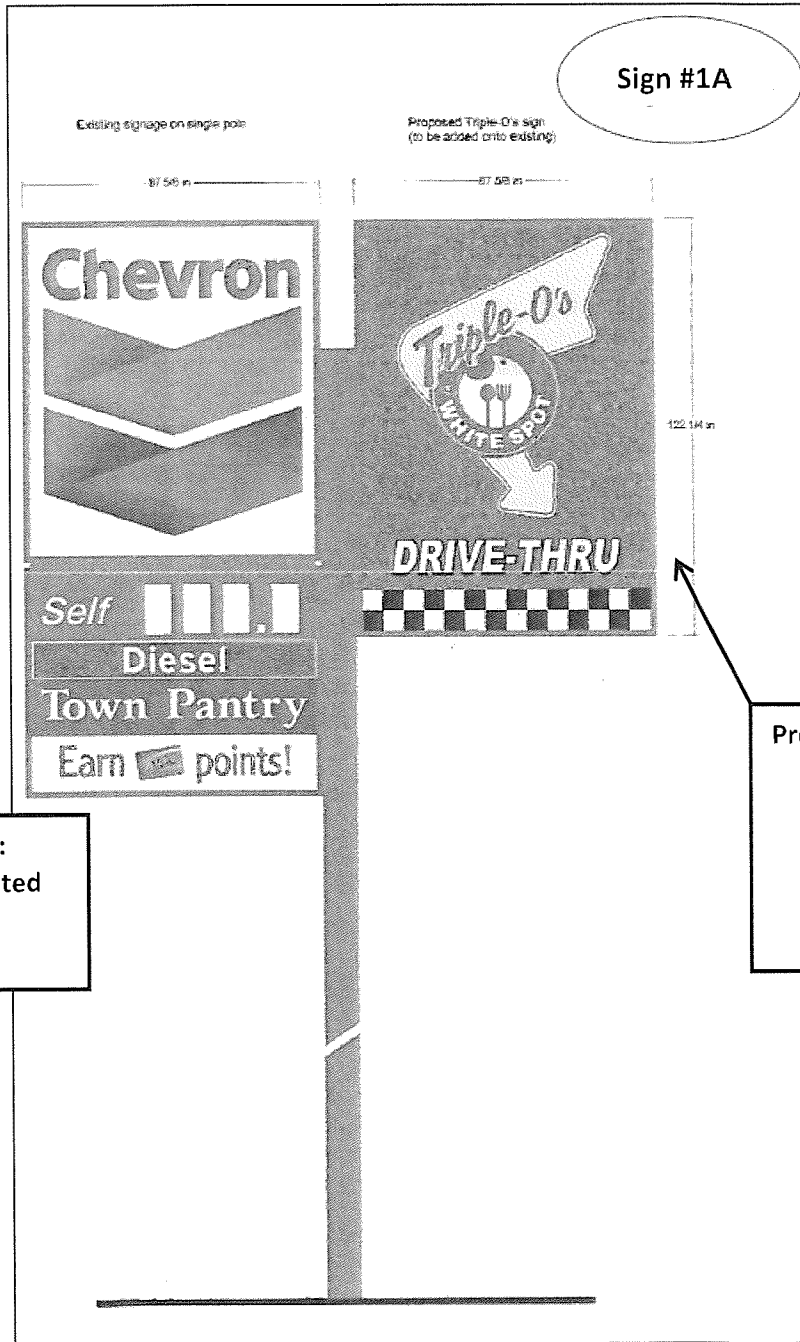
With respect to the lands, "Regional District of Nanaimo Sign Bylaw No. 993, 1995" is varied as follows:

1. Section 5 a) is hereby varied in order to increase the maximum number of signs from two to ten signs, including three fascia signs on the canopy, six on the building exterior and one free standing sign pole provided the combined total area of all canopy and building exterior signs does not exceed 12.0 m².
2. Section 5 c) is hereby varied in order to increase the maximum surface area of a sign from 11 m² to 35.2 m² for the existing free standing sign.

Conditions of Approval:

1. The proposed signs are sited and displayed in accordance with the Site Plan and sign diagrams attached as Attachments 3 to 8.
2. The proposed sign materials and illumination methods are consistent with those stated in Attachments 3 to 8.
3. The landscaping shall be maintained in accordance Development Permit No. 0018.
4. The existing gnome structure shall be sited in accordance with Development Variance Permit No. 9806.
5. The subject property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

Attachment 4
Proposed Sign 1A



Existing Freestanding Sign:

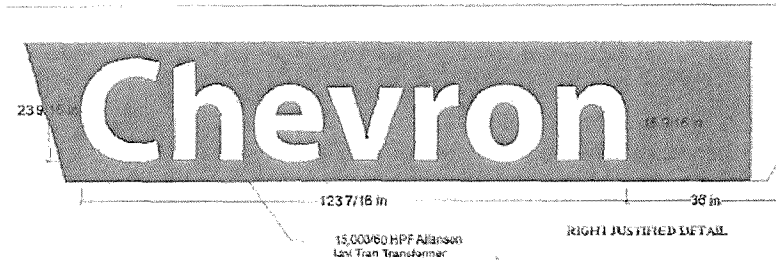
- Internally illuminated with fluorescent lighting

Proposed Variance:

- Additional 8.1 m² of surface area (each side)
- Internally illuminated with fluorescent lighting

Attachment 5
Proposed Sign 2A

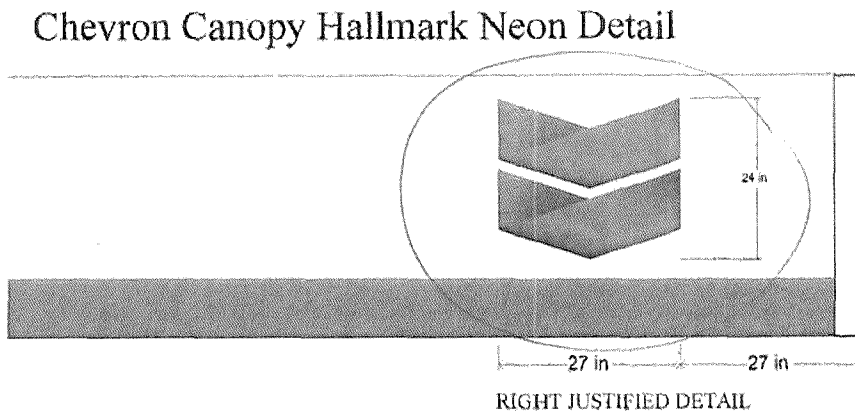
Chevron Wordmark Neon Detail



- Proposed Variance:
- Additional fascia sign
 - Internally illuminated with neon lighting
 - 1.9 m² approximate total area

Sign #2a

Attachment 6
Proposed Sign 7



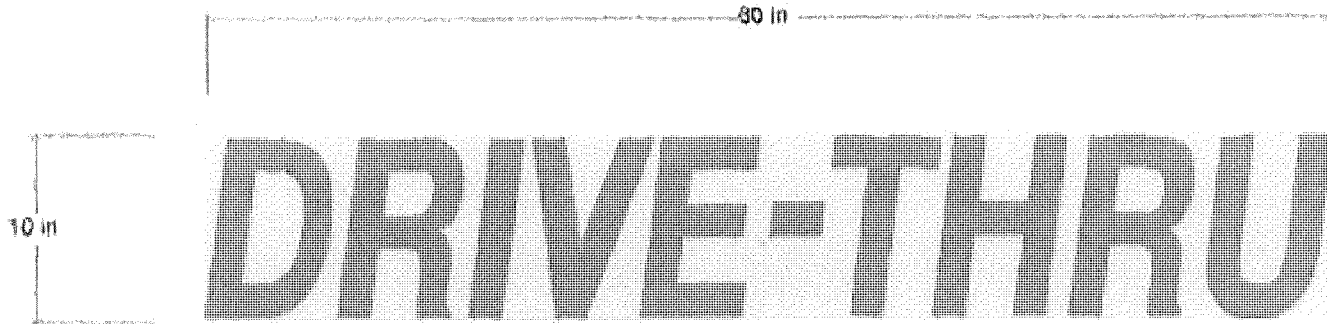
- Proposed Variance:
- Additional fascia sign
 - Internally illuminated with neon lighting
 - 0.41 m² approximate total area

Sign #7

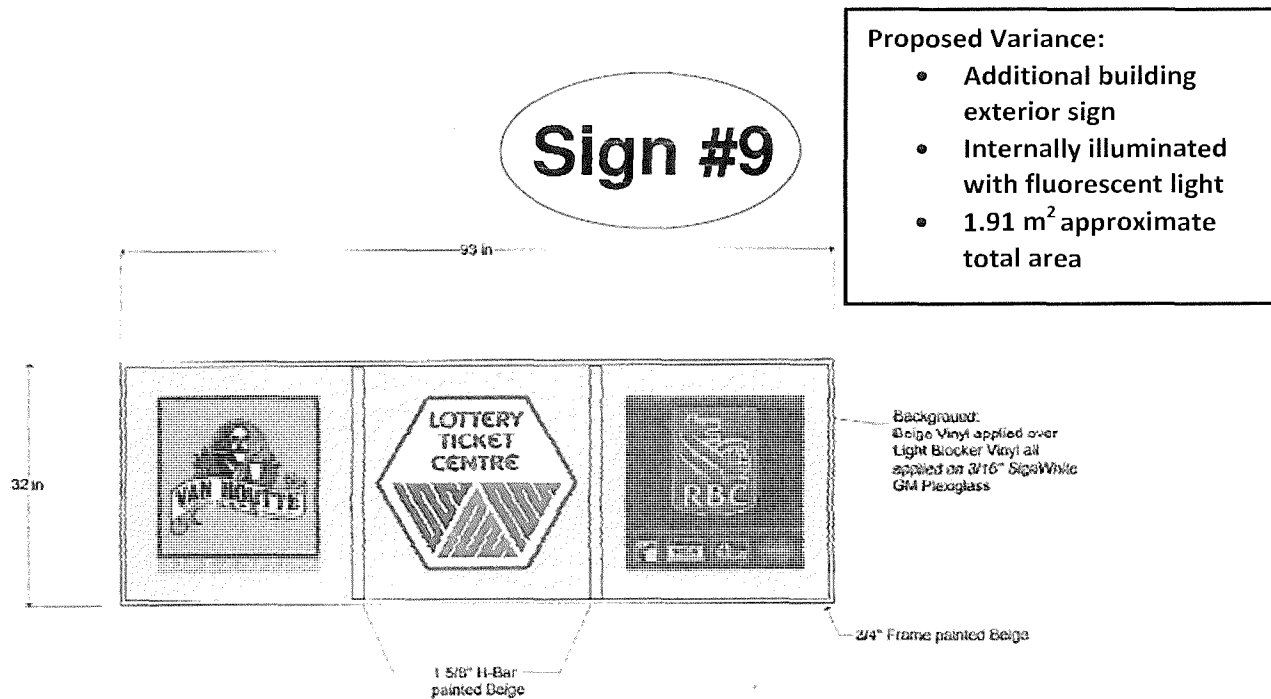
Attachment 7
Proposed Sign 8

DRIVE-THRU Pan Channel fascia sign

- Proposed Variance:
- Additional fascia sign
 - Neon exposed tubing
 - 0.39 m² approximate total area



Attachment 8
Proposed Sign 9





RDN REPORT	
CAO APPROVAL	
EAP	<input checked="" type="checkbox"/>
COW	<input type="checkbox"/>
JUL 04 2013	
RHD	<input type="checkbox"/>
BOARD	<input type="checkbox"/>

MEMORANDUM

TO: Jeremy Holm
Manager, Current Planning

DATE: July 3, 2013

FROM: Lainya Rowett
Senior Planner

FILE: PL2012-096 / PL2012-097

SUBJECT: Lakes District & Schooner Cove Zoning Amendment Application Updates

PURPOSE

To provide a status update on the zoning amendment application reviews for the Lakes District and Schooner Cove developments on the Nanoose Bay Peninsula.

BACKGROUND

In October 2011, the Regional District of Nanaimo (RDN) Board adopted the Lakes District and Schooner Cove Neighbourhood Plans as amendments to the Electoral Area 'E' Official Community Plan (Amendment Bylaws No. 1400.03 and No. 1400.04). In July 2012, staff received two zoning amendment applications for the long term phased development of the Lakes District and Schooner Cove Plan areas. Revised application submissions were provided in December 2012 and RDN staff deemed the applications substantially complete in order to proceed with a comprehensive technical review and agencies referrals. Staff have been working with the applicant and their consultants to address the phasing and provision of community amenities, park land, local services (water, wastewater, sidewalks, stormwater management), and the zoning regulations and phased development agreements which are the legal mechanisms necessary to ensure the community vision expressed through the Neighbourhood Plans is implemented through development of the lands.

The following discussion provides an update on key aspects of the application reviews and a project timeline for the next steps in the review process.

DISCUSSION

Inter-governmental Implications

The Lakes District and Schooner Cove Neighbourhood Plans propose an urban level of services within the road rights-of-way including: parking bays, curbs, gutters, boulevards, rain gardens, sidewalks and streetlighting. Given that the Ministry of Transportation and Infrastructure (MOTI) is the approval authority for transportation and infrastructure in rural areas, MOTI's acceptance of the road standards and additional work within the road rights-of-way is critical to the development occurring in the manner

envisioned in the Neighbourhood Plans. As such, RDN staff and the applicant have committed substantial time and resources to achieving the highest level of acceptance of the proposed standards and timing of road infrastructure phasing from MOTI possible at this stage in development.

The proposed Project Specific Street Standards include a high standard of design to achieve a sustainable neighbourhood. MOTI has recently indicated its support in principle for these standards and has advised that a comprehensive technical review and formal acceptance would be addressed at the time of a future subdivision application. Staff are waiting for formal confirmation of MOTI's support in principle but are proceeding on the understanding that this correspondence is forthcoming.

The applicant proposes to include sidewalks within the MOTI road rights-of-way in a manner consistent with the vision reflected in the Neighbourhood Plans. Following Board direction in May 2012, staff re-submitted a request to the Ministry of Community, Sport and Cultural Development (MCSCD) to seek authority to regulate activities on sidewalks, boulevards and roadside trails constructed within road rights-of-way in the RDN Electoral Areas. In April 2013, MCSCD staff advised that this broad request is still under consideration, and advised that MCSCD supports MOTI and RDN working on a site specific agreement to facilitate the Lakes District and Schooner Cove applications.

In June 2013, MOTI staff stated that MOTI will address the proposed sidewalks by issuing a permit to the developer, and that MOTI will assume ownership, maintenance and liability for the proposed sidewalks in Lakes District and Schooner Cove as well as the existing 9.4 kilometres of sidewalks in the existing Fairwinds neighbourhood. Given the significance of the Ministry's commitment with regard to sidewalks to existing Fairwind's residents as well as the Lakes District and Schooner Cove developments, it is important to formalize the Ministry's commitment. This is reflected in recent correspondence from Board Chair Joe Stanhope to MOTI Minister Stone (Attachment 1). Staff are waiting for formal confirmation of MOTI's support in principle but are proceeding on the understanding that this correspondence is forthcoming.

Parkland Implications

Staff have been in ongoing discussions with the applicant regarding the phasing and timing of park land dedication (regional and community), Parks Management Plans, park related amenities, trail standards and the proposed parks programming in accordance with the Neighbourhood Plan policies. These commitments will be secured through the phased development agreements (PDAs) for Lakes District and Schooner Cove and will outline the timing of park dedication and improvements over the next twenty years.

As part of its consideration of PDA approval, the Board would consider relinquishing its discretionary land use approval for the term of the PDA in exchange for the provision of community amenities, which consist primarily of park dedications, public boardwalk, and park and trail improvements. Therefore, clarity with respect to the nature of the park and trail improvements and the timing of park dedication as determined through the PDAs will be a critical aspect of these applications in securing a community benefit. In accordance with the Neighbourhood Plans, the applicant has been advised that the dedication of the Notch and the Lookout should occur in the immediate to short term timeline. Staff have not yet received written confirmation of the applicant's concurrence with this timing; however, the applicant did indicate to the community at a Public Open House held on June 26, 2013 that it is considering the dedication of the Notch and the Lookout in the early stages of project.

Clarity on the timing of this initial dedication and future park dedication has been identified by staff as critical to the consideration of the PDA. Staff will continue to work with the applicant toward points of agreement on the park related items in accordance with the Neighbourhood Plan policies.

Servicing Implications

While the servicing considerations related to the proposed development are broad, this report will highlight drainage and water service review, which have been the focus of much discussion. New local service areas will need to be established for Lakes District and Schooner Cove for the provision of drainage and landscaping and boulevard improvements. Drainage, in the form of an Integrated Stormwater Management Plan (ISMP), is a new service function and would be required to achieve the development visions as contemplated through the Neighborhood Plans. Staff have engaged an independent consultant to review the proposed ISMP and the implications of establishing these local service areas. The applicant has contributed funds to cover the full cost of this study which will range from \$25,000 to \$30,000.

The applicant is also contributing \$10,000 towards a review of fire services in the Lakes District and Schooner Cove areas, which will inform the considerations of the needs and capacities for providing fire protection services as these phased developments proceed.

The Neighbourhood Plans policy outlines the need to identify adequate potable water supply prior to zoning amendment and to identify a proven, sustainable and adequate supply prior to subdivision. Staff have been working with the applicant to clarify how this policy will be reflected in the PDA. The applicant has also raised the matter of future financing of water as a “threshold issue” in relation to the zoning amendment. While this matter is important to the applicant it is not critical to the advancement of the zoning amendment applications.

Staff provided information to the applicant regarding water supply and met with the applicant on many occasions to discuss the issue of water supply and financing including recent meetings on May 29, 2013, June 10, 2013 and July 3, 2013. The applicant has not yet confirmed that this threshold issue has been addressed but it is expected that they will confirm their position on this matter shortly. This matter is more appropriately considered through future development servicing agreements at the subdivision and building permit stage, and, if appropriate, through the Board’s discretionary authority in relation to development cost charges (DCCs) and/or other financing mechanisms outside of the zoning amendment process.

Public Consultation Implications

A Public Open House was held and facilitated by the applicant on June 26, 2013 and approximately 160 people attended. The purpose of the meeting was to provide information to the community about the proposed phased developments and how they will implement the policies and objectives of the Neighbourhood Plans. The applicant also advised that the property owner (BCIMC) sent correspondence to the Fairwinds Community Association (FCA) expressing concerns about timeline for the applications review. Staff received a letter from the FCA on June 7, 2013 and provided a response on June 20, 2013 to clarify the application review process and timeline (see Attachments 2 and 3). Items of correspondence from members of the public received following the Open House and prior to publication of this report are included as Attachment 4.

To address BCIMC's concern, staff recommend that the Board send correspondence to BCIMC emphasizing its support for the implementation of the Neighbourhood Plans policies through the proposed zoning amendment applications, and the Regional District's commitment through staff to review the legal requirements of the zoning amendments and phased development agreements in a timely manner.

The formal public process and statutory hearing will be scheduled once the zoning amendment bylaws and phased development agreements have been drafted by the applicant and reviewed by the RDN. It is anticipated that the draft bylaws will be introduced to the Board in the Fall of 2013 based on the tentative timeline in Table 1 below. Staff cannot, however, commit to a public hearing date or scheduling meetings ahead of the Board receiving the proposed amendment bylaws.

Applications Review Timeline

Staff discussed a tentative timeline with the applicant in May 2013. The applicant has requested a more expedited timeline with a Public Hearing to be held in November 2013. The applicant submitted correspondence on June 28, 2013 requesting a commitment to their proposed timeline and attempting to summarize the outstanding items. While we agree that substantial progress has been made towards resolving the outstanding items as initially identified in staff's letter to the applicant on October 22, 2012, there remain a number of key items to be resolved, including drafting of the legal instruments (PDAs and zoning regulations) as required. Staff are working diligently with the applicant to expedite the application reviews in an effort to achieve the applicant's preferred timeline. This has resulted in an adjustment to the tentative timeline for the introduction of the proposed amendment bylaws and PDAs to the Board in November 2013 (see table below).

A significant factor in achieving this timeline will be the drafting and review of the PDAs, which will outline the provision of amenities and future works and services for the phased developments in accordance with the Neighbourhood Plan policies and as agreed through the zoning amendment process. The applicant submitted an "Implementation Framework" with the amendment applications; this framework attempts to identify various commitments and protocols for future considerations of park, water, wastewater, roads, etc. that are intended to be formalized through the drafting of the PDA. Given the complexity of the issues around timing, phasing, standards and jurisdictional authority identified in the framework, staff have been working with the applicant towards key points of agreement to inform the preparation of the draft PDAs. In order to ensure timely review and concurrence, it will be critical that the scope of the PDAs focus on matters that relate to the zoning amendment applications and amenities in accordance to the applicable sections of the *Local Government Act*.

Once the outstanding items are resolved, staff will bring forward the applications for the Board's consideration. As issues are resolved, this may result in changes to the timeline noted in the table below. However, at this stage this timeline appears achievable to address outstanding items and to ensure the public interest is protected and Board policy and legislative approval requirements are met.

Table 1 - Tentative Timeline for Zoning Amendment Applications

Project Task	Tentative Timeframe	Resources
Initial Application Submission & Review	July – October 2012	Applicant/RDN
Revised Application Submission & Review	December 2012 – May 2013	Applicant/RDN
Agency Referrals	October 2012 – June 2013	RDN/External Agencies
First Nations Outreach	May – July 2013	Applicant/RDN
Public Open House	June 26, 2013	Applicant-led
Integrated Stormwater Management Plan and Local Service Area Implications Review	July – August 2013	Review by Independent Consultant
Phased Development Agreement (PDA) Draft & Review	July – November 2013	Applicant/RDN
Public Information Meeting	September/October 2013	RDN-led
Zoning Amendment Bylaws and PDAs introduced for 1 st and 2 nd Reading	November 2013	RDN
Public Hearing on Zoning Amendment Bylaws and PDAs	Subject to Board approval	RDN
Zoning Amendment Bylaw considered for 3 rd Reading	Subject to Board approval	RDN
Legal & Statutory Approvals by Provincial Ministries	Ministerial approval process 2014 (the proposed twenty year PDA term requires Provincial approval)	RDN/Provincial Ministries
Zoning Amendment Bylaw considered for 4 th Reading/Adoption & PDA signed	Subject to Board approval	RDN

ALTERNATIVES


1. Receive this report for information only.
2. Receive this report for information and send correspondence to the property owner expressing support in principle of implementation of the Neighbourhood Plans policies and a commitment to finalize application review and presentation of bylaws to the Board for consideration in a timely manner.

SUMMARY/CONCLUSIONS

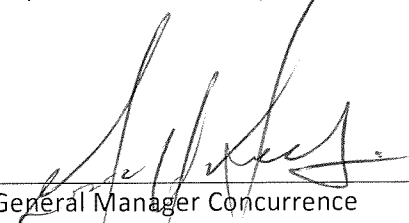
The RDN received two zoning amendment applications in July 2012 for the long term phased development of the Lakes District and Schooner Cove areas. Staff reviewed these initial submissions and provided comments to the applicant. The applicant provided additional information in December 2012 to complete their applications, and staff proceeded with comprehensive application review and referrals. Staff have actively engaged external agencies such as the Ministry of Transportation and Infrastructure to guide the applications review and work towards a mutual understanding of the project phasing and zoning requirements. A tentative timeline for the applications review has been communicated with the applicant and anticipates introduction of the proposed amendment bylaws and phased development agreements in the Fall of 2013. This information is provided to the Board as a status update and summary of the next steps in the applications review.

RECOMMENDATIONS


1. That the Board receive this report for information.
2. That the Board send correspondence to the property owner expressing support in principle of implementation of the Neighbourhood Plans policies through the proposed zoning amendments and a commitment to finalize application review and presentation of bylaws to the Board for consideration in a timely manner.



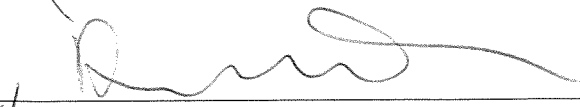
for Report Writer



General Manager Concurrence

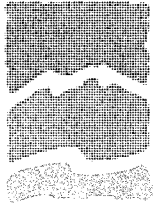


Manager Concurrence



CAO Concurrence

Attachment 1
Correspondence to the Minister of Transportation & Infrastructure



REGIONAL
DISTRICT
OF NANAIMO

June 25, 2013

File: 5400-09

The Honourable Todd Stone
Minister of Transportation and Infrastructure and Deputy House Leader
Room 306, Parliament Buildings
Victoria, BC
V8V 1X4

Re: Request for Authority over Sidewalks, Boulevards and Roadside Trails

Dear Minister Stone:

First, let me congratulate you on your recent election and appointment to the Provincial Cabinet.

Please find attached a copy of a letter dated April 18, 2013, along with numerous attachments to that letter, which I sent to the Honourable Mary Polak in her former position as Minister of Transportation and Infrastructure.

As noted in my April 18th letter, the Regional District of Nanaimo (RDN) has requested regulatory authority over sidewalks, boulevards and roadside trails within Ministry of Transportation and Infrastructure (MOTI) road rights-of-way. My letter also referenced support for this request by the Honourable Bill Bennett, in his position at that time as Minister of Community, Sport and Cultural Development (MCSCD), conditional on the support of your Ministry and other affected interests and ensuring that appropriate agreements and policies are in place.

Since April, RDN and MOTI staff have continued to work to develop such agreements and policies, discussing issues such as the nature of an agreement/arrangement respecting sidewalks and matters such as standards maintenance and consideration of how ongoing liability for sidewalks will be addressed.

The specific matter of 9.4 km of existing sidewalk within the Fairwinds community which has existed for 20 years within MOTI road rights-of-way and proposed sidewalks within the future Fairwinds development, noted in my earlier letter, has now been resolved through the discussions with MOTI staff. Renée Mounteney, District Manager, Transportation and Infrastructure, Vancouver Island District has stated that MOTI has agreed to assume responsibility for the existing 9.4 km of sidewalk in Fairwinds and has also agreed to issue permits to the developer for construction of new sidewalks within the Lakes District and Schooner Cove (future Fairwinds development) and to assume responsibility for the new sidewalks as well.

6300 Hammond Bay Rd.
Nanaimo, B.C.
V9T 6N2

Ph: (250)390-4111
Toll Free: 1-877-607-4111
Fax: (250)390-4163

RDN Website: www.rdn.bc.ca

June 25, 2013

Page 2

While it is our understanding that MOTI has made a firm commitment on the above, the RDN requests formal confirmation that MOTI will assume responsibility for the existing 9.4 km of sidewalk in Fairwinds and commits to issuing permits to the developer for construction of new sidewalks within the future Fairwinds development and will assume responsibility for those new sidewalks following construction. I would be grateful for your assistance in obtaining such confirmation.

With regard to the original request by the RDN for regulatory authority over sidewalks, clear community interest in the RDN providing a sidewalk function has also been demonstrated in areas other than Fairwinds through public processes such as the development of the Cedar Main Street design guidelines. Therefore, despite reaching resolution on the Fairwinds sidewalks, the RDN is still seeking regulatory authority over sidewalks, boulevards and roadside trails within MOTI road rights-of-way.

Your support for a resolution on this important matter of public interest for our community would be greatly appreciated.

Sincerely,

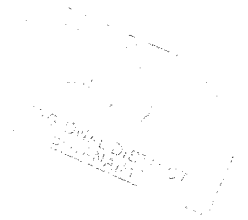
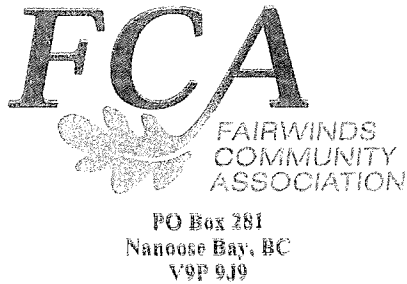


Joe Stanhope
Chair

Enclosures

cc: R. Mountney, District Manager, Transportation and Infrastructure, Vancouver Island District
P. Thorkelsson, CAO, Regional District of Nanaimo
G. Holme, Director Electoral Area 'E'

**Attachment 2
Letter from FCA to RDN**



3265 Huntington Place
Nanoose Bay, B.C.
V9P 9H6
gathom@telus.net
250 468 181

June 7, 2013

Mr. Geoff Garbutt, R.P.P.
General Manager of Development Services
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, B.C.
V9T 6N2

Re: Approval Schedule, Zoning Bylaw, Proposed
Fairwinds Development

Dear Mr. Garbutt:

The following was approved by the Fairwinds Community Association (FCA) Executive Committee at their regular meeting held June 6, 2013.

As you are aware, the FCA remains vitally interested in the above approval schedule. We believe that it is possible and desirable to finalize this process through to the conclusion of a formal public hearing by the end of 2013. We believe that all parties to the process would be best served if this objective were to be met.

We understand that MOTI issues are resolved to the extent that they would affect the schedule of the zoning bylaw approval process.

Would you please provide us with an update respecting progress in this matter .It would also be appreciated if you would copy your reply to FCA Vice President David Patterson. Mr. Patterson's contact information is as follows: David Patterson, 7-2640 Andover Road, Nanoose Bay, B.C., V9P 9K7, dapatterson@shaw.ca, 250 468 9384.

Thank you for your attention to our request and for your leadership in this challenging but highly beneficial undertaking.

Sincerely,



G.A. (Gerry) Thompson, President, FCA

Cc Mr. David Patterson, Vice President, FCA

Director George Holme, Electoral Area E

Fairwinds Community Association

June 20, 2013

Page 2

the development of the lands is viable and achievable it is imperative that the regulations and legal agreements associated with the PDAs are clear in their intention and can be understood by the public, RDN, other approval jurisdictions, developer and future residents of the lands. For your reference, the request for a twenty year PDA triggers the requirement for provincial approval which has timing implications as well as consultation implications for the above noted applications.

As outlined at the FCA meeting on May 9, 2013, we are working cooperatively with the applicant to establish a clear path forward that is achievable and recognizes the role of the Board considerations and approvals in accordance with the requirements of the Local Government Act.

Based on the outstanding issues to be addressed, Board policy and legislative approval requirements, RDN staff proposed the following timeline to the applicant on May 3, 2013:

- First Nations outreach (May – June, 2013) – undertaken jointly with applicant
- Fairwinds Open House(s) (June 26, 2013 and September, 2013) – undertaken by the applicant. *A second meeting may be required based on first Open House*
- Integrated Stormwater Master Plan and Local Service Area Implications review (June-July 2013) – *peer review undertaken by independent consultant*
- Phased Development Agreement Prep (June 2013 – November/December, 2013) – undertaken jointly
- RDN Public Information Meeting (September/October 2013) – RDN event with presentation by applicant
- Zoning Amendment Bylaw and Phased Development Agreement considered for 1st and 2nd Reading (November/December, 2013 – tentative)
- Public Hearing on Zoning Amendment Bylaw and Phased Development Agreement (January/February 2014) – subject to Board approval
- Zoning Amendment Bylaw considered for 3rd Reading – subject to Board approval 2014
- Legal and Statutory Approvals by Provincial Ministries – Ministerial approval process 2014
- Zoning amendment Bylaw considered for 4th Reading and Adoption and PDA signed – subject to Board approval 2014

As outlined above, staff have been clear with the applicant that the timeline outlined above reflects an achievable and realistic process forward that allows sufficient time to address outstanding issues, ensure the public interest is protected and addresses the applicant's desire to have this application considered in a timely manner. At the May 9, 2013, meeting the applicant shared their desired timeline with the FCA members however; they did not share the timeline that has been provided by the RDN. As discussed at the meeting on May 9, 2013, the timeline as above is only slightly different from that requested by the applicant and reflects the specific complexities of these two rezoning applications and the request for a twenty year PDA.

Fairwinds Community Association

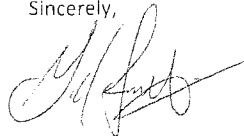
June 20, 2013

Page 3

As you are aware the Ministry of Transportation and Infrastructure has recently advised the applicant and the RDN that they are prepared to assume responsibility for the installation and long term maintenance of sidewalks within the proposed Lakes District portion of the development. In addition, the Ministry has also advised the applicant and the RDN that an application for subdivision is required for the Ministry to approve the proposed alternative road design standards. As outlined during the FCA meeting finding a resolution to these important community issues is critical to achieve the community's vision for the Lakes District and Schooner Cove neighbourhoods and to support moving forward on this application. At this time we can advise you that we are still in the process of confirming the Ministry's formal position on the matter of sidewalk installation/long-term maintenance and street standards however we hope that these matters will be resolved shortly.

We recognized the FCA's interest in these two zoning amendment applications and I assure you RDN staff are working diligently towards a comprehensive development approval and achieving the above timeline. Thank you for your continued input on this development project of significant importance in the region and we look forward to your attendance at the open house hosted by Fairwinds on June 26th. If you have any questions or if we can provide you with any additional information please do not hesitate to contact me at (250) 390-6510 or ggarbutt@rdn.bc.ca

Sincerely,



Geoff Garbutt, MCIP, RPP
General Manager of Strategic & Community Development

kh/JH

cc: Russell Tibbles, Vice President, Development & Operations, Bentall Kennedy (Canada) LP
David Patterson, Vice-President, FCA
Joe Stanhope, Chair, RDN
George Holme, Director, Electoral Area 'E'
Frank Van Eynde, Alternate Director, Electoral Area 'E'
Paul Thorkelsson, Chief Administrative Officer, RDN
Jeremy Holm, Manager, Current Planning, RDN
Lainya Rowett, Senior Planner, RDN

Attachment 4
Correspondence from members of the public following
the Open House on June 26, 2013

1482 Madrona Drive

June 10, 2013

Nanoose Bay, B.C. V9P 9C9

Mr. George Holm

Area E Director

Regional District of Nanaimo

6300 Hammond Bay Road

Nanaimo, B.C.

Dear George;

Re: Public consultation for proposed Fairwinds Development.

This letter is predicated on the assumption the RDB Board wishes to base its next decisions on this proposed development in large part on good science and informed public opinion.

However, I contend that the current public consultation process is preventing you from doing so. I'd like to elaborate and offer a suggestion that would improve the process.

The problem with the current public consultation process is two-fold. First, the public is not being actively engaged in the process; and second, as a result of the first, decision makers (RDN staff and Board) are not getting the kind of information that is necessary for making wise and defensible decisions.

The current public consultation process, involving a public meeting, followed by a hearing (both essentially public monologues) is the most dysfunctional method conceivable in achieving any kind of meaningful input from the public, and for you to gauge informed public opinion – both essential for wise decision making.

The kind of information RDN needs to hear from the public includes the following: (1) technical input to project design (there are a lot of qualified people in Nanoose Bay who can contribute in a meaningful way, if they were asked, and thereby contribute to "good science"), (2) social values placed on environmental assets at risk from the proposed development (so we can all understand how important these things are to us and what priorities we should place on them),

1

(3) the level of acceptance of potential impacts (we cannot allow the developer alone to decide what is good enough for us), and (4) the final overall acceptability of the proposed development.

The current process is so obviously flawed in its ability to provide this information, and if the process isn't improved or changed, the Board will not have reliable information upon which to base decisions on the proposed phased development plans or agreement.

Things could have gone better, even under the current dysfunctional system, but the public consultation process set in place for the proposed development by RDN and Fairwinds was ambushed (disbanded) by Fairwinds before it could achieve anything useful. There was early agreement by RDN that the appointed Community Advisory group (CAG) would serve as RDN's public consultation instrument for this development. As such, I can't fathom why RDN allowed the premature disbanding of the CAG. After all, this group was as much RDN's as Fairwinds', and perhaps could have done a reasonably good job, had it been allowed to do so.

It's important to understand that the CAG's involvement and the 50+ public meetings touted by Fairwinds dealt only with matters of form and character. There were no further CAG meetings once the Neighbourhood Plans and the Environmental Impact Assessment Report were released to the public; so, there was no discussion of the potential impacts that the proposed development would have on any aspect of the Nanoose community – the environment, water, noise, traffic, etc.

I repeat, there has been no discussion of impacts. Some members of the CAG tried to engage the group in such discussions, but there was no appetite for this by the Fairwinds planning group. I question how RDN can act on behalf of the public when it has not yet heard the public's views on something as important as the potential impacts.

It's folly to think that the conventional public meeting/hearing process used two years ago gathered any useful information from the public or served as an adequate instrument of public expression. Although this process may comply with local government policy, it is inadequate mainly because it does not encourage any form of discussion; indeed, it hinders and even prohibits the kind of dialogue that could lead to more meaningful decisions. Consider, for example, exactly what is contributed by a succession of speakers at the microphone simply "voting" yes or no on the proposed development. How did this help in making meaningful decisions? Those who tried to offer more than a simple opinion received no feedback from the decision-makers at the front table, who at times seemed more attentive to the time clock than they were to the actual message being delivered (my personal experience). This is inevitable, I suppose, after the first 50 or so speakers, but does not excuse a flawed consultation process. The conventional process also tends to marginalize minority opinion. In some cases, the

minority opinion turns out to be the most relevant and most important one, but this can only be uncovered through a consultation process that is open and fair and not confined to monologue presentations.

Again, a meaningful consultation process would elicit useful information and informed opinion from the public (not a simple vote) through discussion and debate. The current process doesn't allow for this so I contend that you (the decision makers) won't have useful information or informed opinion, or won't know if you have it, to use as a basis for your decisions.

Please consider; your decisions are more than yes or no (or should be). Decisions should involve an understanding of the rationales for people's opinions, and this requires discussion and debate of key issues.

So, unless things are changed, with a program of RDN-sponsored public discussion and debate, you will continue to risk making decisions that may not be in the best interests of the public, simply because you won't know what these interests are. Also, staff won't be able to help you because they will be similarly limited in their knowledge and understanding. First of all, because staff do not have the expertise and experience in ecological matters, and secondly because the proponent has not provided accurate and complete information on the environmental assets at stake and the potential impacts. Several biologists attempted to bring these deficiencies to your attention at the last hearing, but were limited by the confined nature of the hearing process.

In summary, essential knowledge can only come from directed discussion and debate of important issues involving a truly engaged public. It cannot come from the type of highly restrictive process currently being used, and cannot be extracted from the shameful Fairwinds-supported and directed Community Advisory Group process that was stopped just when the important design and impact information was revealed.

The planned June 26th Fairwinds-sponsored "Public Open House" cannot be regarded as a discussion opportunity, as Fairwinds is clearly looking for support for their development and not comment – they say so in their advertisement.

Therefore, any meaningful program of public discussion and debate will have to be RDN-driven.

My suggestion of directed discussions complies with the Planning Institute of B.C. and the Canadian Institute of Planners, Code of Professional Conduct, which states:

"15.1 The Planners Responsibility to the Public Interest: Members have a primary responsibility to define and serve the interests of the public. This requires the use of theories and techniques of planning that inform and structure debate, facilitate communication, and foster understanding. Accordingly, a Member shall:

15.1.1 practice in a manner that respects the needs, values and aspirations of the public and encourages discussion on these matters;

15.1.2 provide full, clear and accurate information on public planning matters to decision-makers and the public;

15.1.3 acknowledge the inter-related nature of planning decisions and their consequences for individuals, the natural and built environment, and the broader public interest; and

15.1.4 identify and promote opportunities for meaningful participation in the planning process to all interested parties.”

George, I think you must agree that the public has a reasonable expectation to see that its public servants will be complying with their professional code of professional conduct, and therefore will shortly see RDN-sponsored discussions and debate on key issues of public concern. Fairwinds and the RDN had the chance to do this through the CAG two or more years ago, but the ball was dropped and the opportunity lost. It's not too late to do the right thing. I'm not concerned with the Fairwinds' public statements of their sense of urgency; after all, they had years to do this correctly, and chose not to.

Sincerely,

Ross Peterson

cc. Joe Stanhope

Jeremy Holm

Holm, Jeremy

From: Garbutt, Geoff
Sent: Monday, July 01, 2013 5:07 PM
To: Holm, Jeremy; Rowett, Lainya
Subject: Fwd: November 2013 Public Hearing

FYI

Begin forwarded message:

From: Don White <drdwhite@shaw.ca>
Date: 1 July, 2013 4:35:15 PM PDT
To: <ggarbutt@rdn.bc.ca>
Subject: November 2013 Public Hearing

Geoff Garbutt
GN, Strategic and Community Planning, RDN

We attended the Fairwind's Open House meeting on June 26, 2013. We have recently moved into a brand new home on Bromley Place in Fairwinds. When we purchased our lot back in 2011, we were led to believe that the Lakes District and Schooner Cove Marina plans would be a reality in the not too distant future and that there would also be a townhome complex (Bonnington Ridge Townhomes) being built across the street from us in a tasteful manner.

Recently, we have learned that ALL of this seems to be in dire jeopardy of not taking place at all, or of taking place at a ridiculously slow time pace, or of taking place in an altered form than we were led to believe. We are extremely dismayed and upset by all of this, and feel that we bought and built under false pretenses. We spent well over a million dollars on our lot and home construction, and unless things turn around soon, would take a huge loss, should we need or decide to sell.

We have seen the plans for the further development of the Lakes District and the Marina. They are great. This would be a huge boon to the local and regional economy and the further development would increase the tax base in the area. After running a small business successfully for over 25 years, I know that sometimes long hours and grunt work are what it takes to get to the finish line. Also, a reasonable approach and some compromising on both sides is usually involved as well. We see no reason why the time lines proposed by the owner of Fairwinds can not be achieved if both sides sit down, put shoulders to the wheel, and do whatever it takes to get the job done.

We see the present as somewhat of a tipping point for Fairwinds. We have seen personally, that uncertainty about the future development plans has already turned away a potential buyer on our street. Rumors are flying about the death of Fairwinds, and this will spread to the larger community. Like the quote from a movie; " If we build it, they will come," we feel that moving forward on these development plans will revitalize interest in the area and see lots start to sell, and homes being built.

We are so excited at the prospect of a local cafe and market, and walking trails galore. Those were some of the very reasons we chose to retire in Fairwinds.

We implore you to renew and continue your efforts with the goal to realizing the November deadline to hold the Public Hearing imposed by the owner of Fairwinds. They have waited long enough for some serious progress and so have we and the other members of the community.

Respectfully,
Don and Donna White
3410 Bromley Place
NanOOSE Bay, BC
V9P 9L8

Holm, Jeremy

From: Garbutt, Geoff
Sent: Monday, July 01, 2013 8:26 PM
To: Holm, Jeremy; Rowett, Lainya
Subject: Fwd: Support for 2013 Fairwinds development timetable

Begin forwarded message:

From: Karen Wright <kwright@nucliois.com>
Date: 1 July, 2013 12:48:32 PM PDT
To: <jsantone@rsi.ca>, <rholm@shw.ca>, <ggarbutt@rdn.bc.ca>, <pripoduk@rdn.bc.ca>
Cc: <ripates@fairwinds.ca>
Subject: Support for 2013 Fairwinds development timetable

Gentlemen,

I wish to add my voice to the many that are now, and have been for several years, eagerly supporting *moving forward* with the Fairwinds development.

When I purchased property here in 2002, and again in 2005, and again in 2006, it was with the full understanding that Fairwinds was in the midst of a large-scale and very exciting development. When I moved here in 2007, with my now late husband, we looked forward to our retirement years here, living in what was then a vibrant community and anticipating watching it grow even moreso.

Then he died ... and, shortly after, the community began to close down, and the development process disappeared into a black hole. I haven't been able to sell the land we were going to build our dream house on, or the other land I also own which we'd also contemplated building a house on, which has been for sale now for *five long years*. With the unending delays in regulatory approvals, this once vibrant community, full of promise, has stagnated, leaving so many of us confused, frustrated, disappointed and losing our financial security.

In my experience here, I have come to appreciate the quality of the investor that we have in BCIMC. I have seen their unending efforts to involve the community and to not only listen but to respond to concerns that are as varied as there are

stakeholders. They have shown great flexibility and commitment to social, community, environmental, and regulatory requirements. Their patience has been remarkable.

And I understand that it's running out.

I can't say that I blame them ... but I will blame those who have been elected and appointed to work on *my* behalf, and the behalf of this entire community, if this doesn't move forward which I understand is at real risk if we aren't able to hold a Public Hearing in November of this year.

I do understand and appreciate the role you all are playing. You need to protect the interests of the bigger picture and I wholeheartedly support the need to do so. However, there must be a balance. This current application has been underway for over five years with much compromise on the part of the investor that's been evident to those of us watching from within the community. I honestly can't imagine an investor who is more dedicated to doing the right thing.

It's now time for *you* to do the right thing. This is a visionary and ground-breaking project and much time and effort has gone into the process in the past in order to expedite the final stages we are supposedly now in. It's time to recognize this and *move this forward. Please do what it takes to hold a Public Hearing in November.*

Thank you for being a responsible *guardian*, not a gate-keeper, for the community.

In gratitude,

Karen Wright
3615 Collingwood Drive
Nanoose Bay, B.C. V9P 9G3

Holm, Jeremy

From: Garbutt, Geoff
Sent: Monday, July 01, 2013 8:27 PM
To: Holm, Jeremy; Rowett, Lainya
Subject: Fwd: Zoning Application for the Lakes District & Schooner Cove Development Approval Progress to allow for a Public Hearing by November 2013

Begin forwarded message:

From: david collyer <david.collyer@shaw.ca>
Date: 30 June, 2013 5:59:08 PM PDT
To: <jstanhope@shaw.ca>
Cc: <pthorkelson@rdn.bc.ca>, <ggarbutt@rdn.bc.ca>, "Fairwinds Comm. Assoc." <president@fairwindscommunityassociation.org>, George Holme <gholme@shaw.ca>
Subject: Zoning Application for the Lakes District & Schooner Cove Development Approval Progress to allow for a Public Hearing by November 2013

Dear Mr. Stanhope,

The June 26th meeting at the Fairwinds Clubhouse seemed to be frustrating because of the lack of understanding of the RDN reasons why the November Public Hearing could not be met. I think it would be helpful if the RDN hired a Critical Path consultant, to determine all the actions and decisions that have to be made in order to reach/or not reach the critical November Public Hearing date. In my other life [architecture] the use of an unbiased critical path consultant was always beneficial in pinpointing the line of actions which would be necessary to reach a mandatory 'completion' date. If the RDN would commission a critical path study it would clarify one way or the other whether the November Public Hearing could be met. This type of study would at a minimum indicate the actions which are most time consuming and with these actions highlighted on the critical path, decisions could be made at the proper time which could shorten them [the excessive times] to allow a November Public Hearing.

David Collyer [david.collyer@shaw.ca]

Holm, Jeremy

From: Garbutt, Geoff
Sent: Monday, July 01, 2013 8:28 PM
To: Holm, Jeremy; Rowett, Lainya
Subject: Fwd: Meeting at Fairwinds on Wednesday June 26th, 2013 for Schooner Cove and Lakes District Plan

Begin forwarded message:

From: Ron Hanson <ron@rkhpromotionalproducts.com>
Date: 28 June, 2013 11:37:17 AM PDT
To: <jsstanhope@shaw.ca>
Cc: <gholme@shaw.ca>, <pthorkelsson@rdn.bc.ca>, <ggarbutt@rdn.bc.ca>, <stilwell.parksville@gmail.com>, <rtibbles@bentallkennedy.com>, <jpurcell@bentallkennedy.com>
Subject: Meeting at Fairwinds on Wednesday June 26th, 2013 for Schooner Cove and Lakes District Plan

We once again attended a meeting regarding the Fairwinds application for the Schooner Cove and Lakes District Neighbourhood Plan and once again we were disappointed with the results of the meeting.

We were informed that the RDN cannot or will not meet the timeline requested by bcIMC, a totally reasonable request considering how long this application has been dragged out by you, your committee and the RDN staff. You were elected by the residents of Electoral District E to represent your constituents best interests on all things involving our community. I would have to say that in this instance you have failed us miserably. We are tired of all the excuses for your inability to close this deal. If this application was such a large mountain to climb you should have, like a good business would have done, gone out and found someone who was capable of completing the task in a timely manner.

For the life of me, I cannot understand that after all the public hearings, the jobs on the line, the millions of dollars that would be spent during this project not only in Nanoose Bay but in the entire area, why you haven't done a better job. We do not want to hear again about this being an abnormal Plan request because of the sidewalks and the width of the streets etc. If this was a problem, you should have recognized it a long time ago and resolved the issues, not wait until the investor is considering pulling out of the project due to your inability to meet the timeline.

We understand that you are working with archaic, project stifling, progress killing legislation, put in by a government many years ago that had no concept of how the real world works but there are always ways to resolve that BS and that is with intelligence and innovation. I am sad to say that it appears that the RDN possess neither of these attributes.

By not closing this deal you and your staff are essentially destroying the housing values in the Fairwinds Community. By not moving forward you will also be throwing away the additional tax base and all of the extras that can bring.

I have been in the business world for 46 years and have never witnessed such an incompetent approach to problem resolution.

I do hope that if bclMC pulls out of this worthy project that you already have another investor who is willing to spend this kind of money in your district. Somehow I don't think that is in the cards.

In closing if you find this e-mail rather harsh, you might want to take a minute and think about how the residents of Fairwinds feel by being let down by the RDN.

Ron Hanson

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Cell: 250-618-5774
Email: ron@rkhpromotionalproducts.com

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Holm, Jeremy

Subject: FW: Fairwinds Development

From: joe straka [mailto:strakaen@shaw.ca]

Sent: Tuesday, July 02, 2013 8:29 AM

To: Thorkelsson, Paul

Cc: Anne Thompson; president@fairwindscommunityassociation.org; RTibbles@Bentallkennedy.com; strakaen@shaw.ca; George Holme

Subject: Fairwinds Development

Good Morning Mr. Thorkelsson

I attended the recent (June 27th) Fairwinds Open House and was pleased to hear from Fairwinds staff and Mr. Garbut of your staff that a great number of issues that were reported unresolved at the May 9th meeting (that you attended) have been resolved to both parties satisfaction.

I wish to congratulate you and your staff for focusing on the Fairwinds Development plan and moving things forward. It is true there are still some outstanding issues and I would like to encourage continued co-operation and problem solving leading toward an RDN Public Meeting in November.

Initiation of construction on the Fairwinds Phase 1 development (Schooner Cove) would benefit all electoral areas of the RDN with the jobs it will create as well as the investment dollars flowing into local area (RDN) merchants and RDN's coffers through taxation and building permits

Please keep up the good and timely work

Thank you

Joe Straka
2064 Radford Place
Nanoose Bay